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SENATE—*Monday, October 16, 1972*

The Senate met at 10 a.m. and was called to order by Hon. Frank E. Moss, a Senator from the State of Utah.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Blessed art Thou, O God, Creator and Ruler of the universe, who at the beginning guided our Founding Fathers to put over their first instrument of government the words "In the name of God, Amen," help us who follow to keep Thy name above all that we think and say and do. May the motto "In God we trust" be the witness of our lives and our institutions. Keep us aflame for righteousness, justice, and peace.

We thank Thee for the high and holy privilege of walking and working together in service to God, country, and humanity. When our work is done in this Chamber may we commit our Nation, its leaders, and especially our colleagues and assistants to Thy gracious care.

Through Him who is the way, the truth, and the life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Eastland).

The assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 16, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. Frank E. Moss, a Senator from the State of Utah, to perform the duties of the Chair during my absence.

James O. Eastland,
President pro tempore.

Mr. MOSS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, October 14, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DECLARATION OF NONNAVIGABILITY FOR PENNSYLVANIA'S LANDING DEVELOPMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1242, S. 1971.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 1971, to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with an amendment, on page 3, line 13, after the word "United", strike out "States" and insert "States, and the consent of Congress is hereby given, for the filling or erection of permanent structures in all or any part of the described area"; and, after line 16, insert a new section, as follows:

Sec. 2. This declaration shall apply only to portions of the above-described area which are filled or occupied by permanent structures. No such filling or erection of structures in the above-described area shall be commenced until the plans therefor have been approved by the Secretary of the Army who shall, prior to granting such approval, give consideration to all factors affecting the general public interest and the impact of the proposed work on the environment.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portion of the Delaware River in Philadelphia County, Commonwealth of Pennsylvania, lying between all that certain lot or piece of ground situate in the second and fifth wards of the city of Philadelphia described as follows:

Beginning at a point on the easterly side of Delaware Avenue (variable width) said side being the bulkhead line of the Delaware River (approved by the Secretary of War on September 10, 1940), at the distance of 1,833.652 feet from an angle point on the easterly side of said Delaware Avenue south of Washington Avenue;

thence extending along the easterly side of said Delaware Avenue the following courses and distances, (1) north 0 degree 45 minutes 33.2 seconds west 2,524.698 feet to a point; (2) north 9 degrees 36 minutes 25 seconds east, 2,168.160 feet to a point; (3) north 13 degrees 26 minutes 45.8 seconds east, 2,039.270 feet to a point; (4) north 20 degrees 12 minutes 52.4 seconds east, 35.180 feet to an angle point in Delaware Avenue;

thence continuing north 20 degrees 12 minutes 52.4 seconds east along the said bulkhead line, the distance of 574.970 feet to a point on the south house line of Callowhill Street produced;

thence extending along the south house line of Callowhill Street produced south 80 degrees 47 minutes 30.6 seconds east, the distance of 523.906 feet to a point on the pierhead line of the Delaware River (approved by the Secretary of War on September 10, 1940);

thence extending along the said pierhead line the following courses and distances, (1) south 17 degrees 52 minutes 48.5 seconds west, 605.262 feet to a point; (2) south 14 degrees 14 minutes 14.7 seconds west, 1,372.530 feet to a point; (3) south 10 degrees 37 minutes 35.3 seconds west, 1,252.160 feet to a point; (4) south 8 degrees 23 minutes 50.4 seconds west, 1,450.250 feet to a point; (5) south 2 degrees 22 minutes 45.9 seconds west, 1,221.670 feet to a point; (6) south 1 degree 4 minutes 36 seconds east, 1,468.775 feet to a point on the north house line of Catherine Street extended, thence extending north 76 degrees 56 minutes 29.2 seconds west, the distance of 555.911 feet to the first mentioned point and place of beginning is hereby declared not to be a navigable water of the United States within the meaning of the Constitution and laws of the United States, and the consent of Congress is hereby given, for the filling or erection of permanent structures in all or any part of the described area.

Sec. 2. This declaration shall apply only to portions of the above-described area which are filled or occupied by permanent structures. No such filling or erection of structures in the above-described area shall be commenced until the plans therefor have been approved by the Secretary of the Army who shall, prior to granting such approval, give consideration to all factors affecting the general public interest and the impact of the proposed work on the environment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

A LETTER TO THE SUPREME COURT

Mr. MANSFIELD. Mr. President, in the National Observer of October 7, 1972, there is "A Letter to the Court" signed by Nina Totenberg. Miss Totenberg is one of the very best reporters covering the Supreme Court, and she has said what needed to be said and what has been said in the Senate by Senator Sam Ervin of North Carolina on a number of occasions.

The Supreme Court, I think, has gone a long way to damage the rights of all

Americans, because of its decisions in the Gravel-Brewster case covering legislative immunity, the Caldwell case taking away the protection of a newsman guaranteed under the first amendment, and the Tatum case which approved what the Army had done in spying on peaceful Americans, likewise a guarantee under the first amendment.

It is my hope that the damage done in these three cases will be rectified in the near future, and it is my further hope, in addition, that the cases on which Supreme Court Justices sit will, in the future, not conflict with any possible previous business, governmental, or other interests.

I ask unanimous consent that the letter written by Nina Totenberg and covering the area of individual rights be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the National Observer, Oct. 7, 1972]

A LETTER TO THE COURT

DEAR JUSTICES: This week marks the opening of a new Court term. Before you begin rendering decisions, consider a few points.

Last term you ruled against individual rights in three cases that one-by-one may not have seemed to strike a great blow against freedom but taken as a whole seriously threaten our whole system of checks and balances on Government power.

You ruled that a newsman, if subpoenaed, must testify before a grand jury conducting a criminal investigation and that a newsman has no right to withhold the identity of his sources of information.

You ruled that a member of Congress or his aides may be questioned about their sources of information. Specifically, you said that Alaska Sen. Mike Gravel and his aides had no immunity and must tell a grand jury about their sources for the Pentagon Papers and arrangements they made for publishing the papers.

You ruled that peaceful protesters who are spied upon by military agents may not challenge the practice in court unless they can show they have been specifically harmed. The case grew out of revelations that some 1,000 Army intelligence agents in 300 offices across the country had kept tabs and field dossiers in computer banks on thousands of citizens (including senators and Supreme Court Justices) involved in activities such as Earth Day, church and community action, labor-union action, and civil-rights and anti-war protests.

The net effect of these three decisions is twofold: It severely limits the availability of information that shows the government in power in an unfavorable light; and it gives the government broad new powers to investigate those who speak against its policies.

It's not unusual, for example, for a newspaper to crusade against the local, state, or Federal government with articles about corruption or Mafia connections. Stories such as these usually begin with tips from courageous citizens whose jobs, earnings, even lives would be jeopardized if their identities became known.

The first thing a corrupt government does when threatened with exposure is to find the sources of the leak and shut them up. And what is the easiest and most legal way to find out who those sources are? It is to convene a grand jury to investigate the newspaper's charges and force the reporters to reveal the identity of their sources. Then corrupt government operatives dig up some piece of dirt about the source, or they threaten his life or his children's lives, or they fire him from his job, or sometimes they just arrange an auto accident.

Another important way that information is discovered about hanky panky in government is through Congress. Desperate citizens often write to their congressmen about wrongdoing. That is how Gen. John Lavelle's unauthorized bombing in Vietnam came to light.

The young man who spilled the beans about Lavelle to his senator did so because the same chain of command he was supposed to report wrongdoing to was also falsifying documents about the bombings. The young man didn't mind seeing his identity revealed. But suppose the source had been a general with his career at stake. The Founding Fathers gave members of Congress immunity from prosecution for speeches made on the floor, presumably to insulate them from the punitive actions of those they criticized.

The Court decisions in the press-subpoena and Gravel cases thus make it exceedingly difficult to gain adverse information about the executive branch of Government. At the same time, the executive branch has all kinds of special tools to protect itself. President Nixon has significantly expanded this doctrine of executive privilege—a doctrine originally meant to guarantee the confidentiality of the President's communications with his aides.

But Nixon has invoked this doctrine for all manner of self-protection. Henry Kissinger has refused to testify about foreign policy before Congress; when the President ordered a scientific study of the SST and the study concluded that the project was a bad one, the President refused to release the study because by then he was pushing the SST. White House aides refused to answer questions from a congressional committee about their involvement in getting a favorable settlement of the antitrust case against ITT after that corporation made a large campaign contribution to the GOP.

It is almost impossible to break the back of executive privilege. The only way to challenge it is through the Justice Department, and that is also part of the executive branch. Any maverick U.S. attorney who thought to challenge Government secrecy with a grand-jury investigation would be fired by the President before he could say "your honor."

Now you, the members of the U.S. Supreme Court, give the executive branch new tools. You, in effect, have said to the executive branch: "You can interrogate your critics before a grand jury, you can find out who is squealing. And if people want to hold meetings to protest what you are doing, you can spy on them and keep dossiers on them."

Think about it this way, your honors. How would you regard your decisions if a President Edward M. Kennedy were to order investigations into congressional and press leaks accusing him of weakening our national defense or of playing footsie with some union? Would you like it, Warren Burger, if some Democratic President were to order surveillances conducted on you and Richard Nixon—and you had no legal recourse to stop it?

NINA TOTTENBERG.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the distinguished Republican leader wish to be recognized?

Mr. SCOTT. Mr. President, I yield back my time.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, for not to exceed 15 minutes, with statements therein limited to 3 minutes.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. Moss) laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Better Management Needed Over Decisions To Start Full-Scale Development of Minor Weapons Systems", Department of Defense, dated October 6, 1972 (with an accompanying report); to the Committee on Government Operations.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. Moss):

A telegram, in the nature of a petition, from A. Freeman, Washington, D.C., praying for a redress of grievances; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FANNIN (for Mr. LONG) from the Committee on Finance, without amendment;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes (Rept. No. 92-1305).

By Mr. INOUYE, from the Committee on Appropriations, with amendments:

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

PERSONAL EXEMPTIONS IN CASE OF AMERICAN SAMOANS—REPORT OF A COMMITTEE (S. REPT. NO. 92-1306)

Mr. LONG, from the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, submitted a report thereon, which was ordered to be printed.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that today, October 16, 1972, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 216. An act to permit suits to adjudicate certain real property quiet title actions;

S. 1852. An act to establish the Gateway

National Recreation Area in the States of New York and New Jersey, and for other purposes;

S. 1928. An act to amend the Wild and Scenic Act by designating a segment of the Saint Croix River Minnesota and Wisconsin, a component of the national wild and scenic rivers system;

S. 2411. An act to establish the Cumberland Island National Seashore in the State of Georgia, and for other purposes;

S. 2454. An act to amend the Youth Conservation Corps Act of 1970 (Public Law 91-378, 84 Stat. 794) to expand the Youth Conservation Corps pilot program and for other purposes;

S. 2741. An act to amend the Act of September 7, 1957, authorizing aircraft loan guarantees, in order to expand the program pursuant to such Act;

S. 3310. An act to amend title 10, United States Code, to establish the authorized strength of the Naval Reserve in officers in the Judge Advocate General's Corps in the grade of rear admiral, and for other purposes;

S. 3337. An act to amend the Small Business Investment Act of 1958, and for other purposes;

S. 3507. An act to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes;

S. 4018. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

S.J. Res. 199. Joint resolution to recognize Thomas Jefferson University, Philadelphia, Pa. as the first university in the United States to bear the full name of the third President of the United States;

S.J. Res. 204. Joint resolution to authorize the preparation of a history of public works in the United States;

S.J. Res. 236. Joint resolution to authorize and request the President to proclaim the week beginning October 15, 1972, as "National Drug Abuse Prevention Week"; and

S.J. Res. 251. Joint resolution to designate the week which begins on the first Sunday in March 1973 as "National Beta Club Week".

ADDITIONAL STATEMENTS

INDECISION ON WELFARE REFORM

Mr. ROTH. Mr. President, I stand here numb at the thought of what the Senate may do if title IV of H.R. 1 becomes a total casualty of conference, as it now appears. All we will have to do is turn the clock back 2 years to December 1970, and we will be repeating the tragic story of indecision on welfare reform. For if this title dies, we will leave the 92d Congress having turned our backs for the second time on one of our Nation's most urgent social and economic problems.

Senators well know that I was the sponsor of the so-called pilot test approach to welfare reform. It seemed to me that only through large-scale testing could Congress really learn how proposed programs would affect the millions of people trapped in poverty. I urged the Senate to adopt this approach and was certainly heartened by the votes which sustained me.

But now this body is presented with the hollow option of deferring, once again, until next year, or some later time, the plans and programs which have been aired and debated in months of congressional proceedings. How many postponements will it take to impress upon us the need for adequate testing as the best means to a well-studied and reasoned end?

ISRAEL

Mr. CHURCH. Mr. President, earlier this month I made public a report to the Senate Foreign Relations Committee on a study mission I made to Israel on the committee's behalf in August.

I must say that I have found the reaction to my report heartening.

Two examples appear in two newspapers serving the Jewish communities of Philadelphia and Pittsburgh: the Jewish Exponent, of Philadelphia, and the Jewish Chronicle, of Pittsburgh.

I ask unanimous consent that the news accounts of my report appearing in the two newspapers be printed at this point in the RECORD, together with a separate editorial which appeared in the Exponent.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Jewish Chronicle of Pittsburgh, Oct. 5, 1972]

PEOPLE & ISSUES: NO WOOING OF "JEWISH VOTE" IN IDAHO—SENATE AND THE NEW ME REALITY

(By Albert W. Bloom)

In view of the unseemly national political wooing of the so-called "Jewish vote"—at a level unprecedented in American Jewish history—it is refreshing to note that Idaho Senator Frank Church, of the powerful Senate Foreign Relations Committee, takes a stand based on simple, direct logic.

With support of freedom in the world being a vital sector of the strategic interests of the United States!

No Arab propagandist or "pay-war" type can charge Senator Church with buttering up to a "Jewish vote" in his home state. There are only some 500 Jews in the entire state of Idaho.

Idaho's total population of all shapes, sizes, religions and other varieties is 703,000.

All this is a new dimension interjected into the American foreign policy debate to determine its posture in the 1970's—and beyond!

Senator Church has declared flatly—and officially—that if peace is to come to the Middle East, "it must be based on acceptance of the fact that Israel won the Six-Day War."

A senior member of the Senate Foreign Relations Committee, young (48) Senator Church assessed the situation after a fact-finding mission in the summer, which the Senate released to newsmen this week in a 24-page report.

Senator Church's office called the new stand "a major break with Administration policy", which phrase news agencies leaped upon and set "major breaks" in quotes when filing news dispatches.

Whatever national political swat Senator Church's forthright statement is likely to make, it won't cut much political ice out in Boise or in the rest of the vastness of Idaho.

In other words, the open-secret of Senator Church's statement is that he wants to sew a new thread into American foreign relations—a bipartisan approach that equates (at the least) the support of freedom with our national economic and strategic interests.

This has strong overtones outside of US Middle East policy—especially at a time when America and Russia were getting cozy over the prospect of vast billions in future trade relations, "most favored nation" slashes US tariffs on Soviet imports.

All this, at the same time USSR is shackling the already frightfully harassed Soviet Jewry with huge ransom "tariffs" when they seek to "export" themselves to freedom in Israel.

The Church report is bound to stir pressures both in Congress and the country at large to infuse an element of freedom-and-justice into foreign policy, elements too often lacking under the hard crunch of global power pragmatics.

But the formal Church report is not the full story of this impact.

Almost unnoticed in the report are the appendices in the back—including the remarks of Senator Church at a dinner tendered by Foreign Minister Abba Eban in the King David Hotel, Jerusalem.

Said Senator Church there:

"Although most of you might not know my hometown of which the Foreign Minister spoke, I have known Jerusalem from the time that I first began to learn at my mother's knee.

"I probably knew the name Jerusalem before I knew the name of Boise, Idaho. . ."

He called for United States to move the embassy from Tel Aviv to Jerusalem.

We sometimes forget the immense historic tug, the magnetism of Jerusalem and the whole Jewish historical experience on the world—probably because we are so often caught up in fighting the negative aspects of this same history—the social disease of anti-semitism.

So it is well worthwhile to focus on the positive aspects, especially when underscored by a vigorous member of the Senate Foreign Relations Committee on an issue of continuing vital concern to both US and to Israel, though not on the front burner of the diplomatic stove at this instant.

But the issue is a boiling one, nonetheless, especially with the UN debates underway again, though it is momentarily overshadowed (only momenatrily) by Arab terrorism in the skies, in the mails, at the Olympics in Munich, as well as by the wrenching cruelty of the Soviet slave-brain tax on Jews who want their freedom to emigrate.

Focusing on "Prospects for Peace in the Middle East: The View from Israel", the Idaho Senator declared:

"The (Secretary of State) Rogers plan keeps alive the hopes of the Arab world that the results of the (Six Day) war can somehow be set aside.

"It cannot be done, and US policy should not continue to foster such illusions.

"As long as US policy holds out the hope that the United Nations or outside powers can induce Israel to sacrifice what she considers to be her vital interests, namely, secure borders, the Arab nations will refuse to face up to the realities of the situation."

Israel's requirement for a peace settlement can be summed up in four words, the Idaho Senator said:

"Secure and recognized boundaries."

Senator Church then added:

"It is an illusion that the clock can be turned back and Israel made to accept former boundaries which, in her view, offer insufficient security.

"The Arabs cannot regain at the bargaining table what they could not hold on the battlefield. And with the withdrawal of the Soviet forces from Egypt no great power is prepared to lend its military might to forcing Israel to retreat to her 1967 frontiers.

"Nor," said Senator Church, "does the United Nations possess the means to enforce the Security Council resolution, if it is interpreted to require complete withdrawal by Israel.

"Israel remembers that, after the 1956 war, it withdrew to its pre-war borders on the understanding that they would be protected from armed attacks.

"But the international guarantees evaporated at the moment of truth, a lesson the Israelis will not soon forget."

Senator Church castigated the UN's one-sided demands:

"A double standard seems to apply," he

said, "one to the Middle East and another to the rest of the world.

"This is not to say that territorial expansion by force can be justified under the UN Charter. The hard fact remains, however, that borders are normally shifted afterwards to reflect results on the battlefield.

"The effort to induce Israel to withdraw to her pre-war borders is an anomaly.

"For the second time under the auspices of the United Nations, the attempt is being made to erase the results of a victorious war."

Neither of which, by the way, was of Israel's causing.

Senator Church condemned strongly the Soviet Union for its harsh policy aimed at cutting emigration of Soviet Jews to Israel.

"The Soviet policy, like the Berlin Wall," he said, "acts as a barrier to the immigration of people and deserves the condemnation by the international community. President Nixon should strongly protest this attempt to prohibit emigration, a long recognized basic human right among civilized nations. Only the President can bring the full weight of public opinion to bear on the issue. He should especially use his office to stimulate protest from the scientific community in the United States against Soviet policy."

Senator Church summed up his findings;

US policy should be "founded on the reality that Israel will not retreat to its pre-1967 borders, and that any attempt by the big powers or the United Nations to induce her to do so would be futile.

"No peace settlement from without will be accepted by Israel. Face to face negotiations between Israel and her neighbors are essential to movement toward a settlement and the United States should do everything it can to encourage direct talks between Egypt and Israel, and Jordan and Israel."

The United States should continue to supply Israel with needed military equipment necessary "to deter attacks."

The US should provide supporting aid as long as Israel is forced to bear "such a heavy financial burden for defense."

The United States "should explore the possibilities for aiding in the permanent resettlement of refugees. The refugee syndrome is perhaps the major single obstacle to peace in the Middle East.

"Every effort should be made to encourage cooperation between Jordan and Israel on economic development and other programs to increase contacts and day-to-day collaboration between Arabs and Israelis."

President Nixon should use the "prestige of his office" to bring the pressure of world opinion to bear on the Soviet Union to change its policy of extracting exorbitant fees from Soviet scientists and intellectuals who seek to emigrate to Israel.

Congress should appropriate the full $85-million authorized for aid in the resettlement of Soviet Jews in Israel.

The United States should move its embassy from Tel Aviv to Jerusalem.

The United States should "be receptive to the restoration of formal diplomatic relations with Egypt. The Soviet departure may result in renewed Egyptian interest in establishing normal contacts with the United States."

In his informal dinner remarks, Senator Church paid high compliment to Israeli diplomacy and awareness the world over.

When President Kennedy was elected, Senator Church visited Africa with a delegation.

Each time he was formally briefed by our own US Embassy. But Senator Church noted that when he chatted at receptions with the Israeli ambassador in each country, he increased his knowledge and understanding of the host country broadly, no matter which it was.

Thereafter, he made it his business to seek out and chat with Israeli ambassadors all along his route.

[From the Jewish Exponent, Oct. 6, 1972]

Israel Boundaries Must Be Secure, Senator Church Says

Washington.—U.S. Sen. Frank Church (D., Idaho) said that if peace is to come to the Middle East, "it must be based on the acceptance of the fact that Israel won the Six-Day War." Church, a senior member of the Senate Foreign Relations Committee, made the assessment in a report to the committee on his fact-finding mission to Israel Aug. 22 to 27.

In a major break with administration policy, Church charged that "the Rogers plan keeps alive the hopes of the Arab world that the results of the war can somehow be set aside. It cannot be done, and U.S. policy should not continue to foster such illusions.

"FACE THE REALITIES"

"As long as U.S. policy holds out the hope that the United Nations or outside powers can induce Israel to sacrifice what she considers to be her vital interests, namely, secure borders, the Arab nations will refuse to face up to the realities of the situation."

Noting that Israel's requirement for a peace settlement can be summarized in the four words, "secure and recognized boundaries," the senator said, "It is an illusion that the clock can be turned back and Israel made to accept former boundaries which, in her view, offer insufficient security. The Arabs cannot regain at the bargaining table what they could not hold on the battlefield. And, with the withdrawal of the Soviet forces from Egypt, no great power is prepared to lend its military might to force Israel to retreat to her 1967 frontiers.

"Nor," Church continued, "does the United Nations possess the means to enforce the Security Council resolution, if it is interpreted to require complete withdrawal by Israel. Israel remembers that, after the 1956 war, it withdrew to its pre-war borders on the understanding that they would be protected from armed attack. But the international guarantees evaporated at the moment of truth, a lesson the Israelis will not soon forget."

DOUBLE STANDARD

Commenting on the UN demand for a restoration of the pre-war boundaries, Church said, "A double standard seems to apply, one to the Middle East and another to the rest of the world. This is not to say that territorial expansion by force can be justified under the UN Charter.

"The hard fact remains, however, that borders normally are shifted after wars to reflect results on the battlefield. The effort to induce Israel to withdraw to her pre-war borders is an anomaly. For a second time under the auspices of the United Nations, the attempt is being made to erase the results of a victorious war."

Church made these recommendations:

U.S. policy should be "founded on the reality that Israel will not retreat to its pre-1967 borders and that any attempt by the big powers or the United Nations to induce her to do so would be futile.

"No peace settlement from without will be accepted by Israel. Face-to-face negotiations between Israel and her neighbors are essential to movement toward a settlement, and the U.S. should do everything it can to encourage direct talks between Egypt and Israel, and Jordan and Israel."

ARMS SHIPMENT

The U.S. should continue to supply Israel with needed military equipment necessary "to deter attacks."

The U.S. should provide supporting aid as long as Israel is forced to bear "such a heavy financial burden for defense."

The U.S. "should explore possibilities for aiding in the permanent resettlement of refugees. The refugee syndrome is perhaps the major single obstacle to peace in the Middle East.

"Every effort should be made to encourage cooperation between Jordan and Israel on economic development and other programs to increase contacts and day-to-day collaboration between Arabs and Israelis."

President Nixon should use the "prestige of his office" to bring the pressure of world opinion to bear on the Soviet Union to change its policy of extracting exorbitant fees from Soviet scientists and intellectuals who seek to emigrate to Israel.

CONGRESSIONAL AID

Congress should appropriate the full $85 million authorised for aid in the resettlement of Soviet Jews in Israel.

The U.S. should move its embassy from Tel Aviv to Jerusalem.

The U.S. should "be receptive to the restoration of formal diplomatic relations with Egypt. The Soviet departure may result in renewed Egyptian interest in reestablishing normal contacts with the United States."

[From the Jewish Exponent, Oct. 6, 1972]

True State of the Mideast

More and more congressional leaders are questioning or breaking with administration policy in the Middle East and with regard to the question of Soviet Jewry. One of the latest is Sen. Frank Church (D., Idaho), who said this week that if peace is to come to the Middle East, "it must be based on the acceptance of the fact that Israel won the Six-Day War." Sen. Church, a senior member of the Senate Foreign Relations Committee, made the assessment after a fact-finding mission to Israel in August. He charged that Secretary of State William P. Rogers' plan "keeps alive the hopes of the Arab world that the results of the war can somehow be set aside. It cannot be done, and U.S. policy should not continue to foster such illusions. As long as U.S. policy holds out the hope that the United Nations or outside powers can induce Israel to sacrifice what she considers to be her vital interests, namely, secure borders, the Arab nations will refuse to face up to the realities of the situation."

Church is telling it like it is. He is laying it on the line for the Nixon Administration and for the State Department. We no longer can fool ourselves into thinking that without full American support, peace will be achieved in the Middle East. "It is an illusion," Sen. Church said, "that the clock can be turned back and Israel made to accept former boundaries, which, in her view, offer insufficient security. The Arabs cannot regain at the bargaining table what they could not hold on the battlefield." These are the hard facts. This is the situation in the Middle East today, and the sooner our government realizes this, the swifter peace can be achieved. It must come at the bargaining table, but it must be preceded by firm and realistic policy from Washington.

A SOLDIER'S DEVOTION TO THE ARMY

Mrs. SMITH. Mr. President, too often we have heard only criticism of the military authorities. This criticism has given them an unfair image with many people, especially in connection with the war in Vietnam.

I recently received a letter from the father of a deceased young man in the U.S. Army. He sent me a copy of his letter to the Commanding General at Fort Devens, Mass.

I ask unanimous consent that the text of the letter be printed in the Record.

There being no objection, the letter

was ordered to be printed in the Record, as follows:

October 9, 1972.

Commanding General,
Fort Devens, Mass.

Dear Sir: My wife and I would like to express our sincere appreciation for the assistance rendered by the United States Army during the funeral services and interment of our son, Pvt. Arnold L. Cooper II, 005-60-9971. It is requested that the personnel that participated be informed of our gratitude.

The military policeman that provided transportation for us in Boston the evening of 14 September 1972, showed the utmost concern and understanding. The following day Captain Drake and the NCO that accompanied him, provided transportation, advice and assisted us in every way possible. We are especially grateful for the help of Major Peter Mihai, Survivor Assistance Officer. We requested that he direct and supervise the entire arrangements which he accomplished in an outstanding manner. He complied with our every request. The escort, SP6 Paul McDonald 006-44-6506, 382d Pers Svc Co., Fort Devens, MA 01433, offered his personal assistance and gave the family moral support especially to our younger son.

The funeral detail from Fort Devens contributed greatly to the dignity of the services. Their military bearing and meticulous uniforms were indicative of their training and professionalism.

Our son intended to be a career soldier. Although his service to his country was very brief he expressed his deep devotion to the United States Army and we feel that the Army in turn proved their devotion and fidelity to him.

Sincerely,

Arnold L. Cooper.

TOWARD A BALANCED NATIONAL GROWTH AND DEVELOPMENT POLICY—ADDRESS BY SENATOR HUMPHREY

Mr. RIBICOFF. Mr. President, in the past, people have considered "planning" a little known science dealing with abstract ideas of how the future should be organized. A planner was someone who drew fanciful glass skyscrapers in the desert for the year 2000 and showed little concern for the year 1973.

Planning is, however, a science that can greatly benefit America if properly used. If we are to conserve our rapidly disappearing natural resources and yet still maintain a viable economy, we need to develop a national growth policy based on the world as it is and the forces that exist rather than the world as we wish it were and forces that we would conjure up if we could.

In an October 11, 1972, address before the American Institute of Planners, the distinguished Senator from Minnesota (Mr. Humphrey) outlined his ideas for developing such a policy. Because of his long interest in the problems of urban and rural America, I believe that Senators will find his remarks most interesting.

I ask unanimous constent that Senator Humphrey's remarks be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Toward a Balanced National Growth and Development Policy

Shall we design or resign ourselves to our nation's future?

That is the basic question underlying decisions we make today in determining what kind of nation we want to create or leave for future generations.

For what we do—or fail to do—today clearly commits and fixes future patterns of life in this nation as well as on this planet earth.

We can no longer afford the luxury of approaching the future of our nation—and its relationship to the rest of the world—haphazardly.

A few years back, we learned almost overnight that the world we live in had shrunk to such a size that men on one side of the earth could completely destroy men on the opposite side within 30 minutes through new and devastating means of modern warfare.

More recently we have come to realize that even the natural resources of this earth and of our nation are indeed finite, and in many cases threatened with total depletion.

And today we are approaching a new realization, one which was stated so eloquently by Barbara Ward and Rene Dubos in their recently published book, "Only One Earth."

I quote:

"The establishment of a desirable human environment implies more than the maintenance of ecological equilibrium, the economical management of natural resources, and the control of the forces that threaten biological and mental health. Ideally, it requires also that social groups and individuals be provided with the opportunity to develop ways of life and surroundings of their own choice. Man not only survives and functions in his environment, he shapes it and he is shaped by it."

As members of the planning profession of our nation you have a major role to play in helping the people of this nation shape their own future, "to provide them with the opportunity" as Lady Jackson and Dr. Dubos say, "to develop ways of life and surroundings of their own choice."

Your role is not one of merely providing a method for state and local governments to carry out projects such as urban renewal, water and sewer or transportation systems.

You must also play a leading role in national policy planning and development as it relates to all levels and branches of government—as it relates to all combinations of political, economical, social and environmental concerns.

In addition to being one of our major policy sciences, planning also is an art, demanding of you all the sensitivities that are required in assessing and responding to the myriad of subtle changes and developments that our complex world of technological advancement thrusts upon us daily.

You must lend your talent, genius, and insight to helping people to "design" their own future—not in the form of any master plan or blueprint, but rather in helping them create the processes and mechanisms to make it possible for them to understand, anticipate, and to bring about orderly change. You must help them to avoid and minimize what Mr. Alvin Toffler so aptly refers to as "future shock."

As of today, our nation still lacks those processes and mechanisms needed by government at all levels and by individual citizens to develop and choose alternative futures.

As we approach our nation's bicentennial, it is not only appropriate, but essential that we look anew at the question of what kind of future we are now creating for ourselves and future generations by our decisions—or lack of decisions—as opposed to what we should be doing to move toward a goal of human relationships based upon the Greek idea of "balance," of moderation, of "nothing too much."

Growth is seen by many as the opposite of stability, yet both are desired. Novelty is prized, but man is overwhelmed by too much change. Technology is both feared and indispensable.

Liberty versus tranquility, defense versus welfare, present versus future, are dichotomous terms that have expressed American goals since the beginning of our Republic.

Our challenge then is to reach out for the "balance" in human relationships that many of us believe to be attainable between conflict and cooperation, between growth and stability, between individual free choice and common good, between technology and social responsibility, between economic needs and environmental protection, between urban and rural, between the old and new, and between national policy and state and local policy planning and development.

But "how" and through what "means" can we reach out for that "balance"?

What mechanisms and processes do we now have that will permit and encourage us to develop the policies and plans that will be needed if we are to "create," to "design" and to "shape" our nation's future human environment?

I suggest to you that there are none, at least not any explicitly designed to deal with our nation's long range future.

We have no institution, process or mechanism today that is dedicated to or concerned with the consequences of the rapid and potent changes in opportunities resulting from the onrush of science and technology.

We have no national effort today concerned with the need for better techniques or measurement to help our society answer for itself the classic questions posed by Abraham Lincoln in his House Divided speech, which I wish to quote:

"If we could first know where we are, and whither we are tending, we could then better judge what to do and how to do it."

At this critical stage in our national development we must provide the means and processes required to answer such questions, to identify at an early point the vital questions likely to confront our nation as the future unfolds, so that accommodation to change can be a deliberate, conscious and rational process instead of a violent reaction.

And it is precisely for this reason that I will be dedicating much of my future energies in the United States Senate to the task of forging legislation that will provide these needed processes, mechanisms and institutions, which will begin to help us "design" our nation's future and achieve and reach that "balance" I referred to earlier.

On May 26 of this year in San Francisco before the Commonwealth Club, I unveiled the general provisions of what I call my "Balanced National Growth and Development Act," a proposed piece of legislation which I consider to be the most important of my 25 years of public service.

This bill provides for the establishment of an Office of Balanced National Growth and Development within the Office of the President to "develop specific national policies relating to future population settlement and distribution patterns, economic growth, environmental protection, income distribution, energy and fuels, transportation, education, health care, food and fiber production, employment, housing, recreation and cultural opportunities, communications, land use, welfare, technology assessment and transfer, and monetary and fiscal policy."

This new Office also will provide the means to develop these individual national policies in such a way as to reflect the appropriate inter relationships that obviously exist between and among such policies.

This new Office will tie together and coordinate the work of the Council of Economic Advisors, the Office of Management and Budget, and the Environmental Quality Council.

This new Office will be empowered to bring about more uniform and workable federal assistance programs, to streamline the federal delivery system now involving hundreds of categorical programs that so bewilder and confuse many state and local officials.

The bill also establishes new uniform planning requirements for federal grants-in-aid and transfers to the new Office the comprehensive planning assistance Program authorized by Section 701 of the Housing Act and administered by HUD.

The bill creates a national system of multistate regional planning and development commissions, involving both governors and state legislatures, to help link-up and facilitate proper coordination among federal, state, and local units of governments. This nationwide regional commission structure would be directly tied to the new Office within the Office of the President, rather than to a Department.

In addition, this bill would create a Joint Congressional Committee on Balanced Growth and Development. This Committee would be supported by a new Congressional Office of Policy and Planning within the Library of Congress, staffed by professionals and experts on national policy matters.

New requirements pertaining to the location impact of federal facilities, activities and procurement are specified in the bill. We are the only developed nation in the world that totally ignores this critical question in our private and public decision-making.

This bill creates a new national research institution to monitor, measure and forecast developments and happenings in all the major sciences—soft and hard—and to report its findings, with possible alternatives that might be pursued.

It also provides for more detailed and continuous analysis of population and demographic trends, within the U.S. Bureau of Census.

And, finally it provides for the development of an annual report by the Executive Branch detailing "where we are," and "whither we are tending" in our pursuit of developing and implementing national policies. That report will be made availalbe to and assessed by Congress and the people of this nation.

It will become a national working document for the entire nation to reflect its concerns and desires concerning national goals priorities and policies.

A draft of this bill will be made available to you and many others throughout the nation between the end of this session of Congress and next January.

I hope you review and study it in the spirit that I have drafted it, namely, as a beginning toward building a better America and a start toward a "Balanced National Growth and Development policy" to help our nation guide and prepare itself for tomorrow.

Let me close by saying that whatever may be the outcome of the travail of the present and our hopes and fears for the future, it also is well to be mindful of the sober and powerful injunction of the poet, Walt Whitman, who wrote:

> "Now understand me well—it is provided in the essence of things that from any fruition of success, no matter what, shall come forth something to make a greater struggle necessary."

DELAWARE TASK FORCE ON MARINE AND COASTAL AFFAIRS

Mr. ROTH. Mr. President, at the request of my senior colleague from Delaware (Mr. Boggs), I ask unanimous consent to have printed in the Record a statement by him and a report by the special Task Force on Marine and Coastal Affairs of the State of Delaware.

There being no objection, the statement and report were ordered to be printed in the Record, as follows:

Statement by Senator Boggs

The Governor of Delaware's special Task Force on Marine and Coastal Affairs recently submitted its report after more than 2 years of study.

Summary

Early in 1970, Governor Russell W. Peterson appointed a Task Force on Marine and Coastal Affairs "to develop a master plan for our coastal and bay areas." Since its first meeting on 28 April 1970, the Task Force has been analyzing the diverse facets of Delaware's problems in the Coastal Zone. It was early recognized that many of the factors essential to a sensible master plan were either unavailable or were incompletely understood. Accordingly, the approach the Task Force took was to define as its major objective the preparation of policy guidelines and certain key recommendations for the management and conduct of marine and coastal affairs for the State of Delaware.

Today Delaware is faced with two phenomena existing simultaneously—an accelerating scarcity of desirable coastal lands and a burgeoning market supported by financially strong industry eager to buy the property it needs. In the past, the traditional pressures of the marketplace have prevailed. The destiny of Delaware's Coastal Zone could be wholly determined by the buyers and sellers of the lands within its bounds without regard to public benefit. However, new dimensions of environmental awareness now dictate that broader considerations must be recognized.

Accordingly, the Task Force has introduced additional factors to land-use planning for the Coastal Zone which consider the need to preserve and improve the quality of life. Identification of these factors became the principal goal of the Task Force in its 1½ years of active work. The makeup of the Task Force itself guaranteed that a variety of views and backgrounds would be applied to the problem: local, industrial, educational, conservational, residential, and governmental. Consequently, the planning for multiple use of Delaware's Coastal Zone did include those who could respond to the varied, and often conflicting, pleas of potential industrial developers, conservationists, sportsmen, farmers, marine scientists, engineers, and vacationers.

One of the first responsibilities of the Task Force was defining Delaware's Coastal Zone. The Task Force has recommended that, for government regulatory purposes, the Coastal Zone be defined to include a Primary and a Secondary Coastal Zone. Throughout this report, unless otherwise specified, the term "Coastal Zone" refers to the Primary Coastal Zone.

The Task Force has recommended that the seaward boundary of the Coastal Zone be determined by the jurisdiction of the State of Delaware in the bay and the ocean. The state's jurisdiction in the bay extends to the Delaware-New Jersey state line. In the ocean, Delaware's jurisdiction extends 3 miles offshore, although the possible extension of jurisdiction is before the courts. It was recommended that the Primary Coastal Zone be defined on the landward side as that portion which is subject to submersion by salt water, whether caused by tides or storms, at a frequency of at least once in a hundred years. The territory thus defined is approximated by land at or below the 10-foot contour line; for the portion of the zone south of the Chesapeake and Delaware Canal, it may extend to a distance of 1 mile from the mean sea-level-mark of either the Delaware Estuary or the ocean shore, whichever is the greater distance inland. In 1971 Delaware enacted House bill 300 as amended, called the Coastal Zone Act. (Chapter 175, Volume 58, Laws of Delaware, creating a new Chapter 70, Title 7, Delaware Code) This law established that the landward extent of the Coastal Zone be determined by a series of certain state-maintained coastal roads. Obviously the latter system is somewhat artificial, but it possesses the advantage of better definition to the public.

It is widely believed that the existing developments along the shores of the upper Delaware River from the Chesapeake and Delaware Canal to Philadelphia exemplify the ultimate fate of substantial portions of the shoreline from the canal to Cape Henlopen, unless a rational program for land and water use is instituted.

Prior to the onset of municipal and industrial pollution in the Delaware River, resorts and beaches along the river and upper bay were popular. They were served by railroads and river boats from Wilmington and Philadelphia, before automobiles provided more convenient transportation. Since the early 20th century, the extent of this recreation potential has decreased because of deteriorating water quality and readily available high-quality alternative recreation. Therefore, subsequent resort development has been primarily confined to the Atlantic Coast and the shores of the Little Bays. However, because of increasing congestion in these areas, attention is now being diverted to desirable locations on the shores of Delaware Bay.

The frontage along the river and bay in Delaware is not much more than 90 miles long. Much of it is taken up by public wildlife-management areas, including the Bombay Hook and Primehook National Wildlife Refuges and the state's Woodland Beach and Little Creek Wildlife Areas, and by the private holdings of Delaware Wild Lands, Inc. Most of the remaining shoreline consists of wetlands, tributaries of the river, and private beaches. The obviously limited extent of this resource requires extreme measures for its preservation and wise use.

Only those people who have directly experienced the wetlands that line the shores of our bay can appreciate their mystic qualities. The beauty of rising mists at dusk, the ebb and flow of the tides, the merging of fresh and salt waters, the turmoil of wind and weather—all unite to create an environment that man has only superficially explored.

The Task Force has unconditionally recommended that the Coastal Zone be dedicated to active and passive recreational use and be compatible with other users of an agricultural, commercial, industrial, or educational nature. It is important to note that compatibility does not, in the last analysis, always depend only on pollution standards; in the judgment of the Task Force, compatibility also depends on other factors such as the acreage required, the nature of the occupancy of the land, the ratio of employees to the land area required, and the number and type of public services needed.

The Task Force preliminary report was issued in February of 1971, at the request of the governor, to provide him and the Delaware Legislature with guidance for a Coastal Zone legislative program. Publication of the report soon led to passage of the Coastal Zone Act by the legislature in June of 1971. While this law differs in some respects from certain specific Task Force recommendations, it is an essential first step in implementing important controls over industrial development in the Coastal Zone.

Meanwhile, work continued on the more detailed final report. This report would present the extensive background information which the Task Force had been developing on a much more deliberate time scale. Input from departments of the state and federal governments, the University of Delaware, and the private sector would be utilized. The magnitude of this information was very substantial, and its preparation and organization would, therefore, take a great deal of detailed effort by many people for more than 18 months.

In its basic choice of priorities the Task Force places great emphasis on outdoor recreation as a fundamental activity in Delaware's Coastal Zone. Although it offers a broad series of recommendations concerning recreation, it also has to enunciate clearly the basic criteria regarding new industry and other uses. The Task Force recommends the encouragement of compatible new industry while, at the same time, it seeks to discourage the types of industry that are incompatible with a recreation environment. Accordingly, the Task Force recommends exclusion of new petroleum refineries, steel mills, and paper mills within this narrow peripheral Coastal Zone.

The special case concerning the need for a deepwater terminal and the impact of oil transport by supertanker on the environment and the quality of life is particularly controversial. There is no question that the Delaware Bay has been an essential lifeline for the transport of petroleum and petroleum products to the entire Atlantic coast. For a very special reason, the Delaware Bay may have an even more important role in future decades; there extends into the sheltered waters of the central lower bay a deep channel that can accommodate, with some dredging, vessels having drafts of more than 70 feet.

This deep natural channel is unique along the Atlantic coastline from, Marine to Florida in that it is the only place for a naturally sheltered, deepwater port (handling vessels of up to 250,000 deadweight tons) so close to industrial markets. From a regional viewpoint, the potential availability of deepwater-port transfer facilities in the Delaware Bay is of great significance. Unfortunately, from Delaware's viewpoint, such a development could be harmful in its seemingly inevitable encouragement of the onshore development of an incompatible heavy-industry complex and the potential for catastrophic spills. A full range of alternative solutions to this problem has not yet been formulated.

Consequently, the Task Force recommends against approval at the present time of any deepwater port facility or offshore island in the lower Delaware Bay. It suggests that the feasibility of an offshore oil facility on the Continental Shelf be explored on a cooperative basis with the federal government. A federal government study is now in progress under the sponsorship of the U.S. Department of Commerce as a further contribution to the resolution of this critical problem.

The Delaware Legislature, in response to the Task Force's concern, passed House Joint Resolution 18 (July 1971) calling for the governor to appoint a Delaware Bay Oil Transport Committee to study the logistics of transport of oil to and from Delaware River and Bay port facilities. In this resolution it was noted that the committee should work as closely as possible with the U.S. Department of Commerce in fulfilling its task, and that it should report its findings within 1 year. Thus the solution to the problem of rapidly growing demands for oil transportation in the Delaware Bay must await a further detailed study of the various options available in the light of their economic and environmental significance. The examination of the problem must involve state, regional, and federal perspectives.

The Task Force recommends that an important responsibility of the State of Delaware should be to assess the total outdoor recreational activities in the Coastal Zone, including swimming, boating, sport fishing, diving, camping, hunting, and sightseeing. Recognizing the need for adequate recreation facilities and attending adequately to such factors as housing, commercial services, transportation, utilities, water management, and insect control are unavoidable in optimizing the recreation potentials of the Coastal Zone. Specifically, the state should help local communities develop additional recreation areas and shoreline access in order to provide adequate public facilities for tourists.

The attitude of the Task Force toward the recreation potentials of Delaware stems from the recognition that Delaware's limited amount of shoreline along the ocean and bay lies in the midst of the most densely populated multi-state region of the nation. Access from this regional population center, whose people have greater proportions of leisure time, has been enhanced by the construction of high-speed highway systems. Thus recreation demands will increase in the future. Certain areas located on the Atlantic coast and the Little Bays are now obviously overpatronized. Hence, the evaluation of the less utilized and more promising portions of the Delaware Bay shores must now be the subject of special planning.

It is now known that about two-thirds of commercial and sport fish spawn and develop in shallow coastal waters. Part of the planning process, therefore, includes provisions for the enhancement of the fisheries resources in Delaware's Coastal Zone. In the future, inshore and marsh areas must be protected from pollution and unwise exploitation. If properly protected, these habitats can provide areas of clean water greater than the critical minimum size needed to support enough pinfish and shellfish for both commercial and sport fishing. Thus, in order to rebuild Delaware's fisheries resources, proper provision must be made for habitat restoration and improvement.

It is apparent, then, that measures must be taken to institute land-use planning of a type that has not been customary in the past. Coastal Zone management must plan land use at a time when the land is still essentially undeveloped. After the first stages of development have taken place, economic commitments are usually irrevocable; for example, those wetlands that have been dredged or filled are not readily subject to restoration. The first step recommended by the Task Force regarding Coastal Zone legislation, therefore, is the postponement of Coastal Zone development until carefully thought-out legislation has been enacted for adequate land- and water-use controls. In the meantime, it is recommended that the governor's moratorium be maintained. The proper management of the Coastal Zone of Delaware presents a statewide problem which is, in many aspects, becoming a regional and national problem. Hence, the political scene must accommodate an overall view; state and national issues must be included in the reviewing processes that will lead to proper allocation of land use.

The Task Force recommends that the state continue its jurisdiction in determining patterns of activity through state zoning for the subaqueous portions of the maritime areas. The state's responsibility must be to set enforceable minimum standards for land-use control in the landward portions of the Coastal Zone. However, such actions should not arbitrarily ignore county and municipal planning and zoning. A maximum opportunity should be offered to local governments to determine future uses for their respective land areas. Nevertheless, the state must have responsibility for an overall plan. This necessitates the power of review and approval of county and municipal actions in the Coastal Zone.

To supplement the zoning or permit regulations, sufficient funds should be made available for the state to acquire certain key areas to prevent environmental damage, to maintain the desired development pattern, and to protect the options on Coastal Zone use by future generations. Accordingly, the Task Force has recommended strong fiscal support for land acquisitions in the Coastal Zone by the state. As an alternative, the Task Force suggests that the state seek and promote private support of such acquisition for public use of strategically located private lands.

To those who have made a study of the Coastal Zone, the lack of knowledge of the technical and socioeconomic aspects of the biota has been tantalizing. For example, in recent years adverse influences such as pollution and biological infections, compounded by poor management, have decimated Delaware Bay's oyster crop. Although restortaion of the oyster beds has started, the question remains as to how one can optimize shellfish and fish cultivation appropriate to the Delaware environment. The University of Delaware has been attracted to this question as one for which research can have profound effects on use of the Coastal Zone.

Accordingly, the Task Force recommends a substantial increase in funding for a Coastal Zone Research Program to furnish the scientific and technical information on which the state will make its Coastal-Zone-management decisions. This research program should include economic, social, and legal considerations, in addition to apsects pertinent to the natural and physical sciences and engineering. The state should recognize the recent efforts of the University of Delaware in expanding its capabilities in marine and coastal research. It is further expected that the University's College of Marine Studies will be called upon by the state for special projects, such as the research elements of the proposed Delaware Estuary baseline study. The creation of a Coastal Zone Technical Services Division by the College of Marine Studies will facilitate services to the state over and above those already provided by the University in its Coastal student-training program.

The Delaware Bay represents a wide variety of coastal conditions typical of a much larger area. Estuarine-environment studies are worthy of much stronger support than the State of Delaware can provide. The Task Force has, therefore, been mindful of the opportunities for the College of Marine Studies to seek substantial support from both federal and regional sources. The attention of the federal government has been directed by the President's Commission on Marine Science, Engineering and Resources (the Stratton Commission) toward coastal-zone management and the underlying data base needed for enlightened decisionmaking. The federal government has implemented its interest through an increasingly well defined program—the Sea Grant Program of the National Oceanic and Atmospheric Administration (NOAA). The Task Force strongly supports the present effort of the College of Marine Studies which has already qualified it as a Sea Grant institution. The Task Force also recommends establishing a Marine Science Center—managed by the College of Marine Studies—which would include a Coastal Zone research laboratory.

As a further step in the development of such a center, it has been suggested that the University of Delaware initiate cooperation with research centers of other states presently concerned with the Delaware Estuary. The Task Force urges that ties with the Delaware River Basin Commission be strengthened because of its key role in coordinating interstate interests.

In order to bring together the considerations of recreation, compatible industrial and commercial development, and conservation into one planned structure, the Task Force recognizes that the state must formulate a strong Coastal-Zone-management structure. The peculiarly tenuous character of the Coastal Zone, the competitive forces at work to modify its nature and its strong influence on the quality of life in Delaware create special responsibilities for the state government. Legislation, regulations, controls, and guidelines must be rigorously applied in order to optimize the use of the Coastal Zone in the interests of Delaware's citizens and, also, her visitors.

At the time the preliminary report was issued, the Department of Natural Resources and Environmental Control (DNREC) was suggested as the state agency having predominant interest in Coastal Zone affairs.

Despite the fact that the Coastal Zone Act of 1971 focuses on the State Planning Office as the agency to control industrial development in the Coastal Zone, the Task Force maintains that the DNREC should be the nucleus of Coastal Zone management in Delaware.

Although some of the regulatory aspects of industrial development of the Coastal Zone have now been established through legislation, there are many other Coastal-Zone-management responsibilities that need continuing implementation. These include the formulation and updating of a plan for other users of coastal and estuarine waters and lands; they also include the continuing development or nondevelopment of these areas in the public interest, according to plan. The provision of such public services as a State of Delaware Port Authority, beaches, marinas, or other waterfront improvements and the leasing of offshore areas are examples. Obviously, delegating, these responsibilities to a single department of the state does not eliminate the need for interdepartment coordination. Because many state departments will be involved, the Task Force recommends that the governor establish an interdepartmental group for coordinating state Coastal Zone activities and that he also appoint the group's chairman.

Coastal Zone mangement is quite complex; it requires the merging of statewide, regional, and federal interests with the interests of citizen's groups, municipalities, and counties. Because of this, a nongovernment mechanism is also vitally needed. Recently the governor established an Advisory Council on Science and Technology which, in effect, was the point of origin of the Task Force. To avoid unnecessary duplication, the Task Force recommends that the governor extend the responsibility of his present Council on Science and Technology so that it can provide guidelines for the management of the Coastal Zone. The scope of this advisory service should include science, technology, law, economics, environmental quality, recreation, conservation, commercial fisheries, water supply and quality, and marine transportation. The Task Force further recommends that the membership of the present council be broadened in order to meet these new responsibilities, and that its name and representation be changed to reflect this expanded scope. In addition, the scope of the membership should represent the interests of county and municipal governments, appropriate private organizations, and the public.

Recognizing the pressures for the many diverse and often conflicting uses of Delaware's Coastal Zone. the Task Force has recommended a course of action that will enhance the quality of life and conserve and improve the natural resources of this area. The nature of many of the recommendations contained in this report is such that their consideration should not be delayed. Moreover, implementation of the recommendations in this report should be regarded only as a first step toward the development of a long-range master plan for the Coastal Zone, a plan which the Task Force considers mandatory. This may well be the last time that such an opportunity is so readily available to the citizens, to the legislature, and to the executive branch of government of Delaware.

AWARD OF HONORARY DEGREE TO GOV. ROBERT W. SCOTT OF NORTH CAROLINA BY FAYETTEVILLE STATE UNIVERSITY

Mr. JORDAN of North Carolina. Mr. President, I consider it a privilege to bring to the attention of the Senate the fact that North Carolina's distinguished Governor, the Honorable Robert W. Scott, has just been awarded the first honorary degree ever conferred by Fayetteville State University, the second oldest tax-supported 4-year educational institution in the State.

The presentation of the honorary doctor of laws degree highlighted a special convocation at the Cumberland County Memorial Auditorium yesterday afternoon under direction of Dr. Charles A. Lyons, Jr., the university's chancellor.

The award was based on the Governor's successful campaign to restructure higher education in North Carolina and to place all senior public institutions of higher learning under the University of North Carolina system.

Serving on the Fayetteville Board of Trustees voting to confer the degree are: Dr. G. L. Butler, chairman; Mr. G. E. Edgerton, vice chairman; Mrs. James R. Nance, Mrs. H. Clark, Messrs. W. R. Collins, Charles Dawkins, Victor Dawson, C. J. Barber, Phillip Cousins, John H. Cook, Emil Rosenthal, Keith Robertson, and State Seantor Stewart Warren. Dr. E. B. Turner served with this group prior to his election to the board of governors, University of North Carolina.

As one deeply interested in the cause of education I recognize the importance of this development and the part he had in it and I am delighted that his contribution has been recognized in this way.

I ask unanimous consent that the text of the citation accompanying the award and the newspaper account of the ceremony, published in today's Raleigh News and Observer, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Citation to Robert Walter Scott

Serving as Lt. Governor and as Governor of the State of North Carolina and as Chairman of the Southern Regional Education Board, the Educational Commission of the State and the State Board of Higher Education he gained knowledge, insight, and sensitivity to the problems and needs of Higher Education, and as such did go beyond the call of duty and did provide outstanding leadership to the people of this State, the South and the Nation.

Recognizing the need to reorganize state government to make it more responsive to the needs of all the people, and through his dedicated and determined effort on behalf of all students for more equal opportunity for learning, he did by the force of his leadership cause to be established a unified system of higher education.

In recognition of his foresight, courage, leadership, and integrity Fayetteville State University proudly awards its first honorary degree to the Honorable Robert Walter Scott, the degree Doctor of Laws.

[From the News and Observer, Oct. 16, 1972]

Scott Gets Degree

Fayetteville.—Fayetteville State University conferred an honorary doctor of laws degree on Gov. Bob Scott Sunday, the first honorary degree ever given by the university.

In accepting it, Scott said he was aware the school was recognizing certain accomplishments of his administration, especially the restructuring of higher education at state-supported institutions.

"I would remind you," Scott said in a prepared talk, "that such accomplishments are the work of many persons, not of one man. So, I gratefully accept this honor, not for myself alone, but on behalf of all who labored with me."

Scott related the developments in reorganization of higher education, including the creation of a Board of Governors to supervise and control the programs at the 16 schools.

"At times," Scott said, "the board will have to be firm in saying 'no' to the ambitions of particular institutions or faculties or chambers of commerce. If we try to fulfill the aspiration of everybody, we will soon learn that we have spread our resources too thinly and we will find ourselves a jack of all trades but master of none."

The governor said "no institution, no faculty and no department will ever get everything it would like to have. But by working together on a well-developed plan, we can all ultimately achieve our objective."

Scott said that in higher education, Fayetteville is "the most under-developed region in North Carolina."

THE IMPORTANCE OF RESEARCH FOR DEFENSE

Mrs. SMITH. Mr. President, on August 6, 1969, when I led the fight in the Senate against the Safeguard ABM system and those of us who opposed it by the record 51 to 50 vote on which we lost, I said, among other things:

> Instead, I have greater confidence and faith in the ability of our scientists to develop a far more effective and far less costly system than the proposed ABM system.
>
> I am sure that it is no breach of security when I say that I have great hopes that before too long a sufficiently powerful laser will be developed for the defense not only of our missile sites but as well of our people and our cities.

So it was with great interest that I read the front page editorial of the issue of the Sunday Oklahoman of October 8, 1972, for in reporting that a laser beam shot from the earth had partially melted a rock on the moon, this newspaper rightly stressed the importance of research for defense and the folly and risk of cutting such funds. Finding such support for my prediction of more than 3 years ago and of my warning this year and in past years against cutting research for defense, I ask unanimous consent to have printed in the Record pertinent portions of that editorial, and I invite the close and serious attention of everyone to these editorial observations.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Sunday Oklahoman, Oct. 8, 1972]

To Destroy Missiles

On the last trip of our astronauts to the moon, they found on a moon mountain a rock which had been partially melted by a laser beam shot at the speed of light by American scientists 240,000 miles away. The mission of the astronauts was to find this rock and bring it back to our research scientists, which they did.

If a laser beam from the earth can melt a rock on the moon, why can't it destroy missiles in silos or missiles launched through the air? The answer is, it can.

About four years ago observers watched a Russian vehicle in space which overtook another Russian vehicle orbiting around the earth and suddenly, without firing a shot or causing an explosion, the target vehicle disintegrated and portions of it fell in Oklahoma and some in Kansas. These were recovered and sent to White Sands for scientists to examine. Many believe the object was struck down instantaneously by a laser beam.

Laser beams can melt and burn up the hardest steel. They can burn great holes in the thickest and strongest steel vault doors in any bank in America.

The research laboratories of our Department of Defense are known to be working constantly with lasers. Are they up with Russia or two years behind? If Russia can launch satellites or high flying airplanes capable of projecting laser beams, they could destroy missiles in our Minuteman silos or submarines in ports. Laser beans could destroy and knock down and perhaps explode missiles aimed at Russian targets. This includes Polaris missiles from our submarines. They might be destroyed over the Atlantic or fall in England or West Germany, destroying cities and populations with radiation.

For a good many months Russia has been building a much larger launching structure than used heretofore by the twenty-five megaton missiles. Perhaps the new structures are for powerful laser projectors which could knock down missiles long before they reached the Russian border.

Recently a Russian admiral announced to the world that no ship of any foreign country could now be safe in any ocean anywhere in the world. The question is, did he mean that Russian naval ships are now equipped with powerful laser projectors that could destroy any American naval vessel by a flash of laser power that could explode the ammunition of the ship and blow it to smithereens? Nothing would be left except floating fragments. If the American ship was an aircraft carrier and fifty of its planes were in the air, the laser beams could then slap down some of those planes like so many flies.

Research for Defense is vital for the survival of our country.

A TRIBUTE TO THE HONORABLE WILLIAM COLMER

Mr. STENNIS. Mr. President, no person can possibly sum up in one speech the splendid congressional career of my colleague from Mississippi, the Honorable WILLIAM M. COLMER, who is voluntarily retiring as a Member of the House of Representatives at the end of this Congress after 40 continuous years of service.

BILL COLMER came to Washington with the New Deal, which developed into both an economic and legislative revolution of a kind. His 40-year career includes World War II, the Korean and Vietnam wars. This period also includes drastic changes in our economy and totally new and different judicial interpretations of the Constitution which in effect change the basic concepts of our Government. Further, there have been far reaching basic changes in our social order and related matters. In addition thereto, advances in technology, transportation, and communications have not been matched in a like time in all the pages of history.

Through it all, BILL COLMER has been calm, cautious, thorough, always approaching every problem in a thoughtful, deliberate, and constructive way. He held many important legislative positions in the House of Representatives, with increasing degrees of high responsibility, culminating his outstanding chairmanship of the highly important House Rules Committee. Here we found a wise, experienced, dedicated, and skillful legislator who rendered the entire Nation the highest quality of service that one could perform.

Such a performance could not have been possible without those strong qualities of intelligence, honor, integrity, and what I shall call balance. Those are the very qualities BILL COLMER has in abundance. Added to this was a quiet but deep sense of humor. His jokes and stories were almost always told at his own expense.

During all the years that he and I have been here together, his advice and counsel have been of great value to me and to our State. His wife and helpmate, Ruth, has carried her part of every load and is a very charming lady, indeed. Mrs. Stennis joins me in all the sentiment of these remarks and we wish them many more happy and useful years ahead. Their presence and influence here have been felt and they, of course, will be missed.

The people of BILL COLMER's district, the people of the entire State of Mississippi, and in fact the people of the entire Nation owe BILL and Mrs. Colmer a lasting debt of gratitude, and most fortunately that feeling of gratitude does exist. In fact, I believe it is unanimous.

So, with regret, but with appreciation and the fondest good wishes, I bid them Godspeed.

THE SPENDING CEILING

Mr. ROTH. Mr. President, we here in the Senate have had the most prolonged debate on the problems of Federal spending since my distinguished predecessor John Williams lead the fight for such a measure in 1968.

We have also had the benefit of extended debate in the House and the advantage of analyzing opposing points of view in that body. Senators and Members of the House of Representatives have offered many amendments on the general theme of a legislated spending ceiling.

Some feel that a fixed limit, managed entirely by the President, is the only course that is feasible. Others have urged some degree of congressional veto power over announced Presidential budget cuts. Others still feel that no President should have any authority whatever to make cuts or reservations from congressionally appropriated funds. The Senator from Oregon (Mr. PACKWOOD) on Friday night made an exceptionally fine speech in behalf of this point.

But, Mr. President, I would submit that regardless of each Senator's feelings on the subject, we are acting at this late hour in haste and controversy. It seems to me, though, that the time to act on congressional budgetary control is not at a late date like this, but before Congress has begun its annual review of the President's spending requests.

If Congress really wants to exercise its legitimate authority over spending, then early in each session let it set that spending target. Let Congress tell the President, "This is how much we feel should be spent in the coming fiscal year." And then let Congress work its will within those predetermined guidelines.

We do not have to accede to any Presidential preferences if we will only regain this important budgetary initiative. If we will only exercise our power early in the session, not in its closing hours, we can then determine how Congress feels our Nation will best be served. Then, and only then, can we divide the congressionally mandated pie into guns and butter as we see fit.

Mr. President, I would urge my fellow Senators to adopt this course of action next January, when the 93rd Congress will convene. Early this year on February 4, 1972, I introduced just such a measure (S. 3123), which was cosponsored by 48 Senators, including the distinguished leaders of both the majority and minority parties. This bill languished through the early weeks of the session, and I then attached it as an amendment to the debt ceiling bill in March. That was well before we had passed any of the regular appropriation bills for 1973 or had acted on any of the major legislative bills which have added to fiscal year 1973 outlays. Perhaps if Congress had acted then, these debates now would be unnecessary.

I have been delighted to hear other Senators talking on the need for such early action, and I am very hopeful that the Joint Committee on the Budget—title III of this bill—will make similar recommendations.

Nevertheless, I will certainly continue to work hard for these controls, which will return to the Congress both the power over fiscal policy and the power to direct the Federal outlays in various program areas.

We can set responsible spending limits for ourselves; I am convinced of it. Then, though the process will be difficult, we can decide on the merits of individual spending bills, in relation to this larger total.

Mr. President, I urge Senators to remember that this midnight spending ceiling is no panacea. Our work to regain full control over the Federal budget is only just beginning.

A TRIBUTE TO REPRESENTATIVE TOM ABERNETHY

Mr. STENNIS. Mr. President, the Honorable TOM ABERNETHY is voluntarily retiring from the House of Representatives after 30 years of continuous service. Over those years, in his inimitable way, he has rendered double service. He served the people of the Nation on truly national justice and the people of his district in an outstanding and forceful way, to each always being loyal, and true to his goal of reflecting the needs and interest as well as sentiments of his home people. This was possible because his penetrating mind enabled him to recognize the problems of the Nation and seek solutions consistent with the beliefs and judgment of his people.

Over the 30 years of TOM ABERNETHY's service, wars came and went, the economy rose and fell, and the districts were changed on him; but TOM never lost an election. There were several good reasons for this. One of those reasons was that one always knew where he stood, and knew it early and in unmistakable terms. When anyone mentioned this trait to him he would reply, "Well, you know, I am an Abernethy." Everyone at home understood. Those that might not approve of every stand he took would nevertheless trust him, and vote for him too. And he was worthy of every trust.

Tom is a very senior member of the Committee on Agriculture of the House of Representatives, and chairman of the Subcommittee on Cotton. He is known well and favorably in the Senate and the executive branch as well as in the House. In fact, he is a favorite wherever found. His thorough knowledge of agricultural matters and, in particular, his insight into the problems of the cotton farmers have been of great value to the Nation and to the farming community in general.

Mrs. Stennis and I, along with thousands of others in Washington and in Mississippi, have enjoyed Tom and his wonderful wife, Alice, and loved their children from childhood—Gail, Tommy, and Alice Kay, all now grown to adulthood, useful and active, with families of their own. Truly they are a wonderful family, happy as always. Alice is a lady of charm and great talent in her own right, in many respects our sixth member of the Mississippi delegation in the House, our Congresswoman at Large.

Mrs. Stennis and I wish Tom and Alice many more years of happiness, activity, and service to others among their countless friends in Mississippi and throughout the Nation.

A TRIBUTE TO REPRESENTATIVE CHARLES H. GRIFFIN

Mr. STENNIS. Mr. President, Representative Charles H. Griffin of the Third District of Mississippi is voluntarily retiring from the House of Representatives. Charlie became a Member of Congress in 1968, when in a special election he was selected by the people of his district to fill a vacancy, and he was subsequently reelected to the 91st and 92d Congresses.

Charlie Griffin has rendered other valuable service in Washington, however, which predates his election to Congress. For almost 20 years he was assistant to Representative John Bell Williams of Mississippi, so he has been here for a long time, serving the people of Mississippi. He has done a fine job of it. His work on behalf of his constituents has been dedicated and effective and has always been given his first and utmost priority.

He has worked hard also in his committee assignments, serving on the Committees on Banking and Currency and Merchant Marine and Fisheries of the House of Representatives. We need such men as Congressman Griffin in office. As a Mississippian and as a fellow Member of Congress, I regret that he is leaving. Counting his service in the Navy in World War II where he served in his teens, he has been in public service almost continuously since he was a very young man. He has thus doubly earned his retirement.

Charlie and his very charming and personable wife Angie will be missed here in Washington, both in legislative and social circles. They are going back to Mississippi, however, and Mrs. Stennis and I will hope to see them often there. We join in wishing them every good fortune in their new endeavors and many more happy and useful years in the decades ahead.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 15461) to facilitate compliance with the treaty between the United States of America and the United Mexican States, signed November 23, 1970, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 14911) to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6821. An act for the relief of Theodore Barr;

H.R. 7947. An act for the relief of Jean Albertha Service Gordon;

H.R. 8307. An act for the relief of Michael A. Korhonen;

H.R. 8722. An act for the relief of 1st Lt. John P. Dunn, Army of the United States, retired;

H.R. 10509. An act for the relief of Juan Marcos Cordova-Tampos;

H.R. 10636. An act for the relief of Mrs. Dominga Pettit;

H.R. 10638. An act for the relief of John P. Woodson, his heirs, successors in interest or assigns;

H.R. 10907. An act for the relief of M. Sgt. Eugene J. Mikulenka, U.S. Army (retired);

H.R. 14923. An act for the relief of Michael Joseph Wendt; and

H.R. 16179. An act for the relief of certain former employees of the Securities and Exchange Commission.

HOUSE BILLS REFERRED

The following House bills were severally read twice by their titles and referred as indicated:

H.R. 8063. An act to provide for financing the economic development of Indians and Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 14171. An act to incorporate in the District of Columbia the American Ex-Prisoners of War;

H.R. 15186. An act to incorporate in the District of Columbia Pop Warner Little Scholars, Inc.; and

H.R. 15453. An act to incorporate in the District of Columbia the National Inconvenienced Sportsmen's Association; to the Committee on the Judiciary.

RECESS TO 1 P.M. TODAY

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 1 p.m. today.

The motion was agreed to; and at 10:08 a.m., the Senate took a recess until 1 p.m.; whereupon the Senate reassembled, when called to order by the Presiding Officer (Mr. Chiles).

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESS IS LETTING ITS POWERS SLIP AWAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a thought-provoking article written by Richard L. Strout entitled "Congress Letting Its Powers Slip Away," published in the Christian Science Monitor on October 14, 1972, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Congress Letting Its Powers Slip Away

(By Richard L. Strout)

Washington.—President Chester A. Arthur in his first message to Congress asked authority to cope with bands of cowboys who were terrorizing the Southwest and Mexican border. Congress ignored him—Congress was systematically extending its power and liked to snub presidents.

Today in Washington the pendulum has swung so far the other way toward executive domination that the effort to adjourn the 92nd Congress is stalled on a debate whether, in effect, to lend the power of the purse to the White House for eight months.

BLANKET AUTHORITY

The House has already voted, 221 to 163, to surrender authority to reduce federal spending to $250 billion by giving blanket authority to the President to cut expenditures at will, even by setting aside laws previously passed.

"You might as well abolish Congress" if the power is passed, warns Senate majority leader Mike Mansfield.

"You can kiss Democratic control of the Congress good-bye" if you don't pass the bill, declares House Ways and Means chairman Wilbur D. Mills.

The Founding Fathers would rub their eyes.

They thought the President would stay above the battle, and that Congress would be the main source of policy.

Some observers see the United States moving toward executive government and cite the dramatic shift in France where the President dominates Cabinet, Premier, and Parliament.

Few go so far as this, but many agree that the all-but-accomplished blanket transfer of spending authority to Mr. Nixon, albeit of a temporary nature, would set an extraordinary new precedent in the gradual erosion of legislative authority.

They argue that this has been going on for a long time, and some call the congressional highwater mark of this century when the Senate rejected President Wilson's League of Nations treaty.

What has caused the change?

War power:

The United States is fighting the longest war in history. But Congress has never declared war. With only two dissenting votes, Congress willingly transferred its constitutional responsibility to the President in passing the Tonkin Gulf resolution.

Subsequent studies indicate that Congress was given an incomplete story of the Tonkin Gulf attack. Nevertheless, in an age of nuclear threats many feel that Congress is too slow to act and inadequate in international affairs. In the same way treaties, which require a two-thirds Senate majority vote, are now generally submitted as executive agreements requiring congressional majority vote.

Executive privilege:

Cabinet members previously testified regularly before Congress while their subordinates were protected by so-called executive privilege.

Recently substantial power has moved from the Cabinet to staff members in the White House out of legislative control. What use, for example, does it do to call Secretary of State William P. Rogers when real negotiations are in the hands of Dr. Henry Kissinger, assistant to the President for national security affairs?

DELEGATION OF AUTHORITY

Regulatory agencies:

Congress has delegated authority to regulatory agencies, often called the fourth branch of government with interests ranging from detecting espionage to the price of bread.

These agencies have been regarded as nonpartisan, but heads of several recently have been acting as Mr. Nixon's political "surrogates" in the election. The gravitational pull of the executive seems powerful, as over the whole bureaucracy.

Economics:

Under Keynesian economics, the government moderates the business cycle by utilizing taxes and appropriations and this requires a flexible legislature.

But when President Johnson asked for higher taxes to head off the Vietnam inflation, Congress delayed two years. (Parliamentary countries like Canada respond in a few weeks.) Congressional rigidity constantly tempts the President to bypass it.

FISCAL DRAINAGE

Power of the purse:

Fiscal power has gradually been draining from Congress to President by the system of impounded funds, backlogs, and re-programings. This is almost unknown to the public.

Tens of billions in backlog balances remain in the pipeline: For FY 1973 they came to $155 billions. Congress may slash funds but agencies under executive direction often continue to draw on unexpended balances. The President also impounds funds and, to a considerable degree, sets priorities.

Example: Congress boosted housing funds in 1971 and cut back on the military; the Office of Management and Budget impounded almost a third of the housing money and increased the Pentagon's spending $2 billion above the Pentagon's own estimates.

"Congress has lost power over spending," sighs Sen. William Proxmire (D) of Wisconsin in his new book, "Uncle Sam: The Last of the Bigtime Spenders."

FAILURE TO MODERNIZE

Horse and buggy Congress:

Congress has lost power, most students agree, because it won't put its house in order. It is probably the only democratic legislature that not merely won't harmonize income with outgo, but has no mechanism for doing so. (Rival sets of committees deal with "authorizations" and with actual expenditures.)

Defenders of Congress declare that it was never intended to be efficient, but citizens' groups like the League of Women Voters, Common Cause, and Ralph Nader's organization have implored it to reform.

President Nixon based his grim Oct. 7 demand on Congress for a $250 billion spending ceiling in his political radio speech, on the grounds of congressional inefficiency and incompetence, although he didn't use those words.

Will the Senate grant Mr. Nixon the sweeping new authority? The Founding Fathers and Chester A. Arthur would rub their eyes.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN SAMOAN TAX EXEMPTIONS—CONFERENCE REPORT

Mr. RIBICOFF. Mr. President, I submit a report of the committee of conference on H.R. 1467, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report, which reads as follows:

CONFERENCE REPORT (S. REPT. No. 92–1306)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

On page 3, line 22, of the Senate engrossed amendments, strike out "4" and insert: "3".

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

On page 4, line 2, of the Senate engrossed amendments, strike out "5" and insert: "4".

And the Senate agree to the same.

RUSSELL B. LONG,
CLINTON ANDERSON,
WALLACE F. BENNETT,
Managers on the Part of the Senate.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
JOHN W. BYRNES,
JACKSON E. BETTS,
Managers on the Part of the House.

Mr. RIBICOFF. Mr. President, the Senate will recall that the House-passed bill in this case dealt with the definition of a dependent for purposes of claiming an income tax personal exemption to include "nationals" of the United States who otherwise would qualify as dependents but for the fact that they are not classified as citizens of the United States.

The only change made in this provision by the Senate was to make it apply to taxable years starting after 1971, rather than after 1970. The House conferees agreed to this amendment.

In addition, the Senate added five other amendments to the bill, of which the conferees accepted three.

The House conferees were unwilling to accept an amendment relating to the deduction for nonparticipating contracts. The Senate amendment would have included in this deduction premiums on guaranteed renewable life, health, and accident insurance contracts. In rejecting this amendment, it should be clear that it was not because of any fundamental disagreement with the provision but rather because there was not time for the House conferees to fully explore the technicalities in it.

The other amendment which the conferees were unwilling to accept was the amendment relating to the minimum tax. The members will recall that this concerned whether the minimum tax base should include gains and stock option income attributable to foreign sources. Here the question was whether the provision should be applicable as of the date of the Tax Reform Act of 1969 or as of June 24, 1971. The House conferees were unwilling to move the effective date to this June 24, 1971, date.

Let me turn now to the three amendments which were accepted by the House conferees.

The first relates to the estate tax treatment of annuities in community property States. This amendment removes a discrimination in existing estate tax law against spouses of employees in community property States who die before the employee-spouse.

The second Senate amendment to which the House conferees agreed extends the present tax treatment with respect to accrued vacation pay through the end of this year.

Finally, the third amendment agreed to by the House conferees relates to the deduction of a portion of a State tax on motor vehicles in the case where the tax rate is higher than the general sales tax rate. In this case, the Senate amendment permits a deduction for the portion on motor vehicles which is equal to the general sales tax rate. This amendment is applicable to the State tax on motor vehicles imposed by the States of West Virginia and Vermont.

Mr. PROXMIRE. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. PROXMIRE. Mr. President, I want to commend the conferees on yielding on the minimum tax. It seems to me that was something that could have been troublesome, not that the provision might not be warranted, but there was so much confusion about it.

A part of this conference report that I would like to know more about is the first amendment which was agreed to, the tax treatment amendment affecting the wives of Americans in community property States.

My question with respect to this is: Does it have any substantial effect on revenues and, if so, how much is it?

As explained to me by the staff of the Finance Committee, it seems acceptable, but I would like to ask the Senator from Connecticut to explain if he would explain what effect it might have.

Mr. RIBICOFF. Mr. President, Mr. Woodworth of the staff of the joint committee says that it only has a minimal effect upon revenue at the outside. He estimates it to be $500,000. It does not go beyond that. And Mr. Woodworth's estimates, from my experience, are accurate estimates in every way.

Mr. PROXMIRE. Mr. President, this would affect, as I understand it, wives and employees under pension funds and community property estates.

Mr. RIBICOFF. The Senator is correct, and joint survivors.

Mr. PROXMIRE. Mr. President, I thank the Senator. I have no objection to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. RIBICOFF. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF TRANSPORTATION ACT OF 1940, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3240.

The PRESIDING OFFICER (Mr. CHILES) laid before the Senate the amendment of the House of Representatives to the bill (S. 3240) to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges, which was to strike out all after the enacting clause, and insert:

That section 322 of the Transportation Act of 1940, as amended (49 U.S.C. 66), is hereby further amended as follows:

(a) By inserting after the section designation the letter "(a)"; by changing the first sentence to read: "Subject to such standards as shall be promulgated jointly by the Secretary of the Treasury and the Comptroller General of the United States, payment for transportation of persons or property for or on behalf of the United States by any carrier or forwarder shall be made upon presentation of bills therefor, prior to audit or settlement by the General Accounting Office, but the right is reserved to the United States Government to deduct the amount of any overcharge by any carrier or forwarder from any amount subsequently found to be due such carrier or forwarder."; deleting the portion of the second sentence preceding the colon and substituting therefor the following: "The term 'overcharges' shall be deemed to mean charges for transportation services in excess of those applicable thereto under tariffs lawfully on file with the Interstate Commerce Commission, the Civil Aeronautics Board, the Federal Maritime Commission, and any State transportation regulatory agency, and charges in excess of those applicable thereto under rates, fares, and charges established pursuant to section 22 of the Interstate Commerce Act, as amended, or other equivalent contract, arrangement, or exemption from regulation".

(b) By adding the following new subsections to the section:

"(b) Pursuant to regulations prescribed by the head of a Government agency or his designee and in conformity with such standards as shall be promulgated jointly by the Secretary of the Treasury and the Comptroller General of the United States, bills for passenger or freight transportation services to be furnished the United States by any carrier or forwarder may be paid in advance of completion of the services, without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529): *Provided*, That such carrier or forwarder has issued the usual ticket, receipt, bill of lading, or equivalent document covering the service involved, subject to later recovery by deduction or otherwise of any payments made for any services not received as ordered by the United States.

"(c) The term 'head of a Government agency' means any individual or group of individuals having final decisionmaking responsibility for any department, commission, board, service, Government corporation, instrumentality, or other established or body in the United States Government."

SEC. 2. This Act may be cited as the "Transportation Payment Act of 1972".

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

ADMINISTRATIVE CONFERENCE ACT AMENDMENT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3671.

The PRESIDING OFFICER (Mr. CHILES) laid before the Senate the amendments of the House of Representatives to the bill (S. 3671) to amend the Administrative Conference Act, which were on page 2, line 5, strike out "GS-18", and insert: "GS-15".

On page 3, line 9, after "necessary", insert: "not in excess of $760,000 for the fiscal year ending June 30, 1974, $805,000 for the fiscal year ending June 30, 1975, $850,000 for the fiscal year ending June 30, 1976, $900,000 for the fiscal year ending June 30, 1977, and $950,000 for the fiscal year ending June 30, 1978, and for each fiscal year thereafter,".

And amend the title so as to read: "An act to amend provisions of law relating to the Administrative Conference of the United States."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AMENDMENT OF SECTION 3306, INTERNAL REVENUE CODE OF 1954

The PRESIDING OFFICER (Mr. CHILES). The Chair lays before the Senate the unfinished business which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 7577) to amend section 3306 of the Internal Revenue Code of 1954.

The Senate continued with the consideration of the bill.

Mr. CHURCH. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk proceeded to state the amendment.

Mr. CHURCH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill insert the following new section:

SEC. —. (a) section 170(e) of the Internal Revenue Code of 1954 (relating to certain contributions of ordinary income and capital gain property) is amended—

(1) by inserting after "the amount of gain" in paragraph (1) (A) "(or, in the case of a contribution described in paragraph (3), 50 percent of the amount of gain)"; and

(2) by adding at the end thereof the following new paragraph:

"(3) CERTAIN CONTRIBUTIONS OF ORDINARY INCOME PROPERTY.—For purposes of paragraph (1) (A), 50 per cent of the amount of gain shall apply with respect to a contribution only if the use by the donee of the property contributed is related to the purpose or function constituting the basis for its exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described in subsection (c); and shall not, in any case, apply to—

"(A) a contribution to or for the use of a private foundation (as defined in section 509(a)), other than a private foundation described in subsection (b)(1)(E), or

"(B) a contribution by a taxpayer, described in section 1221(3) of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while he held an office under the Government of the United States or of any State or political subdivision thereof, and which was related to, or arose out of, the performance of the duties of such office."

(b) The amendments made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to contributions of property after such date.

Mr. CHURCH. Mr. President, this amendment has been approved by both the chairman and the ranking minority member of the Senate Finance Committee and has, I understand, the approval of the Department of the Treasury. It is a technical change in the Tax Reform Act of 1969 which will correct what my studies indicate was an inadvertent mistreatment of authors and artists under that law.

As some Members will recall, it was during the consideration of the 1969 Tax Reform Act that it came to light that some political figures, both Democratic and Republican, would reap large tax benefits by donating their public papers to libraries of universities. It was the feeling of the Congress that, inasmuch as the taxpayers had, in a sense, already paid for the making of these papers, they should not once again be asked to subsidize them, via the tax deduction route, when they were given away by a public office holder at the conclusion of his career.

In an attempt to solve that problem, Congress changed the tax law. However, in so doing, Congress swung too broad an ax. It not only eliminated the deduction allowable for the donation of public papers of public men, but eliminated the deduction, based on fair market value, which had previously been granted to authors and artists.

The result has been that acquisitions by libraries, museums, and art galleries have been seriously harmed. My amendment would partially reinstate the tax treatment given to authors and artists prior to the passage of the Tax Reform Act of 1969 for up to 50 percent of the fair market value of their works. The amendment makes it clear that this tax advantage will not be granted to public officials.

The intent of the Congress will thus be carried out, and the oversight in the original act, in part at least, will be corrected.

I would personally prefer total reinstatement of the prior law as to authors and artists, but have been advised that the Treasury Department will not support that much of a change. Due to the lateness of the session, I feel compelled to accept the half loaf offered rather than have no loaf at all.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CHURCH. Mr. President, I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, as I understand it, this is confined to authors and artists. It does not reform the procedure so that wealthy patrons of the arts who might happen to have a paper or a manuscript could donate it, and by doing so claim a deduction. We would not be doing that under this amendment?

Mr. CHURCH. This amendment is restricted to artists, composers, and writers, those who create. And since the amendment is limited to 50 percent of the market value of any original manuscript they might donate to a nonprofit public library, it is anticipated that it would have no consequential effect upon Federal revenue.

Mr. PROXMIRE. And the reason for the 50 percent, as I understand it, is so that it would not have any substantial effect.

Mr. CHURCH. The Senator is correct, because under the present law if an artist were to sell a manuscript to a collector, he would be liable for the tax on whatever profit he made. If, on the other hand, he donates the manuscript to the Library of Congress, he is entitled to take no deduction at all under the present law except for the cost of the paper and the ink.

This would mean that the situation would be equalized and that the tax consequences would be approximately the same, whether he donates it or sells it.

Mr. PROXMIRE. On that basis, even if he were in the 50 percent bracket he would be quite an artist or writer, and he would break even.

Mr. CHURCH. Yes. Actually the reason for the amendment comes primarily from libraries, like the Library of Congress, and museums and art galleries around the country that found under the previous law that donations are very valuable and portraits and manuscripts have fallen off drastically. Therefore, it is in the public interest of these institutions that I offer the amendment.

Mr. PROXMIRE. I thank the Senator. I support the amendment.

Mr. RIBICOFF. May I ask whether Government officials, past, present, and future, are excluded from the amendment?

Mr. CHURCH. Yes, they are. All public officers, Federal, State and local, are excluded.

Mr. RIBICOFF. On behalf of the Committee on Finance, we will accept the amendment offered by the distinguished Senator from Idaho.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. Mr. President, section II of H.R. 7577 allows cities to enter into agreements with the Federal Government for Federal withholding of city income taxes from compensation paid to Federal employees. I offered this legislation as an amendment to the Revenue Sharing Act. At that time, the distinguished chairman of the Finance Committee asked me to withdraw my amendment, on the condition that it would be included in an upcoming piece of legislation. I am pleased that the chairman has recognized how important this legislation is and, therefore, has taken the initiative to include it in H.R. 7577.

Because city income taxes are not withheld from the wages of Federal employees, these workers are forced to pay the taxes in lump sums on a quarterly or annual basis. The obligation to pay a substantial amount in local taxes at one time presents a serious hardship to many Federal workers. As of last winter, one-third of Cleveland's postal workers had not been able to meet this obligation, and owed the city hundreds of dollars per person in back taxes.

Section II of H.R. 7577 would allow Federal workers to pay their city taxes in the same convenient manner as other workers, by spreading the payments out evenly throughout the year. This would benefit directly about 60,000 of Ohio's workers.

This legislation would also provide some extra money for the cities. Because the cities' tax collection departments will no longer have to devote extra attention to Federal workers, administrative costs will decrease. The cities of Akron, Columbus, and Toledo expect that they could save up to $35,000 annually in this manner. The major source of new income however, would occur as a result of a reduction in tax delinquencies and an increase in the cities' ability to collect delinquent taxes. Cleveland's tax department estimates that because of fewer tax losses, the city's income could be increased by $300,000 to $400,000. The city of Cincinnati expects the legislation to save its taxpayers about $100,000. Cities in other States could, of course, expect similar savings.

The major organizations representing groups which my amendment would affect strongly support it. These organizations include the National League of Cities-U.S. Conference of Mayors, the National Postal Union, and other major Federal employees' associations. The National League of Cities-U.S. Conference of Mayors feels so strongly about it that this was the only amendment to revenue sharing upon which they broke their policy of neutrality to support. The Treasury Department has historicically supported this type of legislation, and I have been informed that the Department's position has not changed.

I am aware that the constitutionality and desirability of some local income taxes is presently being questioned. This legislation in no way attempts to pass judgment upon the merits of any specific tax. It is simply designed to assure that Federal workers who are already liable for such taxes are afforded the same advantageous tax collection treatment as workers generally.

I hope that the Senate will seize the opportunity provided by section II of H.R. 7577 to provide additional, and needed, assistance for our Federal workers in our cities.

WILDLIFE RESTORATION FUNDS

Mr. MANSFIELD. Mr. President, the Senate will recall that about the middle of last week, the distinguished Senator from Arizona (Mr. FANNIN) proposed an amendment having to do with the wildlife restoration fund and the tax on the sale of bows and arrows. The distinguished Senator from Wisconsin raised some questions. The amendment is in the bill now pending before the Senate. It is anticipated that, in view of the fact that the House took separate action, it might be possible to take separate action on this measure at this time and thereby knock out of the pending bill what the Senate already agreed to unanimously.

Mr. PROXMIRE. That is correct. As I understand it, this is a revenue raiser. It has the approval of the industry. It would go for a conservation fund, and it is one that has been agreed to.

Mr. MANSFIELD. That is correct.

Mr. FANNIN. Mr. President, I call up H.R. 11091 and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

> H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. FANNIN. Mr. President, we took action a few moments ago without having a complete understanding of what was intended when we passed H.R. 11091. We intended not only to pass the bill but likewise to strike that language which was added as an amendment to H.R. 7577 from that bill. Therefore, Mr. President, I ask unanimous consent that the amendment embodying the language of this bill which had been added to H.R. 7577 be deleted as an amendment to that bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

ORDER OF BUSINESS

Mr. HUMPHREY obtained the floor.

Mr. MANSFIELD. Could the Senator give me any idea how long he intends to speak?

Mr. HUMPHREY. About 15 minutes, I think.

Mr. MANSFIELD. Well, when the Senator gets through, would he please move that the Senate stand in recess until 3 p.m. today?

Mr. HUMPHREY. I shall be glad to do so.

THE DEBT CEILING AND THE $250 BILLION LIMITATON

Mr. HUMPHREY. Mr. President, on returning from the weekend in my home State of Minnesota, I, like other Senators in reading the morning press, found that the conference committee of the House Ways and Means Committee and the Senate Finance Committee had arrived at what is termed a compromise on the so-called debt ceiling bill.

As all of us know, the controversial part of that bill was the authority to be granted by Congress to the President to make substantial budget reductions, so as to keep budget outlays under the $250 billion budget ceiling.

There are many of us that were opposed to even the concept of a so-called congressional authorized budget ceiling, feeling that the Congress was perfectly capable of managing the fiscal affairs of this country.

We do believe that in the debate, particularly as presented by the distinguished Senator from Oregon (Mr. PACKWOOD), and others of us, we had decided that Congress in the years since 1946 had, indeed, reduced Presidential budget requests.

Mr. President, we in the Senate came to the conclusion that by a very substantial majority the amendment proposed by the distinguished Senator from Idaho (Mr. JORDAN), the present Presiding Officer, represented a reasonable approach to the matter of fiscal responsibility and the maintenance of the constitutional powers of the Congress in areas of appropriation and spending.

I indicated during the debate that my preference was, of course, merely to authorize the increase of the debt ceiling, which I know is necessary, and to have no section in the bill relating to the so-called congressional budget ceiling.

My position on this was dictated by my interpretation of the powers of Congress under the Constitution. However, I am not only a student of government, I am also a realistic practitioner within the Halls of Congress. I came to the conclusion that it would not be possible to strike that section of the bill relating to a spending ceiling, that it would be prudent and sensible on the part of Congress to try to find a formula that would permit Congress, or to try to find a formula designed by Congress, to authorize and direct the President as the agent of Congress in these matters to make proportional cuts across the board with no program to have more than a 10-percent cut.

This, of course, would apply only to those programs that were not excluded from the limitations imposed on the bill. In other words, the Jordan amendment exempted certain categories of programs which were to be untouched by any new congressional authority, directing the President to make budget reductions.

The program and activities from which no reservations were to be made were interest payments, veterans' benefits, and service payments from the social insurance trust fund, that is the social security payments; medicaid, public assistance maintenance grants, social service grants under title 4 of the Social Security Act; food stamps, military retirement pay, and judicial salaries.

Now, that Senate amendment was designed to exclude those programs from any tampering by the Executive Office of the President, and to leave other programs subject to a proportional cut, with no programs suffering more than 10 percent.

I felt that that amendment did two things this Congress would want to do; No. 1, establish a spending ceiling. People are worried about Government spending. I understand that. The President has made an issue out of spending, indicating that if Congress did not restrain itself, there would have to be a tax increase.

I said very candidly, and felt very strongly that Congress had shown fiscal responsibility, that there was no need for a spending ceiling, and the President had made this a political issue, rather than an issue of fiscal policy.

I also felt that the Jordan amendment preserved intact the prerogatives, the authority, the power, and the responsibility of Congress relating to all matters of appropriation. Getting rid of politics for a while, that is the main issue.

Between now and November, of course, there will be talk about whether or not the President has trapped the Congress into a political battle that we cannot win; namely, that Congress is filled with a group of wastrels and irresponsible people that have no regard for the value of the dollar, no regard for the solvency of the Federal Treasury and therefore, because that is the situation, according to the political overtones, we have to have a spending ceiling. The President is saying that we have to control these irresponsible people. Not only do we have to have a spending ceiling, but we have to give "Big Brother," in this instance the office of the President, the power to cut wherever he wishes, any program he wishes, in any amount he wishes, in order to come under the $250 billion spending ceiling.

That issue is the central one. I want to say once again that Congress will be demeaning itself. Congress will be prejudicing its future activities in the field of taxation and appropriation if it yields to the compromise that has been brought from the conference committee and, more significantly, if it were to yield to the original language that came from the other body.

Now, some of us have been in the Senate and in this Government for quite awhile. We have all made our fair share of mistakes. All of us are political or we would not be here. We run on party ballots. We have partisan positions and partisan friends in election years. We join the issue. And there are honest differences of opinions between candidates and parties, as there should be.

The American people have a right to make a choice. And I think that most Members of the Congress take their duties seriously. And the evidence over the years indicates that that is true.

The Congress of the United States, as a parliamentary body, has a very good record in terms of history for responsible political and social action. As a matter of fact, the Congress of the United States has a record of performance that is not excelled by the executive branch. It has a record of performance that is the envy of legislative bodies throughout the world. Oh, we are always the subject of all kinds of cartoons, political jokes, and the daily newspapers and television and radio commentators. And rightly so, because we are very human. We are on display all the time.

I wonder what it would be like if the Office of the President had a constant press gallery observing every move that the President made all day long, or if every Cabinet officer had it. They lock themselves behind closed doors—not just this President, but all of them.

So here we are or here we are not, and the press is observing us either here or not here. [Laughter.]

The **PRESIDING OFFICER.** The Senator from Minnesota will suspend. There will be no responses from the galleries. The Senator may proceed.

Mr. HUMPHREY. Mr. President, let us not be too strict on that.

But here we are in the full view of the public. In fact, I think we ought to be in fuller view. We have the printed media up here, and they ought to be here. I am glad they are. We ought to have the electronic media. I think that the public ought to know what we are doing.

There ought to be radio and television representation so that the public would know what we are doing and what we are not doing.

We talk about openness in Government. We talk about prudence and secrecy in political campaigns.

I think there is need for great reform in this assembly. First, we should remember that the 20th century arrived 72 years ago. Another is that we should know that the electronic media are here.

I see that the House the other day installed something that the Minnesota legislature has had for 40 years. They have a way of recording the votes through electrical means. I am glad that we have finally decided that electricity is here to stay. But we have no openness. Those of us in this body did not know what the conference committee was doing until it came out. But I tell the Senate that someone did know what was going on in the conference committee. The Secretary of the Treasury was there in the conference room. The Under Secretary of the Treasury, Mr. Walker, the Budget Director, Mr. Weinberger, the Deputy Budget Director, Mr. Carlucci, and the Deputy Secretary of the Treasury, Mr. Smith were all in the conference room, sitting there.

And let me say that certainly it is not a partisan matter. It has happened with Democratic administrations. We permit ourselves to be had. We act like a group of juveniles. We are supposed to have something called a separation of powers. I believe it is important that there be representatives of the executive branch available so that we can call them when we want them. There are extra rooms in this Capitol. We could have them sitting by at our request. But to have them sitting in a conference committee, looking over the shoulders of the conferees is unpardonable, unnecessary, and, I think, unwarranted.

On the night that the amendment of the Senator from Idaho (Mr. JORDAN), now the Presiding Officer, was on the floor—and I am glad that I had the privilege of cosponsoring that amendment with him, because it was an act of statesmanship on his part to get that amendment through—out in these lobbies were representatives of the executive branch who were going up and down the corridors and saying, "We don't care what they do in there. When we get it in conference, we will get our way."

The Senator from New York (Mr. JAVITS) came in and reported that to us. And others knew it.

So here we find a situation in which the conference committee has capitulated and the executive branch is getting its way.

Oh, they say "not much." But "not much" in this instance is too much.

What the Senator from Idaho (Mr. JORDAN) proposed was as far as we ought to go. And I know that there are Senators who thought that was too far.

I spoke to some of my colleagues here and asked them to support the amendment of the Senator from Idaho because I think it faces up to two realities. It faces up to the need of the public to know, and the public demand that we do something about spending—curb it or limit it. Second, it faces up to the fact that we should protect and preserve our prerogatives in the fields of appropriations.

Also I must add that I think that the Jordan amendment, in having tne items that were excluded from the overall cut, demonstrates considerable wisdom in protecting certain governmental activities, functions that are vital to the Nation.

Now what do we get—very clever stuff. I have not had much time. However, one does not have to be very smart or know very much to know when he is getting it. He can tell. Let us see what we are getting. The morning newspaper gives us a fairly good idea. I will at least read some of it into the RECORD, recognizing that it has been the subject of some argument. What does it say? It reads in part:

> The proposed compromise would set the $250-billion ceiling on Federal spending in the current fiscal year—some $7-billion less than estimated expenditures—but place broad restrictions on program reductions by the President.
>
> Under the compromise, certain programs, such as military pay, veterans' benefits, Social Security payments including Medicaid and Medicare, public assistance and judicial salaries, could not be cut.

I want to say that at least the present Presiding Officer was able to get that much preserved in his amendment.

I continue to read:

> The President, however, would be authorized to cut up to 20 per cent in each of 50 broad functional categories such as national defense, international affairs and finance, pollution control and agriculture.
>
> SOCIAL PROGRAMS
>
> With these categories, no restrictions would be placed on how much he could cut individual programs. However, some Senators are concerned that the President may reduce or eliminate social programs passed by Democratic Congresses and Administrations.
>
> The Senate version had proposed that no program could be cut by more than 10 per cent—a level the Administration had protested was too low if the President was to bring spending down to the $250-billion level. The compromise also dropped a key Senate provision requiring that the same proportional cut be made in all programs.
>
> The controversy over the spending ceiling now appears to have become linked with the President's action on the water pollution bill.

What happens? When we do look at the conference report, as signed, we will see first of all that it gives the exclusions which I read, veterans compensation, pension benefits, hospital care, benefits from social security payments including medicaid and medicare, public assistance, and judicial salaries.

They cannot be cut.

Then, it says in the report:

> Nothing in this paragraph shall preclude the reservation of amounts for administrative costs or construction.

It states, "or construction." It means, in other words, that perhaps some of our veterans hospitals that need funds to treat drug addicts may not get that addition. Construction, out. Administrative costs. What are administrative costs? Hiring of personnel to run a program. There are no restrictions on reducing those. Some of our medical programs are sadly lacking in administrative and professional personnel.

But that part does not bother me as much as language found further down. Under the conference report, under (3) it states:

> (3) Under the authority of this Act, no amount of any budgetary outlay for any numerical functional category set forth in table 15 (relating to budget outlays by function and agency) of part 7 of The Budget of the United States Government, 1973, (page 526 and following) may be reduced by more than 20 per centum of the revised budget estimate for such outlay. For purposes of the preceding sentence, the following numerical functional categories may be consolidated and the resulting consolidation may be treated as one numerical functional category.

That is really bureaucratic gobbledygook. I am sure my neighbor back home, Mr. Morris, who is turning the soil for next year's crop, understands that. He is going to ask about this language. Let us look at this language. Categories 603, 604, and 605: those are three groupings of programs that can be put together as a consolidated category and a 20-percent cut can be made. The total for the program can be added up, and the 20 percent taken out of any one of the programs.

For example, there is vocational education. The estimate for expenditures was $568 million. That is the best money this Congress appropriates. We ought to appropriate more money for vocational education.

What is the next item? Educational revenue sharing, $110 million. Now, there is no educational revenue-sharing program, but for the purposes of these categories, they cut 20 percent—$110 million is listed here. That means they can take $22 million out of a nonexistent program; but they do not have to take it out of that program. They can transfer that $22 million cut to another program. They could reduce vocational education by another $22 million, plus whatever the original 20 percent was.

Let me go down the line. There are other programs subject to the reduction such as libraries, arts and humanities, the Smithsonian Institute, public broadcasting, aid to education. The total amount for vocational educational education was $568 million; for education revenue sharing it is $110 million. That is as phony as a three-dollar bill. It is not education revenue sharing.

Under table 15 of the budget outlay, by functioning agency, $745 million. Add them up: $745 million plus $110 million is $855 million, plus $568 million, is $1.423 billion. That is the amount put together in one lump sum.

Mr. President, you can take 30 percent of that and 20 percent of that is about $284 million. They can take $284 million out of any program under this kind of language. The President can take $284 million out of the vocational education program. He could abolish the Smithsonian Institute; that is only $72 million. Close it up. He could do away with public broadcasting; that is $45 million.

What I am pointing out is that it is not just 20 percent of each program. Mr. President, there are categories that are bunched. Add them up to an aggregate such as $1.423 billion and out of that he could take a 20-percent reduction under this so-called compromise. That 20-percent reduction is approximately $285 million. That $285 million reduction can be taken out of any one line item. He could close up the Smithsonian and public broadcasting, do away with the National Commission on Library and Information Sciences, do away with the National Foundation on Arts and Humanities; do away with all of them under that kind of compromise.

I do not think the President is going to do that. Do not misunderstand me. I do not think the President is going to do that, but I do not think the Congress of the United States should give the President an item veto, whoever he is.

As I said in this Chamber on Saturday, whether it is President Nixon or President McGovern, I do not think any one man in that office should have that much power. I do not think he should be able to erase the will of this Congress by finagling the budget. I am speaking now of the Office of the President. He has done a great deal in what we call impounding funds. The Senator from Louisiana (Mr. Long) just noted, as reported in the New York Times:

> He would support the compromise which would only make legal what Presidents since Thomas Jefferson have done by usurpation, by impounding and not spending some of the funds appropriated by Congress.

It is a fact that since the time of Thomas Jefferson funds have been impounded and not spent, but we have never given it the badge of legality. We have never said, "This is just fine." We have complained about it, at least.

What is happening now is that the President of the United States in conjunction with Congress is getting us committed legally. I happen to think it is unconstitutionally, but he is getting us committed by an act of Congress in the illegal impoundment of funds.

The Senator from North Carolina (Mr. Ervin), I and others believe that this impoundment of funds is wrong; it violates representative government; it violates separation of powers; it reduces the authority and responsibility of Congress over the purse strings; and just because we have condoned it does not mean we have to accept it.

We know, for example, there is a certain amount of crime on the streets, but do we pass a resolution saying, "There has always been crime on the streets. Let us accept a crime rate of 25 percent or 20 percent."

My goodness, no. Not a Member of Congress would go home and do that. We go home and beat on our chests and say, "Law and order. We have to stop crime. The President said so and George McGovern said so."

But we have had crime for a long time and we do not pass a resolution in this body saying that we will not hold public officials responsible for crime above a rate of 80 percent and that we will give them a 20-percent reduction. We do not say, "If you have an 80 percent crime rate in your communities you have perfect law and order." We do not do that.

Mr. President, I wish to take a few minutes to let the people know this Congress is likely to be in session for quite a while. I do not have to go campaigning. That was taken care of down in Miami. I have a responsibility to be a Senator and I am going to be a Senator. I happen to believe that Congress is getting itself into a position it will regret for decades to come.

What we ought to be doing is implementing a resolution of impoundment. We ought to demand that the President impound the funds we appropriate.

What makes anybody think that anybody in the Bureau of the Budget is smarter than a Member of Congress? The difference is that we have to stand before the electorate so they can find out how little we know. I wish that some of them had to stand up before the people and let them know how little they know. I have heard people ask, after they have appeared and made speeches before them. "What did he say?" I think some of them are brilliant. Some of them do a good job.

But I have been over in that executive department. I can remember hearing the President say:

> We ought to slow down the spending. We ought to hold back the funds.

I remember that, and I remember the Members of Congress scolding him. I remember their coming over in delegations and saying, "Release those funds, Mr. President." They did not say to that President, "Look, we gave you the authority to withhold them," so we could not even tell him that. Whether it was Franklin Roosevelt, Truman, Eisenhower, Kennedy, Johnson, or Nixon, they all did the same thing—they withheld funds. But every Member of this body has been able to go over there and say, "Look, Mr. President, you are doing it in violation of what we believe is our constitutional prerogative. You are doing it in violation of the Constitution of the United States. We are going to tell our constituents you are withholding these funds when they ought to be made available for the public purposes for which they were appropriated."

At least we had a case. Now what are we going to do? We are going to go home and we are going to have to say, "They are closing a vocational school." I want to warn some of these good Senators that they are going to have to go home and say, "Well, we worked and voted for a vocational school," or this or that, particularly if they come from a rural area, as I do, because one of the programs they will cut the heart out of is the agricultural program. There are not many farmers left. They do not have much to say. They do not even get information from the Government about their own crops. But with 70 percent of the people living on 2 percent of the land, and with the small percentage of our population, less than 10 percent, living on farms, I can just see them looking at the farm programs and saying, "Well, there is one we can cut. We can abolish it. They do not have any political power, much less anything to say. They do not amount to much. There are too few of them."

I think a government is judged not by what it does for the majority, but by what rights for the minority it protects. The greatest responsibility of the President is not whether he uses his power, but how he exercises restraint in the use of power.

Let me make it clear that, as one who has been somewhat of a student of government, every President has wanted power. He believes that he is right. I understand that. A man in that great majestic office believes he has the good of the country at heart; he is the President, so he wants to do things. Every leader does.

But we have a system here that says, "Just a minute. Before you do all you think you ought to do, there is another area of government that has a word and another area of government that is going to set policy."

I am sufficiently mature and realistic to know that Presidents make policy without any acts of Congress. I have studied the Presidency, as the Presiding Officer may know, both as a student and as an aspirant. I was close enough to see how the President operates. I have been here when a President conceived legislative programs and sought to get them through. There has never been a President who did not want just a little more authority. But I did not think I would see the day when Congress would say, "Come and get it. We will just hand it to you. We want you to take it."

Or have we gotten to the point, as the Senator from Oregon (Mr. Packwood) pointed out in a brilliant address here Friday night, that possibly we do not want to face up to the tough decisions? I have heard it said that we just do not have the kind of moral fiber, the kind of character, where we can discipline ourselves to what are the realities of this country and to face up to them, to have any sense of fiscal prudence.

I do not believe that. I believe, and these debates have indicated it, that we can set, ourselves, at the beginning of every year, what we believe to be a budget ceiling. We can do that. We do not need Papa to tell us. If we do, we ought to go home and admit that we are just a bunch of no goods.

We will get the presidential budget. That is a guideline. That is not Holy Writ.

Let me just say to this assembly and for this record that, having studied the General Accounting and Budget Act since 1921, knowing about it, having taught courses about it, having seen budgets prepared, and having helped prepare one, and more than one, the budget of the Government of the United States is not a chapter in the Bible. It is not one of the Dead Sea Scrolls. It has been written by men, many of them sinful, none of them saints, but it is the most secret document that this Government has. There is no Senator or Representative or mayor or labor leader or worker or businessman or football player or young man or woman who has ever had any input in the budget before it comes up here. It is all done, as I said the other day, by people within the Executive branch of Government who "know what you need, Mr. Citizen," and they have a keen insight into what people in Wright County, Minn., need. Baloney. They have never even been there. They do not even know what it is. I live there, and I know more people in that county than most of the Budget Bureau knows in the United States.

I am not going to confess here that anybody in the Bureau of the Budget, in the Office of Management and Budget, knows more about America than I know. I have been around a lot more than they have. I have talked to millions of people collectively and thousands individually, and I have listened, and I have heard, and I have been punished and rewarded—pain and joy—and am I going to sit here and have somebody in the executive branch of government say, "Look out, here. You do not know anything about Minnesota. We have been reading about it in the New York Times. We have had three new studies." If they want to know about my State, let them go back there and see it, or any other State.

What I am saying, simply, is that that budget comes up here wrapped up in a special kind of paper, wrapped with special kinds of ribbons, with the presidential seal, and it looks like it is the most important document ever conceived by the mind of man or struck off at one time by the pen of man. It is more secret than the Pentagon Papers, and more significant, too.

If I had my way, we would have budget hearings throughout the country. We would have budget projections for the next 3 to 5 years. We would have a long-term look at the country's needs. We would go out and hold field hearings, if not for 1973 for 1974, for fiscal 1977. Let us have an idea where the country is going. The budget is 1 year behind. It tells us where we have been. Half the fiscal year is over. Fiscal 1973 started July 1. If I am not mistaken, we are along in the latter half of October. At last reports, it was the 16th of October. Yet we are talking about fiscal 1973. July, August, September, and half of October—3½ months—are gone. By the time we get all this done, 4 months will be gone.

Of course, the opposition can come back and say, "Why, Senator **Humphrey**, are you so excited? This is going to apply only to the next 8 months." We have had enough debate about that. Once we have established a precedent, it is here for good or bad. It is here.

Once you have broken the line, it is here. Once the first President impounded funds, from that point on they all did it.

The biggest argument any President has had to make about sending troops anywhere he wanted to was when Thomas Jefferson sent the fleet to chastise the Barbary pirates off the coast of North Africa. That was back in 1803. And ever since then, every President has said, "I am Commander in Chief; I can send the fleet"—and now the Air Force, the Marines, or anybody he wants to—"anywhere I wish," and we have ended up with seeing him send half a million men into Vietnam, without a declaration of war, and bombers flying.

One or two Presidents got savvy. The first one—who, to his everlasting credit, was a great soldier and a great man—Dwight Eisenhower, said:

> I am not going to take the responsibility for sending American Marines off the coast of Lebanon. I am going to get Congress in on the act.

I am sure he remembered what happened to Harry Truman, when dear Harry Truman acted so courageously in the invasion of South Korea by North Korea, and without any action on the part of Congress, sent American forces in. I remember being in this very Chamber and hearing the then distinguished and famed Senator from Ohio, Mr. Robert Taft, get up and literally cheer President Truman for that act of statesmanship. It is in the record. He complimented him and said he had acted with courage.

Six months later when things went wrong, we were only about two steps away from impeachment proceedings around here. Every Senator, with few exceptions, was getting up and asking, "What has he done? Why did he do this?"

So from then on out, no President has been willing to send our forces overseas without getting Congress in on the act first. Of course, the classic example is the Gulf of Tonkin resolution. I was here, and I voted for it. I went down to the White House, and I heard the same things that others heard. We all voted for it, except two: Senator Morse and Senator Gruening.

What did it say? It said, "If anything goes wrong, you act for us." We gave him complete blanket authority, a predated declaration of war. And there is no man in this body who can say he was in any way fooled. We did it with our eyes open. I was here when someone asked the question, "Does this mean the President can send U.S. forces into South Vietnam?"

The answer was "yes." We knew what we were doing. We just hoped he would not do it, but he did. And then, after we repealed the Gulf of Tonkin resolution, the President said, "So what?"

This is what I thought was a debt ceiling bill with that spending ceiling rider. I thought it was a domestic Gulf of Tonkin resolution. But at least when we sent it back to the House of Representatives, we put some restraints on it. We protected the constitutional authority and responsibility of this body and of Congress, and we listed out the areas where we said the cuts could be made. We directed the President as to the degree of cuts, and the maximum amount he could take out of any program. That was exercising our legislative responsibility.

Now they come back, and they say, "It is not so bad; we had it 10 percent out of some programs. Under the compromise provision, it is 20 percent." Of course, some programs we had excluded have been placed back in, and then what? They added that little cutie. And what is that? That they can add up numbers of programs into what they call a category.

It says:

> *The following numerical categories may be consolidated and the resulting consolidation may be treated as one numerical category:*

And there they are, listed from A through L, a series of programs. And that means nothing more or less than turning over to the President the item veto. It means turning over to the President the power, if he wishes to exercise it, to cancel a program duly authorized and appropriated for by the Congress of the United States. At least the Jordan amendment said:

> You cannot abolish the program; you can reduce it up to 10 percent, but you cannot abolish it.

Again, I do not want to say Mr. Nixon is going to abolish this or that. I do not want to get into a big old political argument about it in this body. I do not think President Nixon is going to abolish these programs, but I am here to tell you that we are laying down a precedent that some President will, and he will have the authority to do it. Maybe Mr. Nixon will. I do not say he will. I will make no such accusations. But I am telling the Senate that what we have done, without telling the American people, is violate the Constitution, at least the constitutional principle of separation of powers and checks and balances, and we have given, for the first time in the history of this Republic, a whole new area of authority and power to the presidency—not to the President of 1972, but to the office of the President.

We have given that office the power of the item veto. We have given that office the power to ignore the will of the duly elected representatives in Congress. We have given the President the power to say, "We do not care what the elected Representatives want."

I think differently. There is no reason for it; none whatsoever.

Well, I shall be back at another time. I just wanted to open the debate now. I am sad. I wanted to stay home today. I wanted to be out in my own State, and I surely need to be there tomorrow. I am supposed to be in Hibbing, Virginia, and Duluth on Wednesday. By the way, Mr. President, I used to get a lot of votes up there. I am not running up there this year, but they have asked me to come up and visit with them. We have problems up there in our steel plants, with our taconite steel. We have pollution problems. I am supposed to be up there.

But, Mr. President, the Senate of the United States should be on the alert that the greatest single constitutional issue that has been before this body since the days before the War Between the States is here now: As to whether or not the Congress of the United States is willing and willfully going to dilute its authority, abrogate its responsibilities, and give away by public law its power and its responsibility over appropriations, or what we call the purse strings.

If we do, we will rue the day. Never again will we be able to come back to a President, no matter who he is, and say, "Mr. President, look what you have done. Look what you have done to the will of the people."

We have already told the people that we really are unworthy of their confidence. I have told the people in Minnesota that I would fight for social security. I told the old people, by the way, just last night, in my city of Minneapolis, that I was coming back here to try to get them what we call the pass through provisions in H.R. 1—the beneficiaries of a 20-percent social security increase who are going to lose a lot of it because of the intricacies of the law, without any regard to justice.

Mr. President, I would be guilty of outright duplicity if, on the one hand, I tell them I am going to fight for their programs—"You elect me, you put your faith and trust in me, and when I go down there I will look out for you"—as we say to our constituents so many times—and "We are going to get you this program; we are going to get you some low and moderate income housing," and we vote for it, and go back and see the folks, and then we have a President—let us put him 6 years from now, so we will not have any argument about names—who says, "Well, my goodness, the Senate and House have thought they ought to have some low income housing, so they have appropriated $2 billion, or $4 billion, or $5 billion for it. Well, I do not think we need that. I just do not want to spend the money. We will just not spend the money."

Under present law, if he does that, and he can withhold some of the money, at least we can go home to the people and say that we think the President is doing this in violation of the law, or at least that he is impounding the funds, and that I, as a Senator, feel that that is an unconstitutional act. At least, we can come with somewhere near clean hands to our constituents.

Once we have passed this, we will not be able to come home with clean hands, because, as I have noted in one of the tables on housing, there is urban community development, revenue sharing, $490 million in this budget, for the purposes of these calculations; and low- and moderate-income housing, $1,941,000,000. Add the two together, and you get approximately $2.4 billion. But there has not been any $2.4 billion, because $490 million of it never was authorized. But for the purpose of the 20 percent reduction, you take 20 percent off the $2.4 billion, which is $480 million, which simply means that you are giving the President the authority to knock off approximately a fifth or a sixth of an entire program authorized by Congress.

RECESS UNTIL 3:20 P.M.

Mr. HUMPHREY. Mr. President, I told the majority leader that when I finished my remarks, I would move that the Senate stand in recess. I move that the Senate stand in recess until 3:20 p.m. today.

The motion was agreed to; and at 2:52 p.m. the Senate took a recess until 3:20 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. Stevens).

PENDING BUSINESS TEMPORARILY LAID ASIDE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

FURTHER CONTINUING APPROPRIATIONS, 1973

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of House Joint Resolution 1331.

The **PRESIDING OFFICER.** The joint resolution will be stated by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 1331) making continuing appropriations for fiscal year 1973, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Appropriations with amendments.

Mr. INOUYE. Mr. President, the Committee on Appropriations has been prepared to act on the Foreign Assistance Appropriations bill since June 26. Except for five items—Military Assistance, Security Supporting Assistance, Foreign Military Credit Sales, Bangladesh Refugees, and Regional Naval Training, all of the items in the bill have long been authorized.

Because of the lack of authorization of these five items, which were excluded from the bill that passed the Senate, the House was unwilling to go to conference on the remainder of the bill. Thus, unfortunately, we find ourselves again confronted by an 11th hour continuing resolution—which everyone concerned acknowledges is an unsatisfactory way of doing business.

The continuing resolutions as passed by the House is clearly unsatisfactory because it would undercut not only the Senate conferees on the legislative authorization bill, but the Senate conferees on the Appropriations bill as well.

Therefore, it appears that we have three choices:

First. Accept the continuing resolution as passed by the House.

Second. Simply extend the original continuing resolution under which we have been operating since July 1 to and including October 14. This; as you will recall, relates largely to last year's rate and is over $1 billion—$1,078,520,000—under the annual rate now proposed by the House for the 4 months between now and February 28.

Third. Amend the continuing resolution presently before us to limit appropriations contained in title I and title II of the bill to the lesser of a. the fiscal year 1972 annual rate, or b. the annual rate now proposed by the House. Mr. President, title I contains the Foreign Assistance Act activities and title II Military Credit Sales. Titles III and IV should be noncontroversial and are continued at the new rate proposed by the House. This version as supported by the Committee on Appropriations would provide a reduction of $515,454,000 under the House proposal.

A new section is also provided which does not increase the dollar amounts, but would permit the President to provide disaster relief for flood damage in the Philippines.

Mr. President, at this point I submit and ask unanimous consent to have printed in the Record a schedule of reductions proposed by the Committee on Appropriations.

There being no objection, the schedule was ordered to be printed in the Record, as follows:

REDUCTIONS PROPOSED BY SENATE APPROPRIATIONS COMMITTEE

[In thousands of dollars]

Program	House passed amount	Committee recommendation	Difference
American schools and hospitals abroad	25,500	20,000	−5,500
International narcotics control	42,500	0	−42,500
Alliance for Progress, Development loans	165,000	150,000	−15,000
Development loans	350,000	200,000	−150,000
Administrative expenses:			
State	4,775	4,221	−554
Military assistance	600,000	500,600	−99,400
Regional naval training	2,500	0	−2,500
Security supporting assistance	685,000	550,000	−135,000
Overseas Private Investment Corporation, reserves	42,500	12,500	−30,000
Foreign military credit sales	435,000	400,000	−35,000
Total			−515,454

Mr. INOUYE. Mr. President, there is another amendment. As Senators know, this continuing resolution is not just for the foreign aid bill It conceivably could apply to all other agencies. Since there is a fear among some that the Chief Executive might not concur with the HEW appropriation bill, an amendment was submitted in the Committee on Appropriations providing for $1.526 billion for coal miner black lung problems.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the joint resolution as thus amended be regarded for the purposes of amendment as original text, provided that no point of order shall be considered to have been waived by reason of this order.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. Hansen). Without objection, it is so ordered.

Mr. YOUNG. Mr. President, the compromise reached earlier today in the Senate Appropriations Committee on the foreign operations bill, I believe represents the best possible solution at this time.

The total amount of the appropriation is approximately $300 million over the proposal by this distinguished chairman of this subcommittee Senator Inouye, which was discussed at length on Saturday. The amount in this bill is below both the authorizing legislation and the appropriation bill both of which passed the Senate previously. The bill we are considering now is still $515 million below the House.

While the total amount is still considerably below what the Secretary of State believes is necessary, I cannot help but feel the differences can be compromised in conference with the House.

The big problem, Mr. President, is that the appropriations committee has had to fund this program for the past 3 years without any authorizing legislation. It would be far better if we had authorizing legislation now to base an appropriation on rather than continue to fund foreign assistance under a continuing resolution.

Mr. President, for nearly 25 years I have voted against foreign assistance bills, all but once. I did so because I felt that most of those appropriations bills represented far more money than was necessary. Even the present bill could well be cut in some categories.

The major reason I am voting for it now is that I believe it represents the best possible compromise and that a considerable amount of this foreign assistance is absolutely essential.

There are some areas in the world where some foreign assistance is necessary. Turkey and Greece are two examples. Southeast Asia, including the Philippines are others.

So long as Russia is increasing—not

decreasing—foreign assistance to their allies such as Cuba, it would not be in our best interest to not give any assistance to any of our needy allies. Russia's assistance to Cuba alone is in excess of $400 million a year.

There are other provisions in this continuing resolution which are absolutely essential such as funding other agencies of the Government if any appropriation bill should be lost by veto or otherwise.

Mr. President, it is with considerable reluctance that I will be voting for passage of this foreign aid bill. I feel I have no other alternative but to do so.

Mr. TAFT. Mr. President, I rise at this time to address some questions to the Senator from Hawaii, particularly with regard to the population control aspects of this bill.

As I understand it, the bill has a total of only $100 million earmarked or appropriated for population control programs, whereas the Senate bill had $125 million. I also understand that the authorization legislation contains $125 million earmarking, which we succeeded in getting out of the House side, I think, 3 years ago.

My question is, even though this bill contains $100 million only for population control programs, as I understand it, that would not change the basic legislation with the earmarking provision for the expenditure of $125 million.

Mr. INOUYE. The Senator is correct.

Mr. TAFT. I wonder if the Senator could elaborate on that.

Mr. INOUYE. The Senator is correct. I have checked it with counsel. Counsel has advised me that this continuing resolution will not in any way affect the authorizing legislation that earmarked this sum.

Mr. TAFT. I very much appreciate the Senator's reply. I take it, then, that out of other funds appropriated for the foreign aid program the $25 million would become available under the earmarking provisions, from those funds to take care of those programs which could not be provided by the $100 million?

Mr. INOUYE. That is correct. Furthermore, since we will later be going into conference with the House on the annual bill, this is a matter that could be resolved at that time.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I just wish to ask a few questions.

First let me say in explanation that I received a telegram this morning from the distinguished leadership which I thought said that nothing would be done today on this matter, that it would go over until tomorrow because there was no quorum. Therefore, I was not aware that the continuing resolution was coming up until just a few minutes ago.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I do not think he got a telegram saying there was no quorum. I think we raised the possibility of what might happen today because the House was not meeting.

Mr. FULBRIGHT. Did I not get a telegram saying the continuing resolution would come up tomorrow?

Mr. MANSFIELD. No; I did not say that the continuing resolution would not be taken up today. I did raise the possibility that a quorum might not be here.

Mr. FULBRIGHT. Well, I misunderstood it, then. I should have brought it with me.

In any case, I was not prepared for it to come up this afternoon because of a misunderstanding, I guess, on my part as to the program stated in the telegram.

I wanted to ask the Senator from Hawaii about two items. In Alliance for Progress development loans, I note the amount is increased from $76,700,000 to $150 million, and development loans, from $135,554,000 to $200 million. Why are those items increased?

Mr. INOUYE. This represents the lesser of the two amounts as between the House continuing resolution and the fiscal 1972 figure, plus those sums that heretofore have not been reappropriated in the Senate bill—the so-called backdoor financing.

Mr. President, I ask unanimous consent that the chart appearing on page 17 of the committee report be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ITEMS REQUIRING REAPPROPRIATION[1]

[In thousands of dollars]

Appropriation title	Unobligated balance brought forward (annual accounts)	Estimated receipts (development loans)	Estimated recoveries (annual accounts)	Total
TITLE I—FOREIGN ASSISTANCE ACTIVITIES				
Economic Assistance				
1. Worldwide, technical assistance	1,563		8,895	10,458
2. Alliance for Progress, technical assistance	31		2,800	2,831
3. International organizations and programs	4			4
4. Programs relating to population growth	1,728			1,728
5. American schools and hospitals abroad	30			30
6. American schools and hospitals abroad (special foreign currency program)				
7. Suez Canal (special foreign currency program)				
8. Indus Basin Development Fund, grants				
9. Indus Basin Development Fund, loans				
United Nations Relief and Works Agency:				
10. (Arab refugees)				
11. (Special foreign currency program)				
12. Contingency fund	1,227		300	1,527
13. International narcotics control				
14. Refugee relief assistance (Bangladesh)	592			592
15. Alliance for Progress, development loans		76,700		76,700
16. Development loans		135,554		135,554
Administrative expenses:				
17. AID	2,409		1,000	3,409
18. State	44			44
19. Prototype desalting plant	20,000			20,000
Subtotal, economic assistance	27,628	212,254	12,995	252,877
Military and Supporting Assistance				
20. Military assistance (grants)	2,307			2,307
21. Regional naval training				
22. Supporting assistance	836		29,832	30,668
Subtotal, military and supporting assistance	3,143		29,832	32,975
Total, economic and military assistance	30,771	212,254	42,827	285,852

[1] As proposed in fiscal year 1973 budget requests. Excludes following nonbudgetary revolving fund accounts since these funds are reserved and are not used for regular program purposes—acquisition of excess property, housing guaranty fund, and Overseas Private Investment Corporation (OPIC) insurance and guaranty reserves.

Note: Details may not add to totals due to rounding.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, I wish to apologize to the Senator. His memory was better than mine. His memory about the telegram was correct.

Mr. FULBRIGHT. What I said about the telegram was correct?

Mr. MANSFIELD. Yes.

Mr. FULBRIGHT. Well, I wanted to make it clear that I really thought it was coming up tomorrow, and I had asked the staff to do a little work on this, and just by accident I found out it was up today.

Mr. MANSFIELD. Well, Mr. President, if the Senator will yield, we made a special effort to see that the Senator from Arkansas, the chairman of the committee, was notified that this was going to come up.

Mr. FULBRIGHT. Well, I learned about it just a few minutes ago.

Mr. MANSFIELD. Yes.

Mr. FULBRIGHT. That was what I meant.

Mr. MANSFIELD. Yes.

Mr. FULBRIGHT. So I was not very well prepared for it.

I might say, by way of background, that the idea of a continuing resolution, I had always thought, was to continue a program in anticipation of some legislation that was about to be passed. They are usually used when normal run-of-the-mill legislation has been delayed, such as the Defense Department appropriation, which is usually quite late; they bring it in quite late because that makes it that much easier to pass; there is no time to discuss it. It always comes in right at the end. But we know there is going to be one.

It is not so certain in this case. Foreign aid is a highly dubious program. It has been defeated in the Senate, and revived, and defeated and revived, and there is very strong sentiment on the part of many Members of the Senate that the existing program ought to be liquidated and a new start made. Certainly it is not the usual case; it is an exceptional program. In the early days, of course, the program was always sold on the idea that it was temporary. The original one, the Marshall plan, was temporary, simply to give Europe an opportunity to revive itself. It was never expected that it would be a permanent program, year after year, such as the Defense Department or the State Department or the Commerce Department. In view of the present situation, there would be real justification, in my mind, to bring in an amendment providing only for salaries and administrative costs and no more money, in order that this program be liquidated in an orderly manner.

This is not a new idea and it has been discussed before. It would be my preference to have a bill that would simply pay the salaries and costs to administer the phaseout of the program, particularly the military part of it. I think that roughly $1.8 billion is already in the military-aid pipeline. All together, for the economic and the military, there is $4.430 billion in the pipeline.

I think it would be very wise and prudent for us to do that, at least with respect to those programs which are not authorized. That is what my preference would be, to have such an agreement now. I have not detected any great support for it on the part of the members of the committee. However, I would welcome support for it. But it would simply be that it would be liquidated in an orderly manner. There is enough for the military, certainly, for a year, and for approximately a year of funds overall. Then we would take a new look.

I am not saying that I think we can or should avoid any program whatever in the foreign aid field. I approve of a number of aspects of it, and have said so time and again, what we used to call technical assistance and multilateral programs, the United Nations humanitarian program, and so forth. I think a number of them ought to be continued.

But the major ones, especially in continuing support on a permanent basis of military regimes in places such as Greece and any number of other countries, seem to me to be outrageous. They are very costly and cannot be justified.

They can no longer make a genuine case that the Communists are threatening, because they are not. That is what they sold us on for many years, but nobody is threatening except their own tyranny. If there are going to be revolutions in most of these places, it will be because their own people have become outraged by the tyrannical rule which has been imposed upon them.

Coming back to this program, I assume that this has been agreed upon. The distinguished Senator from Hawaii has been extremely cordial and considerate of the Committee on Foreign Relations. He has tried to cooperate in the reestablishment of some degree of influence on our foreign policy by the Senate, specifically by the Committee on Foreign Relations. I do not like to contest with him over this matter because of sympathetic treatment in the past and in the present situation.

But I was very hopeful that these repayments—reflows, as they are called—could be eliminated, simply as a means to cut this down gradually. It seems to me more than enough to have $4.4 billion in the pipeline for this program.

I wonder whether the Senator would mind eliminating the reflows. Was that considered by the committee? Was there any division of opinion about it?

Mr. INOUYE. Mr. President, as the Senator may be aware, the proposal originally considered by the committee did away with the reappropriation of repayments, recoveries, and unobligated balances. However, circumstances which existed at the time were such that if the full committee wanted to have this bill reported to the floor, certain concessions had to be made, and one concession was to permit a reappropriation of these carryovers. The bill we are submitting to the Senate this afternoon however is $515,454,000 less than that which was submitted by the House last Saturday.

Mr. FULBRIGHT. That is overall, not just the military?

Mr. INOUYE. That is the overall.

Mr. FULBRIGHT. How is that distributed, roughly? Is it two-thirds economic and one-third military?

Mr. INOUYE. I can cite numbers: We have reduced the security supporting assistance by $135 million, reduced military assistance by $99,400,000, development loans by $150 million, foreign military credit sales by $35 million. These are the large items.

Mr. FULBRIGHT. In connection with my previous remarks, I want to remind the Senate that the former chairman of the Committee on Appropriations, ALLEN ELLENDER—I think it is well to pay him a deserved tribute—who we all cherished, said this just about a year ago, when we found a similar case of continuing resolution. He announced on November 2 his opposition to including unauthorized foreign aid spending in a continuing resolution. He said:

> We should have a new bill unless the Senate and the Congress can agree on legislation to authorize a revised form of foreign aid. I do not believe the Senate Appropriations Committee will agree to funding our aid operations by means of a Continuing Resolution.

Senator ELLENDER, the President pro tempore, pointed out that theoretically the extension of funding authority by means of a continuing resolution is based on the fact that an authorizing bill would be approved by Congress within a reasonable length of time. He added:

> We are by no means sure that this is the case here.

Mr. President, I ask unanimous consent that the entire statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEWS RELEASE OF U.S. SENATOR ALLEN J. ELLENDER, LOUISIANA

WASHINGTON, Nov. 2, 1971.—Senator Allen J. Ellender, Chairman of the Senate Appropriations Committee, today announced his opposition to including foreign aid spending in a Continuing Resolution which may be needed to carry on other government programs.

"We should have a new bill. Unless the Senate and the Congress can agree on legislation to authorize a revised form of foreign aid, I do not believe the Senate Appropriations Committee will agree to funding our aid operations by means of a Continuing Resolution."

The Senate President Pro Tempore pointed out that theoretically the extension of funding authority by means of a continuing resolution is based on the fact that an authorizing bill will be approved by Congress within a reasonable length of time.

"We are by no means sure that this is the case here," he added.

If a consensus develops within the Foreign Relations Committee, the Senate, and the Congress that a shortened, revised version of our aid operations should be authorized, he said that the Appropriations Committee might agree to including some portions of the program in a Continuing Resolution for a limited period of time.

"In no event should a Continuing Resolution extend spending authority beyond December 1," the Chairman said.

Noting the solid opposition that has developed in the Senate to the currrent foreign aid program, Senator Ellender expressed the view that any new authorization bill should contain a definite cut-off date for an end to the program, with the stipulation that steps be taken to taper it off.

"Any new bill should state what the Congress wants done in this area in no uncertain terms," he said.

The Chairman of the Appropriations Committee added that he personally would favor allowing the program to die at some date certain, with enough time allowed for an "orderly liquidation of our far-flung operations."

He indicated he might agree to providing a limited amount of technical assistance only, and only to those underdeveloped countries who are willing and able to help themselves.

The Chairman also said he would favor continuing military assistance to Viet Nam, but not in the current quantity. Aid to Cambodia should be cut back, he said.

Senator Ellender said he expected to consult today with members of the Appropriations Committee and Senator Fulbright, Chairman of the Senate Foreign Relations Committee, which is considering the possibility of a new authorization bill.

Mr. FULBRIGHT. That statement by Senator ELLENDER encouraged me to believe that at some point in this recurring crisis every year on the foreign aid program, we would finally, sometime, be able to take action which would phase out the continuation of this old program, a program, as I have said, which ought to be phased out. We could then review the situation and revive parts of it in a new context which would rid us of the excessive burden of these established programs, such as I mentioned in the case of supporting military dictatorships.

Allied, of course, with the cold war, these are remnants of the cold war that have plagued us for so long and have given us so much trouble since World War II.

Mr. President, in view of the time element and the fact that I had expected the Senate to take up this matter tomorrow, I am somewhat at a loss to understand what I can do, if anything, to reduce the amount of this continuing resolution. I detect, from the looks of my colleagues, that they expect to pass this measuure this afternoon and go to conference.

Mr. INOUYE. We are hoping to do that.

Mr. FULBRIGHT. I do not like to take it up, although I know of no bill that I would rather be identified with killing than this one. I would be very proud if I could succeed in stopping this bill and phasing it out over the period of the next year.

I am not clear in my own mind what would happen if I should offer an amendment along the lines that I suggested—to provide for administrative expenses, salaries, and so forth, for the liquidation, in a sense, the phasing out of this program. I assume from the attitude of the chairman of the subcommittee that he would not be sympathetic to that procedure.

Mr. INOUYE. I would be quite unhappy.

Mr. FULBRIGHT. The Senator will be unhappy with that procedure. I recognize that his responsibilities as chairman of the subcommittee may be somewhat different from mine. I also recognize that he has not been plagued by this program as long as I have, either, so there could be that difference.

Mr. INOUYE. As the chairman is well aware, I have been at this job now for about 55 days. I hope that when the next fiscal year budget is presented to us I will be in a better position to concur with the Senator on many of the items he has stated.

Mr. FULBRIGHT. One last question. This still retains the date of February 28?

Mr. INOUYE. The Senator is correct.

Mr. FULBRIGHT. And this includes economic aid and not just military?

Mr. INOUYE. All foreign aid.

Mr. FULBRIGHT. So it is considered a new bill, a new authorizing bill for the military, before February 28, and the economic is already authorized until the end of this fiscal year, if I understand it correctly.

Mr. INOUYE. The Senator is correct.

Mr. FULBRIGHT. But appropriated only up to February 28.

Mr. INOUYE. The Senator is correct.

Mr. FULBRIGHT. Well, is it the purpose of the Senate to pass this without a rollcall vote?

Mr. INOUYE. If we have a rollcall vote now, we would be adjourning in 5 minutes. [Laughter.]

Mr. FULBRIGHT. I understood the distinguished majority leader to say "No" a moment ago, that was not the case. I certainly have difficulty getting my signals straight today.

Mr. INOUYE. If we have a rollcall vote, I doubt that——

Mr. FULBRIGHT. Well, if there is a quorum, could the committee be in a position to insist on its position?

Mr. INOUYE. The will of the Senate is expressed by those of us present here.

QUORUM CALL

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Hansen). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside very temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

H.R. 10638—FOR THE RELIEF OF JOHN P. WOODSON, HIS HEIRS, SUCCESSORS IN INTEREST OR ASSIGNS

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 10638.

The PRESIDING OFFICER laid before the Senate H.R. 10638, for the relief of John P. Woodson, his heirs, successors in interest or assigns, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, was read the third time, and passed.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FURTHER CONTINUING APPROPRIATIONS, 1973

The Senate continued with the consideration of the joint resolution (H.J. Res. 1331) making continuing appropriations for fiscal year 1973, and for other purposes.

Mr. FULBRIGHT. Mr. President, after this little colloquy here, on which there appears to be a division, especially as to what the Senate really thinks about foreign aid—privately they are against it but publicly they are for it, I am told by a very good authority, and I do not disagree with that—it appears that if this goes to conference there is great likelihood, as everyone knows, that there will be a compromise and the amounts will be increased. Here it is at the end of the session, and there is no authorization bill for military assistance and related programs. I want the Record to be as clear as I know how to make it that if the amounts for the military programs are substantially increased in conference, I will do everything I possibly can to prevent their being adopted when the continuing resolution is brought back, I assume tomorrow or the next day.

Mr. INOUYE. Mr. President, I assure the distinguished chairman of the committee that his message will be clearly submitted to the House conferees.

Mr. FULBRIGHT. Mr. President, as I have already stated, I repeat that I will do all I can to prevent adoption if it is brought back with any substantial increase from that submitted by the committee. I submit that this is a strong position in the committee. It is not unanimous on the bill that is submitted. Is that correct?

Mr. INOUYE. The Senator is correct.

Mr. FULBRIGHT. Mr. President, if the military aid and related programs are increased, I will do all that I can to see that the conference report is rejected.

I just put in the Record a statement by the former chairman of the Appropriations Committee, the late Senator Ellender, in which he objected to the use of continuing resolutions to fund a program which has not been authorized and which is not likely to be authorized in the immediate future, a program that has a dubious future, a program that has never been regarded as a permanent program.

We put our reliance upon what I believe to be the assurance of the manager of the bill, and specifically the chairman of the subcommittee, that this amount is the correct amount in the unanimous opinion of the members of the Appropriations Committee and that the chairman of the subcommittee will do his best to hold it in conference and also with my assurance that I shall do everything I can to deny adoption of the conference report if they depart from it. With this understanding I will not continue my objection at this time to the adoption of the joint resolution.

Mr. President, I ask unanimous consent that the telegram which I received this morning be printed in the Record. I also ask unanimous consent to have put in the Record a memorandum which I had prepared last year in connection with a similar situation concerning the use of continuing resolutions.

There being no objection, the telegram and memorandum were ordered to be printed in the Record, as follows:

October 16, 1972.

All Democratic Senators:

A quorum is not present in the Senate today. Tomorrow, the Senate will act on the Debt Limit, the continuing resolution on Foreign Aid, HR 1, and possibly a tax bill.

It is imperative that you be here tomorrow in order that we can complete the business of the Senate and the Congress at the earliest moment.

Action by the President on vetoing the

Clean Water Act is as yet undetermined. If he vetoes this bill, there will be a vote on overriding his veto.

I repeat, we do not have a quorum today, and it is imperative that you be here tomorrow.

MIKE MANSFIELD,
Majority Leader.

DECEMBER 13, 1971.

POINTS CONCERNING THE CONTINUING RESOLUTION FOR FOREIGN AID

1. Approval of a continuing resolution that would allow continuation of regular funding of the foreign aid program until March subverts the role of Congress in our Constitutional system. The functions of four committees in shaping foreign aid legislation is being by-passed by this procedure. It denigrates the responsibilities of the Senate Foreign Relations Committee, the Proxmire Foreign Aid Appropriations Subcommittee, the House Foreign Affairs Committee, or the Passman Foreign Aid Appropriations Subcommittee. The Senate, in particular, loses in the process; the Foreign Relations Committee will lose its policy initiatives in the authorization bill and the Senate Appropriations Committee will be denied the opportunity to have any impact on the money items.

2. This approach makes a mockery of the legislative process. If it is followed in the future, it could be used to undermine any conference which is having difficulty in reaching agreement on policy issues. The authorizing committees might as well close up shop if the Executive Branch knows it can count on getting a continuing resolution every time it is trying to kill an item in conference. It is a powerful club for the Executive Branch to hold over the head of all authorizing committees.

3. With a long-term continuing resolution for foreign aid the Executive Branch gets what it wants—money—and Congress gets nothing in the way of new policy restrictions. They will be getting more money than they could normally expect to get through a compromise between the House Appropriation figures and what the Senate Appropriations Committee was likely to allow. And in the process the Executive Branch will avoid policy restrictions such as:

The Mansfield Amendment;

A ceiling on spending and personnel in Cambodia;

Limiting the President's discretionary authority to transfer aid funds from country to country and to waive Congressionally-imposed restrictions;

A requirement for a cutback in military missions abroad;

Annual authorizations for the State Department and USIA to make them more responsive to Congress;

Requirements for release of funds impounded for domestic programs.

With a continuing resolution the Executive Branch can, in effect, have its cake and eat it too. Only Congress loses in the process.

4. There will be little prospect for getting agreement in conference on an authorizing bill after Congress reconvenes if a full-scale continuing resolution goes through. It will, thus, take away vital leverage from the Senate conferees. When the proposed spending authority expires only four months will remain in the fiscal year. The Administration will be pushing for an extension of the continuing resolution for the remainder of the fiscal year, arguing that Congress should turn its attention to an authorization bill for the 1973 fiscal year and look upon the old bill as water over the dam. Both the House conferees and the Administration will be far more amenable to reaching an agreement in January if the continuing resolution is limited to money for salaries only.

5. The position of the Senate conferees has been reasonable. They have not tried to force the Mansfield amendment on the House, but have asked only that the House conferees agree to a procedure that would allow a clearcut vote in the House on that item in the foreign aid bill. There has never been an up-or-down vote in the House on the Mansfield Amendment. Most other major issues in the bill have been agreed to and no serious problems would remain after an agreement were reached on the Mansfield Amendment.

6. If the continuing resolution is limited to salaries and necessary expenses, but no new program money, the foreign aid program would not come to a halt. There is still $4.7 billion in the foreign aid pipeline. But we are only talking in terms of a delay of new program authority for approximately 1½ months. It should be possible to reach agreement in conference on the authorization bill and get the regular appropriation bill through in short order after Congress reconvenes in January—if the Executive Branch is denied new program money.

In addition, it must be remembered that military aid (and some economic aid) to South Vietnam, Thailand, and Laos comes out of the Defense Department budget and will not be affected in any way.

7. Section 10 of the Foreign Military Sales Act, enacted into law in January of this year, prohibits the obligation of appropriations for foreign aid or military sales without an authorization. This provision was designed to prohibit exactly the type of situation confronting us now—attempts to circumvent the regular legislative processes. This provision has been waived in earlier continuing resolutions but it should not be waived any longer, except as necessary to pay salaries of employees and other necessary expenses. To allow the foreign aid program to go on indefinitely without authorization violates both the spirit of that provision, and a principle that the Senate has endorsed overwhelmingly on a number of occasions in recent years.

The **PRESIDING OFFICER**. The joint resolution is open to amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution (H.J. Res. 1331) was read the third time.

Mr. **CASE**. Mr. President, the reason we are now considering a continuing resolution for foreign military aid is that House and Senate conferees were unable to reach agreement on the AID bill. And the reason they were unable to reach agreement was because no compromise could be found on two amendments of mine concerning executive agreements.

We, the Senate conferees, took these amendments to conference after they had passed the Senate. One of them cut off all funds for the implementation of a $436 million deal with Portugal for American bases in the Azores until the agreement was submitted to the Senate as a treaty.

The other cutoff funds for future military bases overseas unless the implementing agreements were submitted to the Senate as treaties.

We tried to compromise with the House conferees, but at the same time we were adamant in trying to reassert the Senate's constitutitonal role in the treaty area. We even offered to drop the Azores amendment and include the House in giving approval to future military bases overseas. But to no avail.

We believed that there was too much at stake for us to recede completely before the House demands.

The Senate and the Congress as a whole must involve themselves in the foreign policy process. We have already abdicated too much responsibility, and we should go no further.

We failed to include in the bill the two amendments which would take back some of our lost power over Executive agreements, but Mr. President, I can assure you we shall continue the fight.

Mr. President, the Washington Post this morning had an editorial supporting the Senate position and I ask unanimous consent it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENATE TAKES THE AID BILL HOSTAGE

The Senate has taken the military aid bill hostage to an initiative meant to reclaim from the President a congressional prerogative that should never have been allowed to erode in the first place. Mr. Nixon had asked $2.3 billion in military aid. Both houses authorized lesser sums; the Senate added two Clifford Case amendments, the first requiring the President to submit the rightfully controversial Azores base agreement as a treaty, the second compelling him to submit all future base agreements as treaties. The amendments reflect the modest concensus the Senate has achieved in its years-long efforts to regain some of its war-related constitutional rights from a succession of power-happy Chief Executives.

So determined is President Nixon to clutch every wisp of Executive foreign-policy authority, however, that he enlisted docile Democrats and loyal Republicans in the House to fight the Senate off. The proprietary interest of the House Foreign Affairs Committee in its own aid bill—aid is the only substantive item it handles all year long—may also have firmed up its position. We note that mutual esteem does not exactly flourish between the highly publicized, independent-minded Senate Foreign Relations Committee and the often-overlooked, politically cautious Foreign Affairs Committee of the House.

In conference, the Senate reluctantly compromised, offering to drop the Azores provision altogether and to treat future base agreements not as treaties fit only for Senate ratification but as agreements subject to House as well as Senate majority approval. Appalled at even this limited prospect of exercising independent judgment, House conferees drew back yet another step; in their counter-offer they asked in effect merely that the President obey the existing law requiring him to inform Congress of Executive agreements with foreign states. Senate conferees, evidently not thinking it necessary to pay a price for a presidential pledge to obey the law, turned the counter-offer down. And there, with no agreement on its policy amendments, the aid bill sits.

Mr. Case and the Senate majority supporting him haven't won. But to defeat the Case amendments, the President has been willing to lose or at least to put at severe risk several hundred million dollars worth of foreign military aid. Military aid is a program which Mr. Nixon has repeatedly declared crucial to the "Nixon Doctrine"—the idea that American allies should rely for their defense on their own manpower but American supplies. Unless the deadlock over policy is broken, there will likely be invoked an emergency financing procedure that would make available "only" about $1.5 billion for military aid; Mr. Nixon had asked $2.3 billion. This reduction would be regarded by many of the President's Senate adversaries as something of a compensation for their loss on the policy amendment.

It remains the case that congressional attempts to gain a larger institutional role in foreign policy has fared poorly. The House seems unable to focus on the matter, the Senate to impose its will. The most conceivable changes which the election could make in the composition of Congress might as easily strengthen the Nixon position on this issue as weaken it. If and as the sting of Vietnam goes out of public life, stimulus for a righting of the congressional-executive balance may further fade. The Senate's war powers bill, designed to clarify the guidelines for Executive consultation with Congress on the taking of military action abroad, is practically the last rampart; a characteristically weaker version has gone through the House. It would be a national misfortune if the opportunity were lost to make the necessary institutional changes to reduce the possibilities of presidential actions leading to involvements of the sort that carried us, by a series of seemingly innocuous steps, into the war in Vietnam.

The PRESIDING OFFICER (Mr. Hansen). The joint resolution having been read the third time, the question is, Shall it pass? [Putting the question.]

Mr. MANSFIELD. I vote "no."

The joint resolution (H.J. Res. 1331) was passed, as follows:

H.J. Res. 1331

Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of July 1, 1972 (Public Law 92-334), as amended, is hereby further amended (a) by striking out "October 14, 1972" and inserting in lieu thereof "February 28, 1973" and (b) by adding the following new subsection and sections:

"(e) Such amounts as may be necessary for continuing activities for special benefits for disabled coal miners but at an annual rate for operations not to exceed $1,526,500,000.

Sec. 108. Notwithstanding any other provision of this joint resolution, and section 10 of Public Law 91-672 and section 655(c) of the Foreign Assistance Act of 1961, as amended obligations may be incurred hereunder and under prior year balance for the activities hereinafter specified and shall not exceed the annual rates specified herein during the period beginning October 15, 1972, and ending February 28, 1973:

"TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

"FUNDS APPROPRIATED TO THE PRESIDENT

"ECONOMIC ASSISTANCE

Worldwide, technical assistance	$165,458,000
Alliance for Progress, technical assistance	80,331,000
International organizations and programs	105,004,000
Programs relating to population growth	101,728,000
American schools and hospitals abroad	20,030,000
American schools and hospitals abroad (special foreign) currency program	None
Indus Basin Development Fund, grants	10,000,000
Indus Basin Development Fund, loans	12,000,000
Contingency fund	26,507,000
International narcotics control	None
Refugee relief assistance (Bangladesh)	$100,592,000
Alliance for Progress, development loans	226,700,000
Development loans	335,551,000
Administrative expenses:	
AID	53,409,000
State	4,265,000
Subtotal, economic assistance	1,241,598,000

"MILITARY ASSISTANCE

Military assistance	502,907,000
Regional naval training	None

"SECURITY SUPPORTING ASSISTANCE

Security supporting assistance	580,663,000

"OVERSEAS PRIVATE INVESTMENT CORPORATION

Overseas Private Investment Corporation, reserves	12,500,000

"INTER-AMERICAN FOUNDATION

Inter-American Foundation (limitation on obligations)	(5,000,000)
Total, title I, new budget (obligational) authority, Foreign Assistance Act Activities	2,337,673,000

"TITLE II—FOREIGN MILITARY CREDIT SALES

Foreign military credit sales	400,000,000
Total, titles I and II, new budget (obligational) authority	2,737,673,000

"TITLE III—FOREIGN ASSISTANCE (OTHER)

"INDEPENDENT AGENCY

"ACTION

Peace Corps, operating expenses	81,000,000

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistance to refugees in the United States (Cuban program)	145,000,000

"DEPARTMENT OF STATE

Migration and refugee assistance	8,500,000
Assistance to refugees from the Soviet Union	50,000,000

"FUNDS APPROPRIATED TO THE PRESIDENT

"INTERNATIONAL FINANCIAL INSTITUTIONS

Asian Development Bank (special fund)	None
Inter-American Development Bank:	
Paid-in capital	25,000,000
Callable capital	168,380,000
Funds for special operations	225,000,000
Subtotal, IDB)	418,380,000
International Development Association	320,000,000
Total, title III, new budget (obligational) authority, Foreign Assistance (other)	1,022,880,000

"TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES

Limitation on program activity	(7,323,675,000)
Limitation on administrative expenses	(8,438,000)
Grand total, new budget (obligational) authority, titles I, II, and III	3,762,553,000

Provided, That no restrictive provision which is included in the Foreign Assistance and Related Programs Appropriation Act, 1973 (H.R. 16705), as passed during the second session, Ninety-second Congress, but which was not included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to any appropriation fund or authority provided for in this section unless such provision shall have been included in identical form in such Act as passed by both the House and the Senate: *Provided further,* That any provision which is included in such Act as passed by one House and was included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to the appropriations, funds or authorities provided in this section.

"Sec. 109. Notwithstanding the provisions of this joint resolution or any other Act, the President is authorized to provide, on such terms and conditions as he may determine, relief, rehabilitation, and reconstruction assistance in connection with damage caused by floods in the Philippines during 1972. Of the funds provided herein for 'economic assistance', $50,000,000 shall be available only to carry out this section."

Sec. 2. This joint resolution shall take effect October 15, 1972.

Mr. INOUYE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Inouye, Mr. Proxmire, Mr. Magnuson, Mr. Robert C. Byrd, Mr. Young, Mrs. Smith, and Mr. Hruska conferees on the part of the Senate.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I want to thank the Committee on Appropriations and the distinguished manager of the bill, the Senator from Hawaii (Mr. Inouye) and the distinguished ranking minority member of that committee, the Senator from North Dakota (Mr. Young), for accepting the amendment which I offered during the consideration in committee of the continuing resolution.

I offered an amendment during the consideration of the resolution to provide that such amounts as may be necessary for continuing activities for special benefits for disabled coal miners could be utilized, but at an annual rate for operations not to exceed $1,526,500,000.

The purpose of the amendment was to provide for the increased benefit payments that are necessary as a result of the passage of legislation this year increasing the amounts of benefit payments and liberalizing the requirements under which miners may qualify for black lung benefit payments.

In the event the President should decide to veto the HEW bill—and nobody knows whether he will and I am not implying that he will, or that I know that he has any such intentions—the amount of moneys on hand for benefit payments would be completely exhausted by November, not a penny would be left, and all of the beneficiaries would then get zero benefits from November until a new appropriations bill was passed next year. The fiscal year 1972 spending level is only $559,839,000, which is but one-third of the fiscal year 1973 level for black lung benefits. So, it was thought necessary to add this proviso, just to be insured against the contingency that the President might veto the HEW appropriations bill after Congress has adjourned sine die.

The Government is committed to the higher benefit payments, and I am sure that no one in the legislative branch would want to see a situation arise in which all the beneficiaries would get absolutely no benefits come November, at which time the available money would be exhausted and they would get absolutely no benefits until the new appropriations would be passed next year. So my amendment was to protect those black lung beneficiaries against such a contingency, should it arise, which I hope it will not.

I again thank the manager of the bill, the ranking minority member, and the committee.

Mr. President, I suggest the absence of a quorum.

Mr. GRAVEL. Will the Senator withhold his request?

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

AMENDMENT OF SECTION 3306, INTERNAL REVENUE CODE OF 1954

The Senate continued with the consideration of the bill (H.R. 7577) to amend section 3306 of the Internal Revenue Code of 1954.

Mr. CASE. Mr. President, I call up an amendment I have at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. CASE. Mr. President, I ask unanimous consent that further reading of the amendment may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 2, line 4, strike "SEC. 2." and insert "SEC. 2. (a)".

On page 2, between lines 13 and 14, insert the following:

(b) Section 5517 of such title is further amended by adding at the end of subsection (a) the following sentence: "The agreement may not permit withholding of a city tax from the pay of an employee who is not a resident of the State in which that city is located unless he consents to such withholding."

On page 2, line 14, strike "(b)" and insert "(c)".

On page 2, line 17, strike "(c)" and insert "(d)".

On page 2, line 21, strike "(d)" and insert "(e)".

Mr. CASE. Mr. President, my amendment is quite simple. The bill as amended by the committee provides that the Federal Government shall withhold municipal taxes. It already withholds State taxes from Federal employees. This is a matter of enormous significance and great anguish as far as many residents of my State, and I guess other States, too, are concerned. But I know that it is true as far as employees of the Federal Government who live in New Jersey and work in Philadelphia are concerned.

The amendment that I have at the desk would limit the effect of the provision inserted by the committee in the bill, so that the Federal Government would only withhold from its employees living outside the State in which the city is located where the employees consented. It would still make it possible for the State to withhold taxes where consents have been obtained, and it may be that consent to a tax thought fair and reasonable would be obtained, because employees, in general, I think, would rather pay as they go along rather than to wait until the end of the year and then be hit by a big lump sum.

This bill would authorize the Federal Government to collect the Philadelphia wage tax from Federal employees who live in New Jersey.

This rider to H.R. 7577, if adopted, will allow the Federal Government to withhold municipal income taxes, in cities of more than 60,000 population, from the salaries and wages paid to Federal employees. No hearings have been held on this proposal, although it deeply affects the residents of my own State, and in no way have I or the citizens of my State been given the opportunity to offer our views on this matter.

I regret we have been bypassed on this matter, because this is an issue of great importance to New Jersey. While residents of New Jersey do not object to paying taxes to out of State municipalities in proportion to the services provided to them, they deeply resent double taxation, both where they work and where they reside, when they have no voice whatever in the utilization of the taxes paid by them, and receive no benefit from the municipality of their workplace.

They also resent an unfair flat tax on income, instead of a graduated tax, which taxes low income wage earners at a rate effectively greater than higher wage earners. And they resent the fact that the Federal Government will, by this amendment, become a party to collecting a regressive and discriminatory flat tax instead of a graduated tax.

These arguments have been tested before in the Congress. On the floor of the House a similar amendment was defeated in the 91st Congress by a vote of 184 to 145.

While nonresidents in New Jersey do not oppose paying their fair share of a graduated tax, they are opposed to the effect of this rider and ask the right of all citizens to be heard by the appropriate legislative committees in the Congress. Are they not entitled to be heard in Congress if the Federal Government is to become a participant as a municipal tax collector? It is right and just that this rider be sent back to committee. I urge my colleagues to vote against this rider.

The objection of New Jersey people to the Philadelphia wage tax is that it is a flat rate, a flat rate on everyone's total income, no matter how large or how small, on people who work in Philadelphia.

Some years ago this matter was before us in another form. There were, and still are, New Jersey residents who go to Philadelphia by water and take a little ferry from a place called Gloucester to the Navy Yard, and they never set foot on Pennsylvania soil. The Federal Government operates the Navy Yard. At one time they escaped the Philadelphia wage tax because the Federal Government would not allow tax collectors in. It is very fair as far as we are concerned because this is an unfair tax. Nevertheless, that situation has been changed.

I see no reason, and I hope the Senate will agree with me, why we should act as tax collector for these taxes. The tax at a flat rate is unfair and bears no relation and makes no distinction between residents and nonresidents, although nonresidents get much less in the way of services than residents.

Various proposals have been suggested making arrangements for proportionate taxes for services rendered, or a reasonable approximation for progressive taxes, as we have in the Federal Government, and other changes, but I think this is the best solution. The Federal Government should not act as a tax collector unless there is consent to do so.

This amendment has been discussed with the manager and with the ranking minority member. I hope the committee is in a position to accept it.

Mr. RIBICOFF. I believe the Senator from Wisconsin has a question.

Mr. CASE. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, what concerns me about this amendment, and it may be a highly meritorious amendment, and while it has no revenue impact on the Federal Government it could be considered as having a revenue impact on not only Philadelphia and New York, which employ many people from New Jersey, but all over the country.

In our State, people from Illinois work in Wisconsin and people from Wisconsin work in Illinois and that is true all over the country because of the location of our metropolitan areas.

While one might say that those who work in these Federal establishments may not use many of the services in a city in which they work, it seems to me they are no different than any other employees and if we are going to say the Federal Government is not going to act to withhold those taxes, what does that do to all other employees?

Mr. CASE. The Senator makes a very interesting observation. Does that mean that because something may be bad for one person it should be bad for everybody?

Mr. PROXMIRE. No, I am not saying that.

Mr. CASE. I do not think it should be. These are bad taxes, they are not fair, they are not proportionate, and they are not progressive. I do not think that a private employer should be compelled to withhold these taxes. I do not see why we should get in the business of doing so because we do not have the commonsense and a sense of decency to prevent private employees from being subject to this kind of withholding.

Mr. PROXMIRE. Is the Senator saying all taxes imposed by cities on payrolls are automatically bad taxes?

Mr. CASE. I am saying this: All flat

rate taxes are bad, and that taxes in which there is no provision for apportioning the benefits that the municipality is giving residents opposed to nonresidents is bad also. I think they are unfair and we should not be a party to that taxing transaction. We should not add the weight of the Federal Government to the perpetuation of this collection of taxes.

Mr. PROXMIRE. I understand the Senator's objection. The difficulty is that almost every such tax is bad—the sales tax is bad, the property tax is bad; all these have unfortunate regressive elements involved in them. The wage tax has at least some relation to income.

Mr. CASE. Will the Senator yield? It has no more relation to income than the property tax does. I would be the last to urge that we should be a tax collector for local or State governments.

Mr. PROXMIRE. The property tax has no relation to income. For instance, a man owns a little house; that is all he has in the world; he does not work, he is retired. Yet he has to pay property taxes. Payroll taxes are imposed on those earning a living.

Mr. CASE. What I am saying is not to justify property taxes, as such. The courts have begun to take a look at the matter of taxes and I am sure we are in the process of correcting the situation, but I see no reason why, contrary to the trend which is in the right direction, the Federal Government should insist on tax collecting.

Mr. PROXMIRE. The other thing that bothers me is this. New Jersey is in a difficult position. What bothers me is that if we provide for this, we provide that the central cities, where many people work, and, as we all know, which have very serious problems now, will lose tax revenues, and help the relatively wealthy suburbs, where many of the workers live, plus the fact that the Government is not acting as a good citizen in the sense that it is asking employers to act, and help follow the laws passed by the cities.

Mr. CASE. There may be an apparent short range advantage in collecting this tax for the cities, but in the long range it is not an advantage. It tends to drive out employment and businesses, and make the cities even less of a going concern than they are now. I think it is a bad tax.

Mr. PROXMIRE. May I say that I do not intend to delay action on this amendment any further. Frankly I disagree with the Senator on the amendment, but I understand the situation and I will not make any further effort to delay it.

Mr. CASE. I appreciate that, and I hope the committee will accept it. This is not just something I want the committee to take to conference. I feel as strongly about it as the Senator from Arkansas felt when he was addressing himself to the matter in which he has an interest. I hope the chairman would find merit in this amendment.

Mr. RIBICOFF. Mr. President, when the Senator talks about nonresidents, I assume he talks about nonresidents of the State, not nonresidents of the city.

Mr. CASE. That is true.

Mr. RIBICOFF. I have no objection to the amendment and will accept it in behalf of the committee.

Mr. CASE. I am very happy about that action of the committee, and I appreciate every Senator's consideration.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey. [Putting the question.]

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STEVENS. Mr. President, I have an amendment at the desk, on behalf of myself and my colleague (Mr. GRAVEL), which I call up.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. STEVENS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill insert the following:

"Sec. (2)(A) If the Secretary determines that, for any calendar quarter before July 1, 1973 (commencing with the first calendar quarter which begins more than 30 days after the date of the enactment of this section) that the amount equal to one-fourth of the allotment (as determined without regard to this paragraph) of any State is in excess of the total of the expenditures (of the type, and under the programs, to which the allotment under this subsection applies) which will be incurred by the State for such calendar quarter, then the allotment of such State for fiscal year 1973 shall be reduced by the amount of such excess and an amount equal to the amount of such excess shall be available, for reallotment among the States, by the Secretary for such fiscal year but only for social services provided recipients of assistance under State plans approved under Titles I, X, XIV, XVI, or part A of Title IV of this Act.

"(B) From the amounts made available for reallotment under this paragraph for fiscal year 1973, the Secretary may increase the allotment of any State (but not by more than $15,000,000) which he determines will incur, during such fiscal year, expenditures (of the type, and under the programs, to which the allotment under this section applies) the total of which is in excess of the amount of the allotment of such State (as determined without regard to this paragraph).

"(C) Each State shall, prior to each calendar quarter (commencing with the first calendar quarter which begins more than 30 days after the date of the enactment of this section) certify to the Secretary (in such form and manner and containing such information as the Secretary shall by regulations prescribe) the total amount of the expenditures (of the type, and under the programs, to which the allotment under this section applies) which will be incurred by the State for such calendar quarter; and the Secretary shall conclusively presume, for purposes of subparagraph (A), that the amount so certified will be the amount which will be expended for such quarter. If any State fails to make timely certification of such expenditures for any calendar quarter, the Secretary shall conclusively presume, for purposes of this paragraph, that the amount of such expenditures for such quarter will be equal to the amount of such expenditures for the preceding calendar quarter.

Mr. STEVENS. Mr. President, this is the amendment that my colleague and I have offered on two separate occasions. Twice now it has been refused by the House. Last Friday I called to the particular attention of the Senate the statement that was made by the chairman of the House Ways and Means Committee. He said at that time:

> I have suggested that if the Senate would add an amendment to the bill that we could consider that would allow a redistribution under the formula of moneys that are not to be used by the States or by some States within this $2.5 million ceiling, so that some States could get more because some other States were not using all of their part, then I would have no objection to such an amendment and I would support it, but I cannot go beyond that.

This amendment says precisely that. It is intended to give the Secretary of Health, Education, and Welfare discretionary power to reallocate moneys not used by some States under the $2.5 billion social services limitation to other States that may need it, but only to the extent that such services are provided by the States that get the discretionary allowance to recipients of assistance under State plans approved under titles 1, 10, 14, 16, and part A of title 4 of the Social Security Act.

When we put the amendment on the supplemental appropriation bill, the House members of the conference—and I served on that conference—stated that they would not accept it, but they were kind enough to place in the supplemental appropriation report of the conference this statement:

> The managers on the part of the Senate and the House recognize that certain States will suffer undue hardship as a result of the ceiling on payments for social service which is imposed in the Revenue Sharing legislation. However, the proper place to correct such inequities is in substantive legislation, rather than in an appropriation bill.

I do not want to take a great deal of time about this, but I would point out again that this amendment will not cost a dollar of any Federal funds unless the Secretary of Health, Education, and Welfare exercises the discretion, and even if he does, there is a limit of $15 million to any one State.

So there are two limitations in this amendment: The first is that it will not cost anything at all unless the Secretary of Health, Education, and Welfare exercises his authority. If he does, he cannot go hog wild and give all of it to one State and none to another. He can allocate only up to $15 million.

It was again pointed out by the chairman of the House Ways and Means Committee that our Commissioner of Health and Welfare had talked to the chairman. The distinguished chairman, who was doing a great job in the House in trying to work out this factor, pointed out, himself, that he had been told there are 2,000 people in Alaska who will have to be taken off the State payroll, who are providing alcoholic assistance, family planning, child care, and services to those who are dependents of recipients of public assistance. These are very indigent people, people who live in the most rural parts of Alaska, and are being provided services that are needed. These people are providing services under an allocation of moneys that was made by the Department of Health, Education, and Welfare under the old law, which was a 75–25 matching formula concept.

We do not see why we should be cut off arbitrarily solely because revenue sharing is based on population, which law hurt us. It also hurt Delaware and some of the very small States.

I think this is a legitimate proposal, particularly in view of the statement on the part of the managers of the appropriation bill that it belongs in substantive legislation. It is a legitimate proposition to add the amendment to this bill and to try, once again, to get the House to understand what we are trying to do. We are not trying to change the ceiling which was established at $2.5 billion. This money will be available to some of the smaller States only if the larger States do not use it. Again, it will be available to them only if the Secretary of Health, Education, and Welfare allocates it to the smaller States, and even then under a $15 million ceiling. I think it is the most reasonable proposition we could possibly advance to try to alleviate the hardships that those people will suffer unless we do it.

I hope the manager will accept the amendment and take it to conference so we can, once again, try to get the House conferees to see what we are trying to do.

The PRESIDING OFFICER. The question is on the amendment.

The Senator from Alaska.

Mr. GRAVEL. Mr. President, I am ready to move to a vote.

Mr. PROXMIRE. Mr. President, unless the Senator——

Mr. GRAVEL. I will defer my remarks until I can be enlightened by what the Senator has to say.

Mr. PROXMIRE. The Senator has already been enlightened. The Senator knows how I feel about it. Although I have great respect for both Senators from Alaska—they work very hard for their State's viewpoint—nevertheless I oppose this amendment. It would have a huge budgetary impact. I understand from the staff people on the committee that it would amount to about $370 million. What it does is provide that the amount not used under the ceiling that has been imposed for the purposes of social services can be provided to States that have reached the top and want to go a little higher.

This is one area, this is one program, which we all know has just exploded in the last couple of year. It has gone way, way beyond what it was before. It started 2 or 3 years ago as a $40 million program. Now it is up in the billions.

While both Senators from Alaska have spoken to me, and Senator STEVENS made a most impressive and appealing speech, pointing out that this would go to people who most desperately need assistance, I do think it is time for us to take it a little easy, to slow down, to take a look at this, to recognize that we have already gone very steeply up in spending in this country, and not provide the Secretary of Health, Education, and Welfare with additional discretion.

The pressure on him is going to be very, very great indeed. He may not provide any additional sum. But it seems to me it is not enough for us to say the House will cut it out anyway, that they have done it twice and will do it again. It seems to me we have to assume our own responsibilities.

This is not only an expensive amendment, I think under the circumstances it is an amendment that would result in spending which I think we ought to take a most careful, prudent look at before we approve it.

Mr. GRAVEL. Mr. President, I would hope that my distinguished colleague from Wisconsin would reason with us a little bit on this amendment, because I think we may arrive at a point that will satisfy all parties.

First, with respect to the program, there has been an exploding of this program, for obvious reasons: There is an exploding need in this Nation in these areas. That is the reason why the program has exploded.

Second, of course, my colleague speaks of taking a look. That is exactly what the Senate did and what the House did. We took a look at this program. We realized things were exploding, and for that reason we changed the whole process, put a brake on it, and then after extensive deliberations, put a cap on the whole thing.

We have done that. There is nothing now that can be arrived at by additional impairments, because we have set the policy to be followed for a few years.

The question is whether or not we will extend some amount of succor to people who were relying upon a prior program which has now been altered.

If this had happened in a private area, the Senator or I would take someone to court and sue them to get our just deserts. That will not work in this case, because of the fickleness of Congress. But persons who have done things under a proper, legitimate approach, with reasonable expectations, are now being unfairly truncated as of a specific date.

As to suing the Government, I think my colleague knows as well as I that you do not get too much justice if you are a small person suing a State government or the Federal Government in this regard. But there are a lot of people who have entered into normal contracts who will get hurt. The prop wash of that in Alaska will be about 2,000 people, and these are not corporate executives ripping it off in the highest elements of society. These are 2,000 people at the base—or underneath the foundation—of society, who never even get a chance to get up for air to look at the rest of what is going on in society. These are the people who will be crippled by our inability to address ourselves of this problem intelligently.

I would submit to my colleague that the basis of his opposition is the figure he has cited, the figure he announced it would cost. We in Alaska are being victimized by this erroneous information. I do not know where the Senator's staff ever got it; I do not know where anyone got it, but someone is bantering around the figure of, what $370 million? Is that what the Senator was told?

I would say to my distinguished colleague, whom I respect very deeply, because of the values he has stood for on many issues on this floor, let us develop the figures together, and see whether $370 million is correct.

I say this is a figment of someone's imagination, which is crippling, because the Senator is relying on it, and it has no relationship to reality. If someone has figures, whether it is his staffman or my staffman, let us develop the figures and see whether justification can be provided.

Mr. PROXMIRE. If I can provide justification, will the Senator work with his colleague to withdraw the amendment?

Mr. GRAVEL. I beg the Senator's pardon?

Mr. PROXMIRE. Would the Senator then agree, with Senator STEVENS, to withdraw the amendment?

Mr. GRAVEL. If the Senator can justify his figures, perhaps so.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. GRAVEL. I yield.

Mr. STEVENS. I can show the Senator how they reach the amount. They take the number of States that lose under the population formula, and they assume that the Secretary of Health, Education, and Welfare would give every one of those States $15 million. They add up all those States that lost under the population formula, multiply it by $15 million, and come up with this figure. I have the chart right here.

But the fallacy of it is that they assume the Health, Education, and Welfare people are going to give every State the maximum amount under the discretionary ceiling.

Somehow or other, in the last weeks of Congress, we are getting down to the point where the Senators and Representatives are not running Congress, it is the staff members, figuring out some hypothetical thing about what someone downtown will do.

Mr. PROXMIRE. May I say that this is not the estimate of a staff member. It was secured from the Social Security Administration, which said, at the last conference, that the cost would be $366 million, which we rounded out at $370 million for the sake of convenience. Social security may know less than the Senator from Alaska about it.

Mr. GRAVEL. Mr. President, my colleague's figures are correct. You can take the number of States that would lose, multiply it by $15 million, and that gives you the figure.

But the reason is that States will not take up their allotment. That is the reason why. Of the States that have this entitlement, some of them are not even spending their allotment. That is the reason why there is a pool of money available to be used. But for them to turn around and represent to the Senator that this is the amount of money that will be taken up is the very reason why there is money to be reapportioned, because States are not taking it up.

So actually they have given the Senator half a piece of knowledge, and then the assumption is that is the amount of money we would spend. It is an erroneous assumption. I hate to use any State as an example, because I am not familiar with them all, but I happen to know that many of the Southern States are not using their entitlement, and that is where the money will come from.

Mr. PROXMIRE. Let me say to the Senator, another problem is involved: The proposal does not provide that New York, Wisconsin, and Alaska will be treated alike. It says they all will get $15 million; $15 million for Alaska is 20 times what it is for Wisconsin, and many more times than for a State like California or New York.

Mr. GRAVEL. The Senator is correct.

Mr. PROXMIRE. It seems to me that Alaska has a strong case. The cost of living is extraordinary, and poverty is great.

Mr. GRAVEL. The poverty is considerably greater than in the State of Wisconsin.

Mr. PROXMIRE. It may well be. But let me point out why this is bad: If Alaska should get $15 million under this proposal, this could be a substantial increase in the amount they would get. Suppose in the second year the States used their full entitlement; it will not take them long to catch on to this. Then Alaska would have to have a sharp cutback, and would just be postponing a very difficult adjustment.

Mr. GRAVEL. This is only for 1 year, fiscal 1973.

Mr. PROXMIRE. I understand that.

Mr. GRAVEL. So it cannot get into the second year.

Mr. PROXMIRE. Only inasmuch as it may not be available the second year.

Mr. STEVENS. No; this amendment applies only to 1973.

Mr. PROXMIRE. That is right. What I am saying is, Alaska would not get it in 1974, so in 1974 they would have to learn to live with a great deal less.

Mr. GRAVEL. That is the problem we face today. We have to learn to live with a great deal less immediately, people with legitimate contracts which are being truncated, because of the actions of Congress. So if the Senator is advocating this, I say do not do it, because it is going to cost some pain and time. We are being shocked right now; we cannot stand it. Give us a chance to spread it out over a year.

Mr. PROXMIRE. Will the Senator tell us what Alaska had from the Federal Government under this program for fiscal 1970, 1971, 1972, and 1973? This does not represent a large decrease for Alaska this year.

Mr. STEVENS. Mr. President, Alaska, at the beginning of this fiscal year, had a $24 million a year program, $2 million a month. Of that, 25 percent was paid by the State government, 75 percent by the Federal Government. We are in a situation now where, in the first quarter, we have spent $8 million, $6 million of which is coming from the Federal Government under the old formula. Under the new formula, based on population, we are entitled to $3.7 million for the whole fiscal year.

The Senator points out that this is not fair to Wisconsin or Illinois or New York, to have this new allocation authority at $15 million per State. The thing that is not fair is the population formula to begin with. It is not based on need, on poverty, or on the high cost of doing business in rural Alaska, in trying to provide social services to Unalakleet or Teller or the Shishmaref or out on the Diomedes or on the Pribilof Islands. The cost of getting there would cost more than to provide the services to someone in the State of Wisconsin. We have been providing these services. Suddenly, along comes the Revenue Sharing Act, which says we get $3.7 million for the whole year, starting July 1, 1972. So my colleague and I are trying to find a way to push this out to end these contracts and adjust our State to the fact that starting next year we will only get from the Federal Government approximately one-sixth of the amount we got before to provide these social services.

Mr. PROXMIRE. The Senator said that under this program Alaska will get how much—$3.7 million?

Mr. STEVENS. It is $3.74 million for the whole fiscal year.

Mr. PROXMIRE. Then, why do we provide here $15 million? Why is that necessary?

Mr. STEVENS. I was going to come to that. When I offered this amendment first, the Senator from New York pointed out that we had $10 million, that no more than $10 million could be reallocated by the Secretary of Health, Education, and Welfare. We do not expect to get the full amount for reallocation. This is the limit on the authority of the Secretary of Health, Education, and Welfare; and the reason why we challenged the staff—whether the executive staff or the Senate staff—coming up with a figure of how much it is going to cost is that it will not cost anything unless the Secretary exercises the discretion. Once he does, we put a limit on that of $10 million. At the request of the Senator from New York, on the floor, it was raised to $15 million. People look at the population formula and they see the States that lost money. They assume the Secretary would give every State the lost money up to the maximum of the reallocation authority, and that is $370 million.

The Senator asks for examples——

Mr. PROXMIRE. I think we could save some time, and perhaps I could accept the modified amendment, if the Senator would indicate, for example, how much Alaska would need here, how much they might expect to get—$1 million, $500,000.

Mr. STEVENS. In order to continue the existing contracts the State of Alaska has in being, it would cost an additional $11 million of Federal funds.

Mr. PROXMIRE. And the program now is $3.5 million?

Mr. STEVENS. The program now is $24 million, of which $18 million is Federal funds.

Mr. PROXMIRE. What is the $3.7 million?

Mr. STEVENS. That is the allocation under the new ceiling based on population that became effective July 1, 1972. The amount spent up to the date of the act will be paid, and that is what I told the Senator is approximately $6 million. We get approximately $6 million under the concept that what was spent in the first quarter is going to be paid. The last quarter is $3.4 million. The figure we have about $9 million. We need about $11 million to continue.

Mr. PROXMIRE. The difference between $3.7 and $9 million, or a little more than $5 million?

Mr. STEVENS. It is the difference between the $18 million and what we get—we get into all kinds of problems, because presently we are operating under the laws that exist now. The revenue-sharing bill has not been signed. Right now, there is no ceiling. What the States are spending, they will be matched, 25–75. Starting with the date of the revenue-sharing bill, it will go to a ceiling based on population.

Mr. PROXMIRE. What would the Senator think of applying this only to noncontiguous States? There is a precedent for this in revenue sharing. It would save the Treasury a great deal of money and would solve the Senator's problem.

Mr. STEVENS. The Senator from New York is not here. He was part of the matter.

Let me go into this: Indiana, under the new formula, is entitled to $64 million, based on population. At the present time, Indiana is spending at the rate of $4 million a year. In order to get any money into this fund to reallocate, we have to assume Indiana is not going to increase its spending to $64 million. Let us assume it does. The Senator does not object to Indiana spending up to its allotment, does he?

Mr. PROXMIRE. No.

Mr. STEVENS. Let us assume they spend only $54 million, and $10 million remains. Our amendment would provide that the Secretary could reallocate that to any State up to $15 million from the total pool. We are not going above the ceiling. We are just spending the money that other States do not want to spend for social services, and then only if the Secretary of Health, Education, and Welfare allows us to do it, and only for this fiscal year. We tried to be as reasonable as we could.

Our State legislature met in the early part of the year and authorized the State to enter into contracts. The State entered into contracts based on authority received from the Department of Health, Education, and Welfare, for $2 million a month. Along comes the revenue-sharing bill in August and early September and says, "No longer are we going to pay on the basis of needs or authorize the Secretary of Health, Education, and Welfare to recommend needs in States. We are going to allocate social services funds on the basis of population only."

Mr. PROXMIRE. The only two Senators who have expressed very deep interest in this matter and a very strong position for it are the two Senators from Alaska. There may be other Senators who feel strongly about this matter, too. While the Senator from New York indicated that if this is going to be passed, he thinks it ought to be higher than the $10 million originally provided, it seems to me, under these circumstances, that we ought to be able to work out something that would not provide this terrific impact on the Treasury.

Frankly, I do not like to work out anything of this kind, because I feel there is a program that has already exploded, and this would permit it to increase much more.

The case in Alaska can be argued strongly; but not only will Alaska benefit from revenue sharing in the coming year, which is retroactive, but also, Alaska has the colossal oil find which is going on, which will benefit the State in the near future.

Mr. GRAVEL. I hope that is a prediction.

Mr. PROXMIRE. Now we will pass a program that will enable them to increase by a high proportion their social services spending, and I wonder whether it is wise for Congress to proceed on this matter.

Mr. STEVENS. The Senator from Florida (Mr. CHILES) was just in here and asked me if we needed any assistance. He had an amendment to do this earlier this year. The Senator from Delaware (Mr. ROTH) offered an amendment, which was one of the predecessors of the amendment we finally worked out. That would have gone over the whole 5-year period of revenue sharing.

This one, I want to tell my colleague, will not help Delaware unless the Secretary of Health, Education, and Welfare wants to help Delaware. It will not help Florida unless the Secretary of Health, Education, and Welfare wants to help Florida. It will not help Alaska unless they exercise that discretion. It will not cost a dime—needless to say, it will not cost $370 million—unless someone exercises the discretion. It will not cost any money under this amendment unless other States do not spend their allotment in the $2.5 billion ceiling. This is money other States leave in the Federal Treasury because they do not ask for their allotment.

Under those circumstances, I think it is a very reasonable thing. I would feel that I neglected my colleagues who have fought through this matter. Twice before, this amendment has been adopted by the Senate—once on H.R. 1 and once on the supplemental appropriations bill; and twice the House has refused to take it. All we are asking for is a third attempt to try to convince them, as we are trying to convince the Senator from Wisconsin, that it will not cost the Federal Treasury $3.7 million. It will not cost a dime unless I can convince Elliot Richardson to give us the money.

If the Senator from Wisconsin would like to reduce it to $10 million, which was the original level we suggested, we would have no objection.

Mr. GRAVEL. I hope the Senator from Wisconsin realizes that in this suggestion there is justice for everybody involved. In the interest of trying to accommodate him in his strong feelings on this expenditure, I would hope the Senator could see the wisdom of a $10 million limitation.

Mr. PROXMIRE. With the understanding that the Senator will modify his amendment to make it $10 million I will withdraw my opposition. I do think we can make a strong case against any amendment—but I want to accommodate the majority leader and move along—I am willing to accept this compromise.

I hope we have a chance to look it over and that the conferees will be very prudent and careful about this matter when they go to conference.

Mr. GRAVEL. I thank the Senator.

Mr. PROXMIRE. One more point. The principal reason for accepting the amendment is that it has passed the Senate twice. It has already been approved by this body. So that, under the circumstances, it is in a different category and entirely different from some of the other amendments.

Mr. STEVENS. We are indebted to the Senator from Wisconsin.

Mr. President, I ask that my amendment be modified as originally written, in paragraph B, on the third line where it says "15 million dollars," insert in lieu thereof "10 million dollars."

The PRESIDING OFFICER (Mr. MANSFIELD). The Senator has that right. The amendment is modified accordingly.

Mr. GRAVEL. Mr. President, I move adoption of the amendment.

The amendment was agreed to.

H.R. 10751—ESTABLISHING THE PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Mr. HANSEN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 10751.

The PRESIDING OFFICER (Mr. MANSFIELD) laid before the Senate H.R. 10751, to establish the Pennsylvania Avenue Development Corporation, which was read twice by its title.

Mr. HANSEN. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HANSEN. Mr. President, this bill involves the development plan for Pennsylvania Avenue which has been pending before the Congress for several years. Members of the Senate may recall that twice before the Senate has passed similar legislation, but the measures died in the House of Representatives. The House has finally passed a bill which is very similar to a measure ordered reported by the Committee on Interior and Insular Affairs and also quite similar to the recommendations of the administration in regard to the Pennsylvania Avenue National Historic Site. I am gratified that at long last this important project is about to be undertaken and that agreement can be reached on proceeding with the development of a plan for the avenue and its environs.

However, there are certain amendments which I feel are justified and should be made to the bill as passed by the House of Representatives. The primary amendment which I shall offer attempts to strike a compromise between the position taken by the House of Representatives and that recommended to the Congress by the President. That deals with the development of the plan to be submitted by the Corporation established in this legislation. The House of Representatives attempted to give a veto power to the Secretary of the Interior over the plan to be developed by the Pennsylvania Avenue Development Corporation. However, the House language is not clear and could result in a misunderstanding as to how to proceed in a positive manner in finalizing approval of the plan itself, which is after all the fundamental goal we are all seeking.

On the other hand, the administration proposed that not only the Secretary of the Interior but the District of Columbia government and the National Capital Planning Commission should have a veto power over the plan. Mr. President, I submit that this procedure is unworkable and might result in all of our effort being wasted in a bureaucratic snarl. Therefore, the amendment which I have proposed, and which has the backing of my colleagues on the Interior Committee, would be action forcing in nature and would give direction to the Corporation and to the Secretary of the Interior and to the District of Columbia government to proceed in a positive manner to finalize and submit a plan. Each agency and the general public would have an opportunity to participate in the development of the plan, but it is guaranteed that a plan will be prepared and submitted to Congress under my amendment.

There are other technical amendments which correct deficiencies in the House-passed bill. These are minor in nature with the exception of one which is recommended by the administration, that is, we would not permit the Corporation to indebt itself by borrowing in the private financial market in order to finance its activities. There is ample authority to borrow from the Treasury, and it would be much less expensive. In addition, it is the opinion of the administration, in which I concur, that market borrowing activities of the Federal Government should be conducted by the Treasury Department in keeping with the overall fiscal responsibilities of the Secretary of the Treasury.

Mr. President, I send the amendments to the desk and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

AMENDMENT TO H.R. 10751

Strike all of Section 5(c), beginning on page 10 at line 22, and the first sentence of Section 5(d) ending with the word "Representatives." on page 11, line 14, and insert in lieu thereof the following:

"(c) After the proposed development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Commissioner of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the proposed plan with his responsibilities for the administration, protection and development of the areas within the Pennsylvania Avenue National Historic Site. The Commissioner of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission, shall hold public hearings on the proposed plan, and shall notify the Corporation of his approval or recommended modifications: *Provided*, That in the event that the Secretary of the Interior or the Commissioner of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the proposed plan within ninety days after the date of submission, he shall be deemed to have approved the proposed plan.

(d) In the event the Secretary of the Interior or the Commissioner of the District of Columbia has recommended modifications of the proposed plan, the Corporation within 120 days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a final development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

If the Secretary of the Interior or the Commissioner of the District of Columbia has not approved the final development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Commissioner of the District of Columbia and the views of the Corporation thereon."

On page 11, beginning on line 16 and ending on line 17, strike "plans as authorized by the other provisions of this Act" and insert in lieu thereof "plan".

On page 14 beginning on line 21 through line 5 on page 15, strike paragraph 6(9), and renumber the following paragraphs accordingly.

Page 17, line 5, after the word "property" strike the word "of" and insert in lieu thereof the word "or".

The **PRESIDING OFFICER**. Without objection, the amendments are considered and agreed to en bloc.

Mr. **HANSEN**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–1445), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 10751 is to establish the Pennsylvania Development Corporation, a public corporation to prepare and implement a development plan for certain areas adjacent to Pennsylvania Avenue between the White House and the Capitol, comprising approximately twenty-three acres, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes.

H.R. 10751 was introduced by Representatives Saylor and Aspinall.

BACKGROUND

1976 will mark the Bicentennial of the founding of the American Republic. It will be an occasion to reflect upon the extraordinary vision of our founding fathers, a vision which not only shaped this Nation, but which also influenced the course of world history.

That revolutionary vision of 1776 is still unfulfilled. Few would deny the great dream of democracy, of liberty and equality for all, bequeathed us by the gifted men who founded this Nation. That dream included a city that was to be different from all others. It would, first of all, belong to all the people. It would be the only such place in the Nation. It was to be the seat of government. It was to be the conscious creation of the American people.

When the city was little more than a few drawings on paper, the ten mile square was named "District of Columbia" and the Capital itself "City of Washington". President Washington himself perceived that the life of the new Nation was to be expressed in the architecture and urban design of the Capital city.

The French military engineer, Pierre Charles L'Enfant, was engaged to design a plan for the new city. James Hoban, an Irish architect, won the competition to design the White House. William Thornton submitted his design for the Capitol. To this day, these three architectural elements have formed the basis of the Federal City.

The visible symbols of the Federal City are the two great buildings, The White House and The Capitol, representing the legislative and executive branches, and behind them is the plan. In the new concept of government which these buildings represented, the legislative and executive powers of this Nation are at once separated and joined together. These separation was to be seen in the distance between them—just over a mile. Their connection was to be seen in Pennsylvania Avenue, named for the State wherein our independence was first proclaimed.

From the outset, Pennsylvania Avenue became the main thoroughfare of the Capital. From the earliest times, Pennsylvania Avenue, the area three or four blocks north and south of it, and the parks surrounding the White House and the Capitol, were seen as a special precinct uniquely associated with the business and ceremonies of the democracy.

In 1800, when the Federal Government formally arrived, Pennsylvania Avenue was a tangle of elder bushes, swamp grasses, and tree stumps. Gradually the Federal City came to life with the planting of some trees and the erection of private buildings. Progress was slow and it became apparent that it would be a long time before the Federal City plan would become a reality. As the years and generations passed, the L'Enfant plan was never completed. Through the years, many things have been done in the Federal City directly contributing to the completion of the plan. Gradually the design took shape, and rarely has a design conception exercised such power over such a length of time.

With the passage of time, as Pennsylvania Avenue and its surrounding area became so necessary for public activities, it became less and less suited for private ones. In the early 1960's, the business and commercial center of the city began to drift northwestward, away from the Federal City. It soon became clear that the north side of Pennsylvania Avenue was in need of redevelopment.

In June 1962, President Kennedy appointed the President's Advisory Council on Pennsylvania Avenue to prepare plans for the revitalization of the Federal City. Its purpose was to propose a mode of development consistent with the historic heritage and to seek to increase the private, commercial, residential, cultural and educational facilities of the area.

In 1965, the Council completed its work and report. President Johnson, by Executive Order, established the President's Commission on Pennsylvania Avenue to refine and implement the work of the preceding Council.

Since 1965, there have been numerous legislative proposals introduced in the Congress to move forward on the revitalization of Pennsylvania Avenue. H.R. 10751 is a similar proposal and a significant step toward fulfilling the vision of our founding fathers and their design of our Federal City. H.R. 10751 is another step in completing the plan of L'Enfant. H.R. 10751 is, as our founding fathers saw it, the conscious creation of the American people.

Pennsylvania Avenue, like "Main Street" in the development of most American cities, has experienced an exodus of previously established private commercial activities. In the 1960's there was less private activity in the area at the end of the decade than at the beginning. The sources of this decline are many, but three in particular are fundamental. The first is the great decline in small investor confidence in the area as has been characteristic in the development of other cities now being revitalized through urban redevelopment. The second source is the lag of private development, resulting from the difficult, if not impossible, task for private investors to aggregate parcels of land and sites large enough for profitable investment. For example, within the development area described in H.R. 10751, there are approximately 155 buildings, 7 of which are completely vacant and 77 vacant above the first floor or used for storage only. There are approximately 133 private landowners (individuals and organizations) and some 261 private lots. The third source of decline results from the continuing uncertainty regarding the national commitment of the legislative and executive branches of our Federal Government toward the revitalization and development of Pennsylvania Avenue.

Like other American cities, our Main Street—Pennsylvania Avenue—has suffered a gradual deterioration resulting in its now blighted character which imposes severe public, economic, and social liabilities on the government of the District of Columbia as the seat of the Federal Government, with the corresponding effect of impeding its growth and development and constituting a serious and growing threat to the public health, safety, and welfare of the inhabitants. The need to eliminate these conditions in our Federal City should not require further elaboration.

A fundamental national interest also dictates the need for this legislation. Pennsylvania Avenue is the nation's most important street or avenue. It has been the ceremonial avenue in the history of our Republic. Many of our Presidents have and will continue to journey this famous corridor to deliver their Inaugural Addresses and State of the Union Messages which have a profound effect on the historic course of this Nation. So, too, has this national street shared the burden of our loss when the cortege of a fallen leader traversed this last mile in the eyes of their fellow countrymen toward his final resting place. These ceremonial and other related occasions led to the designation of Pennsylvania Avenue as a national historic site on September 30, 1965.

The need to develop and maintain Pennsylvania Avenue so that it may be used in a manner suitable to its ceremonial, physical, and historic relationship to our Federal City and the Nation becomes apparent.

H.R. 10751, establishing the Pennsylvania Avenue Development Corporation is the entity needed to insure orderly comprehensive development of Pennsylvania Avenue and the adjacent area.

The **PRESIDING OFFICER**. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AMENDMENT OF SECTION 3306, INTERNAL REVENUE CODE OF 1954

The **PRESIDING OFFICER** (Mr. GRAVEL). The Chair now lays before the Senate, the unfinished business which the clerk will state.

The legislative clerk read as follows:

H.R. 7577 to amend section 3306 of the Internal Revenue Code of 1954.

The Senate resumed the consideration of the bill.

The **PRESIDING OFFICER**. The bill is open to further amendment.

Mr. **FANNIN**. Mr. President, I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

EMPLOYEES OF MEMBERS OF AFFILIATED GROUPS OF CORPORATIONS

Employer Social Security Tax Liability

SEC. 563. (a) Section 3121 of the Internal Revenue Code of 1954 (relating to definitions for purposes of the Federal Insurance Contributions Act) is amended by adding at the end thereof the following new subsection:

"(t) CERTAIN EMPLOYEES OF MEMBERS OF AFFILIATED GROUPS.—For purposes of this chapter, an employee whose wages are paid by a corporation which is a member of an affiliated group, but who performs services for one or more other members of the affiliated group, shall be treated as being in the employment only of the corporation which pays his wages. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to it by section 1504(a), except that, for such purposes, any corporation shall be treated as an includible corporation."

Employer Unemployment Tax Liability

(b) Section 3306 of the Internal Revenue Code of 1954 (relating to definitions for purposes of the Federal Unemployment Tax Act) is amended by adding at the end thereof the following new subsection:

"(o) CERTAIN EMPLOYEES OF MEMBERS OF AFFILIATED GROUPS.—For purposes of this chapter, an employee whose wages are paid by a corporation which is a member of an affiliated group, but who performs services for one or more other members of the affiliated group, shall be treated as being in the employment only of the corporation which pays his wages. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to it by section 1504(a), except that, for such purposes, any corporation shall be treated as an includible corporation."

Effective Date

(c) The amendments made by this section shall apply with respect to wages paid after December 31, 1972.

Mr. FANNIN. Mr. President, this is a simple amendment but it is an important one. It has been approved by the Senate as part of H.R. 1, and was deleted in conference, for purposes of FICA and the FUTA taxes, providing that an individual who performs services for more than one member of an affiliated group of corporations is to be treated as an employee only of the member of the group from which he receives his compensation. Thus, the present practice of attributing payments of compensation made by one member of an affiliated group to other members of the group for purposes of determining whether the FICA and FUTA taxes apply is no longer to be followed. The provisions of this bill do not provide a ceiling, however, where an employee is transferred from one member of an affiliated group to another member of the group and no longer performs services as an employee of the first member. Nor does the provision provide a ceiling in the case of an employee who is on the payroll of each of two, or more, affiliated corporations.

It is unfair the way the procedure is followed today. As an example, assume $10,200 withholding level for FICA—social security—the total amount earned by an employee could be, say, $20,000 and that would be equally divided by the four sub companies at $5,000 each. Then by the time the employee had worked the first 6 months for the two affiliated companies, he would have paid in the amount for the withholding but if he continued working for three or four of those affiliated groups, then he would pay a double tax. The employee can deduct this expense as a credit on his individual tax return but the employer cannot deduct it or obtain any credit for his overpayment. This means that the employer pays the double tax in this instance and it is unfair and should be corrected.

Mr. PROXMIRE. I have discussed this matter with the distinguished Senator from Arizona (Mr. FANNIN) and I must say he knows that I intend to oppose it. It would result in a revenue loss of $10 million. It would not affect the worker but only the corporations involved. I realize that there is a matter of equity here and I know that the Senator is sincere about feeling that this is a matter of double taxation.

Mr. President, the Social Security Administration opposes this amendment.

Mr. FANNIN. Mr. President, if the Senator will yield, the Senator agrees this is a matter of douxle taxation.

Mr. PROXMIRE. I recognize that. The Social Security Administration opposed the amendment on $10 million. I think there is some argument that could be made that under the circumstances the $10 million ought to be paid. I think that on a bill of this kind, because it is opposed by a great agency of the Federal Government since it would affect the revenue by that amount, that we ought to have regular hearings. We ought to have a report, and we ought to have an opportunity to act on it in due course. This was one of the 13 proposals, was it not?

Mr. FANNIN. No; it was not. It came over. It was on H.R. 1. I am sure that when it came over we had a complete consideration of it by the Finance Committee. It was included in H.R. 1. It was only taken out because all measures of this nature were deleted in the conference. So, it has had complete consideration and also approval.

Mr. PROXMIRE. I know they were approved. All 13 of the amendments were approved, were they not?

Mr. FANNIN. No. This is not one of the 13 amendments.

Mr. PROXMIRE. At any rate, under the circumstances I hope that the Senator would not press it.

Mr. FANNIN. The Senator is saying that it is all right to be fair to the employee, but that it is wrong to be fair to the employer. I cannot understand it. Is not fair treatment fair treatment? This is a question of double taxation.

Mr. PROXMIRE. Mr. President, what happened was that the employee had a second job. I think there is a little different situation here. What happens is that an employee comes in. He has one job, and he is working for a second company. Is that correct?

Mr. FANNIN. He could be working for a second company, the Senator is correct.

Mr. PROXMIRE. There might be a third company. We could have a man who is working for three different companies.

Mr. FANNIN. He could be working for 3 months, and then 3 months, and then 3 months, and that would be the time during the year in which he is employed.

Mr. PROXMIRE. The situation is that the employer should treat all employees alike, whether they have one other job or no other job.

Mr. FANNIN. Mr. President, this is not the case here.

Mr. PROXMIRE. The employer would have the advantage when he is hiring a moonlighter, would he not?

Mr. FANNIN. Let me explain that to be eligible for this provision, the affiliates must be 80-percent owned by the parent company.

Mr. President, this is not a case where they shift jobs. This is a very different matter from what the Senator is considering. This is one that is 80-percent owned. This is a very different matter from what the Senator is considering. I think it is very unfair to continue to have double taxation on a corporation. This involves $10 million. Certainly if inequity exists, it should be corrected.

Mr. PROXMIRE. As I understand it, this was not considered in the House. There were no public witnesses heard. Is that correct?

Mr. FANNIN. I would not want to try to think back as to that. Certainly there was full consideration in the Senate.

Mr. PROXMIRE. Well, full consideration may be in executive session.

Mr. FANNIN. As far as I can recall—I would want to check on it, as to whether there was consideration in the House. It certainly is a matter that is inequitable. I think it is so very plain on the surface that there is an inequity. It is like taking something away from somebody improperly. It should not be done.

Mr. PROXMIRE. In this case I would say to the Senator that we are taking $10 million away from the Social Security Administration, although they oppose it. We are doing so without public testimony, without public hearing at which the Social Security Administrator can appear and state his position and be cross-examined in public so that we have an opportunity for that kind of a record. It seems to me that to push this through in the last days of the Congress is no way to legislate.

Mr. FANNIN. Mr. President, H.R. 1 has been under consideration for 2 years. This is not pushing it through in the last minutes of the Congress. This has been under consideration. It has approval. The Treasury Department approves it. The Senator is saying, "Let us get as much money as we can. We can get this, and let us take it." And I think that is very unfair way to proceed.

Mr. PROXMIRE. No, I understand the Senator feels that is my position, but it is not. I know it is very difficult to understand. My opposition is on procedural grounds. It seems to me that if we are going to approve a $10 million loss against an agency of the Federal Government, we should have public hearings, we should have testimony, and we should have a record established on it. We should have a report on it, and have all the details so that we have before us the details, pro and con, and not just kiss off $10 million because there happens to be an inequity involved. There are many inequities in the tax laws. They should be considered together in a comprehensive reform bill and not rushed through piecemeal on the last day of Congress.

Mr. FANNIN. Mr. President, that would be like saying, "Let's not give anyone a refund, because we could save that money."

Mr. PROXMIRE. We certainly should not establish the principle that we could do that and give all kinds of refunds without having a regular legislative record, and give all kinds of refunds because there is not a regular legislative record to follow.

Mr. FANNIN. Mr. President, we have established a precedent for the employee, the same employee that is involved, so that he can deduct that as a credit on his return. I think that as far as that is concerned, it shows the equity. I cannot understand why the Senator is opposed to being equitable, fair, and just. I would say that just because an agency of the Federal Government says, "I want all the money I can get, or I want more money," that we should just add on and add on. That is not fair. There is no equity to that. The Treasury recognizes the inequity and says that it is only fair and that we should correct it.

Mr. PROXMIRE. Do we not have a situation where the committee considered it in conference and deleted it?

Mr. FANNIN. Yes, but only because it was not germane, as far as they were concerned. It was not deleted because it was not a fair and equitable proposition. It was not considered from either standpoint. It was deleted because it was not germane.

Mr. PROXMIRE. My position is that I do not think we should be passing legislation on this basis. This is not a matter on which we could compromise without hearings, without a report, and without a regular legislative record to rely on.

Mr. FANNIN. Well, there is a report as far as that is concerned. There is a report. It is on H.R. 1. I do not have the report. However, it has been considered. And I feel that if the Senator gave consideration to what is involved, he would feel differently. The Senator understands it quite clearly, but the Senator feels that the employee should receive credit on his individual income tax return because he has paid twice. Why should not the corporation receive credit when they have paid twice?

Mr. PROXMIRE. Mr. President, I think I have made my position clear. I do not think it is necessary to repeat it. However, I will do so if necessary. I could stay here for several days and do it.

Mr. FANNIN. Mr. President, the only thing the Senator has said is, "Let us get this money. It is available, and let us get it."

Mr. PROXMIRE. Mr. President, that is not what I said.

Mr. FANNIN. What else has he said?

Mr. PROXMIRE. The only thing I have said is that we do not have a public record on this matter. We do not have public testimony on this matter. It is opposed by an agency of the Federal Government that will lose $10 million. We ought to know why they are opposed.

Mr. FANNIN. Is the Senator willing to get a vote on this matter?

Mr. PROXMIRE. No.

Mr. FANNIN. The Senator is not willing to have a vote?

Mr. PROXMIRE. No. There is no way we can get a vote. There is no way we can do it.

Mr. FANNIN. We could have a voice vote.

Mr. PROXMIRE. We could have a voice vote, surely. I am afraid that would not be very representative. I admire all of the Senators who are present. But under the circumstances, I do not believe we could.

Mr. FANNIN. Mr. President, with great reluctance, I withdraw the amendment. I think we are doing something that is very unfair, and I hope we will have an opportunity to correct such an inequity.

If the Senator from Wisconsin gives the matter consideration, he will probably support it.

Mr. PROXMIRE. It may be that I will in the future if it is brought up in the regular procedure. I would then have a different attitude.

Mr. RIBICOFF. Mr. President, I believe the bill is ready for third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7577) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HANSEN. Mr. President, I have an amendment.

The PRESIDING OFFICER. The bill has been read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that third reading be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk proceeded to read the amendment.

Mr. HANSEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD is as follows:

SEC. —. (a) Section 2055 (e) of the Internal Revenue Code of 1954 (relating to the disallowance of deductions in certain cases) is amended by adding at the end thereof a new paragraph to read as follows:

"(3) If a deduction is not allowable at the time of decedent's death, because of the failure of an interest in property which passes from the decedent to a person, or for a use, described in subsection (a), to meet the requirements of subparagraph (A), of paragraph (2) of this subsection and if the governing instrument of the trust is amended or conformed on or before December 31, 1974, or, if later, on or before the 30th day after the date on which judicial proceedings begun before December 31, 1974 (which are required to amend or conform the government instrument), become final, so that the interest is in a trust which is a charitable remainder annuity trust or a charitable remainder unitrust (described in section 664) a deduction shall nevertheless be allowed. The Secretary or his delegate may, by regulation, provide for the application of the provisions of this paragraph to trusts whose governing instruments are amended in accordance with this paragraph, and such regulations may provide for any adjustments in the application of the provisions of section 508 (relating to special rules with respect to section 501 (c) (3) organizations) and subchapter J (relating to estates, trusts, beneficiaries, and decedents) to such trusts made necessary by the application of this paragraph. If the amendment or conformation of the governing instrument is made after the due date for the filing of the estate tax return (including any extension thereof), the deduction shal be allowed upon the filing of a timely claim for credit or refund (as provided for in section 651) of an overpayment resulting from the application of this paragraph. In the case of a credit or refund as a result of an amendment or conformation made pursuant to this paragraph, no interest shall be allowed for the period prior to the expiration of the 180th day after the date on which the claim for credit or refund is filed.".

(b) The amendment made by this section shall apply in the case of decedents dying after December 31, 1969.

Mr. HANSEN. Mr. President, this amendment deals with the extension of time to allow charitable remainder trusts to conform to the requirements provided in the Tax Reform Act for purposes of an estate tax deduction.

As a result of the 1969 act, charitable remainder trusts must meet certain requirements in order for an estate tax deduction to be allowed for the transfer of remainder interest to charity. In general, these requirements must be met in the case of a decedent dying after December 31, 1969. Present transitional rules have been provided to allow a trust created after July 31, 1969, to qualify if the governing instrument of the trust is amended to meet these new requirements by December 31, 1972. However, because of the complexity of these rules, many nonconforming charitable remainder trusts are unable to meet this deadline. Accordingly, the committee amendment extends these transitional rules to December 31, 1974.

I think it is also worth noting that it took the Treasury Department 30 months to provide a publication providing sample trust provisions which were to help the public and the tax bar in drafting these new instruments so that they will comply with the act. If the public does not know what is expected of it, how can it comply with these laws?

The adoption of this amendment will help all charitable organizations. It is a proposed transitional rule which does not create an opportunity for tax avoidance. It applies only where the decedent created a vested remainder in the charity and the sole purpose is to permit, pursuant to State law, rather technical adjustments in the disposition of the income interest, and the protection and preservation of the remainder.

Mr. President, I can well understand the concern of Senators on the floor to adopting last minute amendments. I wish to say for the benefit of Senators here that this amendment was discussed by the Committee on Finance. It has the endorsement of the Treasury. It was agreed to and ordered reported by the Committee on Finance. It goes beyond that. This amendment would provide the opportunity for a great many people who may be so inclined to leave money to hospitals, to crippled children's hospitals, burn institutes, and that sort of institution.

In the last week we have been talking

about appropriating money in order to establish medical schools in the United States. This amendment would not necessarily do that, but it would expand the opportunities that institutions already in existence have to help little children, to help people who have been badly burned, and other people in that category.

I hope very much that my distinguished and respected colleague from Wisconsin will look with favor on the amendment.

Mr. PROXMIRE. Mr. President, the Joint Economic Committee made a study of subsidies of the Federal Government. We have $63 billion of subsidies at the present time. Of that amount, $38 billion is what we call tax expenditures, as the Senator knows. Some of these are merited and some are not.

I think the Senator made an excellent case for this proposal. This would cost $10 million?

Mr. HANSEN. Over a 3-year period of time.

Mr. PROXMIRE. Over a 3-year period of time. In this case there were no hearings and there was no report. It is true it was approved by the Committee on Finance, but under the circumstances it seems to me it would be ill-advised for us to proceed with this amendment, involving this much money. Sometimes the tax expenditure route is good; the purpose is excellent. All of us would like to see medical facilities established.

However, this proposal cries out for hearings and for a record so we know, just as if we were appropriating $10 million over a period of time. It would seem under those circumstances we should have hearings on the record.

We are here considering $10 million in taxes without the regular course of legislation being observed.

While this may be all right, I hope the Senator will withdraw the amendment under the circumstances, because otherwise I will have to do my best to stop it.

Mr. HANSEN. Mr. President, let me say to my distinguished colleague that this amendment, as I understand it, really would not create any additional medical schools. I want to make certain no one is under that illusion, but I would say the end objective of this amendment is to recognize the failure of the Treasury Department for 30 months' time to take the necessary steps that I feel were indicated so that taxpayers and those so inclined could make bequests of this kind, such as to hospitals. It is unfortunate that the Treasury would not follow through and take steps and publish instructions so that taxpayers might be informed. That has not been done and it is because of those very compelling reasons I felt it necessary to present the amendment.

Mr. PROXMIRE. This would be retroactive for 30 months or 3 years?

Mr. HANSEN. No, for that period of time the Treasury has been derelict in not informing taxpayers.

Mr. PROXMIRE. For that reason it would save taxpayers part of the funds that otherwise would be obligated?

Mr. HANSEN. No. I think what would result is that money would go to the Treasury now that was intended to go to hospitals and charitable institutions. I stress the word "crippled children's hospital." It is up to each of us to indicate his own decision. It would represent a Treasury loss of $10 million over 3 years. My guess is that far more than that would go to hospitals and other institutions that would be the recipients of this kind of money, if my amendment could be approved.

Mr. PROXMIRE. That is what I had in mind when I said this might have an excellent effect, but as I understand it, the Treasury still has until December 31 to make its regulations available.

Mr. HANSEN. I did not mean that by law the Treasury had given any specific length of time. I think with the passage of the Income Tax Act of 1969 it was incumbent on the Treasury to spell out what steps might be taken by the taxpayers. That was not done. It seems unfortunate we would lose—that the public and the Nation would lose the help that otherwise would be going to institutions that have been so much the benefactors of all of us, because of the dereliction on the part of the Treasury in failing to come forward with a proper proposal.

I did not mean to imply that by a certain date the Treasury was obligated to come up with something, but it would mean that facilities for child treatment in this country, burn institutes, and institutes that give health care that could have been made possible will not go into effect because of the effect of the tax law of 1969. I just wanted to be sure my colleague understands that.

Mr. PROXMIRE. I understand that. I greatly respect the Senator from Wyoming. I understand the sincerity in which he offers the proposal.

I think I explained my objection.

Mr. HANSEN. I withdraw my amendment.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "An Act to amend section 3306 of the Internal Revenue Code of 1954, and for other purposes."

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossment of the Senate amendments to H.R. 7577, and the bill to be printed as it passed the Senate, with Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. MATHIAS. I am happy to yield.

Mr. MANSFIELD. I yield first to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I move that the Senate insist on its amendments and ask for a conference with the House on the disagreeing votes thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Long, Mr. Anderson, Mr. Talmalge, Mr. Bennett, and Mr. Curtis conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I want to commend the distinguished Senator from Connecticut (Mr. Ribicoff), the distinguished Senator from Indiana (Mr. Hartke), and the distinguished Senator from Louisiana (Mr. Long) for their management of this most complex and late-blooming bill. I also want to thank the distinguished Senator from Utah (Mr. Bennett) and the distinguished Senator from Arizona (Mr. Fannin) for their part in managing this bill and finally bringing it to fruition. I also want to extend my congratulations to the distinguished Senator from Wisconsin (Mr. Proxmire), who has proven himself to be a vigilant guardian at the gate.

This is a very complex bill. I hope any of the future tax measures that come before the Senate will come in sufficient time for adequate consideration so we will not be faced with the consideration of them at the last minute when we are rushing pell-mell to adjournment sine die. I think the Senate has given sufficient consideration to this measure. I am certain in my own mind that every amendment offered on the Senate floor was offered in good faith and had substance and merit behind it. I would hope that those which have been defeated will be considered by the committee and will be reported to the Senate; the amendments offered by the Senator from Wyoming and the Senator from Arizona both deserve consideration. As I listened to the debate, I thought they had a good deal of merit. If they had come to a vote, I would have voted for them, because I thought from the explanations offered that they were good amendments.

A CONGRESS OF FRUSTRATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed, at an appropriate place in the Record, an editorial entitled "A Congress of Frustration," which was published in the Baltimore Sun of October 15, 1972.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Congress of Frustration

The 92d Congress is approaching adjournment, fittingly, in a general air of frustration. Even though denouncing Congress is an American institution in itself, no doubt as old as the Constitution which created our national legislature, the performance of the 92d Congress has to be disappointing, and alarming, to those who put their faith in representative democracy and in the separation of powers within the federal government.

A visitor in Washington makes the tour of Capitol Hill—the grand old Capitol, speaking so confidently of the earlier America that designed and built it; the sprawling cluster of big and, let us say, less impressive office buildings for the senators and representa-

> tives—and senses a massive power. But the impression of power is misleading. Senators and representatives are men and women of power on Capitol Hill, within their own circles of self-esteem, but their power radiates a shorter and shorter distance from their own hill. Within the vast reaches of the executive branch of the government, the President, the department heads and the bureaucrats who run the countless agencies within the departments represent the real power and authority. Their power increases, moreover, as the power of Congress, speaking relatively, diminishes.
>
> Is this an institutional failure—a decline in Washington of the authority of a legislative or parliamentary body such as has often occurred in other nations? Is Congress obsolete or obsolescent in the kind of executive government which has spread across the country during the past four decades? Or is this Congress ineffective because by accident, its leadership is weak—weak, that is, in comparison with some of the men in years past who exercised national leadership from positions in Congress?
>
> An answer is not clear. We would like to think that a more vigorous leadership at the Capitol could revitalize Congress and persuade its members to accept their responsibilities as the direct representatives of the people, and as the first branch in our three-branch government. It is hard, however, to get much comfort from the record of the Congress now ending. Its concluding agony over the question of delegating to the President its control over federal spending—a delegation of power that would have been shouted down in an instant in earlier Congresses—points up the frustration that, more than anything else, has characterized the past year at the Capitol.

PERSONNEL RECORDS, DISTRICT OF COLUMBIA POLICE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 11773.

The PRESIDING OFFICER laid before the Senate H.R. 11773, to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection, on which the House insisted on its disagreement to the amendments of the Senate.

Mr. MANSFIELD. Mr. President, I move that the Senate recede from the Senate amendments to H.R. 11773.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

ORDER FOR ADJOURNMENT TO 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I want to express my deepest thanks to the Senator who is now about to take the floor (Mr. MATHIAS), who has shown the greatest patience today, and who has done so uncomplainingly, and who has waited so other Senators could dispose of other pieces of legislation. He has my sincere appreciation.

Mr. MATHIAS. I thank the majority leader for his kind remarks.

EXPENDITURE LIMIT

Mr. MATHIAS. Mr. President, I do not intend to detain the Senate long. I have complete regard for the members of the staff, who are spending very long hours here at this time of the session, but what I have to say is something that is pertinent to the Senate staff. They have an interest in what I have to say, so I am looking out for their interests as well as the interests of the country.

Last Friday, the Senate rendered its judgment on the proposal to allow the Executive to reduce expenditures to an aggregate amount of $250 billion by cutting individual appropriations at his discretion. That judgment was, in short, that we bear our share of the blame for the fix we are in, and that we must shoulder our own responsibilities in finding a remedy. There is no way in which we could pass the buck to the Executive or anyone else without also confessing our own impotence. Such a confession would be a degree below abdication of all authority.

There is a big difference between admitting that we have failed to cut the mustard and an admission that we can't cut the mustard anymore. Once we have admitted our failure, we can at least attempt to make a stronger and better effort. But if we simply collapse under the strain, then it is unlikely that we shall ever make sufficient effort to recover the vigor and the perseverance that has characterized the Congress in the past. I helped to reach the Senate's conclusion and I concur in the judgment.

Yet the crisis is real. A $23 billion deficit in a recession was concerning, but a prospective $35 billion deficit in a rising economy is alarming. The decision of the Senate was not, therefore, predicated on the proposition that there was no cause for alarm, but rather that the remedy prescribed was even worse than the malady.

Since the conferees have met and reported on this question, and since the Senate and the other body will have to reconsider its position after studying the conference committee reports, I thought that it might be helpful to review the situation before us.

The question is not whether we should be fiscally responsible or not, for no one in this Chamber advocates fiscal irresponsibility. Nor is the question whether there should be a limit to Federal spending, for all of us recognize the need for tighter controls on the Federal budget. Nor is the question whether $7 or $10 or even $20 billion can be safely cut from the programs we have appropriated, for each of us believes that he or she could make those cuts and improve our way of life in the process.

The question, rather, is who should have the power to decide what programs should be cut and by what amount. The bill sent to us by the House provided that the Executive, acting alone, could cut any programs by any amount necessary to reduce Federal expenditures to $250 billion. This would be an unprecedented and unlimited delegation of Federal power.

The Executive could make crippling reductions in all funds for the administration of the U.S. Supreme Court and the other Federal courts. He could slash all funds for the operation of the so-called independent regulatory agencies—the FTC, FCC, ICC, CAB, FMC, and SEC.

The President could hold back funds for development of missiles, bombers, and submarines so vital to our national defense. He could starve diplomatic missions around the world. He could strangle programs to provide funds for schoolchildren, to provide health care for the elderly, to clean our air and waters, to aid the FBI and police forces throughout our land. He could take any number of other unwise actions.

Now, coming to the legislative staff, under the conferees' agreement to make budget item 904 discretionary, the Executive could close the Capitol, and then, I ask, where are the checks and balances that have been the guarantee of our liberty? What is then left of the doctrine of separation of powers?

I have the highest confidence in the wisdom and capabilities of President Nixon, but each of us must realize that most of the spending decisions would be made—not by the President—but by some nameless, faceless bureaucrat not answerable to the people of America. Perhaps these decisions would be made wisely—I hope so—but we have no way of knowing. And we would be setting a very dangerous precedent for the future.

I contend that our duty to the people and the Constitution demands that we make these fundamental decisions ourselves. The Constitution gives Congress the power of the purse, the power to raise revenues and to direct how those revenues are to be spent. The power of the purse—as the Senator from Oregon (Mr. PACKWOOD) pointed out on Friday was the great victory won by the barons at Runnymede and guaranteed in the Magna Carta in the year 1215.

Thousands of Englishmen have given their lives and fortunes to protect that fundamental principle in the centuries that have followed. Millions of people in other countries have died trying to gain a similar check on their rulers. Our Founding Fathers considered this power so vital that they spelled out in the Constitution that only the House of Representatives could initiate revenue legislation. The purpose of that provision was made clear by Hamilton and Madison—the Representatives are more accessible to and more responsible to, the people of the United States—and the power to make these critical decisions should be shared by a large number of elected officials close to the general populace.

To have accepted the House provisions would have been to have treated too lightly the lessons 750 years of experience of people trying to govern themselves. In the name of fiscal responsibility, we would surrender responsibility for all vital public programs. In the name of helping the people, we would delegate the power to help to persons unanswerable to the people.

In the final analysis, each of us must admit that we have been derelict in our duties, that we have neglected our responsibility to reform programs to meet the challenges of the modern Federal budget. But we should not now take the easy way out—by not only passing the buck, but also passing the power of the purse—with no commitment to reform our procedures in the future beyond a new committee to study the problem.

I can not support such action. If cuts be necessary—and I think they are—let us make them ourselves. If time be required, let us take it. If wisdom and responsibility be demanded, let us rise to the occasion and find it in ourselves. Only thereby shall we meet our full obligations to the people and the Nation we serve.

Mr. PROXMIRE. Mr. President, I rise under the circumstance that I had intended to speak on the same issue on which the Senator from Maryland has spoken, and I find myself in complete, total, absolute disagreement with him. I feel very uneasy about that, because I admire the Senator so much and I know how strongly the Senator feels about it.

But, Mr. President, this has been an experience I have had repeatedly in the last couple of days. I have found myself in disagreement with many Senators whom I like and admire the most, and I find myself in agreement on many things with Senators with whom I ordinarily tend to disagree. I find myself in disagreement with able Senators such as my friend the Senator from Minnesota (Mr. HUMPHREY) and others of both parties who oppose this measure on the grounds that it is giving the President unprecedented powers that go back to the time of the Magna Carta. They say that this is a surrender of legislative authority to the President.

Skilled editorial writers of the New York Times, the Washington Post, and other outstanding newspapers take the same position. They write as if this were a great historical watershed in the loss of congressional power to the Executive.

Mr. President, I have great respect for these Senators and these leading newspapers, but I am convinced that they could not be more wrong. What, in fact, does Congress give away by providing this $250 billion ceiling, with the President instructed to make broad spending cuts to achieve it? The answer is, "nothing."

We lose nothing. Even if we did not have the Jordan amendment, we would be giving nothing away.

And what do we gain? We gain something. We gain a restriction in the President's spending authority.

Then why is the President for it? Why does he want this authority restricted?

Why? The answer is simple. This is October 16. The President is up for election on November 7—3 weeks from tomorrow. By calling for this ceiling, he makes himself appear to be an economy-minded President—the taxpayers' friend. And by opposing this ceiling, the Democratic Senators are playing right into the President's hands. The Democrats appear to be for spending, and therefore for higher taxes or inflation, or both.

President Nixon has set an artful political trap, and if we delay or kill or somehow make a spectacular reaction or a presidential and congressional campaign issue out of this, perhaps in the closing weeks of the campaign the principal issue, the President will be the big political winner.

Of course, all of this comes down to whether this spending ceiling does or does not limit Presidential and not congressional power.

THE SPENDING CEILING LIMITS THE PRESIDENT'S POWERS

To put it another way, the major argument against Congress setting a $250 billion ceiling on spending is that the Congress is granting to the President power which rightly belongs to the legislative branch.

In my view that is not true. In fact, most of the argument is purely a partisan political one on the part of the President. The President now has the authority to establish a spending ceiling of $250 billion or $245 or probably one anywhere from $220 to $280 billion. He can do that by a memo to his Budget Director. He can do that by word of mouth, by merely telling Mr. Weinberger to put such a ceiling on spending.

Because the President controls spending, or outlays, and can spend very much more than $250 billion if he so desires, what we in fact are doing is limiting his power by placing a ceiling on the total amounts he might otherwise spend. We are not giving him power he does not already have and power which he cannot already exercise. By placing a ceiling on spending, we are limiting his power.

DIFFERENCE BETWEEN APPROPRIATIONS AND OUTLAYS

Very few people, including many in Congress, understand what Congress has power over and what the President has power over with respect to the budget.

Congress has power to appropriate and to grant what is called "new obligational authority." The President has power over expenditures of "outlays." The two are only remotely connected.

What we appropriate and what the President spends in any 1 year are very different things. But few people know that.

When Congress appropriates money for military procurement, construction of public works, funds for housing and urban renewal, or foreign aid, those funds may not be spent for several years into the future. Within certain limitations, the President controls the rate or timing of that spending. Congress does not.

For example, as of January 1972, I calculated that in fiscal years 1968 to 1972 Congress cut the President's requests for the Pentagon by $18.4 billion. He asked for a total of $378.8 billion. We appropriated $360.5 billion, or a cut of $18.4 billion.

But in that period the Pentagon actually spent some $382.1 billion. The Pentagon spent $3.3 billion more than the President requested. And $21.6 billion more than Congress appropriated in those years.

But that rate of spending by the Pentagon was determined by the President and the Budget Bureau and the Pentagon, but not by Congress in the years involved.

HUGE UNEXPENDED BALANCES

The reason the President controls spending is that he has huge unexpended balances to draw from. At the end of fiscal year 1972, the total unexpended balances amounted to $266.7 billion.

At the end of fiscal year 1973, it is estimated that the amount will be $289.8 billion.

The fiscal year 1973 total amount of $289.8 billion includes $155 billion in Federal funds and $134 billion in trust funds.

Looked at another way, the $289.8 billion includes $182 billion in obligated balances and $108 billion in unobligated balances. All of this is set forth on page 98 and table G–1 in the special analysis of the fiscal year 1973 budget.

When Congress appropriates, the funds go to the President. But he determines at what rate they will be spent. He can speed up, slow down, or draw out the funds.

And that is not only true of the President, it is true of a Governor or a mayor, and it has always been.

Mr. MATHIAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MATHIAS. I think, from what the Senator has said, that we are in fundamental disagreement on the substance of the issue, and therefore it is not necessary to argue the details, although the Senator's political argument on this subject does not ring very true to me, because I hope the President will be reelected. I am supporting him.

Mr. PROXMIRE. I know the Senator is. I think all Senators should be concerned about this issue, and perhaps the President is. Whether he is or not, it is working out to his great political advantage. The reasons are that he wants this ceiling, and Congres does not want to give it to him.

Mr. MATHIAS. That is all the more reason why the Senate should look at this very carefully, and see what we are dealing with here. The Senator is familiar with article III, section 1 of the Constitution, which reflects the Founding Fathers' judgment and deep perception of human nature. It says that the salaries of judges shall not be diminished during their term of office. It does not say the President's or Congress shall not be, but nobody shall diminish the salaries of the judges during their term of office, because one of the ways to reduce the independence of judges is by threatening to remove their financial security. That has been a problem over the years.

Here we are, in this conference report, specifically including as one of the items over which we give the President discretion item 904. Item 904 is the legislative branch of the Government.

We are saying to the President, "All right, now, Mr. President, you can cut the salaries of the Parliamentarian, of the Secretary of the Senate, of the pages. You can turn off the heat in the Capitol, if you like. You can do all those things, and you can do them with our blessing."

Remember what W. C. Fields said: "Never give a sucker an even break."

I think we are just ignoring some of the sagest advice the American people ever received.

Mr. PROXMIRE. I say to the Senator from Maryland, with respect to the extent to which the President can do these things under the resolution, that he could do them, anyway. He obviously cannot reduce the salary of a judge; that is unconstitutional. There is nothing in the resolution we passed to enable him to do that.

Mr. MATHIAS. But he can close the Supreme Court building. They can have a fine time in the park out here.

Mr. PROXMIRE. He can do that, anyway.

Mr. MATHIAS. I question whether he can do it. I do not think he could, because that is not my theory.

Mr. PROXMIRE. It may well be that that would be a violation of the Constitution. But to the extent that he can, there is nothing in this limitation on spending that gives him any more power.

Mr. MATHIAS. Let me make this final observation, because the hour is late. I do not think he has the power, but whether he does or does not, there is going to be no act of mine which condones it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Mr. President, I am in complete, total, and absolute agreement with what the distinguished Senator from Maryland has said.

I have grave questions about the first part of the distinguished Senator from Wisconsin's remarks. So far as he has gone on the second part, I find myself in agreement with him.

But I would point out that the fundamental power of Congress—and the Founding Fathers thought long and hard about this—was to give Congress the right to tax and the right to appropriate. What we are endeavoring to do is not to set a ceiling, which I think is relatively unimportant—it is far less significant than the constitutional question—but what we are trying to do is to give the President power which has been ours since the beginning of this Republic, and which goes back far beyond, as the distinguished Senator has said, to Runnymede and the Magna Carta—taxation and appropriation.

Yes, this is a historic watershed. I do not think it is a political trap on the part of the President, but I could be wrong. But, political trap or not, when the Senate faces up to this program, it is, in my opinion, going to decide whether or not it is going to maintain as much equality as it has left—it has been going away ever since the Roosevelt's period—or whether it is going to maintain the constitutional precept of equality between the legislative and the executive branches.

What we did in this Chamber last Friday or Saturday in adopting the Jordan proposal and in voting for the debt ceiling bill was to give to the President power which no President has any right to arrogate or even to request. I did not vote for that, either. I do not intend to vote for the conference report, because I think it is a namby-pamby, mish-mash of a compromise; I know our conferees sought to bring some order out of a most difficult situation but the result is not satisfactory.

So I find myself in disagreement with the distinguished Senator from Wisconsin, for whom I have the greatest admiration. No one here knows more about taxation than he does, and no one watches the Federal budget more closely. But in this instance I find that, despite my lack of knowledge of things financial and economic and otherwise, the simple question to me, boils down to the constitutionality of what the President is requesting; and this is something which previous Congresses before my time would not even have allowed to get to first base.

But here we pass bills in the Senate and the House, we arrive at a compromise, and the constitutional question is shunted aside. What we are doing is giving up our power to a President, as we have done so often during the past 40 or 50 years. When we do that, may I say to my colleagues in this Chamber, we are giving away the constitutional power which was accorded to us by the men who wrote that document. They knew what they were doing 200 years ago. I wonder whether we know what we are doing 200 years later.

Mr. PROXMIRE. Mr. President, the majority leader, as he knows, has my complete admiration and respect. Not only that, but also, he knows far more than I do in many of these areas. He has been in Congress longer. He has studied these questions at great length; he has served in the Appropriations Committee longer. Therefore, I approach this matter with the greatest care and with the complete knowledge that there are very distinguished and able men who disagree very strongly and deeply with this position. But I do not hear any counter to the argument that the President can slow down, can speed up, can decide that a program will not go ahead.

What sticks in my mind, especially, is the fact that in 1962, President Kennedy and Secretary McNamara opposed having an additional wing of B-52 bombers; and they recommended that we save a very substantial amount of money, several billion dollars, by not having them. That proposal was overruled by Congress. I recall that the Appropriations Committee recommended that we go ahead with it.

I took the Kennedy proposal, the McNamara proposal, and I introduced an amendment supporting the President and knocking out these funds. I got four votes for it on the floor. The Senate decided, by an 87-to-4 vote, overwhelmingly, that those funds should be spent. Were they spent? No. Did we hear any more about it? No.

President Kennedy used his good judgment, and said it should not be spent, and it was not spent. Because it was President Kennedy, in retrospect, many people think he was wise and saved us money; and now many people would say that was a good move.

That seems to me to be no more unconstitutional, no more in error, than it would be for Richard Nixon to decide not to spend money on some program all of us would like to have. We would like to have some of the welfare or educational programs go ahead. It seems to me that if he wants to slow down or postpone or not spend money on a program, we have a record that he can do so.

Mr. MATHIAS. The Senator could not have picked a happier example, it seems to me, than that particular episode, which I recall very well.

I was aware, of course, of the Senator's very valued efforts for economy in the Senate. I was then a Member of the other body, however; and my primary focus was over there. Carl Vinson, the great chairman of the House Armed Services Committee, was a very strong advocate for going ahead with the plane. It was not in fact abandoned as a project, and the congressional heat did not come off so far as the other body was concerned until Carl Vinson and President Kennedy took a walk in the rose garden. I recall it very well.

Mr. PROXMIRE. I am talking about the B-52, an additional wing of the B-52. I am not talking about the B-70 bomber.

Mr. MANSFIELD. The Senator is correct. I was thinking of the B-70. But I think it applies as an example.

Mr. PROXMIRE. But in this case, Congress passed the appropriation by an overwhelming vote and was very anxious to have the funds spent. They were not spent, not because Congress did not want it or pass it, but because President Kennedy decided they should not go ahead.

With only minor exceptions, that determination is up to the President. To the extent it is controlled, the President controls it; Congress does not.

Therefore, in placing a limit or ceiling on spending, Congress is limiting the President's power. Without it, he could spend billions more than the ceiling.

Some Senators may still be dubious. If they are, let them look at some of the specifics.

The Pentagon alone will have more than $40 billion in unexpended balances at the end of this year.

In other areas, there will be $28 billion in guarantee and insurance programs; $8.2 billion in loan programs; $8 billion in procurement funds, $14 billion in construction funds; $565 million in research and development programs, and another $2.3 billion in "other balances." This is a grand total of $62.8 billion in Federal unobligated fund balances at the end of fiscal year 1973.

And there is another $92 billion in obligated balances and $134 billion in trust funds balances, both obligated and unobligated, which will still remain available at the end of the year.

This vast backlog of funds is the reason the President controls spending and the reason why what Congress appropriates and what is spent are two very different things.

The details can be found in tables G-2, G-3, and G-4 of the Special Analyses of the U.S. Budget for 1973.

FURTHER PROOF

There is further proof that what Congress appropriates and what the President spends are virtually unrelated. That is to be found on page 497 of the budget document itself. What does it show?

When the President proposed his $246.3 billion budget last January, only $126.8 billion was the "portion available through current action by Congress." Get that—only $126 billion of $250 billion—about only half of the amount that relates to the appropriations we made on the floor of the Senate.

The remaining $119 billion included $52.9 billion from obligated balances, $45.4 billion from unobligated balances, and $45 billion which was available without current action by the Congress. The total was offset by $23.8 billion in deductions for offsetting receipts.

The fact is that only $126 billion, or slightly more than half of this year's spending, will come from current actions by the Congress, or from what Congress appropriates.

Like the flowers that bloom in the spring, Congress has very little to do with actual spending or the rate of spending or budget outlays. That power resides with the President.

WHAT CAN PRESIDENT DO WITHOUT SPENDING CEILING?

The question comes: What power does the spending ceiling give the President that he does not already have?

Could the President limit spending to $250 billion without the ceiling? Answer? Absolutely "yes." He could cut it even below that amount, merely through a memo or a word to Mr. Weinberger.

Could the President withhold or impound funds? Answer? Yes; he could do it as he has done it in the past. In fact, the ceiling as passed, limits the President to impounding or not spending only 20 percent of funds in a number of categories where he might otherwise impound 50 or 100 percent of the funds.

Our ceiling limits the total amount he can spend. Our ceiling now limits how much he can impound in certain crucial categories. This is an awfully important point—it limits the impoundment. Without the ceiling, the President could spend more and impound more than is now possible.

LIMITING HIS POWERS

Our action in placing a ceiling on spending limits the President's powers to spend. It limits what he can impound. Far from granting him more power, it restricts his powers.

He controls the rate of spending. We limit that.

He controls the rate at which unobligated balances are used. Our actions limit that.

He controls the rate at which obligated balances are spent. We limit that.

He has the power to impound funds. He has used it. The ceiling limits that power in some major categories to 20 percent of the total funds.

For all these reasons, the spending ceiling does not give up congressional power to the executive. It limits and controls and defines more closely powers he already has.

Mr. President, I ask unanimous consent that the following table may be printed in the Record;

They include: First, a memorandum from page 474 the fiscal year 1973 budget; and second, four tables from the special analyses of the budget showing the unexpended balances for fiscal year 1973, from pages 98, 99, 104, and 105.

There being no objection, the tables were ordered to be printed in the Record, as follows:

TABLE 3.—BUDGET AUTHORITY AND OUTLAYS BY AGENCY

[In millions of dollars]

Department or other unit	Budget authority 1971 actual	Budget authority 1972 estimate	Budget authority 1973 estimate	Outlays 1971 actual	Outlays 1972 estimate	Outlays 1973 estimate
MEMORANDUM						
Portion available through current action by Congress[1]	169,444	169,418	185,305	102,335	119,038	126,780
Portion available without current action by Congress	85,255	100,763	109,508	36,921	42,536	45,086
Outlays from obligated balances				48,500	49,670	52,877
Outlays from unobligated balances				41,962	45,775	45,428
Deductions for offsetting receipts:						
Intrabudgetary transactions	−13,420	−14,981	−15,142	−14,420	−14,981	−15,142
Proprietary receipts from the public	−4,874	−5,424	−8,772	−4,874	−5,424	−8,772
Total	236,406	249,777	270,898	211,425	236,610	246,257

[1] Budget authority excludes appropriations to liquidate contract authorizations. Outlays from such appropriations are included as outlays from balances below.

Source: Fiscal year 1973 Budget, p. 497.

TABLE G-1.—SUMMARY OF BALANCES

[In millions of dollars]

Description	Balances end of year 1971 actual	1972 estimate	1973 estimate
Federal funds:			
Unobligated balances	71,963	64,313	62,844
Obligated balances	72,280	78,480	92,372
Total Federal fund unexpended balances	144,244	142,793	155,216
Trust funds:			
Unobligated balances	102,880	108,371	118,938
Obligated balances	13,798	15,539	15,674
Total trust fund unexpended balances	116,678	123,902	134,612

Description	Balances end of year 1971 actual	1972 estimate	1973 estimate
Total Federal and trust funds:			
Unobligated balances	174,843	172,684	181,782
Obligated balances	86,078	94,010	108,046
Total unexpended balances	260,922	266,695	289,828

Source: Special Analyses of the Budget, p. 98.

TABLE G-2.—ANALYSIS OF FEDERAL FUND UNOBLIGATED BALANCES

[In millions of dollars]

Category and agency	Unobligated balances end of year 1971 actual	1972 estimate	1973 estimate
Guarantee and insurance programs:			
Standby and backup authority:			
International financial institutions	7,114	7,397	7,814
Federal Home Loan Bank Board:			
Investment in Federal home loan banks	4,000	4,000	4,000
Federal Savings and Loan Insurance Corporation	750	750	750
Interest adjustment payments			50
Federal Deposit Insurance Corporation	3,000	3,000	3,000
Department of Housing and Urban Development:			
Loans to Federal National Mortgage Association	2,250	2,250	2,250
Low-rent public housing	972	894	863
Flood and civil disorder insurance	560	572	570
Urban renewal loans and planning advances	257	20	26
Federal Housing Administration fund	156		
Securities and Exchange Commission:			
Securities Investor Protection Corporation fund	1,000	1,000	1,000
Veterans' Administration: Loan guaranty fund	524	556	471
Farm Credit Administration: Banks for cooperatives investment fund, and short-term credit investment fund	260	260	260

TABLE G-2.—ANALYSIS OF FEDERAL FUND UNOBLIGATED BALANCES—Continued

[In millions of dollars]

Category and agency	Unobligated balances end of year: 1971 actual	1972 estimate	1973 estimate
National Credit Union Administration: Credit union share insurance fund	106	113	124
Total standby and backup authority	20,958	20,812	21,177
Reserves for losses and debt redemption:			
Federal Home Loan Bank Board: Federal Savings and Loan Insurance Corporation	2,615	2,831	3,051
Department of Housing and Urban Development:			
Federal Housing Administration fund	1,314	1,454	1,631
Participation sales fund	678	393	571
Department of Agriculture: Rural housing, Federal crop, and agricultural credit insurance funds	146	417	646
Veterans' Administration: Veterans insurance funds	470	527	588
International development assistance:			
Overseas Private Investment Corporation	204	238	323
Housing guaranty fund	49	49	48
Other agencies	42	38	39
Total reserves for losses and debt redemption	5,519	5,948	6,897
Total guarantee and insurance programs	26,477	26,760	28,074
Loan programs:			
Department of Housing and Urban Development:			
Government National Mortgage Association: Special assistance functions	3,767	4,632	4,605
College housing loans	1,320	955	925
Public facilities loans	225	187	149
Housing for the elderly or handicapped	64	76	93
Rehabilitation loans	4	53	14
Veterans' Administration: Direct loan revolving fund	680	848	925
Department of Agriculture: Farmers home, rural electrification and telephone loans	377	433	550
Department of Labor: Advances to the unemployment trust fund	347	349	351
International development assistance: Development loans	463	330	330
Small Business Administration	418	194	151
Export-Import Bank	1,458		
Other agencies	253	358	322
Total loan programs	9,375	8,409	8,424

Source: Special Analyses of the Budget, p. 99.

TABLE G-3.—FEDERAL FUND OBLIGATED BALANCES

[In millions of dollars]

Description	Obligated balances end of year: 1971 actual	1972 estimate	1973 estimate
Department of Defense—Military:			
Procurement	14,920	16,121	18,760
Research and development	3,390	3,795	4,370
Operation and maintenance	2,388	2,591	2,704
Construction and family housing	1,086	1,328	2,081
Military personnel	550	709	823
Other [1]	679	586	809
Total Department of Defense—Military	23,013	25,130	29,547
Civilian agencies:			
Funds Appropriated to the President:			
International development assistance	3,865	4,224	4,922
International security assistance	2,199	2,100	2,484
Appalachian regional development programs	479	566	576
Office of Economic Opportunity	923	569	492
Other	608	674	199
Department of Agriculture:			
Commodity Credit Corporation	3,069	3,772	4,032
Rural Electrification Administration	1,064	1,149	1,166
Farmers Home Administration	779	719	935
Agricultural Stabilization and Conservation Service	241	277	221
Other	601	601	646
Department of Commerce (mostly economic development and maritime programs)	1,185	1,390	1,558
Department of Defense—Civil	318	371	510
Department of Health, Education, and Welfare:			
Office of Education (mainly grants to colleges, universities, local school districts, and other educational institutions)	2,677	3,735	4,497
Social and Rehabilitation Service (mainly grants to States)	3,431	2,928	4,275
National Institutes of Health	1,670	2,121	2,324
Health Service and Mental Health Administration (mostly community mental health and hospital construction)	1,457	1,740	1,981
Office of Child Development	8	183	213
Other	63	186	425
Department of the Interior	816	1,011	1,137
Department of Justice (mostly Law Enforcement Assistance Administration)	491	920	1,205
Department of Labor (manpower development and training)	1,138	1,722	1,995
Atomic Energy Commission (mostly research and development)	1,008	1,404	1,565
Environmental Protection Agency (mostly construction grants)	1,631	2,850	3,838
Department of Transportation (mostly urban mass transportation, highways and Coast Guard)	1,082	1,173	2,022
Department of Housing and Urban Development:			
Community Development (mainly urban renewal fund)	5,735	7,616	8,038
Housing Production and Mortgage Credit:			
Federal Housing Administration	2,366	1,307	1,243
Housing Management	274	326	428
Other	138	201	225
National Aeronautics and Space Administration (mostly research and development)	1,483	1,723	1,923
Postal Service	913	1,519	2,595
Veterans Administration	964	982	1,069
Export-Import Bank	3,848		
Other civilian agencies [2]	2,763	3,282	4,085
Total civilian agencies	49,257	53,350	62,825
Total Federal fund obligated balances	72,280	78,480	92,372

[1] Includes obligated balances of allowances for civilian and military pay raises of the Department of Defense (1972, $30,000,000: 1973, $135,000,000).

[2] Includes obligated balances of allowances for pay raises, excluding DOD (1972, $10,000,000; 1973, $35,000,000; and contingencies 1972, $200,000,000; 1973, $400,000,000).

Source: Special Analyses of the Budget, p. 104.

TABLE G-4.—TRUST FUND BALANCES

[In millions of dollars]

Description	Balances end of year: 1971 actual: Unobligated	1971 actual: Obligated	1972 estimate: Unobligated	1972 estimate: Obligated	1973 estimate: Unobligated	1973 estimate: Obligated
Federal old-age and survivors insurance trust fund	31,502	2,843	32,035	3,214	32,341	3,395
Federal disability insurance trust fund	6,073	337	6,657	389	6,879	407
Federal hospital insurance trust fund	3,044	59	4,460	81	9,095	94
Federal supplementary medical insurance trust fund	245	45	461	45	717	50
Unemployment trust fund	11,282	23	9,528	49	9,145	69
Railroad retirement account	4,694	157	4,637	168	4,739	171
Civil service retirement and disability fund	24,755	279	27,575	300	30,617	344
Federal employees health benefits fund	108	48	135	57	181	69
Federal employees life insurance fund	1	975	1	1,133	1	1,304
Highway trust funds	6,210	7,496	6,962	7,834	8,336	7,364
Airport and airway trust fund	829	480	564	941	284	965
National service life insurance fund	6,051	372	6,043	385	6,305	404
U.S. Government life insurance fund	740	21	694	21	668	22
Foreign military sales trust fund	2,345	320	3,225	520	3,825	620
Federal Deposit Insurance Corporation funds	4,351	322	4,748	348	5,173	356
Other trust funds	650	41	646	45	632	40
Total trust funds	102,880	13,798	108,371	15,530	118,938	15,674

Source: Special Analyses of the Budget, p. 105.

Mr. PROXMIRE. Mr. President, I realize that this is the kind of speech which many Senators will find so sharply in disagreement with their feelings that they will simply disregard it, but I hope they will think about it and reflect on it and recognize that while we do have power to appropriate, we have appropriated over many years and we have given the President over the years a backlog of funds which he can spend which greatly exceed the amount we appropriated this year. Therefore, I would hope that Senators would reconsider their position. That is not done very often, especially under these circumstances, but I would hope that they would hope that they would look long and hard at exactly what authority we do give the President. I may be wrong about this but I do not believe that I am. I have discussed this in great detail with our staff people, with economists, and other experts in this area, and I have no question that we do provide restrictions here and I would hope that Senators would consider that this is the spirit and the effort we are trying to impose.

The distinguished majority leader has pointed out over the years that the Congress has restricted Presidents—not just President Nixon, but President Johnson, President Kennedy, President Eisenhower, and President Truman. In every case, Congress has appropriated less money. It seems to me that this particular resolution which has been passed is in the spirit of that which we have established. I do not think that we should feel that we are giving anything away. We are limiting the opportunity the President has to spend. We appropriate the money that the Congress has approved. We are below the President. We should make that clear.

If we were to ask the commentators and the newspaper reporters who follow this matter, they would say that Congress is spending more than the President, but the record shows quite the contrary. I hope that this resolution, certainly if it passes, will be viewed by the country and Members of Congress as one that does not surrender power to the President or limit him, but is a sincere effort to hold down spending.

Mr. MANSFIELD. Mr. President, may I say that, as always, I have found the remarks of the Senator most interesting. He has given me a lot of food for thought, although I must admit that we are on different sides, so far as the fundamental, the basic, the constitutional question is concerned.

In this respect, in this instance, I happen to be a strict constructionist. If I love anything more than my wife and family, it is the Congress, the institution which is the embodiment of and by the traditions which it has created the foundation on which this Republic rests.

In my opinion, it is not a court, it is not the presidency, it is the Congress which is the most important factor in the well-being, the welfare, and the strength of this Republic. As long as this institution stands, I think there is hope for this Nation.

The Senator has mentioned that we have restricted the President over the past several years. We have. Presidents Kennedy, Johnson, Eisenhower, Truman, and Nixon—yes—by and large, their budgets have been cut every year at least for the past 20 years. Mr. Nixon's budget will be cut at least $5 billion before we are through, hopefully, this week. So there have been restrictions there.

But, by the same token, we have imposed restrictions on ourselves by delegating powers, which are constitutionally ours, to the President. We have done it regardless of what particular party any President belonged to.

The States have given up their sovereignty at the same time, in return for what I refer to as "handouts"—Federal funds to take care of their highways, their social services, and other factors; which indicate that the Central Government here in Washington is becoming more and more powerful and the States are becoming less and less powerful, and weaker with the passage of time.

There is too much centralized government in this country. There is too much coming to Washington. There is too much emphasis on the Federal Government. There is not enough emphasis on the State governments and State sovereignties. That is most unfortunate, because with the accumulation of power at a central point, certain difficulties arise. On this basis, we find conflict between the executive and the legislative branch and, unfortunately, we find that we are losing out, we who represent the legislative branch.

What we have done, we have done willingly. What we have done, we have done without any coercion whatsoever. Because of that, we have no one to blame but ourselves. We have given away a lot of power in the field of foreign policy. We have tried to get back a little bit here and a little bit there, but once we give something away, it is like going into Vietnam or Indochina.

It is easy to give. It is easy to go in. But it is hard to take back, and it is hard to withdraw. This to me is a fundamental question, I would say the most fundamental constitutional question which has confronted me in my 30 years in the Congress.

I feel very deeply about this, because I do not want to see any more domestic or foreign policy power given to a President of the United States, and I emphasize, any President.

I want to see Congress bring about a restoration of the powers which it has given away.

I would hope—respecting as I do the very distinguished Senator's judgment and the reasons which lie behind what he said this evening—that Congress will stand firm and not give up any of its rights, not even to the extent that the Jordan amendment in the nature of a substitute embodied the other day, and certainly not on the basis which has been agreed to in conference, which has further emasculated what the Senate did when it passed the bill last Friday or Saturday.

I did not vote for the Jordan amendment. I thought it went too far. I did not vote for the bill which the Senate passed. I do not intend to vote for the conference report, because I think considering the debt ceiling is one thing, but giving to the President power is another thing, and the two should not be entwined together, but rather separated.

There is a need for an increase in the debt ceiling. There is no need for transferring constitutional powers, which inherently belong to the Congress, to the President of the United States. What the President does with respect to withholding from expenditure money appropriated by the Congress for specific programs is one issue still not fully resolved under the Constitution; but in any case the Congress should not by its own act resolve this issue in favor of the President by sanctioning—by mandating—that questionable process.

Mr. PROXMIRE. Mr. President, I thank the Senator from Montana. My speech tonight was not intended to cover the entire issue of delegation of power. The Senator is absolutely right. We have given up too much power, when we consider the Gulf of Tonkin joint resolution and all the other matters. We certainly gave away far more power in the case of the wage and price controls. We gave unprecedented authority to the President, and with virtually no guidelines or restrictions of any kind.

I think it is a bad piece of legislation to give away one of the most important domestic powers to the President, without the kind of restrictions we should have in this area. But in the spending area, there is no question that the President can speed up or slow down and time his outlays as he wishes. He always has done so, and he will continue to do so.

What this resolution does is to delegate this authority and the ability to the President. The fascinating thing to me is that it limits the kind of spending he can make and it puts a limit on the impoundment. This resolution limits it to 20 percent.

Once again I want to say that it really pains this Senator to disagree with the distinguished majority leader. It is only on rare occasions that I do. It certainly troubles me that I do so now. However, I must say that I disagree with him vigorously.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I appreciate the remarks of the Senator and I can understand the point of view of the distinguished Senator from Wisconsin, although I cannot agree with it because of my basic fundamental belief in the division of powers between the legislative and the executive branch, and also because of my deep feeling that the powers of Congress have been eroded too much over the past four or five decades.

I will read the Senator's speech with a great deal of interest, because aside from the basic question, there is much that he has said which is going to give me something to think about. As always, I find the Senator from Wisconsin most interesting. His facts are reliable and compact.

There is, of course, a time when even the best of friends differ, but in differing we find that that is what strengthens friendship as well.

The PRESIDING OFFICER. Who yields time?

TRIBUTES TO SENATOR JORDAN OF NORTH CAROLINA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Record be help open until November 1, 1972, for tributes by his colleagues to Senator B. Everett Jordan of North Carolina and that all the tributes to the Senator be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, tomorrow, the Senate will take up the conference reports on H.R. 1 and the debt limitation. The House will have to act on both of these conference reports first, however. Consequently, the Senate may be in very late tomorrow night in order to dispose of these two conference reports before sine die adjournment.

If the Senate were not to dispose of these two conference reports tomorrow, we would have to try to do so on Wednesday. Hence, it is necessary that Senators be present and be prepared for a very long day tomorrow, which could conceivably extend beyond midnight, depending on how the situation develops.

ADJOURNMENT TO 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and at 6:15 p.m., the Senate adjourned until tomorrow, Tuesday, October 17, 1972, at 11 a.m.

EXTENSIONS OF REMARKS

JUDGE BINKOWSKI SPEAKS ON TRAFFIC SAFETY

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. NEDZI. Mr. Speaker, newspaper stories and television coverage of matters relating to traffic safety tend, regardless of their accuracy, to have a sameness which numbs and shortens the attention span of the average citizen.

A recent article in the September 1972 issue of The Peace Officer, however, is of special merit because of its scope and probing insights.

The author is District Judge Don Binkowski, of Warren, Mich., who draws upon his wide experience with traffic safety as assistant attorney general sitting on the Michigan Drivers License Appeal Board, as examiner for the Michigan Department of State, as practicing attorney, and now as a local judge.

Under leave to extend my remarks in the Record, the article follows:

Judge Speaks Out On Traffic Safety

(By Judge Don Binkowski)

Of all the groups involved in traffic law enforcement, the Police, by far, are doing the best job.

In most cases, the Police are making arrests and bringing the offenders to court. It is evident that Police officers are receiving more training than ever before. This must be continued.

HEAVY LOSSES

Over 50,000 people die in traffic accidents each year and more than four million others suffer injuries. In addition traffic mishaps cause billions of dollars in property loss each year.

It demands total community effort to reduce these grim statistics. I don't feel that we must wait until we kill over 100,000 people a year on the highways before we take concerted drastic efforts.

Action is called for not only by the Police, but by the judges, prosecuting attorneys at the various levels of government, mayors and city councils, and the various traffic safety associations.

TRAINING BENEFITS JUDGES

I make many of my recommendations based upon attending traffic court school at Northwestern University under the auspices of the American Bar Association and especially under the dedicated directorship of James P. Economos. However, I do not consider myself "expert".

Every traffic court referee or judge dealing with traffic should attend a course of this type. Thus far, it is optional and very often up to the unit of government involved to allow such expenses. Judges must be trained the same as other professionals must.

MUST CONTROL DRINKERS

In the area of drinking-related offenses, responsible for roughly half the deaths and injuries, I feel that judges cannot continue the old policy of "fining and forgetting" the drinking driver.

With respect to the restoration of driving privileges after suspension due to bad records, it would appear that no group has evaluated the large percentage of restorations and then made suggestions or criticisms. A judge is a public official and his actions are always subject to public scrutiny.

MUST PROSECUTE OFFENDERS

However, the judge or the traffic court referee cannot act as prosecutor. It sometimes appears that prosecuting attorneys are more interested in property cases, such as breaking and entering and larceny, than in traffic-related offenses such as manslaughter or negligent homicide.

EMPHASIS ON LIVES

This old tradition must be broken. Human lives are more important than property. The prosecuting attorneys must regard any death by automobile as serious as death by any other cause. Often, there appears to be an attitude of "there, but for the grace of God, go I".

In at least one county I know of, it appears to be the policy that in the first arrest for driving while under the influence of liquor, it is automatically reduced to driving while visibly impaired. This attitude and policy is wrong—and should be severely criticized.

An extremely important aspect bearing upon the attitudes among prosecuting attorneys is that many are not protected by civil service status.

NEED CAREER PROSECUTORS

In too many instances the prosecuting attorney is engaging in a part-time occupation and is not dedicated to traffic law enforcement, and thus sometimes subject to certain special interest pressures.

If we are to have an effective and integral law enforcement program, then we need career prosecuting attorneys as well as career judges, free to act in the public interest.

Prosecuting attorneys should be trained in traffic matters, perhaps at universities, and in cooperation with the American Bar Association Court Program.

LAW SCHOOL CAN HELP

To my knowledge, law schools do not devote much, if any, attention to the matter of traffic safety and law enforcement.

It stands to reason that if traffic safety is important enough that we have Police officers lecture to kindergarten classes, it would apply with greater logic that traffic matters deserve the serious attention of law students and future attorneys. Unfortunately, most attorneys feel that it is below their professional dignity to appear in traffic court.

LAWYERS MUST CHANGE

Far worse than this attitude is the prevailing attitude, especially in charges of driving while under the influence of liquor, that an attorney must "do something" to earn his fee.

When a client is charged with first degree murder, no attorney ever feels under obligation to "do something". The only thing he generally does tell his client is that he will do the best possible job.

However, in the case of drinking/driving matters, it is the prevailing attitude that the attorney must secure a reduction or he is not earning his fee.

This is not correct professionally or as a practical matter, but it does reflect the condescending attitude of the members of the Bar toward traffic matters.

POLICE IN COURTROOM

Police might also sharpen their court-room appearances. My suggestion is that they listen to the records that are made in open court in other cases, so that they know how to testify and learn what questions will be asked of them under cross examination.

The biggest deficiency appears to be on the part of the breathalyzer operators. They often are not sufficiently trained to testify in court and relate what ".10" means to the average individual.

Further, I am at a loss to determine why some Police officials who have TV equipment for use in drinking-related offenses use it in court, while others do not.

PROSECUTORS IN COURT

It would also seem a good practice that a prosecuting attorney appear at every traffic case. It must be recognized, however, that in many cases this may not be economically possible. Yet it is inexcusable that a prosecuting attorney cannot appear at the more serious traffic violations such as D.U.I.L., reckless driving, leaving the scene of an accident or driving on a suspended license.

PUBLIC SUPPORT NEEDED

It seems that because the people have not been clamoring for traffic law enforcement of such a degree and at all levels, responsible public officials have not provided sufficient funds. Monies are required to staff prosecuting attorney's offices and related expenditures.

It must be noted that we cannot rely upon the public to demand this type of action. It would appear to me that forces such as the local traffic safety associations must demand that all necessary funds be expended in this direction.

To date, I have not seen this done in any city in our country.

TRAFFIC GROUP HELP

Local traffic safety associations can and must help to represent the people of a community. Individual citizens are at a loss to express themselves or are unable to gain publicity for their point of view.

Most traffic safety associations are dependent for their existence on funds solicited mainly from the automobile companies and local concerns.

To what extent this dependence inhibits their critical potential, I do not know. It goes without saying that if the director of the local traffic safety association were indeed independent he could speak more freely—especially to criticize any agency or official who is not measuring up to the standards of thorough traffic law enforcement.

MEDIA CAN HELP

The news media can also help. Throughout the state the sentences of the more serious traffic violations are printed in local newspapers. I believe this is helpful in discouraging potential offenders as well as letting the public know about the performance of particular judges.

To me this is extremely healthy and should be done more. Weekly newspapers do a tremendous job on this. Major dailies, however, consistently refuse to place traffic accidents on the front page. I am confident that with the intelligence and resourcefulness of newspapers, they could be doing more in this particular area. The same generalization applies to radio and TV.

UTILIZE PROFESSIONALS

Finally, it is my understanding that we have true professional traffic safety people at the University of Michigan, Michigan State University and Wayne State. I do not know the results of their research, or that such results have been made known to the various agencies involved in traffic law enforcement, but it would seem to me that greater use could be made of these excellent resources right in our very own state.

This appears to be a problem in coordination and communication. The improvement of both cannot help but improve matters.

Enforcement of traffic laws is everyone's concern.

MEET RALPH NADER'S MOST OUTSPOKEN CRITIC

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. BOB WILSON. Mr. Speaker, I include the following:

[From Business Week, July 24, 1971]

MEET RALPH NADER'S MOST OUTSPOKEN CRITIC

Four years ago, when Ralph Nader addressed students at George Washington University, a dark, youthful-looking law professor named Henry G. Manne sat silently by, decidedly unimpressed by Nader's high-energy charges. Manne still disagrees with Nader's notions of reform—but these days he is far from quiet. Now professor of law in the University of Rochester's political science department, Manne, 43, has emerged as the business critics' critic, regularly blasting Nader and the corporate responsibility movement that has sprung up around him.

Bright, outspoken, and ambitious, Manne was one of the earliest opponents of the Nader-launched Campaign GM and recently likened one of its proxy proposals to "fascism." When various church groups started pressuring General Motors, Gulf Oil, and others to withdraw from South Africa, Manne was quick to defend the companies. And it was Manne whom GM Chairman James Roche quoted in his much-publicized speech last March accusing the business critics of undermining the free-enterprise system.

A frequent speaker to business groups and a regular contributor to *Barron's* Manne (pronounced Manny) displays a Nader-like flair for polemics. "It is high time," he told the Public Relations Seminar last May, "that we stop treating corporate activists as simply nice young idealists, and start realizing that they are irresponsible gadflies who deserve to be publicly chastised for their willingness to inflict severe injury on other members of society just to satisfy their hostilities."

A month later, speaking to the New York State Bankers' Assn., Manne seconded Milton Friedman's thesis that the business of business is to maximize profit. "The notion of social responsibility for corporations is fundamentally at odds with the concept of shareholders' financial interest."

Like Adam Smith 200 years before him, Manne holds that society is best served when individuals pursue their financial self-interest. "Nothing in the current spate of corporate criticism," he told the bankers, "comes close to making a case for abandoning financial success as the prime standard of social performance in a free system."

Offstage, Manne is a consultant to GM and two other large corporations, advising them how to deal with the social issues raised by activists. He suggests tactics ("listen to what the critics say, then point out the economic disadvantages") and drafts position papers (many of Manne's ideas turned up in the Roche speech). Faulting Nader and company for economic ignorance, Manne urges executives to stress the value of a free-market economy and explain the dangers in changing it. "I stand in awe of what the free market can do," Manne says with the reverence of a man saluting the flag.

Manne chides Nader for not assessing the costs of his ideas, especially on low-income people. He believes that Nader is fundamentally wrong in likening the corporation to an omnipotent political state that needs to be held more accountable to its "constituents." To Manne, the corporation is an economic unit, effectively constrained by a competitive marketplace and by management's fear of a takeover if it fails to satisfy shareholders.

Though Nader argues that effective competition is lacking, Manne maintains that the economy is still as competitive as it was in 1900. Moreover, he says, any interference with the market usually ends up hurting the people it is designed to help. Thus, in Manne's view, minimum wage laws cause black unempolyment, consumer legislation raises prices, urban rent controls create housing shortages, and import quotas accelerate inflation. His solution: Remove virtually all regualtion and let a free-wheeling fully competitive marketplace provide for the commonweal. "It's not business that needs the dead hand of regulation lifted from it," he says. "It's the public."

ARCH CONSERVATIVE

Such an ingrained *laissez-faire* faith stems also from Manne's libertarian credo that government interference stifles individual freedom. He opposes auto safety rules, for instance, on the ground that Washington has no right to force costly safety features on motorists who do not want them. "I don't want the government taking care of me or using my money to take care of someone else," he says. "If people want safety, they'll create a market for it."

At Rochester, where he specializes in corporate theory, Manne's views have gained him a reputation as an arch conservative—though he himself prefers a libertarian label. Ironically, Manne's wife, now awaiting their second child, once worked for Albert Gore, the former liberal senator from Tennessee, and one of Manne's faculty friends is Eugene Genovese, a left-wing historian. "He calls me names, I call him names," laughs Manne. Manne is also close to Chancellor W. Allen Wallis, which fuels talk that Manne will become dean of the University's much-rumored new law school.

In the Nader camp, Mannie's ideas are as welcome as *Playboy* magazine at a women's lib rally. A frequent sparring partner is Donald Schwartz, an old friend who teaches law at Georgetown and is an adviser to Campaign GM. "Henry's version of capitalism tends to ignore reality," says Schwartz. "He tries to fit everything to the Procrustean bed of his Tory dogma." Adds Philip Moore, head of Campaign GM: "Manne refuses to see the free market validity of what we do."

From Nader, naturally enough, comes the sharpest rebuttal of all: "Mr. Manne uses free market talk as a coverup for a system that's precisely the opposite. If he thinks the market is so effective, why isn't he a crusader for breaking up the monopolies and oligopolies that dominate the economy?" Answering his own question, Nader adds: "He measures competition by the decibel level of the hee-haws coming from Madison Avenue."

OPPOSITES

As their disparate views suggest, Manne and Nader are a study in opposites. Where Nader is pragmatic, with a feel for the *realpolitic* of Washington, Manne likes academia, turning out articles for law reviews and *The Journal of Political Economy*. Where Nader is an ascetic, Manne collects contemporary art and antique bottles, enjoys wine and cigars, and drives a yellow Chevrolet convertible. And if Nader has an overly sinister view of big business, Manne often voices a doctrinaire faith in the workings of an unfettered market economy.

The two lawyers, nevertheless, share some ideas. Both want to increase competition and both distrust federal regulations. Both favor class action suits for product liability cases, and both recognize pollution as an "externality" unaffected by market forces. "Pollution is an exception," Manne says. "Controlling it does require federal standards."

But the differences remain profound. To make regulation work better, Nader seeks more legislation, tougher sanctions on businessmen guilty of abuse, and a band of public-interest lawyers to counteract industry lobbying. Manne, by contrast, would dismantle nearly all federal agencies. "Even utilities should compete, he says."

MAIN ARENA

Nowhere do the two combatants slug it out more bitterly than in the arena of corporate responsibility. To Manne, companies pursuing profits are, by definition, meeting their responsibility to society. Spending on nonprofit activities, he says, is a tax on shareholders. Besides, he asks, how should a company make a decision if not by profit consideration?" "A few years ago the cry was education, then urban affairs, today environment,"he says. "What's next? Who's to decide? Ralph Nader?"

Manne believes that executives can undertake any activity as long as it satisfies a legitimate business need. Thus, training disadvantaged blacks is valid if it fills a labor shortage or "prevents mobs from knocking out windows." Otherwise, business has no obligation to provide special aid for blacks. "The most significant causes of the race problem," Manne asserts, "are minimum wage laws and unions that exclude blacks." Eliminate those restrictions, he says, and blacks will benefit. Nothing more should be done, either by business or government.

If Manne has offered this advice to his corporate clients, it apparently goes unheeded. GM, for one, underwrites minority hiring, job training, and other programs for the disadvantaged. Other business leaders also seem to have veered from Manne's classic position. Just this month the Committee for Economic Development, a middle-of-the-road group of executives, endorsed business efforts to alleviate social ills. Adopting the doctrine of "enlightened self-interest," CED reasoned that since business has a stake in the welfare of society, it could justify social programs. But Manne regards corporate responsibility as a "tempest in a tea pot." Says he: "As soon as any company spends enough [on social activities] to lower its stock price, someone will take it over and run it differently."

YOUNG REBEL

Manne's controversial views of Corporate America were shaped early. Born in New Orleans and raised in Memphis, where his father owned a small clothing store, Manne earned a bachelor's degree in economics from Vanderbilt and a law degree from the University of Chicago.

In 1962, while teaching law at St. Louis University, he wrote a scholarly attack against *The Modern Corporation and Private Property*, the landmark book written by A. A. Berle and Gardiner Means in 1932. Faulting the authors for "erroneous assumptions about substantial monopoly," Manne claimed that the nature of property and the existence of the corporation could still be analyzed in traditional economic terms. In a barbed reply, Berle dismissed Manne as "endeavoring to describe late 20th-Century processes . . . in terms of 19th-Century economic folklore."

Then in 1966, the year he received a rare doctorate in law from Yale, Manne shocked the business world with a book praising insider trading on Wall Street as a sure way to encourage innovation and reward successful entrepreneurs. Indeed, he wrote, "Allowing insiders to trade freely may be fundamental to the survival of our corporate system." Since then, Manne has fought regulations of off-shore funds and tender offers and opposed full disclosure laws. In challenging the Securities & Exchange Commission, Manne quips: "I was an early Naderite."

CRUSADER

At Rochester, Manne is now applying economic theory to describe political systems and is integrating law and economics into an undergraduate course. This summer he instituted a seminar, partially funded by GM, in which eight economists are teaching economic theory to 19 law professors from nine law schools. The long-range goal: to integrate economics and legal education.

Manne is also launching what he calls a "civil liberties union for business." His aim is to create a cadre of businessmen who will crusade for free enterprise the way the American Civil Liberties Union does for civil rights. Possible activities: lawsuits to prevent regulatory abuse, and campaigns to end restrictive licensing of business. Next fall Manne will take a year's leave to teach at Stanford and write a book that will be "an answer to Berle and John Kenneth Galbraith."

In his spare time, Manne will undoubtedly scour the California countryside for antique medicine bottles. As head of the American Federation of Historic Bottle Clubs, Manne is worried about the number of new bottles being passed off as antiques. And so, with a reluctance befitting the apostle of free enterprise, Manne is seeking a government regulation that would compel bottlers to emboss their wares with the year of manufacture.

TRIBUTE TO HON. JACKSON E. BETTS OF OHIO

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. EVINS of Tennessee. Mr. Speaker, I want to take this means of paying a brief but sincere tribute to my colleague, Jackson E. Betts, the gentleman from Ohio, who is retiring after 22 years of dedicated service in the Congress and to the Nation.

In a recent radio profile, Jackson Betts was lauded as a "constituent Congressman" because of the personal attention he gives to the residents of his beloved district and State—often personally escorting his constituents to Federal departments and agencies for individual attention. Acutely aware of his strategic position in relation to the burgeoning governmental bureaucracy, he has made every effort to chop away at the impersonal redtape which burdens our federal system, Jackson Betts has ever sought to make the Government more responsive to the average citizen and his problems.

Jackson Betts' integrity and devotion to duty are abundantly reflected in his outstanding record of service in the Congress and the positions of trust and responsibility he holds. As a ranking minority member of the vital and important Committee on Ways and Means, Congressman Betts has concentrated on a study of our Nation's tax laws, trade, and taxation. A champion of fiscal responsibility, he has continuously endeavored to achieve solvency in the finances of our Government.

Jackson Betts' entire career is characterized by his faithful public service to his district, State, and Nation. Elected to the Ohio General Assembly for 10 consecutive years, he was chosen to be Speaker of the Ohio House of Representatives before his election to the 82d Congress in November 1950.

It has been my privilege to serve with Congressman Betts, who is one of the most personable, kindly, and generous men that I know. He has served his district, State, and Nation well.

Certainly I want to wish him and his wife, Mrs. Betts, the best of luck, health, and happiness in their richly deserved retirement as they return to their home and friends.

WORLD'S LARGEST COLLECTION—"4,181 PEOPLE, 525 TEAPOTS"

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JONES of Tennessee. Mr. Speaker, there recently appeared in the Mid-South magazine, a Sunday supplement to the Memphis Commercial-Appeal, an article by Irwin Saltz concerning the rare collection of teapots owned by the town of Trenton, Tenn. Trenton is the county seat of my own native Gibson County, and its teapot collection is, as far as I know, unique in its quality and quantity.

I ask that this article be printed at this point in the Record.

4,181 People, 525 Teapots

(By Irwin Saltz)

The city of Trenton, Tenn., population 4,181, has a rare collection of an art form that far surpasses that of even the Metropolitan Museum of Art in New York.

In fact, the collection is the largest of its kind in the world, and was at one time well on the way to becoming the property of the Manhattan museum. But the doctor who spent years amassing it decided instead to give it to the West Tennessee town where he was born and reared. And there it reposes, one of the most unusual municipal assets of any city in the world.

On permanent exhibit in the Trenton Municipal Building is a collection of porcelain veilleuse-theieres, literally "night light-teapots," most of them from 19th Century France.

The veilleuses are so rare and the collecting of them such a specialized art that Trenton has prepared a pamphlet explaining the exhibit. From it, the visitor learns that Trenton—a Gibson County farming community where Davy Crockett once lived—is the unlikely possessor of 525 combination teapots and lamps which once were status symbols for European aristocrats.

The earliest veilleuses were made as food warmers, with a bowl instead of a teapot sitting on a hollow pedestal. Inside the pedestal was a small-boat-shaped or rounded, oil-filled vessel in which a wick was floated.

The porcelain of the veilleuses was tempered to withstand heat for long periods of time, and the objects were used to warm soup or porridge at a bedside.

Later, the teapot replaced the bowl, and the translucent veilleuse-theieres (pronounced vay-EUZ tay-YER) came into use. "They offered the advantage not only of furnishing a warmed medicament that would give comfort to a restless baby, but also afforded a vigil light in the sick room long before electricity was available," writes Dr. Frederick C. Freed, the man who gave the veilleuses to Trenton.

It wasn't until veilleuses had been around about 80 years that they were made more ornate and decorative for the families of distinction.

Dr. Freed, who lived in Trenton until going to college, spent 35 years collecting these veilleuse-theieres from 18 countries.

He had planned to give the collection to the Metropolitan Museum of Art, but in 1955, at the suggestion of his brother, the late Sylvane Freed, who was then president of the Bank of Trenton and Trust Co., he donated the teapots to his home town.

Over a period of about 10 years, Dr. Freed sent the vessels to the city in shipments of about 50 at a time. They were originally kept in the high school, by the entrance to the auditorium, but there were problems of space there.

In addition, relates Mrs. R. H. Harwood, Trenton's city recorder and the resident teapot expert, "More people came in the summer to see the teapots, and you always had to hunt for someone with a key to open the building. And it was always dirty."

In 1961, the city built a new municipal building, and a year later, after Dr. Freed had spent $8,000 for cases for the teapots, they were moved there.

Now there is plenty of room for the collection, and although the regular hours are from 8 a.m. to 5 p.m. daily, Mrs. Harwood says it may be seen "any time of the day or night."

A typewritten note taped to the front door of the building invites visitors to see the teapots and informs them that "if the building is locked, a key may be obtained from the Fire Department (next door) by asking one of the boys on duty."

Mrs. Harwood estimates the value of the teapots at between $500,000 and a million dollars, but adds, "Considering the prices Dr. Freed paid and the distances he went, you couldn't put a value on any of them."

Because of its size, the collection is more valuable than the total worth of the individual pieces, Mrs. Harwood says, pointing out that there are less than 10 veilleuse collections of note in the world.

Dr. Freed first became interested in veilleuses through a French patient, and in 1929, on one of his annual trips to Europe, he purchased his first one.

After awhile, Mrs. Harwood says, "he had antique dealers looking for them for him all over the world."

Almost every leading ceramics factory in Europe made veilleuses during the period from 1750 to 1860. They were manufactured from Vista Alegre in Portugal to Moscow, and there was even a factory turning them out in Philadelphia.

But there is only one piece in the collection that Dr. Freed even bought in the United States, and that came from an antique shop in Tupelo, Miss.

"They didn't know what it was," Mrs. Harwood says, "and they had heard about Dr. Freed's collection, so they sent him a picture and he bought it."

The most valuable pieces in the Freed collection are the "personnages," veilleuses made in the forms of human figures. Personnages are usually divided midway into two parts, with the upper half being the teapot, generally designed so that an upraised arm of the figure is the spout and the other arm is the handle, although sometimes the spout is in the headdress.

There are only 101 known models of these ingeniously disguised teapots, and Dr. Freed was able to find 66 of them. There are also two pieces in the collection that Mrs. Harwood says are from the family of Napoleon.

Dr. Freed, who is 83, has been in ill health since 1967, when he gave up his practice, and hasn't been able to make his twice yearly pilgrimage to Trenton in three years.

But he can take heart in the fact that from 2,000 to 3,000 persons from outside Trenton see the collection each year.

In the past two years alone, there have been visitors from England, Scotland, Italy, Colombia, Canada and the Philippines. They traveled as far to see the teapots as Dr. Freed did to collect them.

TRADE WITH THE SOVIET UNION

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MAILLIARD. Mr. Speaker, the Secretary of Commerce recently delivered a speech in San Francisco on trade with the Soviet Union. I hope this speech will be of interest to my colleagues.

ADDRESS BY PETER G. PETERSON, SECRETARY OF COMMERCE, BEFORE THE CALIFORNIA CHAMBER OF COMMERCE, SAN FRANCISCO, CALIF., TUESDAY, OCTOBER 3, 1972

UNITED STATES-SOVIET TRADE—"WHAT'S IN IT FOR ME"

As I am sure you are all aware, for the past 6 months, the Administration has been involved in almost constant negotiations with the Soviet Union; negotiations which we expect will result soon in agreements which will permit our two countries to resume the normal trading relationship suspended almost 30 years ago.

As Secretary of Commerce, and as head of the U.S. delegation to the U.S.-USSR Commercial Commission, I have in recent months been devoting a substantial portion of my energies to these negotiations.

We are making extremely encouraging progress. Currently teams of U.S. and Soviet officials at the deputy minister level are meeting in Washington to iron out the President's remaining differences on a maritime agreement, the lend lease issue and the matters of credit and trade terms.

Barring something unforseen, I would expect agreement ahead of our original year-end target. This is not to say, however, that we are preoccupied with the calendar. The President's primary objective remains, as it has been from the start, to secure a comprehensive agreement which anticipates and resolves in advance every conceivable problem which might arise from re-opening commercial relations with the Soviet Union. If that takes an extra month, or an extra year, it will have been time well spent.

It would be the quintessence of irresponsibility to succumb to the political temptation glossed over differences which could surface later on as international political problems. To restore normal commercial relationships between the two greatest economic powers in the world, we need a sturdy and well-engineered bridge. What we don't need is a gangplank.

On a number of occasions, and in various different forums, I have sought to explain what we hope to gain from trade with the Soviets and why it is we think this is an auspicious time to be removing the barriers which have divided us since the end of World War II.

The audience listens politely, but after about 5 or 10 minutes a predictable reaction sets in. Eyes start to glaze and a perceptable ho-hum attitude takes hold.

The problem is, that to the average American, and even to the average American businessman, the prospect of deriving great benefit from opening a market as remote and unfamiliar as the Soviet Union is not compelling. There is intellectual acceptance of the idea, but most often it is accompanied with a sort of "what's in it for me" apathy.

What I would like to talk about today is precisely that: not only what's in it for you, but what's in it for every American.

Let me address myself first to two fears which have been raised on occasion. The first is the apparent fear of some American workers that what's in it for them may turn out to be job losses brought on by a flood of cheap Soviet imports.

Nothing could be less likely. When I was in the Soviet Union in July, I did what any curious businessman would do; I took a walk around several Soviet shops and department stores to see what sort of merchandise was available. Anyone who has seen what I saw could hardly believe that the Soviet Union poses much of a threat to U.S. producers, at least in the consumer goods sector. The goods on sale in Moscow were characterized by non-competitive features and extremely high prices. Because of my background in the photographic supply business I took special note of the cameras I saw for sale. Not only were they large and bulky but they sported features characteristic of cameras available 10 or more years ago in this country. I can tell you with confidence, that they could not be sold in this country for a fraction of the Moscow asking price.

Far from a flood of imports, I think it more than likely that our problem will be a dearth of Soviet imports. I am not being facetious when I call this a problem, for it is important that they be able to export to the United States to get the foreign exchange which they will need to buy from us.

In trade with the Soviet Union, there will be benefits to the American workingman beyond those which flow to the consumer from the unimpeded operation of the laws of comparative advantage. The products which the United States is most likely to sell to the Soviets—machine tools, machinery and equipment, and grain—have a considerably higher labor content than the raw materials which will constitute the bulk of our imports from them. Thus, in a very real sense, even if our trade with the Soviet Union is in balance, the United States will be importing jobs. Of course, in the early years, when we expect to run a substantial surplus with the Soviets, the favorable job effects for the American workingman will be even greater. Thus, we are not only likely to have a balance-of-trade surplus, but also a balance-of-jobs surplus.

One legitimate fear of U.S. workers is that trade with the Soviet Union could, if solutions were not worked out in advance, cause disruption in domestic markets for certain products.

Commercial relations with a state trading monopoly raise some difficult questions about Administration of our dumping laws for instance. In the Soviet Union, the selling price of a good does not necessarily bear the same relationship to its cost of production as it does in this country. The ability of the state arbitrarily to determine prices renders the "fair value" test meaningless. The same factors complicate administration of our countervailing duty laws, which normally provide domestic industry with a defense against subsidized foreign exports.

It is problems such as this that illustrate what I mean when I talk about the President's insistence on a comprehensive agreement.

The second fear which I hear voiced on occasion, is that in reopening trade relations with the Soviet Union this country is undermining its national security. That fear is also a false one. Strategic industries, and industries engineered by imports will continue to receive the same protections they currently have. Further, we have made it clear to the Soviet Union that we are not prepared to discuss removal of our export curbs on goods which are deemed to have military significance. In short, this nation's security has not been, and will not be, put on the bargaining table.

In fact, in my opinion, one of the greatest gains which will accrue to the average American from reopening trade with the Soviet Union will be the enhancement of his security. Countries which enjoy a mutually profitable commercial relationship have a vested interest in avoiding actions which could jeopardize those benefits. For trading partners, the cost of hostility is measured not only in terms of military expenditures, but also in terms of commercial benefits foregone.

Moreover, these vested interests are personal as well as national. The bureaucrats who preside over the various areas of profitable linkage have a stake in preventing their rupture. This is true in our system. But it is even more true in the Soviet Union where the power and hence the direct responsibility of officialdom is greater. If you are the minister of maritime affairs, or agriculture, or technology or gas, or whatever, and you are answerable for success or failure in meeting an announced goal, you think twice before doing something that would threaten a relationship that is helping you meet that goal.

The worlds of international politics and international commerce are, therefore, intimately linked. Relaxation of political and commercial tension stands in both cause and effect relationships to one another. As political relationships improve, commercial relationships increase. As commercial relationships increase, the incentive to advert political differences is strengthened.

Improved trade relations with the Soviet Union will therefore benefit the average American in 3 ways. It will make him the beneficiary of a balance-of-jobs surplus. It will enhance his security. And, by doing so, it will permit his government to reduce the percentage of the public funds which go to the defense sector and reallocate them to other activities which will improve the quality of his life.

While Soviet consumer goods pose little threat to the American worker, the worker can look forward to benefitting substantially from imports of Soviet raw materials.

As you know, this country faces a severe energy shortage over the next decade. By recent measures, the U.S. demand for energy is growing so rapidly that the resources required to meet demand double every 15 years. Looking at all our current sources of energy combined, our energy consumption in 1970 was about 68 quadrillion BTU's. In 1985, the demand will likely rocket to nearly 125 quadrillion BTU's.

While our industrial capacity is substantially in excess of that of the Soviet Union, their raw material and most notably their energy resources are far greater than ours. It is unfortunate but, I'm afraid, inevitable that the demand for energy and raw materials in this country will rise much faster over the next decade than our current sources of supply. This imbalance can be at least partially offset if we can gain access to these vast Soviet reserves.

The Soviet Union will, if the projects under consideration now are brought to fruition, surpass the Middle East and Venezuela as a source of gas imports. Even if Algeria is included with the Middle East and Venezuela as a gas source, the Soviet Union would be number one . . . but still over the foreseeable future probably no more than 5% to 7% of our needs, geographically disbursed across America, will come from the Soviet Union—in order to minimize chances of over-dependence on the USSR or any other single source outside the U.S.

The costs of energy consumption are perhaps more evenly distributed among the citizens of this country than the cost of any other good or service. They fall on rich and poor alike. Moreover, the average citizen is far less able to curb his consumption of energy than his consumption of other goods. It is therefore mainfestly in the interest of everyone that the rise in energy prices be held to a minimum . . . and, of course, the supply be adequate to our needs.

Access to Soviet sources of energy is an advisable goal for two other reasons. It will decrease U.S. dependence on the increasingly unpredictable OPEC country sources. Furthermore, buying from the Soviet Union through joint venture agreements instead of from OPEC sources will have a relatively favorable balance-of-payments impact since the agreements could stipulate that the Soviet credits be spent in the United States.

In addition to these benefits to the general populace, we can identify several specific segments of the American population which stand to profit particularly from trade with the Soviet Union.

One, which is already obvious, is the farm sector. As is clear from the recent Soviet grain sales, when the Soviets buy, they buy big. Because of Soviet grain purchases, midwestern farmers are now earning record profits from their crops.

Buoyed by these new foreign sales, net farm income in the United States is expected to reach a record $18.4 billion this year, 14 percent higher than last year and more than a billion dollars greater than the previous record set in 1947.

I don't have to tell you that the farmers are not the only beneficiaries of this increased income. That money is being spent in the shops and equipment stores in our rural communities and is breathing new life into many previous moribund towns.

The effects can be traced to related sectors of the economy as well. Tractor sales are up 31 percent from a year ago, and sales of combines and hay balers have risen 15 percent. Move back another link in the chain of transactions and you can see the impact of increased farm profits in other sectoss of the economy. Farmers, who comprise a relatively small percentage of our population, represent a disproportionately large percent of the domestic market for steel, rubber and petroleum; and those industries are also feeling the farmers new prosperity.

Although it would be fair to say that the current level of Soviet demand for wheat is unusually high because of their poor crop, I would expect to see continued sales of feed grains to the Soviet Union in the future as it tries to meet the commitment it has made to increase the meat consumption of its citizens.

One reason I would expect continued exports is the dramatic contrast between the productivity of the Soviet and American agricultural labor forces. In 1971, the average Soviet farmer produced only 1/9 the amount produced by his American counterpart. This was true despite the fact that the Soviet Union has made substantial capital investments in their agricultural sector in recent years.

Another specific sector which we expect to benefit especially from trade with the Soviets is producers of machinery and equipment. When the Soviets buy machinery and equipment, they also buy services such as technical expertise, installation and maintenance. These constitute 100 percent labor intensive exports for the United States.

Machinery and equipment exports to the Soviet Union are expected to increase substantially. U.S. firms have applied for export licenses for equipment valued at well over $1 billion in anticipation of bidding successfully on contracts associated with the huge Kama River Truck Plant construction project. Knowledgeable businessmen estimate the U.S. companies could capture between $250 and $500 million dollars worth of the equipment contracts for this project depending on the availability of export financing.

Currently, electrical and non-electrical machinery accounts for a miniscule $60 million—or 37 percent of our total exports to the Soviet Union in 1971. Total U.S. machinery exports to all countries in 1971 were $11.6 billion. Several large scale joint projects are currently under discussion or negotiation. These include industrial installations for the production of polystyrene, automobile transmissions, fertilizer, metal mining, and, somewhat in the future, natural gas extraction and transmission.

In summary, we have excellent prospects for our machinery exports to the Soviet Union in the near term. If we successfully negotiate a trade agreement and find ourselves in a position to extend export credit we can export significantly more machinery and equipment.

One of the questions that I frequently am asked, is why, if both sides are so willing and the benefits to both so apparent, have we not long ago reached agreement. The answer is that willingness and recognition of the benefits do not by themselves make a deal.

It would be a relatively simple matter for the President and Mr. Brezhnev to reach general agreement on the principle that normal trade relationships be restored between the United States and the Soviet Union. I suspect we could have such an agreement tomorrow. It might even be politically expedient to do so. But it would only be expedient politically for, as I have said, to do so we would have to ignore a multitude of specifics which must be worked out if the agreement is to have any real and lasting meaning.

Unless these details are worked out as part of the agreement, the initial euphoria which would accompany normalized relations would soon give way to uncertainty, frustration, and possibly worse.

I have already said that in a world in which economics and politics are intimately linked, improved commercial relations can lead to improved political relations. Unfortunately the opposite is also true. Commercial problems, unless foreseen and averted, can lead to political problems.

Accordingly, the President has taken the view that the only appropriate trade agreement with the Soviet Union is a *comprehensive* one which defines the rights of the parties, spells out the governing legal parameters, and generally anticipates the sorts of problems which, if not addressed now, could lead to exacerbating differences a year or two down the road.

Let me give you a few examples of the kind of things which we feel must be resolved in advance.

One is the issue of credit terms. It would be a cruel hoax to tell the American exporter that he is free to make sales to the Soviet Union only to have him find that his notion of appropriate credit terms and the Soviet notion of appropriate credit terms were so widely disparate as to make actual transactions impossible. The Soviet Union has a favorite number when it comes to interest rates and terms. They like 2 percent and 10 years. I like those numbers myself. The only ones I would like better is 1 percent and 20 years.

Considering the philosophical basis of their economic system, it is easy to understand why they don't like to pay much for capital. Moreover, it is true that 2 percent is the rate of interest which Soviet citizens pay on many of their consumer goods. Nevertheless, it is not a rate of interest which would attract any private export financing in this country. Nor is it a rate at which this government can offer credit without discriminating against our allies—and in fact against the U.S. taxpayer.

Export financing will be extremely important if our agreement with the Soviet Union is to be any more than a piece of paper. The ruble is a soft currency, and Soviet reserves of convertible foreign exchange are extremely limited. In addition, our projections indicate that over the near term the United States will enjoy a substantial balance of trade surplus with the Soviet Union. Clearly, if this is the case, the United States, for the foreseeable future, will have to assume responsibility for financing a major portion of its exports.

The credit question is of particular importance as it relates to prospective U.S. imports of Soviet raw materials. Some of the energy deals which we have been discussing would require enormous amounts of credit. I can think of 2 projects alone which together could require capital inputs worth well in excess of $5 billion. To put this in perspective for you, $5 billion is almost ⅓ of the Ex-Im Bank's total current exposure. It is more than one-half of the Ex-Im Bank's current direct loan portfolio. And it is almost 4 times the Ex-Im Bank's largest exposure to any single country.

The credit question is complicated by yet another factor. The Soviet Union remains the only major country which has not repaid its lend-lease debt to the United States.

The President has taken the position that the U.S. will not grant *new* credits to the Soviet Union until those *old* credits have been repaid. The lend-lease question is a highly emotional one for the Soviet Union. They lost more than 20 million people in World War II and they take the position that in doing so they paid in blood what we paid in war materiel. We understand and are sympathetic to their point of view. But there is an important foreign policy principle at stake here. We cannot close the books on their lend-lease debt without discriminating against other lend-lease recipients, many of whom also suffered enormous casualties and all of whom have repaid the credits.

Here, in San Francisco, I need not tell you that there can be little trade without open shipping lanes. We are now in intensive maritime negotiations to try to resolve the remaining few problems. If we succeed, the great port of San Francisco should of course be a major beneficiary.

Another issue which must be settled now if the trade agreement is to have meaning, is the question of business facilities. We frequently get complaints from American businessmen trying to do business in the Soviet Union. They are frustrated, not only by an over-all system which is foreign to them, but by the scant and uncertain physical facilities at their disposal. Inadequate office space, poor telephone service, inability to make contact with customers, and obscure locations are some of the most frequent complaints. Even if all legal barriers are swept aside, it will not mean a great deal to the American businessman if these practical marketing obstacles remain.

One proposal which we have made is to request establishment of some kind of new facilities which will ease the access of American businessmen to Soviet trade offices, telephone facilities, secretarial facilities, display space, and hotel facilities. We are seeking specific ground rules, which will also assure the American businessman of the equivalent of most favored nation treatment for business facilities.

Finally there are a host of legal problems which must be taken care of as part of a comprehensive agreement. The Soviet Union is party to none of the world trade organizations to which we belong. Consequently many of the conventional legal constraints on trade activity are simply not in place. Consider for instance the question of arbitration. We traditionally rely on the international third-party arbitration. The Soviets on the other hand have their own arbitration courts. Some mutually acceptable arrangement will have to be worked out there, or we could easily find ourselves, a year hence, with an unpleasant and potentially politically dangerous dispute on our hands. Similarly, there are differences which must be resolved in the areas of patenting, taxation, licensing and copyrights.

These are by no means all the problems which will have to be resolved before an agreement with the Soviet Union can be signed, but I think they give you some idea of what I mean when I talk about a comprehensive arrangement.

They are necessary steps if we are to safeguard our gains. And it is in the interest of all our citizens that they are safeguarded. For when you take a three-hundred-and-sixty-degree look at the implications of a trade agreement with the Soviet Union, it becomes clear that we are talking about something of more than parochial interest. It is more than a simple business matter. It is a proposition which touches the jobs, the welfare and the security of every American.

THE CORNELL UNIVERSITY HOTEL SCHOOL CELEBRATES ITS 50TH ANNIVERSARY

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. KLUCZYNSKI. Mr. Speaker, I would like to direct the attention of my colleagues to the beginning of the yearlong celebration of the 50th anniversary of the Cornell University School of Hotel Administration. The contribution this institution has made over the years, through its research in the field of nutritious foods and its expertise in the development of modern equipment and techniques used throughout the food industry, is most commendable.

Our country is richer for this school, and the food and lodging industries are beneficiaries of the alumni of this great institution who today are the leaders in the hospitality industry.

For those who are not familiar with the tremendous influence the hospitality industry has on our economy, a cursory review of statistics developed by "Discover America Travel Organization" discloses that $55 billion annually is expended on travel alone within the United States. This comprises about one-half of the total dollar outlay for all leisure time activities, with the average tax receipts per State from out-of-State travelers being $88.4 million, or $1 million in taxes collected every hour Americans travel by automobile.

There are 15 million travelers from abroad expected to visit the United States during 1972, and it is estimated they will spend $3.2 billion.

By the end of 1976, which is the American Revolution Bicentennial year, it is anticipated that Americans traveling in the United States will be spending $83 billion.

There are a lot of meals wrapped up in those figures.

On the occasion of this golden anniversary, I thought it most fitting to present to the Honorable Robert A. Beck, dean of Cornell University School of Hotel Administration, an American flag which was especially flown over the Capitol of the United States, and now flies over Statler Hall at Cornell University to serve as a symbol to students from all over the world that America generously gives to those who may seek it—education, knowledge, training, research, and expertise in the world's largest industry—hospitality.

It was in the year 1922 that the American Hotel Association, under the presidency of Frank A. Dudley, president of the United Hotel Co., was embarking on an extensive education program in an effort to induce interested young men to embrace a future in the hotel industry.

A committee of distinguished hotelmen such as E. M. Statler, president of the Hotel Statler, Inc.; Lucius M. Boomer, president of the Waldorf Astoria; Eugene C. Eppley, president of the Eppley Hotels Co.; Fred A. Muschenheim, president of the Astor; and Martin M. Sweeney of the Commodore Hotel, negotiated with authorities at Cornell University, President Livingston Farrand, Dean A. R. Mann of the College of Agriculture, and Codirectors of Home Economics, the Misses Martha Van Rensselaer and Flora Rose.

The results of these efforts was a contract under which Cornell University agreed to establish a 4-year course—organized within the School of Home Economics, at that time a part of the College of Agriculture—in Hotel Administration leading to the degree of Bachelor of Science. The American Hotel Association agreed to provide support in the amount of $20,000 a year. The contract was to run for 5 years terminable after that time on notice by either party. Instruction was initiated in the fall of 1922. A group of 21 students assembled under the direction of a single instructor, and the program was started.

Progress on the academic side was slow but steady. Some of the original students entered with advanced standing status and the first class of 10 graduated in 1925. By 1927, the end of the contract period, the course was reasonably well established.

Over the years the school has grown to an enrollment of about 600, with a present faculty of 40, and about as many more part-time. About 4,000 have graduated, and the list of positions they hold in hotel, restaurant and related fields is truly impressive.

Organized originally within the framework of the New York State Colleges of Agriculture and Home Economics, the program was established as an independent school in 1954, with its own faculty and dean.

From the beginning the educational standards of the school have been high. As its reputation has increased, the applications have increased in number and have tended to come not only from all over the United States and North America, but from all over the world.

In addition to the academic work, each student is required to spend his free summer vacation period in supervised employment in the field. The supervision is through reports presented by the student, through reports by traveling faculty coordinators who visit the student at his work and interview both the student and his employer, and through reports filed by the employer. Students engaged in their practice work have uniformly rendered a very high standard of service and are therefore currently eagerly sought after by employers.

The alumni of the school have abundantly justified its existence. The current announcement of the school lists over 1,000 graduates who hold positions of important executive responsibility in the field. Each of the outstanding chain hotel organizations today has at least one or more graduates of the school in a position of top level responsibility. Graduates are found in important restaurant organizations, as presidents of large industrial feeders and as heads of outstanding hospitals.

In summary, the Schools of Hotel Administration was established in 1922 at the request of the American Hotel Association. It operates as a self-supporting unit within the university framework and pays its own way out of tuition income.

The distinctive feature of the program are, the very higher order of selectivity in admissions, the close relationship to the field itself of the instruction, the elaborately organized practice arrangement, and the wholesome combination of professional and cultural material in the curriculum.

To think that this great industry could be nourished to such heights by the foresight of a new distinguished hotelmen and two enthusiastic home economists, is inconceivable.

As a restauranteur operating a family style restaurant and catering service on the west side of Chicago for many years, I have witnessed the growth and development of the food service industry to where it has become the largest in the world. My colleagues, who are members of this august body, many of whom are Cornellians, are privileged to join with me in saluting Cornell University Hotel School on its golden anniversary for its accomplishments in the academic world, and the tremendous contribution it has made in the food service industry, and to the Nation's economy over the years. Out daily lives have been greatly enriched through the untiring efforts of this magnificent institution of learning. Happy anniversary to you, the faculty, students, and alumni of the Cornell University School of Hotel Administration on this, your 50th anniversary.

TRIBUTE TO THE HONORABLE EMANUEL CELLER

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. HALPERN. Mr. Speaker, Solomon of old, in his prayer to the God of his fathers, asked for the gift of "a wise and an understanding heart" to discern between good and evil in rendering justice to his people. It is no exaggeration to say that this is the spirit which has motivated and inspired a half-century of distinguished public service by the retiring dean of the New York delegation, the Honorable EMANUEL CELLER. Seldom do we have occasion to pay such tribute to one whose influence on the public policy of this Nation—and therefore of the world—has been so significant.

It has been my privilege to serve with EMANUEL CELLER as colleague and as friend, and to share in the feeling of respect and affection which the Members of this House have for him. His timeless devotion to the best interest of all the people, his unending dedication to service in his House—these remain as hallmarks of a long and extraordinary career.

It is a cliche to observe that an era will end with his retirement from this body, and yet it is no less true. He came to the Congress in 1922, only a few years after the close of the First World War. He served during the momentous, world-shattering and world-transforming decades of the depression, the New Deal, and the Second World War, he has lived to see America the strongest power on earth. Through all this period he was among the architects of governmental policy, helping to shape the destiny of this Nation.

Never one to shun controversy, he was always in the midst of the battle, fighting for the ideals and principles in which he has never ceased to believe—a society in which liberty and justice are truly secured to all. He has laid claims to authorship of no less than 400 laws, including some of the most significant legislation in modern American history—six major civil rights bills, abolition of the national origins formulas in the immigration laws, the Celler-Kefauver antimonopoly act, and the four amendments now part of the Constitution—presidential disability, presidential vote for the District of Columbia, antipoll tax, and the 18-year-old vote.

Some measure of the historic span bridged by his career may be gained by noting that he has served under no less than nine Presidents of the United States—Presidents Harding, Coolidge, Hoover, Franklin D. Roosevelt, Truman, Eisenhower, Kennedy, Johnson, and Nixon. He has served longer in the House than anyone else except representative Carl Vinson, who beat him by a bare 2 months. He has served longer as chairman of the House Judiciary Committee than anyone else. In presiding over the approval of four constitutional amendments, he has set a record surpassed only in the first Congress in 1789 to 1971, which approved the first 10 amendments constituting the Bill of Rights.

Through it all, he has preserved a sharp wit and a salty humor, together with a well-earned reputation for vigorous and impassioned advocacy of his convictions. He has always delighted the rough-and-debate, demonstrating rhetorical verse and parliamentary skill alike.

Back in 1953 he wrote his autobiography, "You Never Leave Brooklyn," whose citizens he has served faithfully and well for 50 years. Since then, nearly 20 years more have elapsed, providing a superb and crowded "postscript" to his earlier work. I am confident that much remains for him to say and do, and that, if his public service in Congress is coming to a close, his life of service to the Nation will continue in other areas. He possesses an innate vitality and energy which may be expected to belie his retirement.

I join with all who know and honor him in wishing him every happiness, the satisfaction of great responsibilities nobly borne and fulfilled, and new ventures in service to the common good. Loyal American, dedicated servant of the people, able leader in the counsels of the Nation, he will be deeply missed and long remembered. As he leaves this place, may he recall, as we do, the words spoken of old to Job:

> Thine age shall be clearer than the noonday; thou shalt shine forth, thou shalt be as the morning. And thou shalt be secure.

Mr. Speaker, my life has been greatly enriched in having had the privilege of serving in the Congress with my beloved friend, "MANNY" CELLER. I have learned much from him—knowledge, wisdom, and inspiration—and as I, too, leave this body and take on new challenges, I take with me these precious and cherished contributions made to my life by this truly great colleague.

THE FUTILITY OF AIRCRAFT HIJACKING

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ICHORD. Mr. Speaker, an extremely interesting and timely article entitled "The Futility of Aircraft Hijacking" appeared in the October 1972 issue of the FBI Law Enforcement Bulletin along with a message from the Acting FBI Director L. Patrick Gray on this subject matter.

The crime of aircraft hijacking has been one of the most serious domestic problems confronting our Nation. Millions of Americans have shaken their heads in wonder at the number of aircraft hijackings that have taken place in recent years, seeking some answer to this seemingly omnipresent plague. It was most encouraging and gratifying to note in the FBI Law Enforcement Bulletin the progress that has been made in combating this vicious crime.

Mr. Gray, in his message, pointed out that well over 90 percent of all aircraft hijackers during the period January 1, 1968, to August 25, 1972, have been identified. It is indeed significant to note Mr. Gray's comment:

> Considering that a few more than 200 persons have been involved in the crime, the statistics prove that hijacking ranks with the most futile of criminal enterprises.

The Acting FBI Director and the dedicated agents of the FBI are to be commended and congratulated for the manner in which they are handling the aircraft hijacking problem.

Because I believe that my colleagues and all Americans would benefit from the opportunity of reading the FBI article pertaining to aircraft hijacking along with Mr. Gray's analysis of this situation, I am inserting them in the RECORD at this point.

MESSAGE FROM THE ACTING DIRECTOR

(By L. Patrick Gray III)

There are few uglier crimes than taking a hostage for criminal gain. When such criminal acts manifest themselves in passenger aircraft hijackings, as they have substantially in recent years, there is an urgent need for a united and redoubled effort to rid the Nation's airways of the predators who would commit these crimes.

Intimidating as many as several hundred innocent men, women, and children at a time is a grave, terroristic act which no society concerned with its ultimate welfare can long tolerate. With an estimated 14,000 scheduled airline flights a day and an average of one-half million daily passengers in the United States alone, the threat of hijacking imperils a huge segment of the traveling public and seriously obstructs one of the Nation's most vital arteries of commerce.

Today's aircraft requires the highest order of skills for its successful operation. To threaten the safety of it and its infinitely more valuable cargo of human life is a crime of monstrous proportions. The desperate individuals who commit these crimes must be dealt with sternly. Punishment should leave no doubt in any potential hijacker's mind that he will be confronted by an outraged society which will demand swift justice.

As with any crime, there is no sure method of preventing aircraft hijacking. Obviously, the most effective countermeasures possible lie in preventing the hijacker from gaining access to the aircraft. Through the cooperation of the airline industry and the Federal Aviation Administration, screening of boarding passengers is increasingly being practiced on major airline routes throughout the country. Intensification of this detection program together with the expanded use of sophisticated equipment to detect weapons carried by passengers on their persons and in their luggage offers much promise as a future deterrent to hijackings.

While hijackings are troublesome to authorities, they have proved to be much more distressing to a great majority of their perpetrators. Well over 90 percent of all hijackers during the period January 1, 1968, to August 25, 1972, have been identified. In all but one hijacking in which money was obtained either the hijacker had been apprehended or his ransom denied him. Five hijackers have been killed in the commission of their crime, six more have been wounded, and three others chose suicide. Considering that a few more than 200 persons have been involved in the crime, the statistics prove that hijacking ranks with the most futile of criminal enterprises.

The tragedy inherent in aircraft hijackings requires that this crime be given the most determined and vigorous law enforcement response. The combined efforts of the FBI, other Federal agencies, the airline industry, local law enforcement, the courts, and the public will resolutely demonstrate the increasing folly of aircraft hijackings.

THE FUTILITY OF AIRCRAFT HIJACKING

Between January 1, 1968, and August 25, 1972, there have been 144 incidents of hijacking or attempted hijacking of American aircraft. The perpetrators have been identified in all but 10 of these cases. Of the 203 individuals who have participated, all but 13 have been identified and prosecutive action taken against them. This includes those being sought as fugitives. Five hijackers have been killed by FBI Agents and six wounded. Passengers have killed one and wounded another. Crewmen have wounded one and three have committed suicide.

In the same period, 29 individuals charged with Air Piracy violations have been convicted in Federal District Court and received sentences averaging in excess of 14 years. One of these individuals received a life sentence.

Since the beginning of this calendar year to August 25, 1972, there have been 32 aircraft-hijacking incidents participated in by 46 individuals. All of these persons have been identified and are either dead, have been prosecuted, are awaiting prosecution, or are being sought as fugitives. In these 32 incidents, four of the hijackers parachuted from the aircraft. All have been identified, and they either have been prosecuted or are awaiting prosecution.

A recent trend in aircraft hijackings has been the appearance of extortionate demands for ransom payments to insure the safety of the victim aircraft, its crew, and passengers. Twenty-five of all hijackings or attempted hijackings of American aircraft involved extortionate demands totaling nearly $112 million. These crimes were perpetrated by 35 individuals. All of these individuals are in custody, having been prosecuted or awaiting prosecution, except for seven who are in Algeria and one not as yet identified. Four of the 35 were wounded by FBI Agents before being apprehended and three were killed. Of the money demanded and received, all has been recovered except for approximately $503,000. The abortive record of nearly all these hijackings for money is evident from the following chart:

Date	Name	Airline	Demand	Results
June 4, 1970	Auther Gates Barkley	Trans World	$100,000,000	Wounded by FBI agent; taken into custody and committed to a State mental institution.
May 28, 1971	James Edwin Bennett, Jr.	Eastern	500,000	Overpowered by airline officials; tried and found not guilty by reason of insanity.
June 12, 1971	Gregory Lamar White	Trans World	75,000	Wounded by FBI agent; taken into custody; awaiting trial.
July 2, 1971	Robert Lee Jackson, Ligia Lucrecia Sanchez Archila	Braniff	100,000	Taken into custody in Buenos Aires, Argentina, and incarcerated.
Nov. 24, 1971	Unknown subject, Dan Cooper	Northwest Orient	200,000	Identity and whereabouts unknown; money not recovered.
Dec. 24, 1971	Everett Leary Holt	Northwest Orient	300,000	Surrendered to FBI agents; charged with aircraft piracy; awaiting trial.
Dec. 26, 1971	Donald Lewis Coleman	American	250,000	Overpowered by crew; charged with aircraft piracy; awaiting sentencing.
Jan. 12, 1972	Billy Eugene Hurst, Jr.	Braniff	1,000,000	Taken into custody by FBI agents; charged with aircraft piracy; awaiting trial.
Jan. 20, 1972	Richard Charles LaPoint	Air West	50,000	Bailed out; taken into custody by FBI agents; sentenced to 4 years' imprisonment; money recovered.
Jan. 26, 1972	Merlyn LaVerne St. George	Mohawk	200,000	Shot and killed by FBI agents.
Jan. 29, 1972	Garrett Brock Trapnell	Trans World	308,600	Shot and wounded by FBI agents; charged with aircraft piracy; awaiting trial
Apr. 7, 1972	Richard Floyd McCoy, Jr.	United	500,000	Bailed out; identified; charged with aircraft piracy; sentenced to 45 years' imprisonment.
Apr. 9, 1972	Stanley Harlon Speck	Pacific Southwest	500,000	Arrested by FBI agents; charged with aircraft piracy; awaiting trial.
Apr. 11, 1972	Major Burton Davenport	Continental	500,000	Taken into custody by FBI agents; charged with Hobbs Act violation; Federal process dismissed by reason of mental condition.
Apr. 17, 1972	William Herbert Greene	Delta	500,000	Taken into custody by FBI agents; charged with aircraft piracy.
May 5, 1972	Frederick William Hahneman	Eastern	303,000	Bailed out over Honduras; taken into custody; charged with aircraft piracy; money not recovered.
June 2, 1972	Willie Roger Holder, Catherine Kerkow	Western	500,000	Arrived Algeria; money returned; both charged with aircraft piracy.
June 2, 1972	Robb Dolin Heady	United	200,000	Bailed out; taken into custody by local authorities; charged with aircraft piracy; pleaded guilty; sentenced to 30 years' imprisonment.
June 23, 1972	Martin Joseph McNally, Walter John Petlikowsky	American	502,500	McNally bailed out; arrested by FBI agents; charged with aircraft piracy; Petlikowsky charged with aiding and abetting.
July 5, 1972	Dimitri Krestiv Alexiev, Michael Dimitrov Azmanoff, Lubomir Peichev.	Pacific Southwest	800,000	Alexiev and Azmanoff killed by FBI agents; Peichev charged with aircraft piracy.
July 6, 1972	Francis M. Goodell	Pacific Southwest	455,000	Taken into custody by FBI agents; charged with aircraft piracy.
July 12, 1972	Michael Stanley Green, Luiseged Tesfa	National	600,000	Taken into custody by FBI agents; charged with aircraft piracy.
July 12, 1972	Melvin Martin Fisher	American	550,000	Taken into custody by FBI agents; charged with aircraft piracy.
July 31, 1972	George Edward Wright, George Brown, Melvin McNair, III; Jean Carol McNair, nee Allen; Joyce Tillerson.	Delta	1,000,000	Subjects in Algeria; money recovered.
Aug. 18, 1972	Frank Marcoe Sibley, Jr.	United	2,000,000	Wounded by FBI agents; charged with aircraft piracy and awaiting trial; money recovered.

TRIBUTE TO THE HONORABLE EMANUEL CELLER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ANDERSON of California. Mr. Speaker, the House of Representatives, which has known Congressman CELLER for 50 years, will not be the same without this giant of a man.

His record of public service traces a path very few can ever hope to achieve. His hand has helped form some of the great legislative achievements in the history of our Nation, and we all are in his debt.

As chairman of the Judiciary Committee for the past 22 years, "MANNY" CELLER has authored three constitutional amendments which eliminated the poll tax, allowed District of Columbia residents the right to vote in Federal elections, and established the machinery to run the Government in case of Presidential disability.

In addition, when one thinks of Congressman CELLER, they automatically recall the Voting Rights Act of 1965, a leading civil rights act.

Mr. Speaker, for the past 4 years, it has been an honor and privilege for me to be able to know and work with Congressman EMANUEL CELLER and I wish him well in the future.

PROTECTION OF AMERICAN CONSUMERS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. LANDGREBE. Mr. Speaker, on October 4, 1972, Congressman ASPIN, of Wisconsin, made statements on the House floor that have serious economic consequences on a drug firm located in my district.

I have sent a letter to the Food and Drug Administration expressing my concern over Congressman ASPIN's irresponsible remarks.

I sincerely hope that our Food and

Drug Administration will take immediate action in this matter.

House of Representatives,
Washington, D.C., October 14, 1972.

Mr. Charles C. Edwards,
Commissioner, Food and Drug Administration, Rockville, Md.

Dear Commissioner Edwards: On October 4, 1972, on the floor of the House of Representatives, Congressman Les Aspin accused nine American business firms of having "obstructed, frustrated and attempted to sabotage" efforts of the Food and Drug Administration to protect the American consumers.

One of these firms, Laser, Inc., is located in my district. This company has been in business for 16 years and has established itself as an honest and reputable firm. In these 16 years of operation Laser, Inc., has always cooperated fully in all its dealings with the FDA, except on one occasion.

The details, to my knowledge, of this occasion are as follows: Laser, Inc., had been marketing a prescription drug for 16 years whose contents and effects were well-known by physicians, a drug which was perfectly legal under the regulatory laws. Many other firms had been marketing either a similar or identical drug for up to 25 years. The FDA took a sample, tested the drug and proclaimed that it was not effective. They asked Laser, Inc., to *voluntarily* recall the drug. Mr. Donald A. Laser, President, refused since he did not agree with the FDA that the drug was ineffective. Furthermore, Laser was perfectly within his legal rights to refuse the voluntary recall.

The FDA apparently realised this and thus made no attempt to force Laser to recall the drug. Instead they charged that the drug was mislabelled and had a U.S. Marshall seize Laser's stock. Mr. Laser completely disagreed with the FDA, maintaining that the drug was properly labelled. Laser, Inc., however, is a small firm and could not afford to take the case to court. They also could not afford to make a New Drug Application which the FDA wanted them to do.

Now consider the situation: A businessman has an honest disagreement with the FDA and stands up for his rights. These actions are perfectly legal. But now, without so much as a hearing, let alone a trial, this man's property is seized and he is accused by a U.S. Congressman from a distant state of attempting to sabotage the FDA.

Whether or not the drug was ineffective, or was mislabelled, is an issue to be decided objectively, by a court of law. This, to my knowledge, has not been done. Instead the issue has been decided subjectively: apparently on nothing more than the word of the FDA, Congressman Aspin accused Laser, Inc., of sabotaging the FDA, implying that Laser, Inc., is somehow against the very people it serves—its customers.

The result is that for refusing to voluntarily cooperate with the FDA on one occasion in 16 years, and on the basis of an honest disagreement while within its full legal rights, Laser, Inc., has been made to appear in the public eye as if it is guilty of a crime. This resulted in irreparable damage to the fine reputation which Laser has developed over a period of 16 years. This in turn can cause the company to suffer great financial loss.

Needless to say, I think a great injustice has been done to this fine company. Our criminal codes of law recognize that the accused is innocent until proven guilty. Should not this same rule apply to the Laser Corporation?

I hope that you concur with my view that Laser, Inc., has been unjustly treated and that you will take immediate action to set the record straight.

Sincerely yours,
Earl F. Landgrebe.

THIS ELECTION'S NO. 1 ISSUE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WYMAN. Mr. Speaker, the other day in San Francisco, President Nixon commented directly on Senator George McGovern's proposed $30 billion cut in defense appropriations. The President said:

> Let me just put it very bluntly this way: We don't want to spend one dollar more on defense than we need, because we need it for domestic purposes. But let us remember that spending more than we need in defense may cost us money but spending less than we need could cost us our lives. Let's put the security of America first.

That a candidate for President of the United States should seek election on the basis of a commitment to make this Nation a second-rate military power is part of what columnist William S. White describes as:

> Surely the most bizarre American presidential campaign in history.

Despite McGovern's other extremist positions on domestic spending requiring billions in new taxes on middle-income taxpayers, to hand out a thousand dollars a year to every individual in the United States, the seriousness of the survival issue implicit in his defense cut proposals is certainly this election's No. 1 issue for the voters.

The article follows:

[From the Washington Post, Oct. 14, 1972]

McGovern's Moralisms

(By William S. White)

In his present pursuit of the presidency George McGovern is one by one slamming, locking and nailing up the doors for the future of that office should it in fact fall into his care.

In his offer of a literally unconditional American surrender in Vietnam—a capitulation actually more sweeping than the enemy himself has ever seriously "demanded"—candidate McGovern has foreclosed any remote possibility that a President McGovern could negotiate at all with the Communists. You can't negotiate in the absence of anything on which to negotiate; and McGovern's total submission in advance has left nothing on the table to talk about.

He would simply walk out of Vietnam, not merely abandoning the South Vietnamese allies but also withdrawing from them after our departure even the military hardware with which to try to conduct their own defense. He would invite the destruction of the South Vietnamese government. He would "expect" in consequence of this betrayal of the commitments of three successive American Presidents that the Communists would be so deeply moved as forthwith to release the American prisoners of war even though the United States had nothing remaining with which to bargain for them.

Already, McGovern had put his foreign policy leadership in pawn by an earlier and more general elaboration of his views.

This speech pledged to the world Communists—whose sensitivity to "moral" considerations is, of course, widely known—that "idealism" and not national power would hereafter be the guarantor of American security.

So in two successive addresses George McGovern has dropped the third act curtain on what is surely the most bizarre American presidential campaign in history. Here is a candidate who increasingly quotes the Bible to his ends and invokes the name of "the Lord God" while promising to the United States that he will defend it with his own superior spirituality.

Having said 48 hours beforehand that President Nixon's conduct in Vietnam was "murderous and barbaric," McGovern then says that he does not wish to put blame on anybody and that this "is not the time for recriminations." If the two statements seem a trifle contradictory it would be fair to amend one of them to say that this is a time for recriminations—but only toward the South Vietnam there is no communist assailants of South Vietnam there is no censure; there are only "peasant guerrillas."

NOW, there is an old tradition that a challenger for the Presidency is entitled to speak and to act with a degree of irresponsibility is denied to the incumbent. The reason, of course, is that the one is only seeking power and the other has already got it—along with the obligations that go with it.

In the case of George McGovern, he has so far crossed the line of tolerance as to leave it out of sight. To go on nationwide television to surrender one's own nation's cause—call it a poor cause if you will—is not exactly the act of statesmanship, even among some erstwhile McGovernites who really cannot sit still for this one. For fun is fun and politics is politics. But after all the harm that is being done here is to something that is neither Republican nor Democratic but rather two little things called the United States of America and the American presidency.

When these institutions are so attacked in any way it is deplorable. When it is done with Bible-pounding, with incessant self-righteousness and even with attempts to put God Himself into a partisan suit, it all becomes intolerable.

No other Presidential contender has ever done this. And it may even be that McGovern's technique of fantasizing a vast and dangerous world of reality into a kind of global Sunday School where there are never any duties but only perpetual peace and plenty will strike a chord. If so we are in terrifying trouble. If so, there will be proof at last that what many of the tube people really think about those good, dear folks out in television land is really true.

SUPPORT FOR THE GOLDEN GATE NATIONAL RECREATION AREA

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MAILLIARD. Mr. Speaker, I would like to bring to the attention of my fellow colleagues the Committee for Humane Legislation's support for the Golden Gate National Recreation Area:

Committee for Humane
Legislation, Inc.,
New York, N.Y., October 10, 1972.

Hon. William S. Mailliard,
Rayburn Building,
Washington, D.C.

Dear Congressman Mailliard: The Committee for Humane Legislation, Inc., strongly supports H.R. 16444, "Legislation to Establish the Golden Gate National Recreation Area." We would like to commend you and Congressman Burton for your sponsorship of this vital and much needed bill.

The National Park System, at the beginning of its second hundred years of existence, must plan for the needs of urban man. In addition to devising ways for city dwellers to reach our great national parks, which are frequently remote from U.S. population centers, new national parks, readily accessible via mass transportation to our cities must be established.

Alice Herrington, Chairman of the Committee for Humane Legislation, Inc., has pointed out that the Golden Gate concept moves substantially in the direction of meeting this requirement. The GGNRA is further justified as a means of preserving urban open space and preserving and protecting port of entry land with important U.S. historical associations.

Dedication of this land, presently in Federal ownership for a national recreation area is unquestionably the highest and best use.

Sincerely,

Milton M. Kaufmann,
Colonel, USAF (Retired), Washington Director, Committee for Humane Legislation, Inc.

PRAISE FOR CHAIRMAN

HON. JOHN H. TERRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. TERRY. Mr. Speaker, on Thursday of this past week, I was deeply touched by the comments made by my colleagues concerning the decision I made not to seek reelection.

During this past week, several retiring Members have received similar comments but the length of their service far exceeds the one term I have been in the House of Representatives.

It did not occur to me that a freshman who was not returning would receive such an honor. But in these past 2 years, there has been very little reference made to freshman status of the 92d Club. I know that feeling is held by all the Members who came to the House with me.

My party's distinguished minority leader, Mr. Ford, and the leadership of the majority have all treated this freshman class with great concern and consideration. To work with Jerry Ford is an opportunity I shall always remember.

I would also like to single out the chairman of the Interior and Insular Affairs Committee, Mr. Aspinall of Colorado, and the chairman of the Committee on Public Works, Mr. Blatnik. Both men, steeped in the experience of many prior legislative sessions, have been beacons of leadership for the freshmen Members of their committees.

Mr. Aspinall, who will not return to the 93d Congress, will always remain a very close personal friend. As a freshman in the minority party, I came to the 92d Congress with the same horror stories about the seniority system that continue to float throughout the country. Wayne Aspinall forever removed any concern of mine about the system through his fairness and generosity in administering the committee. In Mr. Aspinall, the Congress is losing a leader of immeasurable ability.

For many people in public life, the past is their basis for pride. Wayne Aspinall is the rare leader who cannot only view previous accomplishments with the same pride, but also be assured that in the future, the decisions he helped to make will bear fruit for many years to come.

His counterpart in the minority, John Saylor has demonstrated his capacity to work with the majority, the other Republican members on the committee and the many different issues which arise before the Interior Committee. His leadership of the minority is exemplary in every fashion.

The other committee on which it has been my pleasure to serve is Public Works.

It has been John Blatnik's challenge, and the other members of the committee's opportunity, to participate in discussions this year on a problem of major national concern. The proposals contained in the Federal Water Pollution Control Act Amendments of 1972 were the result of the knowledge and skill of John Blatnik and Bill Harsha in keeping the committee's operation continuing. This is an issue which is tremendously complicated. But their combined efforts, leadership and knowledge produced a product of which every Member of this Chamber can be proud.

To my colleagues in the New York delegation, I will always remember your many kindnesses. This has been a truly memorable 2 years and your thoughtful remembrances today are deeply appreciated.

TRIBUTE TO CONGRESSMAN WATKINS M. ABBITT

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. WAGGONNER. Mr. Speaker, I am pleased and honored to have the opportunity to address you and the other Members of this House in a salute to Congressman Watkins M. Abbitt—a man whose record speaks for itself and whose accomplishments and achievements are too numerous to even begin to mention.

His dedication and conscientiousness in the discharge of his duties as a Member of this body has been equaled by few and surpassed by none. During my years here, I had the privilege of serving for a time with Watt Abbitt on the House Administration Committee. While serving in this capacity, I came to know him well. I found him to be a hard worker wholeheartedly interested in the welfare of our Nation and in the proper discharge of his duties. Watt Abbitt is a man I remember well from my early years here in the Congress; and I will always hold him in the highest esteem, as I am sure will all others who have had the opportunity to serve along with him.

Thus far, I have spoken only of the admiration we, his fellow Congressman, have for this great Virginian and American. Let me turn now to his native Virginia—how do they view the man and his career here in the House? The answer is apparent, for they have resounded their faith, trust, and confidence in him by returning him to the House to represent them for 12 terms; and he now retires to a Virginia who honors and respects him.

Admired by those he served with, respected and loved by those he served—this is the measure of Congressman Watkins M. Abbitt and the reflection of the past 24 years of his life which were spent in dedication to the United States of America, its ideals, and its people. The annals of history and the walls of this great Capitol, and this Chamber in particular, now assume the responsibility from the people of Virginia of resounding his name and his deeds. I, for one, will long remember the name of the illustrious Congressman from Virginia; and that admiration multiplied 435 times will be more than enough to firmly implant the name of Watkins M. Abbitt in the hearts and minds of all Americans throughout this great Nation of ours.

EARLY SCHOOLING FOR ALL

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. RAILSBACK. Mr. Speaker, I include the following in the Record.

Early Schooling for All?

(By Raymond S. Moore and Dennis R. Moore)

INTRODUCTION AND GOALS

The past ten years, particularly since President Kennedy's 1963 message to the Congress (1963), have seen early childhood education (ECE) emerge as one of the Nation's key concerns. It has become a principal interest of the Congress, and currently has high hopes for a substantial federal and state funding. President Nixon, too, called (1) for a national ECE commitment. Perhaps realizing that evidence is still not clear that generalized early schooling is the answer for optimum child development, he also asked (2) for a national debate (Shannon, 1972). Congressional hearings have meanwhile heard calls (1) for more ECE research and (2) for the systematic reviewing of completed ECE research that is now "floating around on some shelf somewhere." (White: 1970) It is with such presidential and congressional mandates in mind that the Hewitt Research Center has undertaken a limited review of research on the case for early schooling.

The importance of the child's early years is increasingly recognized. Schools are taking steps to accommodate these needs. There have been carefully-done experiments involving borderline mentally-retarded, handicapped or deprived children, that demonstrate the value of early intervention under certain circumstances. However, large-scale intervention has met with limited success, if any, when measured by academic criteria (See pp. 11, 12). It is in this setting that proposals are now being widely heard to provide early schooling for *all* children. Specifically, the questions addressed here are these: (1) Is early schooling appropriate for *all*? (2) If not, what does appear appropriate?

Excellent plans for improving instruction are emerging. Most ECE proposals must be viewed as well-motivated, and there is reason to believe that some are validly based. Some proposals offer hope for a practical, massive and relatively rapid solution to a complex and difficult problem. They plan for the school to reach earlier into the child's life at ages three, four and five and somehow come up with desirable changes which have not heretofore proven entirely practicable at ages five and six.

We believe, however, that the enormity and seriousness of the present problem and the hope for rapid amelioration through existing organized channels, may result in a narrow, oversimplified approach, which will be foredoomed to failure because a large and vital aspect of fundamental infant and child education may be ignored or shunted aside as trivial or unmanageable. We refer *first* to the core role of home and family in child-rearing and in the inception and flowering of intellectual development, and *second* to the risk of instituting age-inappropriate educational measures for four- and five-year-olds and thereby producing enduring effects which will in turn destroy the very things we try to encourage: individual cognitive development, the motivation to learn and the creative impulse.

The California Task Force Report on Early Childhood Education, to which we give major attention, does in fact, assign a significant ECE role to home and family, and calls upon the educational establishment to find ways of involving parents in children's education at all ages, in age-appropriate ways. Yet its central thrust is for schooling, defined implicitly as *academic* education in schools, with a specific concern among other things for the advancement of cognitive learning in the young child (1971:1). New York State speaks similarly of the need for *formal* education for children down to ages three and four (1967:5). "Formal" is here understood to mean planned cognitive and other experience as normally would occur in modern, well-planned schools.

Because we believe there is a real danger that formal schooling, or school-based education outside the home may be legislated without research basis, we call attention here to the need to re-emphasize the central ECE role of the home. We furthermore wish to indicate areas of evidence which conflict with sqme current ECE methods, and lastly, indicate the urgent need for much more knowledge about the physiological bases and concomitants of the cognitive processes for children of different ages before entering on further wide-ranging state and federal programs.

If, for instance, brain development as such at any point in time (chronological age) permits optimal learning of one sort, but not of another (many such situations are well recognized), this must be understood, clarified, systematized and reckoned with before ECE efforts are undertaken.

The needs of three categories of children come within the scope of this paper. (1) The need for certain therapeutic educational experience outside the home is clearly recognized here—for such handicapped children as the cerebral palsied, problems of vision and hearing and a variety of physical, mental and emotional problems. (2) Less transparent is the education out-of-home of all three- and four-year-olds from socioeconomically-disadvantaged families. Much progress, it will be shown, is being made toward parent and child education in the home as far less risk to the child's overall development than would normally be incurred in school. (3) Clearly contraindicated by the evidence reported here are the plans to provide schooling or planned cognitive development in schools—for some three- and most four-year-olds as contemplated in California, New York and elsewhere. While more attention is being given to the parent and home than heretofore, the central emphasis in too many such plans is on institutions other than the home. Their main vehicle is the school.

Such early schooling proposals generally recognize specialized needs for children from birth to age seven or eight. The states usually have programs for years five or six through eight, and they yet seldom offer alternatives to the home for birth through age two. Therefore this report focuses on ages three and four—the innovative thrust of such proposals as California's and New York's. It will be seen however that as research speaks out on child development, there is considerable evidence that it might be better to delay in *academic* or *formal* education until children are at least seven or eight years old. It follows then that three- and four-year-olds should not normally be in school either.

We in no way infer that schools or other agencies of the public domain should be excluded from necessary intervention in behalf of the young child. Nor do we depreciate the value of the well trained, empathetic early childhood teacher. On the contrary we seek to correlate ECE research so that more creative use may be made of and by these institutions and individuals toward optimum development of the young child.

The purpose of this analysis is to explore research which throws light on the present trend toward earlier schooling and to cite studies which can provide safe direction for the ECE movement in the future. Specifically we intend to (1) compare the strength of school-centered ECE programs on the one hand and home-centered programs on the other, (2) examine the need for state intervention for all in early childhood in view of research which supports the home as the primary early education environment and (3) determine whether or not such ECE proposals for all children may dilute or impair existing special education efforts for the handicapped.

A number of states including California and New York are moving schooling into the early years, offering programs which range from selected material and cognitive learning for three-year-olds to structured curricula for four- and five-year-olds. The plans of some school systems are well-advanced, in carefully-phased programs, such as Houston's ECE project which takes schooling down to age three-and-a-half (Tanner and Tanner, 1972). These programs are too many and too diverse to permit detailed attention here. Therefore this analysis will focus primarily on one state.

California has been chosen for several reasons: (1) Its proposed ECE program is typical of similar efforts proposed by other states for children between ages five and three. (2) While California recommends early schooling for all four-year-olds, it suggests "making enrollment voluntary until the age of 5" (1971:20) (3) The California proposal is currently highly active, and (4) California has historically been an educational leader among the states.

In 1971, Wilson Riles, California State School Superintendent, commissioned the REPORT of the California Task Force on Early Childhood Education. The California Task Force became involved in a determined move for legislation to provide education "for every child aged four to eight" (1971:1, 2). While the Task Force REPORT actually speaks "of the desirability of providing educational opportunities for all children" (1971:1), the primary implications are for children younger than five. The first stage of their program, however, extends "at least one year below the system now in existence" (1971:2), and this apparently reaches to down to three years, nine months for some children (Riles, 1972).

The thesis of early schooling is essentially supported by some of the Nation's most distinguished educational bodies. In 1966, for example, the Educational Policies Commission of the National Education Association and the American Association of School Administrators called for public-supported educational programs for all children, beginning with four-year-olds (1968:4). And perhaps providing the greatest impetus of all have been Federally-funded programs such as Head Start, and the Great Cities efforts.

Furthermore, a reading of the California document suggests an earnestness and loftiness of purpose that deserves the appreciation of the American family. And the Task Force's rationale for action is impressive: Its Report speaks of "the long-range prevention of crime, poverty, addiction, malnutrition, neurosis, and violence" (1971:1). It calls for action "at once"—Superintendent Rile's ECE proposal three months later (March 1, 1972) to the State Board of Education, adopts the Task Force sense of urgency, but provides at the local level for a "five-year phase-in-period" of implementation (1972:7)—including provision for *academic* achievement in *school* through *restructure of existing programs* (1971:1,2).

Yet a careful study of the Report raises at least three basic questions: (1) How did the Task Force interpret the literature it cited (1971:6–50) to reach its stated conclusions about schooling for all four-year-olds? (2) Did the Task Force make a determined effort to gain an objective and comprehensive perspective, a systematic view, of all principal facets of research related to early childhood education? (3) Did the Task Force make a realistic cost analysis of the program it recommends?

Respecting the *first* question, we feel that the Report interpreted in support of its recommendations a number of studies which actually raise serious questions about early schooling for all children in lieu of centering the program in the home: (a) Skeels (1966: 1–68), who demonstrated the value of a warm, free, one-to-one, mother or mother-surrogate relationship without regard to the surrogate's professional competence. The California report places a certain emphasis on highly-qualified professional teachers for young children, where Skeels' orphan children thrived under the care of retarded teenagers, ostensibly because they provided warm, continuous attention. (b) The June 1971, report of the Education Commission of the States which stated in part:

> It is not recommended that states establish formal classroom preschool programs for all three- and four-year-olds because there is no evidence that all children need a structured group experience if they are receiving some kind of systematic training and because there are viable, less expensive alternatives (1971:47).

Second, researchers often voice disappointment that sound research has been so often ignored in educational planning. Schaefer speaks to this point:

> . . . Although much of this (ECE) research data has been generated during the last decade, earlier studies of intellectual development have motivated the current volume of research. Unfortunately, interpretations of the significance of this data, although they have guided the course of research, have as yet had minimal impact on educational planning . . . . (1971:18).

Third, the Education Policies Commission (NEA–AASA) concedes that "It is difficult to estimate the costs of providing educational opportunities for all these children, but (insists that) it is well within the Nation's capacity to pay" (1966:8–10). In the present period of taxpayer scrutiny responsible answers must be available.

Rebellion of the taxpayer against gross educational expenditures has been a common happening in the last few years. But a new kind of protest is now seen. As cities and states attempt to generalize their intervention for earlier schooling, Gumpert (1972:1, 17) reports that some parents of exceptional children who are critically in need of professional help feel that they are being ignored. Some are taking the issue to court. Thus is underscored the danger of diluting the State's resources through ECE generalization so that those seriously in need may have inadequate care or none at all. And California is one of Gumpert's example (1972:1).

In considering these questions, the philosophy of California Superintendent Riles and his Task Force should be carefully noted. First, this paper will review the philosophy expressed by Riles and by the Task Force. It will then attempt to express a systematic view of the ECE problems the Task Force identifies. Subsequently this view will be complemented with a limited review of research which the Task Force may have overlooked.

THE CALIFORNIA TASK FORCE PHILOSOPHY

In discussing the California thrust for earlier schooling, Time quotes State Superintendent Wilson Riles as believing "that the state laws barring children from kindergarten until they are nearly five years old derive from the solicitous but outmoded notion of 'readiness'" (Time, 7/26/71 Vol. 98 No. 4, p. 38). Riles indicates what he means by "readiness". He is quoted as follows:

"That idea [readiness] held that it is unwise to shock the young mind with intensive instruction until it is ready—perhaps at age six or seven". The twelve-year curriculum became widespread by the 1890's. Riles adds as "a gift of America to mass education. At a time when relatively few went to college, extra years of school free of charge were indeed a blessing." Now, however, "our youngsters are more ready than our schools are." (Ibid.)

Riles made clear his central intent in his charge to the California State Task Force: "The need for costly and frequently unsuccessful remediation programs can be sharply reduced if we increase the intensity and quality of educational programs during the early growth period" (1971:ii).

The Task Force responded with a statement of philosophy included here in part:

The past decade has produced a new body of educational, psychological and medical research documenting the crucial importance of the first eight years of life. And we are convinced that these early years are critical in determining the future effectiveness of our citizens and in the long-range prevention of crime, poverty, addiction, malnutrition, neurosis, and violence. Even though research is still in progress and conclusions continue to evolve, we believe enough evidence is in to indicate that the following are clearly warranted now:

1. The people of the State of California must make a long-range commitment of funds to the proposition that the first eight years of life are the most important period in determining the future effectiveness of all our citizens.

2. Implicit in this commitment is the recognition of the desirability of providing educational opportunities for all children. Certainly every child aged four to eight, regardless of his environmental, emotional and physical needs, should be included. Programs must provide for identifying these needs, for ways of meeting them, and for means of assessing and re-assessing program effectiveness. Since it is clear that early diagnosis, intervention and prevention are dependent upon a close liaison among educational, social, and health services, a cooperative working relationship among these fields is vital.

3. School should be a happy place, a stimulating environment in which children can make continuous progress, where they will want to learn, and where they can achieve success both personally and academically. In order to make the early years of learning truly effective, moreover, assessment or appropriate and significant developmental levels must be the basis for planning the educational program for each child. If and when needed, corrective social, medical and psychological facilities must be made accessible to permit the young individual to reach his full potential.

4. Because we recognize the importance of the parent in the education of the child, we strongly affirm that parent education and involvement must be an integral part of all programs.

5. There must be encouragement of local autonomy and creativity in program development, with provision for maximum flexibility within broad state guidelines. School districts and the agencies involved must be allowed freedom to experiment and individualize to meet the needs of the children they serve.

6. Accordingly, then, we believe it is essential that California establish at once for primary children a broadly-based educational program that extends at least one year below the system now in existence. This proposal will require school districts to restructure and expand existing programs in order to bring about the maximum development of every child aged four to eight. Implicit in this proposal, too, is the recognition that the individual child is the unique recipient of instruction, and we believe the present large-group approach to the education of primary children must change significantly in order to make possible the necessary personalized instruction (1971:1.2).

California thus is concerned with all children from birth to age eight in an innovative effort which figures to differ in program and method from the present kindergarten-primary approach. The Task Force approach apparently interprets Riles ideas of intensity and quality as referring substantially (1) to more creative methods, (2) to more and earlier *schooling* including the restructuring of existing programs, (3) specifically, to including children at least down to age four, (4) to providing academic education for these young children along with other aspects of personal development, and (5) to a significantly larger involvement of parents in school programs.

New York State has similar goals. Its regents however use the term "formal" instead of academic in describing proposed ECE programs. And their proposal reaches down to age three. Flexibility, parent and community involvement are emphasized, but the programs to date are primarily school-centered and teacher-operated. In other words most of these programs propose taking three- or four-year-olds out of the home for "academic" or formal experience even though many of the programs may actually be quite informal. We would like to believe that everyone sees preschool as its best proponents suggest it should be. However, examining state proposals caused us to surmise: (1) That developing and preparing to develop academic skills, especially in reading, was considered as one of their more important objectives. (2) That they portray early schooling programs as potential solutions to many problems, and (3) that the proposed programs would be primarily school-centered.

Following are some statements from a California Task Force Report. (1971)

1. All children in California between the ages of four and eight should have the opportunity to be served by a publicly supported primary school.—page 3.

2. *All* children must acquire the basic tools of learning in reading, oral and written language, and arithmetic by the time they are ready to leave the primary school.—page 3.

3. . . . children should acquire the basic tools of learning by the time they leave the primary school. There should be a planned sequence of experiences to develop each child's skills to the utmost of his ability so that he has sufficient command of the areas of reading, language and numbers to progress to more advanced levels of cognition—p. 17

4. . . . for the vast majority of children we are convinced that beginning in a primary school at age four would be an advantageous step. . . . with the child eligible to enter on his fourth birthday, but making enrollment voluntary until the age of 5.—pp. 6, 20.

CLARIFICATION OF TERMS

In view of the rapidly changing attitudes and approaches toward preschooling it should be noted here that we distinguish between early enrichment, early childhood education and early schooling. Enrichment is a goal of any informed parent or educator, which does not necessarily imply any particular structure nor school emphasis. The term "early childhood education" as used in this report embraces all educational or enrichment for children to ages seven or eight including either home or school or both. Early schooling on the other hand assumes that the teacher and the school (as a public or private institution apart from the home) will guide the child's education—often with the parents help but not with the parent in full control as in the home.

When we speak of schooling in this paper, we assume the best of modern concepts such as California seems to imply (1971:6–25). But we do assume that California's use of "academically" (197:1) and New York's use of "formal education" (1967:5) do imply some type of scheduled cognitive instruction.

NEED FOR A SYSTEMATIC APPROACH

Researchers are often highly specialized. There are many ECE research areas within or among the fields of education, sociology, psychology and physiology, such as human development, neurophysiology and maternal deprivation. Each scholar or investigator is inclined to pioneer in his own definitive field, often without a continuing concern for its many related areas. Unless these tangential areas are brought together in a systematic way educators may be expected to pick and to choose from these scientific findings to support their own preconceived or expedient ideas or to arrange them to appear supportive of programs or proposals which they do not really support at all.

The absence of objective systematization of such research may be one reason why "the research and development phases of early childhood programs have succeeded, but the implementation phases, thus far, have largely failed" (Rohwer: 1970). Rohwer cites as examples the apparent failure of Head Start (see also Evans, 1969 and Jensen, 1969:2,3) on the one hand and "compelling" evidence of success for "a number of small-scale efforts" on the other (Jensen, 1969, pp. 104–107, Weikart, 1971, and Karnes, Taska and Hodgins, 1970).

While there may be evidence of some desirable effects of these programs for less advantaged children, the Westinghouse/Ohio University assessment of failure of large-scale programs (1969:200) is related primarily to academic or cognitive achievement, a goal stressed in the California Task Force Report (1971:1–5, 17–19) and by the New York Regents (1967). The United States Commission on Civil Rights stated: "A principal objective of each [program] was to raise academic achievement of disadvantaged children. Judged by this standard the programs did not show evidence of much success" (1967:138). The Commission's evaluation was based on studies of leading cities, coast to coast, including St. Louis' *Banneker Project* and New York's *Higher Horizons.*

Results of the Westinghouse/Ohio University study of *Head Start* were somewhat negative in relation to both the cognitive and the affective domains:

Viewed in broad perspective, the major conclusions of the study are:

1. Summer programs appear to be ineffective in producing any gains in cognitive and affective development that persist into the early elementary grades.

2. Full-year programs appear to be ineffective as measured by the tests of affective development used in the study, but are marginally effective in producing gains in cognitive development that could be detected in grades one, two, and three. Programs appeared to be of greater effectiveness for certain subgroups or centers, notably in mainly Negro centers, in scattered programs in the central cities, and in Southeastern centers.

3. *Head Start* children, whether from summer or from full-year programs, still appear to be considerably below national norms for the standardized tests of language development and scholastic achievement, while performance on school readiness at grade one approaches the national norm . . . (1969: 200).

The Westinghouse Report pointed out "the limited state of knowledge" about what would constitute effective ECE intervention. It recommended that pilot programs be organized and effected on a small scale, large-scale efforts based on successful pilot proj-aadpted persons in our society (1970:1).

Thorough and objective study and assessment of current ECE programs and of new research is particularly important when ECE developments are already major and rapid, with much of their momentum due to heavy Federal commitment in the last six or seven years (Butler, 1971). It might be well here to look at some aspects of ECE which should be examined before planning any major ECE thrust.

A Research Perspective. It is not the primary purpose here to question the positive or negative values *per se* of early childhood education. Yet the nature of the learning environment, the timing in terms of the child's development, and the practicality of implementation of the Task Force's recommendations raise questions which are appropriately explored here.

The need for some kind of action respecting education of young children appears to be well established. Furth, for example, sees the same needs as pointed out by the Task Force:

It seems hardly necessary to belabor the fact that our educational system is in serious and ever increasing trouble. This trouble can be measured in terms of low reading levels, scholastic failures, discipline problems, dropouts, and delinquency. We know that for each child who falls into one of these categories, this is only the beginning of failure. . . . The fact is that a staggering number of young children, barely ten years old, have already turned their backs on intellectual and social growth, have given up on society and its institutons, and each year come to increase the swelling number of maladapted persons in our society (1970:1).

Giving support to this statement are French's findings that the Nation has more than 80,000 annual dropouts "who are within the top twenty-five percent of its population intellectually" (1969:2).

Research may reveal at least in part why our schools are in ever increasing trouble. More difficult to explain is the presumption by the leaders of troubled schools that they should provide early schooling for all these three- or four-year-olds—and thus suggest intervention in their homes—without a sound research base.

President Kennedy made clear the Nation's responsibility, and, like the California Task Force, emphasized prevention: "Cultural and educational deprivation resulting in mental retardation can also be prevented" (1963).

Bloom (1964), Butler (1970), and others, quoted in the Task Force REPORT, underscore the Nation's interest in research and experimentation in early childhood education. The REPORT relies heavily on Bloom's widely-quoted summary of 1,000 research studies in which he concludes,

Put in terms of intelligence measured at age 17, from conception to age 4, the individual develops 50% of his mature intelligence, from ages 4 to 8 he develops another 30%, and from ages 8–17 the remaining 20% (1964:88).

The report also quotes Bloom's reasons for "crucial importance" of the early environment:

(1) The rapid growth of selected characteristics makes the variations in the early environment so important because they shape these characteristics in their most rapid periods of formation, (2) development in the early years provides the base upon which later development depends, and (3) it is much easier to learn something new than it is to stamp out one set of learned behaviors and replace them by a new set (1971: 29).

Bloom also calls for "very well prepared" teachers to do this job (1971:29).

Some Questions. Several questions may be appropriate at this point:

1. What is meant by a "very well prepared teacher?" Primarily professional? Or primarily one who understands, loves and is empathetic to young children? Or both?

2. Is it necessarily a teacher in the *schools?* Or could it as well or better be a teacher in the home?

3. Under what circumstances might a parent best be the teacher?

4. Should every child be subject to such intervention? Only the disadvantaged and handicapped?

5. Should such intervention accommodate all mothers who prefer to work or only those who work by necessity or who may be handicapped?

6. Can programs be planned for the needs of all which are equitable for all and at the same time be financially feasible?

7. Is the State willing to take a systematic view of early childhood education in terms of available research and of its possible cost to the State and the family both in money and in effect on the child and home?

8. At what age is it developmentally appropriate to send most children to school?

The Task Force centers its hopes on well-prepared professionals with assistance from paraprofessionals and parents. The suggested programs are primarily school-centered, including recommendations for expansion of present school facilities with new types of structures (1971:2,4). The parent, while important, is not central in the California early schooling proposal. The proposal provides for all children, ages four to eight regardless of socioeconomic status (SES) of the family or of the mother's (or father's) capacity or actual need to be absent from home.

The Task Force apparently believes that such a program is financially feasible even though it provides little or no evidence of financial realism for low teacher-to-child ratio programs which it reports as examples. For example, the Task Force calls for an adult-to-child ratio of one to ten (1971:3), while the ECE programs it cites approximate ratios of one to five (1971:31–35). Its financial plan calls for an expenditure of $500 to $600 annually per four-year-old for programs which New York State has found it cannot do on a quality basis for several times that amount. The New York ECE staff is quoted in one of the documents used by the California Task Force (PRESCHOOL BREAKTHROUGH) as pointing out "The average cost of the state experimental prekindergarten program is about $1300 per child, but the staff points out that adequate child care costs $1800 annually per child and much more if the program reaches a desirable standard" (NSPRA, 1970:40).

On the basis of the research presented, the interpretation given to that research, and the excluding of evidence contrary to the Task Force "Statement of Philosophy", the California Task Force has not taken a systematic view of early childhood education in terms of available research nor costs in money and in human potential.

Figurel points out what will happen if mass education proceeds with such planning as it has in the past. He found that despite "billions of dollars" that have been poured into programs for the poor and the disadvantaged through Great Cities Projects and the Elementary and Secondary Education Act of 1965, most of the results "have been definitely disappointing" (1970: 1). Despite heavy expenditures of funds, "Test scores for disadvantaged children in all large city schools indicate there is a 'progressive retardation' taking place. The longer a child remains in school the less progress he makes in relation to his capacity for learning to read . . . sociologists say that by 1975 two out of three children in schools can be classified as disadvantaged" (1970: 2). It would seem appropriate also to consider the question, Will starting all children earlier change this? Or will it accentuate the dilemma? Is there a better alternative?

On the developmental appropriateness of sending a child out of his home to school at age three or four or five, the California Task Force has virtually nothing to say. Nor does New York in its position papers. And this is perhaps the key issue in the early schooling movement. Yet if the legislatures of these and other states are not to sign the same kind of blank check as has characterized Federal and other mass efforts at intervention, they must give careful thought to developmental appropriateness and to other questions raised above. These considerations must relate research findings to questions which have been raised. An effort will be made in this paper to illustrate what should be done even though only a limited summary of the evidence can be presented here.

Among these factors treated (1) Rationale for intervention, (2) Family and school attitudes and values, (3) Distinction between the poor and the privileged, (4) The home school idea, (5) Neurophysiology and cognition, and (6) Empirical evidence and school entry age.

Much of ECE research is yet uncertain and not comprehensive of ECE problems. A simple review of ECE literature—the eleven projects noted in the California State ECE Task Force Report (1971:31–35)—also demonstrates that most early childhood education programs rated as successful are *compensatory* by nature. Can these studies therefore be generalized as necessary for advantaged children? This question applies to a large segment of ECE research, much of which concerns the disadvantaged or deprived and frequently applies its techniques to moderate or higher SES groups. Yet even the disadvantaged have been seldom proven to make permanent gains outside of expensive experiments involving low ratios of children-per-teacher and close liaison with the home.

Any valid, wide-ranging ECE program must include all classes in its research base. While much ECE experimentation does involve predominantly intercultural assessments, there is relatively little data available on either advantaged blacks, for example, or on disadvantaged whites. Therefore comparisons are forced between advantaged whites and disadvantaged blacks, with considerable confusion in developing cross-ethnic criteria. This is evident in Rohwer's review (1970: 1–39).

ECE studies to date are most often *small*, well-financed and limited in their goals. They are sometimes carefully controlled, with well-trained staffs and considerable parental involvement. To generalize the success of certain of these studies short of long term follow-up may be appropriate in some respects. But to assume their relatively isolated and limited success as bases for statewide programs for all children, regardless of socioeconomic status and without systematic refrence to research, is subject to question.

If a state is to assume responsible ECE leadership it has the responsibility to examine relevant research, to set reasonable goals and priorities, to recognize conceptual, investigative and informational gaps, and to apply reasonable intelligence in order to ensure that the means and techniques can, in fact, achieve the chosen goals without also being destructive of other values (home, emotional security, etc.). All programs should have built-in evaluation systems. The serious ECE student will insist on (1) determining characteristics of a sound environment for young children, (2) plan so as to provide the best available environment for young children, whatever ages they may be, and (3) resist the impulse to start wide-ranging efforts until he has meticulously explored and mapped their every aspect.

Since cognitive and affective development begin at birth. Bloom's (1964) review of research supporting the early development of intelligence indicates to some that intellect should be translated into structured conceptual activity at an early age in order that the child might better meet later demands. But this assumption must be questioned on the basis of the child's immediate affective needs and of his physical immaturity.

Heffernan, for many years California's elementary education chief, on the basis of research and long clinical experience, "The imposition of [cognitive] skills at early ages and the release of creativity are utterly antithetical" (1968:496, 497). Piaget agrees: ". . . the problem of learning is not at all to be confused with that of spontaneous development even though spontaneous development always comprises learning" (1966:iv).

The issue at hand may be expressed thus:

It is impossible that while the central nervous seytem (CNA) and cognitive apparatus of the young child may be functioning appropriately for their age level, they may not be operating at the level that would be desirable for the cognitive tasks which the schools are requiring. On the basis of Piagetian investigations, Furth believes so:

> Mark well these twin conditions: learn reading and forget your intellect. The average five- to nine-year-old child from any environment is unlikely, when busy with reading or writing, to engage his intellectual powers to any substantial degree. Neither the process of reading itself nor the comprehension of its easy content can be considered an activity well suited to developing the mind of the young child.
>
> A school that in the earliest grades focuses primarily on reading cannot also focus on thinking. It must choose to foster one or the other. Historically it has chosen reading (1970:4).

The following quotations from the Riles proposal make clear, for example, the importance California places on early childhood cognitive skills:

> As a minimum, local districts will establish performance objectives for children which reflect state objectives in reading, language development and mathematics. . . . (1972:8).
>
> By the end of the early childhood education program (ages 4 to 8), it is expected that the child will be able to perform adequately in the communication skills of listening, speaking, reading, writing and in the use of language for symbolic thought . . . (and) competency in the basic arithmetic skills as well as in mathematical concepts. (1972:9,10)

We ask if young children would not be better off waiting until near the end of the "early childhood program" before initiating such performance objectives. Rohwer reports that—

> Young children find concept-learning and tasks that require combination and manipulation of concepts to be extraordinarily demanding. Research studies have shown that reading and arithmetic require conceptual abilities that many youngsters do not achieve with ease until they are close to 9 years. (1972)

It is not difficult at first to assume, as the California Task Force and others appear to indicate, that Bloom's concerns can best be satisfied by placing all children in optimum *school* environments, for our society is school-oriented. But is the school the child's best learning environment during his early years? And where can school readiness be best achieved? In the school? Or the home?

At what time in the child's life does *research* say that school intervention is indicated, for what purposes and under what circumstances? What types of programs does *research* suggest as optimum solution to today's ECE problems? It would appear that the answers to these and other questions should take into account as many as possible of the variable of child development and the parental attitudes and other dynamics of today's homes.

The California Task Force Report (1971:1–5) appears to be alert to many of these variables—proven educational principles and procedures. Among these are (1) parental involvement, (2) local autonomy, (3) clear goals, (4) adequate funds, (5) the school as a community center, (6) differentiated staffing, (7) use of volunteers, (8) low adult-to-child ratios, (9) happy and stimulating environments which reflect the needs of the child, (10) special attention for the handicapped and seriously deprived, (11) continuing emphasis on sound staff preparation, (12) the developmental import of the first eight years of the child's life, (13) the need for pilot studies before proceeding on wide-scale and long-range programs, and (14) the flexibility and feasibility of nongradedness.

But the Report provides little or no research-based reasoning as to why it turns to the school as a central learning environment for all children at an age when research seems to place the principal emphasis on the home. The Report generally ignores the variables concerning which research provides substantial evidence. Such factors include maternal deprivation, neuropsychology, and visual maturity among others which will also be considered in this paper.

RATIONALE FOR INTERVENTION

Th Task Force, like nearly all early *schooling* proponents, points to two well-established facts in justification of early intervent by school systems. *First* is the evidence of early development of intelligence in the child. Like many others, it utilizes Bloom's widely-published statistics. And Bloom's research base appears valid as it relates to intelligence. *Second* is the child's human need for emotional growth through attachment to an empathetic, giving, mothering person.

Early Intelligence. No argument is offered here which questions the rapid development of intelligence in a normal child. In this respect the Task Force bases its conclusions on objective investigation. The questions are, what is the most appropriate environment in which to nurture this rapid development, and when are children ready for programs emphasizing cognitive development?

Research, as we shall shortly observe, seriously questios the generalization that all four- or five-year-old children are ready cognitively, neurophysiologically or affectively to undertake organized tasks and abstract thinking even in the better *school* environments as commonly conceived. And some careful researchers and clinicians would delay such pressures at least another two or three years (See Rohwer, 1970; Elkind, 1969; Husén, 1967; Fisher, 1951, etc.). It should be noted that reference here is not made to exceptional children—to those who are handicapped or seriously deprived. For these children intensive early intervention involving the home and school or clinic certainly would seem appropriate.

Enrichment. Why do early schooling proponents often identify enrichment experiences and needs primarily with the school, considering the home important but ancillary? Spaulding (1968:10) provides one example of such reasoning. She describes many learning situations which a carefully-developed school might provide for the young child: colors, sounds, social skills and objects of nature. She stresses at the same time a need for some children to speed up their work "so that the others won't have to wait" (1968:10). But she—and the California Task Force—do not discuss, in the face of the failure of schools generally to provide ideal programs for five-year-olds, how they will be able to succeed with four-year-olds. Nor does it apparently occur to her that the home, carefully-guided, might better provide the very experiences she prescribes for the child, and strengthen the family in the process. (See pages 24, 27, 36 on parental potential, maternal care and the home school idea.)

Kindergarten teachers on the other hand have long recognized that children from sound home environments come to school with many of these skills well developed, particularly if in age they are later-than-average entrants. This will be discussed at some length later in this report.

Heffernan suggests we may be "warping children to satisfy adult demands" (1968:496, 497). Mitchell, (1968:9) fears, that the government might take steps "that would lessen the importance of the family . . ." Speaking to the mandate of the Educational Policies Commission for schooling for all four-year-olds (1966:8–10) she insists that while there is clear need for some sort of compensatory education for disadvantaged four-year-olds, many of us overlook the fact that it may not be a good idea for every four-year-old.

Research indicates that home education programs may be viewed with greater optimism. It justifies the assumption that working with homes, small units that they are, is more feasible generally than trying to effectively restructure the schools, and is likely to be much less expensive. A number of studies have recently shown that parents, including those from disadvantaged homes, may be more responsive and cooperative than once thought, if they are presented with programs which appear reasonable to the parents.

FAMILY AND SCHOOL ATTITUDES AND VALUES

In many school systems little mutual trust exists between parent and teacher. Says Heffernan, "When children have difficulty in reading, parents blame the school and teachers blame the home for exerting undue pressure" (1968:496).

Yet basic hopes for stable, well-developed children are common to all, including the California Task Force. How to achieve this goal is the question. One possibility currently being tried in many areas is that the teacher or other appropriate person might more often join the parent in the child's natural environment to the mutual advantage of all. To achieve this end, cooperation of the parents will be necessary.

The Education Commission of the States quoted in the Task Force REPORT (1971:45, 47), stressed "strengthening the role of the family as the first and most fundamental influence in child development. . . . To develop ways to reach the families of young children and to strengthen their capacity for parenting". The Commission added that "States should consider programs for three-, four-, and five-year-old children which provide training for them and their parents *in their homes*" (Emphasis ours). But the California Task Force did not make the home so central as the school. Nor do some other states and cities.

PARENTAL POTENTIAL AND WILLINGNESS TO CHANGE

Smith (1968:106) reports that the Flint, Michigan, schools involved disadvantaged homes which housed young children of varying ages. Some educators felt parents would be unresponsive. To examine the theory, parents were given children's dictionaries and other books and games. They were asked to set aside a quiet time in the home for the child's study and for reading, and a time for reading aloud to their children each day. Approximately 90% of the homes responded. Of these, more than 99% of the parents voiced approval of the program and asked that it be continued, says Smith.

Parents were eager to participate in the program. The contention that these parents were not interested in their children was not, therefore, supported; in fact, it was overwhelmingly refuted. This finding suggests that appropriate techniques are an important factor in involving parents with limited educational backgrounds in improving the academic achievement of their children. With few exceptions, parents followed through with the suggestions made in the program. The few exceptions included parents too burdened with emotional and psychological problems to effectively follow through with any organized efforts . . . (1968:106, 107).

Smith then warns against the assumption by the school of the parental role:

In this situation, the role of the school was not to assume parental responsibility. First of all, the school, as organized in our society, cannot assume such control over the child; secondly, no outside agency, school or otherwise, should assume the appropriate role of the parent.

The rightful role for educators is seen rather to be that of teaching parents to assume their appropriate responsibilities and assist them in this task. The relationship sought is the cooperative sharing of responsibilities by the parents and the schools, working together to bridge the educational gap with purposeful educational programing and planning (1968:107).

Hess and Shipman (1968:127) acknowledged the inferiority feelings that working class mothers have about the school system—"A powerlessness and a lack of personal effectiveness". In their study of mothers, ranging from middle class to those on public assistance, "The majority of mothers in all social class groups (including more than 70% of those on public assistance) said they would like their children to finish college". They note the implications of their study for parent and home education: "If the general picture that has been sketched here applies, it would seem to have implications for parent education, particularly as regards interaction between the school and the parent . . ." (1968:128).

These conclusions suggest the possibility of developing "home schools" (See p. 36) in which traveling teachers may work with parents and children together in the home. It is suggested that such an arrangement might not only provide at lower cost an educational experience for the young child where indicated, but also, and primarily, orient the mother (1) to the child's needs and (2) to better understanding of and empathy with the child's subsequent school experiences.

A number of ECE researchers feel that the best plan may be to deal with the parents of environmentally-deprived children in a way that will help them more effectively to help their own children. Thus it may be better to spend State funds toward effecting change in the home environment—where the child spends most of his time.

Several researchers, for example, confirm the Hess and Shipman findings. Speaking particularly of disadvantaged negroes, Lewis reports "that poor parents in the main know what they want for their children and themselves, especially in education" (1970:24).

Daugherty reports participation of low-SES parents in a variety of activities in a project in Chicago's District Eleven. She found fathers, uncles and friends to be glad to work with boys in a "Father's Club". Mothers became willingly involved in home economics projects, more to aid their children than themselves. And in 4-H activities, "Although they lacked talents or skills, they [mothers] enjoyed and took pride in those of their offspring" (1963:18–20).

Levenstein (1971:132) not only found generally that if approached rightly, disadvantaged "Mothers take seriously the family's responsibility to lay groundwork for school learning", but also noted that their "aspirations for their children are very similar to those of middle income mothers." The fact that the low SES mother saw the preschool teacher as less effective than she and yet sensed her own inadequacies, suggests the primary role of the State as one of parent and home education not only for the immediate welfare of the child, but also for development of a parental sense of adequacy and of empathy with the social worker, teacher or other educational representative.

The California Task Force has carefully emphasized the crucial need for closer teacher-parent ties, particularly in low SES homes (1971:9, 10). The Riles proposal agrees (1972:6). The thesis of need for parental adequacy in low SES homes is supported by Olim, Hess and Shipman who found a notable relationship between the mother's inadequacy of language elaboration and the child's cognitive performance. The child's cognitive development and attitude toward the school reflects the mother's image of the school. Thus close and continuous parent-home help is indicated even if the early childhood education were in school.

The initial relationship between the child and the teacher is posed in terms of authority rather than interaction and in terms of rules of obedience rather than inquiry and exploration. This early attitude supports and reinforces the passivity of many working class children who come into contact with middle-class institutions. It represents an orientation toward authority and toward learning which has indeed been taught by the mother and by the community environment and which needs to be modified through experience with teachers (1966:190).

While other studies imply that the same strong concern for their children holds true for middle- and higher-SES families, further study is needed in this area. Research, however, has found that regardless of SES, warm, continuous parental care, particularly by the mother is essential for optimal child development.

IMPORTANCE OF MATERNAL CARE

An awareness of the danger of maternal deprivation as a key facet in the ECE composite is necessary for the understanding and development of sound parental attitudes and for the teacher to understand his appropriate posture in relating to the young child. It will be shown from reproducible research that when a child is taken from home for early schooling or remains at home without loving care from someone he trusts, mental and emotional problems may often be expected which affect his learning, motivation and behavior. Bowlby presented evidence, formulated a statement of principle and defined maternal deprivation in his 1951 report to the World Health Organization:

What is believed to be essential for mental health is that the infant and young child should experience a warm, intimate and continuous relationship with his mother (or permanent mother-substitute) in which both find satisfaction and enjoyment. Given this relationship, the emotions of anxiety and guilt, which in excess characterise mental ill-health, will develop in a moderate and organized way. When this happens, the child's characteristic and contradictory demands, on the one hand for unlimited love from his parents and on the other for revenge upon them when he feels that they do not love him enough, will likewise remain of moderate strength and become amenable to the control of his gradually developing personality. It is this complex, rich, and rewarding relationship with the mother in the early years, varied in countless ways by relations with the father and with siblings, that child psychiatrists and many others now believe to underlie the development of character and of mental health.

A state of affairs in which the child does not have this relationship is termed 'maternal deprivation'. This is a general term covering a number of different situations. Thus, a child is deprived even though living at home if his mother (or permanent mother-substitute) is unable to give him the loving care small children need. Again, a child is deprived if for any reason he is removed from his mother's care. This deprivation will be relatively mild if he is then looked after by someone whom he has already learned to know and trust, but may be considerable if the foster-mother, even though loving, is a stranger (1952:11,12).

He reiterates his view in his report nearly twenty years later that in the Western world much the commonest disturbances of attachment "are the results of too little mothering, or of mothering coming from a succession of different people".

He speaks of "a variety of behavioral characteristics of young children who have been separated from their mothers, from clinging to rejection". And Bowlby points out that these aberrations "can continue for weeks, months or years . . ." or may be permanent (1969: xiii).

Bowlby states categorically that "So long as a child is in the unchallenged presence of a principal attachment figure, or within easy reach, he feels secure. A threat of loss creates anxiety, and actual loss sorrow; both moreover are likely to cause sorrow" (1969:209). While Bowlby's work was in no way directly connected with early schooling, his feelings are implicit in determining the optimum environment for child development.

Geber's work in Uganda, referred to in greater detail in the next section of this report, further demonstrates that such attention or deprivation reaches beyond the emotional responses of young children to include physiological maturation and coordination, adaptability, sociability and even language skills (1958:185–95). (See page 33).

Yarrow also indicates that "besides the retardation of development caused through emotional factors, maturation in adjustment is markedly slowed by deprivation of sensory, social, and affective stimulation when a child cannot be with his mother" (1964: 127).

Bowlby describes the results of partial deprivation and the rationale for his conclusions:

"The ill-effects of deprivation vary with its degree. Partial deprivation brings in its train acute anxiety, excessive need for love, powerful feelings of revenge, and arising from these last, guilt and depression. These emotions and drives are too great for the immature means of control and organization available to the young child (immature physiologically as well as psychologically). The consequent disturbance of psychic organization then leads to a variety of responses, often repetitive and cumulative, the end products of which are symptoms of neurosis and instability of character (1952:12).

Ainsworth, concluding a review of research, applies this to mother and school:

In the case of the child over two, efforts to enrich the institutional environment by providing nursery-school experience seem to be less effective in stemming retardation of development than efforts to facilitate the attachment of the child to a substitute mother. (1967:348).

The acceptance by the mother of her role is a key factor in providing maternal enrichment. Ainsworth states that research reveals few if any differences in child-rearing attitudes between working and non-working mothers:

> Significant differences, however, were found when the mothers were grouped in terms of satisfaction with their role, whether the homemaker or the worker role. Dissatisfied mothers, both working and nonworking, reported undesirable child-rearing practices and attitudes more frequently than mothers who were satisfied with their role (1966:117).

Education and reassurance of parents thus becomes a vital concomitant of any ECE program whether in home or in school, whether the mother works or not, but particularly with the mother who does not have a full appreciation of her role. It should be noted at this point that the *warm, continuous* environment found to be so important to a child's stable, well-motivated adjustment does not imply that he should have no frustrations. Spitz points out that "the child's welfare does require frustration . . . reality testing is one of the vitally important functions of the ego" (1965:148). The warm and continuous presence of the mother provides a track on which the child can develop optimum security.

Thus, says Bowlby, numerous direct studies "make it plain that, when deprived of maternal care, the child's development is almost always retarded — physically, intellectually and socially and that symptoms of physical and mental illness may appear . . . and that some children are gravely damaged for life" (1952:15). He goes on to suggest the inclusive ages of vulnerability:

> At what age, it may be asked, does the child cease to be vulnerable to a lack of maternal care? No doubt vulnerability diminishes slowly and, perhaps, asymptotically. All who have studied the matter would agree that vulnerability between three and five is still serious, though much less so than earlier. During this period children no longer live exclusively in the present and can consequently conceive dimly of a time when their mothers will return, which is beyond the capacity of most children younger than three.
>
> Furthermore, the ability to talk permits of simple explanations, and the child will take more readily to understanding substitutes. During this age-period, therefore, it may be said that wise and insightful management can go far to mitigate ill-effects, though in its absence very serious reactions, comparable to those of the child between one and three, are not uncommon.
>
> After the age of five vulnerability diminishes still further, though there can be no reasonable doubt that a fair proportion of children between the ages of five and seven or eight are unable to adjust satisfactorily to separations, especially if they are sudden and there has been no preparation (1952:5).

The California Task Report cites Skeels' study (1966:68) as a basis for early childhood intervention (p. 34). Yet Skeel's study may even more fundamentally underscore the import of continuous, consistent, affectionate and low-ratio adult-to-child care as essential for the optimum development of the young child. (See Gray 1969:3, Blatt, 1969:20–22). His study would if anything, support the use of mothers and mother surrogates in non-group or *very* small group experiences.

Skeels used mentally retarded teenagers as mother surrogates for the young children. Careful examination of his report reveals that there were apparently no preschool group experiences. Rather, the study would seem to suggest that the one-to-one "mothering" resulted in better-adjusted children which consequently were better able to cope with their environment than were the children in the control group who were given standard institutional care.

The experimentation of Levenstein and others (see section on the Home School) would seem to support these conclusions. Levenstein has found greatest developmental success in young children through building warm, continuous home environments by accentuating the role of the parent in the home, *vis a vis* the school. She seldom if ever uses teachers as such, but places prime emphasis on "home visitors" who are empathetic with parents and children, with relatively little concern for their formal professional background as teachers.

The conclusions of Bowlby, Ainsworth, Yarrow and Geber point to the parents and home as potentially the most effective vehicles for optimum development of the young child.

While research supports the idea that many parents do not provide an appropriate developmental environment, it also tells us that parents from low SES homes do have strong concern for the welfare of their children. These facts joined with an understanding of the nature and seriousness of maternal deprivation make clear the primary responsibility of strengthening the home and of providing warm creative parent-child interactions.

But there are obviously many kinds of homes: low SES and high, deprived and privileged. Research studies will next be cited to show that low SES homes, often thought to provide unsound environments for young children, are not always so. Nor do middle or higher SES homes guarantee an enriched or privileged environment. While this observation does not assume that the typical low-SES child in American society is as likely to be as privileged as his higher-SES counterpart, it does serve to suggest the need for *parent education* at all levels, whether or not the State supplies ECE intervention.

Distinctions Between the "Poor" and the "Privileged". While young children from various SES levels are not in all respects different, the poor or underprivileged child as commonly defined tends, according to Kagan, to vary markedly from the privileged. The differences are of such a nature as to ask seriously if the State should generalize its preventive and therapeutic programs for the whole population on the basis of the needs of the deprived. And if generalized, what form should the program take?

Kagan (1970:10–15) lists seven of these notable areas of difference and suggests their rationale:

1. Comprehension and expression of language: Poor mothers usually do not converse with their children as often or as poignantly as middle class mothers.

2. The child's mental set to activate cognitive structures to solve problems or to understand discrepant events: A middle class mother provides a larger variety of conversation, facial expressions and play, with more surprises.

3. Attachment to an adult, normally the biological mother: The middle class mother and child more often enjoy a closer attachment, as the mother molds the child with a greater and closer confidence, and the child responds.

4. Inhibition and impulsiveness: The poor mother sets an example of impulsive behavior, and the child does not learn to recognize the potential results of conflict.

5. Sense of effectiveness: The middle class child is more often appreciated and applauded, learns to sustain play longer and persist in solving problems.

6. Motivation: The poor child is less motivated because he does not feel friendly to the teacher or care for her praise, partly because he does not admire her skills or temperament. He expects academic failure, so does not try.

7. Expectancy of failure: For the poor child, "Failure is less humiliating for he had not expected to succeed and was not convinced that intellectual skills were valuable". This leads to a "combination of inadequate language resources, low motivation, and little faith in success".

A particular need for parent education and encouragement of the "poor" mother may be deduced from Kagan's "differences", supported by Geber's Study (below). At the same time the stated practices of the typical American middle class mother might well lead one to conclude that generalized intervention during early childhood is hardly indicated for "all four-year-olds", as indicated in the California Report (1971:3).

While Kagan's analyses of poor and privileged environments primarily reflected SES differences, these categories can be broadened so that "poor" or "deprived" environments are those in which the mother for any reason (e.g. poverty, illness or lack of full affection or understanding of her infant) does not give her child the benefits of the "privileged". Thus, a child from a middle- or high-SES background may actually be deprived. Conversely, a low SES infant may be one who does have these benefits because of a mother or surrogate who provides the qualities and experiences which Kagan normally attributes to higher class families.

This broader approach is confirmed by Geber's work in Uganda (1958:185–95). Using tests standardized by Gesell, Geber tested over 300 Uganda babies during their first year. The babies for the most part were from low-SES, tribal-oriented families in which the mothers were child-centered, continually carressing, cuddling and talking to their little ones. She found these infants to be superior to Western children in physiological maturation and coordination, adaptability, sociability and language skills. It may be observed that African children often do mature earlier than Westerners. Yet Geber reports that in her sampling those babies from relatively high SES Uganda families with less maternal contact, but more involved in formal training, were much less mature in the above qualities than the babies of the low SES mothers. Geber's conclusions are supported in general by Riccuitti (1968), Bell (1970 and 1971), and Brazelton (1971) among others.

Spitz notes that young Western children do not have adequate close contact with their parents. He states that "throughout the western world skin contact between mother and child has been progressively and artificially reduced in an attempted denial of mother-child relations" (1957:124).

Skeels' (1966:1–68) reports of strong mental gains by deprived children when placed in a consistent and affectionate surrogate environment, tend to confirm and strengthen Geber's findings. Gains reported by Skeels were particularly interesting in view of the low mental profiles of their surrogate parents who by-and-large were feeble minded and therefore not professional teachers or aides, and who did not have the capacity to provide "training", as such.

Indeed Bowlby (1952:67–68) generalizes, on the basis of many investigations, and with particular reference to studies by Simonsen (1947) and by Theis (1924), that "children thrive better in bad homes than in good institutions", and children "apparently unreasonably" are even attached to bad parents. "It must never be forgotten," Bowlby observes, "that even the bad parent who neglects her child is none the less providing much for him." While the terms "bad" and "good" here are relative and probably should not be taken in extreme connotation, Bowlby points out that:

> Except in the worst cases, she is giving him food and shelter, comforting him in distress, teaching him simple skills, and above all is providing him with that continuity of human care on which his sense of security rests (1952:68).

Meers comes to similar conclusions, providing a picture of typical institutional problems in child care:

> The child care giver is an employee, and there are prerogatives that derive from that status that are denied to most biological mothers, such as, coffee breaks, sick leave, holidays and the option to leave one's charges if the conditions of work are not sufficiently gratifying. Continuity of care, however, provides two major advantages for the child: (1) his mother will know him with sufficient intimacy so that, in his preverbal months of life, she can understand and alleviate his needs so he will not experience undue pain; and (2) the baby is afforded an option to accommodate to a consistency of care that evokes his continuing interest in an attachment to an emotionally responsive person. It has been this author's experience that nursing staff covertly resist continuity of care of any one or more babies (1970:11).

For these and other reasons Meers, Bettelheim (1969) and others note that substantial changes have been underway in recent years to provide for closer parent-child liaison in Eastern Europe countries and in the Kibbutzim of Israel.

In confirming Bowlby's, Geber's and Meers' implications for the home environment *vis a vis* schooling for young children, Blatt and Garfunkel (1969:30) found it necessary to reject the research hypothesis of their own study involving low SES children who "were at least two years away from entering the first grade". They initially hypothesized:

> That a 2 year intervention with preschool lower class children will enhance their demonstrated educability. This hypothesis was tested with a variety of measurements over a 3-year period and included the testing of cognitive, noncognitive, and environmental factors. The analyses of the data led to the unequivocal inference that the groups were no more different at the conclusion of the study than they were at the beginning (1969:121).

Blatt and Garfunkel concluded that (a) the home is more influential than the school, (b) the school can do little without strong home support, (c) disadvantaged parents "are often anxious to cooperate" and (d) school organization and requirements are often "foreign" to these parents who in turn are blamed by the school for not readily accepting them (1969:119–120).

Meers (1970:6–27) made an intensive optimistic study of overseas child care programs in Eastern Europe and the Soviet Union "from inferential data". However, after careful study *in* these countries he found that indigenous leaders were disenchanted with the communal type care. It would seem to be apparent that for a normal child, if his home can be made reasonably warm, stable and consistent, it should be the principal agency and focal point in his development.

THE HOME SCHOOL IDEA

It is our thesis that the home is a more promising investment than the school in terms of use of the state's resources. Gray (1971:127–129), Levenstein (1971:130–134) and Schaefer (1972:236–238) are among the rapidly increasing number of researchers who appear to agree.

ATTITUDES AND VALUES

It must be assumed that the California State Task Force has a profound concern for the building of sound attitudes and values. Yet the school-centeredness of the Report places the home by inference in second position in the development of these qualities. This is an area which deserves much more investigation, for unquestionably the school has both an opportunity and an obligation to provide an education in values.

Rohwer (1970:8–13) reviews a series of studies, however, which supply strong evidence that school achievement as measured by grades has little positive relationship with out-of-school attitudes and success. After developing rank order correlations from Husén's data (see p. 48) Rohwer (1970) found a significant negative correlation between entry age and attitudes toward school. Particularly alarming in this study, comments Rohwer,

> Is the suggestion . . . that the longer the student was enrolled prior to testing, the more negative his attitudes toward school itself. Clearly, there is no indication in these results that revising the mandatory age of school entry to younger levels would improve the student's chances of subsequent within-school success (1970:9).

Is there an environment that holds greater potential than the home for the development of values and motivation? Is there a locale that is more provident for the development of initiative, order, promptness, thoroughness, dependability and integrity than the home with a warm one-to-one relationship between mother and child—boy or girl—as they "keep house", do family chores, build manual skills and progressively learn new appreciations and consolidate their gains in a continuous, secure environment? Is this goal less obtainable here than in the school? Is it less legitimate in terms of the thrust for early childhood education?

Gordon found that "What is needed is education so designed that parents can provide children not only with an affective climate which tells them they are loved and worthy but also with a cognitive climate that allows the child to be competent as well as to feel loved. Adequate self-esteem requires this combination" (1969:94–378).

The pressures of school appear to have much in common with the trauma incurred by deprivation in taking blame for a wide variety of learning problems. Says Mitchell (1968:9, 10) "A growing number of educators are beginning to suspect that the pressure of competition in learning to read for example, may be contributing to the increase in youthful mental patients as well as delinquents".

THE HOME SCHOOL VISITOR-DEMONTRATOR

The place of the home in child development is not only becoming more obvious to researchers but it is becoming the center of much experimentation. Speaking of the home, Gray concedes that "The potential is sometimes difficult to tap but it is there" (1971:127). She speaks of the deep concern of mothers for the welfare of their children, and of their "latent ability" which provide fertile soil for home education programs. Gray's conclusions emerged from a number of home-centered experiments.

Levenstein is another who has shifted primarily to home-centered child development programs. She describes her successful experience with what she calls the "Mother-Child Home Program" (1971:130–134). Because of the resistance of some mothers, particularly of low SES families, to *teacher* visitation, she terms her visiting personnel, "intervenors" or "toy demonstrators." She does not use teachers, but places primary emphasis on preparation of empathetic visitors. One of her major findings in the Mother-Child Home Program is that "there is much to learn from mothers on a two-way street of 'demonstration' ". Weikart, also a veteran at home education, adds, "The primary lesson to be learned by teachers from parents is that the teacher's role is to provide service to the parents rather than 'expert' translation of mdidle-class social wisdom into universal child-rearing practice" (1971:135).

Gordon recruited disadvantaged women parents to help in a parent education project. He cautiously reported positive results in learning accomplishments of the children and in parent educators and the mothers. He affirms clearly that parent educators can profitably be recruited, selected, trained, and placed in the homes (1967).

Butler introduces another factor which focuses on optimum utilization of the parents and home. It is the "phenomenon of modeling" in which the child looks to his parents as behaviour models. Butler describes it as "the most important reason for involving parents in the educational activities of their children".

> If parents and other close associates of young children are given motivation, opportunity, and exposure to the kinds of activities that are enjoyable and instructive for young children, they can do a great deal to further the psychological development of the children in their midst (1970:76, 77).

She adds, "The influence of the middle-class teacher as a model for the disadvantaged child is limited," although in small classes it appears more meaningful than in large classes (1970:76, 77). The development of sound attitudes and values, while not the exclusive domain of either the home or the school, deserves its most productive environment.

Heffernan asks: Are we denying children their childhood by forcing formal language and reading on them at too early an age? There is a cultural pressure in our society to make every child learn to read in kindergarten or first grade. Children with a developmental lag in language maturation are extremely vulnerable in our society (1968:496–97).

On the basis of these findings then, if there should be State intervention, it should begin with the parent, and be home-centered wherever practicable rather than in the school, except in extreme cases noted elsewhere in this report. Such experiences as those of Gray and Levenstein should be carefully studied. Not only does research report the parent-home environment (with the help of the intervenor or demonstrator) to be more productive than the teacher-school, but it also can be utilized in community homes with relatively small capital investment.

Such programs as Gray and Levenstein and numerous family day care centers are demonstrating the viability of small "home schools" where child care is necessary. The home school leader is selected on the basis of her (or his) aptness for children. Studies are not yet conclusive, but indications are that these home situations may be better sanctuaries than schools for those children whose mothers are absent or unable to care for them. They promise also to provide quality day care at relatively low cost—lower than experience indicates that schools can now do. (See NSPRA, 1970–40).

Whether or not these home schools should be concerned with cognitive development is an unsettled question for many. To follow Bloom's concern for the years of most rapid intellectual development it could be reasoned that we should concentrate on ages one to three rather than four to eight (See Beadle 1971:192). But neuropsychological research suggests that we should worry less about hurrying intelligence and concern ourselves more with developing stability and maturity from birth to age eight or later.

NEUROPSYCHOLOGY AND COGNITION

The study of the developing brain represents one of the most urgently needed areas of research. There is a current body of neurophysiological and neuropsychological research which deserves the attention of every ECE planner and which may provide some indices of neurophysiological readiness for abstract thinking.

There are impressive experiments which

lead one to question whether children normally should be required to undertake regular cognitive tasks that require sustained high cortical thought such as reading until they are at least eight years old; some researchers and clinicians suggest until age nine or even adolescence (Rohwer 1970, 1972; J. T. Fisher, 1951:13,14). This does not suggest that a child will not be *allowed* to read, although research suggests that even too much elective reading may damage a young child's eyes.

Many neurophysiological studies demonstrate significant changes in brain maturation (anatomical, chemical and electrophysiological) between ages seven and eleven. Some researchers suggest the child's increasing ability to handle and sustain increasingly complex perceptual and cognitive tasks relate to these and other aspects of brain maturation.

A number of investigations (by Corbin 1951, Nicholson 1956:42, Lairy 1962, Nelson 1967:1088, and Metcalf and Jordan 1972:127, 128), indicate that appreciable brain neurophysiological development is ongoing in the normal child from birth into adolescence. Some children are still developing in this respect until age eleven or twelve.

Metcalf and Jordan report that the EEG [Electroencephalographic] changes throughout the life cycle from earliest times (including prematurity) to old age. These changes are particularly rapid during the first two years. Development continues at a decelerating rate through adolescence after which there is a trend toward relative "plateauing" of development. The marked developmental changes in the EEG from birth to adolescence have led behavioral scientists to seek relationships between brain maturation (as seen with the EEG) and other areas of development, whether they be at the physical, physiological, or psychological levels. We have noted, for instance, that the EEG changes associated with adolescence are correlated with the very earliest sign of adolescense (epiphyseal closure—presumably under hormonal control), and therefore precedes adolescence as typified by secondary sex changes, psychological changes, and physical growth changes (1972:127, 128).

Data on physiological development of the brain is supported by findings of Yakovlev (1962, 1967 and 1972) indicating that structural maturation of the brain appears generally consistent with Piaget's period of concrete operations (see p. 45). Nagers notes that in this early developmental process:

> Myelinization and function are very closely related. Here again there is hard evidence from animal experimentation suggesting clearly that environmental stimulation has significant effects upon ultimate structure and function (1972:5).

VISUAL MATURITY

Another area closely related to brain development on the one hand, as well as cognitive and perceptual development, is that of visual development. The central nervous system (CNS) processing of visual stimuli is a complex matter, and as described by Chalfant and Scheffelin, involves (a) visual analysis, the separation of the whole into its component parts; (b) visual integration, the coordination of mental processes; and (c) visual synthesis, the incorporation or combination of elements into a recognizable whole (1969:23–26).

This dependence of vision upon a complex cerebral system embracing large areas of the brain is described by Chalfant and Scheffelin (1969:22, 23). They point out, "it is generally accepted that the retina is an outward extension of the cerebral cortex" (1969:23). When this description is joined with the reports of Yakovlev (1962/67) it is not difficult to acknowledge the probable stresses on the young child who is subject to reading and other complex cognitive or conceptual tasks. Thus reading-readiness depends upon appropriate maturation and controlled integration of complex CNS (biological or physiological) and cognitive (psychological) systems.

An interesting longitudinal illustration of this relative maturity is provided by Hilgartner in a paper presented to the Texas Medical Society (1963):

> In studying my records, I find that the earlier the children start to school the more frequently nearsightedness is discovered, between the ages of 8 and 12.
>
> The legal school age in Texas in 1906–7 was 8 to 17 years, the entrance age was reduced in 1907–8 to 7 to 17. In the year 1910, when my father refracted 151 children, there were 116 hyperopes to 15 myopes, a ratio of 7.7 hyperopes to 1 myope. This ratio held fairly constantly until 1930, when the ratio changed to 2 to 1.
>
> The legal school age was again changed in 1930–31 from 7 to 6 years, and five years later the ratio was 1.8 hyperope to 1 myope. In 1940, ten years later, the ratio was practically 1 to 1. In 1945, 1946, 1952, 1957 and 1962, the ratio changed greatly and the number of myopes greatly exceeded the hyperopes. The average is now 5.0 myopes to 1 hyperope. For contrast, in 1910 it was a majority of 7 to 1 in favor of the hyperopes. (1963:3, 5)

Newton, 1972) a Dallas opthalmologist, in checking his records found the Hilgartner figures to be conservative. Dr. Hilgartner makes specific application to the modern school:

> The educators, at least the ones I have talked to, say that in the first grade of school, there is little book work or reading that the child experiences. They say that the child plays and he is taught to draw and he begins to learn about the birds and bees. For the sake of peace, I will concede that the actual amount of reading the first grade or kindergarten child does is nil. However, I will not concede that he does not use his eyes excessively for near work, while in the school room. I make the charge that most of the morning he is looking at pictures, making drawings, or watching the teacher draw pictures on the nearby blackboard.
>
> During the 3 or 4 hours that the beginner, age 6, is in school he is using all the ocular muscles for accommodation and convergence, in order to see the pictures, drawings, etc. If he were outdoors, playing robber, soldier, or other games, he would not be using his eyes excessively for close work. The internal and external recti, the superior and inferior recti, as well as the obliques would not be working excessively to make the child see a single object. (1963:4)

For parents or teachers who wonder why many of their bright children do not read well, Strang (1964:164–5) and Carter and McGinnis (1970:48) noted that when these children cannot adjust to the difficulties and discomforts of tasks requiring close vision, they simply give up trying to read. Under this pressure and frustration many lose their motivation, when if allowed to mature they may have done well, see Empirical Evidence, page 51). Carter and McGinnis say

> . . . the visual mechanism at six years of age is unstable and many children have difficulty in fixating at definite points and in keeping their place in reading. Children at this age make many regressive movements and are inaccurate in moving from one line of print to the next. . . . Some children who cannot adjust to the difficulties of near vision find reading so uncomfortable that they give up trying to learn (1970:48).

Although much remains to be learned about the child's vision, it is well established that normally there is a gradual development until he is at least eight years old. Ilg and Ames point out that if a child cannot shift his focusing posture from the chalkboard to his desk by age eight he is in trouble (1965:241). But Ames notes that there may be problems, for example, in trying to teach the five or five-and-a-half-year-old to read: "The five-and-a-half-year-old is more experimental visually than he was six months earlier. His big problem, so far as reading goes, is that he easily loses his visual orientation and thus may often *reverse* his letters" (1967:57). After that, although all children do not develop at the same rate, the child becomes more and more ready to read.

AUDITORY MATURITY AND OTHER FACTORS

As a child matures there is a progressive improvement in sound discrimination. According to Carter and McGinnis (1970:51, 52), the ability to differentiate among speech sounds is considered by many investigators to be of prime importance in successful reading. If a child is unable to differentiate between sounds he will be unable to reproduce the sound correctly in speaking. This would also handicap him in recognizing written words, since improper pronunciation would lead him to expect a different spelling of the word.

Wepman (1968:1–6) says that in some children auditory discrimination and auditory memory—"ability to retain and recall speech sounds"—are not well developed until the age of nine.

Even more complex and demanding of maturity are the *intersensory* demands on the young child. Birch and Lefford (1963:39) studied intersensory development in children from five to eleven, with a mean IQ of 115. Results of the experiment, exploring and relationships among visual, haptic (active manual exploration) and kinesthetic . . . sense modalities for recognition of geometric shapes, showed that the ability to make various intersensory judgments (same-different) follows a general law of growth and improves with age. For judgment of both identical and nonidentical forms, the least number of errors was made in visual-haptic judgments. Seventeen percent of the five-year-olds made no errors in judgment using visual and haptic information, while no five-year-olds performed perfectly with haptic-kinesthetic or visual-kinesthetic information. The integration of the kinesthetic modality with visual and haptic modalities does not take place until the children are seven or eight years of age. They concluded that "The evidence for normal children strongly confirms the view that the elaboration of intersensory relations represents a set of developmental functions showing age-specific characteristics and markedly regular curves of growth" (1963:39).

It is in these *neurophychologically-related* areas that teachers can give the mothers *objective* help in the home, and earn her trust and friendship. Valett (1970:259, 260) lists six such major areas in the order of their emergence: (1) gross motor development, (2) sensory-motor integration, (3) perceptual-motor skills, (4) language, (5) conceptual skills and (6) social skills.

COGNITION AND RELATED DEVELOPMENT FACTORS

Piaget's studies of cognitive development are designed to demonstrate the order in which the child becomes able to do a variety of tasks. He has demonstrated a series of operational levels of cognition (processing, ordering and articulating information), ranging from primarily motor-sensory to primarily abstraction. Overton summarizes Piaget's four major steps in cognitive development as follows: (a) the sensory motor period—birth to two years; (b) the pre-operational period—two years to seven years; (c) the period of concrete operations—seven to eleven years; and (d) the period of formal operations between eleven and fifteen years (1972:96).

The relationship of these developmental "stages", and the neuropsychological indices previously noted, indicate the need for more complete understanding of the coupling between neurophysiological development and developing cognitive capabilities so that we can achieve a more rational neuropsychoeducational approach.

Note the close relationship neurophysiologically and cognitively of Valett's order of basic learning abilities and Piaget's major stages as noted by Overton (1972:95–97). It seems clear that (1) these must not be ignored in programming a young child's learning, and (2) the readiness factor must not be ignored in view of the well-established sequence of these learning stages.

Overton notes that the change from preoperational to concrete operational periods of childhood finds the very young child involved in direct perception relationships with a minimum of reasoning. So this child as evaluated by Piagetian "conservation tasks" relates quantity to shape and form of objects, but if the shape or form is changed he is confused; he must also change the quantity. For instance, he cannot understand how a low, wide glass can hold as much water as a tall, narrow one. It is not until he is seven or eight or later that he becomes a fully "reason-able" creature. As he goes through this transition he begins to reason abstractly instead of limiting himself to direct relationships (1972:96–103).

Almy's replication of Piaget's work demonstrated "that only 48% of the second-grade children, in the middle class school, with a mean chronological age of seven years and four months, were able to conserve in all three of the Piagetian tasks" (1966:83) which were designed to measure cognitive maturity in terms of abstract thinking normally required for primary grades. Almy concludes that "failure to conserve [Piagetian term for ability to grasp certain problems of abstract reasoning] at an early age may be associated with a failure to grasp much that goes on in the classroom and elsewhere" (1966:99).

Says Furth of this development period, describing the Piagetian timing:

"The age range of five to ten years . . . constitutes the establishment of what Piaget calls "operational" intelligence. It is during this time that the stable concepts of space, time, relations, classes, combinations, etc., become available to the child, and it is precisely these broad concepts that are the stuff of general knowledge or intelligence. These general concepts of the developing intelligence evolve whether the child goes to school or not, because they are not dependent upon specific instruction. Moreover, these concepts are the base on which the learning of any special knowledge must rest if it is to be anything more than rote memory (1970:3)."

On the hurrying of the education of American children, Phillip points out that Piaget:

"When asked whether or not the stages of the development of the child's brain can be speeded up, called this the "American question". Piaget's basic answer to this question was that it probably can but probably should not be speeded up. Piaget feels that there is an optimal time for organization of operation of the brain. And feeling that there is an optimal time, he goes further to point out the optimal time is not the minimal time. His concern is for maximal development more than acceleration (1969:132)."

Jensen suggests that there are two general varieties of learning ability, *associative* and *conceptual* (1969:41). The first is primarily identified with the early sensorimotor and preoperational years of the normal child's life. The second relates more to the later ability to reason from cause to effect, to think abstractly. Without going further into Jensen's conclusions, Rohwer notes his observations that the schools tend to demand learning tasks that "become increasingly conceptual in their demands with succeeding grade levels" (1970:4).

Kaufman underscores the sensorimotor nature of learning for children six or under. Utilizing interference and priming reaction time models, she explored the relative effectiveness of touch and vision in early childhood developmental change. She reports:

"For younger children (3–6), tactual stimulation proves to be more effective, while for older children (7–9), visual is more effective with a shift occurring between ages 5–7."

"An additional finding that emerged from results of the priming model suggests that intermodal stimulation has an inhibitory effect on reaction time for younger children, with tactile priming stronger, and a facilitatory effect in older children, with visual priming the more potent stimulation (1971)."

Rohwer sees an intrusion on the child's freedom to learn associatively during his preoperational years. In his review of ECE research he found "litle evidence to support the rationale for progressively lowering the age of required school entrance if by evidence one requires data demonstrating a positive effect of early school entrance on later school achievement" (1970:7,8). He offers an illustration:

"For example, consider the sacred cow of reading proficiency. Reading instruction begins almost uniformly with the onset of formal schooling, usually at age five, and the child's progress in reading typically becomes the major desideratum for judging his success in schools. Yet there is no compelling evidence that delaying the onset of reading instruction by one or even several years would retard the rate at which the component skills are acquired. Furthermore, there is no persuasive evidence that reading is the principal means by which the student can acquire the other kinds of information that might be useful to learning during the first five years of schooling; even given current schooling practices the evidence for this is thin and it is much more then with respect to the issue whether or not the presentation of information in text form is optimal for learning in the case of highly proficient readers (1970:7)."

Dr. J. T. Fisher supports this thesis from clinical observation and affirms a need for a primary effort in behalf of the home rather than developing more schools. When school time does come, he infers a need for nongradedness:

"Psychologists have demonstrated that a normal child commencing his education in adolescence can soon reach the same point of progress he would have achieved by starting to school at five or six years of age. I have often thought that if a child could be assured a wholesome home life and proper physical development, this might be the answer to a growing problem of inadequate classroom space and a shortage of qualified teachers—and the instinctive reluctance of all of us to hand over tax dollars for anything that doesn't fire bullets (1951:13,14)."

Husén (1967) made an international correlation study of mathematics achievement and attitudes toward school. He drew stratified samples from the entire student population enrolled in the modal grade for thirteen-year-olds in Australia, Belgium, England, Finland, France, Germany, Israel, Japan, Netherlands, Scotland, Sweden and the United States. Rohwer (1970) was able to rank Husen's samples in terms of age of school entry and of national medians in each country. While he observed no significant negative correlation between age of school entry and mathematics achievement, *he found a significant negative correlation between school entry age and attitude toward school* (rho$=-.72$, $p<.01$). That is, the longer the student had been in school before the sampling the greater the probability of negative attitudes toward school. Pontius' studies (1972) underscore the detrimental behavioral effects of speeding up "concrete" adult demands on children.

Elkind (1969:332) found that "Not only is there no clear cut longitudinal data to support the claims of lastingness of preschool instruction, there is evidence in the opposite direction". And citing several key studies, he suggests "a negative correlation between early physical maturation and later intellectual attainments . . . the longer we delay formal instruction, up to certain limits, the greater the period of plasticity and the higher the ultimate level of achievement". He sees "intellectually burned" children who before they reach high school have become so frustrated and anxiety ridden by unrealistic educational measurement and objectives that they are unprepared for intellectual success or for achievement that might otherwise be theirs.

Summary on Neuropsychology and Cognition. From a review of ECE research, it is difficult to find evidence supporting generalized school intervention down to age four. Research in fact, generally suggests the opposite. It offers strong reason for delaying schooling as commonly conceived until age eight or later. Whatever consternation this might trigger in family or professional circles, the evidence is quite clear, whether the data is clinical, empirical or from other research.

The young child, however bright, has a structurally incomplete central nervous system until he is at least eight to ten. This includes visual, auditory and other sensory-motor faculties. Most children appear to be unready for the type of abstract thinking or stress of continued encouragement of reading by many schools until a similar age. And emotionally they are normally less likely to experience deprivation if school intervention is withheld until at least seven or eight. If early intervention is to be generalized, a large body of ECE research indicates it would best be directed toward providing counseling for parents.

We agree that special needs exist in severely deprived homes; more attention could profitably be given the acutely-deprived or handicapped than some now receive. If the State should in a variety of ways make clear to parents the nature of the affective and neurological developmental needs of their children, parents may be more responsive to their needs and less demanding of the schools. It is in this articulation with the home where many educational systems may have principally failed. California laudably expresses a determination to change this. (1971). Other states are joining.

Piaget, who is given much credit for the "rediscovery" of the infant and the young child, and therefore for much of the ECE renaissance, is yet, from a reading of almost any of his works, found to be among the first to question the need for wisdom of early childhood acceleration (Gordon:1968:11).

Once the normal child has been left free to develop affective, cognitive and neurophysiological readiness, research suggests that he will quickly learn the necessary skills with which he currently wrestles. Fisher (1951:12) suggests that the experience of unpressured normal development should be available to every normal child. The principal question, it appears, should be not so much one of providing more schooling, as of assuring a warmer, more enlightened home environment until the child reaches appropriate cognitive and neurophysiological maturity. For reading with understanding, writing effectively and performing abstract operations, this appears to be much closer to age eight or ten than to age four.

EMPIRICAL EVIDENCE AND SCHOOL ENTRY AGE

There remains here the obligation to cite investigations which have compared the results of early schooling on the one hand with later entry on the other. Such evidence should go beyond immediate measurement of results, to examine long-term retention, development of attitudes, quality and degree of motivation, and general maturity. This research should cross all SES levels, and should consider the differences in rate of development between boys and girls.

Except for the handicapped or severely deprived, research provides scant evidence for lasting benefits from early schooling, and then efforts are usually expensive, small-scale, with three to five students per teacher. Empirical evidence favors later admission for normal children. It strongly suggests that for early entrants there is a greater likelihood of regression of loss of motivation (as well as deterioration of attitude as demonstrated by Husén) as the years pass, while the late starters appear generally to improve their positions.

COMPARATIVE STUDIES

Most academic schooling, it will be assumed, eventually rests upon an ability to read. In turn, Nila Smith points out, "Dozens of investigations indicate that reading maturation accompanies physical growth, mental growth, emotional and social maturity, experiential background and language development" (1968: 61). Olson found that "children of the same age and the same grade location are regularly found to differ by as much as four or five years in their maturation and their readiness to perform tasks" (1947: 502–3).

Several questions are presented: Is the child ready for school? Even more importantly, does he demonstrate this readiness by sufficient maturity to sustain learning? Will the early starter be as well or better motivated and less frustrated and anxiety-ridden as the one who starts later? A wide variety of studies contribute answers to these questions.

King (1955:331–336) reports an Oak Ridge, Tennessee, study of two groups of children, involving 54 children who were five years eight months to five years eleven months old when they started school who were compared with 50 children who started at six years three months to six years eight months of age. I.Q. scores of the younger group averaged 102.04, the older group average 100.08. Stanford achievement tests at the end of grade six for these children showed a distinct difference in reading ability, strongly in favor of the older group (a range of 3.8 to 9.6 for the younger group, 5.4 to 11.3 for the older group). In this study, of the 11 children who were retained in a grade, only one had started after six years of age, 19 boys and 16 girls of the younger group appeared to be maladjusted in some way, while only 3 boys and 3 girls from the older group were considered maladjusted.

ECE studies involving retention of learning have been done at virtually all grade levels and SES levels with remarkably uniform results. Keister (1941:587–596) reported that five-year-olds could often develop enough skills to get through first grade reading, but the learning was generally not retained through the summer vacation.

Gott compared 171 kindergarten children who were about four years nine months when enrolled, with 171 who entered at five years seven or eight months. She reports:

"Children with continuous attendance in one district through sixth grade were selected from the 1953, 1954 and 1955 kindergarten enrollees in the public schools of a California city of 45,000 with an average elementary enrollment of 9,800. Those who were four years nine or ten months of age at entrance formed the younger group; those five years seven or eight months of age formed the older group. In each age group there were 171 cases, 102 girls and 69 boys."

"Each age group was divided into five ability groups determined by the California Test of Mental Maturity, Elementary Short Form, given in the fourth grade. Younger children were compared only with older children of the same ability group. Reading readiness tests were used at the end of kindergarten. The Stanford Achievement Tests measured reading, arithmetic and spelling at the end of grades two through six, and social studies after grades four, five and six. Social-emotional development and leadership honors were judged by records and faculty reports. . . ."

"All younger groups achieved less than all older groups in all subjects at all grade levels, except for one zero difference, in the ninety comparisons of mean scores. (1963)"

Davis (1952:140–41) studied 235 first grade children with these results:

ARITHMETIC

Percent of low marks (1)

Age of pupil in years:	
5¾ to 6	49
6 to 6¼	34
6¼ to 6½	19
6½ to 6¾	19

READING

(Percent of low marks)

Age of pupil in years:	
5¾ to 6	38
6 to 6¼	17
6¼ to 6½	16
6½ to 6¾	16

He provides additional data and comes to some conclusions about the fortunes of birth dates:

"Marks of Fair and Poor were considered low. Marks of Excellent and Good were considered high. Ages are as of October 1, 1951. A similar study of marks earned by these same children during their kindergarten year showed an even higher percentage of poor marks received by the younger children.

"If your child was born just one day too late and is just unlucky enough to miss entering school this year, the chances are that he is just lucky enough to miss an unhappy school experience and gain a happy one."

Other comparisons of reading achievement of early and late starters were made by Carroll (1964:290) in the third grade, Halliwell and Stein (1964:631–39) in the fourth and fifth grades, and Hampleman (1959:331–34) in the sixth. All found generally that later entrants significantly excelled those who started earlier. Similar studies with similar results have also been reported by Carter (1956), Baer (1958), Green and Simmons (1962).

John Forrester (1955:80–81), discovered on a study of 500 school children from grades 1 through 12 in Montclair, New Jersey, public schools, that the very bright, but very young pupils at the time of school entrance, had not realized their potential in school success. From junior high on, 50% of them earned only C grades. However, the very bright older-at-school-entrance group excelled generally throughout their school careers.

While many of these studies were undertaken with a combination of low and middle-SES children, the higher SES groups apparently perform similarly. Mawhinney (1964: 25) reports how during over a total of 14 summers from 1949–1963, children from Detroit's elite Grosse Pointe, Michigan, families were selected by psychologists because they were considered mature enough or of sufficient potential to be admitted to kindergarten before age five. He states:

"During the 12 summers of 1949–60 there were 1,378 boys and girls tested, and 777 (56.4 per cent) were approved for early entrance, although only 745 actually entered. During that period, 359 (48.2 per cent of the 745) withdrew from Grosse Pointe Public Schools.

"In May and June of 1961, pupil personnel surveyed the special kindergarten program, focusing upon the 386 now left. Their records were studied and their teachers and counselors were polled for evaluations of social and emotional adjustment, demonstration of leadership and academic status.

"Nearly one-third (30.6 per cent) of the early entrants were said to be poorly adjusted. Only about one out of 20 (4.6 per cent) was judged to be an outstanding leader, while nearly three out of four (74.4 per cent) were considered entirely lacking in leadership. Nearly one in four (24.4 per cent) was superior academically, and one in four (25.3 per cent) was either below average or had repeated a grade."

Such has been the story for over fifty years, as Reed (1927), Oswell (1933), and Wright (1936) report. These and other researchers found that from 1915 to 1935, 20 to 40 per cent of first grade children were failing because of inability to read. As a result of these statistics, Nila Smith notes, that "the reading readiness concept was introduced" (1966:62). This is the concept that some planners now reject. (Time, July 26, 1971)

As pointed out by Halliwell and Stein after a review of literature on early and late starters, these "findings . . . do not in any way negate the value of individualizing programs or of accelerating pupils through the grades" (1964:658). There may be a time for acceleration as the able child demonstrates maturity. And it should again be observed here that provision should be made through non-graded schools to accommodate these differences. Nevertheless, say Halliwell and Stein these studies "do seem to warrant the conclusion that succumbing to current pressures for an early entry date for first-grade pupils is extremely difficult to justify especially in the light of the more positive findings for other forms of acceleration" (1964: 639).

READINESS DIFFERENCES BETWEEN BOYS AND GIRLS

While Pitcher and Ames (1964:44) noted "surprisingly few" systematic studies of early sex differences, one factor seems to stand out clearly: "boys are harder to raise than girls" (1964:49) This has been suspected for years. Cutts and Mosely (1957) provide several sets of figures, each of which demonstrates overwhelmingly the greater number of behavior problems among boys than girls.

Rexford (1959) reports in one study that fifty-five out of fifty-seven delinquents were boys.

Hall (1963:396–99) found in a study of 12,800 elementary school pupils that three times as many boys were retained as girls. The retentions were attributed to slower maturation. Pitcher and Ames concluded, as do many investigators, that "so far as school goes, on the average girls are ready to meet the demands of first grade a good six months earlier than boys" (1964:51). Rubin (1972) and Gesell and Ilg (1946), express concern, with Schaefer (1971:18. See page 8, this paper), that educators and parents "ignore" or "overlook" developmental facts which research makes plain. Says Rubin:

"Educators have long stressed the need to adapt instruction to children's developmental needs and capacities. Still the widely recognized developmental age difference between boys and girls of the same chronological age is almost universally ignored in educational planning for children in their early school years (1972: 265)."

Gesell and Ilg (1946:388, 389) after extensive research and clinical analyses, found that school tasks such as reading, writing and arithemtic "depend upon motor skills which are subject to the same laws of growth which govern creeping, walking, grasping". The resulting awkwardness and immaturity "is often sadly overloked by teachers and parents":

"When the school child was a baby the adult attitudes tended to be more reasonable. One did not say he should walk at this or that age. Feeling confident that he would walk at the most seasonable time, one was more interested to observe the stage and degree of his preliminary development. If reading readiness and walking readiness are appraised on similar grounds, more justice is done the child (1946:388, 389)."

Research substantiates Hymes' findings that "A child pressured into achievement before he is ready . . . runs the risk of becoming a less sturdy, less sure, a less sound and healthy personality . . . [and] resisting and rejecting when he is a free agent, the learning that is forced on him" (1970:136). Say Ames, Gillespie and Streff,

"Inevitably, many children have not merely one but several of the problems just listed [immaturity, vision or perceptual, emotional disturbance, brain-damaged, retarded atypical personality, endocrine imbalance, etc.]. But whatever other difficulties they may experience, *the majority of children referred to our clinical service* [i.e., the Gesell Institute] *because they were doing poorly in school were overplaced and underendowed for the schoolwork being demanded of them* (1972:57)."

Clinical help outside the home may often be required for advanced cases of deprivation, but these are yet the exception. And even in these cases, according to research cited in this paper, the typically-deprived child will normally respond better to a home type environment in which he may identify with a mother or mother-surrogate who understands and provides him affection.

COMPLIMENTARY ASPECTS OF EARLY CHILDHOOD EDUCATION

There are a number of factors which will inhibit or advance optimum child development. Among these are the nature of the home, the structure of the school, the costs involved and the direction which research takes and extent to which its evidence is systematically followed.

THE HOME

There are unquestionably homes which are not appropriate habitats for children. Many of these are in low SES communities but they may also be found in middle and higher class areas. For warmth and continuity, as pointed out by Geber and others, are far more important to the child's overall development than the material assets of the home. Parent education is therefore one of the most urgent needs.

Some educators believe that this approach will not be fruitful, for "what parents want to do they will do". Yet if public information on a massive and persistent scale can turn millions from the nicotine habit or addiction, and if it can make America ecology conscious, much can be done to educate parents about their part in the development of their children. Research, as noted, tends to support this conclusion.

THE SCHOOL

While research massively contraindicates schooling before age seven or eight, except under conditions cited in this report, the school should be prepared for the children of those parents who prefer to delay their school entry until age seven or eight or later. It would seem appropriate that many state legislatures should reconsider their requirements for school entry. Mandatory school entrance before age seven or eight appears to be contrary to a large body of reproducible research evidence.

In preparation for later entries the schools should build flexibility into their curricula. *There is no reason why a well-adjusted child who appropriately begins school at age eight should be kept in lock step through school and graduate from high school at* 20. Fisher (1951:14) points out that a "normal child", given a flexible, i.e. nongraded, school program can start even as late as adolescence and finish with or ahead of those who started at five or six. But a simple, nongraded plan with a reasonable set of performance standards is essential. Otherwise, as if often done, the late starter may well bypass the first, second or even later grades, depending on age and maturity.

Costs. While research is not yet entirely clear on dollar costs of homing and of schooling, experiments by Levenstein, Gray and others favor the home. Says Schaefer:

"Evaluation's of these programs suggest that working with the mother has greater cost-effectiveness in promoting the child's intellectual growth. The long term effects are greater, the cost can be lower than bringing the child into day care or preschool, the mother applies her skills to her subsequent children, and neighbors, friends, and relatives learn improved skills from the target mother. (1972)."

The ERIC (1972) analysis of a study by Barbrack and Horton tends to agree. (But a caution must be observed here: When cost comparisons are made, the bases should be consistent. For example, a cost which includes schooling or day care plus comprehensive services (medical, psychological, etc.), should not be equated with a figure showing costs of schooling alone. Nor should whole-day schooling or care be costed against care for briefer periods. Through neglect of this caution, the literature has often been confusing.)

Shannon (1972) in his analysis of the Mondale-Javits Bill, states that comprehensive early schooling or child care "could easily cost $2,600 a year a child". Considering the services Riles has in mind, his report (1972:12) strongly suggests that many if not all California four-year-olds fall into this category, (although he is budgeting only $500 to $600 per child). Shannon's figures provide legislators and taxpayers ample incentive for desiring that ECE efforts be built on sound bases of reproducible research, before local, state or federal governments embark upon wide-ranging programs for all children. Otherwise parents may, for increased costs, receive services which actually impede the development of their children and which may in some cases cause damage.

Some experienced observers fear that the current ECE drive may get so out of hand that the movement will be irreversibly harmed. White recently expressed a concern that the early schooling movement "will work itself into so much trouble within six years or so that it will wipe out the gains special education has made and possibly ruin the future of early childhood education" (See Moore, 1972). White has recently completed a comprehensive study of federal ECE spending programs.

In this connection, Jencks (1972) in his analysis of the Coleman Report, indicates that increased spending levels in schools have shown relatively little promise, while working with the home shows definite promise.

RESEARCH

Research is crucial as a base for future ECE programming. Among many research and development areas of urgent need are:

1. PHYSIOLOGICAL AND PSYCHOLOGICAL DEVELOPMENT

There is research evidence that the brain does not physically mature until the child is eight or ten. Studies on cognition also reveal a readiness for sustained high cortical thought—such abstract thinking as required in mathematics, reading, etc. only after age seven or eight. Studies are needed which correlate neurophysiology and cognition in given groups of children between ages three and four to nine or ten.

2. MINIMAL BRAIN DYSFUNCTION

Some have held that this is primarily a gentic, organic or metabolic problem. Is this true? Or is it possible that what appears to be minimal brain dysfunction may be caused by early stress in home or school?

3. BRAIN LOBES

There are some striking new theories on the function and relationships of the lobes of the brain in young children. These should be thoroughly investigated.

4. VISION AND HEARING AND SENSORY AND INTERSENSORY PERCEPTION IN GENERAL

There remains much controversy, for example, about visual readiness for reading. Yet research to date warns of dangers to the young child. What, if any, is the effect of television on the child's visual-perceptual apparatus?

5. EARLY STRESS AND DELINQUENCY

There is reason to believe that anxiety frustration and loss of motivation incurred in part by early schooling or seriously deprived homes may be the seeds of delinquency. Ethical deprivation or retardation may be a more serious concern than mental retardation and similar cognitive anomalies.

6. SOCIABILITY AND AFFECTIVE DEVELOPMENT IN THE YOUNG CHILD

Many educators and parents intuitively believe that the young child between birth and five or six requires socializing experiences outside the home, i.e. school. Further studies are needed of attitudes, motivation and social/emotional development in general. (cf. Ainsworth, Bowlby, Geber, Husén, Spitz, Yarrow, etc.)

7. MATERNAL DEPRIVATION

The effects of maternal deprivation urgently need further study and highlighting to insure that parents and educators understand better the way children are affected generally when they leave the warmth and environmental continuity of a good home, and/or when their homes do not provide this warmth and continuity.

8. HOME SCHOOLS

It must be concluded in the face of evidence provided here that there are better and perhaps less expensive means to insure optimum early childhood development than early schooling for all children. Parent education on a more systematic basis, including small "home schools" or small "family care centers" on a 1:3 to 1:5 adult-child ratio where necessary, is one possibility. The work of Levenstein, Gray, Schaefer, Weikart, Gordon and others along this line needs to be expanded, with much more experimentation on home-and-family-centered education. Project Home Start, recently initiated by the Office of Child Development of the U.S. Department of Health Education and Welfare, is a beginning in this direction.

9. MATERIALS AND METHODS

Whether for mothers who keep their young children at home or for teachers in schools, research should provide more and better age-appropriate and development-appropriate learning tasks for the young child. Simple, manageable criteria or performance targets—usable by mother or teacher—should be developed on an age-specific basis rather than by grade, providing flexibility and usefulness for non-graded schools. These should provide for each child to move along at his own optimum speed.

SUMMARY

The research evidence presented here has been limited to a few major and commonly-discussed facets of early childhood development. The number of areas of substantial developmental change which take place between the ages suggested by the California Task Force for school entrance (age four) and the ages indicated by research (approximately eight to ten or eleven) is surprising. White (1970:41–57) documents a wide variety of these between ages five and seven. Yet a review of this limited cross-section of ECE-related research leads to several general conclusions and in turn to more detailed findings:

First, it is difficult to see how California and other states and cities can justify schooling for *all* four-year-olds (or younger) in view of substantial evidence to the contrary. *This does not deny the need for intensive intervention for the handicapped or seriously deprived.*

Second, in the face of known school costs based on teacher-student ratios of 1:20 or 1:30 or more for typical elementary classrooms, the education of four-year-olds at the ratio of 1:10 or "at least one adult to every ten children" recommend in the Task Force *Report* (1971:3) will be prohibitive on a generalized basis. Yet to compute the costs on the 1:10 ratio is not educationally realistic in terms of the "eleven successful programs" cited in the *Report* (1971:31). In *every* program cited in which ratios were provided (six out of eleven) the ratio of teacher to student was *1:5* or less. Considering the potential costs, both capital and operating, the generalization of the program to make it available to *all* California four-year-olds would likely through dilution of effort or funds, pose a threat to intervention programs which are seriously needed, i.e., for the handicapped and seriously deprived.

Third. Those proposing early schooling for all children should take time to analyze systematically (1) the broad ECE goals as stated from a comprehensive view of all facets on which research evidence is available, and (2) the interrelationships of those facets.

Fourth. There should be little or no discrepancy between research and planning, and greater care given to systematizing research, some of which is reviewed here.

Among the many vital ECE research areas which cannot be ignored if a true systems approach is made, but which were essentially omitted from the California Report are:

1. Evidence of parental willingness to solve their ECE problems in the home with such help from the city or state as may be indicated.

2. Maternal deprivation and the specific relationship of early schooling to losses so incurred.

3. The imperative of neurophysiological and cognitive maturity providing for optimum development of the young child's intelligence. This includes, visual, auditory and other sensory factors.

4. The many research reports which indicate that as a group children entering school at an older age achieve better academically and have fewer emotional problems than their younger counterparts.

5. Experiments with the "home school", particularly recent efforts, which show promise of greater success at much lower cost in homes where intervention is indicated, and which strengthen the normal province of the home instead of providing substitutionary measures through schooling. This is a creative challenge to early childhood specialists.

Fifth. There are many aspects of the California Report relating to older children and to other aspects of early child care which can be well supported by research.

It is the broad scale inducement of early schooling for all, even though not mandatory, that thus far has little or no support by reproducible research.

CONCLUSION

It should be pointed out in conclusion, perhaps, that a number of reputable scholars, researchers and clinicians, after experimentation or review of research, have found it necessary to reverse or clearly modify their positions after assuming that early schooling or other well-planned, institutionalized day care was virtually synonymous with sound early childhood education. Among these are Blatt, and Garfunkel (See p. 35), Schaefer (1972) and Meers, below. Educational planners for local, state and federal governments might profitably note the experience of one of the more candid of these. Meers, who is both a clinician and researcher, first details his original conclusions which he declares "have since proved to be singularly erroneous." (1970) These included open admiration for selected programs in Eastern and Western Europe, Israel and the United States. The concluding statement of his paper prepared for the Office of Economic Opportunity seems to summarize well the findings of the research team of the Hewitt Research Center in preparing this report on early schooling from a systematic research point of view, and specifically as it relates to California and other government plans:

In specifying the apparent dangers of early Day Care, one cannot ignore that some alternatives present even greater hazards. A range of studies of existing child care methods documents that disadvantaged children are too often left unattended for hours, or are cared for by older siblings of five and six years, or by ill and senile adults. The inadequacies of child care for some of our most disadvantaged mothers quite outweight professional reservations and concerns about Day Care. Yet the danger in recommending Day Care, however conditionally, may be likened to the medical use of morphine. The pain of the symptom may be relieved without cure, and addiction may follow.

Some clinicians and child development researchers, such as this author, are presently in an anomolous position. They have long and fervently recommended and supported the establishment of Day Care centers for special cases for the very young; yet, it now appears that a conditional recommendation may be misunderstood as a general endorsement. Professionals have previously carried partial responsibility for the oversale of institutional care, for foster care, and more recently for Head Start Group Day Care entails far greater risks and these should be taken only where the alternative [sic] are patently worse. (1970)

BIBLIOGRAPHY

Ainsworth, Mary D., et al. "The Effects of Maternal Deprivation: A review of findings and controversy in the context of research strategy." *Deprivation of Maternal Care, a Reassessment of its Effects*, New York, Schocken Books, 1967.

Almy, Millie, Edward Chittenden and Paula Miller. *Young Children's Thinking*, Teachers College Press, Teachers College, Columbia University, New York, 1966.

Ames, Louise Bates. *Is Your Child in the Wrong Grade?* Harper & Row, Publishers, New York, 1967, 57.

Ames, Louise Bates, Clyde Gillespie and John W. Streff. *Stop School Failure*, Harper & Row, Publishers, New York, 1972, 57.

Baer, Clyde J. "The School Progress and Adjustment of Underage and Overage Students," *Journal of Educational Psychology*, February, 1958, *49*:17–19.

Beadle, Muriel. *A Child's Mind*, Anchor Books, Doubleday & Company, Inc., Garden City, New York, 1971, 192.

Bell, Silvia M. "Early Cognitive Development and its Relationship to Infant-Mother Attachment: A Study of Disadvantaged Negro Infants," Bureau of Research, Office of Education, U.S. Department of Health, Education and Welfare, Washington, D.C., Nov. 1971.

Bell, Silvia M. "The Development of the Concept of Object as Related to Infant-Mother Attachment". Study supported by U.S. Public Health Service, RO1 HD 01712, Department of Psychology, Johns Hopkins University, Baltimore, Md.

Bettelheim, Bruno. *The Children of the Dream*, The Macmillan Company, Collier-Macmillan, Ltd., London, 1969.

Birch, H. G. and A. Lefford. "Intersensory Development in Children," *Monographs of the Society for Research in Child Development*, 1963, 28 (5, Whole No. 89).

Blatt, Burton and Frank Garfunkel. *The Education of Intelligence*, The Council for Exceptional Children, Washington, D.C., 1969.

Bloom, Benjamin S. *Stability and Change in Human Characteristics*, John Wiley & Sons, New York, 1964, 88.

Boland, Moselle. "Going to School Too Soon Blamed for Eye Troubles," *Houston Chronicle* (Texas) April 30, 1963, (See Hilgartner, this bibliography).

Bowlby, John. *Attachment and Loss, Volume, I, Attachment*, Basic Books, Inc., New York, 1969.

Bowlby, John. *Maternal Care and Mental Health*, Geneva: World Health Oorganization, 1952.

Brazelton, T. Berry. "The Effect of Maternal Expectations on Early Infant Behavior", unpublished manuscript, delivered at the March of Dimes "Infants at Risk" Conference, Mt. Zion Hospital, May 24, 1971.

Butler, Annie L. "Areas of Recent Research in Early Childhood Education," *Childhood Education*, December, 1971, 48:3.

Butler, Annie L. *Current Research in Early Childhood Education: A Compilation and Analysis for Program Planners*, American Association of Elementary-Kindergarten-Nursery Educators, Washington, D.C., 1970, 76, 77.

California State Task Force Report. "Report of the Task Force on Early Childhood Education," Wilson Riles, State Superintendent of Public Instruction and The State Board of Education, November 26, 1971.

Carroll, Marian. "Academic Achievement and Adjustment of Underage and Overage Third-Graders," *The Journal of Educational Research*, February, 1964, 290.

Carter, Homer L. J., and Dorothy J. McGinnis. *Diagnosis and Treatment of the Disabled Reader*. London: The MacMillan Co., Collier-MacMillian Ltd., 1970.

Carter, Lowell Burney. "The Effect of Early School Entrance on the Scholastic Achievement of Elementary School Children in Austin Public Schools," *Journal of Educational Research*, October, 1956, *50*:91–103.

Caswell, H. L. "Non-Promotion in the Elementary School," *Elementary School Journal*, October, 1933, 644–647.

Chalfant, James C., and Margaret A. Scheffelin. *Central Processing Dysfunctions Children: A review of Research* (Ninds Monograph 3), U.S. Department of Health, Education and Welfare, 1969.

Corbin, Penuel H. Thesis submitted to the Faculty of the Graduate School, University of Minnesota, for Master in Science Degree in Pediatrics, June, 1951. NA MED LIBRARY, W4A, qC791E, 1951, Cl.

Cutts, Norma, and Nicholas Moseley. *Teaching the Disorderly Pupil in Elementary and Secondary School*, New York: Longmans, 1957.

Daugherty, Louise G. *NEA Journal*, December, 1963, 18–20.

Davis H. M. "Don't Push Your School Beginners," *Parent's Magazine*, October, 1952, 27:140–141.

Education Commission of the States, *Early Childhood Development, Alternatives for Program Development in the States*, The Commission: Denver, Colorado, 1971.

Educational Policies Commission, American Association of School Administrators, *Universal Opportunity for Early Childhood Education*, Washington, D.C.: the Commission, 1966, 8–10, 12.

Elkind, D. "Piagetian and Psychometric Conceptions of Intelligence," *Harvard Educational Review*, 1969, 39:319–337.

ERIC/ECE NEWSLETTER, "There's No Place Like Home—For Kids to Learn!", including analysis of a study by C. R. Barbrack and Della M. Horton, 6:1, March, 1972.

Evans, J. Performance of Head Start children in early grades of school (National Impact Study). Symposium paper presented at the annual meeting of the American Psychological Association, Washington, D.C., 1969.

Figurel, J. Allen. "Are the Reading Goals for the Disadvantaged Obtainable?" *Reading*

Goals for the Disadvantaged, International Reading Association, Inc., Newark, Delaware, 1970:1, 2.

Fisher, James T., M. D. and Lowell S. Hawley. *A Few Buttons Missing*, J. B. Lippincott Company, Philadelphia, 1951, 13, 14.

Forrester, John J. "At what age should children start school?" *The School Executive*, March 1955, 74:80, 81.

French, Joseph. "Some School Drop-Outs Are Actually With Top 25% of Nation's Gifted," quoted in *Today's Child*, Vol. 17, No. 7, September, 1969, 2.

Furth, Hans G. *Piaget for Teachers*, Prentice-Hall, Inc., Engelwood Cliffs, N.J., 1970, 1, 3, 4.

Geber, Marcelle. "The Psycho-Motor Development of African Children in the First Year, and the Influence of Maternal Behavior," *Journal of Social Psychology*, 1958, *47*:185–195.

Gesell, Arnold and Frances L. Ilg. *The Child From Five to Ten*, New York: Harper and Brothers, Publishers, 1946, 388, 389.

Gordon, Ira J. "The Beginnings of the Self: The Problem of the Nurturing Environment," *Phi Delta Kappan*, March, 1969, *50*: 375–78.

Gordon, Ira J. *A Parent Education Approach to Provision of Early Stimulation for the Culturally Disadvantaged, Final Report*, ERIC No. ED 017 339. Gainesville: University of Florida, College of Education, 1967.

Gordon, Ira. "The Young Child: A New Look," *Early Childhood Education Rediscovered*, Edited by Joe L. Frost, Holt, Rinehart and Winston, Inc., New York, 1968, 11, 13.

Gott, Margaret Ella. *The Effect of Age Difference at Kindergarten Entrance on Achievement and Adjustment in Elementary School*, A doctoral dissertation, University of Colorado, 1963.

Gray, Susan W. "The Child's First Teacher," *Childhood Education*, December, 1971, *48*:3, 127–129.

Gray, Susan W. *Selected Longitudinal Studies of Compensatory Education—A Look from the Inside*, Nashville: George Peabody College for Teachers, Demonstration and Research Center for Early Education, 1969, 13.

Green, Donald Ross, and Sadie Vee Simmons, "Chronological Age and School Entrance," *Elementary School Journal*, October. 1962, *63*:41–47.

Gumpert, David. "Unequal Rights", *Wall Street Journal*, LII No. 112, March 22, 1972, 1, 17.

Hall, R. V. "Does Entrance Age Affect Achievement?", *Elementary School Journal*, 1963:396–399.

Halliwell, Joseph W. and Belle W. Stein, "A Comparison of the Achievement of Early and Late Starters in Reading Related and Non-Reading Related Areas in Fourth and Fifth Grades," *Elementary English*, October, 1964, 631–639, 658.

Hampleman, Richard S. "A Study of the Comparative Reading Achievements of Early and Late School Starters," *Elementary English*, May, 1959, *36*:331–34.

Heffernan, Helen. "A Vital Curriculum for Today's Young Child," *Early Childhood Education Rediscovered*, Edited by Joe L. Frost, Holt, Rinehart and Winston, Inc., New York, 1968, 494, 496, 497.

Hess, Robert D. and Virginia C. Shipman. "Maternal Attitudes Toward the School and the Role of Pupil: Some Social Class Comparisons," *Developing Programs for the Educationally Disadvantaged*, A. Harry Passow, editor, Teachers College Press, Teachers College, Columbia University, New York, 1968, 127, 188.

Hilgartner, Henry L. "The Frequency of Myopia Found in Individuals Under 21 Years of Age," Unpublished Manuscript, Austin, Texas, 1963. First reported by Moselle Boland (See bibliography on Boland).

Husén, Torsten. *International Study of Achievement in Mathematics*, Vol. II. Uppsala: Almquist and Wikselis, 1967.

Hymes, James L. "Early Reading is Very Risky Business," *Contemporary Issues in Educational Psychology*. (Edited by H. Clarizio, R. C. Craig and W. A. Mehrens.) Boston: Allyn and Bacon, Inc., 1970, 136.

Ilg, Frances L. and Louise Bates Ames. *School Readiness*, Harper & Row, Publishers, New York, 1965, 241.

Jencks, Christopher S. "The Coleman Report and the Conventional Wisdom", *On Quality of Education* by Frederick Mosteller and Daniel P. Moynihan (New York: Random House, 1972) 65–115.

Jensen, A. R. "How Much Can We Boost IQ and Scholastic Achievement?" *Harvard Educational Review*, 1969, *39*:2, 3, 104–107.

Kagan, Jerome. "On Class Differences and Early Development," *Education of the Infant and Young Child*, Denenberg, Victor H. (Ed.), Academic Press, Inc.: New York, 1970, 10–15.

Karnes, M. B., J. A. Taska and A. S. Hodgins. "The Effects of 4 Programs of Classroom Intervention on the Intellectual and Language Development of Four-year-old Disadvantaged Children." *American Journal of Orthopsychiatry*, 1970, 40, 58–76.

Kaufman, Judith. "Developmental Changes in the Relative Effectiveness of Touch and Vision," Abstract of a paper reported at a meeting of the New York Academy of Sciences, New York, October 18, 1971.

Keister, B. U. "Reading Skills Acquired by Five-Year Old Children," *Elementary School Journal*, XLI, April, 1941, 587–96.

Kennedy, J. F. "Mental Illness and Retardation," Message to the 88th Congress, House of Representatives, *58*, February 5, 1963.

King, Ines B. "Effect of Age of Entrance into Grade I Upon Achievement in Elementary School," *Elementary School Journal*, February, 1955, *55*:331–36.

Lairy, G. C., et. al. *E. E. G. and Clinical Neurophysiology*, 1962, Vol. 14: 778, 779.

Levenstein, Phyllis. "Learning Through (and From) Mothers," *Childhood Education*, December, 1971, *48*:3, 130–34.

Lewis, Hylan. "Culture, Class, Poverty and Urban Schooling," *Reaching the Disadvantaged Learner*, A. Harry Passow, editor, Teachers College Press, Teachers College, Columbia University, New York, 1970, 24.

Mawhinney, Paul E. "We Gave Up an Early Entrance." *Michigan Education Journal*, May, 1964, 25.

Meers, Dale. *International Day Care: A Selective Review and Psychoanalytic Critique*, U.S. Office of Economic Opportunity, 1970.

Metcalf, David R. and Kent Jordan. "EEG Ontogenesis in Normal Children," *Drugs, Development, and Cerebral Function*, compiled and edited by W. Lynn Smith, Charles C. Thomas, Publisher, Springfield, Illinois, 1972, 127, 128.

Mitchell, Mabel M. "Universal Education for Four-Year-Olds?", *Early Childhood Education Rediscovered*, Edited by Joe L. Frost, Holt, Rinehart and Winston, Inc., New York. 1968, 9, 10.

Moore, Raymond S. "The Race to the Schoolhouse," *Harper's Magazine*, July, 1972.

Nagera, Humberto, M.D. *Day Care Centers: Red Light, Green Light or Amber Light*, unpublished manuscript, 1972, 5.

National School Public Relations Association, *Preschool Breakthrough*, Washington, D.C., 1970, 17–31.

Nelson, W. E. *Textbook of Pediatrics*, Saunders Company, Chicago, 1967, 1088.

Newton, Frank H. Personal Communication on Henry Hilgartner Study, Dallas, July, 1972.

New York State Regents, *Prekindergarten Education*, a position paper, The State Education Department, Albany, New York, December, 1967.

Nicholson, Jean M., John R. Knott and Robert E. Correll, *E.E.G., and Clinical Neurophysiology*, 1953, *5*:342.

Olim, Ellis G., Robert D. Hess and Virginia C. Shipman. "Role of Mothers' Language Styles in Mediating Their Children's Cognitive Development." Paper presented at the American Educational Research Association Convention, February, 1966, 190.

Olson, Willard C. *NEA Journal*, October, 1947, 36:502–3.

Overton, Willis F. "Piaget's Theory of Intellectual Development and Progressive Education," *Yearbook* of the Association for Supervision and Curriculum Development, 1972, Washington, D.C., 95–106.

Phillip, John L. *The Origins of Intellect*, Theory, by H. W. Freeman & Co., San Francisco, 1969, 132, 149.

Piaget, Jean. In "Foreword," Almy, Millie, with Edward Chittendon and Paula Miller, *Young Children's Thinking*, Teachers College Press, Columbia University, New York, 1966, iv.

Pitcher, Evelyn Goodenough and Louise Bates Ames. *The Guidance Nursery School*, New York, Harper & Row, Publishers, 1964, 44–51.

Pontius, Anneliese A. "Neurological Aspects in Some Type of Delinquency Especially in Its Juvenile Form," in Adolescence, William Kroll, Ed., Libra [in press], 1972.

——— Personal communication, July 26, 1972.

Reed, Mary Maud. "An Investigation of Practice for the Admission of Children and the Promotion of Children from First Grade," Doctoral Dissertation (New York: Teachers College, Columbia University, 1927).

Rexford, Evelyn. "Antisocial Young Children and Their Families," *Dynamic Psychopathology in Children*, New York: Grune & Stratton, 1959.

Ricciuti, Henry N. "Social and Emotional Behavior in Infancy," *Merrill-Palmer Quarterly*, 1968, 14:82–100. (Also an unpublished manuscript for publication by CRM Books, 1972).

Riles, Wilson. "The Early Childhood Education Program Proposal," Department of Education, State of California, Sacramento, 1972, 7.

Rohwer, William D., Jr., "On Attaining the Goals of Early Childhood Education," A Paper Presented at OEO Conference on Research in Early Childhood Education, Washington, D.C., 1970.

Rohwer, William D., Jr. Speech to the National Leadership Training Institutes in Early Childhood Education and Special Education, *Today's Child*, May 1972.

Rubin, Roslyn. "Sex Differences in Effects of Kindergarten Attendance on Development of School Readiness and Language Skills, *The Elementary School Journal*, *72*:5 (February, 1972) 265–274.

Schaefer, Earl S. "Toward a Revolution in Education: A Perspective from Child Development Research," *The National Elementary Principal*, Vol. LI., No. 1, September, 1971, 18.

Schaefer, Earl S. "Parents as Educators: Evidence from Cross-Sectional, Longitudinal and Intervention Research", *Young Children*, Vol. XXVII, No. 4, April, 1972, 236–238.

Schaefer, Earl S. Personal Communication, July 18, 1972.

Shannon, William V. "A Radical, Direct, Simple, Utopian Alternative To Day-Care Centers," *The New York Times magazine*, April 30, 1972.

Simonsen, Ken, *Examination of Children from Children's Homes and Day Nurseries*, Copenhagen, 1947.

Skeels, Harold M. *Adult Status of Children With Contrasting Early Life Experiences: A Follow-Up Study*. Monograph of the Society for Research in Child Development, Chicago: University of Chicago Press, 1966, Serial No. 105:*31*:1–68.

Smith, Mildred Beatty. "School and Home: Focus on Achievement," *Developing Programs for the Educationally Disadvantaged*, A. Harry Passow, editor, Teachers College Press, Teachers College, Columbia University, New York, 1968, 106, 107.

Smith, Nila B. "Early Reading: Viewpoints," *Early Childhood Crucial Years for Learning*, Margaret Rasmussen, Editor, Association for Childhood International, Washington, D.C., 1966, 61, 62.

Spaulding, Jean, "Universal Education for Four-Year-Olds?", *Early Childhood Education Rediscovered*, Edited by Joe L. Frost, Holt, Rinehart and Winston, Inc., New York, 1968, 10.

Spitz, René A. in collaboration with W. Godfrey Cobliner, *The First Year of Life*, International Universities Press, Inc., New York, 1965, 148.

Spitz, René A. *No and Yes*, International Universities Press, New York; Bailey and Swinfen, London, 1957, 124.

Strang, Ruth. *Diagnostic Teaching of Reading*. (New York: McGraw Hill Book Company, 1964), 164–5.

Tanner, Laurel N. and Daniel Tanner, "New Notes," *Educational Leadership*, Washington, D.C. Association for Supervision and Curriculum Development, 1972, *29*:6, 56.

Thies, S. Van S. *How Foster Children Turn Out*, New York: State Charities Aid Association Publication No. 165, 1924.

TIME. "Getting Smarter Sooner," July 26, 1971, *98*:4:38.

United States Commission on Civil Rights, *Racial Isolation in the Public Schools*, Vol. 1 Washington, D.C., U.S. Government Printing Office, 1967, 138.

Vallett, Robert E. "The Evaluation and Programming of Basic Learning Abilities," *The Disadvantaged Child*, Joe L. Frost and Glen R. Hawkes, editors, Boston, Houghton Mifflin Co., 1970, 259, 260.

Weikart, David P. "Learning Through Parents: Lessons for Teachers," *Childhood* Education, December, 1971, *48*:3, 135–137.

Wepman, Joseph M. "The Modality Concept—Including a Statement of the Perceptual and Conceptual Levels of Learning." *Perception and Reading*, Proceedings of the Twelfth Annual Convention, International Reading Association, Newark, Delaware, Vol. 12, Part 4, 1968, 1–6.

Westinghouse and Ohio University, "The Impact of Head Start: An Evaluation of the Effects of Head Start on Children's Cognitive and Affective Development". From the Executive Summary of the June 1969 Report, reprinted in *The Disadvantaged Child*, Joe L. Frost and Glenn R. Hawkes, editors, Boston, Houghton Mifflin, 1970, 197–201.

White, Sheldon H. In "Comprehensive Preschool Education and Child Day-Care Act of 1969," *Hearings before the Select Subcommittee on Education of the Committee on Education and Labor House of Representatives, Ninety-First Congress, First and Second Sessions on H.R. 13520*, U.S. Government Printing Office, Washington: 1970, 46–62.

White, Sheldon H. "Some General Outlines of the Matrix of Developmental Changes Between Five and Seven Years," *Bulletin of the Orton Society*, 1970, 20, 41–47.

Wright, W. W. "Reading Readiness: A Prognostic Study," *Indiana University Bulletin, XII* (Bloomington, Ind.: Indiana University, 1936).

Yakovlev, P. I. "Morphological Criteria of Growth and Maturation of the Nervous System in Man," *Mental Retardation, Proceedings of the Association for Research in Nervous and Mental Disease*, Vol. 39, L. C. Kolb, R. L. Masland and R. E. Cooke, editors, Williams and Wilkins, Baltimore, 1962, 3–46.

Yakovlev, P. I. and A–R Lecours. "The Myelogenetic Cycles of Regional Maturation of the Brain," *Regional Development of the Brain in Early Life, A. Minkowski*, editor, Blackwells Scientific Publications, Oxford, 1967, 3–70.

Yakovlev, P. I. Personal Communication, July 25, 1972.

Yarrow, L. J. "Separation from Parents during Early Childhood," in Martin and Lois Hoffman, Eds., *Child Development Research* I, (New York: Russell Sage Foundation, 1964), 127.

When Should Schooling Begin

(By Burton L. White)

Among interested professionals and many parents, the topic of pre-school education is a sure bet to arouse emotion. Especially during the last decade, when a good deal of attention has been focused on the issue, we have heard one strident voice after another. In this Kappan, Moore, Moon, and Moore present a provocative but reasonable analysis of the problem which to me merits serious consideration. Put simply, they claim that the recommendation of the California Report—California Task Force Report, "Report of the Task Force on Early Childhood Education." Sacramento, Calif.: Wilson Riles, State Superintendent of Public Instruction, and the State Board of Education, November 21, 1971—that all children four years of age and older receive formal schooling is based on a seriously erroneous interpretation of research evidence, and indeed is directly contradicted by that evidence. The authors would rather see more public support go toward preparing people to become effective parents and for programs for early detection and treatment of educational deficits. As for children without obvious difficulties, they would have the reader consider the idea that formal schooling ought to begin no sooner than the ninth year of life.

My colleagues and I have been studying the development of infants and young children for over 14 years. For the last seven, the work has been pursued at a graduate school of education. We have been continuously aware of the fact that though humans begin to learn at least as early as birth, most societies do not provide organized educational support until a child is six or seven years old. This has been the case for Western civilization for all its recorded history. It is my guess that the major reason for this tradition is that at six or seven years of age most children can be taught (in groups) to read without great difficulty. Substantial numbers of students of child development (including myself) are totally convinced that all children are being "educated" in areas of profound importance during the first six years of life. This education takes place mostly in the home. Too many children are failing this course of study, and failure at this stage apparently usually means failure throughout life. Until very recently, educators have paid relatively slight attention to questions of the curriculum, the staff, and the methods of the "informal schooling" of the first six years of a child's life. But, whether educators examine the process or not, it goes on for all children, and many of us believe that our current professional neglect of the educational developments of the first six years is a serious disservice to most children, including many we consider perfectly normal.

I believe that within a few decades most Western societies will assume public responsibility for guiding the educational development of all children from birth. I do not mean to say that all infants and toddlers will attend schools, although a minority may in cases where a child needs remedial treatment; or where a family (even with outside support) cannot provide minimally acceptable educational experiences for a baby.

If public responsibility for pre-school education does not mean formal schools, what does it mean? My ideas are quite compatible with those of Moore et al.

First of all, parents need to be educated for parenthood. If there are better and poorer ways to rear young children, we have to identify them and make them a serious part of our public education curriculum. Over and above knowledge, families will often need other kinds of support. Parents we work with seem to need someone to talk with during more stressful periods, such as during an infant's second year of life when he becomes both more accident-prone and more negativistic.

Second, we do not currently know much about sensory development in the first years of life. The consequences of untreated sensory defects, especially in the areas of hearing and vision, can be devastating to a child, yet in most cases any but the grossest defects of this sort are not discovered until a child is six or seven years of age. We now have usable techniques for detecting most significant handicaps during the first three years. Each community will someday use these techniques in systematic ways.

Third, once a handicap is identified in an infant, we should treat it. In the case of a hearing deficit, hearing aids can be used, apparently with infants as young as six months of age. How can we tolerate letting children pass through the first three years of life, the period of language acquisition and primary socialization, with an undetected hearing loss? We are allowing this to happen every day to thousands of young children.

Here at Harvard we have been studying how some families provide remarkably effective early education for their young children. These families, affluent and poor, from many different backgrounds, are rearing children who at three years of age are remarkably competent. They not only score at about 140 on a standard I.Q. test, but they are equally impressive in their social abilities. In addition, they are not fragile or precocious little geniuses, but instead seem secure, independent, and happy. We have been trying to discover what role the family's educational practices play in such beneficial outcomes. Though we do not have all the answers, we believe we have acquired much practical information. Studies such as ours can lead to a better-informed public, to better child-rearing practices, to better early education in the home, and to better development of children.

In Brookline, a suburb of Boston, we have begun a five-year test of the feasibility of a public school system assuming a formal professional role in guiding the educational development of children from birth. The plan has the following major features:

1. Strengthening each family's capacity to rear young children through provision of parent education, professional consultation, and support and materials when needed.
2. Identification of educationally relevant handicaps as early as possible through a systematic medical and psychological diagnostic program administered continuously from before the child is born on through the preschool years.
3. Treatment of identified handicaps such as sensory deficits, language acquisition and other learning difficulties, mental retardation, etc., beginning at birth.
4. A high likelihood of continuity with elementary educational experiences by virtue of the fact that the school system is the initiator and director of this experimental venture.

Currently, we spend comparatively little public money on the education of children until they are six years of age. Subsequently, we tend to spend more and more each year as children move through the system. There is good reason to question the wisdom of this arrangement. It may turn out to be more sensible to invest heavily in the first years of a child's life and spend less as he moves through elementary and secondary education. Such a shift of resources would be sure to meet resistance, but I believe it is inevitable.

The schools as they presently operate are failing many of our children. Everyone knows that. We all want to change it, but we know we cannot change it all at once. What we must do is find the best place to begin making the necessary changes, and I believe that early childhood is the best place to start.

Soon after I took office as California's state superintendent of public instruction, I appointed a group of distinguished researchers and experts to an *ad hoc* task force on early childhood education, with a mandate to rethink the education of primary children in this state. The task force was broadly representative, multi-ethnic, both men and women, and included parents, teachers, and experts from early childhood education, medicine, sociology, home economics, psychology, business, and architecture.

From the report of that task force came a declaration of priority from the California State Board of Education. The report became the framework for an implementation plan which is the basis for early childhood proposals now being considered by the state legislature.

In this brief article I can mention only some of the highlights of the current thrust for improvement of primary education in California.

TASK FORCE PHILOSOPHY

The following passages drawn from their report summarize the philosophy of the *ad hoc* task force:

The Task Force on Early Childhood Education hereby dedicates itself to the proposition that since all men and women of every race and creed indeed do have inalienable rights to life, liberty, and the pursuit of happiness, it is the business of society to assure these rights for every child. He is, we emphasize, tomorrow's adult.

The past decade has produced a new body of educational, psychological, and medical research documenting the crucial importance of the first eight years of life.—Benjamin S. Bloom, *Stability and Change in Human Characteristics*. New York: John Wiley & Sons, 1964. And we are convinced that these early years are critical in determining the future effectiveness of our citizens and in the long-range prevention of crime, poverty, addiction, malnutrition, neurosis, and violence. Even though research is still in progress and conclusions continue to evolve, we believe enough evidence is in to indicate that the following are clearly warranted now:

1. The people of the state of California must make a long-range commitment of funds to the proposition that the first eight years of life are the most important period in determining the future effectiveness of all our citizens.

2. Implicit in this commitment is the recognition of the desirability of providing educational opportunities for all children. . . .

3. School should be a happy place, a stimulating environment without the traditional artificial barriers, which provides an opportunity for continuous progress to each child, based upon his own unique needs, interests, talents, and capabilities. . . .

4. Because we recognize the importance of the parents in the education of children, we strongly affirm that parent education and involvement must be an integral part of all programs. . . .

5. There must be encouragement of local autonomy and creativity in program development, with provision for maximum flexibility within broad state guidelines. . . .

6. We believe it is essential that California establish at once for primary children a broadly based educational program that extends at least one year below the system now in existence.—California State Department of Education, *Report of the Task Force on Early Childhood Education*, Sacramento, December 10, 1971, pp. 1–2.

PLAN BEFORE LEGISLATURE

A bold, creative effort to redesign primary education in California is being made. Under the proposed plan, state financial support of public education is revised to devote a greater proportion of funds to the critical primary years. The pending legislation provides for completely restructuring the kindergarten and the present primary grades 1, 2, and 3 so that the individual needs of children can actually be met by means of an educational program that is appropriate for each child. This will obviously require more and better prepared adults in the classroom, as well as better trained management personnel.

It is important to note that the California plan also provides for the optional inclusion of four-year-olds if their parents want them to have this educational opportunity, just as kindergarten has always been optional in this state. Such learning experiences will be oriented toward the child's development and should not be confused with "formal schooling" in the traditional sense or efforts to begin "academics" earlier. Age six is the legal age for school entrance in California. The new plan does not change that.

The key issue in the California proposal, however, is not the admission of four-year-olds. Rather, it is establishing an improved, more effective program for all primary children. There is, of course, no point in sending a four-year-old into any type of learning environment not geared to his needs, interests, talents, and capacities. The primary school as visualized by the task force is characterized above all by an educational environment which is responsive to the individual differences of all children, slow or fast, disadvantaged or not, of whatever race and color.

IMPLEMENTATION PLANS

Planners expect a gradual phase-in over the next six years. Plans call for each local school district to submit a master plan for early childhood education which must focus on the needs of the children to be served. Districts must define their goals and objectives for those children. They must design appropriate learning experiences for them. Evaluation must be provided for. Parents and the community must be included in the planning and evaluation. Coordination of all existing school and community resources which affect the education of primary children is required in order to secure program approval under guidelines to be adopted by the state board of education.

WHAT RESULTS CAN WE EXPECT?

What will the California plan do for children? It offers individualization, with parents, volunteers, aides, and older students working under the direction of the teacher to provide help for each child when it is needed, not in a later grade when it is more costly and less effective; to inspire interest and motivation; to allow for continuous progress, building upon success and ensuring positive attitudes of self-worth, self-confidence, and self-control. Included, for those who qualify, will be whatever additional services are needed, if not otherwise available. It is recognized that such things as extended day care, health, nutrition, and other social services are all factors which affect a child's well-being and success in school.

These are not new ideas. They just need to be put into action. The heart of the California plan is to stop talking and start doing.

The goal of the early childhood education proposal is that, by the end of the primary level, all our children will be excited about learning and able to proceed successfully with the rest of their school experience, having achieved sufficient command of the skills basic to reading, language, and arithmetic to enable them to do so.

What will it do for families? No longer can we afford the mistakes of the past in telling parents "hands off," that only educators know what is best for their children. This plan will create a parent-school partnership that will strengthen the family by closer home-school ties, make parent education available, and give parents a real voice in the education of their children to an extent we have never before realized.

What will it do for communities? It will create a school-community partnership; provide for coordination of all community services and resources, public and private, with the school; offer an opportunity for older students to work with primary pupils to the great benefit of both. It will coordinate community, state, and federal agency efforts for young children, and will involve the community in assessing the total early childhood education effort.

SUMMARY

I think a fitting close to this brief description is the following quotation from the task force report:

It is time to do a better job of what we already know should be done for young children in school. Let us incorporate the best of what we have learned from all the various kinds of existing pre-school programs, from kindergarten, and from the primary grades with the most promising results derived from a continual review of new research. Given the time, effort, thought, and public resources necessary, we believe the primary school described in this report would welcome rather than fear the increasing emphasis on accountability.

ROSEVILLE, CALIF., WINS TOP HONOR FOR PARKS, RECREATION

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JOHNSON of California. Mr. Speaker, recalling in years back when I was serving as the mayor of my hometown of Roseville, we initiated the first park and recreation program ever established in that community. In this connection we provided the land and equipment and staffing which were necessary to get this program underway. We did this with a spirit of great confidence that we would have a very successful program and I am proud to report that this confidence was more than justified.

Just the other day the city of Roseville was designated one of five national winners to receive gold medal awards by the Sports Foundation, Inc. The presentations were made at a session early this month by the National Recreation and Park Association.

I would like to share the report of this honor with you and it is with a feeling of pride that I do this. This was published in the fine hometown newspaper, the Roseville Press Tribune, on October 9, 1972.

ROSEVILLE, CALIF., WINS TOP HONOR FOR PARKS, RECREATION

The Department of Parks and Recreation of Roseville is one of five national winners honored in the annual Gold Medal Awards program for excellence in park and recreation management.

Roseville won in Class V (population under 20,000). The award, sponsored by The Sports Foundation, Inc., was presented Friday at the general session of the National Recreation and Park Association (NRPA) Congress at the Anaheim Convention Center Arena.

Among the outstanding elements of the Roseville program cited by the judging panel were the extensive use of volunteers in the running of recreation programs, extensive park facilities and landscaping maintenance, extensive use of surveys of interest areas in determining the needs of the community, well balanced programs for all ages, and the efficient use of school facilities for programs. Of particular note were the innovative use of a home tax to help finance programs, obtaining a federal grant for the construction of two parks, and the introduction of one of the first parks and recreation programs for state mentally handicapped children in California. Roseville was a Gold Medal Award finalist in 1967, 1968, 1969, and 1970.

Director Ed Mahany and Recreation Superintendent Mike Ucovich presented the materials and information for the award.

Other 1972 Gold Medal Award Winners are: Class I (Population over 250,000): Memphis, Tennessee; Class II (population 100,000 to 250,000): Lincoln, Nebraska; Class III (population 50,000 to 100,000): Downey, California; and Class IV (population 20,000 to 50,000): Naperville, Illinois.

Sound financing, far-sighted land acquisition, strong leadership, balanced but flexible programming, and overall planning and cooperation with other agencies are key program criteria. Of special interest to the judges is the degree to which the department has succeeded in assessing and meeting the recreational needs and desires of the community residents.

Roseville was nominated for the Gold Medal Awards competition by Wilson Sporting Goods Company. Roseville had been a finalist and runner-up in 1967, 1968, 1969, and 1970. The city didn't enter in 1971.

Members of the 1972 Gold Medal Awards judging panel are nationally recognized leaders in the field of park and recreation planning, programming and management. The panel consisted of Dr. Jackson M. Anderson, Coordinator of Graduate Study, Department of Recreation and Park Administration, Central Michigan University; Robert M. Artz, Director of Branch and Affiliate Relations, National Recreation and Park Association, Arlington, Virginia; L. B. Scacewater, Director, Scottsdale Parks and Recreation Department, Scottsdale, Arizona (1971 Gold Metal winner); and Bret J. McGinnis, Superintendent, Public Recreation Commission, Cincinnati, Ohio (1971 Gold Medal winner).

The Sports Foundation, Inc., is a nonprofit organization founded to encourage interest and participation in sports and sports-related activities. The Foundation initiated the Gold Medal Awards program in 1966 to focus national attention on the achievements of outstanding community park and recreation departments across the nation.

In 1968, realizing the preservation and protection of the country's water resources are essential to their recreational as well as industrial and general use, the Gold Medal Awards program added a division citing American companies for their efforts and accomplishments in water pollution control.

TRIBUTE TO THE HON. ALTON A. LENNON AND HON. CHARLES RAPER JONAS

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. COLMER. Mr. Speaker, two of North Carolina's most distinguished and able sons are retiring at the end of this session from the U.S. House of Representatives. They are, ALTON A. LENNON and CHARLES RAPER JONAS.

For me, as one of the more humble Members of this House, to add anything to the tributes made to these highly respected Members of this body would be like trying to "gild the lily."

Mr. Speaker, I can sincerely state that these two wise and dedicated Members rank in the upper class of my esteem for the thousands of Members with whom I have served in this body over the past four decades. Although one is a Republican and the other a Democrat, I think the record will disclose that partisanship played no part in the discharge of their legislative duties. Both men have demonstrated a conscientious dedication to this young Republic. To say that they will be missed in the next Congress is possibly the understatement of the year. Their wise judgment and diligence are hallmarks which future Members of this body could well labor to achieve.

Sharing as I do their general philosophy of Government, I have profited immeasurably from my association with them.

Mrs. Colmer joins me in extending to ALTON and Mrs. Lennon and CHARLIE and Mrs. Jonas our very best wishes for a long and happy retirement in their beloved North Carolina.

THE REAL ECONOMIC ISSUES OF THE PRESIDENTIAL ELECTION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FRASER. Mr. Speaker, Charles L. Schultze of the Brookings Institution delivered a concise analysis of the economic issues involved in the presidential election before the Economic Club in Detroit last week.

As a former director of the Bureau of the Budget, he brings keen insight and realism to these issues.

I think all Members will find his analysis helpful in better appreciating what lies ahead for this country. His discussion of the prospects for a tax increase are particularly useful. The address follows:

THE REAL ECONOMIC ISSUES OF THE PRESIDENTIAL ELECTION

(Remarks of Charles L. Schultze)

On the basis of the heat and volume of campaign rhetoric, one would list the major domestic issues which now divide President Nixon and Senator McGovern as school busing, the break-in and bugging of Democratic Party headquarters, the $1,000 welfare reform proposal long since abandoned by Senator McGovern, and the behind-the-scenes maneuvers which went with the Russian grain deal. But if one were trying to forecast the most critical differences between a McGovern and a Nixon Administration, none of these matters would figure high on the list. Campaign rhetoric is a notoriously poor predictor of the future performance of Presidential candidates. Each candidate is trying to establish a particular image of himself with the voters, and to destroy the favorable image which his opponent is simultaneously trying to create. And the rhetoric which creates images often has little relationship to concrete policies. A Richard Nixon, who introduces the first peacetime wage and price controls stresses, in a Labor Day speech, the importance of economic freedom and the danger of the government "butting into the free collective bargaining system." And a George McGovern, who decries the recent rise in food prices, promises farmers 90 percent of parity. Yet, image making is important. Because the future is uncertain and specific policies must necessarily be adapted to changing circumstances, voters rightly want to get some "feel" for what makes a candidate tick, where his sympathies lie, and how he reacts to crises.

But, after all is said and done, differences on the specifics of public policy are important. While one must dig beneath the rhetoric to get at them, it is not an impossible task. From George McGovern's speeches and public statements one can put together a fairly good prediction of precisely what he would try to do in most areas of economic policy. After some initial false starts, he has been explicit and generally consistent. The task of predicting the future is much harder in the case of the incumbent Administration. With the mantle of the Presidency already on his shoulders, and running far ahead in the polls, Richard Nixon has tried to stand above the battle. Pronouncements on specifics by the candidate himself are hard to come by. But there is a four year record. And his subordinates have been busy speaking for him. There is a basis on which to hazard predictions about another four years of the Nixon Administration.

Identifying the specific policies of the two candidates, is only part of the task. To appreciate how the nation might fare under each candidate one must also test his policies against hard realities. To what extent can the proposed policies actually be carried out; to what extent will promises be modified by experience?

I propose to hazard an assessment of how the things would be different as between a Nixon and a McGovern Administration in two major areas of concern: *first*, the overall state of the economy, as evidenced by unemployment, inflation, income and profits; and second, federal tax and expenditure policies.

THE INFLATION-UNEMPLOYMENT DILEMMA

The most vexing problem of our times for the economic policy maker is the unfortunate relationship between economic prosperity and inflation. If inflation occurred only when the economy had been pushed into a superheated boom, when the unemployment rate had been driven down below the frictional two or three percent which is inevitable in a mobile society, and if once started inflation could be halted by a brief and modest slowdown in the pace of growth, then the task of economic policy would be relatively easy. Fiscal and monetary policy could support a reasonably low rate of unemployment with little risk of inflation, correcting excesses with relatively small adjustments.

But in the American economy of today, as we approach levels of unemployment in the 3½ to 4½ percent range—levels which are still unconscionably high by the standards of other industrial nations—prices begin to rise at rates significantly greater than the one to two percent a year which seems to be politically tolerable. And, if recent experience is any guide, once price and wage increases have accelerated to larger magnitudes they cannot be brought down quickly by modest doses of economic restraint. We have just undergone three years of subpar economic performance and one year of price and wage controls to get the rate of inflation down from five to three percent a year—at a cost of 160 billion in lost output, $45 billion in lost profits and seven to eight million man years of lost work.

This unpleasant, but very real fact of life raises two kinds of questions for a President. *First*, when faced with the cruel choice between keeping unemployment high or risking substantial inflation, how will he choose? And *second*, what policies, including wage and price controls, will he adapt to lessen the inflationary consequences of prosperity?

No politician and no Administration can openly state that it is choosing higher unemployment to bring down inflation or, conversely is accepting more inflation as the cost of lowering unemployment. But in the day-to-day business of devising economic policy the choice must be faced. Through its past actions, and in between the lines of its speeches and policy pronouncements, the Nixon Administration has given a fairly clear indication of how it is likely to choose in the future. In 1969, faced with substantial and accelerating inflation, it pursued and strengthened a policy of cooling off the economy, a policy which had been initiated in the final year of the Johnson Administration.

And in the early stages of this policy, the choice was supported by businessmen and economists of all political hues. At first, the Administration hoped that unemployment, then at 3½ percent, would not have to be pushed above 4¼ or 4½ percent to do the trick. But the subsequent two and one-half years of "sticking to the game plan", of watching the unemployment rate climb past 4½ percent to 5, and then to 6 percent, and of holding it there for still another year before the famous reversal of August 15 last year, provides a good basis for forecasting how the Administration will choose in the future.

This evidence is bolstered by the last Report of the Council of Economic Advisers which took great pains to note that there is nothing magic about an unemployment level as low as 4 percent. It is reinforced by speeches of Administration officials emphasizing that a large proportion of the current unemployment is concentrated among teenagers and women rather than among married males. And fresh evidence is also at hand in the fact that, with the unemployment rate still at 5½ percent and the recovery still young the Administration has already switched its attention to preventing the current economic expansion from "going too far".

Senator McGovern, has been quite explicit about how he would choose—again with care not to point out that there is a choice. In his major economic speech to the security analysts last month, and in his more recent speech on wage and price controls, he emphasized the overriding importance of full employment. "I have said before that our highest economic priority is the lowest possible unemployment . . . Whatever it takes, we will create a decent job opportunity for every man and woman in America who is able to work." Fiscal policy would, on the average, be more stimulative in a McGovern Administration. It would move more slowly to halt a boom and more quickly to promote a recovery. And, fiscal policy to stimulate the creation of jobs in the private economy would be supplemented by a large public service employment program principally directed at the hard core unemployed.

In the volatile American economy, the state of prosperity, the level of unemployment, and the rate of price change will not be steady under either Administration. But, over four years as a whole, I think it is safe to predict that the caution of the Nixon Administration would lead to higher average unemployment, a lower average rate of capacity utilization and less profits than would characterize a McGovern Administration. Conversely, however, there would be longer periods of significant inflationary pressure under a McGovern Administration than under a reelected Richard Nixon. And while the Federal Reserve Board does read the election results with interest, it is likely to lean against the inflationary pressure with tighter money and higher interest rates.

When we turn to the question of policies designed to reduce the inflationary pressure which accompany a high employment economy, it is much more difficult to make firm predictions about the alternative course of events under the two candidates.

Let us start with the future of wage and price controls. As background, bear in mind that it is much easier to use controls to prevent an inflation from starting than it is to stop one already underway. After several years of rapid inflation, wages in various industries, occupations, and locations get out of line with each other. So too, prices of finished goods, intermediate products and raw materials depart from their normal relationships. Cutting into this jungle of distorted patterns at any one moment of time raises serious questions of both equity and rational economic balance. Those who want large wage increases can point to earlier settlements in related bargaining units, and those seeking large price increases can point to earlier cost advances.

But once inflation has moderated, and more normal relationships have been approximated, the task of controls—particularly on the wage side—is easier. Out-of-line increases can more readily be spotted and prevented since they cannot be justified as responses to other wage and price increases in the immediate past. The success of alternative approaches to the use of wage and price controls will depend in part, therefore, on whether the controls are imposed early in an inflationary period or only as a last resort after substantial inflation has already occurred.

It is not easy to predict the future of wage and price controls under an Administration which came into office inveighing against the relatively mild "jawbone" efforts of its predecessor, abandoned those efforts with a fanfare, and two years later initiated the nation's first set of peacetime wage and price controls. Two things can probably be said. The Administration still hopes to reach a point where controls can be removed. If the rate of inflation continues to diminish, the Nixon Administration will probably begin to dismantle controls, partially at first and perhaps even fully. But it will, I am convinced, seek to keep standby control powers. And if, despite a relatively cautious fiscal policy, inflation should get out of hand again a reelected Nixon Administration would have no compunctions about reinstating mandatory controls.

Senator McGovern has criticized the Nixon wage and price controls on various grounds. But he has not proposed to abandon them. Rather he has offered an alternative mechanism. So far, his substitute approach has been presented only in broad outline, and many of the specifics necessary for judgment are still lacking. In essence, however, he would do two things: *first*, he would concentrate the control efforts on a narrower spectrum of key wage and price decisions; and *second*, he would rely on voluntary adherence to price and wage standards backed up by power to impose mandatory restraints where voluntary compliance is not forthcoming.

In my own view, such controls would be voluntary in name only, given the club of mandatory restraints which would still loom over those who failed to abide by the standards. There is a virtue in such an arrangement, however. If controls are nominally voluntary, then neither the price controller nor the businessman has to worry about nit picks, the formal legal niceties, and the endless questions of detail which the lawyer necessarily requires under mandatory controls, precisely because violation of mandatory controls is grounds for the imposition of judicial penalties. Under the so-called voluntary standards, both controllers and controlled could concentrate on complying with the basic spirit of the standards, since failure to comply would bring not legal punishment but imposition of mandatory controls.

There are other policies besides wage and price controls which could be adopted to lessen the price increases associated with high employment and thereby to minimize the painful choice between unemployment and inflation. Most of these policies, however, would strike at various protective arrangements which are dear to the hearts of powerful groups: Reducing barriers to imports; eliminating minimum rate regulation and restrictive entry provisions in the field of transportation; lowering farm price supports; modernizing building codes; strengthening anti-trust laws—these are illustrative of the kinds of policies required. But the mere listing of the actions required itself suggests why they are unlikely to be taken. Neither political party is willing to incur the political costs involved. In this area, there is little to choose among the two candidates.

How do all of the differences balance out in terms of predicting the future of the economy under each of the two candidates? I think it is clear that employment, output and before tax profits, will, on the average be lower under a Nixon than under a McGovern Administration. But inevitably inflationary pressures will be greater under McGovern than Nixon. Would the McGovern approach to wage and price controls be sufficiently effective to offset the greater inflationary pressures which his higher employment policies are likely to engender? Frankly, I do not know. He is less likely to abandon controls and is more likely to have an active control mechanism in place early in an inflationary surge than is Nixon. And, in my own view, his concentrated approach is likely to be slightly more effective in limiting wage and price increases. But the difference in control policy may be marginal, and since the underlying pressure of inflation will almost surely be greater under McGovern, a betting man would have to give a slight edge to the probability of somewhat larger wage and price increases under a McGovern Administration as the price for a clearly higher level of employment.

FEDERAL TAX AND EXPENDITURE POLICY

There are two central issues at stake in this election, with respect to federal taxes and expenditures:

first, what kind of a tax increase are we likely to get, and

second, will the tax increase principally finance an expansion in military spending or in domestic social programs.

Note carefully that I said "what kind of a tax increase," *not* "will there be a tax increase." I think the probabilities are very high that whoever is elected, and despite any pledges made during the election campaign, an increase in federal taxes will be forthcoming within the next two years.

In May of this year, several of us at the Brookings Institution published a projection of federal expenditures and revenues covering the next four years. That projection showed that expenditures under current programs and the new ones already officially proposed by the Nixon Administration, will grow more rapidly than federal revenues at existing tax rates, even when revenues are calculated on the assumption of full employment conditions. Taking into account developments which have occurred since that projection was published, principally the enactment of large increases in social security benefits, expenditures will exceed the revenues generated in a full employment economy by $20 to $25 billion in fiscal 1975, and by a substantial though smaller amount in 1977. Similar projections released this week by the American Enterprise Institute show almost identical results. And the Administration itself does not quarrel with these projections, although it is now promising to cut expenditures by an amount sufficient to avoid a tax increase.

Given current defense policies and Nixon Administration plans for new weapons procurement, military spending will rise dramatically. The Brookings projection estimates military spending at $100 billion in fiscal 1977, compared to approximately $76 billion this year. The American Enterprise Institute's forecast matches this estimate very closely. And a defense department spokesman has recently predicted military spending at $112 billion by 1980, an estimate consistent with the rate of increase projected in the other studies. Large increases in military pay and a surge in the procurement of very expensive new weapons systems are the chief factors behind the rise.

Even with no new programs, beyond those already officially proposed by the Nixon Administration, spending on civilian programs will rise sharply. Social security and Medicare benefits will grow by at least $25 billion over the next four years, reflecting recently enacted benefit liberalizations, prospective increases now about to pass the Congress, and growing numbers of beneficiaries. Expenditures on many programs will rise simply to provide the expanded services which accompany rising population and income. Outlays for pollution control and mass transit will grow. And the newly enacted revenue sharing program will add to budgetary costs. Federal revenues will also increase substantially but they will not cover the rise in expenditures.

While it is not inconceivable that a modest full employment deficit will be necessary to promote economic prosperity in the next several years, deficits of the magnitude foreseen by the projections will certainly not be appropriate. The projected gap between revenues and expenditures will have to be reduced by at least $15 to $20 billion, calling for either a tax increase or substantial cuts in expenditures.

The President and his subordinates have repeatedly pledged not to raise taxes, and to eliminate the gap by expenditure cuts. Two special press conferences have been called solely to provide White House staff the opportunity to reiterate this pledge. And, at the moment, the President is strongly pushing a bill to limit federal expenditures to $250 billion in fiscal 1973, as the first step in cutting back federal outlays.

A closer examination of the $250 billion expenditure limit will give some idea of the implications of cutting expenditures. In the first place, the $250 billion limit already exceeds by $6 billion the estimate of 1973 expenditures made in the President's January budget message. Without the limit, expenditures are likely to be in the range of $257 to $260 billion even after taking into account cuts in the military budget now being made by the Congress. To keep within the limit, therefore, some $7 to $10 billion will have to be cut from 1973 projected outlays. By the time the expenditure limit is enacted and the necessary administrative steps gotten underway, five months of the fiscal year will have passed. As a consequence the annual rate of outlays will have to be cut by $12 to $15 billion during the remaining seven months of the year to reach the $250 billion target. And the areas where cuts can be made quickly are very limited.

The President and the Secretary of Defense have been vigorously supporting the Administration's military budget proposals in the face of attempts by liberal Congressmen and Senators to cut it. Since the Congress is already in the process of cutting some $4 billion in funds from the military budget, it is unlikely that the Administration will cut that budget further. Another large area of spending cannot be touched for legal or practical reasons; social security and veterans benefits, interest on the debt, public assistance, unemployment compensation, and the newly enacted revenue sharing programs are principal examples. There remains only about $75 billion in programs from which expenditures can be readily cut. To reduce such programs by an annual rate of $12 to $15 billion—which would be necessary to reach the $250 billion ceiling—represents a cut approaching twenty percent. And most of the programs which can be subject to cuts represent grants-in-aid to State and local governments for education, manpower training, health, pollution control, urban mass transit, and similar purposes.

Some part of the reductions in budget outlays may not represent real programs cut but simply financial transactions which reduce the apparent size of the budget without affecting its real magnitude. Sales of mortgages from government owned portfolios, or proceeds from the disposal of the government-owned Alaska railroad are examples. But the 1973 budget already includes an unprecedented allowance for such devices, and it is hard to imagine how they could be increased—although one should not underestimate the ingenuity of determined accountants and budget experts.

Difficult as it may be to achieve the $7-$10 billion cuts needed to reach the proposed $250 billion ceiling this year, it will be even more difficult over the next several years to cut the $20 billion required to bring the full employment budget into near balance in the mid 1970's without a tax increase. So long as the Nixon Administration holds to its current military programs and policies, the reductions would again have to be concentrated on civilian programs, and within those programs, the political or legal inviolability of social security and similar items would continue to force the cuts to be made principally in grants-in-aid to State and local governments, which as I pointed out earlier, are chiefly devoted to education, health, manpower training, urban rehabilitation, and environmental control.

There are, I believe, three things which can be said about a policy of cutting back civilian expenditures by sufficient amounts to avoid a tax increase.

First, since most of the cuts would in practice have to be concentrated on grant-in-aid programs to state and local governments, these governments would find it necessary to raise taxes to offset at least some of the losses. A federal tax increase would then have been avoided at the price of driving up state and local taxes, which on balance are less rational and less equitable, than federal taxes. Moreover, it would indeed be ironic if an Administration which quite properly takes credit for having pushed through Congress a general revenue sharing bill to aid state and local governments should take back with its left hand several times as much as it has given with its right. *Second,* the cut in civilian expenditures needed to avoid a tax increase is approximately equal to the increase in military expenditures now implied by current defense policies. When the chips are down, I doubt if an Administration which justly prides itself on reducing tensions with the nation's chief adversaries, can simultaneously support a budgetary policy of transferring some $20 billion from social programs to increased military spending. *Finally,* the policy of avoiding a tax increase by large cuts in civilian outlays just will not work. Even a Congress with an enlarged Republican membership is not likely to stand by idly while its favorite children are being massacred. And the President cannot, in practice, veto virtually every appropriation bill which comes across his desk.

None of the above considerations take into account the fiscal implications of President Nixon's pledge in this year's State of the Union Message to devise and propose a program of federal support for education as a means of reducing local property taxes. The Administration has asked the Advisory Commission on Intergovernmental Relations to study and make recommendations on several alternative proposals to achieve this result. While it has previously made favorable noises about the imposition of a national sales tax, in the form of a value added tax, as a means of financing the new program, the Administration has not yet committed itself to such a solution.

Imposing a federal tax whose proceeds are then used by local governments to reduce or eliminate the property taxes now devoted to education would not at first glance seem to constitute a net tax increase, but merely a substitution of one tax for another. A little reflection, however, shows that a simple substitution of federal taxes for local property taxes is not possible. Residential property taxes used to support schools now total about $13 billion.

A federal program which provided $13 billion in funds to local governments, to be used solely as a replacement for residential property taxes, would necessarily be a distributional monstrosity. Great Neck, Long Island spends from local property taxes about $1500 per school child on education. A typical rural school district in North Carolina spends from property taxes about $75 per child, in part because it is poor and in part because in North Carolina, and some other states, the state government provides the bulk of financing for local schools.

Clearly no proposal which would give federal funds of $1500 per school child to wealthy suburbs and $75 per child to poor rural district is morally tenable or politically feasible. Indeed, any program of aid is most likely to contain an equalization feature, under which poorer districts would get proportionally more funds than rich districts in relationship to their property taxes. A growing number of court decisions in various states have called for equalization of educational expenditures within states.

In any event, no federal aid program can simply mandate local property tax relief and replace the lost revenues with federal dollars. Whatever distribution formula is adopted—and many alternative versions are conceivable—not all of the federal dollar will go towards property tax relief. Some will be devoted to increases in education outlays particularly in poorer school districts. As a consequence, a federal tax increase whose proceeds were devoted to aid to education, will not be offset by equal reductions in property taxes. Some net tax increase will occur.

My own forecast is that a re-elected Nixon Administration will end up with some mixture of three policies. It will seek to reduce civilian programs below what they would be under current policies, but will have only small success, in the face of the real difficulties and Congressional opposition. It also will be forced to scale back a bit its projected military outlays. But since the combined magnitude of these efforts will not close the gap between revenues and expenditures, a tax increase will be needed. If the President keeps his pledge to devise a federal aid to education program, the needed tax increase will be much larger.

But quite frankly, there is no basis on which to forecast what kind or kinds of tax increase will be proposed, much less what kind will be enacted. Administration spokesmen have expressed some disenchantment with the value added tax without explicitly rejecting it. On the basis of the past record, and statements to date from the Administration, it is most unlikely that they will propose closing tax loopholes as the principal means of raising large sums. I suspect that, right now, they principally hope to get by the election without having to make any decision about this most vexing matter.

In the case of George McGovern, the prognosis is much more certain, and whether you like them or not he has made some very explicit proposals as to how he would handle the fiscal problem. He has explicitly recommended that, over a three year period, $32 billion be cut from the military budget which would otherwise be forthcoming under the Nixon Administration defense policies. And he has also laid out a specific set of tax reform proposals designed to raise $22 billion in additional taxes by 1975. I think you are familiar with the major elements of those tax proposals. Capital gains would be included fully in taxable income, and unreal-ized gains would be taxed at death. These two changes alone would yield $12 billion. At the same time, however, the maximum rate on top bracket income would be reduced to 48 percent from the current 50 percent on earned income and 70 percent on other income. Repeal of percentage depletion and capitalization of intangible oil drilling expenses would yield $2 billion. Repeal of accelerated depreciation, revision of depreciation guidelines, and amendment of the investment credit to apply to *net* investment only would add $6½ billion. While numerous other changes would be made, most of the $22 billion in revenue gain would come from the three major reforms I have mentioned.

The combination of $32 billion in defense cuts and $22 billion in tax reform would provide $54 billion in additional resources. Of this amount some $15 to $20 billion might be needed, at a minimum, to bring revenues and expenditures closer together by the mid 1970's. This would leave $35 to $40 billion available to finance new programs. The three major areas in which Senator McGovern has pledged to devote additional resources are: aid to education; welfare reform and public service employment. Some part, but by no means all of the aid to education funds are likely to be used by state and local governments for property tax relief, just as would likely be the case with any aid to education program ultimately proposed by the Nixon administration.

Proposals, however, are not the same as accomplished facts. Should Senator McGovern be elected, and begin to carry out his pledges, how is he likely to fare?

In the first place, a number of outside observers have estimated that the specific defense cuts which Senator McGovern has suggested, even if carried out, would not save as much as the $32 billion he has projected. The American Enterprise Institute, in the projection to which I referred earlier, has estimated that the McGovern cuts would yield about $24 billion. The Pentagon—which is admittedly not an impartial observer—has estimated that he may have overstated the budgetary saving from his cuts by about $10 billion. In my own view the Senator may have overestimated the budgetary results of his defense proposals by perhaps $7 to $8 billion.

Moreover, it is not likely that the Congress even with considerable prodding, would fully accept all of his defense cutbacks. Taking into account both the estimating problem and some resistance from Congress, a McGovern Administration, with a vigorous and sustained effort, might be able to obtain a defense cut which at the end of three years amounted to a maximum of $18–$20 billion. Major changes in the international environment, such as a significant breakthrough with the Soviets on the limitation of conventional arms, could provide a framework for larger cuts. But it would hardly be prudent to count on this at the present time.

In the case of tax reform, there is no reason to question the estimated revenue yield from the McGovern proposals. I also think it quite likely that a McGovern Administration could, after much wrangling, get the Congress to enact a significant package of tax reforms. I seriously doubt, however, that they would go all the way with him. Moreover, the Congress has a strong prospensity to add tax relief provisions, which cost revenue, to tax reform bills. As a consequence, with a combination of luck, skill, and persistence a McGovern Administration has a fighting chance of securing perhaps $10 to $15 billion in net tax yield from a tax reform bill.

Combining the realistic estimates of the savings likely from defense cuts, and the added revenues gained from tax reforms, and allowing for the fact that some of these resources must be used to narrow the forecasted gap between revenues and expenditures, perhaps $15 billion will remain which can be devoted to major new federal initiatives in the areas of aid to education, welfare reform, and public service employment. Senator McGovern has recognised that the future of his new program proposals depends on how successful he is in securing tax reform and defense budget economies. In his security analysts' speech last month he pointed out that "only with new revenues and different priorities can we and should we move forward with these new programs."

If my analysis has been reasonably accurate, the major differences between a Nixon and a McGovern Administration in the areas of economic and budgetary policy can briefly be summarized as follows:

Employment, income and profits would, on the average, be lower during the next four years under a Nixon Administration.

Price and wage controls of some kind will remain as a tool for checking inflation under both Administrations, although in different form.

The higher average employment under McGovern would also be accompanied by greater inflationary pressure; despite controls, wage and price increases might be somewhat greater.

Under the Nixon Administration military spending would rise substantially (although a bit less than now planned); some civilian expenditure cutbacks would be made, chiefly in grant-in-aid programs, after much wrangling with the Congress; but some form of tax increase would almost surely be needed. There is no basis from the record or from campaign speeches to predict what kind of a tax increase would be forthcoming.

Under a McGovern Administration, defense expenditures would be cut, significant tax reforms would be achieved yielding additional revenue, and several new social programs launched, though in substantially smaller magnitude than currently proposed by the candidate.

The world would indeed be a different place under each alternative future, although not as different as the campaign rhetoric would suggest.

Having attempted to lay out the major economic issues of the campaign in a relatively dispassionate manner, I beg your indulgence for just a few moments while I state my own preferences.

First, I believe that securing and maintaining high levels of employment and income is absolutely critical for our society. While it is true that a much greater proportion of the unemployed in recent years have been teenagers, young adults and women than was true fifteen years ago, this does not lessen the tremendous importance of full employment. We too easily tend to think of employment for women as something in the nature of a luxury, and not terribly important. But many women are heads of families and the jobs of many others make the difference between poverty and a decent living standard for the family.

This is particularly true for black families. Much of the rapid gain in the income of black families relative to white families in the past decade has been due to the increase in the employment and earnings of black wives. The proportion of black wives who work is much greater than that of white wives, and for them employment is much more likely to be absolutely necessary to provide a decent family income. When the average unemployment rate increases, a disproportionate part of it falls on black women as well as black men.

As a consequence, continued improvement in the status of black families is particularly dependent upon the existence of a high employment economy. In a related vein, making speeches about the "work ethic" in contrast to the "welfare ethic" comes ill at a time of high unemployment, when job opportunities have been severely reduced precisely for those groups in the population who make up the great bulk of the welfare caseload.

Similarly, high unemployment among teenagers and young adults is a major social problem, even if those youngsters are not yet family breadwinners. Many of the social ills, the crime, the violence, and the disillusionment in our central cities are related to the scarcity of stable jobs for young people. Their high unemployment rates do not stem so much from steady long term unemployment as from the short term casual unemployment which occurs as they shift from one dead end job to another. Casual jobs as dishwashers, porters, deliverymen, and the like exist even in recessions. But it is only in periods of healthy prosperity that the needed volume of steady, decent paying, and relatively secure jobs is forthcoming.

Without suggesting that full employment is a panacea, I would rate it first among the nation's social priorities. Achieving it is worth, in my view, the irritations and inefficiences which accompany price controls, and also worth the modest additional inflation it is likely to bring.

As far as tax and expenditure policy is concerned, I see absolutely no need for the large increase in defense expenditures which now appear likely. The added expenditures for complex new weapons systems purchased at fantastic unit costs will not fundamentally improve the nation's security, will likely set off matching increases by our adversaries, and end up providing less security for everyone.

I also think there are areas where cuts should be made in federal civilian spending—farm price supports, expensive maritime subsidy programs, subsidized provision of facilities for private planes, pork barrel water resource projects, loans to bail out failing aerospace companies, space shuttles to reduce the cost of manned space missions which themselves have little ultimate purpose, two percent federal loans for rural electric co-ops, continued subsidies for junk mail, veterans compensation payments for those with no discernible disability, and so on down a long list. But these are precisely the areas of spending which will not be touched. I cannot see the merit in attempts to cut back more important social programs in a futile effort to stave off the tax increases required by a large expansion in military spending.

And finally, with respect to tax reform, I find much merit in a program of closing tax loopholes while simultaneously reducing the top bracket rates by substantial amounts. Equal taxation of equal income is both equitable and economically sensible. I would myself prefer to see the changes in capital gains provisions suggested by Senator McGovern phased in more gradually than he proposes in order to minimize the shock to equity values which changing the taxation of capital gains entails. But on balance the McGovern reform proposals, particularly as they are likely to be modified in their enactment, seem clearly to move in the right direction.

I would also remind you that the higher level of economic activity which is likely to occur under a Democratic Administration will generate more additions to corporate profits than will be taken away by the changes in corporate taxation proposed by Senator McGovern.

As to whether the economic future under George McGovern, as I have painted it, is better or worse than the economic world under Richard Nixon, reasonable men can and will differ. But as I have been at pains to point out, George McGovern has a consistent and reasonable alternative to offer. It is neither radical nor irresponsible. In the process of evolving his position he has, over the past year, changed some of his earlier views. I do not believe that changing one's position on matters of public policy unchanged is a virtue to be sought in a President, George McGovern surely stands out as a beacon of constancy after a year which has seen a Republican Administration impose wage and price controls, devalue the dollar, and support the admission of Red China to the U.N.

CLEAN AIR ACT AND AUTO EMISSION

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. HARVEY. Mr. Speaker, on Friday, October 13, 1972, Mr. John J. Riccardo, president, Chrysler Corp., participated in a panel, in which I was also a member, before the Detroit section of the Society of Automotive Engineers. Because Mr. Riccardo's comments express so clearly some of the problems connected with the Clean Air Act of 1970 as they apply to auto emissions, I have requested permission to include his remarks in the RECORD for the benefit of all Members of Congress. Mr. Riccardo's remarks follow:

REMARKS BY JOHN J. RICCARDO, PRESIDENT, CHRYSLER CORP.

Good morning. It is a pleasure to get together again with the members of the Detroit Section of the SAE. It used to be that those of us in the automobile industry welcomed a chance to get out of Detroit once in a while. These days, we welcome a chance to get out of Washington.

You may recall that the last time we talked back in May of 1970, the major issue facing the industry was how to deal with a steadily increasing stream of regulations flowing from Washington to Detroit. As you well know, that is still a major issue, but a number of things have happened in the past couple of years to make the public begin to question the need for some of these regulations.

This is especially true in the controversy over the standards set for regulation of automobile emissions. Let me just briefly review their history.

Back in the 1950s, the California Institute of Technology and Los Angeles County first began to identify the elements of photochemical smog, and the degree of responsibility that automobile emissions had for creating that smog. As soon as the industry validated those findings, it set out to eliminate the automobile as a major factor in the air pollution problem. And the advances the industry made in cleaning up the exhaust of automobiles has been unmatched by the pollution control efforts of any other segment of American industry.

There was very little public recognition of this fact, but there was a great deal of emotionalism about cleaning up the atmosphere. This victory of emotion over science ultimately led to the passage of the Clean Air Act of 1970. Among other things, that Act requires that by the 1975 model year, automotive emissions of carbon monoxide and hydrocarbons be reduced 90 percent from 1970 levels. By 1976, emissions of oxides of nitrogen must be 90 percent below average levels of uncontrolled 1971 vehicles. The Act also requires that the emission control systems be warranted for five years or 50,000 miles.

What is often overlooked is the fact that carbon monoxide emissions in 1970 were already 62 percent below those of uncontrolled vehicles, and hydrocarbon emissions had already been cut 72 percent. We've made further gains since then. The fact is that the 1975 standards actually require reductions of up to 97 percent compared with uncontrolled vehicles.

The 1970 Clean Air Act was passed at a time when many people feared that the country was already at the point of national asphyxiation, and the automobile was presumed to be the major source. This assumption was based largely on a report prepared by HEW, before the formation of EPA, outlining the reforms needed to protect the public health and welfare.

This report presumed the worst possible combination of all conditions. It used the lowest levels at which a pollutant had any effect in laboratory studies, the highest recorded atmospheric concentrations, and the largest projected increase in vehicle population.

When Congress drafted the 1970 Act, it relied on this HEW paper, and also made a number of other assumptions of its own. Reflecting attitudes then generally held, the Congress assumed that the nation's air was getting steadily worse, and that the automobile was the primary cause. It assumed that automobile emissions were the major source of pollutants that are harmful to health. It also assumed that the automobile industry, with its history of technological progress, could easily reach almost total emission reductions if it really wanted to, or had to. Alternative power sources, such as turbines, electricity, and steam were often suggested as logical approaches to meeting the new standards.

Given all these assumptions, it is a little easier to understand how men who were sincerely trying to solve what they believed to be a very real problem could devise the 1970 Act. The motivation was strong, and in the absence of fact, a stringent approach seemed to be the most appropriate. In fact, if any of us had been in Congress, faced with that same set of assumptions, we would have had a hard time voting against the Act.

The initial industry response, after the shock wore off, was to determine how to meet those standards. Your group, the engineers, explored the suggested alternatives—turbines, electricity, and steam. But unless one of you out there is carrying around some secret plans in your hip pocket, there seems to be no power source other than the internal combustion engine that meets our requirements for driveability, durability, fuel consumption, and cost, especially within the time limits imposed on us.

Basically the same drawbacks apply to the second option, emission control devices added on outside the engine. So far, at least, these catalytic and reactor applications leave a lot to be desired in terms of cost, efficiency, and durability.

The third option, of course, is to continue improving the internal combustion engine, and I don't need to outline for this group the progress that the industry has already made with this approach, and at a reasonable cost to the consumer. That progress, I believe, was adequately summed up by Dr. A. J. Haagen-Smit, head of California's Air Resources Board and the man who first discovered the automobile's role in photochemical smog, when he observed: "The problem is so far over the hump that I'm beginning to lose interest."

That conclusion, I believe, points up what is wrong with the way many of us in this industry have been dealing with the issue. Certainly we have an obligation to try to meet government standards. But as citizens we also have an obligation to express our opinion on bad law. I believe we have concentrated too much on the question of *how* these standards are to be met, instead of raising the far more relevant question: *why should they be met?* Ever since the Clean Air Act was passed there have been concerted efforts in the scientific and technological communities to gather the facts required for a reasoned, unemotional, informed approach to identifying and solving the air quality problem.

But instead of seeing a growing number of debates and discussions over the validity of the standards, we are constantly barraged by headlines telling of some real or imagined breakthrough or failure in the struggle to meet them.

It seems to me that all of this is totally beside the point in view of the facts that have been gathered about the assumptions that were being made back in the late 60's by the public and by those pressing for cleaner air. Those facts all raise the question of why.

Let me cite a number of the key assumptions and the facts now available which refute them.

The first assumption was that America's air quality was getting steadily worse.

The fact is, according to a recent study for the Council of Environmental Quality, there has been a marked improvement in air quality in communities of all sizes.

These improvements, of course, are a result of the work that has been done by other industries in controlling emissions from stationary sources, and also the replacement of older cars by those equipped with effective control devices—controls which were being developed long before ecology became a household word. As these improvements continue, we can expect a continued improvement in air quality.

The second assumption was that man—and especially his automobile—was the prime source of pollution.

The fact is that nature itself, and not man, is the major source of some of the atmospheric gases emitted by the automobile. Perhaps the most surprising discovery in the past year is the fact that natural sources produce about ten times as much carbon monoxide worldwide as all the industrial and automobile sources combined. The automobile does produce up to two-thirds of man-made carbon monoxide. But that's two-thirds of one-tenth of the total amount of CO produced by all sources. Nature also produces six times the hydrocarbons and fifteen times the oxides of nitrogen that man produces.

Moreover, it has been determined that nature is not only a source for these substances, but it also has effective ways of disposing of them. As just one example of these natural disposal systems, fungus in the soil in the United States alone has the capacity to consume more than double the total carbon monoxide produced by all the motor vehicles and factories in the world.

The third assumption was that the automobile was a primary source of pollutants that are harmful to health.

The fact is that while the automobile may be the source of 40 percent of this country's man-made pollution by weight, weight is not a valid measurement of harmfulness. Actually, concentration and toxicity are the important factors. Present studies show the carbon monoxide blood levels of people in major cities across the country are well below the level at which there is any health effect. In fact, looking across the entire spectrum of air pollutants, it is now estimated that motor vehicles account for only about 10 percent of the total problem of potentially harmful pollution produced by man.

Certainly where controls are needed, controls should be imposed. But in light of these facts, the country might better concentrate its efforts and resources on the control of potentially more dangerous pollutants such as sulfur oxides, which come from sources other than the automobile, and which are 30 to 120 times more harmful than an equal amount of carbon monoxide.

Fourth—It was assumed that the 1975–76 standards on automobiles were necessary to achieve the desired air quality.

The facts indicate that they are not. A recent study on the east coast concluded that the 1976 standards for oxides of nitrogen, for example, would have very little effect on ambient air quality. A similar study in California shows that even in that state, reducing automotive emissions to the federal 1975–76 standards will not be necessary to achieve the desired effect on ambient air quality. The problem lies with other sources. As a result, California has recommended 1975–76 standards which are much less stringent than those of the federal government.

In view of the very limited gains in air quality that can now be expected from further reductions in automotive emissions, it is logical to contend that the attention given to the automobile as a source of air pollution as compared to stationary sources has been far out of proportion.

Fifth—It was assumed that the average citizen, simply by driving his car, contributes an inordinate amount of pollution to the air.

The fact is that each vehicle, with present controls, contributes extremely small amounts. If we apply the even more stringent 1976 automotive standards to other activities of the average car owner, we find that the grass in his 40-square foot back yard, just in the process of growing and decaying, would give off as many hydrocarbons as his automobile.

If he burns one log in his fireplace, he'll have used up his daily allotment of carbon monoxide. If he's using oil heat, he's limited to three gallons of oil each day, or he'll be over the limit in oxides of nitrogen. This is the degree of overkill represented by the 1976 standards.

It would seem to be obvious that the automobile, because of its universal application in American life, and because of its highly visible nature, was selected as the appropriate avenue to air quality reform, just because it is universal, and visible.

Sixth—The assumption was that the industry could meet the standards, and with relatively inexpensive technology.

The fact is that we have no technology—expensive or inexpensive—that will meet all the requirements of the Act. Moreover, the current trend in the development of proposed add-ons involves the use of exotic and very expensive metals—platinum and palladium—which will add significantly to the cost of an automobile. Further, these metals are sourced outside the United States, and the cost of importing about half the world's annual supply would have a negative effect on our country's balance of payments.

The fuel consumption penalty associated with currently proposed add-ons should also be included in any cost-benefit analysis. The initial cost is to the car owner in operating cost per mile, and the secondary cost is in an increase in the nation's $4 billion annual bill for oil imports, with a further negative impact on our balance of payments. Even beyond that is the social cost of an increased demand on the world's diminishing oil supply at a time when we are entering a serious energy crisis.

And Seventh—It was assumed that the benefits of these standards would more than justify the cost.

The fact is that two different government studies show exactly the opposite. A 1972 EPA report to Congress estimates that in 1977, when all controls on motor vehicles are in effect, the annual cost of those controls will be more than $8 billion. The projected national annual benefit to "material and vegetation" will be less than $1 billion. The EPA report points out that health benefits were excluded from the estimate "because of an almost complete lack of data" establishing the health effects of carbon monoxide, hydrocarbons, and oxides of nitrogen. It just happens that these are the three primary emissions from motor vehicles.

Another report from the Office of Science and Technology estimates the cost of the 1975–76 standards will outrun the benefits by between $5 billion and $7 billion a year for each of the next ten years, and an average of $3 billion each year after that.

The study committee concluded "that the nation is embarked on an air pollution program of enormous scope, complexity, and cost, with little measure of the relative harmfulness of the several pollutants being considered."

Now, after reciting these new facts, let me draw some conclusions. Even if automotive air pollution were the only problem in our country today, the Clean Air Act of 1970 as presently written would still be wrong for the country and for the automobile owner. However, automotive air pollution is not our only social problem, and certainly is not our most urgent one. That problem has basically been solved. There is being list of other pressing problems facing the nation, and the vast amounts of money and resources required to squeeze the last percentages of pollutants from the automotive exhaust pipe could be much more effectively spent on their solutions.

It's becoming more and more clear that our nation's resources—natural, financial, and technical—are limited. This nation needs to reorder its priorities. And our resources need to be applied to the most important of these problems, and on a priority basis.

Those of us in science and technology need to work as hard in telling these new facts about automotive air pollution as we did to discover them. It has become increasingly obvious that given the facts, the Clean Air Act must now be reconsidered. Enforcement of the unreasonable standards set for 1975–76 should be suspended, and present standards should be maintained, until new standards can be set on the basis of need, cost, and feasibility. Since the EPA already has the authority for setting emission standards for stationary sources, and since the EPA has been the public agency most familiar with the new data, it would seem logical that it should also bear the same authority for mobile sources.

This seems to me to constitute the only responsible and intelligent course of action, and it is essential that all of us work toward it. I was encouraged by the recent observation by Representative Louis Wyman, of New Hampshire, on the floor of the House, that the Clean Air Act of 1970 is "environmental overkill . . . unrealistic in terms of cost, result, and public need."

Our job won't be done until the truth of that statement is in the minds of the majority. I urge your support in getting that job done.

HON. DAVID PRYOR OF ARKANSAS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. EVINS of Tennessee. Mr. Speaker, I want to take this means of paying a brief but sincere tribute to our colleague, DAVID PRYOR of Arkansas, who will not be joining us in the next Congress.

DAVID PRYOR is a young man with a great future in public life before him, and certainly his loss in a close Senate contest reinforces rather than diminishes his unlimited potential in public service.

It can be simply said that DAVID PRYOR is a nice guy, warm, genial, personable, courteous and considerate gentleman. It was my pleasure to serve with DAVID on the Committee on Appropriations and specifically on the old Subcommittee on Independent Offices Appropriations.

He is a diligent legislator, eager to learn and move ahead, and it is to his credit that he devoted much of his time in the House to protecting the interests of our elderly citizens. In furtherance of this goal and objective, he personally worked in a nursing home to learn of conditions first-hand of the Nation's elderly.

DAVID PRYOR has served his district, State, and Nation faithfully and well, and I am sure all of us wish him the very best of good luck and success in the years ahead.

FRANK HOYT—A RESPECTED AND DEDICATED PUBLIC OFFICIAL

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McFALL. Mr. Speaker, I rise to offer a personal tribute to my friend, the Honorable Frank L. Hoyt, a man whom I am privileged to have as my county supervisor, and a gentleman who is completing his career as the highly respected—and liked—Fifth District supervisor in San Joaquin County, California.

Frank's life and his years of service to his neighbors—both in private and elective life—epitomize the best in the tradition of our democracy.

A native of Nebraska, Frank began his life of work breaking horses at the age of 14. He distinguished himself as a soldier in World War I, a rancher, flood control specialist, businessman, head of a growers association, and a family man.

In 1919, Frank Hoyt served as a delegate to the historic Paris caucus of the American Legion, which led to the official formation of that great organization. He has continued to devote many years of service as a member and holder of high Legion office.

Frank is best known as a dedicated elected official—a man who consistently has endeavored to represent his constituents in the highest traditions of American democracy.

"Call Frank Hoyt." This phrase is often heard in the Fifth District when an emergency or problem arises when his constituents need help. Frank is there and ready to be of assistance.

On the issues and problems brought before him, he first listens, then speaks softly, but forthrightly, and finally acts with incomparable wisdom. His natural ability has earned him the esteem and affection of the people of the Fifth District who have asked him to serve for 12 years.

I have had the privilege to work with Frank on many projects to promote the economy and quality of life for our constituents. Frank's name is richly interlaced in the record of congressional committee hearings, since he has come to our Nation's Capital many times to help us obtain adequate support for these programs. The reality of dams and levees protecting our cities, drainage facilities to protect our environment and agricultural lands would not have been possible without Frank's generous time and effort.

The coming years will bring deserved relaxation and time to enjoy the pleasures of life. But we will feel secure knowing that Frank will be there as a source of valued counsel and friendship.

Frank Hoyt's life is an inspiration to all of us in government, elected and appointed, local, State and Federal, who strive to make democracy work. He has our admiration, respect, and gratitude for a job well done.

SALE OF SOYBEANS IN RUSSIA

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SISK. Mr. Speaker, I am inserting in the RECORD an article regarding a sale of soybeans to the Soviet Union.

I was particularly impressed with the statements made by Mr. Barksdale, the author of the column, in connection with the manner in which Cook Industries conducted this sale and the statements made by Ned Cook in regard to his company's policies. To me, this illustrates the proper manner in which our export sales should be conducted.

The article follows:

[From the Farm Quarterly, Fall 1972]

THE LAST WORD

(By Bill Barksdale)

Soybean growers have experienced a history of ups and downs through high and low prices, over- and under-production, strong and weak markets, and bright and grim outlooks. The current upswing in soybean activity and optimism is due to many factors, but one of the most significant is the first major sale of U.S. soybeans to the Soviet Union.

What are the details of that sale? Who consummated the deal? And what are the prospects for more like it? To learn the answers to these and other questions, I recently talked at length with the man who handled the trade. Soybean growers should know him and his kind.

Edward W. "Ned" Cook, president of Cook Industries of Memphis, Tennessee, had just returned from putting the Russian traders on a Moscow bound plane when I met with him in Chicago in late August. I went into our meeting knowing that Cook Industries, now a conglomerate of six groups, is the outgrowth of Cook & Company, a cotton trading firm established by Ned's father, Everett R. Cook, in 1919. For more than 40 years, the firm largely confined its activities to cotton trading on an international scale.

In 1962, the younger Cook yielded to his ambition to enter grain trading with an emphasis on soybeans. He was advised to reconsider his ambition; to proceed slowly. Ignoring the counsel, he plunged into an industry governed by custom, caution and competitiveness.

On the second day of my meeting with Cook, the August 19 issue of *Business Week* described his firm as "an upstart in the grain trade". In spite of the derogatory sound of the word, the main definition of the word "upstart" is as follows: "One that has risen suddenly." This accurately applies to the Cook firm. In its scant 10 years of grain trading, it has become one of the very largest exporters of U.S. soybeans. For example, Ned Cook estimates that his company handles close to one-third of all U.S. soybeans moving to Japan.

As I talked with Cook, I realized that this word "upstart" also describes the soybean industry. Hadn't it "risen suddenly" in comparison to our other leading crops? This perspective set a new tone for our interview.

Cook Industries sold about $225 million worth of soybeans and wheat to the Soviet Union. Typical of the fraternity of grain traders, Ned Cook refuses to specify the volume of soybeans involved. That would reveal to his competitors the highly guarded price per bushel. It is rumored in the grain trade that the sale involves 30 to 40 million bushels of soybeans. Cook would only say, "The volume of soybeans and wheat that we sold to Russia is equal to the production of some 3,000 square miles of cropland."

This is not the first sale of U.S. beans to Russia. In 1965, the Soviet Union bought from the United States "about three million bushels" of soybeans. But the Cook deal, 10 times as great at the most conservative estimate, is a landmark trade because of its magnitude.

Shipments, Cook said in late August, were to begin immediately and to continue through early 1973. Included will be soybeans from virtually all producing regions of the United States; the Russians stipulated no regional preference as a source of their beans. Shipments are to be made from ports on the Great Lakes, the Atlantic coast and the Gulf coast.

The soybean sale followed the government's July 8 announcement of Russia's intention to buy $750 million to $1 billion worth of feed grain and wheat over a three-year period. Those purchases are to be financed through U.S. credit. By contrast, the soybean sale is a private transaction between the Soviet Union and Cook. No government credit is involved.

Does Cook wonder if he will be paid for his soybeans? "Getting paid is one of the last things I'll worry about," he said. "The Russian traders have an impeccable record . . . we know of nothing they have ever done in trading that was commercially immoral." Ned Cook should know. His firm began trading cotton with Russia during the mid-Thirties. More recently, it sold Russia European grain and bought Russian vegetable oil for sale in Europe.

Will the Russians return to buy more U.S. beans? Cook declines to make any prediction. He will only say, "They could return next month or never—we just don't know. But the history of other countries buying U.S. soybeans is that once they make a purchase, they usually return for more."

What, if anything, should be done as a followup to the sale? American Soybean Association officials hope they will have an opportunity to offer the Soviet Union the technical assistance of processing experts and/or animal nutritionists, if needed. Said Ralph Jackson, ASA executive vice president, "We want to assure that the Russians have a successful experience with American beans so they'll be a good customer of ours in the future." I personally relayed that message to Ned Cook, and he indicated a willingness to cooperate with ASA in coordinating the offer of such services. An ASA mission, including president Harold Kuehn, visits Russia in late September.

American farmers have a vital, but often silent, battery of partners in Cook and the other major grain and oil-seed traders. Ned Cook defined his position with a surprising degree of humility: "The producer and the consumer are the important parties," he explained. "Let something happen to me or some other trader, and business will go right on; but let something happen to a large percentage of producers, or lose a large number of consumers, and your market is gone."

That, I thought, was quite an admission for an upstart who had laid the groundwork for new opportunities in an upstart industry.

THE HONORABLE WILLIAM. M. McCULLOCH, OF OHIO

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. EVINS of Tennessee. Mr. Speaker, permit me to pay a brief but sincere tribute to our colleague, the gentleman from Ohio (Mr. MCCULLOCH), who is retiring at the close of the current session of the 92d Congress after a distinguished career of more than a quarter century of public service.

BILL MCCULLOCH has done outstanding work as a member of the Committee on the Judiciary, where as an able attorney he has contributed greatly to legislation and constitutional amendments reported by that great committee.

He also served for a number of years as the ranking member of the House Select Committee on Small Business, and in both capacities his work was outstanding.

He has an astute legal mind and a keen intellect and is a genial, personable gentleman who is highly respected on both sides of the aisle.

BILL MCCULLOCH, a classmate of mine of the 80th Congress, served his district, State, and Nation faithfully and well and will be greatly missed.

I wish him the very best of good luck, health, and happiness in the years ahead in a richly deserved retirement.

CONGRESS WINDS UP SESSION

HON. DAVID W. DENNIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DENNIS. Mr. Speaker, in accordance with custom at the end of a congressional session, I am sending to residents of the 10th District of Indiana a "wrap up" of the activities of the 92d Congress.

I take this occasion to place this "wrap up" in the RECORD for the consideration of my colleagues and the convenience of my constituents:

CONGRESS WINDS UP SESSION

Dear 10th District Citizen: A "wrap up" of the actions of the 92nd Congress is now in order, along with an assessment of Congress' successes and failures. A great deal of important legislation has been considered in the House of Representatives since I summarized the accomplishments of the 91st Congress two years ago.

As a member of the 92nd Congress, I have voted on all important measures and have actively participated in the debate and discussion on the floor, in the case of many of them.

As you know, since my election to Congress in 1968, I have regularly and faithfully reported to you as to all of these debates and as to each of these votes.

The 92nd Congress considered, and has dealt with in one way or another, a wide variety of important legislation.

Among these may be mentioned ratification of the SALT agreements, revenue sharing, Social Security increases, the Clean Water Bill, the Higher Education Act, rural development, extension of the Equal Employment Opportunity Act, amendments to the Occupational Safety and Health Act, increase of the minimum wage, and consumer protection legislation. In addition we have extended wage and price controls, upheld HEW vetoes, defeated "anti-war" amendments, provided for the national defense, adopted an equal (women's) rights amendment to the Constitution, considered and acted on welfare reform, eased income taxes and prepared to end the military draft. This list, while not complete, will serve to indicate the variety and importance of measures before the Congress.

No one can truthfully say that the 92nd Congress has been a do-nothing Congress, although there is ground for debate as to the wisdom of much that we have done.

On balance, I would give the 92nd Congress good marks for its ratification of the SALT agreements, its environmental action in support of clean water, its genuine and not entirely politically inspired concern with the problems of the day, and its willingness to at least address itself to many of these problems.

I would fault the 92nd Congress for top-heavy spending and financial irresponsibility, for its failure to set up a Congressional budget, for showing entirely too much disposition to place ever-increasing regulations and controls on American business and private enterprise, for its quota of political demagoguery and its yielding to political pressures, and for the usual legislative habit of doing comparatively little for months and then having to attempt too much in the closing weeks of the Session.

Landmark legislation would have to include the SALT agreements, revenue sharing and the Clean Water Bill.

Important legislation which has failed of final action includes welfare reform—although the Senate (not, so far, the House) did vote to test out several different proposals, an approach which I have long advocated as a step to take before adopting the President's family assistance plan—consumer protection legislation, and proposed increases in the minimum wage. All of these are highly controversial, and the solutions are not easy.

Developments which may foreshadow fundamental changes in American society include the institution of wage and price controls in our free peace-time economy, and the apparently approaching end to the military draft.

Tax reform is an important topic facing the 93rd Congress and is discussed at greater length elsewhere in this same newsletter.

The ever-growing federal deficit—for which both the Congress and the Executive are to blame—is a matter of very serious concern to thoughtful people, and it, too, has long range implications for our society.

My own concern in this field has led me to vote against many spending measures and, so far, to vote to uphold all money saving Presidential vetoes. It led me to support the $250 billion spending limit urged by the President, even though it does give him some powers to reduce expenditures which, in Constitutional theory, may be to a degree objectionable.

We have a representative government, and, over all, Congress, in its strengths and weaknesses, pretty well reflects the people. Intelligent and active participation by the people is essential if our form of government is to do its job. The United States is the most powerful country in the world as we approach our bi-centennial, and in my judgment as in yours it is, in every way, the world's greatest nation. Nevertheless, mediocrity and politics-as-usual can be the seeds of our own destruction. A patriotic, industrious, intelligent and concerned citizenry must remain the strength and the shield of our Republic.

UNRESOLVED ISSUE, NEXT CONGRESS FACES TAX REFORM

One of the live topics of the day is tax reform.

Property tax relief—which is basically a State and local matter since the rates are set by State law and local action—is now discussed as a field for Federal intervention.

There is much talk also about the plugging of so-called "loop holes" in the Federal income tax laws.

Much of the talk is unfortunately neither well-considered nor informed.

Both Presidential candidates have referred to the possibility of some form of Federal relief for local property taxes which every land owner (myself, of course, included) regards as being too high at present.

Just how this is to be done remains at present writing, very much to be seen. Current legislative proposals for "no strings" revenue sharing cannot be the answer, for—aside entirely from philosophical objections on the principle to this legislation—there is nothing in it which requires the Federal distributions to localities to be used for tax relief rather than for additional or new projects or services. Moreover, payments to units of local government cannot be used for the operation of school systems, and units of local government which are eligible for payments under the bill are defined as general purpose units of government and do not include school corporations or districts. Education costs are, of course, the chief reasons for high local property taxes.

"Loop hole" elimination may be, and in some cases no doubt is, desirable. But exactly what do we call a "loop hole?" Strictly speaking, interest on one's mortgage for which a deduction is taken can be called a "loop hole." So can deductions for medical payments, so can gains on the sale of a residence by persons over 65, and so can the retirement income credit. More generally we hear discussions about tightening up the treatment of income from capital gains so as to treat such gains on the same basis for taxation as ordinary income, abolishing tax-free interest on state and municipal bonds, abolishing the oil depletion allowance, cutting down on depreciation, striking out the investment credit, etc.

Some of the suggestions may have some merit, but none are as simple as they sound.

A private enterprise system depends upon a reasonable ability to accumulate some capital, municipal bonds may not sell if the interest is taxable (and if we subsidize the interest that will again require additional tax monies); present oil depletion may be excessive but we are in fact dealing with a wasting asset; depreciation is, within reasonable limits, also a fact and a real factor in conducting a business, the investment credit—first advanced by President Kennedy—is designed as a business stimulant; and so on.

Rep. Wilbur Mills, chairman of the House Committee on Ways and Means, who calls the income tax law of 1969, for which I voted, "the most comprehensive tax reform measure in our history," has introduced an interesting bill designed to force an orderly reconsideration of all of these so-called "loop holes" by providing that each of them shall expire at various fixed dates in the future, some on January 1, 1974, some on January 1, 1975, and some on January 1, 1976.

Either by use of this vehicle, or by other methods, tax reform will no doubt be one of the important items of business for the 93rd Congress which convenes in January 1973.

Meantime, it is an interesting fact that some of my colleagues, and others, who talk the most about tax reform are, at the same time advocates of such huge additional spending programs as cradle-to-grave health insurance on the Kennedy model, $4,000 or more guaranteed income per year to a family of four, comprehensive Federal child care centers, additional millions for Federal aid to education and health, 100 percent parity farm payments, greatly expanded Federal housing, direct Federal Treasury support for Social Security with expanded payments, millions for model cities and mass transit, and other programs, the total expense of which would out-strip by far any tax savings or increased tax collections which could possibly be achieved if every single "loop hole", good or bad, were to be plugged once and for all.

Tax reform is indeed worthy of and truthfully demands careful study, but it definitely does not lend itself to cheap or easy solution.

I regularly report to you the things I am doing as your representative in Washington, D.C. An equally important part of my job as your Congressman, and perhaps more enjoyable for me, is the time I spend back in my home district, travelling to the many cities and towns that go together to make up the 10th District. The pictures on these pages are fairly representative of how I spend my time in the district, and I can say that I have been in the district on most weekends this year, as well as during Congressional recesses. These visits allow me to visit the many county fairs, parades and service club meetings, as well as giving me the chance to hold office hours where constituents may call on me with their opinions and individual problems. I have enjoyed these opportunities to meet the public and intend to continue doing so. It is important that a representative not rely on mail, petitions and phone calls alone to keep abreast of the people's sentiments, but travel among them, listening to and talking with them.

Dennis Bollenbacher, of the Adams County Health Department, took me to the New Corydon area, along the Wabash River, to see the logjam clearing project contracted by the U.S. Army Corps of Engineers. Mr. Bollenbacher and others contacted me about the problem which they said had been flooding crop lands and roads, and causing health hazards for almost 37 years. I was very happy to ask the Corps of Engineers to look into the problem, and very pleased when they agreed to go ahead with the clearing project, which I inspected this day.

Mrs. Dennis and I were invited to take part in the Henry County Sesquicentennial Parade in New Castle. The event drew a very large and enthusiastic crowd.

The Jay County Fair, at Portland, was a pleasant occasion and I enjoyed chatting with friends and acquaintances there.

The opportunity to hear one man's views, clearly and unequivocably expressed, is refreshing after spending a working week in Congress.

I always enjoy talking to news media representatives from the district, as here I had a pleasant chat with a reporter from WIUC–FM in Winchester.

I visited many county workers in the Courthouse at Decatur during one of my stops through Adams County.

A sunny Saturday afternoon in Pendleton afforded the opportunity to renew many acquaintances and make new ones, as well as the chance to address a group of constituents on matters of current interest.

Mr. H. Vernon Scott, left, president of the National Associated Businessmen, recently presented me with the "Watchdog of the Treasury" award for my 91.7 per cent economy voting record in the 92nd Congress. This is the second time I have been given the award, having also been cited during the 91st Congress two years ago. The award itself is not so important, but I feel that this may in some way show that I do follow the wishes of my constituency by voting only for reasonable expenditures and appropriations by the government. I get many letters from people in the district who are upset about the waste of government funds and the huge budget deficit we now have. Basically, I just don't believe the Federal government can cure all the ills of our world by papering over them with dollar bills.

Nearly 20,000 people in the district have placed their names on my mailing list to receive more frequent reports on Congressional activities. If you would like to receive the reports, please fill in the address form below and send it to me. Reports such as you have in hand now are mailed four times a year.

XUM

THE INDEPENDENCE OF THE INDEPENDENT COLLEGES

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JONAS. Mr. Speaker, under leave to extend my remarks in the Extensions of Remarks, I include a speech recently delivered by Dr. Samuel R. Spencer, Jr., president of Davidson College, Davidson, N.C., before the Dilworth Rotary Club, Charlotte, N.C.

This thought-provoking speech of Dr. Spencer deserves widespread attention. The subject of the speech is of current interest and deals with one of the most pressing problems confronting the independent colleges of the land. I am pleased to have this opportunity to make it available for reading by my colleagues and all others who read the RECORD.

The speech follows:

THE INDEPENDENCE OF THE INDEPENDENT COLLEGE

(By Samuel R. Spencer, Jr.)

My attention today is focused on something more important, in the long run, than the customary preoccupation of college presidents with financial problems. Last fall in Williamsburg, Virginia, Dr. Clark Kerr of the Carnegie Commission on Higher Education issued a warning to Trustees gathered there for the Association of Governing Boards Conference. Despite the serious financial situation of American higher education, he said, the most serious problem for our colleges and universities in the next decade will be not preservation of a balanced budget but preservation of their autonomy and independence. The evidence is bearing him out.

When the university is no longer free to serve as the open market place of ideas, society itself is no longer free.

Some months ago I visited a number of German universities as a guest of the German Academic Exchange Service. During the course of this visit, I was at Heidelberg, one of the proudest and oldest of German institutions. Hundreds of thousands of Americans know it through *The Student Prince,* The Red Ox Inn, and the ruined red stone castle which overlooks the Neckar River from the heights above the town. It was late afternoon when I turned off the narrow main street past the old University on the left and into a modest building of University offices for an appointment with the Dean of Faculty of Philosophy, or what we would call Arts and Sciences. He was not there when I arrived, and I was told to wait in his office.

When he came in, he offered me a glass of sherry, poured one for himself, and flung himself in his chair. Seeing how obviously tired he was, I offered to come back another time, but he stopped me and proceeded to tell me why he seemed near the point of exhaustion.

He had been involved all that day and the preceding one in a long drawn out negotiation with leaders of the student radicals at the University. Six months before, the radicals had objected to the teaching of a language professor whose practice was to assign certain texts to be translated in class. The objection was not to the method but to the texts selected: the material was attacked as bourgeoise. The radicals insisted that the professor make selections from texts which conformed to the Maxist party line. When he refused, they disrupted his class to the point that he could not continue to teach. After several attempts to carry on his lectures, met each time with disruptive tactics, he discontinued the class completely. The stalemate had lasted for months. Finally, the negotiations in which the Dean was involved had arrived at an uneasy compromise: The professor was to submit a large number of texts with greater variety, and the students would choose those to be used. What a humiliation not only for the particular professor but also for the University and for the traditional freedom of teaching! The tactics were not new. They were the same as those used by Hitler's bullies in the 1930's.

Lest you think it can't happen here, it is already happening. The first threat to the independence of our colleges is from within—from persons and groups in the colleges and universities themselves who would like to shout down or refuse a platform to those with whom they do not agree. Political figures, regardless of affiliation, have been heckled and egg-spattered on American campuses to the point that they could not continue to speak. One university has refused its platform to a Nobel prize winner because of the pressure of student groups who disagree with his point of view. Professor Arthur Jensen, who has dared to suggest that there should be further study of the possible inherent differences in the capabilities of racial groups, is unwelcome at many universities. Professor Herrnstein of the Harvard Psychology Department, the author of a controversial article in the Atlantic on IQ, which supported Jensen's position, has been hooted and hounded by leftist groups who would like to remove him from the university. (To the credit of the Harvard faculty, a large number arose to defend, in a publicly signed statement, Professor Herrnstein's right to freedom of speech.)

But there is another side to this coin. There are those beyond the campus who would like to do just what the radicals within are doing: to inhibit the freedom of speech of those with whom they do not agree. The most flagrant demonstration of this kind of pressure on our home ground came in the effort some years ago to pass a speaker-ban law in the state of North Carolina. I am proud of the fact that the Davidson College faculty, recognizing the threat to the free exchange of ideas represented by the proposed speaker-ban law, helped lead the fight against it.

In this day of high visibility for college students and faculty members, individuals and groups on the campuses often do or say things which raise the hackles of persons beyond the campus community. For example, our Student Government Association last year invited Rennie Davis, one of the Chicago Seven, to speak at Davidson. I said publicly at the time that I thought the expenditure of a thousand dollars of their money—it was their money—was a highly questionable use of funds. On the other hand, I can understand their desire to hear Rennie Davis, and would certainly defend their right to make such a decision even though I might disagree with it. The public must realize that there are many groups who invite speakers on many subjects to college and university campuses today, and that the appearance of a speaker in no way constitutes an endorsement of him or his views by the institution.

Similarly, many friends of both public and independent colleges and universities are sometimes upset by things that students (and occasionally faculty members) say in public speeches, interviews, and letters to the editor. On occasion these situations are quite frankly damaging to the institution. There is no question about the fact that they sometimes undermine rather directly the financial support on which the college or university depends. It is especially galling to many constituents to have faculty members, as they say, bite the hands that feed them. The typical reaction is, "Why don't you fire that guy?" The very simple and practical answer is that in the case of a tenured professor, a college couldn't fire him unless it could prove beyond any reasonable doubt that he is incompetent or morally deficient.

But the real answer goes to a matter of principle. You do not fire a teacher because he says something with which you do not agree. An essential function of a college or university is to provide a sanctuary where unpopular and unorthodox views can be expressed without fear of reprisal. If this principle is not maintained, we are no better than the radical Marxists at Heidelberg who wish to stifle the expression of all those who do not conform to their party line.

But the threat to the independence of American higher education that concerns me most comes, with all good intentions, from another quarter. Back in the 1960's, when large sums of money were first offered to independent colleges by the Federal Government for new facilities, college presidents and trustees shook their heads with considerable concern. Finally most of us decided that it would be all right to accept such grants because they were "one shot" affairs with no continuing entanglement. At the time, most of us also said that we would not for a moment want to be on the Federal payroll in such a way as to compromise our independence. Even then, many institutions, and especially our large universities, had large research contracts with the Federal Government which amounted to a sizable proportion of their operating budgets. Today, relatively few of our 3,000 institutions of higher education in this country are free of some sort of federal involvement. We get federal funds for loans and work-study jobs for our students, for library and laboratory equipment, for new buildings, for research. The Higher Education Act recently passed by the Congress goes the whole way by providing unrestricted grants for operating purposes. When those become a reality, we will indeed be on the Federal payroll.

Even before that tune is played, the piper is beginning to submit his bill. Please remember that I have already said that the intentions and objectives are good ones. Fundamentally, the Federal Government is trying to guarantee that there shall be no discrimination on the basis of race or sex in admissions and employment. No one can quarrel with this. But the administrative extensions of the laws prohibiting discrimination, and the bureaucratic intrusions into institutional and personal affairs, are ominous.

As many of you in other professions and businesses know by experience, the enforcement device used by the federal agencies is what is termed a "Compliance Review." Such compliance reviews are now being conducted with increasing frequency and intensity at colleges and universities. The initial step is a letter to the institution notifying it that it is scheduled to be investigated by an HEW Compliance Review team. The letter requests that various kinds of information be assembled in advance of the review, information such as the following: a listing of all employees and employed students by race, sex, and ethnic origin, with job category, rate of pay, status, number of hours, date of hiring, date of last promotion, and age; a list of all persons hired in a recent period, usually six months or a year, identifying job or position classification, date of hiring, starting pay rate, race or ethnic origin, and sex; copies of tests and other criteria used in making selections for employment, upgrading and promotion; and copies of manuals or other materials that describe matters affecting the employment or treatment of employees such as faculty manuals, administrative practice manuals, personnel procedures, and operating guides. HEW teams are even asking to see the confidential personnel files of specific employees—a procedure sure to raise the temperature of a man as fiercely protective of individual rights as Senator

Sam Ervin. As one bulletin says, "The review process may be completed in a scant three weeks or it may last for months."

During the past spring, an HEW team visited us "to evaluate Davidson College's compliance posture in relation to the requirement that all facilities and services provided by recipients of federal financial assistance must be provided without regard to race, color, or national origin." The thrust here had to do with our admissions policies in relation to minority students.

There is no question about the firm and unequivocal commitment of Davidson College to a non-discriminatory policy in all areas. That is not the issue. Some time ago the Davidson Trustees had not only opened the door to minority students, but had directed the administration to intensify its efforts to recruit them. At the same time, the Board took a firm stand that in fairness to all candidates for admission, including minority students, no arbitrary quotas should be set and admission standards should not be lowered.

Three weeks after the visit, the Chief of the Education Branch of the Atlanta Office of HEW wrote a four-page letter in which he acknowledged that Davidson had "generally eliminated barriers which would prohibit admission or participation of any person on the basis of race, color, or national origin." Despite this, he continued for three more pages to detail seven "observations and suggestions". At the end of the letter, he stated "We ask that you indicate within sixty days affirmative actions taken and planned by Davidson in relation to the above report."

In addition, he requested "that adequate records be maintained of efforts to eliminate past patterns of segregation so that information may be provided periodically to our office." The "observations and suggestions" included such things as the following: that we should attempt to raise the number of black students to 10% of our student body; that we should "allow for more flexibility in admission requirements"; and that we should make "improvements in our curriculum to include additional emphasis on black contributions in all areas of academic instruction."

In replying to this letter, I stated that the primary thrust of the observations and suggestions was in line with the announced policies of Davidson College. I said further that we would discuss the suggestions with the trustees, faculty, staff, and student body, and with black students already on our campus—but that we would then act upon those which we ourselves judged to be wise and feasible for Davidson College.

I do not have to labor the threat to institutional autonomy and independence inherent in the procedure I have described. What if the same kind of "improvements" in curriculum were demanded for other areas? What if we were told to include or not to include instruction or library materials in the field of genetics or economics or religion? It is only one step from this to telling us which teachers are competent to handle certain matters and which are not. When Washington begins to dictate what we should teach and who should teach it, one of the essential guarantees of a free society will have been lost.

This country has been blessed with an almost unique dual system of higher education which includes both public and private institutions. The Dartmouth College case of 1819, in which Justice Marshall upheld the autonomy of the college and refused to allow the legislature of New Hampshire to take it under state control, guaranteed that strong private institutions, independent of political domination and influence, would grow alongside America's developing state universities. The importance of this dual system runs deep. The existence, side by side. of state and private institutions has contributed a healthy competition and diversity which has raised the level of both. But the fundamental importance of the dual system has to do with freedom itself. The colleges and universities of this country will never be shaped to the mold of any special interest or exploited for political purposes so long as some of them remain truly independent.

Do not take their independence for granted. The preservation of it will not be easy.

At the same time that we work to eliminate discrimination in all areas of American life, I hope you will join me and others who are deeply concerned about this in upholding at every turn the right of our colleges and universities to govern themselves and the right of individuals within them to teach and speak at the dictates of conscience.

IMPLICATIONS OF GRAIN DEAL WITH RUSSIA

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SEBELIUS. Mr. Speaker, the United States-Soviet grain agreement was truly momentous and will have far-reaching results for American agriculture:

Farm income will increase by hundreds of millions of dollars.

Farmers can expect to rely more on the marketplace for their hard-earned income as opposed to Government payments.

Farmers can expect more individual freedom and less planting restrictions.

Taxpayer costs will be reduced by more than $200 million.

There will be 25,000 to 30,000 additional jobs created for the American working man.

The agreement will add $1 billion to the U.S. balance of payments.

The world's two most powerful nations can now move rapidly down the road to normalized commercial relations. Relations of this type can lead to understanding and peace even including cooperation and leverage in ending the Vietnam war and preventing similar conflicts. In addition, similar relations with the third most powerful nation, China, are possible.

Despite the controversy and problems regarding the recent Soviet-United States grain sale, I am hopeful we can enter into an era of cooperation among farm organizations and individual farmers and enter into what could be a new era of prosperity for farmers and agriculture.

To accomplish this, I feel we must achieve greater understanding with our urban colleagues and with consumer interests. In this regard, I would like to call colleagues' attention to two articles; both of which concern the Soviet grain sale and our Nation's current supply of wheat. In a speech before the recent convention of the National Association of Farm Broadcasters in Kansas City, Mo., Joseph Halow, executive vice president of Great Plains Wheat, summarized very well the need for responsible and accurate discussion of the problems we face in agriculture. And, in his latest column, Roderick Turnbull, a long-time recognized authority on agriculture and the director of public affairs of the Kansas City Board of Trade, explains to the houswife that to fully understand the price of bread, she must also understand crop production and supply.

REMARKS BY JOSEPH HALOW

After having missed your winter convention last year it is a particular pleasure to be here with you this morning. Since we in Great Plains Wheat last met with you there has been so much activity it is almost impossible to keep up with it. This may never have been more true than during the past several months. The Soviet grain sale and the controversy surrounding it are only one—although probably the most graphic—example of the extent to which agriculture has come to the forefront. It is unfortunate, however, that, for some unfathomable reason, a great deal of the attention agriculture is receiving has been unfavorable.

This may be because what is sensational is news, and the United States no longer finds it sensational that U.S. agriculture continues to keep the U.S. citizen supplied with an excellent diet at prices more within his reach than in almost any other part of the world. We have apparently all become too accustomed to this pleasant aspect of agriculture and are more fascinated by attacks made on the cost of the agricultural programs, confirmation of new secretaries of agriculture and large grain sales to a bloc of countries we have for some time considered to be our enemies. This attitude is changing, fortunately, and both contenders in this presidential campaign are now favoring a thawing of relations with the People's Republic of China and the Soviet Union.

Even those who want to continue to isolate the United States from these countries must realize what a big plus it is for the United States to be able to supply the Soviet Union something like 400,000,000 bushels of wheat in one year. What a defeat it must be for the Soviet Union, which once was a major grain exporter, to have to come to the United States for this much wheat and a quantity of feed grains which has not yet been determined. It is a real tribute to United States agriculture that we can furnish any one country this much wheat without running into shortages ourselves. Four hundred million bushels is almost equal to total annual Canadian production.

It is more wheat than Australia usually produces in any one year, about equal to what France may produce in one year and far more than Argentina has been able to produce in one year for the past several years. To discuss the significance of the sale for United States agriculture and United States trade would require more time this morning than I am sure we would be able to spend. I feel sure also that all of you are already well aware of this, and I may be merely carrying coals to Newcastle.

Although they produced nothing concrete to substantiate the charges made against the grain trade and the Department of Agriculture, the recent Congressional hearings on the Soviet grain sale will undoubtedly have some lasting effects on agriculture in general and U.S. wheat trade in particular. It is fairly safe to assume that our wheat subsidy program—or export equalization payment program, as it should be properly termed—may never again be the same. What may be the effect of all the publicity in consideration of future farm programs is really anyone's guess. We could continue to speculate on all the other side effects for some time, but such speculation would now probably be futile. We shall just have to wait and see.

One certain result of the hearings—and one which will be of particular interest to all of us here—is that we can certainly expect the USDA to be asked to provide more timely information on the world grain situation and export prospects for farmers and the general public. The Department of Agriculture maintains it has provided all available information, and the grain trade statements indicated the information available to them was also available to the interested public. What then constitutes "better" information? When asked recently whether or not there was any early indication that the Soviets would be in the market for U.S. grains, a New York Times reporter responded in a special article that there were "several straws" in the wind.

We in Great Plains Wheat noted some of the straws in the wind as early as two and a half years ago when in the Spring of 1970 we stated there were strong indications the Soviets would be major importers of agricultural products. We stated also that the Soviets would be net importers of grains, which they would need because of a program for a sharp expansion of livestock production. (We were quite flattered, incidentally, when in their testimony before the House Agriculture Subcommittee on Livestock and Grains, Cargill, Inc., one of the largest grain companies in the world, cited the Great Plains Wheat newsletter as one of their sources of information.)

Early this year we reported that the Soviet winter wheat crop had apparently suffered a serious setback due to the coldest winter the Soviets had experienced in fifty years. When the sale was announced in July it did not immediately have a particularly strong effect on the markets. We wrote in our newsletter we expected wheat futures might easily rise by as much as 20¢ per bushel during the next several days. When any of our constituents called, however, to ask what we felt the market might do—and we knew they were debating whether or not to sell their wheat—we advised them, in effect, that we could not serve as brokers since we could not take the responsibility for their decisions. The decision would, of course, have to be their own.

After they stated in their testimony that all the information they had was available to the interested public Cargill, Inc., added that what they withheld from the market was their own analysis of these facts. If their own analysis were to be correct it would obviously be to their advantage. They would withhold this information obviously because it would cost them an advantage they might have over their competitors. This is not a problem with the Department of Agriculture. Their concern is more one of moral obligation and responsibility.

An analysis may be right or wrong, and if the individual making it, does not stand to gain or lose he could feel more comfortable about making a bold analysis. He knows, however, that when he speaks on behalf of a Government agency he is expected to be an authoritative source of information—or at least an official source of information. If he feels farmers may base their economic decisions on his analysis his own obligation becomes much greater. It is not his money he is putting on the line but someone else's. He does not stand to gain anything if he is correct and can lose a great deal if he is wrong. This is the situation we find ourselves in when our constituents ask us what we feel they should do.

We wonder, however, whether or not this should really be expected of us or of the U.S. Department of Agriculture. Farming has become more than a way of life—it is a business. It has had to become a business to exist. Before we go pell mell in one direction we should attempt to determine whether or not, under normal circumstances farmers want anyone telling them when to buy or when to sell. Should they not be able to make these decisions themselves? In such instances is not objective information the best? Wouldn't anything other than objective information be a move away from a free enterprise system?

Of greater concern to the analyst, however, is his own feeling of confidence in the accuracy of the information he is presenting. A wheat crop does not normally wither away from drought overnight. It dies slowly, day by day. The Soviet analyst who is watching his crop deteriorate must at some point decide that even if rains do come they will then be too late to save the crop. He must then buy quickly on the world markets before the extent of his needs are known and prices are driven higher. Can we logically expect the U.S. analyst, on this side of the ocean from someone else's wheat fields, to outguess the local analyst who is basing his decisions in the midst of his wheat fields?

As farm broadcasters you speak with our farmers regularly and on a more personal basis than anyone else. It is you who in many instances take the raw data supplied by the Department of Agriculture and other sources, put it into context, and present it to your listeners. The problem of what information, how much of it, and in what form, is one you have all lived with for some time. The current controversy about not having advance information is one which will serve as a strong reminder of our obligation.

AMERICAN HOUSEWIFE AND FOOD SUPPLY

(By Roderick Turnbull)

KANSAS CITY.—With bountiful fall harvests just getting under way, perhaps the time is appropriate to suggest that the American consumer, the housewife who buys the groceries, doesn't concern herself with supply.

All she is interested in is price.

The reason is pretty simple. In her lifetime, the American housewife never has seen the time she couldn't go to her store and get all the food she wanted—if she had the money. She hasn't even had to stand in line. She never has known a problem on the supply side.

But she does know that food takes a substantial part of her budget. When prices go up, she takes notice.

Of course, supply has something to do with the price Mrs. Consumer pays at the grocery store. When, as an example, demand is extremely heavy for beef all across the United States, so strong that every ounce of beef offered for sale finds an immediate buyer and there is no surplus, the price on a steak rises.

But Mrs. Consumer still will find the meat counter full, just as she will see ample supplies of eggs and milk in the coolers, stacks of bread and canned goods on the shelves. As she walks down the long aisles of the grocery store, her eyes will be on the price tags, not in a vain search of something available for sale.

This is one mark of a land of plenty.

These comments were triggered by a look at the government's most recent National Food Situation Report, a 33-page booklet prepared by the Economic Research Service of the U.S. Department of Agriculture. The reports are issued quarterly.

The booklet is replete with charts, tables and explanatory comments on the food situation.

The very first paragraph states:

"The all-food retail price index this year may average 4½ percent above last year. Most of the rise for the year already has occurred."

The next few pages are devoted entirely to food prices.

The next major heading is "Food Spending and Income," which is followed a page or two later by a section on "Per Capita Food Consumption."

All through the report are references to crop production, but the main emphasis is on what is food costing the consumer, which obviously reflects the principal consumer interest.

Under the circumstances, Mrs. Consumer should not be criticized for her lack of attention to, or concern over production statistics. She doesn't particularly care whether the corn crop this year is 4,900 million bushels or 5,100 million; or whether the number of cattle on feed as of July 1, was 12,455,000 or 10 percent less. These aren't directly her problems.

But to the trade which supplies Mrs. Consumer, the statistics on production are part of the lifeblood of business. At the Kansas City Board of Trade, for instance, grain men not only become fully cognizant of the periodic government crop reports, but they keep as fully aware as possible on day-today weather, not only in this country but around the world; they watch the figures on storage stocks; they keep informed on the volume of utilization or disappearance of farm commodities.

In fact, the trade, as near as it can, tries to assess every bit of information available both on supply and demand.

Five flour millers from Japan visiting the Kansas City Board of Trade a few days ago, took careful notes not only on what our government thinks the wheat carry-over will be next July 1, but what estimates were being made in the trade. They were interested in available supplies for next year.

Members of the Board of Trade are not alone in this endeavor to equate supply and demand, although they specialize in it. Everybody involved in farm commodities, from the producer to the retailer, seeks to be knowledgeable on the subject.

It is the judgment of all these people, as expressed in the market, which sets prices.

Despite all the effort to keep abreast of available supply-demand factors, surprises occur. The weather can alter the supply situation in a hurry, ruining a promising wheat or corn crop in a matter of a week or so. On the demand side, the huge Soviet purchases from the U.S. this year have come almost completely as a surprise, and they continue to amaze the trade.

The market never can take any situation for granted for any length of time. In other words, observance of the supply-demand factors requires constant attention from the trade.

Incidentally, if Mrs. Consumer should be concerned, the U.S. food larder should be well stocked this fall and winter, the Food Situation Report avers.

On Page 23, the booklet states:

"Net production of food commodities by U.S. farms in 1972 may total 3 percent less than in 1971. Ten percent higher stocks at the beginning of 1972 more than offset the decline in production, so supplies this year were greater than in 1971.

"Crop food commodities may be down as much as 5 percent from last year's output. Output of livestock food commodities may at least match last year's record level with better than a 50–50 chance of exceeding it. Though net production is expected to decline this year from 1971 levels, earlier prospects indicated a slight increase in stocks. Based on utilization so far this year, plus the impact of the grains agreement with Russia, it now appears stocks of food commodities will change little."

WATKINS M. ABBITT

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. WHITTEN. Mr. Speaker, the Nation loses a distinguished and able Member in the retirement of my good friend, WATKINS M. ABBITT, of Virginia. Virginia has given to the Nation many illustrious public servants, so many I cannot here enumerate them. Truly WAT ABBITT has carried on in the true Virginia tradition. Intelligent, a hard worker, WAT as he is so well known, has always displayed the courage of conviction. A conservative, he has never believed in change merely for change's sake, but only when, in his judgment, such change was for the better.

I know the Nation is the better for his services; the future will not be as good because of his absence.

WAT, we shall miss you as a friend as well as a colleague. To you and your family, we wish the very best always.

THE CASE OF GEN. JOHN D. LAVELLE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SCHMITZ. Mr. Speaker, this will probably be my last entry into the CONGRESSIONAL RECORD. It is addressed to my distinguished colleagues who, I believe, if they were aware of the facts, would start sincerely asking themselves the question why failure to win wars and actual efforts to lose them are being rewarded while American military officers who have given their full measure of devotion to duty are relieved, demoted, and dismissed in disgrace. Such is the case with Gen. John D. Lavelle. Nothing is more critical to the survival of this Nation that the nature of the case of General Lavelle.

I wonder if there is a single journalist in the United States who has taken the time or made the effort to read in entirety the testimony of General Abrams, General Lavelle, General Ryan, or Colonel Gabriel. This testimony before the Senate Armed Services Committee is the most illuminating I have ever read, and I hope that my fellow Members will take the same time in their busy schedules that I did to make themselves aware of the facts.

Some months ago, the chairman of the House Armed Services Committee, the late Mendel Rivers of South Carolina, warned that this Nation was on the verge of national suicide. I could not agree more. When General Lavelle was relieved and came back to this country, we had a very brief discussion on the subject, and due to the classified nature of the circumstances, we agreed that I could do nothing except follow very closely the facts in the case and make a judgment accordingly. This I have done and with earnest hope that my fellow Members will read what is contained herein, I pass on the facts that have been revealed.

General Lavelle was commander of the 7th Air Force and as such was responsible for the offensive and defensive air operations in the entire area of Southeast Asia. I would like to ask you to keep that in mind and put yourself in the position of this individual as you read on. As General Lavelle stated in his sworn testimony before the Senate Armed Services Committee, he was facing a 1972 environment under 1968 rules of engagement. These rules of engagement—ROE—place limitations on a commander operating in a hostile environment with severe restrictions as to capacity to respond to enemy offensive actions. As General Lavelle said:

> The North Vietnames had moved into the area north of the DMZ (the demilitarized zone) the largest concentration of missiles, anti-aircraft, artillery and radar we had ever seen in Southeast Asia.

Among the actions that led eventually to General Lavelle's being relieved were the following:

First. The enemy had netted their defensive missile systems to the point that they could not be detected as being armed for firing by those electronic aircraft whose job it was to warn our unarmed reconnaissance aircraft.

Second. From enemy airfields in North Vietnam, Mig aircraft had attempted to shoot down a B-52 bomber and a highly sophisticated intelligence KC-135 aircraft which contained America's topmost electronic and communication secrets.

Third. Adjacent to the border of Laos in North Vietnam several portable missile transporters and related equipment were waiting for bad weather to cross into Laos for offensive action against our aircraft as well as protecting the transport lifeline for bringing trucks and equipment illegally through Laos to kill our ground troops in South Vietnam.

That was the situation, and what did General Lavelle do? He had to think of his unarmed reconnaissance pilots going into North Vietnam who now could be shot out of the skies without warning. As he stated, he had been asked to fight an onerous war under morale shattering handicaps which his fighting men found difficult to understand. General Lavelle interpreted the rules of engagement as that whenever his reconnaissance planes entered North Vietnam, the North Vietnamese with Russian equipment now offered no warning but did, in fact, at all times exercise hostile radar.

To make this a bit clearer, the layman has to understand that the ROE required hostile action—arming of missiles and "locking-on" of radar—before we were allowed to knock out those missiles that could shoot down our men in flames. As there was now a centralized and computerized control, the hostile environment was present automatically at all times.

What is significant here is that General Abrams knew it. The Joint Chiefs of Staff knew it, and the Secretary of Defense knew it, and according to the testimony that was brought out, he told General Lavelle to find justification under the existing rules and they would back him up. General Lavelle took the necessary action against two airfields where the Mig's were that attempted to knock out our B-52's and our highly classified intelligence aircraft.

It should also be noted that the portable missiles in North Vietnam adjacent to the Laotian border shot down in Laos from across that border a C-130 gunship with 15 men aboard and two other aircraft, taking the lives of a total of 19 airman. These men can never be returned to the United States because even their bodies were obliterated by those missile firings. Again, General Lavelle took the necessary action and hit these missiles and their related equipment.

In all, we find that General Lavelle attacked two airfields, several semipermanent missile installations, and some mobile missile transporters with accompanying equipment. At no time nor under any circumstances did he hit anything other than a strictly military target. It should be noted that as General Lavelle stated, out of 40,000 strikes, the 20 that later came into question included four against airfields, one against a radar site, six against missile sites, and eight or nine against missiles on transporters and supporting trucks and equipment.

It is most interesting to note that in General Lavelle's original testimony, the American aircraft that were shot down were cited and declassified. However, in a subsequent clarifying letter that General Lavelle wrote on the 26th of September, the number of deaths and of aircraft was deleted by Department of Decense censors. This suggests that the administration does not want it known that General Lavelle, instead of acting offensively without authorization, was, in fact, acting solely to save American lives. This is one of the particular reasons why I hope that colleagues of mine who are red-blooded Americans will get to the bottom of this entire disgraceful episode.

During an attack on one of the airfields, known to and specifically permitted by Admiral Moorer, General Lavelle found himself in the combat command center at 7th Air Force. The code name for this combat command center is "Blue Chip" and it is well known to those who have survived the war in Southeast Asia.

In the heat of the strike against this airfield, General Lavelle noted that the enemy gave no reaction. General Lavelle stated that at that time he could not in fact, report it as no reaction because, as has been stated, since the enemy had computerized their system with Russian equipment it would be absolutely true to report that enemy reaction was hostile radar. I would ask any of my colleagues in this House, if they would not, in fact, report as hostile the enemy reaction in all instances where no warning could be detected and the system had been "netted" so that any of our planes could be shot down at any time.

In the meantime, at Udorn Air Base in Thailand, operation reports, commonly referred to as "OPREP-4," were being prepared and forwarded to General Lavelle's headquarters. General Lavelle never saw these, as it was the responsibility of subordinate officers in the chain of command to guarantee the accuracy of such reports. The average working day for a man with General Lavelle's responsibility was 18 hours per day, seven days per week.

A sergeant at Udorn Air Base according to his own interpretation said that these reports were being falsified by reporting that hostile action was being executed by the enemy. General Lavelle never saw or heard of any such falsification until the Inspector General came to Vietnam. His subordinate deputy for operations, did not report them to him. He, in fact, never knew about them in the exact same manner that General Abrams and General Westmoreland never knew nor heard of the alleged atrocities which were committed at Mylai. You will note that I said alleged, because I aim to discuss the Mylai affair very shortly.

Based on all the testimony of all the principals involved in this action, I cannot under any circumstances accept in my mind, nor should any other of my fellow Members accept that General Lavelle should have been treated in the manner that he subsequently was. These are essentially the facts. Now I would like to add a few of my own observations.

In examining the testimony I noted that one of the Senators on the Armed Services Committee in interrogating General Lavelle asked him to comment on a column written by one Seymour Hersch. For a U.S. Senator to quote Seymour Hersch as an authority before a duly constituted investigative body of the Senate amazed me no end. Seymour Hersch first came to light when the alleged Mylai atrocities were being discussed. It was brought out at that time that Hersch received a substantial sum of money from the executive director of the Stern Foundation Fund for Investigative Journalism, which is tax exempt. The executive director of that fund is James Boyd, former assistant to Senator Thomas Dodd, who copied the Senator's files and turned them over to Drew Pearson in order to smear Senator Dodd.

The Stern Foundation Fund was established by Edith Rosenwald Stern and her late husband Edgar Stern. Mr. Stern's millionaire brother, Alfred, is a Communist spy who fled behind the iron curtain with his wife, Martha Dodd Stern, to avoid prosecution for espionage against the United States. I also call your attention to the fact that the Stern operation which is personally funded by Philip M. Stern, was an active supporter of the Communist-dominated "moratorium" and "new mobilization" operations which were investigated by the House Committee on Internal Security.

We came across Mr. Hersch's name also in connection with the attack on military intelligence. This attack stemmed from a publication called the Washington Monthly, which is well staffed by such people as Richard Rovere and Murray Kempton and significantly enough there we found the same executive director of the Stern Fund, James Boyd. The attack against military intelligence was written by Christopher Pyle, an ex-military intelligence officer, who admitted that a substantial amount of the information that he conveyed in the articles in the Washington Monthly was based on hearsay. In the same issue that Pyle wrote his article is another antimilitary article written by none other than the funder of the Stern Foundation, Philip M. Stern.

Not long after this, Seymour Hersch took up another attack, this one aimed directly at destroying an officer whose only crime was to defend the lives of his men, Gen. John D. Lavelle. As a parting note on Seymour Hersch, whom the Senator on the Armed Services Committee quoted as an authority, I call your attention to what Mr. Pete Seeger, Communist Party member stated in a Saturday Review article:

> Monday (March 20, 1972) I do two 25-minute broadcasts that will be broadcast to G.I.'s over Voice of Vietnam. I have been thinking all week about what I will say and sing and after talking with Seymour Hersch (the U.S. writer and author of 'My-Lai Four') and Toshi (Mrs. Seeger) decided to stay strictly away from political explanations of any sort.

This is Pete Seeger writing on his trip to the capital of the enemy and his subsequent broadcasts over Radio Hanoi. What more proof do you need than that fact that one of the well-known enemies of this Nation, Pete Seeger, has to go to Seymour Hersch to get advice as to what to broadcast over Radio Hanoi. I hope that my colleagues in the House will never be as prone to quote Seymour Hersch before an official investigative body, as did one U.S. Senator.

I have looked for answers to this national disgrace in many areas, and can come to no other conclusion than that it was deliberate policy, right up to the White House, to bring about the crucifixion of General Lavelle. I know of no parallel in the history of the United States except the case of General Billy Mitchell.

It seems interesting that the general who now takes General Lavelle's place in Vietnam, Gen. John W. Vogt, has not had a command for 26 years. The last command that this officer had was a squadron in 1946. Such lack of command experience in an officer appointed to so high a position is almost incredible. So far as I can tell, the only real qualification this man has is that he has been a close associate of both Richard Nixon and Henry Kissinger. General Vogt was citizen Richard Nixon's escort officer in Southeast Asia in 1966.

In 1970 we find this military man engaged in that most mysterious conference that was held in Vermont, commonly referred to as the Bilderberger Conference. In the matter of General Lavelle, the testimony brought out that when General Lavelle attacked the airfield in North Vietnam where the MIG's came from that tried to shoot down our B-52 and our intelligence ship, that General Vogt released orders in his capacity as secretary to the Joint Chiefs of Staff that General Lavelle had not, in fact, hit the target hard enough.

Another friend of Henry Kissinger, who seems to be overlapping in the job of Commander in Chief, is just-appointed four-star Army General Alexander Haig, Jr. This man in a space of 4 years has gone from colonel to four-star general—a move not equalled since Gen. George C. Marshall was promoted to Chief of Staff of the Army in 1939.

In 1969 columnist Jules Witcover attended a private briefing dinner with Kissinger and eight other important columnists, and there, according to Witcover, Kissinger suggested strongly that—

> The Nixon Administration is not unalterably opposed to an eventual communist takeover in Saigon so long as the Administration is not blamed for it.

And it would be General Haig that would tell Parade magazine—

> Henry and I developed a special rapport. From my perspective, I find most of his views compatible with mine.

My colleagues, as a closing request, I beg of you to rise above your political party and work to restore the reputation of General Lavelle in the eyes of the Nation, but more especially in the eyes of those whose lives he tried to save. I cannot help but reflect back to the memory of the tattered soldier of the Continental Army at Valley Forge whose message I would like to share with you as I leave the House:

I gave you a birthright of freedom only in trust
And you are squandering it on a luxury labeled expediency.
I stood in snow without shoes to give you a right to vote
And you stay home on election day whenever the weather is bad.
I left my family destitute so that you could have freedom of speech
And you remain silent because it might be bad for business.
I orphaned my children to give you a government to serve you
And through neglect you permit it to become masters of your children.

TRIBUTE TO MR. ASPINALL

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WHITE. Mr. Speaker, I welcome the opportunity to justly laud a gentleman I respect and admire very much, Congressman WAYNE N. ASPINALL of Colorado. The fact that he will not be returning to be among us this next term is regretted by all members who know him. To each of us he has extended innumerable courtesies and assistance. My wife Kathy, before her death, counted him among her favorites in Congress. We both spoke of him as one of the most able and fair members in the House.

My entire district acknowledges Mr. ASPINALL with credit and appreciation, for it was he more than any other person in Congress gave life and impetus to my bill which created the Guadalupe Mountains National Park. This year it was dedicated by the charming Mrs. Julie Nixon Eisenhower as the only national park so dedicated this centennial anniversary year, commemorating the creation of the first national park, Yellowstone National Park.

Chairman ASPINALL thoroughly supported me in our interest in obtaining a national park in preference to any park of lesser stature. And so this year it became a reality. I am particularly pleased that it was dedicated during the tenure of Chairman ASPINALL.

I further regard Chairman ASPINALL's retirement from office as a particular irony and tragedy because few men in Congress have been as responsible for preservation of a vast number of historical sites, monuments, parks, and development of irrigation and reclamation projects as has Mr. Aspinall. These conservation, irrigation, and reclamation projects have added immensely to the economy of this Nation and have safeguarded precious soil of the countryside. Yet this was not recognized by those who failed to understand the reasons Mr. Aspinall applied to legislation before his committee. He knows that this Nation must function in all aspects and that no one interest or advocacy can prevail to the exclusion of others. He is a conservationist and he is also an American who recognizes the additional needs of this country.

It is an experienced fact and irony that though a Congressman has performed well and has won the loyalty and admiration of the greater percentage of the people of his district regardless of party, an aggressive minority within that Congressman's party in a primary can cause his defeat. However, because that aggressive minority does not reflect the greater electorate, of all parties and independents, that seat will be lost in the general election to the opposing party, a seat which could have been held by the incumbent Congressman. The district then loses, the country loses.

Colorado has lost from Congress its most influential Congressman, whose unique position as chairman of the House Interior and Insular Affairs Committee is vital to that State of natural bounties.

TRIBUTE TO HON. WILLIAM R. HULL, JR., OF MISSOURI

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. EVINS of Tennessee. Mr. Speaker, permit me to pay a brief but sincere tribute to the gentleman from Missouri, William R. Hull, Jr., who has announced plans to retire following a distinguished record of public service in the Congress.

Bill Hull began his service as a Member of the 84th Congress, taking office in 1955—his career in the House spans a period of 17 years and it has been my pleasure to serve with him on the Committee on Appropriations. I consider him one of my dearest friends in the Congress.

He believes in economy in Government and he has contributed greatly to cuts and reductions in appropriations made in budgets proposed by Presidents throughout the years.

I have found Bill to be cooperative and congenial, an effective, solid, and perceptive legislator. He will be greatly missed in the 93d Congress.

Bill Hull has served his district, State, and Nation faithfully and well. He will be greatly missed. I know that we all wish him the very best of good luck and success as he begins his richly deserved retirement at the end of this session of the Congress.

SPENDING CEILING

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WILLIAM D. FORD. Mr. Speaker, on October 10, the House passed the debt ceiling bill which included a provision to give the President absolute authority to cut Federal spending in order to limit total expenditures to the $250 billion ceiling.

I strongly opposed the passage of this bill for two reasons. First of all, I felt it to be an excessive and potentially dangerous grant of authority to the executive branch. And secondly, I opposed the Nixon administration's attempt to politicize this issue in an attempt to focus the blame for the increasing Federal budget on Congress and not the White House.

An editorial which appeared in the October 13 edition of the Washington Post offers an incisive discussion of the political implications of the bill as well as an analysis of how the bill will affect many critically important domestic programs.

At this point I insert the text of this editorial into the Record:

CONGRESSIONAL POWER AND THE SPENDING CEILING

The House of Representatives is a legislative body composed of people who complain 364 days a year about the erosion of congressional power. And then, on the 365th day, they vote by a large majority to give the President the remnants of their control over spending.

Congress and the President are now engaged in an elaborate game in which the loser holds the bag for the coming tax increase. On Saturday the President said, "A vote against the spending ceiling could prove to be a vote for higher taxes." On Tuesday, the House collapsed in fright and passed, 221 to 163, legislation inviting the President to cut anywhere and anything to bring spending down to $250 billion this year. This bill constitutes a retroactive item veto, for it authorizes Mr. Nixon to void benefits that Congress has already enacted and to cancel programs already in operation.

Fortunately, the bill has not yet come before the Senate. It is still possible to hope that the majority there will reject Congressman Mills' view that the Democrats ought now to sign away Congress' constitutional responsibilities in order to preserve their majorities and their committee chairmanships.

"I consider the battle against higher prices and higher taxes to be the major domestic issue of this presidential campaign," Mr. Nixon said last weekend. "The issue is clear. I am holding spending at a range not requiring a tax increase now or over the next four years." The casual reader would hardly guess that Mr. Nixon's budget for the current year is running some $35 billion in deficit. Mr. Nixon keeps complaining that Congress has run wild but, in fact, the current Congress is a rather tame and docile one. Far from running wild, it has passed only one bill over Mr. Nixon's veto this year, an expansion of railroad retirement benefits that added less than half a billion to that deficit.

Everything else in the $35 billion was either contained in Mr. Nixon's original budget, or it has been added by legislation that Mr. Nixon signed. The real causes of the deficit are, of course, two large tax cuts within the past three years, a recession from which the country is only slowly recovering, and continuously high unemployment.

The spending ceiling bill is not merely a symbolic gesture in an election campaign. The Senate has a duty to look beyond Nov. 7 and assess the damage that it would inflict if it were actually passed and enforced. It would mean, in the first half of 1973, budget cuts amounting to perhaps one-third of the federal spending in the category that includes housing, urban development, pollution control, public transportation and education. For the following year, Mr. Nixon's current promises would require still deeper cuts because many federal programs, including those that cannot be touched for imperative legal or political reasons, have a substantial rate of growth built into them.

Budget cuts on this scale obviously mean a higher unemployment rate. More broadly, they mean a dramatic shrinkage of Americans' sense of common interest in the society in which we all live. "My fellow Americans," the President said, "this government does not need any more of your income and it should not be allowed to take any more of your salary and your wages in taxes." What the government needs to balance its budget depends entirely upon the way it defines its responsibilities. If Mr. Nixon slashes back the established federal responsibilities in our country, then no doubt his administration can get along with lower revenues. The question is whether a low income tax rate constitutes the most important of this nation's social values.

REPRESENTATIVE CONTE HONORED

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. GROVER. Mr. Speaker, our distinguished colleague, Hon. Silvio O. Conte, of Massachusetts, was honored last night by the U.S. Coast Guard Reserve at a testimonial dinner given in his honor on Governor's Island, N.Y. He was presented the Well Done award by the Coast Guard Affairs Committee, ROA, the Distinguished Service award by the Reserve Officers Association, and an honorary lifetime membership in the New York Coast Guard chapter.

Mr. Conte's leadership in legislative matters affecting the Coast Guard is well known to all of us and known and appreciated by all those who have knowledge, appreciation, and respect for this great branch of our services.

His remarks at the dinner follow:

REMARKS BY REPRESENTATIVE SILVIO O. CONTE

I've been called a lot of things in the 22 years I've been in public life. But being referred to here tonight as a "friend of the Reserve" certainly ranks with the very best of what has been said of me.

I'm proud of that title because I know very well the debt this nation owes to its Reserves, and also the stake we all have in keeping that Reserve strong and ready. In times of national peril, either in wartime or peacetime, we must depend on more than just the regular components of the armed forces. In such times, the nation turns gratefully to its reserve force.

You know much better than I, the importance of your role and the many occasions when you are called upon to step into the breach. The outstanding jobs the Coast Guard Reserve did in the aftermath of Hurricane Agnes is only one of countless examples of your effectiveness.

It proved, once again, that your training in the Armed Forces is a resource this nation can ill afford to lose. And so, by your participation in the Reserve, you continue to use and perfect those talents which are so sorely needed by our country.

The Reserve is not an ornament on the country's defense structure. Rather, it is an integral part of the very foundation of that structure. And I want you all to know that I will continue to do all I can to make sure that point is made over and over again where it counts in our nation's capital.

In the 14 years I have been in the Congress, I've had an unusually close relationship with the Coast Guard. As a freshman congressman, I was appointed to the Appropriations Committee. And my first subcommittee on appropriations was the one controlling the pursestrings for the Treasury Department, which at that time had jurisdiction over the Coast Guard. For nearly 10 years I worked with Coast Guard officers to do whatever I could to ensure the continued greatness of this service. The friendships I made over those years are some of the most treasured I have ever made.

Then, as you all know, they switched Coast Guard from the Treasury Department to the Transportation Department. Well, they couldn't get rid of me that easily. At the first opportunity, I joined the Transportation Appropriations Subcommittee.

When the Coast Guard Reserve needed help on appropriations this year, no one had to ask me to jump out in front and lead the effort. You had my support simply because you deserved it. When such an organization does its job extraordinarily well, it doesn't need special favors. It simply needs fair treatment, and that's what the Coast Guard Reserve got this year.

Since 1700, when it was established by act of Congress, until this very day, the Coast Guard has been on the job. Sitting on the Appropriations Committee, I am very well aware that the total cost of a cutter has increased a bit from the $1,000 the first one cost. But I guess we have to allow for a little inflation over two centuries.

The Coast Guard has distinguished itself in peacetime and wartime; from the days of rampant smuggling into a fledging nation, to the days of "Fortress America" to the present time of international power and influence. Reserve officers don't have to be told that, for you have lived it. Whether it is wartime combat, search and rescue operations, service in natural disaster, anti-pollution efforts, maritime cargo security programs or a host of other activities, you have been involved.

That involvement deserves our constant support. You can be sure of my backing. If my history of Coast Guard support on the Hill wasn't enough, now I've got this life membership in the New York Chapter to live up to. And, I must add, I have one other incentive. My only son, John, presently is at the Coast Guard Officers Candidate School in Virginia. In fact, he was home for a couple of days recently and I must have heard "Semper Paratus" 20 times before he left.

I indicated earlier that I am overcome by the awards and the honor you have given me. I can only offer a simple "thank you" for them, but I will cherish them forever.

HON. EDWARD A. GARMATZ

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. LEGGETT. Mr. Speaker, I want to join my colleagues in the House and on the Merchant Marine Committee in praising, I am sure not finally, the work of our Chairman Eddie Garmatz, for people, for seamen on the high seas, and for revitalizing our American shipping and ship construction industry.

As the chairman of our committee, Ed has been kind, considerate, industrious, dedicated, and moreover productive.

He has developed a working team through his able subcommittee, chairman, and committee members, which team has produced a record of constructive legislation affecting the shipping industry, fish and wild life, the Coast Guard and the environment never before equalled by any committee in the Congress. For excellence in performance, Mr. Chairman, you have the thanks of the Congress and your Nation.

TV CHIEF RAPS INDUSTRY SETUP

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WYATT. Mr. Speaker, recently Clay T. Whitehead, the young and dynamic Director of the Office of Telecommunications Policy, addressed the Oregon Association of Broadcasters at the Kah-Nee-Ta Lodge on the Warm Springs Indian Reservation. Mr. Whitehead spoke on a number of issues including cable television, public broadcasting, and domestic satellites. As a result of Mr. Whitehead's address Francis Murhpy, of the Oregonian, wrote two excellent articles for his column Behind the Mike. If there is no objection, I would like to place the two articles into the Record as part of my remarks.

[From the Oregonian, Sept. 27, 1972]

TV Chief Raps Industry Setup

(By Francis Murphy)

Clay T. (Tom) Whitehead, director of the White House Office of Telecommunications Policy (OTP), has been called a "communications czar," an "ogre" and several less complimentary names by his enemies, Federal Communications Commissioner Nicholas Johnson has commented that Whitehead "is scaring the bejesus out of the industry." Both friends and enemies would agree that Whitehead is the most powerful man in the nation when it comes to shaping the future of television, radio or CATV. Surprisingly, Whitehead turns out to be an affable, polite, mild-mannered young man who answers all questions with a directness and sense of humor.

Whitehead paid his first visit to this state to address the Oregon Association of Broadcasters meeting at Kah-Nee-Ta.

Why did President Nixon veto long-term funding for the Corporation For Public Broadcasting?

"Public television has done many good things," he said. "But it should be a supplement to commercial television rather than trying to become a competitive fourth network. It should concentrate on educational and cultural affairs rather than journalism and entertainment."

Whitehead doesn't believe that federal money, contributed by taxpayers, should be used to set up another television network which could compete with the three already in existence.

"Many things we'd like to see on television aren't attractive to a mass audience."

"The Corporation for Public Broadcasting should offer educational stations programming from which they could choose, rather than say to stations in Portland and Corvallis, for example, that they must carry a certain schedule if they expect to receive federal money."

Whitehead's most recent assignment has been to investigate the rerun problem for President Nixon. With many series only producing from 22 to 24 new shows a year, reruns now constitute almost two-thirds of television programming. How does the OTP director plan to solve this problem?

He'll take a positive rather than negative approach. "We're going to talk to the television networks, to the film people, study the economics and see what can be accomplished voluntarily.

"We're interested in increasing the number of original programs rather than putting a limit on the reruns.

"If the public could watch original programs on one network, it wouldn't mind so much if reruns were being offered on other networks."

Despite the "time lag" in flying to Oregon, the 33-year-old Whitehead arose before breakfast for an invigorating hike along the Warm Springs River.

He recalled that he had stood in President Nixon's office exactly two years ago to be sworn in as director of OTP, an office with 65 employes, created by executive order to advise the President on communications. Whitehead said the President must have a sense of humor for he was probably the advisor who knew the least about television.

He admitted that he still doesn't own a television set. This can be explained by his busy work schedule. He works 12 hours a day, watches TV on an office set and at the homes of friends.

Despite his modesty, Whitehead has impressive credentials for his job. He attended Massachusetts Institute of Technology.

There he received a bachelor's and master's degree in electrical engineering and a Ph. D. in management. At 33, he's been a college instructor in political science, a chemical and biological warfare expert for the Army, a Rand Corporation consultant in arms control and air defense and presidential advisor on budget, space and atomic energy. In the Kennedy era, he would have been called a "Whiz Kid."

Whitehead said that three or four domestic communications satellites will be launched within the next few months. "I consider this the first concrete result of OTP." Some of these will be used by the telephone companies, some for specialized data communications. He foresees the possibility that the three commercial TV networks will use the new satellite system if it proves cheaper than microwaves.

But even more important there is the possibility of "new television networks popping up in order to distribute programming to independent VHF stations and cable companies."

And this might solve the rerun problem, he observed. Such a network could provide a constant flow of original programs to the public far more cheaply than can be done under present circumstances.

[From the Oregonian, Sept. 28, 1972]

Official Envisions Cable TV Growth

(By Francis Murphy)

Will all the optimistic predictions about cable television come true? Will cable soon provide shopping, banking and entertainment facilities, fire and police protection for the majority of Americans?

Clay T. Whitehead, director of the White House Office of Telecommunications Policy, believes that these developments are a good many years in the future.

"One trouble with cable television predictions seems to be that no one specifies whether he is talking about two or 50 years in the future," said President Nixon's communications advisor.

He was having salmon for breakfast at the luxurious Kah-Nee-Ta Lodge on the Warm Springs Indian Reservation, where he had addressed the Oregon Association of Broadcasters.

Whitehead said that the most probable estimates show that half the American homes will be wired for cable by 1980 and that the number will approach 90 per cent by 1990.

He said that cable today is in the same position that regular television occupied in the early 1950s. The number of television sets rose slowly for several years, then accelerated during the 1960s.

"Cable's problem won't be the communications cycle, but the consumer's pocketbook," he observed.

Will cable television bring pay TV through the back door?

"Pay TV will play an important role, but it will be somewhat different than we expected. With cable, there will be almost no limit to the number of channels available. So we face a supply and demand problem, rather than a technical one."

Using a few of these available channels, cable will probably offer entertainment programs not available on regular television—for a price. "By and large, people arguing against this form of pay TV will be opposing something that the public would like to have. However, I don't think over-the-air pay TV is ever going to come."

What about the argument that cable television will be a toy for the wealthy? That minority groups and poverty neighborhoods, which should benefit most from the wired revolution, will not be able to afford it?

"I don't accept that premise. Let's look at it this way. The basic hookup charge for cable is small. The cost per hour per channel per home is between one-one hundredth and one-tenth of a cent. So the cost of receiving the program will be tiny; the cost will come in producing the program.

"We've found that people with lower incomes spend a far greater percentage on entertainment than people with higher incomes.

"If you're living at a poverty level, you can't afford to see all the first-run movies and expensive stage shows. For people in low income groups, TV or cable can provide a tremendous increase in entertainment at a cost they can afford.

"Our studies show that cable penetrates right now into lower income neighborhoods as fast as into higher income ones."

Whitehead agrees with an argument of KOIN-TV's Bill Mears that cable will take pressure off regular television stations to allow minority groups to be heard. Many blacks and chicanos are dissatisfied with the type of minority programming done on the regular television channels. "They come into my office and say, 'We want to do it ourselves, to produce our own programs.' Cable will offer them this opportunity."

Whitehead compared cable TV to the news stand in a drugstore or supermarket.

"You can buy any type of publication you desire—Fortune, Vogue, movie fan magazines, city magazines, even mimeographed sheets on specific subjects. There's no reason this same type of thing can't happen on cable TV.

"Whether we ever realize this potential depends upon how the government regulates it. If we apply such things as the fairness doctrine or some of the other regulations on broadcasting, we will prevent this sort of development from ever happening."

We discussed the lack of network news and comentary on the 19 radio stations in the Portland area, particularly during the Republican and Democratic conventions. Whitehead said that one almost overlooked aspect of cable TV was its ability to bring 100 FM radio channels into the home.

Some of these radio bands could bring news commentary and classical music (played by automated FM stations) into the home at nominal cost, he said.

Whitehead declared. "We believe that news ought to be left in private hands. The government should keep hands off."

STAFF ACCOUNTABILITY

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MONTGOMERY. Mr. Speaker, as the 92d Congress draws to a close, I want to reemphasize the need for laws to protect the integrity of this body and its committee system.

My concern is best illustrated by my own experience as chairman of the Select Committee on U.S. Involvement in Southeast Asia. The following article from The Jackson, Miss., Daily News accurately chronicles the actions of one staff member of the select committee. The actions of Tom Harkin were inexcusable, but we had absolutely no legal means to hold him accountable for his deeds. I hope that as an early order of business, the 93d Congress will pass legislation to prevent the recurrence of such shameful conduct.

[From the Jacksonville (Miss.) Daily News, July 26. 1972]

PERSONAL GAIN ON DUTY SCORED BY MONTGOMERY

(By Robert S. Allen)

WASHINGTON, D.C.—Free-wheeling employees of Congressional committees may soon be officially prohibited from using their positions for personal enrichment.

That's the intent of legislation being introduced by Reps. G. V. Montgomery, D.-Miss., and Philip Crane, R.-Ill., of the House Select Committee on U.S. Involvement in Southeast Asia, to establish a code of conduct for Congressional employes.

Major purpose of the proposed code is to crack down on committee employees personally profiting from their official work.

The bipartisan measure was triggered by an employe of the Select Committee, Tom Harkin, who without the committee's knowledge or authorization took photographs of the so-called "tiger cages" at the prisoner-of-war camps on Con Son Island off South Vietnam and sold them for a reputed $25,000 to a national magazine.

When the commitee demanded the money be turned over to the government, Harkin flatly refused.

Similarly, he rebuffed an order from Rep. Montgomery, committee chairman, that the film and photos be given the committee for its official files. Montgomery, a decorated combat veteran of World War II, thereupon fired Harkin.

INEXCUSABLE

"His conduct was inexcusable," said Montgomery, "Not only was he an employe of the committee, that is of the government, but he went to Vietnam and Con Son at the expense of taxpayers to work for the committee. Despite that, he acted as if the pictures and the considerable sum of money he got for them were his personal property."

Montgomery stressed that Harkin was dismissed because of this "impropriety and unseemly conduct."

"What this man did impugned the integrity of all the members of this committee," declared Montgomery, "particularly Rep. Neal Smith (D.-Iowa) who hired him. Harkin was working as a mail clerk, and Smith arrange to have him hired by the committee for twice the amount he was making. The whole affair was shocking, including the outrageously sensationalized account of the Con Son camp for Communist POWs."

WHY CODE IS NEEDED

The Harkin case is cited by Reps. "Sonny" Montgomery and Philip Crane as a graphic instance of the need for a tough code regulating the conduct of employees of Congressional committees.

The Select Committee was created hurriedly and its staff assembled the same way. As a consequence when the committee later sought to recover the money Harkin got for the photographs he took while a committee employee, the Justice Department found there was no legal basis to require him to do that.

The House Administration Committee voted to request the Justice Department to take steps to require Harkin to give the government the money he got from a national magazine for the "tiger cage" pictures. Then-Assistant Attorney General L. Patrick Gray (now Acting FBI Director) informed the committee this could not be legally done as there had been no offical descriiption of Harkin's job and functions.

Chairman Montgomery indignantly criticized this opinion, but was unable to do anything about it directly. Indirectly, he and Crane decided to plug up this loophole by introducing a bill placing all committee employees under a code of ethics.

Crane, who had taken pictures for the committee of the Con Son "cages" and proposed selling them to the magazine for $10,000 worth of food and medicine for the POWs, was sarcastically critical of Harkin.

REGRETS HIRING

"Surely," the former Illinois college professor remarked, "no one would want to make pecuniary gains out of the misfortune of others or would they? That's a very good question for Mr. Harkin to answer."

Crane's caustic comment was prompted by Harkin's statement, when he balked at giving the photographs to the committee, that he had a "higher obligation to those jammed in the "tiger cages."

To which Crane derisively retorted, "Harkin's lofty humanitarianism would find greater gratification if he would join me in contributing the money he got for those pictures for the relief of the prisoners. Like all too many self-righteous do-gooders, he seems to be confused as to what belongs to the government and what belongs to him."

Rep. John Erlenborn, R.-Ill., another committee member also denounced Harkin's conduct, saying:

"It was unfortunate that a employe of the community saw fit to act the way he did. The whole Con Son affair was sensationalized far out of proportion because of the way it was handled by this staff employee. It's very obvious he should never have been hired."

RETIREMENT OF THE HONORABLE WATKINS M. ABBITT OF VIRGINIA

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. JOHNSON of California. Mr. Speaker, it is a pleasure to join my colleagues in paying tribute to the Honorable WATKINS M. ABBITT, of Virginia who is retiring after serving with distinction in the House of Representatives since 1948.

Representative ABBITT served on the Committees on Agriculture, House Administration, and Standards of Official Conduct, when he played a major role in the enactment of legislation so vital to the welfare of his State and the Nation. He will be remembered for his dedication to his constituents and to his country.

I want to thank Mr. ABBITT for his cooperation and assistance, and to commend him on a job well done. He will be missed by all of us who have been privileged to serve with him.

Mrs. Johnson joins me in wishing him every success in his future endeavors, as well as a long, healthy, and happy retirement from public office.

TAIWANESE SUCCESS STORY

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SIKES. Mr. Speaker, there seems to be a concerted effort to induce world powers to turn their backs on the Republic of China. Regrettably, the United States triggered this movement by failing to stage a successful fight for Taiwan in the United Nations. Now one nation after another is succumbing to the blandishments of the Reds and, in the hope of obtaining rich trade concessions, they are ending diplomatic relations with the Republic of China. This is a place for dramatic and forceful leadership by the United States. This trend can be reversed if our State Department or Dr. Kissinger, or both, will lend realistic efforts to the undertaking.

In the meantime, it would be well to consider an article from the pen of Harry B. Ellis entitled "Taiwanese Success Story." It appeared in the Christian Science Monitor on Friday, October 6, and I submit it for reprinting in the RECORD:

TAIWANESE SUCCESS STORY

(By Harry B. Ellis)

Taiwan, a "noncountry" according to the United Nations, has achieved what experts call a near miracle of social and economic development.

This may surprise Americans, conditioned to think of Taiwan primarily as an awkward political liability, ruled by a stubborn old general who threatens to embroil the U.S. in a Chinese shooting war.

Generalissimo Chiang Kai-shek is still there, and his government dutifully insists that one day he, or his successors, will lead the Nationalists back to the mainland in triumph.

Few persons outside Taiwan—or, perhaps, inside—believe this, and world powers like the U.S., Japan, and West Germany are paying increasing court to Peking, at Taiwan's expense.

Obscured by this political imbroglio, is a striking Taiwanese success story, proving that, in this case, at least, American foreign aid was well spent.

1. Taiwan, whose annual economic growth rate is about 10 percent, has reduced the island's unemployment to 4 percent.

2. The income gap between rich and poor has narrowed dramatically. The poorest fifth of the Taiwanese population has lifted its income more than 200 percent since 1950. The average small farmer has more than trebled his real income over the same period.

3. Taiwan has raised the literacy rate of its people to 85 percent—far higher than in almost any other developing land of Asia, Africa, or Latin America.

4. Life expectancy on the island has been raised to 68 years, infant mortality has been cut to 19 per 1,000 births, and yet—extremely important—the birthrate has been lowered to a reasonable 2.2 percent.

About the only news generated by Taiwan's delegates to the recent World Bank annual meeting in Washington was the fact that they sat at their table hoping no one would evict them at Peking's demand.

The two men, Taiwan's finance minister and central bank governor, listened while World Bank president Robert S. McNamara warned that, in most developing countries, the gap between rich and poor was widening, thrusting millions of people below the poverty line, and breeding political and social instability.

Taiwan has avoided almost all the pitfalls cited by Mr. McNamara. How?

First, of course, the island's government enjoyed massive U.S. economic aid—$150 for every Taiwanese over the period 1950 to 1965, when the island's economy "took off" and foreign aid ended.

But other developing nations have had equal or greater sums to work with and have done poorly. Such governments clung to the conventional wisdom, that the benefits of rapid economic growth, based on industrialization, eventually would trickle down to the poor.

The results, as Mr. McNamara pointed out, have been the opposite. An elite few in such developing countries have been enriched, while the rural poor—forming the majority of the population—have been left further and further behind.

Taiwan's rulers, by contrast, adopted a deliberate policy of what might be called social justice. Drastic land reform was introduced. Big landlords were stripped of their holdings and land was parceled out to peasants.

Other countries have done this, but have failed to provide the infrastructure—credit facilities for seed and fertilizer, and market access—formerly supplied by the landlords.

The Nationalist rulers of Taiwan set up a comprehensive cooperative system, to which virtually every peasant farmer belongs, and through which he obtains credit and marketing help.

So successful has the effort been, that—apart from multiplying the income of peasant families—Taiwan's yield per acre has soared.

Hand in hand with land reform went a government decision to spend its education money chiefly on the primary grades, instead of providing secondary and university education for a relative handful of persons.

Here again Taiwan broke with tradition, which held that the creation of a local educated elite was needed to manage the industrial sector on which the developing nation's economy would depend.

Taiwan trained large numbers of what Robert E. Hunter calls "paramedics" — skilled people who fanned out through the countryside, providing medical help for remote communities.

Finally, the Taiwanese Government invested heavily in labor-intensive projects, employing large numbers of people, rather than concentrating on machine-oriented industries.

The end result of these policies, according to Mr. Hunter, a senior fellow of the Overseas Development Council in Washington, was to avoid in Taiwan an escalating gap between elite and poor. Along the way unemployment dropped, health care improved, literacy rose, and farmers stuck to the land.

Chiang Kai-shek's officials had advantages, apart from U.S. aid, denied to the governments of most developing lands. For example, Taipei accomplished land reform without disruptive strain, by confiscating Japanese-owned industry and giving it to wealthy landlords, in return for their parceled-out land. "No one suffered," commented an expert, "except the Japanese."

No one contends that the example of Taiwan, a small country, is completely applicable to the magnified problems of huge countries, like India or Indonesia.

But the "working model" of Taiwan indicates Mr. Hunter, suggests that poor countries will not solve their problems, until they tailor their social services and economic development "to reach the great majority of their people and not just the privileged."

EULOGY TO DR. BURBRIDGE

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. BURTON. Mr. Speaker, several weeks ago with the death of Dr. Thomas Nathaniel Burbridge, San Francisco lost an outstanding and dedicated citizen, a sensitive and warm human being, and I lost a dear personal friend.

Nat Burbridge was a rare combination of brilliant intellect and burning compassion.

He was a gentle and sensitive man who responded to injustice by fighting that injustice with all the zeal and skill at his disposal.

I participated in the memorial to Nat Burbridge and expressed to his wife and family the deep sense of loss which all who knew, loved, and worked with Nat Burbridge shared.

Dr. Carlton Goodlett, publisher of the San Francisco Sun Reporter and a cofighter in the struggle for equal rights, delivered a eulogy which said what all who knew Nat Burbridge felt. I should like to share his remarks with my colleagues and place them in the RECORD at this time:

[From the Sun-Reporter, San Francisco, Sept. 13, 1972]

DR. BURBRIDGE

Early in life, the third son of Dr. and Mrs. Leonidas Burbridge stated that he wanted to be a practicing physician. As he grew to maturity he expanded his horizons and decided that he would like to teach in a medical school. After finishing Tallageda College and spending some time at the University of Minnesota, World War II caused his feet to be headed in the direction of the San Francisco Bay Area. During the approximately 30 years that Dr. Thomas Nathaniel Burbridge lived among us, he wove an inextricable fibre into the mosaic of San Francisco, California, and the nation.

We meet on this occasion, not only to mourn the death but also to honor a great man, a beloved husband and father, an outstanding medical scholar, a great humanitarian, a friend and world citizen, for Dr. Burbridge belonged to all mankind.

Although Dr. Burbridge was an academician and researcher of the highest order, he early rejected the concept that he hide his head in the sands of his medical profession while the winds of social change and controversy, and the evils of racism, war and poverty whirled above him. First and foremost, he was a scientist who deeply believed that the laboratory of society placed as much demand on his talents as did the pharmacology laboratory.

In 1952 he accepted an invitation from the University of Indonesia in Jakarta to spend three years there, during which he established the Departemnt of Pharmacology, in the new medical college, and on his departure from Indonesia in 1955, Burbridge was accorded a state dinner by the leader of that great nation, President Sukarno.

On his return to the University of California he finished the requirements for Doctorate of Philosophy in Pharmacology, and achieved honors and membership in many distinguished scientific societies, including the Society of Sigma Xi, the American Association of Scientists, the Society of Experimental Biology in Medicine, the American Therapeutic Society and Rho Chi.

I am sure his experience in Indonesia, feeling the pulse of a new country in the exciting adolescence of nationhood, must have made him acutely aware of the many problems occurring in the laboratory of human society. On his return, he must have unconsciously made the decision to expand his role beyond the confines of the academy, and while attempting to satisfy the scientific inquisitiveness of his mind and the demands of his Hippocratic Oath, Burbridge began experimentations in the laboratory of society.

His love for people in the struggle made him a beloved figure in the City of St. Francis. As Vice President of the Council for Civic Unity, his work bears glowing testimony to his conviction that the struggle for better tomorrows will be won only by one crossing the indivisible boundaries of race and economic circumstances. Dr. Burbridge served brilliantly as President of the San Francisco Branch of the NAACP, which had for more than a decade struggled with the problem of covert and overt racial discrimination in public education. Prior to his assumption of the presidency, he was chairman of the Educational Committee, and renewed the lagging thrust to bring to a decision the issue: "Can a city exist, with its children—its most precious assets—suffering under a system in which the White majority enjoyed all the benefits and freedom of public education, while its minorities were the victims of a cruel "de facto" segregation contributed to by zoning laws, unwritten but enforced real estate agreements, and a political power structure determined to use the public schools as an instrument to strengthen and maintain the myth of White superiority?" Under his leadership the movement eventually led to federal court action to rule out the practice of "de facto" segregation of San Francisco's public schools.

In 1963, Dr. Burbridge was awarded the "Man of the Year" award by the Sun Reporter. This was a tangible token from a grateful community for his leadership in the 1963 Automobile Row confrontations. The struggle was won, and even though Dr. Burbridge was called upon to pay the penalty of incarceration for his commitment to nonviolent civil disobedience, his name was permanently engraved in the hearts of those who believed that economic opportunity shall not be denied to any citizen because of race, color or creed.

We cannot enumerate all the instances of personal sacrifice and concern demonstrated by Dr. Burbridge; his selfless response to the needs and courage of our Black youth in the Palace Hotel confrontation and the San Francisco State College Black Student Strike; his efforts to establish a medical clinic for Cesar Chavez and the farmworkers strike in Kern County in 1967; his continued condemnation of a system which permits our courageous Black youth to suffer and die in inordinate numbers in a murderous war in Vietnam.

He clearly knew the insensitive madness pervading the nation, where success is measured by quantitative acquisition rather than by spiritual values and humanitarian deeds. A great diagnostician of social sickness, he recognized that disaster looms on the horizon if we do not divest the nation of racism, poverty and oppression, at home and abroad.

Psychologically, he was a man possessed of eternal youth and, with youth, he rejected the century-old Black attitude of "patience and forbearance." He leveled criticism against our medical profession which has too often ignored its responsibilities and failed to offer sustained leadership in the struggles of the poor, the disadvantaged youth and the victimized racial minorities. He heeded, in his own day, the challenge of Dr. Henry V. Favill, who said in 1909 to his Rush Alumni colleagues:

"It is idle to discuss mental or moral or physical health in terms of a slum. It is wasteful to spend unlimited money on hospitals and other corrective institutions, while at the same time broadening and deepening the social morass which feeds them.

"The time is already here when to be only a practicing physician is a discredit. Not only has the medical profession to furnish its full quota to the army of social science, but in many respects it must point the way. The pathology of society is as much the function of the medical man as the pathology of human disease."

The problems which haunt the Other America continually concerned our friend, our comrade, our neighbor, Dr. Thomas Nathaniel Burbridge. While a man of unassuming stature, simple and quiet in demean, Dr. Burbridge represented an example of our finest manhood, possessed of the highest degree of intelligence, an inquisitive and inquiring mind, seeking always to extend the boundaries of human knowledge—and, more especially, the boundaries of human decency.

He was a man who demonstrated by the deed the fact that he cared. While the university honored him in 1970 with a prize as the faculty member who had made the greatest contribution of service to the community, I personally know that he was grieved that he never attained the full professorship he so justly merited. As we look back on his comparatively brief career, with more than 30-odd scientific papers, with his concern for the spiritual renewal and recruitment of minority students and with his profound dedication to the university outreach program, I venture to guess that a promotion to full professorship would have been a fitting way of saying to Nat Burbridge that "Your peers in the academy accord to you its highest accolades as a full professor in the academic senate." Let us take heed from the exercise of homage which we do here tonight, that it is well to honor a man in memoriam, but it is better to say to a neighbor while he yet lives, "Well done!"

We sometimes have difficulty in formulating a viable concept of man's immortality. Life is a brief journey of an organism known as Man through time and space, biblically allocated as threescore and ten years. While one always contemplates the possibility of living forever, the likelihood of attaining this goal is limited. One thing we do know: that through one's progeny one gains the possibility of immortality, of touching the chords of human history as man moves down the corridors and the space of time.

Nathaniel Burbridge's immortality is assured. A man dedicated to removing the veil of ignorance, causing the sunlight of knowledge to be implanted in the spirits and minds of young people, Burbridge gains immortality through the good work and deeds of his students. When one looks at the vast nation of Indonesia's developing cadre of medical scientists, one knows that every day in their struggle against disease, poverty and malnutrition, Nat Burbridge lives, because his students live there and continue his good work. When one looks at the Medical School of the University of California-S.F., one knows he has planted a seed, that some who might become pharmacologists, or some who were touched by his boundless concern for improving the circumstances of a suffering humanity, will carry on his legacy.

Not only are the students who sat at his feet his heirs: those of us who meet here tonight have the possibility of being his beneficiaries and propagating the works of this great man. This would indeed be a very sterile occasion, if we came only to mourn the passage of a beloved friend and a colleague. It becomes profoundly meaningful, if from this experience of togetherness we recognize that "No man is an island," and agree to use this occasion to take upon ourselves a solemn covenant: that we will, each of us, emulate in all our relationships with our fellow man the qualities of Nat Burbridge, whom we meet here tonight to honor.

Are there those here who will assume the responsibility of removing the last vestiges of racial discrimination which still remain in Automobile Row? Are there those who will assume the responsibility of carrying the struggle against "de facto" segregation in public education to a successful conclusion? Might we not hope that there can be found at least one who will assume the responsibility of continuing to utilize his or her capacity, honed in the scientific laboratory, as a catalytic agent for change in the laboratory of society?

If there are those present tonight who are prepared to swear to such a covenant, then this experience need not be the end, but a renewal of Nat Burbridge's, as well as humanity's, eternal struggle in the cause of human freedom and human dignity.

As we take our leave, may we draw from this experience the true meaning of Jean-Paul Sartre's mystical belief, that "Man is flung into the universe with the preordained purpose of being free!"—and in the quest of freedom, as we stand before all of the awesome constellations of power, one is impressed by the fact that, in moments of triumph, in moments of despair, in moments of hope, and in moments of sorrow, man's greatest possession—and especially is this true among those from whom Dr. Burbridge derived his being, Black America man's greatest possession is that we possess and belong, inextricably, to each other.

TRIBUTE TO CONGRESSMAN WILLIAM S. CONOVER II

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McCLORY. Mr. Speaker, although his tenure as a Member of the House of Representatives has been brief, it should be noted that our colleague, Congressman WILLIAM S. CONOVER of the 27th District of Pennsylvania, has been a most useful and effective Member of the House of Representatives.

As a former resident of my congressional district in Illinois, I have enjoyed a close personal relationship with Congressman BILL CONOVER. In addition, I have been a long-time friend of his parents who lived in Lake Forset, Ill., while Congressman BILL CONOVER was still a youth.

Mr. Speaker, Bill Conover has brought honor and distinction to his family, and capable service to his constituents—and to the Nation. I extend to Congressman and Mrs. Bill Conover my best wishes and expect confidently that Bill Conover will find many other opportunities for effective public service in the long years which lie ahead.

MAKE FORT ZACHARY TAYLOR, KEY WEST, A NATIONAL HISTORIC SITE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FASCELL. Mr. Speaker, a recently discovered treasure trove of Civil War artifacts at Fort Zachary Taylor, in Key West, Fla., has made this fort the largest depository of Civil War military memorabilia in the Nation. Today I am introducing legislation to authorize inclusion of Fort Zachary Taylor in the national park system as a national historic site, to insure that the fort and its historic contents will be preserved and protected.

The need for action is urgent.

Fort Taylor has just been declared excess to the needs of the Navy and will be declared surplus property following determination by the General Services Administration that there is no further Federal need. This makes it imperative that immediate protective action be taken that will insure that this historical site, its buildings, archeological finds and other artifacts will not be disturbed or tampered with by untrained individuals or left open to the possibility of vandalism.

I have asked the National Park Service, therefore, to immediately advise GSA of its interest, and to proceed with steps necessary to document its national significance. Fort Taylor has already been placed on the National Register of Historic Places.

Fort Zachary Taylor is a 38-acre complex now under the jurisdiction of the U.S. Department of the Navy. Construction of the fort began in 1845.

DESCRIPTION OF PHYSICAL APPEARANCE OF FORT ZACHARY TAYLOR

Fort Taylor was originally 1,000-feet offshore, but is now, because of a continuous filling, completely landlocked. This allows for a generous amount of parking space.

The structure itself is in the form of a trapezoid. Each of the seaward curtains, or walls, extend approximately 255 feet, while the landface, or gorge, which was used as barracks, is 495 feet long. The walls are five feet thick, except for the gorge. It is concrete faced with hard burned brick. Granite, shipped from New England was used for part of the foundation, for trim and for stairways. The brick came from the States of Alabama and Florida, and skilled work was accomplished by German and Irish immigrants with labor done by slaves of local citizens.

The fort is entered through a gap in the troop barracks on the north face, made when the fort was torn down to one story.

A right turn reveals the long face of the barracks, once three stories high, with hardware still in place, spaces for offices, dispensary, chapel, recreation room, mess hall, kitchen (cooking fireplace and oven still there) and other smaller rooms necessary to military business.

There is a sidewalk of brick trimmed in slate all around the inside perimeter with the exception of the section where the 1899 magazine laps over it.

Walking inside the sally port, located in the barracks, one sees the thick white plastered ceiling, vaulted, with the unique iron beams which are tapered at each end but are about one and a half inches thick in the center to support the great weight of the floors above. On each side of this long room are the one stories remaining of the granite stairways which used to go up three stories. On the inside of the huge entranceway, on each side, are what is thought to be either brigs or guard rooms, quite small, with bunks in them.

The mechanism for raising and lowering the drawbridge is still intact on each side of the outside entrance. The drawbridge originally spanned a 30 foot moat. The doors to the little rooms on each side of the outside entrance are six inches thick with brass hardware, all of which are in place.

Cisterns were placed underneath the fort in most sections with the largest of them underneath the kitchen area. This was, at first, thought to be adequate for securing a water supply but was aided shortly by the installation of a desalting plant which has been uncovered recently in the excavation being carried on at the fort.

The wall of casemates running north to west, hold a beautifully fashioned granite winding stairway, the walls of which are bricked in English bond style.

The west wall contains more casemates with a spiral stairway in one section. In this area there is a well-concealed powder room. Several turns are made before reaching the innermost room. Slots in the walls 3 feet by 4 inches allow for plenty of air but no light.

Continuing the description, halfway along the west wall and on around to the present entrance is the battery and large magazine built from about 1899–1902. Inside the magazine are rambling rooms for storage and supplies. In the main section are ceiling monorails on which rode the ammunition carts, two elevators for the ammunition to be carried to the floor above for the guns.

On top of this concrete addition to the fort were placed a variety of guns from disappearing guns to mortars to World War II antiaircraft guns.

A short flight of iron rungs in the south corner of the addition takes one up to the present top of the fort where there is an unobstructed view of the harbor and sealanes and shows the reason for the location of the structure. Here, also, is the division between the original part of the fort and the later concrete addition in front of it.

At the time the addition was made, the original casemates of the fort were filled with ordnance, including many sizes and kinds of cannon balls and projectiles, parts for gun carriages, gun carriages themselves, gun cradles, varieties of cannon, and the desalting plant. They were then filled to the top with sand.

The outside perimeter of the fort shows the erosion of brick and mortar caused by winds and water. The 2-inch-thick iron shutters, invested by Colonel Totten, later Chief of Engineers, are intact though frozen in place. Iron grills on most of the outside windows are also in place.

The structure is in remarkably good condition considering the age, the many uses to which it has been put and the four wars it has seen.

Little was known of the fort's rich military history until a Naval Station Historical Committee, appointed in 1968, began its archeological excavations. The research, under the direction of Mr. Howard England, a native of Key West and a civilian employee of the Key West Naval Station, and conducted entirely on a volunteer basis involving over 5,000 hours of work during weekends and off-duty hours, revealed a wealth of military artifacts, of Civil War cannons and ammunition. These findings have created an intense interest in Fort Taylor, and indeed have national significance in their import.

Among the finds were two 26,900-pound Parrott rifles which used a 300-pound projectile; eleven 10-inch Rodman cannons; two 10-inch Colombiad model 1844 smooth bore cannons; and an 8-inch Coehorn siege mortar weighing 945 pounds.

The most surprising discovery, however, was Key West's first plant to make fresh water from sea water, installed in Fort Taylor during the Civil War.

In addition, Mr. England is convinced, based on Civil War purchase records and inventories and actual unexcavated sightings, that there are still about 200 pre-Civil War cannon and big rifles, together with 200,000 cannonballs of 8, 10 and 15 inches in diameter buried in the fort. The old guns were buried in the fort's floor casements at the time it was modernized in 1898–99. According to Mr. England, Fort Taylor possesses the largest collection of old guns of any fort in the country. In fact, Mr. England advises that all the other forts, which were constructed during this period and played key roles in the Civil War, have been stripped, that the guns were removed and melted. Fort Taylor, then, is the only fort where the original munitions can be viewed.

Although Fort Taylor failed to know the glory of exchanging fire with an enemy, it played a highly significant role in the Civil War. It was one of a handful of forts held in Southern cities by Northern troops and was in the only Southern city also held by the North.

Key West was headquarters for the Gulf Blockading Squadron and, at one time, 299 Confederate blockading ships which had been captured and were tied up in the Key West Harbor under the guns of the fort. Fort Taylor also acted as liaison with the ships in the area and Federal headquarters.

Clearly, the fort and its contents are of tremendous historical value and should be open and available to the public so that our citizens will be able to observe an important chapter in our history.

The entire island of Key West has a rich history, particularly in the field of military activity. No other area in the country has had so much military activity over such a long period of time. This ranges from the days when pirates threatened shipping interests in the gulf and Atlantic regions, through pre-Civil War and Civil War days, the Spanish-American War, World War II which saw German submarines sinking ships off the Florida Keys, the 1962 Cuban missile crisis, through to the present day with the ever-present threat of Soviet submarine activity in and around the gulf, Caribbean, and Atlantic areas.

Other sites of historical interest in and around Key West include the old Coast Guard lighthouse, which has just been transferred to Monroe County, the Martello Tower, Fort Jefferson National Monument, President Truman's Little White House, Ernest Hemingway's house and Audubon house. The citizens of Key West are keenly interested in preserving their historical sites and have undertaken an old island restoration program.

The bill I am introducing today would insure that Fort Taylor joins this list of historic sites in Key West, and will be preserved in its present state. While action cannot be taken this year by the Congress, I am hopeful that, with the support of the National Park Service, favorable action can be taken early next year.

Mr. Speaker, I call to the attention of our colleagues several newspaper articles which further explain the unusual historical significance of Fort Zachary Taylor. I am sure all will agree that this site should have the benefit of the protection provided a unit of the National Park System.

The material follows:

The Silent Guns of Key West

(By Dorothy Raymer)

A quotation from Machiavelli's "The Prince" turns in the mind on viewing the old cannons and big guns displayed in the Key West area: "The chief foundations of all states, new as well as old or composite, are good laws and good arms."

In their day, the cannon and guns served well. They are silent monuments now.

The ancient cannon which points seaward at East Martello Gallery is alien. It was found off the shores of Key West by an unidentified naval officer and presented to the museum in the middle 1950's.

The name of the British ship from which it came is also unknown, but the old cannon bears a crown insignia and the monogram "George Rex," indicating that the weapon was in use during the reign of George II, King of England when the American Revolution began in 1776.

A rich historical lode of old cannon has been excavated from the site of Fort Zachary Taylor. The digging began in 1968 and is continuing. Besides two 1853–1854 Columbiads, a rifled Parroll cannon, weighing 26,910 pounds, which fired a 300 pound projectile, and several 10-inch Rodman cannon have been discovered.

These early vintage types were brought to the island before and after the Civil War. They were never fired in defense as the federal government was in full control here. The 10-inch Rodmans were named for the inventor, General T. J. Rodman.

The Rodmans weigh close to 15,000 pounds. The carriage on the hefty Rodman in one picture was not made for the gun, although the cradle on which it sits, was. The cannon itself was cast in 1865 at the Fort Pitt Foundry in Pennsylvania. This cannon and the others, have been buried at Ft. Taylor since the period of 1898–1960.

An eight-inch Coehorn seige mortar was also located.

During World War I, when the old Key West Army Barracks was activated, three-inch field artillery was posted. One of these guns with its caisson, which was horse-drawn, rests in front of the Veterans of Foreign Wars Southernmost Post 3911, at 225 Elizabeth Street.

Victor Hartmann, WWI veteran, say the artillery piece is still mounted on its original wooden spoked, iron-rimmed wheels. Near the gunner's seat, at the breach-loading end, is the legend, "3-inch field Artillery, Model of 1905."

Long clean modern lines are displayed by the two detached naval guns flanking the Administration Building on the Naval Station. The largest is an open end gun and the smaller is a rapid fire gun, both taken from a Navy vessel of World War II.

A man named John Waller once said, "Guns are left to do what words might have done earlier, properly used."

That is the parting shot of thought on looking at the long silent sentinels of Key West.

[From the Miaimi Herald, Jan. 26, 1972]

Restoration of Historic Fort Pursued

Key West.—Efforts are being made to have long neglected Fort Taylor partly restored, preserved as a national monument and opened to the public.

A major step in this direction was made last April when Congress designated it as a historic site. This qualified it for consideration by the National Park Service for recommendation as a national monument.

Fort Taylor is one of Florida's two most fascinating military structures built since Spanish times. The other is Fort Jefferson. Work on both was started in 1845 and continued through the Civil War.

Both forts are difficult to reach. Fort Jefferson in the Dry Tortugas 68 miles west of Key West, can be reached only by surface boat or flying boat, while Fort Taylor, inside the Key West Naval Station, is inaccessible to the public.

Of the two, Fort Jefferson is the more picturesque. It has been little despoiled, while its chief claim to fame is that Dr. Samuel A. Mudd, who set the broken leg of John Wilkes Booth on the night he assassinated President Lincoln, served a prison sentence inside its red brick walls. Moreover, Fort Jefferson, together with 75 square miles of surrounding water and keys, has been designated a national monument under the National Park Service.

Fort Taylor may be considered somewhat under par with the Ugly Duckling. Once a handsome castle with three-story walls, it was drastically changed and "modernised" during the Spanish-American War. Its two upper stories were knocked down, the lower casements filled with sand, and a concrete bastion was built about 12-inch guns, set up to blow the Spanish fleet out of the water should it try to attack Key West.

While Fort Jefferson was abandoned as a fort after the Civil War, Fort Taylor continued to serve as a protector for the Key West Naval Station until 1947 when the Coastal Artillery was disbanded as obsolete.

The celebration this year of Key West's 150th anniversary has stirred renewed interest in Fort Taylor. But initial interest in the fort was spurred by a letter written in 1968 by an unnamed reader to the Miami Herald's Action Line.

"Why," asked the writer, "is Fort Jefferson a national monument while Fort Taylor is not?"

The Herald went to Capt. John D. Shea, Jr., commanding officer of the Key West Naval Station, with the question. Shea called in Howard England, a naval architect, born in Key West in 1914.

"What can you tell me about Fort Taylor?" asked Shea.

England could talk about Fort Taylor in a general way, but he discovered that he was shy of detail. Moreover, he could not explain why Fort Taylor had not acquired equal status with Fort Jefferson.

Shea appointed a Naval Station Historical Committee, which included England, and ordered the committee to dig up all the facts it could on the base fort.

Delving into the fort's background, England made a discovery—or a rediscovery. The old guns mounted in the fort at the time it was modernized in 1898–99 were buried in the first-floor casements.

England also learned that the 12-inch guns, set up in the place of the obsolete Civil War guns, remained in the fort until 1939 when Great Britain and France declared war on Germany and its allies. President Franklin D. Roosevelt ordered the guns sent to France under a lend-lease program. There they were mounted on railway flatcars, to help defend France against a German invasion. But the Germans outflanked the big guns and captured them.

Lacking funds, England begged some excavating equipment, and with volunteer labor, went to work on weekends, removing sand and rubble from the filled casements and chiseling away at concrete poured in 1868. He began to turn up buried pre-Civil War guns, gun mounts, hundreds of Cannonballs and other equipment.

One of England's richest finds was a 26,900-pound Parrott rifle which used a 300-pound projectile. He also found 10-inch Rodman cannons and an eight-inch Coehorn siege mortar. Although the mortar was only 23 inches long, it weighed 945 pounds.

But England's most surprising discovery was Key West's first plant to make fresh water from sea water, installed in Fort Taylor during the Civil War.

"On one of the boilers we found a plate identifying the plant as 'Dr. Normandy's Marine Aerated Fresh Water Apparatus, London, No. 189,'" England said. "We wrote to the British Patent Office and received specifications and patents of Dr. Normandy's plant. It was capable of producing 7,000 gallons of fresh water a day from sea water."

England's digging and research convinced him that buried at Fort Taylor are about 200 pre-Civil War cannon and big rifles, together with 200,000 cannonballs of eight, 10 and 15 inches in diameter.

"I believe we've got here the largest collection of old guns of any other fort in America," England said. "Other forts were stripped of guns after they became obsolete and used as scrap metal."

Although Fort Taylor failed to know the glory of exchanging fire with an enemy, it undoubtedly was responsible for Union forces being able to hold onto the important port of Key West during the Civil War, it may have served as a deterrent to attack by the Spanish fleet on the Key West Naval Station during the Spanish-American War.

Like Fort Jefferson, Fort Taylor was obsolete even before its completion. Had the Confederates possessed a navy with modern guns both Taylor and Jefferson's eight-foot walls could have been pounded into rubble, as Union artillery did to Fort Pulaski at Savannah.

It is the human side of Fort Taylor that makes its story compelling. Work on the fort continued for 21 years, from 1845–66. The cost in sweat and in human lives is like reading of construction dating back to the time of the Pharaohs, when life was cheaper than money.

Yellow fever took the lives of countless workers, while two officers in charge of construction died. In 1854, Capt. Jeremiah M. Scaritt and 15 others died. The following year, Maj. William Fraser died, together with an uncounted number of workers.

In a major epidemic in 1862, 71 of the 448 Union soldiers stationed at the fort died, while over half of the civilian workers were stricken, and 30 died.

How many slaves working on the construction of Fort Taylor died of yellow fever is not known. Nobody bothered to count the stricken blacks.

Yes, the Army used slaves for the construction of both Fort Taylor and Fort Jefferson, leasing them for $1 a day from Stephen R. Mallory, senator from Florida. Skilled labor, mainly Irish and Germans, received $4 a day.

The foundation of the fort, laid on bedrock in 11 feet of water 1,000 feet offshore, covered 7.8 acres. Immense quantities of granite from New England and brick from the Gulf shore towns went into the construction. The eight-foot-thick walls rose to 50 feet above water, extended 255 feet along the seaward side and 495 feet along the landward side.

Although the fort would have been a pushover for the better guns available at the time, the Confederates lacked the forces to lay siege, and Key West became the only important southern port to remain in Union hands throughout the war.

Mallory, whose slaves had helped build the fort, found himself as secretary of the Confederate Navy charged with the responsibility of taking it from Union forces. But the attack was never ordered, although the Union Navy, using Key West as a base, played havoc with southern shipping, particularly blockade runners.

The only "threat" to Fort Taylor was made by a 14-year-old boy, Joseph Yates Porter, and a band of fellow teenagers who organized themselves as the "Confederate Volunteers." Waving an heirloom sword as he led a band across the 1,000-foot bridge to the stronghold's door, young Porter yelled out a command to surrender the fort in the name of the Confederate Volunteers.

Porter's cry brought the presence of Capt. Edward B. Hunt, commanding officer and an acquaintance of the Porter family.

"Get out of here," ordered Hunt, "or I'll come down and put that sword on your backside."

Porter ignominiously retreated, followed by his companion volunteers. As Dr. Porter, he would serve as Florida's first public health officer, from 1889 until 1917.

Work on Fort Taylor, was ordered halted in 1866, Fort Jefferson, built at the same time, was converted into a federal prison, but Fort Taylor was manned by military units until 1947 when the Coast Artillery was disbanded and the fort turned over to the Navy. A battery of anti-aircraft guns was maintained at the fort during World War II.

Spoil from dredging operations in recent years has been deposited about the fort, filling the area about it six feet or more above sea level. The last dredging was done in 1967, when the Navy made major improvements to the base harbor and channel.

Congressional designation last April as a historic site makes Fort Taylor eligible for matching state and federal funds for the task of clearing the site and protecting the structure. But no such funds have been provided, and England has continued on weekends with volunteer help to excavate the century-old armament, remove the rust from the pieces and protect the surface with paint. Much of his help has come from sailors attending the Navy's sonar school.

The next step is up to the National Park Service, upon which rests the decision whether to recommend Fort Taylor as a national monument. England, with the backing of the Key West Naval Station's Historic Committee, has been the most active in pressing for Fort Taylor's recognition.

Key West citizens have sought to help, too, but because the fort is on the Navy base, there is a tendency to look upon it as out-of-bounds.

Recently, Dr. Henry Field, Coconut Grove anthropologist and Harvard University associate, has been writing letters to Washington with the hope of getting action on the fort. Otherwise, Dr. Field has been going about buttonholing people and urging them to write to Rep. Dante Fascell, in whose district the fort is located.

England foresees no problem in handling public visits to the fort, although it is inside the Navy base.

"Shuttle bus or shuttle tram train could be used to transport visitors to and from the fort," England said.

The Conch Train, a popular Key West tour, is permitted to take visitors into the Navy base. Taking pictures or getting off the train is forbidden.

But before the fort could be opened, the Navy would have to find another place to store its vast quantities of odds and ends. England estimates that the cost of just moving the Navy's present equipment and junk from the area and cleaning up the grounds would cost $25,000.

England and Dr. Field hope to see Fort Taylor cleaned up, partly restored, its history interpreted, and dedicated as a national monument with a flag-raising service on July 4, 1976.

"But I hope it happens before," said England, who has spent so much of his own time and energy on the fort.

TRIBUTE TO HON. ALEXANDER PIRNIE, OF NEW YORK

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. EVINS of Tennessee. Mr. Speaker, I want to take this time means of paying a brief but sincere tribute to my colleague and wartime friend, ALEXANDER PIRNIE of New York, who is retiring from the Congress at the close of this session following more than a decade of distinguished public service.

I first knew ALEXANDER PIRNIE when we were both members of the Judge Advocate General's Corps in World War II. We served overseas together in the European theater of operations and later we again met and renewed our friendship following his election to the Congress in 1958.

ALEXANDER PIRNIE is an able, dedicated, diligent legislator. As a member of the Armed Services Committee, he has contributed much to legislation which has strengthened the defense posture of our Nation.

As a leader in the Republican Party and a member of the Republican policy committee, he has helped set GOP policy in the Congress—although members of different political parties, this has not impaired our friendship.

ALEXANDER PIRNIE has served his district, State, and Nation faithfully and well, and he will be greatly missed in the 93d Congress.

Certainly we all join in wishing him the very best of good luck, health, and happiness as he takes his leave of the House and enters a richly deserved retirement.

LETTERS FROM MY TEENAGED CONSTITUENTS

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. BRINKLEY. Mr. Speaker, quite by coincidence I received in this morning's mail two letters from opposite sides of my district, each from a 13-year-old. Let the word go out that the future can be viewed with confidence, that in the river of the life of our Republic, we can feel the bottom and it is sound. When young people like these are concerned with their fellow man and in their quality of life—whether concerning pollution control or medical services—our outlook is bright.

There is an old Chinese proverb which says:

> Give a man a fish, he will eat a meal; teach him how to fish, he will eat forever.

So, may I salute the cities of Forsyth and Columbus, Ga., of which these young people are products, and whose example commends itself to us.

On pollution, of course, we must put things with greater priority first and be willing to pay for them first. That is what Scott Coffee is saying.

Diane Belvin is a good example in compassion. Why not medical services for people who need it early in life. An ounce of prevention is worth a pound of cure, Diane would say; and fullness of life would be an enormous return on modest preventive medical services.

When we consider health delivery plans next year, let us major in ways to keep people well instead of waiting for them to get sick or grow up in a deformed way, mentally or physically.

The letters follow:

FORSYTH, GA.,
October 11, 1972.

DEAR REPRESENTATVE BRINKLEY: I am a 13 year old Georgian and interested in politics.

You know how we Georgians like to have our state clean. And I think pollution is a big issue in our nation today.

Well I think I have a small answer or temporary solution to our state's pollution.

This is my plan, on an early date in the year, such as Jan. 5 a nickel from each person of the ages 12 through 65 years old be required for the control and research of Georgia's pollution. This plan I think could be used on the United States too. Some might object but if they can spend $2.46 on a six-pack of Budweiser every night, I think they can scrape up a nickel for my plan.

I think my plan will work if through you it is represented in Congress. If you have any replies or questions about it please write.

Thank you,

SCOTT COFFEE.

COLUMBUS, GA.,
October 12, 1972.

DEAR MR. BANKLEY: I am 13 years old. I know you are very busy with the war and other important things, but to me this is very important. I think a law should be passed not to allow freak shows in America. I think it is sad to see a deformed person in a circus to be shown to other people when his deformity could be cured by surgery. I know not many people think about it. I sure wish you could do something about it and if you can't why not.

Yours truly,

DIANE BELVIN.

UNION CITY, TENN.: A PROCLAMATION

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JONES of Tennessee. Mr. Speaker, many organizations and businesses throughout the United States can be given recognition for their participation, support, and assistance in building a more prosperous rural America in these United States. One such organization, a member of the Cooperative, Free Enterprise System, was recently honored in a unique way by officials and businesses of the community of Union City, Tenn. The honored organization was the Union City office of the Dyersburg Production Credit Association. This association is part of the nationwide Farm Credit System, and specifically, is located in the Fourth Farm Credit District which is composed of Tennessee, Kentucky, Indiana, and Ohio.

The Honorable Charles H. Adams, Mayor of Union City, Tenn., issued a proclamation declaring September 12, 1972, "PCA Appreciation Day," in recognition of the vital service being rendered to that area of Tennessee agriculture through Production Credit Associations, their related farm-oriented services, and other cooperatives. The Honorable T. W. Jones, judge of the Obion, Tenn., County Court also issue a proclamation the same day declaring September 12, 1972, "PCA Appreciation Day." The proclamations issued by Mayor Adams and Judge Jones follow:

CITY OF UNION CITY, TENN.: A PROCLAMATION

Whereas, agriculture is and has been one of the major industries of Obion County, Tennessee, and has contributed immeasurably to the growth, prosperity and well-being of the citizens of Union City, Tennessee; and

Whereas, the Production Credit Association is a farmer-owned, cooperative lending institution which has provided a dependable source of financing, counselling and encouragement for the growth, development and modernization of the farming industry in Obion County and thereby benefiting the citizens of Union City, Tennessee; and

Whereas, it is the desire of the municipality of Union City, Tennessee to pay tribute to the Production Credit Association;

Now, therefore, I, Charles H. Adams by the power and authority vested in me as Mayor of the City of Union City, Tennessee, do hereby publish, declare and proclaim Tuesday, September the twelfth, Nineteen Hundred and Seventy Two, in the year of our Lord, as Production Credit Association Day in the City of Union City, Obion County Tennessee.

In witness whereof, I have hereunto subscribed my name and caused the corporate seal of the City of Union City, Tennessee, to be affixed hereto this the 5th day of September, 1972.

OBION COUNTY, STATE OF TENNESSEE—A PROCLAMATION

Whereas, the farming industry is and has been one of the major industries in Obion County, Tennessee; and

Whereas, a great number of the citizens and residents of Obion County, Tennessee, are engaged in the farming industry and draw their livelihood therefrom; and

Whereas, the farming industry in Obion County, Tennessee, is and has been an innovative, progressive industry that continually seeks to provide a better way of life for all of the citizens of Obion County, Tennesse; and

Whereas, the Production Credit Association, a farmer-owned lending cooperative, has been an active participant in the growth and development of the farming industry in Obion County, Tennessee, providing an adequate and dependable source of funds for those engaged in the farming industry and seeks, continually, to supply technical assistance, encouragement and advice for those so engaged; and

Whereas, the said Production Credit Association, through its efforts has contributed immeasurably to the economy and standards of living for all of the citizens of Obion County, Tennessee;

Now, therefore, I, T. W. Jones, Judge of the County Court of Obion County, Tennessee, by the power and authority vested in me by virtue of my office, do hereby publish, declare and proclaim Tuesday, September the twelfth, Nineteen Hundred and Seventy Two, in the year of our Lord, as Production Credit Association Day in Obion County, Tennessee.

In witness whereof, I have hereunto subscribed my name and caused the seal of this Court to be hereto affixed on this the 5th day of September, 1972.

Harold Jenkins, Obion County PCA manager; Jerry Davis, field representative and Mrs. Katherine Wright, secretary in the Union City PCA office were responsible for coordinating much of the effort involved in celebration of "PCA Appreciation Day." Cooperating in making the entire community aware of happenings were the "Union City Daily Messenger" and "WENK radio" of Union City, Tenn.

During the daylong celebration, members of Production Credit Associations visited all farm supply dealers and merchants throughout Obion County and also visited with factory personnel in the cities of Obion, Troy, Kenton, South Union, and Union City. Participating were: Larry Elgin and Bill Seavers of Trenton, Tenn.; David Henderson and Edwin Tritt of Alamo, Tenn.; Winfred Allen of Humbolt, Tenn.; Daron McNatt and Charles Bell of Dresden, Tenn.; Jimmy Welch, Danny Carpenter, Frank Burnett, Ersie Johnson, and Raleigh Coplen of Dyersburg, Tenn., Mr. Coplen being general manager of all Production Credit Association offices represented in the celebration.

Due to the community acceptance shown and the willingness of city and county officials to participate in these worthy recognition activities in Obion County, other "Appreciation Days" are now being planned for the counties of Dyer, Crockett, Gibson, Lake, and Weakley, in Tennessee.

THE OFFICE OF MANAGEMENT AND BUDGET—POWERFUL PYGMY OF GOVERNMENT

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MOORHEAD. Mr. Speaker, the increasingly wide-ranging activities of the Office of Management and Budget—OMB—of the Executive Office of the President are becoming a topic of major concern to Members of Congress and the public. Unlike other executive departments and agencies that bask in the sunlight of publicity, the work of the OMB has been shrouded in the obscurity of the bureaucratic maze—despite the all-powerful quarterback role that it plays in the executive branch.

An excellent article on the inside work of the OMB was recently written by Beverly Craig of the Washington bureau, Detroit News. It provides a broad insight into the multitudinous functions of the OMB, and includes revealing comments by many experts and other OMB-watchers. I commend the article to our colleagues, Mr. Speaker, and hope that it will help shed necessary light on this unique governmental agency, described as "the President's right arm." The text of the article follows:

[From the Detroit News, Aug. 30, 1972]

NIXON'S BUDGET AGENCY FEARED, HATED

(By Beverly Craig)

WASHINGTON.—The White House's powerful budget agency, the Office of Management and Budget, is like a rich uncle—feared by some, praised by others and, privately, denounced for not spending money more freely.

It's called "the OMB," but critics have shortened even that to "Tomb." OMB has so much clout that it sometimes buries, by deferment, programs approved by Cabinet members and enacted by Congress.

Housing and Urban Development (HUD) Secretary George Romney, in his unhappiness with the administration, recently provided an example of OMB's power. After President Nixon issued anti-inflation directives aimed at reducing the federal bureaucracy, OMB enforced the orders so effectively that HUD lost 700 employes.

Romney appealed in vain to OMB for a bigger staff. He won agreement for an increase only after a personal meeting with Mr. Nixon, during which he vented his frustrations over lack of personnel to prevent FHA scandals such as those which occurred in Detroit.

Congress is the major source of hostility to OMB.

"OMB is the most hated of all federal agencies," said a congressional staff director, stirring his coffee with a vengeance.

"I'd rather deal with the Politburo than the OMB," said a congressman.

OMB, akin to the treasurer or controller of a corporation, is frequently described as the President's right arm. And it implements his policies in the most forceful way of all—cash flow.

The agency also helps Cabinet departments formulate budget requests, apportions funds quarterly, assesses the potential cost and efficacy of legislation proposed on the Hill, helps push the President's legislative proposals and audits existing federal programs.

Congress feels that its constitutional mandate to appropriate money—the power of the purse—gives it the last word on who gets what. That's the major rub between Congress and OMB. In addition, naturally there would be fiscal friction between a Republican administration and a Democratic-controlled Congress.

The one pops up constantly in this power-oriented city.

After Congress passed the $18.5-billion higher education bill containing an 18-month bussing moratorium sought by Michigan congressmen, there was daily speculation on whether Mr. Nixon would sign the costly, far-reaching bill. He did—but only after exhaustive review by OMB.

Repeatedly during Senate Appropriations Committee hearings recently on funding for national health training programs, committee members made sly digs at the OMB's budget-cutting proclivities.

"We're not supposed to indulge in blasphemy toward OMB," jested Senator Joseph Montoya, New Mexico Democrat. "Blasphemy toward none," agreed a witness from the National Institute of Health (NIH).

The OMB, described as a "powerful pygmy of government" by the Wall Street Journal, is a drastically different creature than the first Bureau of the Budget, created in 1921. Those were the days of accountants with green eyeshades, and the emphasis was on saving string and turning in old pencil stubs. The government was less complex . . . and less costly.

The two-year-old OMB, as a strong arm of the White House, helps perpetuate the Founding Fathers' concept of separation of powers.

Interviews with congressmen, congressional staff members, economists and past and present OMB officials indicated that the Executive Branch may be eroding Congress' power of the purse. But there are healthy indications that OMB is creating pressure on a marshmallow bureaucracy to request and spend money along the lines of practical national priorities.

The interviews touched on these corollary issues:

Is the OMB a budgetary or political extension of the White House?

Must the President spend money appropriated by Congress?

Are taxpayers' desires for cuts in federal spending likely to be achieved by the OMB and the administration?

The OMB itself is close physically as well philosophically to Mr. Nixon, with quarters in the Executive Office Building next to the White House. Its new director is Casper W. Weinberger, the former deputy who took over after George P. Schultz became secretary of the treasury.

OMB is a relatively small agency, with a staff level of 660, of whom about 420 are professional and the rest clerical. But its salaries are among the highest in government. The staff has grown by about one-fifth in the two years since it was reorganized with a management thrust. Its predecessor was the Bureau of the Budget.

The OMB has requested $19.8 million for its 1973 operations and spent about $19 million in 1972.

How do OMB and the budget process mesh?

There's a long lead time for the federal budget, as there is for an auto coming out of Detroit. The fiscal 1973 year began July 1, but work on the budget began in the spring of 1971.

As formally presented to Congress in January, the budget strongly reflected Mr. Nixon's priorities, such as an increase in spending on domestic or human resources programs and less on the military.

There's a lot of pulling and hauling before the budget gets to Congress.

Key divisions within departments such as Health, Education and Welfare (HEW) and Housing and Urban Development (HUD) prepare budget requests internally, subject to review at the cabinet secretary's level. The next step is OMB review, which is intensive.

If, for example, the Veterans Administration (VA) asks to spend several millions more on its hospitals, the OMB, with the "big" budget picture in mind, may say no.

Congress traditionally goes through two stages in its budget process. It enacts legislation which authorizes an agency to carry out a program, frequently setting a ceiling on the money to be appropriated later.

Many bills, such as the higher education package, are authorized for a specified number of years, or indefinitely. Others, such as programs for atomic energy and space exploration, are authorized anew each year.

Permission to spend or obligate money generally comes in the form of appropriations bills.

For fiscal 1973, $170 billion of Mr. Nixon's requested $250 billion will have to be approved by Congress.

Congress' money dealings may seem mind-boggling to outsiders—as well as to freshmen congressmen. The House Ways and Means Committee reviews all tax bills, and the Appropriations Committee's 13 subcommittees considers the funding for various federal agencies and programs. After action by the full House, the Senate gets its say. Any differences are resolved in conferences, which frequently are lengthy and contentious.

In this system, the measures finally get to the White House, for OMB review and the President's veto or signature.

Critics of the OMB complain that its disbursing of funds has become highly political, and they are particularly hostile about "impoundment." Impounding funds means refusing to release them. The technique is not new to OMB.

"I had thought that once the Congress passed the appropriation bill and the President approved it and signed it and said to the country that 'This has my approval,' that the money would be used, instead of sacked up and put down in the basement somewhere," groused Senator Lyndon Johnson in 1959. His budget officers impounded up to $10 billion at one point during his presidency.

By what justification does OMB withhold funds? For one reason, money for complicated legislative programs can't be spent overnight. Congress may approve funds for dozens of new hospitals, but the letting of contracts and coordination with local officials may cause the funds to be kept in reserves by OMB for months or years. Another example is funding for Mr. Nixon's war on cancer. Before the millions can be doled out, grant applications from companies and research teams must undergo complex review procedures.

At the request of the Senate Appropriations Committee, OMB revealed that it had $9.1 billion in reserves as of June 30 for this kind of "routine financial administration."

Another $1.5 billion was being held up for other reasons, OMB said without spelling them out. Congressional sources say this is the category in which OMB is sitting on funds for programs the President doesn't favor.

OMB caused a political flap last fall when it impounded $200 million for food stamps. The funds had been appropriated by Congress and approved by the Agriculture Department.

Another occurred in January, when Michigan's Democratic Senator Philip A. Hart led 40 other senators in protesting to Mr. Nixon the OMB's decision to eliminate a special emergency food and medical services program for the poor.

The Senators said their protest reflected "the growing frustration of members of Congress in the face of OMB directives regarding nutrition programs." They said some Senate officers were interested in exploring legislation "that would require the OMB to act in strict accordance with congressionally expressed intent."

Those who side with OMB say Congress has vision problems, like the blind men who tried to describe an elephant after touching only parts of it.

"You can't run a $250 billion budget with a 535-man board of directors even if they all were geniuses," said Charles L. Schultze, an economist, senior fellow at the Brookings Institution and director of the Budget Bureau during the Johnson administration.

"It was different when government was simple as hell," he said. "Now, strong management is required."

Another source pointed out that Congress, with its piecemeal system, "never has to face the tough decision on how to divvy up the pot. Also, there's constant jockeying for position between the authorizations committees, with special interest groups exerting much more pressure on authorizing committees.

How politically visible is OMB?

Rarely does it get involved in politics directly. One exception, according to a veteran OMB watcher, occurred in 1969. OMB's James Schlesinger, now chairman of the Atomic Energy Commission, argued so persuasively against plans for a multimillion-dollar manned orbital laboratory that Mr. Nixon scuttled the project. It was a rare, public overruling of the Defense Department, which supported the lab concept.

Recently, new OMB Director Weinberger gave a candid but partisan assessment of Democratic presidential nominee George McGovern's proposal to reduce the defense budget by $32 billion.

Said Weinberger, in a U.S. News & World Report interview, "I think this is totally and completely unrealistic. I think it's a proposal that could only be made by a person who has no real idea of the facts or of the composition of the defense budget."

Generally, however, OMB's is an eminently private domain.

One of the most fascinating aspects of the tug of war between Executive and Legislative branches is whether the President must spend money appropriated by Congress. In this area of court tests, there's been no resolution of the question.

"It comes down to whether an appropriation is an authorization to spend or a mandate to spend," said Elmer Staats, formerly of OMB and now U.S. controller-general.

Another insider, looking at OMB's role in this controversy, said that "In no case does OMB have the right to contravene Congress or undo what it has done. OMB can only delay it."

OMB sources point out that money can be held up under the anti-deficiency act of 1950, which permits reserves "to provide for contingencies" or "to effect savings whenever savings are possible through changes in requirements." The latter has been construed as a means to tamp down inflation.

Others point out that even in a simple family budget process, there's always some money in the kitty (hopefully) to cover forthcoming bills.

Wineberger has contended that the President's constitutional mandate "to take care that the laws be faithfully executed" is a rationale for not spending certain funds.

But the Hill people gleefully point out a memo written in 1969 by then Assistant Atty. Gen. William Rehnquist, who subsequently became a Nixon appointee to the Supreme Court. Wrote Rehnquist: "With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that existence of such a broad power is supported by neither reason nor precedent.

"It may be argued that the spending of money is inherently an executive function, but the execution of any law is, by definition, an executive function and it seems an anomalous proposition that because the executive branch is bound to execute the laws, it is free to decline to execute them."

Congress' seniority system which governs who runs what powerful committees is so entrenched, there's no likelihood of any imminent changes in the way Congress does business.

Yet there are thoughful people who see room for improvement, and Controller-General Staats is among them. He questions whether the annual doubleheader process of authorization and appropriation is necessary for continuing agencies, such as the U.S. Information Agency.

Harley Dirks, a professional staff member of the Senate Appropriations Committee, is a former banker and veteran of the Hill who recalls the days "when LBJ used to invite staff people to the White House, offer us food and at least branch water, and he'd talk to us about our problems.

"And each year, we have a real problem, waiting for authorizing legislation which often comes along late in the sessions." One remedy, he said, might be to devote the first one-year session of Congress entirely to legislation, and the second year to appropriations. Changing the legislative system to provide authorisations for longer periods would provide more continuity and efficiency he said. OMB itself suffers from being "so locked in to the yearly budget process," he said.

A high official at the National Institutes of Health said, "OMB will tell us, 'You can have so much money this year and that's it.' It's up to us to split up the money. It makes us think very carefully about priorities; about where we should be several years from now."

Richard Ney, a health care consultant for the President's Price Commission, said that in the past some medical schools submitted applications for multimillion-dollar grants that were so perfunctory they took up half a sheet of paper. "Now, the applications have to be complete in every possible aspect, including detailed budget applications as well as the educational level of the personnel to be hired—and the taxpayer benefits," he said.

A spokesman for Detroit's Mayor Gribbs said OMB directives encouraging regional offices to team up on shared problems such as welfare, transportation and pollution "make us think as an organic unit."

Weinberger, asked by U.S. News & World Report whether there is a chance of balancing the federal budget in the next few years, said:

"Yes, I think that is perfectly possible if people want it badly enough. It won't be easy to achieve.

"It will require a lot of self-restraint and a willingness to stop relying on heavy federal spending as a cure for almost all ills. But it can be done."

HON. EDWARD A. GARMATZ

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. BURLESON of Texas. Mr. Speaker, I wish to join with my colleagues who have expressed very fitting tributes to Ed Garmatz who will soon retire from this body. Ed, through a dedicated and productive career of public service to his Nation, State, and district has indeed earned a rest. The friendships he has established will be lasting and the high esteem and personal regard in which he is held in the Congress are something I know he can look back upon with the greatest pleasure and fondest memories.

I wish for him health and happiness in his retirement and hope he will find a perfect contentment in the knowledge that he has rendered his Nation, his State, and district the impeccable service one strives for in this position.

IN MEMORIAM: MAJ. GEN. W. J. SUTTON

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SIKES. Mr. Speaker, few of the Nation's great military leaders have enjoyed warmer appreciation or closer friendships on Capital Hill than Maj. Gen. William J. Sutton. I was one of those who were privileged to share his friendship, and I understood full well the importance of his contributions and the depth of his dedicated service. General Sutton died on September 9, 1972, and his death was a great loss to the ranks of those who believe in a strong America and who recognize the essentiality of adequate Reserve components. General Sutton is survived by his wife, Helen, and his son, Lt. William J. Sutton III. I know that I express the thoughts of Congress when I extend our earnest sympathies and our best wishes to the bereaved.

I feel, Mr. Speaker, that the Congressional Record should show in detail some of the very fine work done by General Sutton, and I am pleased to include in my remarks a heartwarming statement, "In Memoriam: Maj. Gen. W. J. Sutton," which appeared in Army Reserve magazine in October 1972; and a biographical sketch provided for me by the Army Liaison.

In Memoriam: Maj. Gen. W. J. Sutton: April 9, 1908—Sept. 9, 1972

Men and women of all ranks and grades in both military and civilian life formed a somber company under somber skies on the hillside at Arlington National Cemetery, Va., on 14 September. The men of 1st Bn, 3d Inf, moved with quiet precision through the ancient ritual. The lonely, heartstabbing sound of Taps ended with its reassuring "All is well . . ."

A friend was gone. A chieftain rested. Full honors had been rendered to Major General W. J. Sutton, USA, Ret. He had been Chief Army Reserve for eight years, the longest period of service is this office yet recorded.

The last time this group had assembled was when the soldiers from this same 3d Infantry had marched in their bright Colonial uniforms under vivid Summer skies to render happier honors. That was on 27 May 1971 at the parade ground just over the hill at Ft. Myer when Gen. Sutton retired. The time between seemed mercilessly short to those on the hillside who were remembering.

He had been a man to remember.

Those who worked for him in the Pentagon would never forget. He walked the corridors in his shirt-sleeves like a thoughtful colossus. In his single-minded way, he was thinking, you knew, about the Army Reserve. For he was as fierce and cunning a fighter for the Army Reserve in that confined world as he had been in WW II on the wide combat fields of Europe.

His proud boast was that he was born "the same month as the Army Reserve—April 1908." (You sensed that he would have preferred the actual day identical. He was born on the 9th and the Army Reserve anniversary date is the 23d.)

He had become Chief Army Reserve on 1 Sept. 1963 on a four-year appointment from civil life and a mobilization designation position as Deputy Commanding General for Reserve Forces at HQ, Continental Army Command. At that time, appointment to this position was discretionary with the Secretary of the Army. But under Public Law 90-168, which became effective 1 Jan. 1968, he had been appointed the first statutory Chief Army Reserve.

"Discretionary" or "statutory," he had proved himself the man for the job.

The citation read in connection with the extension of his Distinguished Service Medal at his retirement ceremony spoke of "reorganization and revitalization of the US Army Reserve, encompassing restructuring of the force as well as complete innovation of a new command structure; establishment and direction of a dynamic recruiting effort; overall management of the Individual Ready Reserve. . . Gen Sutton demonstrated a rare ability to inspire confidence and enthusiasm within the Army Reserve forces and provided a personal example of loyal devotion to the service while guiding the Army Reserve through a turbulent period of reorganization. . ."

These achievements could have come as no surprise to his comrades-in-arms in either the Active Army or the Army Reserve. Many had long, long memories of the man they honored. Whether wearing stars or stripes, they had shared his World War II days, and later his years in the Regular Army and the Army Reserve.

The "stripers" remembered that Gen Sutton had had six years of enlisted service. His contemporaries in the officer rank recalled his distinguished WW II service and the medals—the Silver Star, Legion of Merit with Oak Leaf Cluster, the Bronze Star with Oak Leaf Cluster, Army Commendation Medal, Purple Heart, the Combat Infantryman Badge. That Purple Heart had brought him back to the United States for convalescence and the prognosis that he might not walk again. He walked again.

(It gave him satisfaction that "his" WW II combat infantry division was Army Reserve—the 84th, now a training division.)

The "RA's" had served with him when he was in their ranks. They had regretted his resigning his commission as a lieutenant colonel to go into business. But they had known he would do well. He did. Very well indeed.

But he never left the Army he had loved since boyhood.

Although born in Elizabethtown, N.C., his home was in San Antonio, Tex. There, an Army Reserve colonel, he joined the 90th Inf Div and served successively as Regimental Commander, Chief of Staff and Assistant Division Commander. It was a long association—from September 1949 until November 1960 when he went to the CONARC position.

No one in the 90th would ever forget. In Texas, he was know as "Mr. Army Reserve." It was a title to be used later before wider audiences—the Reserve Officers Association, the Association of the United States Army, the Military Order of World Wars, the American Legion, organizations he gave characteristic allegiance and his support.

He had been inducted into ROA's Minuteman Hall of Fame; he had been honored by the Association of the US Army for his concept and implementation of the successful Regional organizational structure. When he died, he was Commander of American Legion Post No. 46 in Washington, D.C., and on the National Board of Directors of the Military Order of World Wars.

He was a member also of the Board of Directors of the National Rifle Association.

Among shooters Gen. Sutton was, first of all, "one of ours." He wore the Distinguished Marksman Badge (Rifle). And his shooter friends would tell you that he had two "legs" on his Distinguished Pistol Shot Badge when duties became too heavy to allow him to shoot competitively for that third qualifying leg.

He was a sport shooter. But his interest in marksmanship was essentially the soldier's. Soldiers should know how to shoot; their lives depended upon it. That's what he would tell you. None among the shooters would forget how he reorganized and pushed the Army Reserve Marksmanship Program toward its present eminence.

Gen. Sutton died at his Arlington, Va., home 9 Sept. He is survived by his wife, Helen, a son, Lieutenant Colonel William J. Sutton, III, a brother and four grandchildren. He is survived also by those at the hillside gravesite and the thousands like them throughout the Nation. However remembered, he would not be forgotten. Those in the Army Reserve knew that they had one final and lasting honor to tender him—to live up to the challenge he left when he said farewell to active service:

"We have a strong, well-led and highly motivated Army Reserve, and I hope we will keep it that way. I hope it will continue to grow stronger with its increasing role in the defense of our Nation and its ideals."

BIOGRAPHICAL SKETCH, MAJ. GEN. W. J. SUTTON, CHIEF ARMY RESERVE

Major General William J. Sutton was appointed Chief Army Reserve by the Secretary of the Army, September 1, 1963. When the position of Chief Army Reserve became a statutory position effective January 1, 1968 under Public Law 90–168, General Sutton was nominated by the President and confirmed by the Senate as the first statutory Chief of Army Reserve. He retired May 31, 1971. He died at his Arlington, Va. home on September 9, 1972 and was buried with full military honors on September 14, 1972.

Enlisting in the Texas National Guard in 1926, he was commissioned a First Lieutenant of Infantry in 1929, and entered active duty as S–3, 144th Infantry in November 1940.

During World War II he served in the European Theater of Operation as battalion and regimental commander with the 84th Infantry Division. He was wounded in action in April 1945 and later evacuated to the United States. After a tour with the 2d Infantry Division he returned to the ETO in June 1946, accepted a commission in the Regular Army, and served with the U.S. Constabulary in Germany.

Returning to the United States in 1949, he was assigned as Chief, Training Branch, Intelligence Division, Army General Staff. He terminated his active service in September 1949 to enter private business. In the U.S. Army Reserve he served as a Regimental Commander, Chief of Staff and Assistant Division Commander of the 90th Infantry Division in Texas.

He was a graduate of the basic and advanced courses at the Infantry School, the Command and General Staff College, Strategic Intelligence School, United Kingdom Land/Air Warfare School, U.S. Air Force Air Ground Operation School Indoctrination Course, and others.

General Sutton's mobilization assignment, prior to being recalled to active duty was Assistant Deputy Commanding General for Reserve Forces, U.S. Continental Army Command, Fort Monroe, Virginia.

Active in civic and military affairs, he served as Chapter Officer in the Reserve Officers Association; as National Vice President and member of the Council of Trustees of the Association of the United States Army; as a member of the Military Affairs Committee of San Antonio Chamber of Commerce; was a life member of the National Rifle Association and member of the Board of Directors; and commander of American Legion, Post 46; Washington, D.C. He was a member of the Military Order of the World Wars, and the Army Aviation Association of America. He was a member of the Board of Directors of the National Board for the Promotion of Rifle Practice.

General Sutton's decorations and awards include the Distinguished Service Medal, Silver Star, Legion of Merit with Oak Leaf Cluster, Bronze Star with Oak Leaf Cluster, Army Commendation Medal, Purple Heart, Combat Infantryman Badge and Distinguished Marksman's Badge.

MARINE SANCTUARIES

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr KEITH. Mr. Speaker, I am glad to join with my colleagues in support of the Marine Protection, Research, and Sanctuaries Act of 1972. I believe that I and my office staff first coined and used the phrase "marine sanctuaries." It was over 5 years ago that I first sponsored legislation recognizing this concept. I said upon introducing a bill entitled "Marine Sanctuaries Study Act" in July of 1967:

> As man's technology begins to reach out into the ocean's depths, it is vital to the present and future generations of Americans to foster and promote balanced use of this rich environment. Industrial and commercial development can go hand in hand with fishing, recreational, conservation, and scientific uses of the seas—if we are wise enough to see that these various issues are made compatible with each other.

The need for this wisdom is urgent today. In my own district of coastal Massachusetts, the gravel miners loom as a threat to the local fishing banks; the oil seekers worry the many Cape Codders who depend for their livelihood on the tourist trade; they terrify the fishermen whose nets may be rendered unusable by numerous oil rigs. At the same time, Logan Airport in Boston needs gravel for new runways, and homeowners cry for inexpensive fuel to warm them during the long winters.

Pollution from mineral developments has also been a major concern. It cannot be denied that our mineral harvesting techniques have improved tremendously since the initial introduction of this bill. This has resulted in more venturesome exploration and exploitation, more security and more oil.

Nevertheless, the possibility exists that we hay have such disasters as those that have occurred in the Santa Barbara Channel and off the coast of Louisiana. The balancing of these dangers against the competing uses in our ocean areas requires that there be authority in some agency of government to establish and maintain marine sanctuaries. We must continue to assure that our fishing, recreational, and conservation needs get as fair a hearing and as evenhanded treatment as do our oil and mineral developments. Both are essential to our way of life. This act makes that possible.

EFFECT OF SOCIAL SECURITY INCREASE ON NON-SERVICE-CONNECTED PENSION PROGRAM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. TEAGUE of Texas. Mr. Speaker, the committee has received several inquiries as to the effect of the recent 20-percent increase in social security benefits on non-service-connected pension benefits payable by the Veterans' Administration.

In discussing any aspect of the non-service-connected pension program, I think it is important to keep in mind that this benefit was initiated for the purpose of providing financial assistance based upon need. It therefore has always contained an income limitation and is further devised to pay benefits on a graduated scale whereby the person with the least income, and obviously the one with the greater need, receives the greater rate of pension. In view of this, any change in a pensioner's other income would directly affect the rate of non-service-connected pension received from the Veterans' Administration.

Persons receiving non-service-connected pension benefits have incomes from various sources such as social security, railroad retirement, civil service retirement, State and municipal retirement, union pensions, and other public and private retirement annuities, as well as from dividends, interest rental, and employment.

There is probably not a day that passes in which some non-service-connected pensioners do not receive an increase in their other income. Therefore, the committee continually receives letters urging that action be taken to exclude the counting of some particular type of income or for a change in the income limitations in order to prevent some group of pensioners from receiving a reduction in their VA benefits because of an increase in other income.

In view of the large variety of sources of income that non-service-connected pensioners receive, obviously it would not be possible for the Congress to enact legislation each time a group of pensioners receives an increase in their other income. Therefore, in order to prevent a recipient of VA non-service-connected pension from having a loss in his aggregate income whenever he receives an increase in his other income, Public Law 92–198 created a new formula for the payment of pension which accomplished this.

Under this formula, each dollar increase or decrease in other income will affect VA pension by a few cents, but as long as the pensioner's income is within the maximum income limitation, the decrease in VA pension will always be less than the increase in other income, thus, the pensioner will always have a net gain in his aggregate income.

The Veterans' Administration has informed me that the VA pensioner who receives social security benefits received an average increase of approximately

$26.50 a month in his social security benefits as a result of the recent 20 percent social security increase. The Veterans' Administration further advises that, as a result of the social security increase, the average loss in non-service-connected pension payments will be approximately $7 per month. Therefore, the VA pensioner will have an average net gain in his total income of approximately $19 a month.

The committee has received information from veterans indicating that there have been reports published in certain publications indicating that because of the recent 20 percent increase in social security benefits over 100,000 pensioners will have their pensions terminated because of the social security increase.

The Veterans' Administration has assured me that this is incorrect. They advise that it is estimated that of the approximately 2.3 million persons receiving non-service-connected pension benefits less than 1 percent or approximately 20,000 will have their VA non-service-connected pensions terminated because their incomes will exceed the maximum income limitation for payment of non-service-connected pension as a result of the increase they received in their social security benefits. These limits are $2,600 a year for a person without dependents and $3,800 a year for a person with dependents.

The Veterans' Administration further states that this compares to an average 50,000 to 60,000 persons whose non-service-connected pension benefits are terminated each year because of the increases received in incomes other than social security.

The committee has received inquiries as to the reason social security benefits are counted as income by the Veterans' Administration in determining a veteran's entitlement to a non-service-connected pension. As I previously pointed out, Mr. Speaker, the purpose of the non-service-connected pension program is to provide financial assistance to eligible veterans and widows based upon need. It has been the committee's belief that, in determining need, it is the amount of income a person has rather than its source which is important.

Therefore, inasmuch as recipients of non-service-connected pension benefits have incomes from such a variety of sources to exclude the counting of one type of income, such as social security, would in effect be providing preferential treatment for one group of persons and discriminating against the pensioner with equal income that is derived from some other source.

Historically, the Congress has increased non-service-connected pension benefits whenever there has been an appreciable increase in the cost-of-living index. Since the initiation of the non-service-connected pension program, Congress has increased these rates by approximately 400 percent whereas over the same period of time there has been approximately a 225 percent increase in the cost-of-living index.

Therefore, one can readily see that the increase in pension rates provided by the Congress has approximately doubled the increase in the cost-of-living index. The latest increase in non-service-connected pension rates became effective January 1, 1972, and since that date there has been approximately a 2 percent increase in the Consumer Price Index.

Legislation to assure that no non-service-connected pensioner shall receive a reduction in his VA pension as a result of the 20 percent increase in social security payments would have a first-year cost of approximately $420 million. There is presently under active consideration by the Congress H.R. 1 which I understand would provide a further increase in social security benefits and particularly an increase in the benefits payable to widows. Therefore, in considering legislation relating to the VA non-service-connected pension program and social security payments, it is felt that it would be more appropriate to await final outcome of the pending H.R. 1 which, if enacted, will increase many categories of social security benefits.

I wish to further point out that the 1972 increase in social security benefits would not affect VA pensions until 1973. Therefore, Mr. Speaker, I wish to assure my colleagues that following the convening of the 93d Congress, it will be the intent of the Committee on Veterans' Affairs to give consideration to the non-service-connected pension program at which time we will examine the impact of the various increases voted by this Congress in social security, railroad retirement, civil service annuities, and so forth.

THE 25TH ANNIVERSARY OF PETKOV EXECUTION

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. STRATTON. Mr. Speaker, it was 25 years ago last month that a brave Bulgarian patriot was executed by the Soviets for his political beliefs.

In spite of overwhelming odds and in the face of death, Nikola Petkov spent his life fighting to retain the independence of his Bulgaria. After leading the underground movement against the Nazi occupation, he turned to containing the Communists in the new coalition government in Bulgaria. When the Soviets attempted to seize full control of the Bulgarian Government in the election of 1946, Petkov and 100 of his followers overcame attempts at ballot-rigging and intimidation at the polls to be triumphantly elected to the Grand National Assembly.

It was in the Assembly that Petkov revealed to his countrymen the plans of the Communists to make Bulgaria a province of Russia. He accused the Communist leaders of being Stalinist agents and of being responsible for the deaths of innocent Bulgarians.

Fearful of the effects that the popular hero would have on the Bulgarian populace, the Communists promptly arrested Petkov on trumped-up charges of conspiracy against the state and the Soviet Union and sentenced him to death.

The morning he was to be executed, September 23, 1947, Petkov was offered pardon by the Communists if he signed a document declaring his repentence. Petkov's words in reply will live forever:

> I do not seek any mercy from you! I want to die so that my people may be freed sooner!

The heroics and bravery of Petkov continue to serve as an inspiration to all freedom-loving people everywhere, and his death should be a reminder of the self-serving goals and vicious tactics of the Soviets.

PLEDGE OF ALLEGIANCE DAY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. O'NEILL. Mr. Speaker, as all history-minded persons are aware, the Commonwealth of Massachusetts is in many ways the cradle of our Nation. It is the home of many of our Revolutionary War heroes, and the place where the spirit of freedom from British dominance first took place at Concord and Lexington, and at the famous Battle of Bunker Hill.

Perhaps a less known, but nonetheless equally important fact, is that the Pledge of Allegiance was written in Massachusetts, in the section of Boston known as Charlestown. The city council of the city of Boston has declared that October 21, 1972, will be Pledge of Allegiance Day in the city of Boston. In honor of that day and the great city of Boston, I am submitting for the RECORD the resolution adopted by the city council marking October 21, 1972 as Pledge of Allegiance Day.

CITY OF BOSTON IN CITY COUNCIL

Whereas, the Pledge of Allegiance to the flag was written in Charlestown, now a part of the City of Boston; and

Whereas, this Pledge of Allegiance was first recited in Charlestown, on October 21, 1892; and

Whereas, the Pledge of Allegiance has been approved by the Congress of the United States of America; and

Whereas, this year on October 21, the Charlestown Militia Company will hold the Sixth Annual Pledge of Allegiance Day; and

Whereas, the Charlestown Militia has scheduled a program of patriotic events to celebrate Pledge of Allegiance Day; and

Whereas, this Council has before recognized the value of such observances; now, therefore, be it

Resolved: That October 21, 1972, be, and hereby is, declared to be Pledge of Allegiance Day in the City of Boston; and, be it further

Resolved: That our citizens, our schools and our colleges, be, and the same hereby are, urged to mark October 21, 1972, by appropriate patriotic exercises, and, be it further

Resolved: That a copy of this resolution be sent to the presiding officers of both houses of the General Court of the Commonwealth; and to the presiding officers of both houses of Congress; and to the members of Congress serving the citizens of Boston; and to the Governor of the Commonwealth, and to the President of the United States of America; and, be it further

Resolved: That all of the aforementioned, be, and the same hereby are, *urged to declare* *the twenty-first day of October in every year to be Pledge of Allegiance Day.*

In City Council October 2, 1972. Adopted.

DURWARD G. HALL

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. COLLIER. Mr. Speaker, this great body will not be the same without the genial gentleman from Missouri, DURWARD G. HALL, who is returning to the beautiful scenery and salubrious climate of the Ozarks as the 92d Congress fades into history.

Before the first of half a dozen elections to the House of Representatives, our colleague practiced medicine. He was in private practice until he joined the U.S. Army and in general practice afterward.

Doctor HALL brought his medical skills with him when he entered this body. His fellow-physicians no longer make house calls, but he has never hesitated to make his colleagues here answer calls of the House. The long walks that many of the brethren have been forced to take in response to these summonses have contributed greatly to their good health and well-being and possibly to their longevity.

Mr. Speaker, it is my fervent wish that Doctor HALL's years of retirement will be pleasant ones and that he will enjoy the good health that he has brought to others through the years.

HON. JOHN L. McMILLAN

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. JONAS. Mr. Speaker, I am pleased to join colleagues in saying farewell to JOHNNY McMILLAN who has had a distinguished record of service in the Congress of the United States since 1938 when he was first elected over five opponents and to which he has been subsequently elected through the 92d Congress.

During this long service in Congress JOHN McMILLAN compiled a record to which he and his constituents can point with pride. Many important legislative enactments bear his name and, in addition, he has made great contributions in committee and on the floor on legislation of importance to the Nation and particularly to the District of Columbia.

I have had a close personal relationship with JOHNNY ever since I came here in the 83d Congress. In addition, his wife and mine have been close friends and it is with a sense of sadness that I say farewell to the McMILLANS today. I know my wife, Annie Elliott, would wish to join me in wishing all the best to both of them as JOHNNY leaves Congress to return to private life.

As is known, I too, am leaving Congress at the end of this session and am going back down home to North Caroline. I do not know what plans the McMILLANS have for the future but if they plan to return to South Carolina, this will mean we will be neighbors and I hope our paths may cross frequently.

So goodby for now, JOHNNY, and be assured that you take with you the best wishes of your colleagues here who have been privileged to serve with you in Congress.

HON. H. ALLEN SMITH

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. McMILLAN. Mr. Speaker I want to join my colleagues from California in paying honor to my good friend the Honorable H. ALLEN SMITH. I do not remember any man that has served with me in the Congress during the past 34 years that can more qualify as a statesman than Mr. SMITH. I know that his service in the Congress of the United States has been of great assistance in carrying this country through some of its most turbulent times. Anyone can listen to Congressman SMITH and know that every word he utters comes from his heart and there is no waivering of the truth.

I have made many decisions while in Congress based solely on the statements made by Mr. SMITH in the Rules Committee.

The State of California, the United States, and the world is certainly a better place to live because of the leadership of Mr. SMITH.

I consider his retirement a great loss to the whole country. I wish for Mr. SMITH success and happiness in any endeavor he may embark upon.

HON. EMANUEL CELLER

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. SHRIVER. Mr. Speaker, when this 92d Congress adjourns sine die we will say farewell to the amiable and distinguished dean of this House, the Honorable EMANUEL CELLER of New York. "MANNY" CELLER leaves the Congress with a record of legislative achievement and service that will go unequalled for some time. Much of the landmark legislation which has emanated from the Committee on the Judiciary in the field of human rights, law enforcement, and justice bears his name. The American people owe a great debt to this man who has served both his constituents in New York and the Nation for 50 years.

When I first came to Congress in 1961, it was my privilege to be assigned to the Committee on the Judiciary chaired by "MANNY" CELLER. By serving with him on this important committee for 4 years, I saw first-hand his wisdom, his understanding of the law, his compassion for people, and his legislative talent.

With the retirement of Congressman CELLER we witness the end of an era of significant achievement. I am proud to salute him and to wish him good health, contentment, and happiness.

HON. JOHN L. McMILLAN

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. BURLESON of Texas. Mr. Speaker, I take pleasure in joining with the many friends of JOHN McMILLAN in paying tribute to him for his many years of devoted and effective service here in the U.S. Congress.

JOHN has furnished able and influential leadership and a void will be created by reason of his departure.

He has established lasting friendships, which I know will be valued by him as well as those of us who have been his associates during the years of his distinguished services.

My good wishes go with JOHN McMILLAN in all of his future efforts.

JOHN McMILLAN

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. SIKES. Mr. Speaker, Congress is losing one of its truly big men—big in capability, big in courage and big in his dedication to the ideals of a strong and sound America. I pay highly deserved tribute to JOHN McMILLAN who so ably fits this description. We shall miss JOHN McMILLAN very much indeed in the years ahead.

This dedicated and able public servant has distinguished himself in outstanding manner as a Member of Congress. He has been a most effective legislator, keenly aware of the problems which beset our Capital City and our Nation, and he has sought sound solutions for these problems in the best interests of all the American people.

JOHN McMILLAN's work on two very important committees of Congress—the Committee on Agriculture and the Committee on the District of Columbia—has been marked with equally sound and valuable contributions in these varied responsibilities. In each he has demonstrated time and again his able and forceful abilities as a legislator and as a leader. In the years ahead there will be many who look back to the effects of the sound judgment he has exercised and regret the fact that he is no longer a member of this great legislative body.

I am proud to have enjoyed JOHN McMILLAN's friendship through the years. Unquestionably he has earned retirement and I join his hosts of friends in wishing for JOHN and Mrs. McMillan happiness and success in all that they undertake in the years ahead.

TRIBUTE TO HON. JOHN McMILLAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. RARICK. Mr. Speaker, I would like to add my words of tribute to our colleague, the distinguished chairman of the House Committee on the District of Columbia and the dean of the South Carolina delegation, the Honorable JOHN McMILLAN.

It has been my privilege to serve with "Mr. MAC" on the House Agriculture Committee since I came to Congress. I have come to know him and respect him, both as a man and a legislator, and have often sought his advice and counsel.

JOHN McMILLAN served the people of his State and Nation well and faithfully. His service as second ranking member of the Agriculture Committee has endeared him to the people of Louisiana and the farmers of the Nation.

His long and distinguished career as chairman of the House District Committee will serve as a model for Members of the House for many years. As chairman, he always stood by the Constitution, working diligently to preserve Washington, D.C., as the Nation's Capital under the jurisdiction of the Congress. He stood firm against massive pressures and has preserved this city as the Constitution established it—a Federal city, owned by the people and governed by their elected representatives, where people of differing political persuasions can meet and legislate without fear of mob pressures or mob rule.

This House will miss JOHN McMILLAN; this city has lost one of its best friends, and South Carolina and this Nation have lost one of its outstanding legislators.

Mrs. Rarick and I join with the people of the Sixth District in wishing him the best of health and happiness in the years to come.

MRS. GEORGE W. ANDREWS

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WHITTEN. Mr. Speaker, as this Congress adjourns we lose many fine Members of Congress. Most of whom have served many years. We also lose, because she did not choose to run, Mrs. GEORGE ANDREWS, ELIZABETH.

Mr. Speaker, I join with others who have pointed out here the wonderful way ELIZABETH has carried on in the seat filled so long by my dear friend George Andrews, who left such a splendid record for his district, State and Nation.

Truly, ELIZABETH, Mrs. ANDREWS, a fine lady, an intelligent Congresswoman has carried on in the style her district has been accustomed to.

ELIZABETH, we shall miss you, and we are proud of you.

BRIG. GEN. CHARLES YEAGER

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ROYBAL. Mr. Speaker, it is with great pride that I join my colleagues today in paying tribute to one of the outstanding men in aviation history, Brig. Gen. Charles "Chuck" Yeager, on the occasion of the silver anniversary of his famous flight over the California desert.

Twenty-five years ago this month, when he became the first man to fly faster than the speed of sound, the door to aeronautical progress in supersonic flight was opened. And as an outgrowth of his pioneering efforts, man's exploration of the space beyond the earth is now a reality. In each new realm of flight conquered by the United States since 1947, Chuck Yeager can himself take some measure of credit.

For his tremendous contributions to the science of aeronautics and the history of flight in this country, the American people are truly within this great man's debt and I join them in expressing their appreciation to General Yeager.

TRIBUTE TO CONGRESSMAN ALTON ASA LENNON

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. WAGGONNER. Mr. Speaker, I am pleased to have the opportunity to speak on the past accomplishments and achievements of the outstanding Congressman from North Carolina—my close and dear friend, ALTON ASA LENNON. It has been my pleasure and honor to work with ALTON for the past 11 years, and I know of no other Member who has impressed me more personally or who has done more for this great Nation of ours than ALTON has.

During his eight terms of office, he has done a tremendous job. He has served on the Armed Services Committee and the Merchant Marine and Fisheries Committee, serving as chairman of the Subcommittee on Oceanography. It would be impossible for me to enumerate his contributions to the work of these committees. He was always there; he knew the needs of the people of the Nation, and he did all he could to see that their needs were met. He believes in America and the American ideal and has done everything within his power to see that they are pursued.

The retirement of this outstanding American patriot is a loss to me personally; but there is much, much more to his leaving. His retirement represents a loss to the U.S. Government, to the House Armed Services Committee, to the House Merchant Marine and Fisheries Committee, to the citizens of North Carolina's Seventh District, and to the Nation which he loved so much and served so well. He will be greatly missed; but as an American he will be long remembered, as will his distinguished record of service to his country.

ALTON, I will always cherish our friendship.

HON. WATKINS M. ABBITT

HON. ALTON LENNON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. LENNON. Mr. Speaker, it is a pleasure to salute our distinguished and esteemed colleague, WATT ABBITT.

I have admired this dedicated and conscientious legislator since our early encounters, when I joined this body in 1957, in representing the agricultural and tobacco interests of our respective States. His perception and understanding of the problems and his keen judgment in resolving issues in the best welfare of all concerned have had my deepest respect.

To have counted WATT ABBITT among my close friends will ever be a foremost and cherished memory of our years of service together in the Congress.

WATT, you have my best wishes for good health, relaxed days, and much happiness in the retirement years ahead.

HON. EDWARD A. GARMATZ

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. MAHON. Mr. Speaker, I wish to join my colleagues in the House in paying tribute to the fine work of an outstanding public servant, EDDIE GARMATZ, and to wish him a fond farewell.

It is always a significant moment when the chairman of one of the great standing committees of the House of Representatives decides to conclude an illustrious legislative career.

EDDIE GARMATZ has labored in the House for a quarter of a century and he has made a lasting imprint here. His record as an effective legislator is one of which he can be justly proud.

Others have spoken in more detail about the record of accomplishment of EDDIE GARMATZ. I will not repeat those words. I think of EDDIE GARMATZ as a stalwart, strong man who has served his people and the Nation well. I think of EDDIE GARMATZ as a friend who has frequently taken the opportunity to encourage me in my work. I think of EDDIE GARMATZ as a man in whom the people of this Nation can take pride. He has done a good job.

EDDIE, as you leave the House, I join your other friends in wishing you a great abundance of happiness in your future undertakings. I know that you will continue to be active in the service of your fellow man.

TRIBUTE TO CONGRESSMAN JACKSON E. BETTS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McCLORY. Mr. Speaker, it is with a sense of deep personal emotion that I reflect upon the retirement from this House of Representatives of our colleague, Congressman Jackson E. Betts of the Eighth District of Ohio. A respected and valued member of the House Ways and Means Committee, Congressman Betts has brought to the Congress his skill and talents as a careful and studious lawyer, as well as his long experience as a lawmaker in the Ohio State Legislature.

Mr. Speaker, if we were to eliminate all of the many other attributes which characterize Congressman Jackson Betts and regard him solely as a personality, it could be said with conviction that he is among the best-liked Members of this House. Indeed, I have never heard an unkind or unfriendly word spoken of Jackson Betts during the 10 years I have been privileged to serve in this body with him.

Mr. Speaker, it is therefore appropriate to observe that Jack Betts is one whom his colleagues hold in high esteem, and also in great affection. The warmth of this feeling extends also to his beloved wife, Martha. My wife, Doris, and I extend to them every personal wish for good health and happiness in the years ahead.

TRIBUTE TO THE HONORABLE JOHN L. McMILLAN

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. COLMER. Mr. Speaker, I should like to join with John McMillan's many colleagues and friends in paying tribute to this distinguished South Carolinian. It has been my pleasure for many years to be associated with "Johnny Mac," as we worked together here in this House.

John McMillan is one of the most humble, as well as conservative, Members with whom it has been my pleasure to be associated. He has never been one to seek the headlines, although we all know that he received more than his share of publicity here in the Washington papers. Too often, this publicity was slanted against him. He served with dignity and in the best interests of the people of the District of Columbia as chairman of the District of Columbia Committee. Someday, the people of the District will realize belatedly that he was the District's best friend on the Hill.

Mrs. Colmer joins me in extending to him and Mrs. McMillan our very best wishes for a long and happy retirement in their beloved State of South Carolina.

HON. DURWARD G. HALL

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. LANDGREBE. Mr. Speaker, as this 92d Congress draws to a close, I feel compelled to make a few remarks about Dr. Durward Hall who is retiring from the House of Representatives at the end of this year.

In my opinion, this Nation has never had nor is likely to have in the future a public servant of his equal.

Totally committed to the principles of freedom and the free-enterprise system that have made America the greatest nation in all recorded history, Dr. Hall is always on the floor when Congress is in session. Even his pending retirement has in no way affected his almost perfect attendance record.

Of course, his meticulous attendance, his dedication to the preservation of this great Republic and his unequaled knowledge of legislative procedures meant that during his 12 years in Congress a most reliable watchdog was always on duty. No, Dr. Hall, being an arch-protector of our free system, was denied these headlines in the big newspapers of our country usually reserved for prominent politicians. Regardless of that, Dr. Durward Hall will be remembered by his colleagues and will be recorded by responsible historians as one of the truly outstanding Members of the U.S. House of Representatives of all time.

HON. JOHN L. McMILLAN

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. EVINS of Tennessee. Mr. Speaker, I should like to join my friend and colleague, Congressman Wm. Jennings Bryan Dorn from South Carolina, in paying a brief but sincere tribute to the record of public service of our colleague, Chairman John L. McMillan of South Carolina, who will not be with us in the next session of the Congress.

John McMillan, who has served as the dean of the South Carolina delegation, is a distinguished American. He has served as chairman of the Committee of the District of Columbia for more than 20 years and, as such, has been regarded as the Mayor of our Nation's Capital, the city of Washington. In addition to his service as chairman of the House District Committee, he has served as a Member of the Committee on Agriculture and has been a strong supporter of both metropolitan and rural America.

John McMillan is an able chairman, a skilled and effective legislator, and a true southern gentleman.

We will all miss John McMillan. He has served his district, State, and the Nation well and faithfully—and I want to wish him every good luck, success, and happiness in his richly deserved retirement.

HON. EDWARD A. GARMATZ

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. McMILLAN. Mr. Speaker, I want to join my colleagues in honoring the Honorable Eddie Garmatz, who is retiring from the House after 25 years of loyal service. Mr. Garmatz has always impressed me as a serious, loyal Representative who has made every effort to make this country a better place to live. Mr. Garmatz has presented some outstanding legislation out of the Merchant Marine and Fisheries Committee where he so ably served as chairman. I am certain every Member of the Congress will greatly miss Congressman Garmatz during the 93d Congress.

THE YOUTH OF NINTH DISTRICT OF NEW JERSEY RESPONDS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. HELSTOSKI. Mr. Speaker, this past August, I sent 11,000 questionnaires to newly registered voters, the voters enfranchised as a result of the 26th amendment, to my district in Bergen County, N.J. In addition, I sent 6,000 questionnaires to high school graduates, those being graduated in June 1972. Of these 17,000 questionnaires sent out, we have received responses from 8,361 of these young people.

I think the significant thing in this questionnaire, Mr. Speaker, is their response to question 9 relative to the exercise of their franchise in this year's election—97 percent of our young people responded affirmatively and six-tenths of 1 percent negatively.

Mr. Speaker, this is a credit to the intelligence and the interest of our young people in regard to the urgent problems that we face in our Nation today.

I have reprinted herewith a copy of letters sent, questionnaire, and the tabulation in percentages of the answers.

Congress of the United States,
Washington, D.C., August, 1972.

Dear Graduate: My heartiest congratulations on the successful completion of your high school career! As a former high school teacher and principal, I know the joy you must feel at having passed this important milestone in your life, and I know that you look forward with some uncertainty as to what the future might bring.

In the next few years you will make several important decisions that may well affect the rest of your life. One of these will concern your education. As a former educator, I would urge you to pursue some form of further education, either academic or technical, in college, vocational school or in the service. A continuing education is the best way to keep up with a changing world. I hope that all of you will try to make your high school graduation a beginning, not the end of a life-long learning experience.

Now that you have completed high school you are rapidly approaching the time when you will soon assume the full duties and privileges of adulthood. Perhaps the most important of these is the right to vote, a right extended to all citizens 18 and over by the 26th Amendment to the Constitution. By registering and exercising the right to vote you can help insure that the world you will soon inherit is a better one for all of us. If you have not yet registered, I would urge you to do so. Registration is a simple procedure and can be accomplished at the County Board of Elections in Hackensack or at your municipal clerk's office during normal business hours. The deadline for registering to vote in this year's election is September 28.

Since you will soon be able to participate fully in the process of democratic government, I would be interested in learning your views on a number of pressing issues facing the Congress. Accordingly, I have prepared a Youth Questionnaire which appears on the reverse side of this letter. This is also being sent to all newly enfranchised young people in the 9th District and I shall publish the tabulated results in the Congressional Record. If you would like a copy of the tabulation, please let me know at my Washington Office. And, if there is any way in which I can be of assistance to you, please feel free to contact me at my Washington Office or East Rutherford District Office.

With all best wishes, I am

Sincerely,

Henry Helstoski,
Member of Congress.

Congress of the United States,
Washington, D.C., August, 1972.

Dear New Voter: I wish to congratulate you for registering to vote. It is encouraging that thousands of young people in Bergen County have recognized their privileges and obligations as citizens and have chosen to work within our democratic electoral system for constructive change. The 26th Amendment to the Constitution, which lowered the voting age to 18, has made it possible for 25 million people, not eligible in 1968, to vote in this year's elections. Now that you have taken the first step and registered, I would urge you to join millions of other young people in expressing your views through the ballot box this November. Only in this manner can you help insure that the world you will soon inherit is a better one for all of us.

In light of young people's increasing interest and role in our syetem of democratic self-government, I have prepared a Youth Questionnaire on a number of pressing issues facing the Congress. You will find the Questionnaire on the opposite side of this letter and I would invite you to fill it out, fold it as indicated, and return it to my Washington Office. Your expression of views will greatly aid me in forming my position on each issue as it comes before the Congress for action. A soon as I have tallied the Questionnaire responses, I shall publish the results in the Congressional Record. If you would like a copy of this tabulation, please let me know. And, if there is any way in which I can be of assistance, please contact me at my Washington Office or East Rutherford District Office.

With all best wishes, I am

Sincerely,

Henry Helstoski,
Member of Congress.

1972 YOUNG VOTER OPINION SURVEY—CONGRESSMAN HENRY HELSTOSKI, 9TH DISTRICT, NEW JERSEY, AUGUST 197 2

	Percent
1. Which of the following best describes your views on the continuing American involvement in the war in Indo-China?	
A. I think that the United States should withdraw all forces immediately	32.86
B. I think we should withdraw all forces at a date certain contingent upon the release of prisoners of war	43.93
C. I support President Nixon's gradual withdrawal program	13.70
D. I think we should increase military pressure to end the war	3.49
2. It has been suggested that some of the problems facing our society could be solved if the Government would change its spending priorities. Which of the following is closest to your view on the question of defense vs. domestic spending?	
A. The current level of defense spending is the minimum necessary to assure security for the United States	9.96
B. Some programs could be cut from the defense budget, but it should not be substantially changed	32.33
C. The current defense budget should be drastically reduced to provide more funds for programs that relate directly to people—such as housing, education, health care, etc.	57.69

	Percent Yes	Percent No	Percent Undecided
3. Do you favor continuation of the draft after its proposed expiration date of June 1973?	10.60	76.04	13.35
4. Do you feel that our present laws and practices discriminate against women, particularly in employment?	50.94	35.15	13.90
5. Should Congress establish a system of selecting presidential and vice-presidential candidates through a national primary rather than through the present convention method?	60.24	21.21	18.54
6. Now that young people have been given the constitutional right to vote, should 18- to 20-year olds be accorded the same legal status as adults for the purposes of legal contracts, law enforcement, etc.?	84.68	8.02	7.28
7. Slow progress is being made in cleaning up the Nation's waterways, in large part because of a lack of funds for research and development. Do you believe that we should adopt a crash program, estimated at costing between $15 and $20,000,000,000 over 5 years, to correct long-standing pollution and contamination?	84.22	6.60	9.19
8. Do you think that the United Nations can become a more effective peace keeping force?	59.30	28.57	12.12
9. Do you plan to vote in this year's election?	97.18	.67	2.14
10. I would be interested in your views regarding the issues which you consider to be the major problems facing our Nation today. Could you please check off 5 of the following items which you believe to be the most urgent. Number them in the order of importance to you.			

	Choice (in percent) 1st	2d	3d	4th	5th
Air and water pollution control and the environment	21.14	28.28	19.08	17.26	14.10
City and suburban transportation	3.70	10.49	20.37	27.16	38.27
Consumer protection	2.66	6.65	19.11	28.00	43.55
Credibility in Government	19.52	15.55	17.73	20.31	26.89
Education	9.14	11.70	20.85	24.68	33.61
Housing	2.27	7.57	15.90	31.81	42.42
Hunger, malnutrition, and the plight of the poor	15.41	22.88	25.90	17.82	17.95
Inflation, unemployment, and the cost of living	16.95	21.58	22.92	24.09	14.45
Narcotics traffic and drug addiction	10.78	21.03	24.90	24.50	18.77
Race relations	6.15	12.61	23.69	25.53	32.00
Street and housebreaking crimes	9.82	14.73	21.05	24.56	29.82
War in Vietnam	50.71	21.85	11.60	8.45	7.37

TRIBUTE TO CONGRESSMAN JOHN L. McMILLAN

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. WAGGONNER. Mr. Speaker, it gives me a great deal of personal satisfaction to be able to pay tribute today to one of the House's most respected and dedicated Members, the distinguished chairman of the District of Columbia Committee, John McMillan.

During my years in Congress, very few by comparison to his service, Johnny Mac has been a close and dear friend. For 34 years he has served with honor and distinction his beloved State of South Carolina and his Nation. A great American and Christian, Johnny Mac epitomizes gentleness, warmth, and wisdom.

The United States has been well and faithfully served by many prestigious statesmen, but none has been more dedicated to our constitutional Republic and the perpetuation of individual liberty than John McMillan.

However, to say that he has been a distinguished leader and an excellent example to his friends and colleagues is not enough. His devotion to the people of his district, his State, and our country is without equal. His untiring and unselfish efforts always seemed more effective during times of turmoil when others seemed to be faltering. His strength and courage will long be remembered to those of us who have benefited from his leadership in the House. His fellow colleagues will, of course, miss his skill in all facets of the legislative process, but more than that, we will miss what we have come to respect very dearly as the very model of a southern gentleman, a courteous, humble, kind, and generous patriot.

PAYING TRIBUTE TO REPRESENTATIVE GARMATZ

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. BIAGGI. Mr. Speaker, I join with my colleagues here today in paying special honor to the chairman of the Merchant Marine and Fisheries Committee, Mr. GARMATZ. His untiring efforts over the last 25 years have helped preserve and protect our marine and animal resources and maintain a viable merchant marine.

In recent years, he can point to his excellent work in steering through Congress the Merchant Marine Act of 1970. Through his efforts on this bill, the downtrend in our merchant marine fleet was reversed. As a member of the committee, I know I and others will be working over the next several years to strengthen that national commitment he fostered to build a better merchant marine.

A glance at the record of the Merchant Marine and Fisheries Committee will show that he kept the members and staff working at a furious pace. But speed did not sacrifice quality in the legislation reported out of the committee. Every bill was worked over thoroughly and every effort was made to eliminate any problems or controversies before a measure would reach the floor.

In particular, he deserves the congratulations of all Americans for his outstanding work to save our Nation's wildlife resources. His efforts to put strong endangered species legislation on the books have reaped new rewards in the development of scarce wildlife. Many species now flourish as a result of his work where once they were threatened with extinction.

EDDIE GARMATZ, however, was more than just a good legislator. He was a good representative of his constituency and a colleague that was always available to other Members to discuss the legislation before his committee.

His stewardship of the Committee on Merchant Marine and Fisheries will stand as a lasting monument to his dedication to public service. I wish him the very best of health and happiness in his retirement.

HON. WATKINS M. ABBITT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. SHRIVER. Mr. Speaker, it is with deep regret that I take note of the retirement from the House of our able colleague, Congressman WATKINS ABBITT of Virginia. He has served the Fourth District of Virginia and our Nation with distinction for 24 years.

When I first came to Congress in 1961, my office was just down the hall from WAT ABBITT. He has always been helpful, friendly and ready to assist on many occasions. He will be missed not only by the constituency which he served so well, but by all of us who have known him as a hard and effective worker.

We wish him the best of luck and happiness as he completes his service in the House of Representatives.

FAREWELL TO OUR COLLEAGUE, J. IRVING WHALLEY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ZABLOCKI. Mr. Speaker, with the end of the 92d Congress one of our esteemed, longtime colleagues, the Honorable J. IRVING WHALLEY, of Pennsylvania, will end his service in the House of Representatives and retire.

As one who has known IRV WHALLEY for almost 14 years, I am sure that he will long be here with us in memory, although no longer an active Member of this body.

It has been my privilege to serve with him on the Committee on Foreign Affairs, where he has worked diligently and constructively on legislation affecting our Nation's international relations. As the ranking Republican on the African Subcommittee, he has particularly contributed to better understanding of the peoples and problems of that continent.

My wife, Blanche, joins me in wishing the Whalleys every happiness in the coming years. You will always be welcome here, IRV, and we hope to see you often.

TRIBUTE TO CONGRESSMAN J. IRVING WHALLEY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McCLORY. Mr. Speaker, I note with regret that our esteemed colleague, Congressman J. IRVING WHALLEY of the 12th District of Pennsylvania, has chosen to retire voluntarily from the House of Representatives. Congressman WHALLEY has contributed many years of his life to public service—including the Pennsylvania State Legislature—as well as 14 years in the U.S. Congress.

Mr. Speaker, in addition to his careful and conscientious work, Congressman WHALLEY has enjoyed the support of his attractive and steadfast wife, Ruth Whalley. I have come to know both Ruth and IRVING WHALLEY on a close personal basis during the 10 years we have served together. My wife Doris joins me at this time in extending to Congressman and Mrs. Whalley our best wishes for much happiness and good health in the long and eventful and productive years which lie ahead.

SPRINGER—CLEVELAND SHOULD BE PRAISED FOR CBS VOTE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SPRINGER. Mr. Speaker, I have read an editorial in the Connecticut Valley Reporter titled "The Tragedy of Mr. Cleveland," in which the writer of that editorial takes Mr. CLEVELAND to task for having voted to cite Dr. Frank Stanton for his failure to deliver secret material which the Subcommittee on Investigations of the House Interstate and Foreign Commerce Committee had demanded.

To have a full understanding of this vote, it is necessary to go back to the history of the program, "The Selling of the Pentagon," which was the subject of the investigation.

In that program, certain portions were false. As a result of the televising of that program, one of the parties named sued CBS for libel. I give this as background as to why "The Selling of the Pentagon" was under investigation by our subcommittee.

CBS and Dr. Stanton refused to give us the outtakes from which the program was drawn. As a result of that, the subcommittee and the full committee cited Dr. Stanton.

FIRST AMENDMENT NOT ISSUE

The writer of the editorial is under some kind of an impression that the first amendment is applicable to television without any qualification. If the editorial writer will read the Federal Communications Act of 1926 as amended by the act of 1934, he will find several qualifications. First, the networks, including CBS, are using the airwaves which are owned by the public. Second, all radio and television is regulated in this country by the fairness doctrine. Third, all broadcasters are covered under the provision titled, "Equal Time."

I think from this, the editorial writer can well confirm that the first amendment is applicable with serious restrictions and those were put in the code because public airwaves are being used.

Now, let us get down to the meat of the point. We had evidence that there were untruthful parts in, "The Selling of the Pentagon." Various interviews had been cut and spliced in such a way as to entirely misrepresent what the persons on "Selling of the Pentagon" were saying and in some instances, gave an entirely different viewpoint than the one expressed by the person being interviewed.

The subcommittee viewed "Selling of the Pentagon." We had witnesses before us who testified as to the falsity of parts of "Selling of the Pentagon." At that point, we demanded the full transcript of "The Selling of the Pentagon" from which the program was written. Those are commonly known as "outtakes." CBS refused to deliver the outtakes.

PUBLIC'S RIGHT TO KNOW

The subcommittee took the view that Dr. Stanton and CBS were trying to conceal from the public and from our committee false and possibly libelous material. Our vote was to force CBS to disclose the truth.

When Mr. Cleveland voted for the citation, he voted for the right of the public to know how and in what ways CBS had falsified "Selling of the Pentagon." That was, simply, the only issue at stake.

Mr. Cleveland instead of violating the first amendment was voting to force CBS to disclose through the outtakes how CBS had falsified the program.

The citation was not successful. However, the important victory that the committee gained by the vote is that we forced CBS to change their rules so that what happened in the "Selling of the Pentagon" could not happen again. In addition, I think it is important to know that Dr. Stanton retired soon after the citation. Second, their man in Washington was removed and another installed.

One more thing should be made clear. If the citation vote had prevailed the legal rights of Mr. Stanton to respond or be held in contempt of Congress would still be subject to the courts. The vote was actually to refer Mr. Stanton's apparent contempt to the courts for ultimate decision.

From all of this, I think you can see that the action taken by the committee and the Congress made CBS face up to what they had done wrong in "Selling of the Pentagon." You can be sure that will never happen again.

Mr. Cleveland should be congratulated upon his vote for the right of the people and the public to know how "Selling of the Pentagon" was falsified. Instead of finding fault with Mr. Cleveland, the editor of the Connecticut Valley Reporter should be congratulating himself and Mr. Cleveland upon a job well done and in the public interest.

HON. EMANUEL CELLER

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. BIESTER. Mr. Speaker, how does one pay tribute worthy of a man whose career in the House of Representatives began before most of us were born? A man who has worked with nine different Presidents over the span of almost 50 years? A man whose sensitivity to the equality and liberty of all men has realized the preservation and broadening of our civil rights? A man whose name is on over 300 laws and whose name is associated with four constitutional amendments?

I have had the extreme privilege of serving under Emanuel Celler's chairmanship of the Judiciary Committee. In committee and on the floor of the House, his wisdom and influence have been all-pervasive. During my few years in this body, I have witnessed the hand of Dean Celler in open housing, voting rights, election reform, gun control, and jury reform, to name only a few of the significant areas in which he has played so large a part.

Somehow, when we talk about seniority changes and the need to bring younger men and women into Congress, we tend to lose sight of those few rare individuals like Dean Celler whose age embodies an invaluable wealth of intelligence and perspective. It is a link with past decades that cannot be replaced or recreated.

Emanuel Celler was a legend even while he served in the House. His absence will be felt, but most certainly the legacy of his presence here will continue to touch us all. For what he has done and for what he has meant, I join with my other colleague in a most sincere "thank you."

RETIREMENT OF CONGRESSMAN GARMATZ

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. FLOOD. Mr. Speaker, one of the great men of the House of Representatives, the Honorable Edward A. Garmatz, chairman of the House Merchant Marine and Fisheries Committee and the distinguished dean of the Maryland delegation, will retire at the end of the 92d Congress.

This retirement will mark the end of the public aspect of one of the most illustrious legislative careers in modern history.

Chairman Garmatz left a gigantic, profound, and lasting imprint in the Halls of the Congress. There is no Member who has given to the people of his district, his State, and country more dedication, more energy, and better results than the man whom we have all come to love and respect, my good friend Ed Garmatz.

During the years when my district was one of the most depressed economic areas in the Nation, many of my constituents had to go to Maryland to get a job. Many of them are still there, although, thank God, my district has now come back—but thanks to my dear friend Ed Garmatz when we needed him he was there.

THE 92D CONGRESS: A RECORD OF ACHIEVEMENT

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. HELSTOSKI. Mr. Speaker, by all standards of measurement, the 92d Congress has produced much desirable legislation in various important areas. To highlight the work of the 92d Congress, I have prepared a newsletter for my constituents in the Ninth Congressional District of New Jersey.

The newsletter follows:

House of Representatives,
Washington, D.C., October 1972.

Dear Friend: The 92nd Congress has come to a close. I want to report to you on its work during 1971 and 1972.

This Congress has compiled a record of outstanding achievements.

Seasoned observers have described the 92nd Congress as productive, constructive, and hardworking.

A look at the record makes it easy to agree with this judgment.

We made major advances in the fields of education, health, crime control, programs for older Americans, environmental protection and campaign reform. And we passed several measures aimed at coping with the continuing problems of high unemployment and soaring inflation.

This report reviews only the highlights of the legislative achievements of the 92nd Congress.

When the 93rd Congress convenes in January, the problems facing our nation will still be with us, for there are no instant solutions or overnight cures. But we will be building on a solid foundation laid down during the past two years.

I pledge you my continuing effort to work for the goals all Americans share: a strong and free, a just and prosperous nation in a world of peace.

Sincerely,

Henry Helstoski,
Member of Congress.

New Programs Help Students From Preschool to College

Young people throughout the nation will benefit from these historic education measures:

Omnibus Education Act of 1972 is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education programs and creates important new ones, including:

A new system of Basic Educational Opportunity Grants, entitling every college student to an annual grant of $1,400, less the amount his parents can contribute;

A new program of direct institutional aid for colleges and universities;

Help for occupational and vocational education;

A National Institute of Education to develop better ways of teaching and learning at every level—preschool through graduate school.

Expanded Head Start Program to enable children of working families as well as the poor to participate in this voluntary day care program.

National School Lunch Act Amendments provide free and low price meals for needy children.

Vietnam Veterans Education Assistance means a major increase in aid for education and vocational rehabilitation for returning veterans.

The 32-Percent Social Security Increase Leads List of Elderly Benefits

For older Americans, this has been one of the great Congresses in history—and the 32% Social Security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the many benefits our 20 million senior citizens will realize from Congressional initiatives:

Nutritional meals for those who need them—even shut-ins.

Low-cost transportation.

Job training and employment.

Community centers.

Pre-retirement training.

Health and education services.

Gerontological centers to study the variety of problems older Americans face.

A new *National Institute of Aging* to conduct research on the aging process and the special health problems of the elderly.

Congress also overrode a Presidential veto of a 20% increase in *Railroad Retirement benefits*.

Note: the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

New Act Reforms Campaign Spending

At a time when the costs of campaigning have skyrocketed, the Congress passed the Federal Election Campaign Act of 1971.

The historic act:

Limits the amount of advertising spending in campaigns.

Requires broadcasters, newspapers and magazines to sell advertising to candidates at the lowest commercial rate.

Requires campaign committees to report contributions and expenditures of $100 or more.

Limits the amount a candidate or his family can contribute to his own campaign.

Revenue Sharing Aids State, Local Governments

In response to pleas from hard-pressed states, counties and cities, Congress this year enacted a $30.1 billion revenue sharing bill.

State governments will receive one-third of the funds; local governments the other two-thirds. The money is expected to be spent on such high priority items as:

Public safety.
Environmental protection.
Public transportation.
Health.
Recreation.
Libraries.
Social services for the poor and aged.

New Congressional Actions on Foreign, Military Policy

Among the several actions of the 92nd Congress in foreign and military policy are:

SALT Agreements To Limit Strategic Weapons: Congress approved a five-year U.S.-Soviet accord limiting offensive nuclear weapons.

ABM Treaty With Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military Draft: Congress amended the Selective Service Act to:

Extend the draft to June 1973.
Grant student deferments.
Increase military pay in order to encourage voluntary enlistments.

A Great Congress for Veterans

Many observers are calling the 92nd Congress the greatest Congress for veterans in history. In the past two years, we have passed major laws to educate our veterans, to provide them better treatment in VA hospitals, and to liberalize burial allowances for veterans.

NEW GI BILL

This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Fulltime students will now receive:

Single students: $220 a month; married students: $261 a month; married and one child: $298 a month; and each additional dependent: $18 a month.

NATIONAL CEMETERY BILL

This law: transfers to the VA responsibility for administering all national cemeteries. Increases burial allowances for veterans who die from service connected disabilities, provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA MEDICAL SCHOOL ACT

To help meet the nation's medical manpower shortage—and to improve VA medical care—this pilot program authorizes the establishment of eight new medical schools in veterans' hospitals across the nation.

VETERANS MEDICAL CARE

This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with non-service-connected medical problems can now be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive hospital care.

DISABLED VETERANS' BENEFITS

Provides a 10% boost in benefits for disabled veterans.

Environmental Protection Given High Priority

Clean air and water, and the conservation of our resources and wildlife have been chief concerns of the 92nd Congress. This Congress has taken important action to protect the nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985.

Federal Environmental Pesticide Control Act will help protect man and our environment, while permitting farmers to use pesticides to grow food and fiber.

Wildlife Hunting from Aircraft is prohibited, protecting certain wild birds, fish and other animals.

Youth Conservation Corps—To extend and expand this pilot youth conservation program.

Congress Acts To Meet Health Care Crisis

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a nation, we have slipped from 13th to 22nd place in male life expectancy, from 6th to 21st in infant mortality. Doctor bills and hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92nd Congress has taken the initiative to meet the crisis with several important measures:

Medical Personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses.

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer.

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the U.S., mostly children.

Multiple Sclerosis Research—Creates a National Advisory Commission to help find the cause of M.S. and develop cures.

Communicable Disease Control Act—Helps states and localities control the spread of communicable diseases.

National Heart, Blood Vessel, Lung and Blood Act.

Rehabilitation Act—An extension of the 50-year-old Vocational Rehabilitation Act, adding major new programs to aid the severely handicapped and other disabled persons.

Black Lung Benefits—To make it easier for coal miners, stricken by black lung disease, to receive benefits.

Congress Focuses on Consumer Protection

In recent years, Congress has passed a host of measures on behalf of the American consumer. Truth - in - lending . . . wholesome meat and poultry . . . truth-in-packaging . . . auto, tire and toy safety . . . fair credit reporting . . . these are a few.

The 92nd Congress has expanded this record:

Flammable Fabrics Amendments of 1971 require manufacturers to certify that their products meet stringent anti-fire requirements.

Consumer Product Safety Act of 1972 assigns the Federal government a major role in protecting the consumer from unreasonable risks of death, injury or illness caused by consumer products. A new Consumer Product Safety Agency will set mandatory safety standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transportation to fix minimum standards for bumpers to halt or reduce auto damage in low-speed collisions. The bill also outlaws tampering with mileage gauges.

New Bills to Fight Crime and Drugs

Every public opinion poll of recent years shows that crime and drug abuse are major concerns of the American people. The 92nd Congress continued to face up to mounting problems in these crucial areas:

CRIME

Juvenile Delinquency Prevention Act. This major law provides $150 million over two years for: Education and counseling, health services and recreational facilities for potential juvenile delinquents; and training personnel in the juvenile delinquency field.

DRUG ABUSE

Drug Abuse Office and Treatment Act. This new law provides over $6 billion to: Establish a National Institute on Drug Abuse; increase funds for special drug projects under the Community Mental Health Centers Act; help States develop drug abuse programs; and require federally funded health facilities to offer needed treatment to drug addicts.

Foreign Shipments of Narcotics. Gives the President power to halt foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addition of Servicemen. Another new law requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. A third measure creates new programs to encourage the employment of rehabilitated addicts, with special preference for veterans.

Congress Aids Rural Areas

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the Rural Development Act of 1972, Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing, water quality management, pollution control and farm credit.

New Amendments Broaden Rights

The 26th and 27th Amendments to the Constitution were passed by this Congress to guarantee the vote to 18-year-olds and to end discrimination based on sex.

18-YEAR OLD VOTE

This Amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in *all* elections. It was quickly ratified by the states and signed in July 1971. Because of it, eleven million more voters are eligible to vote in the Presidential election this year.

EQUAL RIGHTS FOR WOMEN

Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex exist in law. For example:

Twenty-six states prohibit women from working in certain occupations; thirty-seven states have fair employment practice laws, but only fifteen prohibit discrimination in employment based on sex; some communities still have dual pay schedules for men and women public school teachers.

To end discrimination, the Equal Rights Amendment says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

Twenty-one states have already ratified the Amendment; thirty-eight are required.

Economic Problems Trouble Congress

Since January 1969, unemployment in the United States has climbed to over 5.5 percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the *Accelerated Public Works Act of 1971*, authorizing $2 billion to create 170,000 jobs in the public sector. (President Nixon vetoed this bill.) We then passed the *Emergency Employment Act* authorizing $2¼ billion for transitional public service jobs and special State employment assistance programs. We also earmarked $275 million for additional *unemployment benefits and allowances*.

Congress also:

Extended the President's authority to establish controls on prices, rents, wages and salaries.

Increased the personal income tax exemption per tax payer and dependent to $675.

Came to the aid of small businesses by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the Administration's budgets, while seeking to meet the nation's genuine needs. During the past three years, Congress has cut a total of $14½ billion from the Administration's appropriations requests—and the total appropriations this year will again be below the President's budget.

TRIBUTE TO CONGRESSMAN EDWARD GARMATZ

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. WAGGONNER. Mr. Speaker, I feel privileged to rise on this occasion to say a few of the many fine things I could say about my personal friend and colleague, the distinguished chairman of the Merchant Marine and Fisheries Committee, Eddie Garmatz, of Maryland, who has served his country faithfully as a Member of Congress for the past 25 years. I need not mention his many achievements in the past; we, of course, know of his commitment to the people of this country and his State. And his constituents have certainly expressed their pride in his service and gratitude for his devotion by sending him to Congress as their representative 13 times. Is there a finer way of telling someone "we appreciate all you have done for us"?

As a Member of the House, Eddie Garmatz served on the Government Operations Committee and on the Merchant Marine and Fisheries Committee for 23 years and as its outstanding chairman for the past 6. We are reminded of his devotion to his life's work when we remember his dedication to the U.S. merchant marine and the maritime industries. His interest in and compassion for people helped in making Eddie Garmatz the dedicated public servant that he has been here for the past 25 years and in his home State of Maryland throughout his lifetime.

It is with sadness that we say goodbye to our colleague, but with appreciation for his untiring efforts in making his State and his country a better place in which to live. I admire and respect him and deeply want to thank him for being a part of this Congress, and now, a part of us.

TRIBUTE TO THE HONORABLE WATKINS M. ABBITT

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. COLMER. Mr. Speaker, one of Virginia's most distinguished sons and my friend and colleague, Watt Abbitt, will retire at the end of this session from the U.S. House of Representatives.

His service being patterned after many great Virginians who preceded him, from Washington, to Gov. Bill Tuck and Howard W. Smith, two of his greatest friends and contemporaries, Watt Abbitt is the emblem of conservatism in the Congress.

Watt belongs to that ever diminishing school of thought in the Commonwealth of Virginia which is dedicated to and practiced sound conservative constitutional government as conceived by his forefathers.

Mrs. Colmer joins me in extending to him and Mrs. Abbitt our very best wishes for a long and happy retirement.

TRIBUTE TO WATKINS M. ABBITT

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. SCOTT. Mr. Speaker, it has been a pleasure to join with my colleagues from Virginia in paying a tribute to a distinguished Virginian, Watkins M. Abbitt.

Watt is the dean of our Virginia delegation, not only in number of years but in the prestige he carries among his colleagues from the Commonwealth. I consider Watt to be a very effective legislator, an outstanding man, and a close personal friend. He will not only be missed by his colleagues from Virginia but by the entire House.

In campaigning during the past year throughout the State of Virginia, I have had the opportunity to visit many of the localities represented by Watt and have heard the kind remarks which have been said by his constituents.

As he returns to private life, I certainly wish him the very best of success and would hope that he would even consider, at some future time, offering his further services to the people of his native State in some public capacity. He is a good Virginian, and an outstanding statesman.

TRIBUTE TO CONGRESSMAN WILLIAM M. McCULLOCH

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. McCLORY. Mr. Speaker, it is with a sad heart that I reflect today on the retirement of our colleague from Ohio—the Honorable William M. McCulloch.

Mr. Speaker, during my 10 years of service in this body, and particularly during the past 8 years while I have been a member of the House Judiciary Committee, I have enjoyed a close personal and official contact with Bill McCulloch. As the ranking Republican member of the House Judiciary Committee, Congressman McCulloch has attended conscientiously to the many issues which have been before the committee for consideration. His thoughtful and conscientious work, and particularly his compassion in behalf of the civil and human rights of our citizens, stands as a great living tribute to his able public service.

Mr. Speaker, in addition to the close relationship which I have enjoyed with Mr. McCulloch, I have been privileged also to know his steadfast and attractive wife, Mabel, and his lovely daughter, Nancy McCulloch. While I do not know their future plans, I hope that they will continue to be in evidence here on the Washington scene.

My wife, Doris, joins me in extending to Bill, Mabel, and Nancy McCulloch our best wishes for good health and much happiness.

TRADE AND BALANCE OF PAYMENTS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DENT. Mr. Speaker, as we wind down this session of Congress, I want to take a moment to record a few figures and observations on trade and balance of payments.

As predicted, the trade picture is gloomy for the United States. The balance in 1971 was beyond any estimate made by anyone. In fact, it is worse than the figures predicted by the administration, although one can get any figure one desires depending upon what he he wants to hear.

The facts are plain and only one conclusion can be reached—the Nation's foreign trade policy is killing U.S. manufacturing capabilities and jobs are going to overseas production, with unemployment figures contrived in many cases to try to hold down the actual total figures. But the true figures are climbing in every congressional district.

In 1969, President Nixon found a favorable surplus of $3 billion; in 1970, the surplus was still favorable by $2.7 billion. In 1971, the bottom fell out because of new cuts in duties and new concessions to many nations by our roving "Prime Ministry," to an alltime high of $30.5 billion deficit.

The latest information from the Reserve on international transactions points to a deficit of $47 billion for 1972. This just proves what I have been telling the House for the past 15 years.

The climb of imports from $16.8 billion in 1960 to 1972's estimate of $63.7 billion is the real problem for the U.S. dollar to overcome.

We cannot meet the price in the world market without subsidies, regardless of the productivity of U.S. industry, because of cost factors beyond its ability to overcome.

When we hear of U.S. productivity pegged at 3.5 percent and that of Japanese rated at 10 to 14 percent, we suddenly jump all over domestic industry and labor.

It just depends upon what the 3.5 percent is related to; remembering the early Japanese low-productivity, and the basing of contemporary productivity figures on that low. There comes a point of limitation in productivity and the Japanese will reach it.

The trouble now is that time is running out and the multinationals are not going to wait for the United States to suffer out the waiting period.

Some say we can survive without high labor production. Well, if we cannot, then we shall surely die once no national has a monopoly on technology.

THE HONORABLE EDWARD A. GARMATZ

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ZABLOCKI. Mr. Speaker, I join with his many colleagues, friends, and admirers in paying just tribute to the Honorable Edward A. Garmatz upon his retirement from Congress.

With the end of this Congress and his departure, Congressman Garmatz draws to a close 25 years of distinguished service. He has served the people of Maryland's Third District with dedication and devotion.

On a broader scale he has given his special stamp of distinction to the work of the Merchant Marine and Fisheries Committee. Under his able chairmanship numerous laws have emerged from that committee of far-reaching benefit to our entire Nation and the world.

As he now moves toward a life of well-deserved relief from the daily pressures of office my wife Blanche and I wish him well in all future endeavors.

CHARLES RAPER JONAS RETIRING

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. LANDGREBE. Mr. Speaker, as my good friend Charles Raper Jonas bids us adieu, I am compelled to make the following brief comments:

During my 4 years in Congress it has been my great privilege and pleasure to become well acquainted with that fine statesman from North Carolina. In my opinion, he is one of the best informed and most responsible Members in the U.S. House of Representatives.

It was with deepest regret that I accepted the news, some months ago, of his decision not to seek reelection.

As he relinquishes the endless duties and heavy demands of his high office I extend to him my deepest gratitude and my very best wishes.

NEWSLETTER

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. GUBSER. Mr. Speaker, I submit herewith my newsletter which is being mailed to my constituency.

On Capitol Hill With Charlie Gubser

Dear Friends:

This will be my last newsletter of the year since it is likely that the House will adjourn by the end of the week. Here is the current situation at this writing.

TYPICAL ELECTION YEAR SESSION

Some bills have been submerged and lost in political bickering; others didn't survive the traditional Senate logjam; still other good ideas met Presidential vetoes because Congress attached unreasonable price tags to them.

My legislation fared well. Survivors Benefit Bill, which will help to achieve an all-volunteer service and eliminate the draft, was signed into law at an unusual White House ceremony. Several of my amendments to the Military Procurement Bill are now law. My amendment to the Military Construction Bill will bring a new dispensary to Moffett Field. The San Felipe Project received an appropriation. I am now urging the President to request an appropriation next year for further preconstruction activity. I favor intensified research on reclamation of sewage water, but believe we should go ahead with the San Felipe Project. It is a sure water supply and not problematic. My cyclamate indemnification bill to help small farmers in the district and a bill which would net the Treasury $150 million through the sale of government-owned equipment have passed the House but are caught in the Senate logjam. South Bay Wildlife Refuge Bill is now law.

ATTENDANCE RECORD

In the current session I answered 92% of all roll call and recorded votes. My attendance record over twenty years averages 83% and is one of the highest in the House. During Congressional sessions, I have made numerous visits to my Congressional District and have officially represented the Congress at the 26-nation Disarmament Conference in Geneva and the NATO Assembly Military Committee.

MATTERS OF LOCAL CONCERN

A changed trade policy is helping north county electronic industry employment. The Trident program authorized in the Military Procurement Bill this year should help to stabilize employment at Lockheed. A compromise I offered in a House-Senate conference on this bill saved millions of dollars in research contracts at Stanford University. I received the support of both California Senators and all of my 37 California House colleagues in a presentation to NASA urging that California not be discriminated against on a purely geographic basis for future Space Shuttle contract awards.

Defense spending is down. My committee reduced future authorizations $2.3 billion below Defense Department requests. Appropriations were cut $5.2 billion. These cuts are significant accomplishments because at the same time new weapons projects like the Trident submarine and the B-1 bomber were fully funded for the year. The current budget also absorbed tremendous additional personnel costs aimed at achieving an all-volunteer service. In four years we have reduced the number of military personnel by one million, but at the same time costs attributable to personnel have increased by about $10 billion!

All-Volunteer Service looks like a sure thing. In July and August 70,000 men and women were true volunteers not motivated by threat of the draft. Barring unforeseen circumstances, it will not be necessary to use the draft after June 30, 1973.

SOCIAL SECURITY AND WELFARE REFORM

A 20% Social Security increase is now law with payroll taxes increased to a combined maximum of $1320 for employer and employee by 1974. Social Security benefits will rise in the future with automatic cost-of-living increases.—Efforts to replace welfare with gainful employment whenever possible were scuttled in the Senate and a small scale temporary trial program substituted. Significant welfare reform seems unlikely as House-Senate conferees are meeting at this time in an effort to salvage something from the conflicting bills passed by both Houses.—Pending in this House-Senate conference is another boost in Social Security taxes to $1440 for employer and employee by January 1, 1974. Also to be compromised is an increase in allowable earnings for Social Security recipients of between $2000 and $3000 for the present $1680 and extension of medicare to 1.7 million disabled persons under 65. Both Senate and House bills would guarantee a payment to a needy aged couple of $195 and would increase a widow's benefits to 100% of her deceased husband's entitlement. It should be noted that if Congress adjourns this week for the year, completing 1100 pages of a complicated bill containing 583 amendments is almost an impossible task in such a short period. Therefore, a stripped down bill containing above mentioned features is all we can expect.

Revenue sharing is significant as the first reversal of the trend toward "purse string" domination by federal over local government. Santa Clara County area will receive $15,105,583 of which cities will receive $6,906,990. It remains to be seen whether these grants will replace or augment grants for existing federal programs. I favor revenue sharing with no strings attached. If revenue sharing works and the principle is extended, it could mean property tax relief.

CONSUMER LEGISLATION

No-fault auto insurance, which has reduced auto premiums dramatically in states like Massachusetts, was killed in the Senate. Consumer advocate, Ralph Nader, reportedly a recipient of significant contributions from the American Trial Lawyers' Association which opposes no-fault, did not push this consumer bill. Another bill to create an independent agency to protect consumers against hazardous products has just been compromised in a House-Senate Conference. I supported the bill.

OTHER BILLS

Poverty program extended; A bill I supported to prevent busing of school children is threatened by a Senate filibuster; Foreign Aid reduced almost $1 billion below the budget; No action on health insurance, but this year's hearings will expedite action in the coming session; More higher education assistance as reported in my August 31 letter; Present housing programs continued after failure to agree on a new program; Women's Rights constitutional amendment passed and pending before state legislatures.

MINIMUM WAGE

On two occasions the House refused to send the bill to conference because of indications that senior House conferees would not make a reasonable effort to uphold the position voted overwhelmingly by the House. Real controversy is whether a lower minimum wage should be allowed for dropouts and students who probably could not be hired at prevailing wage rates.

HIGHWAY AID

The House refused to transfer highway trust funds to finance mass transit systems. I voted for mass transit. Next year we must create a new and separate trust fund for this purpose. Taxes for highway construction are producing surplus funds which could be utilized without harming a good highway program.

WATER POLLUTION BILL

One of the most far-reaching conservation measures of our time has cleared both Houses. I supported the bill. At this writing a Presidential veto is rumored because of the price tag of $24.6 billion. In my opinion the price tag alone is not sufficient grounds for a veto since the President could sign the bill, retain its great benefits, and still not be obligated, in the event of a fiscal crisis, to spend all that is authorized. My present intention is to vote to override the veto if it comes.

TAX INCREASE?

I favor a spending ceiling of $250 billion so we can avoid a tax increase. The number of expensive programs which Congress has started in the last ten years and which will become more expensive in the future simply must be controlled. The alternatives are rampant inflation or higher taxes. Neither is acceptable to me.

SENIOR CITIZENS

The Older Americans Act is also in conference with the Senate, will provide public service jobs for the elderly and vastly expand federal support services for them. Senior citizens are reminded that John Cassidy, former District Manager of the Social Security Administration in San Jose, is available for appointments in my San Jose office, 361 Town and Country Village. The phone number is Area Code 408 246-1122.

GOLDEN GATE NATIONAL RECREATION AREA

Which I co-authored and supported will apparently be compromised with the Senate and will become law this year. For a time it appeared that a jurisdictional dispute and opposition from Armed Services Committee Chairman Hébert might kill the bill. House Rules specifically designate Mr. Hébert's committee as having sole jurisdiction over the transfer of property in military bases. I introduced a bill on one day which received favorable committee action the next. Because the proper committee acted to transfer military lands involved, the jurisdictional problem is now resolved and the way is cleared for passage of the Mailliard-Burton bill which I support. This action may have saved this beautiful area near the Presidio of San Francisco as a National Recreation Area.

CONGRESSIONAL REFORM

The recorded teller vote system which I co-sponsored in the last Congress has worked well and ended secret voting on many major issues. In this Congress there have been 189 votes which would not have been recorded except for my amendment. Next year I shall push for reforms which will improve the seniority system and allow more freedom of choice of committee chairmen. The content of this newsletter points up the most necessary reform of all. Something must be done to induce the Senate to work steadily all year and not let mountains of major legislation pile up to be settled in the last few weeks of the session. This sometimes results in hastily considered and poorly written legislation.

In closing, let me say that this has been a most satisfactory year and I am grateful for the privilege of representing you in the Congress of the United States.

FLASH!

As this goes to the printer the House has approved a spending ceiling of $250 billion. I voted for the ceiling as the best means of avoiding a tax increase. Golden Gate Recreation Bill has passed the House! C.S.G.

Yours sincerely,

CHARLES S. GUBSER.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

HON. THOMAS ABERNETHY

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. GIAIMO. Mr. Speaker, I would like to offer my congratulations and best wishes upon his retirement to a longtime Member of this body, the Honorable THOMAS ABERNETHY, U.S. Representative from the State of Mississippi.

TOM has served in the Congress for 30 years. During this time, he has proved himself to be a loyal and dedicated Representative, both for his constituents back home and for the growth and progress of the Nation as a whole. The evidence of this dedication has been displayed in his continued hard work on the House Agriculture Committee and the House Committee for the District of Columbia. In his position on this latter committee, I feel TOM and I have encountered many of the same joys and problems in our work, as I serve on the Appropriations Subcommittee for the District of Columbia. Therefore, I can appreciate the very real efforts that must be put forward by a member of a committee dealing with the everyday problems and universal considerations of a city that also happens to be the Capital City of a nation.

As TOM returns to his home in Mississippi, I am sure he takes with him many exciting and historic memories of his extensive career in the U.S. Congress. These memories are to be cherished, as I believe TOM will cherish them, for they are possessed by only a limited number of dedicated and loyal individuals who devote the greatest part of their lives to the well-being of others. Again, I extend my heartfelt good wishes to TOM ABERNETHY for continued success in the future.

TRIBUTE TO THE HONORABLE THOMAS PELLY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 1972

Mr. ANDERSON of California. Mr. Speaker, since my election to the Merchant Marine and Fisheries Committee, it has been my privilege to work closely on legislative matters with Congressman THOMAS PELLY. His wise counsel, expertise in the shipping and fishing industries, and his logical and pertinent advice were always welcomed.

We worked together on many issues, but of particular significance were the proposals to protect U.S. fishing vessels on the high seas, and the bill to preserve marine mammals. Both of these measures were guided by TOM PELLY through committee and through the House and the Senate.

Having served with Congressman PELLY and being aware of his loyalty, patriotism, and love of country, I can testify that this is a greater Congress because of his magnificent record of leadership.

Mr. Speaker, we will miss TOM PELLY, but we will always cherish the memories of his service in this body. Mrs. Anderson joins me in wishing TOM continued success and every happiness in the future.

CONGRESSMAN EMANUEL CELLER

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. WAGGONNER. Mr. Speaker, this is the first time in my 11 years in the House that I have had the opportunity and pleasure to pay tribute to a man who has served in the House as long as EMANUEL CELLER has. You know, the distinguished chairman of the Judiciary Committee has been in the House for so long that legend has it that he was in the House when it first began.

The chairman and I have maintained a close personal friendship in the years that I have been serving in the House and have continued our mutual respect for each other, although our political philosophies have kept us on opposite sides many more times than not.

EMANUEL CELLER has been a dedicated and hard-working member of this body for 50 years and has made great contributions to his own 10th District of New York and to the Nation as a whole. He is one of the most respected Members of the House.

As a Member of this body, I can truthfully say we will sorely miss Emanuel Celler's abilities, his forcefulness, his wisdom, and his all-encompassing knowledge of the legislative process.

HON. JOHN H. TERRY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. DULSKI. Mr. Speaker, I join my colleagues in saluting our upstate New York Member, the Honorable John H. Terry.

In his term here in Congress, John Terry has displayed an avid interest in his work and a great dedication to the interests of the people of the 34th District who sent him here as their Representative in the Congress.

John Terry is no newcomer to public life. Indeed, he started his career as a member of the Onondaga County Board of Supervisors by appointment in 1948 at the age of 23, at that time the youngest supervisor in the county's history. He was elected to six consecutive terms.

He left the board to join the staff of our Governor in several positions, including assistant secretary. Returning to private practice of law in Syracuse, it was only a few months until he was lured back to the legislative life, winning the first of five elections to the New York State Assembly.

Syracuse and Onondaga County know well of John Terry and already have paid him many honors. We in the Congress have had an all-to-brief chance to come to know him. His decision last spring to return to the private practice of law was made, he said, in the interests of his family.

I am happy for this opportunity to add my good wishes to those of my colleagues to John H. Terry, a respected Member of the 92d Congress.

RETIREMENT OF THE HONORABLE EDWARD A. GARMATZ

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mrs. MINK. Mr. Speaker, It gives me great pleasure to rise in tribute to the Honorable Edward A. Garmatz, chairman of the House Committee on Merchant Marine and Fisheries.

I am pleased to join his many friends and admirers on this special occasion recognizing his retirement from the House of Representatives.

Eddie Garmatz has served the constituents of his District of Maryland for 25 years. His quarter-century of hard work and service is in itself a measure of the great respect he enjoys among the people of his State.

Beyond his help for Maryland, Eddie has truly been a national legislator whose interests and responsibilities affect the entire country and beyond. My own State of Hawaii, located in the Pacific Ocean and heavily dependent on both merchant marine service and fisheries as important aspects of its economy, has benefited from the chairman's long and dedicated toil.

On a personal basis, I know I shall miss Eddie Garmatz's daily presence in the House. He is held in great esteem by all Members of this body.

I wish the best of future success and happiness to Eddie Garmatz and his family.

PROBLEM OF ABORTION

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. SCHMITZ. Mr. Speaker, I have received a most clearsighted letter from a high school student on the problem of abortion that I am taking this opportunity to share it with my colleagues:

Sacramento, Calif.,
September 26 1972.

Congressman John G. Schmitz,
Longworth House Office Building,
Washington, D.C.

Dear Sir: I am a freshman attending Mira Lioma High School in Sacramento.

I am particularly concerned about the abolishment of the death penalty and the laws legalizing abortion. It seems a little strange to me to save convicted criminals, especially those convicted of murder; yet murder innocent, helpless babies. After all, even criminals get a trial. In my opinion the death penalty is not cruel and unjust because to get the death penalty the criminal did a cruel and unjust thing to someone else, like murder them. I also think anyone shooting a policeman should automatically get the gas chamber. By limiting the death penalty criminals don't care if they might be caught because the most they could get would be a life sentence, thus making the crime rate increase.

I also think abortion is an inhuman way to get rid of our so-called "problem." I feel the girls should have to go through the delivery and either keep the child or put him up for adoption; or she and her doctor should be charged with 1st degree murder.

Letting mean criminals free and killing innocent babies—or even kind old people—is not a fair trade.

Thank you for your valuable time.

Sincerely yours,

Patty Oliver.

HON. ALTON LENNON

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. McMILLAN. Mr. Speaker, I take great pleasure in joining my colleagues from North Carolina in paying honor to the Honorable Alton Lennon who has made a decision to retire from Congress. Mr. Lennon and I have worked together where our districts join. He and I have the same problems in North and South Carolina such as tobacco and flood control. His services in the U.S. Congress will be sorely missed.

HON. WATKINS M. ABBITT

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ROYBAL. Mr. Speaker, I join with my colleagues in saluting Congressman Watkins M. Abbitt.

His long and distinguished career in the House of Representatives has been one of dedicated service to the Nation and to the people of the State of Virginia. He has served with distinction for over two decades and although he will be missed by all who have come to know him over the years his retirement is, indeed, well earned.

I extend to him my sincere best wishes for every success in his forthcoming pursuits.

GROSS VIOLATIONS OF HUMAN RIGHTS IN GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FRASER. Mr. Speaker, it does not take a New York Times report of political torture in Greece to convince me that inhuman acts are being perpetrated by the Greek junta. A steady stream of letters reaches my office detailing the distressing cases of individuals jailed for political reasons in Greece and subjected to barbarous treatment.

Some of my colleagues, however, may not have the benefit of personal correspondence with those—family and others—deeply concerned by these conditions. The September 21, 1972, Times report headlined, "U.N. Unit Said to Report Greeks Violate Human Rights," succinctly outlines the findings of a U.N. panel looking into the general issue of human rights violations. I recommend a reading of the Times report to the Members of this House. But, a strong stomach is a prerequisite.

The article follows:

U.N. UNIT SAID TO REPORT GREEKS VIOLATE HUMAN RIGHTS

(By Kathleen Teltsh)

United Nations, N.Y.—A United Nations panel, after examining hundreds of letters, has reportedly concluded that a "consistent pattern" of gross violations of human rights exists in Greece.

The letters—many of them said to have been smuggled out of prisons where the writers were confined—describe in detail torture and threats they say were used by security policemen and jailers to elicit "confessions" of treasonous actions against the military-backed Athens Government.

The United Nations panel of five experts, which met for 10 days, was not able to screen all of the 27,000 communications concerning human rights received from a number of countries in the last year.

PANEL CREATED LAST YEAR

The panel—the first United Nations body empowered to examine complaints from individuals or private groups for any pattern of "gross and reliably attested violations of human rights"—was created last year under a United Nations resolution that called for secrecy in the screening of documents.

The conclusions reached so far on Greece, Iran and Portugal—the panel did not complete work on others—were conveyed at closed meetings to the United Nations subcommission on the prevention of discrimination and protection of minorities.

The parent body has instructed the panel to keep its findings "under study" until it meets again next August, which would give the three accused governments a chance to reply—if they wish—to the charges.

The members of the panel were selected in a broad regional basis from the 26 who serve on the subcommission. They are not supposed to be government spokesmen but rather experts serving as private persons. The five are José D. Ingles of the Philippines; Ahmed Kettani, Morocco; Antonio Martinez Baez, Mexico; Mrs. Nicole Questiaux, France and Sergei N. Smirnov of the Soviet Union.

Although they met in private and adopted precautions to keep their findings confidential, they were reliably reported to have found a "consistent pattern" of violations committed by Portugal and by Iran, which were accused of arbitrarily arresting hundreds of political dissidents, holding secret trials for them and, in scores of instances, executing them.

However, the most substantial evidence was supplied to the panel on Greece. According to informants, this material included affidavits on recent trials of prisoners as well as the letters.

LAWYER AT ATHENS TRIAL

Included was one communication from a Washington lawyer, George C. Vournas, who witnessed the trial last March in Athens of 17 persons on conspiracy charges. Mr. Vournas wrote: "It was distressing to note that charges of beatings and torture, which all the defendants went through, were taken for granted or considered 'normal procedure' by the court."

The bulk of the material on Greece was submitted by Prof. Frank C. Newman of the University of California Law School at Berkeley who acted as legal counsel without pay or a group of Americans and Europeans and for four widely respected private organizations active in protecting human rights.

The four are Amnesty International; the International Commission of Jurists; the International Federation for the Rights of Man, and the International League for the Rights of Man. The league had designated Mr. Vournas to observe the Athens trial.

Professor Newman said during a telephone interview that he was "disappointed but not dismayed" by the delay, and maintained that the United Nations was testing a "revolutionary concept" in enabling citizens anywhere to write and level charges against their own governments, calling the governments to account before world opinion.

TORTURE IS REPORTED

The letters and affidavits he submitted included a number written in recent months and in 1971 that he said, showed that abuses were continuing in Greece and that torture continued to be allowed by the military Government, which seized power in a coup in 1967.

The Council of Europe, on the basis of its own inquiry in 1969, had also concluded that widespread violations were committed in Greece, including the torture of political prisoners. Greece withdrew from the council before proceedings for expulsion could take place.

Through Professor Newman, the organization known as Amnesty International is known to have submitted communications signed by more than 300 prisoners.

Amnesty International, in one communication to the United Nations, gave the names of 117 prisoners it charged were being held as of last April in seven different facilities under conditions that violated their human rights. The facilities were identified as Aegina, Eptapyrgion, Trikkala, Kergyra, Chalkis and Alikarnassos prisons and Boyati Military Camp.

Other documents also complained of abuses at Averoff Prison in Athens where women prisoners were held, and cited mistreatment of political inmates at Korydallos Prison and elsewhere.

The letters describe prison conditions as "medieval" and note that the International Committee of the Red Cross, before it was ordered out of Greece, had urged the Athens Government to close some facilities as unfit for use. One communication describes Eptapyrgion Prison as a "sunless tomb" where political prisoners are without medical treatment. Another from Kerkyra Prison on the island of Corfu, written in 1972, reports that political prisoners are kept in unheated and windowless cells.

SOLES BEATEN WITH ROD

A communication from Korydallos Prison, dated January this year, names the security officers who the writer said had tortured him and administered "falanga"—beatings with a wooden rod on the soles of the feet. It said:

"The interrogation was accompanied by horrible tortures—blows, kicks—hands handcuffed behind the back for 48 hours, starvation for 36 hours, and solitary confinement for 35 days."

Another communication was attributed to a medical student and said he was arrested last October by the Athens security police. It describes his interrogation in these terms:

"They first blindfolded me, took me down the cellar with kicks and cuffs. There they made me undress and tied me to a bench. Someone started to hit me on the soles of the feet with a metal tube, while someone else had tied my genital organ with a nylon thread which he kept pulling."

A communication from Andreas I. Frangias, described as a 53-year-old engineer, says he was beaten repeatedly until he lost consciousness. It says that he repudiated a statement he signed last January because the mistreatment "took away my powers of resistance and the normal use of reason."

The subcommission's decision to put off action means that the five experts will have a heavy backlog to consider in the next 12 months. Communications on human rights matters total 10,000 to 30,000 annually but have been known to run as high as 57,000 in some years. Many reflect organized campaigns to report a relatively small number of abuses.

Informants say that communications have been sent recently charging violations of human rights in Czechoslovakia, in Indonesia, in Bangladesh, Brazil and, most recently, concerning the treatment of Asians in Uganda.

HON. JOHN L. McMILLAN

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. RHODES. Mr. Speaker, it is a pleasure to join in paying tribute to the Honorable JOHN L. McMILLAN, one of our most able and respected colleagues. It is well deserved, for JOHN McMILLAN is a gentleman who has been loyal and dedicated over the years to the best interests of the citizens of his constituency, State, and Nation. It is with regret that we see him return to South Carolina at the end of this session, but he leaves with the proud knowledge of a "job well done" and a high standard of performance. My every good wish goes with him for happiness in the years ahead.

HON. BILL COLMER

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. RODINO. Mr. Speaker, the chairman of the House Rules Committee is a demanding, exacting and at times, a most trying position to fulfill. The responsibility constantly resting on the shoulders of the Honorable WILLIAM COLMER these many years has been well known to us all.

While his views may not have always found amiable response, Mr. COLMER's efforts and energies were continually directed toward what he believed to be the best for his constituents and for the men and women of this entire Nation. He has served his people with great dedication and with a deep sense of truth and justice. For these admirable qualities we pay tribute to him at this time and wish him continued years of health, happiness, and personal fulfillment.

"MANNY" CELLER

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Ms. ABZUG. Mr. Speaker, it is a great pleasure for me to rise with my colleagues in this well-deserved tribute to EMANUEL CELLER. There is no one in this Congress who has sustained a better record nor developed a more profound sense of civil rights and civil liberties than "MANNY" CELLER. An erudite, articulate and respected man, with a marvelous understanding of what democracy is all about, EMANUEL CELLER has served his Nation, his State, and his district outstandingly.

It has been said that EMANUEL CELLER is responsible for more amendments to our Constitution than any man since the Founding Fathers. His committee has produced perhaps the most significant pieces of social legislation since the days of reconstruction. From his committee came the 1957 Civil Rights Act, the 1964 Voting Rights Act, and the 18-year-old voting amendment.

But "MANNY" CELLER's record of achievement is not just in his committee and floor work. I have had the pleasure during the last 2 years to know him as chairman of the New York delegation. He contributed greatly in that role as we all tried to improve the conditions of the people of the city and State of New York.

And of course his record as dean of the House means that MANNY has been able to put his stamp on all the significant pieces of legislation that have passed through this House since he arrived here in 1923.

His active support of the New Deal legislation, particularly the National Recovery Act alone would have made him rank high in the esteem of his country. But this was naturally coupled with the role he played in fighting facism in the forties and his successful attempts to secure equality for all during the 1950's and 1960's.

MANNY CELLER's record will be hard for any one person to match.

HON. EMANUEL CELLER

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. DELANEY. Mr. Speaker, the adjournment of the 92d Congress not only brings to a conclusion the 2-year business of the National Legislature, but will also mark the end of an era, as the distinguished dean of the New York congressional delegation, and our beloved colleague, the Honorable EMANUEL CELLER, takes his leave of us.

"MANNY" has served in Congress longer than any other Member, with the single exception of the Honorable Carl Vinson, whose service is only 2 months longer. Nine Presidents have held office during his tenure and, on many occasions, turned to him for counsel and advice.

He has been an active and well-known figure in some of the most exciting and important history of our Nation. As a remarkably able lawyer and moving force on the Committee on the Judiciary, MANNY CELLER has shaped perhaps more important and far-reaching legislation than any other Member. Civil rights, revision of laws, including proposals to amend the Constitution, immigration, and claims against the Government, are some of the legislative areas in which he has made significant contributions.

But the distinguished gentleman from New York is far more than an outstanding legislative expert. He is a completely dedicated public servant, who has served his constituents, his State, and his Nation with distinction, honor, and deep devotion.

MANNY is a man of wit and charm, and his unique facility for phrasing his thoughts often demonstrates his broad knowledge of history, literature, and the arts. He is a delightful companion, and I am honored to know him as a friend.

I wish him Godspeed in his future endeavors, and, like his many friends on both sides of the aisle, wish him every success and happiness in the coming years.

HON. WATKINS ABBITT

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. GIAIMO. Mr. Speaker, the State of Virginia has the reputation for producing many of our greatest leaders and statesmen. For the past 24 years, the Honorable WATKINS ABBITT, U.S. Representative from Virginia's Fourth District, has served both his native State and the country in the loyal tradition of America's oldest colony.

'WATT" ABBITT has offered his dedicated service to his duties as a member of the House Committee on Agriculture, the Committee on House Administration, and the Committee on Standards of Official Conduct. The varied responsibilities of these committees demonstrate the diverse talents necessary for a Congressman to serve successfully on all three at one time.

"WATT" has obviously earned the respect of his constituents back in Virginia, as they have chosen to return him to the Congress as their representative for 13 terms. His Virginia colleagues in the House have honored him by considering him the dean of their State delegation. Such continued confidence is not given to a man unless he demonstrates loyalty and perseverance in the job he has chosen for himself.

I would like to offer my congratulations to "WATT" ABBITT for his successful career in the House of Representatives, and I would like to add my best wishes to him for continued success in whatever activities he pursues in the coming years.

RETIREMENT OF CONGRESSMAN ABBITT

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. FLOOD. Mr. Speaker, WATKINS M. ABBITT will retire at the end of the 92d Congress and the Hall of the House of Representatives will not be the same.

"WATT," as he is affectionately called by his friends, is dear to every Member of this House.

WATT and I have two things in common—he is deeply interested in the welfare of this Nation, and he has represented cousins of mine who live in his district, and who, in my opinion, have been very well represented.

After 24 years of service together, I can only wish WATT the very best in his retirement.

So long, cousin.

TRIBUTE TO THE HONORABLE ALTON LENNON

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. ANDERSON of California. Mr. Speaker, I have considered it a rare privilege and a personal honor to have served with Congressman ALTON LENNON.

As a member of the Oceanography Subcommittee which he so ably chairs, I have learned and benefited from watching and listening to this truly outstanding Congressman and fine gentleman.

AL LENNON is respected by his colleagues because of his logical reasoning, his brilliant mind, and his articulate, concise, and candid explanations. In addition, AL LENNON is admired, because of his warm and gracious manner.

I shall never forget our work in the subcommittee on legislation which would encourage the States to establish coastal zone management programs. While we occasionally disagreed on the details of this matter, I was always impressed by his boundless energy and sincere enthusiasm for the project.

Mr. Speaker, the American maritime industry, our fish and wildlife resources, and our Nation's welfare have all benefited from the work of the quiet and effective Congressman ALTON LENNON.

It is with great affection that I pay tribute to AL, and Mrs. Anderson joins me in wishing him a long and happy retirement in his native Wilmington, N.C.

VINCENT JAY IN NEW ROLE WITH FEDERAL PROFESSIONAL UNIT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. DULSKI. Mr. Speaker, 10 years ago next month the Federal Professional Association was born here in the Nation's Capital with the aim of fostering high standards of public service by organizing professional-level Federal employees.

The founder and first president of the association was Vincent E. Jay, now an employee of the Environmental Protection Agency.

As the group's anniversary nears, the incumbent president, Dr. Jerry A. O'Callaghan, has announced Mr. Jay's appointment to a new role of responsibility as executive vice president.

Mr. O'Callaghan said the association currently is working with the Civil Service Commission to implement some of the recommendations of the Job Evaluation and Pay Review Task Force. He said the group also is studying educational and training practices as an area for professional involvement.

HON. CHARLES H. GRIFFIN

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. WAGGONNER. Mr. Speaker, it is a pleasure for me to rise to address the House in honor of a Southern gentleman who is a close friend and a great American. Dedicated to his work and devoted to his family—this is the measure of CHARLIE GRIFFIN.

When I came to Congress 11 years ago, CHARLIE was here. I came to know him while he was working for another good friend of mine, the Honorable John Bell Williams; and I was extremely pleased when the people of the State of Mississippi, the eastern neighbor of Louisiana, saw fit to retain CHARLIE's services in Washington and to elevate him to be their representative in Congress. Those Mississippians knew a good man when they saw one. They knew CHARLIE to be a man of fine character, experienced in Government and legislative procedures; and since he was sent here initially as a Member of the 90th Congress, his constituents have seen fit to reelect him to both the 91st and 92d Congresses. Now he retires upon the completion of a career on Capitol Hill which can be equaled by few.

As a member of both the Banking and Currency Committee, and the Merchant Marine and Fisheries Committee, CHARLIE GRIFFIN's committee work could be summarized in two words—dedicated and efficient. Words, however, cannot adequately state the value of his service to his native Mississippi and to his country.

The other Members of this body who have paid tribute to CHARLIE GRIFFIN have spoken profusely in regard to his contributions, qualities, and attributes; and I would like to close by merely saying that in addition to all of these things that CHARLIE has done for our Nation, I will always remember the close friendship we shared and will always admire him and respect him for he is a fine man. The people of Mississippi's Third District are justified in feeling proud of the character of service that he rendered for his district and his State. His objective was to work for what was best for America, and his dedication to that end will be sorely missed in the future. Men like CHARLIE are few and far between. My personal regards to you, CHARLIE, and to your fine family in the future.

NEWSLETTER

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DENT. Mr. Speaker, I am privileged to serve as chairman of the general Subcommittee on Labor of the Committee on Education and Labor. Our subcommittee has within its legislative jurisdiction matters of vital importance to millions of working Americans.

During 1972, we were especially attentive to three categories of socioeconomic legislation: minimum wage, black lung benefits, and pension reform.

The following newsletter capsules our efforts in those areas and relates those efforts to the significant communications input we enjoy from workers who write us.

NEWSLETTER

As a Member of Congress, I have two primary roles. My last newsletter dealt with my role as a liaison between the vast federal bureaucracy and you, my constituent. This newsletter deals with my second, equally important role, that of a national legislator. Because of my seniority in Congress, I am privileged to hold several leadership positions and to serve as Chairman of two major committees. One of the committees is directly responsible for legislation which affects each and every one of you—and much of that legislation is initiated and fashioned because of you.

In recent years, my committee has enacted such national law as that dealing with coal mine health and safety, equal employment opportunity, and age discrimination in employment. During 1972 alone, we considered three matters of particular importance to the people of our area: Pension Reform, Black Lung Benefits, and Minimum Wage increases. At least one of these subjects is important to you; perhaps even more so to a member of your family, a neighbor, or friend. And the shape of that national legislation is influenced by you, through my knowledge of our area and its people. The balance of this newsletter will be devoted to relating the need for this legislation to the people who live right in our own western Pennsylvania communities.

MINIMUM WAGE

The Fair Labor Standards Act of 1938 established a national minimum wage for the first time. That wage was $0.25 per hour. The Act also established time and a half pay for overtime, although not every worker was eligible to receive the minimum wage or the overtime differential. During subsequent years, the wage rate was increased and more workers were covered by the Act. The last change (in 1966) took the minimum wage to $1.60. But inflation has already eaten away any gain made by that increase.

For that reason, I introduced legislation in April 1971, to increase the minimum wage to $2.00 and to extend its coverage to approximately six million new workers. Ever since the Act was first passed, its critics claimed that it was not only unnecessary but detrimental to the country's economy. My bill was greeted with the same gloom and doom.

These criticisms are carried in the national press and echoed in national lobbying campaigns. Yet, critics tend to overlook the problems of the employee who is earning wages at or near the minimum. I hear from workers and want to share with you some of their letters in support of my bill. A person from Herminie wrote me saying:

"At the present, I am earning $1.85 an hour and will be employed for the same company for ten years come August. I am considered a sales person but I as well as my coworkers do everything in the store. We set counters up, cut glass, wait on customers, etc. And this nonsense about companies laying workers off because the minimum wage goes up is just that: nonsense! Look what the companies reap in. Also their prices go up constantly and we don't get a penny raise because the minimum is there and it will not go higher. I have to pay the same for groceries, meat, taxes, utilities, and rent as the people with higher wages . . . ."

What this person writes is not unusual. There are many employees throughout our country who have worked for years at or near the minimum wage and have yearly incomes of between $3,200 and $4,000. During those years and especially during the last few years, prices for food, rent, public utilities, and transportation have gone up astronomically. Yet, wages for these people have remained the same. Surely, few people can argue that $3,200 can provide even a minimum standard of living in these times of high prices and rampant inflation. That figure is almost $1,000 below the poverty standard for a family of four! Yet, some of my Congressional colleagues have fought me on my modest proposal for over a year now.

This constituent exemplifies my belief that you can't "buffalo" the common man; he knows, and I know, that there will be few if any lay offs due to a minimum wage increase. Not many companies hire workers out of charity; companies hire people to do a job that needs to be done, and the job needs to be done whether the employee is paid $1.60 or $2.00. But, as he points out, "prices go up . . . and we don't get a penny raise".

A lady from Arnold wrote me the following letter:

"I work in a small shop where the owner is not required to pay the minimum wage. I work as many hours and just as hard as anyone else and still can't make more than say a boy shoveling snow for someone. This is just an example and there are hundreds of us working for these wages. What I want to know is what is to become of us? I don't have anything else coming in. I'm a widow, 54 years of age. I have to pay high prices just like everyone else. Believe me, I can't even buy the right kind of foods for myself let alone clothes to wear. Rent is high, utilities are high and it goes without saying that food and clothing are out of sight.

"I want to work for my keep. I don't want to receive welfare."

It certainly is a tragic situation in this country when people who are working full-time must contemplate going on welfare because they can't make ends meet.

Minimum wage legislation can potentially help everyone, wage earners as well as businessmen. Since an increase in wages puts more money into peoples' hands, they spend more. This means that businessmen sell more of their product and their employees must therefore produce more. Consequently, the businessman benefits because he can sell more; the labor force benefits because more people become employed; and the minimum wage earner benefits because he can buy more.

BLACK LUNG BENEFITS

As the primary sponsor of the Federal Coal Mine Health and Safety Act of 1969, which includes the black lung benefits program, I have had a first-hand opportunity to survey the way in which the black lung program has been administered. Congress intended that this program be generously and liberally administered so that the United States could in some small way repay its debt to those coal miners who contracted black lung disease in the production of vital fuel for the Nation, and to their widows who suffered with them. In reading letters from my constituents and in talking with them, I discovered that the Social Security Administration was not administering the law in the way Congress had intended. Therefore, I introduced legislation to enable those who deserved black lung benefits, but were denied, to be eligible for them; and that legislation became national law in May of this year.

A 65 year-old widow from Irwin wrote me about her husband's death and her subsequent efforts to obtain black lung benefits.

"I stood by my husband's bed and had to watch him suffocate. Even though he worked in coal dust for more than 13 years, I cannot prove he died of pneumoconiosis because his death certificate said he died of a heart attack. When I went to see the doctor that had taken care of my husband one and a half years before his death, she told me, 'Even though the record shows he had a lung disease, I'm afraid the way the law reads you will not have a chance.' She said, 'I know because I had an experience with a case just lately.' A man was killed in a fall in the mine. She then showed me a jar with a portion of the man's lungs in it in alcohol. It was as black as tar. The man's widow applied for black lung benefits but was denied because he did not die from pneumoconiosis. Please Mr. Dent, if you can, would you try to have this law changed, not only for my sake but for this woman I don't even know."

A provision in my Black Lung Benefits Act of 1972 stipulates that if a miner had black lung at the time of his death, his widow is eligible for benefits even though he did not die of black lung. My files showed that most doctors never recognized the existence of black lung, and usually attributed death to another cause. Therefore, many widows who deserved and needed these benefits were denied even though their husbands suffered from black lung. It was clear the situation needed to be remedied, and it was. This lady is now receiving the benefits which are justly hers.

Those of you who know a man who has black lung know that the disease causes severe shortness of breath. This shortness of breath is sometimes so bad that the man cannot climb a flight of stairs, walk a short distance, or even stand for a period of time without having to sit down to catch his breath. It is next to impossible for him to do any kind of physically exerting work, much less work in a mine. Despite this, benefits were denied because it was said a miner could work at another job. Such was the case of the Mt. Pleasant man whose wife wrote this letter:

"My husband worked in the coal mines and coke yard for thirty-two years. He dug coal, worked on the cutting machine, and loading machine. He applied for black lung benefits and was refused. The refusal said that 'The evidence that we received in your case shows you have a lung condition but it does not show that you are totally disabled from it. You therefore do not meet the requirements of the law and your claim must be denied.' Well he is disabled, has a cough, and gets very short of breath. Even his boss said he knew he was not able to work."

But because this did happen, I included a provision in my legislation which would require benefits to be paid to any miner who, being disabled by black lung, could not work at his job in the mines or any other job which required similar skill or exertion. These men are now beginning to receive their deserved benefits.

Finally, I have found numerous cases of miners who have every symptom of black lung, yet have been denied benefits because their X-rays do not indicate that they have the disease. The tragic thing about this is the fact that after these men die, autopsies show that they did have black lung. They were denied benefits while alive, but became eligible when they died. It is some kind of twisted logic that their only opportunity to receive benefits came when they could no longer use the money. I received this poignant letter from a Monessen lady who wrote in behalf of her father; who was denied benefits on the basis of a negative X-ray finding:

"I know personally that he gave 30 years of his life working in underground coal mines and he didn't get this condition from working in the open air or factories. In March he received a form letter denying him of the benefits with no reason other than that nothing showed on his X-rays . . . my father who is right now down to 127 pounds and a very sick man doesn't know where to turn to. I've convinced him to appeal the claim."

When this man appeals his case he will be granted benefits under the new law, because it stipulates that no miner can be denied benefits solely because his X-ray does not indicate the presence of black lung. All relevant information, such as breathing tests and doctor's affidavits, must now be considered when deciding claims. Therefore, men who have all the indications of black lung but through some quirk have a negative X-ray, are now eligible.

These are examples of how, by our keeping in touch with each other, we have been able to effect major improvements in a law touching millions of Americans throughout our land.

PENSION REFORM

A great deal of my attention during the past year has focused upon the need for meaningful pension reform—that is, legislation which will enable all people to receive the pensions which are rightly theirs. The problem of workers being denied pensions is one of the single most important questions before Congress today.

In order to determine the exact areas in which pension reform is needed, I directed the formation of a Task Force on Pension Reform under the jurisdiction of my committee. In order to give this Task Force some basis around which to conduct its study, I also introduced legislation specifically aimed at reforming those areas in which fine print and "legalized hanky-spanky" have kept the worker from receiving his pension.

My bill would guarantee the worker his pension by establishing a minimum vesting standard, portability, pension reinsurance, and a minimum standard of funding. In order to explain how the bill meets these needs, I use as an example the following letter from a Penn Hills man. He writes:

"I have been employed by a total of three firms for over 22 years. Each of them has had a pension plan into which I and my employers have paid money; yet, as of this day, I have no vesting in any of them. I have been with my present employer for twelve years and I still need three more years to become even partially vested. Even if I make it through the next three years (God willing) I have no assurance that the money will be there when I become 65."

This man's first problem lies with vesting, which is the employment time required to receive a pension upon retirement. Under my bill, all workers would be fully vested in their plans after ten years of employment. That is, they would be guaranteed a full pension at the age of sixty-five after being included for ten years in a company pension plan. If my bill were law today, this man would be fully vested.

The second problem with each of his plans is that there is no provision for portability, which gives the employee the ability to carry his pension credits from one job to another. My bill contains some measure of portability.

Finally, he is afraid that even if he is otherwise entitled, he will not receive his pension. This could happen for one of two reasons: inadequate funding or the financial failure of the company for which he has worked. If his pension is inadequately funded, that means that the company has not set aside enough money to assure that it will be able to pay his pension when it becomes due. My bill requires that all pensions be adequately funded; that is, all the money necessary to pay a man's pension must be accumulated and available when necessary.

My bill would also provide pension reinsurance to guard against company failures or conglomerate takeovers, and the subsequent loss of pension by those who worked for the company. To provide the insurance, it establishes a Pension Reinsurance Corporation similar to the Federal Deposit Insurance Corporation (FDIC) which guards against bank failures. Thus, once eligible, a person would not have to worry about losing his pension due to inadequate funding or company failure.

I hope this newsletter has been helpful and informative to you. If nothing else, I hope it at least demonstrates how you play a very meaningful role in influencing national legislation through your Congressman.

John H. Dent, M.C.

CONGRESSMAN DURWARD G. HALL

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McCLORY. Mr. Speaker, it is with a sense of deep regret that I pause to acknowledge the retirement from these halls of our esteemed colleague, Dr. Durward G. Hall of Missouri's Seventh District. There is no Member of the House of Representatives who has given more careful or more conscientious attention to the detailed provisions of the legislative measures than has "Doc" Hall.

Mr. Speaker, as an official objector, and as one who is in regular attendance of the floor of the House, Doc Hall has rendered a great service to his colleagues and to the Nation. Many frivolous and objectionable pieces of legislation would have been enacted into law were it not for his thoughtful analysis and articulate exposition of the weaknesses and deficiencies of such legislative measures.

Mr. Speaker, it is well known that Doc Hall has received steadfast support from his faithful wife, Betty. To both of them, my wife, Doris and I extend best wishes for many more productive, happy, and healthful years.

WHO CONTROLS RALPH NADER?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. RARICK. Mr. Speaker, the American system has many times come under attack. Many "crusaders" have blasted the Congress, but seldom in our history has any blatant exhibitionist like Ralph Nader taken on the entire American system. The big question is why the news media instead of ignoring him, tries to advance his negativism against everything American.

In short, Mr. Speaker, it is not the antics, half-truths, and fabrication from Nader which concern anyone, but rather that his viciousness has spiraled so rapidly.

According to a byline story in a recent local newspaper, "past Nader Raiders, and such organizations as the League of Women Voters and the American Civil Liberties Union helped to recommend volunteers in the field" for his recent "report on Congress."

Interestingly, the one man in America probably more controversial than Nader himself is the president of the ACLU, one Ramsay Clark.

Who controls Ralph Nader? Who hates Americans and the American system so viciously?

I think our colleagues would be interested in a documentary report on Nader, which may throw some light on who is behind his actions and whose cause he is promoting. I include the No. 7 issue of the Herald of Freedom, dated October 29, 1971, following my remarks.

Other relevant information can be obtained from the 19th issue of U.S.A., dated January 16, 1970, and written by Alice Widener:

[From the Herald of Freedom, Oct. 29, 1971]

RALPH NADER, FRIEND OR FOE

The so-called protector of the American consumer, Ralph Nader, has received tremendous publicity through television, newspapers and magazine articles, as has his corps of volunteers known as Nader's Raiders. On September 14, 1971 Representative Bob Wilson raised the question on the floor of the House of Representatives as to whether Ralph Nader is friend or foe. Congressman Wilson stated: "Like many Americans, I have been deeply disturbed by Ralph Nader's continuing attacks on American business. Certainly our economic system is not without severe faults, but the thrust of rampant Naderism seems at times bent on the destruction of our free enterprise system, rather than the reform of suspected abuses as alleged."

Ralph Nader was born on February 27, 1934 in the small Connecticut town of Winsted, the youngest child of Nadra and Rose (Bouziane) Nader, both of whom were immigrants from Lebanon. The Naders also have two daughters, one a research scientist and the other a teacher at the University of California at Berkeley.

Scholarships made it possible for Ralph Nader to attend the Gilbert School in Winsted, Conn. and Princeton University's Woodrow Wilson School of Public and International Affairs, where he graduated in 1955 with a major in government and economics. At Princeton he displayed nonconformity by acts that ranged from a refusal to wear the white buck shoes of that era to an unsuccessful campaign to prevent the campus trees from being sprayed with DDT.

After graduation from Princeton, Nader went to Harvard Law School and graduated in 1958 with an LLB Degree. For several months after his graduation he stayed on at Harvard, working as a research assistant to Professor Harold J. Berman, an authority on Russian law. In addition to government and law, Nader studied foreign languages and has become proficient in Russian and Chinese.

After finishing his assignment with Professor Berman, Nader served six months on active duty in the Army and, although a holder of two university degrees, he was assigned to work as a cook at Fort Dix, N.J. Following his release from the service, Nader made a tour which included Ethiopia, the Soviet Union and other Communist countries, going through Latin America on his way home. He was admitted to the Connecticut Bar in 1958 and began his law practice at Hartford, Conn. in 1959. His other activities included lecturing in history and government at the University of Hartford, 1961–63 and lecturing at Princeton University 1967–68.

Nader became acquainted with Daniel P. Moynihan who shared his concern with auto safety and in 1964 Moynihan, then Assistant Secretary of Labor, provided Nader with an entree to Washington, D.C., by appointing him as a $50-a-day consultant at the Labor Department. Through this connection he came to the attention of Senator ------ ------ who was interested in Nader's allegations against the automobile industry. Nader left the Labor Department in May of 1965 to devote most of his time to writing his book on auto safety entitled "Unsafe at Any Speed." The book, in which Nader attacked the whole Detroit automobile industry, was brought out by Grossman Publishers in November 1965.

General Motors Corp. retained investigators to ascertain if there was a connection between Attorney Nader and any law suits pending against General Motors and also sought background information. Based on the fact that information concerning him personally was sought, Nader filed a suit against General Motors in November 1966 for $26 million, the suit being later settled out of court for $425,000.

Using the money from royalties received from "Unsafe at Any Speed," Nader began to enlarge his operations in Washington and to broaden his field of inquiry to include a wide range of different subjects. He then set up the Center for the Study of Responsible Law and secured the services of over 100 young lawyers and law students, known as "Nader's Raiders," and received grants from the Carnegie Corp. of New York, the New York Foundation, and the New World Foundation.

Dumitru Danielopol, a highly respected correspondent for the Copely News Service, observed in August of 1971:

> Ralph Nader looks in the mirror and sees a reformer. Others look at Mr. Nader and see a man who would have us scrap our free enterprise system, then quietly lie down alongside the wreckage and die.
>
> Nader delights in poking at the ills of our system. Cars aren't safe at any speed; the air is unfit to breathe; the waters are polluted; everything we eat might poison us; the banks where we save our money are robbing us blind; stores steal from the buyers, advertising lies; the stock market is unreliable, the profit motive is immoral, the country is a mess, etc., etc.
>
> Only Mr. Nader, apparently, can save us from ourselves.

Mr. Danielopol, who has studied law, economics and finance, noted that if our system is so bad how has it been able to give us the highest standard of living, the highest per capita income, the healthiest, best fed, housed, best clothed population, more leisure time, more labor saving appliances, more information, transportation, housing, education, freedom, responsibility, than any nation in the history of man? Mr. Danielopol, writing in the Aurora, Illinois Beacon News stated:

> The consumerist considers business his enemy. He advocates more controls, more bureaucracy, restricted initiative. He doesn't say so but every action points to eventual government take-over.
>
> Mr. Nader and his raiders would deny this objective. But I remember other times in other lands when real and imagined problems were magnified to the point that whole peoples reached out for government controls. Men promised that if they were given the reins they would quickly lead the way to a better world.
>
> Let's see, there was Russia, Germany, Italy, Japan, Mainland China, Cuba, Chile . . . .

Commenting on Ralph Nader, James R. Taylor, Executive Director of the Committee of Christian Laymen, Inc. of Woodlawn Hills, Calif., stated:

> The Communist and/or Socialist plan to build a public following by selecting causes which have public appeal has been successful in the field of protecting the consumer and in the field of pollution or ecology. Let's take Ralph Nader's case as a prime example.
>
> The League for Industrial Democracy, the top Fabian Socialist group in the Country, gave Ralph Nader its "Annual Award" at its 63rd annual Conference in New York City—April 26–27, 1970.
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> Along with a letter to its members dated Dec. 4, 1968 the League for Industrial Democracy enclosed the Ralph Nader book "Who Speaks for the Consumer." In their letter they announced the setting up of a "Sustaining Fund" in honor of one of their founders, Upton Sinclair. The letter further states—"We know that Upton Sinclair must have looked with special satisfaction on the enclosed work of Ralph Nader." . . .
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> In addition to having the support of the Socialists, through the League for Industrial Democracy, Ralph Nader has the support of the American Civil Liberties Union as you will quickly see by reading their publications.
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> The 4th Report—Un-American Activities in California refers to the A.C.L.U. as "A transmission belt for the Communist Party."
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> The League for Industrial Democracy is the parent organization for the Students for a Democratic Society (also the bomb-throwing Weatherman—ed.) whose pro-Communist record is well known.
>
> Upton Sinclair, the L.I.D. founder who would approve of Ralph Nader and his activities, was a member of the Revolutionary Writers Federation, the American section of the Soviet Communist International Union of Revolutionary Writers. He was one of the promoters of the American League Against War and Fascism, cited as Communist and subversive; his record of communistic affiliations is well documented in congressional hearings and reports.

Congressman John G. Schmitz recently observed, "Mention 'ecology' or 'consumerism,' and the name that pops immediately to mind is Ralph Nader." "I have often heard businessmen dismiss Ralph Nader and his organization as well-meaning fellows who sincerely want to help consumers and improve business," the Congressman stated. However, Congressman Schmitz pointed out that Look magazine publisher Thomas Shepherd, Jr. recently stated in a speech: "Mr. Nader is not interested in seeing the U.S. industry clean house. What he wants is the entire house, from cellar to attic. His goal is bottom to top take-over of industry by Government." Federal Trade Commissioner Paul Rand Dixon stated of Nader: "He's preaching revolution and I am scared." On August 4, 1971 Congressman Schmitz, addressing the House of Representatives, stated:

> The public, too, has a right to be cautious about Mr. Nader's motives. If, in the name of "ecology" and "consumerism," Nader wishes chiefly to insure governmental control over the private sector, then there is true cause for alarm. When one considers that Nader is touring the country organising college students into "Raider" groups for his purposes, the possible impact on public policy becomes clear.
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> Governmental policymakers and bureaucratic planners have been all too quick to respond to such pressure. One example is the proposed bill, H.R. 437, which would set nationwide Federal standards for water—not just standards of safety, but standards of esthetics as well. This would mean that the Federal Government would control the standards of minerals and biological elements as well as the smell, appearance and taste of all the water for most of the local residents in the United States. . . . when the Government makes the leap from deciding what is safe for you—water safety standards—to deciding what is good for you—water esthetic standards—it is but a short step to Government decisions as to what additives would be beneficial for the general population.
>
> . . . If, in response to problems of consumer protection, population concentration, air, water and noise pollution, we react too strongly to the heated demagoguery of such as Ralph Nader, Paul Ehrlich and the rest of the often ill-motivated doomsayers, we are likely to find ourselves investing the Government not only with our protection but with our freedoms as well.

Articles by and interviews with Ralph Nader have appeared in the leftist publication the Nation, the Socialist publication the New Republic and Playboy magazine. In the Playboy interview Ralph Nader stated, "Some form of socialism may very well be a solution for poverty-ridden countries of the 'third world'. . ."

In attacking the meat industry, Nader stated that contaminated meat, horse meat, meat from diseased animals, lungs, eyeballs, pig blood and chopped hides are mixed into hot dogs and luncheon meats. Asked by Playboy interview, "Are you saying that such well-known meat processors as Swift, Wilson and Armour—and such well-known retailers as Safeway, Kroger and A & P—sell contaminated meat to their customers?" Nader answered, "Yes."

The undermining of American industry by Ralph Nader has progressed from alleged car defects to the meat and fish industries, the dangers of radiation and overexposure, industrial safety conditions, gas pipe-line safety and environmental hazards such as air and water pollution. His original attack on the automobile industry and unsafe cars obtained the most publicity for Ralph Nader. However, statistics for the year 1969, after safety belts (a Nader must), were made compulsory, showed that 56,400 persons were killed in auto accidents. The National Safety Council of Chicago, through its president, Howard Pyle, issued a warning that alcohol, not defective tires or brakes, is responsible for one-half of all highway accidents. A study made by the president of the Seattle-King County (Washington) Safety Council, shows that 85% of all traffic accidents are attributable to errors on the part of drivers. From the studies made it would appear that the principal cause of fatal accidents is not defective automobiles but defective drivers.

Nader has long advocated a Federal Department of Consumer Affairs and on February 24, 1971 President Richard Nixon issued Executive Order 11583 which created the Office of Consumer Affairs.

The Communists have been interested in consumer affairs and have formed or infiltrated several consumer groups and cooperatives. In a report of the House Special Committee to Investigate Un-American Activities, their research director Dr. J. B. Matthews, an expert on the Communist Conspiracy stated, "In its drive to secure adherents from the middle class, the Community Party of the U.S. concentrated much of its attention upon so-called consumer organizations and groups. . . . Scores of so-called consumer organizations became involved in this Communist tactic—organizations newly created by the Communist party ostensibly for the purpose of serving the interests of consumers, as well as existing organizations which were, in fact, devoted to legitimate consumer interests. . . ."

National fronts set up by the Communist Party were the League of Women Shoppers and Consumers Union. The Communists recognized the opportunity of sowing the seeds of dissent and downgrading private capitalism by working through the consumer movement. Jack Tenney, former Counsel of the California Committee on Un-American Activities, stated in his book "Red Fascism:"

The consumer movement undoubtedly had its roots in legitimate dissatisfaction, and developed . . . , from the rather vague interest of a few scattered women's groups. . . . With the establishment of Communist People's Fronts the consumer movement presented an ideal set-up for Stalin's agents. It was therefore an easy matter for these conniving propaganda experts to carry the authority, prestige and the sanction of the respectable, legitimate and thoroughly American consumer movement over to Communist design and purpose, thus making Communist design and purpose respectable and acceptable. . . . Under the cloak of a legitimate consumer movement the Communist Party consumer front organizations are attempting to discredit and smear American business. . . . Consumer groups particularly attract women of the great middle class who are interested in the cost and quality of the things they buy. Hence it is, particularly in these groups, that the majority of the members are not members of the Communist Party or even Communist sympathizers. They are attracted to the movement by professed aims.

The use of phosphates in laundry detergents is an example of how the American public was deceived and American businessmen put to untold millions of dollars in expense. After the campaign to abolish the use of phosphates, numerous communities banned their use; manufacturers had to change their formulas and millions of dollars were spent in advertising via television, radio, newspapers, and magazines to inform the American public which soaps did not contain phosphates. Then on September 15, 1971 the U.S. Surgeon General, Jesse L. Steinfeld, told a news conference that the safest thing for human health is to use a phosphate detergent. The official statement on behalf of the government advised that phosphates are the least of three evils among laundry detergents and requested reconsideration of state and local laws banning or restricting them.

William D. Ruckelshaus, administrator of the Environmental Protection Agency, said the government would deal with phosphates by helping finance sewage treatment improvements to remove them from waste water, at a cost of about $500 million in federal funds. Phosphates nourish algae growth in lakes and streams which depletes the oxygen supply, however, the substitutes for phosphates were found to be harmful to children. Thus, one consumer "protection" program of the Naderism type has cost American industry and taxpayers millions of dollars, only to be written off as a mistake. Now the detergent manufacturers once again can include phosphates without fear of the wrath of Nader and the U.S. Office of Consumer Affairs.

Ralph Nader, while at present limiting himself to attacking U.S. industry and American corporations as the un-elected representative of the American consumer, does have opinions and convictions in other areas. When asked during an interview whether he was a Republican or Democrat, he replied "neither." He claims he shuns political ideologies of all sorts because they always reflect a rigidity, an inability to judge each issue on its own merits. He stated that, while his critics call him a radical, he considers the real radicals in the U.S. to be the corporation executives.

When asked about his interest in the Vietnam War, he mentioned that there already are many people involved in this field and that is what kept him from throwing himself into the anti-war struggle. He felt his services were not necessary because "we have considerable talent—from students and professors to political leaders * * *." The interviewer asked Nader, "You've been extremely critical of nearly every aspect of American society, from business and Government to the medical, dental and legal professions. Are you completely pessimistic about the prospects for this country—or do you find grounds for optimism?" Nader replied, ". . . There are still vast reservoirs of idealism and commitment in this society, particularly among our youth; and despite the terrible crises afflicting us—the racial unrest deriving from our exploitation of the Negro, the unconscionable poverty, the dehumanizing trends within big business and Big Government that will transform men into automata—I still believe there is a genuine potential for constructive and redeeming change." Unfortunately, in view of Nader's background and activities, the change he seeks would not be in the best interests of the American people.

Nader is not alone in his objectives. They just happen to be the same as the objectives of the Communist Conspiracy and they are also shared by the leftist foundations who support him.

HON. WILLIAM COLMER

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. GIAIMO. Mr. Speaker, the chairmanship of a congressional committee is an honorable and powerful position, and William Colmer, chairman of the House Rules Committee, has held such a position with dedication and integrity. A committee chair is often held by a Congressman with great seniority among his colleagues, and Bill Colmer has achieved that seniority. For 40 years, he has successfully served the people in Mississippi's Fifth District, while also proving his outstanding leadership ability in carrying out the indispensable activities of his committee which influences so much of the legislation that passes before Congress.

A 40-year career offers such wide and diverse experiences for an individual, particularly if that career involves active participation in the conduct of a nation's government. Certainly, Bill Colmer's has been such a career, for he has performed his duties under six very different administrations with diverse needs and desires, in wartime and in peacetime. I envy the memories that Bill will take with him as he returns to his native Mississippi, because I firmly believe that such an active and dedicated man will offer the benefits of his experiences and memories to the continued good of his State and his country.

As Mississippi welcomes Bill back, we in the Congress will notice a definite loss. For Bill has left a lasting impression on this Chamber, and we will remember him as a gentleman of great conviction and loyalty. I would like to wish him great success in all future endeavors, and I would like to offer him my sincere congratulations on a truly distinguished career.

CHARLES R. JONAS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DORN. Mr. Speaker, it is a special pleasure to pay tribute to my esteemed friend from North Carolina, Mr. Jonas. Charlie Jonas leaves this body voluntarily, and with the highest respect and affection from both sides of the aisle. Charlie has long represented the great city of Charlotte, largest city in the Carolinas and one of the great textile areas of the world. He was elected vice chairman of the House Informal Textile Committee by his colleagues in the Congress. As secretary of that committee I know firsthand of his very effective efforts and successful leadership in protecting the American textile industry from unfair, low-wage imports. In numerous conferences with the Secretary of Commerce and with other Government officials he has helped to protect the jobs of hundreds of thousands of Americans. Without question his persistence and influence are largely responsible for the recent textile agreements reached with our Far Eastern friends. It is due in no small part to Charlie Jonas' superb efforts that the textile industry's 2½ million employees can continue to make the outstanding contribution to the defense of the Nation.

As one of the highest ranking members of the great Committee on Appropriations, Charlie Jonas is a statesman who virtually every day makes vital decisions about national priorities. In exhaustive and really endless hearings, his committee hears from representatives of every political philosophy, every section of the Nation and every economic group. He continues to contribute greatly during this uncertain era to the security and economy of the Nation.

Mr. Speaker, Charlie's constituents of both political parties hold him in the highest esteem. He has the singular distinction of holding national office as a member of the great Republican Party longer than any other Tarheel. This is a splendid tribute to his integrity and effectiveness in office. No Member is more admired by his people of both parties than is CHARLES JONAS.

CHARLES JONAS has lent great dignity and balance to the Congress and to our Piedmont Carolina section. During his tenure in office, Charlotte and the surrounding areas have become one of the great growth areas of the Nation, especially in diversified industry, banking and finance, and transportation. He has been an All-American Congressman, and we are proud of his accomplishments. He is one of this body's most learned lawyers, and we predict for him continued success in private life. Mrs. Dorn, herself a Tarheel, joins me in wishing for CHARLIE, his lovely wife, Anne Elliot, and his fine family continued success and every happiness in the future.

PRODUCTIVITY STATISTICS FOR A THIRD-GENERATION WAGE-PRICE MONITORING PROGRAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. LONG of Maryland. Mr. Speaker, Irving H. Siegel, a noted economist with whom I served on the staff of the President's Council of Economic Advisers, recently presented a paper at the 132d annual meeting of the American Statistical Association. The paper is entitled "Productivity Statistics for a Third-Generation Wage-Price Monitoring System." It is printed in part below:

PRODUCTIVITY STATISTICS FOR A THIRD-GENERATION WAGE-PRICE MONITORING PROGRAM

(By Irving H. Siegel, Consulting Economist, Bethesda, Md.)

I

This paper focuses on a future that can still be influenced. It looks ahead to the next—the third—program of peacetime monitoring of wages (or incomes) and prices in the United States.

At the 1968 meeting of the American Statistical Association (ASA), I presented a paper from a similar perspective on a similar topic. I reflected on the contemporary condition of productivity statistics (which has not changed profoundly since) and on the data needs of a forthcoming second "formal program" of wage-price or income-price surveillance, a peacetime program that "would presumably have an explicit statutory basis, pervasive scope, and steady application—unlike its predecessor." By "predecessor," I meant, of course, the pioneer monitoring venture—the Kennedy-Johnson version of jawboning-cum-armtwisting, which still showed twitches of life in 1968 but was surely "gone in the teeth" as early as 1966. As for the second program to which I already looked forward, Phase II was hardly being incubated in 1968; indeed, it had not even been ovulated.

The third coming can now be safely predicted, although it would be foolhardy to proceed to particulars—to the triggering events, the specific objectives, the timing, the duration, the onerousness of the new stabilization scheme. With some luck, the nation should enjoy a brief respite, a brief reversion to a freer economy, after Phase II ends (with a bong, perhaps, instead of a whisper) . . . The prospect of another monitoring episode is latent in: (1) the persistence, if not intensification, of cost-push pressures in the private sector; (2) the governmental proneness to outrun revenues to make budgtary outlays "uncontrollable," and to match or exceed private pay scales; and (3) the continuing weakness of our international balance-of-payments position.

* * * * *

II

In the design of the third peacetime program, benefit will certainly be derived from the accumulating national experience in "cryoeconomics." Not everyone will distill the same lessons from this experience or discern in it the same set of additional or alternative policy implications. I want to state some of my own impressions since they have a bearing on my view of statistical needs.

First of all, I believe that any provision for the expression of continuing, serious, high-level, governmental interest in private price and wage decisions is bound to have some efficacy, whether this efficacy can be measured or not. Inflation does have a psychological component (which should not, however, be exaggerated into all or most of the problem, or be translated instead into a mystery without handles). Organized groups in our society do exert market power, and dominant business firms in different industries do have some control over the prices they charge. The economics of the modern era has always been recognized as "political economy", and it becomes ever more so. In my opinion, even governmental exhortation has some influence as a form of education and leadership. Furthermore, this intervention, like the more stringent alternatives of surveillance, can be reinforced by budgetary restraints, by an example of moderation in pay revision, by use of monopsony power, by curtailment of subsidies, and by action to expand supply of services when action is taken to create or enhance effective demand.

Above all, adoption of a formal program of surveillance should not forestall governmental action to help make pay and price standards *self-enforcing*. Indeed, by "internalizing" public imperatives, by supplying incentives for compliance, we could get much better economic results while diminishing the danger of coercion and reducing inevitable inequities. For example, with all the futility at the command of an ordinary citizen, I have proposed in the past that pay-deferment bonds might be issued for protecting the purchasing power of pay increments that fall within the guideline limit. Alternatively, and with equal unsuccess, I have suggested that tax benefits offsetting cost-of-living rises be allowed for rewarding the "good guys" who accept infraguideline pay adjustments—for protecting them against the inflation abetted by the "bad guys". I assume that the enlistment of Internal Revenue Service in the administration of Phase II will inspire some new ideas for using the tax system to promote greater price stability.

The remarks I have already made point to a vital distinction between the trumpeted equity for some and the muted justices for all. The uneven distribution of market power leaves the least organized citizens especially vulnerable to inflationary aggression and inflationary pollution by others. Perhaps, as the historic tendency toward organization proceeds further, a better equilibrium of forces will finally emerge; or, perhaps, the indecisiveness of the routine economic war of all against all will become clear enough to encourage greater cooperativeness in the common good under governmental aegis. Another possibility is that the organization of consumers, the elderly, and others may increase the number of "parties at interest" seeking a voice in private-public wage and price determinations. For the third generation, however, I prefer to continue emphasizing the potential of incentives for self-enforcement—a bird much closer to hand.

In short, a monitoring effort can help to moderate inflationary pressures, but its limitations and dangers counsel modest objectives, less than complete coverage, and nonpermanence. It is only one tool that has to be used in conjunction with others, and it is hardly the most important one. It is a gross tool also, ill-suited to fine or frequent adjustment of relative prices and wages. Since it cannot achieve justice for all, it should aim for sufficient credibility during its lifetime. It deals with only some of the sources and aspects of inflation, diverting attention from fundamental causes and mechanisms to an administrative process. Beyond a certain point, especially if it is long-lived, it could help institutionalize inflation at a rate that is more or less tolerable to the better-situated elements of the population.

Termination, the end game, is difficult; but involvement of the Internal Revenue Service in administration may itself encourage public resolve to find a way and hasten the day. As for coverage, I like the idea of experimentation in the omission of various categories of firms and employees from surveillance; but such relaxation should be tried only after very comprehensive monitoring has first been installed.

At this point, I wish to add that any comprehensive "freeze" should do more than provide time for getting monitoring machinery into place. It should not merely change the rhythm of inflation—i.e., delay the process only temporarily in exchange for a subsequent compensatory bulge. Instead, it should slow the (average) metabolic rate, envisage no later speedup. Insofar as practicable, what is foregone should also be bygone.

III

A monitoring program makes very considerable demands on the nation's public and private data base—demands that cannot really be met. This fact counsels modest objectives for the program and tolerant administration, too—in addition to counseling the desirability of improving data systems.

The upgrading of the private data base is especially necessary for the maintenance of decentralized economic decisionmaking. A monitored company must survive as well as comply. It has to live and prosper in a competitive world, according to the best and most relevant truth that it can ascertain, as well as conform to administrative truth. In particular, a monitor may act "as if" a large company's *current* productivity pace is correctly reflected by the *past* performance of the industries in which its activities are located; but the company's management needs to be aware of the actual state of affairs.

Having had occasion in the past 15 years to advise firms and other consultants on company measurement systems, I am impressed with the apparent dearth and the routine character of accessible private productivity series. I am aware that company officials might not wish to volunteer information that could thereafter be forced onto the bargaining table as wages are negotiated. I also appreciate that more than one logical center of responsibility for such information may exist in a modern corporation—say, the accounting department and a vice president's planning staff—and that internal rivalries could keep an outsider (or an ineligible insider) in the dark. Furthermore, "management information systems" can, in this age of computers, become so turgid that the crude productivity measures sometimes included in their welter of periodic printouts simply go unrecognized and unanalyzed.

Perhaps, the situation of companies will be a bit more comfortable under the third-generation program. The emphasis in Phase II on productivity figures and the limited official guidance given for their computation must have stimulated company interest in such statistics. Furthermore, the word "productivity" has suddenly blossomed into common speech, becoming as popular and magical as, say, "R&D" and "automation" were not so long ago.

Above, I referred to the unlikelihood that the data demands of a monitoring program could truly be met. One thing I had in mind—other than the dearth of company measures of productivity—was the difficulty of expanding the public and private base of correlative "atomic" data on output, price, man-hours, and so forth. If detailed and integrated industry information were available on a "product" basis, we could always derive relatively unambiguous output and productivity measures therefrom. We could also obtain symmetrical, coordinate index-numbers of productivity and other variables deemed pertinent to an image-price or income-price analysis. Resort would not be necessary to techniques of deflation, which commonly involve numerators and denominators that do not quite match, that are only obscurely related in structure and content. Such techniques provide false comfort by meeting the requirements of verbal algebra; but, unfortunately, the operational meaning of an index number depends instead on its data content and on a strict literal algebra. Besides, when it is difficult even to conceptualize the specific "product" of an economic activity (as in many service areas), the results of deflation are more nebulous than ever.

A second serious statistical conundrum is posed by the fact that a monitoring program must be oriented toward the future rather than the past. What matters in fighting inflation or its symptoms is what productivity *will be* in the period to which a wage or price decision applies. The record of a recent year or of the past decade is relevant only insofar as it forecasts correctly what productivity will be. In a period of expected recovery, for example, productivity will surely not change as it has in a period of observed recession. In a period of rapid growth of output, productivity does not move as it does when saturation of a market is approached or reached. Even in some of the earliest guideline comments, as in the 1958 *Economic Report*, it was appreciated that productivity prospects are more pertinent than productivity history; but history, unfortunately, has become the center of concern.

These insuperable data problems—the difficulty of getting correlative "atomic" data for all companies, industries, and sectors and the difficulty of making reliable productivity forecasts for the same entities—should be recognized in the design and implementation of monitoring policy and programs. Statistical compromises, substitutes, and alternatives should be devised and interpreted with sufficient sensitivity to ideal algebraic requirements and to economic realities.

At this point, I take note of the typical separation of wage and price monitoring. In the third-generation program, I should like to see closer coordination of the two tasks. If the administration of wages has to remain separate from the administration of prices, it is still desirable, and it even becomes necessary, to estimate the economy-wide implications of particular adjustments. In principle, at least, the input-output tool, identified with the name of Wassily Leontief and painstakingly developed at the Department of Commerce as well as at Harvard, would seem adaptable to the purpose. Again in principle, the input-output system could even provide a cumulative register of inter-industry impacts and repercussions as additional wage and price determinations are made.

Another approach to coordination would involve the design and construction of hierarchically and laterally consistent index numbers for companies, industries, and higher aggregates. The difficulty of obtaining correlative "atomic" data, already mentioned, remains a serious practical obstacle. By hierarchical consistency, incidentally, I mean vertical compatibility—structural compatibility for aggregation (of companies into industries, etc.). By lateral consistency, I mean that the multiplicatively-related variables of interest to the wage and price monitors have been treated symmetrically, in an algebraically similar manner. I shall say more about lateral consistency below.

When wage and price administration is pursued as two distinct tasks, two different kinds of productivity seem to be of interest—and they should not be confused. The wage administrator inevitably focuses on labor productivity; but the price administrator's interest in cost structure leads him to all-input (i.e., factor *and* nonfactor) productivity. Of course, if all-factor returns are to be monitored, rather than wages (and salaries), all-factor productivity has to be used instead of labor productivity. It is a mistake to assume that productivity measures are quantitatively equivalent regardless of differences in the scope of the denominator.

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If the problem of data supply did not exist, the two monitoring tasks could be coordinated with the aid of an index-number system that incorporates all of the variables of interest and that treats these variables uniformly. In some of my other papers, I have discussed the design of algebraically consistent index numbers for variables occurring in a common context. If sufficiently detailed data were available, one could devise, say, homologous Laspeyres indexes for all the multiplicatively-related variables. A "small" extra constant term could be added to each so that the product of all the indexes satisfies the macroidentity that guided formula design. What I have just described is a generalization to more than two variables of the index-number system attributed to Stuvel. Other multivariable index-number systems, such as my generalization of Fisher's "ideal" measure (*Journal of the American Statistical Association*, December 1945), are logically more satisfactory, but they make still heavier data demands.

Simply for the sake of concreteness, I give an idea of the content that might be imparted to the Stuvel-type Laspeyres indexes. A wage monitor might wish to focus on productivity, unit labor cost, and average hourly earnings. A price monitor might wish to focus on three analogous concepts referring to all-factors input. Both, in addition, care about prices—and, perhaps, output. The product of all eight variables (or reciprocals, as required) is the value of output. Accordingly, each Laspeyres measure contains eight terms in the numerator and eight in the denominator. When each index has been adjusted to include the proper additive term, the product of all of them is the value index. The system treats all the variables symmetrically, and the adjusted Laspeyres measures satisfy the proper macroidentity.

Since data problems do exist, is there not some less demanding alternative? Yes, Monitoring could rest on only *one* productivity index (as in the Kennedy-Johnson program) and, hence, on a simpler coordinating macroidentity. The guidelines for prices and wages (or all incomes) could, for example, be administered with the aid of an indx-number system that is anchored to the value of output and distinguishes, say, four (multiplied) variables: prices, productivity (labor or all-factor), the reciprocal of average hourly earnings (or the equivalent for all-factor returns) and payrolls (or all incomes). I shall not go into various possible refinements—such as the matching of net (or gross) output with gross (or net) prices in the several index formulas.

The search for simpler measures may fruitfully be pressed further—toward results that also contain hints for simplifying the monitoring program itself. Specifically, the guideline rules may be cast in terms of *production* (output) rather than productivity. Somewhat less mystery surrounds the measurement and interpretation of production, and its projection may be contemplated with fewer qualms. Furthermore, since properly weighted production is additive (from firm to firm and industry to industry), an attractive opportunity for achievement of (approximate) hierarchical consistency is also presented. Weighted production estimates are becoming increasingly available for components of the gross national product according to industry of origin; and these estimates for industries can be matched at the company level with much less inhibition than would be experienced in the case of productivity measurement. The work of the Bureau of Economic Analysis of the Department of Commerce on industry output and on implicit deflators can provide considerable guidance. Perhaps, a program of deliberate measurement assistance to companies would represent a good small public investment for future stabilization efforts and other national purposes.

To see how production could replace productivity in the monitoring process, let us start with the Kennedy-Johnson (and Eisenhower) precept that average hourly earnings (or all-factor analogue) should rise no faster in the private economy than labor (or all-factor) productivity. Since the earnings and productivity have the same input denominator, this criterion is equivalent (according to verbal algebra, and can also be made equivalent in terms of literal algebra) to the rule that: Payrolls (or all-factor returns) should rise no faster than output. This rule, incidentally, also amounts to the standard that: An output-weighted index of unit labor cost (or of unit all-factor cost) should remain at, or fall below, 100. Thus, if unit labor (or all-factor) cost is assumed to be critical to price determination, and if policy tolerates a rise of 2.5 percent in such cost *an.. price*, then the index limit has to be set at 102.5 instead of 100.

Going a step further, we may envisage a third-generation monitoring system in which companies are asked, in the first instance, to steer their courses according to rules relating to production, factor-payment, and total-cost (or total value-added) statistics for their own operations. Preferably, the statistics should represent projections for a target period (e.g., the next year). These are the rules to be followed by each company:

1. Target factor payments should not exceed target output weighted by base-period unit factor cost. (In obvious symbols,

$\Sigma q_1 l_1 \leq \Sigma q_1 l_0$.)

2. Target total cost (or value added) should not exceed target output weighted by base-period total cost (or value added) per unit. (In obvious symbols,

$\Sigma q_1 f_1 \leq \Sigma q_1 f_0$.)

The first rule sets a rein on incomes; the second, on total cost or total value added, expressed in "current" dollars. A third inequality, concerning the difference between total cost and total factor payments, is implicit in these two. The rules can be adapted to reflect a tolerated income increase or price increase—by the simple insertion of the appropriate factor on the righthand side of the appropriate inequality.

Every company, in short, could be given greater latitude in regulating itself according to the guideline criteria established for the third-generation surveillance program. Achievement of the national stabilization objective is not jeopardized by decentralized decisionmaking if the standards are actually followed. The real problem is created by the exceptions—by deliberate or tolerated deviations from the uniform criteria. When exceptions are unavoidable, the price monitor and the incomes monitor should (1) make compatible rulings and (2) look for other instances in which compensatory constraint might be feasible. The algebra of the problem is much easier for the administrators to follow in terms of production aggregates than productivity averages.

Other advantages of shifting the emphasis to production could be cited. Much of the difficulty of measuring productivity really involves production, so explicit attention to issues involving the latter concept (e.g., the availability of suitable quantity data and the design of suitable deflators) may be broadly beneficial. Furthermore, stabilization is only one of the continuing or recurrent challenges of the domestic scene; and projected output growth can be related more naturally than productivity change to the other economic aggregates with which national policy is concerned, such as volume of employment and the supply of money and credit. . . .

PEACE WITHOUT FREEDOM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. SCHMITZ. Mr. Speaker, as most of my colleagues are well aware, I have been a consistent critic of the Nixon administration's new China policy from the moment it was unveiled, and I find many of my most fundamental objections to this policy particularly well summarized in an explanation of the moral significance and consequences of this policy, just published, which was recently brought to my attention. It deserves a great deal of thought and meditation now as the 92d Congress, in session when this new policy was formulated, draws to its end.

Entitled "Peace Without Freedom?" this moral analysis of our new China policy is the work of David C. Head, founder and president of the National Freedom Education Center, formerly vice president in charge of public relations and development of the King's College, and member of the executive board of directors of the Christian Freedom Foundation. Mr. Head is well known and has been widely commended as a student of communism, as a lecturer, educator, and world traveler, and as an active and dedicated Christian.

Excerpts from "Peace Without Freedom?" follow:

PEACE WITHOUT FREEDOM?—THE HUMAN ELEMENT AND THE U.S. NEW CHINA POLICY

(By David C. Head)

Many will remember that a great deal of discussion at the Nuremberg trials after World War II centered around the question of obedience. The defense based its case on the argument that the accused had followed the orders of their superiors, thereby relieving them of personal responsibility. They referred the guilt to those who had issued the orders. Hitler's underlings maintained that they only had been carrying out his commands. The question, however, was not merely, one of obedience versus disobedience; it was that a dictator created laws of his own murderous design and those who were the executioners of his laws became murderers. They followed an immoral leader and became themselves immoral. They functioned within a regime that had rejected adherence to Moral Law.

What happens when an atheistic totalitarian-oriented regime imposes its rule on its population? Such a regime negates the principle that a man's right to life and liberty is endowed by his Creator. Those who rule without recognizing a higher power make it their own prerogative to remove the right to freedom—or life and freedom itself. When God's Moral Law is rejected, the basic principles of morality and ethics are shaped to the design of those who hold power in order to preserve the continuation of their power.

In communist dominated countries the guideline is the dogma of Marxism-Leninism. Those governments act on the premise that their power is given to them by the Party which establishes their *right* to dictate the individual's mode of life and destiny, consequently substituting slavery for liberty.

The dictatorial power, having removed every vestige of spiritual guidance and obedience to the Law of God, assumes full command of the individual's life. Having deprived people of their individual rights, they simultaneously remove the corresponding responsibilities. As observed in Communist China, this ultimately creates a regimented, robot-type society in which every personal decision has been assumed by the government. The individual, without inner guidance, deprived of spiritual rules, and removed from moral codes, finally is forced to rely in every phase of his existence on the dictatorial power.

In recognition that man must live by rules, the mainland Chinese was given his substitute guidelines in the form of the little red book of Mao Tse-tung thought. The picture of the communist potentate in the ancestral corner of his home, the ever-present little red book in his hand and the regime-prescribed compulsory reading of the "Thoughts of Mao" are proof of this fundamental necessity.

PEOPLE JUST LIKE US

Even though a certain contingent of our news media will hold to the first surface impressions of their superficial experience, the true dimension of what it means to live in Mao's China will—after prolonged exposure—eventually be grasped by the American public. The observations of the *orderly* Chinese society nevertheless has already produced some genuine insights. At the time, one correspondent, for instance, made the amazed statement, "They are people like us." It could have been that he awakened to this stunning realization when he caught a glimpse of human compassion in the eyes of his interpreter, or in the person he was permitted to interview. Or it could have been his own sudden comprehension of the full meaning and extent of a controlled society.

Aside from the political implications of our new China policy, the arguments over the consequences, timeliness, and prudence should be centered on the human element. The destiny of the individual, the *person just like us*, is after all the actual object of the world's power struggle. He is either the victim or the victor in the continuing battle of two ideologies.

Thousands of miles away live and labor 800 million people. It was because of the separation between us and those masses of human beings that our Administration decided on intensified contacts. (Discussions between the U.S. and Red China have been taking place since 1954 in Geneva and Warsaw.) It is true that, due to our initiative, some mainland Chinese diplomats, journalists, athletes and artists will now have the opportunity for contact, travel, and limited personal freedom but will the lives of the majority of 800 million people be affected? Will the *people just like us* continue to be forced to conduct their lives in the humiliating, depressing atmosphere of a totally perverted tyranny? OR—will our contacts with their rulers re-establish their God-given rights to live as *people just like us?* Have we given them hope or added to their despair?

In predicting possible future developments there is only one valid parallel—the Soviet Union. Our contacts with the USSR have now existed for over 34 years; yet, individual groups of people are still persecuted, the Russian intellectual is still fighting for his right of self-expression, and the labor camps, insane asylums and political prisons are still filled with those who did not *conform* to the rigorous demands of communist regimentation. The walls, barbed wire fences, gun-spiked towers, and watchdogs still hold *people like us* captive. Public opinion, diplomatic contacts, and cultural exchanges have had little impact on the writer whose mind will not be incarcerated. It brings no relief for the Baptist preacher who will not deny God, or for the person of Jewish faith who wishes to return to the land that promises him his right to live according to his customs. They all continue to pay their price should they dare to demand any of the human rights we, ourselves, take for granted.

Can there be peace for us while freedom is denied others; liberty preserved for us while it is denied millions of *people just like us?*

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IN DISREGARD OF HUMAN VALUES

We have spent a vast amount of our resources in helping the world's destitute help themselves. When we saw the skeletal bodies of Biafran children, we rallied to their aid just as we had once assisted Europe to overcome the devastation suffered through World War II. We felt compassion for those millions who were caught between the war actions of India and Pakistan. Wherever people suffer from the consequences of natural disasters, hurricanes, earthquakes, tidal floods, our nation is ready to share its affluence with the misfortunates. We are deeply disturbed about the injustice, restrictions, and deprivations suffered by the Jews in the Soviet Union and the Catholics in Lithuania. We subscribe to the saying that "where there is constant want there is no peace." Yet, we seemingly disregard the want for physical and spiritual freedom of 800 million Chinese. Citizens who support and believe in their government do not risk death by attempting to flee, even though the vigilance of their jailers leaves little hope for success. Yet, last year alone, over 20,000 Chinese risked their lives by swimming the long, dangerous miles to freedom in Hong Kong. More than 2,549,000 refugees have escaped the Chinese mainland since the Communist takeover in 1949. (Only one out of five escapees is properly registered as a refugee). More than 20,000 are believed to have died in their attempt to reach freedom. How many are planning to seek the opportunity to follow their countrymen?

We expect peace to materialize without placing emphasis on human values. Our outstretched hand to Communist China is based on the reasoning that we could no longer neglect the most populous nation in the world; however, our initiative in consorting with the Peking regime without eliciting concessions has actually cemented, not relieved, the neglect of basic human needs of this vast populace.

China's history and its glorious traditions and philosophy of life are often hailed as being deeply imprinted on the Chinese character. Even the most tyrannical indoctrination, one must concede, cannot entirely extinguish such a heritage. What suffering is imposed on those who are victimized in the attempt to remove their traditions, suppress their beliefs, and change thier philosophy!

THE CONSEQUENCES OF TOTALITARIAN RULE

In dealing with the Chinese dictatorship, we benignly emphasize that they will adhere to *their own principles*, we recognize thereby their right to impose their rule on the population over which they exert Party-endowed power. We recognize their "set of ethics" and thereby grant them the right to perpetuate their rules under *principles* we ourselves cannot accept; for their unethical law deprives people of the rights that we, ourselves, hold as valid and essential to human dignity. In other words, we give comfort to those who govern under the atheistic concept that the guidelines for human society and behavior are rightfully established by dictators and that they should without challenge be obeyed by those they govern. Yet, the obedience they demand from the enslaved population is not obedience to Moral Law but to a dictatorial law that can demand murder at will, dictate revolution, and instigate war. It can also break agreements and treaties at will.

Liberty is the absence of human interference with the actions of individuals except as is necessary to insure equal freedom for all other individuals in society. In the communist society, only the ruling minority enjoys freedom and only to a limited extent, their freedom being restricted by their own self-created limitations. By forcing restrictions on others, or by abusing freedom, the ruling class is bound to impose slavery which, in turn, limits their own creative potential. The result is amply visible in a loss of productivity on both the intellectual and economic levels. In other words, the rights they deny the masses over which they rule, deprives the rulers of the potential of improvement in the conditions of the society they collectivize. Having removed liberty, the totalitarian ruler has also extinguished individual choice, personal incentive, responsibility, and creativity. The dehumanized society can, therefore, only continue to function as a nonresponsible collective, in which the burden of choice and responsibility remains with those who have taken it upon themselves to decide which prerogative they will remove. Today's conditions in mainland China exemplify to a horrendous extent the consequences of such a system. The masses of Chinese were compelled into the position of sanctioning their loss of choice and human rights. Those who forced them are themselves lawless. Those who aid them become associates in a crime against humanity.

The Chinese people have not voluntarily surrendered their freedom of choice to their totalitarian rulers; they have been forcibly pressed into slavery. Responsibility for this great tragedy lies with the immoral Chinese communist hierarchy that dominates everyone's life and thought. But by consorting with and aiding these rulers, responsibility for this deplorable condition also falls upon ourselves. The Chinese subject pays the penalty for those who disregard Moral Law. Moral Law, however, rules equally over those who are forced to ignore it as it does over those who are consciously ignoring it.

PRINCIPLES AND COMPROMISE

The fundamental moral and spiritual principles that serve as the guide of our Republic are the basis of our Constitution. They are the rules of law for our society. Based on The Golden Rule and The Ten Commandments, the moral and civil law they espouse presuppose recognition of our Creator. They are the guarantee that those who govern our society will respect men's rights to life and liberty. While it is up to the individual to decide to what extent he adheres to these guidelines in the conduct of his personal life, the society and its government that depart from adherence to Moral Law are doomed to the loss of liberty. We hold that no man shall oppress others. In our own nation we live in constant awareness that respect for our freedoms is being upheld.

If our motivation for establishing closer contact with Peking was guided by the principles under which we live, our actions would be so designed as to restore freedom to the Chinese populace. But, if in disregard for these rights we assist those who restrict these God-given rights, we fail to observe Moral Law. If we apply The Golden Rule "of refraining from imposing on others what we do not wish for them to impose on us" we clearly cannot sanction those who impose on the peoples of mainland China what we do not wish imposed on the United States. We are morally wrong to do so and have to expect penalty for such violation.

We cannot seek a compromise in political action under a code of convenience and expediency. The principle of Moral Law is indivisible and unflexible. The fact that we have disregarded principle at times in our nation's history is not a reason to repeat error again. Some of our errors of the past have created the problems of today. Communism would not have developed to the extent of its present menace had we not been averted from our moral guide. Evil has begotten evil consequences.

Our intentions for peace are our motivations for compromise and, therefore, even good intentions cannot bring good results. In dealing with the communist hierarchy we will have to do so under a multiple standard of morals. Marx (Religion is the opium of the people) and Lenin (Any religious idea, any idea of a "good God" . . . is an abominably nasty thing) denounced the moral code under which our civilization functions. Communism has to follow this negation because the whole system is built on the denial of moral right. Communism cannot exist within the concept of freedom. . . .

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CONCLUSION

We simply cannot sit in our own frontyard contemplating peace and expect revolutionary governments to follow course. Nor will the toasts exchanged by heads of governments, even if they are courteously sweetened by quotations of those who desire our demise, remove the realities of our present conflict with the Communists in Southeast Asia and elsewhere. Communism regards the entire world as an endless battlefield on which they intend to win the final victory. The front zones, so far, are the countries of Vietnam, Cambodia, and Laos. The battlefield has now been extended to include the conference table. At first glance that might seem a desirous development—but the conference table has not *replaced* the battlefield, it is merely an extension of it—an additional confrontation while the *wars of liberation* continue unhampered under the mantle and illusion of negotiation. At the latter we can just as quickly barter away our own freedom and the independence of others.

Under constant vigilance, the American experiment of democracy has worked and lasted because its concepts were based on high principle. The United States has become the model of free government and of responsible personal freedom. The United States, just as the rest of the world, is still not a perfect place but it is the land where people's individual dignity is honored and no threats are made to throw anyone into a concentration camp for his personal opinion. It is a place where there exists a constant endeavor to respect the rights of others and nobody is forced into uniform thought and told where to work and live.

The moral strength of our people, through adherence to principle, has been a major reason why freedom has been preserved for our nation. We believe in our system of government as we believe in freedom for all mankind. We are not opposed to the communist system because of its alien nature and attitude towards our own, nor do we seek to impose our system on them. We are opposed to Communism because it is militarily atheistic and because a freedomless society is against human nature.

"The condition upon which God hath given liberty to man is eternal vigilance, which condition if he break, servitude is at once the consequence of his crime, and the punishment of his guilt." These words were once uttered by a man who understood the value of liberty.

If freedom and dignity and self-government are not going to be preserved for the Republic of China, for instance, how can we as their allies—and as the guardians of freedom—escape the consequences and the punishment for our guilt? And if their freedom should ever be lost, all hope for the mainland Chinese would be removed, possibly for generations.

Peace cannot be bought at the expense of moral leadership and insensitivity to the interests of freedom and liberty for all mankind.

". . . reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle."—George Washington

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LEROI JONES KAWAIDA TOWERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. RARICK. Mr. Speaker, with the Federal Government denying tax-exempt status to many private schools because they are said to be discriminatory, and with Federal funds being denied to private hurricane disaster victims like the Lake Barcroft area residents because they are said to be "rich and private," many Americans should question the double standards in using taxpayers' dollars to subsidize the 16-story high-rise apartment for black militants in Newark, N.J., to be called the Kawaida Towers.

Reportedly, the $6.4 million Kawaida Towers is sponsored by Temple Kawaida, which is ruled over by the black nationalist, Imamu Amiri Baraka, who before changing his name was better known as LeRoi Jones.

Rentals at the all-black Kawaida Towers are estimated to run between $117 to $188 per month. Federal interest subsidies from U.S. taxpayers are expected to be up to 70 percent of the rentals. Reportedly, the 48-year mortgage is to be financed by the housing finance agency of the State department of community affairs, courtesy of Federal funds and revenue sharing.

The Kawaida Towers is certain to be a private, segregated sanctuary. Many Americans who pay taxes to fund such monstrosities should start asking why this is allowed, especially when they are denied help when they are in need.

Any Members not familiar with LeRoi Jones, alias Imamu Amiri Baraka, will find of interest the report of "Subversive Influences in Riots, Looting, and Burning, Newark, N.J.," part 4, page 1910, and so forth, hearings before the Committee on Un-American Activities, House of Representatives, 90th Congress, 1968.

Several related newspaper clippings follow:

[From the Newark (N.J.) Star Ledger, Oct. 11, 1972]

WORK TO BEGIN ON NEWARK HIGH RISE

(By Daniel Hays)

Ground will be broken Thursday for a 16-story low and moderate income apartment house in Newark's North Ward—a project developed by a collaboration of blacks and whites.

The 2 p.m. ceremonies will mark the beginning of Kawaida Towers, a $6.4 million development sponsored by Temple Kawaida, which is led by black nationalist Imamu Amiri Baraka.

Participants in the project have called the concept behind the development "mix and match," the purpose being to match blacks with white counterparts in order to teach them the skills involved in construction management.

At the top the mix includes three men, Baraka, a poet and playwright; Raymond A. Brown, a black attorney from Jersey City and a member of key state committees; and Alvin E. Gershen, a white planner from Trenton.

The trio expect that Kawaida Towers at 129–141 Lincoln Ave. will serve as a vehicle to give blacks a variety of leadership opportunities.

Recognising that few black architects had sucessfully designed high-rise apartments, they paired black Majenzi Kuumba of Newark with white Romolo Bottelli of Maplewood.

Vernon Clash of Newark, a young black housing consultant, was brought into Gershen's office to work not only on Kawaida Towers but on other major housing and planning developments.

The general contractor Bruno J. Lucarelli, Jr., of B.J. Builders of New Jersey Inc., West Long Branch, has agreed to use qualified black subcontractors wherever possible, according to the project managers.

Brown, himself, who is known as one of the state's leading defense attorneys is matched with white co-counsel Nathan A. Schanerman of Newark, who specializes in housing law.

The construction site covers 1.77 acres. The building will include a total of 210 units, 45 efficiency, 90 one-bedroom, and 75 two-bedroom units. Half of the apartments will have balconies.

Rentals at the project are estimated at between $117 and $188 per month. Federal interest subsidies will permit qualifying tenants to receive rent reductions of up to 70 percent.

In the basement of the building and the first floor the space will be devoted exclusively to community rooms, including a hobby shop and day care center.

Financed by a 46 year mortgage from the Housing Finance Agency of the State Department of Community Affairs, the project is scheduled for completion late in 1973.

Cheo Mfuasi, the president of the corporation behind the development, Kawaida Towers, Inc., said that the high-rise is being constructed within the framework of Temple Kawaida ideology.

"Kawaida in Swahili means tradition and reason and we are applying both in our approach to this program," he said.

The North Ward where the project is being up has a large population of Italian-Americans which according to a spokesman for the Kawaida corporation "have been among Baraka's severest critics."

"What many have failed to realize is that the North Ward also long has been the home of a large segment of Newark's black community," he continued.

The three leaders of the development, Baraka Brown and Gershen, credit Newark Mayor Kenneth A. Gibson with helping to provide much of the impetus for local approval of the program, which includes a provision for payment of 15 percent of rentals in lieu of taxes. Gibson will be on hand for the ground breaking ceremonies.

Discussing the project Baraka declared, "the main thrust of Temple Kawaida is self-reliance and whether you are talking about building a building, writing a play or singing a song, it is difficult to be successful without proper skills. It is these skills that must be learned by our black brothers and sisters."

[From the New York Times, Oct. 8, 1972]

Jersey To Finance Black-Built Housing

(By Joseph F. Sullivan)

Newark, October 7.—A corporation formed by Imamu Amiri Baraka, the black nationalist, and his followers have won state support for construction of a 16-story low-and-moderate-income housing project in the predominantly white North Ward.

Temple Kawaida, which Mr. Bakara heads as spiritual leader, is the sponsor of the 210-apartment unit building. It will be financed by a $6.4-million, 46-year mortgage from the State Department of Community Affairs.

Ground will be broken for Kawaida Towers on Thursday at a site already cleared at 129–141 Lincoln Avenue, near Delevan Avenue and Broadway. The North Ward, which includes a large part of the city's black community, is inhabited largely by Italian-Americans, who have been the severest critics of Mr. Bakara, the poet and playwright formerly known as LeRoi Jones.

"Tradition and Reason"

The president of Kawaida Towers, Inc., is a former Chicago public school teacher and social worker who came to Newark in the late nineteen-sixties became active in the work of the temple with Mr. Bakara and changed his name from S. George Reed Jr. to Cheo Mfuasi.

"Kawaida in Swahili means tradition and reason," Mr. Mufuasi said. "We are applying both in our approach to this program."

The project was put together by three men: Mr. Baraka, Raymond A. Brown, a black lawyer from Jersey City, and Alvin E. Gershen of Trenton, an urban planner who was housing consultant for the project. Mr. Gershen is white.

Because the black community could not supply all the professional skills and disciplines needed to complete the project, the three men devised a system they call "mix and match." It ensures black control while employing some of the most successful men in the New Jersey construction industry.

Romolo Bottelli of Maplewood has been hired as the architect. He was "matched" with a black architectural consultant, Majenzi Kuumba of Newark. Vernon Clash, a black housing consultant in Mr. Gershen's office, is working on Kawaida Towers as well as on other projects.

[From Review of the News, Oct. 4, 1972]

An Intelligence Report

The Essex County (New Jersey) Board of Freeholders is considering whether to name a Kawaida minister as chaplain at the Essex County jail. One of the freeholders, Thomas E. Cooke Jr., has asked the Board to approve Carl Gregory, minister of the Kawaida faith. The Board is now checking on how many of the 500 prisoners in the new 13-story complex are members of the Kawaida faith.

The "Reverend" Carl Gregory, who is a former Essex County welfare worker, claims that 75 inmates of the prison are devout Kawaidas. To establish his qualifications as a minister, the "Reverend" Gregory presented a document to the Board of Freeholders, showing he had been ordained a minister by the "spiritual leader" of all Kawaida, one Imamu Amiri Baraka (otherwise known as LeRoi Jones), a black Marxist revolutionary who leads a team of uniformed streetbunders.

Le Roi Jones was born in Newark in October 1934, and long operated in the Greenwich Village section of New York City. In 1960 he visited Communist Cuba and became enthused with Castro's revolution. With the aid of federal funds, Jones set up in New York a Black Arts theatre and a center where black militants were trained in the use of firearms. After a police raid in 1966, he moved to Newark, operating from a 3-story building which he calls "Spirit House."

Jones was arrested during the 1967 Newark riots, and used his notoriety to become leader of a Black Power movement through which his followers took control of the city government in Newark. On February 3, 1968, the *Daily Journal* of Elizabeth reported that LeRoi Jones addressed a group of 1,000 blacks in a hotel in that city and urged them to "slit the white man's throat and rape his daughter."

Our sources tell us that LeRoi Jones is endeavoring to place his Kawaida "minister-chaplains" in prisons to recruit terrorist followers.

TRIBUTE TO CONGRESSMAN CHARLES RAPER JONAS

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. WAGGONNER. Mr. Speaker, it is indeed a pleasure for me to address the House in a salute to my good friend, Charlie Jonas. His accomplishments and achievements are numerous and I can personally speak at great lengths about my own association with him.

He is one of the most tireless workers that I have seen in my years of Congress and I cannot recall any Member who takes the interest and welfare of his district and Nation so seriously. His ability, sincerity and dedication to his job will long stand as a record to be equaled. His presence here in the House of Representatives will be sorely missed.

As a ranking member of the Committee on Appropriations, he has exerted tremendous influence upon affairs of our Nation and I can say without fear of contradiction that had it not been for his outstanding service in Congress we would be less able to meet the challenges of the future than we are today.

I want to extend my best wishes to Charlie in all his future endeavors. We will miss him greatly, but we will not forget him.

H.R. 17142—A BILL TO STRENGTHEN AND CLARIFY THE FREEDOM OF INFORMATION ACT (5 U.S.C. 552)

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MOORHEAD. Mr. Speaker, I have introduced legislation to strengthen and clarify certain provisions of the Freedom of Information Act (5 U.S.C. 552). The bill—H.R. 17142—embodies legislative objectives based on 14 days of hearings this spring by the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee. Such objectives were also unanimously approved by the committee in our report, "Administration of the Freedom of Information Act," that was issued last month (H. Rept. 92-1419).

The legislative history of the Freedom of Information Act, which became effective on July 4, 1967, clearly sets forth the rights of all Americans to know what the Federal Government is doing in their name. The law was the result of some 11 years of investigation, hearings, and studies by this subcommittee, under the outstanding leadership of the gentleman from California (Mr. Moss). But our hearings on the operation of the act during the past 5 years showed that in too many instances the Federal bureaucracy has been able to thwart the efforts of many citizens to obtain information or documents to which they are entitled under the Freedom of Information Act.

Mr. Speaker, H.R. 17142 will make it much more difficult for the bureaucracy to continue to ignore the people's right to know, for it clarifies some of the confusing language of the act and reflects leading court interpretations. The major provisions of H.R. 17142 would—

Speed up agency action on requests for public records, requiring an answer to a request within 10 days, an answer to an appeal against a refusal within 20 days, and an answer to a court suit within 20 days. At present agencies average a month in answering a request, 2 months in handling an appeal, and another 2 months in answering a suit.

Permit the payment of reasonable attorney's fees and court costs when a Government agency improperly withholds public records.

Revise the categories of records that may be withheld, including a prohibition against withholding investigative files which are scientific studies, reports relating to health or safety, or records which are the basis for a policy decision or rulemaking action.

Require every Government agency to report to Congress annually on their administration of the Freedom of Information Act.

Mr. Speaker, I hope that all persons interested in the more effective operation of the Freedom of Information Act—officials of the executive branch, as well as those persons outside Government having experience in freedom of information litigation—will in the next few months have an opportunity to study these proposed amendments. The subcommittee would be most pleased to have written comments and suggestions as to how they might be modified to more clearly reflect the positive objectives we seek in strengthening, clarifying, and otherwise improving the operation of the Freedom of Information Act. I will then reintroduce a revised version of this legislation early in the next Congress and schedule early hearings.

I insert at this point the text of the present Freedom of Information Act (5 U.S.C. 552) and the text of H.R. 17142 and its cosponsors:

SECTION 552—PUBLIC INFORMATION; AGENCY RULES, OPINIONS, ORDERS, RECORDS, AND PROCEEDINGS

(a) Each agency shall make available to the public information as follows:

(1) Each agency shall separately state and currently publish in the Federal Register for the guidance of the public—

(A) descriptions of its central and field organization and the established places at which, the employees (and in the case of uniformed service, the members) from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;

(B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

(C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;

(D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and

(E) each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of the terms thereof, a person may not in any manner be required to resort to, or be adversely affected by, a matter required to be published in the Federal Register and not so published. For the purpose of this paragraph, matter reasonably available to the class of persons affected thereby is deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

(2) Each agency, in accordance with published rules, shall make available for public inspection and copying—

(A) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register; and

(C) administrative staff manuals and instructions to staff that affect a member of the public; unless the materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction. However, in each case the justification for the deletion shall be explained fully in writing. Each agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and required by this paragraph to be made available or published. A final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects a member of the public may be relied on, used, or cited as precedent by an agency against a party other than an agency only if—

(i) it has been indexed and either made available or published as provided by this paragraph; or

(ii) the party has actual and timely notice of the terms thereof.

(3) Except with respect to the records made available under paragraphs (1) and (2) of this subsection, each agency, on request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute, and procedure to be followed, shall make the records promptly available to any person. On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complaint. In such a case the court shall determine the matter de novo and the burden is on the agency to sustain its action. In the event of noncompliance with the order of the court, the district court may punish for contempt the responsible employee, and in the case of a uniformed service, the responsible member. Except as to causes the court considers of greater importance, proceedings before the district court, as authorized by this paragraph, take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(4) Each agency having more than one member shall maintain and make available for public inspection a record of the final votes of each member in every agency proceeding.

(b) This section does not apply to matters that are—

(1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(2) related solely to the internal personnel rules and practices of an agency;

(3) specifically exempted from disclose by statute;

(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(9) geological and geophysical information and data, including maps, concerning wells.

(c) This section does not authorize withholding of information or limit the availability of records to the public, except as specifically stated in this section. This section is not authority to withhold information from Congress. (Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 383; Pub. L. 90-23, § 1, June 5, 1967, 81 Stat. 54.)

H.R. 17142

Mr. Moorhead (for himself, Mr. Moss, Mr. Macdonald of Massachusetts, Mr. Conyers, Mr. Alexander, Ms. Abzug, Mrs. Dwyer, Mr. Fuqua, Mr. Reuss, Mr. Rosenthal, Mr. Thone, Mr. Broomfield, Mr. Gibbons, Mr. Leggett, Mr. Obey, Mr. Reid, and Mr. Thompson of New Jersey.

A bill to amend section 552 of title 5, United States Code, known as the "Freedom of Information Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. (a) The fourth sentence of section 552(a)(2) of title 5, United States Code, is amended by striking out "and make available for public inspection and copying" and inserting in lieu thereof "promptly publish, and distribute (by sale or otherwise) copies of".

(b) Section 552(a)(3) of title 5, United States Code, is amended by striking out "on request for identifiable records made in accordance with published rules stating the time, place, fees, to the extent authorized by statute, and procedure to be followed," and inserting in lieu thereof the following:

"upon any request for records which (A) reasonably describes such records, and (B) is made in accordance with published rules stating the time, place, fees, to the extent authorized by statute, and procedures to be followed,".

(c) Section 552(a) of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(5) Each agency, upon any request for records made under paragraph (1), (2), or (3) of this subsection, shall—

"(A) determine within ten days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor;

"(B) in the case of a determination not to comply with any such request, immediately notify the person making such request that such person has a period of twenty days (excepting Saturdays, Sundays, and legal public holidays), beginning on the date of receipt of such notification, within which to appeal such determination to such agency; and

"(C) make a determination with respect to such appeal within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal.

Any person making a request to an agency for records under paragraph (1), (2), or (3) of this subsection shall be deemed to have exhausted his administrative remedies with respect to such request if the agency fails to comply with subparagraph (A) or subparagraph (C) of this paragraph. Upon any determination by any agency to comply with a request for records, such records shall be made available as soon as practicable to such person making such request."

(d) Section 552(a)(3) of title 5, United States Code, is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of law, the United States or an officer or agency thereof shall serve an answer to any complaint made under this paragraph within twenty days after the service upon the United States attorney of the pleading in which such complaint is made. The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this section in which the United States or an officer or agency thereof, as litigant, has not prevailed."

Sec. 2. (a) Section 552(b)(2) of title 5, United States Code, is amended by inserting "internal personnel" immediately before "practices", and by inserting "and the disclosure of which would unduly impede the functioning of such agency" immediately before the semicolon at the end thereof.

(b) Section 552(b)(4) of title 5, United States Code, is amended by inserting "obtained from a person which are privileged or confidential" immediately after "trade secrets", and by striking out "and" the second time that it appears therein and by inserting in lieu thereof "which is".

(c) Section 552(b)(6) of title 5, United States Code, is amended by striking out "files" both times that it appears therein and inserting in lieu thereof "records".

(d) Section 552(b)(7) of title 5, United States Code, is amended to read as follows:

"(7) investigatory records compiled for any specific law enforcement purpose the disclosure of which is not in the public interest, except to the extent that—

"(A) any such investigatory records are available by law to a party other than an agency, or

"(B) any such investigatory records are—

"(i) scientific tests, reports, or data,

"(ii) inspection reports of any agency which relate to health or safety, or

"(iii) records which serve as a basis for any public policy statement made by any agency or officer or employee of the United States or which serve as a basis for rule making by any agency;".

Sec. 3. Section 552 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Each agency shall, on or before March 1 of each calendar year, submit a report to the Committee on Government Operations of the House of Representatives and the Committee on the Judiciary of the Senate which shall include—

"(1) the number of requests for records made to such agency under subsection (a);

"(2) the number of determinations made by such agency not to comply with any such request, and the reasons for each such determination;

"(3) the number of appeals made by persons under subsection (a)(5)(B);

"(4) the number of days taken by such agency to make any determination regarding any request for records and regarding any appeal;

"(5) the number of complaints made under subsection (a)(3); and

"(6) a copy of any rule made by such agency regarding this section;

during the preceding calendar year."

SENATE—*Tuesday, October 17, 1972*

The Senate met at 11 a.m. and was called to order by Hon. Robert C. Byrd, a Senator from the State of West Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our fathers and our God, who has made and preserved us a nation, we beseech Thee to cleanse, guide, and guard this Nation through the crucial days ahead. Give Thy higher wisdom to the President and all our leaders, that under Thy providence they may discharge their duties according to Thy will. Guide both Houses of this Congress through the deliberations of this day that all may fitly serve Thee and the needful legislation be accomplished. At the end grant them the satisfaction of work well done.

Now unto him that is able to keep you from falling, and to present you faultless before the presence of his glory with exceeding joy,

To the only wise God, our Saviour, be glory and majesty, dominion and power, both now and ever. Jude 1: 24, 25.

Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Eastland).

The second assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 17, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. Robert C. Byrd, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

James O. Eastland,
President pro tempore.

Mr. ROBERT C. BYRD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, October 16, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the distinguished Republican leader seek recognition?

Mr. SCOTT. Mr. President, it is so late in the session that words fail me.

I suggest the same course to my colleagues. [Laughter.]

Mr. MANSFIELD. Mr. President, I agree with the distinguished minority leader, but there are exceptions when a few words are appropriate and, in my opinion, necessary, when we note the departure from this Chamber of some of our colleagues who will be leaving this year and will not be with us when the 93d Congress convenes.

TRIBUTE TO SENATOR ANDERSON OF NEW MEXICO

Mr. MANSFIELD. Mr. President, I should like to say a few words this morning about an old, valued, and trusted friend, the distinguished senior Senator from New Mexico (Mr. Anderson).

It has been my personal pleasure and privilege to serve with Clint Anderson in both the House and Senate. It has also been my privilege to watch him perform effectively with understanding and with efficiency as the Secretary of Agriculture under the Truman administration.

Clint Anderson is a man who has had many vicissitudes and difficulties throughout his lifetime. As a young man, he migrated from South Dakota to New Mexico because of a lung condition. Since that time, other afflictions have been his lot, but despite the physical disabilities which they caused, Clint Anderson was able to rise above them and to become an outstanding Member of this body, a true representative of the people of New Mexico and a man whose wisdom, advice, and counsel was valued by all of us.

I will feel a sense of deep personal regret with the retirement this year of Senator Clint Anderson of New Mexico, but I shall value his friendship and remember him for the many fine things which he performed in the administration downtown and as a Member of the House and Senate.

TRIBUTE TO SENATOR ELAINE EDWARDS OF LOUISIANA

Mr. MANSFIELD. Mr. President, Senator Elaine Edwards of Louisiana is also leaving us, after an all too brief stay. But the lady from Louisiana has made her mark in this Chamber and I, for one, deeply regret that she will not be with us next year.

She has been quietly effective. She has attended to her duties with a degree of responsibility and integrity which has represented her State well.

So, it will be bon voyage to Senator Elaine Edwards whom we will miss, but we will remember her because of her dignity, her good sense, her calm judgment, and her attendance to her duties as a Senator of the United States.

TRIBUTE TO SENATOR FRED HARRIS OF OKLAHOMA

Mr. MANSFIELD. Mr. President, Senator Fred Harris of Oklahoma is leaving us also. He did not seek reelection. But while in this body, Fred Harris achieved a reputation as a man of independent-minded judgment, as a man who sought to resurrect the principles of the old Populist cause which was so prevalent in the early years of this century in his part of the country as well as in mine.

He has been devoted to the welfare of minorities. He has done everything he possibly could on behalf of the general welfare of the people of this Nation as a whole.

We will miss Fred Harris but he, likewise, will have left his monuments—monuments that to a great extent are the predicates upon which the Nation's future agenda must be based.

TRIBUTE TO SENATOR DAVID GAMBRELL OF GEORGIA

Mr. MANSFIELD. Mr. President, Senator David Gambrell of Georgia came to this body replacing the great Richard Brevard Russell. During his period of service, David Gambrell made many outstanding contributions. He looked after the interests of the State of Georgia at all times. He had the broad national point of view. He was respected by the Members of this body for the many contributions which he made.

I am disappointed to see David Gambrell leave this body because he has contributed so much to it. But I wish him well in the future in the State of Georgia. I would hope that he would look upon the Senate as a place to which he could return from time to time and that those of us who have such great respect for him, for his integrity and dedication, would be free to counsel him when the occasion arose.

TRIBUTE TO SENATOR EVERETT JORDAN OF NORTH CAROLINA

Mr. MANSFIELD. Mr. President, I have had the opportunity to serve with Senator Everett Jordan during all of his years in the Senate. I have served with him on various committees. I have found him to be a man of understanding and character and a man who was willing to listen to the other man's point of view; a man who conducted himself with dignity, integrity, and dedication.

He has been a true representative of the people of his State. He is a valued Member of this body, and it is with deep personal regret that I note the passing from this scene at the end of this session of this outstanding Senator, who has contributed so much to his State, his region, and the Nation as a whole.

Mr. SCOTT. Mr. President, in the remaining days of this session we say our goodbys to our colleagues who have retired and will not be with us when the 93d Congress opens in January.

The Members not coming back to be our loyal opposition include the lovely Elaine Edwards; our longtime friend and former Agriculture Secretary Clinton Anderson; the energetic Fred Harris; one of the South's fine gentlemen, Everett Jordan; and one of the most promising young men to come to the Senate, David Gambrell, incidentally, he is our youngest Member.

We will miss them all. We will have memories of their service and of the marks each made on this Senate. Good luck to each of you.

EMERGENCY HEALTH PERSONNEL ACT AMENDMENTS OF 1972

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3858.

The PRESIDING OFFICER (Mr. Tunney) laid before the Senate the amendment of the House of Representatives to the bill (S. 3858) to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes, which was to strike out all after the enacting clause, and insert:

Section 1. This Act may be cited as the "Emergency Health Personnel Act Amendments of 1972".

Sec. 2. (a) Section 329(a) of the Public Health Service Act is amended to read as follows:

"Sec. 329. (a) There is established, within the Service, the National Health Service Corps (hereinafter in this section referred to as the 'Corps') which shall consist of those officers of the Regular and Reserve Corps of the Service and such other personnel as the Secretary may designate and which shall be utilized by the Secretary to improve the delivery of health care and services to persons residing in areas which have critical health manpower shortages."

(b) Section 329(b) of such Act is amended to read as follows:

"(b)(1) The Secretary shall (A) designate those areas which he determines have critical health manpower shortages, (B) provide assistance to persons seeking assignment of Corps personnel to such designated areas to provide under this section health care and services for persons residing in such areas, and (C) conduct such information programs in such designated areas as may be necessary to inform the public and private health entities serving those areas of the assistance available under this section.

"(2)(A) The Secretary may assign personnel of the Corps to provide, under regulations prescribed by the Secretary, health care and services for persons residing in an area designated by the Secretary under paragraph (1) if—

"(i) the State health agency of each State in which such area is located or the local public health agency or any other public or nonprofit private health entity in such area requests such assignment, and

"(ii) the (I) local government of such area, and (II) the State and district medical, dental, or other appropriate health societies (as the case may be), certify to the Secretary that such assignment of Corps personnel is needed for such area.

If with respect to any proposed assignment of Corps personnel to an area the requirements of clauses (i) and (ii) of the preceding sentence are met except for the certification by the State and district medical, dental, or other appropriate health societies required by clause (ii) and if the Secretary finds from all the facts presented that such certification has clearly been arbitrarily and capriciously withheld, the Secretary may, after consultation with appropriate medical, dental, or other health societies, assign such personnel to such area. Corps personnel shall be assigned under this section on the basis of the extent of an area's need for health care and services and without regard to the ability of the residents of an area to pay for health care and services.

"(B) In providing health care and services under this section, Corps personnel shall utilize the techniques, facilities, and organizational forms most appropriate for the area and shall, to the maximum extent feasible, provided such care and services (i) to all persons in such area regardless of the ability of such persons to pay for the care and services, and (ii) in connection with (I) direct health care programs carried out by the Service; (II) any direct health care program carried out in whole or in part with Federal financial assistance; or (III) any other health care activity which is in furtherance of the purposes of this section.

"(C) Any person who receives health care or services provided under this section shall be charged for such care or service at a rate established by the Secretary, pursuant to regulations, to recover the reasonable cost of providing such care or service; except that if such person is determined under regulations of the Secretary to be unable to pay such charge, the Secretary shall provide for the furnishing of such care or service at a reduced rate or without charge. If a Federal agency, an agency of a State or local government, or other third party would be responsible for all or part of the cost of the care or service provided under this section if such care or service had not been provided under this section, the Secretary shall collect from such agency or third party the portion of such cost for which it would be so responsible. Any funds collected by the Secretary under this subparagraph shall be deposited in the Treasury as miscellaneous receipts and shall be disregarded in determining (i) the amounts of appropriations to be requested under subsection (h), and (ii) the amounts to be made available from appropriations made under such subsection to carry out this section."

(c) Section 329(c) of such Act is amended (1) by striking out "Service" and inserting in lieu thereof "Corps" and (2) by inserting at the end thereof the following: "The Secretary may reimburse applicants for positions in the Corps for actual expenses incurred in traveling to and from their place of residence to an area in which they would be assigned for the purpose of evaluating such area with regard to being assigned in such area. The Secretatry shall not reimburse an applicant for more than one such trip."

(d) Section 329(d) of such Act is amended—

(1) by striking out "Service" in the first sentence and inserting in lieu thereof "Corps", and by inserting before the period at the end of such sentence the following: ",

except that if such area is being served (as determined under regulations of the Secretary) by a hospital or other health care delivery facility of the Service, the Secretary shall, in addition to such other arrangements as the Secretary may make to insure the availability in such area of care and services by Corps personnel, arrange for the utilization of such hospital or facility by Corps personnel in providing care and services in such area but only to the extent that such utilization will not impair the delivery of care and treatment through such hospital or facility to persons who are entitled to care and treatment through such hosptial or facility";

(2) by striking out "If there are no such facilities in such area" in the second sentence and inserting in lieu thereof "If there are no health facilities in or serving such area";

(3) by adding after the second sentence the following new sentence: "In providing such care and services, the Secretary may (A) make such arrangements as he determines are necessary for the use of equipment and supplies of the Service and for the lease or acquisition of other equipment and supplies, and (B) secure the temporary services of nurses and allied health professionals."; and

(4) by inserting "(1)" after "(d)" and by adding at the end the following:

"(2) The Secretary shall conduct at medical and nursing schools and other schools of the health professions and training centers for the allied health professions, recruiting programs for the Corps. Such programs shall include the wide dissemination of written information on the Corps and visits to such schools by personnel of the Corps."

(e) Section 329(f) of such Act is amended (1) by striking out "Service" in paragraphs (1) and (3) and inserting in lieu thereof "Corps", and (2) by striking out "to select commissioned officers of the Service and other personnel" in paragraph (2) and inserting in lieu thereof "to select personnel of the Corps".

(f) Subsection (g) of section 329 of such Act is redesignated as subsection (h) and the following new subsection is inserted after subsection (f) of such section:

"(g) The Secretary shall report to Congress no later than May 15 of each year—

"(1) the number of areas designated under subsection (b) in the calendar year preceding the year in which the report is made as having critical health manpower shortages and the number of areas which the Secretary estimates will be so designated in the calendar year in which the report is made;

"(2) the number and types of Corps personnel assigned in such preceding calendar year to areas designated under subsection (b), the number and types of additional Corps personnel which the Secretary estimates will be assigned to such areas in the calendar year in which the report is submitted, and the need (if any) for additional personnel for the Corps; and

"(3) the number of applications filed in such preceding calendar year for assignment of Corps personnel under this section and the action taken on each such application."

(g) Subsection (h) of section 329 of such Act (as so redesignated by subsection (f) of this section) is amended by striking out "and" after "1972;" and by inserting immediately before the period at the end the following "; and $25,000,000 for the fiscal year ending June 30, 1974".

(h) Section 329 of such Act is amended by adding at the end thereof the following new subsection:

"(i) For purposes of this section, the term 'State' includes Guam, American Samoa, and the Trust Territory of the Pacific Islands."

Sec. 3. (a) The Secretary may not close or transfer control of a hospital or other health care delivery facility of the Public Health Service unless—

(1) he transmits to each House of Congress, on the same day and while each House is in session, a detailed explanation (meeting the requirements of subsection (b)) for the proposed closing or transfer, and

(2) a period of ninety calendar days of continuous session of Congress has elapsed after the date on which such explanation is transmitted.

For purposes of paragraph (2), continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because an adjournment of more than three days to a day certain are excluded in the computation of the ninety-day period.

(b) Each explanation submitted under subsection (a) for closing or transferring control of a hospital or other health care delivery facility of the Public Health Service shall—

(1) contain (A) assurances that persons entitled to treatment and care at the hospital or other facility proposed to be closed or transferred and persons for whom care and treatment at such hospital or other facility is authorized will, after the proposed closing or transfer, continue to be provided equivalent care and treatment through such hospital or other facility or under a new arrangement, and (B) an estimate of the cost of providing such care and treatment to such persons after the proposed closing or transfer; and

(2) the comments (if any) made by each—

(A) section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) the area in which the hospital or other facility is located or which is served by the hospital or other facility, and

(B) section 314(b) area-wide health planning agency whose section 314(b) plan covers (in whole or in part) such area,

after the Secretary has provided each such agency a reasonable opportunity to review and comment on the proposed closing or transfer.

For purposes of paragraph (2), the term "section 314(a) State health planning agency" means the aegncy of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) (referred to in paragraph (2) as a "section 314(a) plan"), and the term "section 314(b) area-wide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) (referred to in paragraph (2) as a "section 314(b) plan").

Sec. 4. Section 741(f)(1)(C) of the Public Health Service Act is amended by striking out "agreement with the Secretary to practice his profession for a period of at least two years in an area in a State determined by the Secretary" and inserting in lieu thereof "agreement with the Secretary to practice his profession (as a member of the National Health Service Corps or otherwise) for a period of at least two years in an area in a State designated under section 329(b) or otherwise determined by the Secretary".

Sec. 5. Title II of the Public Health Service Act is amended by adding after section 224 the following new section:

"PUBLIC HEALTH AND NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP TRAINING PROGRAM

"Sec. 225. (a) The Secretary shall establish the Public Health and National Health Service Corps Scholarship Training Program (hereinafter in this section referred to as the 'Program) to obtain trained physicians, dentists, nurses, and other health-related specialists for the National Health Service Corps and other units of the Service.

"(b) To be eligible for acceptance and continued participation in the Program, each applicant must—

"(1) be accepted for enrollment, or be enrolled, as a full-time student in an accredited (as determined by the Secretary) educational institution in the United States, or its territories or possessions;

"(2) pursue an approved course of study, and maintain an acceptable level of academic standing, leading to a degree in medicine, dentistry, or other health-related specialty, as determined by the Secretary;

"(3) be eligible for, or hold, an appointment as a commissioned officer in the Regular or Reserve Corps of the Service or be selected for civilian service in the National Health Service Corps; and

"(4) agree in writing to serve, as prescribed by subsection (e) of this section, in the Commissioned Corps of the Service or as a civilian member of the National Health Service Corps.

"(c) Each participant in the Program will be authorized a scholarship for each approved academic year of training, not to exceed four years, in an amount prescribed by the Secretary and payable in monthly installments. The scholarship shall not exceed an amount equal to the basic pay and allowances of a commissioned officer on active duty in pay grade O–1 with less than two years of service, plus an amount to cover the reasonable cost of books, supplies, equipment, student-medical expenses, and other necessary educational expenses which are not otherwise paid as a part of the basic tuition payment.

"(d) The Secretary may contract with an accredited educational institution for the payment of tuition and other education expenses, not otherwise covered under subsection (c) of this section, for persons participating in the Program. If necessary, persons participating in the Program may be reimbursed for the actual cost of tuition and other educational expenses authorized in this subsection, in lieu of a contract with the educational institution.

"(e) A person participating in the Program shall be obligated to serve on active duty as a commissioned officer in the Service or as a civilian member of the National Health Service Corps following completion of academic training, for a period of time prescribed by the Secretary which will not be less than one year of service on active duty for each academic year of training received under the Program. At least one-half of the period of service required by the preceding sentence must be spent providing health care and services (1) in an area designated under section 329(b), (2) as a member of the Indian Health Service or the Federal Health Programs Service and in an area (determined under section 329 or otherwise) to have a health manpower shortage, or (3) in connection with any program, designated by the Secretary, for the provision of health care and services in such an area. For persons receiving a degree from a school of medicine, osteopathy, or dentistry, the commencement of a period of obligated service can be deferred for the period of time required to complete internship and residency training. For persons receiving degrees in other health professions the obligated service period will commence upon completion of their academic training. Periods of internship or residency shall not be creditable in satisfying an active duty service obligation under this subsection unless the internship or residency is served in a facility of the Service or other facility of the National Health Service Corps.

"(f)(1) If, for any reason, a person fails to complete an active duty service obligation under this section, he shall be liable for the payment of an amount equal to the cost of tuition and other education expenses, and scholarship payments, paid under this section, plus interest at the maximum legal prevailing rate. Any amount which the

United States is entitled to recover under this paragraph shall, within the three-year period beginning on the date the United States becomes entitled to recover such amount, be paid to the United States.

"(2) When a person undergoing training in the Program is academically dismissed or voluntarily terminates academic training, he shall be liable for repayment to the Government for an amount equal to the cost of tuition and other educational expenses paid to or for him from Federal funds plus any scholarship payments which he received under the program.

"(3) The Secretary shall by regulation provide for the waiver or suspension of any obligation under paragraph (1) or (2) applicable to any individual whenever compliance by such individual is impossible or would involve extreme hardship to such individual and if enforcement of such obligation with respect to any individual would be against equity and good conscience.

"(g) Notwithstanding any other provision of law, persons undergoing academic training under the Program shall not be counted against any employment ceiling affecting the Department of Health, Education, and Welfare.

"(h) The Secretary shall issue regulations governing the implementation of this section.

"(i) To carry out the Program, there is authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1974."

Mr. SCOTT. Mr. President, reserving the right to object, and I do not intend to object, would the Senator advise me with whom it has been cleared on this side?

Mr. KENNEDY. The ranking members of the committee have been alerted. And this is in conformity with the wishes of the Senator from New York (Mr. JAVITS), the Senator from Pennsylvania (Mr. SCHWEIKER), the ranking minority member of the full committee as well as of the Health Subcommittee. It is with their understanding and approval and at their urging that we are taking the action we are taking today.

Mr. SCOTT. Mr. President, I thank the Senator. I had been so informed. I merely wanted the record to show it.

Mr. KENNEDY. Mr. President, on behalf of the Senator from New York (Mr. JAVITS) and myself, I move that the Senate concur in the amendment of the House to the bill (S. 3858) to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes, with the following amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk proceeded to state the amendments.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with and that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 4, line 1, of the House engrossed amendment, immediately after the word "service", insert the following: "on a fee-for-service or other basis".

On page 4, line 11, of the House engrossed amendment, immediately after the word "collect", insert the following: ", on a fee-for-service or other basis,".

On page 9, line 7, of the House engrossed amendment, strike out "comments (if any) made by" and insert in lieu thereof the following: "approval of".

On page 9, line 17, of the House engrossed amendment, strike out "comment on" and insert in lieu thereof the following: "approve".

Mr. KENNEDY. Mr. President, the bill currently pending before the Senate, S. 3858, the Emergency Health Personnel Act Amendments of 1972, was passed by the House of Representatives on October 13. The Senate passed the original bill in mid-August.

I am pleased that most of the important provisions of the Senate bill have been retained in this House-passed version. There are several items, however, which the House has dropped, and which are essential to the bill. The amendment I have sent to the desk adds these provisions to the House-passed bill.

The first is a provision which permits the Secretary of Health, Education, and Welfare to collect for services offered by National Health Service Corps personnel in the manner he finds most efficient and effective in any particular situation. It permits him to use fee-for-service collections, or "any other basis." It is our intent that where circumstances warrent it, these fees might be paid on a prepayment, capitation, or any other basis.

The second provision requires the review and approval of Local 314 and 314(b) health planning agencies prior to congressional consideration of Department of Health, Education, and Welfare plans for the transfer or closure of Public Health Service hospitals and clinics. The House provides only review and comment to these organizations. In its consideration of this bill, the Senate committee considered it vital that local agencies that are expert on the needs of the communities involved be given an authoritative say in the disposition of the Public Health Service hospitals and clinics. It is worth noting that these planning agencies already have the authority to prevent private and public hospitals in their communities from being reimbursed under medicare. The intent of this authority is to assure that efficient use is made of all health facilities in the community concerned. It was clear to the Senate committee that if the Federal Government can place this requirement for review and approval on community and private institutions, it can place the same requirements on its own actions in a community.

I urge the Senate to accept these amendments. As I said earlier, the sole purpose of the amendments is to reinstate provisions that were formerly in the Senate-passed bill.

The PRESIDING OFFICER (Mr. TUNNEY). The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

COMMUNITY MENTAL HEALTH CENTERS—H.R. 16676

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 16676.

The PRESIDING OFFICER (Mr. TUNNEY) laid before the Senate H.R. 16676, an act to amend the Community Mental Health Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children, which was read twice by its title.

Mr. KENNEDY. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, I move to strike out all after the enacting clause and insert in lieu thereof the amendment in the nature of a substitute which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk proceeded to state the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That (a) section 201 of the Community Mental Health Centers Construction Act is amended to read as follows:

"SEC. 201. There are authorized to be appropriated for grants for facilities of public and other nonprofit community mental health centers under this title $100,000,000 for the fiscal year ending June 30, 1973, and $40,000,000 for the fiscal year ending June 30, 1974."

(b) Section 207 of such Act is amended to read as follows:

"SEC. 207. No grant may be made under any provision of the Public Health Service Act for any fiscal year, for construction of any facility described in this title unless the Secretary determines that funds are not available, under this title to make a grant for the construction of such facility.".

(c) Section 224(a) of such Act is amended to read as follows:

"(a) There are hereby authorized to be appropriated to enable the Secretary to make initial grants to community mental health centers, under the provisions of this part, $60,000,000 for the fiscal year ending June 30, 1973, and $90,000,000 for the fiscal year ending June 30, 1974. For the fiscal year ending June 30, 1973, and each of the twelve succeeding fiscal years there are hereby authorized to be appropriated such sums as may be necessary to make grants to such centers which have previously received a grant under this part and are eligible for such a grant by the year for which sums are being appropriated under this sentence.".

(d) Section 246 of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(e) Section 247(d) of such Act is amended to read as follows:

"(d) To carry out the purposes of this section there are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1973, and $60,000,000 for the fiscal year ending June 30, 1974."

(f) Section 252 of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(g) Section 253(d) of such Act is amended to read as follows:

"(d) To carry out the provisions of this section there are authorized to be appropriated $14,000,000 for the fiscal year ending June 30, 1973, and $14,000,000 for the fiscal year ending June 30, 1974.".

(h)(1) Section 261(a) of such Act is amended by inserting after "June 30, 1973," the following: "and $90,000,000 for the fiscal year ending June 30, 1974,".

(2) Section 261(a) of such Act is further amended by striking "construction and staffing of facilities" and inserting in lieu thereof "facility and operating costs of facilities".

(3) Section 261(b) of such Act is amended to read as follows:

"(b) There are authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next fourteen fiscal years such sums as may be necessary to make grants for operating costs with respect to any project under part C or D for which an operating grant was made from appropriations under subsection (a) of this section for any fiscal year ending before July 1, 1974."

(i)(1) Section 271(d) of such Act is amended to read as follows:

"(d)(1) There are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1973, and $45,000,000 for the fiscal year ending June 30, 1974, for grants under this part for facilities and for initial grants under this part and for training and evaluation under section 272.

"(2) There ase also authorized to be appropriated for the fiscal year ending June 30, 1974, and for each of the next eleven fiscal years such sums as may be necessary to continue to make grants with respect to any project under this part for which grants for operating costs were made from appropriations under paragraph (1) for any fiscal year ending before July 1, 1974."

(2) Section 271(a) of such Act is amended by striking the words "construction of" and "of compensation of professional and technical personnel."

(3) Section 271(b)(3) of such Act is amended by striking the words "construction of".

(4) Section 271(c) of such Act is amended by striking the words "costs of compensation of professional and technical personnel" and inserting in lieu thereof the words "operating costs".

(j) Section 256(e) of such Act is amended to read as follows:

"(e) There are authorized to be appropriated to carry out this section $60,000,000 for the fiscal year ending June 30, 1973, and $75,000,000 for the fiscal year ending June 30, 1974.".

(k)(1) Paragraph (1) of section 220(b) is amended by striking the word "eight" and inserting in lieu thereof "eleven" and by striking the word "four" and inserting in lieu thereof "seven".

(2) Paragraph (2) of such section is amended by striking the word "three" immediately after the word "next" and inserting in lieu thereof "six".

(3) Such subsection is further amended by adding at the end thereof the following new paragraph:

"(3) In any year where funds appropriated do not reach the level required to fully fund applications for assistance under paragraphs (1) and (2), the Secretary shall distribute the funds available as follows: 30 per centum for applicants under paragraph (1) and 70 per centum for applicants under paragraph (2)."

(l)(1) Section 220(a) of such Act is amended by striking the words "of professional and technical personnel" and inserting in lieu thereof the words "for operational costs".

(2) The caption for part B of such Act is amended to read as follows:

"PART B—GRANTS FOR INITIAL COSTS OF OPERATION OF CENTERS"

(m) Section 220 of such Act is further amended by adding at the end thereof the following:

"(d) Notwithstanding subsection (b) of this section, the Secretary may make additional grants to each center equal to 5 per centum of such costs, which maintains a bona fide program under parts C, D, F, and G, for each such program. In no case shall grants exceed 100 per centum of such costs for any project."

(n)(1) Section 221(a) of such Act is amended by striking out "and" at the end of paragraph (4); by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and by adding after paragraph (5) the following new paragraphs:

"(6) the services to be provided by the center are made available to any health maintenance or health service organization if in the catchment area for such center;

"(7) such center has a program whereby it screens, and where practicable provides treatment for, persons within its catchment area, who may be admitted to a State mental health facility; and

"(8) such center has a program for the followup care of persons within its catchment area, who are discharged from a State mental health facility."

(2) Section 221(b) of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(o) Part B of such Act is amended by adding at the end thereof the following new section:

"GRANTS FOR CONSULTATION SERVICES

"SEC. 225. (a) In the case of any community mental health center, alcoholism prevention and treatment facility, specialized facility for alcoholics, treatment facility for narcotic addicts, and other persons with drug abuse and drug dependence problems, or facility for mental health of children, or mental health of the elderly to which a grant under part B, C, D, F, or G, as the case may be, is made from appropriations for any fiscal year beginning after June 30, 1972, to assist it in meeting a portion of the operating costs the Secretary may, with respect to such center or facility, make a grant under this section for consultation services in addition to such other operating grants for such center or facility.

"(b) A grant under subsection (a) with respect to a center or facility referred to in that subsection may not exceed 100 percent of such costs.

"(c) For the purposes of making initial grants under this section, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, and $5,000,000 for the fiscal year ending June 30, 1974."

(p)(1) Section 242(a) of such Act is amended by striking the words "costs (determined pursuant to regulations of the Secretary) of compensation of professional and technical personnel" and inserting in lieu thereof the words "operating costs (determined pursuant to regulations of the Secretary)";

(2) Section 242(b)(1) is amended by striking the word "three" and inserting in lieu thereof "six" and striking the word "eight" and inserting in lieu thereof "eleven";

(3) Section 242(b)(2) is amended by striking the word "three" and inserting in lieu thereof "six";

(4) The section caption of section 242 of such Act is amended by striking the word "STAFFING" and inserting in lieu thereof "OPERATING".

(q) Section 243(a) of such Act is amended by striking the words "compensation of professional and technical personnel" and inserting in lieu thereof "operating expenses";

(r) Section 244 of such Act is amended by striking the words "a project for the construction or initial staffing" and inserting in lieu thereof the words "facility and operating costs".

(s)(1) Section 251(a) of such Act is amended by striking the words "of construction" and "of compensation of professional and technical personnel" and inserting in lieu of the latter the words "operating costs".

(2) Section 251(c) of such Act is amended by striking the words "costs of compensation of professional and technical personnel" and inserting in lieu thereof the words "opertaing costs".

(3)(A) Section 256(b)(1) of such Act is amended by striking the word "eight" and inserting in lieu thereof "eleven".

(B) Section 256(b)(2) of such Act is amended by striking the word "three" wherever it appears and inserting in lieu thereof the word "six".

(4) Section 264 of such Act is amended by striking the words "a project for the construction or initial staffing of a" and inserting after the word "facility" the words "operating costs".

Mr. KENNEDY. Mr. President, the House has passed and sent to the Senate a bill which would extend the existing provisions of law in respect to community mental health centers for 1 additional year. At the time the House acted it had before it the companion bill which had passed the Senate, S. 3716, which would extend the community mental health centers program for 2 years as well as make a number of substantive changes in the law. The House chose not to act on the Senate-passed bill.

I believe it is urgent that the Congress extend and improve this vital health program. And I am hopeful that the amendment which I propose to offer to the House bill will be acceptable to the other body. My amendment incorporates all of the substantive changes which the original Senate bill included, such as the authorization for operational grants as contrasted to staffing grants, and facility grants as contrasted to construction grants. In addition, the amendment includes special emphasis on consultation and education services in mental health center programs as well as special emphasis on programs to assist persons who have been hospitalized in State or county mental hospitals.

My amendment extends the program for only 1 additional year, like the House-passed bill.

I am hopeful that it will be possible to make these needed improvements in the law but to do so in a manner which does not foreclose the opportunity of either the House or the Senate to make whatever additional improvements may be necessary.

Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 16676) was read the third time and passed.

Amend the title so as to read: "An act to amend, the Community Mental Health

Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children, and for other purposes.".

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. Mr. President, could the Chair inform me when this would be sent to the House? Would it go forthwith?

The PRESIDING OFFICER. There should be a message shortly.

Mr. KENNEDY. I thank the Chair.

EXPRESSIONS OF CONCERN AND PRAYERS FOR SAFETY OF REPRESENTATIVE HALE BOGGS, REPRESENTATIVE NICK BEGICH, AND THEIR COMPANIONS

Mr. LONG. Mr. President, the Nation, especially those of us who serve in Congress, and those of us who hail from Louisiana, are extremely dismayed at the bad news that a plane carrying the majority leader of the House of Representatives, the Honorable HALE BOGGS, is missing. A search is due to resume again in about 1 hour in the effort to find the lost plane.

At this moment we can only pray that this is not the type disaster which we all fear. Representative NICK BEGICH and some of his staff were aboard the plane with Representative BOGGS.

Our sympathy goes to his family and loved ones at this time. We pray for Representative BOGGS and Representative BEGICH, and their companions, and we all hope the results of the search today may be favorable. We extend our sympathies to Mrs. Boggs in this hour of sorrow, and also the Boggs family.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MANSFIELD. Mr. President, I wish to join with the distinguished Senator from Louisiana in the statements which he has just made about the situation which confronts Representative HALE BOGGS and Representative NICK BEGICH, of Alaska.

When the White House called me last night about the possibility that something might have happened, I was, of course, very much distressed. But the search is still going on. I hope that it will be possible to rescue these two men and their companions. In the meantime, we all join with the distinguished Senator from Louisiana in praying for the survival of all members on the aircraft and for their safe return soon to Washington.

Mr. LONG. Mr. President, the latest information available to me is that the search will resume at about noon, Washington time, which is approximately 7 o'clock Alaskan time. Prior to that time organized search is not possible. Daybreak occurs in the next hour and at that point the search by, I believe, 35 or more planes will resume. We hope very much it will be successful.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ROBERT C. BYRD) laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE U.S. SOLDIERS' HOME

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the U.S. Soldiers' Home, for fiscal year 1971, and the report of Annual General Inspection of the Home, 1971, by the Inspector General of the Army (with accompanying reports); to the Committee on Armed Services.

REPORT ON SERVICES TO AFDC FAMILIES

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on Services to AFDC Families, dated October 1972 (with an accompanying report); to the Committee on Finance.

REPORT OF FEDERAL LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACTIVITIES

A letter from the Attorney General, transmitting, pursuant to law, a report on Federal Law Enforcement and Criminal Justice Assistance Activities (with an accompanying report); to the Committee on the Judiciary.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON NEW CONSTRUCTION FUNDS IN THE HILL-BURTON PROGRAM

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on new construction funds in the Hill-Burton program (with an accompanying report); to the Commission on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes (Rept. No. 92-1307).

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, as in executive session, I report favorably sundry nominations in the National Oceanic and Atmospheric Administration which have previously appeared in the CONGRESSIONAL RECORD:

Robert D. Hopkins and sundry other officers, National Oceanic and Atmospheric Adminstration, for permanent promotions in the grades of lieutenant, lieutenant (junior grade), and ensign.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 1536. An act to amend section 319 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 14934. An act to amend title 5, United States Code, to make levels III and IV of the Executive Schedule applicable to certain positions within the Department of Justice, and for other purposes; to the Committee on Post Office and Civil Service.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. MATHIAS:

S. 4126. A bill for the relief of Miriam Alvarado;

S. 4127. A bill for the relief of Lydia Melendez. Referred to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. McGOVERN):

S. 4128. A bill to amend titles 39 and 5, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other purposes. Referred to the Committee on Post Office and Civil Service.

By Mr. RANDOLPH:

S. 4129. A bill to provide a mechanism to improve health care in rural areas through the establishment of the Office of Rural Health Care in the Department of Health, Education, and Welfare and a National Council on Rural Health, and for other purposes. Referred to the Committee on Labor and Public Welfare.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RANDOLPH:

S. 4129. A bill to provide a mechanism to improve health care in rural areas through the establishment of the Office of Rural Health Care in the Department of Health, Education and Welfare and a National Council on Rural Health, and for other purposes. Referred to the Committee on Labor and Public Welfare.

THE RURAL HEALTH ACT OF 1972

Mr. RANDOLPH. Mr. President, I introduce the Rural Health Act of 1972, in the hope that it will be reviewed and considered by Senators and by the Department of Health, Education, and Welfare during the time between the adjournment of the 92d Congress and the beginning of the 93d Congress. It is my further hope that hearings can be held on this legislation soon after the first session of the 93d Congress convenes.

Mr. President, this legislation would accomplish three major goals: First, the coordination of Federal programs for health care delivery to rural areas of the United States; two, a full assessment of the health of rural Americans and the health care they receive; and three, assurance, to the extent feasible, that rural areas receive their fair share of Federal funds for health care delivery.

These goals would be accomplished by the establishment of an Office of Rural Health Care within the Department of Health, Education, and Welfare, to be headed by a Deputy Assistant Secretary under the Assistant Secretary for Health and Scientific Affairs, and by the establishment of a National Council on Rural Health.

It is widely recognized that the health of our rural citizens is not statistically as good as the health of those in metropolitan areas. It is also known that the delivery of health care in many rural areas is either inadequate or nonexistent. Numerous excellent legislative measures have been enacted over the years to improve health care delivery in rural America.

Last year the Comprehensive Health Manpower Training Act became law. That measure included a provision, which I sponsored, to establish a national health manpower shortage area clearinghouse in the Department of Health, Education, and Welfare. Another provision in that act which I also sponsored requires the Secretary of Health, Education, and Welfare to use his best efforts to provide Public Health service physicians in each county in the United States which does not have a resident physician. Both provisions were designed to improve the delivery of health care in rural and other medically underserved areas.

Two years ago the Emergency Health Personnel Act was enacted. Its purpose, too, was to increase the number of doctors and allied health personnel in medically underserved areas. These are examples of the ways in which the Congress has been attempting to attack the root cause of poor health in rural America.

The bill I introduce today would provide further needed emphasis in the fight for better rural health care. The Office of Rural Health Care would be the focal point in the Federal system for: first, administering all Federal programs in the Department which relate to health care in rural areas; second, coordination with other Federal agencies whose activities relate to rural health care; third, coordination of rural health care personnel training; and fourth, evaluating departmental programs relating to rural health care. The Office would also provide technical assistance to rural communities, organizations, and individuals interested in improvement of rural health care.

The Rural Health Act of 1972 would also establish a National Council on Rural Health, the purpose of which is to study the health of persons living in rural areas, the adequacy of rural health care delivery, and the effect of Federal programs on the improvement of the health of persons living in rural areas. The Council would be required to submit its study, along with its recommendations for additional legislation and administrative action, to the Secretary and the Congress within 2 years after its appointment.

Mr. President, this proposal is similar in scope and intent to a measure introduced on October 11, 1972, in the House of Representatives by Congressman Roy, a member of the Committee on Interstate and Foreign Commerce.

I ask that the text of the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 4129

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Rural Health Act of 1972".

OFFICE OF RURAL HEALTH CARE

Sec. 2. (a) There is established within the Department of Health, Education, and Welfare an Office of Rural Health Care to be directed by a Deputy Assistant Secretary for Rural Health Care under the direct supervision of the Assistant Secretary for Health and Scientific Affairs. Such Deputy Assistant Secretary shall be appointed by the Secretary of Health, Education, and Welfare.

(b) The Secretary is authorized to provide the Office of Rural Health Care with such full-time professional and clerical staff and with the services of such consultants as may be necessary for it to carry out its duties and functions.

(c) The Secretary shall utilize the Deputy Assistant Secretary for Rural Health Care—

(1) to administer all Federal laws for which the Secretary has administrative responsibility and which provide for, or authorize the making of grants or contracts related to, health care programs in rural areas;

(2) to provide a liaison with the activities carried on by other agencies and instrumentalities of the Federal Government (including but not limited to, the Department of Agriculture, Department of Transportation and the Office of Economic Opportunity) relating to health care programs in rural areas;

(3) to coordinate training for necessary manpower for health care programs in rural areas;

(4) to be responsible for the evaluation of the other Department of Health, Education, and Welfare programs related to health care in rural areas and to make periodic recommendations to the Secretary; and

(5) to insure, to the maximum extent feasible, that a fair share of the funds appropriated pursuant to titles III, VI, VII, VIII, IX, and X of the Public Health Service Act are expended for projects in, or which primarily benefit, rural areas. "Fair share" for the purpose of this clause means a percentage equal to the percentage of total residents of the United States who reside in rural areas.

(d) For the purpose of providing technical assistance to rural communities and to entities and individuals interested in the improvement of health care in rural areas, there shall be in each regional office of the Department of Health, Education, and Welfare one or more representatives of the Office of Rural Health Care. Such technical assistance may include—

(1) assistance in making preliminary surveys of the health of persons residing in a rural area and of the delivery of health care to such persons and in developing a statement of the needs of such area for improvement in the health care delivery provided such persons; and

(2) providing information (A) on the characteristics and advantages of each health care delivery system which could be utilized in a rural area, and (B) on public and private sources of information and technical and financial assistance for improving health care delivery systems in rural areas. In providing such assistance the Deputy Assistant Secretary for Rural Health Care shall utilize the information and resources of the National Health Manpower Shortage Area Clearinghouse established pursuant to the Comprehensive Health Manpower Training Act of 1971 (Public Law 92-157).

NATIONAL COUNCIL ON RURAL HEALTH

Sec. 3. (a) The Secretary of Health, Education, and Welfare shall appoint a National Council on Rural Health (hereinafter in this section referred to as the "Council") to consist of ten members selected from among individuals who are recognized authorities in the fields of rural development, rural health care delivery, and health professions education.

(b) (1) The Chairman of the Council shall be selected by the Secretary from among its members, and may employ such staff personnel as the Council determines are required to assist in carrying out its duties under this section.

(2) The provisions of title 5, United States Code, relating to appointments in the competitive service and to classification and rates of compensation shall not apply to members of the Council or to staff personnel employed under paragraph (1). Members of the Council (other than members who are full-time officers or employees of the United States) shall, while serving on business of the Council, be entitled to receive a per diem allowance at rates not to exceed the daily equivalent of the rate authorized for grade GS-18 of the General Schedule. Each member of the Council, while so serving away from his home or regular place of business, may be allowed actual travel expenses and per diem in lieu of subsistence as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

(c) (1) The Council shall conduct a study and shall within twenty-four months after its appointment submit to the Secretary and the Congress a complete report on—

(A) the health of persons residing in rural areas of the United States,

(B) the adequacy of health care delivery to such persons, including analysis of the systems of such health care delivery, and

(C) the extent to which Federal programs are involved in, and effectively assist in, the improvement of the health of such persons and health care delivery for them.

(2) The Council shall recommend to the Secretary and to the Congress such legislative and administrative action as it determines to be necessary, including the manner in which problems identified under paragraph (1) may be resolved and the role the Federal Government should play in resolving such problems.

AUTHORIZATION OF APPROPRIATIONS

Sec. 4. (a) For the purpose of operating and maintaining the Office of Rural Health Care established pursuant to section 2 of this Act, there is authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1973; $4,000,000 for the fiscal year ending June 30, 1974; and $6,000,000 for the fiscal year ending June 30, 1975.

(b) For the purpose of operating and maintaining the National Council on Rural Health established pursuant to section 3 of this Act, there is authorized to be appropriated $50,000 for the fiscal year ending June 30, 1973; $100,000 for the fiscal year ending June 30, 1974; and $150,000 for the fiscal year ending June 30, 1975.

SENATE RESOLUTION 380—SUBMISSION OF A RESOLUTION CONCERNING AN ELECTRONIC VOTING SYSTEM FOR THE SENATE

(Referred to the Committee on Rules and Administration.)

Mr. ROBERT C. BYRD submitted the following resolution:

S. Res. 380

Resolved, That the Committee on Rules and Administration be authorized and directed to conduct a feasibility study relative to the design and installation of an electronic voting system in the Senate Chamber, the purpose of which would be to reduce the time required for voting and to provide for the simultaneous recording and displaying of such votes in the Chamber and other desirable locations within the Senate.

ADDITIONAL STATEMENTS

AMERICA'S HEALTH CARE CRISIS

Mr. KENNEDY. Mr. President, as chairman of the Senate Health Subcommittee, I have spoken out frequently regarding the dismal and shortsighted policy of this administration regarding America's health care crisis. Today I would like to briefly expand upon that sorry record by including at the end of my remarks an excellent article by William Hines, which appeared in last evening's Washington Star-News. Mr. Hines' article, entitled 'Health Policy for 150 Soviets," describes how the Nixon administration has arranged for complete health care coverage for 150 Soviet citizens who are temporarily visiting the United States as a part of an exchange agreement with Russia. The article points out how the insurance coverage for the Soviets covers all illnesses with no questions asked. And the entitre cost of the coverage is to be paid by the U.S. Government. It is a cruel irony, Mr. President, that this administration would go to such lengths to insure international reciprocity when it has done so little to bring equivalent health care coverage to its own citizens.

How is it, Mr. President, that Nixon and the insurance industry can quickly find a way to provide health insurance for visitors from a foreign land when they are seemingly incapable of doing an equivalent job for those whom they purport to serve?

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Pays Premiums—Health Policy for 150 Soviets

(By William Hines)

How would you like to buy a health insurance policy that would pay every cent of all your hospital and doctor bills for anything from a hangnail to a heart transplant—no fine print, no questions asked, all for $18.96 a month, and paid by the government?

Well, sorry, but it's not available—at least not to you. But up to 150 Soviet citizens on temporary duty in this country will qualify for this incredibly thorough Blue Cross-Blue Shield coverage. What's more, the premiums are being paid for by Uncle Sam.

About the nearest thing to the health policies being written for the Russians is the "high option" Blue Cross plan for federal employes.

That costs $23.96 monthly—about $5 more than the Soviet deal—and covers roughly 80 percent of an individual's average requirements. Under a cost-sharing formula worked out by the Civil Service Commission, the U.S. contributes $8.21 and the employe $15.75.

An irate taxpayer might conclude at first glance that some crypto-Commie in the Department of Health, Education and Welfare has taken just another example of the international back-scratching custom called "reciprocity."

In the Soviet Union when somebody gets sick he goes to a doctor and, if necessary, is hospitalized until he gets better or dies. In any event there's no pre-admission inquisition about what kind of insurance he carries, and no bills or hassles later from either the doctor or the institution.

"There was a certain amount of embarrassment here," a Blue Cross spokesman said, referring to the fact that while Americans stricken in Russia are entitled to free care, Russians in the Untied States weren't.

So representatives of HEW and the Soviet Ministry of Health worked out an arrangement last spring which was embodied in the "Agreement for Health Cooperation" signed in May during President Nixon's visit to Moscow. It covers Soviet citizens studying the health care system in this country.

Although the cooperative health agreement was heralded by HEW Secretary Elliot L. Richardson and others for its promise in fields of cooperative research, nothing much was said at the time about the super-Blue Cross health policies.

Details were worked out later between HEW and the Blue Cross Assn., which was selected to arrange the coverage because it is the largest single health insurance carrier in the country and has a national network of health plans.

AN ASIAN MUNICH?

Mr. SCOTT. Mr. President, I ask unanimous consent that the editorials published in the Washington Evening Star, the Pittsburgh Press and the Philadelphia Inquirer on candidate McGovern's most recent peace plan be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Evening Star and Daily News, Oct. 11, 1972]

McGovern's Asian Munich

The most comforting thing about Senator McGovern's Vietnam peace plan is that, given the good sense of the American electorate as reflected in the recent public opinion polls, his chances of ever being in a position to implement it are, to put it mildly, slight.

In last night's televised speech, the Senator from South Dakota lashed out with almost equal bitterness against both President Nixon and President Thieu. He charged Mr. Nixon with enlarging the war and being interested only in saving face and preserving the Thieu regime. The South Vietnamese government he characterized as being a bunch of thieves and drug-pushers "not worth one more American dollar, one more American prisoner, one more drop of American blood." It is doubtful if a candidate for the highest office of any nation has ever so viciously attacked a regime with which his own government is allied.

And the Democratic candidate for President had not a single word of blame or condemnation for North Vietnam, a regime which has waged war against all its neighbors, never held a free election since the Communist seizure there and steadfastly refused to abide by the Geneva protocol governing treatment of prisoners of war.

McGovern's prescription for ending the war is simply to run up the white flag in the hope that somebody in Hanoi will salute. He would unilaterally halt all bombing and other "acts of force" in Indochina, terminate the shipment of military supplies to the war zone and withdraw all American forces (and their equipment) from Vietnam, Laos and Cambodia within 90 days. The expectation is that Hanoi would return all American prisoners during that 90-day period, as well it might in return for such a sell-out.

Once the prisoners were returned and the missing accounted for, McGovern would then close the American bases in Thailand, pulling out all U.S. forces and equipment and withdrawing American naval power from "the waters adjoining Indochina." After which the U.S. would begin repairing "the wreckage left by this war" and offer amnesty to draft-dodgers.

McGovern, in short, proposes an Asian Munich, a recipe for disaster. It would leave the peoples of South Vietnam, Laos and Cambodia to the tender mercies of the Communists and endanger the security of Thailand, Malaysia and Singapore. It would undermine the faith of nations as disparate and far-flung as Iran, Israel and West Germany in the value of an American commitment. It would mock the sacrifice of the 50,000 Americans who have lost their lives in the defense of South Vietnam, the hundreds of thousands wounded there and the expenditure of billions of dollars. That McGovern made his proposals at a time when Henry Kissinger had extended his talks with the North Vietnamese in Paris to an unprecedented fourth day added a note of irony to the speech broadcast last night from the Senate wing of the Capitol.

McGovern's proposals are neither new, realistic nor imaginative. He proposes not negotiation but capitulation, not an honorable end to the war but a surrender which would lead to a further bloodbath of those who have placed their faith in the United States, not a solution but an abdication of responsibility.

The trauma of the Vietnamese war has been such that it is easy to play upon people's emotions by offering simplistic solutions. But we have no doubt that the American people will treat Senator McGovern's white-flag proposals with the contempt they deserve when the nation renders its verdict on November 7.

[From the Pittsburgh Press, Oct. 11, 1972]

McGovern's Viet Policy

In his nationwide TV address last night, Sen. George S. McGovern performed a public service by exposing the weakness of his Vietnam policy more thoroughly than ever before.

He made it clear that as president he would undermine the government of South Vietnam, which is allied to this country.

He would insure a Communist takeover in the south. And then, after all American power had been removed from Indochina, he would "expect" North Vietnam to return U.S. prisoners of war.

Remarkably, Sen. McGovern managed to discuss Vietnam for almost 30 minutes without breathing the slightest criticism of Hanoi or the Viet Cong.

All the fault for violence, bloodshed, cruelty, evil and immorality was placed on the United States and the Saigon administration.

Sen. McGovern sees the war as between a misled United States and "a tiny band of peasant guerrillas in the jungles of little Vietnam."

If that were the case, of course, the "tiny band" would have been eliminated long ago by the South Vietnamese.

The North Vietnamese army, probably the best light infantry in the world, that struck last March 30 with the coordinated use of tanks, self-propelled guns and antiaircraft missiles, does not exist in McGovern oratory.

In fact, North Vietnam was mentioned only once in Sen. McGovern's speech—and then as an innocent-sounding victim of President Nixon's mining.

There was also "Mr. Nixon's invasion of Cambodia," but no mention of Hanoi's continuing invasion of that hapless country that started many years earlier.

If elected, Sen. McGovern would "immediately stop all bombing and acts of force" throughout Indochina. He would not, however, require the Communists to stop anything—invasion, terrorism, assassination or subversion.

He would "immediately terminate any shipments of military supplies that continue the war."

This is a tricky way of saying he would choke off South Vietnam's arms and ammunition, while China and Russia would continue to supply North Vietnam, thus guaranteeing the south's subjugation.

In a simpler day this would be called stabbing in the back a young state that we helped create and which fought and bled on our side for many years. Now, presumably, it should be called enlightened statesmanship.

Sen. McGovern also would withdraw all U.S. forces from Indochina within 90 days, "along with all salvageable American military equipment."

Apparently, he fears that anti-Communist forces might use our beat-up surplus to fight on.

Finally, after pressing victory on the other side, Sen. McGovern would notify the Communists that "We now expect that they will . . . return all prisoners." He did not say what, if anything, he would do if they refused.

He would, however, send his vice president to Hanoi to speed the POWs' release.

He also did not say what he would do if the North Vietnamese refused to receive his emissary or demanded an enormous ransom, in the guise of reparations, for the prisoners.

Incredibly, Sen. McGovern would not wash his hands of South Vietnam, Cambodia and Laos, but has plans for Thailand too.

That country, also our treaty ally, is on communism's blood-debt list because it granted America air bases to use in the Vietnam War.

Sen. McGovern pledges to close the bases, bring home all troops and equipment and reassign elsewhere any naval vessels in the area.

That almost sounds like an invitation to Hanoi and Peking to export a war of "national liberation" to Thailand by way of neighboring Laos, which they mostly control now.

In sum, the McGovern policy for Southeast Asia is one of blind retreat, abandonment and betrayal—no matter how well it is clothed in pious, moralistic phrases.

[From the Pittsburgh Press, Oct. 12, 1972]

McGovern's Half Truths

It has already been pointed out in this space that Sen. George S. McGovern's Vietnam policy would lead rapidly to a Communist takeover of much of Southeast Asia.

Nevertheless, his nationwide address on the war Tuesday night contained so many misstatements and distortions that it calls for further discussion.

Particularly noteworthy was Sen. McGovern's creativity in trying to pass off North Vietnamese regular army units that are devastating South Vietnam as "a tiny band of peasant guerrillas."

Elsewhere, speaking of last year's presidential election in South Vietnam, Sen. McGovern states that President Nguyen Van Thieu "issued a decree to force all the other candidates out of the race."

That simply isn't true. Both retired Gen. Duong Van "Big" Minh and then Vice President Nguyen Cao Ky were able to get on the ballot. Seeing that they would be badly defeated by Thieu, they withdrew to embarrass him with a one-man race.

Sen. McGovern also implies that "corrupt Vietnamese officials" are shipping "poisonous heroin from Southeast Asia" into America. He made it sound as though heroin from Vietnam was this country's major drug problem.

Yet any careful newspaper reader could tell him that most heroin smuggled into America comes from Turkish opium refined in Marseilles, France.

Dipping into history for support, Sen. McGovern said "the people of France" in 1954 "chose a new president, Pierre Mendes-France," to achieve peace in Indochina, which he did with a program "very similar to mine."

In point of fact the people of France never chose Mendes-France president. He was named premier by the National Assembly.

This may sound like nit-picking, but there was a vast difference in power and position between the French president and premier, and Sen. McGovern, who was a professor of history around that time, ought to know it.

The above examples by no means exhaust the errors in his Vietnam speech. But they are enough to make the point that a candidate who claims to stand for candor and integrity should take more care to avoid half-truths and wrong and misleading statements.

[From the Philadelphia Inquirer, Oct. 17, 1972]

The New Credibility

Sen. George McGovern, who has a way of changing his positions rather rapidly, seems to have done it again.

In last week's speech staking out his Vietnam position, he said he would withdraw not only all American forces but "all salvageable American military equipment." Furthermore, he proposed to "immediately terminate any shipments of military supplies that continue the war."

Now it so happens that the South Vietnamese army is fighting with American—not Graustarkian—military equipment. Not illogically, therefore, Sen. McGovern's pledge to withdraw this equipment was interpreted as putting Saigon in a hopeless position in trying to negotiate any kind of settlement on its own with the Northern forces supplied by Russia and China.

Sen. Hugh Scott, for one, said he was shocked by Sen. McGovern's "callous indifference in the destiny of the people of South Vietnam by suggesting their disarmament and leaving our allies helpless before an advancing enemy."

A somewhat less partisan figure, James Reston of the New York Times, concluded that Mr. McGovern had adopted a policy of "not only abandoning Thieu but wounding him on the way out . . . If McGovern takes away not only the Air Force and the Navy but all salvageable military equipment as well, Thieu won't be able to compromise."

The ink was hardly dry on those comments, however, before Mr. McGovern was back on television—this time on the "Today" show—to say that he didn't mean all American military equipment. The phrase, he explained the second time around, should apply only to the equipment and aircraft now being used by Americans in Vietnam.

If the South Vietnamese are left wondering just what Mr. McGovern really means, they have one consolation. At least he hasn't said he's behind them 1,000 percent.

A TRIBUTE TO SENATOR EVERETT JORDAN OF NORTH CAROLINA

Mr. STENNIS. Mr. President, our genial friend from North Carolina has rendered a splendid service in the Senate.

He is a man with natural ability—with commonsense which goes to make a lot of sound judgments.

He is also a man of attainment in the business world, which gives him valuable experience indeed as a basis for judgments on our economy and other national problems. He is dedicated and devoted to service to his country, and he is also a man with fine spiritual virtues, with a natural and wholesome love for his fellow men. He is endowed with a very warm and gracious sense of humor which has served well to make telling points in debate, and to ease moments of tension.

Everett Jordan has served the people of North Carolina with great dedication and effectiveness. He has been a hard working and knowledgeable contributor of facts and logical judgments in the Senate Committee on Agriculture and Forestry, and he has been an enthusiastic supporter of the preservation of North Carolina's ocean beaches and the development of her ports for navigation. His service to the Nation and to the Senate and the Members as chairman of the Senate Rules Committee have been outstanding.

His services have been numerous and great. He will be sorely missed. He and his dear and charming wife Kathrine have made many friends here in Washington who will hope that they have the opportunity to see them often. Mrs. Stennis and I have treasured their friendship and wish them many more years of accomplishment, happiness and usefulness.

A TRIBUTE TO SENATOR GAMBRELL OF GEORGIA

Mr. STENNIS. Mr. President, since I have been here no new Member has made more of a contribution in the Senate in such a short time as has the Senator from Georgia, David Gambrell. He came here on February 2, 1971, and lost no time in getting started.

His vigorous mind, his quick grasp of a problem, and his willingness to work, all contributed to the legislative progress being made here and to achievements in many fields of the work of the Senate.

David Gambrell has an imposing record of accomplishments in his career. He has been, for example, the youngest man ever to hold the position of president of the State Bar of Georgia. I feel that he has great opportunities for service ahead, and hope that other awards of public service will come his way.

He leaves with the appreciation and respect of us all. Mrs. Stennis joins with me in extending to him, to Mrs. Gambrell and their four children very good wish for the future which we believe will be a very bright and productive and filled with years of happiness and usefulness.

THE MOOD OF THE PEOPLE

Mr. RIBICOFF. Mr. President, the Wall Street Journal has printed an excellent article about the various moods of the people in this country. What the author has to say about the concerns of people may be more important than the rhetoric of all of the collective political speeches which we will make during this campaign. The changes in and losses of the American spirit which he records in that article may be more important factors in the direction of national purpose of this country than the outcome of any election. I hope that each Member has the opportunity to read this and ponder on its significance for the coming session.

Mr. President, I ask unanimous consent that this article entitled "Aimless America," by Everett Groseclose, which appeared in the Wall Street Journal on Monday, October 16, 1972, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Aimless America—Affluent, Poor, Old and Young All Turn Inward, Grow Moody

(By Everett Groseclose)

Hartford, Conn.—When James L. Ragland, grocer, starts talking about his troubles, it takes a lot of listening.

First off, he's black, and his customers are black. And everyone is poor. Mr. Ragland's medium sized, Spartan store, called Pantry One, is located in the heart of North Hartford, a section of town thrice convulsed by riots, pillage, burning. The scars are everywhere. The front of Pantry One, once solid glass, now is built of concrete block.

Second, Pantry One has never been profitable since it was bought by Mr. Ragland and 10 associates from a white owner 18 months ago. "The discount stores are eating us alive. People will come in here to get their eggs and a bottle of milk, but they go to the big discount stores to do their real shopping," says Mr. Ragland.

Moreover, "unemployment in this neighborhood is close to 50%, and a lot of people are pretty desperate," says Mr. Ragland. Indeed, in just the past six months, three vendors have quit servicing his store. "When they would get out of their trucks to make a delivery, somebody would break into the trucks." Even inside the store, thievery is a constant problem. "Why, there are 10 or 15 people who live right in this neighborhood that I can't even let come in the store because they steal so much."

Tuning out the world

With problems like Mr. Ragland has, not knowing from month to month how much longer Pantry One can continue to operate, it's small wonder that he devotes almost all of his time and attention to his business. He's hardly even aware that 1972 is a presidential election year, that the city of Hartford is making significant strides toward easing many of its ills in minority and low-income areas, that countless jobs formerly closed to blacks or browns or women or older workers now are opening up. "I've got more than I can handle just looking after my own affairs," says Mr. Ragland.

If Mr. Ragland is tuned out and turned off, withdrawn and oblivious to matters that don't have an immediate impact on his personal situation, he's only typical of citizens across the country. From New England to the West Coast, the average taxpayers, the men and women who make the economy and the country tick, are backing away from the plans and programs, the causes and crusades that they had enthusiastically jumped into in recent years.

Instead, they're devoting their time and energies to personal matters, to carving out better niches in the world for themselves and their families, often closing their eyes and covering their ears to anything that doesn't have an immediate and quite personal effect on them.

The people are frustrated

That's the conclusion emerging from a rather leisurely cross-country trip, generally following U.S. Highway 6, which stretches from Rhode Island to California. Along the way, in big cities and in little towns, in country stores and in corn fields, surprisingly similar sentiment crops up. Possessed by almost a quiet desperation, residents of America are disregarding the larger issues. They're turning inward.

Says Delbert S. Elliott, a professor of sociology at the University of Colorado in Boulder, just north of route 6: "People are frustrated. They're especially frustrated with institutions—from the top of the federal government on down. They've learned from some very real experiences. They've come to understand that the institutions are running things, and that they're beyond the control of individuals. So people are just giving up. They're directing all their efforts toward influencing the things that, rightly or wrongly, they think they can control."

Such Americans are to be found everywhere along route 6. What follows, in more or less chronological fashion, are brief accounts of chats with some of those people. The people are chosen for no special reason except that they seem to have something to say.

HARTFORD

Tom Parrish, 54 years old, has operated a Mobil service station at the intersection of Main and Pavillion, in the heart of the black community in this insurance-oriented city, for more than 20 years. Once, presumably, the station looked reasonably good. But now, by any measure, it's an eyesore. Old car parts are strewn everywhere. Even the two gas pumps look ready to topple. When it rains, as it did on a recent night, water comes through the station's roof in steady streams in a dozen places.

No matter. Tom Parrish's station, and the little cafe and patent-medicine store across the street that Adam B. Battles owns, are the hub of the black community here. Residents stop by to pass the time of day. To an interloper asking about the gut feelings of the black man today, they make it frightfully clear that some blacks are seething with hatred.

Tom Parrish: "The black man is on rock bottom, where he's always been. The system, Charlie's system, just doesn't permit minorities, especially black people, to go up. Sure, there are lots of aid programs. They give you just enough to keep you in your place and make them feel good, just enough to keep you coming back for more. Charlie is just buying time. He'll add, and he'll take away, always just the right amount to keep you where he wants you. The black man has just given up on the system. He hates it. Now he's doing for himself, and to hell with the system."

Adam B. Battles: "My store got it twice—the riot in 1967 was the worst. I was looted, fire-bombed, all the windows were broken out. It's a miracle I'm still in business. You take your average white businessman, he can get a 30-day account from his suppliers. I'm lucky. Sometimes they give me a week to pay. Most blacks have to pay on delivery."

Is the black man still angry enough to turn to violence "It's there. It could blow up any time. But the next time, if there is one, it won't be riots. We've learned that it's no good to destroy our own, the only things we have. I don't know exactly what it will be like next time. Maybe it will be hostages, like at the Olympics. Or maybe it will be Charlie's home. I don't know what it will be like, but I do know that all you need to get it going is the proper spark."

BREWSTER, N.Y.

Richard G. Allen, 55 years old, lives with his wife, a teen-aged daughter and a son just back from Vietnam, in an aging, two-story brown-shingle house at the foot of Peaceable Hill Lane, where it intersects with U.S. route 6. One thing sets it apart from other houses in this mountainous village of 12,000. Mr. Allen's front yard is full of bird houses—stacks and heaps and rows and piles of them. Thirty or more hang in a single tree. Mr. Allen, who answers the door, is obviously in ill health. His right foot seems to drag, and when he moves about, he's stooped, his arms folded across his stomach, as if he's in pain.

"I had a stroke last August. Before that, I was a kind of handyman, mostly a carpenter. Now I can't do much of anything. I just build bird houses for something to do. Different people come by every once in a while and see them and buy one. I sell them for anything I can get—maybe $2, maybe $50. In the last year, maybe I've sold a dozen."

Inside Mr. Allen's house, the table is set for lunch, with big white coffe cups turned upside down in the center of the plates. In the middle of the table stands a small jar of honey, a carton of milk, a bottle of ketchup. Lunch will consist of bread and honey.

"We don't live very well. All there is my Social Security. It ain't enough to live on, but it's all there is. It doesn't seem like the government gives anybody any special consideration—you know, really looks close at their individual case. It doesn't matter what President is in office. I'll tell you one thing. Social Security is so low that I always spend more than I get. I keep thinking I can make it up if I ever sell any bird houses. But I've about decided it won't ever be a profitable business. It's just something to do until I die."

SCRANTON

When things get busy around the Sheraton Motor Inn in this flood-devastated city, Helen Darlak, wife of the owner, pitches in to help. For a late-night traveler lucky enough to walk in and get a room because another guest has suddenly checked out, she volunteers to put fresh sheets on the bed. Without knowing at the time the identity of her guest, and without a single question being posed, Mrs. Darlak starts talking:

"What do you think about the Kennedys? About all the things they've been through? You know, two of them being shot and all that? It really hits home when it happens to you. You know, it happens to someone you know and love. Then it really gets to you. You sort of understand a little about what the Kennedys have been through. I know. My nephew—his name was Halem, and he was a law student in Detroit—got shot down in the streets and killed. That was March 4, 1971."

Halem, she relates, had gone out with a friend to shoot pool in a Detroit tavern. Two strangers asked to play, and later an argument developed, at which point a third stranger walked over from the bar and entered the fracas. A scuffle developed but ended quickly. Mrs. Darlak says everyone shook hands and parted on friendly terms.

"After a while, Halem and his friend decided to go home. Poor Halem. He was the first one to walk out the door. When he did, he was shot and killed. He was hit by four bullets. Before that, I never thought much about gun control. But now I keep thinking that if somebody hadn't had that pistol, maybe none of it would have happened.

"They're still looking for whoever did it. It sort of makes you lose faith in the police. We did. We decided they couldn't do it. So my family put up a $5,000 reward for information, but nothing ever came of it. We wanted to spare other families from having to go through the same thing.

"Well, get a good night's rest. Pray for my nephew, will you?"

CLEVELAND

Police lieutenant Eugene Orenski, a man with a wife and a married daughter, has been on the police force 30 years. Soft-spoken and lean, with closely cut hair and neatly pressed uniform, he's in command of about 100 patrolmen. Their territory takes in a large portion of downtown Cleveland and extends generally east, taking in a variety of white ethnic neighborhoods and a large number of black residents. Pulling away from the old, red-stone central police station in his cruiser, he's delighted that someone has finally asked what's bothering today's cop.

"Well, theres' just no question about it. Every policeman feels that the Supreme Court and all of its liberal decisions are hurting the policeman and society. It's society that's really getting hurt. The officer just can't do his job. The courts are too soft, and they aren't processing the cases as fast as they ought to be.

"Just a few minutes ago I was talking with this guy whose car was stolen six months ago. He had a gun, and he went out and caught the guy with his car and held him until officers arrived. But before we could even get the reports filled out, the guy who stole the car was out on bail—they get out in nothing flat—and he's still awaiting trial. It may be a year before he's tried. Meanwhile, he's out free. He can steal more cars to pay for his bail. And that's your average case, nothing unusual about it. . . . ."

Lt. Orenski wheels his cruiser into the parking lot behind St. Vincent Charity Hospital, where he often meets with his men. During the next two hours, a number of patrolmen drive in, chat briefly and return to duty. They echo Lt. Orenski's comments and add some of their own.

John Pantus, 46 years old: "Even the kids nowadays make you feel terrible. They talk back to you, and if you cruise by a high school, all you hear is 'Piggy, piggy, piggy.' A few days ago, me and my partner had occasion to walk through a high school during the lunch hour. There must have been 1,000 students milling around in the halls. All the way along, they were chanting, 'Pig, pig, pig.' I guess you can't blame the kids too much. Everywhere we go these days, into their homes and everywhere, all you hear is (obscenity) this and (obscenity) that."

LORAIN, OHIO

It's 9:30 in the morning, and about 30 miles west of Cleveland, route 6 passes by a huge Ford assembly plant. Beside the highway stand acres of small Ford vans; the plant also makes large Ford sedans. Half a block south of route 6, on Oberlin Road, stands the Model-T Inn. It appears once to have been a motel; now it's a bar. Inside, amid the odor of sweat and cigaret smoke and beer and whisky, perhaps 20 auto workers are winding down after their work turn. Sitting at the bar is Larry McGough, 30 years old, who repairs faulty cars when they come off the line.

Mr. McGough, sipping a whisky and water; "If you're talking about what's really bothering the working man, try this on for size. Ford and GM both set records for profits, and our wages are frozen. We really love Nixon. What the hell? We're $52 billion more in debt, everybody is getting on welfare, and the rich don't pay any taxes. You wonder why the average guy is mad? Well, Joe Doe, dummy, has been dumb long enough. I'm a dummy, but I can count to 10. Skippy Peanut Butter is up 10 cents, and my wages are up three cents—don't mean that literally but that's what's happening. Any way you slice it, Skippy is outjumping my wages. The average guy, he's aware of what's going on, what's being done to him. And at the same time, Nixon has let the auto companies go hog wild.

"I'm married, and I've got five kids. I've got family, and I don't have any choice. I'm locked in. I've been in this plant for 12 years, and I've got security. But I'm going to have to do this the rest of my life, and there's not a damned thing I can do about it. Hey man, this is your life. There's no way to move, and there's no way to change it. You're just locked in until the day you die or retire—if you live that long."

KENDALLVILLE, IND.

Miller's Truck Stop, a big refueling station that also offers inexpensive food, showers and bunks to truckers, is known as "one of the good spots" to hundreds of truckers who stop here each week. Inside the cage where a sign proclaims "no credit cards honored," Richard J. Littig, 29, who has "Death before Dishonor" tattoed on his right arm, says the life of a trucker is only marginally better than that of a factory worker.

"What gets me is all this being away from home. I got a four-year-old son. You know how long I got to see my son today? Ten minutes. That's how long. And I was lucky to see him at all. Take last week. I got in from a trip Saturday night, after midnight. I got up Sunday morning at 10, and the terminal called at 11. I took my sweet-ever-loving time about getting there, and I left Sunday about 4 in the afternoon. I got home last night after midnight, and this morning they called at 9. I got to see my son 10 minutes—in a whole week.

"And what's it all for? We ain't going nowhere. You can't even look forward to retirement. Our union (the Teamsters, which administers pension funds on a local basis) won't let you carry your time from local to local. I've been driving 5½ years now, but I switched locals, so I only got 2½ years in the pension fund. Anyway, you've got to be 57 years old and have 20 years in with the same local before you qualify. If you started driving in your early 20s, there ain't no way you can retire. You'll die first. These rigs get to your kidneys first, then your back. In all my years, I've known one guy who got in 20 years with the same local and retired at 57—just one guy.

JOLIET, ILL.

Central High School, an aging, three-story stone structure dating to 1901, occupies almost two square blocks on the eastern edge of this city of 78,000. Four years ago, racial tension among its 2,500 students—about 25% black, 8% Spanish speaking, and the remainder from white families of all income levels—was dangerously high. At one point, about 50 police roamed the hallways dealing with limited disorders, and for two years after that police were called in periodically. Today, says Harold Miller, who taught at Central 11 years before becoming principal four years ago, the picture is just the opposite.

"We have, of course, many problems. But the major one is apathy. There is such a large number of students, maybe 25% or more, who are utterly aimless. They aren't turned on or excited by any of the traditional things, not the traditional values anyway. They aren't saying anything, and they aren't doing anything. They just aren't interested. They're like zombies.

"A lack of direction has always been there, but in the last year, it's gotten bad. The kids just don't care about school. We see it especially in our absenteeism. It's 10% to 12% a day. That's average. And our special programs, those aimed at helping just this kind of student, don't seem to be working. Basically, we try to help them find a vocation. We set up job-related interviews and even help arrange for them to get jobs. We'll line up an interview, or a job, for somebody, and they won't even bother to show up.

"To these kids, the emptiness of graduation is very, very real. It means nothing to them. I keep telling them that they're right. It isn't so important to graduate from high school. What is important is to fit into our society as a useful and productive person. But it's all lost on them. I don't think we've got a single program in the U.S. dealing effectively with this disaffection, this aimlessness and alienation."

MARENGO, IOWA

Four miles south of U.S. route 6, amid the farmlands of Iowa, Andrew Hocker and his family have been raising cattle, pigs, corn and soybeans since the early 1900s. Today, Mr. Hocker and three grown sons farm in the area. Standing out by the corral, watching fat, penfed cattle chew their cuds, Mr. Hocker and two of his sons, Charles and Dennis, both graduates of Iowa State University, express dismay about a system that seems to reward nonfarmers the most.

Charles, age 30: "Inflation bothers the hell out of us, but I'll tell you the biggest thing. It's all these people coming in and buying up the land. They're driving prices straight up. Hell, the plumber in town, right up there in Marengo, is making $7 an hour. He can afford to buy himself a small farm, and that's one more that I can't buy. Or the schoolteacher. Maybe his wife works. Hell, together they're more than $20,000, and they need a tax break, so they buy a farm, maybe 80 acres. There goes another one.

"And then there are the big money men. They want to buy up, a lot of 80-acre farms, and they're willing to pay top dollar to get them. This kind of guy, you can't even find him. He doesn't even live here. He'll hire himself a professional management outfit, or maybe he'll get somebody to sharecrop it. We've had quite a few of the plumber-schoolteacher types buying out around here. And there are four really big money men. One of them runs a merchant marine school in New Jersey. I guess he's got money to burn. He's been paying $450 to $500 an acre for land that ought to sell for $300 to $350." (At those prices, however, the land is considered inexpensive because it's subject to occasional flooding. Most farmland in the area sells for $600 to $650 an acre.)

What about the U.S. sale of wheat to the Soviet Union?

The elder Mr. Hocker: "Well, aside from some of the big shots that may or may not have cleaned up, I figure it was a pretty good deal. It opened up a new market, and I figure it's a good market, and that means it's good for prices. I figure it put a dime on the price of corn. But it just shows you. They got the farmer producing his stuff so cheap that they can afford to export it. That doesn't seem to make sense, now, does it?"

GRINNELL, IOWA

Grinnell College, a highly respected liberal arts institution, stands just north of route 6. Over the years, it has developed a reputation for turning out leading physicians, attorneys and other professionals. It has also, in recent times, developed a reputation of being a hotbed of political activism. Students, it's said locally, will turn out in mass to protest just about anything at the drop of a hat. But this year, says Glenn Leggett, who has been president of Grinnell for eight years, things are vastly changed.

"I'm really very concerned about what's happening. I don't know how to put my finger on it, but I know it's there. We've had a big switch in attitudes and sentiment. The kids just aren't interested in much of anything, except in some cases, where they will go after they finish college."

In 1970, after U.S. troops invaded Cambodia and students at Ohio's Kent State University were shot and killed, Grinnell closed a week before the semester was scheduled to end. "We figured the place would become so political that it would become a bivouac for political-action groups," explains Mr. Leggett. Shaking his head in wonder, he adds: "It would never happen now. Last spring, there was tremendous enthusiasm for McGovern, but that has waned. There was a poll on campus of political views, and only 450 (enrollment is 1,200), even bothered to fill it out." (Of those, 78% favored Senator McGovern.)

"There are many things to make me think we're headed back for an era like the 1950's. Booze is back—and back big—but drugs are out. Why, at our opening football game, we had 2,000 people. That's incredible for us. We usually get maybe 500, no more than 1,500 on special dates, like homecoming when parents and alumni are here. . . . Why, this year we even have a student cheering squad. Not a conventional cheering squad, just some students who sit together and cheer. It's true that their cheers make heavy use of four-letter words, and it's hard to tell how many people come to see the game and how many come to hear the cheers, but it's a cheering squad."

How do students feel?

Tom Shirley, a sophomore from Washington, D.C., whose long dark hair falls past his shoulders: "Frankly, there isn't much to get excited about. Last year, when Nixon mined the harbors in North Vietnam, we had a candlelight march in town. That would never happen now. We all feel pretty discouraged and hopeless, sort of desperate. No one on my floor in the dorm takes a newspaper. We don't figure there's anything of interest in it. It doesn't relate to us personally."

IDAHO SPRINGS, COLO.

Just west of Denver, route 6 plunges into the Rocky Mountains and becomes a narrow, twisting path that winds among mountain peaks. After 50 minutes of driving, a motorist reaches Idaho Springs, well into the mountain country, a town of 2,500 permanent residents. Before the end of the year, Interstate 70, a high-speed highway from Denver, will be completed. And that road, with all its implications, is about the only thing Mayor Douglas V. Watrous, 59, now in his third term, ever thinks about.

"Growth of the village here is really bothering a lot of people. Hell, it's everybody. Five years ago—and for years and years before that—we had just 1,500. We just had a special study done, and now, with I–70 about to make downtown Denver 25 minutes away, they're projecting 17,480 by 1980. That's just eight years away. This is just a sleepy little mountain town, and the people who live here just don't want to see it grow. They plain don't want any more people.

"But I–70, like it or not, means we're going to have to expand. About all we can do is control it as much as we can with sewer hookups, water connections and that kind of thing. . . . I've told the state highway department many times they are a bunch of bastards. They come through a narrow little valley like this and take over half the land. That takes the tax base out of the community, and at the same time it brings us all kinds of other problems. It seems like there's just no way you can buck it. No way you can fight the highway department. Hell, they've got all the power, and we've got none."

MARTINEZ, CALIF.

Grace Episcopal Church sits atop a hill in this town of 18,000, about 30 miles northeast of San Francisco. A vistor finds the Rev. Ellis E. Peterson, the 59-year-old rector, a much troubled man. In many ways, he speculates, the feeling, the mood and the outlook of his church's 200 families typify the attitude of the whole country. Sitting in his office, surrounded by books on religion and philosophy and psychology, stroking his beard, he's bewildered.

"My people are simply frustrated. They've given up on everything you can name—their church, their religion, education, government of all levels. It all seems to be coming apart in little pieces. To them, nothing is solid any more. The result is that they've withdrawn, built a shell around themselves and crawled into it. The war, poverty, the despised, they mean nothing to them unless they touch them personally. Their attitude is, if it's going to affect me, then I'm terribly concerned about it. Otherwise, I'll stay in my shell. . . .

"People are indifferent. They've had so much change so fast, now they just want everything to stop and hold still for a while. They want something they can rely on, something that is solid in their lives. We had a long discussion just yesterday on a little change—just a few words—in the Lord's Prayer. But they want no part of it. They're frightened of this whole business of change.

"I've been in the ministry for 35 years, and I've never seen people as withdrawn and selfish as they are right now. When I preach on our responsibility to mankind, our responsibility to the lost, the unfortunate, the minorities, they just turn off their hearing aids. They don't want to hear it. They don't want to hear about the real problems and what we ought to be doing. I feel like I've never been needed so much, but at the same time, I've never been so lonely and alienated from my parishioners."

APPROPRIATIONS FOR ETHNIC STUDIES BILL

Mr. SCHWEIKER. Mr. President, a critical piece of unfinished business will carry over from the 92d to 93d Congress: appropriations in fiscal year 1973 to implement the Ethnic Heritage Studies Programs Act.

The Ethnic Studies Act, which I was proud to sponsor, was enacted as part of S. 659, the Omnibus Higher Education Amendments of 1972. Authorized for fiscal year 1973 was $15 million.

It is essential that appropriations for the ethnic studies programs receive careful study when Congress reconvenes in January 1973, and that ethnic studies funding be given high priority in the second supplemental appropriations bill for fiscal year 1973 that will be considered at that time.

I was deeply disappointed that no appropriations for the ethnic studies legislation were included in the preliminary first supplemental appropriations bill, H.R. 17034, enacted shortly before adjournment of the 92d Congress. On October 6, 1972, I personally testified before the Senate Apppropriations Subcommittee with responsibility for educational appropriations. I stressed the importance of immediate "start-up money" to enable the ethnic studies programs to get off the ground, and the essentiality of full funding of the entire $15 million authorized by Congress for the ethnic program. Sufficient funds for planning coordination and cooperation will be necessary to realize the full potential to individuals and communities around the United States of ethnic studies programs.

Unfortunately, due to the lateness of this session, and pressures to complete work in the 92d Congress, supplemental appropriations in the educational area were limited to only a small number of programs. Neither the executive branch, which did not include a request for ethnic studies appropriations for this year's supplemental appropriations bill, or congressional Appropriations Committees, wanted to provide supplemental appropriations at this time for new programs recently enacted into law. They indicated that the second supplemental appropriations bill next year would be a more appropriate vehicle for consideration of this program.

I do not agree with this reasoning, and feel strongly that immediate appropriations for ethnic studies was necessary. However, there is still time next year for appropriations during fiscal year 1973 for the programs, and I will continue to press hard for this action as soon as the next Congress convenes next year.

I have appreciated the widespread support from individuals and organizations around the country for the ethnic studies bill. I hope to continue to have their support next year, and hope they will all help inform public officials at national, State, and local levels of the important goals of the ethnic studies programs and of the necessity of immediate funding of the ethnic heritage studies programs to implement these goals.

Mr. President, I request that my testimony for full, immediate funding of the ethnic studies programs be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR RICHARD S. SCHWEIKER

Mr. Chairman: I deeply appreciate the opportunity to personally testify today on behalf of funds for the Ethnic Heritage Studies Programs Act, which was authorized as Section 504 of S. 659, the Higher Education Amendments of 1972, Public Law 92-318.

Through approval of this legislation which I originally introduced as S. 23 in January, 1971, Congress has for the first time indicated official national recognition of ethnicity as a positive, constructive force in our society. It is essential that Congress follow-through this year by providing the necessary start-up funds so the ethnic studies assistance can be begun in a responsible, efficient, and constructive fashion.

The Act authorizes the Commissioner of Education to make grants for programs, development of curriculum materials, and dissemination of information and materials relating to the history, culture and traditions of the various ethnic and minority groups in our country. The Report of the Senate Labor and Public Welfare Committee on this authorization makes Congressional intent clear that ethnic studies programs are to include participation by all groups of people sharing a common history, identity, culture or experience in America as well as the European immigration groups more commonly referred to in the term "ethnic group." The Committee report also indicates, as does the exact language of the bill, that ethnic studies programs are meant to include participation by members of ethnic, minority and other community groups as well as educational and academic grant applicants.

Since I originally introduced the ethnic studies bill, I have been encouraged by the widespread interest in ethnic studies by ethnic, minority, religious, and other community groups around the entire nation. Clearly, the positive emphasis on ethnicity is an idea whose time has come. The demand for national assistance for development and dissemination of ethnic heritage materials is truly a grass roots phenomenon that has now resulted in passage of the Ethnic Heritage Studies Programs Act.

The Office of Education has already undertaken preliminary planning to implement the Ethnic Studies Act. A Fact Sheet, which I would like to include in the hearing record following my remarks, was released on August 18, 1972, describing tentative plans and progress. It is interesting to note that one of the reasons this Fact Sheet was prepared was because of the many requests the Office of Education received from around the country for information about the program. A small grant was also made to the American Association of State Colleges and Universities to plan a conference on ethnic studies. This organization, incidentally, published, under a grant from the National Endowment for the Humanities, an excellent "State of the Art and Bibliography" summarizing recent material concerning ethnic studies in higher education.

However, these preliminary plans and surveys are no substitute for the basic ethnic heritage studies programs authorized by Congress. It is essential that we provide appropriations in this supplemental appropriation so that the Office of Education can step-up its planning and implementation of the bill and work out a carefully developed program. Only a one-year authorization was approved since the ethnic studies proposal is still essentially a pilot program. But there will be little chance for laying the groundwork for a positive, constructive program for ethnic studies if we delay appropriations for it until 1973 at the end of the fiscal year.

Congress authorized $15 million for the ethnic heritage studies programs. I strongly urge this subcommittee to approve appropriations of this full amount. Considerable planning, coordination, and cooperation will be essential between the Office of Education and the wide variety of academicians and community groups already seriously involved in the development of ethnicity programs. This planning, coordination and cooperation, in fact, will also be essential among all the various applicants for grants under the program. But without sufficient start-up money to allow comprehensive planning, it will be difficult to realize the full potential of ethnic studies among the citizens of this country, and in our communities.

Ethnic studies—ethnicity—is a key educational resource to help all people understand themselves and each other, to help break down barriers of tension and misunderstanding that prevent groups of people in our communities from working together on common problems based on mutual respect. I respectfully urge the appropriation of the full $15 million so that the ethnic studies program can be effectively begun.

SENATOR B. EVERETT JORDAN, OF NORTH CAROLINA

Mr. TALMADGE. Mr. President, I join the Senate today in paying tribute to Senator B. Everett Jordan, of North Carolina—my warm friend of many years, and a Senator dedicated to his State and Nation.

A Member of the Senate for more than 14 years, Everett Jordan rendered distinguished service to the people of North Carolina. There is no more important industry in his State than agriculture, and through his membership on the Committee on Agriculture and Forestry, Senator Jordan concentrated his efforts in behalf of the farmer. I have served with Senator Jordan on the Agriculture Committee since he first came to the Senate, and he has been a hard worker and attentive to the needs of American agriculture. As one who was very much involved in the controversy myself, I especially remember Senator Jordan's position in the forefront of the successful effort to eliminate the two-price cotton system at a time when U.S. cotton production and the American textile industry were in dire straits.

As the second ranking Democrat on the Committee on Public Works, Senator Jordan devoted a major portion of his time and legislative talent toward water resources development, water and air pollution control, navigation, and highway legislation. A great many public works projects, like the W. Kerr Scott Reservoir, exist today or are under construction largely because of the diligence of Senator Jordan.

North Carolinians owe Senator Jordan a deep debt of gratitude for his long and distinctive service. I am extremely proud of my years of association with Everett Jordan, and I count him as one of my warmest friends. He is a kind and considerate man, and all who have come to know him cherish his friendship.

I shall greatly miss Everett Jordan in the U.S. Senate, and I wish him every success and happiness in all that he undertakes in the future.

IMPORTANCE OF AGRICULTURAL EXPORTS

Mr. DOLE. Mr. President, the farmers of this Nation are its backbone. This has been known for a long time, for we must depend upon his production for our food and fiber.

Through the years of improved transportation and technology, international trade has increased. Sometime to our advantage. Sometime to our detriment. We have learned that our farmers have an ability to produce more—too much for our own consumption—but enough to export food and fiber to other nations. The October issue of Top Op, a magazine published by the Farm Journal especially for larger farm operations, contains an article, entitled, "Big chance to help the country and yourself." The article is the result of an interview about a new book, "World Without Borders," by Lester A. Brown, senior fellow and economist for Washington, D.C. Brown explains very well the important contribution agricultural products already provide to the balance of payments and carries this even further that the exportation of these products is necessary to the economic future of this Nation.

The article, written after an interview by Laura Lane, is worthy of wide distribution and I would ask unanimous consent that this article be included in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Big Chance To Help the Country and Yourself

(By Laura Lane)

"If I were a farmer, I'd knock on every important door in Washington next week, demanding an all-out effort to increase farm exports—to save the day and the dollar. Why? Our trade deficit is the worst in our history. We've got to have a massive breakthrough in farm sales abroad. That's in the national interest. This is one time farmers must have the full support of the White House, Congress, and the Departments of State, Commerce and Treasury—not just the U.S. Department of Agriculture."

This rallying cry comes from Lester B. Brown, who has been calling the international shots with amazing accuracy for more than a decade. Brown, an economist, is a senior fellow of the Overseas Development Council, Washington, D.C. In a Top Op interview before publication of his significant new book, *World Without Borders* (see page 43 for details on how to order it), he elaborated on farmers' big chance to help the country and at the same time to help themselves:

1. Your exports can help meet the energy crisis which is far more serious than the average citizen realizes. "Rationing of natural gas by power companies is already here," Brown says. "Our sale of cereals and feed grains to Russia is in effect an exchange for petroleum products. The price of gasoline is going up. By 1985 we will be dependent on imports for half of all our petroleum, even if Alaska comes on stream and we can extract oil from shale in the Rockies."

What about minerals? "The cost of importing aluminum, other minerals and energy fuels was $8 billion in 1970; that will increase to $31 billion by 1985 and $64 billion for the year 2000. Traditionally a largely self-sufficient, continental storehouse of energy fuels and industrial raw materials, the United States is rapidly depleting its internal reserves. The result: future dependence on reserves elsewhere.

"Of the 13 basic industrial raw materials, the U.S. depended on imports for more than half of its supply of six in 1970. By 1985 this will increase to nine and by the end of the century to 12. Twenty-eight years hence the U.S. will depend primarily on other countries for its supplies of all basic industrial raw materials except one—phosphate."

Brown points out in his book that the bulk of the exportable crude oil and minerals comes from the poor nations of the world, and of that global supply the U.S. consumes one-third. This imbalance has caused the poor producing countries to gang up on the consuming rich, Brown says. He cites as an example the recent big boost in crude oil prices by the Organization of Petroleum Exporting Countries (mainly Arab nations). And the same kind of tough bargaining is ahead for other minerals we can't do without.

What amounts to a barter of grain for fuel and metals is possible because the U.S. still has "a strong competitive advantage in selling soybeans, corn, grain sorghums and wheat around the world. Why? Our efficient farm methods, temperate climate and abundant land. What Russia would give for a Corn Belt!" Brown observes.

"But we no longer have that competitive advantage in cars and steel, and we're losing it in electronics and airplanes to Japan and Western Europe, especially Germany," Brown says.

Another reason for our deficit in the balance of trade (now $5.127 billion): a massive military budget, much of it spent outside the U.S.

2. You should work for free trade, Brown believes, and this necessitates farmer pressure to change laws and policies which are protectionist. A few U.S. farmers will be hurt, but this course will be best for the most in the long run: "We need to create conditions where capital and technology can flow more readily across national borders. Tariffs and import quotas on petroleum, steel, sugar, fresh and frozen meat and dairy products cost U.S. consumers an estimated $12 billion per year in higher prices and create inflationary pressures. Proposed quotas on textiles and shoe imports alone could cost every U.S. family an additional $54 per year by 1975."

The consumer/taxpayer pays both coming and going, Brown points out—more in higher prices and more in taxes for foreign aid to offset the damage of our protectionism.

Who would be hurt by freer trade? Farmers who produce labor-intensive crops: sugar, strawberries and other fruits, tomato paste, vegetables. And if we get the petroleum and minerals we need, we may have to accept from the poor countries such labor-intensive products as textiles, shoes and electronic components. Those U.S. industries will be hard pressed.

3. You can export farm skills and know-how—that's another way to help. Commod-

ity groups, farmer-owned co-ops and corporations and enterprising individuals can sell their technology. Russia and Eastern Europe would welcome help with animal breeding, soybean processing, feeding grain sorghum, setting up and operating feedlots, grain handling, Brown says. Exported technology also will stimulate demand for the feed grains we raise so efficiently and our breeding stock or animal semen, for example.

If you would like help in exporting technology overseas, write or call the Agribusiness Council, Inc., 229 Park Ave., New York, N.Y. 10017; Phone: (312) 755-7636.

An instance closer home: Since 1964 many knowledgeable California fruit and vegetable growers have moved south of the border to take advantage of low-cost labor. So in effect "we are exporting jobs instead of importing braceros," Brown says in his book.

4. You can help improve foreign relations. Brown knows from his own wide travels and contacts overseas that U.S. farm families are good at busines and personal diplomacy.

"Because of Vietnam, we aren't very popular abroad," he says. "That handicaps us in competing with other countries for raw materials. Most Americans aren't aware how tough our competition really is. Japan depends on imports for 99% of her petroleum needs, so she will offer terms we will find painful to meet. We need chrome ore from Turkey, but Japan has sewed that up with a long-term deal to finance and build a metal-processing plant for the Turks. If we continue to irritate South America and African countries, they can export their resources to Japan, too."

5. You should insist that aid programs really aid mankind—farmers have a precedent for that kind of help. "Development of high yielding dwarf wheat in Mexico made possible The Green Revolution which has benefitted millions. That technology cost only $8 million—a drop in the world's fiscal bucket."

We can find other worthy joint ventures for government and private enterprise in nutrition, public health, literacy training and family planning that will shine up our tarnished image without costing a lot of money, Brown says. A foreign affairs budget of $85 billion, of which $82 billion was for arms and $3 billion for economic and food aid, doesn't show a genuine sense of concern for the rest of the world. Global military expenditures—$204 billion in 1970—*exceed the annual income of the poorest one-half of mankind.*

"Am I my brother's keeper?" Brown believes the "yes" to that Biblical question needs to be broadened to encompass all of mankind. Actions taken in one country often can affect more people outside that country than within. "We can no longer separate the price of gasoline we put in our cars or tractors from the struggle for a better life of 40 million Arabs. Announcement of a new economic policy by President Nixon on August 15, 1971 caused a plunge in the Tokyo stock market from which it has yet to fully recover. The continuing discharge of waste mercury into the Pacific Ocean by Japanese and Chinese industrialists caused swordfish, and perhaps eventually tuna, to be taken off menus in the United States.

"Decisions by a Congressional committee allocating sugar import quotas may have a greater impact on employment in poverty-stricken Northeastern Brasil than anything the Brazilian Government itself can do. In our finite and interdependent world, we must find ways of working together."

VIETNAM: THINGS CHANGE BUT STAY THE SAME

Mr. KENNEDY. Mr. President, the Wall Street Journal last week carried an excellent article by their experienced correspondent, Mr. Peter Kann, analyzing the current situation in Vietnam. Its point—and one that should be understood by more Americans—is contained in the headline: "In Vietnam, Things Change But Stay Same: The War Is Continuing."

What a tragic situation it is when our national leadership can tell us that things are going well in Vietnam, that "Vietnamization" is a success, when, in fact, we learn from Mr. Kann's article that—

> The war has simply progressed a stage beyond destroying cities to save them; the strategy now seems to be destroying cities simply so the other side can't have them.

He writes:

> This presumably is progress.

The people of Indochina may rightly wonder what kind of progress this is. If Americans were dying at the rate the people of Vietnam continue to die, we, too, certainly would question such "progress." As Mr. Kann points out:

> If America, with a population about six times that of the two Vietnams, were being punished at a comparable rate, it would mean at least two million Americans dead and wounded and six million homeless—all in six months.

Mr. President, I ask unanimous consent that the text of the Wall Street Journal article be printed at this point in the Record, and I urge my colleagues in the Senate to give it their careful reading.

There being no objection, the article was ordered to be printed in the Record, as follows:

Death Marches On: In Vietnam, Things Change But Stay Same: The War Is Continuing

(By Peter R. Kann)

Saigon.—The flag of the government of South Vietnam once again flies over Quang Tri, five months and many thousands of Vietnamese lives after the city fell to the North Vietnamese army. This presumably is progress.

But Quang Tri is no longer a city. It is a field of rubble, and circling over it in a helicopter recently, one searched the landscape less for any sign life than for any sign that there had once been life.

Quang Tri wasn't so much destroyed as obliterated. One can argue about what percentage of the city was obliterated by American bombers, what percentage by South Vietnamese artillery and what percentage by North Vietnamese cannons. But it seems almost academic. The war has progressed a stage beyond destroying cities to save them; the strategy now seems to be destroying cities simply so the other side can't have them.

The Communist offensive is entering its seventh month. It has precipitated well over one million refugees. A dozen or so "mini-Quang Tris"—devastated district towns—are scattered around the country. The army of South Vietnam is estimated to have suffered 36,000 dead and another 70,000 or so wounded. Communists casualties are estimated at two to six times those of Saigon. Civilian casualties, as always remain largely untabulated. (If America, with a population about six times that of the two Vietnams, were being punished at a comparable rate, it would mean at least two million American dead and wounded and six million homeless—all in six months.)

DEATH AND DESTRUCTION REMAIN CERTAIN

The most significant thing to say about the situation here, after a several months' absence from Vietnam, is simply that the offensive and the death and destruction—continues.

There have been, of course, some recent and perhaps important developments. The thrust of the enemy offensive seems increasingly aimed at pacification. South Vietnam's President Nguyen Van Thieu has been somewhat systematically dismantling his country's democracy, such as it was. Indications are that both sides are dealing seriously with the question of a cease fire. If only on a contingency basis. Flurries of peace rumors have cropped up recently in Paris and Washington.

But the most realistic outlook, according to the majority of observers here, is more months of intensive combat and quite possibly more years of protracted war.

American officials are still arguing over how accurately they predicted the offensive and the timing of it, but no one here claims to have forecast its intensity or duration. In the view of a surprising number of officials here, neither the intensity nor the duration seems to have been greatly affected by America's mining of Haiphong harbor and massive bombing of North Vietnam.

IT COULD HAVE BEEN WORSE

Proponents of the mining-bombing policy now are arguing simply that without it, things could have been even worse; that it has limited Hanoi's use of some heavy equipment like tanks (which Hanoi didn't make good use of anyway); that continuing the mining and bombing for a long period may inhibit Hanoi from launching future large-scale offensives; and that sustained punishment of the North might somehow, sometime still force Hanoi to come to "acceptable" peace terms.

But the private reservations about the policy that are being expressed by senior military and civilian officials here seem to indicate that if President Nixon halted or curtailed the bombing of North Vietnam, the decision would be met with less opposition here than one might expect. ("So the bombing knocks out a dozen trucks," one senior official says. "Any GM dealer in South Bend can supply a dozen new trucks overnight, and so can the Chinese.")

The effectiveness of the American bombing campaign within South Vietnam—including the almost tactical use of B52 strategic bombers—isn't subject to similar reservations. Among supporters and criticis of U.S. policy here, the consensus is that South Vietnam would have fared much worse—and perhaps collapsed—had it not been for American air support. "If it weren't for air power, there would be no South Vietnam—it's that simple," Air Force Gen. Lucius D. Clay Jr. was recently quoted as saying in the military newspaper Stars and Stripes. (Of course, because South Vietnam may not always have U.S. air support and because North Vietnam has always done surprisingly well without air support, South Vietnam's longer-term future remains, as ever, in some doubt.)

THE PROBLEMS OF ASSESSMENT

Assessing the "success" or "failure" of the Communist offensive is difficult, if only because there is little agreement here as to what the various intentions and objectives were in the first place.

If one assumes that the Communists aimed to take some key cities like Quang Tri, An Loc, Kontum and, particularly, Hue and thereby cause the Saigon government to topple (or the U.S. to topple it), then the offensive presumably failed. Quang Tri and An Loc are government-held rubble Kontum and Hue remain government cities. The enemy controls a handful of district towns, or what is left of them, but none are of much political or psychological value in themselves.

"Hell, you've got to say the offensive failed," one influential Vietnamese says. "If the North Vietnamese couldn't take An Loc, then they couldn't take my outhouse." (The rejoinder to this, however, might be that since three South Vietnamese divisions still haven't succeeded in securing the 40 miles of Route 13 between Saigon and An Loc, they can't even retake the path to the outhouse.)

If the enemy aim was to shatter the South Vietnamese army ("destroy Vietnamization," as documents put it), the investment probably exceeded the rewards. Saigon's army has taken massive casualties, and several divisions were all but wiped out. But in so doing, the enemy concentrated its own forces in semiconventional combat and took even more massive casualties. U.S. analysts say that nearly every Hanoi division has suffered at least 50% casualties in the last six months. (The North Vietnamese army, nevertheless, keeps coming up with surprises: The 5th Division, supposedly crushed at An Loc, has reappeared in the Mekong Delta, and the 2nd Division, supposedly crippled in fighting around Kontum, has surfaced again on the Central Coast.) The South Vietnamese conscription and replacement system seems to be functioning fairly well, and most of Saigon's divisions are at, or near, normal strength.

So, to the extent that the war is a war of attrition, Hanoi's army has been "attrited" more than Saigon's. But the North Vietnamese army may well have proved that it is the better fighting force man for man and that Vietnamization is a "success" only by virtue of American air support. Such a conclusion may have great significance for the future, but in the short run an American-supported Saigon army remains a credible, largely intact fighting force.

To the extent that the war remains political—for control of people or at least for influence over them—the Communists have had some success, even those optimistic about South Vietnam's future concede. Perhaps because their more conventional assaults have been blunted or have proved too costly and perhaps also perceiving South Vietnam's main-force units to be stretched thin, the Communists seem to be turning their attention to pacification—to the Saigon government's control of the countryside.

The Communists have returned to many interior-base areas from which they were painfully pushed over the past four years. From these base areas they are seeking to expand and reexert their presence in the hamlets and to return as much of the countryside as possible to at least "contested" status. "Once they get in the woodwork, it's damned difficult to get them out again," one American general says. Tanks and heavy artillery aren't required for this sort of warfare, and B52 bombers aren't very effective against it.

THE STATISTICAL STORY

Statistics tell only a bit of the story, but there now are over 1,000 Vietcong-controlled hamlets, compared with seven before the offensive, according to American figures. There are, of course, 14,000 hamlets in South Vietnam. But besides the increased number of Vietcong-controlled hamlets, there are also more "contested" hamlets and fewer "secured" hamlets than six months ago. The sensitivity of the situation in the countryside may be indicated by the fact that American Hamlet Evaluation System statistics, once highly publicized as indicators of pacification progress, now are classified.

None of this is to say that the bulk of the rural population now is now outside Saigon's control or even under significant Communist influence. But, as one cabinet minister says, "The Communist presence is once again sensed in our hamlets."

In the Mekong Delta, where much of the population lives, there are now said to be some 20,000 North Vietnamese troops. A year ago the Delta was considered almost entirely pacified, and a few thousand main-force enemy troops were hiding in a few isolated base areas. Since the Delta is at the far end of the North Vietnamese Army's supply chain, the much-increased Hanoi presence there raises questions about the effectiveness of strategic bombing and the inevitable claims by some military men that North Vietnam is on the verge of desperation and defeat.

The same sort of expanded enemy presence in the countryside has taken place along the populous Central Coast—in provinces like Binh Dinh and most recently in Quang Ngai.

In general, it seems fair to say that the military situation is unlikely ever to return to that of the days before the offensive or, particularly, to the high point of Saigon control in early 1971. It took years to pacify hamlets, and it takes years to repacify them.

The Communists may take a certain perverse satisfaction in the swollen refugee rolls. The million miserable victims of the offensive probably blame Saigon as well as the Communists for their plight, and they pose a serious burden on the government's administrative system and economy.

The enemy offensive against pacification can be viewed as part of a long and patient effort to win the war or as an effort to prepare for a possible cease-fire (or as both).

AND, NOW, THE WORD OF THE MONTH

Cease-fire, indeed, has become a common topic of conversation in Vietnam, among Saigon officials in the coffeehouses, common people in their homes and supposedly among Vietcong cadre in the countryside. Among U.S. officials the word of the month is "modalities"—as in "The modalities of cease-fire are highly complex."

Evaluating prospects for a cease-fire is a bit like evaluating prospects of getting to heaven. It is a measure of the inexactitude of Vietnam-watching that one can talk to sources who (A) consider cease-fire a distinct possibility because they say the Communists know they aren't doing well and fear they will be in worse shape in the future; (B) consider cease-fire quite possible because the Communists think they are doing well and are confident of their current military position; (C) consider cease-fire highly unlikely because the Communists are doing well now but think they will do even better in the future; and (D) consider cease-fire very improbable because the Communists are doing poorly now and lack confidence in their current position. The last of these theses is the one advanced by most senior members of the U.S. mission here, though not necessarily by junior officers.

In the most simplistic sense a cease-fire in place would just mean that the armies stop fighting and stay where they are, each side presumably controlling the territory its troops occupy and the people therein. But it isn't that simple, of course.

For one thing, the Communists, publicly at least, have always made cease-fire contingent on a change in the makeup of the Saigon government. The U.S., publicly at least, refuses to consider any "imposed" political changes in Saigon. President Thieu further says that there can't be any cease-fire until all North Vietnamese troops leave South Vietnam—which would amount to a Communist surrender rather than a cease-fire.

A cease-fire in place would thus seem to require either a concurrent political settlement or, at the very least, a real military equilibrium and a recognition by all parties to the conflict that it isn't worth trying to change that equilibrium by force of arms. Neither of these conditions seems to exist at present.

Cease-fire is further complicated because there is no apparent way to decide who controls what in this country. Many areas may simply be considered "contested." Some may be considered under Saigon control by day and under Vietcong by night. What would a cease-fire map look like? a senior U.S. official is asked. "Leopard skin," he replies.

To most observers here, a cease-fire, at this stage, would simply mean a new manner of war. Of course, if it included a halt to American bombing and some limitations on the activities of main-force Saigon and Hanoi units, it would be a less destructive type of war.

WOULD BELA APPROVE?

("If we ever get a cease-fire, it's going to be a Bartok cease-fire, breaking all the rules of harmony," one Vietnamese industrialist says.)

It seems to be for a new type of war, rather than for peace, that both sides are planning. Or, as one senior diplomat puts it, "Both sides are planning not for a cease-fire but for how to violate a cease-fire."

A Vietnamese who is a relative of President Thieu and one of the president's very closest advisers says in a moment of rather alarming candor: "The Communists don't want a cease-fire in place because they know that it would take a year of talks to work out the modalities, and while we talk of modalities, we would also be retaking territory. They are afraid that one night, while we are talking about modalities, we would go out and arrest and kill all their cadre. . . . Cease-fire is one thing. Modalities are another. They would try to cut our throats, and we have a right to cut theirs." The quote obviously indicates both the government distrust of the Communists and the ample cause that the Communists have to distrust Saigon.

Nevertheless, U.S. analysts say Vietcong cadre have been instructed in various documents, that October will be a "decisive month" of the war, to be followed by cease-fire and negotiations.

(Saigon has also been preparing for that eventuality. President Thieu has been issuing a series of executive decrees aimed at tightening his control over the country. The most significant of these is probably the one eliminating elected hamlet governments and giving appointed military men more control over elected village governments. The elections—"democracy at the rice roots"—have been ballyhooed by U.S. officials for the past five years.)

Basically, Saigon is worried about the political reliability of local elected representatives, although candidates for such posts were permitted to run.

Another new decree imposes the death penalty for graft exceeding one million piasters; earlier decrees had set lower piaster limits for capital punishment. A Saigon lawyer, in the popular mood of cynicism, says the new decree simply keeps pace with devaluations of the piaster.

South Vietnam was never a democracy in the Western sense. Forms were taken more seriously than content, and most real power has always resided with the president and the army. On the other hand, it can be argued that even today, South Vietnam remains well short of totalitarian.

Still the effect of recent moves has been to put more and power in the hands of President Thieu. In the short run, this may produce increased efficiency. In the longer run, however, it can also be seen as having the opposite effect. President Thieu may not always be in power, but the larger he now looms, the more power he now wields, the larger would be the vacuum left behind if he should leave. Is Thieu irreplaceable? a cabinet minister is asked. "Well, not exactly irreplaceable. Just indispensable," he says.

The U.S., by going along with President Thieu's political moves, seems increasingly unwilling or unable to draw distinctions between Thieu interests and American interests. Mr. Thieu, of course, remains an American puppet in the sense that America could dump him by publicly renouncing support and, if necessary, cutting off aid. But that, in the view of most observers here, would leave South Vietnam in a state of chaos. "The U.S. could cut the strings on Thieu, but it won't, and he knows it," one

Western diplomat says. "So he doesn't have to respond if you try to pull the strings. He's a puppet dancing to his own tune."

A TRIBUTE TO SENATOR ELAINE EDWARDS OF LOUISIANA

Mr. STENNIS. Mr. President, I wish to pay my respect and express my appreciation for the services rendered here by the Senator from Louisiana, Mrs. ELAINE S. EDWARDS.

Mrs. EDWARDS made a very favorable impression here indeed as a new Member of the Senate from the 7th day of last August. As a Member from her neighboring State I have been proud of her as she quietly went about her duties in her earnest and positive way. She showed poise, judgment, and the utmost sincerity in her endeavors here, and if time had permitted would have become a most skillful and effective Member.

I want to mention as a point of emphasis a trait that was very obviously and highly commendable. She would always take a direct approach to hard problems and situations, and carry her part of the load, but first of all, she is always a lady.

It has been a privilege to be associated here in the Senate with Mrs. EDWARDS, in her relatively brief tenure as a Member of this body. As she returns to her duties as the first lady of Louisiana, my compliments are extended to her on her service as a Senator. Mrs. Stennis joins with me in offering to Mrs. EDWARDS and her Governor husband of Louisiana every good wish in the future decades ahead.

LAND GRANTS FOR ALASKAN NATIVES

Mr. STEVENS. Mr. President, on September 21, in volume 37 of the Federal Register, No. 184, at pages 19634–39, the Department of the Interior promulgated regulations under which Alaskan Natives and Native groups may obtain land grants. These regulations will be of great importance to citizens throughout Alaska. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the regulations were ordered to be printed in the RECORD, as follows:

ALASKA NATIVE GRANTS—NOTICE OF PROPOSED RULE MAKING

BUREAU OF LAND MANAGEMENT

[43 CFR PART 2650]

The purpose of this amendment is to provide regulations for the satisfaction of grants of lands and interests in lands made by the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601–1624).

It is hereby determined that the publication of this proposed rule making is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C) is required.

In accordance with the Department's policy on public participation in rule making (36 F.R. 8336), interested parties may submit written comments, suggestions, or objections with respect to the proposed rules to the Director (210), Bureau of Land Management, Washington, D.C. 20240 until October 23, 1972.

Copies of comments, suggestions, or objections made pursuant to this notice will be available for public inspection in the Office of Information, Bureau of Land Management, Room 5643, Interior Building, Washington, D.C., during regular business hours (7:45 a.m.–4:15 p.m.).

Chapter II of Title 43 of the Code of Federal Regulations is amended by adding a new Part 2650, as set forth below.

HARRISON LOESCH,
Assistant Secretary of the Interior.

SEPTEMBER 14, 1972.

Group 2600 of Chapter II, Title 43 of the Code of Federal Regulations is amended as follows:

PART 2650—ALASKA NATIVE GRANTS

GROUP 2600—DISPOSITION; GRANTS

Subpart 2650—Alaska Native Grants Generally

Sec.
2650.0–1 Purposes.
2650.0–2 Objectives.
2650.0–3 Authority.
2650.0–5 Definitions.
2650.0–7 Cross references.
2650.1 Provisions for Interim Administration.
2650.2 Application procedures.
2650.3 Valid existing rights.
2650.4 Patent reservations.
2650.4–1 Existing rights and contracts.
2650.4–2 Succession of interest.
2650.4–3 Administration of existing less-than-fee rights.
2650.4–4 National forest lands.
2650.4–5 National wildlife refuge lands.
2650.4–6 Public easements.
2650.5 Survey requirements.
2650.5–1 Areas lacking adequate survey.
2650.5–2 Rule of approximation.
2650.5–3 Selection areas—survey requirements.
2650.6 Selection limitations.
2650.7 Publication of notice.

Subpart 2650—Alaska Native Grants Generally

§ 2650.0–1 Purpose.

The purpose of the regulations in this part is to provide procedures for the orderly satisfaction of grants of lands and interests in lands made by the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688).

§ 2650.0–2 Objectives.

The program of the Secretary is to encourage and assist the beneficiaries of the 1971 Act, supra, to make timely selections of the lands and interests in lands for which it is determined they are eligible, consistent with the terms of the Act.

§ 2650.0–3 Authority.

Section 25 of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688) authorizes the Secretary of the Interior to issue and publish in the Federal Register, pursuant to the Administrative Procedure Act (5 U.S.C. 551, et seq.), such regulations as may be necessary to carry out the purposes of the Act.

§ 2650.0–5 Definitions.

(a) "Act" means the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688), and any amendments thereto.

(b) "Secretary" means the Secretary of the Interior or his authorized delegate.

(c) "Native" means a Native as defined in section 3(b) of the Act who has been certified and enrolled as an Alaska Native pursuant to 25 CFR Part 43h by the Coordinator of the Bureau of Indian Affairs, or other Authorized Officer.

(d) (1) "Village" means any tribe, band, clan, group, village, community, or association in Alaska, including those villages listed in sections 11 and 16 of the Act, which meets the requirements of section 11(b) of the Act.

(2) "Village Corporation" means a profit or nonprofit corporation organized under the laws of the State of Alaska in accordance with section 8, 11, and 16 of the Act.

(e) "Regional Corporation" means an Alaska Native Regional Corporation established under the laws of the State of Alaska in accordance with the provisions of section 7 of the Act.

(f) "Public Lands" means all Federal lands and interests in lands located in Alaska except:

(1) The smallest practicable tract, as determined by the Secretary, enclosing land actually used, but not necessarily having improvements thereon, in connection with the administration of any Federal installation; and,

(2) Land selections of the State of Alaska which have been patented or tentatively approved under section 6(g) of the Alaska Statehood Act, as amended (72 Stat. 341, 77 Stat. 223; 48 U.S.C. chapter 2), or identified for selection by the State prior to January 17, 1969, except as provided in § 2651.4(a)(1) of this chapter.

(g) "Patent" as used in these regulations means the document which conveys to the patentee the legal title to public lands.

(h) "Interim Conveyance" means a patent issued under the authority of the Act which includes lands for which an approved survey by the Bureau of Land Management, other than a protractim diagram, does not exist, or which has not been otherwise surveyed in a manner adequate to withdraw and grant the lands provided for in the Act. Such patents will contain a provision for the issuance of a supplemental patent upon completion of a survey.

(i) "Supplemental Patent" means a patent issued after completion of a survey describing the land included in the interim conveyance in accordance with that survey.

(j) "National Wildlife Refuge" means any part of the National Wildlife Refuge System, including refuges, ranges, areas, and coordination lands.

(k) "Resident" means a Native permanently residing in Alaska at the time of filing his application for enrollment, under the criteria of 25 CFR 43h, 1(k) and 43h. 4(a).

§ 2650.0–7 Cross references.

(a) Native enrollment procedures are contained in 25 CFR Part 43h.

(b) Withdrawal procedures are contained in Part 2300 of this chapter.

(c) Classification procedures are contained in Part 2400 of this chapter.

§ 2650.1 Provisions for Interim Administration.

(a) Prior to any conveyance of grants under the Act, all lands withdrawn pursuant to sections 11, 14, and 16 of the Act shall be administered by the Secretary of the Interior, or by the Secretary of Agriculture in the case of national forest lands, under applicable laws and regulations. As provided in section 17(d)(3) and section 22(1) of the Act, the authority of the Secretary of the Interior and of the Secretary of Agriculture to make contracts and to grant leases, permits, rights-of-way, or easements is not impaired by the withdrawals.

(b) So long as there are no substantial revenues from real property interests conveyed pursuant to this Act, such lands shall continue to receive forest fire protection services from the United States at no cost, as provided in section 21(e) of the Act.

§ 2650.2 Application procedures.

(a) Applications should be filed on forms approved by the Director, Bureau of Land Management. Each application must specify that it is made pursuant to the regulations in the applicable subpart and cite the applicable section of the Act. Applications should be filed in accordance with Subpart 1821 of this chapter.

(b) Regional corporations must submit with their initial application a copy of the authority of the individual filing the application.

(c) (1) Each village corporation must submit with its first selection a duly certified copy of its articles of incorporation, evidence of approval thereof by the regional corporation for that region, a copy of the resolution authorizing the filing, and with each selection a copy of the authority of the individual filing the application.

(2) Native groups, and Natives residing in Sitka, Kenai, Juneau, and Kodiak, if incorporated as provided in section 14(h) (2) and (3), respectively, must submit the same evidence as specified in subparagraph (1) of this paragraph for village corporations with their application for lands.

(d) (1) Regional and other corporations authorized by the Act subsequently filing applications need only refer to the serial number, date and place of the previous filing as reference to the articles of incorporation.

(2) Any change in the officer authorized to act for any corporation should be promptly submitted to the appropriate office of the Bureau of Land Management.

(e) (1) Land description. If the selected lands are surveyed, the legal description of the lands in accordance with the official plats of survey must be used.

(2) (i) If the selected lands are unsurveyed and are described by approved protraction diagrams of the rectangular system of surveys, such description must be used.

(ii) Where the selected, unsurveyed lands, with approved protraction diagrams, also appear on published 1/63, 360 U.S.G.S. quadrangle maps, these maps will be used to portray and describe the selected lands.

(3) The lands selected shall be contiguous and in reasonably compact tracts, except as separated by bodies of water or by lands which are not available for selection, and should conform as nearly as practicable to the U.S. Land Survey System. A tract will not be considered compact if it excludes other lands available for selection within its exterior boundaries or if it is excessively strung out in long narrow strips or stairstep shapes of more than 2:1 ratio in length to width.

(4) The lands selected shall include whole sections where they are available, or include all available lands in less than whole sections.

(5) "Checkerboard" or alternate tract selections will not be permitted except as provided by Subpart 2653.2 of this chapter.

(f) A nonreturnable service fee of $25 will be required to be paid with each application under this Act.

§ 2650.3 Valid existing rights.

(a) *Patent requirements met.* All patents issued under this Act shall exclude any and subject to valid existing rights. Any person who made a lawful entry for the purpose of gaining title to homesteads (Part 2567 of this chapter), homesite or headquarters sites (Part 2563 of this chapter), trade or manufacturing sites (Part 2562 of this chapter), small tract sites (Part 2730 of this chapter), recreation and public purposes sites (Part 2740 of this chapter), or other valid aplications, and who has fulfilled all requirements of law prerequisite to obtaining a patent shall be issued a patent in accordance with applicable regulations.

(b) *Interest protected.* The right of use and occupancy of any person who made a lawful settlement, entry or appropriation of land prior to August 31, 1971, for the purposes cited in paragraph (a) of this section is protected until all requirements of law for a patent can be or have been met, even though the lands involved were reserved or withdrawn in accordance with Public Land Order No. 4582, as amended, or are covered by the withdrawal provisions of this Act: *Provided,* That:

(1) Occupancy has been or is being maintained in accordance with the appropriate public land law, and,

(2) Entry was not in violation of Public Land Order No. 4582, as amended. Any person who entered in violation of that public land order has gained no rights.

(c) *Mining claims, possessory rights.* On any lands conveyed to village or regional corporations, any person who, prior to August 31, 1971, initiated a valid mining claim, location, or millsite under the general mining laws and recorded notice thereof with the appropriate State or local office, shall be protected in his possessory rights for a period of 5 years from the date of the Act, if all requirements of the general mining laws are complied with.

(d) *Mining claims, patent requirements met.* Any person holding a valid mining claim on lands conveyed to regional or village corporations may proceed to patent, if all requirements under the general mining laws are met, at any time before the expiration of the 5-year period specified in paragraph (c) of this section.

(e) *Mining claims, patent requirements not met.* If a patent application has not been filed within the 5-year period specified in paragraph (c), of this section, the claimant's possessory rights will terminate.

§ 2650.4 Patent reservations.

§ 2650.4-1 Existing rights and contracts.

Any patent issued for surface and subsurface rights under this Act will be subject to any lease, contract, permit, right-of-way, or easement and the rights of the lessee, contractee, permittee, or grantee to complete enjoyment of all rights, privileges, and benefits thereby granted him.

§ 2650.4-2 Succession of interest.

Upon issuance of any patent under this authority, the patentee shall succeed and become entitled to any and all interests of the State of Alaska or of the United States as lessor, contractor, permitter, or grantor, in any such leases, contracts, permits, right-of-way, or easements covering the estate patented.

§ 2650.4-3 Administration of existing less-than-fee rights.

(a) *Interim Administration.* Leases, contracts, permits, rights-of-way, or easements granted prior to patent issuance under this authority shall continue to be administered by the State or by the United States unless the agency responsible for administration transfers administration to the patentee. For lands remaining under the jurisdiction of the Secretary, administration of such less-than-fee rights shall be continued by the issuing agency unless all the lands covered by the existing right have been granted under this Act or other appropriate authority. Where all the lands have been granted, administration of such right may be waived.

(b) *Revenue sharing.* In event that patent does not cover all the lands included within any such lease, contract, permit, right-of-way, or easement, the patentee shall be entitled only to the proportionate amount of the revenues reserved under the lease, contract, permit, right-of-way, easement, by the State or by the United States in accordance with section 14(g) of the Act.

§ 2650.4-4 National forest lands.

Any patents issued under this Act for timbered lands located within the boundaries of a national forest shall contain the following reservations:

(a) For a period of 5 years from the date of the patent the sale of any timber from these lands shall be subject to the same restrictions relating to the export of timber from the United States as are applicable to national forest lands in Alaska under rules and regulations of the Secretary of Agriculture; and,

(b) These lands must be managed under the principle of sustained yield and under management practices for the protection and enhancement of environmental quality no less stringent than management practices on adjacent national forest lands for a period of 12 years from the date of the patent.

§ 2650.4-5 National wildlife refuge lands.

Every patent which covers lands lying within the boundaries of a national wildlife refuge in existence on December 18, 1971, shall contain the provisions that (a) the land shall remain subject to the laws and regulations governing use and development of such refuge; and (b) there is reserved to the United States the first right of refusal if the land is ever sold by the village corporation.

§ 2650.4-6 Public easements.

In accordance with section 17(b)(3) of the Act, all patents issued to village and regional corporations shall contain such reservations for public easements as the Secretary finds necessary, after consultation with the State of Alaska and the Joint Federal-State Land Use Planning Commission.

§ 2650.4-7 Patent reservation.

Patents will contain a provision for the issuance of a supplemental patent upon completion of a survey, where the lands are not included in an approved survey by the Bureau of Land Management as specified in § 2625.0-5(h).

§ 2650.5 Survey requirements.

All selections pursuant to this authority shall describe the lands as shown on current plats of survey or protraction diagrams of the Bureau of Land Management, or protraction diagrams of the State where Bureau of Land Management protraction diagrams are not available, and shall conform as nearly as practicable to the U.S. Land Survey System.

§ 2650.5-1 Areas lacking adequate survey.

In any area of Alaska which does not conform to the U.S. Land Survey System, or which has not been surveyed in a manner adequate to grant the lands provided for under this authority, such actions may be taken as are necessary to accomplish the purposes of this Act, and the interim conveyances made shall note that upon completion of a survey appropriate adjustments shall be made to insure that the beneficiaries of the land grants receive their full entitlement.

§ 2650.5-2 Rule of approximation.

To assure full entitlement, the rule of approximation may be applied with respect to the acreage limitations applicable to conveyances under this authority, i.e., any excess must be less than the deficiency would be if the smallest legal subdivision were eliminated (see 62 I.D. 417, 421).

§ 2650.5-3 Selection areas—survey requirements.

(a) The areas conveyed pursuant to this Act shall be surveyed within 20 years from the date of conveyance. Unless the land is already surveyed in accordance with the rectangular system of surveys, exterior boundaries of selected or designated areas shall be monumented at angle points and at intervals of approximately 2 miles on straight lines. No ground survey or monumentation will be made along meanderable water boundaries.

(b) Interior Survey Requirements (1) Lands which on December 18, 1971, were occupied as a primary place of residence, as a primary place of business, or for other purposes, within the exterior boundaries of lands selected or designated for village corporation acquisition, shall be surveyed, provided the lands are to be later conveyed pursuant to valid existing rights as identified in § 2650.3. (2) Lands included in valid claims or entries of record on December 18, 1971, shall be surveyed and segregated from the selections.

§ 2650.6 Selection limitations.

(a) Notwithstanding any other provision of the Act, no village or regional corporation may select lands which are within 2 miles from the boundary, as it existed on December 18, 1971, of any home-rule or first-class city (excluding boroughs), or which are within 6 miles from the boundary of Ketchikan. Where a tract of 5,760 acres or less of selectable public land lies partly outside the 2- to 6-mile radius, none of it shall be subject to selection if the major portion of the tract lies within the applicable radius as drawn from the closest boundary point.

(b) Village and regional selections shall be contiguous and in reasonably compact tracts, except as separated by bodies of water or by lands which are unavailable for selection.

(1) Wherever feasible, village selections shall be in quarter townships or units of not less than 5,760 acres.

(2) Regional selections shall be in whole townships, wherever feasible, unless smaller tracts are approved for selection by the Authorized Officer.

§ 2650.7 Publication of notice.

In all appropriate cases, the Authorized Officer will order publication of notice, prior to the issuance of patent, in accordance with the procedures in Subpart 1824 of this chapter.

SUBPART 2651—VILLAGE GRANTS

Sec.
2651.0-3 Authority.
2651.1 Surface estate grant.
2651.2 Eligibility requirements.
2651.3 Selection period.
2651.4 Selection limitation.
2651.5 Patent reservations.
2651.6 Review of village corporation transactions.

SUBPART 2651—VILLAGE GRANTS

§ 2651.0-3 Authority.

Section 12 of the Act provides for the selection of lands by eligible village corporations.

§ 2651.1 Surface estate grant.

(a) Village corporations eligible for land benefits under the Act shall be entitled to a patent to the surface estate in accordance with section 14(a) of the Act, for not more than the acreage shown in the following table:

Population—April 1, 1970 [1]	*Maximum acreage entitlement*
25 through 99	69,120 acres.
100 through 199	92,160 acres.
200 through 399	115,200 acres.
400 through 599	138,240 acres.
600 or more	161,280 acres.

(b) In addition to the land benefits in paragraph (a) of this section, each eligible village shall be entitled to select and receive a patent to the surface estate for such acreage as is distributed to the village in accordance with section 12 of the Act, as provided in § 2653.3 of this chapter.

§ 2651.2 Eligibility requirements.

(a) Pursuant to section 11(b), the Secretary shall review and determine not later than June 1974, which villages are eligible for benefits under section 14(a) of the Act.

(b) Any Native group found to be not eligible for benefits under section 14(b) of the Act, will be considered for possible benefits under section 14(h)(2) of the Act, as provided in § 2654.5 of this chapter.

§ 2651.3 Selection period.

Eligible village corporations must file their selection applications by no later than December 18, 1974.

§ 2651.4 Selection limitation.

(a) Each eligible village corporation may select up to the maximum acreage determined in accordance with § 2651.1, but may not select more than:

(1) 69,120 acres of land that has been selected by, or tentatively approved to, but not yet patented to the State prior to January 17, 1969, under the Alaska Statehood Act; and,

(2) 69,120 acres of land from the National Wildlife Refuge System; and

(3) 69,120 acres of land from the National Forest System.

(b) To the extent necessary to obtain its entitlement, each eligible village must select all available lands within priority Group I (below) before selecting lands within priority group (2), etc. Priority groups are:

(1) The township or townships within which all or part of the village is located;

(2) Withdrawn lands in the two "rings" of contiguous or cornering townships, as specified in section 11(a)(1) (B) and (C) of the Act;

(3) Deficiency lands withdrawn pursuant to section 11(a)(3) of the Act.

(c) Selections shall be contiguous and in reasonably compact tracts, except as separated by bodies of water or by lands which are unavailable for selection and shall, wherever feasible, be in quarter townships or units of not less than 5.760 acre.

(d) Whenever the Secretary or his authorized representative determines that a dispute exists between villages over land selection rights, he shall direct the villages to arbitrate the dispute in accordance with section 12(e) of the Act, within 90 days of notice to that effect.

§ 2651.5 Patent reservations.

In addition to the patent reservations in § 2650.4 of this chapter, patents issued to village corporations shall be subject to the requirements of sections 14(c) and 14(g) of the Act. Section 14(c) requires the village corporation to convey: (a) To any Native or Non-native occupant the land occupied as a primary place of residence or otherwise, (b) to nonprofit organizations the tracts occupied by them, (c) to any municipal corporation, or to the Federal Government State, or the appropriate municipal corporation title to the surface estate for existing airport sites, airway beacons and other navigational aids, together with such additional acreage or easements to provide related services and airport safety aids. Section 14(g) makes the patent subject to valid existing rights of permittees, leasees, etc. The village corporation succeeds to any and all interests of the State of Alaska or of the United States as lessor with respect to the outstanding lease, or other such right granted prior to patent. The patents to village corporations shall also be subject to the right of the holder of a valid mining claim, location, or millsite to use and occupy so much of the surface thereof claimed and occupied on August 31, 1971, as may be required for all purposes reasonably incident to the mining and removal of the minerals, but not to exceed in extent and area the amount of surface specified in Part 3840 of this chapter.

§ 2651.6 Review of village corporation transactions.

Until December 18, 1981, the regional corporations shall be afforded the opportunity to review and render advice to the village corporation on all land sales, leases, or other transactions prior to any final commitment.

SUBPART 2652—TLINGIT-HAIDA GRANT

Sec.
2652.0-3 Authority.
2652.1 Surface estate grant.
2652.2 Qualifications for land benefits.
2652.3 Lands available for selection.
2652.4 Selection period.
2652.5 Selection limitation.
2652.6 Patent reservations.
2652.7 Review of village corporation transactions.

SUBPART 2652—TLINGIT-HAIDA GRANT

§ 2652.0-3 Authority.

Section 14(b) of the Act directs the Secretary to issue patent to the surface estate of 23,040 acres to the villages listed in section 16(a) of the Act which he finds are qualified to receive benefits.

§ 2652.1 Surface estate grant.

The following villages shall be considered for benefits under this authority;

Angoon, Southeast.
Craig, Southeast.
Hoonah, Southeast.
Hydaburg, Southeast.
Kake, Southeast.
Kasaan, Southeast.
Klawock, Southeast.
Klukwan, Southeast.
Saxman, Southeast.
Yakutat, Southeast.

§ 2652.2 Qualifications for land benefits.

(a) Villages listed in § 2652.1 must be found qualified for land benefits, as provided by section 11(b) of the Act, before they may select lands pursuant to section 14(b) of the Act.

§ 2652.3 Lands available for selection.

Each village corporation for the qualified villages listed under § 2652.1 must select its 23,040 acres from available lands in the township or townships in which all or part of the Native village is located, and, to the extent necessary, from lands in the surrounding townships withdrawn for the Native village by section 16(a) of the Act.

§ 2652.4 Selection period.

All applications for selection must be filed not later than December 18, 1974.

§ 2652.5 Selection limitation.

Selections shall be contiguous and in reasonably compact tracts, except as separated by bodies of water or by lands which are unavailable for selection, and shall, wherever feasible, be in whole sections or units of not less than 1,280 acres.

§ 2652.6 Patent reservations.

Patents issued under the authority of this subpart will include the reservations required by § 2651.5.

§ 2652.7 Review of village corporation transactions.

Village corporation transactions shall be subject to review as provided by § 2651.6 of this chapter.

SUBPART 2653—REGIONAL GRANTS

Sec.
2653.0-3 Authority.
2653.1 Entitlement.
2653.2 Selection limitations.
2653.3 Regional reallocation grant.
2653.4 Patent reservations.

SUBPART 2653—REGIONAL GRANTS

§ 2653.0-3 Authority.

(a) Section 12(a)(1) of the Act provides that when a village selects the surface estate to lands within the National Wildlife Refuge System or Naval Petroleum Reserve No. 4, the regional corporation for that region may select the subsurface estate in an equal acreage from other lands withdrawn by section 11(a), within the region, if possible.

(b) Section 14(e) of the Act authorizes the Secretary to issue patents to regional corporations for the surface and/or subsurface estate, as is appropriate, for the lands selected by them from allocations made by the Secretary pursuant to section 12(c) and section 14(h)(8) of the Act, provided such selections are filed before December 18, 1975.

(c) Section 14(f) of the Act provides that the subsurface estate of lands conveyed to village corporations pursuant to sections 14 (a) and 14(b) shall be conveyed to the regional corporation of the region in which the village corporation is located, except lands located in the National Wildlife Refuge System and lands withdrawn or reserved for national defense purposes, including Naval Petroleum Reserve No. 4.

(d) Section 14(h)(2) of the Act provides that the subsurface of lands conveyed to a Native group shall be conveyed to the appropriate regional corporation.

(e) Section 14(h)(3) of the Act provides that the subsurface of lands conveyed to the Natives residing in Sitka, Kenai, Juneau, or Kodiak shall be conveyed to the appropriate regional corporation, unless the lands are located in a wildlife refuge. In such cases the regional corporation will not be entitled to any subsurface grant.

(f) Section 14(h)(5) of the Act provides that the subsurface estate of lands conveyed to a Native as a primary place of residence shall be conveyed to the appropriate regional corporation.

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[1] Evidence satisfactory to the Secretary may be used to determine population figures.

§ 2653.1 Entitlement.

(a) All regional corporations, except the Sealaska Corporation and the Thirteenth Region.

(1) Eligible regional corporations may select up to the maximum acreage granted pursuant to section 12(c) of the Act. They will be notified by the Secretary of their entitlement on or before December 17, 1974, after selection by the village corporations of the acreage entitlement under section 12 (b).

(2) Where subsurface rights are not available to the regional corporation in lands whose surface has been patented to a village corporation, the regional corporation may select an equal acreage from other withdrawn lands, as provided in section 12(a) of the Act.

(3) In the event the Secretary determines that lands are available from the 2 million acres authorized for miscellaneous grants under section 14(h) of the Act for allocation to the regional corporations pursuant to section 14(h)(8) of the Act for allocation to the regional corporations pursuant to section 14(h)(8) of the Act, the regional corporations will be notified by the Secretary as soon as practicable. Upon such notification, the regional corporations will be entitled to select the acreage from available lands.

(4) As appropriate, the regional corporations will receive patent to the surface estate of lands, the surface estate of which is patented pursuant to section 14(h) of the Act, as indicated in § 2653.0-3 (d), (e), and (f).

(b) Sealaska Corporation (southeastern Alaska, including Metlakatla).

(1) Pursuant to section 14(f) of the Act, the Sealaska Corporation will receive a patent to the subsurface estate of the lands patented to the villages pursuant to sections 16 and 14 of the Act.

(2) As appropriate, the Sealaska Corporation will receive patent to the subsurface estate of lands, the surface of which is patented pursuant to section 14(h) of the Act, as indicated in § 2653.0-3 (d), (e), and (f).

(c) Thirteenth Region:

(1) If a regional corporation is organized under section 7(c) of the Act, it will not be entitled to any grant of lands, but only to a distribution of funds.

§ 2653.2 Selection limitations.

In addition to the limitations in § 2650.6 of this chapter, each eligible regional corporation shall select the acreage allocated to it from all available land within the region withdrawn under section 11(a)(1) before any lands may be selected from those withdrawn under section 11(a)(3), except that from the lands withdrawn by section 11(a)(1) the regional corporation may select only even-numbered townships in even-numbered ranges, and only odd-numbered townships in odd-numbered ranges;

§ 2653.3 Regional reallocation grants.

(a) Regional reallocation grants shall be computed in accordance with section 12(b) of the Act.

(b) Each regional corporation shall reallocate such acreage allocated to it hereunder among the Native villages within the region on an equitable basis after consideration of historical use, subsistence needs and population.

(c) The action of the Secretary or of a regional corporation taken in accordance herewith is not subject to judicial review, as provided by section 12(b) of the Act.

§ 2653.4 Patent reservations.

In addition to the patent reservations in § 2650.4 of this chapter, patents issued to regional corporations for the subsurface estate of lands, whose surface has been patented to village corporations, shall be subject to the right of the village corporation to approve or disapprove any exploration, development, or removal of minerals from the subsurface estate within the boundaries of the Native village.

SUBPART 2654—MISCELLANEOUS GRANTS

Sec.
2654.0-3 Authority.
2654.0-5 Definitions.
2654.1 Quantity granted.
2654.2 Lands available for selection.
2654.3 Historical places and cemetery grants.
2654.4 Selection period.
2654.5 Native group grants.
2654.6 Sitka - Kenai - Juneau - Kodiak grant.
2654.7 Native—Primary place of residence grant.
2654.7-1 Acreage to be conveyed.
2654.7-2 Primary place of residence criteria.

Subpart 2654—MISCELLANEOUS GRANTS

§ 2654.0-3 Authority.

Section 14(h) of the Act authorized the Secretary to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by sections 11 and 16 of the Act, as follows:

(a) Fee title to existing cemetery sites and historical places to the regional corporations for the regions in which the lands are located;

(b) Title to the surface estate of not more than 23,040 acres to any Native group that does not qualify as Native village;

(c) Title to the surface estate of not more than 23,040 acres of land to the Natives residing in Sitka, Kenai, Juneau, and Kodiak who meet the requirements; and,

(d) Title to the surface estate in not to exceed 160 acres of land to a native as his primary place of residence.

§ 2654.0-5 Definitions.

(a) "Cemetery Site" means a burial ground consisting of a number of native gravesites.

(b) "Historical Place" means a distinguishable tract of land or area upon which occurred some historical event, or which is importantly associated with historical or cultural events or persons, or which was subjected to sustained historical activity.

(c) "Native Group" means a community composed of less than 25 Natives who constitute two or more families comprising a majority of the residents of a locality.

§ 2654.1 Quantity granted.

(a) Maximum granted. Not more than a total of 2 million acres may be selected by qualified applicants under section 14(h) of the Act for cemetery sites and historical places, Native groups, corporations formed by Natives residing in Sitka, Kenai, Juneau, and Kodiak, and for primary places of residence. Any Native allotment under the Act of May 17, 1906 (34 Stat. 197), the Act of February 8, 1887 (24 Stat. 389), as amended and supplemented, and the Act of June 25, 1910 (36 Stat. 863), conveyed between December 18, 1971, and December 17, 1975, shall also be charged against this 2 million-acre grant, as provided by section 14(h)(6) of the Act. The conveyance of a Native allotment shall be by certificate of allotment or by an interim conveyance based on a protracted survey.

(b) The filing of a valid formal application under the regulations of this subpart and the provisions of section 14(h) of the Act will segregate the lands applied for from all other forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from section under the Alaska Statehood Act, as amended, subject to valid existing rights.

(c) Grants for the purpose provided in this Subpart 2564 shall be limited to the acreage actually used, or the acreage which can be readily identified by an on-the-ground examination.

(d) Grants to Native groups shall not exceed 1,000 acres for each Native group member, or 23,040 acres for each Native group, whichever is less.

(e) In allocating benefits under this authority, if the Secretary determines that the 2 million-acre grant is insufficient to meet all foreseeable claims, including existing allotment claims, he may reduce the maximum acreage of 23,040 acres allowable under section 14(h)(2) for Native groups, and, if also found necessary, the maximum acreage allowable under section 14(h)(3) to any corporation formed by Natives residing in Sitka, Kenai, Juneau, and Kodiak, the reduction to be in such amount as the Secretary finds necessary to meet all other foreseeable claims.

§ 2654.2 Lands available for selection.

(a) Selections must be made from unreserved and unappropriated public lands located outside the areas withdrawn pursuant to sections 11 and 16 of the Act, and from areas withdrawn pursuant to section 14(h) of the Act.

(b) Selections may also be made for cemetery sites and historical places, Native groups, corporations formed by Natives residing in Sitka, Kenai, Juneau, and Kodiak, and for primary places of residence, from any lands which the Secretary may withdraw for those purposes out of the National Wildlife Refuge System lands or the National Forest lands, as provided by section 14(h)(7).

§ 2654.3 Historical places and cemetery grants.

Regional corporations may select an area of not more than 80 acres for each historical place or cemetery site in existence on December 18, 1971, from lands within the region available for such selection pursuant to § 2654.2. Nominations for larger areas must include a statement justifying the need for the larger areas desired.

§ 2654.4 Selection period.

Applications for selection under this Subpart will be accepted until 2 million acres have been conveyed under the authority of Part 2650 of this chapter, or until December 18, 1975, whichever occurs first.

§ 2654.5 Native group grants.

Qualified Native groups incorporated in accordance with the laws of the State of Alaska may select the surface estate of not more than 23,040 acres which have been withdrawn for selection by a Native group. Except as limited by § 2650.6 of this chapter or other regulation, the acreage to be conveyed shall be not more than 23,040 acres, the maximum allowable under section 14(h)(2) of the Act.

§ 2654.6 Sitka-Kenai-Juneau-Kodiak grant.

Natives residing in Sitka, Kenai, Juneau, and Kodiak, who incorporate under the laws of the State of Alaska may select the surface estate of up to 23,040 acres of lands of a similar character located in reasonable proximity to the municipalities. Except as limited by § 2650.6 of this chapter or other regulation, the acreage to be conveyed shall be not more than 23,040 acres the maximum allowable under section 14(h)(3) of the Act.

§ 2654.7 Native—primary place of residence grant.

(a) Application for a grant under this Subpart may be made by a Native who occupied land described in § 2654.2 as a primary place of residence on August 31, 1971, as determined by the Secretary pursuant to § 2654.7-2.

(b) Primary place of residence is the place which on August 31, 1971, was the applicant's permanent place of abode.

(c) Applications for such grants must be filed not later than December 18, 1973.

§ 2654.7-1 Acreage to be conveyed.

A Native may secure title to the surface estate of only a single tract, not to exceed 160 acres, under the provisions of this subpart, and grants shall be limited to the acreage actually occupied and used.

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§ 2654.7-2 Primary place of residence criteria.

The Secretary will consider the following criteria in determining whether the land occupied is a primary place of residence:

(a) Time of Use. Casual or occasional use will not be considered as making the tract applied for a primary place of residence;

(b) Improvements constructed on the land applied for;

(c) Climate; and

(d) Evidence of use.

Subpart 2655—Native Reserve Grants

Sec.	
2655.0-3	Authority.
2655.1	Application procedures.
2655.2	Selection period.
2655.3	Patent reservations.

SUBPART 2655—NATIVE RESERVE GRANTS

§ 2655.0-3 Authority.

Section 19(b) of the Act authorizes any village corporation located within a reserve to acquire title to the surface and subsurface estates in any reserve set aside for the use and benefit of its stockholders or members prior to December 18, 1971.

§ 2655.1 Application procedures.

(a) All applicants hereunder must comply with the requirements of § 2650.2 of this chapter.

(b) When only one village corporation is located on a reserve, the application must be accompanied by evidence showing that the request has been concurred in by a majority of the members or stockholders of the village corporation.

(c) If more than one village corporation is located on the reserve, the application must be accompanied by evidence showing that the request has been concurred in by all village corporations concerned through an election in which all members or stockholders of the village corporations participated.

§ 2655.2 Selection period.

Village corporations electing to take the reserve lands must file their applications not later than December 18, 1973, as required by section 19(b) of the Act.

§ 2655.3 Patent reservations.

All patents issued pursuant to this Subpart are subject to the provisions of section 14(g) of the Act, as provided by § 2650.4 of this chapter.

[FR Doc. 72-16060 Filed 9-20 72; 8:47 a.m.]

SUCCESS OF WORK-STUDY AND EDUCATIONAL OPPORTUNITY PROGRAMS

Mr. TUNNEY. Mr. President, as one of the Senators who have fought every year to keep adequate funding for the Work-Study and Educational Opportunity programs, it is particularly gratifying to learn of examples of the tremendous success which those programs can have.

I recently learned of just such an example in the person of Rodrigo Miranda, a young man who is the eldest of 12 children and this year will begin medical school at UCLA. I want to congratulate that young man, and I ask unanimous consent that a news article describing his academic career be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Son of Farm Laborer Enters Medical School

Santa Barbara.—The eldest of 12 children of an Oxnard farm laborer starts the UCLA Medical School this fall, culminating an educational career which neither a foreign tongue nor midday sun in Texas cotton fields could deter.

He is Rodrigo M. Miranda, 21, who last June completed three years of university work in two at the Santa Barbara campus of the University of California.

Five medical schools accepted him, including his first choice—UCLA.

He begins his studies bolstered by a special eight-week summer program at UCLA designed to prepare students for the rigors of medical education.

Miranda plans eventually to practice "community medicine" within a predominantly Chicano area, hopefully establishing a system of clinics. His shingle may well go up in Oxnard, where he attended high school and where his parents, Tomas and Maria Miranda, live with the family.

He says the Educational Opportunity Program (EOP), a program which provides for undergraduates who demonstrate academic promise and financial need, allowed him to devote full attention to his college studies.

"It freed me from the worry that my education was burdening the family, perhaps even depriving one of my brothers or sisters of food or clothing," he said.

Miranda gives credit to many people for helping with his academic success, but he saves the highest tribute for his father, who encourages all of his children to seize the educational opportunities being offered.

Forced by economic necessity to leave school in Mexico after completing the sixth grade, the senior Miranda is making sure that his children will not have to follow the same path.

His son recalls that he has missed but one day of school in his life because of the need to work.

"Once when we were living in El Paso, Texas, we ran out of food completely, so my father took all of us out of school that day to work in the cotton fields. Our combined wages at the end of the day enabled him to buy enough flour, corn and beans across the river in Mexico to feed us for some time. He never again took us out of school."

Why does Miranda want to become a doctor?

"Even as a boy I was aware of the need for a doctor in the Chicano community," he said. "A doctor was a luxury, one my family couldn't afford. And a doctor who could speak Spanish and relate to his patients was a rarity."

In lieu of modern medicine, home remedies, some made from herbs, are often used for treatment, he said.

The years at Rio Mesa High School in Oxnard were fruitful and crucial ones for Rodrigo Miranda. His teachers were not only good but were supportive, encouraging him to go on to go on to the university. On weekends and in this summer Miranda helped the family finances by picking tomatoes and working in the local library. Ventura Junior College followed high school graduation in 1970; then a successful career at UCSB,

He notes that two of the three Spanish-speaking EOP students at UCSB last year who applied for entrance to medical schools were accepted.

"Statistically this make a good record," he said, "but numerically it's pitiful. The medical needs of the Chicano community are vast. And I'm going to need lots of co-workers."

TRIBUTE TO SENATOR JORDAN OF IDAHO

Mr. BUCKLEY. Mr. President, I regret very much that I was unable to be here the other day when so many of my colleagues rose to pay tribute to the distinguished Senator from Idaho (Len Jordan) who will be retiring shortly. I would like, therefore, to take a few moments now to add my own praises to those that were offered on Friday.

It is difficult, Mr. President, to encompass the life of a man in a few short sentences. This is especially true with regard to Len Jordan, because his life has been so full, his record of public service so long and distinguished. His lengthy public career, which has included service in his State legislature, tenure as Governor of Idaho, and more than a decade of service in the Senate, is marked at every point with the stamp of his splendid character. Indeed, Mr. President, it seems to me that Len Jordan is the very embodiment of those virtues which have made this country great and which have characterized the Senate at its best.

Len is by nature a quiet man, given neither to ostentation nor self-puffery. He has gone about his work with dignity, diligence, and a deeply ingrained sense of integrity. The people of Idaho have been well served, as have the people of the Nation as a whole. In these days of press agentry and sophisticated public relations, it has been refreshing to know and to learn from Len Jordan, who has done his duty without fanfare, without frills. I admire him enormously—for his refined and courtly manner, for his kindness, for his courtesy, and his thoughtfulness. But above all, Mr. President, I admire him for his stanch independence of mind, for his refusal to bend to and fro with the fashions of the times.

Len Jordan is, in short, very much his own man, a man who learned at his mother's knee and from his own remarkable and rugged experience, that you get out of life only so much as you put into it, and that courage, the sense of fair play, the willingness to sacrifice, and the sustained capacity for hard work remain, now as ever, the indispensable attributes of a good man and a good society. I have learned much from Len Jordan, and I shall treasure our friendship. To him and his good wife and family go my fondest wishes and blessings for a long and happy life.

RETIREMENT OF SENATOR LEN JORDAN OF IDAHO

Mr. CHILES. Mr. President, I want to join with my Senate colleagues in paying tribute to Senator Len Jordan from the State of Idaho, who is retiring from the Senate.

The Senator from Idaho came to the Senate after a distinguished career as Governor of his State and service in the Idaho Legislature before that.

In the 2 years I have known Senator Jordan, his independence of judgment and his resourcefulness have been of great benefit to this country and his State of Idaho as well.

During the time I have had the privilege of serving with him, Len Jordan has impressed me with his devotion to duty and his hardworking approach in carrying out his responsibilities.

Certainly, every Member of the Senate will miss his departure, and I want to join my colleagues in wishing him the very best in his future endeavors.

RETIREMENT OF SENATOR JORDAN OF IDAHO

Mr. THURMOND. Mr. President, I would like to take this opportunity to join with several of my colleagues who on Friday, October 13, 1972, paid tribute to LEN B. JORDAN for his fine work in the U.S. Senate.

I remember when LEN JORDAN entered the Senate in 1962 and have seen his devotion to duty and untiring efforts during the 10 years he has been in the Senate. I have firsthand knowledge of the service of Senator JORDAN to the people of Idaho and to our Nation as a whole.

Mr. President, while I know of his work on the Interior and Insular Affairs Committee, the Finance Committee, and the Select Committee on Standards and Conduct, my greatest respect for LEN JORDAN lies in his openminded position on legislation pending on the Senate floor. LEN JORDAN never yielded to the temptation of useless rhetoric during any heated controversy on the floor. He often assumed a neutral role, willing to be swayed by reason and compelling arguments as to the best course of action. Because of this sense of fairness, however, when he did speak, everyone, no matter how adamant they might be in their position, listened and respected him for his wisdom.

I have had the pleasure of worshipping with LEN JORDAN at the Senate prayer group breakfasts. I know him to be a man of the highest moral commitment and am impressed with his spiritual devotion.

LEN JORDAN will long be remembered for his judgment and good will. I congratulate him for his achievements and count him to be one of my most esteemed friends.

Mr. President, I want to wish LEN JORDAN, his lovely wife, Grace, and his family the very best, and I am sure that his years of retirement will be long and happy onces.

DEATH OF DR. RALPH A. MACMULLAN, DIRECTOR, MICHIGAN DEPARTMENT OF NATURAL RESOURCES

Mr. HART. Mr. President, Dr. Ralph A. MacMullan, Director of the Michigan Department of Natural Resources since 1964 and a national leader in the crusade for a clean environment, died September 23, 1972, following a heart attack.

In tragic irony, his death came on the first annual National Hunting and Fishing Day proclaimed by the President following a resolution by Congress to recognize the contributions made by sportsmen over the years to the conservation of the Nation's natural resources.

Besides being a top-notch administrator whose abilities had earned him many prestigious offices and awards, Dr. MacMullan had achieved recognition as one of this country's most dynamic and effective spokesmen in the cause of environmental protection. He was one of the first to speak out against hard pesticides, spearheading a campaign which led to virtual elimination of DDT from use in the United States and much tighter controls over other broad spectrum chlorinated hydrocarbons.

Dr. MacMullan also was a leading advocate of Zero Population Growth, contending that stabilized population is essential to control pollution, resources depletion and aesthetic degradation problems. He often said:

> People are the root cause of all other environmental problems and only by limiting numbers of people to the carrying capacity of our environmental resources can we hope to solve those problems.

More recently, Dr. MacMullan had taken up the cause of land use planning, asserting that careful husbanding of the vital land resources is vital to the future welfare of Michigan and the Nation.

His interest extended into the international sphere, and he was fatally stricken while helping plan a conference of the Michigan Partners of the Americas. He was Gov. William G. Milliken's liaison and protocol officer in Michigan's sister-State relationship with the Japanese prefecture of Shiga, the Dominican Republic and the emerging nation of Belize—formerly British Honduras. The honors which were his reflect, in part, appreciation for the remarkable leadership he gave in many areas.

Dr. MacMullan had been president of the prestigious International Association of Game, Fish and Conservation Commissioners until just a week before his death. He was president-elect of the Wildlife Society and would have assumed the top post next spring.

In 1971, he was named by President Nixon to serve on the 25-member National Advisory Committee on the Oceans and Atmosphere. He also served on the U.S. Department of Agriculture's National Water Bank Advisory Board and the National Park Service's Northeast Regional Advisory Committee. He was the first president of the National Association of State Outdoor Recreation Liaison Officers, and had been second vice president of the National Association of State Environmental Protection Agencies.

Dr. MacMullan was a member of the Wildlife Section of the U.S. State Department's Ocean Affairs Advisory Committee and served on the Board of Directors of the American Forestry Association.

Recent honors included selection to receive Outdoor Life magazine's National Conservationist of the Year Award for 1969 and designation by the National Wildlife Federation as Michigan's Conservationist of the Year of 1970.

Dr. MacMullan was founding president of the Michigan Association of Conservation Ecologists, a past chairman of the Michigan Natural Resources Council and a board member of the Greater Michigan Foundation which annually promotes Michigan Week.

He was a member of Sigma Xi, honorary scientific fraternity and of the recently-formed Michigan Polar-Equator Club.

This remarkable man was born in Detroit on September 2, 1917 and was a 1939 graduate of the University of Michigan with a bachelor's degree in zoology. He was awarded his doctorate in zoology from Michigan State University, East Lansing, in 1960.

Following service in the U.S. Army Air Force as a four-engine bomber pilot during World War II, Dr. MacMullan joined the Michigan Department of Conservation—now Natural Resources—in 1946 as a wildlife biologist. Much of his early career in the department was devoted to pheasant research and management, work which enabled him to write "The Life and Times of Michigan Pheasants," a popularized summary which earned him the coveted Wildlife Society Award in 1956. A gifted and prolific writer, as well as an accomplished public speaker. Dr. MacMullan authored dozens of scientific and popular articles during his lifetime.

He rose steadily through the ranks of the department's game division to the post of assistant chief in 1962. Early in 1964, he was appointed deputy director—staff—of the department and in May of that year, he was named to succeed Gerald Eddy as director. In the latter position, he reorganized the department into its present pattern, broadening its responsibilities far beyond the traditional "fish and game, parks and forestry" pattern to include such concerns as inner-city recreation and the total spectrum of environmental protection problems. Under his leadership, the department more than doubled in personnel and budget during his tenure.

Dr. MacMullan is survived by his wife, Helen, and two daughters, Sally and Teri, to whom I express sympathy.

Tributes poured in from across the nation in the wake of his death.

Governor Milliken called his passing a tremendous loss to Michigan and the Nation and added:

> He was a nationally-recognized conservationist and environmentalist and did much to promote international understanding as well. His efforts in behalf of protecting our environment will be a lasting monument. This man who did so much to preserve Michigan's natural resources was, himself, one of Michigan's finest resources.

Carl Crouse, director of Washington State Department of Game, who succeeded Dr. MacMullan as president of the National Association of Game, Fish and Conservation Commissioners, said simply:

> He was a big man. He led all of us.

I join in these expressions of tribute to a man whose foresight and courage will benefit many generations yet to come.

IMBALANCE IN COLLECTIVE BARGAINING

Mr. DOMINICK. Mr. President, I have thought for some time that several troublesome problems in this country can be traced in part at least, to an imbalance in the relative bargaining power of organized labor and management. I have in the past introduced several bills which would help correct this imbalance. I intend to reintroduce them next year, and am hopeful that Congress will act on them, as well as other legislation needed to restore a proper balance between labor and management.

Senators who recognize this problem should be interested in a recent editorial comment by James D. McClary, president of the Associated General Contractors of America, which appeared in the August issue of "Constructor" magazine. I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Editorial Comment

(By President James D. McClary)

AN OPEN LETTER TO ALL CANDIDATES FOR PUBLIC OFFICE

Gentlemen: You are asking for the public trust at a difficult period in our Nation's history. Those out of power, and some in power, are proposing radical changes for this country and its economy. Some changes are going to be made regardless of who the winners are in this fall's electoral contests.

Change is inevitable—in fact, it is necessary. Rational minds accept it. The economy, like any finely tuned machine, requires periodic adjustment. However, any change which is made must be an adjustment only. The basic nature of the machine must not be changed.

For example, when business in this country was young and new, and the labor market unstructured and unorganized, a period of rampant growth did result in unwarranted advantages for the employer and disadvantages for the workingman. Then, labor was organized and labor laws were enacted. These laws properly emphasized the rights of the workingman and provided for a balance with the traditional rights of management.

In the years that followed, a balance was achieved. A laborer received a fair day's pay for a fair day's work. Management discovered it could still make enough profit to continue in business.

But, change is inevitable. Labor laws have been further amended and amplified to the point that the means of obtaining a fair day's pay sometimes is used to obtain an unfair day's pay: a raise without an accompanying increase in production. As the law and its administrators progressively took away management's right to manage, relative strength at the bargaining table again became unbalanced. Now, instead of being able to provide the general public with a defense against the ever-increasing cost of labor, business has been forced to pass that cost on to the consumer.

It is obvious this part of the machinery is again in need of adjustment. As increasing wages force the cost of production upwards, profit margins decline and even more restrictions are placed on the operation of the marketplace. Under these conditions, it is just possible that the machine could break down.

Gentlemen, we do need a change—a change in this, as well as other sectors of the economy. It is absolutely necessary that the all-important balance between labor and management be restored. This is not radical—it is only common-sense logic.

We are proud to be Americans, proud to be independent businessmen, but we have no desire to be the last of an American tradition. So I ask you candidates, regardless of your political persuasion, to tell us, during your campaign, how you propose to go about restoring the basic nature of our free enterprise system—the system which built the greatest economy and gave man the highest standard of living this world has ever known.

BLACK AND WHITE

Mr. CRANSTON. Mr. President, some beautiful lyrics written by Danny Hutton of Three Dog Night—the lyrics are entitled "Black and White"—are sweeping the country.

As we approach the end of this year and as a new year approaches with its new hope and new promise, and as we approach the Christmas Holidays—a time to reflect upon love and brotherhood—I think it appropriate to reflect upon the words, the theme, the thoughts of "Black and White."

So I ask unanimous consent that the lyrics appear in the Record at this point.

There being no objection, the lyrics were ordered to be printed in the Record, as follows:

Black and White

The ink is black,
The page is white,
Together we learn to read and write.

A child is black,
A child is white,
The whole world looks upon the sight—A beautiful sight.
And now a child can understand
That this is the law of all the land—all the land

The world is black,
The world is white,
It turns by day and then by night.

A child is black,
A child is white,
Together they grow to see the light—see the light.

And now at last we plainly see,
They'll have a dance of liberty—liberty.

The world is black,
The world is white,
It turns by day
And then by night.

A child is black
A child is white,
Together they grow to see the light—see the light.

RETIREMENT OF SENATOR LEN JORDAN OF IDAHO

Mr. DOMINICK. Mr. President, at the close of this session, the Senate will lose, through retirement, one of our finest colleagues, Senator Len Jordan. Senator Jordan's long public career spans more than a quarter century, from the Idaho State Legislature to the Governor's mansion and the U.S. Senate. In addition, he has served with distinction as a member of our Armed Forces as well as in important international organizations.

To me, Senator Jordan has been more than an astute legislator and public servant, he has been a great friend. I think of him as a man of great personal courage, a man of deep principle, and a dedicated American. His reputation as a tough, battling human being is well known, whether through his encounter with thugs in a Washington elevator or his hard fighting for legislation on the Senate floor. His loyalty to the Republican Party and the country has been demonstrated time and again over these many years, and I am personally indebted to him for more than one gesture of support and assistance during our time together in this body.

On this occasion, Mr. President, I salute Len Jordan for a distinguished public career and wish him every success in returning to private life.

A TRIBUTE TO SENATOR CLINTON ANDERSON, OF NEW MEXICO

Mr. STENNIS. Mr. President, one of the most highly esteemed and respected colleagues I have had here in the Senate is the Senator from New Mexico, Clinton Anderson, who is retiring after 24 years of outstanding service and accomplishments here in the Senate.

Able, earnest, and honorable are traits that tend to describe this man. He has shown a tremendous capacity for work, a quick grasp of problems, and he always has had valuable suggestions and practical solutions to problems of our governmental processes.

Years ago, too, he was a splendid administrator as a member of President Truman's Cabinet, in the capacity of Secretary of Agriculture. He has left his mark in many fields of activities, as in the State government of New Mexico, where he served in several capacities, and in Rotary activities, where he has served as president of Rotary International.

Clinton Anderson's contributions have been many over a wide field of activities in the Senate. He is one of the most able men I have ever known in public life. I respect him and his judgment greatly. All of us shall miss him here in the Senate floor and in the committee rooms. We shall miss him and his charming wife.

He and his wonderful wife Henrietta certainly have the good wishes of Mrs. Stennis and me for many years of happiness, accomplishments, and continued usefulness in the years ahead. We bid them Godspeed.

SENATOR JORDAN OF NORTH CAROLINA

Mr. JORDAN of Idaho. Mr. President, one of the greatest rewards that I have reaped from my service in the U.S. Senate has been the association with some of our country's outstanding Senators. It is with sadness that I note the departure from this body of one of the most prominent of these men, B. Everett Jordan.

I have often referred to Everett as my cousin, and though we are not related through family, we have often been related in thought. I enjoyed working with him while I was on the Public Works Committee, where his sense of humor and sound judgment were often the catalysts needed during long sessions. As a representative of an agricultural State, I have appreciated his conscientious work on the Senate Agricultural Committee.

Everett has served the public for many years in a myriad of ways, and we are fortunate to have counted him among us. I salute you, cousin; and Grace joins me in wishing you and Katherine a very happy retirement.

RETIREMENT OF SENATOR JOHN SHERMAN COOPER OF KENTUCKY

Mr. CHILES. Mr. President, it is with a deep sense of regret that we in the Senate view the upcoming retirement of Senator John Sherman Cooper of Kentucky. His honesty and integrity will be sorely missed by Members of both sides of the aisle.

Known as a man who always votes his conscience and never compromises his principles even when the tide of public opinion is not with him, Senator Cooper is an able and dedicated servant of the people of Kentucky.

Born in 1901 in Somerset, Ky., in the foothills of the Appalachian Mountains, Senator Cooper loves his land and its people. After attending Yale University and Harvard Law School, he came home and began an outstanding career in public service which serves as an inspiration to all of us—as a State representative, as a county judge, as a circuit judge, and as a U.S. Senator.

Furthermore, he has represented the United States abroad as our Ambassador to India and Nepal and through his involvement with NATO. His advice has been invaluable to the Senate, especially in his work with the Senate Foreign Relations Committee.

Before I came to the Senate, I was told of Senator Cooper's fine reputation by Vola Lewis, Harold Gillespie, T. V. Tate, and George Carr, all transplanted Kentuckians now living in my hometown of Lakeland, Fla.

I consider it a privilege and a pleasure to have served with John Sherman Cooper, and I wish him and his lovely wife many, many happy, healthy, and productive years.

RETIREMENT OF SENATOR COOPER

Mr. DOMINICK. Mr. President, it is with the utmost admiration and respect that I join my colleagues in saluting the distinguished Senator from Kentucky, John Sherman Cooper, as he prepares to retire from service in the U.S. Senate. His work in the Senate has been an example to all of us because of its very selfless and nonpartisan nature. His career has touched many many areas, particularly in foreign affairs, through his work with the United Nations, an Ambassadorship to India and his visible leadership on the Foreign Relations Committee. I am sure there is no Senator who has not at some point during these past years looked to Senator Cooper for sound and thoughtful guidance and counsel. I am going to miss him. I wish him my best in years to come.

MUSKIE SPEAKS ON VIETNAM

Mr. STEVENSON. Mr. President, Senator Muskie spoke before the City Club in Cleveland on October 9—precisely 4 years afer President Nixon promised the American people that he would end the war in Vietnam if elected President. President Nixon said that if a new President did not end the war within the next 4 years, he did not deserve to be reelected in 1972.

Senator Muskie's speech documents the failure of this administration's policy in Vietnam. Despite all the bombs dropped, all the lives lost, all the resources wasted, the war goes on. Senator Muskie's speech is an eloquent indictment of this administration's fundamental failure. For the benefit of my colleagues, I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

There Is Going To Be a Silence

Four years ago today, in an American city not far from us here in Cleveland, Richard Nixon promised the American people he would end the war in Vietnam. He said that any American President who did not end that war within four years should not be re-elected.

Four years ago, the American people took Richard Nixon at his word. They made him President.

Now, four years later, we may fairly ask that the President be held to his word.

Surely, his pledge to end the war was the central commitment which won him victory in November. Our country was war-weary, discouraged, and deeply divided by three years of major combat in South Vietnam.

Clearly, an end to the war was possible. The bombing had stopped and the bargaining had begun even before President Nixon took office.

Four years is a very long time.

No previous war in our history had ever lasted four years. Now, after nearly a decade, the war in Vietnam goes on.

During these four years, more bombs have been dropped in Vietnam than in all the years and all the wars we fought before. But the war in Vietnam goes on.

Twenty thousand American men—40% of all the men we have lost in Vietnam—have been killed in these four years. Yet the war goes on.

500,000 fighting men have been killed. A million South Vietnamese have been killed or wounded, and millions more have been made refugees during these four years. As the war goes on.

More than 50 billion dollars—40% of the cost of the war—has been drained out of our country during these four years to pay for war in Vietnam. Ten billion dollars we need at home is being spent there this year. And the war goes on.

During these four years, the fighting has spread to Cambodia and Laos, and Americans have died in these two new countries as well as in Vietnam. Still, the war goes on.

We have bombed the cities and mined the harbors, but the war goes on.

We have made peace with Communist China, but the war goes on.

We signed arms limitation agreements with Russia. The war goes on.

The war goes on and on. It is as if some madness gripped the tools of war—or seized our very minds themselves—to make us stagger on and on in this war which has lost every shred of meaning it ever had for our people.

A week ago, in a press conference in Washington, President Nixon said that the negotiations and the war had reached a "sensitive stage," but he could not predict when a settlement might come—another secret plan!

Americans long for an end to the war, and will give the President credit if he can end it. What most Americans do not understand is why we cannot have peace now.

At each critical expansion of the war during these four years, the President has told us that added destruction and wider war was necessary to speed an end to the conflict.

When he invaded Cambodia in 1970, it was to speed an end to the war.

When he invaded Laos in 1971, it was to speed an end to the war.

When he mined North Vietnam and resumed the massive bombing of the cities in 1972, it was to speed an end to the war.

None of these massive expansions of the war have ended it. Instead, the increased violence has simply led to more violence.

Indeed, no one knows how or when the war will end.

Throughout the bitter campaign in 1968, Richard Nixon sowed the impression that he had a "secret plan" to end the war in Vietnam. He said he could not reveal the details for fear of jeopardizing success, but he declared: "There is a difference between an administration burdened by accumulated distrust, and a new administration that can tell the truth to the American people and be believed."

And his administration is no longer believed. Those who did believe in his "secret plan" must ask what happened to it.

He told us in May of this year that the expanded bombing and the blockade would deny the enemy the means to continue the war. But the very latest intelligence reports from the Central Intelligence Agency, the Defense Intelligence Agency and the Air Force show that the bombing and the mining and the patrolling have not worked.

In six weeks from the beginning of August to the middle of September, North Vietnam succeeded in sending 20,000 fresh troops into the South to join 80,000 already there—14 divisions in all. Moreover, the best current estimate is that these soldiers are receiving 5,000 tons of supplies—including weapons, fuel and food—from the North every day. In the Mekong Delta, supposedly the most pacified region in South Vietnam, Hanoi's forces have increased ten-fold since last March.

In short, the Nixon strategy has failed. It has not brought North Vietnam to its knees or to realistic peace terms. It has not brought victory on the battlefield or a cease-fire. It has only added to the awful toll of war in a land which has known only war for over 20 years.

And what has the Vietnam war done to us at home? It has kept us a society divided, a Nation with too many priorities and too few resources to meet them. It has drained our self-confidence, inflated our economy and mortgaged our domestic and international future.

For every new refugee in Vietnam in the last 43 months there is an American on welfare who was self-supporting before 1969. Deficit spending which might have fueled progress in America, has, instead, created devastation across the Pacific.

Our bombs have made a wasteland in Indochina big enough to swallow up the cities of Cleveland, New York, St. Louis and San Francisco. And in those cities the air grows dirtier; the water more foul. The ten billion dollars that this administration withheld in the last fiscal year from programs such as highway construction, shipbuilding, urban mass transit, model cities programs and water and sewer grants, disappeared, instead down the rathole of war.

The link between our economic failures at home and our military involvement in Vietnam is a direct one. Full employment could have given us the revenues to finance stable domestic growth and an attack on our most pressing social needs. But while we overspent our resources in Asia, we registered only new records of economic failure—record higher in unemployment, record increases in the cost of living, record budget deficits and record deficits in our balance of trade and payments.

Richard Nixon came to office when the unemployment rate stood at 3.3 per cent and the number of jobless totalled 2.7 million. There are now 5 million Americans out of work and the unemployment rate stands—frozen—at 5.5 per cent.

In October 1968 Richard Nixon said, "I have pledged to create 15 million new jobs in the next four years." But while the work force has grown since by eight million, only three million new jobs have been created compared to the ten million jobs created in the Kennedy-Johnson administration.

Richard Nixon promised, and I quote, "to end the alarming inflation." The consumer price index stood at 107.1 when he took office. This August it was 125.7. That is an inflation rate of over 17 per cent, twice the rate of increase of the Kennedy-Johnson years.

Richard Nixon initially pledged to cut the Federal Budget by eight billion dollars and the first budget he submitted on his own was, he said, in balance with a small surplus. But that projected surplus turned into a $23 billion deficit for fiscal 1971, a $26 billion deficit for fiscal 1972 and a projected deficit of $30.8 billion for this year. His total deficits for three years are more than double the total deficits Lyndon Johnson incurred in five years, and the increase in the national debt under the Nixon administration is equal to nearly one-fourth of the total debt incurred since the Republic was founded.

It has been rare in recent years to find America's balance of payments in the black. It did happen in 1968 under Lyndon Johnson. But since Richard Nixon took office, our payments have been in deficit by record amounts—nearly $30 billion in 1971. And for the first time in 80 years we are running an actual deficit in trade. In 1971, the year the dollar was devalued, we imported $1.5 billion worth of goods more than we exported. Since devaluation, we have had only one trading month in the black, and in the first three quarters of 1972 we have accumulated a trade deficit of over $4.3 billion.

We have traded domestic progress for an illusion of international supremacy. And the cost of that is one we count every day in our taxes, in lost production, in jobs that do not exist and prices that are too high.

More than half a decade ago, our ambassador to Vietnam said that many Vietnamese believed that peace would come without negotiations or peace pacts or any public display. Instead, these Vietnamese believed simply that someday "there is going to be a silence."

There is going to be a silence.

This war will end someday. And—someday—when at last it ends, and our children or grandchildren see pictured a screaming child—naked and alone on a road aflame with napalm—and ask if our country did that—there is going to be a silence.

In whatever way the war ends, after all the negotiations and secret plans, there is going to be a silence.

There is going to be a silence amid the twenty million bomb craters which blister the countryside of Vietnam.

There is going to be a silence in the cell of the last American POW freed from North Vietnam.

There is going to be a silence in the homes in many lands where sons, brothers, husbands, and fathers are gone forever.

And there will be a silence in our hearts when we ask—why?

RETIREMENT OF SENATOR CLINTON P. ANDERSON OF NEW MEXICO

Mr. JORDAN of Idaho. Mr. President, before my own retirement from the Senate, I want to take this opportunity to pay a well-deserved tribute to my colleague on both the Finance and Interior Committees, CLINTON P. ANDERSON, the senior Senator from New Mexico, who also is retiring at the end of this session.

Since my assignment to these two major Senate committees, I have spent many hours in hearings and committee meetings with CLINT ANDERSON, and have come to admire his competence and dedication as a legislator and as an expert on natural resources and conservation, and to value his judgment and his friendship.

Throughout his long career as a State and Federal official and as a member of the House of Representatives and the U.S. Senate, he has exhibited a tenacity of purpose and an independent spirit that gave him a rare prestige among Members on both sides of the aisle, the press, and the public at large.

During his 30 years in the House and Senate, Senator ANDERSON authored many significant pieces of legislation and put his stamp on countless other bills which came through his committees. For his work in the Congress and as Secretary of Agriculture, he has earned a secure place in the annals of U.S. history during the difficult and expansive days of the middle decades of the 20th century.

As CLINT and his good wife prepare to return to New Mexico, I join his colleagues in wishing them a most pleasant retirement, one well befitting a gracious and devoted couple who have given a lifetime of dedicated service to their State and country.

NATIONAL JEWISH HOSPITAL AND RESEARCH CENTER

Mr. DOMINICK. Mr. President, it was my great honor and pleasure on October 4 to serve as chairman of the 73d anniversary dinner for the National Jewish Hospital and Research Center of Denver, Colo.

The dinner, held at the Statler Hilton Hotel here in Washington, D.C., was a great success. Over $80,000 was raised for the hospital's programs.

The National Jewish Hospital and Research Center is a nonsectarian medical center for chronic respiratory diseases. These diseases are increasing at a truly frightening rate. Asthma, emphysema, chronic bronchitis, tuberculosis—these and other respiratory cripplers now afflict an estimated 14 million Americans.

As one of the Nation's foremost facilities for treatment, study, and professional education in chronic respiratory disorders, the National Jewish Hospital and Research Center is an important national resource in defense of respiratory health.

TREATMENT

As a clinical facility of established special expertise in chronic respiratory diseases, the National Jewish Hospital provides a truly national service duplicating no other. Specialized and refined techniques developed there in the treatment of drug-resistant tuberculosis, severe asthma, and other chronic diseases of lung and airway make NJH a "court of last resort" for near-hopeless sufferers.

For thousands of chronically ill patients, the emotional problems of long illness are as crippling as disease itself. Comprehensive and innovative treatment at NJH helps the patient to achieve emotional as well as physical health.

RESEARCH

Much must still be learned about the beautifully efficient but most fragile link between man and his environment—the respiratory mechanism—and about the diseases which threaten it.

Research at the National Jewish Hospital and Research Center has a twofold mission: First, to carry out studies directly related to the clinical function of the hospital, and second, to throw new light on biological phenomena in general.

EDUCATION

Through a multidisciplinary program of education, the knowledge won by excellence and study at NJH enters the mainstream of medical and scientific progress. National Jewish Hospital and Research Center accepts as a major responsibility and an exceptional opportunity its mission to teach.

Doctors, research scientists, medical technicians, nurses, and students, come to NJH from all parts of the United States and the world for training. In this way the special techniques and skills developed at the Hospital are disseminated to communities throughout the world.

We in the Congress recently passed the National Heart, Blood Vessel, Lung, and Blood Act of 1972. One of the goals of that legislation is the expansion of the Nation's research efforts in the lung disease field. Under the terms of the new law, 15 new lung research centers are to be established. It is my hope that the National Jewish Hospital and Research Center will be designated as one such center. I am firmly convinced that the NJH would be one of the most logical choices possible.

Mr. President, because of the excellence of the NJH, and because of its outstanding humanitarian work since its establishment in 1899, I am very proud to have served as chairman of the recent NJH dinner. Dr. Jesse Steinfeld, the U.S. Surgeon General, presented distinguished service awards at the Dinner to the seven Washington trustees of the hospital: Durwood L. Boeglen, Milton W. King, Sheldon Magazine, Leo Perlis, Jack Pollin, J. Robert Sherwood, and Douglas R. Smith. I would like to include at this point in the RECORD the remarks of Dr. Steinfeld as he presented the awards to each of these dedicated individuals:

PRESENTATION TO DURWOOD L. BOEGLEN

Our first honoree is Durwood L. Boeglen, a noted building supplier in metropolitan Washington, who has been active as an officer of many dinners and as a sponsor of special programs by the hospital—the first time was back in 1965, when he received the hospital's National Honor Award. On behalf of National Jewish Hospital, I am pleased to present the distinguished award to Durwood L. Boeglen.

PRESENTATION TO MILTON W. KING

Our next guest of honor is the dean of the Washington trustees—Milton W. King. Mr. King's commitment to the hospital is deeply rooted in family tradition. He is a second generation trustee of National Jewish Hospital, and was one of the founders of the Washington committee. In addition to his activities here in Washington, he has served the hospital on the national level, as a former vice president of the board of trustees. It is a great privilege for me to present him with this distinguished service award, in recognition of his longstanding devotion to the work of NJH.

PRESENTATION TO SHELDON MAGAZINE

Sheldon Magazine has an impressive list of credits to his name as a trustee of the hospital. He has been a trustee for a past thirteen years, and was recently elected to the post of national vice president of the Hospital. He originated the Washington dinners in 1963, and ever since that time he has been a leading sponsor of the benefits. It is a great pleasure to honor him this year with the distinguished service award. Mr. Magazine.

PRESENTATION TO LEO PERLIS

Our next guest of honor, Leo Perlis, is a well known and highly respected leader of the labor movement in the United States. As the national director of community services for the AFL–CIO, he is intimately involved with the problems of social welfare and health care in this country. His special expertise and talents in these areas have been a great asset to National Jewish Hospital. He has been a trustee since 1967 and has been active in the Washington dinners for many years. I am very pleased to present this award for distinguished service to Leo Perlis.

PRESENTATION TO JACK POLLIN

The next award recipient, Jack Pollin, is a leading builder who has been a staunch supporter of National Jewish Hospital for many years. He was elected to the board of trustees in 1971, and he has demonstrated a keen interest in furthering the hospital's work in respiratory diseases.

The hospital is proud to honor him tonight for his unstinting friendship and great concern. And now, on behalf of the hospital, it is a pleasure for me to present this distinguished service award to Jack Pollin.

PRESENTATION TO J. ROBERT SHERWOOD

Our next honoree, J. Robert Sherwood, is always ready and willing to lend his time and his considerable prestige to the hospital's programs, despite his many obligations as the president of one of Washington's largest suburban banks.

He has been a leading supporter of the Washington dinners, and he has also been the key organizer of the annual Baltimore dinners for the hospital. His enormous dedication earned him the hospital's 1970 Honor Award, and it is a great privilege to pay tribute to him once again. I am happy to present the distinguished service award to J. Robert Sherwood.

PRESENTATION TO DOUGLAS R. SMITH

Douglas R. Smith has been a mainstay of the Washington committee for more than a decade. He was honored at the first Washington dinner in 1963, and for the past eight years his leadership as dinner treasurer has contributed immensely to the success of Washington's efforts for the hospital. His great warmth and profound commitment has made him a principal advisor for every facet of the hospital's programs in Washington.

I am delighted to present this award to Douglas R. Smith for his distinguished service to the hospital.

DISCRIMINATION AGAINST HANDICAPPED

Mr. MONDALE. Mr. President, we all know that handicapped persons face terrible injustices which often keep them from participating fully in the benefits of our society. As a member of the Subcommittee on the Handicapped, I have a special interest in identifying the types of discrimination suffered by handicapped persons and doing all I can to eliminate them.

Recently many organizations and individuals representing handicapped persons in Minnesota met to discuss their common problems and what action could be taken to guarantee them the opportunity to participate in the mainstream of American life. The meeting, the Governor's Conference on the Handicapped, was described in an article in the Minneapolis Tribune. I request unanimous consent that the newspaper's account of this meeting, entitled "Handicapped Tell of Discrimination in Finding Jobs and Getting Insurance," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANDICAPPED TELL OF DISCRIMINATION IN FINDING JOBS AND GETTING INSURANCE

(By Brian Anderson)

Ruth Erickson has been driving for 20 years and has never had an accident.

But when her automobile insurance came due last year her insurance company required that a doctor or nurse ride with her on a test trip and report back to the company before it would renew Miss Erickson's policy.

"I passed my drivers test the first time I took it," she recalled Wednesday. "I know a lady who took it five times before she passed it, and the company sold her insurance right away."

Miss Erickson wasn't totally surprised by the company's requirement because, as a handicapped person crippled by arthritis, she has come to expect, not just inconveniences, but outright discrimination because of her handicap.

She remembers too well, for example, the time she was rejected as a teacher in a rural North Dakota school because she was handicapped, or the insurance agent who refused to insure her car, or the college trustees who didn't like the idea of her working as a clerk at a college because "normal students shouldn't see her."

Wednesday more than 500 handicapped people from around the state joined more than 1,500 people from 73 public and private agencies that work with the handicapped to discuss their needs at the Governor's Conference on the Handicapped, held at the Radisson South.

One of the main concerns of the participants was that their human and legal rights be recognized, and the handicapped had numerous stories to prove their point.

Leanne Nelson, for example, has never been hospitalized in her 33 years, but because she has cerebral palsy she cannot get hospitalization insurance.

Charles Van Heuveln, 25, carries no insurance at all because the insurance that is available to some handicapped people has "outrageous premiums."

When LeRoy Marshall, 42, bought a house in southeast Minneapolis in 1962 he couldn't get mortgage insurance to cover the loan.

"If I had died, the house would have gone to the bank instead of my family," said Marshall, who has cerebral palsy.

Joan Ryan, 24, graduated from St. Paul's Mechanic Arts High School with almost an A average. But when she tried to get into Southwest State College she was told that an attendant could not be found to take care of her, and thus she had to forego that college opportunity.

In a presentation last night to Gov. Wendell Anderson and a number of legislative candidates, the handicapped recommended about 40 measures they believe are vital to the welfare of Minnesota's handicapped people.

They recommended such things as legislation prohibiting discrimination on the basis of physical or mental handicaps, having insurance agents and companies insure the handicapped at reasonable rates, expanding special-education and health-support services for the handicapped, expanding the service authority of day-activity centers to include the handicapped and increasing the number of work-activity centers for severely disabled people who may someday be employable.

"The handicapped for too long just sat back, expecting others to do things for them," Miss Erickson said. "But now we're fighting."

Miss Nelson said she hoped that yesterday's conference "will make the governor and the Legislature more aware" of the handicapped. "And maybe enourage them to do something about it," added Miss Ryan.

"We don't want to be segregated from the public," said Charles Frahm, a young man with cerebral palsy who spoke by pointing to words and letters on a board in front of him.

"We just want the right to live a normal life."

The conference was preceded Tuesday and yesterday morning by the first Rehabilitation Consumers Advisory Conference, where about 150 handicapped people met with vocational rehabilitation counselors and officials to discuss service areas that need improvement.

DRAMATIC CHANGES IN AMERICAN HIGHER EDUCATION

Mr. MATHIAS. Mr. President, in recent years all of us have witnessed the dramatic changes which have taken place in American higher education. Our colleges and universities have had to confront many profoundly difficult problems—problems related to totally inadequate budgets, student demands for innovative course materials, curriculum offerings and teaching techniques, and increasing public pressure for high-quality low-cost learning.

I commend to the attention of my fellow Senators the judicious remarks of an outstanding educator, Dr. James L. Fisher, president of Towson State College in Baltimore, Md., who, together with his faculty and student body, has been striving to create an even stronger institution offering intellectual challenge, personal satisfaction and reward.

Mr. President, I ask unanimous consent that Dr. Fisher's September 8, 1972 address to the faculty of Towson State College be inserted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE STATE OF AMERICAN HIGHER EDUCATION AND TOWSON STATE COLLEGE

I am delighted to be here today, to welcome you back to another academic year and to welcome those who are new to an exciting company. I stand before you in my fourth year here immeasurably strengthened by my association with you and confident of our future.

My intention this afternoon is to talk to you about the condition and future of American higher education and Towson State College.

Certainly, during the past few years, higher education has undergone a test of internal and external criticism that has amounted to combat. We have debated with one another, and with our supporting society. We have tried to exorcise the demon of impurity only apparently to find him everywhere and nowhere. And now we are all asking, "Where do we go from here?"

Looking to the future implies, of course, an end to our internal revolution, to the violence, vulgarity, distrust and disintegration of the past half decade, and suggests that the dichotomies are being bridged. No one can be certain that this assumption is correct, but I think that one can assume that this phenomenon which came upon us unexpectedly with the shock of a sudden salary reduction, and quickly spread to the entire world of higher education, could leave in the same rapid way. At least I certainly hope so.

I believe that what went wrong in higher education went wrong throughout the world.

Universities in Paris, Berlin, Tokyo and London were as disordered as Harvard, Columbia, Berkeley and Maryland. Serious students of the subject claim that part of the disorder was due to the general condition of man, but certainly a large part can be charged to serious mistakes on the part of the total enterprise of higher education. In large measure, it was and continues to be the kind of abnormal integration of high anxiety and conflicting opinions that characterizes every revolution, when the traditional consensus is eroded and the supportive pillars that stability and growth depend upon become suddenly unstable and then totally collapse.

However one explains the world-wide revolution in higher education, in American institutions all the usual problems were exacerbated or transcended by the Vietnam War, racial conflict, sudden realization of the plight of the poor in the midst of plenty, the pillage of our natural resources, the unfortunate state of national priorities as reflected in the federal budget, and an increasingly unhappy impression of the quality of our national life.

Having made little progress on their assault on racial injustice and the war, the young—an unprecedented proportion of whom were now in college for a variety of right and wrong reasons—turned their frustration on the institution that was the safest and closest at hand, their college or university. The other problems continued in their grinding way so that the new revolution fed upon itself as concern turned to frustration and frustration to hostility and hostility to violence.

Unfortunately, these symptomatic external issues virtually obviated serious attention to our own problems, an increasingly unpenetrable American university—an institution that apparently existed primarily for itself and without real regard for its people, an institution that reproduced itself in a thousand different names all over America, but each in the mold of the Harvards, the Berkeleys and the Marylands. In fact, the infection even spread to the community colleges as many of them quickly abandoned their prime commitments to technical, terminal and continuing education as they too embarked on the course of so-called "academic respectability." We had become the prototype of unexamined assumptions.

Many believe that we were the victims of our own success. We had grown so rapidly that we failed to examine historic assumptions on which were based the higher education enterprise. In this century, the national student body doubled every 15 years until a base of almost 3,000,000 in 1950 amounted to almost 6,000,000 by 1970; bear in mind that in 1870 the national total was 52,000 students. In a century we had grown from 52,000 to 6,000,000 students. Remember also that change during these decades had meant simply increased numbers and physical growth, with only infrequent and token internal change, and never at any real cost to the traditional enterprise. Such conditions may make sense in the production of lunch meat, but for higher education the consequences were drastic.

And many of us painfully remember that few even noticed that the enormous growth in our student bodies did not include those who needed higher education most. To minority youth and others in the lower socio-economic quartile of the population and to millions of mature adults a college degree was the essential ingredient to upward mobility, yet we did virtually nothing until they and a few enlightened colleagues of our number reminded us, often in very dramatic ways.

As if from the blue, students suddenly asked the question most of us had been too preoccupied to ask, "Does this enterprise really provide a good education?" Granted that their suggestions and demands for internal change were not always a move toward educational improvement, but they did start us looking more seriously at what we were doing. Indeed, since Harvard was founded in 1736, student questions and discontent have preceded every substantive period of change in American higher education.

Student questions about governance caught most of us completely unprepared. In their eagerness to reform, many institutions overcompensated so that from being badly governed they now emerged as largely ungovernable. The so-called participatory democracy on our campuses too frequently meant simply endless discussion. Virtually every decision now had to run the gauntlet of so many potential vetoes both within and outside the university that many of our concerned members were either totally radicalized or completely abandoned the effort.

Student governments will not survive if they do not seriously get about the business of representing the best interests of their constituents and the entire campus community. Student government will soon lose all its credibility and acceptance even from students if its only concerns are freer sex, more parking, education without effort and attainment of the heights of utopia without climbing. Academic councils or faculty senates will only be debating societies if they fail to recognize the abuses and more effectively correct them. And, certainly, vice presidents, deans and department chairmen do not exist to pass the buck upward and to avoid the difficult decisions. Leadership is essential at every level—faculty, students, administrators, trustees. We are in this together.

And, certainly, presidents must be faulted for a lack of moral leadership, not just in time of crisis, but also in earlier and peaceful times when presidents too often were blind to the moral as well as economic implications of unbridled growth that was certainly spectacular but of questionable educational value. We continued to see one another at national meetings and determined individual prestige based on institutional enrollment and number and kind of degree programs offered. But we did not use our influence to move for more representative boards of trustees, for greater rewards for those faculty concerned with students, for larger enrollments of minority students, for true educational reform and growth, and for stronger and more intelligent reactions to those students and staff who would not or could not behave and adopt methods consistent with our nature and welfare.

Add to this condition the dimension of financial crisis brought upon us by an increasing public awareness of our unfortunate condition and severely limited tax dollars, and you have an image of higher education that amounts to crisis.

Some states passed legislation regulating class loads. This was done in California in spite of the fact that President Hitch of the University of California had warned that this is like asking how many hours a surgeon spends in the operating room or a minister spends delivering a sermon. Other states attempted to get into the hiring and firing process itself.

Certainly, we must know and feel the fact that virtually all legislatures in this land are proportionately reducing allocations to higher education. I am astounded that some continue in the belief that this is a measure of a worshipful public that only reflects a temporary financial pinch in the public coffer.

From within our profession we are advised by a recent Carnegie Commission Report that the total institutional expenditures of higher education should be and can be reduced by approximately 20% by 1980.

But if we have unwittingly disestablished our credibility we can also conscientiously reestablish it. If we have tarnished our integrity of purpose, we can learn from our frustrated and impossible hopes and move to refurbish our central purpose. We cannot undo the past years, but we can learn from them.

REVIEW OF THE PAST YEAR

While I do not imply that all of these conditions prevail at Towson State College, I certainly do not suggest that we are completely free of them. Indeed, in light of our recent history, I believe that our prospects for both maintaining and prospering are as good or better than any established institution in America.

I was pleased this year about the degree to which the department chairmen's workshop was both realistic and optimistic, for in my judgment both dimensions are imperative to our future. Although I point with pride at our progress at Towson to date, I believe that in spite of all our self-examination and protestations of virtue, we still seem to exhibit a remarkable capacity for buying the same old pig in only marginally different pokes. There are still too many of us who approach institutional renewal as Dorothy Parker, that ascerb commentator on American art and culture, described Katherine Hepburn in a new play. Miss Parker said, "Miss Hepburn last night ran a gamut of emotion from A to B."

Although we are only beginning, last year at Towson there was healthy movement and many milestones testify to our progress. Almost every department can point to improvements initiated to make our teaching and learning environment better. In the knowledge that chronicling achievements result in the sin of omission, I will still attempt to cite some of the high spots of last year:

1. Increased internship opportunities in the Department of Communications and Sciences.
2. New graduate major in Speech Pathology.
3. The art therapy course developed in conjunction with Sheppard-Pratt.
4. New attempts at screening and advising of Education majors.
5. Development of competencies for teacher education.
6. The use of the Keller Method of instruction in the Departments of Psychology and Physics.
7. Over 20 significant research projects completed in our Learning Resources Center.
8. A second Bachelor's degree program.
9. The implementation of our undergraduate degree programs in Arts and Sciences and General Studies.
10. Revisions in the secondary and elementary education Master's program.
11. The development of a Master's degree in General Studies which will be presented to the Academic Council this fall.
12. An expansion of our extension program.
13. The extension of our art collection to a total value of over $500,000.
14. Major grants for Nursing, Occupational Therapy and Oriental Art.
15. The use of media instruction in our current health problems course and in several early childhood courses.
16. The mini-mester which enrolled over 800 students in new academic experiences.
17. Greater use of our programs of credit for experience, Independent Study and College in Escrow.
18. Introduction of open space teaching methods and individual instruction in large sections by the Theatre Department.
19. A revised and more impactful student orientation program.
20. A Middle States evaluation which styled our progress during the last three years as "remarkable." (This year we will be receiving a return visit from the National Council for Accreditation of Teacher Education which I am confident will show such progress in

this area that we will be able to waive goodbye to accrediting groups for a while.)

21. Managerially we are in better shape than ever. Although problems exist, we are admired by virtually every other institution in the state and our administrative costs are the lowest of any four-year public institution in Maryland.

22. Our development program has in less than two years been directly or indirectly responsible for generating approximately $3,000,000 in cash or kind, and has been praised by international authorities.

23. Student services were reorganized in an effort to divorce administrative from student advocacy functions and to make more consistent student and college needs at less costs.

All these and more are credible evidence of our intention to accommodate student diversity of interest and age, and perhaps more importantly, of our ability to contend with and surmount the obstacles of today.

At Towson, budgets for the last three years have increased at approximately $2,000,000 per year (1971: 13.7; 1972: 15.5; 1973: 17.5; 1974: request 22.0). Yet our Board approved request for fiscal 1974 amounts to an increase of approximately 4.0 million dollars. Let me say to you that in my judgment we have absolutely no chance of getting our 1974 budget request of over $22,000,000 in operating funds. The budget request not only fails to consider our recent past, but there simply will not be sufficient funds to go round. Additionally, I believe, that the next fiscal year will see the State of Maryland operate at a substantial deficit. For us, the implications are many and obvious.

Our 1973 budget, while showing an increase of approximately $2,000,000, of which $1,200,000 is in State General Funds, is an extremely tight one—in reality, the tightest in some time. This tightness is due to a great extent to the large amounts of money required for salary increases—certainly a pleasant added cost—and mostly for opening and operating new buildings, specifically the Fine Arts Building. In effect, we will be operating this year on last year's budget ($15.5).

I am in the process of reviewing our local measures and although I am aware and pleased with the departmental economies commissions introduced by Dean Shaw, this review must go far beyond the academic department level. Departmental economics are but one facet of the total situation. Indeed, I discussed the situation this summer with the faculty and student members of our college committees on Fiscal Affairs and Long Range Planning. I have decided that in addition to the departmental economies commissions, it will be my intention in the near future to appoint a *Special College-wide Task Force* consisting of faculty, students and staff to look at priorities and economies from the college perspective and under the chairmanship of Dean Shaw. The Task Force will be asked to advise the Academic Council and ultimately the President. Their role will be to make recommendations regarding institutional priorities and to assist in developing our posture with respect to economies. No instructional or administrative area will be sacrosanct. Among other goals for the Task Force will be (1) to consider instructional economies which will allow us to teach effectively more students at less cost; (2) to consider economies in the academic service area; and (3) to consider instructional and academic service priorities in both new and existing programs and services.

In order to accomplish this demanding and exacting assignment, the Task Force and the departmental commissions will undoubtedly consider many of the things mentioned by Dean Shaw in his provocative paper presented at the Department Chairmen's Workshop, such as teaching methods and the use of the new media, college organization, class size, the role of use of support personnel, reducing the years of study, utilizing bright undergraduates and part-time faculty, possible reassignment of our members, credit-hour production of individual faculty members, administrative services, the role of student fees, and a host of other questions that are most difficult and controversial. The only inviolable areas in their assignment will be faculty-staff salaries and fringe benefits which remain too low.

There is a whole array of models and ideas available that we should investigate bearing in mind, of course, that whatever we do must retain the element of the human. For instance, today there are those persons, respected in our profession, who advocate doing away with the old four-year college module, introducing a baccalaureate program that calls for one year of full-time enrollment and the remainder on a part-time basis. Others talk of entire courses by cassette tapes. Some talk of video-tape lectures and the use of tutors often based in a media center. Many advocate increased numbers of part-time and lesser qualified faculty and doing away with the traditional residence requirements, and they challenge any to scientifically refute their contentions that effective, even more effective learning, takes place under such conditions.

Certainly in the area of graduate study, if we do not begin to "reach out" to our students, their needs will be met elsewhere. Already we are seeing school systems develop their own in-service programs as a way of dealing with a sluggish collegiate enterprise which refuses to deal with the realities of extension programs. If we do not move into this area, most assuredly others will. The loss will be the thousands of people we could have served, and a more personal one of pocketbook that will be felt as there is a decreasing demand for on-campus graduate work.

I am confident that at Towson we can develop a design or designs that will enable us to both economize and prosper. I suggest the posture of those involved in these efforts, and indeed of each of us, should be in the spirit of the recent National Task Force on Higher Education chaired by Frank Newman of Stanford University. For the first time in the history of national efforts for higher education, a federally-funded group attempted to consider higher education from the standpoint of the best interest of society, the people, rather than the best interest and point of view of the institutions. If we proceed using as a common denominator for all our efforts the best interest of students, we will muster a legion that can win any combat.

COORDINATION AND EXTERNAL AUTHORITY

This year the visage of external central authority will become more obvious and influential in Maryland in the form of the Maryland Council for Higher Education. I view this as a good step, but there may be tensions and problems before we see positive results.

Ten years ago a half dozen states had special agencies to plan and coordinate higher education, and now less than a half dozen do not. Because of a number of reasons, state legislators and other elected officials are tired of the inefficiency and duplication and downright waste that have been the result of institutional independence. Certainly, this has been the case in Maryland.

I have said to you that we must not deny or ignore the coming of increased central authority. To do as much is not to have a part in its shaping. Institutional autonomy, yes, but only within carefully prescribed limits. The underlying assumption in centralized planning is that all institutions in the state cannot serve all functions of higher education equally well, and there must be a division of program.

To me, the results of increased central authority across the land indicate that such a condition offers to state colleges considerably more advantage than disadvantage, for we have almost always been given short shrift in the distribution of resources. Again, Maryland is a classic example. Efficiencies are not only accomplished, but there has been a marked increase in faculty salaries and fringe benefits.

My comments about coordination of higher education also assume that because we must compete for limited resources with other governmental functions, higher education is a political enterprise. Alternate decisions about the shapes of future education in Maryland are formulations of political policy, and it has been well demonstrated that a few voices speaking in our best interest are more effective than many well-intentioned but unorganized proponents. If we recognize and appreciate these facts of central planning, we can play an important role in the future of higher education in Maryland.

For recent confirmation let us review the events of the year past. You will recall that in December 1971, we heard unofficially that the Maryland Council was going to give us approximately 30 days to order our program priorities with an eye toward cutting off the bottom 15%. This obviously was both impossible, and perhaps unfounded, but it did portend an attitude and a direction.

In January 1972, we officially received the following from the Maryland Council:

"The Council requests each segment board to determine from its segment viewpoint the relative priority of all the programs offered at each of its institutions or campuses and report to the Council by September 2, 1972 the programs offered at each institution or campus in order of priority."

This was only slightly less possible than its predecessor. At Towson we reacted with a position paper that was later adopted by the other state colleges and the Maryland Council, the gist of which was:

"We are in agreement with what is perceived to be the Council's intent of determination of program priorities; however, we do not agree with the method suggested and in fact feel that the Council's request as presently constructed will be counter-productive to the accomplishment of our common goals."

As I have indicated, the spirit of our paper was accepted and this summer a Special Task Force on Academic Program Priorities was appointed. I am a member of that group. We have met once and appear headed toward the WHICHE program definitions. You will hear further on this subject as developments occur.

During this same period, on February 11, 1972, an enlightened bill was introduced by Delegates Kent and Pesci (House Bill #674) which was passed in May 1972. The implications of HB 674 on higher education will be dramatic, for now the Maryland Council for Higher Education has the authority to approve all new academic programs at public institutions and to review existing programs with the possibility of major alterations. We must bear in mind these things as we encounter 1972–73.

UNREST AND INSTITUTIONAL NEUTRALITY

Last year marked the first in my experience when members of this community were arrested by civil authorities. In retrospect, I do not question, at least in large measure, the motivation of those who were involved in the affairs of last spring, but I sincerely believe that these activities led to no good end. Why is it that institutions like Towson must go through a Disneyland like experience of provincial disintegration before getting about the serious business of social renewal? Why is it that we must first fight one another before gaining the wisdom and the conviction to contend with the real adversary?

The politics at this college in the matter of disruption have been so thoroughly discussed and expounded that I will not belabor them here. Suffice it to say that that policy will maintain for the future. I pray that I will not again be called upon to verify the intent or letter of these policies.

A university is not a place designed to make people feel comfortable. On the contrary, it should be a place where one hears what he doesn't expect to hear. It should be a place where an individual is rocked back on his cliche-ridden haunches, and experiences an almost Franciscan-like process of revelation and discovery. At the same time, neither is a university a place of intimidation or threat.

The balance is tenuous between intellectual catharsis and chaos, and I believe that balance is best maintained from a position of institutional neutrality. I have before said to you that I believe that institutional neutrality is not only essential to the intellectual freedom of the university, but it is also a practical necessity if we are to survive as our society's forum for the combat of ideas. Academic freedom and institutional neutrality are indispensable and interlaced for they are the bulwarks of this social institution that we call the university.

Sadly, through the years there have been successful attempts to force universities out of institutional neutrality, but very few have succeeded since the accomplishment of academic freedom for faculty members. From the Middle Ages through the church-related institutions of the 19th century and before academic freedom, contrary opinion had virtually no place on the university campus. Often faculty members and students who did not agree with the majority were simply driven out.

Just as it would be wrong for me to agree with those who ask me to get rid of those on the faculty and student body who hold unpopular positions, it would be just as wrong for me to be persuaded or to attempt to use this institution in a way that would threaten the right, indeed the obligation, of each of our members to become involved in the controversial issues of the day. While at times it may be appropriate for groups within the university to maintain and present positions on controversial subjects, we are as an institution necessarily neutral and should remain so regardless of pressures to the contrary. Anything less than institutional neutrality makes a travesty of our purpose and permits the individual members of our community the indefensible luxury of uninvolvement and singlemindedness.

As for me, I will do all in my power to protect the right of all persons to hold any idea and to advocate any position within the law at Towson State College.

One further note on this subject. Because of the arrest conditions of the past year, I am of the opinion that we should no longer expect members of our staff to make arrests during times of turmoil. While I have nothing but praise and admiration for virtually all of those who performed these tasks last spring, I believe that it is beyond reasonable expectation to ask again for such performance. I know personally that the aftermath of such implementations leaves currents of mistrust and hostility that make continuation more anxious and difficult. Therefore, it will be my intention in the unhappy case that such conditions present themselves again to have arrests made by duly authorized external civil authorities.

WOMEN AND BLACKS

Last year, approximately, I had brought to my attention in a variety of ways, the sexist nature of our society and our institution. I think my sentiments in this regard are shared by most of you. While many of our sexist attitudes and behaviors may be unconscious, there is no question in my mind that I and others have thought and behaved categorically regarding the respective roles of women and men. I came to this awareness as a result of having been pressed by concerned members of our community, and I publicly apologize to you for my previous lack of serious attention to this important area. I will say that this new awareness has resulted in a change that is already being reflected at Towson State College regarding the estimate, appointment and promotion of women. To those of you who contributed to my awareness, my thanks.

Regarding Blacks, I believe there remains entirely too much intellectual shoulder shrugging in higher education and at Towson. We must progress beyond the current satisfaction of being able to acknowledge that there are a few more Black faces within sight. Perhaps the vocabulary of justice is so pervasive that we sometimes mislead ourselves into believing that we have achieved a truly egalitarian situation. It may be that our earnest desire to enjoy a condition of absolute and true equality has been thwarted for so long by social and economic circumstances that we have begun to rationalize its possibility. In any case, we simply have not as yet achieved those conditions which are essential to providing a completely viable educational experience for Black students. Many thoughtful Blacks still perceive us as being insensitive and even unwilling. I sense that we are casually and not too reluctantly relinquishing our militant efforts on behalf of Blacks in higher education in favor of issues which are more readily resolved or more currently appealing. While I can understand the nature of such self-deception, I cannot accept the consequences, which can only be a widening dichotomy between black and white.

Today as I reaffirm my pledge, I call for both the obvious support and the cooperation of all our members towards making greater and more measurable steps forward. We must not succumb to the understandable but unacceptable expressions like "Enlightened Blacks do not want to come to ostensible white institutions," or "You can't find qualified Blacks." Blacks are an inherent, important and vital part of our American history and culture, and our institution must more honestly and completely reflect their contributions and importance.

While I know that there are other dragons to be slain, let us together finally put to rest this most fearsome and lingering of those monsters, for if we fail in this we are likely to continue as prey to all sorts of racial and social injustices.

And as I sum these moments of relative tranquillity, I ask again that you ponder our nature.

Education has been designed throughout history to pass on existing culture to its young and uneducated. It has served to insure that the knowledge and wisdom available to the old through experience is passed on to the new generation. Such a procedure is valuable and indeed essential so long as conditions have not dramatically changed and are not expected to change substantially. What of a situation when massive change has already developed and further change is known to be inevitable. Then the cultural knowledge of the past may well become a disadvantage rather than an advantage. Some have argued that it is the continuation of past cultural traits into new situations which has led to the collapse of previous civilizations and is leading to the collapse of ours.

Today an increasing number of the best informed members of our society believe that we face a watershed more dramatic than the transition from the agricultural era to the industrial. Many of our finest minds predict the demise of our species within 10 to 100 years. Writers from an ever-widening group of disciplines and areas of confidence are advocating a need for massive changes in patterns of perception and action of mankind if our survival is to be possible.

If this is true, and I think it is, then what we need is to invent a new style and substance of education which will enable students to discover what they need to know in order to live in this new era. While we will not forgo the past, we must insure that we will be better for its knowledge; this certainly has not been the case in all our recorded history. There is so much to do that it will demand only the very best from each of us. If we choose to do these things here, then our future will be secure and good.

My wish for our college and its members is no more and I pray none of us will make it less.

NEW MELONES DAM, STANISLAUS RIVER

Mr. TUNNEY. Mr. President, for several months now I have examined the ramifications of the New Melones Dam to be built on the Stanislaus River.

Although I want to see effective measures taken to protect against the ravages of flood in the region, I believe that not enough attention has been given by the Army Corps of Engineers to spell out specific plans to mitigate the anticipated environmental consequences.

I have had some recent correspondence with the corps regarding this subject, and I think it would be helpful to my constituents and I ask unanimous consent to have those letters printed in the RECORD.

There being no objection, the letter were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., September 22, 1972.

Col. JAMES C. DONOVAN,
U.S. Army Corps of Engineers,
Capitol Mall,
Sacramento, Calif.

DEAR COLONEL DONOVAN: Thank you for your letter of September 5 in response to mine of August 16. Unfortunately, you misunderstood the purport of my letter, and your response was not adequate to resolve the difficulty I have with the mitigation plans the Corps intends to implement with respect to the environmental impacts derived from the construction of the New Melones Dam.

At the time I wrote you, I was quite familiar with the contents of the Statement of Findings dated May 31, 1972, which you enclosed with your letter. However, when the findings are compared with the Final Environmental Impact Statement, it is clear that the so-called "firm decisions" stated in the findings have not been translated into concrete plans to implement the commitments the Corps has made by virtue of those "firm decisions."

For example, although the findings refer to a decision to provide "a whitewater recreation area between Goodwin Dam and Knights Ferry", the impact statement does not at any point describe the plan the Corps has. On pages 39 and 40 therein, the Corps says that "a reasonable method of mitigating for whitewater has received intensive study and will continue to be investigated." It also points out that there is a four mile stretch which has "potential" for "whitewater kayaking" and that "the results of this test are being analyzed and a specific proposal is being developed." It also says "possibilities for alternative whitewater areas on other rivers such as the Tuolumne River may exist." It appears evident that the Corps has yet to devise a specific plan for implementing its "firm decision" and that, with respect to the whitewater issue, it has not gone beyond investigative and development stages.

With respect to preservation of the downstream riparian habitat, the Corps in its findings promises to "preserve between 3,000 and 8,000 acres of prime riparian habitat." Yet on pp. 7–8 of the impact statement, a number of alternatives are listed which the Corps states are "under consideration" and that one of them or a variation will be implemented. Again, the Corps' "firm decision" on this matter consists merely of the consideration of a number of possibilities, some of which may well not result in the "perpetual preservation of 4,000 to 8,000 acres of prime riparian "habitat" referred to in my letter of August 16.

Similarly, I have not been advised of the specific plans the Corps intends to implement with respect to providing for recreational access areas to the lower Stanislaus River.

Our fellow citizens should be given firm guarantees that effective mitigation plans will become a reality. In order to assure that satisfactory mitigation does come to pass, the specific detailed plans with regard to the matters raised in my letter should be devised and published, and all necessary approvals should be given prior to going forward with the construction of the main dam. Now that monies have been appropriated for construction, funds needs for environmental mitigation should be requested in the next session of Congress by the Corps, so that dam construction and environmental mitigation will proceed concurrently.

I am grateful for your continued cooperation and interest in protecting the environment.

Very truly yours,
JOHN V. TUNNEY,
U.S. Senator.

SACRAMENTO DISTRICT
CORPS OF ENGINEERS,
September 5, 1972.

Hon. JOHN V. TUNNEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TUNNEY: This is in further reply to the letter of 16 August 1972 from you and Congressman McFall concerning the New Melones Lake project.

We certainly agree with you that mitigation plans should go beyond the investigative and developmental stages. For this reason my Statement of Findings which accompanied the New Melones Lake Environmental Impact Statement (copy attached) and which was indorsed by our Division Engineer and the Chief of Engineers contains the following wording:

"Firm decisions have been made under the authorizing legislation to:

a. Provide a whitewater recreation area between Goodwin Dam and Knights Ferry.

b. Acquire flowage easements over downstream areas to accommodate an 8,000 *c.f.s.* non-damaging flow and at the same time preserve between 3,000 acres of prime riparian habitat.

c. Acquire lands in fee for recreational access to the river from Knights Ferry to the San Joaquin River.

d. Acquire in fee the prime spawning gravels for the preservation and enhancement of the anadromous fishery resources of the Stanislaus.

e. Acquire under the Corps' recreational authority the desirable caves in the immediate vicinity of the lake either for preservation or for inclusion in the Corps' recreational master plan."

These decisions are firm commitments and are considered definite, consistent with the project authorization, and subject only to the appropriation of funds by the Congress and refinement of functional and design details.

The main dam contract for New Melones was advertised on 16 August 1972. Bids will be opened on 10 October and the contract is scheduled to be awarded shortly thereafter.

We appreciate your continued interest in all aspects of the New Melones Lake project.

A similar reply is being furnished to Congressman McFall.

Sincerely yours,
JAMES C. DONOVAN,
Colonel, CE, District Engineer.

AUGUST 16, 1972.

Re: New Melones Dam.
Col. JAMES C. DONOVAN,
U.S. Army Corps of Engineers,
Sacramento, Calif.

DEAR COLONEL DONOVAN: We have had an opportunity to review the final environmental impact statement filed by the Corps of Engineers with the Council on Enivronmental Quality on July 17, 1972.

We applaud the Corps' efforts to comply with the National Environmental Policy Act with all deliberate speed and we note the steps which are under way to develop plans to mitigate the environmental impacts of the area.

While we certainly want to see effective measures taken to protect against the ravages of flood, we note that the dam will inundate a 16-mile portion of the Stanislaus River which includes an area which has become increasingly popular for rafting trips from Camp Nine to the Parrottis Ferry Bridge. It will also have other environmental impacts which are outlined in the statement.

We feel that mitigation plans should go beyond the investigative and development stages to something more definite.

In order to be reassured that the impact to the area will be minimal, we urge that the following minimum guarantees be provided by obtaining the necessary approvals and authorizations prior to the award of a contract for construction of the main dam at the New Melones site:

(1) Provide a white water recreation area between Goodwin's Dam and Knight's Ferry (or some other more desirable location) which will provide a white water recreation to those who presently use the area to be inundated by the new dam;

(2) Acquire flowage easements for downstream areas to accommodate an 8000 cubic feet per second non-damaging flow and at the same time provide absolute guarantees for perpetual preservation of 4000 to 8000 acres of prime riparian habitat from Goodwin Dam to the San Joaquin River.

(3) Acquire lands in fee to provide recreational access to the river from Knight's ferry to the San Joaquin River;

(4) Acquire in fee the prime spawning gravels for the preservation and enhancement of anadromous fishery resources of the Stanislaus River; and

(5) Acquire under the Corps' recreational authority the desirable caves in the immediate vicinity of the proposed lake either for preservation or for inclusion in the Corps' recreational master plan.

We are sending a copy of this letter to the Council of Environmental Quality with a request that it take appropriate action consistent with the above.

Very truly yours,
JOHN V. TUNNEY.
JOHN J. MCFALL.

PENNSYLVANIA AVENUE REDEVELOPMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that a statement by the distinguished Senator from Indiana (Mr. HARTKE) on the Pennsylvania Avenue bicentennial bill, which passed the Senate yesterday, together with accompanying documents, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REDEVELOPMENT OF PENNSYLVANIA AVENUE

(Statement by Senator HARTKE)

For more than a year, Congress has considered legislation which would establish a mechanism to revitalize the portion of Pennsylvania Avenue between the White House and the Capitol. Now, in the waning hours of this Congress, after months of dormancy and inaction, that proposal has reared its head once again in the form of the bill now pending before the Senate.

Mr. President, I oppose this bill. It is bad legislation which sets a deplorable precedent for renewal projects throughout the Nation. What is worse, it purports to be a model program—one which will be finished in time for the 200th anniversary of our independence.

Rather than renovation, this bill requires destruction. Some of the buildings along Pennsylvania Avenue are blighted and should be torn down. But others suffer from deterioration brought on by neglect. In this latter category are buildings of historical and architectural significance. They are as much a part of our heritage as the documents displayed in museums and the battles enshrined in history books. They represent a part of the American mood. They may be able to survive in two-dimensional pictures, but they will never be able to be understood and appreciated.

The passage of this legislation now before the Senate will mean the creation of another string of sterile glass office buildings surrounded by still more sterile glass buildings. I am enough of a realist to know that we cannot prevent such buildings from being erected, but not on the main avenue of the Nation's capital. Not on the avenue viewed by millions of Americans each year. There are other places for these monstrosities. We need not put them where they are so obvious to so many.

Mr. President, the pending bill is bad legislation for the following reasons:

First, it fails to require that sincere efforts be made to preserve historic landmarks.

Second, it does not provide for adequate participation by District residents in the decision-making process.

Third, it eliminates vital services used by many of Washington's black residents.

Need to Preserve Historic Landmarks

Pennsylvania Avenue is the main street of the Nation's Capital. Any redevelopment which takes place along the avenue is under the direct control of the Federal Government. Thus, both the redevelopment process and the results of redevelopment will express our Government's attitude toward how cities are to be revitalized.

The legislation now before us fails to take cognizance of the fact that Pennsylvania Avenue is a part of a city of almost 1 million people. Redevelopment should be for people, not for buildings. In one blanket statement, it declares that a major portion of the avenue is blighted. This declaration expresses a negative attitude which pervades the bill—an attitude of insensitivity which will result in the failure to adopt a redevelopment plan which realizes the avenue's full potential.

The structures which exist along Pennsylvania Avenue chronicle American architecture and thought from the Federalist period (for example, the building at 306 6th Street and Rhodes Tavern at 15th and F), to a Greek revival fragment of the Metropolitan Hotel, to the Gothic and romanesque revival of the old post office and the National Bank of Washington, the beaux arts style of the Willard and Occidental Hotels, and finally to the 20th century work embodied in Lansburgh's and the Hecht Company.

The latest effort to revitalize Pennsylvania Avenue began in 1962 when a plan to develop the avenue was prepared by the President's Council on Pennsylvania Avenue and its successor, the President's Temporary Commission on Pennsylvania Avenue.

Among the buildings which would be destroyed under the Pennsylvania Avenue plan drawn up by these two Commissions would be the following:

Willard Hotel;
Tariff Commission Building;
Rhodes Tavern;
Old Ebbit Grill;
National Bank of Washington;
St. Patrick's Church;
Greater New Hope Baptist Church;
Mary Surratt House; and
St Mary's Catholic Church.

In addition, the General Services Administration has proposed—with administration support—that the old post office be torn down to make way for an expansion of the Internal Revenue Service Building.

Each of these buildings has been cited as an important historical landmark by the National Capital Planning Commission and the D.C. Redevelopment Land Agency. There is too much of Washington's and the Nation's heritage in these buildings to allow them to fall victim to the wrecker's ball.

Mr. President, on March 9, 1971, I called the attention of my Senate colleagues to the worsening outlook for landmarks in the Nation's Capital. That was a time when the future of those landmarks actually appeared brighter than it does today. It was a time when the newspaper carried reports that the administration "had" concluded (that) the redevelopment plan should stress the renovation of existing structures wherever possible, with a minimum displacement of stores and businesses."

No such resolve is embodied in the legislation now before us. Reference is made to the fact that a portion of Pennsylvania Avenue is a national historic site, but there is no requirement that the Pennsylvania Avenue Bicentennial Commission seek to preserve those landmarks which are vital to our national heritage. That omission is tragic. It gives a green light to the Commission to follow the Pennsylvania Avenue plan and tear down rather than preserve.

The statement which I made in the Senate on March 9, 1971, is as follows:

THE WORSENING OUTLOOK FOR THE CITY'S LANDMARKS IN THE NATION'S CAPITAL

Mr. HARTKE. Mr. President, the Washington Post, on February 27, published a letter to the editor entitled "The Worsening Outlook for the City's Architectural Landmarks," which noted that the "combined forces of subway, Pennsylvania Avenue plan, and downtown renewal are sure to pose a major threat to landmarks within the boundaries of the main commercial and municipal sectors of Northwest."

The article cited the recent proposal of architect Wolf Von Eckhardt to preserve the old post office as "a prime example of a new mood afoot among designers and architects who are interested in incorporating valuable 'period piece' buildings into existing renewal projects."

It concluded with a call to action:

"Now is the time for influential planning, civic and business leaders in this city to understand, and reconcile themselves to the urgent need to spare these and other structures that are significantly indispensable both from an aesthetic and an historical point of view. With so little of D.C.'s proud architectural past remaining to be observed by future generations, the least these most worthy survivors deserve is a more promising fate than the grim oblivion that they now appear destined for."

Mr. President, recently I received from Daniel Price, of the Occidental Restaurant, a list of historic landmarks in the Nation's Capital which are threatened by urban renewal and the Pennsylvania Avenue plan. This list includes:

Willard Hotel, Washington Hotel, National Theatre, Occidental Restaurant, Tariff Commission Building, Chinatown, National Press Building, Rhodes Tavern, Matthew Brady Studio, Old Ebbit Grill, Reeves Bakery, Kann's Store, Street facade, 700 block of 7th Street, northwest, National Bank of Washington, St. Patrick's Church, Greater New Hope Baptist Church, Mary Surratt House, St. Mary's Catholic Church.

I am informed by Mr. Prince that this list was obtained from a study entitled "Downtown Urban Renewal Area Landmarks," published in 1970 by the National Capital Planning Commission and the District of Columbia Redevelopment Land Agency, and from plans for such federally financed programs as urban renewal, the subway, the freeway program, and the Pennsylvania Avenue plan.

In his message to Congress on February 8, 1971, President Nixon declared:

America's cities, from Boston and Washington to Charlestown, New Orleans, San Antonio, Denver, and San Francisco, reflect in the architecture of their buildings a uniqueness and character that is too rapidly disappearing under the bulldozer. Particularly acute is the continued loss of many buildings of historic value. Since 1933 an estimated one-quarter of the buildings recorded by the Historic American Building Survey had been destroyed . . . (and) there are many historic buildings under Federal ownership for which inadequate provision has been made for restoration and preservation.

In the face of that clear statement of concern, it is rather ironic that the President has permitted plans to destroy many of the historic buildings of the Nation's Capital to continue without abatement. It is even more ironic that we are spending Federal tax dollars for this destruction.

It was equally disturbing to read an editorial in the July 1, 1970, Washington Post which indicated that the historic Willard Hotel has been kept dark for more than 2 years while the General Services Administration negotiates a swap with the Willard's owner for a potentially valuable 17 acres of land in Arlington. This transaction raises the possibility that plans to destroy historic buildings in Washington may result in significant financial rewards for speculators.

In light of these developments, it was somewhat reassuring to read an article in the February 19, 1971, Evening Star which stated:

"Under prodding from Capitol Hill, key officials of the Nixon Administration and the District's business community are moving toward agreement on a scaled-down plan for redevelopment of Pennsylvania Avenue.

They also concluded the redevelopment plan should stress the renovation of existing structures wherever possible, with a minimum displacement of stores and businesses."

If the news of this new attitude is accurate, the future for Capital landmarks appears brighter. At the same time, every person who takes pride in this Nation's past as represented in its architecture would breathe easier if the President would use his powers as Chief Executive to preserve historic landmarks in the Nation's Capital.

Mr. President, we, as a nation, must be concerned with preserving and protecting our historic landmarks, not only those of great national significance, but the landmarks which make one city distinct from another. It would be a disaster to destroy the landmarks in Washington, D.C., and replace them with new buildings of little character.

Mr. President, specific interest has been drawn to two of the buildings which are doomed by the Pennsylvania Avenue plan: The Willard Hotel and the old post office. No study has been undertaken of either of these buildings to determine the feasibility of preserving them.

In a statement made before the Senate on March 23, 1971, I called for a study to determine the suitability of using the Willard Hotel as a Federal building. In testimony before the Senate Subcommittee on Public Buildings and grounds on April 21, 1971, I opposed plans to tear down the old post office building.

The two statements and the two pertinent editorials from the Washington Post are as follows:

[From the CONGRESSIONAL RECORD,
Mar. 23, 1971]

FEDERAL BUILDINGS URGED FOR BLIGHTED URBAN AREAS

Mr. HARTKE. Mr. President, in a speech in the Chamber on March 9, I urged that historic buildings in the Nation's Capital be saved from the wrecker's ball.

The interest which that statement aroused indicates that there are many who are concerned that our haste to modernize has made us heedless of a great heritage. There is much of our past which has significance for the present and the future. It should be preserved and promoted, rather than destroyed.

For more than 2 years, one of the most famous of Washington's landmarks has stood vacant. The Willard Hotel, where the great and near-great have stayed, has played a prominent role in the political and social past of the Nation's Capital. Following one of his visits, Carl Sandburg said that—

"The Willard Hotel more justly could be called the center of Washington than either the Capitol or the White House or the State Department."

Not only does the Willard have sentimental significance; it also represents an excellent sample of architecture and is in perfect harmony with its surroundings. Neither claim can be made for most buildings constructed in recent years.

I have been among those who have suggested that the Willard could be retained as a museum. So much of our history has occurred within its walls that it would be ideal for such a purpose.

There is, however, another valuable use to which the building could be put—one which would do even more honor to its past glory.

On February 27, 1970, President Nixon issued an Executive order directing the General Services Administration to develop plans for the acquisition and leasing of space for Federal offices in areas where such offices would have a significant impact on improving social and economic conditions.

In a press conference which was held on the same day, Dr. Daniel P. Moynihan said:

"The present Executive order takes the concept beyond the imposition of some order within the priorities of different Departments in the Government and acknowledges what has been the fact—whether you wish to acknowledge it or not—namely, that where the Federal Government locates its offices, its plants, its factories, has very great consequences for people, not just for the Government; that this has extraordinary impact on the development of cities, different parts of cities, different regions of the country, differents parts of those regions.

"This is one of the most important real options the Federal Government has in seeking to bring about a kind of purposeful, rational growth policy."

At the same press conference, Administrator Robert L. Kunzig of the General Services Administration stated:

"In other words, what we are talking about is double duty for Federal dollars. Not only will the dollars be used to build the building, but they will also be used to assist and aid in the economic development, or urban redevelopment."

The past few years, however, have seen an increasing decentralization of Federal office buildings to the suburbs. We pay a high price for this trend, not only because of the exorbitant rents which are charged, but also because there is an enormous need within the District for jobs.

No Federal City Bicentennial Corporation, such as the one which has been proposed to restore the Pennsylvania Avenue area between the Capitol and the White House, will have any significant impact on the revitalization of Washington unless we act to make this a good place in which to work and to live. The Federal Government has the power to spur employment and economic vitality by constructing office buildings in depressed areas of the District. Unfortunately, the President's Executive order of 1 year ago has not been implemented in Washington.

I would urge that the GSA undertake a survey of the Willard Hotel, not for the purpose of determining the easiest way to tear it down, but rather for the purpose of determining the suitability of the Willard as a Federal office building.

Whatever the outcome of the study, I believe that there is a place for the Willard in a revitalized Washington. I also believe that it is time that action was taken to restore burned out and blighted areas of the Capital, not by displacing small businessmen and not by a wholesale destruction of historic buildings, but by moving resolutely to implement the President's Executive order of February 27, 1970.

The Washington Post put its editorial finger on the real issue when it said on January 11, 1971:

"When, back in the 1950's, federal government offices began to move out into the suburbs, it was a matter of national policy. The government was to be dispersed to minimize disruption in the event of an atomic attack. No one gave much thought to the fact that low income and minority employees were left behind in the city because there was no housing for them out there. But the policy became obsolete, or at least implausible, with the advent of the hydrogen bomb.

"Now, for a variety of new reasons, government dispersal has become something else; it has become a way of evading national policy."

Mr. President, I ask unanimous consent that the text of President Nixon's Executive order of February 27, 1970; the transcript of the White House news conference of the same date; the Washington Post editorial of January 11, 1971, entitled "Jobs That Move Away"; and an article entitled "Federal Office Leasing. Policies Questioned" published in the Evening Star of December 4, 1970 be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

PLANNING, ACQUISITION, AND MANAGEMENT OF FEDERAL SPACE

(White House Executive Order)

By virtue of the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Administrator of General Services (hereinafter termed "the Administrator") shall initiate and maintain plans and programs for the effective and efficient acquisition and utilization of federally owned and leased space located in the States of the United States or in the District of Columbia or in Puerto Rico (hereinafter termed "in the United States"), and for which the Administrator is responsible. The Administrator shall prepare and issue standards and criteria for the use of such space and shall periodically undertake surveys of space requirements and space utilization in the executive agencies and initiate actions and formulate programs to meet the essential space requirements of executive agencies. In carrying out these functions, the Administrator shall (a) coordinate proposed programs and plans for buildings and space with the Bureau of the Budget, (b) obtain from the Civil Service Commission, the Office of Emergency Preparedness, and the Department of Defense any information in the possession of those agencies which may bear upon such programs and plans, (c) coordinate proposed programs and plans for buildings and space in a manner designed to exert a positive economic and social influence on the development or redevelopment of the areas in which such facilities will be located, (d) seek the cooperation of the heads of the executive agencies concerned with any of the foregoing, and (e) annually submit long-range plans and programs for the acquisition, modernization, and use of space for approval by the President.

SEC. 2. (a) The Administrator, and the heads of executive agencies, shall be guided by the following policies for the acquisition, assignment, reassignment, and utilization of office buildings and space in the United States:

(1) Material consideration shall be given to the efficient performance of the missions and programs of the executive agencies and the nature of function of the facilities involved, with due regard for the convenience of the public served and the maintenance and improvement of safe and healthful working conditions for employees;

(2) Consideration shall be given in the selection of sites for Federal facilities to the need for development and redevelopment of areas and the development of new communities, and the impact a selection will have on improving social and economic conditions in the area. In determining these conditions the Administrator shall consult with and receive advice from the Secretary of Housing and Urban Development, the Secretary of Health, Education, and Welfare, the Secretary of Commerce, and others, as appropriate;

(3) Maximum use shall be made of existing Government-owned permanent buildings which are adequate or economically adaptable to the space needs of executive agencies;

(4) Suitable privately owned space shall be acquired only when satisfactory Government-owned space is not available, and only at rental charges which are consistent with prevailing rates in the community for comparable facilities;

(5) Space planning and assignments shall take into account the objective of consolidating agencies and constituent parts thereof in common or adjacent space for the purpose of improving management and administration;

(6) The availability of adequate low and moderate income housing, adequate access from other areas of the urban center, and adequacy of parking will be considered; and

(7) Proposed developments shall be to the greatest extent practicable consistent with State regional, and local plans and programs; and Governors, local elected officials, and regional comprehensive planning agencies shall be consulted in the planning of such developments.

(b) The Administrator shall plan, acquire, and manage space in the United States upon his determination that such actions will serve to improve the management and administration of government activities and services, and will foster the programs and policies of the Federal Government. Prior to making such determinations the Administrator shall consult with the heads of the executive agencies concerned and take into account their requirements, consistent with the criteria stated here and his other responsibilities. The Administrator shall advise the agency head in writing of his intended course of action and notify him that in the event of disagreement the affected agency head may within thirty days make a written request for review of the matter, through the Director of the Bureau of the Budget, to the President.

SEC. 3. The heads of executive agencies shall (a) cooperate with and assist the Administrator in carrying out his responsibilities respecting buildings and space, (b) take measures to give the Administrator early notice of new or changing space requirements, (c) seek to economize in their requirements for space, and (d) review continuously their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency.

SEC. 4. The provisions of this order shall be subject to applicable provisions of law (including applicable provisions of any reorganization plan).

SEC. 5. Executive Order No. 11035 of July 9, 1962, is hereby superseded.

RICHARD NIXON.

THE WHITE HOUSE, *February 27, 1970.*

THE WHITE HOUSE PRESS CONFERENCE, FEBRUARY 27, 1970

(Robert L. Kunzig, Administrator, General Services Administration; Dr. Daniel Patrick Moynihan, Counsellor to the President; John R. Price, Executive Secretary to the Urban Affairs Council; and Jerry Warren, Deputy Press Secretary to the President)

Mr. WARREN. First, I would like to draw your attention to the Executive Order on Planning, Acquisition, and Management of Federal Space. I know you haven't had too much time to read it, but we have some gentlemen here who will be able to go through it with you: Robert Kunzig, Administrator of the General Services Administration; John R. Price, who is, as you know, Executive Secretary to the Urban Affairs Council, and the Rural Affairs Council, and a Special Assistant to the President; and our good Counsellor, Dr. Moynihan.

So I will turn it over to John Price.

Mr. PRICE. Thank you very much, Jerry.

The Executive Order supersedes one that was signed in 1962, 11035. And the reason for your having this one here today is that in early December, December 5, there was a meeting of the Urban Affairs Council at which the whole question was raised of how better use could be made of some of the resources of the Federal Government in the field of social and economic development and re-development.

It was pretty obvious that one of the things which loomed large in the Federal budget and in terms of employment and so forth was the construction and the location and leasing of Federal facilities. And at that time, the Administrator described a little bit to us about the kind of resources that would be available over the next five years. We find that something in excess of 100 projects, which have already been authorized in one way or another, will have potential for developing or re-developing urban areas. These projects will employ as many as 140,000 employees between now and 1975.

So it is fairly clear that we had substantial dollar impact and employment impact here. And the question was whether or not the existing authority under which the Administrator made his decisions was adequate to do the job. The decision was that it was not.

I call your attention, as he will in more detail, to Section 2(a) (2) on the bottom of page 1 of the Executive Order. This is really the key paragraph for you to pay attention to. Here we say that consideration is going to be given to the impact the selection of the site is going to have on improving social and economic conditions in the area and providing a potential use for the stimulation of new community development as well.

I would like to turn the meeting over, first to Dr. Moynihan, who might explain to some extent how this would fit into a national growth policy, and then to the Administrator, who could describe in more detail how the operation will take place.

Dr. MOYNIHAN. I have very little to say.

The order, as is rarely the occasion, speaks for itself. 11035 came at a period when, after a prolonged hiatus in Federal building projects in the depression, the War, rearmament, Cold War, and a buildup of a tremendous backlog of Federal activities, a fairly chaotic almost political situation in which Cabinet Officers just sort of negotiated themselves with the President. This was an effort to give to the Administrator of GSA the basic responsibility for assigning priorities within the Government to which buildings would be built and for whom and, to some extent, where.

The present Executive Order takes that concept beyond the imposition of some order within the priorities of different. Departments in the Government and acknowledges what has been the fact—whether you wish to acknowledge it or not—namely, that where the Federal Government locates its offices, its plants, its factories, has very great consequences for people, not just for the Government; that this has extraordinary impact on the development of cities, different parts of cities, different regions of the country, different parts of those regions.

This is one of the most important real options the Federal Government has in seeking to bring about a kind of purposeful, rational growth policy.

In the National Urban Policy, which we began to evolve last year, one of the first principles, not one of the ten main points, but one of the first principles we talked about was the need for the Federal Government to pay attention to its hidden policies, its hidden urban policies.

It says, "There is hardly a Department or agency of the National Government whose programs do not in some way have important consequences for the life of cities and those who live in them." Frequently one is tempted to say normally the political appointees and career executives concerned do not see themselves involved with, much less responsible for, the urban consequences of their programs and policies. They are to their minds simply building highways, guaranteeing mortgages, advancing agriculture or whatever.

No one has made clear to them that they are simultaneously redistributing employment opportunities, segregating neighborhoods, or desegregating them, et cetera.

All of these things are the second and third order consequences of normally unrelated programs.

Of all these activities, the one that directly would seem to have this effect is the location of Federal facilities. The President accepted this idea right away as part of his general position. Mr. Kunzig has been energetic beyond the demand of any Federal Presidential appointee in acknowledging the fact in sorting out the details and has come forward with an Executive Order which requires of him in the future to take into consideration not just the immediate benefits to the Government, but the long-run and general consequences to the communities, to the regions involved in his choice of sites for the very great range of activities which he is responsible for.

We have been much impressed with his efforts. The President is very happy to sign this. He regards this as a concrete, specific and general undertaking which is to make the Federal Government realize what it is doing and do what it intends to do. Because whether you have a policy or not, the activities, the normal activities of the Government, have the consequence of policy.

Here is a very prime example, and we feel this important event is likely to have considerable consequences in, of course, the decade to come.

Mr. Kunzig.

Mr. KUNZIG. Gentlemen, and ladies:

Two major points here specifically have been touched upon.

To clarify this, perhaps, the item here down under Section 2(a)(1), you see the words, "Material consideration shall be given to the efficient performance of the missions and programs of the executive agencies," and so forth. It used to read "primary consideration." The result of that was that primary consideration meant that if an agency wanted a building here at the corner of Second and Market, whatever it was, that is where the building went. Primary means they made the decision where it would go.

This has changed now to material consideration. It means we are still giving great consideration, of course, to the efficiency of the Government operation. Nobody is trying to make a Government operation inefficient or not able to work. But it is no longer the primary consideration. It is the material consideration. That is a definite coming down from the word "primary."

Then the new portion is the Section 2(a) (2), where is says, "Consideration shall be given in the selection of sites for Federal facilities"—and this is new—"to the need for development and redevelopment of areas and the development of new communities, and the impact a selection will have on improving social and economic conditions in the area. In determining these conditions the Administrator will consult with and receive advice from the Secretary of Housing and Urban Development, and Welfare, the Secretary of Commerce, and others, as appropriate."

Most of the rest of this is the same, but number 6, which is about a page further down, says another item which will be considered when you are deciding where to put buildings is "The availability of adequate low and moderate income housing, adequate access from other areas of the urban center, and adequacy of parking will be considered," and so forth.

They are the new elements. In other words, what we are talking about is double duty for Federal dollars. Not only will the dollars be used to build the building, but they will also be used to assist and aid in the economic development, or urban redevelopment, whatever it may be, new towns. All of these things will now be considered. That is really the basis of the whole thing.

You might be interested in what types of things are included here. These are buildings that come under GSA, such as general purpose office buildings. When you see a big Federal office building, storage buildings, United States Courts, Federal buildings with postal facilities, when they are together, customs houses and so forth, Federal buildings that the GSA builds, also special purpose buildings where we build for others, Food and Drug laboratories or Public Health hospitals where they ask us to build them, which they usually do, and we build the buildings, they are included also.

Excluded would be military facilities, which we have nothing to do with, and special buildings such as NASA and things of that nature.

That is the general picture.

Q. Mr. Kunzig, in Section 3, that last part of that sentence (d) about the District of Columbia, would that indicate one, no more, if possible, new Federal buildings in the District—I am speaking of the feasibility of decentralizing—or does it mean that therein lies the possibility that there will be further decentralization of Government that is now in Washington?

Mr. KUNZIG. I think what we are talking about here is that these various items will be given consideration. Some of them, as you can see, are different items. Sometimes one will receive more. The vote will go more over here and more there depending upon the situation. I wouldn't say it means there would be no decentralization ever again, but it also doesn't mean that everything is going to be decentralized.

The best example I can give you: We put out this new rule many months back that buildings should be close to the homes of the workers of low-income groups when they are principally the people working in the buildings, unless there is adequate transportation. The best example of that, where the change was made, was you read a lot about the Government Printing Office. They were going to move way out. Now, they are reconsidering. The Government Printing Office is not moving way out. I am sure we are going to find a place in town near the homes of the workers who work in that type of work.

Q. Also, that Section 6 you referred to is a new element. Does adequate access include transportation? You don't make any mention of transportation. You speak of giving him parking space.

Mr. KUNZIG. Yes, that would be transportation. Again, all of it considered the best way possible. There can never be perfection in everything.

Q. Mr. Kunzig, do I understand that Executive Order pretty much is like the earlier one, except for Section 2(a) (1) and (2) and Section 6?

Mr. KUNZIG. Yes, the parts I read; most of it is the same as before, which was put out in 1962. This now supersedes the order of '62, and gives us for the first time the right not to have to give absolute primary consideration to the wishes of the agency and the right to consider for the first time social and economic things and items in the decision of where a building goes.

Q. Would it be fair to conclude that because of this Executive Order more Federal facilities now would be built, in center-city areas and low-income areas than has been the custom in the past?

Mr. KUNZIG. I would say some might, but I don't think you could say that all the way, because, for example, new cities, new towns—suppose, for example, proposals came up that a Government agency might well go to, let's take one purely hypothetically, Columbia, Maryland. Suppose a new Federal building were to go into Columbia, Maryland, to add further to a new town with adequate transportation to come in, homes there for the workers. That would not be in the heart of a big city. It would be in a new town. I think it is all of these things. It is urban redevelopment, and new towns.

Q. Wouldn't this new program give the politicians a little more leeway to work on you, because, after all, you had only that one criterion to start with, and you could say to them, "We are sorry, but this has to be the primary rule." Now they can say, "Look at all of these other things," and give you a harder time in trying to get the thing in their district.

Mr. KUNZIG. The politicians have never worked on me. It is all new to me. (Laughter.)

Dr. MOYNIHAN. This Executive Order is not going to make the life of the Administrator of the General Services Administration happier or probably even longer, but it will make the job more important.

Q. What consideration have you given to the Civil Rights Commission's recommendation of a few days ago that you locate new facilities in such a way that the——

Mr. KUNZIG. I know what you mean.

Q. Low and middle income employees can live there?

Mr. KUNZIG. I am afraid, without any disrespect for the distinguished Civil Rights Commission, that they totally ignored the fact that the Nixon Administration, and the General Services Administration on behalf of

Mr. Nixon, had put the order into effect many months ago. They actually made reference to it, although we had to point it out to them, in their report, but didn't in their press briefing which they had. They were saying "Why doesn't the GSA do what the GSA has been doing for many months since the Administration came into power?"

I can't speak for them, but I gather they wanted to go further, which is something, I guess, that should be considered. They are talking about over all the whole Government, you see. We are talking about the buildings I listed to you that we GSA people have some control over.

Dr. MOYNIHAN. Could I just speak on behalf, as it were, of the Administrator here. It is a matter of very explicit record that the GSA presented to the Urban Affairs Council on December 5—we spent almost an entire meeting of the Urban Affairs Council on this subject, outlining the issues that ought to be raised in locating facilities. There is one particular city in a State that I won't name, which has a very specific issue of this kind involved.

The Administrator laid out the pressures on him, the gains and losses of any of the about three or four possible decisions, proposed the criteria that are in this Executive Order, and subsequently, as is the practice, the President made his decision to go this way.

Here we have the Executive Order, and meaning no disrespect whatsoever to the Civil Rights Commission, we were not aware that they were working on this issue at all at the time. The GSA has been in this; it was in this matter first. It has been explicit.

Mr. KUNZIG. It was May, '69, last May was when our order went out for all Government buildings that we control in the United States of America, not just Washington, but the entire country. Again, the Printing Office is the best example at the moment of that.

The PRESS. Thank you.

[From the Washington Post, Jan. 11, 1971]

JOBS THAT MOVE AWAY

When, back in the 1050's, federal government offices began to move out into the suburbs, it was a matter of national policy. The government was to be dispersed to minimize disruption in the event of an atomic attack. No one gave much thought to the fact that low income and minority employees were left behind in the city because there was no housing for them out there. But the policy became obsolete, or at least implausible, with the advent of the hydrogen bomb.

Now, for a variety of new reasons, government dispersal has become something else: it has become a way of evading national policy. One begins with the Nixon administration's announced policy of drastically curbing the construction of federal office buildings. Since this policy does not curb the need for more office space, the General Services Administration leases space from private builders. And since private builders prefer to build where the land is cheaper and the land is cheaper out in the suburbs, the government is still dispersing into such human filing cabinets as Parklawn, near Rockville, or Crystal City in Arlington. And since there is still not much low cost housing there, the low income and minority employees are still left behind in the city.

Now, President Nixon, more than ten months ago, you may remember, directed otherwise. And the Department of Housing and Urban Development, so directed, promised "affirmative action." And the General Services Administration said that "adequate" housing for workers at the GS7 level or lower and their families would "be considered." But fair housing groups think that these pronouncements are much too vague. They insist that suburban homes for all employees who want them must be assured before their jobs move away from them. The Washington Planning and Housing Association favors creation of a National Capital Affairs Office in the White House which would base federal relocation decisions not on the whims of speculative builders but on the needs of the capital region. We think this suggestion merits careful consideration.

[From the Washington (D.C.) Evening Star, Dec. 4, 1970]

VIRGINIA NOW LEADS DISTRICT'S FEDERAL OFFICE LEASING POLICIES QUESTIONED

(By Christopher Wright)

The federal government should increase the price it is willing to pay for rented office space and become "more competitive for central city rents" in Washington, the executive director of the National Capital Planning Commission has told the federal planning agency.

Pointing out that the General Services Administration, property manager for the government, has insisted on a $5-a-square-foot ceiling on general office rents here, executive director Charles Conrad told the commission yesterday the government has priced itself out of the rental market in the city.

The result, Conrad implied, has been a bonanza for suburban builders and a further blow for Washington's faltering downtown economy.

Conrad's comments came as the panel of planners questioned the commission staff on a report on government leasing which outlined a marked increase in suburban government complexes within the last two years.

A GSA representative and ex-officio member of the commission, John C. Dye, had just told the body that the spread of government offices to the suburbs had been "more or less the result of trying to solve a problem" rather than a district policy decision. The government's latest big move, when more than 9,000 Navy Department employes were shifted to Arlington's Crystal City after temporary buildings on the Mall were destroyed, was an accident of economics, said Dye.

"Had there been economical space to rent within the city it would have been rented," Dye told fellow commission members. "It was not our intention to move outside the city necessarily."

But city rents, said Dye, are "probably more than we can pay" in most cases because of inner city construction costs. He also said the $5 rent ceiling, though not an absolute maximum, requires special GSA action before it can be waived.

GSA is currently in court with the Washington Planning and Housing Association over the removal of the Navy complex to Crystal City. WPHA contends the action was discriminatory and illegal. GSA says, however, that large blocks of rental property are nearly impossible to obtain inside the District.

The government has consumed roughly a million square feet of office space annually in recent years—the equivalent of one major building a year. In May, as evidence of this requirement, GSA called through newspaper advertisement for listings from developers for 500,000-square-foot office buildings which might be available for occupancy next September within the District.

The million-foot-a-year requirement has given added impetus to rebuilding plans for Pennsylvania Avenue and downtown, both of which anticipate a large amount of federal employment through leased office space.

However, much of the needed space is being found in the suburbs because GSA has balked at paying the going rate inside the city—which may be as much as $7.50-a-foot on Pennsylvania Avenue and $10-a-foot in L'Enfant Center.

The staff report to the planning commission, which chairman G. Franklin Edwards said "raises very fundamental questions as to our system as a whole and as to the use of land and private property," detailed the federal spread to the suburbs since 1952.

Pointing out that government leasing only began in quantity after Congress balked at federal construction budgets in the early 1960s, the report shows the bulk of rented space is now in Virginia.

Until March of this year, the District led all jurisdictions with 6.6 million square feet of leased space. However, with the move of the Navy employes this summer, Virginia jumped to the top with 7.86 million. Most of the Virginia concentration is in Arlington County, where some 27,000 employes work principally in the Rosslyn area and the Jefferson Davis (Route 1) corridor.

Maryland trails the three jurisdictions with a mere 3.7 million square feet of office space, almost all of which is in Montgomery County.

The government now rents almost half as much space as it owns outright, the report added.

The Thursday staff presentation is the latest item in a series of studies the planning commission is doing on the impact of federal employment on the Washington area.

An earlier study, made in June by the local consulting firm of George Schermer Associates, called for direct control of federal office leasing by NCPC in addition to the agency's existing jurisdiction over federal construction in the area.

Sharply criticizing the government for scattering its rented office facilities throughout the area, the Schermer report urged the government and the NCPC to tie office complexes to housing and transportation facilities.

The government has been steadily dispersing its agency operations since 1950, when planners, under the shadow of the Korean War and the McCarthy investigations, began decentralizing the government in the interest of national security, the report says. In spite of definite decisions during the Kennedy years to reverse this trend, the cost of land and the destruction of the "tempos" like the old Navy building have forced the agencies into the suburbs.

Contemplating these facts, architect Paul Thiry, a commission member, commented that federal leasing policies seemed like "the dog is following the tail." Why, he asked, should the government run to suburban developers when it found it could not get space inside the city.

In an exchange with Dye and Edward Hromanik of the Commission staff, the commission suggested that the government might consider taking long-term leases on buildings to obtain office space where it wanted, rather than where the developers wanted.

Pointing to New York's Rockefeller Center as a prime example of a major office development constructed on leased land (Columbia University owns the real estate), Conrad L. Wirth suggested this might be one way to "get the building you want, where you want it."

TESTIMONY OF SENATOR HARTKE BEFORE SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS, COMMITTEE ON PUBLIC WORKS, APRIL 21, 1971

Mr. Chairman, I am deeply indebted to you for this opportunity to appear before your committee this morning.

The hearing comes at an especially appropriate time. Spring has come to Washington, and the budding trees and flowers have formed a beautiful frame around the city's buildings and streets. They serve to remind us that we are a very special city—a city which is the center of the Nation's cultural and historic heritage.

During the last several decades, many historic landmarks in Washington have been destroyed. These have been losses not just to Washington, but to the Nation as a whole.

In the name of progress, efficiency, and cost-benefit ratios, part of the heritage of this country has been destroyed forever.

Mr. Chairman, we can do nothing to right the mistakes of the past, but we can do a great deal to see that these mistakes are not repeated in the future.

In his message to Congress on February 8, 1971, President Nixon declared:

"America's cities, from Boston and Washington to Charlestown, New Orleans, San Antonio, Denver and San Francisco, reflect in the architecture of their buildings a uniqueness and character that is too rapidly disappearing under the bulldozer. Particularly acute is the continued loss of many buildings of historic value. Since 1933 an estimated one-quarter of the buildings recorded by the historic American building survey have been destroyed . . . (and) there are many buildings under Federal ownership for which inadequate provision has been made for restoration and preservation."

These words could not be more appropriate to the subject before your committee today. The old post office, which Wolf Von Eckhardt of the *Washington Post* described as a "glorious, romanesque castle" is to be destroyed so that a new Government office building can be erected on its site. Under the administration's plan, only its tower is to remain as a reminder of what was once a national landmark.

Mr. Chairman, I appear before you today to urge your committee to say "no!" to this senseless destruction. I urge you to oppose this plan in the interest of preserving a small, but important part of the Nation's cultural heritage and in the interests of building a revitalized city.

In making this plea, I join the residents of the metropolitan area who do not wish to see this city sterilized by new buildings which make it a ghost town after working hours. What the Nation's Capital needs is not more office buildings but more places and more activities which will serve as continuing magnets for tourists and residents alike—not plans for marble and glass palaces but plans for people.

In making this plea, I also join former presidential adviser Daniel P. Moynihan and architect Nathaniel A. Owings. Both of these men were instrumental in formulating what I believe to be ill-conceived plans for the renovation of Pennsylvania Avenue, yet both have been quoted as supporting efforts to save the old post office.

Certainly the administration can demonstrate that a new Government building could make better square-foot utilization of the land now occupied by the old post office, but human values cannot be translated into dollars and cents. When those human values are considered, I am confident that the old post office can serve as a place where people can come together to shop and to partake of their Nation's cultural heritage during the day and at night. That is a far more important function than any new government building can provide.

Mr. Chairman, once again, may I express my appreciation to you for this opportunity to share my views with your committee. I commend you for your sincere concern about this issue, and I commend the hundreds of people who have opposed this plan to destroy a part of their city.

[From the Washington Post, Mar. 19, 1971]

Granite Defiance

For 72 years now, the Old Post Office on Pennsylvania Avenue (between 11th and 12th Streets NW) has defied "in granite massiveness the planners and improvers who have marked it for coming destruction," as our 1937 WPA Guide to Washington puts it. What keeps bugging the planners and improvers is that this much beloved landmark with its lofty clocktower, Romanesque stone arches and high chateau roof interferes with the neoclassic boredom of the Federal Triangle. They wanted it destroyed when the Triangle was built in the late 1920s but public sentiment stayed its execution. In the late 1960s, still yearning for the completion of the Triangle, they decided again to tear it down, conceding only preservation of the tower to those of us who like to see architectural variety and respect for the much older building prevail along Pennsylvania Avenue. What would we do with the old building? they said.

Well, one thing to do with it, as several people have suggested, is to turn it over to the people, particularly the tourists, by using its magnificent spaces for exhibits, National Park Service displays of arts and crafts from all parts of the country, shops and restaurants as well as a hotel. Rather than adding still more federal office boredom, relieved only by the amputated tower, we could thus add an exciting new attraction to Pennsylvania Avenue and for far less money.

The suggestion seems to pain the planners and improvers in the General Services Administration who would have to change their minds and plans. But it seems to have aroused considerable interest among the downtown business community as well as on Capitol Hill. Sen. Vance Hartke (D-Ind.) and Sen. Mike Gravel (D-Alaska), chairman of the subcommittee on public buildings and grounds, seem especially interested. If enough people write them and speak up to sustain their interest, the Old Post Office may well survive another 72 years at least. It should.

[From the Washington Post, May 17, 1970]

Pennsylvania Avenue

The stretch of Pennsylvania Avenue that leads from the Capitol to the White House is, or should be, the "grand axis" of the city, and the nation. It symbolizes at once the separation of power and the fundamental unity of the American government. There can be no question that it must be rebuilt, as President Kennedy recommended, and that the eight-year-old project to make the avenue "lively, friendly and inviting as well as dignified and impressive" should be completed by the time the nation celebrates its 200th anniversary in 1976.

This end, however, may best be served not by another special commission or corporation, as the Nixon administration seems about to propose, but by making the grand plan for the grand avenue part of the overall renewal and revitalization of the entire central core of the nation's capital. That is what should be completed for the Bicentennial. There is no sense in running a parade of splendid new buildings through a slum.

The District government was certainly right to oppose the creation of a 17-man development corporation with the power, not only to condemn and demolish buildings but also to all but ignore the legitimate interests of the people of Washington. This concept of federal supremacy is as callous and unworkable as the notion of a huge National Square in front of the Treasury to which a number of fine and viable buildings, such as the Washington Hotel and the Occidental Restaurant, are to be sacrificed. We never saw much that was "friendly and inviting" about that Square.

In many respects the work of Nathaniel A. Owings and the other architects and planners, appointed by Presidents Kennedy and Johnson to the temporary Pennsylvania Avenue Commission, was a splendid exercise. In Daniel Burnham's phrase, they made "no little plans." But there are reasons their grand plan obviously failed "to stir men's blood." Their idea of a sunken or tunneled expressway under E Street, directly connected to underground parking garages, should, to be sure, be further pursued. But so should the original concept of avoiding a solid phalanx of government buildings. It was a tragic mistake, for instance, that the Commission did not insist on locating the theater, opera house and concert hall, that now make up the Kennedy Center for the Performing Arts, on the avenue. It was unfortunate that it did not try harder to put shops and arcades on the ground floor of the rather forbidding FBI Building.

The main reason the avenue has in all these eight years failed to attract private builders with the hoped-for hotels, offices and apartments, however, is surely that the redevelopment of the rest of downtown has so far shown so little promise. What is more, the plan was just too grandiose to seem convincing to investors, particularly since its creators proved less than successful in winning congressional support for it. And even though Daniel Patrick Moynihan, one of the original and most ardent Pennsylvania Avenue planners, is now in the White House, the plan suffered considerable indifference from that quarter, too.

If the White House is now really serious about the avenue it must bring the plan down to earth where the people, the small businessmen, the life and the vital interests of this city are. It must become part of the whole, complex mechanism by which we are trying to build the Metro and more housing and parking and municipal services and facilities.

This mechanism, to be sure, is creaky, slow and cumbersome. White House interest and support could do much to improve it. For it is only in the context of the whole inner city—including the riot ravaged ghetto areas—that Pennsylvania Avenue can be rebuilt.

Resumption of Senator Hartke's Statement

LACK OF PUBLIC PARTICIPATION IN THE DECISIONMAKING PROCESS

The planning process established by the pending bill fails to include residents of Washington, D.C. in the decision-making process. I make that statement in full knowledge that an effort is made to achieve that objective, but it falls far short. There must be more citizen representation on the Pennsylvania Avenue Bicentennial Commission, a greater role for the Citizen Advisory Committee, more adequate review of the Commission's plan by the National Planning Commission, the President's Advisory Council on Historic Preservation, and—not the least—by Congress.

The most successful urban planning is that which involves the people who must use the structures created under the plan. Beautiful buildings by day house workers and services which depart at night leaving inactivity in their wake. The more we concentrate on our attention on buildings and the less attention we pay to people, the more we create portions of the city which are deserted at night and of little use to city residents in daytime.

There has been a disturbing trend in this city to move those who live here further and further away from the "showcase" portion of Washington. The Capital is a city of monuments and buildings, but it is also a city of people. Many of those people come to Washington only to work, but nearly a million of them count this city as their home. Any renewal plan must not only envision Washington as a city of monuments, but also as a city of people.

Mr. President, the people of Washington must be an integral part of the planning and decision-making process involved in the revitalization of Pennsylvania Avenue. An editorial from the Washington Post which speaks to this point is as follows:

[From the Washington Post, Aug. 21, 1972]

A New Design for the Grand Design

It has been a little more than 10 years since the then Secretary of Labor, Arthur Goldberg, and other cabinet members were charged by President Kennedy with finding ways to create urgently needed new space for federal offices in the nation's capital. It was part of their recommendation that a program for building new offices be looked upon as an opportunity "to enhance the beauty and dignity of the seat of government." To this end the Goldberg committee urged the President to give particular attention "to the opportunity which now exists—but will not exist indefinitely—to undertake the redevelopment of Pennsylvania Avenue." As the committee saw it, the avenue was beset with blight and decay. The likelihood that the deteriorating buildings would soon be torn down and replaced, would "make it possible to bring government and private enterprise together" in a joint undertaking to plan for rebuilding the avenue into "the grand axis" from the Capitol to the White House that L'Enfant had intended it to be. But it did not happen that way.

A grand design was indeed drawn up by some of the country's leading architects and planners, headed by Nathaniel Owings. It was an imposing plan. It was supported by three Presidents. But nothing much happened save for the FBI colossus and one private office building. It was, it turned out, a mistake to assume that the very grandeur of the intent would carry its own momentum. Both Congress and private enterprise were lukewarm towards this enterprise.

Two years ago, President Nixon therefore took a new and more promising approach. He proposed to Congress to create a federal corporation with ample funds to draft a presumably more realistic plan and the power of eminent domain as well as the borrowing power to carry it out. Mr. Nixon expressed the hope that at least a good part of the ambition to turn Pennsylvania Avenue into "a concourse which will be lively, friendly and inviting, as well as dignified and impressive," as the Goldberg committee put it, would be realized in time for the 1976 Bicentennial. Again, the proposal was met by Congressional indifference.

But now the House Interior Committee has approved such a bill and there is new hope that the great undertaking may at last begin in earnest. The Committee, however, omitted all reference to the Bicentennial from the proposal, thus depriving it of its urgency. "The city of Washington was not even in existence during the Revolutionary War," argued Congressman Roy A. Taylor (D.-N.C.). But this omission is not all that disturbs us about the Interior Committee's version of the President's proposal. Though the mayor and the chairman of the city council, along with four residents of Washington, are among the 15 directors of the Pennsylvania Avenue Development Corporation, there are no provisions for local citizen participation in its planning work. It is to be largely a federal government effort and the final plan is to be approved by Congress alone. This can only enhance the misgivings on the part of many citizens and businessmen in Washington that the new Pennsylvania Avenue will turn out to be a federal enclave, an enlarged Federal Triangle, rather than "lively, friendly and inviting" and a bustling part of the downtown business district.

We hope that the opportunity for effective local participation will still be built into the bill as it makes its way through Congress. Pennsylvania Avenue is a part, a vital part of this city. And "the city," as Shakespeare knew, "is the people." They must take part in this grand design.

Resumption of Statement

Elimination of Vital Services

Mr. President, there is more at stake in the pending bill than historic landmarks and citizen representation in the decision-making process. Some of the buildings likely to be destroyed in the renovation of Pennsylvania house vital community services. Stores such as Hub Furniture, Lansburgh's and Morton's offer goods which are needed by people who live in and around downtown Washington.

Most stores are moving to suburban shopping plazas as more and more people join the urban exodus. Throughout the Nation, the middle income group is moving to suburbia, leaving cities to the poor. Businesses can move, but what about their customers? Not everyone is moving to the suburbs. Not everyone has a car to get to suburban shopping plazas. The businesses which are likely to be torn down by the Pennsylvania Avenue plan are businesses which serve the black community in Washington. We can revitalize Pennsylvania Avenue without eliminating these vital services.

A recent article on this subject which appeared in the Washington Post is as follows:

[From the Washington Post, Sept. 20, 1972]

Pennsylvania Avenue Plan

(By William Raspberry)

Maybe it's fitting that the hearing scheduled for Thursday (Room 3110, New Senate Office Building) won't be controversial.

Except for riots, most of the decisions that profoundly affect the course of urban life tend to happen noncontroversially, in hearing rooms, board rooms and club rooms.

And what could be less controversial than a hearing on the administration-backed proposal to set up a government corporation to redevelop Pennsylvania Avenue into a glorious ceremonial route?

And yet it is fair to say that the hearing involves decisions that could have profound influence on the basic character of the central city for years to come: whether it will exist for buildings and monuments or for people, including the people who live here.

Most of the proposals for redoing the avenue envision demolition of many of the buildings and most of the small businesses along the route, especially those near 6th, 7th and 8th Streets NW. There would be depressed roadways, pedestrian overlooks, underground parking and impressive monumental squares.

(While the specifics of the proposals will not be under consideration Thursday, many observers believe that any corporation growing out of the current bill would virtually have to accept the notions forwarded by Architect Nathaniel Owings as chairman of the Pennsylvania Avenue Commission. The corporation would have only a year, with four meetings, to submit a plan to Congress, too little time to do much more than ratify the Owings plan.)

Clearly there is nothing controversial (except, perhaps, the amount of money it would cost) about making Pennsylvania Avenue into a grand boulevard, removing the eyesores along adjacent streets in the process.

But what is easy to overlook is that those eyesores are serving people, many of them carless families who don't have the option of shopping on Rockville Pike instead of 7th Street.

Among those businesses sure to be affected are Hub Furniture, Lansburgh's and Morton's. The businesses, of course, could move some place else. The question is: Where do their customers go to shop?

Spend a few Saturday-morning minutes at Morton's, and you'll see that you're talking about an awful lot of people. You'll also see that many of the buildings in that 7th Street area are ugly and rundown. But if the idea is to prettify the area without changing its essential character, you can write legislation to do that.

Some of us are afraid that an altogether different kind of idea is involved, an idea in the minds of some people of what a city ought to look like if it is to be attractive to tourists. And one of the requirements (unless it happens to be in the Caribbean or some such) is that there not be too many poor black folks around.

This has very little to do with conscious racial prejudice; it is a matter of esthetics. Poor people look so incompatible, don't you see.

One way to get rid of these unsightlies is to get rid of the things that attract them; the stores where they shop, for instance.

To the degree that this is even an unconscious consideration, the Pennsylvania Avenue proposal could lead to an acceleration of the trend that is shoving the black poor out of downtown to make way for the black and white middle-class. What happens with the avenue cannot be sperated from the pressures currently being felt in the Mount Vernon Square area, for instance, or in Chinatown.

And yet, too little weight will be given these matters at Thursday's hearing before Sen. Alan Bible's National Parks and Recreation Subcommittee of the Senate Committee on interior and Insular Affairs—not because of the press of legislative business and the feeling that time is running out.

The Pennsylvania Avenue business began as a part of the bicentennial preparation, and there is fear that if the legislation isn't enacted in this session of Congress, it will be too late to get anything built by 1976.

It may already be too late for that, in which case the best thing to do for the time being is nothing.

Permitting the whole business to lie fallow until the next session would provide time for the right questions to be raised and answered. And this time at least some of the answers ought to be supplied by the people who live here.

Conclusion of Statement

No one can object to the need for a program which will revitalize Pennsylvania Avenue. What is objectionable is a plan which destroys rather than creates; a plan which is for buildings rather than people.

Had the Nixon Administration been earnest in its desire to see legislation passed this session, it would have entered into good faith negotiations to formulate legislation which would meet the types of objections which I have raised today. Instead, the Nixon Administration withdrew from those negotiations leaving the Congress with legislation which is both unwise and unacceptable.

I oppose the Pennsylvania Avenue bicentennial bill in the form it has been reported, and I urge the Senate to reject it.

NATHAN CUMMINGS BASIC SCIENCES BUILDING, MOUNT SINAI SCHOOL OF MEDICINE

Mr. JAVITS. Mr. President, it was my honor to participate in the recent dedication of the Nathan Cummings Basic Sciences Building at the Mount Sinai School of Medicine of the City University of New York.

This new building is named for a longstanding personal friend, Nathan Cummings, a highly successful business leader, a leading art collector and a most generous philanthropist who donated $5 million to the Mount Sinai Medical Center expansion program.

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As a member of the Subcommittee on Health of the Committee on Labor and Public Welfare, of which committee I am the ranking minority member, it is gratifying that private philanthropy in the area of health facilities construction is alive and flourishing, as evidenced by this extremely generous gift by Mr. Cummings. Government funding programs cannot do the job alone, and should not be expected to. There is a vital role the private sector giving must take in a creative partnership with government.

The Nathan Cummings Basic Sciences Building provides vital facilities in which medical school students, plus other students in related paraprofessional fields, will receive their training in the basic sciences, the essential base for the clinical years of medical training. The building also houses the biomedical sciences doctoral program of the Graduate School and University Center of the City University of New York.

Gustave L. Levy, chairman of the board of directors of the Mount Sinai Medical Center, presided at the dedication ceremony, along with Dr. Hans Popper, acting president and dean of Mount Sinai School of Medicine, and Dr. S. David Pomrinse, director of the Mount Sinai Hospital.

I ask unanimous consent that my remarks and those of the other dedication speakers be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Javits Terms Methadone Maintenance Waiting Lists "Scandalous"

(Remarks of Senator Jacob Javits)

One of the greatest challenges facing New York in the field of health is the tragic fact that we have a proven successful treatment modality for heroin addicts, whose addiction and the soaring crime it induces are threatening to suffocate New York City. Yet to our great dismay there is a gap between our scientific expertise and our capability to provide methadone maintenance treatment to thousands of addicts voluntarily seeking its help.

We realise that methadone maintenance is not a cure for all addicts. But it is a proven treatment modality for certain addicts in order to combat the scourge of heroin abuse which causes such extensive crime.

Methadone has been shown to be safe when properly administered. It has no more inherent danger than other drugs when they are abused or improperly administered.

Medical practitioners are aware that there is a calculated risk in using any drug to treat a patient. This risk must be balanced against the need and, as in this case, the possible benefits. On balance, methadone for maintenance must be considered as safe as penicillin, aspirin, tranquilizers, and sleeping medicines are for ther specific uses.

Methadone maintenance is an interim solution until we can prove that other means are more effective or, best of all, develop a non-addictive antagonist. No claim is made here that this is the optimum way to proceed. But with tens of thousands of human beings on the streets who conduct themselves like "mad dogs" toward other people, methadone maintenance seems to offer us the only immediate relief. The lives they take in crime can never be reclaimed. We must try to whatever extent possible to dam the flow of their unbelievable sickness which now makes society the victim.

We have in New York City the unhappy distinction of having about half the addicts in the United States, an estimated 250,000. Some estimates go as high as 325,000. The mere concept of maintaining this widespread habit, which is estimated to cost probably $100 a day, just boggles the imagination. When one multiplies 250,000 addicts by $100 each day to maintain the habit, and multiplies that aggregate figure for every day of the year, he can see why I speak of suffocating New York City in criminal activity of no less than $25 million a day, $175 million a week, and $7 billion a year.

The gap between proven health care and addicts seeking it is demonstrated by the scandalous enormous waiting lists for treatment in methadone maintenance programs: in New York there are approximately 18,000 addicts on methadone waiting lists. That means $2 million in crime a day and almost $800 million a year—and that is just for those addicts on the waiting list who have not been reached for methadone maintenance treatment programs.

We simply cannot afford or allow these waiting lists for methadone maintenance, and I propose that we give the first priority to wiping them out in the administration of the drug abuse, anti-poverty and welfare programs from now on.

I authored the "Drug Addict Treatment and Rehabilitation Act" (S. 2840) to try to promote the establishment of comprehensive State and local methadone maintenance programs.

I know that the methadone maintenance treatment program of Mt. Sinai is a classic example of the methadone program envisioned in my bill. Along with the medication—methadone—the Mt. Sinai program provides the supportive services to help the patient in his efforts to become rehabilitated and lead a socially acceptable and productive life. I believe that providing such assistance is a responsibility we must accept in treating the "whole person". Mt. Sinai is truly seeking to combat the scourge of heroin abuse, which is New York City's most devastating plague.

To the credit of Mt. Sinai—in addition to its teen drug abuse clinic and its medical care to therapeutic drug free programs—there are 350 addicts in treatment. They receive methadone and the supportive services of physicians, nurses, social workers, ex-addicts and other counsellors under the leadership of Dr. Barry Stimmel. Yet, Dr. Jaffee, Director of the President's Special Action Office for Drug Abuse Prevention, informs me that there is a waiting list of more than 500 addicts seeking help from the Mt. Sinai program. In fact, I understand that because of lack of physical space to bring addicts into treatment, Mt. Sinai is not even accepting these addicts' applications for treatment.

This building, which we are today dedicating so proudly as a tribute to the generosity of Mr. Nathan Cummings, indeed represents a rare opportunity. Not only will it provide for sophisticated scientific research in all the basic science areas—including a concentrated effort to find a better way of combating heroin addiction than even methadone maintenance—but also, herein the Nathan Cummings Basic Sciences Building, almost 200 gifted and dedicated young Americans from all parts of the country are undergoing the arduous training leading to careers as doctors of medicine. I hope many will seek careers in community medicine.

Here, too, is assembled a faculty of exceptional quality—men and women of national and international renown who have devoted their lives to the painstaking pursuit of the causes of diseases which afflict humankind. This faculty, some of whom are on the platform with me, is indeed a rich and rare one. In anatomy, biochemistry, microbiology, physiology, pharmacology, they have added unique insights to the basic language of science—and perhaps one will find the cure to the narcotics scourge.

The experience of addiction validates the principle that although not an infectious disease in the true medical sense, it is a communicable disease; one drug user turns and feeds on another. It is a public health menace. If we can refine the urine screening procedures in the detection of drug use to assure absolute accuracy, we can then use them in much the same way we would use a chest X-ray if we were having an epidemic of tuberculosis. We can diagnose addicts early, and in the process of treatment, keep them not only from becoming dependent, but at the same time, remove them from their associates in cases where the tendency of the drug user is to share that experience.

Heroin maintenance is not an answer since it is nothing but a "cop-out" and an admission of defeat. What good is it to supply the addict with the heroin he craves, when, first, we do not have the resources (facilities or personnel) to provide other less demanding forms of treatment assistance and, second, we do not rehabilitate but rather destroy the addict as a functioning human being in society via heroin maintenance? Moreover, freely to give the addict heroin provides a resource for him to drag others into becoming addicts while constantly asking the program to increase his alleged dose; or if he is not receiving a sufficient dose—needed four to five times a day and I assume no take-home privileges—he will continue to steal to feed his unrequited habit.

A recent New York City report gives encouraging evidence that voluntary entrance into New York City's methadone maintenance program materially reduces drug addict crime. For those drug addicts in treatment for 18 months or more, patients who had at least 2 arrests in the year prior to their admission into the program, there was a 96 per cent decrease in arrests. When we see from reports like this one that methadone maintenance programs can result in rehabilitation of thousands of people who otherwise would be hopeless heroin addicts and a scourge upon society, we have a duty to eliminate the waiting lists while the search for an antagonist and other effective long-term solutions goes on.

Proceedings of the Dedication of the Nathan Cummings Basic Sciences Building, Mount Sinai School of Medicine, of the City University of New York

(Presiding: Mr. Gustave L. Levy, chairman of the board)

DEDICATORY EXERCISES

Mr. Levy. Thank you very, very much, ladies and gentlemen, for coming to this wonderful occasion. And I want to tell you how grateful I am for all of Nathan Cummings' family and friends for coming to this most memorable occasion that it really is. And, Nate, you all have been so generous in dedicating this marvelous building in which we're going to teach people for many, many years.

Dr. Hans Popper, Dr. S. David Pomrinse, members of the faculty, Sponsors of our School, distinguished guests and, again, close friends and relatives of Nathan Cummings . . . We come together this afternoon from different backgrounds and ways of life to share in a common and historic joy.

As we meet for this brief but meaningful dedication, I think of the time when this building was simply a garage for Fifth Avenue buses. What vision and courage it took to imagine that within the span of but a few years this building would be transformed into an institution of learning, a hub of research, a center for hundreds of bright young minds, and a faculty of intellectual giants whose writings are housed in every medical library throughout the world.

Didn't the Proverbs say it for us: "Where there is no vision, the people perish"? Our Mount Sinai Trustees had vision—and if I may be excused for bluntness, they had guts. They saw the need with crystal clarity. They saw sick people who needed physicians. They saw bright young minds hungry—yes, hungry—to become doctors and practitioners of the noble art of science and medicine.

And these Mount Sinai Trustees saw an ugly wall keeping the two apart.

Are we sophisticated enough now to mention the word "quota"? These dedicated Trustees, these generous Milton Steinbachs and Joe Klingensteins and the Annenbergs and so many others, were torn by the terrible paradox: long lines of young physicians who found the doors to medical schools closed in their faces.

We saw faculty members—no less than students—suffering from discriminatory practices and promotions at medical schools throughout the country.

And as we walked through the halls of Mount Sinai, we saw, too—and glowed with pride—our clinical giants. (The late George James was right when he reminded us that we at Mount Sinai were standing on the shoulders of giants.) We saw these great clinicians walk the halls of our Hospital, work in our clinics and dispensaries and wards and the rooms of our Hospital.

And we said, "All we have to do to create a School of Medicine is to form a simple partnership of Trustee, of physician, of The City University of New York, of our great Governor, Nelson Rockefeller—a good man to have in a partnership—and a Jack Javits and a forward-thinking Board of Regents." And we would put it altogether in the form of a new school of medicine.

Not so easy, many told us. The idea is great. The need is acute. But it can't be done. However, our Mount Sinai Trustees are funny, crazy people. The need for a new school of medicine was so clear. We had attending physicians who could give us their exceptional skills and devotion. We could recruit a faculty to match in excellence the reputation of our attending giants. Why, sure, it might take a lot of money to put it all together—and I might add that it did.

We have some pretty sharp business heads on our Board of Trustees, but who could guess then that in five years the cost of constructing the Annenberg Building would zoom from $57-million to over $100 million?

But that was yesterday. We are talking about today and tomorrow.

I promised our good friend Nate Cummings that our words today would be as brief as our attainments are long. So let me say this briefly. Our Mount Sinai Board has invested in a new generation of physicians. We have invested in a faculty of excellence and international renown. We have provided our students with the most sophisticated weapons of scientific equipment.

We have now graduated three classes of young physicians—106 in all—who are serving their internships and residences at Mount Sinai and the finest hospitals throughout this nation. And today—thanks to you, Nate—we are starting a new page in our glorious 120-year history.

We dedicate this building, which proudly bears your name, as our loving and living tribute to a man of art, of science, of innate interests in medicine, of philanthropy. The names of Mount Sinai and Nathan Cummings are now welded in a common purpose and in the mutual determination that the people of our community and our nation shall be the healthier and happier for what we dedicate here today.

And now, ladies and gentlemen, it is my deep pleasure to introduce, first, a man of endless achievements—a man who wears more hats than I could possibly detail.

In the field of liver diseases, his name indeed leads all the rest.

His writings and scientific investigation can be found in the medical libraries of the world. Students and scholars the world over are richer for his creative and tireless work.

Here at Mount Sinai, he is our Acting President and Dean, and, I am proud to say, the Gustave L. Levy Distinguished Service Professor. His professional peers, nationally and internationally, have exhausted the honors and prizes they can confer upon him.

But at Mount Sinai, we love him best because he was our first Dean of the School of Medicine, before George James, and because in his love of students and his faculty and clinical colleagues, he will always be our "Poppa"—our Dr. Hans Popper.

Dr. Popper. Thank you for this introduction. I am proud that you talk about me in this flattering tone. I would like to take this opportunity to thank you, Gus, publicly for all the help and support you have given me this last half year since the death of George James. For us, physicians and scientists of Mount Sinai, this dedication of the Nathan Cummings Basic Sciences Building represents a great day.

Ever since that historic event just about four years ago, in 1968, when we greeted our first student, this building has been in constant use. It was in this very room that the first formal lecture was given to 27 freshmen medical students, and since then, these students were joined by many others, both medical, graduate and post-graduate students.

We cherish this building which made it possible for us, just as Mr. Levy pointed out, to become a young medical school based on a hospital with a known and proud tradition. We added to the existing facilities and to the existing staff of the Mount Sinai Hospital both new facilities and new scientists, formally representing at this time the sciences basic to medicine. Individually such scientists have been for a long time in the laboratories and in the wards of Mount Sinai Hospital. But only here in this building, these scientists found their permanent home and enabled the institution to have departments of Anatomy, Biochemistry, Microbiology, Pharmacology, and Physiology. In this sense, this building symbolizes the foundation of a medical school and the ideas on which it was founded.

We said, in these early years of the founding of the School, that quantitative biology would be one of the pillars of our school, and this quantitative biology has been and will be conducted in the laboratories of this building. We said at that time we would be concerned with the individual patient, with his illness and his dignity, and in this building and in this room the basic sciences are being integrated with clinical medicine.

Here, in addition to the medical and graduate students, we are teaching the postgraduate students, under the auspices of The Page and William Black Post-Graduate School. We also said in these early years that we wished to apply the fusion of quantitative biology and of clinical experience to the community, and, again in this room and in the others of this building, many of us have presented lectures in planning what is now called "outreach" in the community where people live and work. And, most important, just as Mr. Levy mentioned, while we were interested in a different aspect, one has been the key word of this institution—and hopefully of this building—the maintenance of excellence.

This place has served, and will now serve with even more pride, as the Nathan Cummings Basic Sciences Building, incorporating all the varied aspects and the various programs of our School. It will continue to serve as a center for nearly 200 medical students and in its multidisciplinary laboratories across the hall from here, it serves as a virtual home base for almost 100 students in the first and in the second year. Here we are learning what we eventually want to complete when the Annenberg Building is up. Here we are experimenting with the problems of medical education. But at the same time, basic science is conducted with all the skills and all the sophisticated equipment characterizing the modern medical school.

Mr. Cummings, Mrs. Cummings, I know you both are well known as patrons of the arts, and I am sure you know that behind the beautiful work of the artist is the skill of the artist. Similarly, behind the complexity of these laboratories and of this equipment is the skill and the knowledge of the scientists. Many of them are here, but we have asked their representatives to join us on this platform to help me express our gratitude to you. Mr. Levy has just introduced them to you. Forgive me if I add in this introduction the keen importance which these few who were asked to be heard represent to medical science.

Dr. P. G. Katsoyannis, whom you met just before, our biochemist, is internationally known for many things, not the least of which was his achievement in synthesizing a protein which you all know as insulin.

We are proud that Dr. Edwin D. Kilbourne, our microbiologist, is a man of many parts. The students know he writes witty poetry, but we love him and respect him for his work in influenza vaccine.

Dr. Jack Peter Green is our pharmacologist, whose work covers many aspects of drug use, particularly those concerned with behavior and with drug addiction, and his elaborate techniques have brought many visitors from all over America and the world to learn from him.

Dr. Irving Schwartz is our physiologist and Dean of the Graduate School. His work, with his colleagues here and at Brookhaven National Laboratories, is ingenious and it is fundamental. His studies in elucidating the cellular action of hormones has brought great fame to him and with it to our School.

These men are representative of a large research group. All of them—they and what they represent—are distinguished as teachers.

Mrs. and Mr. Cummings, ladies and gentlemen, today as we formally dedicate this building, my colleagues and I dedicate ourselves to the pursuit of scientific medicine indicated with the need of the patients and the demands of the community. For all of us, we want to thank you again and our many friends in the auditorium for all that you have done for us, for your confidence, your financial support and, most of all, for your friendship.

Mr. Levy. I am now most privileged to present to you a very unusual force in the life of Mount Sinai. He is the tenth in the long line of distinguished physicians and administrators who have guided the day-to-day life of The Mount Sinai Hospital.

In his quiet, pipe-smoking fashion, he has provided energetic leadership as Director of this Hospital, which takes care of 150,000 patients each year.

And yet, amidst an incredible volume of daily details, he has been giving our Board thoughtful and imaginative projections for Mount Sinai's greatest decade of development in its century of service.

I am very proud to present the Director of The Mount Sinai Hospital and Professor of Administrative Medicine of the School . . . Dr. S. David Pomrinse.

Dr. Pomrinse. Thank you, Gus, for your most gracious introduction. I know we are all eager to hear Senator Javits and Nathan Cummings, so I shall be brief.

The Oxford Dictionary of English Etymology tells us that the word *dedicate* comes from the Latin *dedicare*—to proclaim, to devote, to consecrate. And that is precisely what we are doing this afternoon.

We are *proclaiming* that the Nathan

Cummings Basic Sciences Building is but a beautiful beginning. For the first years, our perceptive, lively and often ruggedly individualistic medical students start to learn their basic sciences.

Soon, with renewed confidence and growing stature, they *devote* this basic wisdom to the living tide of humanity who come to our Hospital day and night for health and hope and life.

Finally, ten feet tall, almost, they *consecrate* their lives, like Hippocrates, Aesculapius and Maimonides, to the healing of the sick, the suffering and the anguished.

To me, Mr. Cummings, as Director of our Hospital, my greatest joy in this building that will now bear your name in perpetuity, is the gratification that in years to come, young physicians in San Francisco, Albuquerque, Houston, Chicago, Baltimore, New York, Israel—and, yes, your native New Brunswick—will bring to the people of those far-flung communities the basic scientific wisdom and clinical skills they first imbibed in your building at Mount Sinai.

So we thank you for your vision, for your concern for medicine and for your inspiring generosity. For our large Mount Sinai "family," I express our heartfelt gratitude to you and Mrs. Cummings.

Mr. LEVY. Many of you here this afternoon know Nate Cummings well. Many know Nate more as a legend than as a man.

In the spirit of brevity, I refer you to our printed program of the day, where you can read for yourselves the story of this "Renaissance man."

Perhaps my task as your Chairman should be a very simple one—to show Nate and you the artist's rendition of the Nathan Cummings Basic Sciences Building. . . . Mr. and Mrs. Cummings, we wanted you to have this picture of your building. What you see now is lovely Italian travertine stone.

But it's what's inside that really counts: the 200 students, the faculty of excellence, the exceptional library, the sophisticated equipment—the endless struggle to forge new weapons against mankind's oldest diseases.

Nate, we have been proud of many things at Mount Sinai in the course of our 120-year history. But let me tell you this: I am proudest now that the name of Trustee Nathan Cummings and the Nathan Cummings Basic Sciences Building will be forever enshrined at Mount Sinai as an enduring monument to a truly extraordinary and inspiring member of the human race and to his gracious and lovely Joanne.

Mr. NATHAN CUMMINGS. My family and I are deeply moved by the many beautiful words you have said to us this afternoon. And yet, it's quite obvious to all of you that I have such mixed emotions. I was a poor boy, born in St. John, Canada. My father was born in Vilna, Lithuania. I never graduated from grammar school.

Teachers and principals and deans of medical schools and presidents of universities have always filled me with awe. And yet, I find myself standing before these artists of medicine, these writers of medical textbooks, this auditorium of learned physicians and scientists to talk to.

So, let me speak simply to you from a full heart and share with you a few thoughts that may even make sense to a doctor of philosophy.

I have learned—and it has even paid off—that there are three fundamental facts of life which can serve us as bedrock: 1) integrity 2) quality 3) hard work.

I was attracted to Mount Sinai Hospital by the late Dr. George James and Gus Levy because of its outstanding reputation. The dedication of your physicians and trustees was known throughout the world.

Even in Manchester, New Hampshire, where I worked in a little shoe store—I was 14 years old then—I heard of Mount Sinai Hospital. During the year I spent in New York as a young teen-age apprentice, who did not know the integrity of Mount Sinai Hospital? The names of your "giants"—Bela Schick, Bernard Sachs, Emanuel Libman, Leo Buerger, and so many others.

I mentioned the word "quality" as one of the credos of my life. If one wanted the finest quality of medicine in New York City, one would first think of Mount Sinai.

"Hard work." I have been no stranger to hard work, and I need not tell you that hard work has brought me the beauties of mankind. Mount Sinai, to me, was the epitome of hard work—of excellence—of quality—of integrity.

Like the rest of us, I am by this time a reasonably sophisticated man. But when George James and Gus Levy came to me in northern Michigan last summer and said, "Nate, we want you on our Board at Mount Sinai," my heart was full.

I enjoy good health. I am blessed by many friends. I surround myself with beauty in what is, unfortunately, in this present day, a very ugly world. But that's going to change!

I tell you in all honesty that seldom have I been so moved as when my wife, Joanne, reported on her visit to the Basic Sciences Building not so long ago and told me about the enthusiasm of your students in the library in the labs and in the recreation center.

Thus, I have joined the Mount Sinai Board with joy.

I realize that we have walked on the moon. We have grown crops in the desert. We have lengthened our days on this earth. We have transplanted hearts and other organs. We have split the atom, but we still see the ravages of cancer and heart disease, the puffed bellies of undernourished children and the palsied limbs of our old parents and relatives.

There is much to be done. A great scientist said it for me: "Man is here for the sake of other men. Above all, for those upon whose smile and well-being our own happiness depends and also for the countless unknown souls with whose fate we are connected by a bond of sympathy."

You have made me endlessly happy by dedicating this lovely building to me this afternoon. Yes, we have some beautiful works of art in our home. But this now becomes a very, very prize possession, which I hope (in perpetutity) will continue in the Cummings family.

I dedicate myself anew to the work of your Mount Sinai "family," of which I am happily one—to that day, God willing, when together we can find ways to prolong life and make this a better world for humanity. Thank you very much.

Mr. LEVY. The story of a Jack Javits is the story of so many Americans: humble beginning, constant striving for the finest standards of personal integrity, development of potential skills.

His tireless service as the Senior Senator from New York—his special insights and concern for the people's health—his dedication to peace, justice, the dignity of his fellow man—are all too well known for me to recite to an audience such as this.

Let me therefore simply introduce him as a special friend of Mount Sinai, an advocate of the poor, the disadvantaged, the lonely and the sick.

With special pride and warmth, I present our great Senator and good friend . . . Senator Jacob K. Javits.

THE PRESIDENT PLAYS GAMES WITH WATER BILL

Mr. MUSKIE. Mr. President, 13 days have now passed since the House and the Senate overwhelmingly approved the Federal Water Pollution Control Act Amendments of 1972 (S. 2770) and sent the legislation to the President.

The White House has followed the progress of this legislation carefully. The issues presented by the bill do not require 13 days of study. In my floor remarks when the conference report on S. 2770 was considered, I urged that the President give the bill prompt attention and forgo the temptation of a pocket veto. One week ago I wrote to the President and further outlined for him the consequences of a pocket veto for the water pollution program and the personnel on the Federal and State levels. In that letter, I pointed out that:

> The only possible result of a pocket veto will be the termination of the program and the loss of thousands of jobs.

Since then, Administrator William Ruckelshaus of the Environmental Protection Agency has written a strong, 33-page letter to the OMB making many of the same points made in my letter and urging that the bill be signed.

The President has not responded to my letter nor to the Administrator's plea that the bill be signed. The legislation continues to sit on his desk as he plays a game of "chicken" with the Senate and the House—clearly hoping for a chance to quietly exercise a pocket veto.

I hope, Mr. President, that the Congress will remain in session long enough—until midnight tonight—to deny him that chance. In any event, I promise the President that there will be no quiet veto of this legislation—pocket or otherwise. Too much is at stake to let such an action go unnoticed.

So that Members of the Senate and the House will have access to the advice that the President has received from Mr. Ruckelshaus and myself in the event that we must respond to a Presidential veto, I ask unanimous consent that the letters to which I have referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON PUBLIC WORKS,
Washington, D.C., Oct. 10, 1972.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On October 4, the House of Representatives passed the Federal Water Pollution Control Act Amendments by a vote of 366 to 11. Later that day, the Senate concurred with the House on a unanimous vote of 74 to 0, and the bill was sent to the White House for your action.

As Chairman of the Subcommittee on Air and Water Pollution, I cannot urge strongly enough that you sign this bill. In my view it represents a significant legislative accomplishment: the combination of what the Senate and House Conferees felt were the best features of the Administration's proposals, the Senate bill and the House bill.

I have been aware for some time of your concern that the level of funding authorized by S. 2770 would be unacceptably high, and I would like to make two points with respect to that concern:

First, in an effort to meet that objection, the Senate and House Conferees accepted an amendment offered by Congressman Harsha which would give the Executive significant flexibility by providing that funds authorized to be obligated need not be committed.

And second, controlling water pollution

will be expensive, but the cost of the program ought to be compared with the cost of non-action. The Third Annual Report of your Council on Environmental Quality stated:

"The costs of effectively controlling pollution are well within the capacity of the American economy to absorb, although there will be some transitional problems. Our Nation's quest for environmental quality can be attained without sacrificing a healthy, dynamic economy. Failure to act would cost the Nation dearly in health impairment, loss of recreational resources, and a decline in the quality of life."

In all significant respects, I think that this bill meets your call for tough, new laws, and that it merits your signature.

Prior to the Senate's final action on the legislation, reports had circulated that there was a strong possibility that this bill would be vetoed. Prompted by these reports, I expressed the hope during Senate debate that you would not use a pocket veto to ignore the action of Congress. I urged that you recognize that "a Congressional statement of public policy as clear and as definite as our action today deserves an affirmative response one way or the other."

Because several members of the Administration, including Mr. Ehrlichman of your staff, have privately and publicly indicated that a veto remains imminent, I would like to take this opportunity to expand on the statement I made on October 4 concerning the dangers of a pocket veto.

As you know, the Environmental Protection Agency is currently operating certain aspects of the water pollution control program through residual funds available from past appropriations. If the prerogative of a pocket veto is exercised, Congress will have no opportunity to respond—either by overriding a veto or by sustaining the veto and enacting continuing authority for the water pollution control program. If Congress were to sustain a veto, it would have both the responsibility and the authority to provide for interim continuation of the program. Since the program cannot be continued by Presidential action, however, the only possible result of a pocket veto will be the termination of the program.

I do not have to point out to you the consequences of termination for the water pollution control program itself. As I stated in the Senate, a pocket veto will mean that "before Congress can act again, more lakes and streams will die, more rivers and bays will drown in human and industrial wastes, and more precious time will be lost in a battle where time is running out on our future."

Equally serious, however, are the consequences of termination for the men and women who work in these programs. In an August 2 letter to the Committee, EPA Administrator William D. Ruckelshaus stated that "termination will require the furloughing of nearly 1200 people throughout the country who are currently associated with the conduct of these activities. . . . Obviously this action not only would have a devastating effect on the programs, but would also create a serious economic and morale problem for the people involved. We cannot overemphasize the critical importance of the need for the Congress to enact authority for us to continue these programs."

In a July 25 letter to the Committee, Governor Mandel of Maryland, Chairman of the National Governors' Conference, and Governor Preston Smith of Texas, Chairman of the Conference Committee on Natural Resources and Environmental Management, told us:

". . . Without legal assurance of continuity of the Federal program, the States must discontinue the employment of great numbers of employees whose salaries depend upon the grants that provide the Federal share of the jointly funded program. Many key personnel who have responsibilities for monitoring, surveillance, analytical work, laboratories, and other important areas will be lost to the water pollution control effort. With the loss of these key personnel essential activities must be restricted or even eliminated in some States."

"In many States there is no legal authority to finance the payment of salaries from State funds based on a hope, or belief, that Federal funds will sooner or later be forthcoming. In addition, the uncertainty of retroactive pay would encourage employees to seek employment elsewhere. Replacement of these valued and experienced employees, when Federal funds do become available, would be extremely difficult. We do not believe the Nation can or should tolerate such a severe disruption in the continuity of its protection of the water environment."

Mr. President, I do not believe that the men and women whose valuable talents have meant so much to progress in water pollution control on the Federal, State and local levels should be held hostage while debate continues over the fuutre shape and scope of the Federal effort. Since only Congress can provide the means to continue their work—either by insisting that S. 2770 become law, or by sustaining a veto and fulfilling its responsibility to enact continuing authority, I urge that you act one way or the other on this legislation before the end of this week so that Congress will have an opportunity to respond.

Sincerely,

EDMUND S. MUSKIE,
U.S. Senator.

LETTER FROM WILLIAM RUCKELSHAUS, ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION ADMINISTRATION, TO THE OFFICE OF MANAGEMENT AND BUDGET, OCTOBER 11, 1972, RECOMMENDING PRESIDENTIAL APPROVAL OF S. 2770, THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972

The essential provisions of each Title of the bill are set out below:

TITLE I—RESEARCH AND RELATED PROGRAMS

1. Goals and Policy—A national goal to eliminte the discharge of pollutants by 1985 is announced. An interim goal—the attainment of water quality to support fish and wildlife and recreation by 1983—is also provided.

2. The law would be changed to provide that EPA determine the need for and the value of water storage in Federal water resource projects for purposes of water quality control.

3. No hydroelectric projects can include storage for the purpose of water quality control unless the Administrator certifies the need. (This is a new provision.)

4. The old section 3(c), Basin Planning Projects, and Federal support are retained.

5. There is a requirement that a national water quality surveillance system monitoring the quality of navigable water, the contiguous zone and ocean be established. EPA is to utilize the resources of NASA, NOAA, USGS, and the Coast Guard in designing such a system.

6. Research on tools and techniques for making cost-benefit studies of activities subject to regulation under the Act shall be conducted and reported to the Congress.

7. The enrolled bill requires that EPA construct the National Marine Water Quality Laboratory.

8. Research and demonstrations on vessel waste systems have been transferred from EPA to the Coast Guard.

9. A waste oil disposal and utilization study is required with a report to the Congress within 18 months.

10. Annual reports will be required on research activities devoted toward developing methods and systems for reducing the total flow of sewage.

Grants for research and development

1. Grants are provided for demonstration river programs.

2. Grants are authorized to assist in the development of waste management methods directed toward no discharge of pollutants and toward new and improved testing methods.

State program grants

State program grants authority under existing law is substantially revised.

1. Authorization are increased to $60 million in Fiscal Year 1973 and $75 million in Fiscal Year 1974.

2. Allocations of grant monies are to be made in accordance with the extent of the pollution problem of the various States.

3. States must not reduce expenditures on pollution control programs below those for Fiscal Year 1971.

4. Beginning with Fiscal Year 1974, State grants will be contingent upon State monitoring programs complying with Section 305 and State authority to act in emergency situations as provided in Section 304.

Great Lakes Corps participation

The legislation directs the Corps to design a waste water management program to rehabilitate Lake Erie. EPA will cooperate with the Corps in such a design. Detailed engineering design of such program is contingent upon further legislative approval of the Congress.

Lake Tahoe study

EPA, in conjunction with other governmental agencies, is to conduct a study of appropriate Federal and State interest in the Lake Tahoe region and to provide to the Congress within one year a legislative program in that regard.

In-place toxic pollutants

EPA, in conjunction with the Corps, is authorized to remove and dispose of in-place toxic pollutants in harbors and navigable waters. $15 million is authorized for such activity.

TITLE II—GRANTS FOR CONSTRUCTION AND TREATMENT WORKS

1. $18 billion of contract grant authority is provided for Fiscal Years 1973, 1974, and 1975 for new projects.

2. $350 million is authorized to be appropriated for Fiscal Year 1972 (funds appropriated but heretofore unauthorized) for grants to be made in accordance with Section 8 of the Act as it existed prior to the enactment of the 1972 Amendments.[1]

3. $2 billion is authorized to be appropriated for the purpose of reimbursements at 50% or 55% level for projects constructed during the period 1966 to 1972.

4. $750 million is authorized to be appropriated for reimbursement at the 30% level for projects constructed during the period 1956 to 1966.

5. The Federal share for new projects constructed with Fiscal Year 1972 funds (grant authority) and Fiscal Year 1973, Fiscal Year 1974, and Fiscal Year 1975 funds (contract-grant authority) shall be 75%. There is no percentage requirement for State or community matching funds.

6. A minimum of secondary treatment would be required for all new projects, the construction of which is commenced after enactment but prior to June 1974. Thereafter, best practicable control technology must be employed.

7. Allocation shall be made in accordance with the *Cost of Clean Water* survey of needs (incorporated by reference as a published House document). Allocation for Fiscal Year 1975 shall be in accordance with a new needs survey and a subsequent legislative enactment.

8. User charges will be applied to all users

Footnotes at end of article.

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of a publicly-owned facility for operation and maintenance. An additional charge will be applied to industrial users for the capital cost. The community may retain an amount equal to the non-Federal share of the cost of construction and an additional amount determined in accordance with regulations for the expansion and reconstruction of the project. Any remainder is to be returned to the Treasury.

9. Before projects are approved, other requirements must be met which include: certification against excessive infiltration of the sewer system, pre-treatment, compliance with regional plans or areawide plans under Section 208.

10. Eligibility as far as the type of construction works for which funds may be provided now includes storm and combined sewers, collection sewers, and recycled water supply facilities. Storm and combined sewer projects shall be the subject of guidelines promulgated by the Administrator with respect to eligibility.

11. Areawide waste treatment management plans must be developed for designated areas, taking into account all municipal and industrial point and non-point sources, background deposits, and potential future pollution sources, so as to devise a phased comprehensive address to water pollution control in such areas. A State-wide plan embracing all of the States not designated for areawide planning shall be the subject of a State-wide plan. Approximately three years after enactment, plans must be submitted for Federal approval along with a designation of the management agency to carry out the plan. After such plan and management agency have been approved, all grants for such area must be in accordance with the approved plan and payable to the management agency.

TITLE III—STANDARDS AND ENFORCEMENT

1. Effluent limitations

The Administrator would be directed, within one year after the date of enactment, to identify in guidelines the best practicable control technology for industrial categories, taking into account processes involved, age of equipment, and cost, considered on a national, industry-wide basis. In addition, the Administrator would be obliged to identify best available control technology and technology which would achieve the elimination of the discharge of pollutants. Again, the Administrator would be directed to take into account differing industrial processes, age of the equipment, and cost, considered on a national basis. Industrial discharges would be obliged to achieve as a minimum best practicable control technology in accordance with the guidelines by July 1, 1977. New sources of discharge would be obliged to employ the best available control technology in accordance wtih the guidelines. During the second phase, all industrial dischargers would be obliged to achieve best available control technology not later than July 1, 1983. The 1985 goal of no discharge of pollutants is not legally required under this legislation.

2. Water quality standards

Existing water quality standards for interstate waters are preserved and extended to intra-state waters during the first year after enactment. The existing mechanism for State establishment, Federal review and promulgation, and review of water quality stnadards, is continued, provided that the periodic revision of such standards necessary to meet the requirements of this enrolled bill shall be limited to use designations and criteria. Insofar as the application of best practicable control technology or best available control technology can be determined to be insufficient to meet water quality standards targets, additional controls sufficient to meet such targets must be employed.

Each State, for all the waters within that State, shall establish the maximum daily load of pollutants permitted for those waters so as not to impair propagation of fish and wildlife. Similar analysis and assessment for thermal discharges are also required.

In addition to technology control guidelines, information with respect to water quality criteria, integrity factors and methods and procedures for control of non-point source pollution will be required.

3. Water quality inventory

On January 1, 1974, EPA will provide to the Congress an inventory of all point sources of discharge (including quantitative and qualitative analyses of such) and will also identify existing water quality, and provide an assessment of that water quality which presently satisfies the 1983 water quality goals, which will satisfy those goals in 1977 or 1983 or which will not meet such goals by 1983.

4. State inventories

The States, beginning in 1975, will submit annual reports to the Congress and EPA, similar in content to those which EPA is obliged to submit in 1974, with the additional requirement that the States propose and identify costs for programs for non-point source control.

5. New source performance standards

Within one year after the date of enactment, EPA is required to promulgate effluent standards for new sources, including, but not limited to, 28 identified categories. These effluent limitations guidelines must identify best available control technology which would be required of all new sources, including no discharge of pollutants where practicable.

6. Toxic and pre-treatment effluent standards

The Administrator would be directed to publish a list of toxic pollutants and effluent limitations for such pollutants, including, where appropriate, absolute prohibition of the discharge of such toxic pollutants. Additionally, pre-treatment standards will be published requiring any industry discharging into a municipal plant to pre-treat its effluent so that it does not interfere with the operation of the plant or pass through the plant without adequate treatment.

7. Entry and inspection

EPA has an unrestricted right of entry as well as authority to inspect records and data, monitoring equipment, and sample effluents. Upon approval by the Administrator, the States may assume EPA's authority in this area.

8. Federal enforcement

Federal enforcement is provided whereby the Administrator may enforce permit conditions and other requirements of the Act through the issuance of administrative orders, which are judicially enforceable, or, in the alternative, may proceed directly through judicial enforcement. Civil and criminal penalties are provided, with a maximum of $50,000 and two years' imprisonment for repeated violators.

9. Oil and hazardous substances liability

The existing law with respect to pollution from oil discharges is generally continued. Similar provisions of regulation and enforcement and the imposition of financial liability are extended to hazardous substances as well.

10. Marine sanitation devices

The provisions with respect to marine sanitation devices in existing law are generally continued, except that States may impose absolute prohibition of discharge from vessels in the event States determine that greater environmental protection is needed and that adequate facilities exist to receive these wastes.

11. Federal facilities

The law would be changed to require Federal facilities to comply with all Federal, State, interstate, and local requirements respecting water pollution control. The President may exempt facilities where he determines it is in the paramount interest of the United States. No exemptions are permitted with respect to toxic substances, pre-treatment requirements, and new source performance requirements.

12. Clean lakes

A clean lakes program, whereby States must submit to the Administrator an identification of eutrophic condition of lakes, processes to combat or retard such eutrophication, and methods to restore the quality of such lakes, is provided. $300 million is provided over a three-year period for such purposes.

13. National study commission

A National Study Commission composed of 15 members (5 appointed by the President, 5 appointed by the Senate, and 5 appointed by the House) shall be required to investigtae the technological effects of achieving, and the economic, social, and environmental effects of achieving or not achieving, the 1983 goal. The report of such study together with recommendations shall be submitted to the Congress three years after enactment.

14. Thermal discharges

Thermal discharges shall be subject to the same requirements of best practicable control technology and best available control technology, except where the discharger can demonstrate to the satisfaction of the Administrator that a proposed effluent limitation based upon best practicable control technology and best available control technology is more stringent than necessary to protect fish and shellfish, etc., in which event a less stringent effluent limitation may apply. Cooling water intake structures will require best available control technology.

TITLE IV—PERMITS AND LICENSES

1. A State certification mechanism like that now provided by Section 21 of the Federal Water Pollution Control Act is in the enrolled bill, provided that in place of water quality standards as the determinative criteria, the effluent limitations, guidelines and other requirements of the new law are substituted.

2. No discharge of any pollutant will be permitted, except as authorized by a permit issued under the new Act. No Refuse Act permit may be issued after enactment of the legislation. However, Refuse Act permits heretofore issued shall continue in force and effect as though issued under authority of this enrolled bill.

3. States may be authorized to continue existing permit programs for the purpose of issuing permits under this bill from the date of enactment for up to 150 days after enactment. Such State-issued permits are subject to Federal veto.

4. EPA will issue guidelines identifying an adequate State program. EPA in its permit program must conform to these guidelines. After State assumption of a permit-issuing authority, EPA will retain the right, unless waived, to review and approve any permit which affects another State, or any proposed permit, to determine adherence to requirements under the enrolled bill. EPA, after notice and public hearing, may withdraw State permit-issuing authority in the event it determines State failure to adequately implement the requirements of the enrolled bill.

5. When application for a permit has been made, but no final disposition with respect to such application is made prior to December 31, 1974, prosecutions with respect to the discharge which is the subject of such permit application may not be commenced.

6. The Administrator is required to promulgate within 180 days after enactment criteria with respect to ocean waters. These criteria addressing the effect of pollutants

on marine ecosystems, etc., parallel the criteria in the ocean dumping legislation now pending. Permits for discharge into the territorial sea, the contiguous zone or ocean waters must be in accord with these criteria.

7. The Corps shall continue to issue dredge and fill permits in accordance with criteria comparable to the EPA ocean discharge criteria. EPA may restrict the discharge of dredge material in specified sites if the Administrator determines that such discharge will have an unacceptable adverse effect on municipal water supplies, fishery resources or recreational areas.

8. Additional criteria and a potential additional permit would be required for the disposal of sewage sludge into the navigable waters, notwithstanding the fact that a permit for such dumping may have been obtained pursuant to the ocean dumping Act.

TITLE V—GENERAL PROVISIONS

1. The enrolled bill provides that the Administrator may seek injunctive relief to restrain any discharge that presents an imminent and substantial danger to public health and welfare (the latter limited to effect on livelihood).

2. Standing to sue is provided citizens or groups to enforce non-discretionary actions of the Administrator or to enforce effluent standards or limitations or orders of the Administrator. Such standing is limited to persons having an interest which is or may be adversely affected. Such suits may not be maintained prior to the rendering of 60-day notice to the alleged violator, the Administrator, and the State concerned or in the event that the Administrator or a State is diligently prosecuting such violation.

3. The Attorney General shall represent the Administrator in all litigation unless the Attorney General fails to take appropriate action within a reasonable time, in which event the Administrator may be represented by his own attorneys.

4. Provisions are made in the law to protect employees who have cooperated in the enforcement and implementation of the enrolled bill.

5. Judicial review of Administrator's action in promulgating standards, determining new source performance standards, effluent limitations, prohibitions, etc., or in issuing or denying any permit may be obtained by interested persons in the U.S. Court of Appeals for the appropriate Circuit.

6. Nothing in the enrolled bill shall preclude (except with respect to the regulation of sewage from vessels) States from adopting and enforcing more stringent requirements.

7. Other affected authority:

(a) The authority under Section 10 of the River and Harbor Act of 1899 with respect to navigation is preserved. The consultative requirements of the Fish and Wildlife Coordination Act of 1934 appear to be preserved (this Act is not mentioned).

(b) Except with respect to permits for new sources and grants for municipal waste treatment construction no action under the enrolled bill will be deemed a major Federal action for the purposes of NEPA (Environmental Impact Statements).

(c) A State certification under Section 401 or a permit under Section 402 shall be determinative of water quality considerations for purposes of Federal licenses, except that licenses or permits other than those issued under this enrolled bill nevertheless may require an Environmental Impact Statement.

8. An Effluent Standards and Water Quality Information Advisory Committee must review proposed effluent limitations, new source performance standards, and toxic standards, and make recommendations to the Agency on such proposed standards and limitations.

9. Annual reports to the Congress with respect to every major component of the program are required within ninety days of the convening of each session. A detailed estimate of costs must be submitted to the Congress every second year.

10. No suit or other litigation or other proceeding shall be affected by the enactment of this enrolled bill. All rules, regulations, orders, determinations, etc., or other actions pertaining to any functions, powers, requirements, duties in effect prior to the date of enactment of the enrolled bill continue in effect until modified or repealed in accordance with the new Act.

11. The Act prior to its Amendments in 1972 shall govern grants authorized for Fiscal Year 1972, except as otherwise specifically provided, i.e., 75% Federal share.

12. GAO is to report to the Congress by October 1, 1973, on the efficacy of the R. & D. programs relating to control technology and water pollution.

13. Congress urges that the United States enter into international agreements to apply uniform standards and limitations regarding water pollution. Commerce, in conjunction with EPA, will conduct studies on the effects on trade of differing effluent limitations as imposed by the United States and by other countries.

14. $800 million in authorizations is provided to assist small business concerns to meet the water pollution control requirements established under the enrolled bill. This would be accomplished by an amendment to the Small Business Act and administered by the Small Business Administration.

15. The Administration's proposed Environmental Financing Authority is included in the enrolled bill.

16. Sex discrimination is prohibited.

We strongly recommend that the bill be signed by the President.

When the President forwarded his proposals for water pollution control legislation to the 92nd Congress, he advised the Congress in his environmental message with respect to water pollution control as follows:

"We have the technology now to deal with most forms of water pollution. We must make sure that it is used.

"In my February 1970 special message to the Congress on the Environment, I discussed our most important needs in the effort to control water pollution: adequate funds to ensure construction of municipal waste treatment facilities needed to meet water quality standards; more explicit standards, applicable to all navigable waters; more effective Federal enforcement authority to back-up State efforts; and funds to help States build the necessary capability to participate in this joint endeavor."

To a very large extent, S. 2770 reflects the recommendations of the President. The bill also reflects many of the recommendations that Chairman Train, Chairman McCracken, and I made on behalf of the Administration in our testimony presented to the Congress.[2]

The thrust of the Administration's recommendations to the Congress was essentially this: Federal, State, and local programs to abate water pollution are not achieving their purpose; the nation is losing an irreplaceable natural resource to ever increasing pollution and degradation; the existing Federal law is inadequate and must be revised to provide for:

(a) the establishment of effluent limitations for industrial categories nation-wide;

(b) the requirement that industries employ the best practicable control technology to deal with industrial effluents, and the requirement that the best available control technology be employed by new industrial sources of discharge.

(c) the necessity to consider costs in establishing regulatory controls;

(d) the extension of water quality standards to all navigable waters;

(e) the strengthening and streamlining of Federal enforcement procedures;

(f) the establishment of a national, Federal-State system of permits to regulate industrial and municipal effluents;

(g) the expansion and reform of the municipal waste treatment facilities grant program, premised on intergovernmental cooperation and funding of needed facilities and the achievement of municipal self-sufficiency in this area.

The enrolled bill reflects the Administration's proposals and recommendations in the following major provisions:

1. Goals

The bill establishes as a "national goal" the elimination of the discharge of pollutants by 1985. This goal is understood to be a target, not a legally binding requirement.[3] In the context of the bill, the 1985 goal is best understood as an objective to be achieved insofar as technology permits, taking into account the costs of applying such technology.[4]

This change from the earlier Senate version of the bill is a major accommodation to the recommendations made by the Administrator in testimony before the House Public Works Committee.[5]

2. 15-Man Commission Study

Before the more stringent requirements of phase 2 were imposed, a comprehensive study of the desirability and feasibility of the phase 2 requirements and the 1985 goal would be accomplished by a 15-man commission (five members appointed by the President, five members appointed by the Senate, and five members appointed by the House). On the basis of this study, the Administrator would make recommendations to the Congress respecting phase 2 requirements and the 1985 goal. However, Congress would need to take further legislative action to change either phase 2 requirements or the 1985 goal. The Administration strongly recommended that a study such as this be conducted so that any necessary mid-course correction could be accomplished.

3. Phasing of regulatory requirements

The first phase of regulation would embrace the period from enactment through 1977. During this phase, best practicable control technology would be required; during the second phase, the period from 1977 through 1983, more stringent requirements, i.e., best available control technology, would be required. The Administration agreed with the requirement of best practicable control technology for phase one, but questioned whether this could be achieved by 1976 as the bill originally provided. As to the phase 2 requirements, we will have the benefit of the 15-man commission study and recommendation.

4. Effluent limitations

The key element in the Administration's proposal for this legislation was the concept of effluent limitations, as distinguished from simply pursuing water quality standards objectives. The Conference bill fully incorporates as its central regulatory point the Administration's proposal concerning effluent limitations in terms of industrial categories and groups ultimately applicable to individual dischargers through a permit system.

5. Costs

The Administration urged the Congress that in requiring stringent controls for industrial dischargers and in approaching the elimination of pollutants goal, we must not lose sight of the costs involved. The enrolled bill fully reflects the Administration's concern in that the Administrator is directed to consider "the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application" in determining best practicable control technology.[6] Similarly, in determin-

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Footnotes at end of article.

ing best available control technology for the phase 2 requirements, the Administrator is directed to take into account "the cost of achieving such effluent reduction."[7] Further, in establishing new source performance standards, the Administrator is directed to "take into consideration the cost of achieving such effluent reduction."[8]

6. Water quality standards

The Administration recommended that notwithstanding the introduction of effluent limitations into the regulatory scheme, water quality standards be retained for interstate waters and expanded to intra-state waters. The enrolled bill fully accommodates this Administration recommendation. Water quality standard objectives would continue to be applicable along with the new effluent limitations in the regulatory scheme.

7. New source performance standards

The enrolled bill provides that new sources of discharge be required to employ best available control technology. This is fully consistent with the Administration's proposal with regard to new sources.

8. Enforcement

The Administration recommended that the enforcement machinery of the current law be superseded by streamlined administrative and legal mechanisms whereby discharges could be compelled to meet permit and effluent limitation requirements through speedy administrative or judicial enforcement actions. The Administration also recommended that non-complying dischargers be subject to penalties. The enrolled bill fully accommodates that recommendation in providing for enforcement through administrative orders, court orders and injunctions, and provides for civil and criminal penalties.

9. Toxic control

The enrolled bill would require the Administrator to identify toxic substances which would be regulated pursuant to the permit program, including, where appropriate, absolute prohibitions. This is fully consistent with the Administration's own proposal in this regard.

10. Pretreatment requirements

Industrial dischargers into municipal systems will be required by the enrolled bill to adequately pretreat industrial effluents prior to discharge into community systems so as to assure that such effluents will not pass through the municipal treatment system and into navigable waters without sufficient treatment which would not have been provided by municipal treatment alone, and to prevent damage to the municipal treatment plant. This requirement again is consistent with the Administration's bill.

11. Waste treatment facilities construction

a. Federal financial assistance—The allocation of Federal financial assistance to the States is based upon needs as determined by EPA in its Cost of Clean Water survey of States and municipalities. This was the Administration's recommendation.

b. User charges—User charges must be imposed by municipal grantees on both industrial and non-industrial users. Industrial user charges to defray the capital cost of projects attributable to such industrial users may be retained by the community, to the extent such charges equal the amount of non-Federal capital costs and an amount needed for expansion and reconstruction of such treatment plant. However, the portion retained for expansion and reconstruction may not exceed 50% of industrial user charges. The Administration bill originally proposed the user charge requirement on municipal grantees. Our bill further provided that such user charges be retained at the municipal level, as distinguished from the Senate version of this bill, which required the return to the U.S. Treasury of industrial user charges with respect to the capital cost.

c. Collection systems—The enrolled bill includes collection systems in existing communities within the definition of eligible projects. It has been the Administration's view that collection systems should be included within the scope of eligible projects if such inclusion is the most cost-effective solution.

d. Regional waste treatment management plans—The enrolled bill provides for the designation of appropriate regions for which waste treatment management plans are to be developed. All sources of pollution within such region must be taken into account. Projections must be made of future population and industrial growth, so that waste treatment facility construction and regulatory requirements will be achieved in a meaningful context. The Administration endorsed the concept of such regional approaches, but took issue with the failure of earlier versions of the bill to include elected officials in the planning process. The enrolled bill now includes appropriate consultation with appropriate elected and other officials of local governments.[9]

12. Permit program

A Federal-State permit program whereby effluent limitations would be applied to individual dischargers is provided. Full permit-issuing authority may be passed to the States on the basis of Federal criteria. State permit programs now functioning may continue to function after enactment and until full permit-issuing authority has been passed to such States. However, during this interim period such State permit shall be subject to a Federal veto. The Federal overview thereafter shall consist of:

a. total withdrawal of a State program in the event of State failure;

b. Federal determination of disputed interstate effects of a discharge; and

c. Federal veto in the event the proposed State permit is determined by EPA to be contrary to law.

The inclusion of a Federal-State permit program is in full response to an Administration initiative and legislative recommendation. The provision for passing the permit-issuing authority to the States and for the limited Federal overview is consistent with our recommendation.

13. NEPA exemption

The enrolled bill exempts all actions of the Administrator taken pursuant to authorities of this Act with the exception of (a) waste treatment facility construction, and (b) new source permit, from the provisions of NEPA. This is in response to Administration urging to remove a major obstacle from the efficient functioning of the permit program.[10]

14. Calvert Cliffs provision

The enrolled bill in Sec. 511(c)(2) requires Federal agencies to accept effluent limitations of EPA and State certifications with respect to water quality as conclusive, but does not exempt such Federal agencies from the requirements of NEPA. This is consistent with Administration's policy.

15. Environmental financing authority

The Administration proposed the establishment of an Environmental Financing Authority whereby municipalities that are unable to market municipal bonds satisfactorily on the open market could sell their bonds to the E.F.A. at a favorable interest rate. The E.F.A. in turn would sell the purchased bonds on the market.[11] The Administration's proposal in its entirety is incorporated in the enrolled bill (section 12).

Although the enrolled bill does incorporate many of the recommendations of the Administration, it departs from those recommendations in several significant provisions:

1. The enrolled bill authorize $18 billion of obligational authority over a three-year period, as contrasted with $6 billion recommended by the Administration for the same period. This is largely the result of the Congress adopting a later EPA needs survey than the one that provided the basis for the Administration's request.

2. The Federal share of waste treatment facility projects would be fixed at 75%, as distinguished from 50% recommended by the Administration.

3. State matching funds for waste treatment facility grants are not required nor is any inducement for such matching provided. The Administration recommended inducements for State matching.

4. Reimbursements for waste treatment facility projects constructed during the period 1956 to 1966 may be made in an amount equal to the difference between what they received and 30%. The Administration has characterized such reimbursement as "windfall."

5. Reimbursement of States and municipalities which prefinanced the Federal share of the cost of construction of treatment plants during the period 1966 to 1972 is authorized at a minimum of 50% of the cost. This is contrasted with the Administration's proposal for reimbursement of these projects to the extent grants were authorized at the time construction of such projects was commenced (30%, 40%, 50%, 55%).

6. Storm and combined sewer projects are included as eligible for Federal financial assistance. The Administration has consistently recommended that such inclusion be deferred. It should be noted, however, that such projects will be subject to a separate set of guidelines promulgated by the Administrator.

7. The enrolled bill provides for "contract authority" for both waste treatment construction commitments and regional waste treatment management planning commitments. The Administration has recommended that the traditional authorization/appropriation process be retained.

8. The enrolled bill would limit the standing of citizens and groups in Federal courts to enforce the requirements of the Act to those who can demonstrate interest. This is contrary to the Administration's proposal, whereby citizens and groups would have such standing without regard to showing of interest.

9. The enrolled bill would authorize $300 million for an eutrophication control program to restore polluted lakes. The Administration has opposed any separate regulatory or financial schemes for particular bodies of water. However, this authorization is subject to appropriation and apportionment.

10. The enrolled bill would amend the Small Business Act to authorize $800 million for low interest loans to small businesses to assist in the financing of waste treatment facilities needed to meet the requirements of the bill. The Admiinstration did not recommend this provision.

Control of Funding

Clearly, the major difficulty we have with the enrolled bill is the increased funding it would provide in Title II beyond the amounts recommended by the Administration for Federal financial assistance to States and municipalities for the construction of waste treatment facilities and for the reimbursement of States and municipalities which have constructed such facilities.

Central to this problem is the question of the extent to which the Executive Branch can control the obligation of funds and concomitant cash outlays from the Treasury.

The $18 billion authorized to be ap-

Footnotes at end of article.

propriated for new waste treatment facility construction (Section 207) is to be made available to States and municipalities through a contract mechanism. When the plans and specifications of an applicant are approved by the Administrator, a commitment of the Federal share is made.

Does the Executive Branch have authority to impound these funds which are authorized to be obligated? We have been advised by our General Counsel that such authority does exist, notwithstanding the recent case of *Missouri v. Volpe*, W. D. Mo., Cent. Div., CA No. 1616, June 19, 1972.

Missouri v. Volpe held that macro-economic (anti-inflationary) goals were improperly considered by the Executive in deciding whether to approve a State's plans, specifications, and estimates for a particular highway project. The court found no Congressional recognition of the propriety of using such factors. In fact, Congress expressed intent in the Federal Highway Act that highway funds should not be impounded.

The situation is directly opposite in the case of the enrolled bill, however. The enrolled bill contains provisions, supported by legislative history, which show Congress's express recognition of the Executive authority to impound funds authorized by Title II. Recent White House pronouncements have indicated a Presidential willingness to veto bills which are inflationary or which provide funding at levels higher than requested by the Administration. This state of affairs was recognized in Congressional floor debate on the enrolled bill. The Conference Committee, in order to lessen the likelihood of veto of the bill, incorporated amendments proposed by Representative Harsha at the Office of Management and Budget's suggestion.

The Harsha amendments deleted the word "All," which in the House version preceded the word "sums" at the the start of Section 205, and added the words "not to exceed" in several places in Section 207 (the section authorizing appropriations.) Floor comments of Senators Muskie and Nelson, and Representatives Harsha, Gerald Ford, and Robert Jones[12] clearly show that the intent of these amendments was, in Representative Harsha's words, "to emphasize the President's flexibility to control the rate of spending."[13] The House Committee on Public Works was said to be "acutely aware that moneys from the highway trust fund have been impounded by the Executive. . . . Obviously expenditures and appropriations in the water pollution control bill could also be controlled. However, there is even more flexibility in this water pollution control bill because we have added 'not to exceed' in section 207.

"The committee recognizes there are many competing national priorities. That is the very reason the committee has placed in this legislation the flexibility that is needed for the executive branch."[14] Senator Nelson stated: "Only if the President's Office of Management and Budget or the Congress specifically directed otherwise would the money not be available at the levels in the legislation . . ."[15] Senator Muskie's remarks[16] are to the same effect.

Accordingly, we conclude that in enacting the pending water legislation, Congress clearly contemplated the application of macroeconomic or anti-inflationary factors in deciding whether the full amount of authorizations or only a portion thereof should be made available for obligation. Traditional impoundment techniques pursuant to 31 U.S.C. 665 may properly be employed to limit the amount of obligations to be incurred under Title II of the enrolled bill.

The major fiscal impact during fiscal years 1973–1975 will result not because of obligations incurred for new construction of facilities, but as a result of reimbursement for projects already constructed or under construction. (This is dealt with in detail below.)

The enrolled bill authorizes a total of $2.75 billion for two categories of reimbursements.

Since these funds are authorized to be appropriated they will be subject to the usual controls and safeguards of the budegtary and appropriations process, both within the Executive Branch and the Appropriations Committees of Congress.

Through these mechanisms the windfall aspects of the reimbursement provisions as well as the timing of funding can be controlled.

The numerous conditions, limitations, and requirements with respect to treatment facility construction grants, which must be articulated in administrative regulations pursuant to the enrolled bill[11] provides a broad range of controls. Through these administrative mechanisms, storm and combined sewer projects could largely be deferred, collection system projects could be minimized, and the phasing of commitments and funding outlays for all projects could be regulated through the rigorous application of stringent requirements.

Fiscal Impact

An analysis of the fiscal impact of the enrolled bill indicates that there would be:

No appreciable increase in Fiscal Year 1973 outlays from the amount indicated in the President's budget;

A total of $33 million in outlays in Fiscal Year 1974 resulting from the $18 billion contract grant authority;

Potential flexibility for holding program outlays in Fiscal Year 1974 to the approximate level projected for Fiscal Year 1973;

A total of $2.75 billion in outlays over the period Fiscal Years 1973–1976 resulting from the $18 billion contract grant authority; and

A major increase in outlays occurring in the latter half of the decade, continuing into the 1980's.

Construction grant outlays for Fiscal Year 1974 under the enrolled bill are expected to correspond to the $1.6 billion projected for the pricing of the Administration's proposed bill in January 1972. The major outlays produced by the contract grant authority will not occur until the Fiscal Years 1976–1981 time period.

The outlays for construction grants generated by the enrolled bill and the incremental increase over the current budget is contained in the following table:

CONSTRUCTION GRANT TOTAL OUTLAYS

[Dollars in millions, 1972 dollars]

	Fiscal year—		
	1973	1974	1975
Nonreimbursable projects, fiscal year 1966–72 appropriations	349	884	794
Reimbursable projects fiscal year 1967–72 construction initiations	767	667	466
Contract grant authority projects	0	33	758
Total	1,116	1,584	2,018
Administration bill as reflected in fiscal year 1973 budget	1,100	1,570	1,450
Increase in outlays	+16	+14	+568

The bases of these estimates are:

Authorizations. Approximately 90% of the total $24.6 billion authorized by the legislation is associated with Federal assistance programs for the construction of pollution control facilities. Within this amount, $18.35 billion is for new municipal projects and $2.75 billion is for projects on which construction is completed or underway.

Reimbursable Projects. $2.75 billion is authorized for payment of the Federal share on projects where States and local communities have prefinanced the Federal share. Construction has been initiated on all such projects.

Fiscal Years 1967–1972 Reimbursable Projects. During these years many projects have been initiated with only token Federal funding, even though funding was promised when appropriations became available. The unfunded Federal share "owed" these projects is $2.0 billion. The enrolled bill recognizes this debt and retroactively increases the Federal share to 50%–55% for projects initiated in the Fiscal Years 1967–1972 time period. Many of these projects were to receive a 30% Federal share.

The cost of the retroactive increase or "windfall" is estimated at $500 million.

However, the "owed" reimbursable portion represents a commitment on the part of the Administration. In his February 1971 Message on the Environment, the President stated:

"We must also assure that adequate Federal funds are available to reimburse States that advanced the Federal share of project costs."

The enrolled bill apparently precludes any segregating in the payment process of the "owed" from the "windfall" reimbursement. EPA proposes to administer payments so the total "owed" and "windfall" adhere to the $2.0 billion authorization level.

The enrolled bill allows the Administration to phase payments against these projects and adjust for overall Federal budgetary considerations. The foregoing table does not include such an adjustment. Postponing obligations for reimbursable projects could reduce Fiscal Year 1974 outlays to the approximate level of Fiscal Year 1973. This flexibility would not have been available under the Administration's proposal.

Fiscal Years 1957–1966 Reimbursable Projects. For projects constructed in the Fiscal Years 1957–1966 time span, the enrolled bill introduces a retroactive Federal payment of 30%. $750 million is authorized for these projects. As no significant Federal assistance program existed during this period and there was thus a lack of Federal commitments, EPA proposes that no appropriation be sought and that any appropriation not be apportioned for such a "windfall."

Non-Reimbursable Projects. The remaining major increment in the outlay projection is for non-reimbursable projects for which allocation of existing appropriations has been made to the States. Outlays for this area are uncontrollable.

New Projects. For new construction, the enrolled bill authorizes $350 million to cover the unauthorized balance of the Fiscal Year 1972 appropriation, and $18 billion in contract grant authority over Fiscal Years 1973–1975. Because of the lengthy interval between project approval and completion of construction for most treatment works, no appreciable outlay payments resulting from this contract grant authority will occur until after mid-decade.

The only relative near-term increase in outlays that results from the enrolled bill is that produced by increasing the Federal share from 50%/55% to 75%.

The total value of construction initiated in the near-term under the enrolled bill is expected to correspond closely to the total value of construction that would have been initiated under the Administration bill. Under the Administration's proposal, communities were free to continue to initiate reimbursable projects, were not constricted by the $6 billion authorization, and could have substantially increased this amount. Reimbursable projects are precluded under the enrolled bill and the $18 billion contract grant authority represents a ceiling, while the Administration's $6 billion proposal represented a floor. With the projected close correspondence in total near-term value of construction starts, the potential inflationary impact upon the entire construction sector would be minimized.

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The total amount of contract grant authority contained in the enrolled bill is formulated from the Administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amounted to $18.1 billion. The Federal share at 75% would amount to $13.6 billion. This needs estimate did not include any allowance for inflation, nor did it include funds for combined, storm, and collection sewers, or for recycled water supplies. These are project eligibilities newly specified by the enrolled bill.

This needs' estimate provided to the Congress was constructed to support the commitment of the President in his State of the Union message of January 22, 1970, to "put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and to do it now." This commitment was repeated in the February 1970 Message on the Environment, which enunciated funding support for "every community that needs it with secondary waste treatment, and also special, additional treatment in areas of special need, including communities on the Great Lakes." The commitment was re-endorsed in the February 1971 Message on the Environment with a statement that we should provide "adequate funds to ensure construction of municipal waste treatment facilities needed to meet water quality standards."

The enrolled bill incorporates the Administration's recommendation that the allocation to the States be done on the basis of needs, rather than population. The enrolled bill then reflects within the authorization, the latest needs' estimate provided by EPA.

Impingements on Construction Starts. As mentioned above, the enrolled bill imposes on each grant applicant certain prerequisite conditions. These include industrial pretreatment, industrial capital cost reimbursement, equitable service charges against all users, river basin or regional planning, environmental impact statements, and several other certification and compliance requirements. It is expected that conforming to these many conditions will significantly delay project approvals and postpone sizeable outlays in the near future.

Further, by prioritizing the eligibility criteria as provided within the framework of the legislation and by using cost-benefit tests of Environmental Impact Statements, obligations in the near-term can generally be restricted to only those projects necessary to meet the Administration's commitment to fund facilities required to achieve water quality standards. EPA's estimate, as provided to the Congress this year, of the cost of such facilities was $18.1 billion. The Federal share at the 75% figure in the proposed legislation would be about $14 billion in new contract authority to be phased over mandated requirements of the enrolled bill. Because of the constraints on the capability the period Fiscal Years 1973–1976. The balance of $4 billion in contractual authority could be obligated after Fiscal Year 1976. Such a phasing is expected to permit EPA and the Nation to adhere to the legislatively mandated requirements of the enrolled bill. Because of the constraints on the capability of the construction sector, achieving the legislative mandates will be difficult. This construction industry constraint could further stretch out outlays in the latter part of this decade.

Non-Construction Grant Programs. Nearly all non-construction grant programs are subject to budget request, appropriation, and apportionment. EPA requirements for these programs have not been analyzed in these comments on the enrolled bill as they are less than 10% of the total authorization, and as they can be further controlled by the Office of Management and Budget and the President.

Impact on Permit Program and Industrial Controls

Despite the national character of pollution, it has not been dealt with uniformly. Varying local revenue capabilities, economic pressures, and citizen interest have often stagnated community and State initiative. To assure equity and national progress the Federal Government undertook to coordinate and support the many various efforts to control water pollution.

As the President stated in his 1970 Message on the Environment, ". . . strict standards and strict enforcement are nevertheless necessary—not only to assure compliance, but also in fairness to those who have voluntarily assumed the often costly burden while their competitors have not. Good neighbors should not be placed at a competitive disadvantage because of their good neighborliness."

To overcome these existing disparities, the Administration proposed that "standards be amended to impose precise effluent requirements on all industrial sources." The enrolled bill has done so.

Further, the Administration established the Refuse Act Permit Program as a major tool to clean the Nation's waters. The enrolled bill formalizes the Administration's initiative by mandating a permit program. The legislation establishes national baselines for classes and categories of industry, and an equitable assessment against all discharges within each class or category.

There has been some apprehension that clean water may result in economic distress. We have examined this. Joint EPA/Commerce/CEQ studies indicate that less than 0.05% of the Nation's work force will be affected by plant closures.[18]

This we expect to be offset by greater demand in the control equipment and construction industries. Of the forecasted 200 to 300 plant closures caused by pollution control measures in the 1972 to 1976 time period, nearly all would have occurred by 1980 anyway because of the plants' marginal economic efficiency. (An additional 800 closures are anticipated as a result of the normal course of business.)

Beyond expanding the present permit program to cover all discharging points into the Nation's waters (the Refuse Act was generally confined to the direct discharge of industrial waste), the enrolled bill affords EPA the opportunity to extricate the Permit Program from its current judicial morass. The two court decisions of *Kalur*[19] and *Pennsylvania Industrial Chemical Corp.* (*PICCO*)[20] have, in parallel fashion, encumbered the program with an overwhelming administrative burden which has practically precluded permit issuance and suspended industrial enforcement actions.

We have lost much momentum in this area as is witnessed in the progress of permit applications at the initiation of this program in 1970.

Because of the *Kalur* decision only 20 out of 20,000 permits have been issued.

If the new legislation is not enacted this program probably will be destroyed. The Administration will be embarrassed for having initiated a highly publicized and initially controversial program which ended up in total failure and we will in effect simply throw away over 20,000 permit applications prepared at great expense and effort by industry. Industry went through the work of submitting over 20,000 applications (at costs for preparation and filing estimated in excess of $100 million).

VETO EFFECT

We can anticipate several effects resulting from a veto of this legislation.

The enrolled bill continues authorizations for many activities that represent the core of much of the Federal program. Wholly dependent upon the enactment of the pending legislation are areas such as:

Development of discharge guidelines for industry;

Monitoring and surveillance of water quality;

Research and development of advanced treatment technologies;

Health effects studies;

EPA participation in oil and hazardous material spill control efforts;

Water quality criteria investigations and research; and

Studies on procedures and methods to control pollution from agricultural, mining, transportation, and construction activities.

Nearly 1/6 of EPA's total personnel strength, or approximately 1,200 permanent and 250 temporary positions, are assigned to these areas. A pocket veto could result in terminating their employment. In several areas, ongoing uncompleted study efforts would be aborted, sacrificing the incurred expenditure of time and funds.

There presently exists a "wait and see" mood on the part of State and local governments. Aggressive program activity has been abeyed awaiting the passage of the legislation. This stagnant condition will be compounded by the uncertainty that will be bred by a Presidential disagreement with Congress over the content and direction of the Federal program. More importantly, it will counter the President's demand that we "not slacken our pace, but accelerate it."[21]

We will be confronted by the inequity of trying to pursue, through enforcement means a control program against industrial dischargers, while failing to fund municipal plants on the same stream, and not controlling those industrial wastes discharged through municipal plants. As the President stated, "A river cannot be polluted on its left bank and clear on its right. In a given waterway, abating some of the pollution is often little better than doing nothing at all, and money spent on such partial efforts is often largely wasted."[22]

Finally, we can anticipate many groups questioning the degree of Federal commitment and interest, and the Federal Government's ability to provide stable and effective leadership. The momentum of awareness and action will not be sustained and the attainment of the President's goal of "true quality of life in America"[23] will be hindered. It has taken eighteen months to produce this enrolled bill. Program delay and indecision have become common. As the President said, "as we strive to expand our national effort, we must also keep in mind the greater cost of not pressing ahead."[24]

Conclusion

Both the Administration's proposal and the enrolled bill share a common purpose of a national program of united endeavor to improve the quality of water. I believe the enrolled bill continues the existing program and is faithful to the intent of the Administration's proposal.

Most of the near-term increases in outlays result from Congress providing funds to pay existing commitments, not new ones. These principally result from payments of the Federal commitment to communities and States which pre-financed the Federal share of construction projects. Other increases result from the Congressional mandate that we conduct knowledgeable and effective planning, permit, and monitoring programs.

EPA is not unmindful of the limited resources that the Federal Government can apply to its important programs. It is a constraint that fades many hopes. We are aware of the fiscal magnitude of the enrolled bill. It concerns many people.

But countervailing this concern are the

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consequences of failure to meet our national need in this area. More so than any other, water is our most important national resource. It sustains our industry, our farms, our commerce, our enjoyment, our lives. It is also most unforgiving if it is abused. The effects linger and, if continued, multiply.

It seems reasonable to me to spend less than 1% of the Federal budget and two tenths of 1% of the Gross National Product over the next several years to assure for future generations the very survival of the Gross National Product.

FOOTNOTES

[1] Although related to Title II programs, this provision is section 3 of the enrolled bill.

[2] *Hearings before the Committee on Public Works, House of Representatives, 92nd Congress, 1st Session, on H.R. 11896, H.R. 11895 to Amend the Federal Water Pollution Control Act,* December 7, 8, 9, and 10, 1971, pp. 200, 281.

[3] H. Rept. 92-911, March 11, 1972, p. 77. Also, William H. Harsha, *Cong. Rec.,* March 27, 1972, p. 10205; Robert Jones, *ibid.,* Oct. 4, 1972, p. 33749.

[4] Robert Jones, *loc. cit.,* Oct. 4, 1972, pp. 33749 *ff.;* Edmund S. Muskie, *ibid.,* p. 33693.

[5] Hearings before House Committee on Public Works, on H.R. 11896, . . ., *op. cit.,* pp. 284-285, *et seq.*

[6] Enrolled Bill, Sec. 304(b) (1) (B).

[7] Enrolled Bill, Sec. 304(b) (2) (B).

[8] Enrolled Bill, Sec. 306(b) (1) (B).

[9] Enrolled Bill, Sec. 208(a) (2). See also Conference Report (H. Rept. 92-1465; S. Rept. 92-1236), p. 117.

[10] Testimony of William D. Ruckelshaus, March 3, 1972, on NEPA, *Joint Hearings before the Committee on Public Works and Committee on Interior and Insular Affairs, U.S. Senate, 92d Congress, 2d session,* pp. 548-549; John R. Quarles, Jr., before the House Merchant Marine and Fisheries Committee, May 2, 1972, on H.R. 14103; Robert Fri before the House Merchant Marine and Fisheries Committee, June 30, 1972, on NEPA exemption.

[11] S. 1015, H.R. 5970, H.R. 5971, H.R. 5972, H.R. 5973, H.R. 6076.

[12] *Cong. Rec.,* October 4, 1972, pp. 33694, 33711, 33754-33755, 33755, and 33755, respectively.

[13] *Ibid.,* p. 33754.

[14] Harsha, *Cong. Rec.,* p. 33754.

[15] Nelson, *ibid.,* p. 33711.

[16] Muskie, *ibid.,* p. 33694.

[17] Enrolled Bill, Sec. 204, Sec. 212(2) (B).

[18] CEQ-Commerce-EPA, *The Economic Impact of Pollution Control,* March 1972, p. 10.

[19] *Kalur* v. *Resor,* 3 E.R.C. 1458.

[20] *U.S.* v. *Pennsylvania Industrial Chemical Corp.,* 4 E.R.C. 1241.

[21] Environmental Message of 1972, February 8, 1972.

[22] Environmental Message of 1970, February 10, 1970.

[23] Environmental Message of 1972 citing Presidential address, January 1970.

[24] Environmental Message of 1971, February 8, 1971.

DAIRY IMPORT THREAT HANGS OVER DOMESTIC DAIRY MARKET

Mr. PROXMIRE. Mr. President, not so many years ago this Nation's dairy farmers were faced with a flood of foreign cheese imports that drove down dairy farm income, increased the cost to the taxpayer of the dairy price support program and added to our balance-of-payments woes. Unfortunately we may be on the verge of another such crisis.

An excellent memorandum sent by the National Milk Producers Federation to its member organizations points out that a number of danger flags are flying on the horizon. For example, England's entry into the Common Market by depriving certain Commonwealth nations—primarily Canada and New Zealand—of access to England's lucrative markets places these large butter and cheese producing nations in the position of hunting feverishly for other customers. Of course, a prime candidate is the United States.

Let us remember that every pound of foreign cheese imported into the United States displaces a pound of the domestic product which must then be purchased under the price support program, using taxpayer dollars. To allow a sharp increase in dairy imports on the basis of holding down consumer prices would be false economy in view of the immutable facts of the price support program.

I ask unanimous consent that the above-mentioned memorandum be inserted in the RECORD at this point so that my colleagues may consider the situation as the Milk Producers Federation sees it:

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL MILK PRODUCERS FEDERATION,
Washington, D.C., October 16, 1972.

To: National directors of member associations.

Gentlemen: The United States Market for dairy products does not operate in a vacuum. Every dairy farmer knows the constant problem of curbing the flow of subsidized low-priced dairy product imports.

Even though we have advanced the level of productivity in the American dairy industry to a very great extent and even though American dairy farmers are only receiving 78.1 per cent of parity for their milk, dairy surplus producing nations continue to look at the United States market as the highest value market in the world and, because of this, find it to be the most preferred market upon which to dump their surplus products.

While our domestic supply situation represents a fair balance at the present time, there is a large surplus of dairy products hanging over the world market. Stocks of butter in the European Common Market are estimated to be some 814 million pounds and rising. Australia and New Zealand both have substantial stocks of dairy products available for export.

With the entry of England into the Common Market, Australia, Canada and New Zealand, who now enjoy preferential access to the world's largest dairy product import market, will be forced to look elsewhere for new outlets for their surplus production.

Of major concern to the consumers of this country, is the fact that the high quality of domestic dairy products, which is almost taken for granted because of the high, rigid standards for milk production and the manufacture of dairy products, is not assured on imported products. Inspection programs and raw product grading requirements differ widely throughout the world. Any expansion of imports, therefore, would subject the consumer to a lowering of the assured high quality of dairy products now available.

Seldom, if ever, have American dairy producers faced such a serious problem in dealing with the import question. The threat is both short-term and long-term in nature. We have, in recent months, seen administrative action by the federal government to lift quotas on meat imports and to limit the export of cattle hides. These actions were billed as an attempt to hold down consumer prices. While they have not resulted in any reduction of consumer prices, they have hurt livestock producer income.

There is just cause for concern among dairy farmers and their cooperatives that a similar lifting of import quotas could be attempted with respect to dairy products. The lifting of meat import quotas did not result in any great expansion of imports since there were not large stocks available for shipment to this country. Such is not the case with dairy products. As mentioned, exportable supplies of dairy products do exist in large quantities throughout the world. This, plus the fact that the United States is the world's highest value market for these products, means that if such a step were taken, our market could, and would, be flooded with highly subsidized imports within a short time. The result of such action could only be lower prices for already hard-pressed United States dairy farmers and lower quality dairy products for our consumers.

In the long run, the entry of England into the Common Market will completely reorder dairy marketing channels for Australia, Canada and New Zealand. England is the world's largest importer of butter. A large part of these imports have been provided by Commonwealth nations, but this will be replaced to a great degree from production within the Common Market. It is going to require great effort to prevent the United States from becoming a dumping ground for these products as they seek new markets. Already, pressures are building to permit freer access to our markets. Recent changes in the import quotas for cheese, unfortunately, indicate a lack of realization of the problem on the part of top Administration officials.

Another concern in this area rests with the round of negotiations that is scheduled to begin in 1973 under the General Agreement on Tariffs and Trade. Despite the fact that the United States has experienced a serious deficit in her balance of payments with the rest of the world for many years, pressures are being exerted to open our markets still further to foreign production. Agriculture has never fared well in international trade negotiations, largely because of the lack of representation by people knowledgeable in the position and problems of the American farmer at the bargaining table. For this reason, the National Milk Producers Federation has always maintained that any agreement reched under the GATT should be submitted to the Congress for review and approval before becoming effective.

These matters are being called to your attention at this time so that you can be aware of the current state of the import situation and the problems to be faced in the weeks and months ahead.

Sincerely,

PATRICK B. HEALY,
Secretary.

LOS ANGELES TIMES SUPPORTS PRESIDENT NIXON

Mr. SCOTT. Mr. President, in the Sunday, October 15, 1972, Los Angeles Times editorial, "Choice for the Presidency," the newspaper sums up this election campaign by saying:

> McGovern is weakest where Nixon is strongest—in the perception of the nation's place in the world.

Mr. President, this well-respected newspaper has subheaded its editorial endorsing President Nixon by referring to four subjects: "China out of the Shadows," "Greatest Diplomatic Success," "Weakest and Strongest," and "Question of Leadership."

Mr. President, I ask unanimous consent that this editorial be included in today's RECORD.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Choice for the Presidency

The political center is the battlefield of American presidential politics. Each major party has its partisans who stick with it through thick and thin, but presidential elections swing on the candidates' success in reaching the voter of the center. This is the voter who asks, "Taking all in all, to which man should I be more willing to entrust the Presidency for the next four years?"

We believe the presidential candidate of 1972 who fits that description for the voter of the center is Richard M. Nixon.

The President has in his first four years made a particularly strong record in foreign affairs.

Vietnam stands out as an exception. American disengagement has been much too slow, and the President's intentions have not been always clear. But at least the direction of American involvement is not in but out.

The sooner the President can complete the withdrawal, the more surely will he be able to press forward with the new and immensely important moves he has begun in that great part of the world that is not Southeast Asia.

It is here that he has his most persuasive claim to be given the continued confidence of the American people. In his management of foreign policy, above all in his arrangements with the Soviet Union, he has sought to adjust the balance of world power to the realities of world power. This means a less interventionist but still active United States on the world scene.

China Out of Shadows

His dramatic approach to China has begun to bring that country into the world community.

Long months of careful negotiations with the Soviet Union culminated in the first stage of the arms limitation agreement, probably the most important single achievement of the Nixon Administration. There followed the Soviet-American trade agreements. These, like the SALT talks, are only beginnings but, like SALT, they are necessary and long-sought first steps toward bringing the two superpowers into closer cooperation.

The foreign aspects of the now-famous "Nixon shock" of Aug. 15, 1971, disconcerted this nation's allies and trading partners at first but now, thanks largely to second thoughts on the part of the Administration itself, a new attempt is being made to rearrange the world monetary system, and the "Nixon shock" largely achieved its purpose—to make world trade and monetary arrangements less disadvantageous to the United States.

As the President and Henry Kissinger have carefully explained, the purpose of these uses of American power is to bring about world stability, for instability lies the best hope of world peace. It has been no mean achievement by the President, all the more remarkable because to do it he jettisoned several of his own long-held opinions in order to deal in a practical way with the requirements of new realities.

Greatest Domestic Success

In domestic affairs, the President's greatest success was his handling of the 1971 economic crisis.

His decision to impose wage and price controls restored confidence, helped get the economy going and began to bring inflation under control. Here again the President showed himself sensibly flexible under the pressure of events; in the national interest he was willing to do what he had said so often he would not do.

It was unfortunate that Mr. Nixon pulled back from his one truly imaginative social program, the family assistance plan, after intense opposition from conservatives, and some liberal, of both parties. We hope, though, that in a second term the President would be willing to press again for this and for some of the other innovative ideas for social programs in education, in welfare, in housing that have been talked about in his Administration.

We hope, too, very much, that in a second term the President would turn about on the question of race, on which he has let the country down. No public opinion poll on busing can obscure the fact that race is a central problem in American life. While the President's own Administration has been moving toward integration in the South, the President has lent the authority of his office to those who would say, to North and South, stop.

In other ways, too, the President in his first term let the expediency of narrow political advantage force him to play to the right wing of his party. His Administration's concept of civil liberties is narrow. He cannot wholly disclaim responsibility for the Watergate affairs, for he is after all all the head of his party.

Mr. Nixon's potentially most serious mistake, as we have said before, was his choice of Spiro T. Agnew as his running mate for a second term as Vice President. It was an avoidable mistake, and it may some day haunt the Republican Party.

Nevertheless, the choice in November is not between the unacceptable Agnew and the unimpressive Sargent Shriver but between Mr. Nixon and Sen. George S. McGovern.

McGovern's strongest point is his obvious personal decency. That decency was outraged by the war in Vietnam when most Americans were still supporting it. It is to his credit that he saw sooner than most, and argued more strongly than most, that the course was not in the national interest.

But McGovern has been unable to translate the moral outrage of a senator from South Dakota into a convincing case that he has the experience and the judgment to be President.

He has raised a number of domestic issues that need talking about—tax reform, allocation of resources, welfare, spending for defense—but his changing prescriptions for problems have largely ranged from the extreme to the vague. Taken as a whole, they suggest that he does not understand the intricate economic machine that produces the nation's wealth. Seeking to refute the charge of radicalism, he has taken refuge in proposing the extension of old social programs, without regard to the growing realization, by liberal Democrats as well as Republicans, that many of the expensive old programs did not produce the expected results.

His views of civil liberties are, we think, more in accord with the American tradition than are Mr. Nixon's. On the future of American blacks, he has been more positive in tone than has Mr. Nixon, but no more positive in program.

Weakest and Strongest

McGovern is weakest where Mr. Nixon is strongest—in the perception of the nation's place in the world.

The defense budget is big. It always needs close scrutiny. It may very well need cutting. But McGovern's proposal for drastic cuts indicates to us that he does not understand the intimate relationship between a strong defense and a strong foreign policy. It is becoming an unfashionable cliche to say that world peace depends upon American power, but it is true. McGovern's defense cuts would, if put into effect, send to the nations of the world, especially to the Soviet Union, the message, unmistakable and clear, that the United States was pulling back from the world as well as Vietnam. Such a signal could have the most dangerous consequences.

It is this kind of disregard for consequences that we find most disquieting about McGovern. His proposals for withdrawing troops from Europe convey the clear impression that he thinks more is to be gained from good will than from power, more from unilateral action than from careful step-by-step negotiation with an adversary. McGovern protests that he is not an isolationist. No, he isn't, in the narrow sense of the word, but he can fairly be described as a man whose interests are chiefly domestic and whose tendencies are clearly in the isolationist tradition. When he says "Come Home America," you have to take him at his word.

Question of Leadership

There is, at the end, the intangible but important question of leadership. Since his nomination, McGovern has shown himself to be uncertain about his own ideas and indecisive and clumsy in the handling of his campaign.

Mr. Nixon, on the contrary, in the Presidency has shown a capacity for growth and a willingness to change when conditions demand a change. The SALT agreement is a monument to his first term in office. His approaches to the Soviet Union and China in the name of peace are already bearing fruit. He was bold and decisive when the condition of the domestic economy demanded boldness and decisiveness.

For the voter who seeks reasonable answers to present problems, the choice in 1972 is clear. The Times recommends the reelection of President Nixon.

TRIBUTE TO JOHN SHERMAN COOPER

Mr. STEVENS. Mr. President, it is with great pleasure and great regret that I join in paying tribute to Kentucky's senior Senator, John Sherman Cooper, who is retiring from the Senate after 20 years of outstanding service to the people of Kentucky and the Nation.

In John Sherman Cooper, we have found a wise, dedicated and skilled legislator, who has given this country the highest quality of leadership one could render. The high esteem in which he is held is not limited to those who have had the privilege of serving with him in the Senate.

His 20 years of service marks the longest term that any Senator from Kentucky has served except for that of the late Senator Barkley. The overwhelming majority by which he was elected in 1960 and 1966 is further proof of the high regard in which he is held by his constituency.

Furthermore, in 1965, Senator Cooper was the Republican recipient of the American Political Science Association's award for distinguished service in the Senate for the 88th Congress. In 1960, he was named the ablest Republican in the Senate according to a Newsweek magazine poll of 50 Washington news correspondents covering the Senate.

Legislatively, he has left his mark on the Senate. His tireless efforts have advanced this Nation's conservation programs in addition to our educational development. He brought to the Senate a high degree of international expertise.

which he exercised legislatively a number of times. He fought vigorously for equal justice and equal opportunities for all citizens.

Personally, his wise counsel and guidance were especially valuable to me as a newcomer to the Senate in 1968. He has won respect not only as a U.S. Senator but as a truly fine individual embodying qualities we should strive to emulate.

Senator Cooper recently stated—

> The United States is a great country—fortunate and mighty in strength. We have been blessed by a system of government which holds that the affairs of nations and men can be governed by reason and justice. . . .

Senator Cooper has given us reason to share his undying belief in the greatness of this Nation and he will not be forgotten.

It is with regret and appreciation that I wish Senator Cooper the best in his much-deserved retirement. Ann and I have enjoyed being with Lorraine and John Cooper on several occasions—particularly as members of the Senate NATO Assembly Delegation. We will miss John and Lorraine on occasions such as NATO visits, but we want them to know they both have a special place in our hearts because of their kindness and consideration to us as fellow human beings.

SENATOR CLINTON P. ANDERSON

Mr. YOUNG. Mr. President, it is most unfortunate for not only the U.S. Senate, but the country as a whole that this will be the last session Senator Clinton P. Anderson will be with us.

Clint Anderson has a long record of dedicated, able, and effective service and many capabilities which are seldom equaled. Our good friend Clint has long been recognized as an outstanding authority on many of the important issues that come before the Congress and, too, one with good judgment, particularly in the field of agriculture and the all-important area of atomic energy.

He has established the most enviable record of being one of the most able and effective proponents of legislation he believed in and as an opponent of legislation he believed was wrong. This almost unanimous recognition by his colleagues must be one of the most cherished accomplishments of his long and illustrious career.

All of us regret that Clint will be retiring from the U.S. Senate when his present term ends. We will miss him greatly, but at the same time we understand why he would want to enjoy well deserved retirement and some relaxation from the terrible schedule he has always maintained as a U.S. Senator, Secretary of Agriculture, and Congressman.

I have been honored and my life has been made richer by having been his colleague and friend for these many years. May I join with all the Members of the Senate in wishing Clint Anderson and his highly respected wife Henrietta good health and much enjoyment in years to come.

SENATOR McGOVERN'S LACK OF SUPPORT FOR EFFECTIVE LAW ENFORCEMENT LEGISLATION

Mr. HRUSKA. Mr. President, I was most intrigued on October 3 when our colleague, Senator George McGovern, popped up in New York with a surprise pledge to make eradication of crime and drugs "the No. 1 domestic priorities of my administration." He made this promise during the course of what he called a "major speech on crime."

His goals are most laudable, of course. Crime and the problems associated with it are high in the American conscience. The statistics tell the tale on this question. Crime jumped 122 percent between 1960 and 1966, the years of the Kennedy-Johnson administrations.

In 1968, President Nixon made crime one of the central issues of this campaign. He said:

> Let us resolve that the wave of crime and violence will not be the wave of the future in America.

And, he promised firm action to strengthen the peace forces against the criminal forces in this Nation. He has carried out this pledge.

The growth of general crime decreased from a record rise of 17 percent in 1968 to only 7 percent in 1971. In the first half of 1972, it was only 1 percent. This is very significant progress: from 17 percent down to 1 percent. More needs to be done, to be sure, and President Nixon is committed to all the progress in this area that the Federal Government is capable of producing.

Let me suggest that the Senator from South Dakota is a bit late in climbing aboard the anticrime bandwagon. Coming as it does, as a completely new venture for him and in the midst of his presidential campaign, it looks a trifle political and expedient.

It also looks hypocritical—since Senator McGovern, over the years when the Senate has been struggling with crime legislation, has never bothered to show up for most of the important anticrime votes—let alone support them.

From time to time, Senator McGovern has expressed concerns about various aspects of crime. But he has seldom been here in the U.S. Senate—as the people of South Dakota elected him to be—when the chips were down and when he could have cast his vote against crime, a more effective weapon than his occasional words against crime. Here are some of the telling examples that fatally undermine his new-found concern for the crime fight as his "No. 1" domestic priority:

Senator McGovern stated on July 26, 1970, that,

> I have always supported strong law enforcement and will continue to do so.

Yet in 1968, Senator McGovern missed all 12 votes on amendments to S. 917—the Omnibus Crime Control and Safe Streets Act of 1968—pertaining to the admissibility of confessions in court, eyewitness testimony and funding for various law-enforcement programs.

Senator McGovern also has urged on occasion additional restrictions on the sale of shotguns and rifles. Yet in 1968, he missed all 10 votes on S. 3633, the Gun Control Act of 1968, as well as the final passage of that same bill as embodied in H.R. 17735. More recently, he missed eight of the 11 votes this year on S. 2507—the proposed Handgun Control Act of 1972.

He has been a constant critic of the Federal Bureau of Investigation and was particularly hostile toward the late J. Edgar Hoover before his death. He indicated that he felt "nothing but relief" at Mr. Hoover's death and thought that former Attorney General Ramsey Clark would "be perfect" as a replacement to head the FBI. Despite these strong views, when the Senate voted in 1968 to require Senate confirmation of any new FBI Director, McGovern was absent.

While voting against the men nominated by the President to be Justices of the Supreme Court in an effort to put a strong voice for law enforcement on our Highest Court, Senator McGovern has missed most of the votes in the Senate on legislation to fight the scourge of organized crime in America.

As in many fields, his record with regard to organized crime is woefully scanty. In 1970, for example, he missed all six votes on the Organized Crime Control Act which was aimed at cracking down on the underworld. This record of absenteeism on this important bill came despite his statement that:

> The illegal drug trade is being deliberately pushed to enrich the underworld, and I think a large segment of law enforcement agencies ought to be going after those people.

The Senator missed his opportunity to go after them himself.

Another issue which supposedly "bugs" Senator McGovern is wiretapping. He has called it a "deadly serious invasion of our personal liberties." Yet in 1968 Senator McGovern missed all seven votes on amendments to S. 917 pertaining to wiretapping. He must regret those absences now, but it is just another example of the way he has wasted countless opportunities during his Senate tenure for positive action on issues he now claims to feel strongly about.

Mr. President, one particular aspect of Senator McGovern's lamentable record of absenteeism on crime votes deserves emphatic attention. This is his lack of positive action on drug abuse. Nowhere is the difference between attitude and action so clear.

In July 1971, Senator McGovern said:

> I'm terribly worried about the drug problem. I think it's an enormous danger—the way it's crept down even to the grade school level.

But what has Senator McGovern done in his 9 years in the Senate to help solve the problem of dangerous drug abuse. In these years he has sponsored only two bills on the subject, neither of which has been enacted. He cosponsored nine bills, and only one of these passed the Congress.

Senator McGovern was absent from the U.S. Senate for 10 out of the 24 major votes taken during his career on the drug problem. This means Senator McGovern was absent 42 percent of the time on one of the most gravely disturbing issues facing this country.

And, we are all aware of how Senator McGovern has flip-flopped with regard to the questions of legalization of marihuana in the short span of his presidential campaign.

Mr. President, to be charitable toward our colleague, it must be said that he has good intentions—just never the time nor the apparent energy and commitment to carry them out on the floor of the Senate where his first responsibility lies. And we all know what is paved with unimplemented good intentions.

Come home, Senator!

SENATOR ANDERSON OF NEW MEXICO

Mr. BURDICK. Mr. President, when the 93d Congress convenes in January 1973, there are going to be several old friends absent from the Senate. Among them will be Clinton Anderson, who has served his State of New Mexico faithfully and well in the U.S. Senate since his election in 1948.

I have had the privilege of serving with Clint on the Senate Committee on Interior and Insular Affairs, so I know from firsthand experience the breadth of his knowledge of our country and its needs. Coming to Congress from the Cabinet post of Secretary of Agriculture, he brought to legislative affairs a deep understanding of the needs and aspirations of Western State ranchers and farmers. His record reveals his sensitive and sympathetic approach to the problems of people. He is a skillful legislator whose wise counsels will be missed here. He deserves full honors from his colleagues—and will receive them—because he has served with honor.

I am proud to have served in the Senate with Clint Anderson of New Mexico and wish him well in the future.

SENATOR ANDERSON OF NEW MEXICO

Mr. BENNETT. Mr. President, no one regrets more deeply than I the decision of Senator Clinton P. Anderson of New Mexico to retire from the Senate, and yet I must approve and applaud his decision because if anyone has, through his public service, earned the right to return to the peace and quiet of private life, Senator Anderson has.

He began his public service in his own State during the depression and continued it again during the war when he served the country so effectively in its time of need for the soundest of wisdom in providing food for the civilian population as well as its more than 10-million-man army.

In the years between, I remember meeting him as president of Rotary International which is a recognition that his leadership in the field of private business paralleled his public service.

When he came to the Senate he brought with him this wealth of experience and wisdom and for the past 20 years it has been my great privilege to serve with him on the Committee on Finance, and and for the past 16 years to serve with him, and occasionally under his direction, as Chairman of the Joint Committee on Atomic Energy.

Although we have different political backgrounds, we both come from the Intermountain West and therefore share a common heritage of history and tradition which enabled us to understand each other and more often than not, to be on the same side of the economic, social, and scientific issues these committees face.

Over these many years Senator Anderson has earned and enjoyed a high degree of accomplishment and recognition. The burdens of his career would challenge any man of this most vigorous health, but Senator Anderson has been able to accomplish all of this weighed down by the burdens of physical debilitation which at times have robbed him of the chance to reach his greatest potential. So we who have worked with him are happy in the hope that now that he is about to lay down the burdens of public service, his health will improve and with it the opportunity to enjoy for many years the association of his family and bask in the honors that the citizens of New Mexico, whom he has served so well, will heap upon him.

FAREWELL TO LEN JORDAN

Mr. STEVENS. Mr. President, before I go home to Alaska to campaign for reelection I want to pay tribute to my friend and colleague from Idaho, the Honorable Len B. Jordan. He is retiring from the Senate after 10 years and a job well done. His accomplishments prior to becoming a Senator from Idaho are well known. I expect we will hear more of new accomplishments.

We come from States with some similar characteristics: mining and mineral interests, agricultural and land use interests and a beautiful environment. These are the great concerns of our people. Senator Jordan identifies with Alaska. In 1933 parts of Idaho were as remote as parts of Alaska are today. As a pioneer rancher, Len Jordan built his family a home in the rough hewn Idaho wilderness. It is my observation he has yet to lose his zest for nature and a hard day's work. As a Governor, presidential appointee, and now as a Senator, the gentleman from Idaho evinces an abiding faith that man can utilize nature's resource without despoiling nature itself.

The realization that conservation is wise use of resources—rather than nonuse—points the way to a rational plan of conservation for the future.

I simply wish to thank Senator Jordan for the many kindnesses he has extended to me. I have valued his counsel. He has been a good friend. Upon retirement he takes with him my respect and admiration for his character as a U.S. Senator and as a man. Ann and I know that Grace and Len Jordan will be our friends for many years to come. And if Len wants a new challenge, we invite him to come North to the future—to Alaska.

MARIHUANA AND THE LAW

Mr. JAVITS. Mr. President, the first report of the National Commission on Marihuana and Drug Abuse—of which both the Senator from Iowa (Mr. Hughes) and I are members—has caused considerable comment in the national media. Its findings and recommendations concerning marihuana are extremely thorough and well documented, and I commend it to the personal attention of every Senator.

By and large, the response of the public and professional organizations both in the United States and abroad has been favorable. A recent commentary on the report, written by Dr. Robert Coles and published in the Atlantic Monthly magazine, is representative of what seems to be the preponderant view concerning the report.

Mr. President, I believe that the evidence that has been compiled on the nature and effects of marihuana demonstrates that criminal penalties for the possession and use of small amounts of marihuana in private should be eliminated. I urge the Senate to confront this issue when the new Congress convenes in January. The injustice and hardship which has been caused, in many cases, by these outdated criminal laws ought finally to be alleviated.

The bill, which Senator Hughes and I have introduced, S. 3517, would correct this situation while maintaining the current Federal penalties for the sale of the drug.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

More on Drugs

(By Robert Coles, M.D.)

The issue of "drugs" and "drug abuse" has not disappeared from the public consciousness, certainly not the way other apparently crucial issues have—often they streak across the American scene and are considered old hat after being discussed on a few talk shows and highlighted in the press for a season or two. But for nearly a decade now, a whole range of "experts" have talked about and argued over and tried to make sense of "drugs." Who takes them and why? The books keep coming out, and as befits an issue that has staying power, a presidential commission was appointed to go over the subject and report back as soon as possible. This it has done in *Marihuana: A Signal of Misunderstanding*.

One assumes that the members of the President's Commission on Marihuana and Drug Abuse are tough-minded and practical men who did not expect to comment on the subject matter they have just studied without obtaining their fair share of insults. After a great deal of contemplation, after months of listening to witnesses and reading and arguing things out, they have come up with their first report, and by now much of the public knows their essential recommendation: that our legal system be rather decisively overhauled so far as the laws on marijuana go. We ought to have, the commission says, a uniform law, rather than dozens of them with astonishing and occasionally outrageous variations from state to state; and most significant, the possession or distribution in private of small amounts of marijuana ought not to be a state or local offense. Public possession or distribution is another matter—though again, small amounts so discovered would merely be subject to confiscation, whereas the discovery of amounts over one ounce would entail a fine of one hundred dollars. On the other hand, stiff penalties are recommended for those who go out and cultivate and buy and distribute the drug for profit; and antisocial offenses committed under its influence, as with alcohol, would by no means be condoned.

The report has been called everything good and bad, and is not intended, I believe, to satisfy those who have strong opinions, one way or the other, on the subject. A presidential commission of this kind aims to educate people, prepare the way for change that is all but certain to take place (though its exact nature is not yet certain), and help mobilize a confused nation around some action that will reduce the level of discord and suspicion—no mean achievement these days. I don't think the members of the commission expect that the American people, through their elected representatives, will accede to every suggestion in their report. There are legal and maybe even constitutional issues to be settled. How, for instance, does one sanction possession but forbid sale without getting into trouble with the notion of "private property" and its various "rights"? In any event, the overall tone of the report is in keeping with what was intended: hysteria is shunned, propaganda avoided; a serious effort is made to acknowledge errors of the past. Most of all, we are nudged toward some common ground that millions of people can stand on with a reasonable chance of not getting at one another's throats or seeing one's children caught in the grips of irrational and out-of-date laws. As a citizen one must out of duty respond to such a report, written as it was for each and every one of us; and I will do so by saying thank you for what I believe to be a thoughtful and well-done job, a real beginning and a real help—if only regarded closely by those who make our laws.

PHILADELPHIA INQUIRER SUPPORTS REELECTION OF PRESIDENT NIXON

Mr. SCOTT. Mr. President, Sunday's Philadelphia Inquirer, the city's largest circulated newspaper, editorially supported the reelection of President Nixon. In an exceptionally well-researched and well-written editorial, the Inquirer spells out chapter and verse why this country needs President Nixon's proven leadership for another 4 years. I ask unanimous consent to include the editorial, "Senator McGOVERN indeed offers a choice; ours is another Nixon administration."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SEN. McGOVERN INDEED OFFERS A CHOICE; OURS IS ANOTHER NIXON ADMINISTRATION

As the days dwindle down, George McGovern professes to be puzzled at the turn the 1972 Presidential campaign has taken.

It was his intention, as he said in July in the flush of his victory at the Democratic convention, to make President Nixon "the fundamental issue in this campaign." And yet here in October, as Loye Miller Jr. of our Washington bureau wrote the other day, "the issue has now become George McGovern himself."

"I've got to tell you I'm baffled at the support Nixon has in the polls," Sen. McGovern mused in an interview last week. "I have not thought he was a popular President. I don't think his record has been a good one. And that being the case I am puzzled by the polls. I just don't know what they mean."

Well, we'd like to suggest and discuss a couple of reasons why Mr. Nixon is leading—and why The Inquirer now endorses him for another term.

The first is that the majority of American voters simply do not accept Mr. McGovern's shrill assessment that the President has given the nation the "worst leadership in our history."

The second is that Mr. McGovern's vacillation on the issues and his fumbling campaign have inspired little confidence in his own capacity for national leadership.

Mr. Nixon, like any other President, has his shortcomings. And his administration, like any other, has sins of both omission and commission for which it must be held accountable.

Generally, however, we believe that this contemplative President has used the vast powers of his office well to move the country in directions that the broad sweep of history will prove sound. And it is the forest, not the trees, that should command the attention of the electorate when choosing the man who will lead the nation for four years.

By this standard, the overriding issue of our time is unquestionably the search for what Mr. Nixon himself calls a generation of peace.

That peace has eluded him in Vietnam, despite the progress he has made in reducing American involvement in a war he inherited and bringing home most of the 550,000 troops his Democratic predecessors sent there. While applauding his incessant search for a settlement that will give South Vietnam a reasonable chance to survive on its own, we deplore and oppose the bombing he pursues in the attempt to force that settlement.

We cannot, however, accept Mr. McGovern's characterization of the President of the United States as a barbaric, Hitlerian warmonger under whom, in the area of foreign policy, "we are becoming a second-rate nation in the terms that will really count."

A less passionate Democratic assessment, we believe, was one couched not in desperation campaign rhetoric but in a thoughtful commencement address earlier this year by Senate Majority Leader Mike Mansfield. Commenting on Mr. Nixon's momentous visits to Peking and Moscow, he said:

"History will record 1972 as the year in which a corner was turned for peace. There are indications that the world is headed back toward constructive human purpose in its major international relationships . . . The President is responding in a new fashion to international circumstances. He is projecting not as adversary but as conciliator. In so doing, he is paying heed to the legitimate claims of a public sentiment grown impatient with the songs of peace, sung in cadence of war.

Or listen to Max Lerner, one of the most liberal of the liberal commentators, describing some of the current wonders of America":

"The wonder of a conservative President who has carried through the most revolutionary foreign policy in the history of America as a great power.

"The wonder of the nuclear weapons control treaty, nursed for several years and completed by a President formerly regarded as a nuclear hawk."

On the domestic issues, solutions to some of the economic and social problems of the country have proved as elusive as peace in Vietnam.

But "the truth is," as Eric Severeid observed recently, "that there are no quick cures. And it may be that the man the majority will respond to is the candidate who frankly acknowledges this and promises only to keep trying, without regard to doctrines or past conceptions, until some answers are found."

As in foreign affairs, Mr. Nixon has not hesitated to break with the past in trying to change the way we approach our domestic problems.

For all of Mr. McGovern's talk about reordering priorities, the fact is that in the four Nixon years such a process has been taking place. In fiscal 1968, the last year of the last Johnson budget, 45 percent of the federal budget was spent on defense and 32 percent on human needs, or social programs. In the 1973 budget, these figures are exactly reversed. As a percentage of the gross national product, defense spending during that time has fallen from almost 9 percent to slightly more than 6 percent—the lowest level in 22 years.

If one thing has become abundantly clear, however, it is that pouring more money into old programs is no panacea. Mr. Nixon's response has been a series of such fundamental reforms as welfare reform, government reorganization and revenue sharing.

Unhappily, the same Democrats who say the people are disenchanted with the way government works and who promise them a change have used their control of Congress to scuttle many of the President's proposals. But revenue sharing seems finally on the way, and we do not doubt that a second Nixon Administration would see further innovative efforts to deal with problems that have not responded to massive infusions of cash from swollen Washington bureaucracies.

Meanwhile, runaway inflation has been brought under control, even if the federal budget has not. As a result, for the first time since the mid-1960s Americans this year are enjoying an increase—of 4.3 percent—in real, spendable weekly earnings.

Many thorny problems remain, of course. But they bring us back to Mr. Sevareid's point and to the confidence the American people have in a Presidential candidate.

It may be true, as Mr. McGovern said he supposed, that Mr. Nixon has not been a "popular" President. Certainly he does not generate the kind of affection the fatherly Dwight Eisenhower did or the kind of excitement the charismatic John Kennedy did.

But in his own way, he has quietly gone about binding the wounds that tore the nation apart during the Johnson Administration and restoring to the White House a sense of dignity and respect it seemed to have lost. His lead in the polls, a Gallup spokesman said recently, does not mean that he is invincible but that he "has managed to come across with a Presidential style. There's been a real change in the tone of what is said about him."

His administration has shown its seamier sides, as in the current Watergate affair, and though the President has not been personally implicated he must of necessity bear the responsibility for those he puts in places of trust.

That is a *far* cry, however, from charging—as Sen. McGovern does—that the Nixon Administration is the "most corrupt in the two centuries of American government." Such a reckless broadside says more about the bankruptcy of Mr. McGovern's own candidacy than it does about the President and will be hard to sell to American voters. According to the latest Harris poll, they indicated by a 60–29 margin that they put more trust in Mr. Nixon than in Mr. McGovern.

Which brings us to the question of why Sen. McGovern has fared so poorly in trying to sell his own brand of leadership.

He is, after all, a decent, intelligent and honorable man. But he is being measured now as a potential President of all the people. And he has not measured up.

His major problem, perhaps, is one suggested by James Reston of the New York

Times: "He has probably misjudged the mood of the country and emerged as the champion of militant forces that want more change than the majority of the voters desire."

That appeal to the militants won the nomination for him, even though he took only 23 percent of the votes in the contested preferential primaries. But it left his own party grievously split. In trying to repair that wreckage and broaden his support, he has damaged his credibility by waffling on so many issues that not even his original supporters know where he really stands.

In his handling of the Eagleton affair, he not only dealt his credibility a further blow but emerged as indecisive and reluctant to face up to unpleasant situations.

And in the management of his inept campaign he has raised doubts about his ability to run anything, much less the most powerful nation in the world.

Mr. McGovern talks of building "a new coalition that will bring about fundamental changes in the country." But he seems quite fuzzy himself on some of those changes, and even fellow Democrats express concern about some of the others.

Before finally abandoning his grand design to give everybody in the country $1,000 a year, for example, Mr. McGovern was asked in a television debate what it would cost and answered simply: "I don't know."

Although he insists he could cut $30 billion out of the defense budget without endangering the country, it was not Melvin Laird but Hubert Humphrey who warned that his proposals "cut the muscle in the very fiber of our national security."

And it was not Barry Goldwater but one of the more liberal Southern Democrats, Duke University President Terry Sanford, who expressed concern about the thinking behind some of Mr. McGovern's domestic proposals—"the thinking . . . which sees a greater paternalistic action in supporting people, bigger and bigger government. I think that the frame of mind that one gets into in serving in the Senate causes one to look at the problems of the country in terms of massive plans. They are not going to work any more. But I think he goes a step beyond that . . . . Most of his programs come through as a highly centralized approach to the problems of America."

Mr. McGovern indeed offers a choice on Vietnam, where he proposes to end our involvement immediately with what such a dispassionate observer as the Times' Mr. Reston has called "virtually a formula for surrender."

But he offers other choices as well, both in his proposals—whatever they may be at a given moment—and in his casual style of leadership.

For our part, we would choose four more years of the Nixon Administration. The White House is not ready for George McGovern—or vice versa.

SEGREGATION—NIXON STYLE

Mr. ALLEN. Mr. President, an extremely interesting article appeared in the October 23, 1972, issue of U.S. News & World Report entitled "Segregation, Nixon Style—How Nixon Would Deal With It."

The article is composed of excerpts from a memorandum submitted to the U.S. Supreme Court on October 6, 1972, by U.S. Justice Department attorneys in connection with the landmark test case on de facto segregation involving the public school system of Denver, Colo. I request unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEGREGATION, NORTHERN STYLE—HOW NIXON WOULD DEAL WITH IT

Now before the Supreme Court is a landmark test on de facto segregation—the kind that is commonly found in Northern schools.

At issue: What, if anything, should a city be required to do about racial imbalance that is not caused by racial discrimination?

In a case involving Denver schools, the Nixon Administration suggests this: Don't bus children—improve black schools.

(*Following are excerpts from a memorandum submitted to the U.S. Supreme Court on Oct. 6, 1972, by U.S. Justice Department attorneys in the Denver school case:*)

This case presents for the first time in this Court questions involving the application of the "equal protection" clause [of the Fourteenth Amendment] in the context of racial and ethnic concentration in a Northern urban school system with no history of compulsory segregation.

The record sets forth a pattern familiar to many urban areas: a basic neighborhood-school system; a well-defined "core area" populated predominantly by black or ethnic minorities; a gradual expansion of this area into surrounding neighborhoods, accompanied by an increasing number of predominantly minority schools, and significant evidence of sub-par educational success in such schools.

Both below and in this Court, the parties have urged one-dimensional application of the equal-protection clause. The plaintiffs contend that official acts of invidious racial discrimination have been widespread and continuous and require systemwide desegregation relief. The defendants argue that racial and ethnic impaction in the schools is primarily a function of residental patterns and that any offical acts found, in retrospect, to have been racially motivated should be viewed as remote and insignificant causes of the present problems.

We agree with the courts below that there are at least two discrete applications of the equal-protection clause to this factual pattern:

First, both the district court and the court of appeals found that, with respect to some of the schools in the neighborhoods that changed from Anglo to black or Hispano, the school board took official steps that deliberately caused or promoted minority concentrations. Such acts of *de jure* segregation violate the equal-protection clause and, under the decisions of this Court, must be remedied promptly and effectively.

Second, with respect to the original core-area schools, both courts found that the petitioners had not presented sufficient evidence to show that the minority concentrations were related to official school-board acts. The record supports that finding as to most core-area schools.

However, there was some evidence that the school district allocated disproportionately less of its resources to such schools and that by some of the standard measurements a poorer quality of education was delivered. The district court found in these "input" and "output" disparities a constitutional violation which it chose to remedy by eliminating the racal concentration.

The court of appeals, however, found the apparently inferior education to be casually remote from the disproportionate allocation of resources and therefore considered it only an educational and not a constitutional problem. . . .

We concur generally with the district court's legal analysis, but believe that the relief ordered was beyond that required to remedy the violation. Under familiar principles, we therefore suggest a remand to define more precisely the nature of the violation and to design appropriate relief in this phase of the case. . . .

1. STANDARDS FOR DETERMINING WHETHER THERE HAS BEEN AN UNCONSTITUTIONAL SEGREGATION OF PUBLIC SCHOOLS

We begin with the premise that the existence of racial or ethnic imbalance in public schools does not, by itself, constitute a prima-facie case of unconstitutional segregation of public schools.

We also assume that the intentional segregation of students in public schools on the basis of race or national origin is per se an invidious racial or ethnic classification that cannot be justified by benign motives and is therefore unconstitutional.

While an absolute rule based solely on segregative results or, conversely, requiring in every case proof of discriminatory motive might be easy to apply, the former would, in our view, go beyond the requirements of the Fourteenth Amendment, and the latter would mistakenly permit an agent of the State to segregate students by race or national origin so long as his motive is benign.

The proper test requires a more sophisticated scrutiny of the facts to determine whether State officials have intentionally acted to create a racial or ethnic classification and whether the classification is an invidious one; it does not require a probing of the subjective motives of those State officials. . . .

2. STANDARDS FOR DETERMINING WHETHER THERE HAS BEEN A DENIAL OF EQUAL EDUCATIONAL OPPORTUNITY

In ascertaining whether school authorities have unlawfully discriminated on the basis of race or national origin by providing Negroes and Hispanos inferior facilities, faculties or instructional programs, the courts again must also determine the existence of State action, of an invidious racial classification and of a present discriminatory effect.

Two types of evidence relating to unequal education were presented in this case: evidence about objectively measurable resources allocated to the various schools in the system (teacher experience and turnover, site size, age of buildings) and evidence of a more indirect nature about the quality of the educational program in the various schools (achievement-test scores, dropout rates, testimony of educators and parents).

The causes of substandard academic performance are too conjectural to be made the central issue in desegregation suits, and, in any event, substandard performance is not the only effect of inadequate schooling.

Where the State provides inferior resources to predominantly Negro/Hispano schools, there is State action; in the absence of a legitimate nonracial reason for the disparity, there is a racial classification.

The present discriminatory effect is simply that minority-group students are receiving inferior resources for their education, and nothing further in the way of proof about educational consequences should be necessary to show that this is a basic unfairness.

Where non-school-related factors produce differing educational needs among different racial and ethnic groups, the school system must seek to meet the needs of all groups equally.

If it fails to take adequate steps to meet these differing needs, the court may find that disparate achievement levels are school-related and caused by State action. . . .

Evidence shows the existence of a school-related disparity in the achievement levels of children at minority-group schools and Anglo schools. In these circumstances, we believe that the school board can meet its heavy burden of justifying its failure to eliminate the disparity by demonstrating that it is engaged in a concentrated, high-priority, bona fide effort to meet the educational needs of the minority-group students. . . .

3. STANDARDS FOR FASHIONING AN APPROPRIATE REMEDY

Both of the courts below found that the Denver school board had, through official acts, substantially contributed to the racial concentration of black students in the Park Hill area schools. This finding is supported by the record and should not be disturbed. The relief ordered by the district court and approved by the court of appeals was the implementation of the corrective program adopted and subsequently rescinded by the school board.

Under the circumstances of this case, we believe that these steps "promise realistically to work *now*" and are therefore appropriate.

We further support as legally and factually sound the conclusion of both courts below that the racial and ethnic concentrations in most of the core-area schools did not originate with the policies and practices of the school board.

However, we share the view of the district court that significant disparities in educational opportunities in a group of schools defined by racial and ethnic concentrations would constitute violations of the equal-protection clause.

We do not concur with the district court's assumption that the only effective remedy for such a violation is to eliminate the racial concentration—and therefore the long-standing neighborhood-school policy—by transferring the affected students.

It would be equally effective to eliminate the disparities rather than disperse the students. Indeed, such a program could be more specifically tailored to the violation—i.e., the failure to provide an equitable share of resources and to meet special educational needs—and to that extent would be a preferred equitable remedy.

We therefore agree with the court of appeals that in this situation the educational program, not the racial concentration, is the legal problem; we do not support that court's view that such a condition is beyond the area where it is appropriate for the federal judiciary to intervene.

If a violation is found, "the task is to correct, by a balancing of the individual and collective interests, the condition that offends the Constitution." That balancing ing process may be difficult to apply where the condition is a denial of equal educational opportunity, since there is widespread disagreement among educational experts as to what the individual and collective interests are.

However, while recognizing that there is not at this time—and may never be—one perfect educational remedy for the offending condition, one should be able to formulate guidelines for fashioning a judicial remedy. . . .

We submit that the most appropriate remedy for this kind of violation is an educational one and should be developed by the school board in the first instance. Its elements would include: (1) application of resources in an evenhanded manner, (2) identifying within the limits of educational expertise the special needs of each school that has either received inferior resources or offered demonstrably inferior educational opportunities, and (3) plans for designing and implementing a remedial program to meet such needs.

Denver School Case—Its Background and the Issues

The Denver school controversy began in 1969 when the school board decided—voluntarily—to use busing and other devices to obtain more racial mixing in the public schools.

In an election later that year, opponents of busing won a majority on the school board, which then rescinded most of the previous board's integration plans. Thereupon, eight black families filed suit in U.S. district court, demanding full integration of the schools.

Denver's racial situation is this: Only about 14 percent of public-school pupils are black, and about 20 percent are Mexican Americans—or "Hispanos." But those minorities are heavily concentrated in schools in two sections of the city.

The city has never segregated races by law. The present school board argues that its policies are not discriminatory, that whatever racial segregation exists is *de facto*—resulting from residential patterns—and that the U.S. Supreme Court has never ruled *de facto* segregation to be unconstitutional.

The district judge held, however, that the school board, by some of its policies, had deliberately fostered racial segregation in some schools in an area known as Park Hill.

The judge conceded that the minority concentration in another area—in downtown Denver—was *de facto*, not discriminatory, but found the educational opportunities offered to pupils in both areas to be inferior. He ruled that—regardless of the cause—the school board must take action to equalize educational opportunities in both areas by employing a combination of busing, rezoning and compensatory education in the minority schools.

This ruling was appealed to the Tenth U.S. Circuit Court of Appeals. That Court upheld the finding of discrimination in Park Hill and approved busing as "one of the tools" that could be used there. But the Appeals Court held that in the area of *de facto* segregation there was no constitutional requirement for action by the school board.

Both sides have appealed that ruling to the Supreme Court of the United States.

Mr. ALLEN. Mr. President, the article is interesting for several reasons, not the least of which is that it points up a default by Congress in its failure to enact statutory remedies to be applied by Federal courts in desegregation cases.

In my judgment, the failure of Congress to exercise its constitutional power and duty to provide statutory remedies for denials of equal protection of the laws will result in a constitutional amendment. Had Congress enacted remedies with reasonable limitations on excessive busing, such an action would have obviated the necessity for the Supreme Court to undertake to resolve the complex problems of finding remedies by resort to mythical discretionary equity powers in U.S. district court judges. I believe now that a constitutional amendment is probably the only way to resolve the question once and for all.

After having read the position of the Department of Justice as developed in the memorandum filed with the Supreme Court in the Denver case, it is difficult to understand how anyone can avoid the same conclusion.

The U.S. Department of Justice agrees in its memorandum that under the facts of the Denver case there is involved at least two applications of the equal protection clause of the 14th amendment.

The first involves a denial of equal protection of the law in violation of the 14th amendment by reason of deliberately caused segregation resulting from official actions of the school board. The second deals with denial of equal protection of the laws in violation of the 14th amendment by reason of an unequal allocation of resources to public schools characterized by a high concentration of racial minority pupils.

The Department of Justice pleads for the application of different remedies to each of these situations. The Department of Justice would seem to favor three separate sets of remedies in desegregation cases—remedies to be applied in Southern States; remedies to be applied in cases involving deliberate segregation in States outside of the South; and cases involving denial of equal educational opportunity in States outside of the South.

However, each of the denials of equal protection of laws has certain elements in common: First, each represents invidious discrimination based on classifications by race. Second, each results in denial of equal educational opportunities. Third, each is, therefore, a denial of equal protection of the laws. Fourth, in each case the question of determining remedies is left to the discretion of U.S. district court judges. Fifth, in each case U.S. district court judges are recognized as having an inherent discretionary power to operate, manage, and control local public schools to the extent that a U.S. district court judge may think necessary and proper without regard to the will and wishes of parents whose children are disposed of by the judge's orders.

There are several conclusions which can be drawn from the position of the Department of Justice in this case. The first is that any guidelines handed down by the U.S. Supreme Court will apply henceforth to every school system in every State of the United States because Congress has abdicated its responsibility under the 14th amendment to enact laws to enforce the amendment.

Regardless of how the Supreme Court may eventually rule, one can foresee that our Nation is in for an extended period of litigation and continued chaos and disruption in the public schools. The Supreme Court and the Nation are in an intolerable situation which, in all likelihood, can finally be resolved only by a constitutional amendment.

It is ironic that so-called champions of civil rights legislation are largely responsible for this mess. They have consistently voted to keep the executive department of Federal Government from undertaking to remedy denials of equal educational opportunities in school systems outside of the South.

In the Civil Rights Act of 1964 they resorted to cryptic words and phrases to make clear that no cause of action was to be created for denials of equal educational opportunities by reason of segregation in States outside of the South.

In every congressional limitation on the use of Federal funds for busing, they made certain such limitations would apply in their own States but not in States in the South.

In the enactment of the Emergency School Aid Act it was made clear that the right of school boards to a stay of lower court orders requiring new busing pending the outcome of appeals, would apply only in their States and not in States in the South.

In the liberal led filibuster against the Equal Educational Opportunities Act, liberals demonstrated an unwillingness to create a statutory cause of action and statutor remedies for denial of equal educational opportunities in their States, just as they did in the 1964 Civil Rights Act. The result of these actions was to leave the matter of remedies in so-called de facto segregation cases to Federal courts.

So, Mr. President, the chickens have come home to roost. On the one hand, those who have resisted every effort by Congress to cope with the problems of excessive busing in desegregation of schools must accept the blame and responsibility for intervention by Federal courts and the excessive busing orders in their own States.

They are also responsible for the nationwide support which is fast building into an irresistible force for a constitutional amendment. The people are not willing to leave to the discretion of U.S. district court judges the power to rule the lives of millions of parents and schoolchildren in an area that vitally affects the health, safety, and welfare of schoolchildren.

TECHNICAL ERRORS IN S. 3843

Mr. SCOTT. Mr. President, on October 6, during a typically hectic day toward the close of a congressional session, the Senate passed S. 3843, a bill to provide loans to railroads damaged in the June floods. This legislation is highly important to the Northeast and other flood stricken areas, and had to be passed before this session ended.

Certain amendments were adopted on the Senate floor prior to passage which rearranged some subsections and added others. As a result, some technical errors crept into the bill and, while the bill manager (Mr. Hartke) had obtained unanimous consent for the Secretary of the Senate to make necessary technical corrections, some were inadvertently overlooked.

Under normal circumstances, these errors would have been corrected when the House of Representatives passed this bill last week. However, because the House did not take up the bill until late Friday, and because it looked as though Congress might adjourn before the Senate could clear a House corrected version, the House passed the Senate version of S. 3843, without making any changes, technical or otherwise.

The technical errors and the corrections which should have been effected are as follows:

First. Section 5(a) in the last sentence makes reference to subsection "4(c)(3)." That reference should have been to subsection "4(c)(4)" because of renumbering caused by a Senate floor amendment.

Second. Similarly, section 6(a) makes reference to subsection "4(c)(3)" and this, too, should have been changed to read subsection "4(c)(4)."

Third. Section 11 makes reference to "the schedule prepared under subsection 4(c)(1)." Because of a Senate floor amendment, no schedule will be prepared under the referenced subsection, but one is required to be developed under subsection 4(c)(3) and the reference in section 11 should be to subsection "4(c)(3)."

As can be seen, all of the errors relate solely to internal references in the bill which would probably be apparent to anyone reading the legislation. While the errors cannot now be corrected without a concurrent resolution, I would hope that those concerned with this legislation would make no mistake about the congressional intent with respect to S. 3843.

I have been advised that the floor manager of S. 3843 (Mr. Hartke) supports the making of this clarifying statement, but was not able to be present today to express himself personally.

CANADA-UNITED STATES RELATIONS: OPTIONS FOR THE FUTURE

Mr. MANSFIELD. Mr. President, I am in receipt of a special issue of "International Prospectives" which contains a thoughtful article on Canada-United States relations by the Honorable Mitchell Sharp, Canada's Secretary of State for External Affairs. This is a most important subject which needs more understanding by both sides and Secretary of State Sharp's analysis and assessment is worthy of our most earnest consideration and study.

I ask unanimous consent that the article referred to be incorporated at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From International Perspectives, Autumn 1972]

CANADA-UNITED STATES RELATIONS: OPTIONS FOR THE FUTURE

(By Mitchell Sharp, Secretary of State for External Affairs)

FOREWORD

The Canada-U.S. relationship was identified in *Foreign Policy for Canadians* as a key factor in Canadian policy-making. Over the past year or so a number of studies have been in progress of the relationship and its impact on Canada. The present article reflects some of the main assessments and conclusions which have emerged from those studies. In the preparation of the article I have had the benefit of the advice and assistance of my colleagues in the Government and officials in the Department of External Affairs.

MITCHELL SHARP,
Secretary of State for External Affairs.

THE OPTIONS

Canada can seek to maintain more or less its present relationship with the United States with a minimum of policy adjustments.

Canada can move deliberately toward closer integration with the United States.

Canada can pursue a comprehensive long-term strategy to develop and strengthen the Canadian economy and other aspects of its national life and in the process to reduce the present Canadian vulnerability.

In the review of Canadian foreign policy which the Canadian Government published in 1970 under the title *Foreign Policy for Canadians*, the challenge of "living distinct from, but in harmony with, the world's most powerful and dynamic nation, the United States" was described as one of two "inescapable realities, both crucial to Canada's continuing existence" in the context of which Canadian policy needs—domestic and external—must be assessed. The other was the "multi-faceted problem of maintaining national unity".

If the importance of this unique relationship is such as to affect the whole of Canada's foreign policy, it is in turn influenced by the nature of the world environment, and of the relations the United States and Canada have with other countries. As was recognized in the foreign policy review, and has been dramatically illustrated by more recent developments, the postwar international order is giving way to a new pattern of power relations. The preponderant position of the two super-powers, the United States and the U.S.S.R., is being reduced by the emergence of other major power centres. China, with its vast population and immense potential, has emerged from its long isolation, achieved the status of an important nuclear power, and taken its place in the community of nations. Western Europe is making historic strides towards unity through the enlargement and development of the European Economic Community. Japan has developed as a modern, individual giant in Asia. Confrontation is giving way to negotiation and accommodation in East-West relations and major progress has been achieved on the road toward a political settlement in Europe.

In this evolving new world situation, enlarged opportunities are opening up for Canada and the United States to extend and broaden their relations with Communist countries and with the developing world, while continuing to develop their ties with their more traditional political and trading partners. These major changes will undoubtedly have a bearing on Canada-U.S. relations in the years ahead and on the option that may be open to Canada in particular.

The Canada-U.S. relationship, as it has evolved since the end of the Second World War, is in many respects a unique phenomenon. It is by far our most important external relationship, but it is more than an external relationship. It impinges on virtually every aspect of the Canadian national interest, and thus of Canadian domestic concerns.

Because of the vast disparity in power and population, it is also inevitably a relationship of profoundly unequal dependence; the impact of the United States on Canada is far greater than Canada's impact on the United States.

Some two decades ago, Lester B. Pearson warned that, as the two countries became more interdependent, relations between them would become more, not less, difficult. As interactions increased, conflicts of interest and differences of views were also bound to increase. Preserving harmony in the relationship would require careful and sensitive management.

In recent years, however, the occasional strains and difficulties that have affected relations between the two countries have also had a more basic and deep-seated source. In a Canada undergoing profound and rapid changes associated with industrialization, urbanization, improved education, cultural development and a major reassessment of values, there has been a growing and widely-felt concern about the extent of economic, military and cultural dependence on the United States, and the implications for Canadian independence.

Apart from the relationship itself, which has become more complex, public attitudes in Canada have also changed. In the past, Canadians have generally supported an easy-going, pragmatic approach to our relations with the United States in the belief that Canada's separate national existence and development were fully compatible with an unfolding, increasingly close economic, cultural and military relationship between the two countries. Many Canadians no longer accept this view, or at least do not regard it as self-evident. It is widely believed that the continental pull, especially economic and cultural, has gained momentum. In this ongoing national debate, the fundamental question for Canada is whether and to what extent interdependence with the United States impairs the reality of Canada's independence. How strong has the continental pull become? Can it be resisted and controlled and, if so, at what price?

I. THE CONTINENTAL PULL

It is important and instructive to view the evolution of Canada-U.S. relations in longer-term historical perspective. In terms of Canada's relative dependence on the United States, it is possible, as recently suggested by an American political scientist, to distinguish three main historical periods.

Three phases

The first, lasting until Confederation and some two decades beyond, was an era in which the United States was viewed as posing a military threat to Canada, although the intensity of that threat was steadily diminishing and trade with the United States was becoming important. Reciprocity in trade had been a major issue just before Confederation and in the long recession of the 1880s and 1890s, there was even a movement in Canada in favour of union with the United States. But Canada depended mainly on Britain for its security, for investment capital and as a market and source of imports. The Treaty of Washington in 1871 eliminated most of the outstanding U.S.-British issues in North America, and the settlement of the Venezuela dispute in 1895 finally marked the end of the U.S. threat to Canada and to the British Empire. Canadian perceptions of the United States as a military threat, however, were to linger on for many years thereafter.

The second period may be viewed as an era of gradual transition, characterized by a movement from internal autonomy to full external sovereignty—achieved by the Statute of Westminster in 1931—and by a gradual transfer of military, economic and cultural dependence from Britain to the United States. This period lasted until the Second World War. The transfer of strategic dependence from Britain to the United States became fully apparent and accepted in the 1930s with the mounting threat of war in Europe. President Roosevelt pledged U.S. defence assistance to Canada in speeches first in 1936 and more clearly in 1938 in Kingston, and Prime Minister King responded with assurances about Canada's continental defence obligations.

In economic terms, the United States had already surpassed Britain as Canada's main source of imports by the turn of the century. Britain, nevertheless, continued to be Canada's main market until after the First World War, and remained about as important as the United States until the Second World War. Free trade with the United States—the reciprocity issue—was a major national issue in 1911, but Canadians rejected this course for fear of its longer-term political implications. The shift from Britain to the United States as the primary source of new investment capital had taken place before the First World War. By and large, however, the inter-war period was characterized by a relative balance in Canada's relationship with Britain and the United States; it was still the era of the Atlantic Triangle.

Strategic dependence

The third period begins with the Second World War and extends to about the present. Canada's strategic dependence on the United States was an accomplished and accepted fact. The war had propelled the United States into unquestioned preponderance as Canada's main trading partner and source of investment capital. Britain had dropped far behind, in second position and, even after the full recovery of the British economy and the restoration of convertibility, the British share of our trade was to follow a generally declining trend. This is the era of the "special relationship", of the new realities of military alliance and close defence co-operation, of increasing economic and cultural interaction, of exceptionally close personal ties between political leaders and senior officials of the two countries. Both countries had been thrust onto the world stage: the United States as the acknowledged leader and protector of a Western world which felt itself threatened by Soviet expansion; Canada as an important military ally and economic power.

The Canadian view of the United States was influenced in large part by the Cold War and by the conviction that U.S. leadership and active involvement in European and world affairs were essential for peace and security. Memories of U.S. isolationism and protectionism weighed heavily in shaping Canadian attitudes. NATO, the new Commonwealth and the United Nations provoked congenial, multilateral frameworks for postwar Canadian diplomacy and served to mitigate and dilute to some extent the growing U.S. influence on Canada. The pattern of rising interdependence between Canada and the United States was generally viewed, at least until the end of the 1950s, as a natural and beneficial phenomenon, without wider and disquieting political ramifications. Politically significant expressions of concern about this trend began to mainfest themselves in the late 1950s. However, it was not until the 1960s that this trend of opinion gathered strength and found roots in broader circles throughout the country.

This brief historical overview is useful in providing some sense of the shifting pattern of Canada-U.S. relations. It shows that the essential features of the relationship as it exists today took shape mainly in the period beginning with the Second World War. Any attempt, however, to assess the strength of the forces drawing the two countries closer together requires a more searching examination of their manifestations in the defence, economic, and cultural fields.

In the defence field, the pattern in this third era has been one of increasing co-operation and co-ordination for the most part. Some of the highlights in this evolution were the 1940 Ogdensburg Agreement, which established the Permanent Joint Board on Defence (PJBD) as an advisory body to the two governments to co-ordinate plans for the defence of North America; the 1941 Hyde Park Agreement, extending wartime co-operation into the economic sphere; the establishment in 1946 of a Military Co-operation Committee; a joint declaration in 1947, continuing co-operation for North American defence into the postwar period; the North Atlantic Treaty of 1949, establishing the first and only formal alliance between Canada and the United States; the joint "Statement of Principles for Economic Co-operation" in 1950; the conclusion in 1958 of the North American Air Defence Command Agreement (NORAD), establishing an integrated anti-bomber defence system; the Defence Production Sharing Program, started in 1941, and continued after the war, which has involved susbtantial sales in both directions.

Extra-continental threats

The cornerstone of this defense relationship consisted in the mutual recognition that North America was no longer immune from extra-continental threats. Canada was considered by the United States as a vital and strategic area, while Canada recognized its strategic dependence on the United States to ensure its defence against an outside threat. It was this dual recognition which led in 1940 to a U.S. commitment to the defense of Canada and to a Canadian commitment to ensure that Canadian territory, air-space and coastal waters would not be used for hostile actions against the United States. With the Cold War, the development of nuclear weapons and the rising threat of long-range Soviet bombers in the late 1940s and the 1950s, the U.S. defence interest in Canada intensified; it was no longer sufficient to ensure that Canadian territory be denied to a potential enemy. The United States needed access to Canadian territory for radar warning systems, airbases and other defense purposes. Canada shared the U.S. interest in an effective North American system and, generally, in protecting the U.S. nuclear deterrent capability. As long-range missiles were developed by the United States and the U.S.S.R., and the Soviet Union moved toward nuclear parity with the United States, this shared Canadian and U.S. interest became one of protecting the stability of mutual nuclear deterrence between the two super-powers. The Canadian interest was somewhat ambivalent, however, since U.S. forces and bases in Canada were viewed as posing problems for Canadian sovereignty.

With the continuing development and improvement in long-range nuclear-armed missiles and in radar detection systems, the relative importance of the bomber threat declined. The United States had less need for Canadian territory and, to some extent, for close Canadian involvement and participation in North American strategic defense planning. As a result of these technological developments, the level of interdependence in the Canada-U.S. defense relationship has remained static or declined somewhat in relative terms over the 1960s. The gradual improvement in U.S.-U.S.S.R. relations and the conclusion of various agreements between them to reduce the risks of confrontation have reinforced this trend.

Nevertheless, Canadian territory, airspace and coastal waters continue to be of key importance for the strategic defence of the United States, and the Canadian interest in contributing to the maintenance of stable nuclear deterrence is undiminished. Defence co-operation between the two countries remains firmly anchored and close, but the momentum of the Fifties and Sixties toward closely-integrated and structured defence arrangements has abated. This situation could change, of course, as a result of technical innovations such as the introduction of new defence and warning systems, or a return to a more active military confrontation between the super-powers.

Economic arena

By contrast, in the economic field, the continental pull has operated strongly throughout the postwar period and has developed its own built-in momentum. The North-South pull has, of course, been a factor throughout Canadian history. At the time of Confederation and until the 1920s, however, there were strong countervailing forces promoting an East-West bias in Canada's economic development and in its trade and financial relations across the Atlantic. These were buttressed by the national economic policy introduced following Confederation. The development of the transcontinental railways in Canada, the subsidization of freight rates and the establishment of protective tariffs for Canadian secondary industry were deliberately designed to strengthen economic ties across Canada and to encourage the development of the West through the export of agricultural staples, mainly to Britain and Europe. Over time, however, the exploitation of our mineral and forestry resources assumed more importance and these found a large and expanding market in a rapidly industrialising United States. The economic axis was gradually turning in a North-South direction. While the conclusion of Commonwealth preferential arrangements in 1932 during the Depression gave new impetus to Canada's trade with Britain and other Commonwealth countries, annual U.S. capital flows into Canada had already surpassed those from Britain, and the establishment of these preferences encouraged U.S. firms to set up branches and subsidiaries in Canada to take advantage of export opportunities in Commonwealth markets.

In the postwar period, the economic pull of the United States became stronger still, while the countervailing influence of Britain, Western Europe and the Commonwealth diminished. The U.S. need for Canadian resources became more intense The rapid development of Canadian mineral and newly-discovered petroleum resources was financed mainly by U.S. capital. Large inflows of U.S. capital, mostly in the form of direct investment, were also encouraged by the increasing importance of the Canadian domestic market, by competition among large U.S. firms and generally by a hospitable investment climate. The availability of capital from Britain and Europe was circumscribed until the 1960s by the need to carry out the reconstruction and modernization of their economies. The phenomenon of large, multinational corporations, most of them U.S.-owned and U.S.-based, made its appearance during this period. It added a large new dimension to the interpenetration of the Canadian and U.S. economies and led to a further concentration of Canadian trade with the United States. By the late 1960s, nearly 80 per cent of the export and import transactions of U.S. subsidiaries in Canada were with their parent companies and affiliates in the United States.

In the new circumstances of the postwar period, Canadian economic and trade policies underwent major changes. Canada played an important role in the establishment of a multilateral trading system under the General Agreement on Tariffs and Trade, and vigorously supported efforts to reduce tariffs and restrictions to trade on a multilateral and non-discriminatory basis. This was intended to assist Canadian exports, mainly of agricultural, mineral and forestry products. At the same time, it became apparent that Canada's secondary industry needed access to large markets if it was to be competitive. For reasons of proximity, convenience and size, it was natural that Canadian exporters should concentrate their efforts on the United States. The pursuit of trade liberalization was dictated in part by a desire to diversify Canadian trade. In practice, it was accompanied by an increasing interdependence with the United States. To some extent this reflects geographic forces, but this trend has also been supported by special man-made factors favouring continental ties, including the attractions of the large and dynamic U.S. market, the large U.S. ownership of Canadian industries and the impact of the multinational corporation.

U.S. share climbed

The cumulative impact of all these factors is evident in Canadian trade and balance-of-payment statistics: in the last 20 years the U.S. share of Canadian exports increased from somewhat under 60 per cent to around 70 per cent. On the import side, the U.S. share, which had been higher, rose beyond 70 per cent. The U.S. share of foreign portfolio investment and direct investment in Canada rose to some 80 per cent of the total. U.S. ownership and control in both primary and secondary industries in Canada grew rapidly, reaching average levels in 1967 of 45 per cent in manufacturing, 56 per cent in mining and smelting, and 60 per cent in petroleum and natural gas, with much higher percentages in individual sectors. Canadian dependence on the U.S. capital market also became substantial as provinces, municipalities and business enterprises made extensive use of this market to meet their growing needs.

While these few figures attest to the growing Canadian interdependence with the United States, the Canadian economy at the same time gained in strength, balance and maturity. The Canadian balance of payments on current account improved markedly, largely as a result of a fairly steady improvement in the trade balance. The generation of domestic savings in Canada has also increased significantly. This strengthening of the current account position has reduced Canada's dependence on net capital inflows.

While the trend in Canada's external trade has been toward increasing concentration on the United States, the remainder of that trade has become much more diversified geographically. Japan has become a major trading partner and trade with that country in both directions has been increasing at a very rapid rate. Canadian trade with the European Economic Community has also steadily increased, although less rapidly. The U.S.S.R., China and many other countries are becoming significant trading partners for Canada.

These are positive developments, but they have done little so far to mitigate the overwhelming continental pattern of Canada's trade. In particular, the United States continues to be far and away the largest market for Canadian manufacturing exports, on which Canadian efforts are likely to be increasingly focused in the years ahead.

Cultural influences

The impact of U.S. cultural influences has been another source of public concern in Canada. Here again, the dominance of the United States is inadvertent, a function of its large size and power, of the communications explosion and of various other factors. For many students of politics, this is in the long run the most crucial area in terms of maintaining Canadian distinctness, the more so since the spread of U.S. interests and values is so diffuse and yet so difficult to identify and measure. While it is clear that there is a widening concern over the extent of economic dependence on the United States, there would seem to be less apprehension among the general public about U.S. cultural penetration. To a large extent, very much the same economic and commercial factors which account for U.S. penetration also explain the cultural penetration. This is because television, radio, films, periodicals, books, publishing and other media form part of a communications industry which responds to market forces much as other industries do. In addition, of course, the cultural impact of the media has become greatly enhanced by modern communications techniques. Consumer tastes, public values and social norms are assuming a degree of uniformity throughout the continent and are largely shaped in the United States. The nature of the dilemma was well delineated in the report of the Massey Commission.

There could be no question of imposing controls over the movement of ideas; instead, an essentially positive approach has evolved that relies mainly on the provision of public support and incentives to Canadian cultural activities but also, where necessary, on regulation and control of foreign influences. Various public bodies have been established, such as the Canadian Broadcasting Corporation in the 1930s, in radio and later in television, the National Film Board in 1939 and the Canada Council in 1957. These policies have had a favourable impact, though difficult problems continue to exist in a number of important areas. There have been encouraging signs, in both French-speaking and English-speaking parts of Canada, of cultural vitality and creativeness and of renewed interest in Canadian tradition and distinct values. Over all, the interactions and links between the Canadian and U.S. societies in the cultural field have been steadily increasing, even as a mood of resistance to U.S. dominance was emerging as a significant political factor.

In terms of common institutions, Canada-U.S. ties do not appear to have increased significantly, at least not in the last decade. An elaborate pattern of joint Canada-U.S. bodies has been developed over the years. These play an important role in evaluating and advising on joint problems and in pointing the way to solutions. But there is little or no joint decision-making. By and large, relations between the two countries are dealt with in the normal way, through intergovernmental consultations, negotiations and bargaining.

On balance, it is apparent that it is in the economic and cultural fields that the North-South pull has been especially strong. This is because advances in communications and modes of production and economic integration favour large units and markets and add to the pull of geography. On the other hand, in the defence and political fields, continental linkages have not significantly increased in recent years. The strongest continental pulls appear to derive from the ubiquitous presence of U.S.-owned subsidiaries of large multinational corporations, and from the wealth of informal, non-governmental ties between private groups, associations and individuals. Paradoxically, as these ties have expanded, the capacity of Canada to develop economically and culturally with less reliance on the United States and the outside world in general has also increased.

II. THE CHANGING CONTEXT

New foreign policy perspectives

Over the past three years both Canada and the United States have been reviewing their foreign policies. Many of the reasons given for doing so were identical on both sides. We were at the end of an era. The postwar order of international relations was drawing to an end. The conditions that had determined the assumptions and practice of our respective foreign policies were ending with it. The ending of the postwar era had not been a matter of sudden upheaval but of cumulative change over two decades that, in the aggregate, had transformed the international environment. The task now, we both concluded, was to shape a new foreign policy to meet the requirements of a new era.

In the new scheme of things both Canada and the United States saw a relatively diminished role for themselves. In our case, we argued that our role had been enhanced at a time when Canada had enjoyed a preferred position and a wide range of opportunities as one of the few developed countries to have emerged unscathed, and indeed strengthened, from the Second World War. The Canadian role was bound to be affected by the recovery of our friends and former enemies and by other changes in the configuration of world power.

The United States drew substantially similar conclusions from its review, subject, of course, to the very different scope of its role and responsibilities in the world. It also had to take account of the strain that 25 years of global commitment, aggravated by the Vietnam war, had left on its domestic consensus.

It cited the growth among Americans of a conviction that the time had come for others to share a greater portion of the burden of world leadership and its corollary that the assured continuity of United States involvement required a responsible but diminished American role. It is the sense of the Nixon Doctrine that it will enable the United States to remain committed in ways that it can sustain.

These perceptions on both sides have their counterpart in the role that national objectives and national interests are henceforth to play in the conduct of foreign policy. In the case of the United States, the greater weight to be given to the shorter-term national interest is a function of the diminished role it sees for itself and of the enhanced potential of America's partners. It looks to a sound foreign policy to support its national interests. It does not rule out new commitments, provided they are clearly related to U.S. interests. It is U.S. interests that in future will shape U.S. commitments, rather than, as they feel was sometimes the case, the other way around.

The Canadian foreign policy review, if anything, goes further. It defines foreign policy as the extension abroad of national policies. The test of a sound foreign policy, it argues, is the degree of relevance it has to national interests and basic national objectives. The most appropriate policy for the 1970s, therefore, our review concluded, will be one which strengthens and extends sound domestic policies dealing with key national issues.

To the extent that the national interest is seen as an active foreign policy ingredient, reactive policies are rejected on both sides. On the Canadian side, it is argued that an empiricle approach cannot be continued indefinitely. A reactive, as distinct from an active, concern with world events no longer corresponds with international realities or with the Canadian Government's approach to foreign policy. What is required is a sense of direction and purpose so that Canada's foreign policy is oriented positively in the direction of national aims. The United States proceeds from not very different assumptions. For too long, in the view of the U.S. Administration, American policy has consisted of reacting to events. The United States tended to be drawn into situations without a clear perception of where it would end up. It will be necessary, in future, to infuse American actions with a sense of direction, to make a conscious effort, in fact, to create the conditions the United States wants.

Two different entities

In sum, the broad premises and underlying perceptions of the two foreign policy reviews have many points in common. It is in their implications for two quite different entities on the world scene that they inevitably differ. Perspectives of the Canada-U.S. relationship, in particular, could not differ more sharply.

On the Canadian side, we could hardly ignore the impact of the United States on virtually all aspects of our foreign relations. But the foreign policy review did not attempt to articulate a comprehensive policy to govern our relations with the United States. What it did do was to point to some of the central ambiguities of the Canada-U.S. relationship. It raised, without elaborating on it, the concept of counterweights to the influence of the United States. It also underlined the need for careful management of a relationship that was likely to become increasingly complex, if not conflict-prone. Its major prescription envisages "the judicious use of Canadian sovereignty" in shaping the Canadian environment.

The U.S. foreign policy review and its annual updatings do not, on the other hand, deal specifically with Canada. To the extent that U.S. policy-makers think of Canada in broad foreign policy terms at all, it is in the context of the Nixon Doctrine. That Doctrine as President Nixon explained it on his recent visit to Canada, rests on the premise that "mature partners must have autonomous independent policies; each nation must decide the requirements of its own security; each nation must determine the path of its own progress". To the extent that Canadian concerns are apprehended in Washington, therefore, the feeling is that a world in which power is more widely diffused and in which the relative weight of the United States is diminished should afford a country like Canada greater breathing space.

At first glance such a prognosis appears reassuring. In practice, however, it may give less than adequate weight to two important considerations. The first is that the Canada-U.S. relationship cannot be encompassed by governmental policies alone. To the extent that they see a threat to Canada in that relationship, most Canadians would be prepared to concede that it is a threat undesired by the United States. The trouble is that, even as an inadvertent process, it has acquired a momentum that, as one American student of Canadian affairs has recently put it, is "subject to profound internal growth". In the second place, the Canada-U.S. relationship is bound to be affected, at the levels of both deliberation and inadvertence, by policies on the U.S. side that reflect an explicitly narrower interpretation than in the past of the U.S. national interest.

This explicitly narrower interpretation by the United States of its national interest appeared to be reflected in the far-reaching economic measures that President Nixon invoked on August 15, 1971, as representing the elements of a "new economic policy". These measures were intended to compel changes in world monetary and trading arrangements. As such, they were global in their impact. They were not specifically directed against Canada. Because of the high concentration of our trade with the United States, however, and the affiliated structure of our industry, Canada was probably more exposed than any other country to the immediate impact of the U.S. measures and had more reason to be concerned about their future implications. In particular, they threw into sharp focus the problem of Canada's vulnerability which has been a source of growing preoccupation to Canadians in recent years. It is, therefore, of considerable importance to us to be sure that we understand the problems and perceptions that are likely to shape U.S. policies over the medium term and which, in turn, Canadian policies cannot afford to leave out of account.

U.S. ECONOMIC POLICIES

Since 1968, the U.S. Administration has faced increasingly difficult internal as well as external economic problems. Inflation, a levelling-off of the economy and substantial unemployment were added to an already existing pattern of significant balance-of-payments deficits. During the spring and summer of 1971, urgent concerns developed over the apparent lack of success of efforts to control domestic inflation and the sharp increase in the deficit of the U.S. basic balance of payments. There was a possibility that the basic deficit, and especially the trade balance, would deteriorate still further, with no clear outlook for recovery.

The United States has experienced deficits in its basic balance of payments for most of the postwar period. However, until the mid-1960s, the U.S. Administration did not view these as reflecting a major disequilibrium in world trading and monetary relations. The level of the U.S. deficit was seen as generally in line with world liquidity needs and both the U.S. trade account and the current-account balance showed substantial surpluses.

From the early 1960s, U.S. long-term capital outflows were, nevertheless, a subject of concern both in the United States and in the major countries of destination. The concern of the U.S. Government centered on the balance-of-payments drain of these capital movements, which reduced the level of U.S. reserves and increased the vulnerability of the U.S. dollar, and on their inflationary effects. For other countries, concern related to the role of the U.S. dollar, which seemingly enabled the United States to avoid needed domestic economic adjustments while continuing to maintain large direct investment outflows.

The United States Government initiated efforts to moderate private capital outflows in 1961, and intensified these efforts in various stages afterward. From 1969, however, U.S. concern shifted from the capital account to the deteriorating U.S. trade position. The final step in these U.S. efforts, confirming this shift in emphasis, was the U.S. measures announced last August. Over this period the U.S. program to moderate private-capital outflows met with only limited success and, while net outflows were no doubt reduced, the growth of U.S. direct investments abroad was not significantly affected, since to a considerable extent these investments were financed from retained earnings and from local borrowing.

BASIC DETERMINANTS

Within the United States, several major recent studies, notably the report of the Williams Commission on International Trade and Investment Policy and the personal report to the President of his then Assistant for International Economic Affairs, Peter G. Peterson, have drawn attention to certain trends as major explanatory factors for the current difficulties of the U.S. economy, and the problems it may be expected to face in the years ahead:

(a) The problem of controlling inflation

As the Williams Commission Report indicates, unusually high government expenditures related to the war in Vietnam and inadequately compensated by domestic taxation probably account in large measure for the higher rate of inflation experienced by the United States in recent years, in comparison with other leading industrial countries. At the same time it appears from estimates made by the Federal Reserve Board that the price and income effects of inflation account only in part for the deterioration in the U.S. trade balance. These studies also suggest that in the United States, as indeed in other industrialized countries, important changes in domestic attitudes and social values have taken place, compounding the problems of controlling inflation and of managing the economy. The United States is faced with rising demands for policies, programs and expenditures to deal with domestic social and economic problems. Generally, these pressures seem to add up to a requirement for more effective public management of domestic economic development consistent with social needs and goals. This suggests that there may be substantially *more* rather than *less* government involvement in the economy in the future and that foreign economic policies will be more closely related to and coordinated with domestic economic policies.

(b) The apparent deterioration in the U.S. competitive strength

This trend detected by the various U.S. studies has caused the most concern, particularly since it seemed to corroborate widely-held fears, notably on the part of U.S. labour. It is still insufficiently documented to permit serious assessment, but it has clearly influenced the thinking of the U.S. Administration. Certain U.S. studies, including those of the Hudson Institute for instance, suggest that the gradual loss in U.S. comparative advantage in manufacturing will continue and will extend to other important manufacturing sectors—e.g., automobiles and machinery. U.S. competitive strength in the future might be concentrated in such fields as high technology, organizational and management techniques, and certain consumer goods, as well as in agriculture and certain raw materials. Meanwhile the importance of the U.S. manufacturing industry as a source of employment has been declining steadily and rapidly in relation to the service industries. These trends are viewed as indicative of fundamental structural changes associated with the gradual movement of the U.S. into the "post-industrial society".

(c) The rapidly growing influence of multinational corporations

The rapidly growing influence of multinational corporations, mostly U.S.-based, is another basic and related trend viewed with some concern both within and outside the United States. These corporations have facilitated an accelerated movement of capital, technology, merchandising and marketing techniques and management to foreign countries with a resulting transfer of production of many products and components to areas outside of the United States. The major U.S. studies argue strongly that, on balance, the U.S. economy has gained more than it has lost from the activities of multinational corporations, but this view is not undisputed within the United States, notably by trade union organizations.

(d) Economic policies of the EEC and Japan

The U.S. Government has argued, moreover, that its trade position has seriously suffered from continuing and significant trade restrictions in the EEC and in Japan (e.g., the common agricultural policy, preferential arrangements and non-tariff barriers in the EEC, manifold administrative restrictions in Japan). This U.S. contention is valid in the sense that it is true that EEC agricultural price-levels have encouraged the production of substantial higher-cost surpluses, and hurt export possibilities of the United States and other more efficient agricultural producers. Yet U.S. trade as a whole with the EEC has continued to expand and trade with Japan has also increased markedly in both directions. This U.S. view also takes insufficient account of U.S. barriers encountered by the products of other countries, though it may be an accurate reflection of current U.S. perceptions.

(e) U.S. dependence on outside supplies of energy and mineral resources

A further major trend which will adversely affect the U.S. trade balance and freedom of manoeuvre is the growing dependence of the United States on foreign sources of energy and mineral resources. The current U.S. deficit in minerals, fuels and other raw materials is even now substantial. It is expected to rise fairly slowly until 1975 and from then on more rapidly. In oil and gas the United States is already facing difficulties in meeting domestic demand and import needs are expected to grow rapidly. Nevertheless, the United States is and will in the foreseeable future remain much less dependent on outside supplies than the EEC or Japan because of its large domestic resources.

(f) The significance of U.S. long-term capital outflows

In contrast to existing concerns about the U.S. trade position, the growing level of earnings on U.S. long-term capital exports, particularly from U.S. private investments abroad, is viewed as a major source of strength in the future for the U.S. economy and balance of payments. This is one of the major conclusions drawn by all recent U.S. studies, notably by the Williams Commission, which strongly recommends that the United States eliminate its direct investment controls and support international efforts to secure a free flow of direct-investments across national boundaries without artificial impediments or incentives. According to the Commission's analysis, the maintenance of U.S. capital exports, in particular of U.S. capital exports, in particular of U.S. private-investment outflows in the future, would represent a major U.S. interest.

It may be expected that, under a reformed international monetary system, the U.S. dollar will no longer enjoy the special position it has had in the past and that the United States will have to accept new disciplines broadly similar to those applying to other countries in dealing with balance-of-payments problems. At the same time it must be recognized that the already large and growing surplus on earnings from U.S. private investments should provide considerable scope for continuing important outflows of investment capital in the future, assuming a reasonable improvement in the U.S. trade balance and some reduction in U.S. military expenditures abroad following disengagement in Vietnam. Moreover, it is important to bear in mind that U.S. private investments abroad result from decisions of individual U.S. corporations, and that in large measure they are financed from reinvested earnings and local borrowing. The United States Government has only limited means of influencing or controlling such investments.

U.S. perception of its problems and national interests

There is, of course, concern on the part of the U.S. public about the future of the United States and the adequacy of its institutions and policies. Public anxiety focuses particularly on domestic tensions and divisions, while most Americans seem reasonably satisfied with their personal material standards. Racial violence has declined. The open and concerted protests of the young, sharpened by the Vietnam war, seem to have abated, but the roots of frustration have not been removed. More generally, there seems to have been a turning inward, with a concentration on domestic problems, combined with a disenchantment with foreign involvement.

Among the major social groups, the most significant shift in attitudes in recent years appears to have occurred within the labour unions. They have expressed themselves in favour of increased protection from import competition and also favoured controls on U.S. multinational corporations to ensure that their activities conform to the U.S. national interest.

United States agriculture remains for the most part highly competitive and has a major interest in freer trade and international competition, but the farm community does not seem to have mobilized its efforts in this direction and is also concerned about domestic problems such as the decline in the farm population and in the number of small farms.

The attitude of the business community is ambivalent. Large corporations on the whole have a stake in freer trade and are seriously concerned about the possibility of a reversion to protectionism. Many enterprises, however, have suffered from increasingly stiff foreign competition and welcomed the additional protection they received from the August 15 measures, including the 10 percent surcharge.

The national mood of uncertainty and concern over domestic problems is reflected in the U.S. Congress. There is still a significant base of support for liberal trading policies, but it is fragmented and appears to lack leadership. In general, Congress seems to be prepared to respond to the mood of the nation and it might well be responsive to protectionist initiatives. There is a strong disposition to believe that the United States has not been tough enough in trade and economic negotiations in the past and that it has received less than it has given. Whatever the direction of U.S. policies, one may expect Congress to insist that, in any future trade and economic arrangements, U.S. national interests will be fully protected and that the expected benefits will not be less than the value of U.S. concessions. This tendency to a rigid balancing of costs and benefits will inevitably tend to favour a narrower and shorter-term view of U.S. interests.

The thrust of U.S. economic policy in these circumstances is likely to depend largely on the will and the leadership of the executive branch, and especially of the President. Basically, the U.S. economic strategy initiated last August and the explanatory statements made by the President suggest that the major objectives of the Administration are to resolve the real and serious underlying economic problems of the United States on the course towards freer international trade and payments. At the same time, official statements have echoed the view that a major reason for the U.S. troubles is that the U.S. has been too generous in the past, while other countries have failed to carry their proper share of the burden.

Orderly system

United States interests are seen to require an orderly and effective international trading and monetary system, but one that will be reformed and adapted to the new international situation and that will better ensure that all major countries share in concessions and benefits. Although it is recognized that the most-favoured-nation principle continues to have validity as the foundation of the system, the emphasis is placed more on finding effective means to expand and facilitate trade and payments, consistent with domestic economic and social needs, and in improving the terms of competition by enlarging the scope of negotiations to include all policy instruments and procedures affecting trade and payments. This objective and perception is reinforced by the political goal of the U.S. Administration to restore and enhance U.S. economic strength and vitality so as to enable the United States to play a reduced but still dominant role in world affairs that will be more easily sustainable over the long run.

At the same time, U.S. policy could also involve less liberal elements and might not be free of contradictions. A sharp swing toward economic isolationism seems unlikely, but it could result from failure to resolve the outstanding and difficult issues of reforming the trade and monetary system and of launching new and meaningful trade negotiations involving the enlarged European Economic Community and Japan, or from an inability to control domestic inflation and to bring the U.S. balance of payments into better equilibrium. Even if the United States manages to hold to the course of freer trade, it is expected to be an even tougher bargaining partner than in the past.

There is little evidence to suggest that the United States has consciously had in mind any particular continental doctrine with respect to Canada in the context of the Government's new economic strategy. At the same time, in implementing this strategy, U.S. policies and interests on particular Canada-U.S. issues, ranging from the automotive and defence-sharing agreements through the growing concern over congestion and pollution to the increasing U.S. need for energy and natural resources, could well converge towards a more continentalist U.S. approach. The U.S. interest in maintaining a substantial volume of U.S. investments abroad could also in practice involve some problems for Canada, notwithstanding the recent indications that the United States Government understands that on this matter Canada must decide for itself what policies are best suited to its own national interests.

THE CANADIAN SCENE

Canadian attitudes, too, have been changing. Perhaps more than ever before, the Canada-U.S. relationship is becoming an absorbing focus of much Canadian thinking about the Canadian condition. This is nowhere more evident than in the foreign policy review, which attributes its own genesis in part to "frustration . . . . about having to live in the shadow of the United States and its foreign policy, about the heavy dependence of Canada's economy on continuing American prosperity, and about the marked influence of that large and dynamic society on Canadian life in general".

This is a relatively new set of perceptions. In fact, one of the most dramatic aspects of such evidence as is provided by the public opinion polls has been the change in Canadian attitudes over the past two decades. In the 1950s and early 1960s, most Canadians were firm in their support for U.S. policies and certainly gave no evidence of perceiving a U.S. threat to Canada. In 1956 as many as 68 per cent of those polled supported the idea of free trade with the United States. On the more general issue of dependence, the polls taken between 1948 and 1963 indicated that at least half of those polled did not think Canadian life was being unduly influenced by the United States. Indeed, a 1963 poll recorded 50 per cent as believing that dependence on the United States was beneficial to Canada. All in all, attitudes during that period appeared to be much more congenial to close Canadian involvement with the United States than is the case today.

The evidence suggests that the overriding issue to emerge from the Canada-U.S. relationship for most Canadians today is that of economic independence. For example, a cross-section of various polls indicates that 88.5 per cent of Canadians think it important for Canada to have more control over its own economy; that two of every three Canadians view the current level of American investment in Canada as being too high; that, while seven out of every ten Canadians are prepared to acknowledge that American investment has given them a higher standard of living than they might otherwise have had, almost half of them would be willing to accept a lower living standard if that were the price to be paid for controlling or reducing the level of American investment. These are admittedly national averages. They do not necessarily do justice to pronounced regional variations.

If the national mood is to be comprehended in one sentence, it would appear that Canadians remain aware of the benefits of the American connection but that, today more than at any other time since the Second World War, they are concerned about the trend of the relationship and seem willing to contemplate and support reasonable measures to assure greater Canadian independence.

Net flow reversed

It is a matter of more than passing interest that the movement of people between Canada and the United States runs in remarkable parallel with the attitudes reflected in the public opinion polls. The 1950s, for example, saw an average of some 30,000 Canadians a year moving to the United States, against a reverse flow of only about 11,000. These were the years of the "brain drain", when doctors, engineers, teachers, artists, writers and musicians comprised the largest group of Canadian emigrants. By the 1960s, the net flow of Canadians moving across the border started to level off dramatically until, in 1969, for the first time in the postwar period, the movement of Americans to Canada actually exceeded that of Canadians to the United States by a small margin.

The trend may prove temporary. It probably reflects, to some extent at least, U.S. restrictions on Canadian immigration and the impact of the Vietnam war. Nevertheless, the trend is not without significance. It cannot easily be explained by the normal quantitive factors. The difference in *per capita* gross national product between the two countries has not varied widely on either side of the 25 percent mark and the gap in real *per capita* incomes has stayed about the same since the war. The skilled Canadian can still command a significantly higher salary in the United States. The sunny climates of California and Florida as places of retirement have also not changed. Indeed, the 18,000 Canadians who emigrated to the United States in 1969 obviously felt all the old pulls. But something evidently had changed.

Canada had matured. The outlines of a more distinct national profile were emerging. An increasingly industrial economy had taken shape. The revolution in communications gave promise of knitting the country more closely together. A quieter revolution had transformed the face of French Canada. The flow of immigrants from Europe and elsewhere was adding new dimensions to Canadian life. The foundations of Canada's cultural personality were being strengthened.

Inevitably, Canadians became more aware of themselves, of the kind of society they were intent on shaping, of the particular problems that lay ahead for them. They were concerned about maintaining national unity; about equalizing economic opportunities as between the different regions of the country; about the best ways of meeting the challenges of a bilingual and multicultural society. They were concerned about their future prosperity; about the problem of providing employment for the most rapidly expanding labour force of any industrialized county; about the management of the resources with which their country had been so richly endowed. They were concerned about the quality of their life; about the risks of blight brought about by unplanned urban growth; about the threat to the environment represented by industrial and technological growth; about the fragile balance of nature in the Arctic and the quality of the waters off Canada's coasts.

If these concerns can be brought within a single focus, it is that of Canada's destinctness. And for Canada distinctness could, in recent years, have only one meaning: distinctness from the United States. What more and more Canadians were brought to realize was that, with all the affinities and all the similarities they shared with the United States, Canada was a distinct country with distinct problems that demanded Canadian solutions. It was not and is not that Canadians underrate the tremendous achievements of American society or its unbounded capacity for self-renewal. It is simply that more and more Canadians have come to conclude that the American model does not, when all is said and done, fit the Canadian condition. Such a conclusion has led, not unnaturally, to the assertion of the right of Canadians to fashion their national environment according to their own perceptions.

In this changing context, what is to be done about the continental pull and the internal momentum with which it is thought by many to be endowed? It is probably useful to start out by acknowledging that there are immutable factors that cannot be changed. Our history, our geography, our demographic structure have imposed and will continue to impose limitations on Canada's freedom of action. Whether we defend it or not, there will be 3,000 miles of common frontier with the United States. Chinese Walls, Maginot Lines or Iron Curtains have never lived up to the claims of impermeability that were made for them. We could conceivably keep out American products but not American ideas, tastes or life styles. We could theoretically have 100 percent Canadian content in our broadcasting but could hardly ban the airwaves to American stations. We could prohibit the migration of people but not eliminate the strong interpersonal relationships on each side of the border. Canadian independence can be realistic only within some measure of interdependence in the world. Canadian energies should not be wasted or efforts misspent on policies that give little promise of being achievable.

In examining the options before us, therefore, we must necessarily focus on those areas of the Canada-U.S. relationship where movement is not foreclosed by factors about which nothing can be done.

III. THE OPTIONS

This is not the first time Canadians have asked themselves which way they should go. The factor of geography remains a constant element in the equation. The disproportion between Canada and the United States in terms of power has not changed all that much. The continental pull itself has historical antecedents. The pursuit of a distinctive identity runs through the process of Canadian nation-building.

But if the signposts are familiar, the landscape is undoubtedly different. Many of the old countervailing forces have disappeared. The links across the common border have increased in number, impact and complexity. New dimensions are being added to the Canada-U.S. relationship all the time. On both sides, there is now difficulty in looking upon the relationship as being wholly external in character.

The world trend is not helpful to Canada in resolving this dilemma. For the trend is discernibly in the direction of interdependence. In the economic realm, in science, in technology, that is the direction in which the logic of events is pointing. In Canada's case, inevitably, interdependence is likely to mean interdependence mainly with the United States. This is a simple statement of the facts. It does not pretend to be a value judgment. In point of fact, the balance of benefits of such a trend for Canada may well be substantial.

But this evades the real question that looms ahead for Canada. And that is whether interdependence with a big, powerful, dynamic country like the United States is not bound, beyond a certain level of tolerance, to impose an unmanageable strain on the concept of a separate Canadian identity, if not on the elements of Canadian independence.

To pose these questions is simple enough. To propound answers to them is more difficult because any answer is likely to touch on the central ambiguity of our relationship with the United States. The temper of the times, nevertheless, suggests that Canadians are looking for answers. It is also apparent that many of the answers are in Canadian hands. This is because few of the problems engendered by the relationship are, in fact, problems of deliberate creation on the U.S. side. They are problems arising out of contiguity and disparity in wealth and power and, not least, out of the many affinities that make it more difficult for Canadians to stake out an identity of their own.

Three courses

The real question facing Canadians is one of direction. In practice, three broad options are open to us:

(a) we can seek to maintain more or less our present relationship with the United States with a minimum of policy adjustments;

(b) we can move deliberately toward closer integration with the United States;

(c) we can pursue a comprehensive, long-term strategy to develop and strengthen the Canadian economy and other aspects of our national life and in the process to reduce the present Canadian vulnerability.

Such a statement of options may err on the side of oversimplification. The options are intended merely to delineate general directions of policy. Each option clearly covers a spectrum of possibilities and could be supported by a varied assortment of policy instruments. Nevertheless, the importance of the options notion is not to be discounted. For, in adopting one of the options, Canadians would be making a conscious choice of the continental environment that, in their view was most likely to be responsive to their interests and aspirations over the next decade or two. Conversely, no single option is likely to prove tenable unless it commands a broad national consensus.

Seeking to maintain our present position with minimum policy changes

The first option would be to aim at maintaining more or less the present pattern of our economic and political relationship with the United States with a minimum of policy change either generally or in the Canada-United States context.

The formulation notwithstanding, this is not an option meaning no change. In the present climate, any option that did not provide for change would clearly be unrealistic. The realities of power in the world are changing. Some of the international systems that have provided the context for our monetary and trading relations in the postwar period are in the process of reshaping. The United States is embarked on a basic reappraisal of its position and policies. The Canadian situation is itself changing and new perceptions are being brought to bear on the Canada-U.S. relationship. All this suggests that some adjustments in Canadian policy are unavoidable.

The first option would neither discount the fact of change nor deny the need to accommodate to it. But it would imply a judgment that, at least on the present evidence, the changes that have occurred or are foreseeable are not of a nature or magnitude to call for a basic reorientation of Canadian policies, particularly as they relate to the United States.

In practical terms, this would mean maintaining the general thrust of our trade and industrial policies, including a large degree of *laissez faire* in economic policy, a multilateral, most-favoured-nation approach as the guiding principle of our trade policy, emphasis on securing improved access to the U.S. market, the vigorous export of commodities and semi-processed goods, and continuing efforts to industrialise domestically by rationalizing production, in large part for export. Presumably, little or no change would be made in the present way of handling matters at issue with the United States, which is one of dealing with each problem as it arises and seeking to maintain something of a "special relationship".

New constraints

But there is another side to the coin. The changes that are taking place on both sides of the border point to new opportunities and new constraints emerging for Canada. We would aim at seizing the opportunities and managing the constraints to the best of our ability. In the process we would be concerned about the balance of benefits for Canada, but we would be less concerned about how any given transaction or act of policy fitted into some overall conception of our relationship with the United States.

Nevertheless, other things being equal, we would seek to avoid any further significant increase in our dependence on the United States and our vulnerability to the vicissitudes of the U.S. market and to changes in U.S. economic policy. An effort to diversify our export markets would not be incompatible with the first option; nor would a policy to take advantage of accelerating demand for our mineral and energy resources to secure more processing and employment in Canada and, generally, to reap greater benefits from this major national asset; nor would some further moderate Canadian action to achieve greater control over the domestic economic and cultural environment.

In sum, this is essentially a pragmatic option. It would not, by definition, involve radical policy departures. It would deal with issues as they arose on the basis of judgments made in relation to each issue. It is not a static option because it would address itself to the solution of problems generated by an environment which is itself dynamic. One of its main attractions is that, we trust, it would not foreclose other options.

The precise implications and costs of this option are difficult to predict because they would vary significantly depending on developments over the short and medium term. Accommodation of current U.S. preoccupations, however limited, would entail some costs and could involve an increase in our dependence on the United States. If U.S. difficulties proved more durable, and if significant improvements in access to other markets did not materialize, pressures might develop in the United States and in Canada for further special bilateral arrangements. Alternatively, if protectionist attitudes in the United States were to find reflection in official policy, we might be forced to seek other markets on whatever terms we could and perhaps to make painful adjustments in order to reorient our industry to serve mainly the domestic market.

On more optimistic assumptions about the course of U.S. policy and the future of the international trading system, the first option might be followed for some time with ostensible success. The real question is whether it comes fully to grips with the basic Canadian situation or with the underlying continental pull. There is a risk that, in pursuing a purely pragmatic course, we may find ourselves drawn more closely into the U.S. orbit. At the end of the day, therefore, it may be difficult for the present position to be maintained, let alone improved, without more fundamental shifts in Canadian policy.

Closer integration with the United States

The second option is to accept that, in a world where economies of scale are dictating an increasing polarization of trade and in the face of intensified integrating pressures within North America, the continuation of the existing relationship, based on the economic separation of Canada and the United States, does not make good sense, and to proceed from that conclusion deliberately to prepare the ground for an arrangement with the United States involving closer economic ties.

The option spans a considerable range of possibilities. At the lower end of the scale, it might involve no more than the pursuit of sectoral or other limited arrangements with the United States based on an assessment of mutual interest. In effect, this would represent an extension of past practices except to the extent that such arrangements would be pursued more as a matter of deliberate policy. We might seek, for example, to adapt to other industries the approach reflected in the Automotive Products Agreement. The chemical industry is one such industry that could lend itself to rationalization on a North-South basis. The aerospace industry might well be another. We might also endeavour to negotiate a continental arrangement with the United States covering energy resources. Under such an arrangement, U.S. access to Canadian energy supplies might be traded in exchange for unimpeded access to the U.S. market for Canadian uranium, petroleum and petrochemical products (to be produced by a much expanded and developed industry within Canada).

This more limited form of integration has a certain logic to it and, indeed, warrants careful examination. It may be expected, however, to generate pressures for more and more continental arrangements of this kind that would be increasingly difficult to resist. Experience with the Automotive Products Agreement suggests that, in any such sectoral arrangements, there may be difficulty in maintaining an equal voice with the United States over time. Nor could we be sure that the concept of formal symmetry, on which the United States has lately insisted, is one that can easily be built into a sectoral arrangement without impairing the interests of the economically weaker partner. In the energy field, by dealing continentally with the United States, we would almost certainly limit our capacity to come to an arrangement with other potential purchasers, in Europe or Japan, quite apart from possibly impinging upon future Canadian needs. In sum, we might well be driven to the conclusion that partial or sectoral arrangements are less likely to afford us the protection we seek than a more comprehensive regime of free trade.

A free-trade area or a customs union arrangement with the United States would, to all intents and purposes, be irreversible for Canada once embarked upon. It would, theoretically, protect us against future changes in U.S. trade policy towards the rest of the world, though not against changes in U.S. domestic economic policy. This option has been rejected in the past because it was judged to be inconsistent with Canada's desire to preserve a maximum degree of independence, not because it lacked economic sense in terms of Canadian living standards and the stability of the Canadian economy.

Risks involved

A free-trade area permits greater freedom than a customs or economic union, which calls for a unified external tariff and considerable harmonization of fiscal and other domestic economic policies. It might enable us, for example, to continue to protect our energy resources by limiting exports to the surpluses available after meeting present and prospective Canadian requirements and to ensure against harmful pricing practices. It would not debar us from continuing to bargain with third countries for improved access to their markets or from protecting ourselves against low-cost imports. Yet it must be accepted that the integration of the Canadian and U.S. economies would proceed apace and we should be bound to be more affected than ever by decisions taken in Washington with only limited and indirect means of influencing them.

Internationally, there is a real risk that the conclusion of a free-trade arrangement between Canada and the United States would be taken as setting the seal upon the polarization of world trade. To the extent that it was, our room for bargaining with third countries would inevitably be reduced and our economic fortunes become more closely linked with those of the United States.

The experience of free-trade areas (such as the European Free Trade Association) suggests, in any case, that they tend to evolve toward more organic arrangements and the harmonization of internal economic policies. More specifically, they tend towards a full customs and economic union as a matter of internal logic. A Canada-U.S. free-trade area would be almost certain to do likewise. Indeed, such a course could be argued to be in the Canadian interest because, to compete, we would probably require some harmonization of social and economic costs.

If a free-trade area or customs union is a well nigh irreversible option for Canada, this cannot necessarily be assumed to be the case for the United States. A situation could easily be imagined in which difficulties arose in certain economic sectors or regions of the United States when the Congress might feel constrained to seek to halt or reverse the process. The central problem, here as elsewhere, is the enormous disparity in power between the United States and Canada.

It is arguable, therefore, that in the end the only really safe way to guard against reversal and to obtain essential safeguards for Canadian industry and other Canadian economic interests might be to move to some form of political union at the same time. The object would be to obtain for Canadians a genuine and usable voice in decisions affecting our integrated economies.

At first glance this might look like pursuing the argument to an unwarranted conclusion. The Europeans, it could be argued, have, after all, found it possible to operate a customs union without substantial derogations from their sovereignty. Even if this changes to some extent as they progress towards economic and monetary union, the prospects for full political union or confederation continue to look relatively remote.

But the configuration of power in Europe is different. The European countries are more recognizably different from one another; their identities are older and more deeply anchored; and they are much more nearly equal in resources and power. There is a certain balance in the decisionmaking system of the European Economic Community that would not be conceivable in a bilateral Canada-U.S. arrangement. For the Europeans, moreover, the problem has been one of transcending historical conflicts. For Canada, on the contrary, the problem has been one of asserting its separate identity and developing its character distinctive from that of the United States in the face of similarities, affinities and a whole host of common denominators.

Throughout this discussion it has been assumed that proposals for free trade or a customs union with Canada would be welcomed in the United States. This is not an unreasonable assumption, taking account of the substantial interpenetration that already exists between the two economies and the vested interests that have been created in the process on the part of U.S. business and labour. It is, nevertheless, an assumption that remains to be tested against changing attitudes in the United States and the implications for U.S. trade and other policies that, like Canada's, have been global rather than regional in their general thrust. Congressional reaction, in particular, would be a matter of conjecture until the issue was on the table. Political union would presumably raise issues of a different order of complexity, although it has from time to time had respectable support in some circles in the United States.

Safeguards required

If we were to opt for integration, deliberate and coherent policies and programs would be required, both before and after an arrangement was achieved, to cope with the difficult adjustments that would be entailed for Canada. An adequate transitional period would be essential. Some safeguards for production and continued industrial growth in Canada would have to be negotiated. Agriculture might emerge as another problem sector. In practice, any safeguards would probably be limited largely to a transitional period and could not be expected to cushion the impact of integration for an indefinite future. A tendency for the centres of production—and population—to move south might, in the long run, be difficult to stem. But the more relaxed environment Canada has to offer and the lesser prominence of pressures in Canadian society might also, over time, exert a countervailing influence on any purely economic trend.

The probable economic costs and benefits of this option would require careful calculation. The more fundamental issues, however, are clearly political. In fact, it is a moot question whether this option, or any part of it, is politically tenable in the present or any foreseeable climate of Canadian public opinion.

Reactions and attitudes would no doubt differ across the country. The cleavage of interest between the central, industrialised region and the Western provinces on this issue has become apparent in recent years. Attitudes rooted in historical tradition could be expected to play their part in the Atlantic Provinces. The reaction in the French-speaking areas is more difficult to predict. On the one hand, they tend not to draw a very sharp distinction between the impact of economic control of local enterprise whether exercised from the United States or from elsewhere in Canada. But it is not unlikely that among many French-speaking Canadians the prospect of union with the United States would be viewed as risking their eventual submergence in a sea of some 200 million English-speaking North Americans and as a reversal of the efforts made in Canada over the last ten years to create a favourable climate for the survival and development of the French language and culture in North America.

There is a real question, therefore, whether the whole of Canada could be brought into union with the United States. Of course, full-fledged political union is not the basic intent of this option. But, to the extent that the logic of events may impel us in that direction, almost any form of closer integration with the United States may be expected to generate opposition in Canada. If it is true, moreover, as appears to be the case, that a more vigorous sense of identity has been taking root among Canadians in recent years, it is unlikely that opposition to this option would be confined to particular parts of the country.

A comprehensive strategy to strengthen the Canadian economy

The basic aim of the third option would be, over time, to lessen the vulnerability of the Canadian economy to external factors, including, in particular, the impact of the United States and, in the process, to strengthen our capacity to advance basic Canadian goals and develop a more confident sense of national identity. If it is to be successfully pursued, the approach implicit in this option would clearly have to be carried over into other areas of national endeavour and supported by appropriate policies. But the main thrust of the option would be towards the development of a balanced and efficient economy to be achieved by means of a deliberate, comprehensive and long-term strategy.

The accent of the option is on Canada. It tries to come to grips with one of the unwanted questions that runs through so much of the Canada-U.S. relationship, and which is what kind of Canada it is that Canadians actually want. It is thus in no sense an anti-American option. On the contrary, it is the one option of all those presented that recognises that in, the final analysis, it may be for the Canadian physician to heal himself.

The option is subject to two qualifications. "Over time" recognises that the full benefits will take time to materialise, but that a conscious and deliberate effort will be required to put and maintain the Canadian economy on such a course. "To lessen" acknowledges that there are limits to the process because it is unrealistic to think that any economy, however structured, let alone Canada's can be made substantially immune to developments in the world around us in an era of growing interdependence.

The option is one that can have validity on most assumptions about the external environment. A basically multilateral environment, of course, in which trade is governed by the most-favoured-nation principle, would enhance its chances of success. But it would not be invalidated by other premises. That is because the option relates basically to the Canadian economy. Its purpose is to recast that economy in such a way as to make it more rational and more efficient as a basis for Canada's trade abroad.

The present may be an auspicious time for embarking on this option. Our trading position is strong. We are regarded as a stable and affluent country with a significant market and much to offer to our global customers in the way of resources and other products. Our balance of payments has been improving in relative terms. We are no longer as dependent on large capital inflows as we once were. A new round of comprehensive trade negotiations is in prospect during 1973. Above all, there is a greater sense of urgency within Canada and greater recognition abroad of Canada's right to chart its own economic course.

Keyed to exports

The option assumes that the basic nature of our economy will continue unchanged. That is to say that given the existing ratio of recources to population, Canada will continue to have to depend for a large proportion of its national wealth on the ability to export goods and services to external markets on secure terms of access. The object is essentially to create a sounder, less vulnerable economic base for competing in the domestic and world markets and deliberately to broaden the spectrum of markets in which Canadians can and will compete.

In terms of policy, it would be necessary to encourage the specialization and rationalization of production and the emergence of strong Canadian-controlled firms. It is sometimes argued that a market of the size of Canada's may not provide an adequate base for the economies of scale that are a basic ingredient of international efficiency. The argument is valid only up to a point. The scale of efficiency is different for different industries and there is no reason why a market of 22 million people with relatively high incomes should prove inadequate for many industries which are not the most complex or capital-intensive.

The close co-operation of government, business and labour would be essential through all phases of the implementation of such an industrial strategy. So would government efforts to provide a climate conducive to the expansion of Canadian entrepreneurial activity. It may be desirable, and possible, in the process to foster the development of large, efficient multinationally-operating Canadian firms that could effectively compete in world markets. It may also be possible, as a consequence of greater efficiencies, for Canadian firms to meet a higher proportion of the domestic requirement for goods and services. But that would be a natural result of the enhanced level of competitiveness which the option is designed to promote; it is not in the spirit of the option to foster import substitution as an end in itself with all the risks that would entail of carrying us beyond the margins of efficiency.

The option has been variously described as involving a deliberate, comprehensive and long-term strategy. It is bound to be long-term because some substantial recasting of economic structures may be involved. It is comprehensive in the sense that it will entail the mutually-reinforcing use and adaptation of a wide variety of policy instruments. Fiscal policy, monetary policy, the tariff, the rules of competition, government procurement, foreign investment regulations, science policy may all have to be brought to bear on the objectives associated with this option. The choice and combination of policy instruments will depend on the precise goals to be attained. The implications, costs and benefits of the option will vary accordingly.

In saying that the strategy must be deliberate, it is accepted that it must involve some degree of planning, indicative or otherwise, and that there must be at least a modicum of consistency in applying it. One implication of the conception of deliberateness is that the strategy may have to entail a somewhat greater measure of government involvement than has been the case in the past. The whole issue of government involvement, however, needs to be kept in proper perspective. The Government is now and will continue to be involved in the operation of the economy in a substantial way. This is a function of the responsibility which the Canadian Government shares with other sovereign governments for ensuring the well-being and prosperity of its citizens in a context of social justice. A wide variety of policy instruments and incentives is already being deployed to that end, largely with the support and often at the instance of those who are more directly concerned with the running of different segments of the economy. It is not expected that the pursuit of this particular option will radically alter the relation between Government and the business community, even if the Government were to concern itself more closely with the direction in which the economy was evolving.

Much the same considerations apply to the relationship between the federal and provincial jurisdictions. It is true that, in the diverse circumstances that are bound to prevail in a country like Canada, the task of aggregating the national interest is not always easy. There may be a problem, therefore, in achieving the kind of broad consensus on objectives, priorities and instrumentalities on which the successful pursuit of anything on the lines of the present option is likely to hinge. Part of the problem may derive from a divergent assessment of short-term interests. In terms of longer-range goals, it is much less apparent why federal and provincial interests should not be largely compatible or why the elaboration of this option should not enhance and enlarge the opportunities for co-operation with the provinces. Indeed, there are many areas, such as the upgrading of Canada's natural resource exports, where the implications of this opinion are likely to coincide closely with provincial objectives.

Impact on United States

What of the impact on the United States, which could be critical to the success of the option? There again, it is necessary to keep matters in perspective. There is no basic change envisaged in Canada's multilateral trade policy. On the contrary, we could expect to be working closely with the United States in promoting a more liberal world-trading environment. Nor does the option imply any intention artificially to distort our traditional trading patterns. The United States would almost certainly remain Canada's most important market and source of supply by a very considerable margin.

The fact remains, nevertheless, that the option is directed towards reducing Canada's vulnerability, particularly in relation to the United States. A good deal of this vulnerability derives from an underlying continental pull, which is inadvertent. To that extent, the risk of friction at the governmental level is lessened, although it would be unrealistic to discount it altogether. Much would depend on what policy instruments were selected in support of this option and how we deployed them. The state of the U.S. economy could be another factor determining U.S. reactions at any given time. On any reasonable assumptions, however, such impact as the option may unavoidably have on U.S. interests would be cushioned by the timeframe over which it is being projected and should be relatively easy to absorb in a period of general growth and prosperity. When all is said and done, the option aims at a relative decline in our dependence on the United States, not at a drastic change in our bilateral relationship. As such, it is not incompatible with the view, recently advanced by President Nixon in his address to the House of Commons, that "no self-respecting nation can or should accept the proposition that it should always be economically dependent upon any other nation".

Cultural options

The continental pull appears to be operating most strongly in the economic and cultural sectors. There are those who, like Professor John Kenneth Galbraith, argue that U.S. economic influence can be disregarded so long as Canada manages to maintain a distinct culture of its own. Many Canadians would disagree with him. Nevertheless, no prescription for Canada is likely to be complete that did not attempt to cover the cultural sector.

There are differences between the economic and the cultural forces that are at work in the Canada-U.S. relationship. In the first place, culture has more than one dimension; it means different things to different Canadians. Second, the cultural interaction between Canada and the United States is, if anything; even less a matter of governmental policy than the interaction between the two economies. Third, it is much harder to influence the movement of ideas than it is to influence the movement of goods. Finally, it is evidently not a threat about which the public at large feels anything like the concern that, according to the opinion polls, it feels about the threat to Canadian control of the domestic economic environment.

This is one reason why the cultural scene requires separate discussion. But there is another. In the economic sector, it is clear, Canadians do face difficult choices. It is a moot question whether this is really true when it comes to the cultural sector. This is not to discount the importance of a healthy cultural environment to the Canadian sense of identity and national confidence. It is merely to suggest that in this sector the essential choices may, in fact, already have been made.

Domestically, two prescriptions have, by and large, been applied. The first is regulatory. It recognizes that some of the means of cultural expression are subject to the competition of the market-place in the same way as the offer of other services. The purpose of regulation in these instances is simply to ensure that, where the standards of the product are equal, the Canadian offering is not ruled out by terms of competition that are unequal. This is the general philosophy that has guided the efforts of the Canadian Radio and Television Commission. It is probably applicable in other areas where the Canadian product—whether film, record, or publication—is held back because the requisite measure of control of the distribution system is not in Canadian hands.

The other prescription has been to give direct support to cultural activity in Canada. This role has, on the whole, fallen to government. Support has taken the form of financial assistance, but also of institutions that have been established to encourage the expression of Canadian creative talent. The Massey Commission judged in 1951 that money spent on cultural defences was, in the end, no less important than money spent on defence so-called. In the eyes of most Canadians, this remains a valid judgment.

As in the economic sector, any policy aimed at lessening the impact of U.S. influences on the Canadian cultural scene should presumably have an external dimension. This is not simply a matter of diversification for its own sake. Canada's cultural roots are, after all, widely ramified. International projection will enable Canada to reaffirm its distinctive linguistic and cultural complexion. But it will also give Canadians the opportunity to test their product in a wider market and to draw, in turn, on the currents of cross-fertilization.

Mass market

In sum, Canadians will not be able to take their cultural environment for granted. It is on the cultural front, as on the economic front, that the impact on Canada of the dynamic society to the south finds its strongest expression. The impact has no doubt been magnified by the development of the mass media and their counterpart: the mass market. French-speaking Canadians may be less exposed to it for reasons of language, but they are not immune. Canadians generally appear to find it more difficult to focus on it than on the U.S. impact on the Canadian economy, perhaps because the many affinities between Canadians and Americans tend to make any concept of a threat unreal. On the whole, the general directions of Canadian policy in the cultural sector have been set and they have been pursued with reasonable success. Perhaps we have already turned the corner. But it remains for these policies to be extended to other vulnerable areas and to take account of the further impetus that the new technologies may give to the cultural thrust of the United States as it affects Canada.

This is, fortunately, an area in which there is broad convergence between the perceptions and goals of the federal and provincial governments. It would not be unrealistic, therefore, to look to a high degree of co-operation between the two levels of government in creating the kind of climate we shall need over the next decade or two if Canadian themes are to find their distinctive expression.

It is also one of the areas in which Canadians can act with the least risk of external repercussion. It has been said that culture is imported rather than exported. This is not wholly true. But to the extent that cultural influences are brought in willingly, they can be shaped domestically without affront to the exporter.

The following quotation has a familiar ring to Canadians examining their current problems: "The true sovereigns of a country are those who determine its mind, its mode of thinking, its tastes, its principles; and we cannot consent to lodge this sovereignty in the hands of strangers". It is, in fact, an excerpt from an address delivered at the University of Philadelphia in 1823. Americans today will be no less understanding of Canadian concern in trying to follow the same advice.

IV. SUMMING UP

In looking into the perspectives for the Seventies, *Foreign Policy for Canadians* focuses on "the complex problem of living distinct from but in harmony with the world's most powerful and dynamic nation, the United States". The phrase is intended, presumably, not only to identify the problem but to define the parameters of the relationship. It is the requirement of both distinctness and harmony, therefore, that any option for the future of Canada-U.S. relations must be seen to satisfy, among others.

In essence, distinctness should be implicit in any relationship between two sovereign countries such as Canada and the United States. The very fact that it has to be singled out as an objective of foreign policy says something about the Canada-U.S. relationship. The relationship is characterized by an array of links that, given the disparity in power and population, impinge on the sense of Canadian identity. This might be a sustainable challenge if evidence were not accumulating that the underlying trend in the Canada-U.S. relationship may be becoming less congenial to the conception of Canadian distinctness.

Distinctness has no autonomous virtue of its own. It is not an end in itself. In the process of nation-building, however, it is a substantial factor of cohesion. In the case of Canada, in particular, it is arguable that the perception of a distinct identity can make a real and discernible contribution to national unity.

The whole conception of distinctness is, of course, changing. There are challenges facing modern society that transcend national boundaries. There are areas of economic activity that can no longer be performed efficiently except on a scale that exceeds national dimensions. There is a whole host of linkages that lend cumulative substance to the reality of interdependence. This is a global trend from which Canada can neither claim nor expect to be exempt. It is a fact, nevertheless, that the Canadian situation in relation to the United States is unique in two respects: the linkages are probably more numerous and more pervasive than between any other two countries and the affinities between them are also such as to put particular strains on the definition of the Canadian identity. On both counts the problem of living distinct from the United States is only marginally related to the larger issue of global interdependence, which is a fact of life for all countries.

If Canadians say they want a distinct country, it is not because they think they are better than others. It is because they want to do the things they consider important and do them in their own way. And they want Canadian actions and life styles to reflect distinctly Canadian perspectives and a Canadian view of the world.

Against this yardstick the first option—seeking to maintain our present position with minimum policy changes—is not likely to represent much of an advance. On the contrary, if the continental pull is, in fact, becoming stronger, we may, like the proverbial squirrel, have to run harder simply to stay in place. In the final analysis, the first option is not really an option of strategy at all. Directed as it is toward preserving the present balance in the Canada-U.S. relationship in an external setting of predictable change, it would inevitably involve a substantially reactive posture on Canada's part.

Costs involved

The second option—closer integration with the United States—would involve costs in terms of the Canadian identity. Even if limited to a free-trade area, it would probably be unrealistic to assume that the momentum generated by this option could be confined to the economic and industrial sphere. The many common denominators, based on contiguity and affinity, that link Canada and the United States, would receive a strong impetus. To resist them would require more deliberate effort and appear to make less sense because the second option implies a judgment that the effort to resist the continental pull is likely to be unavailable. To the extent that a real risk to Canada's distinctness as a political and cultural community was apprehended, recourse to the second option could involve a serious strain on the domestic consensus in Canada.

The third option—a comprehensive strategy to strengthen the Canadian economy and other aspects of our national life—assumes that the continental tide can be stemmed to some extent and contained within bounds that approximate more closely the wider, global thrust of interdependence. It sees, as did the recent foreign policy review, "the judicious use of Canadian sovereignty" as "the key to Canada's continuing freedom to develop according to its own perceptions". More specifically, it looks to the mutually-reinforcing use of various policy instruments as the proper strategy to achieve greater Canadian distinctness. It inevitably takes account of its own limitations. It does not seek to distort the realities of the Canada-United States relationship or the fundamental community of interest that lies at the root of it.

Distinctness is not the only criterion by which the options available to Canada in its conduct of the U.S. relationship should be judged. Independence is another. Distinctness and independence are clearly related, but they are not the same thing. In the broadest sense independence is related ultimately to the capacity of governments to formulate and conduct policy on the basis of national perceptions for the achievement of national objectives in the domestic and international environments. Distinctness, on the other hand, is an attribute that applies to a national society in all its various manifestations.

In trying to judge the constraints on Canadian independence arising out of the U.S. relationship, it is necessary to keep a proper sense of balance. In the first place, there is an all-too-natural tendency to think of such constraints as being deliberate manifestations of U.S. policy. This applies, in particular, to the integrating trend that is being apprehended on the Canadian side. In practice, there is no evidence to suggest that U.S. policy towards Canada is being conducted on other than pragmatic lines as distinct from some general conception of progressive integration that would have the effect of gradually extinguishing Canada's separate existence as a national entity. It is important to distinguish, therefore, between the impact on the Canadian scene of non-governmental U.S. actors (such as corporations, business groups, trade unions, and the media), on the one hand, and of policies and actions of the U.S. Government, on the other. As a general proposition, there is no real evidence that the U.S. Government does now pursue a concerted policy of continental integration in relation in to Canada. Conversely, however, the U.S. Government should not be counted on to inhibit any integrating trend that may be emerging as a result of the separate actions or interests of various U.S. constituent communities.

Rewarding relationship

In the second place, the Canada-U.S. relationship, in whatever way we may look upon it, has been a rewarding and enriching relationship for Canada on most counts. In particular, of course, it has been instrumental in endowing Canadians with an industrial structure and the higher standard of living that goes with it in a shorter time span than might otherwise have been achievable on the strength even of Canada's substantial natural and human resources. This is something that cannot be left out of account in any judgment of the constraints the relationship may have placed on Canadian independence. Nor are Canadians disposed to make their reckoning without taking account of the many positive aspects of the relationship. This accounts for the element of ambivalence that has always been a feature of Canadian policy towards the United States. As the recent foreign policy review puts it, "for the majority of Canadians the aim appears to be to attain the highest level of prosperity consistent with Canada's political preservation as an independent state". The ambivalence has persisted, in essence, because policy choices at either end of the spectrum are likely to involve unacceptance costs to Canadians. To avoid such costs will presumably remain a primary objective of any policy option.

In the third place, it is difficult to make any pronouncement about the impact of the Canada-U.S. relationship on Canadian independence without at least a cursory look at the concept of the "special relationship". The term is not uniquely applied to Canada. Other countries, too, have intermittently used it to describe their relationships with the United States. This is presumably because it has been considered beneficial to enjoy a "special" relationship with the United States.

As far as Canada is concerned, there can be little doubt that the relationship with the United States has been and continues to be special in the sense that it is probably the most articulated relationship between any two countries in the world involving a unique level of mutual interaction, even if unequal in its impact. The intensity of the relationship and perceptions on either side of the border notwithstanding, it has been conducted, by and large, as a normal relationship between two sovereign states. On occasion, however, it has also involved transactions involving special ground rules that have not been extended evenly to other countries.

To the extent that the concept of the "special relationship" reflects an objective reality, it will continue to be valid. To the extent, on the other hand, that it denotes special arrangements between Canada and the United States, its currency is likely to diminish on both sides of the border. In the United States, the perception is gaining ground that the "special relationship" with Canada was an unbalanced relationship, that it involved accommodations in favour of Canada that are no longer tenable in the light of current economic and political realities, and that any restructuring of the "special relationship" would have to proceed on a basis of much more demonstrable equity of benefit to each country. On the Canadian side, there is a concurrent feeling that special arrangements with the United States, for all their acknowledged benefits, may in the end have curtailed our freedom of action, domestically as much as in the realm of foreign policy, and that the cumulative impact of such arrangements taken together carries the risk of locking Canada more firmly into a pattern of continental dependence. This probably does not rule out some special arrangements in future, arrived at selectively on a basis of mutual advantage, but the prospect under anything like the third option would be for a more normal nation-to-nation relationship.

Any discussion of the theme of Canadian independence would not be complete without some judgment as to the realistic parameters of such a discussion itself. It would obviously be absurd to proceed from the assumption that Canada is today substantially deficient in independence. In fact, Canada probably has much more independence than most countries in the modern world and more than many Canadians rec-

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ognize. There is no denying, on the other hand, that the pervasive span of the linkages between Canada and the United States represents a set of potential constraints on the latitude Canada has in dealing with its national problems. Some of these linkages are immutable; others are susceptible to modification. The real question is to what extent we can look to any policy option to enhance the measure of independence Canadians now enjoy without involving unrealistic, unacceptable and unwarranted costs.

Diversifying interests

The foreign policy review brings the concept of countervailing factors into play. Among these, it instances the active pursuit of trade diversification and technical co-operation with countries other than the United States. The notion that Canada's interests are best served by policies that seek to diversify those interests on a global basis as one means of avoiding excess reliance on the United States is, of course, not a new one. In one way or another, it has been an explicit assumption behind Canadian support for trade liberalization over the years. If trade liberalization has not contributed significantly, if at all, to our explicit objective of diversification, a less liberal world-trading environment would probably have led to even stronger links between the Canadian and U.S. markets. The fact remains that, with more than two-thirds of our total trade concentrated in the United States, Canada is unique among industrialized countries in having a trading pattern that, by the standard of diversification, is so unbalanced.

This suggests that we should be unrealistic to set our sights too high. There is clearly no possibility of our being able to surmount overnight Canada's heavy dependence on the United States for trade, investment and technology. But there is no reason why we should not aim, in the context of an expanding economy and expanding trade prospects, to achieve relative shifts that, over time, could make a difference in reducing Canada's dependence on a single market and, by extension, the vulnerability of Canada's economy as such. The stronger Canada that might be expected to emerge from the pursuit of such a policy is the objective of the third option. It is eminently clear, however, that for diversification to be achieved, even within the modest scale here suggested, trade policy will need to be harnessed to other policies—such as an industrial-growth strategy and a policy to deal with aspects of foreign ownership—that address themselves to the special factors at play in the North American situation.

There is one final point to be made about Canadian independence. There are those who believe that the growing trend toward regionalism in the world, coupled with the narrowing focus within which the United States may be induced to interpret its national interests in a period of retrenchment will inevitably increase the continental pull exerted on Canada. Against this, however, it is arguable that, in the world foreshadowed by the Nixon Doctrine—a world in which power is likely to be more diffused and in which United States commitments may be tailored much more closely to resource capabilities and public attitudes in the United States—the prospect of Canada's achieving its national objectives, domestically and internationally, will be enhanced rather than diminished.

Various options have been identified for the future management of the Canada-U.S. relationship. All these options have one common denominator: the need for the relationship to be harmonious. This is not only because no policy option is likely to be tenable in any context other than that of a harmonious relationship between Canada and the United States. It is also because, over a very wide spectrum, the interests of the two countries as continental neighbours and in the international environment are, in fact, in close harmony.

In particular, Canada and the United States would appear to have a very strong common interest in promoting improvements in the international trade-and-payments system. We have made common cause in these matters in the past and there is every reason why we should continue to work constructively together. It would be a pity if the existence of some irritants in our bilateral trade relations were to create the impression that, on the big questions, Canada and the United States found themselves in opposing camps.

No anomaly

The foreign policy review speaks of living distinct from but in harmony with the United States. There is no anomaly in this proposition. The concept of distinctness is taken for granted as the natural context for international relations and no qualitative inferences should be drawn from it one way or the other. There are many countries in the world that certainly regard themselves as being distinct and have no difficulty in living in the closest harmony of purpose and endeavour with other countries. There is no intrinsic reason, therefore, why Canadian distinctness should in any way inhibit the continued existence of a fundamentally harmonious relationship between Canada and the United States.

It is fair to assume that, in the 1970s and 1980s, Canadian-American relations may become more complex than they have been in the past. It is part of the trend toward increasing complexity in the relationship that a larger number of issues may arise between us that engage the national interest on each side. It is also to be assumed that, if the national interest were interpreted in a new and possibly narrower focus, the issues arising between us would, on occasion, be judged to bear more critically on it than when the relationship was more relaxed. Finally, as governments on both sides of the border are more and more being drawn by their various domestic constituencies into areas of social and economic activity that involve the shaping of national goals, the nature of the issues between us and the means of resolving them may change.

There is nothing in all this that should be thought to imply a scenario for greater contention. Far from it. There will, of course be issues, such as Canada's policies on foreign ownership and perhaps in relation to energy and other resources—and in many other areas—where perceptions will differ. The same will almost certainly be true of United States policies as that country continues to grapple with secular and structural problems of economic adjustment. On occasion, as Secretary of State Rogers recently put it, each government "may be required to take hard decisions in which the other cannot readily concur". In the main, however, we should expect both countries to manage change in a spirit of harmony and without doing unnecessary damage to interests on the other side. Above all, it is in Canada's interest to work closely with a dynamic and outward-looking United States whose influence and the leverage it can bring into play will continue to be critical to the achievement of some of Canada's principal objectives in the international environment.

In the final analysis, harmony is not an extraneous factor in the Canada-United States relationship. It has marked the relationship because it is based on a broad array of shared interests, perceptions and goals. It also reflects the many affinities that have linked Canadians and Americans traditionally and that continue to link them as members of changing but still broadly compatible societies. What is at issue at the moment is, as someone has aptly defined it, "the optimum range of interdependence" between Canada and the United States. All the evidence suggests that the issue is being reviewed on both sides of the border. But, understandably, it is of immensely greater significance for Canada. If the outcome is a Canada more confident in its identity, stronger in its capacity to satisfy the aspirations of Canadians and better equipped to play its part in the world, it is an outcome that is bound to make Canada a better neighbour and partner of the United States. Above all, it is an outcome that should buttress the continuation of a harmonious relationship between the two countries.

SENATOR B. EVERETT JORDAN

Mr. GRIFFIN. Mr. President, it has been written that a man with many friends is himself a friendly man.

This is certainly true of our distinguished friend and colleague, Senator B. Everett Jordan.

It has been my privilege to serve on two committees with him—the Committee on Rules and Administration and the Joint Committee on Printing.

As a result, I know firsthand how painstaking he has been in discharging duties which are heavy and often onerous; how thoughtful and generous he has been in considering the needs and requests of others and how unpartisan he has been in overseeing the operations of the Senate itself.

We will miss Everett and I join with all his friends in wishing good health and happiness in the years ahead.

SENATOR CLINTON P. ANDERSON

Mr. GRIFFIN. Mr. President, a long and distinguished career in public service will come to an end at the close of this session with the retirement of our friend colleague from New Mexico, Senator Clinton P. Anderson.

As the junior Senator from Michigan, I have a particular reason to be proud of his record: he received part of his education at the University of Michigan.

Senator Anderson, who was born in South Dakota, followed the injunction of Horace Greeley, "Go West, young man, go West," and I am sure he has never regretted his decision. Success in the insurance business and politics followed him thereafter.

After filling several important positions in his adopted State of New Mexico, he served three terms in the U.S. House of Representatives. Then he became a member of President Truman's Cabinet as Secretary of Agriculture and served in that position most ably.

In 1948, Senator Anderson was elected to the U.S. Senate and has served continuously since that time. Never parochial in his interests, Senator Anderson served with distinction as chairman of the Joint Committee on Atomic Energy and in many other capacities during his long and valuable Senate career.

I join with all his Senate friends in wishing him many pleasant years in a well-earned retirement.

SENATOR CLINTON P. ANDERSON

Mr. FULBRIGHT. Mr. President, as the 92d Congress draws to an end, I wish to take this opportunity to pay a special tribute to the senior Senator from New Mexico, CLINTON P. ANDERSON. Senator ANDERSON has had a long and distinguished career in the Senate. He has served this body as chairman of the Joint Committee on Atomic Energy, as chairman of the Senate Interior Committee, and as chairman of the Senate Space Committee. It has been my pleasure to serve with CLINT for many years on the Finance Committee, where I have had the opportunity to observe, firsthand, his deep concern for his fellow man, especially the less fortunate. He is a man of compassion and commitment, and he will be sorely missed in the Senate. I wish him well as he enters his retirement years.

RECESS TO 1 P.M. TODAY

Mr. MANSFIELD. Mr. President, if no one wishes to speak, I ask unanimous consent that the Senate stand in recess until the hour of 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, at 11:24 a.m. the Senate took a recess until 1 p.m.; whereupon the Senate reassembled, when called to order by the Presiding Officer (Mr. JORDAN of North Carolina).

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 141. An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes;

S. 655. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office;

S. 909. An act for the relief of John C. Rogers;

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 1462. An act to provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142, 359, 360, 361, 362, and 363, and for other purposes;

S. 2147. An act for the relief of Marie M. Ridgely;

S. 2270. An act for the relief of Magnus David Forrester;

S. 2275. An act for the relief of Wolfgang Kutter;

S. 2318. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes;

S. 2469. An act for the relief of Kenneth J. Wolff;

S. 2714. An act for the relief of M. Sgt. William C. Harpold, U.S. Marine Corps (retired);

S. 2753. An act for the relief of John C. Mayoros;

S. 2822. An act for the relief of Alberto Rodriquez;

S. 3055. An act for the relief of Maurice Marchbanks;

S. 3230. An act to provide for the division and for the disposition of the funds appropriated to pay a judgment in favor of the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Mont.;

S. 3257. An act for the relief of Gary Wentworth, of Staples Minn.;

S. 3326. An act for the relief of the Appalachian Regional Hospitals, Inc.;

S. 3356. An act to prohibit the use of certain small vessels in U.S. fisheries;

S. 3483. An act for the relief of Cass County, N. Dak.;

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended;

S. 3545. An act to amend section 7 of the Fishermen's Protective Act of 1967;

S. 3563. An act for the relief of Gerald Vincent Bull;

S. 3843. An act to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972;

S. 3943. An act to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes;

S. 4022. An act to provide for the participation of the United States in the International Exposition on the environment to be held in Spokane, Wash., in 1974, and for other purposes;

S. 4059. An act to provide that any person operating a motor vehicle within the District of Columbia, shall be deemed to have given his consent to a chemical test of his blood, breath, or urine, for the purpose of determining the blood content;

S. 4062. An act to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area, and for other purposes; and

S. J. Res. 221. Joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial.

The enrolled bills and joint resolution were subsequently signed by the Acting President pro tempore (Mr. ROBERT C. BYRD).

THE MINING OF HAIPHONG

Mr. HARRY F. BYRD, JR. Mr. President, President Nixon yesterday attacked the so-called opinion leaders of this country for not supporting him last May after he ordered the bombing of North Vietnam and the mining of its ports. His aim was directed at critics in the news media and the universities.

President Nixon said his decision to mine Haiphong Harbor was "the hardest decision I have had to make since becoming President of the United States."

The President explained that, as he was preparing his Moscow meeting with Soviet leaders, a massive Communist invasion took place in South Vietnam from North Vietnam.

The President said:

> We were faced with the spectre of defeat, and I had to make a choice, a choice of accepting that defeat and going to Moscow with hat in hand, or acting to prevent it. I acted.

What a tragedy it is that President Nixon's predecessor refused to accept the advice of his military leaders. Had President Johnson permitted the mining of Haiphong in 1965 or 1966, the Vietnam war, I am confident, would have been over almost before it began. Even coming as late as May 1972, it has had a very significant impact.

At that time, there were 26 ships, most of them Russian, in Haiphong Harbor. The President gave them 3 days to leave, stating that the harbor would be mined at the end of that period. The ships did not leave, and they are still there. None has come in since that date.

So now all of the heavy equipment and petroleum must first go to Chinese ports, further congesting those ports, and then go by rail to North Vietnam, further congesting the rail facilities.

Our top military leaders—and I talked with one this morning, one in whom I have great confidence—say that the mining of Haiphong last May has been an action of great significance in seeking settlement of the war there.

President Nixon inherited a very difficult situation in Vietnam, faced as he was on January 20, 1968, the day he took office, with 549,500 American troops in Vietnam. This figure has been steadily reduced until today there are 34,600.

President Nixon, I feel, had handled well the difficult Vietnam problem, which was not of his making.

I am in full agreement with the statement he made yesterday to the conference of the National League of Families of Prisoners and Missing in Action in Southeast Asia, that the fate of the prisoners of war would not be left to the good will of the enemy.

I am in agreement with him, too, when he asserts that draft dodgers and deserters must pay a price for their choice.

The American people support the President on the mining of Haiphong, if I judge sentiment accurately. All available evidence so indicates. The people realize that it was militarily right, and that until the war can be concluded, it is logical and necessary to take whatever reasonable steps are possible to cut off the flow of supplies to the enemy.

THE WASHINGTON POST AND THE McGOVERN CAMPAIGN

Mr. DOLE. Mr. President, for the last several days the Washington Post and some other elements of the national news media have been hawking rumors about the Republican Party and the campaign to reelect the President.

Lengthy front page stories are run under most misleading headlines which serve only to perpetuate hearsay. Unsubstantiated charges and outrageous allegations have been put forth with no proof whatsoever. The only evidence supplied is the alleged testimony of unnamed sources and information said to be gleaned from Justice Department files.

Yesterday I had occasion to comment on these charges and on the journalistic standards of newspapers which would stoop to printing them. This morning's

Washington Post carries the anguished protest of one of its senior editors who asserts that time is on his side, and will bear him and his paper out in the long run.

I say that charges of so serious a nature as are currently being printed in the pages of the Post must be proven now when they are printed or they ought not to be printed at all.

Mr. Bradlee's confidence that time will bear him out, I am sure, is as ill-founded as the charges themselves. It is also worthy of note that Mr. Bradlee, some months ago, announced as policy for his paper that it would no longer print stories based on information from anonymous Government sources. And yet that quite clearly is what his paper has done almost every day for the past week, in blatant contradiction of its own policy.

Further, I would note, Mr. President, my own suspicions that the timing of these stories is more than mere coincidence. It is no secret that a colleague of ours in this body is running a presidential campaign that continues to be devoid of credible, substantive issues. It is no coincidence that that candidate should seize upon the Post's allegations and employ them as flimsy evidence for his own desperate political assault based on rumors that the Post has printed as news.

Senator McGovern has charged that the Republicans hired at least 50 people to conduct some of the shabbiest undercover operations in the history of American politics.

Mr. McGovern's cries of outrage strike me as, I am sure, they strike most who have heard them, as a bit manufactured. The authenticity of his outrage is even further called into question by an article in the Atlanta Constitution of August 5, 1972. The article cites a McGovern campaign staffer who indicates that Senator McGovern has an undercover operation of his own with 50 investigators whose assignment and I quote is:

> To try to dig up damaging background information on key members of the Nixon Administration.

The information uncovered by the researchers according to the article would be forwarded directly to Senator McGovern who would himself make the decision on how it would be used. The material gathered in the investigation would either be released directly to the press by McGovern or leaked quietly to local Democrats according to a spokesman for the Senator.

Mr. President, this article purports to be based not on rumor and supposition but on the stated testimony of a member of the McGovern campaign staff who is named and quoted several times in the article.

By comparison the articles in the Post deserve no credibility whatsoever. As long as reporters feel free to attribute such charges to anonymous sources—sources who will not reveal their names, then newspapers who print such stories will remain suspect, the Post has done no service to itself, to the public, or to the high standards of journalism adhered to by most American newspapers in printing these stories. It has, in fact, served the interests only of the McGovern campaign and that Mr. President, I am confident, was its intent.

So I call upon the Post to insert a little balance in its reporting and to give the same investigative effort to proven instances of political sabotage against the President's campaign, such as happened last week at the Democrats for Nixon office in Washington—and two weeks ago in California when the President's appearance there was disrupted by militant anti-war radicals who had the help of the McGovern campaign organization.

Mr. President, I ask unanimous consent to have printed in the Record the article from the Atlanta Constitution entitled "GOP's Target of McGovern 'Truth' Team" of August 5, 1972, written by Bob Hurt.

There being no objection, the article was ordered to be printed in the Record, as follows:

GOPs Target of McGovern "Truth" Team

(By Bob Hurt)

Washington.—Sen. George McGovern has organized a team of investigators to try to dig up damaging background information on key members of the Nixon administration. a spokesman for the Democratic presidential nominee said Friday.

At least 15 volunteer investigators began background checks on major administration officials this week. The McGovern spokesman said the "truth squad" eventually would be expanded to 50 investigators.

About 100 Republicans have been targeted for the investigation, according to John Wagner, 31, an attorney and graduate student who heads the investigative project.

The investigations will be confined to the "business and political lives" of the Nixon men, Wagner told The Constitution.

"We're not looking for whether or not their wife is an alcoholic or that sort of thing," Wagner said. Nevertheless, Wagner added that any type of significant information uncovered by the researchers will be forwarded to McGovern, who will make the final decision on whether it will be used.

Subjects of the investigation include White House domestic affairs chief John D. Ehrlichman, special assistant H. R. Haldeman and special counsel Charles W. Colson.

"We want this to be a rundown on who's running the government and what influences they are subject to and what special interests they have," Wagner said.

Material gathered in the investigation will either be released directly to the press by McGovern or leaked quietly to local Democrats for use as they choose in their home states, a McGovern spokesman said.

The McGovern research office said the project will be the most exhaustive of its type undertaken in a presidential campaign.

Such investigations on the backgrounds of politicians are not unusual. But detailed information about plans and the nature of such investigations are usually tightly kept political secrets.

The Democratic National Committee has files on only a handful of Republicans, but McGovern wants a report on virtually every major staff member in the White House and all other GOP leaders with jobs in the administration.

Ironically, it was the failure of the McGovern staff to investigate the background of Sen. Thomas Eagleton that led to the disclosure of Eagleton's past emotional problems and his resignation from the ticket as the vice presidential nominee.

Most of the McGovern investigators are college-age or in their mid-20's.

First results of the probe are expected to be released by the end of August.

Wagner said he is not yet able to evaluate the effectiveness of the project, but other sources say information has already been collected that shows the promise of the technique.

For example, a study has shown that a southern Republican appointee to a regulatory agency has cast votes that would be unpopular in his home state. The information will be distributed to McGovern workers here and in the South.

Mr. DOLE. Mr. President, I challenge the Washington Post to follow up on the story which appeared in the Atlanta Constitution and to check with those named in that story and to check on some of these so-called 50 investigators that were to be dispatched by Mr. Wagner to check on the Nixon administration. The story indicated that Mr. Wagner, a man heading the project, indicated that they would check about 100 persons in the Nixon administration.

I realize that in the final weeks of the campaign and perhaps on the final day of this session of the Congress, that it is customary in the heat of an election that charges and countercharges be made.

I cannot vouch for anything that has been said by anyone in this campaign. However, it appears to me that a great paper like the Washington Post—which it is most of the time—should balance its reporting and its efforts.

They can be for George McGovern. That is their right. However, I think they owe the public and those who rely on the Washington Post across the Nation a higher obligation to tell both sides of the story and to investigate both sides and not to make it appear by inference and innuendo through unnamed sources and unauthoritative sources that they have information which no one else has.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO 2:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until the hour of 2:30 p.m. today.

The motion was agreed to; and at 1:12 p.m. the Senate took a recess until 2:30 p.m.; whereupon the Senate reconvened when called to order by the Presiding Officer (Mr. Fannin).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the

House to the bill (S. 3959) to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments.

The message also announced that the House had disagreed to the amendments of the Senate to the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. WHITTEN, Mr. SIKES, Mr. PASSMAN, Mr. EVINS or Tennessee, Mr. BOLAND, Mr. JONAS, Mr. CEDERBERG, Mr. RHODES, and Mr. SHRIVER were appointed managers on the part of the House at the conference.

The message further announced that, pursuant to the provisions of House Resolution 1162, 92d Congress, Mr. THOMPSON of New Jersey and Mr. CARLSON were appointed as delegates to attend the 17th session of the United Nations Educational, Scientific, and Cultural Organization in Paris, France, from October 17 to November 18.

The message also announced that, pursuant to the provisions of section 2(a), Public Law 92–489, Mr. BROOKS, Mr. MIKVA, Mr. HUTCHINSON, and Mr. WIGGINS were appointed as members of the Commission on Revision of the Federal Court Appellate System.

The message further announced that, pursuant to the provisions of section 4 (a), Public Law 92–484, Mr. DAVIS, Mr. CABELL, Mr. MCCORMACK, Mr. MOSHER, Mr. GUBSER, and Mr. HARVEY were appointed members of the Technology Assessment Board.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions:

H.R. 3786. An act to provide for the free entry of a four-octave carillon for the use of Marquette University, Milwaukee, Wis.;

H.R. 5066. An act to authorize appropriations for fiscal year 1973 to carry out the Flammable Fabrics Act;

H.R. 7093. An act to provide for the disposition of judgment funds of the Osage Tribe of Indians of Oklahoma;

H.R. 8273. An act to amend section 301 of the Immigration and Nationality Act;

H.R. 8395. An act to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes;

H.R. 10384. An act to release certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior;

H.R. 10880. An act to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery;

H.R. 11563. An act to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal Employees' Group Life Insurance purposes during a period of erroneous removal or suspension;

H.R. 12186. An act to strengthen the penalties imposed for violations of the Bald Eagle Protection Act, and for other purposes;

H.R. 12674. An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes;

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government;

H.R. 12828. An act to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons; to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes.

H.R. 13158. An act to name a bridge across a portion of Oakland Harbor, Calif., the "George P. Miller-Leland W. Sweeney Bridge";

H.R. 13895. An act to amend title 5, United States Code, to revise the pay structure for nonsupervisory positions of deputy U.S. marshal, and for other purposes;

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes;

H.R. 15375. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973;

H.R. 15461. An act to facilitate compliance with the treaty between the United States of America and the United Mexican States, signed November 23, 1970, and for other purposes;

H.R. 15597. An act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland;

H.R. 15657. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes;

H.R. 15735. An act to authorize the transfer of a vessel by the Secretary of Commerce to the Board of Education of the city of New York for educational purposes;

H.R. 15763. An act to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes;

H.R. 15965. An act to amend the District of Columbia Teachers' Salary Act of 1955 to increase salaries, to provide certain revisions in the retirement benefits of public school teachers, and for other purposes;

H.R. 16675. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 to extend for 1 year the program of grants for State and local prevention, treatment, and rehabilitation programs for alcohol abuse and alcoholism;

H.R. 16804. An act to rename the Mineola Dam and Lake as the Carl L. Estes Dam and Lake;

H.R. 16883. An act relating to compensation of members of the National Commission on the Financing of Postsecondary Education;

H.R. 17038. An act designating the Oakley Reservoir on the Sangamon River at Decatur, Ill., as the William L. Springer Lake;

H.J. Res. 733. Joint resolution granting the consent of Congress to certain boundary agreements between the States of Maryland and Virginia;

H.J. Res. 748. Joint resolution amending title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans' Administration; to develop cooperative arrangements between institutions of higher education, hospitals, and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancement opportunities; to improve and expand allied and other health manpower utilization; to afford continuing education for health manpower of the Veterans' Administration and other such manpower at regional medical education centers established at Veterans' Administration hospitals throughout the United States; and for other purposes; and

H.J. Res. 1301. Joint Resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

The enrolled bills and joint resolutions were subsequently signed by the Acting President pro tempore (ROBERT C. BYRD).

PRINTING AS SENATE DOCUMENTS OF TRIBUTES TO SENATOR JORDAN OF IDAHO AND SENATOR COOPER

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader (Mr. SCOTT), I ask unanimous consent that the tributes that appear in the RECORD to the Senator from Idaho (Mr. JORDAN) and the Senator from Kentucky (Mr. COOPER) be printed as Senate documents.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor, so that I may suggest the absence of a quorum?

Mr. LONG. I yield for that purpose.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEWS OF REPRESENTATIVE BOGGS AND REPRESENTATIVE BEGICH, REPORTED MISSING IN ALASKA

Mr. STEVENS. Mr. President, my colleague from Alaska (Mr. Gravel) and I have had a great many questions and comments from Senators and Members of the other body and interested friends of the distinguished Representative Nick Begich and the distinguished majority leader of the House of Representatives, Hale Boggs, who are reported lost on a plane that left Anchorage yesterday morning destined for Juneau. There has been much concern about them.

I have some press reports from the Anchorage morning newspaper, and I should like to say, as I have just said to the distinguished Senator from Louisiana (Mr. Long), that if this report, as contained in the newspaper, is correct, it states that a plane reportedly was heard over Whittier by a dockworker around 9:30 a.m. Monday. The article reads, in part:

> A Whittier area construction worker said he heard a light plane over the Whittier region at about 9:30 a.m. Monday, the Whittier Chief of Police told The Daily News Monday night. A regularly scheduled Polar Airways craft headed by Valdez normally passes Whittier at that time, but had been rescheduled to fly a different route Monday, The Daily News learned.

If that plane got through Whittier, and that was along a path that was in pretty bad condition—the path between Anchorage and Whittier—then I should say that there is at least a 50–50 chance that the two Congressmen in the Cessna-310 plane are down somewhere around Cordova—between Cordova and Yakutat—and that is good country to put a plane down in an emergency. It is the place where the Senator from Mississippi goes duck hunting, so he knows the area very well, as do all of us who are sportsmen.

I want to assure the Senator from Louisiana that his good friend and my good friend were with a very experienced pilot. Don Jonz has been in Alaska some 15 years. He has written an article on instrument flying in the Alaska area, and he has flown my colleague, Senator Gravel, and his wife. He had a very new plane, a Cessna-310, a twin-engine plane that we rely on a great deal in our area.

For some statistics, I called the Air Force about their search and rescue capability, and they pointed out that so far this year they have had 161 rescue missions and have located 573 people. They have a search going on that covers a 4,000-square-mile area, and they have 23 planes out and some 400 small boats searching the coastline, which is some 550 to 600 miles, between Anchorage and Juneau.

So I would hope, as I told the Senator's friend and mine, the Speaker of the House of Representatives, when I called him and told him some of these things, that everyone will maintain the hope that our friends will be found alive and well, after having had a close call. If anyone had a good chance to come through a situation like this they did, because of the plane they had and the pilot they had, and I think we have the best search and rescue capability in the country, so I am confident that everything is being done that can be done. Governor Egan has organized our National Guard to assist, the Civil Air Patrol is assisting, the Coast Guard is involved, and the Air Force is involved. I want to assure the Senate that if we can answer questions in this way, we will state that we have hopes our colleagues will be found alive and well.

I ask unanimous consent that these reports from the Anchorage Daily News be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

SEARCH COVERS HUGE AREA

(By Howard Weaver)

Aircraft from Anchorage, Yakutat and Juneau swept about 24,000 square miles of Alaska coastline Monday looking for the missing congressmen.

Shortly after 2 p.m. the Cessna 310 airplane was reported overdue in Juneau, and six search planes were in the air moments later. A U.S. Coast Guard C130 took off from Juneau, an FAA C47 began searching the Yakutat area and three planes were dispatched from Anchorage to join the effort.

"Figuring who's on board and all, it's going to be one hell of a search," an official at the Rescue Coordination Center in Anchorage said late Monday.

All the aircraft set down for the night except a C130 from Elemendorf Air Force Base, which was to continue an electronic search throughout the night.

The missing plane was equipped with an emergency-locator transmitter, which is designed to broadcast the location of the plane in the event of a crash. The range of the device is said to be up to 150 miles, but no contact was made during the evening.

The search enlisted the help of Civil Air Patrol planes from Anchorage in addition to the Air Force craft. CAP planes from Cordova were scheduled to join the effort, but were unable to get off the ground, according to RCC personnel.

Early speculation from some observers was that the missing plane was probably down somewhere in the Whittier area, about 60 miles southeast of Anchorage.

The pilot of the plane, Don E. Jons of Fairbanks, made radio contact only once after leaving Anchorage International Airport at 9 a.m. That was 12 minutes into the flight, which would have placed the plane in the vicinity of Portage Pass, just northwest of Whittier.

Jack Peck, manager of Anchorage International Airport and pioneer Alaska pilot, said severe turbulance and extreme icing was reported in the pass and that the unpressurized airplane would have been unable to climb above it.

Peck, who planned to search the area in his own plane today, said the military lost a helicopter in the pass a number of years ago but that "most pilots have a lot of respect for the pass and are real careful."

"The pass is about 2,500 feet between here and Whittier. After that, it's clear sailing. There is a very good prospect that there would be where they are," Peck said.

When pilot Jonz called Anchorage 12 minutes after takeoff, he filed a flight plan for a VFR (visual flight rules) path to Juneau, following route Victor 317, which goes from Anchorage to Portage. Whittier, Johnstone Point south of Cordova and then down the Southeast Alaska coast to Harbor Point, and due East to Sisters Island and Juneau Municipal Airport.

A Whittier-area construction worker said he heard a light plane over the Whittier region at about 9:30 a.m. Monday, the Whittier chief of police told The Daily News Monday night. A regularly scheduled Polar Airways craft headed for Valdez normally passes Whittier at that time, but had been rescheduled to fly a different route Monday, The Daily News learned. That led to speculation that the aircraft heard in Whittier was the missing plane.

No radio or other contact was made with the plane after that.

Ed Shepard, a boat pilot in Whittier, said Monday evening that the weather had been "pretty rough" in the area all day. He said that he would use his boat to search the area today, weather permitting. According to his report seas in the sound were running to 14 feet, with poor visibility and water temperature at about 37 degrees.

The FAA's Anchorage Flight Service Station reported that another light aircraft flew the Whittier route Monday afternoon, and was forced to turn back to Anchorage. They said that the craft was in the area at 5:25 p.m. and encountered "light to moderate rime icing," which coats aircraft wings with a frost-like covering and makes flying dangerous.

Water temperature in the sound averages in the low 40s at this time of year, and could be colder closer to glacial shores.

CAMPAIGN MORATORIUM; DEMOS PONDER ELECTION

(By Andy Williams)

Rep. Nick Begich's Republican opponent in the race for Alaska's lone U.S. House seat said Monday night he would hold a moratorium on his campaign until the congressmen are found.

State Sen. Don Young of Ft. Yukon, reached in Wrangell on a campaign stop, said he was confident Begich and Rep. Hale Boggs, D–La., would be found safely, but that he was curtailing his campaign until they were.

Meanwhile, Democratic party leaders pondered steps they would have to take if the worst occurred. Officials said procedures were simple, that the Democratic State Central Committee would meet and choose a successor-candidate, but that the nearness of the election and the uncertainty of Begich's fate made what would happen as a practical matter extremely speculative.

"Anytime a public servant such as Nick Begich takes time to travel around the state to see his constituents and this happens, it's a sad day for the state," said Young, adding that he had flown more than 40,000 miles during the campaign.

"There is no way I can continue the campaign on the same level without knowing where he is," Young said. "We were going to have debates and discuss the issues. We'll just have to wait until he's found to continue the campaign," he said.

Young said there were dangers to a politician inherent in campaigning by air. He said he had a close experience last week on a chartered flight between Bethel and Fairbanks when the plane iced up.

"But air is the only way to travel in an election. It's a risk you have to take," Young said.

Democratic Party spokesmen said speculation about what the 29-member state central committee would do was premature until the plane was found. They indicated the committee would do nothing to appoint a candidate even if Begich is still missing at the time of the Nov. 7 election. If that happened, they said, Gov. William A. Egan could seek a special election.

A party spokesman said the central committee has the power under state law to appoint persons to vacated candidacies for House seats but not to unexpired House terms.

The governor appoints persons to vacated seats in the Senate.

As Boggs noted at a speech at Sunday night's fund-raising banquet for Begich, the House of Representatives is "the only place you can get to where you must be elected.

"One can become president if he happens to be vice president and the president dies or if he's speaker of the House and the vice president dies. One can be appointed to the United States Senate by the governor, but you must be elected to the House of Representatives, it's the only way you can get there. And it is indeed, the most responsive institution in our country."

The central committee spokesman said, "The central committee would hear applications, solicit people and the majority opinion of the committee would appoint him," the spokesman said. However, he said that ballots had already gone to the printers and that a new candidate would have a serious disrupting effect on the campaign.

He noted that many people have been found alive two weeks or more after their planes have gone down and said he was confident that what he described as the most intensive air search in Alaska's history would locate the plane and the two congressmen alive.

"If he's still missing a week from now, then we will have to cross that bridge when we get to it," he said.

Experienced Pilot: Jonz in Alaska 15 Years

Don E. Jonz, pilot of the plane which disappeared Monday with Congressmen Nick Begich of Alaska and Hale Boggs of Louisiana aboard, had more than 15 years experience flying in Alaska and had recently written a magazine article on techniques of flying through ice.

Jonz, 38, owner of Pan-Alaska Airways of Fairbanks, came to Alaska from California around 1957 and has flown extensively with charter operations and training schools in Fairbanks. He started his present company about 1967 and carried cargo to the North Slope during the Prudhoe Bay oil buildup. He presently was operating with about seven planes, according to Fairbanks sources.

Jerry Hook, a friend of Jonz in Fairbanks who participated with him in international air races, said Jonz had "well over 10,000 hours" flight time. "I have no questions at all about his flying. He was a very good flier."

Another source said Jonz liked to "help out the people he thought were doing the right thing for Alaska." Jonz has flown Sen. Mike Gravel on various speaking tours.

Jonz wrote an article about airplane icing which appeared in the publication, "Instrument Flying 1973." The article related experiences Jonz had flying through ice in Alaska and included pointers on how to avoid the hazards.

Jonz wrote that correct judgment and flying techniques could overcome the effects of ice. "If you are sneaky, smart and careful you can fly 350 days a year and disregard 99 per cent of the b.s. you hear about icing," Jonz wrote.

Another long-time Alaska flier who read the article said it discounted some of the serious effects icing has on flight characteristics of airplanes.

"I think he should have treated icing with a little more respect," he said.

Lost Plane Highly Rated

The aircraft which carried House Majority Leader Hale Boggs and Alaska Congressman Nick Begich was a model 310 Cessna, a twin-engined, six-passenger craft which is highly rated by many Alaska pilots.

Their plane was N1912 H, which was manufactured in 1959. It was owned by Pan-Alaska Airways Ltd., a Fairbanks-based air-charter service.

Don E. Jonz, pilot of the plane and owner of Pan-Alaska, was described by one local pilot as "one of the best drivers there is." He had been owner of the air service for a number of years.

The aircraft was equipped with an emergency locator transmitter, which was designed to start operating on impact and transmit a radio beacon so the plane could be located if it crashed. The range is listed as "up to 150 miles" but contact must be made on a line-of-sight basis. That means that if the plane were in a valley, it would be necessary to fly directly over the downed aircraft.

Specifications for a 1959 model, such as the one which carried the congressmen, were not available, but the listing for the 1972 version indicate great range and speed for the craft.

The newest 310 Cessna aircraft is capable of cruising at 221 miles per hour, and can fly for 960 miles without refueling with a six-man load.

With a load of 4,000 pounds, the new model needs about 600 feet for landing.

Begich and Boggs Missing

House Majority Leader Hale Boggs, D-La., Rep. Nick Begich, D-Alaska, and two others aboard a twin-engine plane were missing and believed down today on route from Anchorage to Juneau.

The Pan-Alaska Airways Cessna 310, piloted by Don E. Jonz and also carrying special assistant to Begich, Russel L. Brown, was scheduled to fly through treacherous weather in 3,000-foot-high Portage Pass near Whittier on the 3-hour, 30-minute trip Monday.

The plane with Boggs, who holds the second most powerful position in the U.S. House, left Anchorage International Airport at 9 a.m. and was last heard from at 9:12 a.m., when Federal Aviation Administration officials received a visual flight plan filed by Jonz.

About that time, the twin-engine craft would have been approaching the Turnagain Arm entrance to Portage Pass, the lowest cut in the nearby 5,000–7,000-foot mountains of the Chugach Range.

"We assume the plane is down," an FAA spokesman said after the time had passed when the craft would have exhausted its fuel supply.

The Rescue Coordination Center (RCC) at Elmendorf Air Force Base dispatched search craft 90 minutes after the FAA first reported that the plane had failed to arrive at 12:30 p.m. Anchorage time as scheduled. The RCC said that today it planned to direct 32 aircraft on a search of the 24,000 square miles of Alaska coastline where the plane might have gone down.

Boggs was to be keynote speaker at a 6 p.m. fund-raising dinner for Begich at the Baranof Hotel in Juneau before catching a 7 p.m. jet to Seattle and on to Washington for resumption of Congress Tuesday morning.

The plane with Boggs and Begich had a cruising speed of about 200 miles an hour, a ceiling limited to about 10,000 feet due to lack of a pressurized cabin, and carried an emergency beacon, a five-hour gas supply, and unspecified survival gear.

An Air Force HC130, electronically equipped to locate the Cessna's emergency beacon, was to fly through the night, searching for the plane bearing registration number N1812H along the 80-mile path the plane might have travelled from Anchorage over Whittier, Prince William Sound, Cordova and Yakutat to Juneau.

FAA flight service stations all along the 550-mile route reported no sign of the Cessna, although a plane reportedly was heard over Whittier by a dock worker around 9:30 a.m.

Darkness forced two Civil Air Patrol planes from Anchorage, two CAP planes and a Coast Guard C130 from Juneau and an FAA C47 from Yakutat to curtail the search until this morning.

Polar Airways, Ltd., which normally flies a plane from Cordova to Anchorage through Portage Pass around 9:30 a.m., reported that Monday its plane took a circuitous route partially to avoid heavy icing conditions and poor visibility in the pass.

Upon hearing of conditions in the pass, a pilot who has flown the route said "They had pretty much everything against them." The National Weather Service reported low visibility and some turbulence around Portage Pass. Prince William Sound, just minutes beyond Portage, was seething with 14 foot waves whipping the cold waters along the wooded shores.

Anchorage International Airport manager Jack Peck said that Portage Pass was battered by extreme turbulence and heavy icing conditions.

An FAA spokesman said, "If the plane had been in trouble, or had broken the flight plan normal procedure would have been to establish radio contact. There could be many circumstances like a malfunctioning radio or out of radio range that could cause us to lose contact. But the plane passed its fuel exhaustion time (at 2 p.m. Anchorage time) and we assume that the airplane is down."

National Transportation Safety Board spokesman William Moore said the Cessna had a radio beacon, but "so far, we haven't heard a squeak out of it."

About 400 boats from Cordova also reportedly were searching around Hinchinbrook Island in Prince William Sound, about 80 miles from Portage Pass.

Juneau was partially socked in and an Alaska Airlines plane overheaded to Sitka early Monday, but by the time Boggs and Begich were scheduled to arrive visibility was 12 miles.

Begich's administrative assistant, Gene Kennedy, who flew to Sitka and returned to Anchorage Monday afternoon while trying to land in Juneau via Alaska Airlines, said, "When I first heard about it, they still had about 40 minutes more gas, so I didn't become alarmed until then. There are supposed to be 32 planes going out in the morning but I don't know whether that's the case now with the weather kind of rainy and cloudy."

Kennedy said tnat Brown, who has a child and five stepchildren, had been recently promoted to coordinator of Begich's three state offices in Anchorage. Juneau and Fairbanks. Prior to joining Begich's staff here, Brown had run every Begich campaign in Ketchikan since 1964.

Boggs, the 58-year-old 14-term congressman, was Democratic whip from 1962 to 1970, when he became House majority leader.

Begich, a first term congressman who recently rolled up a convincing primary vote, is a former school teacher, apartment manager and two-term Alaska state senator.

Jonz, 38, president of Pan Alaska, had been flying in Alaska since 1957. One friend said, he had logged more than 10,000 flying hours.

EGAN: "JUST HOPE AND PRAY"

(By Linda Billington)

Shock and dismay from both sides of the Alaska political fence greeted the news Monday that Congressmen Nick Begich and Hale Boggs were missing on a flight from Anchorage.

Gov. William A. Egan said he would "just hope and pray that later tonight or sometime in the morning we can find out where these people are. I feel that the ones working (on the search) are doing as good a job as possible."

Egan said he had talked with Mrs. Boggs. Begich's wife Pegge and son Tom in Washington, as well as the wife of Russel Brown, Begich's special assistant who was on the plane. He said that neighbors are staying with Mrs. Begich.

Egan recalled several emergency flights he and Mrs. Egan had experienced in Alaska—all of which landed safely. "I hope and pray that's the way it is," he said. "I'm disheartened that up to this time there has been no detection of a beeper. If they had to land on a beach somewhere, that beeper should have been heard."

U.S. Sen. Ted Stevens, R-Alaska, struck an optimistic note, saying that "people should not give up hope because there were several spots where the plane could have set down.

"There are a lot of beaches along there," he said. "I've flown along there many times. There are four or five emergency fields along the line where an airplane could land.

"I just hope everybody doesn't give up hope. I remember when I put down a couple of times where there was no phone, because of the weather . . . I'd say the odds are in favor of them turning up somewhere with a pilot like (Don) Jonz."

State Rep. Gene Guess, who has been campaigning for Stevens' U.S. Senate seat, said that he and Begich had planned a 10-day campaign tour of Southeastern. Guess said that he had suspended his campaign indefinitely.

"We were scheduled to meet each other in Ketchikan tomorrow, and were supposed to be at a luncheon in Wrangell and a dinner at Petersburg, with the whole week planned together in the Southeast," he said late Monday.

Two of Begich's former compatriots in the state legislature, State Sens. Lowell Thomas. R-Anchorage, and Chancy Croft, D-Anchorage, had been planning to fly to Kenai Monday morning but cancelled the flight because the weather was too rough.

"My wife and I drove down instead, and it was terrible in the Portage area," said Thomas, a private pilot. "There were some of the strongest winds I've ever seen."

Thomas said his first reaction was "What can I do?" "I have a plane, and if they need anyone I'll take it out to search," he said.

Croft said he had known Begich for several years and noted of his performance in the legislature. "I think he could store more knowledge in his mind than almost anyone I ever knew, and on a wide range of subjects. He was very conscientious, very hardworking.'

Republican State Sen. Don Young of Fort Yukon, Begich's opponent in the race for the U.S. House, said the news "is a shock, and it's also one I understand because of his dedication to the state. . . . I'm optimistic he'll be found and pray that he will. I hope and pray that he's found and can continue his effort for the state."

Former governor and interior secretary, Walter J. Hickel, who has known Begich since the congressman was an Anchorage schoolteacher, said: "I just hope they're found safe, and we have nothing to say beyond that. It would be a loss to the country and the state both. I don't have any reaction except shock. He did an excellent job as congressman; there's no doubt about it that he served Alaska well."

Mr. LONG. Mr. President, I thank the Senator from Alaska for the hopeful message he has brought us. We certainly pray that Representatives BOGGS, BEGICH and the others will be found alive and safe as the search continues.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. FANNIN). The Chair, on behalf of the Vice President, pursuant to Public Law 84–689, appoints the Senator from Colorado (Mr. ALLOTT) as alternate delegate to the North Atlantic Assembly, to be held in Bonn, Germany, November 18–24, 1972.

SOCIAL SECURITY AMENDMENTS CONFERENCE REPORT

Mr. LONG. Mr. President, I submit a report of the committee of conference on H.R. 1, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. FANNIN). The report will be stated by title.

The assistant legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes; having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of October 14, 1972, at pp. 36502–36512.)

Mr. LONG. Mr. President, I am pleased that the Senate has before it the conference report on H.R. 1, the Social Security Amendments of 1972. This bill will provide a total of $4.4 billion in additional social security benefits in the first full year: $2.3 billion in additional cash benefits, and $2 billion in additional medicare benefits. In addition, supplemental security income benefits for aged, blind, and disabled persons will increase their payments by $1.6 billion.

By any measure then, the bill contains substantial increases in benefits, it does not contain everything some of us would have liked but I feel that the conferees have come out with a good bill that every Senator can support.

I would like now to outline briefly some of the major features of the conference report.

SOCIAL SECURITY CASH BENEFITS

The bill would substantially increase benefits for widows. Under existing law a widow gets 82½ percent of the amount her deceased husband would have received if he had retired at age 65. The bill increases this to 100 percent. This will increase benefits for some 3.8 million people and increased benefit payments will total $1.1 billion in 1974.

Another feature of the bill provides a special minimum benefit for people who retire after working for many years under the social security program at low wages. This benefit is equal to $8.50 a month for every year worked under social security in excess of 10 years and up to 30 years. This means that a man who works and pays social security taxes for 25 years will get a monthly benefit of at least $127.50 when he retires, and one who works for 30 or more years under the program will get at least $170 a month; 150,000 people will be immediately eligible for increased benefits because of this special minimum provision.

For people who continue to work past age 65, the bill includes two important provisions. One of these provisions would increase from the present $1,680 to $2,100 the amount of annual earnings which an individual can have without losing any of his social security benefits. In addition, the bill would provide that social security benefits would be reduced by only $1 for every $2 earned above this $2,100 exempt amount. Under current law, benefits are reduced dollar-for-dollar for earnings above $2,880. This provision will result in an additional $865 million in benefits in 1974 for some 1.7 million beneficiaries. Further, for those who continue working past age 65 at a level of earnings which is high enough to prevent any benefits from being paid, the bill provides an increase in the amount of benefits which the worker will get when he does retire.

Another provision of the bill, involving about $14 million in additional benefits in 1974, will give men the same formula for computing benefits as is now available to women. This change in formula will allow men to drop out an additional 3 years of low earnings in figuring the average earnings on which special security benefits are based.

For disabled persons, the bill will reduce the waiting period from the onset of disability to the time when benefits can be paid from the present 6 months to 5 months. This will give close to a million beneficiaries an additional $128 million in benefits in 1974.

For persons applying for disability insurance benefits on the basis of blindness, the bill eliminates the requirement of recent attachment to covered work. In other words, where present law generally requires 5 years of work under social security during the 10 years preceding the onset of blindness, the bill would require only that the blind individual have worked enough under social security at any time to be fully insured. This provision would benefit about 30,000 blind individuals at a cost of some $38 million in 1974.

MEDICARE AND MEDICAID

H.R. 1 includes many vitally needed and long-overdue improvements in the medicare and medicaid programs. All of these changes are directed toward the objectives of equity and improved efficiency and economy in the two principal Federal health care financing programs.

The principal changes in coverage lie in extension of medicare to disabled persons and coverage of those who need kidney dialysis or kidney transplantation. Additionally, in the area of medicare benefits, the definition of care which may be provided in skilled nursing facilities has been liberalized so as to ease administration of the benefits and make it available for more people. We also have provided a means of correcting those situations where medicare payment is denied legitimately because the service was not covered, but where the beneficiary or institution was without fault. Coverage of chiropractors has also been added to medicare.

In medicaid, the principal extension of coverage has been to provide Federal matching funds for the care of mentally ill children who are receiving care and treatment in an accredited medical institution.

In the area of skilled nursing homes and intermediate care, the bill provides for improved standards of care and enhanced uniformity of administration.

Perhaps the most significant change, designed to promote quality of care and proper rendering of services in medicare and medicaid, is the PSRO amendment. Under this provision in the bill, qualified organizations of physicians will review all institutional care and, at their option and with the approval of the Secretary, all out-of-institution care provided under medicare and medicaid. The Secretary would approve such requests, of course, unless the PSRO is demonstrably not capable of coping with such review. Appropriate safeguards are included which are designed to assure public accountability and objective performance. An ad hoc advisory group consisting of physicians experienced in the operation of prototype review organizations—such as those in New Mexico, Georgia, Colorado, and Sacramento and San Joaquin, Calif.—is expected to assist in implementation of the PSRO amendment.

This is the area in which the Senator from Utah (Mr. Bennett) worked so diligently and devotedly for several years, and I am convinced that it will be a monument to his statesmanship.

With respect to the coverage of kidney dialysis and transplantation, the Secretary would have the authority to define reasonable charges in terms related to the reasonable costs of the treatment provided and comparable charges for physicians' time and skills, since obtaining customary and prevailing charges for new and complex procedures—many of which will be reimbursed in all instances by the program—would be quite difficult administratively.

A veritable host of improvements are described in the conference report, including termination, modification, and consolidation of advisory groups.

SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

The Senate-House conferees on H.R. 1 agreed to a national supplemental security income program which, when it becomes effective on January 1, 1974, would provide the aged, blind, and disabled persons with no other income a guaranteed monthly income of at least $130 for an individual or $195 for a couple. In addition, this new program would provide that the first $20 of any other income would not cause any reduction in supplemental security income payments. As a result, aged, blind, and disabled persons who also have monthly income from social security or other sources of at least $20 would be assured total monthly income of at least $150 for an individual or $215 for a couple.

Also, under this new program there would be an additional disregard of $65 of earned income, plus one-half of any earnings above $65. This will enable those aged, blind and disabled individuals who are able to do some work to do so, and in the process give them a higher income. The conferees also agreed on a savings clause which would assure that blind persons would not receive any reduction in benefits due to these provisions.

The definitions for blindness and disability would be similar to those in title II of the Social Security Act. However, any blind or disabled person who was on the rolls in December 1973 and met the State definition for blindness or disability would be considered blind or disabled in effect in October 1972 for purposes of this title so long as he continued to be blind or disabled.

Eligibility for the new program would be open to an aged, blind or disabled individual if his resources were less than $1,500—or $2,250 for a couple. States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplemental security income payment would be free to do so. The bill provides no direct Federal participation in the cost of State supplemental payments; however, a savings clause is included under which the Federal Government would assume all of a State's cost of supplemental payments which exceed its calendar year 1972 share of the cost of the aid to the aged, blind, and disabled. This savings clause would apply to State supplementation needed to maintain its assistance level in effect as of January 1972, and would also cover an upward adjustment over the January 1972, assistance levels to the extent necessary to offset the elimination of food stamp eligibility.

States would be authorized to continue programs providing social services to aged, blind, and disabled persons. There would be Federal matching for the services provided subject to the overall limitations established by the recently passed State and Local Assistance Act.

For the first quarter of fiscal 1973, however, States would be reimbursed for social services as they have been under present law, to the extent that the resultant Federal funding for this quarter does not exceed $50 million.

The bill will also permit the Social Security Administration to prepare to administer the new program of supplementary security income program effective upon enactment of the bill.

Mr. President, I ask unanimous consent to have printed in the Record at this point a summary of conference action of H.R. 1.

There being no objection, the summary was ordered to be printed in the Record, as follows:

H.R. 1—Summary of Social Security Amendments of 1972 as Approved by the Conferees

I. SOCIAL SECURITY CASH BENEFIT PROVISIONS

1. Special minimum cash benefits

The bill would provide a special minimum benefit of $8.50 multiplied by the number of years in covered employment up to 30 years, producing a benefit of at least $170 a month for a worker who has been employed for 30 years under social security coverage. This benefit would be paid as an alternative to the regular benefits in cases where a higher benefit would result.

Under this provision, the new high minimum benefit would become payable to people with 20 or more years of employment; at that point, the special minimum benefit would be more than the regular minimum—$85 as compared to the regular minimum benefit of $84.50 payable under present law. A worker with 25 years of employment under social security would thus be guaranteed a benefit of at least $127.50; while one with 30 years would receive at least $170 a month. Minimum payments to a couple would be one and one-half times these amounts.

Years of covered employment	*Special minimum*
19 or less	[1]
20	$85.00
21	93.50
22	102.00
23	110.50
24	119.00
25	127.50
26	136.00
27	144.50
28	153.00
29	161.50
30 or more	170.00

[1] Regular $84.50 minimum applies.

Effective date.—January 1973.

Number of people affected and dollar payments.—$150,000 people would get increased benefits on the effective date and $20 million in additional benefits would be paid in 1974.

2. Increase in widow's and widower's insurance benefits

Under present law, when benefits begin at or after age 62 the benefit for a widow (or dependent widower) is equal to 82½ percent of the amount the deceased worker would have received if his benefit had started when he was age 65. A widow can get a benefit at age 60 reduced to take account of the additional 2 years in which she would be getting benefits.

The bill would provide benefits for a widow equal to the benefit her deceased husband would have received if he were still living. Under the bill, a widow whose benefits start at age 65 or after would receive either 100 percent of her deceased husband's primary insurance amount (the amount he would have been entitled to receive if he began his retirement at age 65) or, if his benefits began before age 65, an amount equal to the reduced benefit he would have been receiving if he were alive.

Under the bill, the benefit for a widow (or widower) who comes on the rolls between 60 and 65, would be reduced (in a way similar to the way in which widows' benefits are reduced under present law when they begin drawing benefits between ages 60 and 62) to take account of the longer period over which the benefit would be paid.

Effective date.—January 1973.

Number of people affected and dollar payments.—3.8 million people would get increased benefits on the effective date and $1.1 billion in additional benefits would be paid in 1974.

3. Increased benefits for those who delay retirement beyond age 65

The bill includes a provision which would provide for an increase in social security benefits of 1 percent for each year after age 65 that the individual delays his retirement.

Effective date.—For computation and recomputation after 1973 based on earnings after 1973.

4. Age 62 computation point for men

Under present law, the method of computing benefits for men and women differs in that years up to age 65 must be taken into account in determining average earnings for men, while for women only years up to age 62 must be taken into account. Also, benefit eligibility is figured up to age 65 for men, but only up to age 62 for women. Under the bill, these differences, which provide special advantages for women, would be eliminated by applying the same rules to men as now apply to women.

Effective date.—The new provision would become effective, starting January 1973 and become fully effective in January 1975.

Dollar payments.—About $14 million in additional benefits, would be paid in 1974.

5. Liberalization of the retirement test

The amount that a beneficiary under age 72 may earn in a year and still be paid full social security benefits for the year would be increased from the present $1,680 to $2,100. Under present law, benefits are reduced by $1 for each $2 of earnings between $1,680 and $2,880 and for each $1 of earnings above $2,880. The committee bill would provide for a $1 reduction for each $2 of all earnings above $2,100, there would be no $1-for-$1 reduction as under present law. Also, in the year in which a person attains age 72 his earnings in and after the month in which he attains age 72 would not be included, as they are under present law, in determining his total earnings for the year.

Future increases in the amount of exempt earnings would be automatic as average earnings rise.

Effective date.—January 1973.

Number of people affected and dollar payments.—1.2 million beneficiaries would become entitled to higher benefit payments on the effective date and 450,000 additional people would become entitled to benefits. About $856 million in additional benefits would be paid in 1974.

6. Dependent widower's benefits at age 60

Aged dependent widowers under age 62 could be paid reduced benefits (on the same basis as widows under present law) starting as early as age 60.

Effective date.—January 1973.

7. Childhood disability benefits

Childhood disability benefits would be paid to the disabled child of an insured retired, deceased, or disabled worker, if the disability began before age 22, rather than before 18 as under present law. In addition, a person who was entitled to childhood disability benefits could become re-entitled if he again becomes disabled within 7 years after his prior entitlement to such benefits was terminated.

Effective date.—January 1973.

Number of people affected and dollar payments.—13,000 additional people would become eligible for benefits on the effective date and $17 million in additional benefits would be paid in 1974.

8. Continuation of child's benefits through the end of a semester

Payment of benefits to a child attending school would continue through the end of the semester or quarter in which the student (including a student in a vocational school) attains age 22 (rather than the month before he attains age 22) if he has not received, or completed the requirements for, a bachelor's degree from a college or university.

Effective date.—January 1973.

Number of people affected and dollar payments.—55 thousand beneficiaries would become entitled to higher benefit payments on the effective date and 6 thousand additional people would become entitled to benefits. About $19 million in additional benefits would be paid in 1974.

9. Eligibility of a child adopted by an old-age or disability insurance beneficiary

The provisions of present law relating to eligibility requirements for child's benefits in the case of adoption by old-age and disability insurance beneficiaries would be modified to make the requirements uniform in both cases. A child adopted after a retired or disabled worker becomes entitled to benefits would be eligible for child's benefits based on the worker's earnings if the child is the natural child or stepchild of the worker or if (1) the adoption was decreed by a court of competent jurisdiction within the United States, (2) the child lived with the worker in the United States for the year before the worker became disabled or entitled to an old-age or disability insurance benefit, (3) the child received at least one-half of his support from the worker for that year, and (4) the child was under age 18 at the time he began living with the worker.

Effective date.—January 1973.

10. Benefits for a child entitled on the record of more than one worker

The bill would provide that a child who is entitled to benefits on the earnings record of more than one worker would get benefits based on the earnings record which results in paying him the highest amount, if the payment would not reduce the benefits of any other individual who is entitled to benefits based on that earnings record. (Entitlement of a child on the earnings record that will give the child the highest benefit could otherwise result in a reduction of the benefits for other people entitled on the same earnings record because of the family maximum limitation.)

Effective date.—January 1973.

11. Benefits for a child based on the earnings record of a grandparent

Under the bill, benefits would be extended to grandchildren not adopted by their grandparents if their parents have died or are disabled and if the grandchildren were living with a grandparent at the time the grandparent qualified for benefits.

Effective date.—January 1973.

12. Nontermination of child's benefits by reason of adoption

Under present law, a child's entitlement to benefits ends if he is adopted unless he is adopted by (1) his natural parent, (2) his natural parent's spouse jointly with the natural parent, (3) the worker (e.g., a stepparent) on whose earnings the child is getting benefits, or (4) a stepparent, grandparent, aunt, uncle, brother, or sister after the death of the worker on whose earnings the child is getting benefits.

Under the bill, a child's benefits would no longer stop when the child is adopted, regardless of who adopts him.

13. Elimination of the support requirements for divorced women

Under present law, benefits are payable to a divorced wife age 62 or older and a divorced widow age 60 or older if her marriage lasted 20 years before the divorce, and to a surviving divorced mother. In order to qualify for any of these benefits a divorced woman is required to show that: (1) she was receiving at least one-half of her support from her former husband, (2) she was receiving substantial contributions from her former husband pursuant to a written agreement, or (3) there was a court order in effect providing for substantial contributions to her support by her former husband. The bill would eliminate these support requirements for divorced wives, divorced widows, and surviving divorced mothers.

Effective date.—January 1973.

Number of people affected and dollar payments.—10 thousand additional people would become eligible for benefits on the effective date and $23 million in additional benefits would be paid in 1974.

14. Waiver of duration-of-marriage requirement in case of remarriage

The duration-of-marriage requirement in present law for entitlement to benefits as a worker's widow, widower, or stepchild—that is, the period of not less than 9 months immediately prior to the day on which the worker died that is now required (except where death was accidental or in the line of duty in the uniformed service in which case the period is 3 months)—would be waived in cases where the worker and his spouse were previously married, divorced, and remarried, if they were married at the time of the worker's death and if the duration-of-marriage requirement would have been met at the time of the divorce had the worker died then.

Effective date.—January 1973.

15. Reduction in waiting period for disability benefits

Under the bill, the present 6-month period throughout which a person must be disabled before he can be paid disability benefits would be reduced by 1 month (to 5 months).

Effective date.—January 1973.

Number of people affected and dollar payments.—950 thousand beneficiaries would become entitled to additional benefit payments in 1974 and 4 thousand additional people would become entitled to benefits. About $128 million in additional benefits would be paid in 1974.

16. Disability insured status for individuals who are blind

Under present law, to be insured for disability insurance benefits a worker must be fully insured and meet a test of substantial recent covered work (generally 20 quarters of coverage in the period of 40 calendar quarters preceding disablement). The bill would eliminate the test of recent attachment to covered work for blind people; thus a blind person would be insured for disability benefits if he is fully insured—that is, he has as many quarters of coverage as the number of calendar years that elapsed after 1950 (or the year he reached age 21, if later) and up to the year in which he became disabled.

Effective date.—January 1973.

Number of people affected and dollar payments.—30,000 additional people would become immediately eligible for benefits on the effective date, and $38 million in additional benefits would be paid in 1974.

17. Disability insurance benefits applications filed after death

Disability insurance benefits (and dependents' benefits based on a worker's entitlement to disability benefits) would be paid to the disabled worker's survivors if an application for benefits is filed within 3 months after the worker's death, or within 3 months after enactment of the provision. It would be effective for deaths occurring after 1969.

18. Disability benefits affected by the receipt of workmen's compensation

Under present law, social security disability benefits must be reduced when workmen's compensation is also payable if the combined payments exceed 80 percent of the worker's average current earnings before disablement. Average current earnings for this purpose can be computed on two different bases and the larger amount will be used. The bill adds a third alternative base, under which a worker's average current earnings can be based on the 1 year of his highest earnings in a period consisting of the year of disablement and the 5 preceding years.

Effective date.—January 1973.

Number of people affected and dollar payments.—40 thousand people would get increased benefits on the effective date and $22 million in additional benefits would be paid in 1974.

19. Wage credits for members of the uniformed services

Present law provides for a social security noncontributory wage credit of up to $300, in addition to contributory credit for basic pay, for each calendar quarter of military service after 1967. Under the bill, the $300 noncontributory wage credits would also be provided for service during the period January 1957 (when military service came under contributory social security coverage) through December 1967.

Effective date.—January 1973.

Number of people affected and dollar payments.—130 thousand people would get increased benefits on the effective date and $46 million in additional benefits would be paid in 1974.

20. Optional determination of self-employment earnings

Self-employed persons could elect to report for social security purposes two-thirds of their gross income from nonfarm self-employment. Not more than $1,600 in income (farm and nonfarm) could be reported in this manner. (This optional method of reporting is similar to the option available under present law for farm self-employment.) A regularity of coverage requirement would have to be met and the option could be used only five times by any individual.

Effective date.—January 1973.

21. Coverage of members of religious orders who are under a vow of poverty

Social security coverage would be made available to members of religious orders who have taken a vow of poverty, if the order makes an irrevocable election to cover these members as employees of the order.

Effective date.—January 1973.

22. Self-employment income of certain individuals living temporarily outside the United States

Under present law, a U.S. citizen who retains his residence in the United States but who is present in a foreign country or countries for approximately 17 months out of 18 consecutive months, must exclude the first $20,000 of his earned income in computing his taxable income for social security and income tax purposes. The bill would provide that U.S. citizens who are self-employed outside the United States and who retain their residence in the United States would not exclude the first $20,000 of earned income for social security purposes and would compute their earnings for self-employment for social security purposes in the same way as those who are self-employed in the United States.

Effective date.—January 1973.

23. Issuance of social security numbers and penalty for furnishing false information to obtain a number

The bill includes a number of provisions dealing with the method of issuing social security account numbers. Under present law, numbers are issued upon application, often by mail, upon the individual's motion.

Under the bill the Secretary would be required to issue numbers to non-citizens entering the country under conditions which would permit them to work. In the case of a person who may not legally work at the time he is admitted to the United States, the number would be issued at the time his status changes. In addition to these general rules, numbers would be issued to persons who do not have then at the time they apply for benefits under any federally financed program.

The Secretary would be authorized to issue numbers to individuals when they enter the school system.

As a corollary to this more orderly system of issuing social security account numbers, the bill would provide criminal penalties for (1) furnishing false information in applying for a social security number; (2) knowingly and willfully using a social security number that was obtained with false information or (3) using someone else's social security number. The penalty would involve a fine of up to $1,000 or imprisonment for up to 1 year or both.

Effective date.—January 1973.

24. Trust fund expenditures for rehabilitation services

The bill provides an increase in the amount of social security trust fund moneys that may be used to pay for the costs of rehabilitating social security disability beneficiaries. The amount would be increased from 1 percent of the previous year's disability benefits (as under present law) to 1¼ percent for fiscal year 1973 and to 1½ percent for fiscal year 1974 and subsequent years.

Dollar expenditures.—$28 million in additional expenditures for vocational rehabilitation would be made in 1974.

25. Recomputation of benefits based on combined railroad and social security earnings

The bill would provide that a deceased individual who during his lifetime was entitled to social security benefits and railroad compensation and whose railroad remuneration and earnings under social security are, upon his death, to be combined for social security purposes would have his primary insurance amount recomputed on the basis of his combined earnings, whether or not he had earnings after 1965.

26. Payments to disabled former employee

Provides that payments made by an employer to a former disabled employee will not be counted for social security benefit for tax purposes if the payment is made after the calendar year in which the former employee became entitled to social security disability insurance benefits.

27. Social security coverage for foreign missionaries

Eliminates for certain foreign ministers the $20,000 exclusion from earned income earned abroad in the case of a minister or a member of a religious order.

28. Coverage of students and certain part-time employees

Permits States to modify their social security coverage agreements for State and local employees so as to remove from coverage services of students employed by the public school or college they are attending, and the services of part-time employees.

29. Wage credits for World War II internees

Provides non-contributory social security credits for U.S. citizens of Japanese ancestry who were interned by the U.S. Government during World War II. In order to qualify for the wage credits an individual must have been age 18 or older at the time he was interned and the credits will be determined on the basis of the then prevailing minimum wage or the individual's prior earnings, whichever is larger.

30. Duration-of-relationship requirements

Amends the provision of present law which reduces from 9 months to 3 months the duration-of-relationship requirement when death is accidental or in line of duty in the Armed Forces so that there would be no duration-of-relationship requirement in cases of an accidental death if it is reasonable to expect that the deceased would have lived for at least 9 months.

31. Other Cash Benefit Amendments

Other amendments included in the committee bill related to the executive pay level of the Commissioner of Social Security; coverage of registrars of voters in Louisiana; coverage of certain policemen and firemen in West Virginia and Idaho and certain hospital employees in New Mexico; coverage of certain employees of the Government of Guam; coverage of Federal Home Loan Bank employees; and acceptance of money gifts made unconditionally to social security.

II. MEDICARE-MEDICAID AMENDMENTS

1. Medicare coverage for the disabled

Effective July 1, 1973, a social security disability beneficiary would be covered under medicare after he had been entitled to disability benefits for not less than 24 consecutive months. Those covered would include disabled workers at any age; disabled widows and disabled dependent widowers between the ages of 50 and 65; beneficiaries age 18 or older who receive benefits because of disability prior to reaching age 22; and disabled qualified railroad retirement annuitants. An estimated 1.7 million disabled beneficiaries would be eligible initially.

2. Hospital insurance for the uninsured

The bill will permit persons age 65 or over who are ineligible for part A of medicare to voluntarily enroll for hospital insurance coverage by paying the full cost of coverage (initially estimated at $33 monthly and to be recalculated annually). Where the Secretary of HEW finds it administratively feasible, those State and other public employee groups which have, in the past, voluntarily elected *not* to participate in the Social Security program could opt for and pay the part A premium costs for their retired or active employees age 65 or over. Enrollment in part B of medicare would be required as a condition of buying into the part A program.

Effective date: July 1, 1973.

3. Part B premium increases

The bill will limit part B premium increases for fiscal years 1974 and thereafter to not more than the percentage by which the Social Security cash benefits had been generally increased since the last part B premium adjustment. Costs above those met by such premium payments would be paid out of general revenues in addition to the regular general revenue matching.

Effective date: July 1, 1973.

4. Part B deductible

Beginning with calendar year 1973, the bill increases the annual part B deductible from $50 to $60.

5. Automatic enrollment in part B

Effective July 1, 1973, the bill provides (except for residents of Puerto Rico and foreign countries) for automatic enrollment under part B for the elderly and the disabled as they become eligible for part A hospital insurance coverage. Persons eligible for automatic enrollment must also be fully informed as to the procedure and given an opportunity to decline the coverage.

6. Effective utilization review programs in medicaid

Effective July 1, 1973, the bill authorizes a one-third reduction in Federal matching payments for long-term stays in hospitals, nursing homes, intermediate care facilities, and mental institutions, if States fail to have effective programs of control over the utilization of institutional services or where they fail to conduct the independent professional audits of patients as required by law. The bill also authorizes the Secretary, after June 30, 1973, to compute a reasonable differential between the cost of skilled nursing facility services and intermediate care facility services provided in a State to medicaid patients.

7. Cost sharing under medicaid

The bill made the following changes with respect to premiums, copayments, and deductibles under medicaid.

1. It requires States which cover the medically indigent to impose monthly premium charges. The premium would be graduated by income in accordance with standards prescribed by the Secretary.

2. States could, at their option, require payment by the medically indigent of nominal deductibles and nominal co-payment amounts which would not have to vary by level of income.

3. With respect to cash assistance recipients, nominal deductible and co-payment requirements, while prohibited for the six mandatory services required under Federal law (inpatient hospital services; outpatient hospital services; other X-ray and laboratory services; skilled nursing home services; physicians' services; and home health services), would be permitted with respect to optional medicaid services such as prescribed drugs, hearing aids, etc.

Effective date: January 1973.

8. Protection against loss of medicaid because of increased earnings

An individual or member of a family eligible for cash public assistance and medicaid who would otherwise lose eligibility for medicaid as a result of increased earnings from employment would be continued on medicaid for a period of 4 months from the date where medicaid eligibility would otherwise terminate.

9. Coordination between medicare and Federal employee plans

Effective January 1, 1975, medicare would not pay a beneficiary, who is also a Federal retiree or employee, for services covered under his Federal employee's health insurance policy which are also covered under medicare unless he has had an option of selecting a policy *supplementing* medicare benefits. If a supplemental policy is not made available, the F.E.P. would then have to pay first on any items of care which were covered under both the Federal employee's program and medicare.

Effective date: January 1974.

10. Medicare services outside of the United States

Effective January 1, 1973, the bill authorizes use of a foreign hospital by a U.S. resident where such hospital was closer to his residence or more accessible than the nearest suitable United States hospital. Such hospitals must be approved under an appropriate hospital approval program.

In addition, the bill authorizes part B payment for necessary physicians' services furnished in conjunction with such hospitalization.

The bill also authorizes medicare payments for emergency hospital and physician services needed by beneficiaries in transit between Alaska and the other continental States.

11. Optometrists under medicaid

The bill requires States, which had previously covered optometric services under medicaid and which, in their State plans, specifically provided for coverage for eye care under "physicians' services," which an optometrist is licensed to provide, to reimburse for such care whether provided by a physician or an optometrist.

Effective date: Enactment.

12. Beneficiary liability under medicare

The bill would, with respect to claims for services provided after the date of enactment, relieve beneficiaries from liability in certain situations where medicare claims are disallowed and the beneficiary is without fault.

13. Limitation on Federal payments for disapproved capital expenditures

The bill would preclude medicare and medicaid payments for certain disapproved capital expenditures (except for construction toward which preliminary expenditures of $100,000 or more had been made in the 3-year period ending December 17, 1970) which are specifically determined to be inconsistent with State or local health facility plans. The provision would become effective after December 31, 1972 or earlier, if requested by a State.

14. Demonstrations and reports

The bill authorizes the Secretary to undertake studies, experiments or demonstration projects with respect to: various forms of prospective reimbursement of facilities; ambulatory surgical centers; intermediate care and homemaker services (with respect to the extended care benefit under medicare); elimination or reduction of the three-day prior hospitalization requirement for admission to a skilled nursing facility; determination of the most appropriate methods of reimbursing for the services of physicians' assistants and nurse practitioners; provision of day care services to older persons eligible under medicare and medicaid; and, possible means of making the services of clinical psychologists more generally available under medicare.

Effective date: Enactment.

15. Limitation on coverage of costs under medicare

The bill authorizes the Secretary to establish limits on overall direct or indirect costs which will be recognized as reasonable for comparable services in comparable facilities in an area. He may also establish maximum acceptable costs in such facilities with respect to items or groups of services (for example, food costs, or standby costs). The beneficiary would be liable (except in the case of emergency care) for any amounts determined as excessive (except that he may not be charged for excessive amounts in a facility in which his admitting physician has a direct or indirect ownership in the facility).

Effective date: January 1973.

16. Limits on prevailing physician charge levels

The bill recognizes as reasonable, for medicare reimbursement purposes only, those charges which fall within the 75th percentile. Starting in 1973, increases in physicians' fees allowable for medicare purposes, would be limited by a factor which takes into account increased costs of practice and the increase in earnings levels in an area.

With respect to reasonable charges for medical supplies and equipment, the amendment would provide for recognizing only the lowest charges at which supplies of similar quality are widely and consistently available.

17. Limits on payments to skilled nursing facilities and intermediate care facilities under medicaid

Effective January 1, 1973, Federal financial participation in reimbursement for skilled nursing facility care and intermediate care per diem costs would not be available to the extent such costs exceed 105 percent of prior year levels of payment under the provision (except for those costs attributable to any additional required services). The provision would except increased payment resulting from increases in the Federal minimum wage or other new Federal laws.

18. Payments to health maintenance organizations

Authorizes medicare to make a single combined Part A and B payment, on a capitation basis, to a "Health Maintenance Organization," which would agree to provide care to a group not more than one-half of whom are medicare beneficiaries who freely choose this arrangement. Such payments may not exceed 100 percent of present Part A and B per capita costs in a given geographic area, and the exact amount of the payment would be dependent on the efficiency of the HMO.

The Secretary could make these arrangements with existing prepaid groups and foundations, and with new organizations which eventually meet the broadly defined term "Health Maintenance Organization."

Effective date: July 1973.

19. Payments for the services of teaching physicians

The bill provides that, for accounting periods beginning after June 30, 1973, services of teaching physicians would be reimbursed on a costs basis unless:

(A) The patient is bona fide private or;

(B) The hospital has charged all patients and collected from a majority on a fee-for-service basis.

For donated services of teaching physicians, a salary cost would be imputed equal to the prorated usual costs of full-time salaried physicians. Any such payment would be made to a special fund designated by the medical staff to be used for charitable or educational purposes.

20. Advance approval of ECF and home health coverage

The bill authorizes Secretary to establish, by diagnosis, minimum periods during which the posthospital patient would be presumed to be eligible for benefits.

Effective date: January 1973.

21. Terminal of payment suppliers of service

Under the bill the Secretary would be authorized to suspend or terminate medicare payments to a provider found to have abused the program. Further, there would be no Federal participation in medic-aid payments which might be made subsequently to this provider. Program review teams would be established in each State to furnish the Secretary with professional advice in discharging this authority.

Effective date: January 1973.

22. Elimination of requirement that States move toward comprehensive medicaid program

The bill repeals Section 1903(e) which required each State to show that it was making efforts in the direction of broadening the scope of services in its medicaid program and liberalizing eligibility requirements for medical assistance.

23. Elimination of medicaid maintenance of effort

The bill repeals Section 1902(d). Under Section 1902(d) a State could not reduce its aggregate expenditures for the State share of its medicaid program from one year to the next.

Effective date: Enactment.

24. Determination of reasonable cost of inpatient hospital services under medicaid and maternal and child health programs

The bill would allow States with the advance approval of the Secretary, to develop their own methods and standards for reimbursement of the reasonable costs of inpatient hospital services. Reimbursement by the States would in no case exceed reasonable cost reimbursement as provided for under medicare.

25. Customary charges less than reasonable costs under medicare

Effective for accounting periods beginning after December 31, 1972, the bill provides that reimbursement for services under medicaid and medicare cannot exceed the lesser of reasonable costs determined under medicare, or the customary charges to the general public. The provisions would not apply to services furnished by public providers free of charge or at a nominal fee. In such cases reimbursement would be based on those items included in the reasonable cost determination which would result in fair compensation.

Effective date: January 1973.

26. Institutional planning under medicare

The bill would require all providers, as a condition of medicare participation, to have a written overall plan and budget reflecting an operating budget and a capital expenditures plan which would be updated at regular intervals.

The required annual operating budget would not have to be a detailed item budget.

Effective date: Fiscal years after March 1973.

27. Cost determination systems under medicaid

The bill provides for Federal matching for the cost of designing, developing, and installing mechanized claims processing and information retrieval systems at 90 percent and 75 percent for the operation including contract operation (of such systems).

Effective date: July 1972.

28. Prohibition against reassignment of claims for benefits

Effective January 1, 1973, the bill prohibits payment to anyone other than the physician or other person who provided the service, unless such person is required as a condition of his employment to turn his fees over to his employer.

29. Utilization review requirements under medicaid and maternal and child health programs

Effective January 1973, the bill requires hospitals and skilled nursing homes participating in titles 5 and 19 to use the same utilization review committees and procedures now required under title 18 for those programs with certain exceptions approved by the Secretary. This requirement is in addition to any other requirements now imposed by the Federal or State governments.

30. Notification of unnecessary hospital and skilled nursing facility admissions

The bill requires notification to patient and physician and a payment cut-off after 3 days, in those cases where unnecessary utilization is discovered during a sample review of admissions to medicare hospitals or skilled nursing facilities.

31. Use of State health agency to perform certain functions under medicaid

Effective January 1973, the bill requires that the same State health agency (or other appropriate State medical agency) certify facilities for participation under both medicare and medicaid. The bill also requires that Federal participation in medicaid payments be contingent upon the State health agency establishing a plan for statewide review of appropriateness and quality of services rendered.

32. Relationship between medicaid and comprehensive health programs

The bill permits States to waive Federal statewideness and comparability requirements in medicaid with approval of the Secretary if a State contracts with an organization which has agreed to provide health services in excess of the State plan to eligible recipients who reside in the area served by the organization and who elect to receive services from such organization. Payment to such organizations could not be higher on a per-capita basis than the per-capita medicaid expenditures in the same general area.

33. Proficiency testing

The bill provides for proficiency testing of paramedical personnel under medicaid until December 31, 1977.

34. Penalty for fraudulent acts and false reporting

The bill establishes penalties for soliciting, offering or accepting bribes or kickbacks, or for concealing events affecting a person's rights to benefit with intent to defraud, and for converting benefit payments to improper use, of up to one year's imprisonment and a $10,000 fine or both. Additionally, the bill establishes false reporting of a material fact as to conditions or operations of a health care facility as a misdemeanor subject to up to 6 months' imprisonment, a fine of $2,000, or both.

35. Provider Reimbursement Review Board

The bill establishes a Provider Reimbursement Review Board to hear cases involving an issue of $10,000 or more. Groups of providers can appeal where the amounts at issue on a common matter aggregate $50,000 or more. Any provider which believes that its fiscal intermediary has failed to make a timely cost determination on its annual cost report or timely determination on a supplemental filing can appeal to the Board where the amount involved is $10,000 or more. The change is effective for accounting periods ending on or after June 30, 1973.

36. Validation of Joint Commission on Accreditation of Hospitals Surveys

The bill provides that State certification agencies, as directed by the Secretary, would survey on a selective sample basis (or where substantial allegations of noncompliance have been made) hospitals accredited by the JCAH. The bill also authorizes the Secretary to promulgate health and safety standards without being restricted to JCAH standards.

37. Payment for durable medical equipment under medicare

The bill authorizes the Secretary to experiment with reimbursement approaches which are intended to eliminate unreasonable expenses resulting from prolonged rentals of durable medical equipment and then to implement the approaches found effective.

38–42. Skilled nursing facilities under medicare and medicaid

38. Conforming standards for extended care and skilled nursing home facilities.—The bill would establish a single definition and set of standards for extended care facilities under medicare and skilled nursing homes under medicaid. The provision creates a single category of "skilled nursing facilities" which would be eligible to participate in both health health care programs. A "skilled nursing facility" would be defined as an institution meeting the present definition of an extended care facility and which also satisfies certain other medicaid requirements set forth in the Social Security Act.

Effective date: July 1973.

39. "Skilled care" definition for medicare and medicaid.—The bill would change the definition of care requirements with respect to entitlement for extended care benefits under medicare and with respect to skilled nursing care under medicad. Present law would be amended to authorize skilled care benefits for individuals in need of "skilled nursing care and/or skilled rehabilitation services on a daily basis in a skilled nursing facility which it is practical to provide only on an inpatient basis." Coverage would also be continued during short-term periods (e.g. a day or two) when no skilled services were actually provided but when discharge from a skilled facility for such brief period was neither desirable nor practical.

Effective date: January 1973.

40. 14-Day transfer requirement for extended care benefits.—Under existing law, medicare beneficiaries are entitled to extended care benefits only if they are transferred to an extended care facility within 14 days following discharge from a hospital. Under the bill an interval of more than 14 days would be authorized for patients whose conditions did not permit immediate provision of skilled services within the 14-day limitation. An extension not to exceed 2 weeks beyond the 14 days would also be authorized in those instances where an admission to an ECF is prevented because of the non-availability of appropriate bed space in facilities ordinarily utilized by patients in a geographic area.

Effective date: Enactment.

41. Reimbursement rates for care in skilled nursing facilities

The bill amends title 19 to require States, by July 1, 1976, to reimburse skilled nursing and intermediate care facilities on a reasonable cost-related basis, using acceptable cost-finding techniques and methods approved and validated by the Secretary of HEW. Cost reimbursement methods which the Secretary found to be acceptable for a State's medicaid program could be adapted, with appropriate adjustments, for purposes of medicare skilled nursing facility reimbursements in that State.

42. Skilled nursing facility certification procedures

Under the bill, facilities which participate in both medicare and medicaid would be certified by Secretary of HEW. The Secretary would make that determination, based principally upon the appropriate State health agency evaluation of the facilities.

43. Federal financing of nursing home inspections

The bill authorizes 100% Federal reimbursement for the survey and inspection costs of skilled nursing facilities and intermediate care facilities under medicaid, from October 1, 1972, through July 1, 1974.

44. Disclosure of information concerning medicare agents and providers

The bill provides that DHEW regularly make public the following types of evaluations and reports with respect to the medicare and medicaid programs: (1) individual contractor performance reviews and other formal evaluations of the performance of carriers, intermediaries, and State agencies including the reports of follow-up reviews: (2) comparative explanations of the performance of contractors—including comparisons of either overall performance or of any particular contractor operation: (3) program validation survey reports—with the names of individuals deleted.

45. Prohibition against institutional medical care payments under cash welfare programs

The bill precludes Federal matching for that portion of any money payment which is related to institutional medical or remedial care.

46. Determining eligibility for medicaid for certain individuals

Individuals eligible for medicaid in September 1972 could not lose their eligibility because of the recent 20% social security benefit increase until October 1973.

47. Professional standards review organizations

The bill provides for the establishment of professional standards review organization consisting of substantial numbers of practicing physicians (usually 300 or more) in local areas to assume responsibility for comprehensive and on-going review of services covered under the medicare and medicaid programs. Until January 1, 1976 only such qualified physician-sponsored organizations may be designated as PSRO's. Subsequent to that date priority will be given to such organizations but where they do not choose to or do not qualify to assume such responsibilities in an area, the Secretary may designate another organization having professional medical competence as the PSRO for the area. The PSRO would be responsible for assuring that institutional services were (1) medically necessary and (2) provided in accordance with professional standards. A PSRO, at its option, and with the approval of the Secretary, may also assume responsibility for the review of non-institutional care and services provided under medicare and Medicaid. PSRO's would not be involved with reasonable charge determinations. The provision is designed to assure proper utilization of care and services provided under medicare and medicaid utilizing a formal professional mechanism representing the broadest possible cross-section of practicing physicians in an area. Safeguards are included, designed to protect the public interest, including appeals procedures, and to prevent pro forma assumption in carrying out review responsibilities. The provision requires recognition of and use by the PSRO of utilization review committees in hospitals and medical organizations to the extent they are determined to be effective.

48. Physical therapy services and other services under medicare

Effective July 1973, the bill would include as covered services under part B, physical therapy provided in the therapist's office pursuant to a physician's written plan of treatment.

It also authorizes a hospital or extended care facility to provide out-patient physical therapy services to its inpatients, so that an inpatient could conveniently receive his part B benefits after his inpatient benefits have expired.

Benefit payments in one year for services by an independent practitioner in his office or the patient's home could not exceed $100. Effective January 1973, reimbursement for services provided by physical and other therapists would generally be limited to a reasonable salary-related basis rather than fee-for-service basis.

49. Coverage of supplies related to colostomies

The bill provides for medicare coverage of the costs of supplies directly related to the care of a colostomy.

50. Coverage prior to application for medicaid

The bill requires, effective July 1, 1973, all States to provide medicaid coverage for care and services furnished in or after the third month prior to application to those individuals who were otherwise eligible when the services were received. Included as eligible under the three-months retroactive coverage requirement would be deceased individuals whose fatal condition prevented them from applying for medicaid coverage but who would have been eligible if application had been made.

States are expected to modify their provider agreements where applicable so as to permit the application of appropriate utilization control procedures retroactively in these cases to assure that appropriate and necessary care was delivered.

51. Hospital admissions for dental services under medicare

The bill authorizes the dentist who is caring for a medicare patient to make the certification of the necessity for inpatient hospital admission for noncovered dental services under the above circumstances without requiring a corroborating certification by a physician.

This provision would be effective with respect to admissions occurring after the second month following enactment of the bill.

52. Extension of grace period for termination of supplementary medical insurance coverage where failure to pay premiums is due to good cause

The bill extends the 90-day grace period for an additional 90 days where the Secretary finds that there was good cause for failure to pay the premium before the expiration of the initial 90-day grace period.

This provision would apply to such cases of nonpayment of premiums due within the 90-day period preceding the date of enactment.

53. Extension of time for filing claim for supplementary medical insurance benefits where delay is due to administrative error

The bill provides that where a claim under supplementary medical insurance is not filed timely due to error of the Government or one of its agents, the claim may nevertheless be honored if filed as soon as possible after the facts in the case have been established.

This amendment would apply with respect to bills submitted and requests for payment made after March 1968.

54. Waiver of enrollment period requirements where individual rights were prejudiced by administrative error or inaction

The bill authorizes the Secretary to provide such equitable relief as may be necessary to correct or eliminate the effects of these situations, including (but not limited to) the establishment of a special initial or subsequent enrollment period, with a coverage period determined on the basis thereof and with appropriate adjustments of premiums.

This provision would apply to all cases which have arisen since the beginning of the program.

55. Elimination of provisions preventing enrollment in supplementary medical insurance program more than 3 years after first opportunity

The bill eliminates the 3-year limit with respect to both initial enrollment and reenrollment after an initial termination. Enrollment periods would remain as presently defined and the restriction limiting individuals who terminate enrollment to reenroll only once would be retained.

This provision would apply to all those who are ineligible to enroll because of the 3-year limit in effect under present law.

56. Waiver of recovery of incorrect medicare payments from survivor who is without fault

The bill permits any individual who is liable for repayment of a medicare overpayment to qualify for waiver of recovery of the overpaid amount if he is without fault and if such recovery would defeat the purpose of title II or would be against equity and good conscience.

57. Requirement of minimum amount of claim to establish entitlement to hearing under supplementary medical insurance program

The bill requires that a minimum amount of $100 be at issue before an enrollee in the supplementary medical insurance program will be granted a fair hearing by the carrier.

The provision would be effective with respect to hearings requested after the enactment of the bill.

58. Collection of supplementary medical insurance premiums from individuals entitled to both social security and railroad retirement benefits

The bill provides that the Railroad Retirement Board shall be responsible for collection of supplementary medical insurance premiums for all enrollees who are entitled under that program.

59. Provide that services of optometrists in furnishing prosthetic lenses not require a physician's order

The bill would recognize the ability of an optometrist to attest to a beneficiary's need for prosthetic lenses by amending the definition of the term "physician" in title XVIII to include a doctor of optometry authorized to practice optometry by the State in which he furnishes services. An optometrist would be recognized as a "physician" only for the purpose of attesting to the patient's need for prosthetic lenses. (Of course, neither the physician nor the optometrist would be paid by medicare for refractive services when the beneficiary has been given a prescription by a physician for the necessary prosthetic lenses.) This change would not provide for coverage of services performed by optometrists other than those covered under present law, nor would it permit an optometrist to serve as a "physician" on a professional standards review organization.

60. Prohibition against requiring professional social workers in ECF's under medicare

The bill specifies that the provision of medical social services will not be required as a condition of participation for an extended care facility under medicare.

61. Refund of excess premiums under medicare

The bill provides authority for the Secretary to dispose of excess supplementary medical insurance premiums and excess hospital insurance premiums in the same manner as unpaid medical insurance benefits are treated.

62. Waiver of requirement of registered professional nurses in skilled nursing facilities in rural areas

The bill authorizes the granting of a special waiver of the R.N. nursing requirement for skilled nursing facilities in rural areas provided that a registered nurse is absent from the facility for not more than two day-shifts (if the facility employs one full-time registered nurse) and the facility is making good faith efforts to obtain another on a part-time basis.

In addition, this special waiver may be granted only if (1) the facility is caring only for patients whose physicians have indicated (in written form on order sheet and admission note) that they could go without a registered nurse's services for a 48-hour period or (2) if the facility has any patients for whom physicians have indicated a need for daily skilled nursing services, the facility has made arrangements for a registered nurse or a physician to spend such time as is necessary at the facility to provide the skilled nursing services required by patients on the uncovered day.

63. Exemption of Christian Science sanatoriums from certain nursing home requirements under medicaid

The bill exempts Christian Science sanatoriums from the requirements for a licensed nursing home administrator, requirements for medical review, and other inappropriate requirements of the medicaid program.

Such sanatoriums will be expected to continue to meet all applicable safety standards.

64. Licensure requirement for nursing home administrators

The bill permits States to establish a permanent waiver from licensure requirements for those persons who served as nursing home administrators for the three-year period prior to the establishment of the State's licensing program.

65. Increase in maximum Federal medicaid amount for Puerto Rico and the Virgin Islands

The bill provides that the Federal ceiling on title XIX payments to Puerto Rico be increased to $30 million effective with fiscal year 1972 and fiscal years thereafter. The 50 percent Federal matching rate would remain unchanged. The annual medicaid amount for the Virgin Islands would be increased from $650,000 to $1,000,000.

66. Medicaid: Freedom of choice in Puerto Rico

The bill delays, until June 30, 1975, the requirement that Puerto Rico implement the "freedom of choice" provision, under which medicaid recipients can choose providers or practitioners in its medicaid program.

67. Inclusion of American Samoa and the Trust Territory of the Pacific Islands under title V

The bill authorizes eligibility under title V for Samoa and the Trust Territory of the Pacific Islands.

68. Coverage of chiropractic services under part B of medicare

The bill broadens the definition of the term "physician" in title XVIII to include a licensed chiropractor who also meets uniform minimum standards to be promulgated by the Secretary.

The services furnished by chiropractors would be covered under the program as "physicians' services," but only with respect to treatment of the spine by means of manual manipulation which the chiropractor is legally authorized to perform. Claims for such treatment must be verifiable with a satisfactory X-ray indicating the existence of a subluxation of the spine.

The amendment would become effective with respect to services provided on or after July 1, 1973.

69. Chiropractors' services under medicaid

The bill conforms the coverage of chiropractic under medicaid with the provisions conditioning eligibility of such services included in the amendment adding chiropractic coverage to Part B of medicare except for the requirement that an X-ray show the existence of a subluxation.

70. Services of podiatric interns and residents under part A of medicare

Effective January 1973, the bill includes within the definition of approved hospital teaching programs services furnished by an interim or resident-in-training in the field of podiatry under a teaching program approved by the Council on Podiatry Education of the American Podiatry Association.

71. Use of consultants for extended care facilities

The bill allows those State agencies which are capable of and willing to provide specialized consultative services for medicare patients in a skilled care facility which requests them, to do so, subject to approval of the State's arrangements by the Secretary.

72. Direct laboratory billing of patients

The bill provides that, with respect to diagnostic laboratory tests for which payment is to be made to a laboratory, the Secretary would be authorized to negotiate a payment rate with the laboratory which would be considered the full charge for such tests, and for which reimbursement would be made at 100% of such negotiated rate. Such negotiated rate would be limited to an amount not to exceed the total payment that would have been made in the absence of such rate.

73. Clarification of meaning of "physicians' services" under title XIX

The bill defines a physician, under Title XIX, for purposes of the mandatory provision of physicians' services as being a duly licensed doctor of medicine or osteopathy.

74. Limitation on adjustment or recovery of incorrect payments under the medicare program

The bill would limit medicare's right of recovery of overpayments to a 3-year period (or a 1-year period) from the date of payment where the beneficiary acted in good faith; would permit the Secretary to set a time between 1 and 3 years within which claims for underpayment would have to be made.

75. Speech pathology services under medicare

The bill would cover under medicare the costs of speech pathology services where such services are provided in clinics participating in the program as providers of covered physical therapy services.

76. Termination of medical assistance advisory council

The bill terminates the medical advisory council.

77. Modification of role of health insurance benefits advisory council

The bill provides for modification of the role of HIBAC so that its role would be that of offering suggestions for the consideration of the Secretary on matters of general policy in the medicare and medicaid programs.

78. Authority of Secretary to administer oaths in medicare proceedings

The bill authorizes the Secretary, in carrying out his responsibility for administration of the medicare program, to administer oaths and affirmations in the course of any hearing, investigation, or other proceeding.

79. Withholding medicaid payments to terminated medicare providers

The bill authorizes the Secretary upon 60-days' notice to withhold Federal participation in medicaid payments by States with respect to institutions which have withdrawn from medicare without refunding medicare overpayments or submitting medicare cost reports.

80. Intermediate care in States without medicaid

The bill allows Federal matching for intermediate care in States which, on January 1, 1972, did not have a medicaid program in operation.

81. Required information relating to excess medicare tax payments by railroad employees

The bill deletes the requirement that railroads include amount of hospital insurance tax withheld on W-2 forms. Employees would be notified, however, that those with dual employment may be entitled to a refund of excess hospital insurance tax paid.

82. Appointment and confirmation of Administrator of Social and Rehabilitation Service

The bill provides that appointments made on or after the enactment of this bill to the office of the Administrator of the Social and Rehabilitation Service will be made by the President, by and with the advice and consent of the Senate.

83. Repeal of section 1903(b) (1)

The bill deletes the requirement that States spend at least as much for care of individuals age 65 or over in mental hospitals as in fiscal year 1965.

84. Coverage under medicaid of intermediate care furnished in mental and tuberculosis institutions

The bill provides that intermediate care can be covered for individuals age 65 or older in mental institutions if such individuals could also be covered when in mental hospitals for hospital or skilled nursing facility care. Effective date: Services furnished after December 31, 1972.

85. Independent review of intermediate care facility payments

The bill provides that independent professional review to determine proper patient placement and care of Title XIX patients is mandatory in all intermediate care facilities.

86. Intermediate care maintenance of effort in public institutions

The bill provides that the designation of the base period for the maintenance of effort requirement pertaining to non-Federal expenditures with respect to patients in public institutions for the mentally retarded to be the four quarters immediately preceding the quarter in which the State elected to make such services available.

87. Disclosure of ownership of intermediate care facilities

The bill requires that intermediate care facilities not otherwise licensed as skilled nursing homes by a State make ownership information available to the State licensing agency. Effective date: January 1, 1973.

88. Treatment in mental hospitals for medicaid eligibles under age 21

The bill authorizes coverage of inpatient care (under specific conditions) in mental institutions for medicaid eligibles under age 21. *Effective date:* January 1973.

89. Public disclosure of information concerning survey reports of an institution

The bill requires the Secretary to make reports of an institution's significant deficiencies or the absence thereof (such as in the areas of staffing, fire safety, and sanitation) a matter of public record readily and generally available. Such information would be available for inspection within 90 days of completion of the survey.

90. Family planning services mandatory under medicaid

(1) The bill authorizes 90% Federal funding for the costs of family planning services under medicaid and title IV.

(2) Provision requires States to make available on a voluntary and confidential basis such counseling, services and supplies, directly and/or on a contract basis with family planning organizations throughout the State, to present, former, or likely recipients who are of child-bearing age and who express a desire for such services.

(3) The Federal share of AFDC funds would be reduced by 1%, beginning in fiscal 1974, if a State in the prior year fails to inform the adults in AFDC families of the availability of family planning services or if the State fails to actually provide or arrange for such services for persons desiring to receive them who are applicants or recipients of cash assistance.

91. Penalty for failure to provide child health screening services under medicaid

The bill would reduce the Federal share of AFDC matching funds by 1%, beginning in fiscal 1975, if a State—

(a) fails to inform the adults in FDC families of the availability of child health screening services;

(b) fails to actually provide or arrange for such services; or

(c) fails to arrange for or refer to appropriate corrective treatment children disclosed by such screening as suffering illness or impairment.

92. Home health coinsurance

Effective January 1973, the bill eliminates requirement of coinsurance payment under Part B of medicare for home health services.

93. Long-term care

The bill includes as intermediate care facilities or skilled nursing facilities under medicaid long-term institutions certified by the Secretary on Indian reservations.

94. Medicare appeals

The bill clarifies present law that there is no authorization for an appeal to the Secretary or for judicial review on matters solely involving amounts of benefits under part B, and that insofar as part A amounts are concerned, appeal is authorized only if the amount in controversy is $100 or more and judicial review only if the amount in controversy is $1,000 or more.

95. Medicare: Coverage of persons needing kidney transplantation or dialysis

The bill provides that fully or currently insured workers under social security and their dependents with chronic renal disease would be deemed disabled for purposes of coverage under parts A and B of medicare. Coverage would begin 3 months after a course of renal dialysis is begun.

III. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

The bill would replace the present State programs of aid to the aged, blind, and disabled, effective January 1, 1974, with a new wholly Federal program of supplemental security income.

National supplemental security income; disregard of social security or other income

Under the bill, aged, blind, and disabled persons with no other income would be guaranteed a monthly income of at least $130 for an individual or $195 for a couple. In addition the bill would provide that the first $20 of social security or any other income would not cause any reduction in supplemental security income payments.

As a result, aged, blind, and disabled persons who also have monthly income from social security or other sources (which are not need-related) of at least $20 would, be assured total monthly income of at least $150 for individual or $215 for a couple.

Earned income disregard

In addition to a monthly disregard of $20 of social security or other income, there would be an additional disregard of $65 of earned income plus one-half of any earnings above $65. This will enable those aged, blind, and disabled individuals who are able to do some work to do so and in the process give them a higher income in addition to supplemental security income.

In addition, as under present law, any income necessary for the fulfillment of a plan for achieving self-support would be disregarded for persons qualifying on the basis of blindness. A savings clause would assure that blind persons would not receive any reduction in benefits due to these provisions.

Definitions of blindness and disability

Under present law each State is free to prescribe its own definition of blindness and disability for purposes of eligibility for aid to the blind and aid to the permanently and totally disabled.

Under the new supplemental security income program, there would be a uniform Federal definition of "disability" and "blindness."

The term "disability" would be defined as "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months." This definition is the same as that now used in the Social Security disability insurance program.

The term "blindness" would be defined as central visual acuity of 20/200 or less in the better eye with the use of correcting lens. Also included in this definition is the particular sight limitation which is referred to as "tunnel vision."

A blind or disabled person who was on the rolls in December 1973 and met the State definition for blindness or disability as defined in the State plan in effect October 1972 would be considered blind or disabled for purposes of this title so long as he continues to be blind or disabled.

No disabled person would be eligible if the disability is medically determined to be due solely to drug addiction or alcoholism unless such individual is undergoing appropriate treatment, if available. Payments for addicts or alcoholics would only be made to third parties as protective payments.

Other Federal eligibility standards

Eligibility for supplemental security income would be open to an aged, blind or disabled individual if his resources were less than $1500 (or $2250 for a couple). In determining the amount of his resources, the value of the home (including land surrounding home), household goods, personal effects, including an automobile, and property needed for self support would, if found to be reasonable, be excluded. Life insurance policies would not be counted if the face value of all policies was less than $1,500. (Current recipients under State programs with higher resource limits would retain their eligibility.)

State supplementation

States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplemental security income payment would be free to do so. The bill would permit States to enter into agreements for Federal administration of State supplemental benefits. Under these agreements supplemental payments would have to be made to all persons eligible for Federal supplemental security income payments except that a State could require a period of residence in the State as a condition of eligibility.

Ineligibility for food stamps

Individuals in the Supplemental Security Income program would not be eligible for food stamps or surplus commodities.

Savings clause

The bill provides no direct Federal participation in the costs of State supplemental payments. However, a savings clause is included under which the Federal Government would assume all of a State's costs of supplemental payments which exceed its calendar year 1972 share of the costs of aid to the aged, blind, and disabled. This savings clause would apply only to State supplementation needed to maintain the State's assistance levels in effect as of January 1972. The savings clause would, however, also cover an upward adjustment over the January levels to the extent necessary to offset the elimination of food stamp eligibility.

Medicaid coverage

Under present law, the States are required to cover all cash assistance recipients under the medicaid program. This bill would exempt from this requirement newly eligible recipients who qualify because of the new provision for a $130 minimum benefit with a disregard of $20 of social security or other income.

Social services

States would be authorized to continue programs providing social services to aged, blind, and disabled persons. These services are currently provided under the welfare programs for the aged, blind, and disabled which would be replaced by the new Federal supplemental security income program. There would be 75 percent Federal matching for the services provided, subject to the overall limitations established by the State and Local Fiscal Assistance Act.

Amendments to present law for aid for aged, blind, and disabled persons (effective until January 1, 1974)

Separation of social services and eligibility determination is specifically not required.

Cost for providing manuals

At its option, the State may require a charge for reasonable cost of providing manuals and other policy issuances.

Appeals process

The bill provides that the decision of the local agency on the matter considered at an evidentiary hearing may be implemented immediately.

Absence from State for 90 days

The bill provides that the State may make any person ineligible for money payments who has been absent from the State over 90 consecutive days until such person has been present in the State for 30 consecutive days in the case of an individual who has maintained his residence in the State during such period or 90 days in the case of any other individual.

Rent payments for public housing

Permits the States, if they elect to do so, to make rent payments directly to a public housing agency on behalf of a recipient or a group or groups of recipients.

Safeguarding information

The bill permits the use or disclosure of information concerning applicants or recipients to public officials who require such information in connection with their official duties.

Passalong of social security increases

Present law requires State programs of aid to the aged, blind, and disabled to assure that the total income of recipients who also get social security are at least $4 higher as a result of the 1969 social security benefit increase. The bill would add an additional $4 "passalong" related to this year's 20 percent social security increase and would make both "passalong" provisions applicable until January 1974.

IV. CHILD WELFARE SERVICES AND SOCIAL SERVICES

Grants to States for child welfare services (including foster care and adoptions)

The committee adopted an amendment increasing the anual authorization for Federal grants to the States for child welfare services to $196 million in fiscal year 1973, rising to $266 million in 1977 and thereafter. For fiscal year 1973, this is $150 million more than the $46 million which has been appropriated every year since 1967. It is anticipated that a substantial part of any increased appropriation under this higher authorization will go toward meeting the costs of providing foster care which now represents the largest single item of child welfare expenditure on the county level. The bill, however, avoided earmarking amounts specifically for foster care so that wherever possible the State and counties could use the additional funds to expand preventive child welfare services with the aim of helping families stay together and thus avoiding the need for foster care. The additional funds can also be used for adoption services, including action to increase adoptions of hard-to-place children.

Social services

Provides a saving provision to the limitation on expenditures for social services contained in the State and Local Assistance Act of 1972 so that States for the first quarter of fiscal 1973 will be reimbursed as they would have been under previous laws. This saving provision would be applicable only to the extent that the resultant Federal funding for this quarter does not exceed $50 million.

TABLE 1.—SOCIAL SECURITY TAX RATES FOR EMPLOYERS AND EMPLOYEES UNDER PRESENT LAW AND UNDER H.R. 1

[In percent]

Calendar year	OASDI		HI		Total	
	Present law	New schedule	Present law	New schedule	Present law	New schedule
1973 to 1977	4.60	4.85	0.9	1.0	5.50	5.85
1978 to 1980	4.50	4.80	1.0	1.25	5.50	6.05
1981 to 1985	4.50	4.80	1.0	1.35	5.50	6.15
1986 to 1992	4.50	4.80	1.1	1.45	5.60	6.25
1993 to 1997	4.50	4.80	1.2	1.45	5.70	6.25
1998 to 2010	4.50	4.80	(1.2)	(1.45)	(5.70)	(6.25)
2011 plus	5.35	5.85	(1.2)	(1.45)	(6.55)	(7.3)

Note: Under both present law and the new schedule, the contribution and benefit base would be $10,800 in 1973 and $12,000 in 1974, with automatic adjustment thereafter.

TABLE 2.—*Social security programs: First full-year cost of H.R. 1—Additional benefit payments in calendar year 1974*

[Amounts in millions]

Total	$4,372
Social security cash benefit programs:	
Earnings in year of attainment of age 72	14
Retirement test at $2,100	842
Special minimum at $170 for 30 years	20
Credit for delayed retirement prospectively	27
Liberalized disability provision for blind (House)	38
Reduction in disability waiting period to 5 months	128
Increased benefits for widows and widowers	1,109
Eliminate support requirement for divorced wives	28
Student child benefits payable after 22 to end of semester	19
Age 62 computation point for men	14
Liberalized workmen's compensation offset	22
Children disabled at ages 18 to 21	17
Increased allowance for vocational rehabilitation expenses	28
Military wage credit	$46
Subtotal, cash benefits	2,347
Hospital insurance program:	
Coverage of the disabled	1,412
Liberalized definition of skilled nursing facility care	110
Waiver of beneficiary liability for disallowed claims	35
Coverage of renal dialysis and transplantation	75
Subtotal, hospital insurance	1,632
Supplementary medical insurance program (general revenues):	
Coverage of the disabled	365
Increase in part B deductible	−58
Coverage of chiropractors' services	17
Coverage of speech pathologist services	9
Coverage of renal dialysis and transplantation	52
Eliminate coinsurance on home health services	8
Subtotal, supplementary medical insurance program	393

Source: Department of Health, Education, and Welfare.

TABLE 3.—*Changes in estimated Medicaid costs (+) and savings (−) under H.R. 1—Calendar year 1974*

[In millions of dollars]

Changes in H.R. 1:	
Coverage of the disabled under Medicare	−70
Increase in Medicare pt. B deductible from $50 to $60	+8
Reduction in Medicaid matching if States fail to perform required utilization review	−162
Imposition of premium, copayment and deductible requirements on Medicaid recipients	−89
Families with earnings under Medicaid:	
Eligibility extended 4 months	+33
Limitation on nursing home and intermediate care facility reimbursement to 105 percent of last year's payment	−22
Elimination of requirement that States move toward comprehensive Medicaid program by 1977	([1])
Elimination of requirement that States maintain their year to year fiscal efforts in Medicaid	−640
Payments to States under Medicaid for installation and operation of claims processing and information retrieval systems	+10
Increased Medicaid matching for Puerto Rico and the Virgin Islands	+10
More specific requirements as to eligibility for skilled nursing level of care	−14
100 percent reimbursement for the cost of certifying skilled nursing homes under Medicaid	+10
Expansion of Medicaid coverage to include inpatient care for mentally ill children	+120
90 percent Federal funding of family planning services	+36
Coverage of persons needing renal dialysis or transplanting under Medicare	−20
Preserving Medicaid eligibility for social security beneficiaries	----
Total estimated reduction in Medicaid costs under H.R. 1	−790

[1] The current law estimates take no account of the effect of the requirement that States move toward comprehensive Medicaid programs by 1977; therefore, no savings are attributed to the repeal of this requirement.

Source: Department of Health, Education, and Welfare.

TABLE 4.—CALENDAR YEAR 1974 FEDERAL COSTS OF SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED, AND CHILD WELFARE SERVICES

[Dollars in millions]

	Gross costs	Current law	Amount of increase
Aged, blind, and disabled:			
Benefit payments	$3.5	$2.1	$1.4
Savings clause for State supplementation	.3		.3
Food programs		.3	−.3
Administrative costs	.4	.2	.2
Subtotal, aged, blind, and disabled	4.2	2.6	1.6
Child welfare services	.2	([1])	.2
Total	4.4	2.6	1.8

[1] Current law cost is $46,000,000.

Source: Department of Health, Education, and Welfare.

Mr. RIBICOFF. Mr. President, will the distinguished chairman yield?

Mr. LONG. I yield.

Mr. RIBICOFF. Would the chairman be good enough to explain, for the purpose of the RECORD, what happened to title IV?

Mr. LONG. Generally speaking, the effect of the conference was that the House would not take the Senate title IV provisions, and the Senate would not take the House title IV provisions. There are a few provisions in title IV, such as the increased funds for child welfare services, on which we agreed.

Other than this, it was agreed that the House will send to the Senate next year some kind of a bill relating to social security and public welfare, the target date being that it should be in the Senate by March 1, to offer the Senate the opportunity to propose the sort of thing such as the child support amendments that the Senate thought were vital but which the House felt needed more time for their consideration. We will seek to act on those measures next year.

Mr. RIBICOFF. I assume that where we are in the entire welfare mess is that we are back to where we were in August of 1969.

Mr. LONG. No, because we have done much in this bill. We have done for the aged, blind, and disabled categories, I believe, most of what the Senate wanted to do and I think almost all of what the House wanted to do.

In the area of medicare and medicaid, I should think that we have done, at the Federal level, about everything that most people had high hopes of achieving, except that we were unable to make a breakthrough in the drug area. That probably will come up again next year.

In the family welfare category, the House passed a bill that the Senate would not buy, and the Senate passed a bill that the House conferees would not buy.

I wish, we had more time to debate that matter. I am frank to say that when you try to persuade the House conferees to agree with the Senate version in that area, we are confronted with the situation that they have pride of authorship, too. They sponsored one approach, and the Senate sponsored a different approach. We would not buy theirs, and it would take a long time to persuade them to buy ours. It was too late in this session to persuade them to see the Senate's point of view.

Frankly, I think the House conferees were well aware of the fact that they were not going to persuade the Senate conferees to see it their way. I think that is part of the reason why in this area there was really not much chance to agree to title IV.

I would think that the welfare and workfare tests we would like to have had could have been agreed upon if the administration had not been opposing them. Frankly, the administration was opposed strongly to the type of tests we had proposed—at least, that is the impression I gained. In this particular area, I thought we had enough controversy between the Senate and the House without having a three-way debate on the matter, so we did not think the administration should be in the conference to participate in that part of the debate. I understand that the administration was opposed to the testing because of the cost, if nothing more.

Mr. RIBICOFF. I would ask the distinguished chairman who is, if anything, optimistic, does he see any reason for optimism on his part that next year, after having worked for 3 years on welfare reform, we can have meaningful welfare reform next year?

Mr. LONG. I think that we do have a lot of meaningful welfare reform in this bill for the adult categories, and I am satisfied that a great deal can be done in the family welfare area. But we are going to have to make a somewhat different start. I believe that it will take some people in the department having a little bit more ability to be flexible and to accommodate themselves more to the other fellow's point of view than we have seen over the past several years in order to bring it about.

I say that, recognizing that from the point of view of this Senator, I was determined, with the majority of us on the Senate committee also determined, that however the matter would be resolved, it should be worked out in a fashion that made it strongly to a person's advantage to go to work. It never seemed to me that the Secretary of Health, Education, and Welfare or those in his department were willing to try to bring that about. The Senator knows that at the beginning of this Congress, and prior to the end of the previous Congress, advice was given that if the administration wanted action in the family welfare area, they should substantially modify the family assistance plan they had sent down before. That did not happen, because what they sent down was substantially the same as they sent down before.

I am very optimistic that we will bring about a great deal of improvement in the family welfare program next year. I think that right now there is a strong divergence between Senate and House positions. But next year we will have another opportunity.

Mr. RIBICOFF. I do want to commend the distinguished chairman for what was achieved with the aged category. The distinguished chairman and myself saw eye to eye on that basic program right from the start. We had felt that to the extent we could take people off welfare in any category it was to the good not only of the individual but also to the Nation, and the taxpayers as a whole. I commend the distinguished chairman's leadership in this field.

So far as I am personally concerned, I do believe that failure of the Senate's position, and rejection of the Senate's position in the welfare field for the family assistance categories, is all to the good. What has been passed in the Senate, in my personal opinion, was retrogressive and would have done much more harm than good, and to the extent that the House did not accede and, as a result of the disagreement between House and Senate, title IV for all practical purposes is struck down and makes the conference report much more acceptable and much more palatable.

Mr. LONG. Mr. President, I personally feel that what the Senate recommended with regard to title IV was a very good measure. In my judgment, that is the kind of direction that welfare reform and family assistance categories should take. The bill reported by the Senate Finance Committee, in my judgment, was even a better proposal, because it was even more work-related than what the Senate agreed to. In the spirit of compromise, we were willing to forgo the guaranteed employment opportunity aspect of the bill in favor of a testing proposal.

Only time will tell who is right. I am confident I was right in my position, and that those who felt the same way were also.

It is not my fault nor that of the Senate conferees that the conference report makes no provision for any testing to give a completely adequate opportunity for both sides to prove the other wrong. If the administration, as it was 2 years ago, does not appear to have the same desire to test in their program, as some of its advocates would be willing to accept, I would be happy to have a full-scale test of both programs. My attitude on that remains the same. I am not the one who does not want to have the test on a full-scale basis. It is the administration that does not want it. If they had been willing to advocate it, there would have been great support for it, I believe.

Mr. BENNETT. Mr. President, I would like to underline one statement of the distinguished chairman which may have passed without adequate attention. The newspapers reported some time ago that the chairman of the Ways and Means Committee had said, "Welfare is dead for next year." We raised the question specifically during the conference, and the answer was completely to the contrary of the newspaper account. The Ways and Means Committee expects to be busy next year, at least during the beginning of the year, with other things, but they have agreed to send us some kind of a bill by March 1 which satisfies the constitutional requirement that the House act first, and the chairman of that committee assures us that he will feel perfectly all right if we begin, then, to hold hearings and try to develop a new program.

With this bobtail bill, or this core, or this legal seed, if you please, I assume that we in the Senate Finance Committee will have the opportunity, very rare to us, of really initiating the new pattern if we can, a new pattern of welfare reform. That power and privilege will come to us by or before March 1, so that we are not going to lose too much time, in view of all the hearings we have held and the experience we have gained in discussing this matter in committee. With all this work behind us, we can be a long way on our way toward developing a new pattern next year.

Mr. RIBICOFF. I am curious, as the Senator says, with all the hearings and all the years and months and days of time that we have spent in this field of welfare reform over the past 3 years, as to what new material does the Senator think we can adduce in the hearings 3 or 4 months hence?

Mr. LONG. If I might respond to that, I have yet to hear the first argument on the floor of the Senate against the child support provision that the Senate put in in the Senate bill. I read in the newspapers somewhere that this provision was too harsh. I do not think it is harsh to make a father support his children. The House conferees did not undertake to give us any substantive argument, or any reasons why they would not agree to the position to pursue runaway fathers. Instead, they just would not take it, or agree to consider it, because of the lack of time. We insisted on them hearing some of our arguments, but there was no response. The departments themselves said they would not object to anything that was done in the way of requiring a father to do his duty toward his children, yet we had no help from the administration, no support at all. We think that we will succeed in achieving part of this next year. We think that the House probably will cooperate with us in due time. At this point, in the title IV area, with the House having twice passed it on to us on the family plan, and the Senate having declined to accept the family plan on two occasions, I think that the House conferees in that area were just yielding to the ordinary pride of authorship that one feels in initiating something that appears to him to be a good idea, and saying "We are not going to accept the Senate position on this." They were pretty well persuaded to the point of view of the administration plan. And the result was that they would not agree to that.

However, there will be a lot of support generated on the House side for the position of the Senate conferees. For example, Representative GRIFFITHS' subcommittee is coming up with material that supports many of the Senate provisions that are in the bill, showing that much should be done, and also supporting the tightening up of the administration on the family program.

I have no doubt that the fact that we have taken care of so many of these provisions, covering hundreds of pages, involving many billions of dollars in the area of adult assistance and in the medicare and medicaid programs, will enable us next year to focus more closely on the family program. I have a way of hearing what others are saying, and what the Senator from Connecticut is saying, even though I do not agree. And I think the same thing works both ways.

If all of the contestants in this arena are willing to divorce themselves from their past prejudices and start all over again to improve the welfare program, a great deal can be achieved.

Frankly, I think it would be a useful thing if everyone were to approach it the way that the Senator from Connecticut suggested 2 years ago—and not have everyone with a hardened and fixed position—and we can improve the program.

Mr. RIBICOFF. Mr. President, I personally appreciate the comments of the chairman of the committee. I personally will vote for the conference report. I have no intention to delay the Senate.

I assume that the Senate will ask for the yeas and nays.

Mr. LONG. Yes, I will.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. AIKEN. Mr. President, although I had hoped that the conferees might find it possible to be a little more generous in some respects, I want to say that they have included in this new bill several improvements which I had hoped for and worked for for several years.

I appreciate that the conferees have done the best job possible under the circumstances that could have been done.

Mr. President, I have one clarifying question.

The State of Vermont passes along for old age, the blind, and the disabled, as required by law, a $4 increase as a result of the 1969 social security increase.

Starting on November 1—2 weeks from now—the State of Vermont will institute a $7.50 income disregard for the old age, the blind and the disabled, as permitted by a 1967 law, although Vermont is just now taking advantage of that law.

The conference report on H.R. 1 requires States to pass along $4 of the 20 percent social security increase which was provided by the Congress some time ago to folks receiving old age, blind, and disabled benefits.

My question is whether the State of Vermont can now pass along a total of $15.50 by adding the new $4 pass along as required in H.R. 1 to the existing $11.50 they now pass along?

Mr. LONG. Yes, they can.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. BENNETT. Mr. President, in looking at the first and second pages of the conference report, we will see that the House receded from 400 amendments and that the Senate receded from 84. So, we can imagine that the Senate took care of its bill in pretty good shape.

Mr. LONG. Mr. President, I regret that we did not meet that ratio in terms of dollars. The House bill was $10 billion less than the Senate bill. If we had added the $10 billion additional in this measure, I think that either the tax increase necessary would have outraged a great number of people in the country or else the deficit would have outraged even more.

Mr. President, this I believe is about the best we could work out under the circumstances. I will say that the House conferees, with reference to the cost of this matter, declined to accept our provisions and add them to the cost. We were willing to drop certain House benefits, and this too reduced the cost.

Mr. FULBRIGHT. Mr. President, would the Senator yield?

Mr. LONG. I yield.

Mr. FULBRIGHT. Mr. President, would the Senator describe for the benefit of the Senator from Arkansas what is in the bill for child welfare and whether there is anything in the bill for child development centers?

Mr. LONG. There is not. The provisions for additional money for child care were not agreed to. There is a provision in the bill to provide some relief from the cutback in the social services. But with respect to the additional $800 million that was suggested for child care, it was not agreed to.

Mr. FULBRIGHT. That was stricken out?

Mr. LONG. Yes.

Mr. FULBRIGHT. Does the Senator have any views as to the future? Did the House appear to be adamant and not interested in that program at all, or was it that, under the context of this bill, they thought it was too expensive? What was their attitude?

Mr. LONG. It was the expense, and also the fact that this area was relevant to the point where the Senate and House conferees could not come to agreement. Under the family program, the House advocated one program and the Senate advocated another. So, the House thought we should strike all parts of title IV other than the increase for child welfare services. Very little of title IV came out of the conference.

I regret that the special grants for model day care that the Senator proposed were lost in conference. However, I would urge the Senator to submit it early next year. We expect to have another chance to act in this family area next year, and this would be an appropriate provision. The House assured us they would send us a bill to which we could offer amendments of this sort not later than March. We would hope to make one of those areas the matter proposed by the Senator from Arkansas.

Mr. FULBRIGHT. The Senator believes it would be appropriate to prepare for the bill which he has referred a reauthorization or authorization for the child development centers, such as was considered in this bill.

Mr. JAVITS. Mr. President, we cannot hear.

Mr. LONG. From the point of view of the Senate conferees, in terms of the number of amendments that were agreed to, it would appear the Senate was successful. But we simply cannot say that in the title IV area we achieved what we wanted. On the other hand, that is the area where the Senate difference from the House conferees was greatest, and the House did not get what they wanted either.

Mr. FULBRIGHT. I was particularly interested in the amount for child development centers, first, because I think that is the most hopeful approach for doing anything in the future that is significant in regard to training children and to avoid in the long run the continuation of these very high, inordinately expensive welfare programs. In the long run, the future lies in child development centers.

Mr. LONG. In the title IV area we just talked at the House conferees. Sometimes I get the impression that we might as well have been talking to a stone wall.

Mr. FULBRIGHT. I sympathize with the Senator's position. I have had exactly the same experience with the House on foreign military assistance, to the point where we did not reach any agreement at all.

I am not criticizing the Senator. The record on this aspect of the bill is extremely important. With the Senator's support I shall introduce a follow-on program to try to get started in each State a model setup for child development, in order that this most modern and effective program in this field may be available in every State of the Union.

Mr. LONG. I thank the Senator. I would like to help him in that regard. I think it is a very fine idea. What is being done in Little Rock along that line gives us great cause for hope that that course can be followed to give those children educational opportunities.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. JAVITS. I wish to comment on what the Senator from Arkansas (Mr. FULBRIGHT) just said. If I heard the Senator correctly, the Senator said he was deeply interested in a more enlightened approach to child care, the child development concept. This is very refreshing to me. This is a matter for my particular committee. The Senator from Minnesota (Mr. MONDALE) and I actually developed the bill which the President vetoed. I have heard a number of times that it has been referred to here as a measure that the Senator from Minnesota and I invented as a big city concept.

I cannot tell the Senator from Arkansas how pleased I am that he is interested, and I know he can be extremely helpful in finally fashioning a bill that will receive the support of Congress and the signature of the President.

I am happy to know that the Senator is deeply concerned with this matter.

Mr. FULBRIGHT. I was reflecting in the Finance Committee on the program we have in Little Rock at the Kramer School. I realize that the Senator from New York and the Senator from Minnesota pursued this matter through other committees. But the Senator from Louisiana and our committee agreed to a small amount in this bill which would have provided for an experimental program modeled after the Kramer project which has already been recognized nationally as a success. Under our amendment, each State would have had a project to instruct people as to what can be done in this field.

It was not intended to answer the overall need, but it was a pilot project. I am speaking of Miss Betty Caldwell and her associates at the Center for Early Development in Little Rock. We believe that they are providing the answers to the child development problem.

Mr. JAVITS. On the matter of experimentation, I like it very much. The only difficulty is it has developed a reputation of being a way to shelve something. If we combine it with evaluation and carrying out a report on the evaluation at a relatively reasonable date I think the Senator would find people like me interested in espousing this concept.

The trouble is that when we get experimental programs, the label on the bottle immediately is, "That is the end of that. We will never hear any more about it." Or, "It is so controversial you will never get a result."

So I am interested in the pilot program. It would be assuring if it were coupled with money. We have to vote yes or no in areas that are always gray, never black and white. Why should we not do the same thing about some pilot plan?

Mr. FULBRIGHT. I may have left the wrong impression when I said "experimental." I believe that the Kramer project has proved that much can be done in the area of child development, and that we must present to the States an example of what can be done as a means of persuading them. My provision would have made $400,000 a year available for each State to establish a similar project for demonstration purposes, rather than experimental.

Mr. JAVITS. I thank the Senator.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. ALLEN. Mr. President, I commend the distinguished senior Senator from Louisiana, the chairman of the Committee on Finance, and the distinguished ranking Republican member of the committee, and all members of the committee. I see the distinguished Senator from Georgia (Mr. TALMADGE) and the distinguished Senator from Wyoming (Mr. HANSEN) in the Chamber. I wish to commend the committee for the fine work they have done in this field. I commend the conference committee on cutting down the scope of this bill. I feel the conference report is a much better bill than the House sent to the Senate. I think it is a much better bill than the Senate sent back to the House. I certainly feel that this committee has been the workhorse committee of the Senate and I am always amazed and always marvel at the vast knowledge of the chairman of the committee and his expertise in handling these bills. He stands here on this floor hour after hour and answers questions with respect to the bill, and he has an intimate and vast knowledge of each of the finance programs of the U.S. Government.

One item that has not been discussed at any great length and it has been the policy of the Committee on Finance, I have noted, reporting back a bill calling for the expenditure of Federal moneys, to provide the method for raising that money. I understand that this bill is no exception. But the measure providing for some $6 billion in additional social security benefits comes to mind. I wish the distinguished chairman would explain for us to what extent the base of covered wages has been increased both presently and in the future, and the amount of the increase in the rate of the social security tax, for the RECORD and for the information of Senators.

Mr. LONG. This bill does not change the base compared with present law. In other words, the base for 1972 stands at $9,000.

In 1973, it goes up to $10,800.

For 1974, it goes up to $12,000. That was done by the Church amendment, which provided the 20 percent increase that we pased earlier this year.

Every Senator has a copy of a pamphlet entitled "Summary of Social Security Amendments of 1972 as Approved by the Conferees."

On page 31 of that document, table 1. I ask unanimous consent that that table be printed at this point in the RECORD.

There being no objection, the table 1 was ordered to be printed in the RECORD, as follows:

TABLE 1.—SOCIAL SECURITY TAX RATES FOR EMPLOYERS AND EMPLOYEES UNDER PRESENT LAW AND UNDER H.R. 1

[In percent]

Calendar year	OASDI		HI		Total	
	Present law	New schedule	Present law	New schedule	Present law	New schedule
1973 to 1977	4.60	4.85	0.9	1.0	5.50	5.85
1978 to 1980	4.50	4.80	1.0	1.25	5.50	6.05
1981 to 1985	4.50	4.80	1.0	1.35	5.50	6.15
1986 to 1992	4.50	4.80	1.1	1.45	5.60	6.25
1993 to 1997	4.50	4.80	1.2	1.45	5.70	6.25
1998 to 2010	4.50	4.80	(1.2)	(1.45)	(5.70)	(6.25)
2011 plus	5.35	5.85	(1.2)	(1.45)	(6.55)	(7.3)

Note: Under both present law and the new schedule, the contribution and benefit base would be $10,800 in 1973 and $12,000 in 1974, with automatic adjustment thereafter.

Mr. LONG. Mr. President, the Senator will see in the table the tax rates under present law, and under the new schedule in H.R. 1, both for cash benefits and for medicare.

Mr. ALLEN. Translated, though, into dollars and cents tax figures, what would a wage earner earning $12,000 today pay, and what will he be required to pay in the year 1974 on $12,000?

Mr. LONG. He would pay $468 in taxes in 1972.

In 1974, he will pay $702 in taxes. So that is an increase of——

Mr. ALLEN. $234 a year.

Mr. LONG. That is correct.

Mr. ALLEN. That would also entail the employer being increased $234; would it not?

Mr. LONG. That is right.

Mr. ALLEN. So that would be a $468 increase in taxes on the employer and the employee.

Mr. LONG. In the last analysis, the social security tax often works out as a hidden sales tax, because it tends to be added to the price of the product. So in some prospects one could say that it is $468 of additional taxes that that employee is absorbing in his purchasing power.

Mr. ALLEN. That is almost $40 a month for the employer and the employee. That is the unit amount that the tax is being raised.

Mr. LONG. That is correct; but I should point out that most of the increase is due to the Church amendment providing the 20-percent across-the-board increase, which was voted earlier this year.

That is what raised the taxable wage base; and, of course, it is the increase in the base, to a very large degree, which accounts for this increase. In other words, part of it is because of the increase in the rate; most of it is because of the increase in the base.

Mr. ALLEN. It was the intention of the Church amendment, the way it was based, that the arrangement would be less, not more. It is true that the covered wages were more, but the rate of deduction is going to be less, as the assertion is made on the floor of the Senate.

Mr. LONG. The cash benefit rates went down somewhat, but the overall tax rate did not.

Furthermore, we should keep in mind that the Church amendment was financed to a considerable degree by changing the assumptions that were implicit in the financing. We can find good support for that, but we cannot do it more than one time.

In years gone by, we have had social security increases as to which, we might say, Congress pulled a rabbit out of a hat We simply changed or increased the benefits to recognize the fact that we had provided more financing in previous years than was necessary to finance the program and that the assumptions were more conservative than need be.

We cannot do that any more, in my judgment. From now on, just as in this bill, every time we want to vote for a new benefit, we have to impose more taxes to pay for it. That is how it is now. That is how it is going to be in the future, unless someone engages in the irresponsibility of making this program insolvent, which it would certainly be unwise to do.

Mr. ALLEN. As always, as the Senator knows, there are two sides to every question, when we are paying out tremendous benefits, which we would like to see paid.

There is the other side, which calls for the taxpayer to pay the increased rate.

There is no contention that social security is actuarially sound any more, is there?

Mr. LONG. Oh, yes.

Mr. ALLEN. It is actuarially sound?

Mr. LONG. It is sound, and it will be sound if this program goes into effect. But the actuarial assumptions have been changed somewhat. The assumptions have been changed, based on the advice of the actuaries that they were needlessly conservative. They said we could safely modify the assumptions, as we have done.

For example, instead of carrying a reserve equal to a full year's benefits, we could settle for a reserve that would provide 75 percent of what it would take to pay 1 full year's benefit.

Mr. ALLEN. It is actuarially sound with this $468 per unit of taxes?

Mr. LONG. There is no doubt about it. Out of all the actuaries we had to advise us, there was agreement among all of them that this plan was actuarially sound, assuming that the Senator is willing to grant the assumption that the economy will continue to grow.

The only thing that might upset the actuarial soundness of this program is if the economy should fail to expand in the long run. If that should happen, we would be forced to raise the tax. But I honestly think that as long as Congress will continue to do business the way it has—that is, to look at the program every time it wants to improve benefits, raise the tax high enough to pay for the benefits and provide for an increase in the reserves in the program—there is no doubt in my mind that this will be an actuarially sound program.

This bill does not change the assumptions. It was under the Church amendment that the assumptions were changed. That occurred under the Church amendment in June. This bill, however, would finance every social security benefit provided.

Mr. ALLEN. It is a little rough on the fellow who is not going to retire for 30 or 40 years to have his employer increasing his payments by $468.

Mr. LONG. There is not a doubt in the world that he pays more. But in the long run, he is going to be the fellow who draws the largest retirement benefit. So if he lives long enough, he will draw a large benefit for it. He will be getting something for it. It is not as good a buy for him as it is for the fellow further down in the wage brackets, because the benefits provide far more relative return for those in the lower income brackets than for those in the higher income brackets.

Mr. ALLEN. I thank the Senator for the information.

Mr. JAVITS. Mr. President, I wish to address a few questions to the chairman of the Finance Committee, and then I would like to make a few remarks about this conference report.

I direct the attention of the chairman to page 31 of the report, dealing with savings provisions regarding certain expenditures for social services, which relates to this much discussed and debated $2.5 billion ceiling. I would like to ask the chairman, in addition to that hold harmless clause what we may expect regarding the other Stevens amendment—which deals with a redistribution of the amounts allotted to various States—which is not contained in the H.R. 1 conference bill, but has been included by the Senator from Alaska (Mr. Stevens) as an amendment to the kind of omnibus bill carrying various tax amendments, H.R. 7577.

I point out to the chairman that this is a very serious matter because, while the thought was that we were going to put a limit on States which allegedly over use this social services opportunity, though I shall make some remarks which would sharply contest that, the fact is that a good deal of the formula which has now been adopted is going to feed the same money to States which have not even asked for it, even under earlier estimates. Hence there is bound to be some kind of a surplus for redistribution, which States endeavoring to keep down the galloping welfare rolls—which will cost the United States an additional $1.7 billion this year—may be able to use effectively. So I ask the chairman if we may know his thoughts on this question of reallocation of a part of that ceiling money which may not be used at all in the new formula which has now been adopted.

Mr. LONG. Mr. President, we had two Stevens amendments concerning social services, one of them the one which appears on page 31 of the pamphlet to which the Senator has made reference.

In effect, the House conferees were willing to accept that amendment, which was the less expensive of the two and which seemed to have the most appeal to them. I regret that that amendment did not benefit the State of New York. The Senator from Alaska has now offered his second amendment on another bill, a tax bill which hopefully the House of Representatives might be willing to consider.

I was disappointed that the Stevens amendment which could have been beneficial to the State of New York was not agreed to, even though the chairman of the House Ways and Means Committee had indicated that he would be willing to support such an amendment. He did vote for it in conference; however, his conferees voted him down. I guess that is one of the few occasions where one would find that Mr. Mills was not able to speak for the entire House.

I am pleased to say that we were able to do better by the State of New York with regard to the unemployment insurance matter. In that area, the compromise that was worked out in conference does include New York among those States which should have some help in the unemployment insurance part of it. I am sorry that they would not agree to this social services part.

As to what might he the fate of this tax bill on which the second Stevens amendment was offered again, I am just in no position to predict. All I know is that at that particular time I had assumed that the House would be willing to go along with it, and I questioned the chairman of the House committee on that matter, and reminded him of the commitment he had made on the House floor. He said that he was willing to support it and he voted for it, but his conferees had voted him down.

Mr. JAVITS. I thank my colleague. I am interested in what the Senator says about the unemployment insurance. Is that on the debt limit bill?

Mr. LONG. Yes; that is in the debt limit bill. The compromise we made there would substantially limit the cost and reduce the number of States that would have the benefit from it. The information given the Senate conferees is that New York would be one of the States that would benefit from it.

Mr. JAVITS. We thought we were out of the unemployment, too, but we will look into it carefully.

Mr. LONG. They told the conferees that New York would be one of the States that would benefit, and I hope they advised us correctly, because I had in mind at that point that at least we could report good news to the Senator on that matter. I hope we can, and that the Senator will find that New York will benefit from the unemployment compensation amendment.

Mr. JAVITS. Well, the Senator is very

kind, but our analysis shows that that is not so, and that we have been left out all the way around.

Mr. LONG. I thought I had voted to take Louisiana out and leave New York in—I could be mistaken about that—and I hope that the people of Louisiana will forgive me if it works out that way.

Mr. JAVITS. I hope the Senator is correct, but we believe—we will check it further—that New York is out of everything, and I assure the Senator that I have some very deep feelings about New York, with 39 Members of the House of Representatives, being shut out of everything—social services, revenue sharing, and unemployment compensation.

Mr. LONG. As the Senator well knows, I have not always voted on New York's side, but on this occasion I was advised that I was voting for New York, and that they had left Louisiana out. So at least on this occasion we thought we were working for New York, and if not I shall be disappointed.

Mr. JAVITS. We will check it again.

Mr. President, I shall vote for this conference report—because of its general social security elements—but I would not want this moment to pass without commenting on certain aspects relating to the problems of poverty and welfare dependency in our Nation.

It is unfortunate indeed that the bill does not contain in any form the welfare reform first urged by the President in 1969. While we put forth our own alternative. The President's plan was nothing less than a historic first step toward the establishment of a national benefit level and Federal assumption of welfare costs with increased incentives and provisions for manpower training and child care.

I wish to reaffirm my continued support for those objectives and give my pledge to pursue them in the next Congress.

We have already covered the question of the redistribution provision, which the Senator from Louisiana has described, and where again New York, California, and Illinois are hurt.

The word was that the $2.5 billion ceiling was necessary because, in respect of section 1130 social service expenditures, that spending had gotten out of hand, and that the States and cities were using a loophole in the law and spending much beyond what Congress contemplated in providing these matching funds.

What greater "loophole" exists than the "uncontrollable expenditures" for welfare cash payments which will cost the Federal Government $7.7 billion in this fiscal year, an increase of $1.1 billion over a year ago?

That is the real loophole to be plugged, and it can only be closed—short of throwing the poor out on the street—with social services which the Congress, ironically, has now cut back.

The conference bill on H.R. 1 does not even include the $800 million "add-on" authority for child care which Senator MONDALE and I added in the Senate, to be run through title IV.

This was no "radical" or "fiscally irresponsible" commitment to child care. The amount was exactly that which the Senate Committee on Finance recommended in its own version of H.R. 1, though under a different delivery system.

It was only $50 million above the $750 million contained in the administration-backed House welfare provisions.

Does the fact that the vehicle in which this quotient was lodged—welfare reform—has stalled once again along the road, discharge us from the duty of meeting the ongoing need for which it was designed and which the Committee on Finance documented in its own report on H.R. 1?

The Committee on Finance suggests that the problem lies in the failure of the Secretary of Health, Education, and Welfare to adopt administrative controls.

But there is a remedy for that. If the Secretary will not tighten things up, then we all know that the Congress can write criteria into the law.

The Congress took the easy way out; it did not go to that trouble of looking carefully at the programs and what could be done to improve their effectiveness, it just arbitrarily slapped a ceiling on funds. I suppose this was done on the theory that with that imposition the States and the cities and the Secretary would have to eliminate the bad programs and continue the good ones.

But it did not do so in a way that would permit that result. Under the formula it developed it spreads out the limited money in a new way without any relationship to the past efforts or effectiveness in one State as opposed to another.

The formula which has been developed will leave out 24 jurisdictions—23 States and the District of Columbia—including the great industrial States of California, Illinois, and New York, short of the benefits which they estimate would help materially to cut down the welfare load. But it would give to 27 States more than they even requested.

Mr. President, what can be more administratively wasteful than that? With many States not even taking what they are allotted, we still do not have any provision for even a reallotment from States which will not take what they have.

This is most distressing and most deplorable, and it is something we really have to get into in the most serious way.

The big industrial States have a big problem. Notwithstanding the fact that more than 70 percent of the people live in cities, and that these three States alone—New York, California, and Illinois—just to take an example, have a population of almost 45 million, almost one-quarter of the country, I must say that their problems have not been regarded with any particular amount of sympathy, though they probably originate the most production and the most taxpaying in the United States.

We are going to have to dig into that very carefully, especially in the other body, which is supposed to represent the people directly; and, by some strange anomaly, it is the one which is blocking the very progress which that kind of representation is supposed to represent in terms of this Nation. They are acting as if they had two Representatives from each State, rather than our situation here, under the great constitutional compromise of 1789.

So, Mr. President, it is very depressing and most deplorable and is going to work regressively, and it is going to worsen instead of improve the situation.

And what will we hear in the months ahead as the welfare rolls continue upward?

We will hear again that the problem of welfare dependency rests in some lack of motivation on the part of the poor themselves—that "they" are "lazy good-for-nothings." Those who come to New York will find that the poor are standing in lines day after day so that they can get their children into child care centers and other services so that they can go to work, but that we have failed to provide them.

This is the real tragedy of the situation which this ceiling imposes.

There can be nothing more unfair, or unjust or pennywise and pound foolish than the ceiling. I shall continue to work to try to rectify this situation in the months to come, so that efforts of individuals, States and cities to deal with their welfare problems—so encouraged in rhetoric—will have the Federal funds to do just that.

Mr. President, one final matter a little more promising. I am very pleased that the conference bill does not contain two provisions contained in the Senate version which would have served to undermine, if not completely undo, the legal services program now conducted under the Economic Opportunity Act.

The first provision prohibited the use of funds under the program for activities "for or on behalf of any client or other person or class of persons, the purpose of which is—by litigation or by actions relating thereto—to nullify, challenge or circumvent any provision of the Social Security Act, or any of the purposes or intentions of the Congress in enacting any such title or provision relating thereto" except where a waiver is ordered by the Attorney General after 60 days notification and submission to the Senate Committee on Finance and the House Committee on Ways and Means.

The second directed the Attorney General and the Director of the Office of Economic Opportunity to enter into arrangements to make legal services attorneys available to State and local prosecuting authorities to assist in support cases.

Senator CRANSTON and I—joined by a number of Senators—opposed these provisions—as we considered them inimical to the purpose of the legal services program and the duty of the attorney to his client, if not unconstitutional. Unfortunately we lost on a tabling motion.

I hope that this conference result, which I am sure, comes in large part from the support for the program by the organized bar—will be the prelude to an autonomous Legal Services Corporation, or some other autonomous entity to render in the truest professional way legal services to the poor, who are beginning to consider this, and quite properly, one of the greatest contributions to their rehabilitation from the syndrome of poverty—to wit, their sense of dignity, which they can exercise by virtue of the fact that they, too, like wealthier people, can have a lawyer to try to defend their individual interests.

Mr. President, on the whole, however, it is a most depressing thing for urbanized States such as my own, where we have lost about $600 million when you add revenue sharing to this social services ceiling; and we have not really gained anything out of the much-vaunted revenue-sharing machinery which was going to be of tremendous help to us, because these formulas have been distorted.

It is a very depressing and deplorable time for the big States and the major cities which have such dreadful problems. It is going to put us to our mettle, especially with respect to what was supposed to be the popular branch of the legislature.

But I shall vote for this report, because it is the only thing to do at this time. I pledge myself—and I hope others who represent the big States will do likewise—to do all I can to change the situation.

Mr. BUCKLEY. Mr. President, I should like to pose a question or two to the distinguished chairman.

I was distressed to see that the conference report did not include a measure for which the distinguished chairman was responsible, which would have had the effect of repealing section 204(c)2 of the Social Security Amendments of 1967. This would have had the explicit effect of eliminating an ambiguity which has grown up as to whether or not the existing WIN legislation has preempted the field, has foreclosed the ability of States to work out their own employment and work programs for recipients of welfare.

I would appreciate any enlightenment which the chairman can give us.

Mr. LONG. I regret that we were unable to persuade the House to accept that proposal. I will attempt to pursue it again next year, when the House sends us a bill, as they have promised they will, by March of next year. That is one of the proposals this Senator will suggest to be added to it, as well as other matters concerning a father's duty to his children.

The situation in the Department of Health, Education, and Welfare, it seems to me, is that they want to make, any way they can, the program of the States to be just as big a mess and as impossible to administer as they can, hoping that by doing so they will force the States to ask the Federal Government to take the whole thing over, and at that point they can reform, to use their language—and in their language, "reform" means to put everybody on welfare. I am not for that.

It seems to me that the proper answer is to help the States and to give them whatever authority they need to run a tight, work-oriented program.

Frankly, that is what the bureaucrats who are there, no matter who is in—many of them have been there since Franklin D. Roosevelt and some since Herbert Hoover—have in mind. It appears that their scheme is to simply bankrupt the States if they can or to force upon the States unacceptable conditions, to try to force the States to ask the Federal Government to simply take them out of it.

I am dismayed that that is how it is; but I am convinced that the worst thing that could happen to this country would be to permit those people who are determined to keep the States from administering the program to take charge of the program. It would be a great disservice to the people of this Nation.

I think we ought to do what the Senator seeks to do, and he will have my best efforts next year in trying to do exactly that.

Mr. BUCKLEY. I should like to ask the distinguished chairman another question.

I believe the Senator from Louisiana was chairman of the Committee on Finance when the Federal WIN statutes were enacted.

Mr. LONG. Yes, I was.

Mr. BUCKLEY. Was it ever the intention of Congress at that time to have the provisions of the WIN statutes preempt the field of employment and training for ADC recipients?

Mr. LONG. I did not have that in mind. But, as the Senator knows, that was an HEW interpretation, and the New York court backed them up in it.

It was not my intention; but when the court speaks out on some of those things, if the Supreme Court should support the decision which HEW supported at the lower court level, it is sometimes beyond the power of this Senator to do much about it, except to change the law, and I will be glad to help the Senator from New York change the law if I can. I would like to do so.

Mr. BUCKLEY. I mentioned earlier the word "ambiguity" which I read in this morning's New York Times, states that a district judge in New York may have left the question open, as I read the article, as to whether it is the type of statute which preempts the field and prevents the States from operating. Would it be fair to say that there is ambiguity? So far as the distinguished chairman is concerned, was it ever the intention of at least this body to have a preemption in this field?

Mr. LONG. It was never our intention to prevent a State from requiring recipients to do something for their money if they were employable. It seems to me reasonable that they should be asked to do something for the money. It would be far better to do something for the money than than nothing at all.

Mr. BUCKLEY. I thank the Senator from Louisiana very much.

Mr. ROTH. Mr. President, I should like to reiterate once again that I am deeply distressed at the decision of the conferees to take no action on welfare reform.

I thought that the Senate, when it adopted my amendment to provide for testing, had taken really the last best chance of moving forward in this most serious area of concern. It is perfectly clear that there is not a consensus in the Senate, as to what is the best approach to reforming welfare. There is general agreement that it is in shambles and that something constructive must be done. It is also obvious that it is time we move forward.

For that reason, I was pleased the other day when the Senate did adopt my proposal that would have permitted us to make a major test of the three approaches; namely, the proposal by the Finance Subcommittee, the proposal by the White House, and the third proposal, the so-called Ribicoff program.

I might point out that a number of Senators on both sides of the aisle, liberal and conservative, have told me they thought this was the best approach out of our dilemma. By our failure to act responsibly today by providing for no test, I fear greatly that we will find ourselves 2 years hence exactly where we are today.

I think we should make use of those 2 years because the reason there is no concensus is that no one is certain what is the proper approach. No one can say with certainty how best to reform welfare. There is no doubt about the need of reform, and the only way we are going to be able to move with some assurance of success, is by testing the various approaches.

So far as I am concerned, I think the American people are tired of us adopting new programs claiming that they will solve problem, when they do not.

The only way we will get results is to move with intelligence and that requires sound testing of innovative, but unproven ideas. It is therefore a tragedy that the conferees did not move ahead with testing, these giving the Congress an opportunity to adopt corrective legislation that has shown promises of success.

Mr. President, I should like to make a second observation about the conference report. I would like to ask a question, if I may, of our distinguished chairman.

I proposed an amendment that would have changed the tax treatment of social security benefits. The Senator may recall that I was deeply concerned that social security payments made to a widow for her minor children are considered income of the children and, consequently, a woman with little other income loses the right to count such children as dependents.

The Senate passed an amendment to correct this situation, which discriminates against widows with small incomes.

The question I would like to ask the distinguished chairman is: He did indicate during discussions of my amendment that he had sympathy with what I was trying to accomplish. I wonder whether there is any possibility that this problem will be taken up early next year.

Mr. LONG. I would think that we can look at it next year, on the tax bill. The House conferees insisted that this matter was a matter of general tax law and was not a social security matter.

We were unable to prevail on them to accept it on this occasion, but I would think, on a future occasion, it might be possible to have them agree to it.

Mr. ROTH. I appreciate that and I would urge the Finance Committee to give it consideration. I will certainly introduce such a bill to correct this gross injustice very early next year.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 1524) to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 724) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah;

S. 3240. An act to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges;

S. 3419. An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes;

S. 3671. An act to amend provisions of law relating to the Administrative Conference of the United States;

S. 3959. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments; and

H.R. 11032. An act to enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. ROBERT C. BYRD).

Mr. BURDICK. Mr. President, I should like to ask the manager of the bill a question.

Mr. LONG. Yes, I will be glad to yield in a minute.

Mr. President, it has been brought to my attention that we should pass a concurrent resolution to correct certain errors and omissions which appear in the bill.

In view of the pressures under which the staff has had to operate, that is sometimes unavoidable; so I send this resolution to the desk and ask for its immediate consideration.

The resolution is designed to correct several errors in the conference report, H.R. 1. Because of the brief time in which the conference report was prepared, there crept in several errors and omissions which this concurrent resolution is needed to correct.

The PRESIDING OFFICER (Mr. FANNIN). The resolution will be stated.

The assistant legislative clerk read as follows:

H. Con. Res. 724, directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

H. CON. RES. 724

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 1) to amend the Social Security Act, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) At the end of the table of contents, add the following:

Sec. 405. Separation of social services not required.

Sec. 406. Manuals and policy issuances not required without charge.

Sec. 407. Effective date of fair hearing decision.

Sec. 408. Absence from State for more than 90 days.

Sec. 409. Rent payments to public housing agency.

Sec. 410. Statewideness not required for services.

Sec. 411. Prohibition against participation in food stamp or surplus commodities program by persons eligible to participate in employment or assistance programs.

Sec. 412. Child welfare services.

Sec. 413. Safeguarding information.

(2) In section 137 of the bill, strike out "(a)" after "Sec. 137.".

(3) In section 288 of the bill—

(A) strike out "(including a single service rehabilitation facility)" in subsection (a);

(B) strike out "; except that" and all that follows down through "provided" in subsection (a);

(C) redesignate subsection (b) as subsection (c); and

(D) insert the following new subsection after subsection (a):

(b) Section 1835(a)(2) of such Act (as amended by section 251 of this Act) is further amended—

(1) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(2) by adding after subparagraph (C) the following new subparagraph:

"(D) in the case of outpatient speech pathology services, (i) such services are or were required because the individual needed speech pathology services, (ii) a plan for furnishing such services has been established and is periodically reviewed by a physician, and (iii) such services are or were furnished while the individual is or was under the care of a physician.".

(4) In section 301 of the bill, in the proposed new section 1614(a)(1), before the period at the end of clause (B) insert the following: "(including any alien who is lawfully present in the United States as a result of the application of the provisions of section 203(a)(7) or section 212(d)(5) of the Immigration and Nationality Act)".

(5) In section 306 of the bill, strike out "October" the second place it appears and insert "September".

(6) In section 403 of the bill, strike out all that follows the colon and insert the following:

(1) the amount, not to exceed $50,000,000, payable to the State (as determined without regard to such section 1130) with respect to the total expenditures incurred by the State for services (of type, and under the programs to which the allotment, as determined under such subsection (b), is applicable) for the calendar quarter commencing July 1, 1972, plus

(2) an amount equal to three-fourths of the amount of the allotment of such State (as determined under such subsection (b), but without application of the provisions of this section):

Provided, however, That no State shall receive less under this section than the amount to which it would have been entitled otherwise under section 1130 of the Social Security Act.

(7) After section 411 of the bill, add the following new sections:

CHILD WELFARE SERVICES

SEC. 412. Effective with respect to fiscal years beginning after June 30, 1972, section 420 of the Social Security Act is amended by striking out $55,000,000 for the fiscal year ending June 30, 1968, $100,000,000 for the fiscal year ending June 30, 1969 and $110,000,000 for each fiscal year thereafter" and inserting in lieu thereof "$196,000,000 for the fiscal year ending June 30, 1973, $211,000,000 for the fiscal year ending June 30, 1974, $226,000,000 for the fiscal year ending June 30, 1975, $246,000,000 for the fiscal year ending June 30, 1976, and $266,000,000 for each fiscal year thereafter".

SAFEGUARDING INFORMATION

SEC. 413. (a) Section 2(a)(7) of the Social Security Act is amended to read as follows:

"(7) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties or (B) to other persons for purposes directly connected with the administration of the State plan;".

(b) Section 1002(a)(9) of such Act is amended to read as follows:

"(9) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

(c) Section 1402(a)(9) of such Act is amended to read as follows:

"(9) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

(d) Section 1602(a)(7) of such Act is amended to read as follows:

"(7) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

RECIPIENTS OF ASSISTANCE FOR THE AGED, BLIND, AND DISABLED INELIGIBLE

SEC. 414. (a) Section 402(a) of the Social Security Act is amended (1) by striking out the period at the end thereof and inserting in lieu of such period "; and", and (2) by adding at the end thereof the following new clause: "(24) if an individual is receiving benefits under title XVI, then, for the period for which such benefits are received, such individual shall not be regarded as a member of a family for purposes of determining the amount of the benefits of the family under this title and his income and resources shall not be counted as income and resources of a family under this title."

(b) The amendments made by subsection (a) shall be effective on and after January 1, 1973.

SOCIAL SECURITY AMENDMENTS—CONFERENCE REPORT

The Senate continued with the consideration of the conference report on H.R. 1.

Mr. BURDICK. Mr. President, I should like to ask the manager of the bill a question: I notice regretfully in the conference report, that amendment No. 583 which provides for full Federal funding of State assistance payments to the aged, blind and disabled Indians, Eskimos, and Aleuts in supplementation of basic Federal payments under title XVI, has been deleted.

I also understand that the House has agreed to reconsider these amendments, and others, on or before March of next year. Do I understand correctly that this Indian amendment will be considered?

Mr. LONG. The House is going to send us a bill early next year and then we will have the opportunity to legislate.

If the Senator would care to renew this amendment then, we could add it to the bill that they send us and we will go to conference with them on it. I would think that when we are not under the pressure of trying to do everything in 24 hours, as has been the case here, we might have a better chance to persuade the House to agree to it.

Mr. BURDICK. The Senator has my assurance that this amendment will be brought to the attention of the committee when we consider the bill next year.

Mr. LONG. I thank the Senator.

Mr. TAFT. Mr. President, more than 38 months ago, President Nixon proposed to the Congress welfare reform legislation that he said would transform "a system frozen in failure and frustration into a system that would work and would encourage people to work." The President added:

> The present welfare system has failed us—it has fostered family break-up, has provided very little help in many States and has deepened dependency by all too often making it more attractive to go on welfare than to go to work.

No one disagreed then with that assessment. No one disagrees now.

The current public assistance program, Aid to Families with Dependent Children, is made up of 54 different State and territorial programs, each administered by a separate jurisdiction under broad Federal guidelines. Including the county-administered programs, there are at least 1,152 distinct operating welfare systems. Federal matching funds available for welfare programs vary from 50 to 83 percent the programs' total cost.

Welfare benefits vary from State to State from a grossly inadequate $60 per month to $335 per month. There are as many different interpretations of the Federal welfare guidelines as there are interpreters. Because of the split of authority between the States and the Federal Government, there is virtually no control at the Federal level of caseloads, administrative efficiency or mushrooming costs.

Since 1955, total AFDC payments have increased at an annual rate of more than 61 percent. The number of families receiving such payments has increased at an annual rate of more than 25 percent. If the present rate of increase continues, total State welfare costs will double at least every 3 years.

Despite this enormous increase in costs, welfare recipients are no better off. In fact, welfare payments have been cut back in almost half the States during the last 2 years.

Other problems abound in the welfare system. By limiting payments to those families in which the male head is absent, family disintegration is encouraged. Unemployed-father families are eligible for assistance in only 23 States.

Men who work part time are discouraged from seeking full-time employment, because their families would lose eligibility for welfare if they worked full time. Families in which the father works full time but does not earn enough money to escape poverty are not helped at all. Yet 40 percent of the poor in this country live in families headed by a full-time worker.

Single people and childless couples under 65 are completely ineligible for Federal assistance unless they are blind or disabled. Social services, day care, and job training needed to stimulate the employment of those presently receiving welfare have not been provided.

All of us have been exposed to the nightmarish stories of unfair State and local laws or administrative practices which deny assistance to people who should be eligible for help. We are also reminded continually that there are some people receiving welfare who should be able to earn an adequate living so as not to need it.

The situation has hardly improved during the 3 years of congressional consideration of welfare reform. As of last May, more than 3,668,000 people had been added to the welfare rolls while Congress argued. The Nation's total welfare bill had climbed by nearly 55 percent to approximately $18 billion annually.

Today, unfortunately, we finally have before us the fruition of those 3 years of intensive efforts by so many Members of Congress—nothing. Considering the fundamental difference in philosophy between the guaranteed income approach in the House bill and the pilot testing programs authorized by the Senate bill, it is not surprising that at this late moment in the session, the conferees found the welfare provisions of H.R. 1 irreconcilable. In view of the possibility that the meager and in some aspects regressive provisions of the Senate bill might have been accepted as an excuse for meaningful welfare reform, perhaps it is just as well that no compromise was reached.

Nevertheless, I cannot avoid expressing disappointment at the inability of the 92d Congress to agree upon legislation to clean up the welfare mess. I am convinced that Americans want welfare reform, and they want it now.

They want a welfare program that provides, through training and meaningful, worthwhile job opportunities, boot straps for welfare recipients to grab onto.

They want a welfare program that excludes the small minority of recipients who presently should not be receiving assistance, yet does not penalize the men, women, and children who do need help.

And they want a welfare program that provides incentives and assistance for the man or woman who works hard, but whose wages are too little to allow an escape from poverty.

Americans, in short, want a welfare program that provides adequate assistance, in an equitable manner, to those who really need it.

I supported both the Ribicoff compromise proposal to provide a guaranteed income of $2,600 for a family of four, and the Stevenson modification of that proposal, because I believe that those approaches would create the kind of welfare system I have outlined above. I believe, in particular, that the standardization of welfare administration and benefits is essential if we are ever to come to grips with the welfare problem.

I am well aware, however, of the fundamental and honest differences of opinion and philosophy as to the exact form welfare reform should take. In view of these circumstances, I am not wedded to any specific welfare reform proposal. There are no specific provisions which I insist upon.

At this time, in my judgment, the most important concern is to keep the welfare reform issue alive. I hope that other Members of the Senate will overcome any sense of discouragement which they now understandably have, so that the 93d Congress can try once again. I hope that my colleagues will retain the flexibility to consider carefully various compromises and alternatives which may be offered to deal with this issue. Most of all, I urge my colleagues to retain the stamina, desire and enthusiasm that is going to be necessary to enact responsible welfare reform in the next Congress.

The country could benefit immensely if we were to be successful.

Mr. CHILES. Mr. President, I opposed the Senate-passed version of H.R. 1, 2 weeks ago when it was up for final passage. As I said then, the Finance Committee has done a world of work on this legislation, and I think there were a lot of good features in the bill. However, I voted against its final passage basically because of my objection to title IV which deals with welfare reform.

I have been against the guaranteed annual income idea because I felt it would kill incentive for people to work whether it was the Nixon or the Ribicoff plan. The workfare concept, I think, would be much better. But the Finance Committee just was not able to work out provisions that fit together, so what the committee proposed to the Senate just would not stand up to scrutiny. As a result, nothing could get a majority of support, and then the Senate moved to what is supposed to be a study program or test plan to try out the Nixon, Ribicoff and Finance Committee approaches. However, in the pilot approach they put many new changes that were not going to be just tests but would become permanent fixtures in law. The Senate never really discussed most of these provisions.

Another reason I was compelled to vote against the bill was because the average wage earner in this country—the man making between $4,000 to $12,000 a year was and is paying a disproportionate share of taxes—especially payroll taxes. H.R. 1 instead of correcting this problem actually goes the other way and increases it.

Many of the beneficial services and other parts of H.R. 1 I feel should be paid out of general revenue sharing because they come in the area of welfare—not social security.

So, until we reach the point when we are willing to come to grips with the inequity built into social security taxation, we should not pass on an additional burden to our working people.

Now that House-Senate conference on H.R. 1 has removed from the bill those parts of title IV I had objected to earlier including the President's family assistance plan, the Ribicoff proposal—which went even further—and the Finance Committee's test plan—which in my mind along with other pilot approaches put in so many new changes which were not going to be just tests but permanent features in law. While I am still not satisfied with the disproportionate cost which will be financed by an increase in payroll taxes and passed on the workingman the conference committee version has been improved.

The initial cost of the House bill, passed a year ago, was about $8 billion or $9 billion for benefits in its first full year. The Senate added a big block of amendments, both in the committee and on the floor, raising the figure to about $18.5 billion. But the final bill, according to staff estimates, totaled about $6.1 billion in benefits the first year.

Several features in the conference report I feel are much needed including:

First. The raising of widows' and widower's benefits from 82.5 percent of the decreased spouse's entitlement to 100 percent, affecting 3.8 million persons.

Second. Raising from the present $1,680 to $2,100 a year the outside amount a social security retiree can earn without any loss of benefits. For earning above that benefits would be reduced $2 for each $1 earned. Nearly 1 million persons would benefit from this provision.

Third. Provide that employees who have worked in social security-covered employment for 30 years will receive a minimum of $170 a month in social security benefits when retiring, even if their benefits would otherwise work out to less. This is to provide long term low-wage workers with more adequate retirement income, and would benefit 850,000 persons.

Fourth. Reduce waiting period for disability insurance benefits from 6 months to 5 months.

In addition, Representative MILLS, chairman of the House Ways and Means Committee apparently has agreed to early next year working with the Senate in shaping new welfare reform legislation which I hope will come much closer to the mark in assisting people who truly need help and cannot work. Hopefully in coping with the issue of financing these funds will come out of general revenue because they are in the area of welfare and not social security. We also need legislation to aid and encourage those persons who are now working to continue to do so.

For these reasons I intend to support the conference committee report on H.R. 1.

Mr. CHURCH. Mr. President, I support the adoption of the conference report on H.R. 1, the 1972 Social Security Amendments.

The conference bill, to be sure, has a number of controversial features. But the beneficial provisions, in my judgment, clearly outweigh the others.

Several of the reforms will enable large numbers of older Americans to escape from poverty, without the necessity of resorting to welfare.

This is particularly important because Social Security is the economic mainstay of the vast majority of older Americans. Approximately 65 percent of all retired workers and 49 percent of aged couples depend on social security for more than half of their incomes.

Equally important, these reforms will help to improve and perfect the social security system.

Several of these measures, I am pleased to say, are either identical with, or similar to, proposals which I have sponsored.

As chairman of the Senate Committee on Aging, I am also heartened to note that these reforms have had the strong support of the committee and its membership.

FULL BENEFITS FOR WIDOWS

One of the major improvements is full benefits for widows, instead of only 82½ percent of their deceased husbands' primary insurance amount. Approximately 3.8 million elderly widows would have their social security benefits increased because of this urgently needed change.

The net impact of this change, along with the enactment of my recent amendment for a 20-percent social security increase is that average monthly benefits for widows will be increased from $114 to $156.

More importantly, this provision can, in one stroke, remove 200,000 aged widows from the grip of poverty.

SPECIAL MINIMUM MONTHLY BENEFITS

The conference bill also authorizes a new special minimum monthly benefit for persons with low lifetime earnings and long periods of covered employment under social security. This new special minimum would be equal to $8.50 multiplied by a worker's number of years of covered employment in excess of 10 years, up to a maximum of 30 years.

Under this provision, a worker with 30 years of covered employment would be entitled to a special payment of $170 a month.

LIBERALIZATION OF THE RETIREMENT TEST

Another improvement in H.R. 1 is the increase in the earnings limitation from $1,680 to $2,100.

For earnings in excess of this amount, $1 in benefits would be withheld for each $2 of earnings. Under present law, $1 in social security payments is withheld for each $2 of wages between $1,680 and $2,880. Thereafter, social security benefits are reduced for each dollar of earnings above $2,880.

These changes in H.R. 1 would make it possible for a retired worker to have earnings in excess of $8,000 and still receive some social security benefits.

It is high time that our Nation take down the arbitrary stop sign, which says that 65 is the end of the road for employment opportunities.

Surely, the wealthiest Nation in history is not so bankrupt in ideas that it cannot solve this problem.

And the adoption of these changes in H.R. 1 can help to remove some of the impediments for older Americans who want or need to work.

PROTECTION AGAINST RETROACTIVE DENIAL OF PAYMENTS

Another major reform in H.R. 1 is a proposal I have urged to protect medicare patients against retroactive denial of payments.

Today the determination of whether a patient qualifies for nursing home or home health care is usually made after the services are furnished. This practice has frequently resulted in the retroactive denial of payments for services which the elderly patient believed in good faith would be covered under medicare.

As modified by this bill, however, the Secretary of HEW would be authorized to establish periods after hospitalization during which a patient would be presumed to require home health and nursing home benefits.

The advantages of this approach, it seems to me, are many. Elderly patients would know, in fact, that their bills for skilled nursing home care would be covered. Equally important, physicians, home health agencies, and nursing homes would be assured that their services would be reimbursable under medicare.

AGE 62 COMPUTATION POINT

H.R. 1 also includes a provision to permit men to compute their benefits on the basis of earnings up to age 62—the same as now exists for women—instead of age 65. This provision will end the discrimination between men and women under the program.

SUPPLEMENTAL SECURITY

Undoubtedly, one of the most significant changes in H.R. 1 is the replacement of the adult welfare programs—aid for the aged, blind, and disabled—with a new income supplement plan.

This supplemental security income program would be administered by the Social Security Administration and financed out of general revenues.

Moreover, this new program would assure older Americans of a monthly income of $130, and $195 for elderly couples. In addition, the first $20 of social security or other retirement income would be disregarded in determining eligibility for these supplemental payments.

For most older Americans, the existing welfare system is demeaning. In fact, less than 50 percent of all persons living in poverty receive old age assistance.

IMPROVEMENTS FOR THE DISABLED

H.R. 1 not only makes vital improvements in social security and medicare for the aged, but it also provides several reforms for persons under 65—particularly the disabled.

One major change is extension of medicare coverage to 1.7 million disabled persons under age 65. This improvement is especially welcome because the disabled need health care services at a substantially greater level than other Americans.

Another welcome improvement is the reduction in the waiting period from 6 to 5 months to qualify for disability benefits.

Finally, H.R. 1 would authorize disability benefits to a child of an insured retired, deceased, or disabled worker if the disability began before age 22, rather than before 18 as under present law. Thus many a student will be helped through college.

CONCLUSION

The 1972 social security amendments, in many respects, represent landmark legislation for older and disabled Americans.

Mr. President, once again I wish to reaffirm my strong support for the social security, medicare, and welfare reforms for the aged in H.R. 1.

For these reasons, I urge the adoption of the conference report.

Mr. STENNIS. Mr. President, when the Senate passed the welfare bill, H.R. 1, I voted for the bill. The Senate version of the bill provided for tests of the major welfare reform proposals, in contrast to the minimum income established by the House version.

I voted for the Senate bill primarily to pass it and with the hope of improvement and with the confident expectation that what would come back from conference would be a better bill, and I am pleased to see that this is indeed the case. I am totally opposed to the concept of a Government-guaranteed minimum family income. It is a concept that is so dangerous as to threaten the whole structure of our society and our Nation. It is a step that once taken could never be retraced. It leads away from the work ethic and toward a system under which those who do not choose to work live from the labors of those who work for a living and have to pay taxes to support those who can work but do not want to work.

The conference report as written is a worthy bill which I can support, and I will vote for it. It is believed to be fiscally self-sustaining, imposing new social security taxes to pay for the increased benefits.

In that connection, however, the social security taxes are reaching a breaking point. These constant increases cannot continue to be made. These taxes are very hard on working families, for they begin with the first dollar earned. To continue to raise them will be intolerable.

I will, however, vote for the conference report. It is better than the Senate bill, and it is infinitely better than any system of guaranteed income.

Mr. McINTYRE. Mr. President, I lend my voice in expressing the frustration of the nearly 7 million elderly Americans now living in poverty or near poverty. I know that they share some disappointments in the social security legislation we are going to be passing this afternoon. They see that their voices have been heard here in the Senate time and time again. But they also see that their voices have not been heard downtown and only faintly heard in the House of Representatives.

I must indicate my bitter disappointment over the House's failure to accept provisions, passed overwhelmingly in this body, to provide a pass-through of the 20-percent social security increase to those receiving old-age assistance in addition to insurance benefits; to those who must rely on surplus food to survive; to those who receive Veterans' pensions in addition to insurance benefits; and to those who fear rent increases in public housing or housing for the elderly projects due to benefit increases.

There are two million recipients of old-age assistance, 1,250,000 of whom also receive some social security benefits. Many of these individuals will have the right hand, our Federal Government, present them a 20-percent increase, signed I might add by our President, and have the other hand, our State government, take the extra funds away in reduced public assistance. Yet, these are the people who need these benefits the most.

Each of the 7 million elderly Americans living in poverty, or near poverty, faces unprecedented inflation. Through May of this year the Consumer Price Index jumped 5 percent, food prices nearly 5.9 percent. Medical costs have increased 5.7 percent. And property taxes, paid ultimately by homeowners and renters alike, have increased over 14 percent.

Congress, led by the Senate, provided a 20-percent social security increase this year to help meet this tremendous burden on our senior citizens. Who needs it the most?

It is those who have social security, or the lack of it, which leaves them at near or below subsistence income levels. We are not even talking about poverty income levels for most of these individuals, we are talking about less than that. Their income enables them only to survive; and yet the House would not accept this pass-through and earlier this afternoon voted 300 to 1 to confirm the conferee's action.

When I heard late Saturday night that the conferees had refused this vital assistance, I asked myself how could it happen? The Senate passed these measures with voice votes, a unanimous acceptance.

As late as Saturday, I joined with 51 of my colleagues, a constitutional majority, in a letter informing the Senate conferees that we backed their attempts to see these measures included in the final bill. In a matter of hours we all found out that the House would not go along. How did this happen?

There are many causes; but I now know the prime cause. Continuing its 3-year record of careless disregard for the needs of our elderly, especially our elderly poor, the administration let it be known that they were strongly opposed to the pass-through provision. I guess it should not have surprised those Senators who thought that our actions would be confirmed by the other body. A 3-year record by the Nixon administration should have told us differently. No word, of course, was let out publicly, at least to my knowledge. But it was made clear.

Let me review the long-term record of the Nixon administration on social security. Since his election, President Nixon has consistently opposed adequate social security benefits. But that record did not prevent him from falsely claiming credit for the 15-percent catch-up social security increase in 1969 or the 10-percent catch-up enacted in 1971, or the 20-percent increase initiated by the Senate this year. The elderly have gotten more messages from the President than perhaps any other segment of our public. Matched with a check, the President has used a political tool that none of us could ever match. I think senior citizens know, however, that there is a great difference between the President's proclamations and his performance.

In 1969, he proposed a 7-percent increase, one that would have been totally wiped out by inflation before the checks were ever received. The House raised this to 15 percent and then received a stern statement by the President that he would veto any increase over 10 percent. In order to avoid this veto threat the House added the increase to the President's tax reform legislation; legislation, incidentally, that resulted in a major cut in corporate taxes. The Senate then enacted a similar provision and it became law because it was attached to a bill Nixon could not afford to veto.

In 1970, the House passed a modest 5-percent increase. What did the administration do? They issued immediate warnings that any larger increase would be unacceptable. In the Senate we saw that prices were escalating so rapidly that a 5-percent increase would be eaten up as soon as it was enacted. We, therefore, proposed a 10-percent increase over another veto threat and again and to attach this measure to a bill that the President could not veto in order to see it passed.

Once more in 1972, the Senate saw that our elderly were losing ground. We also saw that there was enough of a surplus in the social security trust fund to finance an increase, large enough to counter inflation, well into the next century. We, therefore, proposed a measure I sponsored for a 20-percent increase.

Again, we were met with a strong veto threat from the Nixon administration. And, again, we had to attach the increase to a veto-proof bill, the debt limit bill, in order to see it passed.

Now we find that new administration opposition has helped to frustrate the Senate's intent in a sad and callous opposition to a pass-through provision. I regret that this has happened. Yet, it is evident that there is no more the Senate can do this year.

I do know that this is not the end of the matter. We will try again next year to see if we can create some sympathy at 1600 Pennsylvania Avenue for the elderly poor.

There are other sections of this conference report, sections that can be correctible next year, that also disappoint me greatly. The Senate committee approved by an overwhelming vote a provision to place certain prescription drugs needed by the chronically ill under the medicare program. This, of course, was necessary because we saw that the elderly pay as great a proportion of their budget for medical care as they did before medicare was enacted. And medical costs increased by nearly 6 percent last year. This provision could have greatly helped those people who must rely on costly medication to survive on a day-to-day basis. Again, the House would not agree and the administration did not lift a finger to help.

I am also disappointed that the Senate's overwhelming acceptance of an amendment I cosponsored to raise the outside earning limitations from $1,680 to $3,000 was also frustrated. Here, at least, we see some progress. The earnings limit has been raised to $2,100 and the reduction in benefits over $2,100 is now set at 1 dollar for 2 rather than for I return we saw before. Again, however, there was no help from downtown and those millions of our senior citizens who want to work without penalty for their additional income will be hurt.

I must indicate, in the end, that I will reluctantly support passage of the conference report. It is evident to me that, without administration support, we cannot hope to change the result this week.

I would like to indicate that there is much good in this bill. I congratulate the distinguished chairman of the Senate Finance Committee, Senator Long, for doing his best to see that a good bill emerged. We did pass many vital provisions that I would like to list below:

One provision, would boost widows' benefits from 82.5 percent at present to a 100 percent of the deceased husband's entitlement.

Also, as I mentioned above, the new income limitation of $2,100 is a step forward.

The provision to extend new medicare benefits to 1.7 million under 65 individuals who are retired and receiving social security is a needed reform—the federalization of the old-age assistance program and programs for aid to the blind and disabled starting in 1974 is a step forward. This provision will provide a new minimum income of $130 per individual and $195 for couples and it will substantially increase the income disregard provisions of current law.

I am also pleased that we recognized, in this bill, the needs of those who worked for 30 years in covered employment. They will be guaranteed a minimum of $170 a month even though their current entitlement is less. This would help about 850,000 Americans who spent all their working lives in covered employment; but whose low salaries prevent them from realizing benefits commensurate with their contribution to the plan.

I hope that as we do accept this conference report, I will be joined by those Senators who feel as I do in a commitment to reintroduce next year those provisions that the Senate could not get accepted by the House this time. And I sincerely hope that whatever administration is in the White House in January will give us their support.

THE PASS-THROUGH AMENDMENT

Mr. MONDALE. Mr. President, it is with deep regret that I shall cast my vote today for H.R. 1. The conference report before us lacks a provision which I believe is absolutely essential to maintaining our commitment to the millions of elderly persons in this country who depend on social security.

The provision to which I refer is the "pass-through" amendment which I introduced and the Senate approved during consideration of H.R. 1 on the floor. It would have prevented social security recipients from losing other necessary benefits—through rent increases or loss of eligibility for welfare or food stamps—as a result of the 20-percent social security increase voted before the Senate earlier this year.

I did not vote for the increase because I expected the Congress to take away other sorely needed benefits from citizens who already have so little. I cannot believe that any of my colleagues really intended when they voted for the 20-percent increase to reduce the benefits available to old people, who have already suffered inordinately from the inflation which has gripped our Nation for several years now. I was encouraged by the Senate approval of my amendment, and hopeful that we would be able to stave off the nightmare that was descending on so many old people as a result of the increase.

Listen to this Minneapolis woman's account of how the increase "helped" her:

> Why when you get a raise in Social Security does Housing or "Welfare" takes it from you, or if housing leaves your rent, off it comes from welfare. As it stands now I'm worse off than before the Social Security gave the 20% raise. Clothing, shoes are so expensive. I don't get a paper, no TV. No Radio, No Phone. I can't afford them. Housing offers trips to Duluth, Winona. I can't go. They are too expensive. I hope and pray you can stop welfare from taking the 20% off. God Bless you, if you can work out some way to prevent the taking away of the small amounts we get in Social Security.

This woman is not an isolated case. She has eloquently described the human misery that can result from the shortsightedness of our actions here. Because my amendment was dropped, up to 15,000 elderly Minnesotans are faced with increased public housing rents, and approximately 40,000 Minnesotans could lose food stamp benefits. Letters and phone calls from Minnesotans are pouring into my office on this subject, and I just don't even know how to respond to them at this point.

Last week a bipartisan group of 55 Senators wrote to Senator Long urging him "to do everything in your power" to assure retention of the Mondale amendment. But the amendment was dropped by the committee.

Because the conference report does include some improvements in social security, medicare, and medicaid. I feel compelled to vote for it today. I only hope that the Congress will turn its energies as quickly as possible to rectifying the injustice it has done.

I also regret that in this legislation the Congress has failed to come to grips with the social security tax issue. The tax system that we have now is regressive and unfair; and the increases mandated in the bill are most unfortunate. I am hopeful that the new session of Congress will reconsider the whole matter; and adopt a new system such as the Mondale-Muskie proposal.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. Bayh), the Senator from Texas (Mr. Bensten), the Senator from Missouri (Mr. Eagleton), the Senator from Mississippi (Mr. Eastland), the Senator from Louisiana (Mrs. Edwards), the Senator from Georgia (Mr. Gambrell), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from South Carolina (Mr. Hollings), the Senator from Iowa (Mr. Hughes), the Senator from South Dakota (Mr. McGovern), and the Senator from Montana (Mr. Metcalf) are necessarily absent.

I further announce that the Senator from New Mexico (Mr. Montoya), the Senator from Rhode Island (Mr. Pell), the Senator from Alabama (Mr. Sparkman), and the Senator from Virginia (Mr. Spong) are necessarily absent.

I also announce that the Senator from Wyoming (Mr. McGee) and the Senator from Nevada (Mr. Cannon) are on official business.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. Pell), the Senator from Indiana (Mr. Hartke), the Senator from Georgia (Mr. Gambrell), the Senator from Indiana (Mr. Bayh), the Senator from Nevada (Mr. Cannon), and the Senator from South Carolina (Mr. Hollings) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Allott), the Senators from Tennessee (Mr. Baker and Mr. Brock), the Senator from Oklahoma (Mr. Bellmon), the Senator from Delaware (Mr. Boggs), the Senator from New Jersey (Mr. Case), the Senator from Kentucky (Mr. Cooper), the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Arizona (Mr. Goldwater), the Senator from Michigan (Mr. Griffin), the Senator from Florida (Mr. Gurney), the Senator from Oregon (Mr. Hatfield), the Senator from Iowa (Mr. Miller), the Senator from Kansas (Mr. Pearson), the Senator from Illinois (Mr. Percy), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) are necessarily absent.

The Senator from Kentucky (Mr. Cook) is absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Delaware (Mr. Boggs), the Senator from Kentucky (Mr. Cook), the Senator from Nebraska (Mr. Curtis), the Senator from Michigan (Mr. Griffin), the Senator from Hawaii (Mr. Fong), the Senator from Iowa (Mr. Miller), the Senator from Illinois (Mr. Percy), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) would each vote "yea."

The result was announced—yeas 61, nays 0, as follows:

[No. 567 Leg.]

YEAS—61

Aiken
Allen
Anderson
Beall
Bennett
Bible
Brooke
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Chiles
Church
Cotton
Cranston
Dole
Dominick
Ervin
Fannin
Fulbright

Gravel
Hansen
Hart
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McClellan
McIntyre
Mondale
Moss
Muskie
Nelson

Packwood
Pastore
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott
Smith
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Tunney
Weicker
Williams
Young

NAYS—0

NOT VOTING—39

Allott
Baker
Bayh
Bellmon
Bentsen
Boggs
Brock
Cannon
Case
Cook
Cooper
Curtis
Eagleton

Eastland
Edwards
Fong
Gambrell
Goldwater
Griffin
Gurney
Harris
Hartke
Hatfield
Hollings
Hughes
McGee

McGovern
Metcalf
Miller
Montoya
Mundt
Pearson
Pell
Percy
Saxbe
Sparkman
Spong
Thurmond
Tower

So the conference report was agreed to.

Mr. LONG. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. FULBRIGHT. I move to lay that motion on the table. The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I wish to thank members of our staff who worked so diligently on this bill, especially Tom Vail, Mike Stern, Jay Constantine, Dr. Jim Mongan, and Bill Galvin, for the fantastic contribution they made and all the long hours they worked on this measure.

I also wish to thank the able help of the Congressional Research Service, headed by Fred Arner, Joseph Humphreys, Frank Crowley, Bob Guttman, and Glen Marcus, for the work necessary in the research, the hearings, and the draft of the committee report of a 1,300 pages and a bill over 900 pages long.

I think the Nation owes a debt of gratitude to these men who often are not seen and heard directly in the consideration of a measure of this sort but make such a valuable contribution to it.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that today, October 17, 1972, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 141. An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes;

S. 655. An act for the relief of certain employees at the Elmhurst, Ill., Post Office;

S. 909. An act for the relief of John C. Rogers;

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 1462. An act to provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission Dockets numbered 142, 359, 360, 361, 362, and 363, and for other purposes;

S. 2147. An act for the relief of Marie M. Ridgely;

S. 2270. An act for the relief of Magnus David Forrester;

S. 2275. An act for the relief of Wolfgang Kutter;

S. 2318. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes;

S. 2469. An act for the relief of Kenneth J. Wolff;

S. 2714. An act for the relief of M. Sgt. William C. Harpold, U.S. Marine Corps (retired);

S. 2758. An act for the relief of John C. Mayoros;

S. 2822. An act for the relief of Alberto Rodriguez;

S. 3055. An act for the relief of Maurice Marchbanks;

S. 3230. An act to provide for the division and for the disposition of the funds appropriated to pay a judgment in favor of the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Montana;

S. 3257. An act for the relief of Gary Wentworth, of Staples, Minn.;

S. 3358. An act to prohibit the use of certain small vessels in U.S. Fisheries;

S. 3483. An act for the relief of Cass County, N.D.;

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended;

S. 3545. An act to amend section 7 of the Fishermen's Protective Act of 1967;

S. 3583. An act for the relief of Gerald Vincent Bull;

S. 3843. An act to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972;

S. 3943. An act to amend the Public Buildings Act of 1959, as amended to provide for the construction of a civic center in the District of Columbia, and for other purposes;

S. 4022. An act to provide for the participation of the United States in the International Exposition on the Environment to be held in Spokane, Washington, in 1974, and for other purposes;

S. 4059. An act to provide that any person operating a motor vehicle within the District of Columbia shall be deemed to have given his consent to a chemical test of his blood, breath, or urine, for the purpose of determining the blood alcohol content;

S. 4062. An act to provide for the acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in the scheduled regular route operations in the National Capital Area, and for other purposes; and

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah;

S. 3240. An act to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges;

S. 3326. An act for the relief of the Appalachian Regional Hospitals, Incorporated;

S. 3419. An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes;

S. 3671. An act to amend provisions of law relating to the Administrative Conference of the United States; and

S. 3959. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments.

S.J. Res. 221. A joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRIBUTES TO SENATOR ANDERSON TO BE COMPILED AND PRINTED AS A SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the tributes which have been delivered and which will be delivered with respect to our distinguished colleague, the senior Senator from New Mexico (Mr. Anderson), who will be retiring voluntarily at the end of this session, be compiled and printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Mississippi (Mr. Stennis) to call up a bill which I understand has been cleared with the leadership on both sides.

SPECIAL PAY FOR NUCLEAR OFFICERS AND ENLISTED MEN

Mr. STENNIS. Mr. President, I call up the bill H.R. 16925, relating to special pay for nuclear qualified officers, both surface and submarine types, and nuclear trained and qualified enlisted personnel. I have submitted the report thereon from the Committee on Armed Services, which has not been printed, and I ask unanimous consent to have it printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. STENNIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 16925) to amend title 37, United States Code, to extend the authority for special pay for nuclear qualified naval submarine officers, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

Mr. STENNIS. Mr. President, the bill was passed by the House in the last few days, along with other legislation that relate to bonus pay or compensation for the military. This bill itself has very narrow application. First, it pertains only to the officers and enlisted men who are in the nuclear field qualified to supervise and operate nuclear power plants. They are the nuclear technicians on the propulsion plants of the nuclear-powered submarines, carriers, and frigates.

And, of course, we shall have additional ones of these coming into service as time goes on.

We have a bonus provision in the law now that gives these men a bonus for reenlisting after they serve their first enlistment. If they enlist, say, for 3 years, they will receive a certain bonus based upon their rating and their salary, which, of course, is based upon their attainments in this field of nuclear engineering.

We do not have a provision under present law that would permit the Navy—and this is confined to the Navy—to pay these men who serve in their second reenlistment. In other words, there is no special inducement that the Navy has to keep these men, who by this time are becoming senior petty officers in the nuclear field, and who, are very much in demand by private industry. They are taken out for jobs that range up to $15,000, $18,000, $20,000 or more. This proposal would provide an additional weapon, you might say, or means to keep these men that they want to keep, and induce them to reenlist for a second term. It is a discretionary matter as to whether or not a person is asked to reenlist, especially at this increased pay.

We have not held any hearings ourselves on this bill, Mr. President, and I am relying on the hearings held by the House of Representatives. But this is a highly specialized group. They cannot just be hired overnight. It takes a long time to train them, and the very ones who are hired away are the ones who are most needed. I am satisfied that it would be better to go on and enact this law now.

There is another phase to the measure. The officers do not receive any increase, but there is a provision which extends a present law providing certain bonuses for the officers from June 30, 1973, when it will expire, to June 30, 1975.

What this bill does is to provide a bonus for those with between 6 and 10 years of service under which they will be paid up to a maximum of $15,000 if they reenlist for certain periods of time not to exceed 6 years. The average payment would be from somewhere between $8,000 to $10,000.

The bill has very little effect on nuclear trained officers since existing law already authorizes such bonuses.

The bill does extend existing law from June 30, 1973, until June 30, 1975, and expands the scope of the law to include the surface-type nuclear trained engineers rather than the submarine-type which are covered under existing provisions.

The bill would affect only about 1,400 enlisted men and 150 officers in fiscal year 1974 at a cost of 4.8 million increasing to about 1,800 total people affected in fiscal year 1975 with a total estimated cost of about 6 million.

Mr. President, this is a pressing problem and I hope the Senate will pass it.

EXHIBIT 1

SPECIAL PAY FOR NUCLEAR-QUALIFIED NAVAL SURFACE OFFICERS AND ENLISTED MEMBERS WHO AGREE TO REENLIST

The Committee on Armed Services, to which was referred the bill (H.R. 16925) to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 16925 is to continue for 2 additional years the special pay for nuclear-qualified submarine officers who contractually agree to remain beyond their minimum obligated service, to authorize special pay for nuclear-qualified naval surface officers who agree to continue service in that field beyond their obligated tour of duty, and to provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist. The authority is provided to run through June 30, 1975.

EXPLANATION OF THE BILL

This legislation is designed to provide monetary incentives which will increase the number of nuclear-trained and qualified officers and enlisted men who volunteer to remain on active duty to serve the needs of our nuclear naval fleet. By Public Law 91–20 the special pay of $15,000 was provided for nuclear-qualified submarine officers who contractually agree to serve in active nuclear submarine service for 4 additional years. At the time this legislation was enacted, the established goal was twofold: (1) to retain sufficient qualified officer personnel to meet the at-sea manning requirements and (2) to rebuild the nuclear submarine officer inventory following the excessive losses of the past so as to allow an equitable sea-shore rotation opportunity for these officers.

The rapidly decreasing retention was successfully arrested at 28 percent and subsequently raised to 40–45 percent for the more junior officers now completing their period of minimum obligated service. This equates to a current retention rate of about 110 officers per year as opposed to the 75 retained per year when the retention decline was arrested.

Similar action is now required to improve the retention of nuclear-qualified and experienced officers and petty officers assigned to duty in nuclear-powered surface ships. The nuclear-powered surface fleet is in the process of expansion from four to 11 major ships, which will triple officer manning in the next 2 years. These nuclear-qualified surface officers currently receive no special pay or allowances of any kind and their average retention rate is a totally unacceptable 11 percent. This retention rate cannot support the future requirements for adequate experienced supervision of the surface naval nuclear propulsion plants.

The bill provides a special continuation pay for nuclear-qualified and experienced enlisted personnel who reenlist and continue to contribute their significant experience and technical expertise by serving on board the surface ships and submarines of the nuclear-powered fleet. It also would extend for 2 years the very successful officers continuation pay for officers serving in the nuclear submarine fleet and make that pay available to officers who are on active duty in connection with supervision, operation, and maintenance of naval nuclear powerplants.

The necessity for this urgent legislative measure has been created by inadequate retention of highly trained and experienced nuclear-qualified petty officers. This has produced a situation which, if continued at the present low reenlistment rates, threatens the Navy's ability to provide the necessary experienced supervisory personnel for the naval nuclear propulsion plants. Decreasing reenlistment rates of experienced nuclear propulsion plant operators completing 6 to 9 years of service coupled with expanding requirements to man new nuclear-powered ships under construction has created a critical shortage of these highly trained supervisory personnel. If forceful corrective action is not immediately taken to reverse this critical experience level decline, the Navy will not be able to assure continued *safe* and *reliable* operation of the Nation's *nuclear-powered fleet*, which includes the Polaris/Poseidon submarine deterrent force.

The problem currently facing the Navy has developed following a period of dramatic growth in the size of the nuclear Navy. Prior to the early 1960's when the nuclear-powered fleet was very small, only career oriented petty officers from the conventional fleet were accepted for nuclear-propulsion training. Due to the tremendous expansion of the program with the building of the Polaris submarines in 1963–65, the primary input to the nuclear propulsion program was shifted to large numbers of new recruits. The program requires a 6-year service obligation, 2 years in training ashore followed by 4 years service in the fleet. The original groups of new recruits who entered the program at the beginning of the expansion in 1963 reached the end of their obligated service in fiscal year 1970 and only 19 percent reenlisted. In fiscal year 1971, the figure was 16 percent, and in fiscal year 1972 it further declined to 14 percent. A retention rate of 38 percent is required to sustain the necessary experienced operator manning level. This problem is identical to that which occurred with nuclear-qualified submarine officers in 1968, when the first groups of direct input officers reached the end of their minimum obligated service and a serious retention crisis developed.

The effect of this decreasing experience level is significant. In 1968, when there were 128 nuclear submarine crews and four nuclear-powered surface ships, the Navy had 1,900 experienced petty officers. Today, with 143 nuclear submarine crews and seven nuclear surface ships, it is down to 1,500 experienced petty officers. The situation is unsatisfactory, and is rapidly growing worse.

If the reduction in retention of nuclear-qualified petty officers was principally a result of the shift to new recruits, why does it keep going down? The answer here is similar to that in the case of the nuclear submarine officers, in which the retention crisis was solved by the highly successful special continuation pay legislation enacted by the Congress in 1969. The high standards of training required and the mandatory adherence to prescribed operating procedures places unusual demands upon the nuclear-qualified individual. Simply stated, operating and maintaining a nuclear propulsion plant is hard work. It requires dedicated professional performance to rigid regulations, enforced by exacting inspections periodically conducted to insure continuing reactor safety. We are engaged in a rapid downward spiral. As more veteran nuclear plant operators leave the Navy, the supervisory burden becomes greater on those experienced personnel who choose to remain.

An additional influence is the severe competition the Navy's nuclear propulsion program faces from the civilian nuclear power industry. The highly trained enlisted operators are offered more pay than they receive in the Navy, less time away from their families, and far less arduous working conditions. The maximum salaries offered to ex-Navy nuclear operators are in the $17,000 to $20,000 bracket. This legislation would greatly improve the Navy's ability to compete with these incentives.

The Navy has employed every measure available to it to improve the conditions of service and thereby attempt to reverse the retention decline, without success. The people-oriented policies of the Chief of Naval Operations have certainly helped and all existing monetary incentives have been approved for nuclear-qualified enlisted personnel. Under existing legislation, no special reenlistment bonus incentives are available beyond the 8th year of service.

This bill contains monetary reenlistment incentives available to nuclear-qualified petty officers who reenlist for at least 4 years or incur sufficient obligated service to reach the 12th year of service. A typical nuclear-trained petty officer with 8 years service who reenlists for at least 4 years would receive a bonus based on a multiple of his basic pay at the time of reenlistment. The average amount payable would be about $12,000, paid in equal annual installments of about $3,000 per year during the 4 years of his additional term of service. The plan is designed so there would be no special bonus for service accrued beyond the 12th year, where reenlistment rates are currently adequate. Each member would be allowed only one bonus, and in no case would a total bonus ever exceed $15,000.

Surveys have been taken of the enlisted nuclear people, and the Navy has the highly successful nuclear submarine officer example to show that this bonus approach will work. This legislation would authorise the expenditure of around $12,000 to retain one nuclear-qualified petty officer for an additional 4 years. His fresh replacement would cost $20,000 to train, a conservative accounting figure. When this legislation is enacted, the cost for fiscal year 1973 is estimated to be $2.4 million. The annual cost would increase during the out-years and stabilize at about $6 million per annum. In comparison, the average avoided expenditure over the next 5 years resulting from reduced training requirements would be approximately $10 million per year, yielding a net saving of $4 million per year. Additionally, when weighed against the multibillion dollar investment in our nuclear fleet and the vital role these nuclear personnel play in support of the Nation's safety and security, this legislation is most cost-effective.

For the remainder of fiscal year 1973 approximately 60 nuclear surface officers would receive the bonus at the rate of $3,750 per man which amounts to a total cost of $220,000. It is estimated that 633 enlisted men would receive this bonus at a total cost of $1,900,000 in fiscal year 1973.

FISCAL DATA

Funds for implementing the purposes of this legislation are not inculded in the fiscal year 1973 budget estimates but the committee has been advised that the estimated additional costs of implementing this proposal will be absorbed within the fiscal year 1973 funds available to the Department of the Navy. The estimated total cost of these programs as recommended by the Committee on Armed Services is as follows:

[Dollar amounts in millions]

Fiscal year	Nuclear submarine officers		Nuclear surface officers		Nuclear enlisted		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Remainder fiscal year 1973			60	$0.220	633	$1.700	693	$2,120
1974	75	$0.225	80	.285	1,433	4.299	1,588	4.809
1975	225	.731	100	.353	1,833	5.499	2,158	6,583

The table is based on the following assumptions:

1. All payments will be made in equal annual installments.

2. The offer will be approximately 50-percent effective among junior nuclear qualified submarine officers.

3. The offer will be approximately 30-percent effective among junior nuclear qualified surface officers.

4. Nuclear qualified submarine officers are eligible for an existing retention enhancing bonus under existing legislation and budgeting until June 30, 1973. Therefore, no additioned expenditures are shown for this category for fiscal year 1973.

5. The offer will result in an approximate 25-percent increase over current enlisted retention rates.

DEPARTMENTAL POSITION

The Department of the Navy on behalf of the Department of Defense submitted its legislative proposal in the letter set forth below and hereby made a part of this report.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., July 19, 1972.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation to amend title 37, United States Code, to provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes.

This proposal is part of the Department of Defense Legislative Program for the 92d Congress. The Office of Management and Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to increase the number of reenlistments of nuclear-trained and qualified enlisted members in an experience range of 8 to 12 years of active duty. Decreasing rates of reenlistment by nuclear-trained petty officers in this experience range, coupled with increased requirements to man additional nuclear-powered ships, are creating an unacceptable shortage of these experienced personnel. Corrective action is necessary now to reverse this trend in order to influence the large numbers of prospective candidates who become eligible for separation in fiscal year 1973 and subsequent years. The Navy's ability to continue safe and reliable operation of our nuclear-powered ships is dependent in large measure on the attractiveness of continued career service to these highly trained and experienced specialists.

The input of enlisted members to the naval nuclear propulsion program prior to 1963 consisted primarily of volunteer, high quality, career petty officers from the fleet. With rapid expansion of the nuclear propulsion program, this volunteer source from fleet career assets was soon depleted. As a consequence, and since 1963, the primary enlisted source has been direct input that is made up of enlisted members recruited directly from civilian life for the naval nuclear propulsion program. Because initial service obligation of these direct input enlisted men is 6 years for the nuclear program, the first large numbers became eligible for career reenlistment during fiscal years 1969 and 1970. In fiscal year 1970 only 19 percent of these men chose to reenlist. The corresponding figure for fiscal year 1971 was 16 percent, and during fiscal year 1972 the percentage further decreased to 13.5 percent. Continued success of this vital and expanding Navy program demands improvement in the number of career aspirants. The Navy calculates the minimum desirable sustained requirement at approximately a 38-percent reenlistment rate for experienced nuclear-trained petty officers between their sixth and eighth year of service.

The adverse impact of the declining reenlistment rates is further amplified by the fact that nuclear-powered submarines and surface ships are already undermanned in nuclear-qualified chief and experienced first class petty officers. By comparison, in 1965 there were 6,400 nuclear-trained enlisted personnel, 2,000 of whom were experienced men with over 8 years of service. Yet, despite program expansion to 8,100 personnel by fiscal year 1972, numbers of experienced men with over 8 years of service contracted to 1,500. This represents a significant percentage decline in senior experienced petty officers from 32 to 19 percent.

This decline in experience level on our ships is self-defeating in that a greater load of operation, maintenance, and training is falling on smaller numbers of experienced people. This increased load occurs at the very time when the experienced enlisted man must also make his first real career decision. Prior to this time monetary compensation was adequate. Upon career reenlistment in the sixth to eighth year, however, insufficient monetary incentives are available to help encourage a favorable reenlistment decision. This constitutes a negative pay incentive situation which is further aggravated by the fact that the unique training and experience which these nuclear-trained enlisted personnel received in the Navy make them extremely attractive to employers in the rapidly expanding civilian power industry. With resultant increases in workload and without competitive compensatory incentives, fewer experienced people agree to remain in the Navy.

The situation outlined above resembles in a number of aspects that which prevailed with nuclear-trained officers in 1968, for which urgent legislative action in the form of special nuclear submarine officer continuation pay was requested by the Navy and authorized by the Congress in 1969. As was so clear in the officer case, a declining retention situation in a small community is self-destroying and can only be sustained for a relatively short period of time before continued retention decreases accelerate to unacceptable levels. Dramatic corrective action is then required. In this case, the greater the loss of senior and experienced petty officers, the less the shore duty opportunity, the more severe the training burdens on those that remain, the more difficult the maintenance tasks, the more frequent the supervisory watch-standing duties, the longer the hours, and the greater the losses of potential careerists who might otherwise have remained in the Navy.

As the above situation developed over the past several years, steps were taken to increase inputs of new recruits into the nuclear power program. It is now recognized that these increased inputs have only served to maintain adequacy of overall numbers. Declining career retention has produced a critical experience shortage in spite of overall growth in inventory. Further increases in input to counter accelerating experience losses is now an unacceptable alternative. The seniority shortage crisis cannot be solved by numerical replacement with inexperienced personnel. In addition, training plans to accommodate low and declining career reenlistments gave already pressed the needed input to the full limits of capacity at the six Atomic Energy Commission operated land-based reactor prototypes at which Navy personnel must receive basic reactor plant training. Our training facilities must regain a posture below maximum limits to provide growth requirements needed as new ship/submarine programs come into being. In this regard, plans are under active consideration by Director, Division of Naval Reactors, Atomic Energy Commission, to mate an engineroom to an experimental reactor to provide a seventh prototype. However, this additional prototype will only offset program growth and will not produce a training output to offset numerical losses due to declining retention. Improved retention must be achieved now to solve both overall manning and needed experience levels.

As a consequence of the above, the Navy proposes a method to increase voluntary reenlistments of nuclear-qualified and experienced enlisted personnel. The Department of Defense considers enactment of this proposal essential to achieve this goal. The key feature of this proposal is that we will be able to apply monetary compensation at the point where it is vitally needed—the member-trained and qualified enlisted man making his career reenlistment decision beyond his sixth, seventh, and eighth year of service in return for his reenlistment to remain at least through the 10th, 11th or 12th year of service.

Under regulations prescribed by the Secretary of Defense, an eligible member who reenlists may receive from 1 to 6 months basic pay for each year of the reenlistment agreement. The maximum bonus payable to any one individual under this proposal is $15,000 per reenlistment. The implementing regulations will provide that the Secretary of the Navy will determine semiannually the necessity for continuation of the special pay as well as the appropriate multiple of basic pay to be awarded for each year of additional obligated service. Upon reenlistment, the total amount payable shall become fixed and shall be paid in equal yearly installments over the period of the reenlistment contract except that in meritorious cases the amount may be paid in fewer installments if the Secretary of the Navy determines it to be in the best interest of the member. The regulations will further provide that members who have served on active duty less than 6 or more than 10 years will not be eligible to reenlist for this special pay. In no case will a member be paid beyond his 12th year of service.

This legislation proposes a significant bonus in return for obligated service and will be applicable only upon acceptance by the Secretary of the Navy of a reenlistment agreement of at least 2 years. However, by regulation it will be available only once to each eligible nuclear-trained and qualified enlisted petty officer and is not competitive with any other compensatory entitlements now existing, such as variable reenlistment bonus. A member electing to receive incentive payments under this proposal would terminate his entitlement to receive any further compensation under the first term variable reenlistment bonus as provided for in section 308(g) of title 37. Provision is made for establishment of regulations relating to recovery of appropriate portions of the special pay in the event the member fails to complete his reenlistment contract or loses his technical qualifications for duty in support of naval nuclear propulsion plants.

It is recognized that one of the priority items in the Department of Defense legislative program for the 92d Congress is the Uniformed Services Special Pay Act of 1972 which has been introduced in the House of Representatives as H.R. 14545 and in the Senate as S. 3410. The Special Pay Act contains authority for a highly flexible selective reenlistment bonus which is ideally suited to address the Navy nuclear retention problem. However, the need for an immediate authority to provide a monetary incentive to arrest the alarming loss rate of experienced nuclear trained and qualified petty officers is of such urgency that the submission of separate legislation is mandatory. Accordingly, approval of the request will improve the conditions of service for career-oriented petty officers who remain, and assure the continued safe operation of the Navy's nuclear-powered ships. When the Uniformed Services Special Pay Act becomes law, it will supplant this legislation.

COST AND BUDGET DATA

If implemented in fiscal year 1973, annual costs would be:

	Number paid [1]	Estimated annual payment to each member	Total estimated annual cost (millions)
Fiscal year:			
1973	800	$3,000	$2.4
1974	1,600	3,000	4.8
1975	2,000	3,000	6.0
1976	2,000	3,000	6.0

[1] It has been assumed the special pay will result in the needed 20-percent increase over current retention rates.

Funds for this purpose were not included in the fiscal year 1973 budget estimates, but the estimated additional cost of implementing this proposal will be absorbed within the fiscal year 1973 funds available to the Department of the Navy.

Sincerely yours,

JOHN W. WARNER,
Secretary of the Navy.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of Rule XXIX of the Standing Rules of the Senate, there are printed below in parallel columns existing law and changes proposed to be made to existing law by the bill.

EXISTING LAW

Title 37, United States Code Chapter 5. Special and Incentive Pays Sections 312 Special pay: nuclear-qualified submarine officers extending period of active service

(a) Under regulations to be prescribed by the Secretary of the Navy, an officer of the naval service who—

(1) is entitled to basic pay;

(2) is currently designed "qualified in submarines";

(3) has the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants;

(4) has not completed ten years of commissioned service; and

(5) executes a written agreement to remain in active submarine service for one period of four years in addition to any other period of obligated active service, may, upon the acceptance by the Secretary or his designee of the written agreement, in addition to all other compensation to which he is entitled, be paid a sum of money not to exceed $3,750 for each year of the active-service agreement. The Secretary of the Navy shall determine semiannually the necessity for continuance of the special pay and the rate of special pay per year for such active-service agreement accepted within each six-month period. Upon acceptance of the agreement by the Secretary or his designee, the total amount payable shall become fixed and shall be paid in four equal yearly installments, commencing at the expiration of the initial obligated service; except, the Secretary or his designee may accept the active-service agreement not more than one year in advance of the expiration

THE BILL AS REPORTED

That chapter 5 of title 37, United States Code, is amended as follows:

(1) The catchline of section 312 and the corresponding item in the chapter analysis for that section are each amended by striking out "submarine".

(2) Section 312 is amended—

(A) by striking out clause (2) of subsection (a);

(B) by striking out "in active submarine service" in clause (5) of subsection (a) and inserting in place thereof "on active duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants";

of the initial obligated active service and the amount may then be paid in five yearly installments, not to exceed $3,000 per year, commencing with the date of acceptance of the agreement.

(b) No more than one agreement for each officer shall be accepted under this section.

(c) Pursuant to regulations prescribed by the Secretary of the Navy and subject to such exceptions as may be prescribed in those regulations, refunds, on a pro rata basis, of sums paid pursuant to this section may be required if the officer having received the payment fails to complete the full period of four years of active submarine service which he agreed to serve.

(d) Nothing in this section shall alter or modify the obligation of a regular officer to perform active service at the pleasure of the President. Completion of the additional period of four years' active submarine service under this section shall in no way obligate the President to accept the resignation submitted by a regular officer at the end of the four-year period.

EXISTING LAW

(e) The provisions of this section shall be effective only in the case of officers who, on or before June 30, 1973, execute the required written agreement to remain in active service.

(C) by striking out "submarine service" in subsection (c) and inserting in place thereof "duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants";

(D) by striking out "submarine" in subsection (d); and

THE BILL AS REPORTED

(E) by striking out "1973" in subsection (e) and inserting in place thereof "1975".

(3) By adding the following new section:

"§ 312a. Special pay: nuclear-trained and qualified enlisted members

"(a) Under regulations prescribed by the Secretary of Defense, an enlisted member of the naval service who—

"(1) is entitled to basic pay;

"(2) is currently qualified for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants; and

"(3) has completed at least six, but not more than ten, years of active duty and executes, when eligible, a reenlistment agreement for not less than two years;

may upon acceptance of the reenlistment agreement by the Secretary of the Navy or his designee, be paid a bonus not to exceed six months of the basic pay to which he was entitled at the time of his discharge or release, multiplied by the number of years or the monthly fractions thereof, of additional obligated service, not to exceed six years, or $15,000, whichever is the lesser amount.

"(b) Bonus payments authorized under this section may be paid in either a lump sum or in installments.

"(c) An amount paid to a member under subsection (a) of this section is in addition to all other compensation to which he is entitled and does not count against the limitation prescribed by sections 308(c) of this title concerning the total amount of reenlistment bonus that may be paid. However, if he receives payment under this section, he is not entitled to any further payments under section 308(g) of this title.

"(d) Under regulations prescribed by the Secretary of the Navy, refunds, on a pro rata basis, of sums paid under subsection (a) of this section may be required, and further payments terminated, if the member who has received the payment fails to complete his reenlistment contract, or fails to maintain his technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants.

"(e) Provisions of this section shall be effective only in the cases of members who, on or before June 30, 1975, execute the required written agreement to remain in active service."; and

(4) by inserting the following new item in the analysis:

'312a. Special pay: nuclear-trained and qualified enlisted members.".

Mr. JACKSON. Mr. President, I merely wish to say that this is a very difficult and troublesome problem in the Navy. There is no area of naval operations that plays a more important part as far as personnel are concerned than the maintenance of the expertise needed for nuclear-qualified and nuclear-trained personnel. I understand this; it goes to the nuclear program both for submarines and for surface ships. It is a special expertise which the Navy has been losing very rapidly, and the sole thrust of the effort is to provide the incentive and the inducements to maintain that expertise and that quality of excellence that has been developed. If that is not done, the trend of the movement of the enlisted personnel from the Navy to private industry will go on unabated, and I feel that under all the circumstances, while there are problems involved with this, as there are with anything else, it is a wise course, because people who are trained and qualified in this area play a major role in the maintenance of the forces that are necessary. I commend the chairman of the committee for bringing it up.

Mr. STENNIS. I thank the Senator from Washington for his statement and his interest.

There is one other point involved here: The matter of the cost of the bill.

The provisions that we are applying, it is estimated, would cost, for fiscal year 1973, only $2.8 million, because a part of the year has expired, and it takes time to get into operation, but by fiscal year 1974 the added cost would be only $4.18 million.

I yield to the Senator from Vermont, who wishes to inquire about these matters.

Mr. STAFFORD. Mr. President, I appreciate the distinguished chairman of the Armed Services Committee yielding to me, basically for a question, but before I reach the question I want to assure the chairman of the Committee on Armed Services that I heartily support the legislation he has offered here this afternoon.

When it came over from the House of Representatives, a companion piece of legislation, H.R. 16924 came with it, and I had earlier intended to offer H.R. 16924 as an amendment to the pending bill, but I shall not do so. H.R. 16924, as a companion piece, had to do with reenlistment bonuses and special pay for doctors and skilled enlisted people in the other branches of the armed services who are in very high demand. It is, we believe, the final piece in the necessary steps to achieve an all-volunteer armed force by June 30, 1973.

My question to the chairman would simply be this: I would hope that when the Armed Services Committee reconvenes in the 93d Congress, the committee will be in a position to take up a bill similar to H.R. 16924 and hold hearings with respect to it.

Mr. STENNIS. Mr. President, those bills are certainly worthy of consideration. I would not indicate what my individual support of them would be, because I just do not know at this point. They should have hearings before they are brought before the Senate, of course, and must have hearings; and they are entitled to hearings on their merits. As far as I am concerned, it would be my purpose, as soon as we could get to them, to get into that and consider those provisions and any others related thereto. We will certainly be holding hearings on those measures.

Mr. STAFFORD. I appreciate that statement, and I again say I heartily support the pending legislation.

Mr. STENNIS. I thank the Senator very much for his interest and his inquiry.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. STENNIS. I yield.

Mr. JAVITS. Mr. President, I respect the action of the Armed Services Committee in bringing in this bill, which as I understand is exactly the House bill, and at this stage of the session would make no effort to put in any amendment, but it does give me indication to ask the Senator about a bill which we in New York have been very much interested in, which would make officers who are graduates from the Merchant Marine Academy eligible for the Naval Reserve. I hope very much the chairman might be able to give me some encouragement as to early consideration of that measure by the committee.

Mr. STENNIS. Yes. I appreciate the Senator's interest in the bill. He did mention it to me before; I believe he wrote a letter.

We went into the bill to some extent, but we certainly could not bring it to the floor without a hearing. It has already been listed in our agenda, and so far as I am concerned, we will have hearings on it just as soon in the year 1973 as we possibly can.

Mr. JAVITS. I am grateful to the Senator. Knowing him as I do, I know it will really be as early as possible.

Mr. STENNIS. I appreciate the Senator's interjection. I am sure we will get into that, and we will want him as a witness, too.

Mr. JAVITS. I thank the Senator.

Mr. STENNIS. Mr. President, I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, there is a minor matter which I know no way to get before the Senate except to inquire of the Senator from Mississippi whether he would consider accepting it as an amendment to his bill.

This involves a gift by the Navy to the city of Clifton Forge, Va., of a surplus steam locomotive no longer needed by the Navy and which has certain historical significance for the city of Clifton Forge.

What is required under the law, if we do not have an act, is a letter from the Navy and a waiting period. The actual letter from the Navy is on its way up here now; but in order to waive the waiting period which would permit the delivery of this locomotive, we would need a provision that section 7545(c) of title X would not apply with respect to the gift by the Navy of this locomotive after the date of enactment of the act.

Here I have to make a disclosure, because among the citizens of Clifton Forge, Va., who have been trying for some length of time to secure the locomotive—which is one of several being made available by the Navy to communities—is my brother. While no cost is involved in this matter that I know of, and there is no conflict of interest, I have never made any request for a member of my family before. I think I have to make the disclosure that one of the citizens involved in this matter, simply as a citizen, is my brother, Norman Scott, and I would not want to ask for any accommodation here without making that disclosure. He appears only as one of a number of citizens of this community who have been negotiating with the Navy.

The Navy has agreed to send the locomotive. A letter is on its way up here with respect to the gift of the locomotive.

I believe there is a waiting period of 30 legislative days which can be eliminated by acceptance of the amendment. This can be done without cost to the Federal Government. It does not affect expenditures here, so far as I am aware; and, under the circumstances, I hope the Senator can accept the amendment.

Mr. STENNIS. Mr. President, I do not know what the attitude of the House would be with respect to accepting this amendment. Has the Senator from Pennsylvania cleared this matter with anyone in the House who might be interested?

Mr. SCOTT. I understand that there is no objection in the House, but I cannot say that I have cleared it with anyone who would be sitting in the conference. I think the Members from that area of Virginia would be interested. As the Senator knows, there is no Member of the House representing that particular district in Congress at this time, since the Representative, Mr. Poff, has been elevated to the court, which is another reason why I am interesting myself in the matter. There is no House Member available.

Mr. STENNIS. Has this locomotive actually been offered by the Navy to the city of Clifton Forge?

Mr. SCOTT. Yes. The locomotive actually has been offered by the Navy. It is one of several locomotives being made available to several communities. Clifton Forge is a railway junction town, much like my own town of Altoona, Pa. They wish to commemorate the steam locomotive and to establish some historical activity around its existence there before steam locomotives are entirely lost to future generations.

Mr. STENNIS. What is the purpose of the 30-day delay, if the Senator knows?

Mr. SCOTT. It is simply in the act that there shall be a delay in order that anyone interested might interpose an objection. Negotiations have been going on for some time. No objections have been lodged. This is a public request which has been reported in the press, I understand, in Clifton Forge.

Mr. STENNIS. Mr. President, on these complicated bills with reference to salary increases, I had said that if any amendment—meaning an amendment along that line—was offered, I would have to withdraw the bill—amendments we had not had a chance to consider regarding salaries. But I see no objection at all to this matter, and I am willing to accept the amendment. It is up to the House as to whether it will be adopted. There is a very short time. If the House does not accept it promptly, the bill will be in jeopardy.

Would the Senator from Pennsylvania follow up on it this afternoon?

Mr. SCOTT. I would be glad to follow up. I will see that a copy of the letter from the Navy, as soon as received, goes to one of the members of the House Armed Services Committee.

Mr. STENNIS. If the Senator from Pennsylvania would take the responsibility to get this bill back here if his amendment is not accepted, I would be willing to accommodate him. No money would be involved as a result of this amendment.

Mr. SCOTT. I will be glad to do all I can to help get the bill over. We are all acting under last-minute pressures.

Mr. STENNIS. I mean to get it back here if the House does not adopt the amendment.

Mr. SCOTT. I will do my best to get it back here. As the Senator knows, I do not want to jeopardize his bill, because I realize the importance of it. I would want nothing to happen which would jeopardize his bill.

Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

At the end of the Act insert a new section as follows:

SEC. —. That the provisions of section 7545(c) of title 10, United States Code, shall not apply with respect to any gift made after the date of enactment of this Act and prior to January 1, 1973, by the Department of the Navy to the city of Clifton Forge, Virginia, of a Baldwin steam locomotive (No 606) which is no longer needed by the Navy and which has certain historical significance for the city of Clifton Forge, Virginia.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 16925) was read the third time, and passed.

RECESS UNTIL 6:30 P.M.

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess until 6:30 p.m. today.

The motion was agreed to; and at 4:57 p.m. the Senate took a recess until 6:30 p.m.; whereupon, the Senate reassembled when called to order by the Senator from California (Mr. CRANSTON).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had concurred in the amendments of the Senate numbered 1 and 2 to the amendment of the House to the bill (S. 3858) to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes; and that the House insists on its disagreement to the amendments of the Senate numbered 3 and 4 to the amendment of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973; and that the House had receded from its disagreement to the amendment of the Senate numbered 10 to the bill with an amendment in which it requests the concurrence of the Senate.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STENNIS). Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. CRANSTON. Mr. President, I ask unanimous consent that three members of my staff be on the floor during the consideration of the debt limitation conference report. They are Carolyn Jordan, Roy Greenaway, and Murray Flander.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that Eugene Mittelman and Kenneth Guenther, of my staff, may be permitted on the floor of the Senate during the consideration of the debt ceiling conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I again suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENSON. Mr. President, I ask unanimous consent that a member of my staff, Mr. Harold Wolman, be permitted the privilege of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MOSS). Without objection, it is so ordered.

PUBLIC DEBT LIMITATION—CONFERENCE REPORT

Mr. LONG. Mr. President, I submit a report of the committee of conference on H.R. 16810, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. MOSS). The report will be stated by title.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of October 14, 1972, at p. 36520.)

Mr. LONG. Mr. President, I ask unanimous consent that Frank Crowley, of the Congressional Research Service, be granted the privilege of the floor during the debate on the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that two members of my staff, Robert Keating and Dan Spiegel, be granted the privilege of the floor during the consideration of the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I ask unanimous consent that an additional staff member of mine, Nolan McKean, be granted the privilege of the floor during the consideration of the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a member of my staff, my administrative assistant, Howard Shuman, be granted the privilege of the floor during the consideration of the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, as the Senate knows, I have not been in favor of giving the President unlimited authority to determine where the expenditure cuts should be made, in order to live with the $250 billion expenditure ceiling. In the tie vote in the Committee on Finance, I was one of those who favored imposing restrictions on the President's authority in making reductions to achieve the $250 billion expenditure ceiling. My views on this point account for my unwillingness to manage this bill on the floor of the Senate last week. Nevertheless, I found myself as chairman of the Senate conferees which had to deal with the House conferees on this point.

I might say that 90 percent of the discussion and time in the conference on the debt limitation was devoted to the Jordan amendment. I, of course, was fully aware that the Senate wanted us to yield as little as possible in this area, and I want the Senate to know that it is my sincere belief that what we bring back was the very most that could have been obtained from the House conferees at that time.

The Director of Office of Management and Budget and also the Secretary of the Treasury both informed the conferees that the Jordan amendment calling for a proportionate cut in all appropriations programs and activities, with the exception of certain excluded categories was a completely and totally unworkable approach, at least from their point of view. They indicated they could not possibly make the reductions on this basis. In doing this, they pointed out that this total on which they were supposed to make across-the-board cuts included such items as farm price supports, postal service, and expenditures for prior year contracts and obligations, as well as other uncontrollable items amounting to approximately $57 billion. In addition, they indicated that even in other programs a rigid across-the-board cut was not a feasible way of making reductions.

The administration contended that because relatively uncontrollable items, as shown in the budget document, amounted to nearly $175 billion out of the budget total of $246 billion, it was necessary for them to have a substantial flexibility in making cuts in the remaining budgetary items. The most that they were willing to concede gave them adequate flexibility to reduce the spending total to $250 billion was the right to make cuts of up to 25 percent in very broad functional categories. I have had distributed to each Senator certain tables to which I would like to call his attention, and one of these is headed "Broad Functional Categories."

The table referred to follows:

Summary of budget outlays for fiscal year 1973, by broad functional budget categories, as estimated in January 1972

[In millions of dollars]

Function and code:		Outlay estimate
050	National defense [1]	78,310
150	International affairs and finance	3,844
250	Space research and technology	3,191
350	Agriculture and rural development	6,891
400	Natural resources and environment	2,450
500	Commerce and transportation	11,550
550	Community development and housing	4,844
600	Education and manpower	11,281
650	Health	18,117
700	Income security	69,658
800	Veterans benefits and services	11,745
850	Interest	21,161
900	General government	5,531
940	General revenue sharing	5,000
	Allowances:	
	Pay raises (excluding Department of Defense)	775
	Contingencies	500
	Undistributed intragovernmental transactions	−8,590
	Total	246,257

[1] Includes allowances for military retirement systems reform and civilian and military pay raises for Department of Defense.

Mr. LONG. Mr. President, if the Senators will look at this table, they will note that the smallest total shown in this functional classification is $2.45 billion. This is in the category, "Natural Resources and Environment." A 25-percent cut in this category would have permitted the President to have eliminated over $600 million in terms of any program or combination of programs in this particular category. In the area of community development and housing, the cut in any program or combination of programs within this category could have been $1.2 billion. In most other categories, as the Senators can readily see by looking at the table, the cuts could be substantially larger than this. As the Senators can see, the minimum authority the administration was willing to accede to could have wiped out virtually any program it saw fit to.

While many of the Senators may be dissatisfied with the conference agreement that we brought back, I believe I can demonstrate that in the conference agreement, the power of the President to make expenditure reductions as a result of this act is very substantially reduced from the authority which the administration indicated was the minimum under which they could operate. First of all, as under the Jordan amendment, a series of exemptions are provided where the President is given no authority to make any reservation in spending authority under this bill. In most respects, these categories are similar to those in the Jordan amendment. They differ from the Jordan categories in that civil service annuities and railroad retirement annuities and pensions have been added, while interest, social service grants, and food stamps have been eliminated. One other change should also be noted—the right to make reductions in administrative costs of these programs and the right to delay construction in the case of any of these programs is retained and remains under the 20-percent limit. Obviously, the omission of interest from the Jordan categories makes no difference since this is clearly not subject to administration control. Similarly, I think that they will find it very difficult to make changes in the social service grants and in the food stamp programs, which also are in the category of budget uncontrollable items. As a result, I believe that there is little difference between the Jordan amendment and the conference agreement insofar as the exempt categories are concerned.

Let me turn now to the percentage maximum cut. The Jordan amendment in one part required a proportionate reduction and in another part permitted a reduction of no more than 10 percent. It was never clear to me how these two provisions were intended to interrelate. In any event, as I have already indicated, the proportionate cut in all categories other than exempt categories, the administration said was totally unworkable. As a result, the Senate conferees found it necessary to direct their attention to the percentage cut allowed by the Jordan amendment. Our effort here was to hold the percentage to the lowest possible figure and to divide the categories to which it applied into as many categories as possible since this has the effect of limiting the reduction which can be made in any one program. We believe that this was in line with the purpose of the Jordan amendment.

A 20-percent limitation was as low as the House conferees were, under any conditions, willing to go. Even this was strongly objected to by the administration. Also, instead of using the broad categories which I have already referred to, which divides the budget into only 17 functional categories, we insisted on using a more detailed functional classification. The functional classification we insisted upon is one shown in table 15 of the budget, which is also reproduced in abbreviated form and appears on each Senator's desk. This table contains 68 functional categories. In the compromise worked out, we finally agreed to reduce the number of functional categories for purposes of this cutting authority to 50. It is important for the Senators to note, however, that the functional categories where we permitted combinations in order to make the reduction to 50 are both those, for the most part, which tend to be those which I believe are less sensitive to the Senators and also are the relatively smaller categories. As a result, this combination of categories has not increased appreciably the ability of the administration to delete programs.

The table referred to follows:

Conference agreement on functional budget categories for use in expenditure limitation in fiscal year 1973, and outlays as estimated in January 1972

[In millions of dollars]

		Estimated outlays 1973
050	National defense:	
051	Department of Defense—military	75,900
057	Military assistance	600
058	Atomic Energy	2,422
059	Defense related activities	79
	Combined subtotal	2,501
	Deductions for offsetting receipts	−692
	Total national defense	78,310
150	International affairs and finance:	
151	Conduct of foreign affairs	487
152	Economic and financial assistance	2,495
153	Foreign information and exchange activities	292
154	Food for peace	839
	Deductions for offsetting receipts	−268
	Total international affairs and finance	3,844
250	Space research and technology:	
251	Manned space flight	1,571
252	Space science and applications	853
253	Space technology	188
254	Aeronautical technology	251
259	Supporting space activities	339
	Combined subtotal	3,202
	Deductions for offsetting receipts	−11
	Total space research and technology	3,191
350	Agriculture and rural development:	
351	Farm income stabilization	5,011
352	Rural housing and public facilities	618
354	Agricultural land and water resources	388
355	Research and other agricultural services	915
	Combined subtotal	1,921
	Deduction for offsetting receipts	−41
	Total agriculture and rural development	6,890
400	Natural resources and environment:	
401	Water resources and power	3,207
402	Land management	918
403	Mineral resources	103
	Combined subtotal	1,021
404	Pollution control and abatement	1,541
405	Recreational resources	640
409	Other natural resources programs	176
	Combined subtotal	816
	Deductions for offsetting receipts	−4,135
	Total natural resources environment	2,450
500	Commerce and transportation:	
501	Air transportation	1,688
502	Water transportation	1,225
503	Ground transportation	5,720
505	Postal service	1,409
506	Advancement of business	642
507	Area and regional development	857
508	Regulation of business	153
	Combined subtotal	1,652
	Deductions for offsetting receipts	−143
	Total commerce and transportation	11,550

550	Community development and housing:	
551	Community planning, management, and development	3,009
552	Urban Community development revenue sharing	490
555	Low and moderate income housing aids	2,065
	Combined subtotal	2,555
556	Maintenance of the housing mortgage market	−720
	Deductions for offsetting receipts	—
	Total community development and housing	4,844
600	Education and manpower:	
601	Elementary and secondary education	3,619
602	Higher education	1,370
603	Vocational education	568
604	Education revenue sharing	110
605	Other education aids	745
	Combined subtotal	1,423
606	General science	596
607	Manpower training and employment services	3,918
609	Other manpower aids	387
	Deductions for offsetting receipts	−32
	Total education and manpower	11,280
650	Health:	
651	Development of health resources	2,787
652	Providing or financing medical services	14,733
653	Prevention and control of health problems	619
	Deductions for offsetting receipts	−22
	Total health	18,117
700	Income security:	
701	Retirement and social insurance	57,047
702	Public assistance	10,335
703	Social and individual services	2,297
	Deductions for offsetting receipts	−21
	Total income security	69,658
800	Veterans benefits and services:	
801	Income security for veterans	7,050
802	Veterans education, training and rehabilitation	2,437
803	Veterans Housing	−289
	Combined subtotal	2,148
804	Hospital and medical care for veterans	2,693
809	Other veterans benefits and services	349
	Deductions for offsetting receipts	−495
	Total veterans benefits and services	11,744
850	Interest:	
851	Interest on the public debt	22,700
852	Interest on refunds of receipts	158
853	Interest on uninvested funds	5
	Deductions for offsetting receipts	−1,702
	Total interest	21,161
900	General government:	
901	Legislative functions	332
902	Judicial functions	198
903	Executive direction and management	96
904	Central fiscal operations	1,718
	Combined subtotal	1,814
905	General property and records management	830
906	Central personnel management	302
	Combined subtotal	1,132
908	Law enforcement and justice	1,543
909	National capital region	537
910	Other general government	324
	Combined subtotal	861
	Deductions for offsetting receipts	−344
	Total general government	5,531
940	General revenue sharing	5,000
	Other:	
	Allowances for:	
	Pay raises (excluding Department of Defense)	775
	Contingencies	500
	Undistributed intragovernmental payments:	
	Employer share, employee retirement	−2,898
	Interest received by trust funds	−5,697
	Total outlays	246,257

Mr. LONG. Let me take one or two illustrations to point this out. In the case of education and manpower, for example, the total in the broad functional classification which the administration preferred is $12.4 billion. That appears on page 3 of the document I have laid before Senators.

In other words, in this area, any program or combination of programs amounting to $3.1 billion could, under their proposal, have been postponed until next year. An examination of the table showing the 50 functional categories will show that under Education and Manpower, there are six functional categories, the largest of which is account 607—Manpower Training and Employment Services. With the 20-percent limit, the largest reduction which could be made would be $780 million. While this is a sizable cut, I call attention to the fact that the administration proposal, instead of making a cut of this amount, could have nearly wiped out the entire Manpower Training and Employment Service category. In all other categories under Education and Manpower, the cuts which can be made under the 20-percent limit and with the more detailed functional classification are substantially smaller.

There are many other examples which could be cited of the much more limited right to reserve with respect to a program which is provided under the conference agreement than under the program which the administraiton indicated was their minimum requirement.

While I realize that many Senators want the spending authority of the President still more closely circumscribed, let me say that this is as circumscribed as it seemed possible to obtain from the House conferees. I should also call the Senators' attention to the fact that the expenditure cutbacks under this program are far more circumscribed than those provided by the Senate in the Smathers-Williams amendment in the Revenue and Expenditure Control Act of 1968.

What we have here is far more circumscribed than the measure the Senate voted for at that time in 1968. I sometimes think of this when people talk about the usurpation of power. Back at that time no one regarded it as usurpation for Congress to give the Executive the power to cut spending, a power far broader than anything here. That would have forced on the President what he did not want.

In this case Congress is asking the President to join us in bringing cuts about. That being the case, it is said that it is eroding the legislative power because the President opposes the limits that Congress is placing on the power rather than favoring it.

In 1968 when Congress forced upon the President a cut of $6 billion, which was about the same amount we are talking about here, the power of the President to make the cut was as broad as the present House amendment, and not near a fraction as circumscribed, as the provision we bring before you tonight.

I voted against it last week, but in relative terms no one contended it was an erosion of the power of Congress at that time because that was Congress forcing the very same power on a reluctant President, who said he did not want it. In this case where the President said he would welcome it, it is regarded as an erosion of the power of Congress.

That 1968 act provided essentially no guidelines which the President must follow in making the expenditure cut provided in that action. Yet, this aspect of the problem caused no concern in the Senate at that time. The reason being the President did not want it, anyway.

I should also say that the President will find when he comes to making cuts in any of these programs that each program has its own constituency that will fight hard against making reductions in the programs with which they are concerned.

Let me turn briefly now to the other matters in conference. The House conferees agreed to all four of the amendments included in the Roth amendment made to title III of the bill. This is the title which sets up the temporary committee to study ways of gaining congressional control over the budget.

The House conferees were unwilling to accept the McClellan amendment which would have set up a permanent Joint Committee on the Budget. They felt that this was a matter which should be reviewed by the temporary Joint Study Committee. They also were unwilling to accept the amendment which would provide the benefits of income splitting for single persons. They felt that this not not only was not germane to this bill, but also involved a big revenue loss and did not represent a complete answer to the problem.

The floor amendment by Senator MAGNUSON which would continue the Federal-State program for extended unemployment compensation under certain conditions was modified but is retained in the bill as it comes back from the House.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes.

The message further announced that the House insists upon its amendments to the bill (S. 3876) to amend the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a national Commission on Uniform Securities Laws, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4678) to provide for the free entry of a carillon for the use of the University of California at Santa Barbara.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 16676) to amend the Community Mental Health Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 16925) to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate numbered 2 and 8 to the bill (H.R. 10751) to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes; that the House had receded from its disagreement to the amendment of the Senate numbered 1 to the bill and concurred therein with an amendment in which it requests concurrence of the Senate; and that the House had receded from its disagreement to the amendment of the Senate numbered 3 to the bill with an amendment in which it requests the concurrence of the Senate.

PUBLIC DEBT LIMITATION—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net landing for the fiscal year ending June 30, 1973.

Mr. PROXMIRE. Mr. President, I support the distinguished chairman of the Finance Committee, and I earnestly hope that the Senate will support this conference report.

Mr. President, any Senator who is really interested in holding down Federal spending and preventing inflation should vote for the conference report. And here is why:

First, if the conference report is rejected and conferees are instructed to return to conference to secure restraint on Presidential spending authority like the Jordan amendment, there is a strong chance there will be no ceiling on spending at all this year. The record will seem very clear indeed. The Republican President asked for a ceiling on Federal spending to prevent inflation; the Democratic Congress turned him down. Simple and devastating. The political consequences should be clear to the most naive. But more important, we would be wrong to kill the conference report. The fact is that the compromise worked out by the conferees represents a reasonable and practical middle ground. It restrains the President's power, and the administration has already indicated its concern and unhappiness about that, but it would provide an effective limitation on spending at $250 billion.

Why is this better than the bill as it passed the Senate with the Jordan amendment attached?

The answer is that Jordan amendment requires a proportional cut across the board in all programs not specifically exempted from any reduction. Let us consider the consequences of placing handcuffs of this kind on the President's power to modify spending to meet changing circumstances. Consider each of the following possibilities. I realize some of these are unlikely, but they are all very possible.

Possibility No. 1.—Assume the Vietnam war ends on November 30. Suppose those who oppose this conference report prevail and we return to the Jordan amendment. This requires a proportional cut in all departments. Assume also the Russians agree to a prompt withdrawal of the Warsaw pact troops—if we withdraw a proportionate number of ours and demobilize. Result: multibillion savings in military—all of the cutback could, under the conference report, be achieved in the military. If the opponents of the conference report prevail, the military could only absorb a proportional cut and HEW programs would suffer a needless and perhaps a cruel reduction of billions.

Possibility No. 2.—I realize our friends on the other side of the aisle cannot agree that this is a possibility, but I think it is a real possibility—GEORGE military actions to defend our clear national mandate for a dramatic change in priorities. Under the conference report—much of that change could be achieved and promptly by reducing military and other programs. But if we return to the Jordan amendment this change—the electorate dramatically mandated—would be impossible.

Possibility No. 3.—An international crisis develops. It is essential to take military actions to defend our clear national interests—a reduction in military spending might then tragically jeopardize this Nation's security—the conference report would permit the Chief Executive to maintain or increase defense spending in our national interest. A return to the Jordan amendment by requiring proportional reductions would mandate a reduction, a dangerous reduction in our military security.

Possibility No. 4.—The economy dramatically improves. Unemployment drops by a million and a half—manpower shortages become widespread and everyone recognizes the need to sharply increase the staff necessary to control inflation—perhaps to institute rationing.

Under the changed circumstances the desirability of cutting out public employment programs is equally clear. The Chief Executive under those circumstances should act to increase resources to combat inflation and to reduce sharply and swiftly the inflationary impact of a number of stimulating governmental programs. If the conference report is adopted, the administration probably would have the leeway to act adequately. If we return to the Jordan amendment, it would not.

Mr. President, I could go on and on with other examples of what may happen in coming months. Some of the examples I have given may be very unlikely. Perhaps none of them will come to pass. But what we do know for certain is that change will come, the future will be different, and it may be dramatically different if we pass a resolution handcuffing the President, forcing him to make proportional cuts everywhere in this vast Federal Government. We prohibit the President from adapting to changes—major or minor—that may take place. Since we cannot foresee the future, we mandate policies which when the time comes may be foolish, and that all of us, Democrat and Republican, liberal and conservative, may recognize are foolish.

Now let us face it, Mr. President: No. 1, this has nothing to do with the Magna Carta, the Parliament, and the King—congressional weakness and presidential supremacy—except that any limitation—I repeat, any limitation—on spending limits the President, not the Congress, because we do not spend. The President, and the President alone, spends. We appropriate. He does now and always—I repeat always—has determined the timing and pace of the outlays. We limit him by providing or withholding the obligational authority. The President, and the President alone, determines how to spend that obligational authority.

So this spending restraint is a restraint on the President—not a license, a restraint.

No. 2, much as each and all of us would like to see our appropriations translated by the Executive into spending, and promptly, the discretion to do so has been an Executive prerogative since Washington and Jefferson. If we kill this conference report and insist on the Jordan amendment, we handcuff the President so he cannot react wisely and logically to change in military or economic or political conditions as they develop. And why do we do that? Because we have become the victims of our own propaganda. Some Senators have argued for so long that President Nixon would, if he could, kill or stunt all social programs and bloat the military that they believe it.

Mr. President, I disagree with President Nixon on priorities as do many others, but I honestly believe that if we pass this conference report we give him not one whit more authority than he had before the American people elected him. There is only one way to change presidential priorities, only one way to change the huge discretion American Presidents have with the broad obligational authority we gave them, and that is to elect a new President. Once the American people have spoken, the President has in the past, does now, and should in the future decide how to time, withhold, or proceed with spending.

The one way we can and should properly reduce his huge power to spend is to reduce the mamouth sums we appropriate.

It is too late for us to cut appropriation bills this year. We have acted. The moving finger has written and "having writ, Moves on: nor all your Piety nor Wit Shall lure it back to cancel half a Line Nor all your Tears wash out a Word of it."

We have appropriated billions more than we should have. If it is all spent, it will be seriously inflationary. The President has called for a ceiling. He is right. Both Houses of Congress have emphatically voted their agreement that we must have a ceiling on spending. It is painful for us to acknowledge that the spending reductions cannot be as each of us would like them.

Rather than let the President make the judgment, this body decided that, with certain exceptions, all cuts would be spread equally—across the board. This is, of course, completely unacceptable to President Nixon, and should be. If conditions change, it could mandate him to take foolish actions—cutting some programs that all of us in light of changed conditions might agree should not be cut, and not cutting adequately other programs which in the light of changed conditions we all might agree should be cut very sharply indeed.

The conference committee compromised. They broadly directed the President's authority to spend and left him, in my judgment, sufficient discretion to meet most likely developments in the next 9 months.

One more point, President Nixon has indicated his vigorous opposition not only to the Jordan amendment but to the conference report's restrictions on his spending. Frankly, I sympathize with the President. If I were in his position, I would take exactly the same position. But my guess is that, in view of the timing of this resolution, he will reluctantly sign the debt limit bill if we pass it in the form the conferees approve.

But, Mr. President, I cannot imagine the President signing that bill if we force the conferees to go back to the Jordan amendment to handcuff the President so that he must cut programs while changing conditions make such cuts foolish, and cannot cut more sharply programs where changing conditions make deep cuts wise and necessary.

Mr. President, this is a chamber of experienced, practical compromisers. We know we cannot have all we want right away. We know we must abide by the results of elections whether we agree or disagree with those results. President Nixon is President now. He or GEORGE MCGOVERN will be President during most of the life of this resolution. The excessive appropriations we have passed must be reduced. We can posture and stall and talk and blame the rest of this year and into the next year.

But if we are going to get any action, the conference compromise—disapproved by the President because it limits his power too much—denounced by Senators because they argue it gives the President too much power—this report, is the reasonable way to resolve this problem. I hope Senators will recognize that the American people do not care about rhetoric. They want inflation controlled; they want taxes held down. Overwhelmingly, they want a ceiling on the immense Federal spending that pushes up the taxes and the prices they pay. They want this ceiling, and they are right in wanting it.

The decision is a cruel and tough decision for many Senators, and I think it is for the President, too. But the conference report offers what is very likely the only available compromise that has any chance of enactment. I plead with my colleagues to support it.

Mr. President, I yield the floor.

Mr. JORDAN of Idaho. Mr. President, I intend to vote against the conference report on the debt extension bill, and I shall vote with great reluctance because I have great respect for the chairman and members of the Finance Committee upon which I am privileged to serve.

This bill, as approved by the House, contained a $250 billion limitation on Federal spending for fiscal year 1973. I approved and I still approve of the spending ceiling as a means to hold down Federal outlays, but I thought the House provision was not acceptable because it gave the President complete discretion as to where and how deeply to make the cuts in order to comply with the limitation. This authority is an unjustifiable encroachment upon the appropriation powers of Congress.

Each year the respective Appropriation Committees of the House and Senate consider the administration's spending requests, hear a great deal of testimony from persons with various viewpoints both from the public sector and private sector, and reach a consensus as to the amounts to recommend to the House and the Senate for the various programs. Both Houses then have the opportunity to accept, reject, or modify the recommendations of the committees. When the spending bills finally make their way through the congressional process, they embody the judgment or consensus of a large number of knowledgeable people both inside and outside of Congress.

Mr. President, it is very important to me that these appropriations bills, as passed by Congress, do represent the will of Congress, not the will of any one Member of Congress on either side, either in the House or in the Senate, but that they represent the consensus of all Members of Congress.

I think there is no better way, Mr. President, to define the priorities of the people of this country than by their elected representatives in the Congress.

It seems to me that this is a better means of determining our spending priorities than to allow any one man to determine what our priorities are or should be. No one man should have the authority to dictate spending priorities nor to change the priorities which have been established by Congress.

In the event that it becomes necessary to reduce Federal outlays, then the reduction should be made on a proportional basis. After all, the need for reduced spending should not of itself change the needs and the spending priorities of the Nation.

This was what I had in mind when I offered my amendment to the debt ceiling bill to require that a proportional reduction in all departmental spending be made, except for irreducible items, in order to comply with the spending limitation. My amendment contained the further requirement that no individual program could be cut in excess of 10 percent. I believe that this was a proper exercise of congressional authority over the budgetary process and I had hoped that the House would concur in the judgment of the Senate as expressed by an overwhelming vote of 46 to 28.

However, the conferees greatly watered down the Jordan amendment, almost nullifying the intent of the Senate in adopting it. The key word of the Jordan amendment was proportional. That word has been removed from the conference version of the debt bill. The President is permitted to cut up to 20 percent from a number of functionally grouped programs. But, when one reads the fine print he learns that the President could eliminate some programs entirely by applying the 20-percent group limitation against a single program within that grouping.

As approved by the conference, this bill allows the President practically complete discretion over the cuts which may be made in order to comply with the $250 billion spending ceiling. Therefore, I shall vote against the conference report because I am not willing to surrender even a part of the appropriative powers of Congress to this President or any President.

When I speak of the President, I am speaking of the Presidency. I am speaking of the Office, not the man who may be the incumbent in that Office.

Mr. President, I think we have reached a stalemate. I have no intention of trying to send the conferees back or trying to impose my will and the formula that I suggested. Even though it passed the Senate with a good margin, it has been rejected by the conference committee. It is apparent that we have reached a stalemate. Many of us are not willing to let the office of the Presidency cut the appropriations duly passed by Congress and make such reductions on his own terms.

Mr. President, I would much rather forgo expenditure control of $250 billion—strip the bill to debt extension only—than to surrender one iota of the appropriative power of Congress to the Presidency.

This, in essence, Mr. President, is the amendment offered by the distinguished Senator from Oregon (Mr. PACKWOOD).

Mr. PROXMIRE. Mr. President, will the Senator from Idaho yield?

Mr. JORDAN of Idaho. I yield.

Mr. PROXMIRE. I have great respect and affection for the Senator from Idaho. We have served together on the Joint Economic Committee for years. I admire and respect him.

I wonder if he can explain what power we are giving up, in view of the fact that our power is to appropriate and obligate funds. Our power never has been the power to spend funds or to determine precisely what the timing should be on Presidential expenditure of such funds. What power are we surrendering?

Mr. JORDAN of Idaho. The appropriative power of Congress, when we give the President the power to go through the various appropriation bills, change the amounts, and do away with certain programs that have been approved by Congress. Congress sets the priorities of the Nation. The Congress should do that, not one man.

When the Senator talks about changes likely to take place, one would think Congress would not be in session. I am certain that Congress will be here. We are readily available if such changes should take place.

What is wrong with making changes, if changes come, instead of vesting in the President the power to make changes?

Mr. PROXMIRE. I think there is a great deal to that. That is why I supported the Taft amendment, which would have provided a degree of flexibility for Congress by the proportional mandate we give in the Jordan amendment, and the President makes the cuts. We would have required the President to cut every program by 3.5 percent.

Mr. JORDAN of Idaho. I am ready now to turn down the conference report, send the conferees back with instructions to extend the debt limit, and go home.

Mr. PROXMIRE. Let me ask the Senator a question. I will not detain him long. I would like to ask is it not true that this year we appropriated new obligational authority of $81.7 billion for defense, and of that sum the President will spend $57 billion. He will not spend $81 billion. He will not spend $76 billion from the 1973 appropriation. The remaining amount of 1973 outlays some $20 billion comes from past obligational authority. He determines that; he always has. This is not only true of defense, it is true of HEW, where we appropriated $31 billion, of which the President will spend $23 billion.

The President has always had the spending authority. I think there is confusion on the part of Members of Congress, the press, and editorial writers. We assume when we make an appropriation, the money is spent that the President must spend that amount. This is not true. It never was. By limiting spending, we are limiting the President. We are not limiting ourselves. He is limited to the extent our appropriations have been limited. That limits him. But in addition, we are saying all past appropriations, all the unobligated balances that are available to him that exceeds $250 billion of past appropriations, we are saying that in the conference report there is a limit on the way he can expend this amount and, therefore, we are restraining him, not ourselves.

Mr. JORDAN of Idaho. I yield the floor.

Mr. LONG. Will the Senator yield?

Mr. JORDAN of Idaho. I yield.

Mr. LONG. Mr. President, as the Senator well knows, the Senator from Louisiana supported in committee the same position that the Senator from Idaho takes.

I was, unfortunately, absent to fulfill a prior commitment, at the time this matter came to a vote. I would have voted for the Jordan amendment. That is the reason I did not think I should manage the bill on the Senate floor.

I supported the position of the Senator, at least in principle, that there ought to be a great deal more limitation in the way the President exercises his authority.

The position taken by the administration is that if they are going to be limited to a proportional cut, they would rather not have anything.

Mr. JORDAN of Idaho. That is right.

Mr. LONG. Frankly, the House conferees are supporting the administration position on this matter. When I heard one of them explain their position in conference, I must concede that there was more merit to their arguments than mine. They did make the point that there were some items about which they felt that by the time Congress got through trimming them, they were trimmed below the point they should have been cut. They were not trying to put more back on.

The Senator knows that every President—and I suppose every Senator—has a sort of pride of authorship. For example, if I were asking for a cut on something, ordinarily the most logical thing to me to cut would be the first year of revenue sharing, because those governments have not received their money. If they have made some plans to spend it, they have not been able to firm them up for very long, because they did not know they would have the money until a short time ago.

The representation is made that revenue sharing is one item the President does not plan to cut. I understand that. He is going to sign that bill at Independence Hall on Friday and feel that it is a great monument to him and that it is going to restore home rule and local government to the people of the Union.

I do not at all quarrel with the President for feeling that this program, which he supported and advocated and worked for, is the best; that it is so good that it should not be reduced, while somebody else's program should be reduced.

Other Presidents had the same point of view, also. If we look at some of the programs President Johnson put on the statute books, he would say, "No, those programs should not be reduced."

I recall that one year I was the fortunate beneficiary of a plaque President Johnson sent to a number of us who helped him put the Great Society on the statute books. He sent out about 50 pens, each of which was used to sign major, significant programs. I received one, along with other Senators, and I believe the majority leader also received one.

While I am sure that some of those programs are very good, I think one would find over a period of time that some of those programs are of dubious value. What we really ought to do is to review some of these programs from time to time, drop most of them that have a low priority, and consolidate what is left into some other activity, so that we would keep the best part of each program.

For example, under some of these functions, we find several different departments seeking to do pretty much the same thing or moving in the same direction. It can be argued that it might be better to consolidate some of these and to reduce or eliminate some.

My administrative assistant has told me a story which he regards as somewhat amusing, as do I.

A Louisiana businessman was anxious to get a large amount of money—for some purpose which I do not recall—under one of the programs passed during the last 8 years. My assistant went to the Administrator, who told him, "I think I ought to make it clear to you that this is the third time you have brought constituents to me seeking money under this program. As long as you are here, I will tell you that we are not going to put a nickel into this. I do not think the program is any good, and I think the President sent me here not to spend anything on this."

My administrative assistant thought the man was right, that as priorities go, he probably was justified in not spending anything on it; but it is on the statute books and does have its advocates and its supporters.

So the position of the administration is that some of these things should be reduced drastically and some of these programs, especially some that came into effect in the last 10 years, ought to be abolished or consolidated into others, with a drastic reduction in the amount being spent for that purpose.

That is their argument. While I voted against it, I must confess that if we look at the Smathers-Williams amendment, which was voted by the Senate—I have no idea how the Senator voted, but he probably voted against it as I did, because it did not appeal to me at the time—we will find that it provided far wider authority than what we are talking about here. In other words, we did have a small amount of guidance that said there would not be a reduction in funds necessary for special support of Vietnam operations, or the interest on the debt, or veterans' benefits, or payments from the Social Security Trust Fund. But, aside from that, the President was just told to save $6 billion and go to work and cut.

I recall the situation when that was voted. I was seeing President Johnson frequently—at least once or twice a week—at the time that matter was being acted upon. He did not want it. When he looked across the swath of what could be reduced, he found that there were some items which he felt could probably claim a lower priority.

But, frankly, even in that case, that President did not think the way to do it would be a proportionate cut. I know that makes all Senators feel a little safer, because we would think that if we are particularly interested in this program or that one, it would not suffer more than a 10-percent cut, as suggested by the Jordan amendment.

As a practical matter, having done the best I can in this matter, I have to say that we cannot get the House to take the Jordan amendment.

Mr. JORDAN of Idaho. I have given up on that.

Mr. LONG. The reason they will not take it is that the President and his administration just say that rather than have that, they would have nothing.

Mr. JORDAN of Idaho. I am of the same opinion. When the Senate passed the Jordan amendment by a vote of 46 to 28 it then became the Senate amendment. If we cannot have the Senate amendment, I would rather have nothing.

Mr. LONG. That is why they suggested, incidentally, that if we cannot agree to this—which they say is better than nothing; it is not at all what they want—they would advocate the same thing the Senator from Idaho suggests, just striking out the $250 billion limitation.

That is about the fix in which we find ourselves. I certainly respect the Senator's view on this matter. I voted for him in conference. All I am trying to do is to determine the will of the Senate on the matter.

Mr. MOSS. Mr. President, I commend the Senator from Idaho for his remarks. As he has said, if the Jordan amendment is not available, I shall vote against any kind of ceiling on the expenditures to be made by the Federal Government.

I supported the Jordan amendment. I did so after great soul-searching, but I thought that it might be one way we could try to accommodate the request of the Executive and still preserve some measure of the power of Congress to control the purse and to set priorities. The conference report has destroyed that. Therefore, I see no way to go but to strike out the ceiling on expenditures requested and simply grant the debt increase and go from here.

I think that we in the Senate tonight face a towering decision. It is probably as great a decision as has been made in this body during the history of the Republic, because I think that tonight, by our vote, we are asked to choose an entirely foreign and heretofore unknown governmental structure of delegating to the Executive the life and death control of the departments and the programs of this Government. Surely, our Founding Fathers did not envision the Republic to function that way, nor did the Constitution provide for it. Congress was given the power to appropriate moneys and determine how they should be spent and determine what the priorities should be. I think we have already started down the slippery slope by approving revenue sharing. I confess with some reluctance that I finally voted for revenue sharing because I could not articulate definitely enough the great reservations I had. But I voted with the greatest reluctance and I expressed at the time my reservation and regret at so doing. Because in revenue sharing alone, we vastly changed the Federal relationship of States, counties, and cities, vis-a-vis the Federal Government. As we finance those bodies more and more on a direct subsidy, how can they become but vassals of a central power?

Rather than enhance their independence by so-called no strings attached, grants, they become more and more dependent on the Central Government and, therefore, more beholden to it.

Now tonight we are faced with a second wrenching change in our form of government. We vote tonight, if we vote for the conference report, to give the United States its first absolute monarch in the fiscal field. We vote to relegate Congress to an honorary officeholder status, to ratify the budget requests up to $250 billion ceiling, and then depart while the President decides what departments should be funded, which should be cut or eliminated, what programs will live and function, and which will suffer starvation or death.

So, Mr. President, I shall vote against the surrender of the Congress. Granting that our performance is not exemplary in all cases, yet we do remain the representatives of the people and our States. We are responsible to them. We must answer for them.

Should we now fold up and surrender our jurisdiction to an all powerful and all reaching Executive?

The Constitution gave the President the veto power, which he uses freely. He can restrain the Congress from any spending that Congress proposes to undertake, subject only to the override of a veto which requires a two-thirds vote. As all of us know in this body that very seldom do we attain a two-thirds vote of both Houses to override an Executive when he vetoes a program no matter how high the votes are when we pass a program in the first place, or pass an appropriation.

The President has tremendous power in the veto, and he can halt in the very first instance, if he has the will to do so, the spending of Congress if he thinks it is excessive by exercising his veto. Moreover, the President can and does freeze funds which he does not wish to spend. I disagree with that practice in many cases, and perhaps all cases. I think that is an overreaching exercise of his power when he simply refuses to spend the money, but I must admit that there is some respectable precedent for it, at least, that does not tear up the fabric of the division of powers in this Government. But now, if we accept this conference report, if we grant this power to the President, I think we will have made a full abdication of the power of the purse which resides in Congress.

The junior Senator from Oregon (Mr. PACKWOOD), in this body, two or three nights ago, traced the historical development in the English-speaking parliamentary type of government of wresting from the King the power of the purse and placing it in the Parliament.

That is what our forefathers knew. That is what our forefathers wrote into our Constitution and I am not going to stand here on the floor of the Senate tonight and abdicate that principle and turn back to the Executive the power of the purse that belongs in the hands of the Parliament, which in this case is the Congress of the United States.

Mr. BENNETT. Mr. President, will my colleague yield to me?

Mr. MOSS. I am glad to yield to my senior colleague.

Mr. BENNETT. Does the Senator feel that we abdicated that power a few years ago when it was given to Lyndon Johnson? This is not the first time. This is following a precedent that the Senate gave to the President in 1968, with much greater power than this bill would give to this President.

Mr. MOSS. Will the Senator enlighten me as to what it was we gave Lyndon Johnson the power to cut out any program he wanted, to cut in any amount?

Mr. BENNETT. We required, in section 202 of the Revenue and Expenditure Control Act of 1968, that he make a reduction of $6 billion in expenditures during fiscal year 1969, and we let him take it out of any part of the budget he pleased, except for veterans' benefits and interest and payments on the trust fund.

Mr. MOSS. I would be opposed to giving that power to Lyndon Johnson, Franklin Roosevelt, Thomas Jefferson, or any other President the Senator wanted to name. The power of the purse is here in the Congress.

Mr. BENNETT. I am not going to argue that, but do not say that tonight, for the first time, Congress is abdicating its responsibility. The members of your party abdicated power to the President before this.

Mr. MOSS. I would say to my senior colleague that I am sure the Republican Party never did anything that is reprehensible, but I salute the Senator from Idaho (Mr. JORDAN) who is willing to stand up and fight for a precedent which I intend to fight for tonight.

Mr. BENNETT. The junior Senator

from Utah goes around the point. Will he admit that he now remembers that this power was given to Lyndon Johnson in 1968 by this Senate, and this is not the first time that this kind of power has been transferred to him?

Mr. MOSS. I do not remember it. I do not believe that I concurred in it. I think the Senator was able to search around and asked the Senator from Louisiana and he read from some kind of piece of paper, but if we ever did it, it was a mistake but at last we overcame that mistake.

Mr. LONG. Mr. President, I was against doing it, but in 1968—and President Johnson did not want it—that was the Williams-Smathers amendment. The Senator may have voted against it. I would be surprised if he did vote for it. Some of us—I was one—voted against it, and President Johnson did not want it. President Johnson wanted a tax increase, and it was argued by former Senator Williams of Delaware that he and others would be willing to support a tax increase provided the President would cut spending by $6 billion—which is about the same amount we have involved here. That is what emerged from the Williams-Smathers amendment after it was sent to conference with the House. President Johnson, as we know, made a lot of reductions under that authority. I point out the authority there was 50 times as broad as the authority here. This is limited to a 20-percent cut on items broken down into——

Mr. MOSS. Categories.

Mr. LONG. Yes; and some of the categories are as small as three or four hundred million dollars, so that the cutting can only be done on a much more limited basis. It may be that Congress feels disposed to vote to make a President do this and not call that a surrender of legislative power, while if he would like to be asked to do it, that that is a surrender of power. But I do not see the difference when the President is reluctant or when he would welcome the instructions. There is no doubt about it, we gave President Johnson broad powers.

So it has been done here again. There is no doubt about its being done. The Senate and the House both did it.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. MOSS. Mr. President, I will reply first and then I will yield to the Senator from Florida.

Mr. President, as I have said, I acknowledge that some Presidents have in times past refused to spend certain sums in certain situations. I realize that there is a precedent because of that. However, I think if we set a precedent by saying that the Congress gives the President carte blanche authority to spend it or not to spend it, he can pick out programs that will be so severely cut down that they are impotent. And we will have surrendered the power of the Congress to make that decision and will have handed it to the President.

Yes, we can have serious problems. And we hope we can hold them down. But there is a veto power when the appropriations come through. If the President wants to exercise that power in these categories, he can do so. We have had three HEW vetoes. And we have had to rewrite the HEW appropriations three times during the administration under the incumbent President. So he has been effective when he wants to do it.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. MOSS. I yield to the Senator from Florida.

Mr. CHILES. Mr. President, regardless of whether we did something in 1968, if we should not have done it, there is no more reason to do it now because of our having done it in the past.

Mr. MOSS. The Senator is correct.

Mr. CHILES. Was not 1968 about the time that Congress was daily giving away all of its power? That was before the last little spark of hope engendered here by the passage of the War Powers Act, which I am sure was the most important bill that the Senate dealt with. However, the House did not do anything on that bill.

Now, for the first time since the decades of the 1930's, it seems that maybe the Congress, or the Senate at least, is ready to get into the ballgame and play our constitutional role as an equal power as it is defined in the framework of the government in which we operate. And what we did in 1968 or 1932 or at any other time is no precedent and no reason to do something that is diametrically opposed to the Constitution and diametrically opposed to the way our government was set up so that there would be a system of checks and balances and we would not have a king that would run the country and have all of the say so.

Regardless of what we did at other times, tonight is the night we will take a step to reverse that trend, I hope. What is important is what we do tonight, and not in 1968. Tonight will be the time that we get back on the path, the hard path, the right path for our constitutional government.

Mr. MOSS. Mr. President, I thank the Senator from Florida. I concur in what he has said. As I have stated before, if we ever did it before, I repent that. I do not recall it. Frankly, I was completely unaware of anything like that ever having happened before this. And if it did happen, the Senate was wrong and the House of Representatives was wrong in doing that. Tonight we ought to assert that we are the legislative branch of the Government and have the power of the purse and the power of determining priorities. That is where those powers rest. The President is simply to execute the laws and spend appropriations made by the Congress.

Mr. President, I yield the floor.

Mr. HUMPHREY. Mr. President, we can indulge ourselves here in partisan argument. We can argue on whether a spending ceiling ought to be $250 billion, $245 billion, or $255 billion. We can spend our time tonight trying to conceive of new formulations or form amendments called compromises. However, the simple truth is that there is a constitutional issue at stake and we had better come to grips with it, and that constitutional issue is embodied in article I of the Constitution of the United States, section 7, clause 2. It points out that the Congress of the United States shall have the final say on all matters relating to appropriations. That is embodied in the provision which permits two-thirds of the Congress to override a Presidential veto.

The Founding Fathers were well aware of the possibility of the item veto. They did not provide for it because they did not want it. The framers of the Constitution in designing this very delicate balance of powers between the legislative and the executive and the judicial provided that the power to appropriate, the power to authorize, and the power to write statutory law was vested in the Congress of the United States.

The framers of the Constitution also provided that there could be a check upon that power by a Presidential veto. The President can veto. He cannot authorize or propose a statute, or appropriate. However, the final and last word on all matters of statutory law, taxes, and appropriations was not left to the executive branch, but with the Congress.

A procedure was written into the Constitution to carry out that principle; namely, the right of the Congress of the United States under terms of article I, section 7, clause 2, which reads:

> Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law.

Those are the provisions in the Constitution that relate to control by the Executive over the law or appropriations. And those are the only provisions in the Constitution that relate to the use of the veto power by the Executive.

I am fully aware of the fact that since the days of Thomas Jefferson, as I have indicated in other remarks on the floor in past days, Presidents have impounded funds. However, I do not believe that the Congress of the United States should give legality to a President's impoundments. In fact, there are those in this body, including myself, who believe that presidential impoundment violates both the letter and spirit of the Constitution.

Mr. President, I have heard it said here tonight that the President, having the power to impound, has a similar power to what we are talking about in this compromise proposal from the conference committee. It is not true, because impoundment has never had the blessing of this body, nor should it ever have. However, the compromise before us, as it is called, the conference report, puts the final word of the Congress of the United States upon the power of the President to use an item veto on matters of legislation and appropriation. I cannot support it.

We are engaged here tonight not in an argument over dollars. This is, indeed, a debate centering around constitutional law. It is my judgment that this is the most significant single constitutional issue that has been before this Congress since this body struggled with the issue that tore this Nation apart prior to the days of the War Between the States.

Mr. President, you can say, "Well, we are only doing what has been done in other times," as I heard here a moment ago. That is just exactly what I want to emphasize: Once we have taken this step it gets worse every time. If we have been guilty of giving Presidents authority in previous days to tamper with congressional appropriations, to choke off legislation by starving those programs through lack of funds, we better erase it tonight.

Merely to have said in other days, "We have told a President and directed a President that he should cut back on spending," does not mean that it is a precedent that ought to be accepted or standardized by the formulation of law such as we would do if we adopt this conference report.

The conference report is in direct contradiction with the Senate's efforts on the original legislation. The conference report is not what I consider to be an acceptable compromise. It is the total reshaping of the intent of the Senate for the convenience of Presidential desire. The conference report eliminated the system of proportional cuts that was in the original Jordan amendment, of which I was privileged to be a cosponsor. It eliminated the 10-percent ceiling on line items within the appropriation. It completely dilutes—in fact it gives away congressional authority to control our appropriations.

But the worst part about the conference report is that it permits the President to be able to kill such programs. It is not just this prorgam, but let us look at the future. Let us get this out of the realm of present days. We are talking about giving to the President by an act of Congress authority which does not belong to him, which violates the spirit and letter of the Constitution.

We are talking about giving to the President, for all practical purposes, no matter how one defines it, an item veto.

I am not going to burden the Senate tonight by going through my speech of yesterday, but I want to discuss certain categories mentioned in this conference report which demonstrate that, for instance, in education, the President would have the authority under this conference report to completely eliminate vocational education, if he wished to do so.

The Congress of the United States authorized vocational education. Congress has appropriated for vocational education. I gather we want vocational education; and we want the President to carry out the intent of Congress. But what are we doing? We are giving the President the authority to eliminate vocational education. I do not think he will. I am not making any such accusation. I am saying it is within his power if this conference report is agreed to.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LONG. The Senator has before him the information that I have had placed on the desk of each Senator. I refer to the table.

Mr. HUMPHREY. Yes.

Mr. LONG. Vocational education was not one of the larger items in the category. The Senator will note that vocational rehabilitation, which is No. 603, combined with Nos. 604 and 605, which are education revenue sharing and other education aids, and those items total $1.423 billion.

That would appear to me to be an area where you could make a 20-percent reduction which would be about $280 million. If my calculation is the same as the Senator's it would be possible to reduce that item in half, but I do not think this authority would give him the power under this resolution to reduce it by more than that. It would certainly be limited to a reduction of that $280 million, which would be substantial, but not eliminate it.

Mr. HUMPHREY. The Senator is correct. That is killing it. That is economic anemia.

Mr. LONG. I understand the Senator's argument, but I am sure that program could stand a 50-percent cut. There is a difference in that and eliminating.

In a similar situation where we had a Congress which had a Democratic majority we imposed on President Johnson the authority to make cuts, so the authority we imposed on him would have authorized him to strike all three of those items in their entirety.

This is a far more restrictive provision. Congress voted for that in the bill entitled Revenue and Expenditure Control Act of 1968. The Senator knows that President Johnson at that time was trying to get a tax increase. That was the 10-percent surtax. In order to get it he was compelled to comply with this. I did not like that and I voted against it when that expenditure limitation was added to it. I would have to state frankly that the power to reduce spending forced upon President Johnson at that point was far broader than anything we have here.

Mr. HUMPHREY. May I add that it compounds the mistake. I was not here in 1968. I was out being a Vice President where you have responsibility but no power. But I am here to say it is a mistake, and we should not continue to do it. One President did not want it; this President does; somebody else will want it. I was not here for that, but this proposal would permit the President to make these cuts in these appropriations. For instance there is the item of the Smithsonian Institution. That is only $72 million. Then there is the item for library services.

Whatever the program, there is a time to call a halt. We went around here a long period of time in days gone by where we said to the President, "We will give you authority to send forces into the Mideast; we will give you authority to send forces in the Gulf of Tonkin resolution." We pealed off congressional powers and put them in the hands of the Executive. The fact that we have done it does not mean it is right. As a matter of fact, this Congress and the Congress before it took similar action. We repealed the Gulf of Tonkin resolution, and this Congress in the War Powers Act has said, "We went too far," and it is trying to at least reclaim some of the constitutional authority that belongs to us.

This is a matter that goes far beyond whether Lyndon Johnson got something or whether Richard Nixon wants something. The issue is, of course, once again, to put it in the language of the distinguished chairman who appropriately calls our attention to 1968: Are we in 1972 going to make the precedent of 1968 even more firmly imbedded? That is what we are doing. We are saying that we are incapable of legislating our own affairs.

As I read the reports there is approximately $258 billion in what we call spending, that has been authorized by Congress. That is about $8 billion over the $250 billion.

I believe the Joint Committee on Reductions in Federal Expenditures said the President would have to reduce the total outlay of spending by $6.9 billion to get to the figure of $250 billion. But I want to call the attention of the Senate to the fact, again, that in this same so-called increase in spending was $6 billion for social security payments which are paid for by a rise in taxes, and that is not inflationary. If you take it back out of the economy as you put it into certain categories or groups, it is not inflationary. And the main argument for the President's wanting this spending ceiling is that if we do not give it to him, we will have to have a tax increase. When the Congress authorized an increase in social security, it faced up to its responsibility. It did put on the tax increase.

I submit that if we go along like we are talking about here, we are going to have a situation here where we can come in here as Representatives or Senators and we can vote in any way we want, and we look to Big Brother in the White House—whoever he is—and say, "You trim it back." It permits the Congress to indulge in recklessness and irresponsibility. Today we are held accountable for our votes, but it is entirely possible that we could go into a situation where we could vote appropriations, knowing full well the President of the United States is going to cut them back because of the authority we have given to him to do it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. As a matter of fact, if we go along with the President on this, is it not an act of contrition? What we are doing is beating our breast and saying "Mea culpa, mea culpa." I mean, we are admitting we are irresponsible and that we cannot rum the affairs for which we have been elected by the people of this country to run, and we are leaving it to someone else to correct them.

I want to remind the Senate that we have resolved the military budget and we cut out $5,227 million from the budget estimate, and when it came to military construction, we cut out $337 million. When it came to the bill that I managed, the State, Justice, and Commerce appropriation bill, we cut out $23 million.

We have been doing our job, but all this is being talked about in this presidential campaign to justify the fact that, if a tax increase should take place next year, it is the fault of the Congress. It is just a political gimmick—nothing more or nothing less.

Mr. HUMPHREY. In my judgment, the Senator speaks the truth and speaks with a clarity that all can understand. But beyond this year, I want this body to know that you are putting into the President's hands an item veto, by the very nature of the language of this conference report. It means that after Senators work their hearts out to get a program that means something for their State, they are going to wake up, after telling their constituents what they got, and find that the President, under the authority of this law, will or can cancel it out.

It will not only permit the President to have the final word, which is in violation of the Constitution in matters of appropriations, because the Constitution provides that Congress has the final word in the right to override vetoes, but it gives him the right and the authority to hold a political club to beat Senators or Representatives into line. They are going to be told, "If you do not get into line, you are going to find that a project in which you are deeply interested is cut."

We have seen that not only in this administration but in other administrations, when members of the executive branch and lobbyists have done that. In fact, in the instance of this conference report, the Secretary of the Treasury, the Under Secretary of the Treasury, the Deputy Under Secretary of the Treasury, and the Director of the Office of Management and Budget sat in the conference. May I say that that within itself is something Senators around here did not have a right to do.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PASTORE. We just passed a $30 billion revenue sharing program. Does the Senator know where the President is going to sign that bill? In Philadelphia, where the Declaration of Independence was signed. May I have the Senator's observation on that? What does that have to do with the Declaration of Independence?

Mr. HUMPHREY. Well, I would say to the Senator, to give the President the benefit of the doubt, that while he is signing the revenue sharing bill where the Declaration of Independence was written and signed and where the Constitution was written, if they will refer to article I, section 7, clause 2 of the Constitution, which is the real, basic, fundamental law of this country, it points out that the only way the President can override the will of the Congress on appropriations is by the veto, and then the Presidential veto can be overridden by a two-thirds vote of the Congress. The final word is with the Congress.

What does this particular compromise in the conference report do? It permits the President of the United States to cut programs without public notice. It permits the President of the United States to cut programs without the involvement of Congress. Yes, programs and appropriations can be reshaped, tailored, limited, restricted, and cut out without ever the Congress of the United States having a single word to say about it. I think it is wrong.

I yield to the Senator.

Mr. PASTORE. The Senator talks about playing politics with these cuts. Can it well be that the President is going to Philadelphia because the Democratic mayor of Philadelphia has endorsed Nixon's candidacy?

Mr. HUMPHREY. It would be one way that the carpet could be placed on the doorstep, and I have a feeling it will be a friendly reception.

May I say I have been working very closely with some of our colleagues across the aisle. I think the way we ought to judge this compromise or this conference report is by what it does to the standing of this Congress as an institution. We are demeaning ourselves. We are willfully, voluntarily, and freely giving away the most important authority, power, and responsibility we have in the appropriation process. We are permitting the people of America to believe that we write and establish public policy, only to have it diluted, changed, limited, and distorted by executive action. I think it is wrong.

I will just summarize quickly. This conference report gives the President an unprecedented item veto over congressional appropriations. The President, not the Congress, will now have the last word. This is in direct violation of the Constitution.

It allows the President to make item veto cuts up to 20 percent in designated budget categories. With this grouping of functional programs, the President has the authority to eliminate totally such programs as he desires.

This is nothing more or less than a domestic Gulf of Tonkin resolution—the resolution which, in foreign affairs, brought us trouble. It is a new political club for the President. With the ceiling as imposed by the conference report, the President will be able to put undue pressure on individual Members of Congress, holding projects in their districts and States as ransom.

The spending ceiling promotes congressional irresponsibility. Members of Congress will no longer be accountable to the people on appropriation matters.

This is not an 8-month grant of authority—this is a dangerous precedent.

May I say that the chairman of the committee has fortified that observation by noting here tonight that in 1968 something along this line was given to another President, only to have it come back again.

May I emphasize that there is no evidence, as the Senator from Rhode Island pointed out so eloquently the other day, of congressional irresponsibility in fiscal matters. To the contrary, since 1946 every Presidential budget has been reduced—every one of them—and in this instance, where we have gone beyond the $250 billion mark, it was because of social security, a 20-percent increase in payments which the President now claims he was for by sending out bulletins all over the country, and it is paid for by increased taxes.

Furthermore, the $250 billion budget ceiling was actually broken by the President himself in the extra requests that were made for the war in Vietnam, for bombing, for foreign aid, and for disaster relief.

The Congress of the United States cut back approximately $6 billion from the President's budget estimate. We have changed some priorities. We have put some more money into this program or that. We cut some out of foreign aid. We cut some out of space. We cut some out of the defense budget. Congress has established its responsibility, and I would hope that we would understand what we are doing here tonight, and not, in the name of expediency, just try to get home, as much as all of us want to be there, but rather stay here and vote tonight, as we will, and vote down this conference report.

The debt ceiling is needed. That we can provide for. But there is no need for changing the rules of this constitutional system of ours in midstream.

Why was there no demand for such a budget ceiling or spending ceiling three months ago? Why was there no demand two months ago? When did the demand come about? Within the last month. Within the political season.

I am perfectly aware of how our remarks can be interpreted. There will be those who say we did not care, that we were spendthrifts and wastrels, and they are going to say that the Congress of the United States would not put on a spending ceiling.

Let me say we have put on a spending ceiling. We do it every time we make an appropriation, and when we add up those appropriations, they are not excessive in terms of the needs of this country. The budget problems of this country are due to a recession, due to failure of the country to be able to generate revenues for the Treasury. Might I add that some of the other budget problems are due to the excessive cost of maintaining a huge military establishment. I happen to believe we need defense. I have not voted recklessly on defense cuts. I have voted to reduce some things, but I believe Congress can resolve this issue and resolve it with finality this evening.

The PRESIDING OFFICER (Mr. CHILES). The Senator from Delaware is recognized.

Mr. MAGNUSON. Mr. President, will the Senator from Delaware yield to me for a unanimous-consent request?

Mr. ROTH. I yield.

Mr. MAGNUSON. I ask unanimous consent that Mr. Dirks of my staff be permitted to remain in the Chamber during the debate on this issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, if the Senator will yield, might I point out that what we are being asked to do here is nothing, virtually nothing, compared to what the Senate did when Lyndon Johnson was President back in 1968, and the President was not asking for it. But at that time we had a big deficit, I do not recall the exact amount, but there was a substantial deficit. He was concerned about it. This year, on a consolidated budget basis, we have a $31 billion deficit staring us in the face.

In order to get a tax cut, President Johnson had to go along with having this kind of power imposed on him, except that the power was five or 10 times as great as under this conference report, for example. I do not know why Senators want to strangle on gnat when 5 years ago they swallowed a camel.

Here is the vote on the conference report, 64 to 16, and I was one of those who voted against it back at that time, when we said the President shall cut $6 billion, about the same amount we have involved in this bill. And there was no limitation by items.

The Senator said he could take vocational education and cut it in half. Lyndon Johnson could have cut it out completely. And in addition, when you look at the vocational education figure, $568 million, the most he could cut it would be half, about $280 million.

Look at the next item, educational revenue sharing, $100 million. Other educational aids, $745 million. Go on down and include general science, $596 million; manpower training, $3,918,000,000.

Under the authority we gave President Johnson, he could have cut the whole thing out, and that was imposed on him by act of Congress without his asking for it. But that was what was passed by the Senate and send down to the President to sign, without his even asking for it, but it was forced on him, by a vote of 64 to 16.

I do not know why it is such an inordinate thing to give President Nixon the power to cut the items 20 percent, when we gave President Johnson the power to abolish them.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LONG. The Senator from Delaware has the floor. But here is the rollcall on the conference report, 64 to 16. We are not going to have anything like that now.

Mr. FULBRIGHT. The Senator says he does not know why there is a different attitude. I think the principal reason is that the President asked for this power with the explicit reason of expecting it to be rejected, and then being able to say that Congress is the principal necessity for a tax increase. He knows and everyone else knows that we have to have a tax bill next year.

The PRESIDING OFFICER. The Senator from Delaware has the floor. Does the Senator yield further?

Mr. LONG. Might I ask the Senator if he is aware of the fact that the vote on the Williams-Smathers amendment at that time was almost closer? I ask unanimous consent that the rollcall be printed in the RECORD. By a vote of 53 to 35, Congress voted to impose on President Johnson a $6 billion cut, which is about the same amount we are talking about here, and on these same sensitive items we are talking about he was given the power, not to cut them by 20 percent, but to wipe them out completely.

So the limitation we are talking about here is a very severe limitation compared to that given to President Johnson to wipe out whole categories of programs.

Mr. PASTORE. Mr. President, may I ask this one question?

Mr. ROTH. Mr. President, I ask unanimous consent that the voting record on the Smathers-Williams proposal be printed in the RECORD at this point.

There being no objection, the tally was ordered to be printed in the RECORD, as follows:

The result was announced—yeas 53, nays 35, as follows:

[No. 98 Leg.]

YEAS—53

Aiken, Allott, Boggs, Brooke, Byrd, Va., Carlson, Case, Cooper, Curtis, Dirksen, Dodd, Dominick, Eastland, Ervin, Fannin, Fong, Gore, Griffin.

Hansen, Hickenlooper, Holland, Hruska, Inouye, Jackson, Javits, Jordan, Idaho, Kuchel, Mansfield, McClellan, McIntyre, Miller, Montoya, Morton, Moss, Mundt, Murphy.

Muskie, Pearson, Pell, Percy, Prouty, Randolph, Russell, Scott, Smathers, Smith, Spong, Stennis, Symington, Thurmond, Tower, Tydings, Williams, Del.

NAYS—35

Anderson, Bartlett, Bayh, Bible, Brewster, Burdick, Byrd, W. Va., Cannon, Clark, Cotton, Ellender, Fulbright.

Harris, Hart, Hartke, Hatfield, Hayden, Hill, Hollings, Kennedy, Mass., Long, La., Magnuson, McGee, McGovern.

Metcalf, Mondale, Monroney, Morse, Nelson, Proxmire, Ribicoff, Talmadge, Williams, N.J., Young, N. Dak., Young, Ohio.

NOT VOTING—12

Baker, Bennett, Church, Gruening, Jordan, N.C., Kennedy, N.Y., Lausche, Long, Mo., McCarthy, Pastore, Sparkman, Yarborough.

So the Williams-Smathers amendment, in the nature of a substitute, was agreed to.

Mr. PASTORE. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. PASTORE. I know; I am asking him.

May I ask the Senator from Louisiana this question: We all know there is going to be a very substantial deficit in the budget. There is no question about that. As a matter of fact, we were told it was going to be about $25 billion. It will end up to be about $40 billion, if not more. Will the Senator please explain to us just where Congress appropriated more than the amount that was submitted by the administration? What is it that was done that puts Congress in the position that it has to undergo an act of contrition.

Mr. ROTH. Mr. President, I decline to yield further.

Mr. LONG. Some of it has to do with funds that were carried over. Some of it has to do with the fact that the President asked for the revenue-sharing bill to start in 1 year, and we did not pass it until the next year. It gets somewhat complicated. Some of it has to do with such different things as carried over obligated funds. But there it is. The projected deficit, if we do not cut the $6 billion, is $31 billion on a unified budget basis, and if we do cut the $6 billion, the projected deficit would be $25 billion.

Mr. PASTORE. But the President of the United States has frozen funds before, as the Senator from Arkansas has already pointed out. Unfortunately, all this is being used as an instrument to accuse someone that unless Congress gives the President this authority which he already has—he has frozen money before, and can do it again—this whole thing is beng done now so that unless we give him this power, which he knows it is doubtful whether or not he could ever acquire, we will be responsible for an increase in taxes, and that is where we are hurt because the truth is not being told.

Mr. LONG. Mr. President, it is one thing to say cut spending by $6 billion, and it is another thing to say, as I myself contend that when the President refuses to spend the money that Congress appropriates, it is a usurpation of congressional authority. To make a $6-billion reduction without Congress having ordered the President to do so, and acquiesce in it, does subject the President to a very strong charge that he is usurping the functions of government and not obeying the law.

Mr. PASTORE. But we have already reduced the military budget by $5¼ billion.

Mr. ROTH. Mr. President, I should like to proceed, if I may, with my own statement.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, I support the conference report. One of the things that intrigues me the most about the discussion tonight is that the principal reason why we should not adopt the conference report is that we are abdicating a great constitutional power that is rightfully ours.

The difficulty I see with that argument is that Congress has not exercised that responsibility. If it was interested, as it should be, in establishing an over-all budget in determining the priorities under that budget, then it should not wait until the last minute to take such action.

Last February I called to the attention of the Senate a similar ceiling, which if adopted then would have enabled Congress to exercise its constitutional responsibilities in an intelligent fashion.

I think that one of the most serious criticisms made of Congress is that it does not exercise intelligent control of the budget. To try to claim that we are doing so today just flies in the face of facts.

It is well known, I believe, that the only things we control are the appropriations, the funds that we put into the pipeline. In no way are we exercising a responsibility over the rate at which these funds can be spent. To try to claim otherwise is just contrary to facts.

As a matter of fact, the adoption of the conference report proposed by the conferees means in a very real way that Congress will be exercising far more power than it is at present.

In the first place, we will be telling the President that of the $540 billion that is in the pipeline, we intend for him to spend during this current year only $250 billion. We are setting the ceiling, not he. I think that is a responsibility of Congress.

Second, let me also point out that under the provisions of the compromise, the President will be able to cut only 20 percent from each of the categories. So I say that here again we are setting a policy for the President that he cannot cut more than 20 percent from each of these categories. If we fail to do this, if we do not take any such action, then, of course, the President is relatively free to spend at whatever rate he wants. He can spend above $250 billion or below. He can decide where he wants to cut and how much, because no policy decisions are being exercised by Congress. In contrast, under the conference report it is Congress that is setting standards.

I would like to comment on another statement. There has been talk about there being politics involved in this matter. But economists have stated time and again that the economic pressures are such that it is important that we do something to stem inflation and that we do something today.

There are a number of factors that can be pointed out that show that if we do not bring deficit spending under control, we will again be running a very serious risk of inflation.

Senators might not like to hear that. We might disagree. We might call it politics; but the fact remains that economist after economist has said that unless some strong measures are taken, this is the risk we run.

What about the charge concerning taxes? As I mentioned the other day during the debate on this legislation, a number of economists urged that we spend more.

But these liberal economists also urged that we increase taxes.

I think that is the dilemma we face. Either we are willing to enact some kind of practical spending ceiling at $250 billion, or we are going to be faced with the dilemma of increased taxes, or inflation.

Mr. PASTORE. Will the Senator yield?

Mr. ROTH. I shall be happy to yield when I finish my statement.

I say that we have our last clear chance of adopting a positive measure tonight. The only choice we really have is to support what the conferees have adopted. We may argue over terms, but it seems to me we either support the conferees or we are going to be faced with the fact that it will be very difficult to enact any kind of limitation whatsoever.

As the chairman of the Finance Committee has already so eloquently pointed out, there is precedent for this legislation. Furthermore, we are delegating for only 8 months.

There is no truth to the statement that we will necessarily continue this practice after 8 months. If Senators believe that to be true, they have less faith in Congress than I do.

In fact, one of the hopes that I have about the long debate we have had on this matter is that Congress will come to grips with the problems and adopt procedures early next year that will give us a viable handle on spending and on the budget.

Just as in the case of a veto, Congress can override whatever the President does under this compromise language. If we disagree in any area where he is withholding funds, there is nothing to prevent Congress from taking action and overriding that action of the President.

In closing, I would urge that Congress adopt this proposal. I think it is a responsible step forward. I think it will help us to face the rising pressure on our economy, and I hope that next year Congress will take decisive steps to bring budget matters under control.

Mr. PASTORE. Will the Senator yield?

Mr. BENNETT. I thought the Senator was ready to yield the floor.

Mr. ROTH. I did tell the Senator from Rhode Island I would be happy to yield for a question.

Mr. PASTORE. The Senator from Delaware brought out the question of deficit spending. Will he admit that when this administration submitted its 1973 budget estimates, it advocated deficit spending on the grounds that a full employment budget would justify a deficit of about $25 billion?

Mr. ROTH. It is true that the administration proposed a full employment budget.

Mr. PASTORE. It has also advocated defense spending of $25 billion over and above the revenue that would come in. Am I right or wrong?

Mr. ROTH. That is correct. I point out to the Senator from Rhode Island that the $256 billion or $257 billion that is now being proposed by Congress is way over a so-called full employment budget. In fact, the full employment budget would be roughly $245 billion. Now, it is claimed that so long as one does not exceed the full employment budget, one avoids creating inflationary pressures. But even under that doctrine, a $250 billion budget leaves inflationary pressures.

So far as I am concerned, there is plenty of blame to be shared all the way around, with the executive branch as well as Congress.

I do not think that is the point. I do not think politics is the point. I think we are trying to get a handle on the situation, so as to avoid inflationary pressure; to develop a sound economy that provides employment without inflation. For that reason, I urge adoption of the conference report.

I yield the floor.

Mr. BENNETT. Mr. President, I think tonight we have forgotten what we did when we voted on this bill. We voted a spending ceiling of $250 billion. It is in the bill.

The House voted a spending ceiling of $250 billion. That is accomplished. That was not in conference. We could not take it out, so now the only question before us is, How do we reach the $250 billion?

It is not for us now to say that we are making history. We are for the first time or for the second time giving the President power that he should not have.

We have already done that. There is nothing we can undo about it, unless we reject the whole conference report and the whole thing goes out the window. Do we accept the pattern for reducing the amount of expenditures down to the $250 billion, or do we reject it?

It is not the philosophical question of whether we are permitting the President to usurp power. We made that decision when we voted the bill out of the Senate with the $250 billion ceiling in it.

Mr. PASTORE. Will the Senator admit that the conference report is a lot different from what we have done in the Senate?

Mr. BENNETT. No, not with respect to the ceiling——

Mr. PASTORE. The $250 billion ceiling, yes, but the fact still remains that we have gone from the 10 percent to the 20 percent, which gives the President the authority of establishing priorities that may be objectionable to the Congress. That is the point. We are all for the $250 billion ceiling, but all we are saying is that the Congress of the United States wishes to be a better partner in establishing priorities. When you take the 20 percent out of any particular item, you could nullify the program. That is what we do not want to happen. We gave the President a leeway of 10 percent but the Senator went to conference and came back with giving him 20 percent. That is exactly what we do not want. Because we do not want to take it out of housing for the elderly, or education or other social programs.

Mr. BENNETT. Mr. President, I yielded to the Senator only for a question, not for an argument.

Mr. PASTORE. I am making a speech. [Laughter.]

Mr. BENNETT. I know you are.

Mr. President, I want to make the point again. We told the President to reduce spending, and we told him in this body how we thought it should be reduced, and the House told him how they thought it should be reduced. Both we and the House told him that we gave him the responsibility to cut it back. Now to come back and say that because we gave him the responsibility he is going to misuse it, that is not the question any more. We gave him that responsibility. We mandated that he make that reduction.

Mr. LONG. The point is as to the precedent the Senator is talking about that by a vote of 53 to 35, with myself voting against it, a Democratic Congress imposed on a Democratic President the power and the mandate to make the cut in the same fashion that the House proposed the present President make. When we get down to it, we find that the precedent for a proportionate cut in spending does not exist, to my knowledge, but the precedent of telling the President, "You will cut x amount" was passed by Congress in 1968. There it is. The vote was 53 yeas 35 nays. I think we can see that we imposed that same requirement on this President. By the language in both bills, we mandated the President to make that cut. It is no longer a question. He has been charged by Congress to make the cut. So when we say that we are breaking precedent and we are giving up the power of Congress, if we did that, we did it the other night. We are not doing it tonight.

Mr. JAVITS. Mr. President, I wish to raise yet another matter on the conference report, and that is the provision which relates to extended unemployed compensation which was included in the bill. This issue affects hundreds of thousands of workers in the country who have exhausted their regular State unemployment entitlement and now are likely to go on the welfare rolls.

The settlement in the conference report is most unsatisfactory because it omits the very material element of the Senate amendment offered by Senator MAGNUSON, myself and others, which the Senator from Louisiana (Mr. LONG) accepted.

The original amendment passed by the Senate made three changes in existing law:

First, it eliminated the 120-percent "off" trigger, that is, the requirement that insured unemployment remain above 120 percent of the average insured unemployment rate during the previous 2 years for the State to remain in the program.

Second, it eliminated the 120-percent "on" trigger requirement, that is, the requirement that insured unemployment must be at least 120 percent of the average during the previous 2 years for the State to qualify—or requalify—for the program.

Third, it eliminated the requirement that at least 13 weeks must lapse between the effective date of a State "off" indicator and a State "on" indicator.

Under the Senate amendment any State which has triggered out of the program because its rate of insured unemployment was less than 120 percent of the average insured unemployment rate during the provious 2 years, or because its current level of insured unemployment had dropped below 4 percent, could requalify whenever its insured unemployment rate rises again to reach 4 percent.

The Senate amendment would have helped 25 States to requalify or remain qualified to participate in the program.

The conference amendment removed only the 120 percent "off" trigger. This would help States which have or would have triggered out of the program solely because of the 120 percent requirement, that is States where insured unemployment has remained above 4 percent to requalify for the program. It would not help States in which insured unemployment drops below 4 percent at any time, such States will continue to be subject to both the 4 percent and the 120 percent "on" trigger requirement in order to requalify.

The following States would be helped by the conference amendment: Massachusetts, Michigan, Vermont, Alaska, Washington, Nevada, Rhode Island, Puerto Rico, and New Jersey. In each of those States unemployment has dropped or is expected to drop to less than 120 percent of the average during the previous 2 years, but not below 4 percent.

Among the States not helped by the conference amendment, that is those States such as New York where unemployment has dropped or is expected to drop below 4 percent and then climb back above 4 percent, are Montana, New York, Pennsylvania, Connecticut, California, Ohio, Louisiana, Oregon, Utah, West Virginia, Idaho, Hawaii, Arkansas, and North Dakota.

In New York the insured unemployment level just dropped below 4 percent last week. Because of seasonal factors statisticians are certain that it will climb back above 4 percent by January 15.

To permit New York and other States similarly situated it is necessary to eliminate the 120 percent "on" trigger as well as the "off" trigger.

Mr. President, I hope very much that an opportunity will be afforded to renegotiate this matter with the House. This is an elementary difficulty. In my State it affects 170,000 to 200,000 workers and tens of thousands of workers in all the other States that I have named. It seems inconceivable that this kind of discriminatory rule would be adopted.

I have no desire whatever to begrudge benefits to the nine States. I am delighted that they have it. But why deny it to the other 15? If it is equitable for the United States to go forward on this 50–50 sharing for the nine States, certainly it is equitable to go forward with the other 15, if their unemployment climbs back above 4 percent. Why discriminate against some? Either do not do it at all, which again would be inhumane, or do it for all those who are comparably affected. So that I hope very much the opportunity will be afforded, in respect of a vote on the conference report, to correct this situation.

Mr. FANNIN. Mr. President, I want to commend the distinguished chairman of the committee, the Senator from Louisiana (Mr. LONG), who has so capably handled this matter on the floor, and pay tribute to the outstanding services of the ranking minority member, the Senator from Utah (Mr. BENNETT), and other Senators who have given great assistance in placing this bill into the position where it can be considered properly.

The spending ceiling compromise worked out in the conference is vastly superior to the impractical and unworkable bill passed by the Senate.

As stated previously and so capably by the Senator from Utah (Mr. BENNETT), the $250 billion amount has been established both by the Senate and by the House.

But now let us talk about what could take place. I certainly commend the other members of the Finance Committee. The distinguished Senator from Wyoming (Mr. HANSEN) and I have worked on the statement here tonight which I will place in the RECORD, but I should like to comment on it first, regarding just what flexibility is given by the compromise worked out and which is before us now.

Under the Jordan amendment, the President would be required to make reductions of equal proportions in all reducible programs with a limit of 10 percent. If any programs at all were cut, the Senate version would require that the appropriations, even for the legislative branch, would have to be similarly reduced.

This appears to give the President a mandate to cut congressional salaries up to 10 percent—and that would mean the salaries of Members of the Senate in this Chamber also. That is not exclusive, but the mandate goes far beyond, I am sure, the original intent, so that it does not offer the flexibility. When we say that 20 percent is too much, the President can cut more than that today if he so desires. And he has the power.

We have not had all of these things happen that some of the Senators have said they were afraid would happen. He has not made wild cuts. However, he could have. It could be challenged if that were to happen. Senators talk about the constitutionality of it. However, over the years and under many Presidents this has happened.

If any programs at all were cut, the Senate version would require that the appropriations even for the legislative branch would have to be similarly reduced. This appears to give the President the mandate to cut congressional salaries up to 10 percent.

This is a very strange method of preserving the congressional prerogatives that we are concerned about in this legislation.

In effect, the terms of the Senate bill would limit the reduction in any program, even one of low priority, to the same percentage as could be taken from the most vital governmental function.

We could have something absolutely essential that should not be cut. It would be starving for funds. But it would have to be cut proportionately under the bill that the Senate sent to conference.

If a 10-percent reduction were needed in a large program to reach the $250 billion, the Jordan amendment would require a 10-percent cut in everything, including legislative appropriations.

The Jordan amendment is a meat-ax approach.

It does not take into consideration the fact that some programs would be crippled by a 10-percent cut, while others would not be damaged in the least due to the differing nature of various programs.

The Director of the OMB pointed out in our public hearings that any cut in the urban renewal appropriation would not affect spending—outlays—this fiscal year at all. Similarly, the 1973 impact of cuts in long leadtime procurement and construction appropriations would be very small.

On the other hand, a reduction of the same proportion in other programs could easily disrupt some of them. This is particularly true of small agencies which are not readily susceptible to cuts of a given percentage, such as larger ones can accommodate.

This does give flexibility. It is so badly needed. I think it is a good compromise. It is something that is workable and practical.

In many instances it only makes sense to cut programs either not at all or substantially. Some of them can be cut a small percentage without going all the way.

Most important, however, is the fact that the Senate bill with the Jordan amendment makes it difficult if not impossible for the administration to hold Federal spending to the $250 billion limit.

We have heard estimates that Federal spending would be in the neighborhood of $257 billion this fiscal year unless the spending ceiling is imposed.

Let us look at former years. We have been talking about them. What happened? We have gone far over the actual amount. However, suppose that the Federal ceiling should be headed for $260 billion or more. We realize what would happen. I do not want to take extra time here tonight to cover the subject, because I think it has been very well brought out by the chairman of the committee and the ranking minority member of the committee who have illustrated, I hope to everyone's satisfaction, that this is a workable compromise that will aid materially in meeting a problem that we do face tonight.

The Senate bill recognizes that Congress has appropriated funds in excess of the $250 billion accepted in this legislation as allowable. It orders the President to rectify the mistake; then it imposes conditions which make it virtually impossible for the administration to do the job if we leave it on the basis it was in previously. I do feel that we have a workable solution. We have a serious problem. It was brought out publicly by Secretary Shultz that we must live up to our responsibility. He said:

> The fact is, we have got to change the whole way of thinking in every part of the government—not only in the Congress but in the Administration itself. The approach has to become, "fight, and keep spending under control."

I am not trying to say that the legislative branch is at fault, or that the administrative branch is at fault, or the executive branch is at fault. I am saying that we must all work together and realize that this is what we are up against.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, last Friday, October 13, I warned that it would be a wholesale abdication of congressional responsibility if we were to give up the power of the purse and permit any President to cut back or eliminate entire programs without congressional control. I suggested that where individual programs are cut more than 10 percent there is a policy decision involved. It relates to priorities of expenditure which should involve congressional review. Unfortunately, the Senate did not accept my amendment which would have permitted either House to override presidential spending cuts where they exceeded 10 percent of any budget item—of which there are estimated to be 1,500.

The Senate instead adopted the Jordan amendment which would have required a proportional reduction in spending for all programs which were not specifically exempted. I believe that this was not the best approach, since there is not a proportional amount of leeway in every program, and I can see no logic behind requiring a proportional spending reduction, and some programs are already cut to minimum subsistence levels.

While I strongly support the $250 billion limitation on spending, I believe that the better approach would be to give the President limited latitude to make budgetary decisions subject to a congressional override. Unfortunately, the conference committee has now adopted a solution that is no better than the Senate's mandate or the House's open ticket. The conference committee would permit the President to cut up to 20 percent within only 48 specified categories of programs and with only a few exempted areas. Within that 20-percent range, there would be no congressional voice at all. We entirely abdicate our responsibility for priorities.

What troubles me is the fact that these categories are so broad that entire programs could be eliminated without any congressional approval whatsoever.

I would like to ask the distinguished Chairman of the Finance Committee or the distinguished Senator from Utah (Mr. BENNETT) or any others supporting the conference report, if it is not true that under the conference report a President could entirely eliminate all military construction, and all Department of Defense research and development without any congressional approval whatsoever?

For instance, item 051 of table 15 lumps together defense items aggregating $75 billion. As I read the conference report, the President would be permitted to cut up to $15 billion from these programs provided he does not go below the $250 billion level. Am I not correct in assuming that the conferees would permit the President to eliminate all research development and all military construction without any further congressional authority or review?

Am I not correct in assuming that the President could entirely eliminate the funds for action in item 152 without any further congressional review whatever?

Under item 508 would it not be possible for the President to eliminate all funding for the Tennessee Valley Authority?

Under item 602 would it not be possible for the President to eliminate the entire budget of the Federal Trade Commission and the entire budget of the Securities and Exchange Commission without any further congressional approval?

Under item 602 would it not be possible for the President to eliminate entirely certain higher education programs? Is it possible for us to know at this time which programs will be cut back or eliminated entirely?

Under item 605 would it not be possible for the President to eliminate entirely all funds for the Corporation for Public Broadcasting together with all funds in that item under the legislative branch?

Under item 609 would it not be possible for the President to eliminate the entire budget of the National Labor Relations Board or the entire budget for the Equal Employment Opportunity Commission?

Is it possible for us to know which housing programs will be cut back and which may be eliminated entirely?

Under item 908 would it not be possible for the President to eliminate all law enforcement activities of the Department of the Treasury, together with the entire budget of the Commission on Civil Rights?

Let us take the area of agriculture. Under item 350, would it not be possible for the President to eliminate entirely the cotton allotment of $5.4 billion, and the entire cotton allotment is only $8.20 million.

Mr. President, the conferees are apparently willing to set a precedent that the executive branch can on its own entirely do away with programs or even agencies which have been carefully established through the legislative process. I am disturbed that such a serious erosion of congressional power would be proposed. The conferees apparently forget the bitter struggle between the English Parliament and the King over precisely the powers which we are now asked to give up.

The Senator from Delaware stated this arises from default of action by the legislative branch, and I agree in that conclusion, but is this an excuse to turn it over to the executive branch? This would be blaming the Senate for a dictatorial takeover by that branch. As the Senator from Delaware said, it is trying to get a handle on the situation, but the handle should be our handle and not the handle of the executive branch, and this conference report does not meet that objective.

The Founding Fathers of our country knew how important it was for the legislative representatives of the people to have control over our Nation's spending. Article I, section 8 of the Constitution provides that:

> The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

And article I, section 9 provides that:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

I for one am not willing to subvert this constitutional power.

We should also consider the fact that this legislation will probably be renewed and in future years will lead to "over appropriating" by the Congress in anticipation of budgetary cuts to be made by the President pursuant to this authority. This would be a most irresponsible practice but one which would almost be inevitable under this precedent as Members of Congress attempt to protect their pet projects.

Finally, we should recognize that every President engages in a certain amount of congressional arm twisting in an attempt to secure passage of measures favored at the White House. This is true of every administration. Do we want to permit a president to augment his already formidable powers by threatening to hold up public works projects in a Member's district if he does not support a given piece of legislation? This too would entirely subvert the separation of powers and make the Congress extremely vulnerable to the executive branch in exercising its legislative judgment.

The conference report in my judgment is an ill-conceived and dangerous distortion of our separation of powers and I shall therefore vote against it.

Several Senators addressed the Chair.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FULBRIGHT. The Senator reminds me of his father. It was always his position that we have a function to play. The comments of the Senator are very appropriate, and I associate myself with what he said.

Mr. Long, Mr. Bennett, and Mr. Javits addressed the Chair.

Mr. LONG. Mr. President, I ask that I might yield to the Senator from New York without losing my right to the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I, too, feel the whole heritage of the family of the Senator from Ohio brings him to this point. I think the Senate should take note of what he says on this subject with the utmost sincerity.

I would like to say for myself that one of the things that deeply troubles me, and we are not oblivious to history, is that emphasis has all been on cutting, but cutting what? Of this budget $78 billion is for defense, and the President's proposal has been to add $4 billion to defense, not cut it.

The Senator from Rhode Island (Mr. Pastore) is correct about cutting it $5 billion.

Mr. LONG. Mr. President, I thought I was yielding so the Senator could compliment the Senator from Ohio.

Mr. JAVITS. The Senator from Ohio has the floor.

Mr. LONG. No, I have the floor.

Mr. TAFT. Mr. President, I ask the Chair if I have the floor.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

Mr. LONG. I thought I had been recognized.

The PRESIDING OFFICER. It was the fault of the Chair. The Senator from Ohio was still on his feet.

Mr. LONG. The Senator said he yielded the floor.

Mr. TAFT. The Senator is not correct. I did not yield the floor.

Mr. JAVITS. It does not matter. I will only take 1 minute. My only point is with respect to the defense appropriation. This is in the minds of many Senators. One-fourth of the $250 billion is involved in the Defense Appropriation and couple that with the fact that certain spokesmen for the administration have talked about how manpower training programs are to be affected or dismantled, and these are things that worry us. That is why this is not the previous case. Every case has its own history. So I think the words uttered by the Senator are very important to us all. I compliment the Senator on his speech.

Mr. TAFT. I thank the Senator. The point is that if we are to grant this power it should be only on line items so we keep some control. With respect to giving this broad power, many Members of the Senate are not here tonight and may not realize there is involved the authority to cut deeply many of the programs involved. I think the Senator should understand that before they vote on this measure tonight.

Mr. LONG. Mr. President, the Senator from Louisiana was here in 1968. Lyndon Johnson was President. At that time we debated about the battle of Runnymede. I was one of those who voted against this spending limitation on any basis at all. I was one of the 14 Senators that voted against the conference report when it came back.

I appreciate all the fears that have been expressed, but we have had experience under a spending limit. I regret to report, the only way in recent years we have been able to get spending under decent control is by spending limitations where you call upon the President to cut back. Look what happened to the budget deficit over the years. Starting in 1964 and 1965, with the Vietnam war, it built up to around $3.7 billion, then $8 billion, and then $25 billion. So with a $25 billion deficit in 1968 Congress said we must act. I did not like the idea of that spending limitation, but the President was demanding a tax increase and Congress was reluctant to go along with it. Finally it was proposed here by the Senator from Delaware, Mr. Williams, and the Senator from Florida, Mr. Smathers, a Republican and a Democrat, that the only way to get this under control is to vote a tax increase on one hand and a spending limitation on the other hand.

We voted a tax increase of about $8 billion. On that same bill we placed a spending limitation that required the President to cut back by $6 billion. The Senator from Louisiana was one of those Senators who did not like the presidential cut without it being specified where he was going to make the cut. I voted against the conference report. Here is a list of those who voted with me against the conference report, and here are the 53 Senators who voted for this kind of spending cut. At that time the deficit was $25 billion. That is what President Nixon is projecting this year, a deficit of $25 billion with the spending ceiling, and we are faced with a deficit of $31 billion without it. Then, in 1968, it was the Senator from Louisiana who should have been making speeches with respect to Runnymede and King James.

The Senate decided to make the President cut $6 billion. That is about the same figure $6 billion—that this President would like us to ask him to cut. So we asked President Johnson to cut $6 billion. The Senator from Louisiana did not want it, and President Johnson did not want it, but here are the Senators who voted for it: Senators Aiken, Allott, Boggs, Brooke, Byrd of Virginia, Carlson, Case, Cooper, Curtis, Dirksen, Dodd, Dominick, Eastland, Ervin, Fannin, Fong, Gore, Griffin, Hansen, Hickenlooper, Holland—one of the great moderate-conservative Senators—Hruska, Inouye, Jackson, Javits, Jordan of Idaho, Kuchel, Mansfield, McClellan, McIntyre, Miller, Montoya, Morton, Moss, Mundt, Murphy, Muskie, Pearson, Pell, Prouty, Randolph, Russell of Georgia, Scott, Smathers, Smith, Spong, Stennis, Symington, Thurmond, Tower, Tydings, and Williams of Delaware.

They all voted to do that. I was against it. I did what I could against it. I am sorry it did not occur to me to make a speech about Runnymede. If I had, perhaps I would have prevailed on the Senate to do what I wanted.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. PASTORE. Did I vote?

Mr. LONG. I regret to say the Senator was not voting on that occasion.

Mr. PASTORE. Take another look at it.

Mr. LONG. The Senator was one of those not voting.

Mr. PASTORE. That is right. So Pastore will not be repeating any mistake, will he?

Mr. LONG. No, Senator, but——

Mr. PASTORE. And if I had been here, I would have voted against it, as I am going to vote against it tonight.

Mr. LONG. That is not how the Senator voted on the conference report, as important as the Battle of Runnymede was. I even voted against the conference report, but apparently the Senator did not know that the Battle of Runnymede was involved in it.

Mr. PASTORE. Will the Senator yield further?

Mr. LONG. That is what we are debating now—the conference report.

Mr. PASTORE. Will the Senator yield?

Mr. LONG. Yes.

Mr. PASTORE. Is the Senator's logic that if we made a mistake in 1968 we should repeat it in 1972? Is that what he is trying to tell us tonight?

Mr. LONG. All I am saying is that is what we did in 1968——

Mr. PASTORE. That we should do it again, right or wrong?

Mr. LONG. Let me complete my sentence.

Mr. PASTORE. All right. I want to help the Senator out a little bit.

Mr. LONG. I want to help the Senator from Rhode Island. All I said is that when we did that in 1968, we changed from a deficit of $25 billion, which many people, including President Johnson, thought would impair the fiscal integrity of this country and its stature around the world and cause inflation. That is why President Johnson signed it. When we did, that we changed from a unified budget deficit of $25 billion to a $3 billion surplus in the following year. That was a year when President Johnson was President part of the year and President Nixon was President a part of the year.

But that is the last surplus we had. I regret to say that is the last surplus, even in the unified budget. There was a small surplus in 1960. Since that time we have had enormous deficits. In 1971 it was $23 billion. In 1972 there was an estimated deficit of $23 billion. In 1973 the estimated deficit is $25 billion.

These are enormous deficits that would cause anyone to have his confidence in the solvency and the ability of this country to maintain its purchasing power and maintain its position as a leader of the free world left very much in doubt.

It is because of that that we have a President coming in here and asking us to impose on him the same thing that we put on Lyndon Johnson. The only difference is that Lyndon Johnson was not asking for it and this President is asking for it. That is the difference, save this: Because there are people who feel there should be restrictions on the President, we have proposed that the President be so limited that we would look at 50 budget categories and undertake to say that he would not make more than 20 percent cuts in those 50 budget categories.

Look at what some of those are. Let us take the program for water resources. That is a $3.2 billion program. Under this conference report, the most the President could cut that program would be a little over $600 million, leaving about $2.5 billion in the program.

The way that Congress did it in 1968, with an overwhelming vote of 64 to 16 on that conference report, was to give President Johnson authority to eliminate the whole $3.2 billion. All the President could cut according to this conference report would be about $600 million.

Then look at water transportation, $1.2 billion. About all he could cut would be $240 million. They would have $1 billion left. With what we put on President Johnson, he could have eliminated all of it.

Air transportation, $1.668 billion. With the authority President Johnson had, he could have gone ahead and eliminated everything for air transportation.

So it goes item by item.

By comparison with what Congress voted for by an overwhelming vote in 1968 to get the budget under control, President Johnson was given authority to eliminate whole categories, whereas we would give the President authority now to make only 20-percent cuts.

It may be that Congress does not want to authorize the President to make any cut at all, but I want to say this: This is the only thing that has been proposed to get the genie back inside the bottle and try to get the deficit down to some manageable proportions.

As chairman of the Finance Committee, this is not ordinarily a matter of our jurisdiction. I would be pleased to have the Appropriations Committee take jurisdiction of this item. As far as I am concerned, it ought to be in the Appropriations Committee, not in the Finance Committee. When it was put in our bill in 1968, I was against it. I was not for putting it on this bill, but will find it here. The Senate insists that we accept this jurisdiction, and we will do the best we can. I was against the spending limitation as it came to us.

But, as the Senator pointed out, the $250 billion limit was not in conference. That is in the Senate bill. It is in the House bill. We have here as much as it was within the power of this Senator to get the conference to agree to.

Mr. BENNETT. Mr. President, will the Senator yield for an observation?

Mr. LONG. I yield.

Mr. BENNETT. When we were voting Friday night, the Senator from Oregon (Mr. PACKWOOD) gave us the opportunity to vote against giving this power to the President. His amendment would have removed the President's power to cut spending down to $250 billion, and the Senate rejected it.

Mr. LONG. Furthermore, I am going to offer the amendment myself, if this conference report fails, to strike that $250 billion as the remaining amendment, because the Senate should not be blowing hot and cold. The administration informed us about 50 times in conference that they did not want the Jordan amendment. They would rather do without anything and leave the President the power to impound, which Presidents have done on other occasions, and do the best they can with that. They do not want this. They think they can do what needs to be done without this. It is far more restrictive than we put on President Johnson. If Senators say they want it cut, but only on the ground that they provide the categories, the President is not going to accept that. He is going to try to comply with this proposal. Beyond that point, forget about it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. PASTORE. The thing that disturbs the Senator from Rhode Island is the argument made tonight that just because we made a mistake in 1968 we should repeat it in 1972.

Mr. LONG. I do not think it was a mistake. I am not sure it was. That was the only balanced budget we had.

Mr. PASTORE. The Senator has argued that because we did it in 1968, no matter how we feel about it, we should do it again. So I do not care what terminology is used, it amounts to the same rationality. Had the Senate come back and said, "Look, we made it 10 percent and it comes out of conference with 20 percent," we could vote it up or down.

The one thing I do not like is the argument the Senator is making that just because it happened in 1968 under President Johnson it should happen in 1972 under President Nixon. It was made clear—I think the Senator from New York make it emphatically clear—that because we had gone along with the Jordan amendment, we would insist in conference that the conferees adhere to the Senate position.

Now, maybe that was impossible. I have been in conferences before, and it is a give and take. The position we are taking here tonight, it strikes us, that with this 20 percent—the Senator enumerated some big items like sewers and things of that kind, where we are appropriating in the billions of dollars, and when you cut out $600 million that may not be a significant amount. But when you take out 20 percent of programs like housing for the elderly, you might as well not have the program at all.

If the Senator is arguing that is the best they could do, and we either take it or leave it, that is one thing. On the other hand, if he is arguing that he justifies what the House compelled the Senate conferees to agree to on the ground that because we did it in 1968 we should do it again in 1972, I am afraid I cannot subscribe to that kind of rationale.

Mr. LONG. Mr. President, I do not concede that it was a mistake in 1968. I would think that logically I have a better right to say it was a mistake to do it in 1968 than someone else, because I voted against it in 1968, and I voted against it this time. But what I am saying is that this has been done before, there is a precedent for it, and what we are bringing back from conference is much more severely limited authority than what was given in 1968. I know it is more severely limited, because the conferees asked us for the elbowroom they thought they needed and we turned them down 50 times, at least. They felt that if they had to be limited at all, it should be in about 12 broad categories, where we limited them in 50. So, we limtted them four times as much.

I want to make just one more point which I think our Democratic colleagues should consider; and this was the viewpoint of Representative MILLS in the conference. In State after State in this Union, Democrats will be running where Mr. Nixon will be doing quite well, indeed. If I were running in those States, I would want people to know I would work with a Republican President if the people saw fit to elect a Republicant President. I know when President Eisenhower was President, we gained Democratic seats in that way, even though Eisenhower was enormously popular at that time.

If Senators who voted to give President Johnson far more authority than this want to take the view that they will not give President Nixon one quarter of the authority they gave President Johnson, then, Mr. President, I think they are making the issue and, whether they like it or not, they will have to live with it. They are not willing to give President Nixon one quarter of the authority to cut budgetary items that they were willing to give President Johnson, and they are making the case for the President that he has to have a Republican Congress in order to have some cooperation to bring under control the irresponsible spending which has given us a budget deficit of $100 billion in 3 years.

I would think that would be a very, very foolish thing for Democrats to insist on doing. If they want to make that record, they can, but it seems to me that when the President is saying he wants to make some reduction, but he is asking for no authority other than what we gave President Johnson, and is willing to settle for one-quarter of that, Mr. President, it would seem to me, would be an unwise thing to turn him down on that, particularly on this side of the aisle.

Mr. BENNETT. Mr. President, I would like to respond for a moment to the inquiry of the Senator from Rhode Island. This question of Runnymede and Lyndon Johnson never came up in conference, because the amount was not in conference. The thing we faced in conference was the demand of the House of Representatives that the President have the power with no limitations, which was their proposal. Ours was that anything he spent had to be spent proportionately, which provided that the President had no leeway.

How do you find a point in between? We struggled all day long. We felt, as the chairman has explained over and over again, that this was the only practical way in which we could impose some limits, because these classifications are the standard classifications in the budget outlays. We are dealing with fixed items or fixed areas, and it seemed to me that that was the only way we could come in between.

So what we are voting on tonight and what the House of Representatives has already accepted is this practical accommodation or compromise between the idea of absolutely no limitation and the amount of limitation that was required by the Senate position.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. PASTORE. Now we are beginning to sing a different tune. If the Senators take the position that this was the best they could do in conference, then it is up to the Senate whether or not to accept it or reject it. But this idea that because it took place in 1968 it has to be repeated again in 1972 is an argument I do not think is relevant to the issue, and that is all I have heard here tonight, that "You Democrats should be doing this for Nixon because you did it for Johnson."

That is not the question here. I am perfectly willing to admit, though I was not here at the time—frankly, I was at Bethesda ——

Mr. BENNETT. So was I.

Mr. PASTORE. I could not be here to vote. But that is apart from the question. The question here is a matter of whether or not the function of the Senate and Congress are being impinged upon by the administration. That may be necessary as an emergency measure; I am not disputing that. It is true that we have limited the spending to $250 billion; that is absolutely correct. But the formula, of course, is not acceptable to some Senators, and that is the reason we feel the way we do.

I think myself it is a very simple matter. I think we all understand it and ought to put it up to a vote either for or against it, and let us see how the river flows.

Mr. BENNETT. May I explain to the Senator from Rhode Island how this all got started? I was not on the floor, but one of our Democratic colleagues made a long speech saying this was absolutely the first time that this kind of power had ever been given to a President, that this was a historic event, and we were about to break all precedents and all records. We had to tell him this was not the first time; but once we got on that theme, somehow we could not get off it.

I agree with the Senator from Rhode Island that we did the best we could in conference to find an accommodation between the two positions. We did not discuss this kind of business. And what the Senate has before it is the best solution that both sides of the conference working together, trying to solve the problem, could come up with, and we offer it to the Senate as the best possible solution.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. BENNETT. Yes.

Mr. TAFT. I would just like to ask the Senator, to make sure there is no misunderstanding about this, with regard to the power of the President under this 20-percent limitation, as I understand it, the amendment that was passed by the Senate the other night imposed a 10-percent limitation on expenditures. The amendment I proposed would have imposed a 10-percent limitation on expenditures as applied to individual budget items, of which there are 1,500 or more in the budget. This item that has come from conference applies this 20-percent cut on any one of just 48 items, so very much less power is given. To correlate the 20 percent and the 10 percent seems to me to be beside the point.

Take, for example, the housing for the elderly, which the Senator talked about the President cutting out. If the President wanted to, under this conference report, he could entirely wipe out the housing program for the elderly. The total of the items in that category amounts to billions of dollars, but the housing for the elderly is only $22 million. I do not think the Senate ought to be under any illusion as to the nature and the extent of the power they are giving under schedule 15–1; there is a tremendous lumping of items involved. The comparison of 10 percent and 20 percent is really beside the point. This is really an open door, with a slight limitation on a few items, instead of a completely open door, which I think would have been an even greater mistake.

Mr. BENNETT. In the course of the discussion, several things became evident. First, these uncontrolled programs, these things that cannot be cut, run all the way through the program. The second thing is that if we say to the President he has got to cut every item, it will take us back to the debate the other night, which was that we were giving the President an item veto, and that was not our intention.

Mr. TAFT. Is that not for all intents and purposes what has been done here?

Mr. BENNETT. No.

Mr. TAFT. Is not the size of the category, which is not so great, that for all practical purposes an item veto has been given?

Mr. BENNETT. I will finish by saying that we gave President Johnson this power, and he did not cut out anything. He did not destroy the system of government, and President Nixon is not going to destroy the system of government. So what is possible theoretically and what is politically possible and wise are two completely different things.

Mr. President, I think we should vote.

Mr. STEVENS. Mr. President, I have been listening to this debate. I should like to ask one question and follow up something that the Senator from Utah just said.

We know that in certain areas, such as the impact aid funds, the Office of Management and Budget and the executive branch have for years tried to reduce these funds, and Congress has traditionally restored them. We restored them again this year.

As I understand it, when we passed the HEW-Labor appropriation bill, we had a special formula attached to that bill. It was a 3 percent overall reduction, with not more than 13 percent on any item. When this bill previously passed the Senate, the distinguished Senator from South Carolina (Mr. Hollings) attached an amendment to this bill which would have prevented the double impact of a reduction.

As I understand the situation now, the President, when he signs the HEW bill, has the power to reduce any item 13 percent; and this bill would again give the power to reduce it 20 percent, and that would lead to a 33-percent overall cut in the health, education, labor, welfare field.

The Senator from Utah, as I recall, when the Senator from South Carolina offered that amendment at the time the bill was before the Senate, previously agreed with him that that was not the intention of the Finance Committee. Yet, I note that the Senate receded from that amendment and it is no longer in the bill. Is that correct?

Mr. BENNETT. That is correct.

Mr. STEVENS. I have an amendment prepared in the event the conference committee report is adopted, and I am inclined to think the Finance Committee has done the best job it can. I intend to offer that amendment at the time the motion is made to concur, if the conference report is approved.

Could we have some understanding as to why this redundant power to cut the HEW-labor field was retained in the bill?

Mr. BENNETT. The Senator is not on the Appropriations Committee; but, as he remembers the discussion in the conference, it was pointed out that this power to cut 13 percent was in fact the power to cut down to the lowest level of the appropriations suggested by the two Houses. They took a figure higher than the lowest level—I do not remember whether it was the House or the Senate that was lowest—and then provided that this 13 percent could be used, which would only bring it down to the lower of the two levels that had been adopted.

So, under the circumstances, the House said, "Well, this is superfluous; we won't take it." So we had to give it up.

Mr. STEVENS. I ask unanimous consent to have printed at this point in the Record the statement of the committee on conference of the Labor-HEW bill, and I will be pointing this out later.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16654) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes, report that the conferees have been unable to agree.

Disagreement to the amendment of the Senate is a technical matter. The rules of the House prohibit the managers on the part of the House from agreeing to an amendment of the Senate that would have been subject to a point of order if it had originated in the House. The amendment of the Senate clearly would have been subject to a point of order. The amendment struck out all of the text of the House bill and substituted therefor the exact text of H.R. 15417, the vetoed Labor-HEW appropriation bill for fiscal year 1973, with one additional section which reads as follows:

"Section 409. Notwithstanding any other provision of law, the President is authorized to withhold from obligation and expenditure from the amounts contained in this Act, such sums as he may deem necessary; however, the amounts withheld shall not cause the total available for obligation to be less than $29,603,448,500 in the aggregate for the appropriations made herein: *Provided*, That no amount specified in any appropriation provision contained in this Act or any activity within such appropriation may be reduced by more than 10 per centum: *Provided further*, That the amount available for obligation for any appropriation provision determined pursuant to this section shall be substituted for the amount for such appropriation provision contained in this Act and for the application of any formula for the distribution of funds."

The managers on the part of the House will offer a motion to recede and concur with the Senate amendment with an amendment which will have the effect of (1) changing the sum of $29,603,448,500 to $29,300,000,000, (2) changing the percentage figure from 10 to 13, and (3) limiting the use of funds contained in the bill for operation and maintenance of schools in Federally impacted areas to the entitlements based on the number of so-called "A" and "B" children. The funds were so limited in the House bill. The managers on the part of the Senate will move to agree to the amendment of the House to the amendment of the Senate.

The managers on the part of both the House and the Senate agree with the statement in the report of the Senate Committee on Appropriations and the Joint Explanatory Statement of the Committee of Conference on the vetoed bill, H.R. 15417, that it will be expected that such funds as are necessary, from the funds included in the bill for school construction under P.L. 815, will be used for urgently needed facilities at Holloman Air Force Base, New Mexico.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1973 recommended by the Committee of Conference, with comparisons to the fiscal year 1972 amount, the 1973 budget estimate, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year 1972	$27,396,058,000
Budget estimates of new (obligational) authority, fiscal year 1973	28,767,633,500
House bill, fiscal year 1973	29,603,448,500
Senate bill, fiscal year 1973	[1] 30,538,919,500
Conference agreement	[2] 30,538,919,500
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1972	+3,142,861,500
Budget estimates of new (obligational) authority (as amended), fiscal year 1973	+1,771,286,000
House bill, fiscal year 1973	+935,471,000
Senate bill, fiscal year 1973	----------

[1] Section 409 of the Senate bill authorizes the President to reduce the total amount of the bill to $29,603,448,500.

[2] Section 409 of the bill will authorize the President to reduce the total amount of the bill to $29,300,000,000.

Mr. STEVENS. It is my understanding that this is a defect in this bill, that it is theoretically possible to exercise this authority twice—once in the obligational authority and once on the expenditures. I do not think we should leave it in that situation. If the conference committee report is adopted—I have discussed this with the chairman and the ranking minority member of the Subcommittee on Health, Education, and Welfare appropriations, and it is something that Senator HOLLINGS would do if he were here—I intend to try to raise it again. I feel that it should be raised again if the conference committee report is adopted.

Mr. LONG. My understanding is that the cut to which the Senator refers is on the obligational authority, and the reduction that is proposed here is on the spending authority. So that they are two different things. Item 601 is the item which I suppose is the nearest to what the Senator has in mind and probably includes it. That would be elementary and secondary education, $3.619 billion and the reduction under this proposal that could be made would be about $720 million, leaving about $3 billion in that category.

Of course, whether the conference report is agreed to or not, there is an amendment which was taken by the House in disagreement. It deals with the unemployment insurance issue. If the bill survives, that amendment would be subject to amendment, and the Senator could offer his amendment to that provision.

Mr. STEVENS. That is my intention.

I point out that section 409 of H.R. 16654 provided:

> Notwithstanding any other provision of law, the President is authorized to withhold from obligation and expenditure from the amount contained in this Act . . .

So there is a redundant authority, and there should be no mistake that we are only intending to give the President the power to cut once; and so far as I am concerned, it is to cut the HEW bill under the terms of the HEW bill and not under the terms of this bill.

Mr. MAGNUSON. I say to the Senator from Utah that we dropped the figure to a lower figure. We had 10 percent in the Senate bill. That added up then to 13 percent in these items. They are mainly in education items, and that is what the problem is.

A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. If the conference report is not adopted, what will then be the pending order of business?

The PRESIDING OFFICER. The Chair will lay before the Senate the amendment reported in disagreement.

Mr. MAGNUSON. Which would be amendment No. 10?

The PRESIDING OFFICER. Amendment No. 10.

Mr. MAGNUSON. That is the unemployment compensation. Would that then be subject to an amendment?

The PRESIDING OFFICER. The Senate could concur with an amendment, if the Senate so desired.

Mr. MAGNUSON. So the Senator from Alaska would have a chance to clear up this matter, so there would not be 33 percent; and other Senators might want to offer an amendment to amendment No. 10.

Mr. JAVITS. I would.

Mr. MAGNUSON. I understand that that is the parliamentary situation.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. As I understand it, the amendments may only be in the first degree. Is that correct?

The PRESIDING OFFICER. It would be amendable in two degrees.

Mr. JAVITS. With that, Mr. President, is it also appropriate to state that there may be a series of amendments, that it is not limited to one amendment?

The PRESIDING OFFICER. The Senator is correct. The motion to concur is not put until all the amendments are disposed of.

Mr. JAVITS. And what is the nature of the debate on those amendments? Is that limited?

The PRESIDING OFFICER. Unlimited debate.

Mr. NELSON. Mr. President, I have heard the arguments. I agreed with and supported the proposal that was adopted in the Senate. I disagree with the conference proposal.

The Senate passed a spending limitation of $250 billion. It authorized a formula for reduction which went as far as it was possible to go without, in fact, delegating power to the President that is reserved for the Congress by the Constitution.

That provision required a proportional cut—except for noncontrollables, interest on debt, and so forth—for all agencies with adequate flexibility for larger cuts—up to 10 percent—from programs and functions within each agency.

This was a rational, workable proposal which respected the priorities established by Congress and approved by the President, while at the same time preserving congressional control over the appropriation process pursuant to the Constitution.

The White House rejected this proposal out of hand. All Saturday afternoon and late into Saturday night, White House representatives and Cabinet level officials were lobbying all over the Capitol to knock out the Senate proposal and give the President dictatorial control over the appropriations and spending process. It is a mind-boggling prospect to contemplate what utter contempt this administration has for the Constitution and the Congress. Even worse to contemplate has been the supine docility of the Congress itself over the years in the face of direct and arrogant challenges to its constitutional authority.

If Congress approves the Conference agreement, it will have authorized the President to cut 20 percent from all or any of 50 enumerated categories and within each category eliminate whole programs which have been debated, authorized, funded, passed by the Congress, and approved by the President. At no time has the administration been willing even to suggest to Congress where cuts might be made. They want to reserve those decisions to a small clique who will meet in a room in the White House and legislate for the whole United States. This is not the constitutional process of veto followed by a debate and vote in the Congress. It is, purely and simply, government by fiat.

The October 17 Washington Post editorial clearly summarized the issues raised in the compromise ceiling proposal. The Post editorial stated that the proposal would "derange fundamentally the constitutional balance of powers" that it "would require a vast new centralization of fiscal power in the White House" that "A vote for the ceiling in the compromise form, is a vote for a historic shift of authority from Congress to the White House."

The Post is correct, and I will not support any proposal that further enhances Presidential power or erodes the constitutional authority.

Most ironic of all is the presidential posturing as a fiscal conservative while charging Congress with fiscal irresponsibility. The fact is that the budget deficit is part of the President's economic game plan. He designed it. He recommended it. He pushed it through Congress and defended it as a "full employment budget."

The President defended his full employment budget with the argument that while the budget appears to be unbalanced it really is not, because if we had full employment the budget would, in fact, be balanced and, therefore, there is no real deficit.

The fact is that the budget increases have resulted from Presidential recommendations and legislation signed by the President. Furthermore, the President's budget carried a whopping $26 billion deficit when he recommended it last January.

The public is entitled to know the facts. His recommendation is for a $250 billion spending ceiling which will require a $6 or $7 billion cutback. In the past 12 months alone, the President has recommended and pushed through Congress two proposals which are costing the Treasury $17 billion a year.

The first was a tax reduction of $11 billion last year despite a $23 billion deficit in fiscal 1971. This measure is costing the Treasury $22 billion during fiscal 1972 and 1973 and $10 billion a year thereafter.

Second, the President pushed a revenue-sharing bill through Congress while refusing to support the funding of it with Federal taxes. This measure will cost the Treasury an average of $6 billion a year for the next 5 years, just about exactly equal to the amount he now wants to cut. It is fair to ask just who has been fiscally irresponsible.

There were a number of us who voted against both measures. I was one of those. If the President had followed our advice, the spending level would be some $10 billion below the $250 spending ceiling he is now asking for.

The public should not be fooled by the President's charge of fiscal irresponsibility on the part of Congress.

Mr. McGOVERN. Mr. President, in recent days I have spoken out time and again against the spending limitation as it is embodied in the bill before the Senate. It represents an unprecedented extension of Presidential power, in defiance of the Constitution. And it exposes an elaborate deception being played by the administration at the expense of the Congress and the voting public.

The President has always claimed the power to withhold funds—including some $12 billion that is now impounded. Members of this body have always resented that Executive practice. The Congress has appropriated funds which it deems important, to accomplish desired policy ends. And time and again, the Congress has seen its will circumvented by an Executive that wields a heavy hand in the budget office: Refusing to spend moneys that have been appropriated, in effect using an item veto power he does not have, to kill badly needed appropriations.

Yet Mr. Nixon is now insisting on full congressional sanction for the arbitrary and socially disruptive budgetary license employed for 4 years.

The "power of the purse" is one of those powers which helps to maintain the delicate balance on which our system rests. For the Congress to relinquish that authority now, in the face of Executive blackmail, is to place ourselves in the position of adopting a domestic Gulf of Tonkin resolution, after we have long since seen it as a disaster in foreign affairs.

Let me draw attention to just two of the many program categories which would be affected by the language of this bill before the Senate: Health services and food assistance programs. And remember that granting the President the authority to reduce funds appropriated in any given category of the Federal budget by as much as 20 percent may result in a far less equitable reduction than we might hope.

Categories Nos. 651, 652, and 653 of the Federal budget affect our Federal health programs. These categories include all of our support for the entire National Institutes of Health complex, health manpower, the construction of health facilities, family planning services, and the occupational health activities so important to our workers, the community health, the maternal and child health services being supported in 50 States, centers that serve our urban areas, and a wide range of health-related activities, such as those which provide grants for the treatment and rehabilitation of alcoholics and narcotics addicts.

Category No. 652 alone includes virtually all of the money for nutrition-related services in the Federal budget: Services for mothers and children—reported through State departments of health—and money for nutrition services under the Center for Disease Control. Yet that same category, comprising some $15 billion in obligational authority, also includes the funds for medicare and medicaid, which cannot be touched according to the terms of this act.

The question very quickly becomes, Will a 20-percent reduction in category No. 652 end HEW's involvement in nutrition? Or will it eliminate the maternal and child health services projects which the President was content to allow expire? Will it eliminate family planning services for poor families? The services being provided for community mental health services? For migrant health? For the urban health centers?

Each of these programs exists because there is a demonstrated need, and each serves a constituency not otherwise served, whether that constituency is our State departments of health or our urban poverty neighborhoods. I, for one, am reluctant to tell the President that he may freely cut $3 billion worth of health services programs, many of which are providng the only health care available to poor families around the country. I am particularly reluctant to allow the President that choice when $3 billion represents nearly one-third of the total amount of funds available for such health services. Health care is uncertain enough today and particularly in the lives of America's poor; they cannot afford to make do on two-thirds of the inadequate services now available.

Where food assistance programs are concerned, virtually all of the Federal food and nutrition programs not in HEW are covered under Federal budget category No. 702. Within that category we find some $4 billion worth of Federal food assistance: Food stamps, donated foods, school lunch and school breakfast programs, and special child nutrition programs for the infant, the preschool youngster, and the urban child during the summer months. These are programs which the Congress has consistently supported, and over the years, expanded. These programs are at the heart of this Nation's fight against hunger, and they have laid the groundwork for improved nutrition for all our school-age children. The growth of these programs in recent years has been impressive, and I believe laudable. As chairman of the Select Committee on Nutrition and Human Needs I have felt a particularly keen interest in the future of these programs.

Now, we are told, the President is to have the authority to reduce by 20 percent the funds made available for food assistance, out of any of the programs within that category, as he chooses; $800 million is one-fifth of $4 billion. It is also comparable to two-thirds of the entire school lunch program; or, more than one-third the value of the entire food stamp program; or, the value of the entire school breakfast, supplemental foods, and all free and reduced price lunches combined.

My reluctance to allow the President free rein in reducing these food assistance programs is not without cause. Earlier this year we discovered that some $400 million worth of appropriated food stamp funds had been withheld by the President, and another $300 million out of the child nutrition programs had met the same fate.

This $800 million worth of hard-won food assistance ought not to be lightly given away. The fight against hunger is far from over. It will be dangerously curtailed if we allow it to be arbitrarily reduced by 20 percent.

There are, of course, other programs that will be as severely affected as these. But I believe that the risk to these two areas alone—health services and food assistance, is serious enough to demand defeat of this spending ceiling.

Mr. PERCY. Mr. President, I intend to

vote for the report of the conferees on H.R. 16810, dealing with public debt limitation and a limitation on Federal expenditures.

This is a difficult decision for any Senator who believes, as I do, in the necessity of a spending ceiling, and who voted, as I did, for the Jordan amendment as a proper limitation on the executive's use of the power that is conferred in him by this bill.

In my own case I support the conference report because it does provide a number of exemptions from cuts, and it does provide a basic limitation on the extent to which the President can cut any major grouping of programs. These limitations on the President's authority are already greater than in any of the three previous grants of such power to the President.

My support for the conference report is in line with my record of strong support for such measures beginning with the expenditure ceiling enacted for fiscal year 1969. I also voted this spring, with a majority of the Members of this body, for the Roth amendment. This amendment put an expenditure ceiling on fiscal year 1973 outlays of $246.3 billion, and placed no rein on the President's freedom to cut in any category not specifically exempted. May I remind my colleagues that this amendment passed this body by a vote of 53 to 30 on March 7 of this year.

It would be useful to describe briefly the effect of the conference compromise. It permits the President to cut no more than 20 percent from any revised budget estimate for any outlay for any numerical functional category which is listed in table 15 of the summary budget of the U.S. Government for fiscal year 1973. In this context budgetary outlay means expenditures plus net lending.

Table 15 of the budget is a listing of budget outlays in broad functional groupings. For example, programs for the "conduct of foreign affairs" are grouped in category No. 150. In this category are funds for the Department of State, $470 million; the Arms Control and Disarmament Agency, $10 million; the Foreign Claims Settlement Commission, $1 million; and the Tariff Commission, $6 million, a total of $487 million initially estimated for fiscal year 1973. Table 15 contains 75 such numerical functional categories in all. Of these, items related to interest, veterans benefits and services, payments from social insurance trust funds, medicaid, public assistance maintenance grants, social services grants, food stamps, military retirement pay and judicial salaries are exempted under the terms of the Jordan amendment and under the conference substitute. A shortcoming in dealing with table 15, however, is that it is not nearly detailed enough to give an accurate idea of the programs actually contained under the listed numerical categories. This presents a real difficulty in analysing the effect of the conference substitute.

Under the conference report, the President is entitled to cut a total of no more than 20 percent from his 1973 budget estimates as revised in any numerical category contained in table 15 of the summary budget. To obtain the 20-percent reduction, the President may cut any separate amount or amounts listed in that numerical category by an amount sufficient to obtain up to a 20-percent reduction in the total for the numerical category, or in the case of category No. 150, roughly $97 million. This means, hypothetically that one or several items within a category would be cut to zero.

The conference compromise contains the further proviso that a number of numerical categories listed in table 15 may be consolidated, and these are specifically named in the conference report.

Thus, where the Jordan amendment specifically expressed the intent of the Senate that no appropriation should be cut by a greater percentage than any other appropriation, the conference substitute provides measurably greater Presidential discretion.

I joined my colleagues in this clear expression of intent that the priorities set by Congress in exercising its power to appropriate should be maintained.

In conference, however, it became clear that there were certain technical difficulties that made the proportional cut approach of the Jordan amendment unfeasible. That is, in some line-item appropriations, all money obligated for fiscal year 1973 has been committed, and it would literally be impossible to rescind them now. This and other technical difficulties caused the Senate conferees to recede from the Jordan amendment.

I regret, however, that the conference substitute does not more completely meet the Jordan amendment's directive to retain congressional priorities. I understand and sympathize with those who fear that the Executive's discretion under the conference formula is very broad. For example, in table 15's numerical categories 603, 604, and 605, which under the conference report may be consolidated for the purpose of achieving the 20-percent cut, total fiscal year 1973 estimates listed in the budget are $1.423 billion. A 20-percent cut would be roughly $284.6 million. The conference compromise permits this cut to be made in any of the programs comprising the category as the President may decide: For example all of the $79 million for the National Foundation on the Arts and the Humanities could be cut.

Consolidation of groups of categories in this fashion permits the President greater leeway by allowing him to cut more in programs where he considers there is more unspent "water," or where he considers a program to be of lower priority.

Mr. President, I do think it would have been possible for the conferees to arrive at a compromise more nearly expressive of the intent of the Jordan amendment. For example, it may have been possible to devise a system under which each numerical category would be reduced by a uniform percentage, provided that no program within such a numerical subcategory could be reduced by an amount greater than 15 or 20 percent. Such a system would have limited the discretion of the President in cutting programs within numerical subgroupings. It would have retained the spending priorities determined through the congressional authorization and appropriations process, but it would have permitted sufficient flexibility to avoid cutting programs where all funds had been committed, and where for other reasons cuts are not possible.

Thus I, and I am sure many of my fellow colleagues, are confronted with a difficult decision. I favored a spending ceiling for several reasons. The primary reason is a concern that substantially excessive spending this fiscal year by an amount well in excess of an already huge budget deficit of about $30 billion, would provide such substantial fiscal stimulus to the economy that inflation will be simply impossible to control. The human, economic, and political costs of such an inflationary resurgence are simply unbearable. We must exercise fiscal restraint; it is an overriding imperative.

Furthermore, it is useful to remind ourselves that this is not the first time that Congress has given the President the power to make budget cuts in order to stay within a legislated spending ceiling. This power was granted in fiscal year 1969, and a budget surplus resulted. And it is important not to lose sight of the fact that the conference substitute gives less discretion to the President than the 1968 spending ceiling did.

The conference substitute exempts more categories of spending than the 1968 authorisation did. The 1968 authorization contained no limit on permissible percentages of cuts in any outlay categories. In short, the present grant of authority contained in the conference substitute is more greatly restrained than the 1968 measure.

On the other hand, there are powerful arguments against any grant of spending cut authorization, and powerful arguments for limits on such spending cutting authority so as to retain congressionally determined priorities. I do not take lightly the problems posed by this grant of congressional power to the Executive to cut enacted appropriations laws. We have had a healthy debate about the constitutional prerogatives of the Congress, and their erosion.

Many of the Members of this body whom I most respect have made this argument with great sincerity. And I have listened to their arguments with great interest. On the other hand, Congress is partially responsible for the appropriations-fiscal policy crisis in which we find ourselves. We have the power as well as the obligation to reform our own institutions to create a systematic, logical, controlled revenue-raising and spending process. We have failed to use this power, and we have irresponsibly denied our obligation. Thus, I cannot help but observe that the cries of "constitutional crisis" that have been raised about this issue are a bit suspect.

I wonder whether these arguments are not a disguise for a basic concern on the part of many Senators that the President will cut programs that are particularly important to them. I wonder whether these cries would evaporate were the President to commit himself to making cuts in defense outlays.

I, too, have fought hard for funding

many highly desirable and necessary programs, many of which the administration has not valued as highly as I have. But I am also aware that in our chaotic appropriations process we often lose sight of priorities among programs, or that it can be very useful for a program to be cut back, or remain at a particular level, because such discipline can improve a program. There is no virtue per se in constantly increasing appropriations.

Thus I intend to vote for passage of the conference report. My decision to do so is very largely contingent, however, on the fact that a special study committee is established by this same bill, and is specifically charged with finding a speedy solution to our sloppy, disastrously inept appropriations revenue-raising process. In the Senate debate I proposed a method which would have established an overall budget within which the Appropriations Committees could do their work, and against which the revenue-raising committees could plan new tax increases and reductions.

I was assured on the floor of the Senate that my suggested procedure would be considered by the special joint committee on which I would be pleased to serve as ranking Republican member of the Government Operations Committee, which has original jurisdiction over the Legislative Reorganization Act in which the current committee system and committee powers are set forth.

In short, I find the compelling arguments for voting for the conference report to be as follows:

We must restrain spending in order to control inflation;

Program cutbacks need not be harmful, and in any case will not be permanent;

Congress created the current situation by refusing to reform its own institutions;

The grant of congressional authority is temporary;

While the spirit of the Jordan amendment is too loosely interpreted by the conference substitute, there are significant exemptions from cuts, and the 20-percent cutting limit is a much greater restraint on the President than any contained in previous expenditure-cutting authorizations.

WE NEED A SPENDING CEILING

Mr. CRANSTON. Mr. President, Mr. Nixon has asked for a ceiling on congressional spending. I agree with him.

Even if every congressional program were worthwhile—and a great majority of them are—we simply cannot "spend whatever it takes" to operate those programs at optimum levels.

There must be a rational limit on how much a government should tax its people; at least in some forms of taxes such as the property tax, we have in my judgment already exceeded the limit—just as we have already exceeded reasonable limits of taxes on middle and low incomes.

There must also be a rational limit on how much a government should spend on nonproductive programs that lead to inflation; we have already exceeded that limit too in military spending, the war, and foreign aid. Middle-income working families, wage earners, businessmen, the poor, the elderly have all suffered as a result.

Countless Californians have expressed to me their deep concern over the prospect of further ravages of their earnings and their savings. They feel caught in a fiscal vise through no fault of their own. The last 4 years have brought them:

The highest unemployment in a decade, the worst inflation in two decades, the highest budget and trade deficits in four decades, the highest interest rates in 100 years, and ever higher taxes.

Mr. Nixon has asked that the spending ceiling be placed at $250 billion for this fiscal year. Again I agree with him. $250 billion is one-quarter of a trillion dollars—that is 25 followed by zero, zero, zero, zero, zero, zero, zero, zero, zero, zero. I think we should be able to make do with that for the present.

But Mr. Nixon also demands a complete, unrestricted power to decide by himself which programs are to be cut—or to be cut out altogether—in order to stay under that ceiling. That is where I—along with a majority of the Senate, including many Members of the President's own party—profoundly disagree with him.

The power of the purse is the fundamental power of government. The Founding Fathers deliberately kept this power out of the hands of the Executive and placed it instead in the legislature so as prevent one-man government.

Ours is not a one-man government. It is a constitutional democracy of three independent, coordinate branches with defined, limited powers.

We do not elect a man to serve as a dictator every 4 years. The American people elect a President who functions—or who should function—under his constitutionally defined, constitutionally limited powers.

The American people also elect a Federal legislature—a Congress with constitutionally defined authority and responsibility to balance what might otherwise become the unchecked power of one-man rule.

The Congress of 535 men and women—not the one-man Presidency—has the constitutional responsibility of making laws by majority consensus and for creating government programs to operate under the laws.

The Congress of 535 men and women—not the one-man Presidency—has the constitutional responsibility of deciding by majority consensus how much money should be spent on each of those programs to make them effective.

The Congress is constitutionally responsible for deciding how much to spend and what to spend it for. Congress is also constitutionally responsible for deciding how much not to spend and what not to spend it on.

I readily grant that the Congress has not always lived up to this responsibility in a fiscally sound manner. We are less well organized, less well disciplined, less conformist than the executive department. Like the people who elected us, we are for the most part a body of independent individuals who resent and resist being dictated to, even by one another.

The result has been piecemeal budgeting with no overall, coordinated plan in mind; authorizations far in excess of what we honestly expect to appropriate; and appropriations voted without prudent regard for the availability of adequate revenues. Frankly, I am convinced that both Congress and the President have lost control of Government spending. The fact is, spending has gotten out of hand.

There is clear need for reform in congressional authorization and appropriation procedures. But congressional reform should not be confused with congressional abdication; we should change some of our practices so as better to meet our responsibilities, we must not abandon our responsibilities in favor of Big Fiscal Brother in the White House.

What is more, Big Fiscal Brother is not at all good. For all of Congress's shortcomings, Congress has year after year appropriated less money than the President requested; in the past 4 years Congress has appropriated $15 billion less than President Nixon asked for. And just this year alone the administration has called for an $18 billion increase in expenditures, a $32 billion increase in the national debt and $6.1 billion more than Congress finally appropriated.

The confrontation is not between a spendthrift Congress and an economizing Executive, it is a clash in spending priorities. Put simply: Congress wants to spend more on programs for which the President wants to spend less: Health, education, housing, improving the environment, mass transit, and helping those truly in need. And Congress wants to spend less on programs for which the President wants to spend more: The nuclear arms race, the war in Indochina, funds for foreign dictatorships.

But the issue is even more fundamental than that of congressional versus Presidential priorities; at stake in this debate is the future of American constitutional democracy.

I am gravely concerned by the talk being heard in Congress these past few days of the need for a "temporary, benevolent dictator." All because the House and the Senate cannot come to a speedy agreement in the closing days of Congress on the best means for cutting some $7 billion in Federal expenditures.

I find such talk shameful and such helplessness, deplorable. It gives further impetus to the one-man rule that we have already seen in operation in the conduct of the war under two Presidents. I feel constrained to remind my colleagues of what they already know: that there are no temporary dictators, all dictatorships are permanent; there are no benevolent dictators, all dictatorships are evil.

I plead with my colleagues:

Do not sell out American constitutional democracy for $7 billion. No, not for $70 billion. No, not for 70 hundreds of billions of dollars.

Congress can, Congress should, Congress must agree—and agree quickly—on a constitutional method for fixing a firm ceiling on Federal spending.

We should, therefore, reject this conference report.

Mr. MONDALE. Mr. President, I rise to oppose the conference report on H.R. 16810, a bill providing for a temporary increase in the public debt limitation and placing a limitation on expenditures and lending for fiscal year 1973.

I support a meaningful ceiling on Federal expenditures. When the debt ceiling bill—to which the spending limitation is attached—was before the Senate last week I supported the amendment of the Senator from Idaho (Mr. JORDAN) which would provide the President with the authority he asked to limit Federal expenditures to $250 billion.

The issue before us now is not whether or not we should adopt an expenditure ceiling.

The issue is whether we will impose a spending limitation that assures the Congress its proper constitutional role, or whether we will give the President almost unlimited power over spending and priorities.

I, for one, am not prepared to see the Congress abdicate one of its most important powers: the power of the purse. And that is what is at stake in the decision we make today. It involves nothing less than the doctrine of separation of powers.

Article I of the U.S. Constitution provides:

> Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.
>
> Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

The ceiling adopted by the Senate last week retained the congressional role in the appropriations process that is specified in the Constitution. And it provides the President with the mandate he has asked to limit Federal spending.

But it did not give the President the power he requests to impose budget cuts at will—to eliminate any program he wishes, to exempt other programs, and even entire Federal departments entirely.

Instead, it preserved the funding priorities established by the Congress by requiring that reductions be proportional among all executive departments. It exempted the following essential programs from any reduction:

First, interest in the national debt;

Second, veterans' benefits and services;

Third, payments from social insurance trust funds;

Fourth, medicaid;

Fifth, public assistance maintenance grants;

Sixth, social services grants under title IV of the Social Security Act;

Seventh, food stamps;

Eighth, military retirement pay; and

Ninth, judicial salaries, as constitutionally required. And it protected other vital programs from being arbitrarily eliminated by specifying that no program could be reduced by more than 10 percent.

The conference report before us today virtually eliminated those protections. It does not require proportional reductions among departments. It removes food stamps and social services from the list of programs exempted. And it replaces the 10-percent limitation on cuts in individual programs with an almost meaningless 20-percent limitation on cuts in "numerical functional categories" of the budget.

This offers no protection. It is nothing other than a line item veto in disguise. It amounts, as Senator HUMPHREY has observed, to a domestic Gulf of Tonkin resolution. Most functional categories specified in the conference report are huge, and where they are small the conference report combines them so that 20 percent of the total can be taken from any one of the categories included in the combination.

Consider for a moment what could be done under the conference report:

All of the reductions could be made in programs serving human needs without any effort to cut wasteful defense spending.

Some $750 million could be cut from the budget for elementary and secondary education—in ways that could eliminate entirely programs assisting bilingual education, school libraries, State departments of education, Indian education—or could cut almost in half the funding for ESEA title I.

Funding for vocational education could be cut by over 50 percent because vocational education is lumped into a combination of functional categories including educational revenue sharing and other educational aids.

Funds for rural housing could be eliminated because that category is combined with agriculture resources and research.

Hill-Burton hospital construction grants could be wiped out, despite the fact that the Congress overrode a Presidential veto in order to extend this authority.

Grants for the construction of health manpower facilities could be eliminated, as the President has proposed, even though the Congress has accorded high priority to this program.

Mr. President, these kinds of reductions would be intolerable. They would permit the destruction of vitally needed programs. And they would represent an abdication of congressional responsibilities in the establishment of priorities and the appropriations process.

The question is not whether the President will exercise this unprecedented power wisely. The question is whether the Congress is prepared to give to its own power to represent the people of the United States in determining national priority.

I repeat my support for a reasonable and meaningful limitation on spending that preserves the constitutional responsibilities of the Congress. I voted for just such a ceiling when the Senate passed this bill last week. But I cannot support a ceiling that threatens the separation of powers, amounts to little more than a line item veto, and reduces the Congress to an advisory position in the appropriations process. That is what the ceiling in the conference report before us represents, and that is why I must oppose it.

Mr. BIBLE. Mr. President, during consideration of the debt ceiling bill Friday and Saturday, October 13 and 14, I was necessarily absent from the Senate. I would like to make my position clear on this legislation.

I am in favor of gaining control over Federal Government spending by both a ceiling on debt which the Government can incur, and additionally an overall spending limit, which would cover both debt and appropriations. However, I am opposed to permitting the President to decide in his sole discretion where cuts should be made in appropriations measures approved by both Houses of Congress.

My reasons are these:

First, article I, section 9 of the Constitution places the spending power in the Congress. As a Member of Congress and a member of the Committee on Appropriations, I have a special responsibility to uphold this provision of the Constitution.

Second, the $250 billion limit for fiscal year 1973—ending June 30 of next year—which the President has proposed, is $7 billion below appropriations which will already have been approved by both the President and Congress at that time. Thus, there is a serious question whether this figure is realistic. This is especially questionable in view of the fact that President Nixon has run up one-fourth of the entire Federal debt in his term of office.

Third, it is my understanding that the priorities of the executive branch make it quite likely that the impact of such cuts in spending are likely to run contrary to the priorities of the Congress as expressed in its regularly enacted appropriations bills.

Finally, Mr. President, there is the questionable wisdom of confiding retroactive veto power over appropriations to the executive branch, and whether such action will further confuse the lines of responsibility in taxing and spending. I believe by doing so, we would be acquiescing in the creation of a "shell game" in which the average taxpayer and citizen of this country will be the loser.

It seems difficult for Congress to resist the political appeal of such proposals in an election year. However, I believe it may be even more difficult in the future to undo the damage if this proposal becomes law.

I believe the debt and spending ceilings should be passed, but that we should adhere to the Constitution and refuse to give such unrestricted and unconstitutional power over appropriations to the President.

Mr. KENNEDY. Mr. President, I rise in opposition to the conference report on the public debt limit bill, H.R. 16810, now being considered by the Senate.

I do so in the belief that this measure's virtually unlimited grant of power to the President to set national priorities will forever diminish the role of Congress as a coequal branch of Government.

For once we have given up this power, it will be nearly impossible to retrieve it. We have seen the same distortion in the principle of the separation of powers as it applies to foreign affairs, and this conference report would carry that distortion to domestic matters.

For it presents the President with the equivalent of an item veto, a power that the Founding Fathers absolutely rejected. For they well understood that vesting the power of the item veto in the executive branch of the Government would render meaningless the appropriation powers granted to Congress by article I, section 8, of the Constitution. And this conference report would grant that power to the President.

For the conference report would give to the President a license to impound, a license to destroy programs and activities by denying them funds Congress has appropriated. And it would distort so fundamentally the intent of the Senate that it must be rejected.

The Senate last week said to the President that a $250 billion ceiling on expenditures is acceptable; but only if there are proportional reductions in all nonexcludable appropriations and only when the reduction in any single program or activity remains less than 10 percent.

Mr. President, on constitutional grounds, I would have supported striking this entire title. However, the Senate decided otherwise. It decided that while it was willing to provide some limitation, it would say how much; it would set forth limits on where those cuts should be made.

Yet now the conference report defeats that effort. For it does not contain any requirement for proportional reductions.

And the conference report also rejects the other key element within the Jordan amendment. It wipes away the protection assured by the provision limiting the reduction in any program or activity to 10 percent. Now the President can cut as deeply as he desires within the broad budget categories listed in the conference report.

And the result can be predicted now. For those programs that have been opposed by this administration will be cut to the bone and perhaps even destroyed entirely by what would become legal impoundment of their funds. Programs that the Congress approved over administration objections would face the fiscal guillotine.

I remind my colleagues that in 1970 the Senate passed the Hill-Burton hospital assistance legislation by 79 to 0. President Nixon, incredibly, vetoed that bill which authorized the expenditure of more funds than he wanted. The Congress promptly overrode that veto, the vote in the Senate being 76 to 19. Now, the President may have his veto upheld, 2 years after the Congress overrode it; the effect of passage of the debt ceiling legislation would be to reinstate that veto—it could mean the end of hospital construction in this country; the end of long-term-care-facility construction in this country; it could seal the fate of our decaying inner-city hospitals by eliminating modernization funds.

The enactment of this conference report would produce a grave and immediate threat to the health of the American people. President Nixon has already made his intentions in the health field clear. His administration has testified against each of the last 11 pieces of health legislation considered by the Senate. In doing so, the administration has effectively:

Opposed the improvement of our medical libraries;

Opposed the provision of doctors to doctorless counties;

Opposed the provision of more money for hospital construction and modernization;

Opposed the banning of a known cancer-causing substance from our food supply;

Opposed the strengthening and expansion of our community mental health centers program;

Opposed the training of allied health personnel; and

Opposed the expansion of our communicable disease control programs.

But this administration has done more than just oppose the passage of new health legislation. The President has set unprecedented records by vetoing two of the last three health appropriations bills—appropriations of all the existing health programs. These vetos show where the President's priorities lie.

What he wanted and could not get through the appropriations process, he will obtain through the spending limit in this conference report. Let us look at the budget the President wanted.

He wanted a budget which—

Would not allow the Maternal and Child Health Service to provide care for one additional mother or child;

Would not permit one new comprehensive neighborhood health center to be opened;

Would serve 150,000 fewer school-aged handicapped children this year than last;

Would prevent 30,000 crippled children from receiving medical services;

Would turn away 10,500 nursing students seeking scholarships; and

Would not provide any money for hospitalization costs for migrant farmworkers;

Would prevent the development of 25 new specialized care units for premature babies;

Would continue services to only 2½ percent of the mentally retarded children in the country.

This is bad enough. But President Nixon also—

Wanted absolutely no money for medical school construction grants;

Wanted no money for nursing school construction grants;

Wanted no money for hospital construction grants;

Wanted no money for long-term care construction grants;

Wanted no money for hospital modernization.

It is incredible to me that the President of the United States would, if given his way, construct no new hospitals, modernize no old hospitals, build no new medical schools. But if we approve the conference report, that is precisely what he can do.

In the past, the Congress has consistently thwarted the President's attempt to drop these important programs. In 1971 the President's total budget request for the Hill-Burton program was $89 million. The Congress appropriated $196 million. In 1972 the President requested $108 million; the Congress appropriated $308 million. In each of those years the President requested little or nothing in the construction categories. It is only because of the perseverance of the Congress that new hospitals are being built today and decaying inner city hospitals are being renovated.

This conference report could put an end to those activities.

This conference report would give the President the power he has wanted all along, the power to kill these health programs.

Mr. President, this is unacceptable in the United States of America. We in the Congress must not pay for the failure of Nixonomics with the health of the American people; if we enact this legislation, that is what we will be doing.

And it does not take a prophet to predict the same catastrophic outcome in the areas of education, in the areas of housing and in the areas of antipoverty programs.

This conference report must be rejected. And I would hope that the new conferees would decide to report back to the Senate a bill with merely an increase in the public debt level and the Magnuson amendment providing relief to those States with a persistently high rate of unemployment.

This then would give the Congress an opportunity early in the next session to develop on its own the mechanism for developing a unified budget within which Congress would decide on spending priorities. That would be the responsible way for Congress to fulfill its responsibilities.

Passage of this conference report would mean that Congress has abdicated those responsibilities and passage on this report would mean that Congress has abandoned health, education, and job training to the mercy of this administration.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

Mr. MANSFIELD. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. BENTSEN), the Senator from Mississippi (Mr. EASTLAND), the Senator from Louisiana (Mrs. EDWARDS), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. METCALF), the Senator from New Mexico (Mr. MONTOYA), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Virginia (Mr. SPONG) are necessarily absent.

I further announce that the Senator from Wyoming (Mr. MCGEE) and the Senator from Nevada (Mr. CANNON) are absent on official business.

On this vote, the Senator from Mississippi (Mr. EASTLAND) is paired with the Senator from Iowa (Mr. HUGHES).

If present and voting, the Senator from Mississippi would vote "yea" and the Senator from Iowa would vote "nay."

I further announce that, if present and voting, the Senator from New Mexico (Mr. MONTOYA) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. ALLOTT), the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from Maryland (Mr. BEALL), the Senator from Oklahoma (Mr. BELLMON), the Senator from Delaware (Mr. BOGGS), the Senator from Nebraska (Mr. CURTIS), the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), the Senator from Oregon (Mr. HATFIELD), the Senator from Iowa (Mr. MILLER), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), the Senator from South Carolina (Mr. THURMOND), the Senator from Texas (Mr. TOWER), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) is absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Delaware (Mr. BOGGS), the Senator from Nebraska (Mr. CURTIS), the Senator from Texas (Mr. TOWER), and the Senator from Iowa (Mr. MILLER) would each vote "yea."

On this vote, the Senator from South Carolina (Mr. THURMOND) is paired with the Senator from Maryland (Mr. BEALL). If present and voting, the Senator from South Carolina would vote "yea" and the Senator from Maryland would vote "nay."

The result was announced—yeas 27, nays 39, as follows:

[No. 568 Leg.]

YEAS—27

Allen
Anderson
Bennett
Buckley
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cooper
Cotton
Dominick
Fannin
Gambrell
Griffin
Hansen
Hruska
Long
Magnuson
McIntyre
Percy
Proxmire
Randolph
Roth
Scott
Smith
Stennis
Stevens
Talmadge
Young

NAYS—39

Aiken
Bible
Brooke
Burdick
Case
Chiles
Church
Cranston
Eagleton
Ervin
Fulbright
Gravel
Hart
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Mansfield
Mathias
McClellan
McGovern
Mondale
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Ribicoff
Schweiker
Stafford
Stevenson
Symington
Taft
Tunney
Williams

NOT VOTING—34

Allott
Baker
Bayh
Beall
Bellmon
Bentsen
Boggs
Brock
Cannon
Cook
Curtis
Dole
Eastland
Edwards
Fong
Goldwater
Gurney
Harris
Hartke
Hatfield
Hollings
Hughes
McGee
Metcalf
Miller
Montoya
Mundt
Pearson
Saxbe
Sparkman
Spong
Thurmond
Tower
Weicker

So the conference report was rejected.

Mr. LONG. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the first amendment in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted, insert:

TITLE V—MISCELLANEOUS PROVISIONS

AMENDMENT TO FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

SEC. 501. Section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following new sentence: "Effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, and beginning after the date of the enactment of this sentence (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State 'off' indicator ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof."

Mr. LONG. Mr. President, I offer an amendment that is at the desk. I believe it would be just as well for me to explain the amendment and read it.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. The Senator will withhold until we have order. The Senate is not in order. The Senate will be in order.

Does the Senator from Louisiana ask that the amendment not be read?

Mr. LONG. Yes. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

In lieu of the matter proposed to be inserted by the amendment of the House insert the following:

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 502. The provisions of title II of this Act shall cease to apply on the day after the date of the enactment of this Act and no action taken before such day shall have any force or effect on or after such day.

SEC. 501. Section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following new sentence: "Effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, and beginning after the date of the enactment of this Act (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof and as if paragraph (1) of section 203(b) did not contain subparagraph (B) thereof.

Mr. LONG. Mr. President, what the pending amendment does is to restore the Magnuson amendment as it was, on unemployment insurance, as it passed the Senate, in the hope we might be able to prevail upon the House to extend that more broadly than the House agreed in conference, particularly in view of the fact that we were led to believe it covered one State it does not cover, or I am led to believe it does not cover one State.

Furthermore, it is clear from those of us who struggled in this conference to try to work out something that could be agreed to by the House, that the House will not accept the Jordan amendment, and that the Senate will not accept the discretion that the President demands in how a reduction should be made.

As a matter of fact, on this same issue the conference once broke up in disagreement and it was suggested at that point there would be no debt limitation, no spending limitation, and no debt limit, but which would mean we would be forced to come back in November and pass a debt limit extension. It seems to me that at a minimum we should pass a debt limit proposal. But in view of the fact that the administration is determined it would rather have nothing than the Jordan amendment, and the Senate is determined it will not accept the kind of flexibility the administration insists upon if it is to have a spending limitation, the only way we can resolve this matter is to strike from the bill that which is in both the Senate and the House bill, which leaves the spending limit at $250 billion. However, since we cannot literally strike the $250 billion ceiling we must find some other way of achieving the same result.

This is what I have done by including in the amendment I offered the following section 502:

The provisions of title II of this Act shall cease to apply on the day after the date of the enactment of this Act and no action taken before such day shall have any force or effect on or after such day.

This provision would have the effect of repealing all of section 2 including the part not in conference. To the best of my knowledge, this is the only way this issue can be resolved between the House and the Senate. This possibility was discussed in conference, but then it was pointed out that the $250 billion ceiling was in both bills and therefore this issue was not in conference and was not available to us. I submit this is the only way this issue can be resolved. At the same time I submit that an increase in the debt is necessary. It will have to be made if the Government is to operate much past the end of this month.

Mr. President, under the circumstances I think this is all that can be done.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. SCOTT. Do I understand what the Senator proposes to do will have the ultimate effect of sending to the President the debt limitation bill without a ceiling in limitation—

Mr. LONG. In effect without a spending limitation.

Mr. SCOTT. Without a spending limitation. I just ask that for the purpose of clarifying the RECORD.

Mr. LONG. It is my understanding, and

if I am wrong I am happy to be corrected, the administration would rather have no spending limit than the Jordan amendment. I think Senator JORDAN said he understands that to be their position, and he, too, would rather have it that way if his amendment is not acceptable. I am satisfied that is the only way this problem can be worked out.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I believe that the proposition the Senator from Louisiana placed before the Senate is the way out of this present difficulty. I, for one, know we should have some action on the debt ceiling. We do not want to leave the Government in a position where it would have to default on payments on bonds and other certificates of indebtedness.

As I understand it, the Magnuson amendment would be included.

Mr. LONG. We would go back to conference with the Magnuson amendment.

Mr. HUMPHREY. That is what I mean. The Senator would go back to conference with a repealer on section 2.

Mr. LONG. What I am proposing with respect to the expenditure ceiling would have the effect of repealing it, but the indirect manner in which this is done is the only way to reach the ceiling in conference.

Mr. HUMPHREY. I understand that.

Mr. LONG. We would have what amounts to a repealer on the spending ceiling in the bill. We also would go back with the Magnuson amendment and see if we could work out the problem there.

Mr. HUMPHREY. Would the Senator be willing to take back the impoundment amendment so we get back what we believe——

Mr. LONG. That amendment was agreed to by the House, but in addition all Senate amendments are in conference since we are going back with this conference report in disagreement.

Mr. HUMPHREY. It is left in the bill?

Mr. BENNETT. If the Senator will yield, that is the point of the question I was going to ask; to make sure the Senator understands the impoundment amendment is in the bill and that the provision of the bill that came from the House requiring a study to be reported on early next year is in the bill.

Mr. HUMPHREY. Fine.

Mr. BENNETT. The only thing we are repealing is section 2, the spending ceiling.

Mr. HUMPHREY. I surely would like to concur in it. It is a splendid way to resolve the question.

Mr. LONG. It is the only way it can be resolved.

I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

Mr. CRANSTON addressed the Chair.

The PRESIDING OFFICER. The Senator will state the parliamentary question.

Mr. GRIFFIN. Is it in order to ask for a division of the question in view of the fact that there are two parts to the amendment, one dealing with the unemployment and one part dealing with the spending ceiling, and if so, I demand a division of the question.

The PRESIDING OFFICER (Mr. PELL). The Chair is informed by the Parliamentarian it strikes out and inserts and hence there can be no division.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. STEVENS. I understand from the previous colloquy that took place before the last vote, that in the event the amendment of the Senator from Louisiana is adopted, the amendment in disagreement is still subject to amendment to add another section 50—(b). Is that correct?

The PRESIDING OFFICER. In answer to the Senator's question, it would not be open to further amendment.

Mr. LONG. If the Senator will yield, at that point, the point the Senator raised about the double cut on something involving the HEW appropriation would be moot because it is understood what we are seeking to do is to have no spending limitation on this bill. That being the case, there would be no need for the amendment. In any event all Senate amendments will be in conference including the Hollings amendment.

Mr. STEVENS. I would like to say I am informed there was a discussion in the House and it was indicated if the bill were sent back to conference and a spending ceiling put in, there would be a more receptive attitude so far as the Hollings amendment. I am trying to restore the Hollings amendment. You are still going to try to come back here with a spending ceiling. Is that right?

Mr. LONG. No, we plan to come back without an effective spending ceiling. I am convinced we cannot agree on a spending ceiling. Not only am I convinced that that is the case, but as far as I can see up to now the House conferees have been talking the same position the administration seeks, and the best I can get, if they could not agree to this, is that they would not want any spending limitation.

Mr. STEVENS. The Hollings amendment was in the bill, but if we refused to accept the amendment, does it go back to conference?

The PRESIDING OFFICER. Everything goes back to conference that went to conference the first time, including this amendment now.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. CRANSTON. Mr. President, I would like to say this about the current effect. Each year we go more deeply in debt and every 2 years we go through the charade of lifting the ceiling on the debt as if that indicates we feel that getting the debt and spending under control is not doing something that is very serious.

I think we should face the fact that the debt is out of hand. I think we should face the fact that spending is out of hand. Frankly, I believe that we in Congress have lost control over spending, and I believe that the President—not this President, but a series of Presidents—has slowly, with us, lost control over spending.

I believe there is a need for a spending limit. The President has asked for a spending limit. I happen to concur in his desire to have one, although I differ with him on the way he has asked it should be brought about.

I have heard, as each of you has heard, from constituent after constituent who feels caught in a dreadful squeeze, with his earnings, his payroll checks, and his savings more and more vulnerable to more and more attacks from more and more levels of government, taxing and taxing and taxing and spending and spending and spending.

It seems to me $250 billion is enough to run this Government for 1 year this year. That is a quarter of a trillion dollars. It seems to me we should fix a ceiling and operate within that ceiling this year.

To those concerned about the trend to one-man government in our country, to those concerned about the shirking of congressional responsibility and the constitutional obligation given to us to appropriate, to authorize, and to determine where the taxpayers' moneys may be used, I say this: We have seen a trend toward one-man rule in foreign policy and in the conduct of war under a series of Presidents. It has occurred on domestic programs under Lyndon Johnson, as the chairman of the committee has pointed out to us tonight. It is not the first precedent, but it is the second precedent, and I think it is a dangerous one if we should let it become precedent again, giving the President authority over spending priorities without Congress' will.

That trend would have gone further under the conference report. It would have given the President power to cut major departments and programs 20 percent. It would have given 100-percent power to the President to wipe out certain projects and programs totally if he saw fit.

I say to you if we adopt the amendment offered by the chairman of the committee and have no spending ceiling, the President of the United States has made it very clear that he intends to have a spending ceiling, and if we do not cooperate to give him one he will use the power of impoundment, I assume, to reach a $250 billion ceiling, and he will cut this program and that program without regard to our appropriations and authorizations and priorities in order to achieve it. So we are abandoning the game to him if we adopt the amendment of the distinguished chairman of the committee.

I, therefore, am going to propose an alternative. I do not propose to make a long debate on it. I am willing to have it come to a vote shortly or agree on a time, but I think we should choose between what the chairman of the committee has offered and an alternative.

My alternative, roughly, is a modification of what the distinguished Senator from Idaho offered and what the Senate overwhelmingly adopted and sent to conference the other day. It is an adjustment because, based on my conversations with the chairman of the committee and others, the House conferees will not accept the Jordan amendment. I believe, therefore, it is incumbent on us to offer a compromise that may be acceptable to them, and I propose to do that.

Mr. President, I send to the desk an amendment, and will explain it. It is an amendment in lieu of the amendment proposed to be offered by the chairman of the committee, in lieu of section 502.

The PRESIDING OFFICER. The clerk will read the amendment.

The assistant legislative clerk proceeded to read the amendment.

Mr. CRANSTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the matter proposed to be inserted by the Senator from Louisiana insert the following:

(b) (1) Notwithstanding the provisions of any other law, the President shall, in accordance with paragraphs (2) and (3), reserve from expenditures and net lending, from appropriations or other obligational authority heretofore or hereafter made available, such amounts as may be necessary to effectuate the provisions of subsection (a).

(2) In carrying out the provisions of paragraph (1), the President shall reserve amounts from appropriations or other obligational authority available for any program or activity, except for expenditures and net lending for—

(A) veterans' benefits and services;

(B) benefits from social insurance trust funds;

(C) medicaid;

(D) public assistance maintenance grants;

(E) military retirement pay, civil service annuities, and railroad retirement annuities and pensions; and

(F) judicial salaries.

(G) Food stamps.

(3) Under the authority of this Act, and subject to the limitations of para 2 of this subsection the President shall reserve amounts not less than two percentum nor more than six percentum from every numerical functional category set forth in table 15 (relating to budget outlays by function and agency) of part 7 of The Budget of the United States Government, 1973, (page 526 and following) of the revised budget estimate for such outlay. No amount specified in any appropriation or numerical category, or any activity, program or item within such appropriation or numerical category, may be reduced by more than 10 percentum.

(4) The amounts reserved under this subsection shall not include appropriations or other obligational authority available for fiscal year 1973 to which another statutory spending limitation of 10 per centum or more applies.

And the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

On page 5, line 7, of the Senate engrossed amendments, after "Sec." insert: 203; and the Senate agree to the same.

Mr. CRANSTON. I will read the amendment and explain it. Copies of the amendment are on Senators' desks, if any Senator wishes to look at the amendment as I read from it.

What Senators can look at has the heading "Public Debt Limitation—Mr. Mills of Arkansas, from the Committee of Conference, Submitted the Following Conference Report."

I am simply proposing to accept that conference report on this particular matter with certain revisions. The italics in (b)(1) on the desk of each Senator under the heading "Conference Report" I do not touch, but in (2) (A) "veterans," I would revise that sentence to read "veterans' benefits and services," so that veterans' medical care and other veterans' services will be covered by the exemption, as they are not fully covered by the language adopted in conference.

On page 2 of the same conference report, I do not touch (D), (E), or (F). I add "(G) food stamps," which I feel should also be exempted.

I then strike the language which reads:

Nothing in this paragraph shall preclude the reservation of amounts for administrative costs or construction . . . .

For this reason: If there is no limitation on cutting out administrative or construction costs, one can gut a program 100 percent, or close to it, and I suggest we do not wish to do that. So I strike that language.

I make major modifications in section (3), so that section (3) will read as follows. It starts out "Under the authority of this Act." Then I insert:

The President shall reserve amounts not less than two per centum nor more than six per centum for every . . .

Then it would pick up in the second line of section (3):

numerical functional category . . .

The point there is not to restrict the President's cuts to 3.6 percent, which was called for by the Jordan amendment, but to give him some flexibility so he can cut any program not more than 6 percent and not less than 2 percent. That gives him elbow room.

Then I strike on line 4 of section (3) after the word "following" everything but the words "of the revised budget estimate for such outlay," and add the following language, which is a direct pickup from the Jordan amendment:

No amount specified in any appropriation or numerical category, or any activity, program or item within such appropriation or numerical category, may be reduced by more than 10 percentum.

That is so no program may be wiped out by more than a 10-percent cut within an appropriation or agency.

Finally, to cover the point brought up by the Senator from Alaska (Mr. Stevens), and brought up successfully, but lost in conference, and brought up successfully by the Senator from South Carolina (Mr. Hollings), I would add a section 4 which reads as follows:

The amounts reserved under this subsection shall not include appropriations or other obligational authority available for fiscal year 1973 to which another statutory spending limitation of 10 percentum or more applies.

That is to have the effect of not permitting a 23-percent cut in HEW because of the permission in the HEW appropriation written in by the distinguished Senator from Washington (Mr. Magnuson) giving him flexibility of 13 percent in HEW. This means there could not be a cut of more than 10 percent in HEW.

In sum, I am proposing a modification of the Jordan amendment designed to give a spending ceiling, some flexibility to the President, more than this body was willing to give him when we adopted the Jordan amendment, but which basically means that cuts will be made roughly in accordance with priorities adopted by Congress through the authorization and appropriation approach.

I think it is very important that we adopt a ceiling. I urge that the Senate adopt this amendment.

Mr. JAVITS and Mr. LONG addressed the Chair.

Mr. CRANSTON. I am delighted to yield first to the distinguished chairman of the committee.

Mr. LONG. Mr. President, I want the floor in my own right.

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, as I understand the Senator's amendment, it goes to the item in disagreement, which is a House amendment proposed to the so-called Magnuson unemployment compensation approach.

Mr. CRANSTON. It does not touch that.

Mr. JAVITS. Will the Senator yield for a parliamentary inquiry?

Mr. CRANSTON. Yes.

Mr. JAVITS. Mr. President, my parliamentary inquiry is this: In view of the fact that the amendment of the Senator from Louisiana includes a provision substituting the Magnuson amendment in the bill for the House amendment sent to us for a vote as an item in disagreement, what is the effect upon that provision of Senator Cranston's amendment?

The PRESIDING OFFICER (Mr. Pell). If the Cranston amendment is accepted, it would be striking out the House amendment to the Senate amendment.

Mr. JAVITS. Therefore, the original provision of the Magnuson amendment would remain in the Senate bill, and would be in conference?

The PRESIDING OFFICER. The original provision of the Magnuson amendment would remain, and so would the House language that had been stricken, if the conferees wished to do so.

Mr. JAVITS. But the conferees would have the choice, again. Would any different effect be achieved by the adoption of Senator Long's amendment than the one which the Chair has just described?

The PRESIDING OFFICER. There is not a great deal of difference.

Mr. JAVITS. What is the difference?

The PRESIDING OFFICER. There is not a great deal of difference as to what would be in conference.

Mr. JAVITS. What is the difference? Mr. President, I am too much of a lawyer to accept that. [Laughter.]

Mr. President, to give the Chair an opportunity to think it over, may I suggest that the Senator do what Senator Long did, and include the Magnuson amendment?

Mr. CRANSTON. I do. That is my purpose.

Mr. JAVITS. I know, but just include the Magnuson amendment in what you send to the desk, as Senator Long did. If there is some difference, why take the risk?

Mr. CRANSTON. After innumerable consultations with the Parliamentarian, the Assistant Parliamentarian, and other experts in the parliamentary rules and precedents of this body, I offer this amendment concurring in amendment No. 10, offering this as a substitute for the amendment offered by the Senator from Louisiana concurring in amendment No. 10, so amendment No. 10 remains, regardless of the fate of my amendment or the fate of the amendment of the Senator from Louisiana.

Mr. JAVITS. Amendment No. 10 is exactly the amendment the Long amendment changes. Amendment No. 10 is the one sent to us by the House of Representatives that is discriminatory and unsatisfactory.

Mr. President, I would make a further parliamentary inquiry. Is the Cranston amendment amenable in one more degree?

The PRESIDING OFFICER. No.

Mr. JAVITS. Then I would suggest to the Senator from California that he add the Magnuson amendment to his substitute.

Mr. CRANSTON. Mr. President, I would be delighted to do that. If there is no objection, I so modify my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG. Mr. President, when you have been in the room with the House conferees and have heard the arguments on both sides, and know what the position of the Treasury Department is as well as what the position of the Bureau of the Budget is on the matter, I think you know pretty well what the possibility of compromise would be.

There is no chance on earth that this amendment would be agreed to by the House of Representatives. All it can do is put us through the many long hours of arguing over the Jordan amendment, which the House said they would not take and would rather have nothing than that. The administration also said it would have nothing than the Jordan amendment. When you get to this point, since this amendment basically is a version of the Jordan amendment, there is no reason to pass it since they will not accept it.

We had to do something like this in the fight over H.R. 1—we had to drop title IV. They had a title IV and we had a title IV. When we could not resolve the differences, we saved some minuscule part, and the rest had to go.

All we would do if we agreed to this amendment would be to send conferees over there to debate and argue with the House conferees for a number of hours, bring it back, and either go through the same thing we have been through before, of having the conference report turned down, or else wind up having to come back and ask for the same authority I am asking for now; that is, to dispense with the spending ceiling. The administration, as I understand it, is ready to forget about the spending ceiling. There is no argument about it. I understand that they think they can stay within precedent and are planning to use the power to impound to try to control spending insofar as they can appropriately do it.

They will not accept anything like this. They have turned us down on 50 suggestions along this line, and we have turned them down on more than 50 suggestions along their line. It cannot be worked out. All we can do is just drop the spending ceiling and come back next year and see if we can work out a better way. I wish we could work out a way where, in the beginning, the Appropriations Committee would try to set some target ceiling, and then, at the end, they would bring in a resolution whereby they agreed to cut some of the spending they had agreed to in their appropriation bills.

I know that this proposal is unacceptable; so, Mr. President, I move to lay on the table the amendment of the Senator from California.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

Mr. CRANSTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Pell). The question is on agreeing to the motion of the Senator from Louisiana (Mr. Long) to lay on the table the substitute amendment of the Senator from California (Mr. Cranston) for the amendment of the Senator from Louisiana (Mr. Long) to amendment in disagreement No. 10.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Indiana (Mr. Bayh), the Senator from Texas (Mr. Bentsen), the Senator from Mississippi (Mr. Eastland), the Senator from Louisiana (Mrs. Edwards), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from South Carolina (Mr. Hollings), the Senator from Iowa (Mr. Hughes), the Senator from Montana (Mr. Metcalf), the Senator from New Mexico (Mr. Montoya), the Senator from Alabama (Mr. Sparkman), and the Senator from Virginia (Mr. Spong) are necessarily absent.

I further announce that the Senator from Wyoming (Mr. McGee) and the Senator from Nevada (Mr. Cannon) are absent on official business.

I further announce that, if present and voting, the Senator from Mississippi (Mr. Eastland) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. Allott), the Senators from Tennessee (Mr. Baker and Mr. Brock), the Senator from Oklahoma (Mr. Bellmon), the Senator from Delaware (Mr. Boggs), the Senator from Nebraska (Mr. Curtis), the Senator from Kansas (Mr. Dole), the Senator from Hawaii (Mr. Fong), the Senator from Arizona (Mr. Goldwater), the Senator from Florida (Mr. Gurney), the Senator from Oregon (Mr. Hatfield), the Senator from Iowa (Mr. Miller), the Senator from Kansas (Mr. Pearson), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower), and the Senator from Connecticut (Mr. Weicker) are necessarily absent.

The Senator from Kentucky (Mr. Cook) is absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from Iowa (Mr. Miller), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) would each vote "yea."

The result was announced—yeas 50, nays 16, as follows:

[No. 569 Leg.]

YEAS—50

Aiken
Allen
Beall
Bennett
Bible
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Case
Chiles
Cooper
Cotton
Dominick
Fannin
Gambrell
Gravel
Griffin
Hansen
Hruska
Humphrey
Inouye
Jackson
Jordan, Idaho
Long
Magnuson
Mansfield
Mathias
McClellan
McGovern
McIntyre
Mondale
Moss
Packwood
Pastore
Proxmire
Randolph
Ribicoff
Roth
Scott
Smith
Stafford
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Williams
Young

NAYS—16

Brooke
Church
Cranston
Eagleton
Ervin
Fulbright
Hart
Javits
Jordan, N.C.
Kennedy
Muskie
Nelson
Pell
Percy
Schweiker
Tunney

NOT VOTING—34

Allott
Anderson
Baker
Bayh
Bellmon
Bentsen
Boggs
Brock
Cannon
Cook
Curtis
Dole
Eastland
Edwards
Fong
Goldwater
Gurney
Harris
Hartke
Hatfield
Hollings
Hughes
McGee
Metcalf
Miller
Montoya
Mundt
Pearson
Saxbe
Sparkman
Spong
Thurmond
Tower
Weicker

So Mr. Long's motion to table Mr. Cranston's amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment of the Senator from Louisiana.

All those in favor——

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I want to be clear on this. If I understand the adoption of the motion of the chairman we will then, later on tonight, or tomorrow, whatever it may be, be faced with nothing but raising the debt limit. I said before and I repeat now, I simply cannot understand the lack of responsibility of Congress itself in this area. It is a charade on the taxpayers of the country.

We have a debt limit and we do not abide by it either as a mechanical brake or as self-discipline. We put in appropriations which go beyond the debt limit and then try to blame the President if he withholds them in order to meet the debt limit, on the ground that he is withholding funds. What we have done is to put up a hoax. So far as any taxpayer can see, we are supposed to have something which will last, yet all we do is make an immovable finish line in a foot race. As we come up closer, we extend it.

One or two things we should keep in mind: Abolish the debt limit and hold Congress responsible for what it does and not put up with this charade. It is a hoax. We do it once or twice a year. What we should do is to abide by the debt and cut appropriations down to where they should be. This is what we had a chance to do with the spending limit originally, in the other version even, but we did not do it. We are perpetrating a hoax on the American people and I, for one, want to register my protest.

Several Senators addressed the Chair.

Mr. CRANSTON. I should like to ask the Senator from Colorado if that was the amount in the motion to table previously voted on?

Mr. DOMINICK. No, it does not. I did not do that because I did not have a copy of the amendment and I do not know what it did. I never saw it before until the Senator got up to speak. At this hour of the night, it does not seem to me right to put up that kind of proposal.

Several Senators addressed the Chair.

Mr. HUMPHREY. Mr. President, I want to take exception to the remarks of the able Senator from Colorado (Mr. Dominick) on the basis of his charge that we do not have any regard for what happens on the so-called spending ceiling. There would be at a minimum of a $25.5 billion budget deficit, even if the spending ceiling was at $250 billion. The debt ceiling is not being raised because of the profligate spending by Congress, but rather by a recession in the economy, which results in reduced revenues for the Federal Treasury.

The President, presents us with what he calls a full-employment budget that is supposedly in balance, if according to the President's own estimates we have full employment. But we do not have full employment. In fact, we have unemployment, and that is why the debt ceiling goes up and up and up. By the President's own calculations, if we had the economy going as it should be, we would have a balanced budget and would not have to ask for an increase in the debt ceiling.

The President himself has not said that Congress was extravagant or irresponsible if we stayed within his $250 billion debt ceiling. But with such a spending ceiling the debt would continue to rise—and at a rate of over $25 billion.

Let the record be clear that the debt ceiling goes up not because Congress has been irresponsible or reckless. I do not think we should let a charge go unchallenged. It goes up because this country is not producing revenues from the tax system on the tax base. That tax base is related to production, income, wages, and profits.

When there is 1 percent of unemployment, there is a loss of $35 billion in the gross national product. This results in a loss of revenue. We will begin to balance the budget and reduce the debt when we have full employment. Then we will not have to come here for a raise in the debt ceiling.

Let us get the record straight. According to the chairman of the Finance Committee himself, who told us that even with the formula they came back from committee, which would reduce the deficit from $35.5 to $25 billion, we are faced with a deficit, not because we are spenders and irresponsible Members of this body, but because the economy has been in trouble for a long, long time.

Let us quit leveling charges on ourselves, that we are utterly incapable of any kind of self-discipline. Congress has proven that it can discipline itself. The Senator from Rhode Island listed the cuts made in the President's budget. We should not have this record indicate that we are saying because we have not acted to accept the conference report, that we are for unlimited spending. I think that Congress itself, in the next session, can set a limit for its own spending, what it should spend. We should recognize what is going wrong in this country; namely, that we have been in a first-class recession for a long time.

We had better try to get ourselves out of it. According to the President himself, the way to get out of it is by deficit spending. By his own words, he has given approval to deficit spending. He has presented a full-employment budget, which includes a substantial deficit predicated on economic production that will bring the economy back into full swing.

Mr. CRANSTON. Is it not true that Congress appropriated $6,100,000,000 less than the President requested in this fiscal year?

Mr. HUMPHREY. That was the calculation that was given to us by members of the Appropriations Committee, and also by several colleagues here who have been busy on appropriation items.

Mr. MATHIAS. I have an inquiry to make of the Senator from Minnesota about the Humphrey amendment, which has been included in the proposal set forth tonight by the distinguished chairman of the Finance Committee. As I understand the amendment, it directs the President to notify the Congress each time he intends to impound funds. My question is: By requiring the President to report on impoundment, are we, for the first time, recognizing, legitimizing and sanctifying this practice of impoundment?

Mr. HUMPHREY. Not one bit. Not at all. Not any more, may I say, than the fact that we ask the FBI to report on crime. [Laughter.]

Mr. MATHIAS. Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, the law on the subject is contained in the Antideficiency Act, 31 U.S.C. 665(c), and that states that "reserves" may be established to provide for contingencies or to effect savings whenever savings are made possible by greater efficiency, et cetera, but nowhere does the legislative history of the act or its context in the United States Code indicate that impoundment can be used to effect overall fiscal policy. Nevertheless, the most recent report from the Office of Management and Budget regarding impounded funds states that the President's authority to impound extends to spending ceilings and to "carry out broad economic and program policy objectives." The authority cited by this report is the "long-standing and consistent practice in both Republican and Democratic administrations to establish some reserves for other than financial administration."

It seems to me, therefore, that the requirement for reporting will in no way change the law and, on the contrary, as the Senator from Minnesota, the principal author of the amendment, has made clear, it will give us some handle in trying to bring it back to what it was supposed to be under the law.

Mr. MATHIAS. Mr. President, I thank the Senator from New York and the Senator from Minnesota. In view of the fact that this had but a very brief discussion and was adopted by a voice vote, I thought it wiser that the Senate be advised on what it was supposed to do by its authors.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana (putting the question).

The amendment was agreed to.

Mr. LONG. Mr. President, I move that the Senate insist upon its amendment and request a further conference with the House, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Stevenson) appointed Mr. Long, Mr. Anderson, Mr. Talmadge, Mr. Bennett, and Mr. Jordan of Idaho conferees on the part of the Senate.

AUTHORITY FOR SECRETARY OF THE SENATE TO MAKE TECHNICAL AND CLERICAL CHANGES AND CORRECTIONS IN ENGROSSMENT OF H.R. 16810

Mr. LONG. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make all necessary technical changes and corrections in the motion and the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

FURTHER CONTINUING APPROPRIATIONS, 1973—CONFERENCE REPORT

Mr. INOUYE. Mr. President, I submit a report of the committee of conference on House Joint Resolution 1331, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Stevenson). The report will be stated by title.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the Congressional Record of today.)

Mr. INOUYE. Mr. President, the conference report which I bring back to the Senate will not satisfy all Members of the Senate—few, if any, do—because a true conference requires give and take by both sides.

The conference report provides an overall annual rate of new fiscal year 1973 obligational authority of $3,652,701,000.

Recalling that the annual rate in the joint resolution which passed the Senate yesterday totaled $3,494,701,000, it can be said that in conference the annual rate, as proposed by the House, was reduced by $357,454,000, while the Senate figure was increased by only $158 million.

It is, of course, important to understand the specific appropriation accounts in which the annual rates were increased over the figure that passed the Senate yesterday. These are as follows:

American Schools and Hospitals Abroad	+$5, 500, 000
Development Loans	+50, 000, 000
Military Assistance	+50, 000, 000
Regional Naval Training	+2. 500, 000
Security Supporting Assistance	+50, 000, 000

It is also perhaps deserving of note that the annual rate in the continuing resolution, as reported by the conference committee is $1,510,323,000 under the budget estimates submitted by the President and considered by both Houses.

The continuing resolution as passed by the House included $42.5 million to fund International Narcotic Control programs authorized by section 481 of the Foreign Assistance Act. The resolution as passed by the Senate contained no such appropriation. The conference committee report includes no separate line item appropriation for narcotic control programs.

I would like to emphasize it was the intent of the conferees to permit narcotic control programs under section 481 of the Foreign Assistance Act to be funded as they have been in past years, from any funds appropriated for foreign assistance purposes including supporting assistance, technical assistance, or other funds. It was not the intent of the conference to prevent the expenditure of funds appropriated under the continuing resolution for narcotic control purposes.

I expect to solidly support full funding of the President's request for this item in the annual bill and do not believe that there is any question that the full amount will be allowed.

I believe that most of those who served as conferees will agree that this represents our best efforts. I urge the Senate to accept it as the best possible means of resolving this difficult issue in the waning hours of this Congress.

The PRESIDING OFFICER. Would the Senator yield to receive a message from the President of the United States?

Mr. INOUYE. I yield.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972—VETO MESSAGE

The PRESIDING OFFICER (Mr. Stevenson) laid before the Senate the following message from the President of the United States:

To the Senate of the United States:

The pollution of our rivers, lakes and streams degrades the quality of American life. Cleaning up the Nation's waterways is a matter of urgent concern to me, as evidenced by the nearly tenfold increase in my budget for this purpose during the past four years.

I am also concerned, however, that we attack pollution in a way that does not ignore other very real threats to the quality of life, such as spiraling prices and increasingly onerous taxes. Legislation which would continue our efforts to raise water quality, but which would do so through extreme and needless overspending, does not serve the public interest. There is a much better way to get this job done.

For this reason, I am compelled to withhold my approval from S. 2770, the Federal Water Pollution Control Act Amendments of 1972—a bill whose laudable intent is outweighed by its unconscionable $24 billion price tag. My proposed legislation, as reflected in my budget, provided sufficient funds to fulfill that same intent in a fiscally responsible manner. Unfortunately the Congress ignored our other vital national concerns and broke the budget with this legislation.

Environmental protection has been one of my highest priorities as President. The record speaks for itself. With the Council on Environmental Quality and the Environmental Protection Agency, we have established a strong new framework for developing and administering forceful programs in this problem area. I have proposed more than 25 far-reaching laws to deal with threats to the environment; most still await final action in the Congress. Pending enactment of new legislation, our enforcement agencies have cracked down on polluters under old laws seldom enforced by previous administrations.

The budget authority which I have requested for pollution control and abatement in fiscal year 1973 is more than four times the amount requested in 1969. Federal grants for local sewage treatment plant construction have increased almost tenfold, from an annual rate of $214 million appropriated up to the time I took office, to $2 billion in my budget for 1973. This dramatic growth in the share of Federal Government resources being devoted to the environment exceeds, many times over, the rate of increase for funds in most other major government programs.

Every environmental spending increase that I have proposed, however, has been within the strict discipline of a responsible fiscal policy—*a policy which recognizes as the highest national priority the need to protect the working men and women of America against tax increases and renewed inflation.* Specifically, the water pollution control bill which I originally sent to the Congress last year was fully consistent with the concept of a balanced, full-employment budget. It would have committed $6 billion in Federal funds over a three-year period, enough to continue and accelerate the momentum toward that high standard of cleanliness which all of us want in America's waters.

By contrast, the bill which has now come to my desk would provide for the commitment of a staggering, budget-wrecking $24 billion. Every extra dollar which S. 2770 contemplates spending beyond the level of my budget proposals would exact a price from the consumer in the form of inflated living costs, or from the taxpayer in the form of a new Federal tax bite, or both.

Ironically, however, only a portion of the $18 billion by which my bill was fattened on Capitol Hill would actually go to buy more pollution control than the Administration bill would have done. One backward-looking provision, for example, would provide $750 million to reimburse State and local governments for work already completed on sewage treatment plants between 1956 and 1966. The precedent this would set for retroactive reimbursement in other matching grant programs is an invitation to fiscal chaos. Another provision would raise the Federal share of the cost of future facilities from 55 percent to 75 percent. Neither of these costly actions would, in any real sense, make our waters any cleaner: they would simply increase the burden on the Federal taxpayer.

There is a well-worn political axiom which says that any election year spending bill, no matter how ill-advised, defies veto by the President. But I say that any spending bill this year which would lead to higher prices and higher taxes defies signature by this President. I have nailed my colors to the mast on this issue; the political winds can blow where they may.

I am prepared for the possibility that my action on this bill will be overriden. The defeat of my proposal for a spending ceiling showed that many Senators and Congressmen are simply AWOL in our fight against higher taxes. And some have been lured to the wrong side of the fight by the false glitter of public works money for their districts or states. They seem to forget that it is their constituents' pockets from which the higher taxes must come as a result of their votes this week. Others, to their great credit, voted for the spending limit to try to hold taxes down. Taxpayers must be sad to learn that a majority are charge account Congressmen.

If this veto is not sustained, however, let the issue be clearly drawn. As with the spending ceiling, so with this bill, a vote to sustain the veto is a vote against a tax increase. A vote to override the veto is a vote to increase the likelihood of higher taxes.

Even if this bill is rammed into law

over the better judgment of the Executive—even if the Congress defaults its obligation to the taxpayers—I shall not default mine. Certain provisions of S. 2770 confer a measure of spending discretion and flexibility upon the President, and if forced to administer this legislation I mean to use those provisions to put the brakes on budget-wrecking expenditures as much as possible.

But the law would still exact an unfair and unnecessary price from the public. For I am convinced, on the basis of 26 years' experience with the political realities here in Washington, that the pressure for full funding under this bill would be so intense that funds approaching the maximum authorized amount could ultimately be claimed and paid out, no matter what technical controls the bill appears to grant the Executive.

I still hope, with millions of taxpayers, that at least one-third plus one of the Members in one House will be responsible enough to vote for the public interest and sustain this veto. It should be noted that doing so would by no means terminate the existing Federal water quality programs, because the Environmental Protection Agency will continue to operate those programs until the merits of a new water bill can be dealt with as a first order of business in the new Congress.

I look forward to cooperating with the next Congress on a prudent bill, to achieve ends on which we are mutually agreed, and by means which I trust will take better account than S. 2770 did of the working men and women who must ultimately pay the bill for environmental quality.

RICHARD NIXON.

THE WHITE HOUSE, *October 17, 1972.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the message from the President be held at the desk.

The PRESIDING OFFICER. Without objection, the veto message will be held at the desk.

FURTHER CONTINUING APPROPRIATIONS—CONFERENCE REPORT

Mr. LONG. Mr. President, I move to reconsider the vote by which my amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. YOUNG. Mr. President, the Senate conferees kept firmly in mind the votes of this body, that no significant increases could be made above the Senate level except as required. We were able to hold those increases at $158 million. Thus, we reduced the level for titles I and II of the foreign assistance program contained in the House-passed joint resolution by $357 million.

Mr. President, some may argue that we need no continuing resolution at all, that the foreign aid program can keep on going. This is not true.

Mr. President, the approval of the continuing resolution for the foreign assistance program is a must if the programs under the Foreign Assistance Act are to continue.

Most every Member of the Senate, including myself, is not in favor of all of these programs. However, I doubt if there is a single Member of the Senate who does not believe that some of these programs are necessary.

I am advised by the Department of State that in the absence of a continuing resolution, it will not be possible to obligate funds for the further conduct of foreign assistance programs.

Funds in the "pipeline" will not be available for that purpose. The Comptroller General has ruled that, in the absence of a continuing resolution, AID has no authority to obligate funds, even those in the pipeline. Moreover, the pipeline consists of commitments of money for projects already underway. To take money from the pipeline for new programs and obligations, will simply disrupt ongoing programs, many of which are vital to the security of the United States.

In the absence of a continuing resolution:

First. Our economic supporting assistance programs in Southeast Asia, will be aborted, dealing a severe or fatal blow to the growth, toward South Vietnamese self-sufficiency.

Second. Continuation of relief programs in Bangladesh and in the Philippines will not be possible.

Third. No supporting assistance will be available for Israel.

Fourth. Major development programs in countries around the world, in which the United States plays a key role as a participant, will be thrown into disarray.

Fifth. AID will have no authority to retain or pay its staff of approximately 12,000 people—6,000 of whom are foreign nationals.

Mr. President, I wish to commend the other conferees on their expeditious handling of House Joint Resolution 1331, the continuing resolution.

It will be recalled that on Saturday evening we passed House Joint Resolution 1331 which included funds for the foreign assistance program totaling $3,494,701-000. The amount of this resolution that passed the House was $4,010,155,000. I am happy to report that since the action taken last evening, we have been able to compromise our differences with the House of Representatives and have reduced the House level to $3,652,701,000.

The Senate conferees kept firmly in mind the views of this body that no significant increases should be made above the Senate levels passed last night. We were able to hold those increases to $158 million. Thus we reduced the levels for titles I and II of the foreign assistance programs contained in the House-passed resolution by $357 million.

We permitted an increase of $50 million in worldwide development loans to provide a total of $250 million in addition to other program availabilities. We also agreed to an increase of $50 million in security supporting assistance funds, but required that those funds be used only to support the disaster reconstruction efforts in the Philippine Islands. We agreed to an increase of $50 million for military assistance to a new level of $550.6 million. This is still $49.4 million under the House rate. We agreed to a limited increase of $5.5 million for American schools and hospitals and $2.5 million for a regional naval training facility in Florida.

We also upheld the Senate's position on the continuing resolution with regard to the use of other funds from unobligated carryover, deobligations, and loan repayments.

I firmly believe that these are not significant increases. They provide only limited amounts for annual rates for operation during the interim period between now and the end of February. As compared with usual practice in such conferences I think these compromises uphold the intention of the Senate and insure that we will be able to deal effectively with the conference on the final appropriation bill when it is reintroduced in the next Congress.

I am also very pleased that the Senate conferees were able to uphold the Senate's position with regard to funds for disabled coal miners who are victims of black lung disease. This program is obviously essential to provide relief and support for these unfortunate people.

Mr. JAVITS. Will the Senator yield?

Mr. YOUNG. I yield.

Mr. JAVITS. This resolution is limited to February 28, 1973?

Mr. YOUNG. That is correct.

Mr. JAVITS. I thank the Senator from North Dakota. I also thank the Senator from Hawaii (Mr. INOUYE) for what he said about the drug program. I am very much heartened by that. We know what a terrible problem exists with drugs. This all-pervasive problem exists throughout the country.

The chairman himself has pledged himself devotedly to making certain that this program is pursued with adequate funding.

Mr. President, the only reason I challenged the whole procedure by which we went into this matter on Saturday night was that it was hard to see what we could do about the cuts, which were sort of across the board. This proposal comes to about the same thing; but at least some effort has been made to zero in with certain items and certain activities, to see what should be done on A and what should be done on B. While I am not happy about it, I do not intend to pursue the matter further.

Mr. INOUYE. I thank the Senator from New York.

Mr. FULBRIGHT. Mr. President, this is one of the most unusual continuing resolutions I have ever heard about. I merely remind the Senate that we passed an appropriation for the economic foreign aid program. That program was authorized last year for 2 years.

There is no quarrel about all the economic items in the resolution. The Senate passed an appropriation bill for economic foreign aid. The House passed one. The only things that were not authorized were the military items and Bangladesh.

When the conferees went to conference, instead of going to conference on the two bills, that is, the appropriation bills for the foreign economic aid, they merged them with the unauthorized military aspects, so as to bring us a continuing resolution involving both authorized and unauthorized programs.

I do not believe that I have ever heard of a continuing resolution which involved items which were authorized and appropriations passed by both Houses. The whole purpose of a continuing resolution is simply to continue a program which is being considered by either or both Houses and has not yet been authorized. It is not supposed to be a device by which to circumvent the appropriation process itself.

I do not believe anyone can recall an instance in which appropriations that had been passed by both Houses were then thrown into a continuing resolution.

What is the purpose of a continuing resolution? I shall read from a report by Representative MAHON on continuing appropriations, dated June 26, 1972.

I read from page 2 of the report. I read it to give the background of the way we should approach a continuing resolution.

This is from a House report:

> Comporting with continuing resolutions over a period of many years, the emphasis in the resolution is on the continuation of existing projects and activities at the lowest of one of three rates, namely, the current (fiscal year 1972) rate; the budget request for 1973, where no action has been taken by either House; or the more restrictive amount adopted by either of the two Houses. The whole thrust of the resolution is to keep the Government functioning on a minimum basis until funds for the full year are otherwise determined upon.
>
> For many years, it has been necessary to provide some stopgap appropriations through continuing resolutions. Officials having responsibility for managing programs during such interim periods are not—certainly should not be—unaware of the fact that the whole thrust behind these measures is to do only the minimum necessary for orderly continuation of activities, preserving to the maximum extent reasonably possible the flexibility of Congress in arriving at final decisions in the regular annual bills. Recognizing the almost countless differing situations involved in operating the far-flung activities of government, continuing resolutions have by design always been drawn rather broadly, counting heavily on administrators to follow a prudent and cautious course in respect to a particular program encompassed within an overall appropriation item.
>
> Without laying down any hard and fast rules and short of encumbering administrative processes with detailed fiscal controls, the Committee nonetheless thinks that to the extent reasonably possible, departments and agencies should avoid the obligation of funds for specific budget line items or program allocations, on which congressional committees may have expressed strong criticism, at rates which unduly impinge upon discretionary decisions otherwise available to the Congress.

Then I skip to one other paragraph:

> Where a bill has passed only one House, or where an appropriation for a project or activity is included in only one version of a bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current fiscal year 1972 rate or the rate permitted by the one House, whichever is the lower. 101(a)(4) deals with this.

In the situation before us, how can one justify taking appropriations that have been passed by both Houses for all the economic activities—appropriations as to which there is very little difference—and including military items for which there were no authorizations? There should have been no difficulty in arriving at the usual agreement between the conferees on the economic assistance programs. I certainly am raising no question whatever about the appropriations for any of the economic activities.

But then, the House conferees took the unauthorized military programs. They were not authorized by Congress.

The bill which proposed to authorize military foreign aid failed in conference. Therefore, I realize that a continuing resolution is necessary to continue such aid forward. But that relates only to the military programs. What they have done, I think, trying to read their reasons, is to use the economic aid to bring along and force us to accept their version of the military aid program.

We are not enabled under this continuing resolution to deal with just the military aid aspect, which is the only part that is legitimately entitled to be carried under this continuing resolution.

In addition to that, on the military, after we had the colloquy last night, I thought I made it very clear that I would not be prepared to accept a substantial increase in the military aid and related programs which are not authorized at this time. They should be subject to authorization if we are to respect the legislative processes of the Senate.

We have had this question up before. In 1969, Senators will recall, we had a controversy over an unauthorized item of $54 million for jets for Taiwan. This led to a great deal of difficulty and to an amendment which explicitly provided that no foreign aid money could be spent that was not authorized. Senators will recall that that was in 1969.

Again in 1970 there was an item of $200 million for military credit sales that was not authorized. The conference in that case had been held up on the authorization bill over the Cooper-Church amendment. There was a controversy over the $200 million for credit sales that had not been authorized.

In 1971 the Mansfield amendment was the item which held up the authorization bill for a long time. We finally did compromise that, after a considerable delay, and got an authorization.

In any case, I do not see how the Senate could be justified here in denigrating the appropriation process which was fulfilled in the case of all the economic items in this bill and lumping them in with the military in order to bring it along and put the Senate in the position of having to accept the continuing resolution for all these items. The great majority of items covered in this legislation should not be in a continuing resolution at all. They should be in a regular appropriation bill.

So I submit that the continuing resolution should not be accepted, and after a reasonable time, I shall move to table it in order to get to a vote this evening. I do not think we should be always forced by the action of the House to accept their views about these programs, on which there is a great difference of opinion. What they have done in this fashion is to go to the continuing resolution and to evade all the policy statements and policy programs which were adopted in the authorizing bill which passed the Senate, but which became deadlocked in conference.

The principal policy issue which brought the conference to a deadlock was the Case amendment, which provided that executive agreements or agreements with foreign governments providing for the stationing of American combat troops on foreign soil are of such a nature that they should be submitted to the Senate as treaties. In other words, the Senate judged this issue to be too important a commitment by our country to be executed by an executive agreement without any reference to the Congress.

In the conference, the Senate conferees, including the Senator from New Jersey, tried to compromise this matter with the House conferees. We offered to change the provision to include regular legislation, joint resolutions, which would give the House a part in the approval of such agreements involving troops on foreign soil, and we also agreed to give up—this was a tentative agreement, because we never got to a final agreement—the requirement that the Azores agreement be submitted for approval. This was the Senate compromise.

There were other important policy provisions in the bill, such as a $275 million spending ceiling for Cambodia for fiscal 1973. There was in that bill a prohibition on military sales to Pakistan, India, and the other nations of South Asia. There was in it a prohibition on the use of development aid for military purposes. There was the earmarking of $70 million for humanitarian aid for South Vietnam and for the initiation of planning for postwar relief in Indochina. There was also a prohibition in that bill on aid to countries in Southeast Asia which had not controlled illegal drug traffic.

So if the Senate accepts this continuing resolution, all of that legislation—and many of them are very important; the Senate adopted all of them—will go out the window. If we use the continuing resolution approach, it means all the work of the legislative committees is simply nullified and we will be doing nothing but simply appropriating money without any restriction or policy guidance whatever.

I do not see how we really can justify, especially in this case after passing two appropriation bills for authorized items, turning around and putting them in a continuing resolution in this fashion, in order to effect what I believe to be an ulterior purpose, that is, a purpose which is beyond the immediate purpose of appropriating the money itself. The purpose is to get around these restrictions, if you like, or qualifications, or provisions, which are included in the authorizing bills.

I wish to recall some of the debate we had last year. Senator Ellender, who was then chairman of the Appropriations Committee, had a great deal to say about this.

I ask unanimous consent, simply for the information of those who read the Record, to insert in the Record articles describing the controversy and the attitude of the then chairman of the Appropriations Committee.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Star, Nov. 21, 1971]

Continued Funding Hit by Ellender

(By James Doyle and Garnett D. Horner)

The administration's campaign to revive President Nixon's foreign aid program was dealt a setback today when Sen. Allen J. Ellender, D-La., chairman of the Senate Appropriations Committee announced that he would oppose continued funding for the aid program beyond Nov. 15.

"We should have a new bill," Ellender said in his first public statement since the $2.2 billion aid proposal was rejected by the Senate Friday 41–27.

The administration had hoped to win a temporary continuation of the program but Ellender's announcement increased the possibility that the Senate will retain the initiative and rewrite its own reduced aid bill in the next two weeks.

ROGERS WARNS ON CUTOFF

The White House, meantime, continued a high-powered campaign to swing public opinion behind a revival of a "balanced" foreign aid program.

For the second day in a row, a top member of President Nixon's Cabinet appeared before White House newsmen to warn of adverse effects if the Senate vote killing the foreign aid program is allowed to stand.

Secretary of State William P. Rogers said that the Senate action "has been a very serious blow" to American foreign policy.

Secretary of Defense Melvin R. Laird had warned late yesterday that killing the original aid program would endanger the Vietnamization program by cutting off essential U.S. assistance for South Vietnam's economy.

LINKED TO TROOP PULLOUTS

Rogers said today that cutting off all foreign aid would "certainly be a factor that will have to be considered" in Nixon's decision, due to be announced about Nov. 15, regarding future American troop withdrawals.

He added, however, "I would not want to leave the impression that the President's decision would be directly affected."

Chairman J. William Fulbright of the Foreign Relations Committee said he hoped his panel would write an interim aid proposal this week and report it to the Senate floor next week.

He appeared to have the backing of Ellender, the most powerful senator when it comes to spending bills.

"Unless the Senate and the Congress can agree on legislation to authorize a revived form of foreign aid. I do not believe the Senate Appropriations Committee will agree to funding out aid operations by means of a continuing resolution," Ellender said.

He said that "if a consensus develops" within the Foreign Relations Committee and the Congress, the Appropriations Committee "might agree to including some portion of the program in a continuing resolution for a limited period of time," but added that in no event would such authority go beyond Dec. 1, which would be only a 15-day extension of the progam. Funding is due to expire Nov. 15.

Ellender said he "would personally favor allowing the program to die at some date certain, with enough time allowed for an orderly liquidation of our far-flung operations."

He said he favors only "a limited amount of technical assistance" and continued military assistance to Vietnam "but not in the current quantity," and added that aid to Cambodia should be reduced.

Fulbright said Rogers' statement was "most unusual in view of the statements of the minority leader that the President was prepared to veto the bill. Sen. Hugh Scott said he was speaking for the administration, that he had been requested to make that statement."

During the Senate debate last Thursday on the so-called Cooper-Church proposal to cut off funds for Indochina, Scott told the Senate that Nixon was prepared to veto the aid bill if it came to his desk with the Cooper-Church proposal in it.

OPPOSES "CONTINUING" AID

Fulbright stated publicly for the first time that he would be opposed to a continuing resolution that took the program more than a week or 10 days beyond the Nov. 15 expiration date.

Mansfield also referred to the Scott statement concerning a possible aid if restrictions on the President's actions in Indochina were part of the bill.

Mansfield said the program apparently faced abolition by the President if Congress had not acted and thus he saw no need to continue funding it beyond Nov. 15.

At the White House, Rogers listed ways in which what he called Nixon's "very successful" foreign policy would be seriously affected unless Congress acts now to restore the aid program.

First, he said it would be a "damaging blow" to the Nixon doctrine which provides for gradual troop reductions throughout Asia while at the same time providing financial assistance to enable Asian countries to "take up the slack."

He said it makes it impossible, or at least very difficult, to carry out America's commitments in Southeast Asia.

It also weakens the President's hand in negotiations being conducted throughout the world, Rogers said. He mentioned the Vietnam peace talks in Paris and the efforts to settle the Middle East crisis.

Rogers—who met with Nixon for more than an hour this morning—said he will make "a very stern and strong appeal" in his appearance before the Foreign Relations Committee tomorrow for "Congress responsibly to repair the damage that has been done."

Mansfield affirmed that he remains opposed to any new congressional resolution extending the program beyond Nov. 15, and said he was willing to see the Agency for International Development and other arms of the aid program expire on Nov. 15 if it took that kind of action to reshape aid.

Mansfield noted that any continuing resolution would be debatable, an indication that he might work to slow the progress of such a resolution. He said he presumed that payrolls could continue to be met from the $4.7 billion still in the aid pipeline, despite administration protests that all of that money already has been set aside for specific purposes.

SITUATION CONFUSED

Despite all the statements concerning the forging of a new aid program, the situation remained confused and the magnitude of the political loss to the Nixon administration was becoming more apparent.

Administration officials yesterday began seeking a four-month extension of the present program while they wrote a new bill.

They quickly discovered that was an all but impossible goal, and by nightfall officials were saying they would accept the will of the House Appropriations Committee chairman, George H. Mahon. Mahon wants the administration to offer a "quickie stop-gap" continuing resolution that would fund the program at about a $2.6 billion-per-year level until the Senate writes a new aid proposal or until adjournment, at the latest.

The administration will not try to write its own bill within that time, it was learned, but will try to work with what comes out of the Foreign Relations Committee, amending it to include some military assistance programs considered essential by the administration.

Laird, who left for Saigon today, was prepared to assure the South Vietnamese that he does not believe the Senate foreign aid vote is final.

After conferring with President Nixon late yesterday, Laird told newsmen at the White House that killing the foreign aid program would adversely affect the Vietnamization program and the general strategy of "realistic deterrents" on aggression anywhere.

But he said he is going to assure the South Vietnamese that as a former member of Congress, his assessment is that "corrective action will be taken" so the foreign aid program can go forward as planned.

CITES ECONOMIC AID

Laird said that while military assistance to the South Vietnamese is provided through the Defense Department budget, economic aid to prop up the South Vietnamese economy is essential to the success of the Vietnamization program, on which American troop withdrawals depend. The bill would have provided $565 million in economic aid to Vietnam.

One administration official maintained on Capitol Hill that the Senate would soon realize its mistake. He said congressional mail and phone calls, as well as editorial comments, were against the Senate already.

But reports from various senators were quite to the contrary. None could be found who had yet received an outpouring of mail criticizing the Friday vote.

Sen. Robert Dole, R-Kan., chairman of the Republican National Committee, said he found a universally favorable reaction to his vote against the aid bill from audiences in Kansas over the weekend.

Dole also said what others hinted at—that the administration was caught completely off guard by the Senate action.

"I didn't have any calls from anybody in the administration saying they needed my vote," Dole said. He has voted against the Foreign Assistance Act throughout his congressional career.

"I don't think this vote was anticipated, I thought the bill was in trouble Friday, but I didn't hear from downtown," Dole said.

He said he had not discovered the bill had been killed until Saturday morning, because he voted at the outset of the roll call and then left to catch a plane to Kansas.

He said he could not support a foreign aid bill that removed most of the military aid funds and left economic assistance and development programs. He said he could not say whether he would support any bill in the future and was not sure that he could vote even for a continuing resolution.

"I don't quarrel with the idea of foreign aid," Dole said, "but it's time to reassess our aid to some of these countries that are never around when we need them."

Dole was asked to comment on President Nixon's statement that the Senate's action was a "highly irresponsible act."

"I can understand the executive's point of view, but I didn't vote against it to be irresponsible," Dole said.

[From the New York Times, Nov. 3, 1971]

Senate Democrats Balk at 90-Day Extension for Aid

(By Felix Belair Jr.)

Washington, November 2.—Despite new Administration appeals, the Democratic leadership of the Senate balked today at proposals for a 90-day extension of the foreign aid program financed at last year's $2.64-billion annual rate.

Instead, Senator J. W. Fulbright, Chairman of the Foreign Relations Committee, indicated that his panel would have an "interim" measure ready for Senate consideration early next week.

Senator Allen J. Ellender, Chairman of the Appropriations Committee, said he would oppose any continuing resolution unless an interim authorization measure was clearly in prospect.

The moves by the chairmen, with the support of Senator Mike Mansfield, the majority leader, reflected a determined effort to retain the initiative in their continuing struggle to prevent a three-month extension of the present program with all aid categories intact.

The Administration began its campaign for the 90-day continuing resolution last Saturday after the Senate's unexpected 41-to-27 vote Friday rejecting a $2.9-billion authorization bill. Key Democratic Senators countered with a proposal to limit any extension to 30 days, or even two weeks, to permit the Foreign Relations Committee to prepare a stopgap bill.

AUTHORITY EXPIRES NOVEMBER 15

Authority for foreign aid spending since the end of the fiscal year on June 30 is based on a continuing resolution that expires Nov. 15.

The $2.9-billion authorization bill killed by the Senate had set limits on loans and grants for economic development and military aid programs under the Foreign Assistance Act for the current fiscal year, which began July 1.

However, the Senate action did not mean an immediate halt in aid, as there is about $4.7-billion of previously authorized funds in the pipeline.

Nor did the Senate action have any effect on other authorizations, estimated at $6-billion, under other legislation. These included about $2-billion for the International Bank for Reconstruction and Development and its affiliated institutions, about $2.25-billion in military aid for Indochina in the Pentagon's own budget and smaller amounts for the Peace Corps, the Food-for-Peace program and the United States Export-Import Bank.

STATEMENT BY ROGERS

Secretary of State William P. Rogers said today after conferring with President Nixon that the Senate's rejection of the foreign aid authorization bill was "a very serious blow" to United States foreign policy and weakened the President's ability to negotiate with other world powers.

"We think it essential that Congress act now to pass a bill which will be coordinated and balanced to carry on essential foreign policy," the Secretary declared at a news conference at the White House in an apparent effort to enlist public support for a three-month extension.

Among foreign policy areas where, he said, the United States position would be jeopardized unless foreign aid was continued, Mr. Rogers mentioned the Paris negotiations on Vietnam, diplomatic contacts with the Soviet Union and China, the Middle East and the "Nixon doctrine," which calls for increased aid to American allies as American forces are withdrawn.

Senator Fulbright said in commenting to newsmen:

"I am not for a continuing resolution even for a week or 10 days, but for reporting a bill to the Senate by the first of next week. It would be an interim bill to give time to reconsider and develop a new foreign aid program."

He said he was working closely with Senator Ellender's, whose intervention in the debate added a new and critical element, since any continuing resolution must originate with the Louisiana Senator's Appropriations Committee.

"We should have a new bill," Mr. Ellender said. "Unless the Senate and the Congress can agree on legislation to authorize a revised form of foreign aid, I do not believe the Appropriations Committee will agree to funding our aid operations by means of a continuing resolution."

Senator Ellender explained that, in theory, the extension of funding authority by means of a continuing resolution was based on an assumption that authorizing legislation would be passed within a reasonable time.

Although publicly and officially the Administration is still urging a three-month extension resolution, the first indications of doubt in its own case came after Representative George Mahon of Texas, chairman of the House Appropriations Committee, said yesterday he would propose a 30-day extension.

Some White House strategists, who asked not to be identified, said they thought they would have to settle for what they could get from the Senate Foreign Relations Committee plus some military aid programs considered essential by the Administration. The military aid would be proposed in amendments from the floor, under this plan.

Senator Mansfield continued to insist that the Agency for International Development could draw on $4.7-billion of "pipeline" funds to pay salaries of the more than 4,000 employes that the agency says will have to be dismissed on Nov. 15 unless its spending authority is continued beyond that date.

The State Department and the aid agency, however, insist that the pipeline funds have been committed for specific purposes and thus cannot be used for the salaries.

[From the Washington Post, Nov. 3, 1971]

ELLENDER OPPOSES AID FUND

(By Spencer Rich)

Despite new administration pleas for continuation of foreign aid at current spending levels until a whole new program is worked out, Senate Appropriations Committee Chairman Allen J. Ellender (D-La.) announced yesterday that he will oppose emergency financing for the program.

Ellender's position was disclosed as Secretary of State William P. Rogers, after a meeting with the President, said that failure to continue the aid program, for which the administration had sought $3.6 billion in Fiscal 1972, would endanger U.S. security arrangements with Asian nations by cutting off funds.

Rogers said it would undermine the Nixon Doctrine, under which the United States gradually withdraws troops from various places and lets indigenous forces do the fighting with U.S. equipment and economic aid.

Ellender's decision greatly strengthens the hand of Senate Foreign Relations Committee Chairman J. W. Fulbright (D-Ark.) and other aid critics in their struggle with the Nixon Administration over the fate of the program.

Existing financing arrangements for the program expire Nov. 15, and the Senate killed an authorization for program continuation by a 41 to 27 vote last Friday night. In that vote, traditional critics of high foreign spending were joined by Fulbright and others who believe the level of military aid to countries like Cambodia and Greece is far too high, and could involve the United States in new entanglements in Southeast Asia.

For the Nixon administration to reverse last Friday's 41 to 27 loss will take a massive shift of votes. A survey of senators who did not vote last Friday shows that had all senators but the ailing Karl E. Mundt (R-S.D.) been present and voting, the final vote would have been 57 to 42 against the bill.

GOP National Chairman Bob Dole (R-Kan.) said yesterday that he still does not like the bill, and would like to cut back U.N. contributions. Harry F. Byrd Jr. (Ind.-Va.) said he opposes a continuing resolution and wants big cuts. Barry Goldwater (R-Ariz.), who has always opposed aid, said he would have voted against the bill had he been present and hopes to see a drastic shift in the emphasis of the aid program.

The administration had hoped for passage of a "continuing resolution" carrying the program forward at its current $3.1 billion annual spending level for three or four months—long enough for it to tailor a more attractive package and change the votes of some senators who opposed the bill last Friday.

But Fulbright, whose committee will meet today with Secretary Rogers and AID administrator John A. Hannah, hopes to report out a new permanent authorization bill—perhaps by next Monday, he told reporters yesterday—that will sharply cut back the program and restrict military aid.

If Ellender's position sticks, and the administration is unable to get a long-term continuing resolution at a level of around $2.8 billion to $3 billion, then it may have to accept the cut-down new program envisioned by Fulbright, Majority Leader Mike Mansfield (D-Mont.) and other senators as the price of keeping the program alive at all.

Mansfield said yesterday as far as he can see, no emergency financing beyond Nov. 15 will be needed because the basic new program will be reported out of Foreign Relations shortly.

Ellender said that for the same reasons, he might be willing to extend existing financing to "Turkey Day" or perhaps Dec. 1, but no further. If no permanent legislation is enacted by then, he told a reporter, a handful of the more urgent foreign aid appropriations should be written into the final supplemental appropriation bill and the over-all program altogether phased out.

Fulbright, Mansfield and Norris Cotton (R-N.H.), a traditional opponent of the program, all said yesterday that failure to extend the continuing resolution will not mean an automatic cutoff of salaries for employees of the Agency for International Development, because that agency has authority to finance salaries out of the $4.7 billion in funds now in the aid pipeline.

Mr. FULBRIGHT. Senator Ellender was very strongly against using a continuing resolution in those circumstances where there had not been any authorization passed. As I have already described, after long travail, we finally got an authorization bill last year and then proceeded in the regular way.

I submit, Mr. President, that this is a very important procedural matter and that the conferees should go back. It would seem to me that, on the economic items, the conferees should in the regular fashion with air appropriation bill and not in a continuing resolution, and that the items, as I stated last night, that are not authorized; namely, the military aid and related programs should come in the continuing resolution. And they should be at the 1972 rate.

That is in conformity with the principle which I just read from the chairman of the House Appropriations Committee in which he used the lower of the three different figures. What I agreed to last night was a continuing resolution on military assistance and related programs at the rate of $1.450,600,000. This bill increases that amount by $102,500,-

000. That is over the fiscal year 1972 level, which does not conform to any of the criteria set down by Representative Mahon as the way to measure what a proper continuing resolution should carry.

I agreed to that last night. I was prepared to accept that, but as Senators know, the conferees, in their wisdom, did not bring back such a bill as that. I still think, even with that, it is very questionable to bring in a continuing resolution which includes items for which appropriations have already been approved by both Houses.

So, if there is no further discussion, I would propose to move to table the conference report.

Mr. CHURCH. Mr. President, will the Senator yield for a question, just for clarification?

Mr. FULBRIGHT. I yield to the Senator from Idaho.

Mr. CHURCH. Does the Senator know of any precedent for combining in one conference report legislation that has been authorized with legislation that has not been authorized, as has been done in this case?

Mr. FULBRIGHT. I do not. If anyone else knows of a precedent for that, I would be glad if they would remind us of it. I do not recall ever hearing of a continuing resolution including appropriations which have been authorized and passed by both Houses.

Mr. CHURCH. The regular procedure, as established by the precedents and in furtherance of good order, the regular procedure that is really essential to the maintenance of the integrity and authority of the legislative committees, would call for separating the two matters, would it not, the conference report which has been authorized in the regular manner——

Mr. FULBRIGHT. And appropriated.

Mr. CHURCH. And appropriated, and then separate from that a continuing resolution on the military assistance which has not been authorized by virtue of the failure of the two Houses to agree in conference? It seems to me that unless we separate the two, we abandon all of our previous precedents, and in addition to that we undermine the authority of the legislative committees.

I think this is a very dangerous thing to do. We might as well just close up shop for the legislative committees and turn everything over to the Appropriations Committees. I would hope that the Senate would not be prepared to take that step.

In the past, in fact, we have refused to take that step.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from North Dakota.

Mr. YOUNG. As a long-time member of the Appropriations Committee, I dislike very much appropriating money where it has not been authorized. We have many examples of it, one, on the last Defense appropriation bill. The House inserted at least about 15 very important items that the Defense Department considered vital, that were not authorized. The House Appropriations Committee went to the House Armed Services Committee, and they said to go ahead.

We were faced with that situation here, so we asked the Armed Services Committee what to do, and they held a meeting and said, "Go ahead." Now we are faced with a situation where, without a continuing resolution, the Comptroller General has ruled that the whole program will come to an end—all of it; they cannot even pay employee salaries. That is the ruling of the Comptroller General. That is what we are faced with tonight, and Congress wants to adjourn. It is not to our liking that we appropriate money here without an authorization.

Mr. FULBRIGHT. I was perfectly willing to continue the military programs at last year's level. I said that last night. I made it clear right here that I would go along with continuing it at last year's level. But the conferees insisted on increasing it above last year's level. If the Senator knows of any other precedent, I would like to hear about it, where they have an appropriation for the full year on all the economic items, not just until February but right up to the end of the fiscal year.

Is it not odd that, instead of going ahead and presenting a conference report on that appropriation, they bring everything back in a continuing resolution? This is a very unusual procedure. I think the Senator will have to admit that this is very unusual.

Mr. YOUNG. We did the best we could. We did not yield as much as the House did in conference. We tried to reach some agreement.

Mr. FULBRIGHT. But the procedure is really unprecedented, and has very strange implications. It puts us in a very strange position. We have been arguing all evening about the desire of the President and nearly everyone here to cut back on these ballooning expenditures of our government, and here we have a case where they come in just following that insisting on increasing a continuing resolution above the traditional level, which is last year's level.

This is really a strange mixture of policies or attitudes, that on the one hand we are so concerned about this huge deficit, we all want to help the President, and certainly the leaders on the other side of the Chairman of the Finance Committee were very eager to help the President cut back, and now we are faced with a continuing resolution that insists on increasing expenditures.

I said last night, and I was trying to be as frank as I could, "All right, I do not like the bill that mixes this all together, but if they bring it back without any increase in the military, I suppose I would accept it," and I thought that is what they would do. But instead of that, no, they just cannot help but increase it, in the face of all this argument about the budget being out of control, we are spending too much, and we have spent all evening being so sanctimonious about our desire to balance the budget. But as long as it is in the foreign military aid area, we have got to increase it. Why is foreign military aid so much more important than all the domestic programs which we were so eager for the President to cut, and gave him directions to cut them at least 10 percent? Here they will not even allow us to go on at last year's level.

I do not see how I can in good conscience accept that kind of procedure. It negates the whole legislative and appropriation processes. I just cannot accept that. For 3 years in a row, the Senate has gone on record as disapproving of expenditures in the foreign assistance field that have not been authorized. Two years ago, in 1970, we explicitly put that in the law. Now these continuing resolutions have laid waste to that explicit requirement of the law.

I cannot understand why the Senate conferees have to accept from the House of Representatives this most unusual procedure of combining appropriations that both Houses have passed with a continuing resolution for unauthorized items. I just do not understand it. I do not think the Senate ought to go down that road. This is a much greater departure, I would say, than the preceding measure, because the Senator from Louisiana (Mr. Long) was at least able to cite a precedent that had some relevance to that case. I do not think anyone can cite a precedent in which they have taken an appropriation passed by both Houses and tied it to a continuing resolution which, if it follows the normal procedure, ought to be at the lowest level of the three criteria I have cited, which would be at least at the 1972 level, and that is all I have asked, that they bring in the continuing resolution on the military programs at the 1972 level, which actually was the amount the committee had originally agreed to.

Does the Senator from Hawaii want the floor?

Mr. INOUYE. Yes, I do.

Mr. FULBRIGHT. I yield.

Mr. INOUYE. Mr. President, your Appropriations Subcommittee on Foreign Operations reported a bill on September 27. That bill was considered the following day, and passed by the Senate.

As Senators will recall, that bill recognized the efforts of the legislative committee. The committee did not wish to undermine or denigrate the sovereignty or the jurisdiction of the legislative committee. And that bill contained only those items that had been authorized. The unauthorized sections, those in the military area, were not considered by the Appropriations Committee.

We passed that bill on to the House of Representatives. We made every effort to convince our colleagues in the House of Representatives to enter into a conference with us. I regret to report that we were unsuccessful; and so a few days ago we received the continuing resolution which we are now considering.

The resolution that was passed by the Senate, as described by the distinguished Senator from Arkansas, adopted the fiscal 1972 figures for the unauthorized items. I assure my colleagues that we did our very best to convince our House counterparts that we sustain the Senate views. But, as I indicated in my opening remarks, Mr. President, when we enter into a conference it must be assumed that we will at least discuss the problems, hopefully with an open mind, because if we are going into a conference to say, "This is our position, and if you do not agree with it, forget it," then it is no conference at all, Mr. President.

I think it should be recognized, further, that this conference report is $1,510,323,000 less than what the President requested. When the Senate passed the bill two nights ago, our continuing resolution was $515 million less than that of the House. What we are now reporting to the Senate is still less than the House by $365 million. We did not get everything we wanted, and I do not suppose the House got everything it wanted.

For example, I think most Senators will agree that one of the worst scourges in the United States is drug addiction. We left the total amount out. Therefore, as manager of this bill, I had to place into the legislative record a statement indicating that it was our intent to have funds from other sources spent for narcotic purposes.

I assure Senators that, when the Senate conferees met with the House conferees, we had no intention to do what is commonly done here—to split the difference. We did not split the difference. In fact, if one wants to use percentages, we took 70 percent and they took 30 percent.

So, I hope that my colleagues, at this late hour—it is almost midnight—will accept the conference report, with my personal assurance, as chairman of the Subcommittee on Foreign Operations, that next year every effort will be made to assure the House Members, in adopting some of the principles we have discussed earlier, that we maintain a program that will be acceptable not only to Members of the House and the Senate but also to the people of the United States.

As chairman of this committee, I have decided that I will apply but one test to the foreign-aid bill, and it is a very simple test. It should be such that we could answer any question asked by any man on the street about foreign aid. At this time it would be impossible to give an honest answer to many of the subject matters covered by this bill. It should not be that way. I assure Senators that every effort will be made by the subcommittee to present a bill next year by which all of us can explain our actions to our constituents.

I hope the Senate will concur in the conference report.

Several Senators. Vote! Vote!

Mr. FULBRIGHT. Mr. President, I want to say one other thing which I do not think I mentioned before, with reference to the size of the foreign military assistance program. I am not questioning anything about economic assistance.

The amount in the continuing resolution is almost exactly double the amount appropriated in 1970. In other words, in 2 years, the military aspects of the foreign aid bill have doubled. It was $815 million in 1970; that is for military aid, supporting assistance, and military sales. The amount in the continuing resolution is $1.515 billion. It is almost double the amount.

When we talk about the huge deficit we have and of being concerned about trying to bring it under control, what is the justification for doubling the amount of foreign military assistance?

In other areas, we are told that we are making progress around the world in alleviating some of the old antagonisms—for example, the President's policy with regard to Russia and China. Why must foreign military assistance be doubled in 2 years?

I submit that the Senator from Hawaii, for whom we all have the greatest affection, has been extremely considerate in his attitude toward the committee; but he does not answer the question as to why they did not go to conference on the two appropriation bills, the House and the Senate, on authorized items, and bring back a regular appropriation bill. That is the one on which there should have been a conference.

Mr. INOUYE. I assure the Senator, as I have indicated in my statement, that every effort was made on the part of the Senate to convince the House to enter into a conference, but we were not successful.

Mr. FULBRIGHT. This exhibits a kind of arbitrariness I do not understand. The House will not agree to a conference on an appropriations bill that passed both Houses and in which there is very little difference. As I recall it, there was no difference of any consequence. I would have thought that would be the easiest kind of bill upon which to agree. A few people opposed the program as a whole, but those programs were almost the same. But the military programs were unauthorized and if the Senate adopts my tabling motion, I hope we can then agree to instruct the Senate conferees not to accept any increases in these unauthorized programs. I am willing to accept a continuing resolution with the military programs at the fiscal 1972 rate.

That is why I said a moment ago that there is some ulterior purpose. It is most unusual to give up a full year's appropriation that has been authorized and bring it back and put it in a continuing resolution for only 3 or 4 months. This is a very unusual situation, and I just do not understand it.

How can the House insist upon such unusual, unprecedented procedure? The only thing that suggests to me is that they are trying to blackmail the Senate into accepting their figures on the military assistance. They use that to drag along and blackmail us, force us to authorize, in a continuing resolution, amounts above those of last year, above all the traditional criteria that are used in continuing resolutions. I am unable to accept it, and I do not think the Senate ought to accept it.

If there is nothing further to be said, Mr. President, I move to lay the conference report on House Joint Resolution 1331 on the table, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas to table the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. Bayh), the Senator from Texas (Mr. Bentsen), the Senator from Mississippi (Mr. Eastland), the Senator from Louisiana (Mrs. Edwards), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from South Carolina (Mr. Hollings), the Senator from Iowa (Mr. Hughes), the Senator from Montana (Mr. Metcalf), the Senator from New Mexico (Mr. Montoya), the Senator from Alabama (Mr. Sparkman), the Senator from Virginia (Mr. Spong), the Senator from New Mexico (Mr. Anderson), the Senator from Arkansas (Mr. McClellan), the Senator from South Dakota (Mr. McGovern), and the Senator from Georgia (Mr. Talmadge) are necessarily absent.

I further announce that the Senator from Wyoming (Mr. McGee) and the Senator from Nevada (Mr. Cannon) are absent on official business.

I further announce that, if present and voting, the Senator from Mississippi (Mr. Eastland) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. Allott), the Senators from Tennessee (Mr. Baker and Mr. Brock), the Senator from Oklahoma (Mr. Bellmon), the Senator from Delaware (Mr. Boggs), the Senator from Nebraska (Mr. Curtis), the Senator from Kansas (Mr. Dole), the Senator from Hawaii (Mr. Fong), the Senator from Arizona (Mr. Goldwater), the Senator from Florida (Mr. Gurney), the Senator from Oregon (Mr. Hatfield), the Senator from Iowa (Mr. Miller), the Senator from Kansas (Mr. Pearson), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), the Senator from Texas (Mr. Tower), and the Senator from Connecticut (Mr. Weicker) are necessarily absent.

The Senator from Kentucky (Mr. Cook) is absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from Iowa (Mr. Miller), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) would each vote "nay."

The result was announced—yeas 22, nays 41, as follows:

[No. 570 Leg.]

YEAS—22

Allen
Burdick
Byrd,
  Harry F., Jr.
Chiles
Church
Cranston
Eagleton
Ervin
Fulbright
Gambrell
Gravel
Hart
Jordan, N.C.
Kennedy
Mansfield
Muskie
Nelson
Pell
Proxmire
Stevenson
Symington
Tunney

NAYS—41

Aiken
Beall
Bennett
Bible
Brooke
Buckley
Byrd, Robert C.
Case
Cooper
Cotton
Dominick
Fannin
Griffin
Hansen
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Long
Magnuson
Mathias
McIntyre
Mondale
Moss
Packwood
Pastore
Percy
Randolph
Ribicoff
Roth
Schweiker
Scott
Smith
Stafford
Stennis
Stevens
Taft
Williams
Young

NOT VOTING—37

Allott
Anderson
Baker
Bayh
Bellmon
Bentsen
Boggs
Brock
Cannon
Cook
Curtis
Dole
Eastland
Edwards
Fong
Goldwater
Gurney
Harris
Hartke
Hatfield
Hollings
Hughes
McClellan
McGee
McGovern
Metcalf
Miller
Montoya
Mundt
Pearson
Saxbe
Sparkman
Spong
Talmadge
Thurmond
Tower
Weicker

So the motion to table the conference report on House Joint Resolution 1331 was rejected.

Mr. INOUYE. Mr. President, I move to reconsider the vote by which the motion to lay on the table was rejected.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that any rollcall votes from now on be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question now recurs on the adoption of the conference report.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Mr. President, is the veto message at the desk? Has the veto message arrived?

The PRESIDING OFFICER. The veto message is at the desk.

Mr. FULBRIGHT. Mr. President, I want to inquire of the majority leader whether it is his purpose to act upon the veto message tonight?

Mr. MANSFIELD. It is, after the disposal of the pending business.

Mr. FULBRIGHT. And that will have to go over until tomorrow. Will the Senate have to be in session tomorrow?

Mr. MANSFIELD. Yes, at 12 o'clock. But the veto message will be taken up following the disposition of the pending business.

Mr. FULBRIGHT. Mr. President, can the Senator give us any idea how late he wants to run tonight?

Mr. MANSFIELD. As long as the Senate would like to run.

Mr. FULBRIGHT. Mr. President, I am perfectly willing to adjourn now.

Mr. MANSFIELD. Some Members of the Senate are leaving tomorrow. Some Senators have come back. We have as good a showing here as I think we will have from here on out. I would like to dispose of the measure tonight. I do not intend to vote in favor of the conference report. However, I do feel that I have an obligation and a duty to the Senate as a whole. And I hope that the distinguished Senator from Arkansas will take that into consideration.

Mr. FULBRIGHT. I shall take it into consideration, and I shall not delay the Senate very long. However, I have a few comments to make.

FURTHER CONTINUING APPROPRIATIONS, 1973—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the military assistance part of a recent GAO report be printed at this point in the Record for the information of the Senate, together with some additional information on the matter of continuing resolutions. I also ask unanimous consent to have printed in the Record some comparative data on the security assistance program.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

II. Military Assistance

OVERALL PROGRAM ADMINISTRATION

The President is authorized under the Foreign Assistance Act to furnish military assistance to any friendly country or international organization to strengthen the security of the United States and promote world peace. Military assistance is provided through loans or grants of defense articles and services, financial contributions to multilateral programs for facilities for collective defense financial assistance for the expenses of U.S. participation in regional or collective defense organizations, and the assignment or detailing of U.S. defense personnel for noncombatant duty, including training or advisory functions. (Section 503.)

The purposes of military assistance programs in various countries are, basically, (1) to assist a country to develop a defensive capability against external aggression, (2) to maintain internal security and assist local forces in undertaking civic action programs, and (3) to assure continuation of certain United States military rights.

This initial subsection covers several GAO reports on problems relating to the general administration of military assistance programs.

Manpower utilized to administer military assistance

In 1966, GAO reported that the Department of Defense (DOD) planned to continue the operation of a military assistance group in a recipient country even though the military assistance grant-aid program for the country had been virtually completed and although available information indicated that other U.S. organizations in the country could perform the necessary residual functions.

DOD had made substantial reductions in the size of the group as the workload had decreased because of reductions in the military assistance program. GAO believed, however, that greater reductions in personnel and resultant savings could have been made if DOD had realistically evaluated the need to continue operations as carried out in recent fiscal years, and if DOD had made a determined effort to phase out the group and reassign responsibilities for essential functions to other U.S. organizations.

GAO recommended that DOD take action to (1) reduce the staff of the military assistance group to match its present reduced duties, (2) eliminate unnecessary functions and transfer necessary continuing functions to other existing U.S. organizations, and (3) terminate the activities of the group at the earliest practicable time.

DOD agreed that further limited reductions might have been possible. However, while DOD agreed in principle with GAO's recommendation to terminate the group as soon as possible, DOD felt that it was advantageous to continue operation of the group with reduced manpower. DOD later advised GAO of a reduction in the manpower authorization, and in 1969 the group was reduced from a staff of 85 to a staff of 16. (B-159341, August 15, 1966.**)

Military Assistance Furnished to Turkey

GAO reported in 1967 on its examination of military assistance furnished to the Turkish Air Force under the military assistance program.

GAO found that many of the same types of deficiencies that had been found in a prior GAO review of the program in Turkey and reported to the Congress in 1962 continued to exist. GAO also noted that some of the same types of deficiencies had been found by the Air Force Auditor General and were covered in his 1967 report on U.S. military assistance provided to Turkey.

GAO found that some improvements had been made since its prior review. However, GAO also found that (1) funds were still being over-programed, (2) excesses were not being recovered, and (3) unneeded items were being requisitioned. GAO believed that there was a need for improved management of the military assistance furnished to the Turkish Air Force to eliminate these deficiencies. GAO also believed that greater efforts by U.S. advisory personnel could achieve this objective and would thereby substantially reduce the cost of the military assistance program. (B-125085, June 7, 1967 [1])

Cost Sharing of Military Construction Projects in Europe

The North Atlantic Treaty Organization (NATO) has an infrastructure program which is designed to provide the fixed defense installations and facilities required by NATO forces. The costs of this program are shared by member nations.

In 1969, GAO reported that improvements had been made in administration of U.S. participation in the NATO infrastructure program since GAO's last report on the program in 1965. GAO found, however, that further improvement was needed, particularly in recovering costs of projects initially financed by the United States. GAO reviewed several projects, valued at over $9 million, and found delays both in the submission of Air Force projects for cost sharing and in the subsequent recovery of costs of initially-financed programs after they were included in the NATO program.

GAO believed that the need for further improvement could be largely attributed to the fact that the services did not fully understand the NATO financial system, a lack of specific instructions in some instances, a lack of centralized responsibility for certain cost-sharing functions, and the failure of the U.S. Command in Europe to fully examine delays in cost recovery and take corrective action. GAO also found that the U.S. Army in Europe, purportedly to maintain operational control, had followed a policy of not pursuing NATO cost sharing for certain facilities eligible under the program.

GAO proposed that DOD reconsider GAO's 1965 proposal to establish a single office within DOD to be responsible for and coordinate uniform infrastructure policies and practices. GAO also made several more specific proposals, including more specific arrangements

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with host countries, which were applicable to all U.S.-prefinanced projects and which GAO felt could bring earlier fund recoveries.

DOD generally accepted the GAO proposals and began needed actions, but felt that a single DOD office was not necessary and that new guarantee procedures in U.S.-host country relations and discrete diplomatic pressures could bring fund recovery without negotiating reimbursement agreements for all possible cases.

GAO recommended that DOD further consider a central DOD authority with definite responsibility for enforcing and monitoring DOD policies and procedures. GAO also recommended an evaluation of the effectiveness of the new procedures relating to the need for more specific U.S.-host country agreements. DOD subsequently advised GAO that DOD instructions were being revised to establish provisions for the European Command to monitor and enforce DOD policies and procedures relative to the cost sharing of NATO infrastructure programs. (B-156489, October 10, 1969.[1])

Payment of Taxes to Other Governments on U.S. Defense Activities Overseas

The U.S. and various other governments have arranged for U.S. purchases in and supply and equipment imports into those countries to be exempt from taxes and import duties when the items are for the common collective defense or for other purposes which are in their mutual national security interest.

GAO reported in 1970, however, that the United States had incurred substantial tax costs in several countries. Examples of significant direct and indirect tax costs which the United States had incurred over several years for property leases, family housing rentals, local procurements, and imports of supplies and equipment were $28 million in Vietnam, $4 million in Thailand, and $2.2 million in Germany.

GAO believed that when the financial burden of a foreign tax is passed on to the United States indirectly and the tax is substantial, such action is inappropriate, particularly in view of the substantial U.S. expenditures for the common collective defense.

GAO recommended that the Departments of State and Defense (1) jointly develop and promulgate specific guidelines which would define the U.S. tax-exemption policy, (2) clearly establish the responsibilities of the concerned U.S. agencies, and (3) provide for an adequate management system to operate an effective tax relief program.

The two departments recognized that tax exemption problems existed. They generally agreed with the GAO recommendations and had begun corrective action. GAO believed that the benefits derived from these actions would have a favorable impact on the balance of payments and would also provide more funds for direct defense and other assistance efforts.

The Departments of Defense and State later provided GAO a joint response with a comprehensive analysis concerning the payment of taxes to other governments by the United States on a country-by-country basis. The gist of the Departments' analysis was that (1) the United States had succeeded in obtaining tax relief for its expenditures overseas, made for common defense purposes, in all major respects; (2) a joint task force had been formed by the Departments of State, Defense and Treasury, studies were being made, and steps were being taken to strengthen the management of the U.S. foreign tax relief program by issuance and implementation of revised instructions concerning administrative policies and procedures; and (3) audit programs initiated by the Departments would be adjusted to assure greater audit emphasis on the administration of foreign tax relief matters. (B-133267, January 20, 1970.)

U.S. Support of Philippine Troops in Vietnam

In 1970, GAO also reported on payments made by the U.S. Government to the Government of the Philippines in support of Philippine troops in Vietnam.

GAO found that the assistance given to the Philippine Government, which was funded by DOD, consisted of approximately $35 million in equipment and logistics support, and about $3.6 million of direct payments which were appropriated for DOD by the Congress and paid GAO also found evidence that other forms of U.S. assistance to the Philippine Government, such as military and economic assistance funded under the Foreign Assistance Act, were increased during the period of the Philippine troop commitment to Vietnam.

GAO reported that its work had been seriously hampered and delayed by the reluctance of the Departments of State and Defense to give GAO access to the records considered pertinent to the GAO review. Generally, GAO received access only to those records which it could specifically identify and request, and then only after time-consuming screening within the Departments. GAO concluded that because of the restricted access to records it was possible that the agencies might have withheld information which was pertinent to the GAO study. (B-169501, March 21, 1970.)

Purchase Commitment Made to an International Organization Prior to Availability of Funds

In 1960, DOD entered into a written agreement with a consortium of five NATO countries formed to produce HAWK surface-to-air missiles in Europe. U.S. participation included providing certain materiel and services needed for production along with purchasing four of the missile systems. Part of the assistance provided was to be offset against the cost, but the total cost was not stated in the agreement. Preproduction performance began immediately.

DOD had only a portion of the funds available to purchase the four missile systems when the 1960 agreement was signed. Instead of making sufficient funds available or limiting U.S. liabilities, DOD had a clause inserted into the agreement stating that the U.S. purchase commitment was "subject to availability of funds."

In 1970, GAO reported that no express authorization existed in law allowing DOD to enter into the purchase commitment without having sufficient funds available. GAO believed the commitment did not comply with the intent of the Anti-Deficiency Act, which requires government agencies to have estimated funds available or advance congressional approval before entering into contractual obligations. This ensures that the Congress has the opportunity to pass on contractual obligations for which it will be required to appropriate funds.

GAO concluded that by signing the 1960 agreement and providing assistance to the consortium, which made it possible to proceed with production of the missile systems, DOD firmly committed the United States to buy four missile systems at an unknown cost, and committed the Congress to appropriate the additional funds after-the-fact, notwithstanding the proviso "subject to availability of funds." There was little practical control that the Congress could exercise over the amount of funds it would subsequently be required to appropriate if the United States was to meet its contractual commitments under the international agreement.

GAO also found that DOD funded the commitment incrementally, consistent with the annual assistance requirements but with little or no relation to the costs of the four systems because the funding was less than the projected costs of the systems. In mid-1969, DOD estimated the total costs of the four systems in millions of dollars, and also estimated that several million dollars would have to be paid to the consortium for an $11.9 million claim to the consortium for documentation, services, and depreciation costs. The final cost was not expected to be known or final payment made until 1972 or 1973.

GAO recommended to DOD that a report be made to the President, through the Office of Management and Budget, and to the Congress of all pertinent facts concerning this matter and any action taken or to be taken, as required by law. GAO also recommended that the matter be brought to the attention of appropriate DOD officials to point out that decisions on the making of contractual obligations of the Government should be consistent with the requirements of law and pertinent DOD directives.

DOD did not agree with GAO's findings and recommendations. DOD stated that (1) the Mutual Security Act of 1954 was the authority for its actions and the term "subject to availability of funds" was used in accordance with then-current Comptroller General decisions; (2) the Congress had been clearly advised of the agreement through the military assistance budget estimates of U.S. funding support for the program on an incremental basis; and (3) the obligation to fund an additional amount covering the total U.S. liability was of a contingent nature and not an actual recordable obligation.

In May 1970, GAO was informed that $9.1 million of the claim had been tentatively accepted, that the current cost projection for the four systems was higher than previously estimated, and that several millions of dollars had beeen obligated for a tentative payment to the consortium. After considering DOD's comments, GAO still believed that a violation of the Anti-Deficiency Act had occurred and that DOD should take appropriate action as recommended.

In December 1970, DOD stated that since it disagreed with the GAO conclusion concerning violation of the Anti-Deficiency Act and Section 1311 of the Supplemental Appropriations Act, 1955 (31 U.S.C. 200), no corrective action was deemed necessary. GAO is now taking steps to report this matter to the Congress and the Office of Management and Budget for their further consideration. (B-160154, October 2, 1970.[1])

Current GAO Reviews

GAO is currently initiating reviews of military assistance programs in several countries to evaluate whether the military assistance is being effectively utilized to achieve U.S. objectives. GAO is also reviewing assistance related to Free World Forces in Vietnam, to examine the costs borne by the United States to equip and support troops from other countries, and to examine other economic benefits which these countries may derive as a result of sending troops to Vietnam.

MANAGEMENT OF MATERIEL PROGRAMS

Military assistance consists primarily of military hardware and services and is furnished on both a grant and sales basis. This subsection summarizes recent GAO reports dealing with the furnishing and use of military hardware, including military excess property. The types of articles available under the military assistance program include aircraft, missiles, ships, vehicles, weapons, ammunition, communications equipment, and construction and support equiment.

Overprocurements from Ineffective Supply Management in Korea

GAO reported in 1965 that, under the military assistance program, about $403,000 of overprocurements for unneeded spare parts and assemblies for Japanese-manufactured

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vehicles had been made because excesses within the Korean Army supply system were not identified and recovered.

GAO believed that inadequate advisory efforts of U.S. personnel had contributed largely to this deficiency. Additional procurements of similar unneeded parts, valued at about $693,000, could have followed if DOD had not taken timely corrective action as a result of the GAO review. (B-125099, May 28, 1965.)

New Ships Provided to Iran Instead of Reserve Fleet Vessels

GAO also reported in 1965 that two new patrol frigates, constructed at a cost of about $74 million, had been furnished to Iran under the military assistance program even though the Iranian navy's requirements could have been met by activating, overhauling, and modernizing available reserve fleet destroyer escorts at an estimated cost of $3.8 million.

GAO found that adequate consideration had not been given to use of the reserve fleet vessels because the responsible officials were reluctant to request congressional approval required for their transfer to a foreign nation, and because cost data used in evaluating the advantages of furnishing new patrol frigates was unrealistic. GAO recommended that, in the future, DOD give adequate consideration to the use of available reserve fleet ships in fulfilling requirements under the military assistance program (B-133134, February 3, 1965.[1])

Depot Construction in Iran

In another 1965 report on the military assistance program in Iran, GAO concluded that U.S. funds of $8.4 million were for the most part wasted in construction of a depot.

GAO found that the depot had had only negligible use since its construction in 1960, and that current plans called for dismantling and relocating many of its storage facilities. GAO believed that the facts available when construction of the depot began in 1958 clearly indicated that the depot was not needed or wanted by the Iranian Army.

In compliance with GAO's proposals, DOD instituted procedures to require continuing reevaluation and necessary revision of such construction projects to assure that they are justified. (B-133134, Mar. 22, 1965.)

Air Defense Equipment for the Republic of China

In 1966, GAO reported on its review of air defense equipment furnished to and procured for the Republic of China under the military assistance program.

GAO found that the Chinese Army ordnance missile support unit had about $450,000 worth of items which were excess to its current needs. The excess items accounted for over 37 percent of the inventory of high-value items. GAO concluded that there was a need for increased continuing efforts by U.S. advisory personnel to identify military assistance program spare parts which are excess to the needs of the recipient country, and to report them for redistribution to meet other valid requirements. DOD later advised GAO that procedures would be implemented requiring faster identification and validation of requirements and that changes producing quantitative increases or decreases would be processed more rapidly. (B-125087, June 3, 1966.)

Aircraft Supply Support in a Far East Country

GAO reported in 1966 on the adequacy of supply support provided by the Air Force of a Far East country under the military assistance program. GAO found that the defense capability of the country's Air Force was impaired because a high percentage of F-104 aircraft was deadlined for excessive periods of time because of a lack of essential operating parts. Over a 6-month period the monthly average of inoperable F-104 aircraft was as high as 32 percent and represented nonfunctioning aircraft valued at $21.5 million. GAO also noted evidence of decreased operational effectiveness of F-100 aircraft because of the lack of working jet engines.

GAO recommended that DOD establish effective procedures to coordinate supply activities with the country's Air Force and with U.S. supply units, and increase controls over stock levels, priority requisitions, and depot activities to ensure availability of priority items. The Air Force took action on these GAO recommendations, and DOD informed GAO that a complete stock level review had been made by the recipient country's Air Force and that country repair capability had been increased. (B-125087, February 23, 1966.[1])

Supply Management of Spare Parts and Equipment for the Korean Air Force

In another 1966 report, GAO concluded that a substantial reduction in costs of logistical support for the Korean Air Force could be achieved through greater efforts by U.S. advisory personnel in assisting the Koreans to improve the management of materiel provided by the United States.

Because of a lack of effective supply management, the Korean Air Force had requisitioned and the United States had delivered large quantities of assemblies, spare parts, and support equipment—valued at several million dollars—in excess of actual needs. GAO believed that while the large accumulation of excess stock resulted from numerous problems in day-to-day supply operations, the major contributing factors were the failure to consider all stocks on hand at operational levels before computing requirements for more stock, the use of unreliable requirement data, and the ordering of supplies and equipment in excess of established requirements. During GAO's review, U.S. advisors began action to cancel $314,000 of outstanding requisitions.

GAO proposed that DOD (1) identify and redistribute the stocks excess to Korean Air Force needs, (2) ensure that outstanding requisitions were really justified, (3) establish procedures to minimize future excess stock accumulations, and (4) ensure that requirement and requisitioning processes would be properly managed. DOD informed GAO, in classified comments, of corrective actions being taken. (B-160122, October 10, 1966.[1]

Procurement of Locomotives for Thailand

In 1967, GAO reported that the U.S. Army had spent about $1 million to buy for and deliver to Thailand locomotives which did not meet Thailand's specific requirements for mainline use—the purpose for which they were intended. GAO also found that instead of clarifying the contradictory technical requirements, Army officials had prepared a purchase description and begun procurement of the locomotives before determining whether the locomotives could perform as intended. As a result, replacement locomotives costing $2.8 million were to be delivered to Thailand.

GAO recommended that DOD require the military departments to establish procedures for review and approval by the user of purchase descriptions for the purchase of complex nonstandard equipment, with the review to be made before the contract award and to be documented in the procurement contract file. The Army advised GAO that it was exploring possible uses of the locomotives that were found unsuitable for Thailand's purpose. (B-157421, January 31, 1967.)

Disposal of Excess Military Property in Turkey

GAO reported in 1967 that the United States had been disposing of excess military property in Turkey for many years at prices well below the market values of the property. The major causes of this practice were (1) the very restrictive nature of the bilateral agreement between the United States and Turkey for disposal of excess property, which permitted sales within Turkey to be made only to firms designated by the Turkish Government, and (2) the reluctance of the U.S. Embassy in Turkey to authorize the sale of U.S. excess military property outside Turkey, even though this was clearly provided for under the bilateral agreement.

U.S. officials in Turkey estimated that from early 1962 through late 1965 the U.S. lost about $2 million in Turkish lira by not selling its excess property to open-market buyers outside Turkey or about $3.2 million by not selling to open-market buyers in Turkey. These officials also estimated that the United States would continue to lose more than $1 million annually on disposal sales unless action was taken to improve the existing disposal process.

GAO concluded that the unsatisfactory arrangements, which had existed since 1959, would continue until the United States could negotiate a more liberal agreement with Turkey allowing sales on the open market or until the United States began using the provisions of the existing agreement which permitted disposal by export. GAO noted that since its review some corrective measures had been taken (B-160530, February 28, 1967.)

Excess Ammunition and Weapons in a Military Assistance Country

In another 1967 report, GAO found that several million dollars worth of ammunition and weapons in a military assistance country was excess to the military assistance purposes for which it was furnished. The responsible military advisory group had not carried out DOD guidance for obtaining the return of this material to U.S. control, and had not been required to so do by DOD or the U.S. European Command. Had this material been available, much of it could have been considered for use in meeting other U.S. requirements, particularly in Southeast Asia, instead of buying new items or renovating other available stocks.

During its review, GAO notified DOD that, in this review and in other reviews, it had found that military assistance advisory groups in many cases had not made a concerted effort to identify U.S.-furnished materiel no longer needed for the purposes provided, or to enforce existing agreements that require recipient countries to make such materiel available for redistribution.

DOD notified the military services and unified commands of the importance of recovering excess items which were urgently needed by the military departments because of the conflict in Southeast Asia. As a result, military assistance countries declared more than $30 million of MAP-furnished ammunition excess to their needs. GAO's follow-up of actions taken showed that, in early 1967, $14.5 million of the ammunition had been recovered and an additional $5.7 million was awaiting shipping instructions or ballistic acceptance. (B-125085, April 10, 1967.)

Recovery of Military Assistance Property Declared Excess by Recipient Countries

GAO reported in 1967 that a significant portion of military assistance property which had become excess to the needs of recipient countries was released to those countries by DOD without first determining, on a case-by-case basis, whether it would be worthwhile economically to recover the property for redistribution or disposal by the United States. GAO also noted that there were billions of dollars worth of military assistance property still being held by recipient countries which would eventually become excess.

GAO believed that the sale of this excess property by recipient countries had the effect of adding millions of dollars in additional

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U.S. aid to those countries which was not readily apparent since it was not a part of the usual aid program. GAO concluded that, if DOD had made case-by-case determinations of economic recoverability, these sales proceeds could have been received by the United States.

The U.S. practice of disposing of excess MAP property differed in many recipient countries. GAO believed that DOD could increase U.S. revenues by recovering a greater portion of the excess military assistance property in foreign countries for disposal by U.S. disposal agencies. GAO also believed that the release of economically recoverable property had deprived the United States of foreign currency which could have been used by the U.S. to reduce dollar expenditures and improve the U.S. balance-of-payments position.

The Departments of State and Defense informed GAO, in classified comments, that they could not agree with all of GAO's findings and conclusions, and pointed out some of the foreign policy and other considerations involved. However, GAO issued its report to advise the Congress of the additional assistance being provided to certain countries (B-161049, July 12, 1967.[1])

Management of Equipment Held in Storage

In another 1967 report, GAO found that millions of dollars worth of equipment, held in Army storage for the military assistance program was not being used by DOD to fill program requirements. Significant amounts of military assistance funds were being used to meet grant-aid and sales requirements which could have and should have been met with the equipment on hand. In addition, more MAP funds were expended for storage and maintaining the unassigned equipment.

GAO attributed the problem to a lack of accurate inventory data and proper procedures for systematically screening and using equipment, a lack of controls to ensure that operating units were following existing policies, and the use of verbal hold orders to reserve certain equipment for potential but unconfirmed uses. GAO also found a need for better management to ensure that Army-owned equipment reserved for military assistance programs would be promptly released for general military use when a military assistance requirement no longer existed.

DOD and Army officials generally agreed with GAO's findings and recommendations, and were taking action to improve management procedures and controls for military assistance program inventories. (B-162470, November 14, 1967.)

Major Weapon System Provided to Far East Countries

In 1970, GAO reported on its review of the combat readiness of a major weapon defense system provided to Far East countries under the military assistance program. The system was to be a part of the defense system of the U.S. Pacific Command, and is subject to U.S. control in the event of hostile actions.

GAO found that the combat readiness of the weapon system was seriously weakened by inadequate supply and maintenance support by the United States and the recipient countries. The systems had not been combat ready—fully capable of accomplishing the assigned mission—for extended periods of time, even though a U.S. Army, Pacific regulation required full combat readiness at all times.

DOD felt that GAO's findings were valid for the period of GAO's initial review, during 1967, but stated that since that time corrective actions had been taken and the situation had improved. GAO made a follow-up review, however, and found that, while some improvements had been made, a low level of readiness still existed, primarily because of continued inadequate supply and maintenance support. GAO recommended that DOD stress to appropriate officials the need for continued improvement.

DOD informed GAO that the supply and maintenance problems cited by GAO were being gradually corrected, and that U.S. and recipient country officials were well aware that much improvement was needed before full combat ready status could be sustained. DOD also stated that the U.S. Pacific Command was being requested to submit semiannual reports of the progress made in taking corrective action. DOD later provided follow-on data that showed a slightly improved readiness status. (B-161764, January 14, 1970.[1])

Current GAO Reviews

GAO is currently conducting a review, at the request of the Senate Committee on Foreign Relations, of the need for and utilization of excess stock available under the military assistance program in countries receiving major amounts of excess military equipment and supplies from the United States. GAO is also doing follow-on review of the military assistance for the Far East country discussed in this section, including an examination of supply activities and the identification of current aircraft operational effectiveness.

MANAGEMENT OF TRAINING PROGRAMS

Another major component of military assistance programs, in addition to the furnishing of military hardware, is the conduct of training programs in military assistance recipient countries. GAO has issued reports, as discussed below, on problems in administering this type of assistance.

Military Assistance Training Program for Greece

In 1965, GAO reported that the Joint U.S. Military Aid Group in Greece was carrying out a multi-million dollar training program without taking effective action to: (1) identify training deficiencies in the Greek armed forces; (2) screen and approve the most appropriate candidates for training; (3) obtain proper and full utilization of trained personnel by the Greek armed forces; (4) properly consider and further develop the training capabilities of the Greek armed forces; and (5) attain the objectives of in-country civilian specialists furnished by the United States.

GAO's limited tests of training provided or programed from mid-1960 through mid-1963 indicated that training valued at about $500,000 was unnecessary. GAO recommended that the Chief of the Military Aid Group in Greece be required to obtain and maintain the information needed to avoid the above deficiencies before beginning other training programs. (B-133055, June 29, 1965.[1])

Military Assistance Training Program for Iran

In another 1965 report, GAO showed that about $650,000 of jet pilot training, programed under the military assistance training program in Iran from mid-1961 through mid-1963, could have been saved if in-country pilot training programs had been developed, a sufficient number of qualified personnel had been available for the training program, trained personnel had been fully and properly used, and the most economical means of transporting students to the United States had been used.

GAO recommended that the chief of the military assistance advisory group in Iran take action to: (1) establish and further develop in-country training programs within the Iranian armed forces; (2) determine realistic and essential training requirements for the Iranian armed forces; (3) ensure that qualified candidates would be available to fill programed training spaces; and (4) obtain and verify information on the qualifications and duties of skilled Iranian military personnel.

Administration of the Foreign Military Sales Fund

In 1969, GAO reported that DOD needed to make improvements if the accounting records and related financial statements of the Foreign Military Sales Fund were to adequately disclose the Fund's financial condition.

GAO found that the Fund's accounting records were not in proper condition for auditing because the records were not maintained on the accrual basis or in a current condition; and because the accounting practices being followed made it difficult to attempt to verify the records. GAO noted that because financial statements for the Fund had not been prepared on the accrual basis, substantial balances had been left out. GAO also questioned the accuracy of the stated balances for loans receivable and certain other aspects of accounting and reporting.

In view of recent legislation which initiated an estimated 10-year period of Fund liquidation, that began in 1968, and directed that assets of the fund be available to discharge fund liabilities and for transfers to the Treasury during the liquidation period, GAO believed that it was quite important to get the Fund's accounting records on a sound basis.

GAO suggested that DOD place the Fund's accounting records on the accrual basis as soon as possible and also take prompt action to analyze and adjust the accounts to show the correct and proper balances. DOD informed GAO that it was awaiting extension of accrual accounting to all DOD accounting systems before fully implementing it for the Fund. DOD also stated, however, that special efforts were being made to improve the accounting records. (B-165731, April 16, 1969.)

DOD advised GAO that action had been taken to correct the deficiencies found. DOD subsequently informed GAO that, based on a DOD review, the DOD military assistance manual had been changed to require an agreement with host-country officials on the length of time that foreign personnel trained under the military assistance program should work in a job appropriate to the training that they had received. (B-133134, December 10, 1965.[1])

Current GAO Reviews

At the request of the Chairman, Senate Committee on Foreign Relations, GAO has recently completed a review of the Military Assistance Training Program in Greece, Iran, Turkey, Korea, and six other countries. Its report was issued to the Senate Committee on Foreign Relations on February 16, 1971.

FOREIGN MILITARY SALES PROGRAM

Under the provisions of the Foreign Assistance Act, DOD has administered a revolving fund known as the Foreign Military Sales Fund which has been used to extend credit to foreign military sales customers. In 1968 the foreign assistance legislation relating to this subject was consolidated in the Foreign Military Sales Act. The Act authorizes the sale of defense articles and defense services to friendly countries for internal security, legitimate self-defense, participation in regional or collective arrangements, participation in United Nations collective peace-keeping efforts, or for civic action activities in support of a country's economic and social development. (Section 4.)

Two recent GAO reports dealing with problems of foreign military sales program administration are discussed below.

Charges for Military Pilot Training Sold to a Foreign Country

The Foreign Assistance Act requires that whenever military training services are sold to foreign countries DOD should charge the full value thereof in U.S. dollars.

GAO found that the price of about $62

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million established by the U.S. Air Force to recover the cost of pilot training provided to the Federal Republic of Germany for F-104 aircraft through 1966 did not include all direct and indirect costs incurred by the Air Force to provide that training. The Air Force excluded military pay and allowances, utilities, building and maintenance, and facility modification costs amounting to about $6 million. The Air Force also excluded rental charges on the U.S.-owned aircraft and equipment used, and failed to collect for government-furnished housing supplied to the foreign students.

DOD agreed, after preliminary investigation, that training costs had not always been computed accurately, uniformly, and in accordance with DOD pricing policy. In line with GAO's recommendations, DOD conducted a study of the pricing of foreign military sales for training. As a result of the study, DOD policy and criteria for pricing sales of training were revised. However, DOD disagreed with GAO's recommendation that it attempt to collect for those charges omitted in the past. DOD later advised GAO that DOD instructions would be revised to require full recovery of actual and indirect costs applicable to military pay and allowances. (B-167363, November 19, 1969.)

FOOTNOTE

[1] Unclassified summary of a classified report.

POINTS CONCERNING THE CONTINUING RESOLUTION FOR FOREIGN AID

1. Approval of a continuing resolution that would allow continuation of regular funding for the military aid program until March subverts the role of Congress in our Constitutional system. The functions of four Committees in shaping foreign aid legislation are being by-passed by this procedure. It denigrates the responsibilities of the Senate Foreign Relations Committee, the Senate Appropriations Committee, the House Foreign Affairs Committee, and the House Appropriations Committee.

2. The approach makes a mockery of the legislative process. If it is followed in the future, it could be used to undermine any conference which is having difficulty in reaching agreement on policy issues. The authorizing committees might as well close up shop if the Executive Branch knows it can count on getting a continuing resolution every time it is trying to kill an item in conference. This is a powerful club for the Executive Branch to hold over the head of all authorizing committees.

3. With a long-term continuing resolution for foreign aid the Executive Branch gets what it wants—money—and Congress gets nothing in the way of new policy restrictions. If the Executive Branch continues to get money for the military aid programs through a continuing resolution it can avoid the Senate-initiated policy provisions in the authorization bill such as:

A requirement that the Azores base agreement and all future foreign military base agreements be submitted to the Senate for approval.

A $275 million ceiling on U.S. spending in and for Cambodia in FY 1973.

A prohibition on military aid or sales to Pakistan, India, and Bangladesh.

A prohibition on the use of development aid funds for military purposes.

The earmarking of $70 million for humanitarian aid to South Vietnam and a requirement for the initiation of planning for postwar relief in Indochina.

A prohibition on aid to countries in Southeast Asia which do not control illegal drug traffic.

With a continuing resolution the Executive Branch can, in effect, have its cake and eat it too. Only Congress loses in the process.

4. There will be little prospect of reaching agreement with the House on an authorization bill after the new Congress reconvenes if a full-scale continuing resolution goes through. It will, thus, take away vital leverage from the Senate. When the proposed spending authority expires only four months will remain in the fiscal year. The Administration will be pushing for an extension of the continuing resolution for the remainder of the fiscal year, arguing that Congress should turn its attention to an authorization bill for the 1974 fiscal year and consider the policy disputes involved in the authorization bill that has died in conference as water over the dam. Both the House and the Administration will be far more amenable to reaching an agreement in January if the continuing resolution is limited to money for salaries only.

5. The position of the Senate conferees has been reasonable. They have not tried to force the Case amendment on the House without change. They offered a reasonable compromise which involved agreeing to drop the controversial Azores bases section and to allow future base agreements to be presented to Congress for approval through a joint resolution as well as by treaty, thus bringing in the House.

6. If traditional procedures were followed, the continuing resolution for the military assistance, military credit sales and the supporting assistance programs would provide at most only new obligational authority for salaries and necessary expenses for administering the $1.84 billion in the pipeline for these programs. The amount in the pipeline is $390 million more than the amount Congress appropriated in FY 1972 for these programs.

7. The continued funding of foreign aid items without an authorization violates the purpose of existing law, Section 10 of P.L. 91-672 (1971), which prohibits the obligation of appropriations for foreign aid or military sales unless there is a valid authorization. There is no authorization for FY 1973 for the three programs involved here and Section 10 has been waived in prior continuing resolutions for this fiscal year. Since it is now clear that an authorization bill will not be passed this session, there is no justification for waiving this requirement further.

8. Time after time over the last several years the Senate has voted to support the principle that there should not be appropriations for foreign aid without an authorization. In 1969 and 1970 the Senate rejected conference reports on foreign aid appropriation bills because they contained amounts which were not authorized. Last year the Senate refused to go along with an attempt by the House to circumvent the conference on the foreign aid authorization through use of continuing resolution authority.

9. Traditionally continuing resolutions are based on the assumption that an authorizing bill will be approved by Congress in a reasonable time. There is no assurance that this will be the case on authorizations for military aid. The Senate defeated the first military aid bill 42 to 48, and the second bill squeaked through 46 to 41 only after several Senators were induced to switch their votes. It is quite possible that support in the Senate for these programs will be even less in the next Congress.

COMPARATIVE DATA ON SECURITY ASSISTANCE—MONEY ITEMS (In millions)

Program	Appropriation fiscal year 1972	Budget request fiscal year 1973	Authorization bill		Appropriation bill		Continuing resolution rate to date	Conference report
			House	Senate	House	Senate		
I. Security assistance:								
1. Military grant assistance	$500.6	$780.0	$730.0	$600.0	$730.0		$500.6	$550.6
(a) Naval Training Center—Western Hemisphere			5.0	2.5	2.5			2.5
2. Supporting assistance	550.0	844.0	769.0	685.0	750.0		550.0	600.0
(a) Earmarked for Israel [1]	(50.0)		(50.0)	(85.0)	(50.0)			
3. Military credit sales	400.0	527.0	527.0	435.0	450.0		400.0	400.0
(a) Credit ceiling	[2] (550.0)	(629.0)	[2] (629.0)	[2] (600.0)				
Total security assistance	1,450.6	2,151.0	2,031.0	1,722.5	1,932.5		1,450.6	1,553.1
II. Bangladesh assistance	200.0	100.0	100.0	100.0	75.0		100.0	100.0
Total, security and Bangladesh assistance	1,650.6	2,251.0	2,131.0	1,822.5	2,007.5		1,550.6	1,653.1

[1] Other items were also earmarked in the authorization bills.

[2] $300,000,000 earmarked for Israel.

Mr. FULBRIGHT. Mr. President, I would like to clarify one point. I was just informed that certain Senators were saying that if this conference report were tabled, it would adversely affect aid to Israel. I can assure the Senate that was not the case. My proposal would not have affected it. The money would go to Israel even at last year's spending rate. Israel would not be adversely affected by that rate. It's the same as authorized this year by the Senate. I wanted to make that clear in the RECORD.

Mr. President, I do not see much point in the process of authorization if we are going to substitute continuing resolutions at any rate that suits the House of Representatives.

Mr. YOUNG. Mr. President, I only wish to say that the Comptroller General has issued a ruling that all foreign aid assistance, including aid to Israel, would be ended without the continuing resolution.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

Mr. FULBRIGHT. Mr. President, I want to make it clear that I was referring to this continuing resolution and not to be a continuing resolution in the regular procedure.

The PRESIDING OFFICER. The question is on agreeing to the conference report (putting the question).

The conference report was agreed to.

Mr. YOUNG. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE TECHNOLOGY ASSESSMENT BOARD—APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The **PRESIDING OFFICER** (Mr. Moss). The Chair, on behalf of the President pro tempore, pursuant to Public Law 92-484, appoints the following Senators as members of the Technology Assessment Board: The Senator from Massachusetts (Mr. KENNEDY), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Colorado (Mr. ALLOTT), the Senator from Colorado (Mr. DOMINICK), and the Senator from Pennsylvania (Mr. SCHWEIKER).

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972—VETO MESSAGE

The **PRESIDING OFFICER** (Mr. Moss). The Chair lays before the Senate the President's veto message on S. 2770, a bill to amend the Federal Water Pollution Control Act.

The Senate proceeded to reconsider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the veto message be considered as read.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The question is: Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, my impression is that the consideration of the veto is not likely to take too much time. So far as my own remarks are concerned, I think I can finish them in under 10 minutes. I simply want to answer the President's principal points.

I do not expect to prolong this evening session, but I think we do need to cover one or two points in order to make the record to override the veto.

I think the essence of the President's veto message is contained in the following language which I read:

> Legislation which would continue our efforts to raise water quality, but which would do so through extreme and needless overspending, does not serve the public interest. There is a much better way to get this job done.
>
> For this reason, I am compelled to withhold my approval from S. 2770, the Federal Water Pollution Control Act Amendments of 1972—a bill whose laudable intent is outweighed by its unconscionable $24 billion price tag.

Mr. President, the language I have read from the President's veto message states quite plainly that he believes this bill represents overspending. May I say to the Senate that the amount authorized in the legislation by the committees is based on a very careful evaluation of needs, including estimates submitted by the administration itself.

I now read from a letter sent to the President yesterday by Mr. Ruckelshaus, the Administrator of the Environmental Protection Agency:

> The total amount of contract grant authority contained in the enrolled bill is formulated from the Administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amounted to $18.1 billion. The Federal share at 75% would amount to $13.6 billion. This needs estimate did not include any allowance for inflation, nor did it include funds for combined, storm, and collection sewers, or for recycled water supplies. These are project eligibilities newly specified by the enrolled bill.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that Dick Hellman, Phil Cummings, Bailey Guard, Barry Meyer, and Leon Billings, staff members from the Committee on Public Works, be permitted to be on the floor at this time, and also Mr. Jordan of the staff of the Senator from Tennessee (Mr. BAKER).

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, will the Senator from Maine yield for 1 question?

Mr. MUSKIE. I will be happy to yield in just a moment.

I ask unanimous consent to place in the RECORD at this point the remainder of the comments of Mr. Ruckelshaus on this particular point in the President's message.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

> The total value of construction initiated in the near-term under the enrolled bill is expected to correspond closely to the total value of construction that would have been initiated under the Administration bill. Under the Administration's proposal, communities were free to continue to initiate reimbursable projects, were not constricted by the $6 billion authorization, and could have substantially increased this amount. Reimbursable projects are precluded under the enrolled bill and the $18 billion contract grant authority represents a ceiling, while the Administration's $6 billion proposal represented a floor. With the projected close correspondence in total near-term value of construction starts, the potential inflationary impact upon the entire construction sector would be minimized.
>
> The total amount of contract grant authority contained in the enrolled bill is formulated from the Administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amounted to $18.1 billion. The Federal share at 75% would amount to $13.6 billion. This needs estimate did not include any allowance for inflation, nor did it include funds for combined storm, and collection sewers, or for recycled water supplies. These are project eligibilities newly specified by the enrolled bill.
>
> This needs estimate provided to the Congress was constructed to support the commitment of the President in his State of the Union message of January 22, 1970, to "put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and to do it now." This commitment was repeated in the February 1970 Message on the Environment, which enunciated funding support for "every community that needs it with secondary waste treatment, and also special, additional treatment in areas of special need, including communities on the Great Lakes." The commitment was re-endorsed in the February 1971 message on the Environment with a statement that we should provide "adequate funds to ensure construction of municipal waste treatment facilities needed to meet water quality standards."

Mr. MUSKIE. I yield to the Senator from Colorado.

Mr. DOMINICK. I thank the Senator from Maine.

Is my understanding correct that the amount authorized here is still subject to the appropriation process?

Mr. MUSKIE. Funds are made available through contract authority which is subject to the control of the President and also the Committee on Appropriations. Yes. As a matter of fact, may I say to the Senator that the conferees adopted an amendment proposed by Congressman HARSHA to indicate clearly intent of Congress with respect to that point.

Mr. DOMINICK. And so the Committee on Appropriations could by its action determine what contract authority the President would have. Is that correct?

Mr. MUSKIE. Under the amendments proposed by Congressman WILLIAM HARSHA and others, the authorizations for obligational authority are "not to exceed" $18 billion over the next 3 years. Also, "all" sums authorized to be obligated need not be committed, though they must be allocated. These two provisions were submitted to give the administration some flexibility concerning the obligation of construction grant funds.

Mr. COOPER. Mr. President, will the Senator yield briefly? I would like to be sure we are clear on this matter.

Mr. MUSKIE. I yield.

Mr. COOPER. Did I understand the question of the Senator from Colorado to be whether the Appropriations Committees could set a limit on the amount to be obligated?

Mr. DOMINICK. That is the question I asked. I understood from the Senator from Maine that the answer was in the affirmative; that the Appropriations Committee could set that limit.

Mr. COOPER. I thank the Senator. Out of this $24 billion, $6 billion is not subject to contract obligation. Is that correct?

Mr. MUSKIE. The Senator is correct.

Mr. President, may I say in addition to the Senator from Colorado the amount of contract authority may be anticipated by the Appropriations Committee. That is, years in the future up to 1975 the Committee on Appropriations may set amounts which the administration may obligate in advance. So there is plenty of flexibility in this bill for the President and the Congress to control spending.

Mr. DOMINICK. I thank the Senator for clarifying the record.

The distinguished Senator from Tennessee (Mr. BAKER) has been a valuable member of the Subcommittee on Air and Water Pollution. He has left with me a statement to be printed in the RECORD. Mr. President, I ask unanimous consent that the statement of the Senator from Tennessee (Mr. BAKER) on this matter may be printed in the RECORD.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

STATEMENT BY SENATOR BAKER

Mr. President, I am deeply disappointed that President Nixon has chosen to veto the Federal Water Pollution Control Act Amendments of 1972. I hope that my colleagues will vote to override the President's veto.

I am as eager as anyone to see Federal spending held to responsible limits. I am as eager as anyone to see a tax increase avoided. Nonetheless, the Congress has gone out of its way to make it clear to the President that the funds authorized by the water pollution bill did not have to be spent in their entirety. If the President received legal advice to the contrary, I believe that such legal advice was misguided.

There are many, many Federal programs that are wasteful, and many American tax dollars are idly spent on programs that do not produce commensurate results. But that is not true of the Federal pollution effort. I have spent more time, as an individual Senator, on environmental legislation than on any other field of endeavor since coming to the Congress in 1967.

I believe that the Federal Water Pollution Control Act Amendments of 1972 is far and away the most significant and promising piece of environmental legislation ever enacted by the Congress. The goal of the legislation of to eliminate the discharge of pollutants into the waters of the United States by 1985. Of course such a ambitious program will cost money—public money and private money. The bill vetoed by the President strikes a fair and reasonable balance between financial investment and environmental quality. Study after study, public opinion poll after public opinion poll have revealed that the economy of this Nation can absorb the costs of cleaning up pollution without inflation or without a loss in economic productivity. As I have talked with thousands of Tennesseeans, I have found that the kind of natural environment we bequeath to our children and grandchildren is of paramount importance. If we cannot swim in our lakes and rivers, if we cannot breathe the air God has given us, what other comforts can life offer us?

I have not yet read the veto message of the President. I both hope and expect that the President's veto is not based on any lack of commitment to the quality of the human environment but, rather, solely on fiscal grounds. I believe that this Administration has an excellent record in protecting the environment. William D. Ruckelshaus, the Administrator of the Environmental Protection Agency, is among the finest appointments made by President Nixon, and I cannot imagine a more dedicated champion of the public interest. The President's Council on Environmental Quality has the potential of becoming a major force for progressive environmental improvement.

Mr. President, the Federal Water Pollution Control Act Amendments of 1972 have twice been approved unanimously by the Senate. They are genuinely a bipartisan product. I am proud to have worked with members of both parties in the evolution of this legislation. I hope that the vote to override the President's veto will, again, be both bipartisan and unanimous.

Mr. MUSKIE. Mr. President, I think it would be useful to Senators on both sides of the aisle if I read a few excerpts from the statement:

> I am as eager as anyone to see Federal spending held to responsible limits. I am as eager as anyone to see a tax increase avoided. Nonetheless, the Congress has gone out of its way to make it clear to the President that the funds authorized by the water pollution bill did not have to be spent in their entirety. If the President received legal advice to the contrary, I believe that such legal advice was misguided.

The Senator from Tennessee also stated in his letter:

> The bill vetoed by the President strikes a fair and reasonable balance between financial investment and environmental quality. Study after study, public opinion poll after public opinion poll have revealed that the economy of this Nation can absorb the costs of cleaning up pollution without inflation or without a loss in economic productivity.

Finally, the distinguished Senator stated:

> Mr. President, the Federal Water Pollution Control Act Amendments of 1972 have twice been approved unanimously by the Senate. They are genuinely a bipartisan product. I am proud to have worked with members of both parties in the evolution of this legislation. I hope that the vote to override the President's veto will, again, be both bipartisan and unanimous.

Mr. President, another point the President raised in his veto message is found in the following language on page 3:

> It should be noted that doing so would by no means terminate the existing Federal water quality programs, because the Environmental Protection Agency will continue to operate those programs until the merits of a new water bill can be dealt with as a first order of business in the new Congress.

That point in the President's veto message is also challenged by the Environmental Protection Agency in its news release of April 22, 1972. It stated:

> Top EPA Official Warns Water Pollution Control Program Will Be in Danger Unless Action Taken Promptly on Legislation
>
> A top official of the U.S. Environmental Protection Agency said today (April 22) that the Nation's water pollution control program will be imperiled unless Congress promptly completes action on proposed amendments to the Federal Water Pollution Control Act.
>
> This warning was sounded by John R. Quarles, Jr., Assistant Administrator for Enforcement and General Counsel.

Finally, from Mr. Ruckelshaus himself on August 2 of this year on that point:

> We cannot overemphasize the critical importance of the need for the Congress to enact authority for us to continue these programs.

Mr. President, the Congress has worked for 2 years to write this legislation. On the Senate side we had 33 days of hearings, and 45 days of markup to write the bill. Then, in the House-Senate conference we had 39 days of sessions to work out the differences between the two bills. And throughout there was no party line drawn. The bill had the support of both parties throughout.

I cannot recall, in my entire experience in the Senate of 14 years, a bill which has had more hard work, was more soundly weighed, had a better staff rapport and had a more thoughtful consideration of the issues than this one.

The bill reflects the input, as I have indicated not only of the Senate and of the House but of the administration, of the Environmental Protection Agency, and of the President himself.

Mr. President, there is no justification for this veto.

With respect to the budget impact, let me give the Senate just one more factor to be included in the Record, a table showing the expenditures projected under this bill. I ask unanimous consent that it be included in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

RATE OF EXPENDITURES BY FISCAL YEAR [1] UNDER AUTHORIZATIONS OF S. 2770 [2]

[In billions]

	Fiscal year 1973	Fiscal year 1974	Fiscal year 1975	Total
Fiscal year:				
1973	$0.25			$0.25
1974	1.00	$0.30		1.30
1975	1.50	1.20	$0.35	3.05
1976	2.00	1.80	1.40	5.20
1977	.25	2.40	2.10	4.75
1978		.30	2.80	3.10
1979			.35	.35
Total	5.00	6.00	7.00	18.00

[1] 1st year, 5 percent of authorization; 2d year, 20 percent of authorization; 3d year, 30 percent of authorization; 4th year, 40 percent of authorization; 5th year, 5 percent of authorization.

[2] Fiscal year 1973, $5,000,000,000; fiscal year 1974, $6,000,000,000; fiscal year 1975, $7,000,000,000.

Mr. MUSKIE. Mr. President, this bill provides an authorization for 3 years. The table indicates that it will be spent over 7 years. The actual spending in this fiscal year—and these are based on the administration's figures—is $250 million.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. YOUNG. The Senator says the money will be spent. The Government cannot spend the money without an appropriation. Contracts are entered into. The appropriations are required before the contract. So the money cannot be spent without appropriations.

Mr. MUSKIE. The money is spent as the contracts require.

The estimate of the administration is that the spending in this fiscal year—not the contract authorization or the amount of the contracts, but the money to be spent—is $250 million.

The President, in his message, talks about "budget-wrecking." I assume he is talking about spending.

The second year we would spend $1.3 billion. The third year we would spend $3.05 billion. The fourth year we would spend $5.2 billion.

That is spending. It takes time to crank up these waste treatment facilities. It takes time to build up the bricks and mortar. That is why it would take 7 years to spend the money that would be subject to contract authority in the next 3 years.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. SCOTT. Assuming that the money can be and will be committed within 3 years, then the credit of the Government has been pledged under this contract authority, so that there would be an obligation to appropriate the funds to meet the contract obligations. Is that correct?

Mr. MUSKIE. Of course, there is a commitment. The whole intent of this bill is to make a national commitment. The President has not submitted budgets to us for 1974, 1975, 1976, 1977, 1978, and 1979. So when he is talking about "budget wrecking," I assume he is talking about 1973. We do not have a 1974 budget to consider. We are talking about a 1973 budget.

May I ask the distinguished Senator if we are wrecking the budget for 1974, 1975, 1976, 1977, 1978, and 1979?

Mr. SCOTT. Well, if the Senator will yield further, this bill contemplates an expenditure over a period of years, and therefore the President's veto has to relate to the impact on the Government, and therefore on the budget, not only of the next budget but the impact on successive budgets as it would be expected to be felt over the period which would be covered by this bill. Is that not correct?

Mr. MUSKIE. Yes, that is correct, but may I say——

Mr. SCOTT. Therefore——

Mr. MUSKIE. But may I say to the Senator, when we pass a piece of legislation like this, with its requirements imposed on industry, with its requirements imposed on the States, with its requirements imposed on the local governments, the question that faces us then is, as we impose this commitment on them, what commitment are we prepared to accept on the part of the Federal Government?

This point was well debated in the Senate when we took up this bill. I made it clear, the committee made it clear, that what we were asking of the Congress was a commitment that these people in other levels of government and the private sector could rely upon. Of course there is a commitment. The President 3 years ago, in his state of the Union message, said he had preempted the environmental issue and that he was making a commitment.

What is that commitment? Is it related to our needs? Is it related to something more than our needs? Does the commitment involve only State and local governments? Or, does it involve us? Of course, it involves a commitment. If it did not, I would not be here arguing that we should be overriding this veto.

INTRODUCTION

Mr. President, I am at a loss to explain the President's veto of the Federal Water Pollution Control Act Amendments of 1972.

To accept the argument that the regulatory and enforcement provisions of the bill are too strict presumes that the President has not meant what he has said in the past.

To accept the argument that the money authorizations of the bill are inflationary implies that the President thinks that we cannot afford to support life on this planet.

And I find it difficult, Mr. President, to put into words my reaction to the veto.

To call the President's decision "dangerous" falls short of adequately describing the risk it asks us to take with our rivers, lakes, and streams.

To call the President's decision "false economy" does not describe in strong enough terms either the President's bad judgment or the effect of his mistake.

The House of Representatives approved this legislation by a vote of 366 to 11. The Senate concurred with a unanimous vote of 74 to zero. I cannot imagine a congressional statement of public policy that could be more clear or more definite. I think that both Houses responded to a deeply felt determination on the part of our constituents to do what we must, and to pay the price for water that will support life. Now the President has told us to ignore that resolve.

I would like to reply to the President's veto message in his own terms—by answering each of the criticisms he has made of the bill.

ALLEGED "INFLATIONARY" EFFECTS

The President has charged that the legislation will have an inflationary effect. Let me explain how the conferees arrived at a figure of $18 billion for the construction grants program for fiscal years 1973 through 1975, and why we did not feel a lower figure could be justified by the arguments which the President has made.

The conferees spent hours and days studying the problem of financing the cleanup effort required by this new legislation, and specifically studying how much money would be necessary to achieve the objective and goals of the act, as set forth in section 101(a):

> To restore and maintain the chemical, physical and biological integrity of the nation's waters. In order to achieve this objective . . . it is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985.

And we studied the particular problem of how much money and what level of Federal assistance the States and cities would need to construct the kind of municipal waste treatment facilities necessary to meet those objectives. The criteria for those facilities are set forth in section 201(d):

> (d) The Administrator shall encourage waste treatment management which results in the construction of revenue producing facilities providing for—
>
> (1) the recycling of potential sewage pollutants through the production of agriculture, silviculture, or aquaculture products, or any combination thereof;
>
> (2) the confined and contained disposal of pollutants not recycled;
>
> (3) the reclamation of wastewater; and
>
> (4) the ultimate disposal of sludge in a manner that will not result in environmental hazards.

These policies simply mean that streams and rivers are no longer to be considered part of the waste treatment process. This fact in turn means that advanced waste treatment, a level of treatment not generally required under existing law, will be required for every community in the Nation.

That, Mr. President, is a tall order. To set a level of funding which would enable communities to meet it, we examined the information we had received from both the administration and from the municipalities themselves.

In April of this year, the Environmental Protection Agency delivered its annual report on the costs of clean water. That report stated that the estimated total cost of constructing waste treatment facilities planned for fiscal years 1972 through 1974 was $14.5 billion. The report emphasized that these were facilities "needed to meet current water quality standards or enforcement requirements"—that is, standards and requirements less stringent, and thus less expensive, than those mandated by this legislation before us today.

In addition, the Senate Subcommittee on Air and Water Pollution had requested the National League of Cities to survey its members and to report to us on their cost estimates for the construction of treatment facilities to meet current needs. The League of Cities reported a staggering need of $33 to $37 billion over the next 5 years.

Since the President has told us that the price tag on this legislation is too high, let us compare the funding levels of the bill with his own administration's figures. Since the legislation requires Federal participation in all funded projects at a rate of 75 percent of the project's total cost, we should look at the difference between the $18 billion authorized in the bill for fiscal years 1973 through 1975, and 75 percent of the $14.5 billion in EPA's estimated needs for fiscal years 1972 through 1974, or approximately $11 billion; $11 billion is also the amount authorized in the bill for fiscal year 1973–74.

The difference of $7 billion between what the bill provides and what the EPA estimates indicated were required is identical to the bill's 1975 authorization, a year not anticipated by the EPA study of cost. There were added factors that forced the conferees to reach the $18 billion figure:

First. As I indicated earlier, the EPA estimate was based on existing standards and requirements. The new act will make those requirements more stringent and make meeting them more expensive.

Second. The old estimates did not take into account the statutory deadlines established by the new act. Those deadlines will accelerate the construction timetables in many jurisdictions, and thus require more money in less time.

Third. The EPA estimates did not include the costs of constructing and reconstructing collection systems and dealing with the problem of combined storm sewers. In order to meet the new requirements set forth in this act, municipalities will have to cope with these problems and will need more money to do so. The new act, therefore, makes these projects eligible for Federal construction grants.

Fourth. The EPA estimates did not anticipate wide, special use of joint municipal and industrial waste treatment; the new act encourages this course as more efficient and more economical. Even though one-half of this industrial share of the Federal grant will be repaid to the Treasury, initial capital construction costs will be higher, and the municipalities will need more money.

Thus, Mr. President, the conferees decided that $18 billion was the required level of funding for Federal grants. None of us were pleased that the price tag is that high, but none of us are prepared—as the President is—to back off from the challenge by claiming we cannot afford to pay that price.

Mr. President, the question of adequate funding for the construction of waste treatment facilities has been a source of almost constant frustration for this Senator, members of the Public Works Committee, and the Senate since the grant program was expanded in 1966. It has been frustrating because in the face of facts which could not be more stark, in the face of a threat to life that could not be more real, in the face of all these things, there are still those in high places who question whether we can afford to spend this money.

At the time the Senate approved the conference report on the bill, I asked these questions: "Can we afford clean water? Can we afford rivers and lakes and streams and oceans which continue to make life possible on this planet? Can we afford life itself?" The answers are the same. Those questions were never asked as we destroyed the waters of our Nation, and they deserve no answers as we finally move to restore and renew them. These questions answer themselves. And those who say that raising the amounts of money called for in this legislation may require higher taxes, or that spending this much money may contribute to inflation simply do not understand the language of this crisis.

Mr. President, the conferees attempted also to reduce the possibility that this legislation would be vetoed. In our last conference, the able and distinguished ranking minority member of the House Committee on Public Works offered two amendments which he indicated would reduce opposition to the bill from the White House and the Office of Management and Budget. These two amendments were accepted by your conferees and by other House conferees in order to remove question of a veto on the basis of the money authorized by the legislation.

Under the amendments proposed by Congressman WILLIAM HARSHA and others, the authorizations for obligational authority are "not to exceed" $18 billion over the next 3 years. Also, "all" sums authorized to be obligated need not be committed, though they must be allocated. These two provisions were suggested to give the administration some flexibility concerning the obligation of construction grant funds.

The President knows the intent of those amendments. He knows that all the money authorized in the bill would not have to be obligated.

He knows as well as we all do that the pollution that is killing our Nation's waters will not abate, because we cry "Inflation." And he knows from what his own Council on Environmental Quality has told him that it will cost more in the end to quit than to fight. Let me read from the economics section of the Council's third annual report:

> The common property resources—air and water—are not included in the market exchange. They are used as free "dumps" for consumption and production residuals. But such dumping exacts social costs—in degraded air and water, impaired health, loss of fish and wildlife, loss of recreational opportunities and aesthetic values, and added costs of treatment necessary for downstream water users. Environmental problems stem largely from this fundamental failure of the economic system to take into account environmental costs.
>
> The traditional measure of the market value of goods and services produced by the economy—Gross National Product—was not designed to reflect overall economic welfare. Environmental values are not now incorporated in this accounting system. Many production and consumption activities degrade the environment, polluting air, water or land. This degradation is a cost, but it is not subtracted from the value of national output. The measure of output, then, overstates the real value of additional production by the amount of the environmental costs that are ignored. Conversely, when production enhances the environment, the value of total output is understated.
>
> We are seeing more clearly the many special costs of failure to check environmental degradation. The failure of our economic system to take these costs adequately into account in the past has spawned some of the major environmental problems we face today . . . .

The section concludes with this advise:

> The costs of effectively controlling pollution are well within the capacity of the American economy to absorb, although there will be some transitional problems. Our Nation's quest for environmental quality can be attained without sacrificing a healthy, dynamic economy. Failure to act would cost the Nation dearly in health impairment, loss of recreational resources, and a decline in the quality of life.

The annual report of the Council underlines two flaws in the President's logic. First, investments in pollution control are not inflationary; in fact, we would actually spend more of our money and more of our resources in failing to invest in pollution control than we would by making the investments authorized in this legislation. We can no longer talk about the "hidden" costs of inaction. Those costs are as self-evident as the lakes and streams we can no longer use and the rivers that have become open sewers. And those costs are now coming to roost in higher and higher prices for all our goods and services.

The second flaw in the President's logic is the implication that we can save money by postponing our investment in adequate pollution control. There is a job that has to be done, and the magnitude of that task will not decrease with time. In fact, the pollution of our Nation's waters is becoming so widespread so quickly that this may be our last realistic hope to catch up. Construction costs for waste treatment facilities rise higher and higher as every year passes and as the level of treatment required gets more expensive to achieve.

If we entertain any serious hopes of preserving life on this planet, the water pollution bill will have to be paid—soon. And it is not going to get any cheaper or less inflationary as time goes by.

CONCLUSION

It seems to me, Mr. President, and I think most Members will agree, that we have reached a point in our struggle against water pollution where as we say in New England—we must either "fish or cut bait." If we are serious about restoring the quality of our Nation's waters to a level that will support life in the future, then we ought to be prepared to make some sacrifices in that effort now. If we are not serious, then let us bury our heads in the sand, sustain the President's veto, and count on some unlikely providence to save us from ourselves.

This bill does not discriminate against Republicans or Democrats, industrial or municipal polluters, small businesses or conglomerates, private citizens or public officials. It simply says to everybody: We have no choice. Water pollution must stop. And here is a uniform, effective law to make sure that it does.

Let us close ranks, Mr. President, override this veto, and approve this bill one last time—so that we can take home to our constituents this week the realistic hope for a clean environment; so that we can leave to our children rivers and lakes and streams that are at least as clean as we found them; and so that we can begin to repay the debt we owe to the water that has sustained our Nation.

Mr. SCOTT. Will the Senator yield?

Mr. MUSKIE. I yield.

Mr. SCOTT. The President makes it clear in this message, as he did in his original message, that what he seeks to accomplish he seeks to accomplish within the budgetary framework of what the Government expects to receive by way of revenue. The President says this program which is not a program for $6 billion, but a program for $24 billion, has some retroactive features in it whereby State and local governments are reimbursed $70 million for work done between 1956 and 1966, and therefore the Senator would be establishing a pattern which, once begun, would reimburse State and local governments for work done 6 years ago and is a budget-busting operation.

Mr. MUSKIE. May I ask the Senator which budget he is talking about? Is he arguing that we are busting the 1973 budget, which is the latest one the President submitted, or is he saying we are busting some budgets as yet unpresented?

Mr. SCOTT. I think the President's words are clear enough. He refers to a "commitment of a staggering, budget-wrecking $24 billion."

Mr. MUSKIE. That is not in this budget. The President's language is not clear.

Mr. SCOTT. That is what the President is talking about—that you have gone to mortgaging future budgets and future resources of this country with a $24 billion program, which is $18 billion more than you started out with, and he says——

Mr. MUSKIE. Oh, no.

Mr. SCOTT. Let me finish. He says that a vote to override the veto is a vote to increase the likelihood of higher taxes. How can the Senator deny that? This additional $18 billion has to come from somewhere.

Mr. MUSKIE. The President speaks with one tongue earlier and another tongue now. Let me read from the letter of Mr. Ruckelshaus sent to the President yesterday. He said:

> The total value——

Mr. SCOTT. I was referring to the President.

Mr. MUSKIE. May I read this?

> The total value of construction initiated in the near term under the enrolled bill is expected to correspond closely to the total value of construction that would have been initiated under the Administration bill.

So the point is that in the near term we have not asked the country or Congress to do any more than what the

President did when he submitted his legislation. If we are talking about who is asking for too much in the near term, I submit the language of Mr. Ruckelshaus which I have just read.

Now, so far as the future is concerned, so far as the President's budget-wrecking language is concerned, he did not state in that message which budget we are wrecking.

So far as 1973 is concerned, the expenditure under this bill is $250 million. I would like to ask the Senator who is the spokesman for the President whether he says that amount would wreck the 1973 budget.

Mr. SCOTT. Mr. President, I certainly would not allow the Senator to first postulate a false premise and then ask me to confirm it.

Mr. MUSKIE. The Senator is citing the President's message. Is that a false premise?

Mr. SCOTT. I think that the Senator is doing his best to make the point that because this is $24 billion it really is not going to cost anyone anything very soon, and what I am saying is——

Mr. MUSKIE. That is not my point, may I say to the Senator.

Mr. SCOTT. What I am saying is that that is obligational. It is going to cost that; what it does not cost in this budget, it will cost in the next and the next and the next and the next and the next and the next, seven of them altogether. The Senator knows that, and the Senator knows it will take taxes to pay for it.

Mr. MUSKIE. I would be impressed by the Senator's argument if he addressed it as well to the program which the administration has submitted, because, as described by Mr. Ruckelshaus in a letter to the President which I just read to the distinguished Senator:

> The total value of construction initiated in the near term under this bill is expected to correspond closely to the total value of construction that would have been initiated under the administration bill.

What the Senator is saying, therefore, is that when Congress proposes this level of construction, it is reckless and budget wrecking.

Mr. SCOTT. That is right.

Mr. MUSKIE. But when the administration proposes it, it is responsible.

Mr. SCOTT. No, I am not.

Mr. MUSKIE. I just do not buy that argument.

Mr. SCOTT. No, I am not saying that.

Mr. MUSKIE. This is the same kind of rhetoric I heard the other night on television, in a television spot that undertook to lay out the President's record on the environment.

In that spot, you know, he claimed full credit for the 1975 clean car bill. Well, I wrote that bill, with the help of a bipartisan committee, and the President fought that bill every step of the way. Now, in an election year, he gives us a different view of what his role was.

We have the same problem here. The Environmental Protection Agency submitted these estimates. The Senator may not have been in the Chamber when I read that.

Mr. SCOTT. Well, I——

Mr. MUSKIE. I still have the floor.

Mr. SCOTT. I know; that puts me at a disadvantage.

Mr. MUSKIE. And I find that the Senator uses that advantage when he has the floor.

Mr. SCOTT. You bet I do.

Mr. MUSKIE. Let me read from Mr. Ruckelshaus' letter again:

> The total amount—contained in the enrolled bill is formulated from the administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amount is $18.1 billion.

Mr. SCOTT. If the Senator will yield, I think the most natural expectation in the world is that the head of an agency will seek to persuade the President to give that agency as much money as he can secure for the agency. It is impossible to have Mr. Ruckelshaus here to testify. If we did, I think he would confound the Senator from Maine. But since he is not here, and the Senator is reading excerpts from a single letter, let me point out that the obligation of the President is not to consider, no matter how well presented, only the argument of one department or agency; he must consider the total budget, and he must do what the Senate refuses to do, adds up the totals and finds out whether those totals bust the budget; and he says, "Here is another one that busts the budget."

Mr. MUSKIE. All right. The administration did consider it, and I refer the Senator again to the sentence I have read twice:

> The total value of construction initiated for the near term under the enrolled bill is expected to correspond closely to the total value of construction that would have been initiated under the administration bill.

Now, the bill was submitted to Congress, and I assume it was based upon the estimates submitted by the Environmental Protection Agency, as I indicated in the other quotation from Mr. Ruckelshaus.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. MUSKIE. I yield.

Mr. MANSFIELD. I wonder if it would be possible to arrive at a time limitation, due to the lateness of the hour and the mandatory rollcall. Would the Senate agree to a vote at the hour of 1 o'clock, or is that too short a period of time?

Mr. SCOTT. I have no objection.

Mr. COTTON. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes.

Mr. COTTON. I wanted to ask one question of the Senator from Maine on a matter which is quite different from the interrogations he has received. Could I use up 4 minutes?

Mr. MANSFIELD. Four minutes? Three minutes? Is that enough to argue? Make it 3 minutes to the Senator from Alabama, 4 minutes to the Senator from West Virginia, 4 minutes to the Senator from New Hampshire, and 2 minutes to the distinguished minority leader, and the rest of the time up to the will of the distinguished Senator from Maine.

Mr. COOPER. May I have some time? Or may I speak on the time of the Senator from Maine?

The PRESIDING OFFICER (Mr. Moss). What is the request?

Mr. MANSFIELD. Do not ask me to repeat it again. If there is no argument, let the Senate agree to it.

The PRESIDING OFFICER. Is there objection to voting at 10 minutes past 1? The chair gathered that much of the request.

Mr. MANSFIELD. Five minutes to the Senator from Kentucky, 4 minutes to the Senator from New Hampshire, 2 minutes to the Senator from Pennsylvania, 3 minutes to the Senator from West Virginia, 2 minutes to the Senator from Alabama, and the rest to the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. COTTON. Mr. President, will the Senator from Maine yield on my 4 minutes for a question?

Mr. MUSKIE. I yield.

Mr. COTTON. I have no desire to go into the merits of the contentions between the distinguished Senator from Maine and the distinguished minority leader. The only thing that I would like to straighten out, so that the record will be clear, is that I think there was a misapprehension created, though not knowingly, of course, in the colloquy about the control of the appropriating committees of the Congress.

It is my understanding, and I will be glad to have the Senator from Maine correct me if I am mistaken, that whether you talk about the spending budget or the obligational budget, the head of the EPA will have the authority to enter into contracts and obligate the Government to honor those contracts. It is also my understanding that there are certain controls that the President may have, but we do not always know he is going to have them, or how much he will exercise them, and we have been talking here for 2 days about Congress not abrogating its control to the President.

We have had some experience, in the Appropriations Committee, I think my colleagues on that committee will agree, that when the head of a department downtown has the authority to contract ahead, I do not know anything that the Appropriations Committee can do about a fait accompli. The thing that I want to be sure that we understand, and that the record is clear on, is that this bill, regardless of what checks the President has over it, does confer upon the head of the EPA power to enter into contracts for the future, and if that is the case, certainly the appropriating committees of Congress and Congress itself cannot abrogate those contracts once they are entered into; am I right or wrong?

Mr. MUSKIE. As I understand it, the Appropriations Committees have the authority to limit the amount of contract authority that might be used. I would assume also that the President is in a position to control the amount of such authority that is used by the Administrator of EPA, and probably the Office of Management and Budget as well.

May I point out to the Senator that

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in the language of the authorization are the words "not to exceed." Obviously, those are words of control.

Mr. COTTON. If the head of the EPA acts more quickly and more expeditiously than Congress acts to prevent a future event, he can obligate us, and I do not know what the appropriating committee is to do about it, and I think that should be a matter of record.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from West Virginia is recognized for not to exceed 3 minutes.

Mr. RANDOLPH. Mr. President, I regret that in his veto message, the Chief Executive has indicated this bill has an unconscionable price tag. I think that is an incorrect statement, at least from the standpoint of my study of the problem.

I speak as a member of the Public Works Committee and as a conferee on S. 2770, who has spent the better part of 2 years participating in the development of this important legislation.

I think it is important for us to realize that the vote in this body on the original measure as it came from the Committee on Public Works—86 to zero. The Committee on Public Works bill contained authorizations of nearly $20 billion. I recall, also, that in the Senate, when the conference report came to the floor, the vote was 77 to zero. The Senate has twice recorded its unanimous support, first for the Senate version and then for the conference agreement.

In the House of Representatives, with more than 300 Members of that body voting on that body's original bill, only 14 votes were cast against it. Later, in that body, only 11 votes were cast against the conference report.

While the Senate bill contained $20 billion and the House bill contained about $22 billion, we came from the conference with $24 billion, because of the mix of the programs of different types. These programs were considered very carefully, as Senator Muskie has said, for 39 sessions by the conferees of the Senate and the House.

I think that as we consider the veto message on S. 2770, we have overlooked one very important fact that industrial users will return to the Federal Treasury in excess of $4.5 billion, this being their share—I think it is very important to stress—of the municipal plant construction. So, in reality, we are thinking in terms of a conference report not actually involving $24 billion but $19.5 billion.

As I have indicated, I regret the use of the wording "an unconscionable price tag." I say quietly, but earnestly, that I do not believe it is a matter of conscience on the part of the President or on the part of Congress. It is the judgment of the President that is at issue and the judgment of the Senate, and later the judgment of the House will be at issue, and ultimately the votes of both bodies.

I recognize and appreciate the problems to which the President must address himself in making a decision in the matter so important to the environmental needs of practically every segment of our society.

The President correctly stated that we have degradation of the waters of this country. I think it is essential that we meet the responsibility, this domestic need, this priority, which is here at home, rather than far away.

Mr. COOPER. Mr. President, I will try to limit myself to the questions asked by Senators Young, Cotton, and Dominick.

I should like to make clear that of the sum of $24.6 billion, $18 billion is the sum we are talking about in contract authority for waste treatment works. The remaining funding is subject clearly to appropriation authority. The $18 billion relates to contract authority for municipal waste treatment plants.

When the Senate first passed this bill, it authorized $12 billion. The House had $18 billion in its bill and insisted on sticking to that figure, but we did change the wording in conference. Under the wording of the bill the House passed it was required that the sum of $18 billion over a period of 3 years be subject to contract authority. Upon the urging of the Senate with the House agreeing that language was changed in section 207 to state that "not to exceed" the given amount was authorized in each one of these years: not to exceed $5 billion in fiscal year 1973, not to exceed $6 billion in fiscal year 1974, and not to exceed $7 billion in fiscal year 1975.

The bill provides that when the Administrator of EPA approves plans and specifications for those years, it then becomes subject to contract authority, but "not to exceed" the amount specified. So the final figure does rest with the decision of the Administrator of EPA.

I pointed out that in the beginning, the first 2 years, the Administrator of EPA said in his letter to OMB it is true that the sums under the administration bill and the sums to be contracted under this bill would be about the same, because it takes time to get the program going; but after 3 years, the spiral would rise, and the difference would then begin to approach from a half billion dollars to $1 billion a year. Also, the option of impoundment is still open, and the President could utilize that option.

In making these statements, I do not want to argue against this bill, on which we spent almost 2 years. The Republicans and the Democrats here in the Senate were all in agreement on it, and the same was true in the House. It is possible that even with this $18 billion we may not meet all the needs for constructing waste treatment plants and cleaning up the water, but we hope we will substantially eliminate pollution from the Nation's waters by 1985. I simply wanted to respond to the questions that have been raised. I expect to vote to override the veto.

Mr. ALLEN. Mr. President, along with every other Senator who voted, I voted for this bill when it passed the Senate. I made a mistake. I am frank to admit that, and I appreciate the fact that the President has given me an opportunity to rectify that mistake.

I feel that this bill goes far too far, far too fast. All of us are in favor of controlling water pollution. A program of this sort is in absolutely no danger whatever, even if we sustain the President's veto.

Just as soon as a new Congress comes in, a bill can be passed. If a bill can get 86 votes to none against during one Congress, it certainly can pass during the next Congress.

I believe that this veto message and this debate tonight have indicated that this bill is not needed at this time. There is no emergency situation. As the Senator from Maine said, only $250 million will be spent during this fiscal year. Even if the bill does not pass, the water control program is not going to come to an end. EPA will continue to enforce the existing program. There is plenty of time during the next Congress.

I feel that it would be the better part of wisdom and discretion to sustain the President's veto and take a new look at the bill in the next Congress and pass a water control bill in the next Congress. We can certainly wait until then.

I would hope to sustain the veto.

Mr. SCOTT. I yield myself my 2 minutes.

I introduced the President's original environmental package in other bills. I supported it in another form. I have consistently supported and favored environmental legislation. I will again. I hope to have a chance to do so early next year. I wanted to support the bill. I hoped that it would be possible for the President to find that he could sign it. I hoped that he would obtain a spending limitation under which it would have been possible, in my judgment, for him to have signed it.

We have gotten through the spending limitation. We have once again shown that we do not know how to add in the Congress. When we do not know how to add, the President has to learn how to subtract or our troubles and our burdens will multiply. That is our problem. The President says in his veto message—

> . . . that at least one-third plus one of the members in one house will be responsible enough to vote for the public interest and sustain this veto.

And then,

> It should be noted that doing so would by no means terminate the existing Federal water quality programs, because the Environmental Protection Agency will continue to operate those programs until the merits of a new water bill can be dealt with as a first order of business in the new Congress.

As the Senator from Alabama well stated, the very argument of the Senator from Maine supports the arguments of the President of the United States. If, as a matter of fact , in the first year the additional money is sent, then very little is lost by the period in which we can enact a bill which will not in its subsequent operation and in its ascending and escalating costs bust future budgets. It is not enough to say that it does not bust the present budget because the commitments made before very long, added to the commitments made each year, will bust a lot of budgets.

Therefore, I am reluctantly going to have to take a position contrary to my own interests, and my own consideration, and probably contrary to what would be a politically expedient vote.

Mr. MUSKIE. I shall not take but a minute longer, but would like to say that the vote I ask the Senate to cast is not a politically expedient vote. There has been a unanimous view of committees of both Houses, unanimous on both sides of the aisle, that this kind of effort must be launched. This conclusion was not reached idly, as I have indicated earlier and recited in an effort to explain it.

To delay is not the casual kind of consequence suggested by the distinguished Senator from Alabama. Two hundred and fifty million dollars and no more can be spent the first year because it takes time, a lot of leadtime, to build the plants. We have taken 2 years just to write the bill. It came after a lot of sweat and hard work by a great many dedicated Senators and Representatives.

This bill, if it is vetoed, and the veto is sustained, I assure the Senate, and the distinguished minority leader, and the Senator from Alabama in particular, it will take a long time for Congress to act on this kind of legislation again. Thus, I urge the Senate to get to work and to get the country started to work cleaning up our waters. This bill will do it. It is a good piece of legislation. It is the sort of thing the President, I thought, was asking for 3 years ago. This is what he was asking of us when he criticized us a few weeks ago for not enacting his environmental legislation. He did not exclude this bill from the list of 24 that he castigated us about.

He did not say, "We want all 24 except the water pollution bill." He criticized us for not passing anything.

Here is the most important of them all, the most important water pollution bill we have had to consider in Congress in the history of the country.

I urge the Senate to override the veto.

Mr. STENNIS. Mr. President, I do not want this debate to close without somebody mentioning: Where are we going to get the money?

I ask, Where are we going to get the money?

Down home, in the State legislature, when someone was asked what he was going to do about getting the money, he would say "Appropriations."

I suppose that is what we are going to have to do here. But who is going to vote to raise the taxes to pay for the money in this bill? We have been talking about ceilings. We have been talking about restraints, restrictions and prerogatives.

I voted for the bill. I knew what was in it, but I do not know when we are going to start putting the brake on here. So at least I do raise the point, so that those who read the RECORD may see the question in print: Where is the money going to come from?

I do not know the answer.

Mr. ALLEN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I do not have the time, I do not believe; but I am glad to yield.

Mr. ALLEN. I should like to ask the Senator, inasmuch as the Senator from Maine says that it was projected that a quarter of a billion dollars would be spent during this fiscal year, which of course would last on to the first of June, would it not be possible, when the new Congress meets in January, to get through an authorization bill which would allow that some $250 million to be spent during this fiscal year, as projected by the Senator from Maine, in a somewhat reduced program?

Mr. STENNIS. I would think we can pass a bill. I do not say that this is a bad bill. I appreciate the work which has been done on it, and the work its forerunners did on it, too. The Senator from Maine is entitled to a great deal of credit. I will support any reasonable amount for a water pollution control bill. But my point is, on the basis of the fact: Where is the money going to come from, that we have run a deficit of $100 billion over the past 3 years, counting the current fiscal year as 1 of those 3 years, and we have a budget before us this time that, with all due deference to the President, is an intended deficit of around $25 billion. This thing goes on and on and on. Someone, sometime, if our system of goverment is going to survive, will have to provide the money to pay for all this. Some Congress is going to have to do that.

I think it is just pitiful around campaign time that no one is going to be in favor of a tax increase, or even make a suggestion that there is going to be one, unless we are going to reduce our expenditures rather than increase them.

I am concerned about this, as I know many are. I take my blame for the overspending. We are all guilty to a degree. But I think a more modest bill certainly would be in order. We had $30 billion just a few weeks ago for money we do not have and it will be distributed all over the country—how much each village will get, each town, each county, each State and city. It encouraged me to vote against that bill as a matter of plain commonsense.

At least, I have had my say here. I have raised the point. I want the RECORD to show it. Somebody must say it: Where are we going to get the money?

Mr. MUSKIE. Mr. President, first of all, I suspect that the Senator from Mississippi and I might disagree as to how the priorities of our spending might be modified to take care of this program. I am not going to get into that here tonight; but the question the Senator has raised could be applied to the space program, the defense program, and across the board. But we are not going to settle those priorities in this debate.

As far as the Senator from Alabama is concerned, may I say to the Senator that I am not interested in spending this kind of money unless we have tough requirements, tough enforcement requirements, and get this kind of policy written into the law and approved by Congress. That will not be an easy task. Why did we spend 39 days of sessions on this bill? To rewrite it and include these tough policy requirements is not going to be easy. It will take months—perhaps years—of effort.

I urge the overriding of the veto of this bill.

Mr. BUCKLEY. Mr. President, it is difficult to take exception to much if not most of what the President has to say in his veto message.

As a member of the Public Works Committee I did my best to try to hold the line on such items as the retroactive grants for completed work and on the size of the Federal contribution. I, too, am convinced that the necessary work could have been set in motion at far less cost to the Federal Treasury—although not at the low cost suggested in the administration bill.

Unfortunately I and other like-minded members of the Public Works Committee proved to be in the minority; and we saw the cost of the Senate bill added to by the House.

I will not vote to override the President's veto, however, for the following reasons:

First, the delay in coming forward with new water pollution legislation has already proven enormously costly. I feel we are simply beyond the point where we can afford further delays; and by "afford" I speak in terms of total environmental and economic costs.

Second, I believe that a further delay would be more likely to lead to still more expensive legislation than that which the President has vetoed. I therefore feel that to sustain the veto could prove contraproductive.

Mr. President, I recognize that we cannot continue to expend far more money than we take in without the most serious consequences—renewed inflation or increased taxation. If it should become necessary to raise taxes in order to meet the cost of this and other legislation approved by this and future Congresses then we must be prepared to raise more taxes or find ways of trimming expenditures in other areas. One area which might fruitfully be investigated is the possibility of establishing a federal user tax on waste treatment facilities to be applied in part to the cost of the Federal Water Pollution Control Act.

Mr. WILLIAMS. Mr. President, as Senators know, the President has vetoed the Federal Water Pollution Control Act of 1972. He complained that this legislation authorized the expenditure of an inflationary amount of money and implied that it was reckless and excessive.

All of us here know that the original Senate bill, S. 2770, required nearly 2 full years to develop and was overwhelmingly approved by the Senate. Last November, we supported it with a 72–0 vote. A few month later, the House approved H.R. 11896, their version of the bill, by a 380–14 vote.

A conference was agreed to on May 1 and from then until the end of September, conferees met 39 times before submitting a conference report. Again, the Congress overwhelmingly supported water pollution control legislation. The Senate by 74–0 vote and the House by 366–11.

By passing this legislation, Congress has clearly demanded that the Federal Government make a substantial commitment to cleaning our waterways.

Congress has said that it wants to see the end of community and industrial discharges by 1985. This will be enabled by the meeting of firmer interim standards. Congress has gone on record supporting national effluent standards so that industries will no longer be able to relocate to a community of less stringent pollution standards and the apportionment of funds to curtail water pollution among the States on the basis of need. Congress has provided the Environmental Protection Agency with the authority to curb discharges through a permit system with penalties for violations. Furthermore, Congress has said that it is willing to commit the funds necessary to reach these goals and standards.

Now, with very significant congressional support for this legislation, what sort of leadership do we see from the White House. We noticed Mr. Nixon's attempts to weaken the House bill. Fortunately, most of his provisions were omitted during the conference. Now we are told that Congress is reckless and naive about this issue. I submit that the Congress is merely reflecting the wishes of the people who have sent us here to Washington.

These people are wisely saying that they have endured dangerously filthy rivers, streams, and oceans for too long. They are not content with a country in which 90 percent of the watersheds are more than moderately polluted. They want to be able to swim and fish in the waters that flow near their homes. They want to enjoy clean waters just as much as they want to enjoy clean air. I believe this guarantee is provided by the bill which the President vetoed tonight.

I have been actively concerned about the problems of water pollution for some time. New Jersey has two substantial problems which must be confronted. First, the ocean off New Jersey's coast has been devastated with the dumping wastes. Second, the large amount of industry in New Jersey necessarily requires a means of disposing of its wastes. For too long, they have relied on the rivers and streams.

It is estimated that nearly 90 percent of the sewage sludge dumped into U.S. coastal waters each year is dumped within 6 miles of the New Jersey coast. The deleterious effect of this regular dumping off Sandy Hook and Cape May has resulted in the creation of "dead seas" where marine life fit for human consumption cannot survive.

This most serious dumping problem has adversely affected the tourist industry as swimmers who emerge from the surf are covered with itchy, slimy substances and the shellfishing industry. These problems led me to introduce legislation over the last several years to establish new regulations for ocean dumping.

I am most gratified that the final bill included major features of the legislation I introduced. It immediately prohibits the dumping of toxic materials, including biological, chemical, and radioactive warfare materials in offshore ocean areas. Furthermore, it sets standards under which a permit must be issued by the Administration of EPA for any discharge of sewage sludge into the contiguous zone or the oceans. These standards will take into account the effect of disposal of pollutants on human health and welfare, on marine life, and on recreational and economic values.

Now, after the extensive development and the near unanimous passage of this landmark legislation, we are faced with a Presidential veto. In my judgment, the President is being blatantly irresponsible. Water pollution is an urgent problem which we must start confronting. While Congress provides the machinery and the money, the President backs down. He has condemned the most significant, responsible program Congress has developed to reverse the dangerous trend to more severe water pollution.

At the same time, he does not mention the fact that he has withheld $1.07 billion of the $1.65 which Congress authorized and appropriated for construction of water pollution abatement facilities during fiscal year 1972. Mr. President, I can assure you that this money which was impounded is sorely needed by many communities in New Jersey that want to solve their water pollution problems but do not have the fiscal capability. I am wondering why this relatively modest amount of money was not spent, why the President is dragging his feet on this vital national problem.

While Mr. Nixon tells us that the water pollution bill is vastly too expensive, he pursues and spends freely in areas which are much more closely questioned here by all Americans. The Department of Defense is the prime example. For fiscal year 1972, DOD requested $73.5 billion and Congress appropriated $72.8. For fiscal year 1973, DOD requested $79.5 billion, an increase of $6 billion, but fortunately the Congress had the good sense to pare this down to $74.3 billion.

I have wondered where Mr. Nixon's fiscally responsible evaluation was when approximately $2.5 billion was paid out during fiscal years 1970–71 for feed grain, sugar, and wheat subsidies.

Another point which I must bring up in the course of this discussion is the cost of the war which continues to drain the Federal economy. In his first year as President, Richard Nixon said that the war would be over by 1972 and would no longer be a major issue tearing the country apart. However, let us look at the situation in Indochina today.

This year Mr. Nixon has undertaken the highest level of bombing of the war. It is estimated that the bombing of Indochina this year alone will cost over $3 billion. However, this is not sufficient for him. He has also mined Haiphong Harbor and increased markedly the size of the 7th Fleet off Indochina.

Many of us in the Congress seriously question these expenditures which I have mentioned. But very few—at last count only 11 in both Houses of Congress—oppose the idea of restructuring and realistically funding a water pollution control program.

I think Mr. Nixon has chosen the wrong time and the wrong issue to impose a veto. I believe he has failed all Americans, by providing negative leadership on this vital matter. He has taken a dangerous position by suggesting we delay the beginning of a massive water pollution control program.

Tonight, I urge my colleagues here in the Senate to disregard Mr. Nixon's ill-conceived advice on this matter, and firmly override his veto.

Mr. PERCY. Mr. President, there can be no doubt as to the critical need for cleaning up the Nation's waterways by establishing strict pollution standards for industries and municipal plants. The clean water bill authorizes the Federal Environmental Protection Agency to enter into contracts totaling $18 billion for construction of waste treatment facilities. The Federal Government would pay up to 75 percent of the costs of such projects and States and localities 25 percent.

The bill also provides for some $6.4 billion to reimburse municipalities for plants that had been built in anticipation of Federal aid, and would help to finance research, demonstration projects, low-interest loans to small businesses for pollution control equipment, and elimination of toxic pollutants in sludge on river bottoms.

The President, having sought $6 billion, with the Federal share at 50 percent of costs, has termed the bill "inflationary" because it is more than triple the amount of money requested for grants to localities to build sewage treatment plants.

Because of the vital need for waste treatment facilities throughout the Nation and in Illinois, where the estimated construction costs for such plants over the next 3 years total $910 million, I regard this as a matter of the highest priority. Indeed, I concur in the views of EPA's Administrator, Bill Ruckelshaus, that on fiscal grounds alone there would be no appreciable increase in outlays in the current fiscal year above what is in the President's budget and outlays next year could be held to $33 million. The major increase would come in the latter part of this decade and in the 1980's.

This bill constitutes a landmark step forward toward control of water pollution by supplementing water quality standards—that is, the stream by stream determination of how much pollution can be absorbed—with uniform effluence standards for the Nation, specifying what pollutants can be dumped in waterways. The present program to control industrial waste initiated by the President was literally brought to a halt by a court decision nearly a year ago. Unless this bill becomes law, the President's program for requiring permits for industrial wastes will be undermined, and the ability of States and localities to reduce municipal wastes will be severely impaired. I therefore must vote to override the President's veto.

The PRESIDING OFFICER. The time of the Senator from Maine has expired. All time has expired. Under the previous order, the Senate will now proceed to vote on the question, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are mandatory under the Constitution and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator for New Mexico (Mr. ANDERSON), the Senator from Indiana (Mr. BAYH), the Senator from Texas (Mr. BENTSEN), the Senator from Mississippi (Mr. EASTLAND), the Senator from Louisiana (Mrs. EDWARDS), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. METCALF), the Senator from New Mexico (Mr. MONTOYA), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Georgia (Mr. TALMADGE), and the Senator from Arkansas (Mr. MCCLELLAN) are necessarily absent. I also announce that the Senator from Wyoming (Mr. MCGEE) and the Senator from Nevada (Mr. CANNON) are absent on official business.

On this vote, the Senator from Iowa (Mr. HUGHES) is paired with the Senator from Mississippi (Mr. EASTLAND).

If present and voting, the Senator from Iowa would vote "yea" and the Senator from Mississippi would vote "nay."

I further announce that, if present and voting, the Senator from South Carolina (Mr HOLLINGS), the Senator from Nevada (Mr. CANNON), and the Senator from Arkansas (Mr. MCCLELLAN), would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. ALLOTT), the Senators from Tennessee (Mr. BAKER and Mr. BROCK), the Senator from Oklahoma (Mr. BELLMON), the Senator from Delaware (Mr. BOGGS), the Senator from Nebraska (Mr. CURTIS), the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from Florida (Mr. GURNEY), the Senator from Oregon (Mr. HATFIELD), the Senator from Iowa (Mr. MILLER), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), the Senator from South Carolina (Mr. THURMOND), the Senator from Texas (Mr. TOWER), and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) is absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Texas (Mr. TOWER) and the Senator from Iowa (Mr. MILLER) would each vote "yea."

On this vote, the Senator from Tennessee (Mr. BAKER) and the Senator from Delaware (Mr. BOGGS) are paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from Tennessee and the Senator from Delaware would each vote "yea" and the Senator from Nebraska would vote "nay."

The yeas and nays resulted—yeas 52, nays 12, as follows:

[No. 571 Leg.]

YEAS—52

Aiken
Beall
Bible
Brooke
Buckley
Burdick
Byrd, Robert C.
Case
Chiles
Church
Cooper
Cranston
Dominick
Eagleton
Fulbright
Gambrell
Gravel
Griffin
Hart
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy
Long
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Mondale
Moss
Muskie
Nelson
Packwood
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Smith
Stafford
Stevens
Stevenson
Symington
Taft
Tunney
Williams

NAYS—12

Allen
Bennett
Byrd,
Harry F., Jr.
Cotton
Ervin
Fannin
Hansen
Hruska
Jordan, Idaho
Scott
Stennis
Young

NOT VOTING—36

Allott
Anderson
Baker
Bayh
Bellmon
Bentsen
Boggs
Brock
Cannon
Cook
Curtis
Dole
Eastland
Edwards
Fong
Goldwater
Gurney
Harris
Hartke
Hatfield
Hollings
Hughes
McClellan
McGee
Metcalf
Miller
Montoya
Mundt
Pearson
Saxbe
Sparkman
Spong
Talmadge
Thurmond
Tower
Weicker

The PRESIDING OFFICER. On this vote the yeas are 52, and the nays are 12. Two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

EMERGENCY HEALTH PERSONNEL ACT AMENDMENTS OF 1972

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3858, a bill to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message:

Resolved, That the House concur in the amendments of the Senate numbered 1 and 2 to the bill (S. 3858) entitled "An Act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes."

Resolved, That the House insists on its disagreement to the amendments of the Senate numbered 3 and 4 to the aforesaid bill.

Mr. KENNEDY. Mr. President, I move that the Senate recede from its position on amendments 3 and 4.

The motion was agreed to.

ADDITIONAL STATEMENTS

THE MYTH OF THE "BLOODBATH"

Mr. GRAVEL. Mr. President, with all that has been written about the Vietnam war it is not often that we are able to be moved by yet another piece of writing. Yet this must be the effect on anyone who objectively reads the recently released report by D. Gareth Porter of Cornell University entitled, "The Myth of the Bloodbath: North Vietnam's Land Reform Reconsidered." Toward this end I ask that the report be reprinted in its entirety at the conclusion of my short remarks.

Its findings are contained in the title—it exposes as myth the notion made popular by the Nixon administration that the land reform period of 1953 to 1956 was characterized by a deliberate reign of terror against former foes of the North Vietnamese leaders. Who can deny the monstrous mischief—indeed the disaster—this misplaced belief has visited on us through our tortured rationalization for continuing the war?

It is of course only a short step from swallowing the story of the "earlier bloodbath" to imagining the "slaughter" of the vanquished South Vietnamese or the full-scale attack on American troops on the beaches as they finally quit the country. Such a view fits neatly with the common tendency to picture all enemies as bloodthirsty, fanatical, irrational, broadly unpopular with their own people and ready to wreak their vengeance on them at the slightest whim. How tragic our misguidance.

The reason this Cornell study is so important, of course, is that the bloodbath story is as we all know, one of the principal arguments the administration has used for remaining in Vietnam—or, if you do not believe we are remaining, for doing what we have been doing there these last 4 years. Some of us attacked the thesis on the grounds that the bloodbaths are daily bringing to that sad country and region through our campaign of massive air strikes surely exceeds any likely killing of Vietnamese by other victorious Vietnamese. Now we find in the Porter report that there is very convincing evidence that even the earlier "bloodbath" was in fact a hoax in numbers and extent. What a cruel way to play with American public opinion to gain support for this perversion of policy of destroying life in order to save it.

It is nearly inconceivable to me that an administration would base so much of its conduct of the war on a thesis so scantily researched, so little thought out, and so highly speculative. With such vast resources in the administration devoted to foreign affairs—or at least military ones—why was so little research done to support or refute the bloodbath story? Where is the scholarship on the administration's side or was it in fact a matter of extrapolating the experience of a few villages plus a mountain of hearsay from others?

If there has been sloppy scholarship on this crucial point the State Department, the Department of Defense, and the National Security Council must share a major portion of the blame. And if there were darker motives behind the perpetuation of this myth—if myth it be—then we should hold the administration fully accountable. We are constantly reminded of how quick the administration is to play fast and loose with statistics, as for example, the President's assertion last July when justifying his POW stand that 15,000 French prisoners were never accounted for after France quit Indochina. The French Veterans Ministry subsequently stated that the figure was 6,200 and that the last French prisoners were returned less than 3 months after the Geneva agreements were concluded.

I commend the reading of the Cornell report to each and every colleague for its implications are powerful and strip away still another "reason" for doing what our country is doing in and to Vietnam, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the report is ordered to be printed in the RECORD, as follows:

The Myth of the Bloodbath: North Vietnam's Land Reform Reconsidered

(By D. Gareth Porter, research associate, Cornell University)

ACKNOWLEDGEMENTS

The author wishes to acknowledge with gratitude the assistance of Prof. Benedict Anderson and George McT. Kahin, who read earlier drafts of this paper and made helpful comments. The author owes special debt to Prof. David Mozingo, who has taken so much of his time to read and criticize earlier versions. These comments and criticisms have saved the author from many pitfalls. The author remains solely responsible, of course, for the contents of this paper.

INTRODUCTION

American intervention in Vietnam has been justified increasingly in recent years by portraying the North Vietnamese leaders as ideological fanatics who would carry out a massive "bloodbath" against former foes if they were to gain power in South Vietnam. In particular, this argument, which has been promoted in a series of Presidential speeches, draws on allegations concerning the North Vietnamese land reform program which was carried out from 1953 to 1956. The essence of these allegations is that the land reform was a deliberate reign of terror aimed at eliminating whole economic classes and that tens or even hundreds of thousands of innocent people were killed.

This view of land reform has been broadly accepted by both American scholars and the public as an established fact. Yet there has never been a careful study of the land reform which makes use of all the available documentation. Instead, opinions about the North Vietnamese leadership and the land reform have been formed on the basis of propaganda and careless scholarship. Fictions about the land reform in the North have been repeated and amplified year after year, shaping American perceptions of and responses to the Vietnamese revolution. U.S. policymakers, journalists and academics continue to view the D.R.V.'s leaders through this distorted lens as bloodthirsty and fanatical rather than as responding rationally to complex problems and real conditions.

If U.S. policy is to be based on a realistic assessment of the Vietnamese revolution instead of a caricature of it, a necessary first step must be to set aside the popular notion of the land reform as a "bloodbath". It is hoped that this essay may serve not only to unravel a central myth about the Democratic Republic of Vietnam, but also to reveal some of the "scratches on our minds" which underlie American policy in Vietnam.

Chapter I. The Literature of the Land Reform

While the U.S. government has made the myth of the blood-bath in North Vietnam an important weapon in its propaganda arsenal, the myth could not have received wide acceptance without a body of literature which supports it.[1] The specifics of the argument will be examined in detail in later sections, but it is important to note at the outset the intellectual background of the myth, which goes a long way in expanding its genesis and development.

The literature on North Vietnam's land reform is, first of all, a reflection of the low level of American scholarship on Vietnam in general and North Vietnam in particular. After more than twenty years of heavy involvement in Vietnam's destiny and more than ten years of warfare against Vietnamese revolutionaries, there is still no respectable body of scholarly work on the Democratic Republic of Vietnam. For many years, the late Bernard Fall was virtually the only academic specialist on Vietnam who was independent of the U.S. government, and he commanded correspondingly great attention and respect for his views. But Fall's analysis of the D. R. V.'s land reform was limited severely by his failure to consult authoritative French sources on landholding in Tonkin as well as by his inability to read Vietnamese.

Like other authors who wrote about North Vietnam's land reform, Fall was unable to do research in the original Vietnamese sources, particularly the Lao Dong Party's official organ *Nhan Dan* (*The People*). In trying to analyze a government and society on which virtually no journalistic or other non-official sources of information were available, this handicap was critical. For it meant that important documents were either not read at all or were obtained in summary translation from the U.S. or South Vietnamese governments. And those documents could have been distorted in the process of selection, translation and summarization so as to influence substantially the interpretation of developments in the North. This is precisely what happened in the case of certain documents used by American authors to characterize the land reform as an ideologically-motivated "bloodbath".

An even more significant consequence of the generally low level of knowledge of the D. R. V. even among those considered specialists with the dearth of information available to them was that they made it possible for a Vietnamese claiming to have personal knowledge of the D. R. V. to have an extraordinarily great influence on the interpretations of specialists as well as general public. Thus the individual who has probably done the most to shape American attitudes toward the land reform is a native of North Vietnam, Hoang Van Chi.

The American literature on the North Vietnamese land reform has relied heavily on his book, *From Colonialism to Communism*, as a primary source.[2] Its influence derives from his claim to have authoritative, first hand knowledge of the land reform campaign down to April 1955, when he left North Vietnam for Saigon. He makes frequent assertions implying detailed and intimate knowledge of Lao Dong party policy. Indeed, a CIA official, George Carver, who recommends the book to the public, refers to Hoang Van Chi as a "former Viet Minh cadre."[3] But in fact he was never a party member and, by his own account, he was only a teacher in a pre-college school in Thanh Hoa province from 1950 to 1955.[4] Thus he was not connected either with the Viet Minh government or the Lao Dong party during the entire period of the land reform—a fact which appears nowhere in the book.

Moreover, Mr. Chi was himself a relatively wealthy landowner, having inherited 20 acres from his parents.[5] As will be shown below, this constituted a large landholding in the North Vietnamese context. His account of the land reform, therefore, is far from being objective and dispassionate. His antagonism to the D.R.V. and to agrarian revolution led him, as we shall see, to make a number of assertions of fact where he actually lacked first-hand information.

Equally important in assessing his credentials as a primary source on the land reform is the fact of his direct involvement with Vietnamese and American propaganda organs after his arrival in South Vietnam in 1955. Mr. Chi worked for the Saigon government's Ministry of Information for some eight months in 1955 and 1956 and as a translator for the U.S. Information Agency.[6] In 1958, Diem's Ministry of Information partially subsidized the publication of his book, *The New Class in North Vietnam*,[7] in which he first presented his account of the North Vietnamese land reform.[8]

In 1960 Hoang Van Chi received a grant from the Congress for Cultural Freedom to spend a year in Paris writing a book which would reach American and European audiences with his attack on the D.R.V. land reform. For many years, the Central Intelligence Agency channeled funds to the Congress for Cultural Freedom as part of its global program of supporting anti-Communist intellectual groups.[9] U.S.I.A. subsidized the publication in 1964 of *From Colonialism to Communism*, as later admitted by U.S.I.A. Director Leonard Marks in September 1966.[10] Hoang Van Chi then came to the U.S. to work for the U.S.I.A., and he now lectures at A.I.D.'s Washington Training Center.[11]

It is thus no accident that Hoang Van Chi's account of the land reform has been used in U.S. propaganda against North Vietnam. For it was American money which made possible both the writing and the publication of his book, which has been a very successful long-term investment in the development of American public opinion about the D.R.V.

Although other authors have contributed to the making of the "bloodbath" myth by abusing important documentary evidence, it is Hoang Van Chi who has committed the most serious and most numerous offenses in this regard. His account is based on a series of falsehoods, non-existent documents and slanted translations which leave no doubt that his purpose was propaganda rather than accurate history. Much of the analysis which follows will therefore deal with Mr. Chi's assertions and the documentation used to support them.

One of the common characteristics of the literature of the land reform in North Vietnam is the denial of its economic and social rationale. Any objective analysis of the land reform must, however, begin with the question of why the leaders of the D.R.V. carried out radical land reform. It is to this question that we now turn.

FOOTNOTES

[1] The secondary sources referring to the North Vietnamese land reform which will be cited in this study are the following: Joseph Buttinger, *Vietnam: A Dragon Embattled*, vol. II. *Vietnam at War* (New York: Praeger, 1967); George Carver, "The Faceless Viet Cong", *Foreign Affairs*, vol. 44 (April 1966); Bernard Fall, *The Viet Minh Regime*, revised and enlarged edition (New York: Institute of Pacific Relations, 1956); Fall, *The Two Vietnams* (New York: Praeger, 1963); J. Price Gittinger, "Communist Land Policy in North Vietnam", *Far Eastern Survey*, August 1959; P. J. Honey, *Communism in North Vietnam* (Cambridge: MIT Press, 1963); Honey, *North Vietnam Today* (New York: Praeger, 1962).

More recently, two staff members of the Rand Corporation have referred to the land reform in the context of discussing the subject of political reprisals; see Stephen T. Hosmer, *Viet Cong Repression and its Implications for the Future* (Lexington, Mass.: Heath Lexington Books, 1970, pp. 46–98, and Anita Lauve Nutt, *On the Question of Communist Reprisals in Vietnam*, Rand Corporation, P-4416, August 1970.

[2] Hoang Van Chi, *From Colonialism to Communism* (New York: Praeger, 1964).

[3] Carver, *op. cit.*, p. 355. Carver's attempt to promote Hoang Van Chi's account of the land reform is especially significant in that Carver tried to conceal his own affiliation with the U.S. government in writing the article. The fact that Carver was a CIA official was revealed only later by Senator J. William Fulbright.

[4] See the interview with Hoang Van Chi published in the Agency for International Development's in-house newsletter, *Front Lines*, February 24, 1972.

[5] Interview with Hoang Van Chi, AID Washington Training Center, May 26, 1972.

[6] *Ibid.*

[7] Hoang Van Chi, *The New Class in North Vietnam* (Saigon: Cong Dan, 1958).

[8] Interview with Hoang Van Chi.

[9] See *New York Times*, April 27, 1966.

[10] *Ibid.*, September 28, 29, 1966.

[11] *Front Lines*, February 24, 1972.

CHAPTER II. WHY LAND REFORM?

The land reform in North Vietnam is commonly portrayed as an essentially political campaign carried out to fulfill abstract ideological requirements which conflicted with the real needs of Vietnamese society.[1] But none of the analyses of the land reform which have put forward this argument deal thoroughly or objectively with the social, economic and political conditions in Vietnam at the end of the French colonial period. The decision to carry out land reform cannot be properly understood apart from the land tenure system of North Vietnam and the political and military requirements of the struggle for independence.

Colonial Tonkin and Northern Annam, which together constitute the present territory of the Democratic Republic of Vietnam, have been treated by the literature on the land reform as regions of small farmers owning the land they tilled, with little tenancy or inequality of landownership. This view seriously misrepresents the well-documented realities of the land tenure system in the North during the colonial period. The Red River area had an extraordinarily high ratio of population to land, and while most peasants did own some land, they owned so little that they were forced to work on additional land belonging to someone else.

According to French geographer, Pierre Gourou, about 62% of the farming families owned less than one acre, while 20% owned less than one-half acre.[2] As Gourou pointed out in 1936, the owners of such minute plots "cannot live on their property and must hire themselves out, or else rent farms."[3] And by the same token the farmer with even a few hectares of land inevitably became a landlord, renting it out to a number of small tenants. "In Tonking", Gourou said, "the description 'large property' must be given to farmlands of truly unimpressive size (from 3.6 hectares!)"[4] According to Yves Henry, there were some 21,000 landowners with between 3.6 and 18 hectares, while 1,000 more owned more than 18 hectares.[5] But these figures certainly underestimated the number of large and middle landowners. Many of them, especially government officials, successfully hid their wealth by various devices, including the dispersal of plots among several villages and false land title registration under the names of their tenants.[6]

Gourou estimated that 90% of the landowners (not taking into account the families without any land at all) owned only 36.6% of the total cultivated land area in Tonkin, while 10% of the landowners controlled 43.2% of it.[7] And data collected by the D. R. V. on all of the 3653 villages which went through land reform confirm Gourou's estimates.[8] As of 1945, according to these figures, 89% of the rural population, comprising landless laborers, poor peasants and middle peasants, owned only 40% of the cultivated land. The poor peasants and landless laborers, who represented 60% of the population, owned only 10% of the land. At the same time, the 2.5% of the rural families who lived by renting out land, owned 24.5% of the land outright and controlled much more indirectly. Although in theory the needs of the landless and landpoor were supposed to be assuaged by a share of communal lands, which constituted an estimated 20 to 25% of the total cultivated farm land in the North, the reality was that these lands were usually monopolized by local notables, who exploited them for their own profit.[9]

These statistics convey the picture of a social and economic structure which kept the majority of poor peasants in permanent economic bondage to the landlord and on the margin of survival. Rents usually ranged from 50 to 75% of total yields. Constantly in debt to his landlord or another userer and often forced to beg enough rice to feed his family from one day to the next, the poor peasant was completely at the mercy of the landlord. When famine struck after flood or drought, it was the poor peasants who were most likely to starve.[10]

The revolution of August 1945 and the war of resistance against the French which followed did not fundamentally alter the land tenure system of North Vietnam, despite the fact that many large landowners who worked for the French had their land confiscated and redistributed. By 1953, according to a D. R. V. survey of 93 villages and 31 hamlets in 16 provinces, landlords still controlled 17% of the cultivated land while the poor peasants controlled only 18% of the land.[11] Although the D. R. V. introduced limited reforms aimed at reducing the rents from the former 50 to 70% of the crop to 25% and reducing the interest on loans to poor peasants, compliance by the landlords was limited, even in areas which had long been liberated.

The reasons for the failure of these partial reforms were both political and economic. With the emphasis during the resistance on the need to maintain tight unity of all social strata to oppose the French, peasants frequently were not informed by local cadres of their new rights or of the necessity to struggle for them.[12] In fact, the official Lao Dong Party organ made it clear that, although peasants should demand their rights, the method to be used was negotiation with the landlord, not coercion.[13] As one article in a party organ put it, "If the peasants are not tactful, it will harm the spirit of unity of the resistance".[14] With the peasants thus discouraged from taking direct action against them, many landowners simply used their much greater economic power to intimidate tenants who might hesitate to pay the rent demanded of them. This was done by refusing to rent a buffalo or loan paddy to the tenant when they were urgently needed or by threatening to throw uncooperative tenants off the land in favor of more submissive ones.[15] Since tenants could not afford to run these risks, the early reform decrees probably did not help most of the poor peasants to any significant extent. The realization by the party leadership that little progress had been made in rent reduction is indicated by a 1950 article in a party organ which asked, "What has the August Revolution brought for the peasants?" and answered, "Very little".[16]

D. R. V. leaders felt that this situation could not be allowed to continue. For it was the poor and landless peasants who constituted the bulk of the recruits for the People's Army as the war entered its final stage; it was they who had made the heaviest sacrifice in lives to challenge the French presence. General Vo Nguyen Giap had an urgent need to continue the rapid buildup of his army for the major battles which still lay ahead in the North. As Ho Chi Minh declared to the National Assembly in December 1953:

> "The more the Resistance War develops the more manpower and wealth it requires. It is the peasants who have contributed the main force of the resistance. We must liberate them from the feudal yoke and ensure the conditions for them to develop their potentiality in order to be able to mobilize this huge force in the service of the resistance until final victory."[17]

Thus it was the urgent need to mobilize the poor peasants for a final push to victory over the French which determined the precise timing of the beginning of the land reform. But it is clear that a radical agrarian reform would ultimately have been necessary in any case. For the land tenure system in North Vietnam was not only economically regressive and an obstacle to increased production but prevented the poor peasants who comprised the majority of the population from achieving the status and dignity promised by the Vietnamese Revolution.

But those writers who have portrayed the land reform as economically and socially unnecessary and as the product of the ideological fanaticism of the Vietnamese leaders have brushed aside the social and economic conditions which made it imperative.[18] From his first study of the D.R.V. until his death in 1967, Bernard Fall argued consistently that the land reform was unnecessary and therefore a doctrinaire political exercise. His unwavering disapproval of the land reform was based on the erroneous assumption that the problem of inequality of land ownership was "acute" in South Vietnam but not in the North.[19] In his first analysis of the land reform, Fall asserted that 98.7% of the "total farm land area" in Tonkin was "tilled by owners"—a statement which would lead one to believe that only 1.3% of the farm land was worked by tenant farmers.[20] If true, it would indeed have made Tonkin's landholding system almost ideal. But the source from which he took the figure warned that 98.7% referred not to the percentage of farming units tilled by the owner (much less the "total farm land area" tilled by their owners) but to the percentage of landowners who did not rent out all their land.[21] In other words 1.3% of all those who owned land were landlords whose only income was from renting it to others. Fall's statement completely misrepresented the real situation, which was that the majority of the peasants either owned no land or so little that they had to rent *additional* land from a landlord to survive. Yet the statement that 98.7% of the land was owned by those who tilled it was later used by the Saigon government in attacking the North Vietnamese land reform as economically needless.[22]

Fall should have been aware of the very high proportion of the landowners who did not own enough land to support their families, for he mentioned in the same study the fact that 61% of the landowners held less than one acre—an amount which his own calculations showed to be too small to support an average-sized peasant family of five.[23] Yet, as late as 1963, he was still asserting that in Tonkin, more than 98% of the tilled land was owned by small-holders and concluding that, "To speak of 'land reform' is farcical".[24] Similarly, in dismissing the need for radical land redistribution, Hoang Van Chi cites figures from Henry showing that 91% of the landowners held less than 5 hectares in pre-revolutionary Tonkin.[25] His purpose is obviously to portray North Vietnam as a region of small-landowners. But this figure also misleads the reader, since it does not say anything about the landless and landpoor peasants who made up the majority of the population. In this manner, statistical data has been misused to make the distribution of land in the North appear more equitable.

The idea that the land tenure system in North Vietnam was one of contented small landowners was eagerly seized upon by official American spokesmen to discredit the North Vietnamese land reform. The CIA's George Carver, in a 1967 essay in *Foreign Affairs*, wrote: "Though there were inequities in land ownership in North Vietnam, the Red River delta had the most extensive pattern of private ownership to be found anywhere in Asia".[26] This "extensive pattern of private ownership" did not, of course, insure that the peasants had sufficient food for subsistence, nor did it prevent the exploitation of peasant labor through oppressive tenancy arrangements. But Carver was either unaware of the basic data on the landowning system in the North or chose to ignore it. This misleading statement was only the prelude to his conclusion that the rationale for the land reform was "rooted in the dogmatic fanaticism of the Vietnamese Communist leadership".

The same authors who have attempted to portray the land tenure system in North

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Footnotes at end of chapter.

Vietnam in such a way as to deny the need for land reform have also attempted to minimize the actual economic benefits which the poor peasants derived from the reform. Here again, it was Fall who took the greatest pains to prove the point with statistical evidence, and again that evidence was seriously abused.

Scorning the results of the land reform as "economically absurd", Fall argued that the resulting parcels of land were hopelessly inadequate. According to official D. R. V. statistics which he used in *The Two Viet-Nams*, the average share of land distributed to agricultural workers, poor peasants and some middle peasants was about one acre, which increased the total holding of the average poor peasant family of five to 1.75 acres and that of the average agricultural laborer's family to 1.80 acres.[27] Fall asserts that at least one hectare (2.47 acres) was required by an average family for subsistence farming, without explaining how he reached this conclusion.[28] It appears that his 2.47-acre minimum derives from the figure of 800 grams of rice per day per person, which he had cited elsewhere as the minimum necessary for adequate nutrition.[29]

But an investigation of the data on rice consumption in Vietnam reveals that this standard was quite extravagant: the average rice consumption per person per day in the much wealthier Mekong Delta region of South Vietnam, according to an official survey in 1959, was only about 470 grams per day.[30] Another survey of six different South Vietnamese provinces and Saigon carried out at about the same time discovered that the province with the highest average daily consumption of rice per person was Phong Dinh, with 472 grams, while the poorest provinces had an average of less than 400 grams.[31] These figures compel us to look more closely at the alleged inadequacy of the plots distributed under the land reform program in the North.

As of 1960, just over half of the cultivated rice land in North Vietnam produced two crops annually. However, even those parcels which grew only one crop per year appear to have been capable of producing enough rice to feed each family member as well as the average Mekong Delta peasant—even using an extremely conservative estimate of paddy production per acre.

The average per acre rice production in 1956, 1957 and 1958, according to official D. R. V. statistics, was 752,729 and 826 kilos respectively.[32] But even if we take a figure as low as 600 kilos of paddy as the annual production of one acre, we find that 1.75 acres would produce 1050 kilos of paddy per year, or 2875 grams per day. After subtracting 20% for loss of weight in the milling process, the 1.75 acres would provide roughly 2300 grams per day, or 460 grams for each member of an average peasant family of five.

The real meaning of this statistic can best be understood by comparing it not with Fall's arbitrary requirement of 800 grams of rice per day but with the 264 grams which Yves Henry's more detailed study reported as the average daily consumption of rice per person in Tonkin in 1932.[33] Since there had been no increase in the productivity of riceland in the two decades which preceded the land reform, it is likely that this figure represented the approximate level of consumption for the majority of peasants when the land reform program began. In dismissing the land reform program as "economically absurd", Fall simply ignored the evidence of a fundamental improvement in the nutrition of the average poor peasant family. In fact, it would appear that after the land reform North Vietnamese peasants were at least as well fed as peasants in the much more fertile Mekong Delta, where the exploitative land tenure system had not yet been abolished.

A careful examination of the available data concerning the land tenure system in North Vietnam before the land reform as well as the actual economic benefits derived from the reform by the peasants indicates that there were sound social and economic reasons for a radical redistribution of land by the D. R. V. The land reform cannot be accurately portrayed, therefore, as merely the product of abstract ideology or as an "excuse" for the liquidation of social and political opponents.

FOOTNOTES

[1] The land reform program is sometimes confused with the later phase of North Vietnamese agricultural policy in which cooperatives were established; hence the alleged "bloodbath" may be associated in some minds with the later "collectivization" program in the rural areas. But that phase did not begin until November 1958, nearly two and a half years after the end of the land reform process. The allegations of a "bloodbath," therefore, have nothing to do with the "collectivization" of agriculture. In contrast to the land reform, the campaign to establish cooperatives was gradual and noncoercive. This analysis concerns only the land reform program which began in 1953 and was completed in 1956.

[2] Pierre Gourou, *Land Utilization in French Indochina*, translation of *L'Utilization u sol en Indochine Francaise*, (New York, 1945) Part II, pp. 276 ff. cited in Erich H. Jacoby, *Agrarian Unrest in Southeast Asia*, 2nd ed. (London: Asia Publishing House, 1961), p. 157.

[3] Gourou, *The Peasants of the Tonkin Delta* (New Haven: Human Relations Area Files, 1955), p. 280.

[4] *Ibid.*

[5] Yves Henry, *Economie Agricole de L'Indochine* (Hanoi: Gouvernement Generale de l'Indochine, 1932), pp. 108 and 110.

[6] See Pham Cao Duong, *Thuc Trang cua Gioi Nong Dan Viet Nam duoi Thai Phap Thuoc* (*The True Situation of the Vietnamese Peasants under French Colonialism*), (Saigon: Nha Sach Khai Tri, 1965), pp. 104–105.

[7] *Ibid.*, p. 266.

[8] Tran Phuong, ed., *Cach Mang Ruong Dat* (Agrarian Revolution in Vietnam), Hanoi: Khoa Hoc Xa Hoi, 1968), table no. 8, p. 14.

[9] See Henry, *op. cit.*, p. 112; Pham Cao Duong, *op. cit.*, pp. 74–83; Nguyen Huu Khang, *La Commune Annamite* (Paris: Librarie du Recueil Sirey, 1946), p. 54. For specific cases of such exploitation of communal lands by local notables under the French see the richly documented study by Truong Chinh and Vo Nguyen Giap, first published in 1937, *Van De Dan Cay* (The Peasant Problem), (Hanoi: Nha Xuat Ban Su That, 1959), second printing, pp. 122–123.

[10] See Ngo Vinh Long, *Before the August Revolution, The Living Conditions of the Vietnamese Peasant under French Colonialism* (Cambridge: MIT Press, 1972), see also Pham Cao Duong, *op. cit.*, p. 116.

[11] Tran Phuong, *loc. cit.*

[12] Le Hoai Tuyen, "Complete the Reduction of Rents, Carry out the Reduction of Debts", *Su That* (The Truth), no. 135, June 15, 1950, in *Quoc Khang Chien Than Thanh cua Nhan Dan Viet Nam* (*The Magnificent Resistance War of the Vietnamese People*), (Hanoi: Su That, 1960), vol. II, p. 391.

[13] Tran Phuong, "The Land Reform", *Pages of History, 1945–54*, Vietnamese Studies, No. 7, 1966, p. 167.

[14] "Improving the Life of the Peasants". *Sinh Hoat Noi Bo* (Internal Activities), No. 7, April 1948, in *Quoc Khang Chien*, Vol. II, p. 34.

[15] Le Hoai Tuyen, *op. cit.*, p. 392.

[16] *Ibid.*

[17] Quoted in Doan Trong Truyen and Pham Phanh Vinh, *Building an Independent National Economy in Vietnam* (Hanoi: Foreign Languages Publishing House, 1964), p. 120.

[18] The only exception to this generalization is the detailed study by Christine Pelzer White, *Land Reform in North Vietnam*, Agency for International Development Spring Review, Country Paper, June 1970.

[19] Bernard Fall, *The Viet Minh Regime*, p. 118.

[20] *Ibid.*

[21] *The Agriculture of French Indochina*, U.S. Department of Agriculture, August 1950 (mimeo), p. 11. Despite this caveat, the same source nevertheless ventures the opinion that Tonkin could be considered as a country of "small peasants who till their own land"'—a completely misleading representation of the land tenure system.

[22] See *Land Reform Failures in Communist North Vietnam*, Special Edition, *Review Horizons* (Saigon, n.d.), p. 6.

[23] Fall, *loc. cit.* Even this statistic was used by another writer hostile to the land reform to show that there were few landlords to be confiscated in the North. Joseph Buttinger writes that "more than 60 percent of all land was in the hands of peasants owning around one acre", a statement which was wrong on two counts: first the statistic cited by Fall does not refer to land area but to landowners, and secondly, it specifically states that 61% of them owned *less* than one acre, not "around" one acre. Buttinger seems to have been unaware of the economic significance of a plot of *less* than one acre. See Joseph Buttinger, *Vietnam, A Dragon Embattled*, Vol. II; *Vietnam at War* (New York: Praeger, 1967), p. 912.

[24] Bernard Fall, "A 'Straight Zigzag': The Road to Socialism in North Vietnam", *Communist Strategies in Asia*, A. Doak Barnett, ed. (New York: Praeger, 1963), p. 216.

[25] Chi, *From Colonialism to Communism*, p. 149.

[26] George Carver, "The Faceless Viet Cong", *Foreign Affairs*, Vol. 44, No. 3 (April 1966), p. 353.

[27] Fall, *The Two Viet-Nams* (New York: Praeger, 1964), p. 159.

[28] *Ibid.*

[29] Fall, *The Viet Minh Regime*, p. 116.

[30] *Republic of Vietnam Nutritional Survey, October-December 1959*. U.S. Interdepartmental Committee on Nutrition for National Defense, Saigon, July 1960. Cited in Timothy Hallinan, *Economic Prospects of the Republic of Vietnam*, Rand Corporation Paper, P–4225, November 1969, p. 8.

[31] *Enquete sur la Consummation du Riz et des Conditions Sanitaires*, Institute de la Statistique, Republic of Vietnam, August 1963, p. 8.

[32] *Agricultural Economy of North Vietnam*, Economic Research Service, Foreign Regional Analysis Division, U.S. Department of Agriculture (Washington, D.C., 1965, p. 19.

[33] Henry, *op. cit.*, p. 334.

CHAPTER III. LAND REFORM POLICIES: MYTHICAL AND REAL

Secondary sources which have portrayed the North Vietnamese land reform as an ideologically-inspired campaign of mass murder have based their case almost entirely on Hoang Van Chi's supposedly authoritative account. An examination of the truth or falsity of the "bloodbath" allegation must begin, therefore, with Hoang Van Chi's description of the objectives and methods of the land reform.

That description can be briefly summarized in three basic assertions: 1) the Vietnamese Communist leaders, following the lead of their Communist mentors, used land reform as a means of physically liquidating the landlord and rich peasant classes; 2) in order to insure the completeness of the liquidation, they established arbitrary quotas of landlords to be discovered and executed in each village; 3) the murder and terror required to accomplish the task went so far as to engulf party members, resistance veterans and innocent people, with the result that tens or even hundreds of thousands of people were killed in a massive "bloodbath".

The central allegation in Chi's account is that the aim of D.R.V. leaders was the "liquidation of the defenseless landowning class".[1] In support of this charge, Chi quotes what he calls the "Famous slogan" of the Lao Dong Party regarding rural classes: "Depend completely on the poor and landless peasants, unite with the middle level peasants, seek an understanding with the rich peasants and liquidate the landlords." [2] The slogan in question was indeed "famous", since it represented the general policy of the party during the land reform, which every cadre was expected to understand thoroughly. But Mr. Chi misquotes the slogan and, in the process, completely misrepresents the D. R. V.'s policy toward the landlord class. The slogan actually said, "abolish the federal regime of land ownership in a matter that is discriminating, methodical and under sound leadership". [3] There was, in fact, no slogan calling on the people to "liquidate landlords".

This egregious misquotation puts in sharp relief Hoang Van Chi's attempt to distort the real objectives of the land reform, which were to abolish the hold of landlords over peasants and bring about a more equitable sharing of North Vietnam's agricultural resources. Although Hoang Van Chi's account puts great emphasis on the public denunciation and trial of landlords, it falsely portrays their actual function in the context of the D.R.V.'s basic policy toward the landlords.

Contrary to Mr. Chi's allegations, only those landlords who had committed serious crimes were to be publicly denounced by local peasants and put on trial. At the very beginning of the land reform process, in 1953, when peasants were first encouraged to denounce landlords who had committed crimes, *Nhan Dan* emphasized the need to avoid any indiscriminate attack on landowners. "The object of the struggle is not all the landowners but only those who refuse to abide by the policy, who refuse to reduce rents and debts", it stated. Those who essentially abided by the law, it added, "even though they have a few shortcomings", would be "pardoned".[4]

The August 1953 resolution of the Lao Dong Party Political Bureau, which set forth the political line to be followed during the land reform program, also makes clear the fundamental importance attached by the Viet Minh leaders to distinguishing among different kinds of landowners in order to avoid needlessly alienating those who had supported the resistance. "We must pay attention to distinctions in our actions regarding landowners", it stated, "fundamentally dividing the landowning class and patronizing in the correct manner those who have participated in the resistance, because the fewer enemies we have, the better." [5]

Policies toward the landlord class were to be based on a three-fold distinction, depending on both the past political attitudes and behavior of the landlord and whether or not he resisted the land reform program. Those who had actively participated in the struggle against the French were to be considered "resistance landowners" and were to receive special consideration and compensation in the redistribution of their excess land. Those who were not active in the Viet Minh but who did not resist the D. R. V.'s laws and had committed no serious offenses against peasants were to be classified as "ordinary landowners". They were to retain a piece of land to till themselves and could change their class status after three to five years of honest labor.[6]

A final category of landowners was reserved for "traitors," "reactionaries," and "dishonest and wicked notable"—those who had committed more serious crimes. As a pamphlet issued in 1954 by the National Peasants' Association explained: "A severe punishment is reserved for traitors, criminals, notorious citizens hated by local people, and reaction-army elements who try to destroy our resistance and land reform movements." Those who received hard labor sentences of more than five years, it said, would not receive any land, but their families were entitled to enough land for subsistence provided they were not accomplices in the land owner's crimes.[7]

The sentences which could be meted out to landowners who violated various laws in connection with the rent reduction and land reform campaigns were fixed by Decree 151 of April 12, 1953. Lesser offenses, such as demanding illegal rent or attempting to disperse land to evade the new law, were liable to punishments ranging from a warning to imprisonment up to one year. The destruction by a landowner of his own property "for the purpose of injuring the peasants or sabotaging production" was considered more serious and was punishable by imprisonment for a term from one to five years. Those actions aiming at disrupting the land reform through bribery, threats, rumors or other means were punishable by prison terms of three to ten years. And the most serious crimes, punishable by prison terms ranging from ten years to life or by death sentence, included "organizing armed bands and directing them in agreement with the imperialists and puppet administration in order to commit acts of violence; attempts upon the lives of peasants and experienced workers; arson and destruction of dwellings, warehouses, foodstuffs, crops, or irrigation works; instigation or direction of disorders".[8]

After the restoration of peace in 1954, in conformity with the Geneva Agreement's provision forbidding reprisals, the slogan "Overthrow traitors, reactionaries, and dishonest and wicked notables" was replaced by the slogan "Overthrow dishonest and wicked notables". The procedures in the mass mobilization campaign were also changed to forbid any general accusations of political crimes and to allow only civil and criminal charges to be brought against landlords.[9]

Far from assuming all landlords to be guilty of some crime, the party's expectation clearly was that the vast majority of them would be classified as "ordinary" landowners and would therefore be able to redeem themselves through labor on their own land. As the same government pamphlet explained, "The reason we give land to landlords is to open the way for them to work for a living and to reform. This is the humane policy of our government." [10] This basic policy, widely publicized in the Lao Dong party organs throughout the land reform, is far removed from the bloodthirsty objectives attributed to the party by Hoang Van Chi and others.

One of the standard allegations about the land reform, found in a number of sources, is that the D. R. V.'s leaders established in advance a "quota" of landlords to be denounced and executed in each village, which put pressure on cadres to "discover" landlords to be punished even where none in fact existed. The story first appeared in a July 1957, Time magazine article which clearly reflected the work of official propagandists in Saigon. Dramatically entitled, "Land of the Mourning Widows", it described how the land reform had turned into a "bloodbath" because "the prestige of each Communist cadre was made dependent on the number of landlords sent to the gallows".[11]

It seems to be more than coincidence that at about the same time as the Time article appeared, Hoang Van Chi was working on a book, published in January 1958, in which he claimed that the Lao Dong Party Central Committee had established a quota of five death sentences in every hamlet in North Vietnam. He further asserted that Chinese advisers not only had "taught the peasants how to classify the population" but also had controlled the whole land reform "point by point".[12]

In his later book Mr. Chi carried the story further and, in the process, contradicted his earlier version. Chinese advisers, he alleged, had insisted on a second classification of population, after the first one did not produce enough landowners to suit them. The result, he claimed, was that five times more landlords were found in each village and that the Central Committee then gave orders for an increase in death sentences from one to five per village.[13] Since the Vietnamese village is made up of several hamlets, this revised version of the "quota" allegation represented a significant retreat from his earlier claim that the quota was set at five per hamlet.

Hoang Van Chi's unsubstantiated account of landlord quotas was quickly picked up and presented as fact by other propagandists working to discredit the North Vietnamese leadership as blood-thirsty and dogmatic. Even before Mr. Chi's book was published in the U.S., a certain William Kaye, identified only as a "specialist in Asian and Communist agrarian problems"—the usual words used to conceal the identity of U.S. intelligence analysts—wrote, "A predetermined number of landlords had to be found in each village, even if they did not, in fact, exist." [14] The CIA's George Carver similarly charged that "each land reform team had a pre-assigned quota of death sentences and hard labor imprisonments to mete out and these quotas were seldom underfulfilled".[15]

A more important voice in swaying American public opinion was that of Bernard Fall. Apparently drawing upon Hoang Van Chi's account, he wrote, in *The Two Viet-Nams*, "Local party officials began to deliver veritable quotas of landlords and rich peasants, even in areas where the difference between the largest and smallest village plots was a quarter of an acre".[16] Thus the legend of the "landlord quotas" was well on its way to becoming history.

Scholarly objectivity, however, surely required more evidence than Hoang Van Chi's undocumented account before presenting the landlord quota story as fact. No one who was familiar with the concepts and methods employed by the Lao Dong Party or had studied the basic party and government documents of the land reform period could have seriously entertained the notion that Hanoi would call for the classification, arrest or execution of an arbitrarily high number of people.

In fact, the most comprehensive account of the land reform program available provides detailed evidence that the Party's policy was precisely the opposite of that attributed to it by Mr. Chi. Far from having demanded a "quota" of "dishonest and wicked notables" to be executed in each village, the party leadership acted at the beginning of the campaign to *limit* the number of landlords which could be brought before the public for denunciation and trial in any one village. The reason for this action, according to this account, was that during the preliminary phase of the rent reduction campaign, carried out in a few selected villages in 1953, the peasants were denouncing on the average from 10 to 15 landlords for crimes in each village.[17]

Fearing that the denunciation of this many landlords in the villages would complicate and lengthen the land reform campaign and arouse unnecessary opposition among potential allies in the landlord class, the Political Bureau decided in August 1953, to "narrow the attack". During the second phase of the rent reduction campaign the land reform cadres were ordered to bring only those landlords with the most serious or the most numerous charges against them before these public denunciation sessions.

Footnotes at end of chapter.

Specifically, each village was permitted to bring no more than three landlords before such denunciation sessions.[18] The other landlords accused of crimes were to be allowed to undergo self-criticism before the Province Administrative Committee and then to admit their mistakes before the village Congress of Peasants' Representatives, which would then demand that the landlords make restitution for any wrongs done to peasants.

As a result of this procedure, according to this D. R. V. account, each village in which the rent reduction campaign was carried out had an average of 2.1 landowners publicly denounced and tried. An average of 3.3 others were brought before the Congress of Peasants' Representatives on lesser charges.[19] In 1875 villages the number of landowners tried for serious crimes was 3938 or 8.8% of the total number of those classified as landowners.[20]

But, as we have already seen, only those crimes involving conspiring with the "imperialists and puppet administration," attempts on the lives of peasants or cadres, or destruction of public or peasants' property were punishable by prison terms longer than ten years. And the figures released by D. R. V. after the completion of the 1953-54 phase of the land reform in August 1954 show that death sentences represented under 10% of the total number of sentences handed down by the land reform courts. The statistics for 836 villages which had gone through the process of mass mobilization for land reform showed that a total of about 1350 landowners had been denounced for their crimes of whom 135 had been given death sentences, while about 1,200 were given prison terms.[21]

The story of "landlord quotas", therefore, is contradicted by the official documentary evidence concerning both the procedures for handling these landowners accused of crimes, and the actual number of landlords tried, sentenced and executed.

Hoang Van Chi's effort to portray the "quotas" as a result of Chinese Communist direction of the program must be seen in the context of the propaganda campaign carried out by the Diem government's psychological warfare organs during this period. Diem wanted to convince his own people and the American public that North Vietnam had fallen under the control of the Chinese Communists, hoping to exploit politically the animosity toward the Chinese prevalent in both countries. As early as August 1954, the newly-created Diem regime was already broadcasting a wholly fabricated story of 50,000 Communist Chinese troops in North Vietnam, along with Chinese advisers who, in the words of the anonymous scriptwriter, "demanded grand receptions with beautiful young girls to entertain them, rice and meat of quality, and so forth".[22] The same broadcast linked the supposed Chinese menace to North Vietnam with the land reform program, citing reports of 5,000 Chinese administrative cadre preparing to go to Vietnam to train Viet Minh land reform teams.

But in 1956, Saigon's propaganda began claiming that the Chinese advisers were actually running the North Vietnamese government. In August 1956, Diem's embassy in Washington carried an article in its weekly bulletin, News From Viet-Nam, which claimed reports by refugees from the North of great resentment on the part of North Vietnamese people toward the "bellicose, arrogant attitude of Red Chinese cadres who are entering North Vietnam in great numbers to take up important government and army positions".[23] Thus Hoang Van Chi's first published account of the land reform, written in 1957, put the Chinese advisers in charge of the program from the beginning and controlling it "point by point", and not merely training Viet Minh cadres.[24]

Hoang Van Chi's account of Chinese supervision over the land reform was promoted enthusiastically by certain American and British authors interested in portraying the D. R. V. as being under Chinese influence. The mysterious William Kaye, for example, wrote that the landlords were tried "under the watchful eye of Chinese advisers".[25] P. J. Honey, the British specialist on Vietnam who had introduced Hoang Van Chi's book to American readers, asserted that "each of the agrarian reform teams was advised and supervised by Chinese instructors."[26] George Carver of the CIA repeated the argument, although with some qualification, stating that "some" of the land reform teams "almost certainly had Chinese advisers".[27] By that time American propagandists were giving greater emphasis to the theme of supposed Chinese influence over the D. R. V., but even Carver apparently felt that Hoang Van Chi's allegation of the Chinese "point by point" control of the land reform program went too far.

Another class said to have been included in the D. R. V.'s plan for liquidation is the rich peasant class. According to Hoang Van Chi, this was accomplished simply by classifying all rich peasants and even "strong middle level peasants" and "landlords".[28] Bernard Fall made the same charge, writing that rich peasants, to whom he referred as "kulaks", were "disposed of in the usual way through land reform tribunals".[29]

The assertion that rich peasants as well as landlords were targeted for liquidation again misrepresents basic D. R. V. policies toward the wealthier strata of the rural population. During the resistance against the French, the rich peasants, like elements of the landlord class, were viewed by the party leadership as basically "anti-imperialist" and were thus allies of the party within the "National United Front".[30] But there was a second reason for a conciliatory policy towards the rich peasant class, even during the land reform campaign. For the rich peasants were, in Marxist-Leninist terms, essentially "capitalist" rather than "feudal" in character, since the exploited other pesants primarily by hiring their labor rather than renting land to them.[31] For both of these reasons, therefore, the rich peasants were not a target of the land reform campaign.

On the contrary the policy during the land reform was summarized by the slogan "ally with the rich peasant". Even though some rich peasants had collaborated with the French, and like landlords, had abused poor peasants in the past, the Party Central Committee ordered that no rich peasants be brought before the public to be denounced. Again the purpose was to "narrow the struggle" and to concentrate exclusively on the "dishonest and wicked notables" of the landlord class.[32] No land belonging to rich peasants was to be confiscated unless it was rented out to poor peasants, while the hiring of labor was to be allowed to continue. Moreover, rich peasants were to be allowed to vote and to be elected to village people's councils.[33]

Hoang Van Chi's final charge about the land reform program is that it was accompanied by a "deliberate excess of terror" which would "annihilate" any adverse reaction.[34] As evidence of this intention, Mr. Chi alleges the land reform campaign used the slogan "Better kill ten innocent people than let one enemy escape".[35] This alleged slogan, which bears no resemblance to any public statement by the D. R. V. or the Lao Dong Party, was first published in 1957, not in Hanoi, but in the official newspaper of Ngo Dinh Diem's National Revolutionary Movement, *Cach Mang Quo Gia*.[36] It was said to have been quoted in a speech delivered in Hanoi by Professor Nguyen Manh Tuong of the Faculty of Pedagogy of the University of Hanoi.

The authenticity of this document, however, is doubtful, for the evidence indicates that it was fabricated by the Saigon regime for psychological warfare purposes.[37] In publishing the text of the alleged speech in *The New Class in North Vietnam*, Hoang Van Chi explained that it "fell into the hands of a Vietnamese correspondent in Rangoon, who sent it to Saigon where it was published in full in many papers".[38] In response to questioning about this story, however, Mr. Chi admitted that he received his own original copy of the document, not from a Vietnamese correspondent or a newspaper, but from an official of the psychological warfare office of the Ministry of Information several months before it was ever published in the Saigon press.[39] In fact, the "document" appears to have been used with great effectiveness by Diem's psychological warfare specialists in selling *Time* magazine the idea that the land reform was carried out with a "deliberate excess of terror". *Time* used the "better kill ten innocent" slogan and attributed it to Politbureau member Truong Chinh himself, apparently without checking on the quotation's origin.[40] Finally it found its way into official U.S. propaganda: the CIA's George Carver cited this alleged slogan as the one which guided the land reform program.[41]

Hoang Van Chi's portrayal of the land reform as a dogmatic plan to liquidate landlords by means of arbitrary quotas and a "deliberate excess of terror" thus completely misrepresents both the policies and procedures of the D.R.V. land reform program. The allegations which form the core of the myth of the "bloodbath" turn out upon investigation to be based on misquotation, a crucial document emanating from the Diem government rather than from Hanoi, and his own self-contradictory testimony.

None of these allegations is supported by a single authentic document. On the contrary, the documents which are available tell a completely different story. They show that the D. R. V. policy was to punish only those landlords who had committed the most serious crimes and to make it possible for the vast majority of the landlords to become productive citizens. They also show that the death sentence was used in only a small fraction of the trials of "dishonest and cruel notables".

The land reform policy which thus emerges from the evidence is one characterized by caution, practicality and the desire to prevent unjust and needless loss of life or liberty. It must be considered a major failure of Western scholarship that the widely-used sources on the land reform fail to reflect this well-documented reality.

FOOTNOTES

[1] Hoang Van Chi, *From Colonialism to Communism*, p. 158.

[2] *Ibid.*, p. 165.

[3] See the communique of the Lao Dong Party Central Committee Vietnam News Agency, Radio Hanoi, October 29, 1956. The slogan, "Overthrow the reactionary traitors and cruel notables" was also used until after the Geneva Agreement, but this is quite different from "Liquidate the landlords". See Tran Phuong (ed.), *Cach Mang Ruong Dat*, pp. 115 and 141.

[4] *Nhan Dan*, June 1–5, 1953, in *Quoc Khang Chien*, pp. 57–58.

[5] Tran Phuong (ed.), *Cach Mang Ruong Dat*, p. 144.

[6] *Ibid.*, p. 158.

[7] *Lay Ruong Cua Ai? Chia Ruong Cho Ai? (Whose Land Will Be Taken? To Whom Will It Be Given?)*, National Peasants' Liaison Committee, Democratic Republic of Vietnam, Hanoi, 1954. Translated in *Planning for Land Reform*, Translation Series No. 21, Institute of Advanced Projects, East-West Center, Honolulu, 1967, p. 52.

[8] The complete text of the decree may be found in M. A. Gel'fer, *Criminal Legislation in Foreign Socialist States* (State Publishing

House of Juridical Literature, 1957), pp. 88–89. Translated by Joint Publications Research Service, December 5, 1958 (DC–408).

[9] Tran Phuong (ed.), *Cach Mang Ruong Dat*, pp. 129–130. Anita Lauve Nutt of the RAND Corporation has argued that the land reform program was merely a cover for political reprisals against those who had worked for the French. *On the Question of Communist Reprisals in Vietnam*, RAND Corporation P–4416, August 1970, p. 4. But like Hoang Van Chi and Bernard Fall, she seriously distorts a major document of the land reform. She asserts that the Population Classification Decree of 1953 "clearly indicated that all 'wicked landowners' who had to be eliminated were also 'traitors', i.e., French collaborators." The reader will find no such indication in the decree, which is published in full in Fall, *The Viet Minh Regime*, Appendix IV, pp. 172–178.

[10] *Lay Ruong Cua Ai?*, loc. cit.

[11] *Time*, July 1, 1957, p. 27.

[12] Hoang Van Chi, *The New Class in North Vietnam*, pp. 5–7.

[13] Hoang Van Chi, *From Colonialism to Communism*, p. 166.

[14] William Kaye, "A Bowl of Rice Divided: The Economy of North Vietnam", in Honey (ed.), *North Vietnam Today*, p. 107.

[15] Carver, *op. cit.*, p. 353.

[16] Fall, *The Two Viet-Nams*, p. 155. Although Fall did not cite any source for his "landlord quota" charge in this popular American work, he had cited Mr. Chi's *The New Class in North Viet-Nam* as a primary source on the land reform in North Vietnam in earlier work in French. See Fall, *Le Viet Minh* (Paris: Librarie Armand Colin, 1960), p. 291, note. 35.

[17] Tran Phuong (ed.), *Cach Mang Ruong Dat*, p. 25.

[18] *Ibid.* Only those villages which had a population of more than 10,000 people were allowed to bring four or five landlords before public denunciation sessions. (The average population of a village in North Vietnam is approximately 3,000 people.)

[19] *Ibid.*, p. 126. The figure of 2.1 public denunciations for the average village during the mass mobilization for rent reduction is consistent with figures for several provinces published at the time. In Thanh Hoa province, where Hoang Van Chi was teaching school in 1954, it was reported that in 78 villages a total of 187 "dishonest and wicked notables" had been denounced for their crimes", while in Nghe An and Ha Tinh, a total of 189 landowners were denounced publicly. Dividing the total numbers of landlords denounced by the number of villages, we get averages of 2.4 per village in Thanh Hoa and 2.2 per village in Nghe An and Ha Tinh. *Nhan Dan*, April 1–3, 1954 and August 1–3, 1954.

[20] *Ibid.*

[21] Radio Hanoi, August 25, 1954, cited in J. Price Gittinger, "Communist Land Reform in North Vietnam", p. 116. *Nhan Dan*, August 13–16, 1954, reported figures of 1,215 landowners denounced publicly in 826 villages.

[22] Saigon Radio, August 6, 1954.

[23] *News from Viet-Nam*, August 4, 1956.

[24] Cf. note 12.

[25] Kaye, loc. cit.

[26] P. J. Honey, *Communism in North Viet-Nam*, p. 12.

[27] Carver, loc. cit.

[28] Chi, *From Communism to Colonialism*, p. 166.

[29] Fall, "A Straight Zigzag,'" p. 217.

[30] A major party document dated 1946 described the party's policy toward rural classes during the resistance with the following slogan: "Rely on the middle poor peasants, unite with the rich peasants, isolate the landowners and oppose the French imperialists." See "Tinh Hinh va Nhiem Vu De Cuong Dua Ra Dai Hoi Toan Quoc" (Situation and Tasks to be Presented to the National Congress), in Documents on Vietnamese Communism, Wason Film, 2584, Cornell University Library.

[31] Tran Phuong (ed.), *Cach Mang Ruong Dat*, pp. 142–143; Tran Phuong, "The Land Reform," *Pages of History*, p. 183; *Nhan Dan*, September 11–15, 1953, in *Quoc Khang Chien*, p. 121.

[32] Tran Phuong (ed.), *Cach Mang Ruong Dat* p. 125.

[33] *Ibid.*, p. 144; *Nhan Dan*, June 1–5, 1953, in *Quoc Khang Chien*, p. 58.

[34] Hoang Van Chi, *From Colonialism to Communism*, p. 211.

[35] *Ibid.*, p. 167 and 213.

[36] Hoang Van Chi, *The New Class in North Vietnam*, p. 134.

[37] The fabrication of documents attributed to the Communists is normal practice in South Vietnam. In 1970, the Ministry of Information distributed a leaflet comparing land reform programs in North and South Vietnam which quoted Truong Chinh as saying over Hanoi Radio on October 30, 1956: "The total number of innocent people who were killed after each phase of denunciation was 200,000". Republic of Vietnam, Ministry of Information, "Comparison of Land Reform Policies of South Vietnam and North Vietnam", December 1, 1970. (English translation by the Ministry). A check of *Nhan Dan*, Radio Hanoi and Vietnam News Agency confirms that no such statement was made.

[38] Hoang Van Chi, *loc. cit.*

[39] Interview with Hoang Van Chi, May 26, 1972. Tran Van Dinh, who was South Vietnamese Consul General in Rangoon in 1957 and is now living in Washington, D.C., says that the document originated in Dr. Tran Kim Tuyen's "Office of Social and Political Research", a cover for Diem's secret police and counterintelligence agency. According to Dinh, it was sent by Dr. Tuyen's office to all Embassies. Interview, Washington, D.C., April 27, 1972.

[40] *Time*, July 1, 1957, p. 26.

[41] Carver, *op. cit.*, p. 355.

CHAPTER IV.—ERRORS: MYTHICAL AND REAL

Hoang Van Chi has put great emphasis on the supposed public admissions by D. R. V. leaders and press of massive and indiscriminate executions during the land reform as irrefutable evidence that there was indeed a "bloodbath" in the North. He quotes from what he claims are D. R. V. documents which appear to make such admission, and Bernard Fall and J. Price Gittinger have cited other such documents in characterizing the land reform. These alleged admissions have played an important role in causing American readers to accept uncritically the "bloodbath" myth.

Mr. Chi and other authors have capitalized on the fact that, three months after the land reform was completed, the Lao Dong party leadership launched a major campaign for the "rectification of errors" committed during the land reform. That unprecedented campaign, which followed months of open criticism in *Nhan Dan* of the implementation of the land reform program in many areas, was begun with a series of statements by party and governmental leaders admitting that "serious mistakes" had been committed.

But it is important to examine carefully what the documents admitting these mistakes actually did say and what they did *not* say. For it will be seen that these statements do not confirm Hoang Van Chi's charges of indiscriminate killing of innocent people. Like his description of the party's policies regarding land reform, Mr. Chi's account of the admission of errors of the land reform systematically distorts key D. R. V. documents.

Well before the land reform was completed at the end of July 1956, the process of correcting the mistakes of the land reform was already begun, though in an unsystematic fashion.[1] Three months after the end of the land reform campaign, however, the party leadership decided that the correction of the errors had to be a top priority program, and that it had to be based on clear directives from the top. At the end of October 1956, therefore, the party Central Committee began the campaign for "rectification of errors" of the land reform, formally admitting the mistakes and placing primary responsibility for the errors on the officials assigned to supervise the whole process. As *Nhan Dan* editorialized, "The mistakes were due to shortcomings in leadership as a consequence of which a number of policies advocated either were not sufficiently concrete or were not carefully worked out." Because of "shortcomings in the guidance of the application of policies," it continued, there was "insufficient understanding of many policies of the Central Committee," and the land reform administration "formed a separate system with excessively broad powers."[2]

Responsibility for guidance and control of the land reform and the party reorganization which accompanied it fell upon certain members of the Central Committee, and as a result of the errors, those members were forced to step down from their positions. The Ministers of State for Agriculture and Interior were forced to resign. Truong Chinh, considered by the Central Committee to bear overall responsibility for the mistakes as Secretary General of the Party, submitted his resignation after undertaking self-criticism before his colleagues.[3]

According to the party's own account, the failure of leadership had left the way open for the least politically conscious and least reliable elements of the poor peasant class to control the conduct of the land reform program in many villages. The cause of this development is easily explainable: throughout the resistance war the tendency of party cadres had been to compromise with the wealthier rural strata, even at the expense of the poor peasants' interests. When the rent reduction and land reform campaign began, therefore, land reform cadres were urged by the party to avoid this "right deviation".[4] As a result, the cadres swung to the other extreme of "left deviation", giving complete freedom to the poorest peasants to satisfy their immediate economic and political interests, often at the expense not only of landowners but of rich and middle peasants, including resistance fighters and party members.[5] In the words of a later D.R.V. account, the cadres were guilty of "following the masses" rather than "standing solidly on the position of the party".[6]

Often this meant that the land reform teams sent to the villages did not rely on local party cadres who had been trained during the resistance—even those from the poor peasant class—but turned instead to poor peasant elements who had previously been relatively inactive in the revolution.[7] These peasants, given a significant political role in their villages for the first time, apparently abused it in a variety of ways: guidelines put out by the Central Committee for dealing with landowners, rich peasants and middle peasants were systematically violated; proper distinctions were not made among landowners on the basis of their political attitudes; rich peasants were treated as landowners, and middle peasants were discriminated against; crop areas and land yields were overestimated and peasants often classified in a higher social stratum than was justified. Poor peasants not only denounced landowners who had committed crimes against them but also unjustly classified landowners as "dishonest and wicked notables" in order to make more land available for distribution.[8]

Similar political tendencies created seri-

Footnotes at end of chapter.

ous problems for a parallel effort to reorganize local party branches by taking in large numbers of poor peasants. Many of the older, better trained, party cadres were attacked by newcomers as reactionaries, forced out of the party and even jailed, with the result that some of the oldest party cells were left in disarray and some even dissolved completely.[9]

As if the combination of land reform and party reorganization were not enough, beginning in late 1955, the land reform cadres were also given the task of uncovering "counterrevolutionaries" in the villages. Convinced that the Diem regime and its American sponsors would try to leave espionage and sabotage organizations in the North after the departure of the French Union Forces, the Central Land Reform Committee decided in August 1955 to combine the land reform campaign with "repression of counterrevolutionaries".[10] And this decision exacerbated the existing tendencies of the newly powerful groups in the villages to attack already established party members as well as ordinary citizens. As the Central Committee of the Party said in its communique, "Land reform cadres wrongly estimated the force of the enemy. Many of them failed to distinguish the stubborn reactions of the most refractory elements of the landlord class from the strained and intricate situation due to the bad application of the party's line and policies."[11] In other words, protests against abuses by the land reform cadres too often resulted in the protesters being jailed merely on suspicion of being "counterrevolutionaries" or "saboteurs". By September 1956, the Central Committee realized that the combining of land reform and "repression of counterrevolutionaries" had been a major error which had increased the level of confusion and conflict in both land distribution and party reorganization.[12]

But although grievances caused by the errors of the land reform were widespread in the countryside, the only documented case of open violence against the D.R.V. which has been linked to the land reform program actually occurred more than three months after the land reform was completed. The violence invovled four predominantly Catholic villages in Quynh Luu district, Nghe An province, in which violations of party policy respecting freedom of worship may have further strained already tense relations between the D.R.V. and Catholics.[13] But there is solid evidence from International Control Commission reports on the district that, although there was probably widespread resentment among Catholics at having been prevented from emigrating to the South, there was no pattern of violence against Catholics during the period of the land reform. In 1957 the I.C.C. reported receiving nearly 1,000 petitions from persons in Quynh Luu district, who unsuccessfully had applied for permits to move to the South. But not one petition was received alleging political reprisals in the form of imprisonment or execution.[14]

The Party leadership clearly viewed the implementation of the land reform as an administrative disaster which had caused a serious political setback in the short term. It had seriously damaged many local party branches as well as harmed the prestige of the party in general. But the admission of these errors and their consequences, embarrassing though it was, provides no support to the "bloodbath" myth. For the documents of the period contain no indication that the party had ever wavered from its original objectives, or that the execution or imprisonment of innocent people had been officially encouraged.

Moreover, although the D. R. V. government pledged to make full restitution in cases of unjust imprisonment or execution,[15] there is no documentary evidence that there had been the kind of indiscriminate execution of innocent people so often alleged. Hoang Van Chi and others have not, in fact, used the actual texts of documents relating to the errors of the land reform campaign but have used instead gross mistranslations and misrepresentations of these documents.

The most serious case of such misrepresentation is Hoang Van Chi's translation of General Vo Nuygen Giap's speech of October 29, 1956, in which he discussed the resolution of the Tenth Central Committee Congress.[16] This document is especially significant, because it was the first major discussion by a high party official of the mistakes committed during the land reform program. As translated by Hoang Van Chi, the most important passages in the speech are those in which Giap appears to admit not only that the mistakes outlined above had been committed, but also the use of terror, as well as torture and murder of innocent people were normal practices which had simply been carried "too far" in the land reform.

According to Mr. Chi's translation, Giap said: "We made too many deviations and executed too many honest people. We attacked on too large a front, and, seeing enemies everywhere, resorted to terror, which became far too widespread." And in another passage, General Giap is quoted as saying: "Worse still, torture came to be regarded as a normal practice during party reorganization". Mr. Chi's translations imply that the execution of innocent people was part of the plan, since the error is said to lie in executing "too many honest people". Likewise, the impression is conveyed that terror was tolerated, if not encouraged, but that it became "too widespread", going beyond the bounds set by the party leadership.

But a careful study of the original text of Giap's speech reveals that Mr. Chi's translation is one of his most flagrant abuses of documentary evidence. An accurate translation of the first Giap statement cited above is: "We committed deviations in not emphasizing the necessity for caution and for avoiding the unjust disciplining of innocent people. We attacked on to wide a front, and used excessive repressive measures on a wide scale."[17] The second passage should have been translated: "Even coercion was used in order to carry out party reorganization".

Thus Mr. Chi's translation contains no less than eight significant mistranslations in three crucial sentences, which have the cumulative effect of substantially altering the meaning of Giap's statement. (See comparisons.)

GIAP'S SPEECH ON LAND REFORM ERRORS

Accurate translation

"Committed deviations . . ."

". . . in not emphasizing the necessity for caution and for avoiding . . ."

". . . the unjust disciplining of innocent people . . ."

(Not in original)

". . . used excessive repressive measures . . ."

". . . on a wide scale."

". . . even coercive measures . . ."

". . . were used to carry out party reorganization."

Chi's translation

"We committed too many deviations. . ."

(Omitted)

"And executed too many honest people . . ."

". . . seeing enemies everywhere . . ."

". . . resorted to terror . . ."

". . . which became far too widespread."

". . . worse still, torture . . ."

". . . came to be regarded as normal practice during party reorganization."

Giap is made to appear as admitting that the party had used murder and terror against innocent people in the implementation of land reform.[18] This distortion by mistranslation has undoubtedly convinced those who could not translate the original Vietnamese text that the party did indeed use a "deliberate excess of terror". In fact, Hoang Van Chi's translation provided such good anti-Hanoi propaganda that the Department of State, in drawing up its March 1966 legal brief to justify U.S. intervention in Vietnam, cited it as evidence that "Communist leaders were running a police state in which execution, terror and torture were commonplace . . . ."[19]

In his attempt to find party documents showing evidence of mass executions of innocent people, Hoang Van Chi also quotes a Nhan Dan article as saying:

"Nghe An is the province in which party organizations existed as early as 1930. But it is in the same province that the most serious mistakes have been made, and the greatest number of party members have been executed during the land reform."[20]

But the only article in *Nhan Dan* which refers to land reform in Nghe An says merely that "serious mistakes" had been committed in Interzone Four which had caused "heavy losses and pain" to the party branches in that region. The article continued:

"There are party branches established in 1930 in Nghe An and Ha Tinh, challenged during the resistance in newly liberated villages in Quang Binh, or matured in the movement to serve the front lines in Thanh Hoa, which have been dissolved."[21]

Nowhere in this discussion of the mistakes committed in Nghe An and other provinces of Interzone Four—or in any other article of the period—is there any sentence remotely resembling the one quoted by Hoang Van Chi, nor is there any reference to executions of party members. One is forced to conclude, therefore, that Mr. Chi's quotation is fraudulent.

Other American scholars misrepresented the documents dealing with the correction of errors because they could translate the documents themselves and relied on translations provided in Saigon. It is now apparent that from the 1956–57 period a number of the articles in *Nhan Dan* were seriously "doctored" in the process of translation and summarization by Vietnamese personnel.

Bernard Fall's brief account of the North Vietnamese land reform in *The Two Viet-Nam's* is marred by his use of one such translation. He cites a *Nahn Dan* article which, in his words, "openly admitted that loyal party members, including UBKC [resistance committee] chairmen, had been executed and besmirched."[22] But the text of the article to which he refers, a long, detailed and critical account of the implementation of land reform in To Hieu village, Ha Dong province, does not support this characterization.[23] It discusses the injustices done to many peasants, including party members and leaders, who were arrested on suspicion of sabotaging the land reform program, as well as other mistakes, but it makes no mention of executions of these persons. As for the local party secretary in To Hieu, (not the Chairman of the resistance committee as stated by Fall), he was indeed unjustly convicted of being a "dishonest and cruel notable", and of having led an "organization of saboteurs". But, he was not executed. On the contrary, after it was discovered by higher officials that his arrest was a mistake he was elected to represent the village in the province conference on land reform.

The fact that the substance of this *Nhan Dan* article was completely misrepresented does not mean, of course, that no party member or resistance veteran was unjustly executed. But it is indicative of the way in which the popular image of the land reform has been shaped by nonexistent or distorted documents that this same article was later cited by historian Joseph Buttinger as evidence for his charge that the Lao Dong party did nothing to control the "murderous momentum" of the land reform program.[24]

Another American source which has contributed to the "bloodbath" myth by distort-

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Footnotes at end of chapter.

ing the documents of the "mistakes correction" campaign is the 1959 study by J. Price Gittinger, U.S. land reform adviser in Saigon at the time. Gittinger's article is often cited as an authoritative work on the North Vietnamese land reform because it cites numerous articles from *Nhan Dan*. But, like Bernard Fall, Gittinger could not read Vietnamese himself, and so he relied on the translations made available by the U.S. mission. Unfortunately, some of the reports from *Nhan Dan* which he uses to prove indiscriminate executions had been substantially altered in the translation.

The most serious of these cases involves an August 1957 article in *Nhan Dan* which, according to Gittinger, admits that "30 percent of the persons convicted as landlords were erroneously condemned".[25] As stated by Gittinger, the statement makes no sense since individuals were not "convicted" or "condemned" solely because they were landlords, but only for having committed specific crimes. The *Nhan Dan* article refers neither to the number of erroneous classifications *nor* to the number of erroneous convictions. What *Nhan Dan* said was: "The reclassification of those wrongly classified as landlords is being carried out rather fundamentally. Every village has corrected some mistakes. Some have corrected their mistakes relatively less, about thiry percent, while other have corrected over fifty percent of them".[26]

But like the story of landlord "quotas," this alleged percentage of innocent victims of the land reform was to become part of the official myth. It was repeated by the unidentified "specialist," William Kaye, who wrote in 1962: "Some years later it was admitted by the D.R.V. that nearly one-third of the persons tried and convicted as landlords had been condemned in error." [27]

Still another frequently-cited "fact" about the correction of errors campaign also turns out, on closer examination, to be without foundation. Hoang Van Chi claims that General Giap referred in his October 1956 speech to 12,000 party members, wrongly imprisoned in the course of the land reform, who would be released.[28] Carver also calls forth this "fact" in his denunciation of the land reform, citing the same document.[29] But a careful reading of the original text reveals that Giap made no mention of the number of party members or prisoners unjustly jailed and about to be freed.[30] In December 1956, Truong Chinh did refer to the release of 12,000 persons, but this was in the context of the government's three-phase review of all individuals imprisoned as a result of the land reform. In the first phase, those who had been wrongly arrested during the land reform and the party reorganization were released, along with all prisoners over sixty years of age; in the second phase those who had committed crimes not considered serious enough to warrant imprisonment were released; in the third phase, those who had committed serious crimes which could be commuted were released.[31] So the 12,000 figure refers not to party members imprisoned but to all those who were released from prison, for whatever reason, after the land reform.

Time magazine also misrepresented the 12,000 figure, asserting that the D.R.V. had announced the release of 12,000 "peasants".[32] Even more serious, however, was its report that "some 15,000" people had been killed in error during the land reform.[33] This figure was then used by Gittinger, who gave it the status of an "estimate".[34] It should have been disregarded as meaningless, however, since it was not based on any specific evidence and did not quote a known and credible Vietnamese source. The serious attention given to such an anonymous "estimate" was characteristic, unfortunately, of the casual way in which journalists and scholars treated the land reform.[35]

The campaign to correct the errors of the land reform, from which the "bloodbath" myth has claimed to draw much of its damning evidence, thus takes on a different aspect under careful and detailed examination. What the documents say, in fact, is quite different from the misleading impression conveyed in the literature on the land reform. The evidence simply does not support the charge that there was a D.R.V. policy of systematic, massive executions of innocent people.

FOOTNOTES

[1] See for examples, *Nhan Dan*, June 29, 1956; August 20, 1956; August 24, 1956, September 6, 1956; September 8, 1956.

[2] *Nhan Dan*, October 30, 1956, carried by Vietnam News Agency, Hanoi Radio, October 30, 1956.

[3] *Ibid.*

[4] See for example, the article "Correct Mistakes of Rightist Thinking" in *Nhan Dan*, January 13, 1956.

[5] Tran Phuong (ed.) *Cach Mang Ruong Dat*, p. 197.

[6] *Ibid.*

[7] *Ibid.*, p. 189.

[8] *Ibid.*, pp. 190–191. *Nhan Dan*, August 24, 1956 and October 30, 1956.

[9] *Nhan Dan*, July 2, 1956; October 7, 1956, November 22, 1956. Vietnam News Agency, Radio Hanoi, November 1, 1956.

[10] Tran Phuong (ed.), *Cach Mang Ruong Dat*, p. 167. This campaign to uncover subversives in the newly liberated areas, although exaggerated and ultimately self-defeating, was based on real fears of sabotage of the land reform campaign by agents of the Diem government or the Americans. In March 1956, *Nhan Dan* reported that in Ha Dong province someone was "spreading the rumor that U.S.-Diem troops are about to come, and you'll have to move again, so the land reform is not final." *Nhan Dan*, March 2, 1956.

[11] Communique of the Central Committee, October 29, 1956, Vietnam News Agency, Radio Hanoi, October 29, 1956.

[12] *Cach Mang Ruong Dat*, p. 188.

[13] Little reliable information is available concerning the so-called "Quynh Luu Revolt" of November 1956. The versions of the incident given by Fall and by the Diem government agree in emphasizing that the denial of permission to move to the South was a major factor in the revolt. See Fall, *The Two Viet-Nams*, p. 156; *News From Viet-Nam*, December 1, 1956, p. 3. The D. R. V. version admits that "reactionaries" had "availed themselves of the mistakes committed in the Agrarian Reform in the Catholic compatriots area to arouse dissatisfaction among a number of compatriots. . . ." *Vietnam News Agency*, Radio Hanoi, November 16, 1956. The Diem government claimed that "several hundred" people were killed by government troops during the fighting while the D. R. V. version claimed "a few" persons were killed or wounded. The truth is undoubtedly somewhere in between.

[14] *Eighth Interim Report of the International Commission for Supervision and Control in Vietnam* (Vietnam No. 1 [1958] Command Paper, 509). London: Great Britain Parliamentary Sessional Papers, XXX (1957/58), p. 8.

[15] See the statement by the D.R.V. government before the 6th Meeting of the National Assembly, *Nhan Dan*, January 4, 1957.

[16] Hoang Van Chi, *From Colonialism to Communism*, pp. 209–210. Mr. Chi inaccurately refers to it as a speech read before the 10th Congress of the Central Committee. In fact, it was read before a public meeting of the citizens of Hanoi, according to the official text.

[17] The complete text of Giap's speech is published in *Nhan Dan*, October 31, 1956. The translation is my own, but has been checked with several Vietnamese for accuracy.

[18] When I interviewed Hoang Van Chi in May 1972, I questioned him about his inaccurate and misleading translation of several words. He defended his translations by saying: "I tried to convey the real meaning more than the literal translations". He asserted, moreover, that this was the practice followed by all Vietnamese working for the Voice of America in translating communist documents.

[19] Department of State, Office of the Legal Adviser, "The Legality of United States Participation in the Defense of Vietnam", March 4, 1966 (mimeo), p. 33.

[20] *From Colonialism to Communism*, p. 225.

[21] *Nhan Dan*, November 22, 1956. There was no article even vaguely resembling the one described by Hoang Van Chi in the November 21 issue cited in his footnote.

[22] Fall, *The Two Viet-Nams*, p. 158.

[23] *Nhan Dan*, August 24, 1956.

[24] Joseph Buttinger, *Vietnam: A Political History* (New York: Praeger, 1967), p. 196.

[25] Gittinger, *loc. cit.*

[26] *Nhan Dan*, August 13, 1957.

[27] Kaye, *op. cit.*, p. 108.

[28] Hoang Van Chi, *From Colonialism to Communism*, p. 214.

[29] Carver, *loc. cit.*

[30] *Nhan Dan*, October 31, 1956.

[31] *Thoi Moi*, December 4, 1956.

[32] *Time*, July 1, 1957, p. 27.

[33] *Ibid.*

[34] Gittinger, *op. cit.*, p. 116.

[35] Journalist Tibor Mende also claimed that from 12,000 to 15,000 persons were killed in error, citing anonymous "estimates worthy of confidence". "Les Deux Vietnams: Laboratoires de l'Asie", *Esprit* (June 1957), p. 941. It is questionable journalism in such politically sensitive matters for the writer to usurp from his readers the right to judge the credentials of the source of such an "estimate". Either there is a compelling reason for the anonymity of the source, in which case the reason should be explained, or the source should be identified.

CHAPTER V. THE "ESTIMATES": QUANTIFYING THE MYTH

By his systematic distortion of the basic facts of the land reform, Hoang Van Chi laid the basis for public acceptance of certain irresponsible figures on the number of deaths caused by the land reform. These figures, for which neither concrete evidence nor explanation have ever been offered, were based in each case on wholly subjective judgment, false information and assumptions, or simple propaganda. Yet they represent virtually the only data available to most Americans on the D.R.V.'s land reform.

The most frequently used figure has been the one given by Bernard Fall, who wrote: "The best-educated guesses on the subject are that probably close to 50,000 North Vietnamese were executed in connection with the land reform and that at least twice as many were arrested and sent to forced labor camps".[1] Over the years this 50,000 figure has taken on an authoritative aura which was wholly unwarranted. For it was strongly influenced by his erroneous assumption that the D.R.V. leaders had the objective of liquidating whole economic classes. It may not be merely coincidence that *Time* magazine's mythical 15,000 landowners killed in error combined with Gittinger's mythical 30% of all landowners "erroneously condemned" happens to add up to the figure of 50,000 dead. In any event, all these figures were based on fiction rather than fact.

Other estimates which have been put forward have been more consciously political in character. The figure of 100,000 was given by a French history teacher, Gerard Tongas, who remained in Hanoi after the Geneva Agreement. Tongas returned to Paris in 1960 to write a heavy-handed diatribe entitled, *I Lived in the Communist Hell in North Vietnam and I chose Freedom.*[2] Like Hoang Van Chi, he makes no pretention of objectivity, not does he claim to have made a serious study of the objectives and procedures of the land reform, which he calls a "v[illegible] and fantastic swindle".[3] His information on the land reform appears to have been acquired from the Franchophile members of the Vietnamese bourgeoisie in Hanoi, who, according to Tongas, longed for the overthrow of the D. R. S. so that they could send their children to French schools.[4] His claim of 100,000 deaths thus represents the figure circulated by those who still hoped for a return to the status quo of the colonial period.

But it remained for Hoang Van Chi himself to provide American propaganda on the land reform with its most shocking "estimate". After asserting that "nobody has been able to assess accurately the exact number of deaths" from the land reform,[5] he casually refers in a later chapter to "the massacre of about 5 percent of the total population".[6] Based on a total estimated population of about 13.5 million in 1956, this would have represented a total of 675,000 people.

Mr. Chi offers no justification for this allegation, but he suggests at one point that most of the deaths were those of children who starved "owing to the 'isolation policy' ".[7] This is yet another of the many wholly unsubstantiated charges put forth by Mr. Chi, for there was no such policy of isolating families, even of those landlords sentenced for serious crimes during the land reform. As the official party organ, *Nhan Dan*, stated in June 1956, ". . . if the family is one of a dishonest and wicked notable, who has been sentenced to imprisonment, there should be no contact with the person imprisoned, but there can be visits with the other members of the family".[8] The picture of hundreds of thousands of innocent children being systematically starved to death is so absurd, in fact, that no secondary source has dared to use it. Yet it is mainly on the basis of Mr. Chi's totally unreliable account, the intention of which was plainly not historical accuracy but propaganda against the D. R. V., that the President of the United States himself has told the American people that "a half a million, by conservative estimates . . . were murdered or otherwise exterminated by the North Vietnamese. . . ."[9]

As against the subjective "guesses" cited above, the statistics which have been published by the D. R. V., though admittedly incomplete, provide a better basis for estimating the number of executions. We have already mentioned the directive of the Lao Dong Political Bureau of August 1953 which limited the number of landlords who could be publicly denounced and tried in each village to a maximum of three. The average number of landlords denounced and tried per village in the 1875 villages covered by the rent reduction campaign was 2.1, according to the D. R. V. study, for a total of 3938.[10] It has also been pointed out that a radio broadcast at the time reported 135 of the first 1350 landowners denounced and tried, or about 10%, received the death sentence. If this proportion were generally applied in all 1875 villages covered by the rent reduction campaign, the total number of death sentences would have been about 400.

In 1778 other villages, the land reform was carried out without the intervening phase of mass mobilization for rent reduction. No data is available from D. R. V. sources on the number of landlords sentenced in these villages or the proportion of those sentenced to death. The D. R. V.'s account of the land reform suggests that the most numerous mistakes of classification and of accusation were committed after June 1955 as the Party's supervision of land reform teams began to lag behind the pace of implementation in newly liberated areas.[11] It is worth noting, however, that even if the number of death sentences in these 1778 villages was three times more than the number of the first 1875, the total for the entire land reform would still have been less than 2,500. The available official documentation thus suggests from 800 to 2,500 executions during the land reform as a realistic estimate.

Further support for this estimate comes from a surprising source—an official document issued by the Diem government in July 1959. In its formal attack on the D. R. V. with regard to the Geneva Agreement, the Republic of Vietnam published figures which it claimed were the total number of sentences to death and hard labor for life in several provinces during North Vietnam's land reform. The figures were as follows:[12]

Phu Tho: 88 death sentences; 72 hard labor for life.

Bac Giang: 54 death sentences; 27 hard labor for life.

Thai Nguyen: 25 death sentences; 52 hard labor for life.

Thanh Hoa: 98 death sentences; 134 hard labor for life.

The totals for all of these four provinces, including Thanh Hoa, the most populous province in the North,[13] were thus 265 death sentences and 275 sentences of hard labor for life, or an average of 66 death sentences and 69 life sentences in each province. If these figures were indicative of the situation in the other eighteen provinces affected by the land reform, the totals would have been in the neighborhood of 1,500 executions and 1,500 life sentences, totals which would be entirely consistent with the statistics released by Hanoi.

It is not possible to judge the authenticity of the figures released by the South Vietnamese government, since no source was cited. But it is striking that the Information Ministry of a government so obviously hostile to Hanoi as the Diem government would give figures which are so low, so consistent with the D. R. V.'s figures and so inconsistent with the myth of the "bloodbath".

CONCLUSION

American attitudes toward the North Vietnamese land reform campaign in particular, and the Vietnamese revolution in general, have been formed in almost total ignorance of the actual historical record. The purpose of this analysis has been to show how that historical record has been systematically ignored or distorted in the sources available to the American public. The existing documentary evidence, however, indicates clearly that the objectives and policies, as well as the consequences of the land reform, were totally different from those portrayed by the secondary literature.

That evidence shows that, although the land reform program was marred by administrative failures, its aims were to liberate the poor peasants from the threat of famine and from their total subordination to the landlords. The main objective regarding the landlords was to transform them into productive citizens by their own labor, not to liquidate them, as so often has been charged. The evidence further indicates that the land reform policies were conceived with the aim of minimizing injustice and unnecessary suffering and not, as has been alleged, to murder innocent people with a "deliberate excess of terror".

The benefits of the land reform to the poor peasants, who made up the majority of the rural population, were a substantial increase in food for subsistence and an improved social and political status in the villages. Hitherto powerless elements were encouraged for the first time to assert themselves, and although the short term consequences were widespread abuses and conflict, even within the Lao Dong Party itself, the experiences of other nations suggest that bringing the poor peasants into the political process would be a positive development over the long run.

The determined propaganda attack against the land reform program launched in 1957 by the South Vietnamese government, with American support, succeeded in portraying it as an excuse for ideologically-inspired mass murder. The central figure in that attack was Hoang Van Chi, and by 1960, certain Americans had taken an active interest in helping his version of the land reform reach the American public. His account employed techniques which distinguished it from a legitimate historical study of the period. Where no evidence existed to support the "bloodbath" myth, it was created. Official documents were twisted to conform to the myth. Reports and statistics were quoted which, in fact, did not exist.

The American academic community did not have the resources to recognize Hoang Van Chi's writing as propaganda, while the official U.S. government community had an obvious interest in promoting it. As the U.S. government became more deeply involved in the attempt to control events in Vietnam, the myth of the "bloodbath" became increasingly useful and finally almost necessary. By the late 1960's, having been repeated by so many different sources, the myth of the "bloodbath" in North Vietnam had gained nearly universal acceptance. The President was then able to use it as a major rationale for maintaining the U.S. military presence in Vietnam.

Apart from the self-interest of officials and the incapacity of academics to do the necessary original research, however, it seems evident that the myth of the "bloodbath" in North Vietnam fits deeply-held prejudices common to most Americans. Two generations of Americans have been led to believe that revolutionaries guided by Marxist-Leninist concepts must be fanatical and cruel. Many Americans tended to accept that stereotype in total ignorance of the real nature of the Vietnamese revolution. Consequently they paved the way for the myth of the "bloodbath" to gain popular credence, and helped stifle the search for truth. That same stereotype which belittled the intelligence, the patriotism and the humanity of the Vietnamese Communist movement also made it easier for Americans to assume that it was no match for American economic and military power. It should now be clear that the U.S. can delay but cannot ultimately avoid coming to terms with the Vietnamese revolution. The abandonment of the crudely distorted portrayal of the Vietnamese Communists still prevalent in the U.S. should be the first step in that process.

FOOTNOTES

[1] Fall, *The Two Viet-Nams*, p. 159.

[2] Gerard Tongas, *J'ai Vecu dans l'Enfer Communiste au Nord Vietnam et J'ai Choisi la Liberte* (Paris: Nouvelles Editions Debresse, 1960).

[3] *Ibid*, p. 221,

[4] *Ibid.*, p. 353. Not only his affinity for the French-speaking bourgeoisie but his undisguised contempt for non-Francophile Vietnamese colored Tongas' attitude toward the D. R. V. Tongas once commented, "The cultural level of North Vietnam is undoubtedly one of the lowest imaginable". Tongas, "Indoctrination Replaces Education", in Honey (ed.), *North Vietnam Today*, p. 93.

[5] Hoang Van Chi, *From Colonialism to Communism*, p. 166.

[6] *Ibid.*, p. 212.

[7] *Ibid.*, p. 166.

[8] *Nhan Dan*, August 6, 1956. This allegation is further contradicted by Hoang Van Chi's own admission, thirty pages later, that there were few landlord families who could not get money from friends or relatives who were tradesmen or officials. *From Colonialism to Communism*, p. 196.

[9] President Nixon's Press Interview, April 16, 1971 (official White House text). President Nixon has escalated his own rhetoric on the "bloodbath" in North Vietnam, by multiplying the number of deaths, as the argument became increasingly crucial to the rationale for American policy in Vietnam. In 1969, he used Bernard Fall's figure of

50,000 deaths (President Nixon's Radio/TV address, November 3, 1969, official White House text). In 1971, he used the 500,000 figure cited above. But on July 27, 1972, the President reached a new level of rhetoric, declaring that more than one half million people were assassinated and another half a million died in "slave labor camps" in North Vietnam (*New York Times*, July 28, 1972). An inquiry to the National Security Council produced only a list of references of which Hoang Van Chi's "5 percent" figure was the only primary source. His own staff was thus unable to explain how he arrived at his new total of one million deaths from the North Vietnamese land reform.

[10] See notes 19 and 20, Chapter III, p. 29.

[11] Tran Phuong (ed.), *Cach Mang Ruong Dat*, p. 131.

[12] *Violations of the Geneva Agreements by the Viet-Minh Communists*, Ministry of Information, Republic of Vietnam (Saigon, July 1959), pp. 94–95.

[13] 1960 Population Figures by Province (from Central Census Steering Committee, 1961), *Nhan Dan*, November 2, 1960 (translated by JPRS, 6570, January 13, 1961).

BUDGETARY CUTS FOR INDIAN PROGRAMS

Mr. KENNEDY. Mr. President, on behalf of the distinguished Senator from Wyoming (Mr. McGee), who is absent on official business, I ask unanimous consent to have printed in the Record a statement he prepared about a letter circulated by him and signed by 14 other colleagues—including myself—protesting planned cuts by the administration in the budget for Indian programs in fiscal year 1974.

The PRESIDING OFFICER. Without objection, it is so ordered.

Statement of Senator McGee

Yesterday, 14 of my Colleagues and I sent a letter to the President protesting planned budget cuts in Fiscal Year 1974 in programs vital to the Indian community of this nation.

The letter was sent to the President after it came to our attention that the Administration's planned budget for the BIA for Fiscal 1974 would be cut by $50 million from Fiscal 1973 levels and other $50 million might be cut from non-Interior programs which benefits Indians.

Joining me in co-signing the letter were Senators McGovern, Nelson, Cranston, Kennedy, Stevenson, Burdick, Hart, Moss, Harris, Tunney, Hughes, Hatfield, Montoya, and Mondale.

According to the American Indian Press Association, the staff of Indian Commissioner Louis R. Bruce, which prepared an "impact statement" on the cuts which lie ahead, reported in a confidential memo that:

"(The new allowance) makes no provision for any improvements to Indian programs other than roads; does not provide for increased cost of operation due to inflation; does not provide for increased school enrollments; does not provide for increased welfare case load and cost increases; does not provide for protecting the natural resources remaining for the Indian; does not provide for any badly needed irrigation projects; and does not provide adequate funds for school construction."

The American Indian Press Association noted that:

"Of the existing 37 separate BIA programs, 25 will have less funds next year. The single largest cut will be made in education, for $22.5 million. The second largest cut of $6.8 million will be taken from welfare and guidance services. A third meaningful cut will be made in the construction of new buildings and utilities—schools, housing and other public facilities—to the tune of $4.5 million."

The American Indian Press Association stated that "according to the BIA's 'impact statement,'" the following key areas would be affected:

Education: Eliminated will be the preschool child program serving 42,265 tribal summer employment programs for 22,000 Indian teenagers, and the Sioux Junior College program. Reduced will be all special programs benefiting Indian students in public schools through programs of special reading, home coordination, counseling and the like, and aid for Navajo Community College.

Terminated will be contracts with the University of New Mexico Indian Law Program, and Masters Degree Programs with Dartmouth University, together with the Universities of Georgia, Arizona and North Dakota.

Four large and yet unspecified boarding schools and several small institutions will be closed, and no Alaska Native children will be sent away to school in Wildwood, Alaska.

Other areas affected by the cutback include:

Welfare and Guidance: All Tribal Work Experience Programs will be eliminated and payments of general assistance and child welfare will be discontinued on next March 30.

Housing: Construction of 32 new homes and repairs on 234 homes will be cancelled, and staff layoffs will number 10. Five BIA housing offices will be closed, and contracting, training and management funds will be reduced.

Employment and vocational assistance: Closure of eight national field offices, seven area field assistance offices, the Solo Parent Training Center in San Diego, Calif., the Madera, Calif., and Roswell Employment Training Centers, and a reduction of the Bismark, N.D., Training Center by one-third.

Law and order: Closure of Roswell, N.M., Indian Policy Academy and staff reductions of 20 personnel.

Water Resource Protection: The current budget figure, $1.7 million, will be retained for the Indian Water Rights Office rather than the publicly announced $2 million figure. About $200,000 will be trimmed from funds for operating and maintaining irrigation systems on reservations, and $2 million will be eliminated from a budget for new waterways construction.

Cutbacks amounting to $1.6 million are also slated for resource management programs in areas of agricultural extension, credit, reservation programs, industrial development, real property management and appraisal, general trustee services and environmental quality services.

What is particularly disturbing about the situation is contained in the following statement from the American Indian Press Association:

"The BIA was already at work on the $50 million budget slash, it was learned from the confidential 'impact statement' memoranda, when Interior Secretary Rogers C. B. Morton addressed the National Tribal Chairmen's Association in Eugene, Ore., on August 7, during their annual convention. There Morton stated: 'Funding is the strongest indicator of commitment in government.'"

In a letter from Franklin Ducheneaux, Legislative Consultant for the National Congress of American Indians, pointing out the release from the American Indian Association, Mr. Ducheneaux noted that:

"This kind of cut is all the more devastating when one takes into consideration that Indian communities, reservations, and people are years behind the rest of the nation in every area of human and resource development. They are all the more cruel and hypocritical when measured against the promises and rhetoric of the Federal government of the last decade."

The Administration, through its rhetoric on a number of occasions, has committed itself to the principle of self-determination for the Indian peoples of this country. I do not believe that Congress should allow the Administration to carry out its planned budget cuts in Indian programs for Fiscal 1974. I urge my fellow Colleagues to hold the President to the commitment he has made to the Indian people and not allow this example of "bad faith" to be initiated.

I append the joint letter to the President and the letter from Frank Ducheneaux.

October 16, 1972.

The President,
The White House,
Washington, D.C.

Dear Mr. President: It has come to our attention that your planned budget for the Bureau of Indian Affairs for Fiscal Year 1974 will be cut by $50 million from Fiscal 1973 levels. We also understand that another $50 million may be cut from non-Interior programs which benefit Indians.

The purpose of our letter is to protest these planned cuts. In light of your past commitment to self-determination on the part of the Indian people, we urge that you recommend to Congress substantial increases in funding in Fiscal 1974 for Indian programs.

The Indian community in this nation continues to lag years behind the rest of the nation in every area of human, economic, and resource development. The planned cuts in Indian programs for Fiscal 1974 come at a critical moment in the development of new and innovative programs which hold the key to the future of the Indian community in this nation.

We urge that you reconsider your planned budget cuts for Indian programs in Fiscal 1974. We ask that prompt attention be given to this matter and we would appreciate a response to our letter at your earliest convenience.

Sincerely

Gale McGee,
Gaylord Nelson,
George McGovern,
Alan Cranston,
Edward Kennedy,
Quentin Burdick,
Frank Moss,
John Tunney,
Mark Hatfield,
Walter Mondale,
Adlai Stevenson III,
Philip Hart,
Fred Harris,
Harold Hughes,
Joseph Montoya,
U.S. Senators.

October 2, 1972.

Hon. Gale McGee,
U.S. Senate,
Washington, D.C.

Dear Senator McGee: Enclosed is a copy of a press release by the American Indian Press Association detailing the Administration's planned budget cuts for the Bureau of Indian Affairs totaling nearly $50 million for FY 1974. It quotes a BIA "impact statement", a confidential memorandum, which assesses the impact of such budget cuts on the various programs of the Bureau of Indian Affairs. In addition, its estimates that another $50 million may be cut from non-Interior programs which benefit Indians.

These cuts do not represent a major cut in a major program affecting Indian communities nor a substantial cut in a variety of programs affecting one Indian community, but a major cut in *all* the programs serving the totality of Indian communities and people across the nation, communities and people which are almost solely dependent upon Federal funds for programs and services which are supplied to non-Indian communities by a combination of Federal, State, and local governments. This kind of cut is all the more devastating when one takes into consideration that Indian communities, reservations, and people are years behind the rest of the nation in every area of human and resource development. They are all the more cruel and hypocritical when measured against the promises and rhetoric of the Federal government of the last decade.

These cuts must not be sustained by the Congress in the FY 1974 appropriations if justice, good faith, and common decency are to be the hallmarks of Federal administration of Indian affairs. We urge you, with all respect, to oppose these cuts, to advise the administration of your opposition, and to support restoration of the FY 1974 Indian Affairs budget to *at least* the FY 1973 level.

Sincerely yours,

Franklin Ducheneaux,
Legislative Consultant.

PERSUASION AND POWER, MERIT AND CLOUT

Mr. GRAVEL. Mr. President, today's Washington Post carries a commentary by the columnist Nicholas von Hoffman about Congress and the prospects for citizen influence on it. I think its relevance to the movement for a moratorium on the operation and construction of nuclear powerplants is obvious.

I ask unanimous consent that the article be printed here in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nader's Debits

(By Nicholas von Hoffman)

Ralph Nader comes as close as we have to a universally trusted public figure. In Washington during a time of graft, Nader personifies the honest man. Members of both parties, and none, have confidence in him.

It is a remarkable position of respect and, yet, all of this support, concurrence and approbation converts into a diminishing power to get much done. Nader, whose character is more honored than the President's, has less effective clout than the meanest White House aide with a gun in his attache case and a wallet full of hot Mexican money.

Partly this is because Nader is the supreme non-politician. He relies on facts, reason and the pursuit of truth, but there is no schmoose in the man. He lacks oil and the democratic affability we call the art of compromise.

The anomaly of Nader's position is underscored by the publication of his group's latest effort ("Who Runs Congress?" by Mark J. Green, James M. Fallows, David R. Zwick, Bantam Books, $1.95). It's a solid, competent work, a good one-volume compendium of what goes on under the great dome. On the debit side, they haven't put any new shockers in it—and we do like to be entertained with fresh dirt.

Congress is a very old scandal and this isn't a season of much interest even in new ones. It could be that Nader is going out of fashion. Muckraking has had its ups and downs before. It was a hot, highly salable commodity at the turn of the century; you couldn't give it away in the '20s; it came back in the '30s and died again in the Eisenhower period.

Whether or not Nader is about to go out of style, he does have other problems—the biggest being that his opponents are learning how to deal with him. The young Nader who took on and beat General Motors may have seemed to prove the proposition that the truth will make us free; but, in fact, the monster manufacturer creamed itself.

It counterpunched, and, by hitting back in a variety of idiot ways, not only made Nader a public figure but also made him a plausible one. The running controversy fired up enough heat, drama and pressure to get some automobile safety legislation on the statute books.

Subsequent Nader targets, many of whom were fully as injurious to the commonweal, weren't so eager to do themselves in. It occurred to them that Nader had very little second strike capability, as they like to say around Washington. He could do the press conference, issue the damning report, but then, if the people who were the objects of his exposes laid low, hid out and said nothing, the matter would sink from public attention. Nader has had no way of hitting a second time on the same people—no way of making his opponents stand up and fight.

Outfits like DuPont and First National City Bank of New York have been able to ride out the scrutiny of Nader's people without trouble. Congress will be able to do likewise with even less exertion.

Not that the suggestions of congressional improvement in the Nader document aren't worthwhile. They are. But Congress is as it is not through ignorance, but by intent. The seniority system and all the rest that Nader and so many others complain of could be abolished by a simple majority vote on the first day of the 93d session of Congress next January.

That majority doesn't exist and the publication of "Who Runs Congress?" won't create it. The Nader people recognize this sad little fact by inserting a weak and suffering little chapter called, "Taking on Congress; A primer for Citizen Action." This chapter, which few citizens are going to find very useful in taking on their congressmen, illustrates the difficulties that Nader and his people face.

It begins by giving a few examples of minor league Naders who by persistence and a great deal of luck have been able to get a few good laws through. More instructive would be a few case histories of would-be Naders who got nowhere, with an explanation of why. With this comes much material about the mechanics of influencing legislation, all useful to know if you have something besides your own naked body to do your influencing with.

Since Nader has arrayed himself against money power, the only other tool of influence is large numbers of people who, of course, must be organized. There are a few perfectly worthless pages devoted to telling the reader how to do that. Here you can find out how to organize your group, but that your group should have a "coordinator" and a project leader."

It's too much to expect Nader to know how to organize gobs of people. He and his associates have done far more than their fair share; but unless someone figures out how, Nader is going to lack that second punch. Without the power to compel the government to act, most of his work will be food for fishes and historians.

THE NATION'S GREATEST ASSET

Mr. JACKSON. Mr. President, George E. Stringfellow, Past Imperial Potentate of the National Shriners organization recently brought to my attention an address given on the occasion of the celebration in New York of the 100th anniversary of the founding of the Shrine.

The speech, by George M. Saunders, Imperial Recorder of the Shrine and Grand Secretary, concerned the future of Masonry and its youth organization DeMolay.

Mr. Saunders, former resident of Kansas City, Mo. and now of Chicago has been actively engaged in Masonry and Shrinedom throughout his life. He has been active in the International Supreme Council of the Order of DeMolay, having been associated with it since its founding days. He is a Past Grand Master of the Order and presently is the Grand Secretary.

He is a veteran of the Allied Expeditionary Forces in France in World War I, and has been a member of the Sanford Brown, Jr., American Legion Post since it was organized.

His Masonic background is long and distinguished. He is a life member of Sheffield Masonic Lodge at Kansas City, Mo.; he is a 33° Mason. His Shrine Temple is Ararat of Kansas City, Mo.

I should also point out that Mr. Saunders is listed in "Who's Who" in America.

Mr. President, I ask unanimous consent that Noble Saunder's recent address on the subject "Our Nation's Greatest Asset" be printed in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Our Nation's Greatest Asset

What is our nation's greatest asset?—the answers to this question will be many. They will be considered from many points of view, such as, material wealth, industry, agriculture and commerce.

All of these are of course important, but upon what does their future depend? Their future depends upon the young men and women, who are students in our high schools and colleges at the present time, or who will follow them as the years go by.

Our nation's greatest asset is, in my judgment, our young men and young women who are now preparing for their life's work. Let each of us who are now performing the duties and the responsibilities of citizenship do all in our power to remove all obstacles of life that will cause them to fail.

May we all who are still active, firmly resolve that each one of us will do all we can in assisting our young people in the preparation of their life's work. Let each one of us seek their friendship, secure their confidence, and help them to realize that "life is real, life is earnest and the grave is not its goal."

Encourage our young people to make a study of their own qualities of life, both positive and negative, those that will build character or destroy it. Every minute of the day they are forming habits, good or bad. How are habits formed? By the way of thinking. James S. Knox tells us "thoughts become actions, actions become habits, habits grow into character, and character is immortal. Think right and you will act right, act right and you will build a magnificent character."

Impress upon our young people that the future will soon be in their hands. Encourage them to accept the challenge, and give full measure of service to God, country and home.

Let me state that, if through our individual efforts, we have helped just one person to travel the right road from youth to maturity, our efforts have not been in vain. But will bring us much joy as we watch them, as they take a stand for what is right and just and by so doing makes our nation under God, one that will bring "liberty and justice to all."

The past is secure. Masonry has had a mighty part in the making of America and in fashioning its fundamental law and our very way of life. From its very beginning freemasonry has presented to the world men of courage, of valor, of virtue and of service. Down through the years, history tells a story of freemasons in every struggle for a righteous cause.

But what of the future of masonry in America and in the world? In this fast-moving atomic age, what was good enough yesterday may be obsolete today. What is good enough today may be out-of-date tomorrow.

The model T has been replaced by the jet. Today, too, our scientists are tapping the tremendous force and energy of matter. Space is no longer a mystery or a protection.

The destiny of this great Nation may ultimately depend upon the influence of the Masonic fraternity and the future of Freemasonry may very well depend upon the development of our Demolay program. The Order of Demolay would never have been created without the vision of an inspired and illustrious mason, past imperial potentate Frank S. Land. It would not have grown and flourished without the leadership and dedication of groups of masons in all branches of masonry.

Masonic bodies throughout the Nation caught the vision of Demolay and the organization has grown since its founding in 1919 until today there are 2,500 chapters operating in all States of the United States, seven provinces in Canada, Mexico and nine other countries and territories, with a total world-wide membership today of 146,000, and since its organization nearly 3,000,000 young men have knelt at its altar.

Demolay is the only masonic inspired organization to provide training for young men below the age of 21. We know from membership reports that the ranks of masonry are thinning out, and most grand jurisdictions have for a period of many years reported overall losses in membership each year. Soon it will begin to hurt the opportunities of the shrine to increase its membership annually.

If masonry is to survive for future generations, some attention must be given to the training of the younger men. There is no organization that offers the wholesome training to the youth in his formative years as does the order of Demolay, and Demolay deserves the complete support of the Masonic fraternity in general and the Shrine in particular. Quite frankly, I am of the belief that Demolay can very well be the salvation of masonry, if we can get masons to understand this. Demolay cannot be successful without masonic leadership, masonic guidance, masonic sponsorship, masonic advisorship, masonic counsel. Master masons, Shriners and masons of all degrees must recognize the fact that they owe a bit of themselves and their masonic knowledge to the future young men of the world.

Demolay chapters can furnish most of their own funds; it doesn't cost much to maintain an active Demolay chapter, and the Demolays profit by their own resources in supplying needed funds; but in the formative years of their lives, they need proper counseling and guidance. The teachings of Demolay make them grow in stature; they learn how to be men; to revere womanhood; to love their parents; to love their country.

It is my feeling that Demolay can be to masonry what the Sunday school is to the church; show me an active and aggressive Sunday school program and I will show you an active and healthy church. The same thing can be truly said of Demolay and masonry, and certainly if masonry has meant anything to us in our lives, we owe it to our sons and the friends of our sons to let them have an opportunity to share these same experiences.

DeMolay can make a great contribution in this respect to the youth of our country. It is only through an inculcation of Masonic ideals in today's youth that we will have a flourishing and active Masonic structure in the future. Never let it be said that our sons and their friends turn away from this early training in life because too few masons or shriners are available to provide leadership and counsel for these young men. Certainly if they are turned away without the helping hand of Masonry, all of the Masonic structure will suffer the loss.

What do these DeMolays ask of you? Listen to the words of one of these young men, a past master councilor from the State of Washington: "I am one of a vast army of youth—the Order of DeMolay. I cannot presume to speak for that army, but in the confidence that many others share my views, I appeal to you, our respected leaders—members of the Masonic fraternity.

"And as we travel the road of DeMolay, an organization potentially the world's greatest and most influential for youth training, achievement and service, we look to Masonry for inspiration, interest and understanding.

"Yet, in the frankness of youth, we ask and expect more. We believe in our organization strongly enough to ask of the members of Free Masonry, inspiration, guidance, protection and cooperation.

"We look to every Mason to provide for us and the younger boys who will follow, an example of uprightness and dedication to principles which will never show us a violation of those precious ideals on which both orders are based.

"We urge you to offer guidance and leadership to chapters of the Order of DeMolay. DeMolay needs qualified dedicated adult leaders in unlimited numbers. In no chapter of our organization do we now have enough.

"We plead for more Masonic advisors who show both a desire to serve DeMolay and the experience and temperament to work with our impressionable minds. In addition, we depend on Masonry for the extension of DeMolay, no DeMolay chapter was ever started on DeMolay initiative alone. Masons must lay the groundwork, inspire a desire for membership in the youth of the community, and then maintain their own interest and attendance in the chapter.

"DeMolay relies upon you for protection—protection from the devious paths down which our inexperience may lead us; protection through the strength of group opinion from influence which may be unwisely or unknowingly exerted upon us, and finally, protection of our inherent right to full democratic process in our own chapters.

"The youthfulness of DeMolay asks cooperation with the majority of Free Masonry. We ask an opportunity to help you in your service to mankind, and expect in return your support for our efforts to achieve the same goal."

Those words by a young DeMolay should tell you what you as Shriners can do for DeMolay. Many already have active programs of assistance for DeMolay chapters in their area. Some even have special Shrine units, devoted solely to DeMolay work.

We spend much time, effort and money healing the sick bodies of children, but we must also provide some efforts in behalf of our healthly young people, to insure that they remain healthy in mind, spirit and deed.

My appeal to each of you is to spend some time with these young men of DeMolay by working on an advisory council, giving guidance in one form or another, or helping in whatever way you can to promote the order of DeMolay.

DeMolay members are part of our nation's greatest asset—youth, and DeMolay deserves the best we have to offer. What will you offer?

A DE MOLAY'S ETHICS

A DeMolay serves God.

A DeMolay honors all womanhood.

A DeMolay loves and honors his parents.

A DeMolay is honest.

A DeMolay is loyal to ideals and friends.

A DeMolay practices honest toil.

A DeMolay's word is as good as his bond.

A DeMolay is courteous.

A DeMolay is at all times a gentleman.

A DeMolay is a patriot in peace as well as war.

A DeMolay is clean in mind and body.

A DeMolay stands unswervingly for the public schools.

A DeMolay always bears the reputation of a good and law-abiding citizen.

A DeMolay by precept and example must preserve the high standards to which he has pledged himself.

CLINTON P. ANDERSON: A GIANT OF THE SENATE TAKES HIS LEAVE

Mr. CHURCH. Mr. President, tributes to departing Members of this body should not be bunched together at the end of the session. Under such circumstances, they are hastily rendered and cannot do justice to the Senators we wish to honor.

In no case is this more poignantly true than in that of CLINTON P. ANDERSON, rancher, businessman, former Member of the House of Representatives, onetime Secretary of Agriculture, and a long-time Senator of the United States.

This man has ably represented the people of New Mexico in the Congress. When I first came to the Senate, in January of 1957, CLINTON P. ANDERSON of New Mexico was one of the giants of this body. It was his name that was connected with the most controversial bills, the legislation that really mattered. The King-Anderson bill, for example, was the forerunner of medicare.

My first vote was cast in favor of the Anderson motion to amend rule 22 of the Standing Rules of the Senate, then regarded as an insurmountable obstacle to the passage of civil rights legislation. I soon learned that Senator ANDERSON was a man to be reckoned with, a power among the powerful.

Later I learned that he was also a kindly man who took a personal interest in newcomers to the Senate and sought to help them on their way. As chairman of the Interior and Insular Affairs Committee, and, in alternating years, as chairman of the Joint Committee on Atomic Energy, Senator ANDERSON was always solicitous of the viewpoint and interests of even the most junior members of his committees.

It was characteristic of his generosity that, in later years, when he became the chairman of still another committee, the Space Committee, that he yielded to others his presiding position on both Interior and Atomic Energy.

I will remember CLINTON ANDERSON best as the father of the Wilderness Act, perhaps the most important piece of conservation legislation to come out of Congress in our time. He was taken ill as the bill came up for debate in the Senate, and he asked me to act as floor manager during his absence. Like every masterwork on which he left his mark, the wilderness bill was highly controversial, especially in the Western States. My connection with it, as floor manager, led user interests in Idaho to brand the bill with my name. It became the principal issue in my reelection campaign of 1962.

The business interests which traditionally dominated Idaho politics—lumber, mining, cattle, sheep—were all arrayed against the wilderness bill, which had been approved by the Senate but was still pending in the House of Representatives. They called it a "lock-up" of the public lands, and warned that it would lead to economic disaster.

But the people knew better. They

wanted some part of our fast vanishing wilderness preserved. The very fact that some of it still existed in Idaho made them proud to be citizens of such a State. They wanted to pass down that heritage to their children and grandchildren. So they voted in affirmation of the Wilderness Act, not against it. The cause of conservation got a big lift from the people in that election. And their interest has grown stronger in the years since.

Men like Clinton P. Anderson led the way. He will leave many a milestone, but none more important than his leadership in the field of wise conservation of our great outdoors. In that worthy endeavor, he was my teacher and I shall always remain in his debt.

THE SEVENTH ANNIVERSARY OF TUESDAY MAGAZINE

Mr. PERCY. Mr. President, in these days when discouraging talk is heard of the state of black entrepreneurship, when the news media seems filled with articles bemoaning the lack of opportunity and success for black enterprise, it is refreshing to be reminded of the continued healthy existence of an important and black-owned part of the publishing industry.

I refer, Mr. President, to Tuesday magazine, which recently celebrated its seventh anniversary. Under the leadership of President and Publisher L. Leonard Evans, Jr., Tuesday focuses expertly upon individuals and developments of particular importance to the black community, yet in such a manner that any reader will find it interesting and stimulating. Tuesday has become an important and influential voice, not only in the black community, but throughout the Nation.

Tuesday's success is all the more significant because it is circulated principally through the Sunday editions of many of our major newspapers, whose circulations are definitely not limited to the black community. In fact, today, 7 years after its founding, Tuesday guarantees a circulation of 2,300,000, through 21 Sunday newspapers.

As a former businessman, I can somewhat imagine the frustrations and problems that Mr. Evans and his associates had to overcome in order to reach this day. Thus, I am especially pleased to be able to extend "happy anniversary" greetings to the publishers of Tuesday, and wish them many continued years of success.

SENATOR ANDERSON

Mr. NELSON. Mr. President, it has been a privilege over the past 10 years to serve with the distinguished Senator from New Mexico, Clinton Anderson. In his many years in the Senate, he has contributed much wisdom and good sense to the making of public policy.

Clinton Anderson's contributions to society have ranged over a wide area of concerns. He has served at every important level of government, and recorded significant accomplishments in every position. As an official of the State of New Mexico in the 1930's, Clinton Anderson was an integral part of that State's great dedication to human needs. As a Member of the House of Represent- Agriculture from 1945 to 1948, Clinton atives for 6 years, he provided sound leadership during the Roosevelt-Truman administration. And, as Secretary of Anderson spoke up for the family farmer and worked tirelessly for their benefit.

In entering the U.S. Senate in 1948, Clinton Anderson took his place in the history of this Nation as one of the most effective and most humanitarian Members of the U.S. Congress.

I have had the pleasure of serving with Clinton Anderson on the Finance Committee during this session of Congress. During meetings of that committee, and in times of tense and hard work to achieve a goal, he has demonstrated that he would always be at the heart of the affairs of government. His commitment has been to the public good and the public trust, and his record vividly illustrates that commitment.

Clinton Anderson has worked tirelessly to preserve and protect our natural resources. His leadership on the Senate Interior and Insular Affairs Committee has sown the seeds for a better environment for future generations of Americans. In the words of another great Member of the Senate, Robert Kennedy, "That our work may make a difference to ourselves and our fellow man." Clinton Anderson has made a difference to this Nation.

The people of New Mexico can be proud to have elected Clinton Anderson to so many positions of importance and responsibility.

All of us in the Senate will feel a great loss at his retirement. But we can take heart in the knowledge that Clinton Anderson will continue to work for the health and welfare of all of the people.

SENATOR LEN B. JORDAN

Mr. WILLIAMS. Mr. President, on adjournment, Senator Len B. Jordan will retire after a public service career spanning more than 20 years, and four Presidential administrations.

Those 20 years have constituted a distinguished career, marked by perseverance, integrity, and independence of thought. Senator Jordan has had a career in which the people of Idaho may take pride, and for which all Americans are grateful. His 10 years in the Senate and his membership on the Committee on Interior and Finance and the Joint Economic Committee have given the senior Senator from Idaho an opportunity to work in areas of extreme national importance where his own background and strong religious faith have contributed competent and sincere leadership.

Born and raised in the rugged mountains of the Northwest, Len Jordan has always had a special interest in protecting the environment and conserving wildlife. His experiences as a rancher brought him into close contact with problems of farmers and rural development, and he has fought hard in the Senate in their behalf.

Senator Jordan has served in the Idaho Legislature, and in 1950 he served a 4-year term as Governor. On completion of his term, Len Jordan was chosen by President Eisenhower to head the U.S. delegation to the International Joint Commission negotiating with Canada on agreements for the St. Lawrence Seaway, the Columbia River Basin Treaty, and Libby Dam. President Eisenhower chose him for an additional assignment in 1956, and he led a team of U.S. engineers and economists on a survey of American water development assistance in Afghanistan. In 1958, Senator Jordan accepted an appointment to the 12-man International Developmental Advisory Board studying the economic aspects of foreign aid.

Mr. President, I salute our retiring colleague, and wish the Senator and Mrs. Jordan happiness and contentment in their retirement years.

SENATOR ANDERSON

Mr. WILLIAMS. Mr. President, for 32 years as Congressman, Secretary of Agriculture, and Senator, Clinton Presba Anderson has served the people of New Mexico and our Nation with stanch dedication.

As chairman of the Senate Aeronautical and Space Sciences Committee, Clinton Anderson helped lead the way for some of the greatest feats of man in space exploration and aerospace research and development.

Since 1956 Senator Anderson has served on the Finance Committee and he shall retire as its ranking member. His principal accomplishment on that committee, and perhaps the major legislative landmark of the past decade, was the sponsorship and passage of medicare, which has brought medical services within the reach of millions of elderly and disabled Americans.

Clinton Anderson's legislative record consists of milestones in the development of our Nation. It was Senator Anderson who had the vision to promote peaceful—nonmilitary uses of the atom. And, as author of the Water Resources Research Act, and the Water Resources Planning Act, Upper Colorado River Storage Act he has deservedly earned the nickname of "Mr. Water."

Clinton Anderson's accomplishments in education, Indian affairs, and agriculture are no less significant than those previously cited. He has worked untiringly to expand opportunities for Indians through such laws as the Navajo-Hopi Rehabilitation Act, providing water and range improvement, better roads, education and medical assistance. The Navajo irrigation project will bring water to more than a hundred thousand acres of previously arid Indian lands.

Mr. President, Clinton Anderson has earned the respect and admiration of all the American people. His colleagues in the Senate are indebted to him for his leadership and counsel. We shall, indeed, miss Senator Anderson in our debate and committee deliberations. I am hopeful that he will soon return to Washington to once again share his vision with us, and I do wish him all happiness and health in his retirement years.

CRISIS IN DEVELOPMENT

Mr. KENNEDY. Mr. President, despite the studies of a decade, despite the foreign aid efforts of a decade, and despite the rhetoric of a decade, the gap between the rich and poor nations of the world is growing daily.

The graphs depicting rising levels of population in the poor nations and relatively diminishing capacities to feed, shelter, and care for them spell generations more of hunger, poverty, and disease to hundreds of millions of human beings. By the end of the century, the population of the less developed countries will exceed 2½ billion, yet their per capita income will remain below $200.

The details of the development crisis and a discouraging analysis of our current efforts to respond to that crisis are set forth in a thoughtful and perceptive statement by Robert S. McNamara, President of the World Bank to the Bank's Board of Governors.

I urge Senators to consider the responsibilities of this Nation as they read this document. For as Mr. McNamara writes:

> It would be naive not to recognize that time in many quarters of the world is running out.

Mr. President, I ask unanimous consent that the full address of Mr. McNamara be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address to the Board of Governors by Robert S. McNamara

I. INTRODUCTION

Last year, in this forum, I discussed a number of problems which were of serious concern as the Second Development Decade got under way. Now that the trend of the decade is becoming more clearly predictable, I want to explore with you today an issue that is central not only to its success, but to the efficacy of the entire development process.

That issue is the critical relationship of social equity to economic growth.

But before turning to that, I should like to:

Report on the Bank Group's operations in Fiscal 1972.

Review the progress of our Five-Year Program for the fiscal years 1969–73.

Assess the current state of development throughout our developing member countries.

And, based on that assessment, sketch the outline of a program for the Bank for the five years 1974–78.

II. THE BANK GROUP'S OPERATIONS IN FISCAL YEAR 1972

Let me begin by touching upon our operations during the past fiscal year. For that period, new loans, credits and investments totalled $3.1 billion. This compares with $2.6 billion in 1971, $2.3 billion in 1970, $1.9 billion in 1969, and $1.0 billion in 1968.

To finance growing disbursements, and to increase the level of liquidity, the Bank borrowed, net of retirements, $1.1 billion during the year. This brought our liquid reserves to $3.2 billion—up $700 million from June 30, 1971. Net income for the year was $183 million, excluding a gain on revaluation of $51 million.

The year, then, was a productive one operationally. But as I have indicated to you before, the development task before us requires that we plan on a broader scale than year-to-year operations make possible. That is why in the fall of 1968, when I first met with you, I proposed a Five-Year Program. That program will be completed next June 30th, and I want to report to you now on its progress.

III. THE BANK GROUP'S 5-YEAR PROGRAM

You will recall what we set out to accomplish. Our analysis of the overall requirements for economic progress in our developing member countries convinced us that we should greatly broaden and expand the Bank Group's operations both in scope and in size.

We proposed as our overall lending objective that we should double the Bank Group's operations in the period 1969-73, as compared with the period 1964-68. Were we to achieve this goal, it would mean that during the five years the volume of lending would approach the total amount lent during the previous 23 years of the Bank's operations.

I can report to you today that we will not only meet that goal, but will surpass it.

But it was not principally the size of our operations which concerned us when we launched the Five-Year Program. We did not merely want to do more. We wanted to do more of what would contribute most to development.

Thus, within the overall lending program, we were resolved to shift our emphasis both into different sectors and into different geographical areas.

What does that mean in practice?

In a developing world in which hunger is chronic, it means intensifying our efforts in agriculture. We have quadrupled our operations in that sector.

In a developing world darkened by functional illiteracy, it means expanding our efforts in education. We have tripled our operations in that sector.

In a developing world caught up in the threat of unmanageable population pressures, it means facing up to that complex and controversial problem. We have established a Population Projects Department, and we have launched important initiatives in that sector.

In our previous meetings, I have stressed the damaging effect of runaway population growth on a developing economy. I have pointed out the strains this creates both at the family and the national level for any country struggling to improve the quality of life for its people.

Overly rapid population growth simply erodes and dissipates development gains in every sector: savings evaporate, scarcities multiply, resources are stretched so thin that in the end they cannot cover the most essential needs.

While the population problem is clearly one which cannot be solved within the confines of a five-year plan, or a development decade, or indeed even during what is left of our century, it is by its very nature a problem that can grow only worse with procrastination and delay. That is why we believe the entire international community must assign it the highest priority.

The Bank's initial work in the population field consisted of sector missions to a dozen different countries and projects deliberately initiated in smaller member countries in order to provide us with working experience on a scale commensurate with our new capabilities.

But in the early summer of this year we approved far-reaching projects in two of our largest member nations: India and Indonesia.

The project in India—a joint effort with the Government of Sweden—will develop what promises to be the most advanced systems approach to the population problem in any developing country. It will provide the essential information and analysis required to shape the overall massive effort India is making to reduce its current population growth.

Both the size of India's problem, and the magnitude of its effort to solve it, can be grasped in the statistics. The nation's total population now stands at over half a billion. It is growing by an additional million each month. The government has set up an organisation of 80,000 persons to administer a family planning program to serve one hundred million couples. The Bank project is designed to help support that program with the experimentation and the systems analyses required to make it effective.

Like India, Indonesia is serious in its determination to provide its people with effective family planning assistance. With a population of more than 120 million, currently growing at an annual rate of 2.5%, it ranks fifth among the world's most heavily populated countries. Some two-thirds of its people live in Java and Bali, where the average density is nearly 1600 persons per square mile.

With the participation of the United Nations Fund for Population Activities, WHO, UNESCO and UNICEF, the Bank project provides $13 million for a greatly expanded family planning program. In addition to the construction of 300 health centers and the provision of the required vehicles and equipment, the project will help finance the training of several thousand field workers, the preparation of public school curricula, and a program of research and evaluation.

Should the overall objectives of the project be reached—and both the government and we are confident that they can—Indonesia's population by the end of the century, even though it will be twice as large as it is today, will be 50 million less than it would otherwise be.

What all this demonstrates is that our Five-Year Program has shifted the Bank's emphasis toward those sectors which in today's conditions require intensified effort: agriculture, education, and population, among a number of others.

But as I have indicated, our shifts in emphasis have been geographical as well as sectoral. In Africa, we expect to more than treble our lending over the previous five-year period.

And for the group of our poorest member countries—those whose per capita income average less than $100—we will quadruple our lending.

To achieve these goals has, of course, required a substantial strengthening of the Bank Group both organizationally and financially. The professional staff, for example, by the end of the five-year period will have increased by 125%.

Recruitment of highly qualified staff, representing the broadest possible geographical experience, has been facilitated by a worldwide interest in the work of the Bank. In the past year, more than 2400 candidates, from 98 countries, applied for 52 available openings in our Young Professionals Program.

Doubling the volume of our lending operations has meant, of course, that we had greatly to expand our borrowing capacity. This in turn depends on governments granting us access to their countries' capital markets. Despite recurrent and unsettling readjustments in the international monetary system, they have continued to do so.

Not only have we continued to borrow in our more traditional markets, but we have entered new markets as well, and have utilized new borrowing instruments, and new channels of distribution. Net borrowing for the five-year period will approximate three and three-quarters times that of the greater period and liquid reserves will increase by about 125%.

Neither the expansion of operations nor the shift into less traditional sectors of lending has adversely affected net income. On the contrary, total net income during the five-year period will be approximately 30% higher than that of the previous period, and this despite a significant increase in the subsidy to the developing countries implicit in the Bank's lending rate.

Organizationally, then, and financially, the Bank Group will complete the first Five-Year Program in a position of strength.

But while encouragement over the Bank's operations is one thing, complacency with the state of development is quite another. And there is little danger of confusing the two if we take an objective look at the current prospects of the developing nations.

IV. THE STATE OF THE DEVELOPING WORLD AND THE BANK'S PROGRAM FOR FISCAL YEAR 1974–1978

In its strategy for the Second Development Decade, the United Nations set as a target that the average annual rate of growth in Gross National Product for the developing countries should be at least 6%. To make that possible, the developed countries were to increase their concessionary aid—known as Official Development Assistance—to .7% of their GNPs by 1975.

As I pointed out earlier this year at the United Nations Conference on Trade and Development in Santiago, it is now clear that the objective of .7% will not be reached. There seems little likelihood that during the first half of the decade Official Development Assistance will exceed .37% of GNP—only half of the Second Development Decade target (see attached table).

That is regrettable in the extreme, but we must be realistic. And realism dictates that we try to assess the effects of this massive shortfall in concessionary aid.

The first, and least tolerable, of the effects is that the poorer of our member countries—those with per capita GNPs of less than $200—will be penalized the most. Their needs for Official Development Assistance are the greatest, and their chances for finding feasible alternatives are the least.

What is more, these countries collectively contain 1.1 billion people, 64% of the aggregate population of our entire developing country membership. They are the very countries which have suffered the greatest burdens of poverty during the past decade. Their GNPs grew annually at an average rate of only 4.1% and their per capita incomes at a miniscule 1.7%.

With the ODA objective only half achieved, these poorer nations have almost no hope of attaining the 6% growth target. That will condemn them to so slow an economic advance over the decade that hundreds of millions of individuals within these countries will be able to detect virtually no improvement whatever in their desperately low standards of living. Their per capita incomes will rise by no more than two dollars a year.

Projected to the end of the century—only a generation away—that means the people of the developed countries will be enjoying per capita incomes, in 1972 prices, of over $8000 a year, while these masses of the poor (who by that time will total over two and one-quarter billion) will on average receive less than $200 per capita, and some 800 million of these will receive less than $100.

The deficit in development assistance will penalize the poorest countries the most. But even for those developing countries which are somewhat better off, a deficiency in ODA will cause serious economic and financial problems.

Publicly guaranteed debt in the developing world currently stands at about $75 billion, with annual debt services of approximately $7 billion. Debt service payments rose by 18% in 1970, and by 20% in 1971, representing twice the average rate of increase over the 1960s, and reflecting a hardening of the terms of debt as the proportion of concessionary aid in the total flow of external assistance to developing countries declined.

Given the shortfall in ODA, and the growing debt problem, it seems clear that the World Bank Group should try to continue to expand its operations. If we were to fail to make this effort, our developing member countries would be driven to an even greater dependence on higher-cost, shorter-maturity sources of external capital with the inevitable exacerbation of their debt-servicing burdens. They would have little choice, for without a reasonable flow of external finance they simply cannot meet even minimal development requirements.

For the Bank Group to relax in its resolve to do everything it feasibly can to assist in this situation would be to shirk our central responsibility: to recommend those policies, provide that technical assistance, and help finance those projects which will most effectively support our developing member countries' own struggle to advance the welfare of their people.

With careful planning and your support, we are convinced that the Bank Group can obtain the necessary funds to continue to expand its operations during a Second Five-Year Program. And that is what we propose to do.

As an overall goal, for the period FY 1974–1978, we propose to increase our financial commitments to our developing member countries by an average of 11% a year, and to shift an increasing percentage of these commitments to International Development Association credits.

If we can achieve this expanded level of operations—and I am confident that it is possible—it would mean that the World Bank Group would help finance, and provide technical assistance for some $50 billion of capital improvements in our developing member countries during the Second Five-Year Program period. This would be in contrast to $30 billion of such projects from 1969 to 1973, and $18 billion from 1964 to 1968.

V. SOCIAL EQUITY AND ECONOMIC GROWTH

Given the unfortunate shortfall in ODA, the consequent aggravation of the debt problem, and the procrastination of the developed countries in dismantling discriminatory barriers to trade from the developing countries, the Second Development Decade's 6% growth target is not going to be met by many nations and is going to be an exceptionally arduous task for many others.

But let us suppose that it were in fact to be accomplished by 1980.

Would that achievement, in itself, guarantee a significant advance in the quality of life for the majority of the two billion people who live in our developing member countries?

The frank answer is no.

The answer is no because increases in national income—as essential as they are—will not benefit the poor unless they reach the poor.

They have not reached the poor to any significant degree in most developing countries in the past, and this in spite of historically unprecedented average rates of growth throughout the sixties.

To understand this, it is useful to distinguish between three broad categories of poverty in the developing world.

First, there is great poverty in those countries, generally rather small, which simply have very few resources—natural, financial, or skilled—with which to promote growth. There is so little wealth in these nations that even if it were more equitably distributed, virtually everyone would still be very poor. These are the countries (there are 25, with populations totalling 140 million) which the United Nations has designated as the least developed and for which special measures of assistance have been approved.

Second, there are particularly impoverished regions in most of the larger developing countries—for example, the southern republics of Yugoslavia, the North East of Brazil, or the North East of Thailand. The integration of these regions into the more rapidly growing parts of the economy often poses difficult cultural as well as economic problems. These areas are, however, readily identifiable geographically, and it is possible to devise and implement programs specifically aimed at increasing the productive capacities and incomes of their populations.

But it is the third category that is the largest, the most pervasive, and the most persistent poverty of all. It is the poverty of the low-income strata—roughly the poorest 40%—of the total population in all developing countries. It is they who—despite their country's gross economic growth—remain entrapped in conditions of deprivation which fall below any rational definition of human decency.

This is not simply the poverty of a highly disadvantaged country, nor of a particularly backward geographical region in an otherwise rapidly advancing country. Rather, it is the poverty of those people widely dispersed throughout every developing country who, for whatever reason, lie beyond the reach of traditional market forces and present public services. It is the poverty of those masses of the population which current government policies do not adequately encompass, and which external assistance cannot directly reach.

This poverty of the poorest 40% of the citizenry is of immense urgency since their condition is in fact worse than national averages suggest. Our studies, for example, indicate that:

In 10 countries, with per capita incomes averaging $145, the poorest 40% of the population receive a per capita income of only $50.

In another 10 countries with per capita incomes averaging $275, the poorest 40% of the population receive a per capita income of only $80.

What we are dealing with here are problems that are difficult to grasp in their concrete, day-to-day realities.

When we reflect that of the more than half a billion persons living on the Indian subcontinent, some 200 million subsist on incomes that average less than $40 a year, how are we to comprehend what that really implies? The estimate is that if India were to depend exclusively on the growth of national income to solve its massive nutrition problems, it would require more than 30 years before the poorest third of the country could afford an adequate diet.

When we reflect that of the two billion persons living in our developing member countries, nearly two-thirds—some 1.3 billion—are members of farm families, and that of these there are some 900 million whose annual incomes average less than $100, what frame of reference are we to call on to make that fact meaningful?

To many in the affluent world, to be a farmer suggests a life of dignity and decency, free of the irritation and pollution of modern existence: a life close to nature and rich in satisfactions.

That may be what life on the land ought to be. But for hundreds of millions of these subsistence farmers, life is neither satisfying nor decent. Hunger and malnutrition menace their families. Illiteracy forecloses their futures. Disease and death visit their villages too often, stay too long, and return too soon.

Their nation may be developing, but their lives are not. The miracle of the Green Revolution may have arrived, but for the most part, the poor farmer has not been able to participate in it. He simply cannot afford to pay for the irrigation, the pesticide, the fertilizer—or perhaps even for the land itself on which his title may be vulnerable and his tenancy uncertain.

His nation may have doubled or tripled its educational budget, and in the capital city there may be an impressive university. But for 300 million children of poor farmers like himself there are still no schools—and for hundreds of millions of others if a school, no qualified teacher—and if a qualified teacher, no adequate books.

His nation may be improving its communications, and jet aircraft may be landing at its international airport in increasing numbers. But for the poor farmer who has seldom seen an airplane, and never an airport, what communications really means—and what he all too often does not have—is a simple all-weather road that would allow him to get his meager harvest to market when the time is right and the prices are good.

Let us be candid.

What these men want are jobs for their survival, food for their families, and a future for their children. They want the simple satisfaction of working toward something better: toward an end to misery, and a beginning of hope.

We are not talking here about a few maladjusted discontents.

We are talking about hundreds of millions of desperately poor people throughout the whole of the developing world. We are talking about 40% of entire populations. Development is simply not reaching them in any decisive degree. Their countries are growing in gross economic terms. But their individual lives are stagnating in human terms.

What can be done?

That is the question I want to explore with you now.

VI. A PLAN OF ACTION

One must begin by analyzing the policy options which are generally proposed. They present clearly conflicting schools of thought.

One view is that governments in developing countries should make rapid economic growth the first objective, and that income redistribution and increased employment can be achieved later through fiscal and institutional changes.

Others argue that the growing pressures of poverty are so overwhelming that their widespread relief should be the central objective of development strategy, even if that entails major sacrifice in the peace of overall growth.

Of course it would be comforting to continue to believe that there is no conflict between rapid overall growth and comparable improvement in the incomes of the poor. But, unfortunately, in the real world in which we live, the evidence suggests that there is.

There is a natural tendency for growth to be concentrated in the modern sectors of the economy with little current benefit to the lowest income groups. What data there are—while admitedly incomplete—indicate that this pattern of growth has developed in many countries.

But if few dispute the fact that there exists some conflict between maximization of growth and the rapid reduction of poverty, many argue that in the long term the conflict is irrelevant since it can—given sufficient time—be resolved.

In the long term, rapid growth will increase productivity, and furnish the resources which can be redistributed to those who cannot yet be accommodated in the high-productivity, high-wage, modern sector.

The same view holds that even in the shorter term—in a decade, say—it is possible at least to reduce the conflict between rapid growth and more equitable income for the poor by shaping an economy which provides the proper incentives, which prices labor and capital correctly, which strengthens the fiscal system, and which emphasizes the right adaptive technologies.

But although this argument is correct as far as it goes, it doesn't go far enough. A decade may be the short term for a development planner. But a decade is the long term for a subsistence tenant farmer whose children are most likely to die before the age of 5, whose diet is already so inadequate that he cannot stave off chronic ill health, whose illiteracy limits his future ability to learn new skills, and whose perpetual indebtedness to the money lender and dependence on the land owner leave him neither options nor hope.

On the other hand, one must recognize that if a government were to initiate policies to increase the income growth of the lowest 40% of the population—with a view to assuring that, at a minimum, their share of the nation's overall economic growth does not decline as it has in the past—there are legitimate questions as to what the impact of such policies would be on the rate of overall national growth. Would it seriously hamper it? Would it prevent it altogether? What precisely would happen?

There are at least three possible consequences of economic policies directed to more equitable income distribution which are thought to hamper growth. They are: reduced entrepreneurial incentives; lower savings rates; and the choice of obsolete technology.

Let us consider these for a moment.

It is often suggested that wide disparities in income are necessary in order to provide entrepreneurial incentives. Without arguing whether such incentives are important stimuli to productivity, one can question the amount of incentive that is required to motivate the desired degree of effort.

In a study of the income disparities of 39 developing countries, in which the income of the wealthiest 5% is measured as a multiple of the bottom 40%, there is a wide range of differences among countries. There are eight countries in which the per capita income of the top 5% is more than 30 times greater than that of the lowest 40%. There are 16 countries in which the ratio is less than 15 to one.[1]

But the significant point is that when one compares these two sets of countries on their per capita growth performance during the 1960s, there is no discernible relationship between the size of the incentives and the rapidity of the growth. The average rate of growth of the group of countries with the greatest disparities was not significantly different from the group with the least. This indicates that there may well be substantial scope in the developing countries for moderating the highly skewed disparities in income without crippling the incentives to greater productivity.

Similarly, flexibility in the relationship between income distribution and the volume of savings available for socially productive investment may, in fact, be far greater than is generally assumed. While it is true that higher incomes permit a higher rate of savings, the real question is what becomes of those savings. If they are used for production of luxury goods to meet a demand pattern distorted by a skewed income distribution, it is questionable whether the high savings rate is, in fact, promoting any crucial national interest. If, on the other hand, a more equitable distribution of income results in a somewhat lower gross rate of savings, but more investment in the production of essential commodities, the lower rate of growth in national income may be accompanied by an increase in the incomes of the bulk of the population.

Finally, there is the question of the choice of technology. It is often asserted that rapid economic growth demands adoption of technologies which, by their very nature, penalize employment and perpetuate poverty. The argument is that unless the modern sector is so equipped, its inefficiencies will restrict the country's capacity to export and perpetuate a costly dependence on imports for even the most basic requirements.

But here again, the argument is oversimplified. The issue is not so much modern technology versus traditional technology. The real issue is efficient technology versus inefficient technology, and the essential question is how ought one to measure that efficiency. Efficiency as such is a relative term. A technology is efficient or inefficient relative to the resources one has available. In a labor-scarce, affluent, developed economy, the most efficient technology is capital-intensive and highly automated—it produces at the lowest cost per unit in terms of the scarce resource: labor.

But in a developing economy, where labor is abundant, and sophisticated skills are scarce, it is clearly inefficient to emulate technologies which lead to high costs per unit measured in terms of the scarce resource: capital. And yet that is the result when, in the rush to industrialize, developing countries subsidize capital by creating a structure in which foreign exchange is undervalued, credit is underpriced, and tax incentives misdirected.

If government policy were directed towards promoting a price structure which reflected the scarcity values of labor and capital more realistically, the technological choice would be different. The result would be greater employment, broader income distribution, and more competitive patterns of production of precisely those labor-intensive goods which labor-scarce affluent countries need, but cannot themselves produce inexpensively.

What, then, are we to conclude from this analysis?

The answer is that while we obviously do not know as much as we want to know about the relationship of more equitable income distribution to overall economic growth, we know enough to conclude that:

It is possible to design policies with the explicit goal of improving the conditions of life of the poorest 40% of the populations in the developing countries—and that this can be done without unacceptable penalties to the concomitant goal of national growth.

Without specific emphasis on such programs, there will not be significant progress in reducing poverty within acceptable time periods.

We know, in effect, that there is no rational alternative to moving toward policies of greater social equity.

When the highly privileged are few and the desperately poor are many—and when the gap between them is worsening rather than improving it—is only a question of time before a decisive choice must be made between the political costs of reform and the political risks of rebellion.

That is why policies specifically designed to reduce the deprivation among the poorest 40% in developing countries are prescriptions not only of principle but of prudence. Social justice is not merely a moral imperative. It is a political imperative as well.

What, then, can be done to attack the problem of massive poverty within the develing world?

The first and obvious step is the political resolve to make the effort.

It is clear that in the end each country must make its own decision as to how and when to deal with its internal inequities. The problems of poverty are rooted deeply in the institutional frameworks, particularly in the distribution of economic and political power within the system. Outside agencies can assist but cannot solve such problems. It is governments that have the responsibility of essential domestic reform, and there is no way they can escape that responsibility. To postpone reform on the grounds of political expediency is to invite political extremism. To remain indifferent to social frustration is to foster its growth.

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[1] In the United States, the ratio is 5 to 1.

Political will, then, is the first requisite.

Public understanding is the second. The fact is that all of us need a clearer perception of the problem. We need both more and better quantitative data on past and current trends in employment and in income distribution. And we need them urgently. I propose that the developing countries address this task of gathering income data, and that as a practical matter they set a target date of 1975 for a greatly expanded program of censuses, sample surveys, and specific studies. The international agencies—our own included—can assist technically and financially, and provide a multilateral forum for this effort.

Third, all of us need to identify concrete policies and actions which can reduce the skewness of the income distribution. Admittedly, we are on the frontier of a new field of knowledge here, and we have far more questions than we have answers. But the urgency of the situation is such that we simply cannot wait until all the answers are in. We must begin now with what we know now. And we clearly know enough to at least make a beginning. If we make mistakes we will simply have to learn from them. But the greatest mistake of all would be for the international development commnunity to sit back and continue to do in the future what it has done in the past: to ignore the problem. It is the time for new approaches.

What ought they to be?

The first step should be to establish specific targets, within the development plans of individual countries, for income growth among the poorest 40% of the population. I suggest that our goal should be to increase the income of the poorest sections of society in the short run—in five years—at least as fast as the national average. In the longer run—ten years—the goal should be to increase this growth significantly faster than the national average.

Given the intimate link between poverty and massive unemployment, unemployment and underemployment must be attacked head-on. With 20% or more of entire populations already jobless or virtually idle—and with the population explosion pouring a growing stream of new entrants into the labor pool each year—unless policies and programs are devised to absorb surplus labor into productive jobs, little can be done to improve the lot of the desperately poor. Job creation must therefore become a direct objective in itself. It will be necessary to organise rural and urban public works—the building of market roads; construction of low-cost simple housing; reforestation programs; expansion of irrigation and drainage facilities; highway maintenance, and similar low-skill, labor-intensive, and economically useful projects. The Banks will assist in financing such projects.

Institutional reforms to redistribute economic power are critically required in many developing countries: land reform, corporate reform, tax reform, credit and banking reform, and many others. Continuation of the existing land tenure patterns, tax laws, and banking regulations will simply assure that the present distribution of assets and income will be perpetuated. The Bank will support reforms in these areas with technical and financial assistance.

Shifts in the patterns of public expenditure represent one of the cost effective techniques a government possesses to improve the conditions of the poor. Too often these expenditures—on health, on transport, on water supply, on education and on many other sectors—end by benefiting the already privileged far more than the mass of the disadvantaged.[2] This, in part, is because these services are more concentrated in the urban areas and better neighborhoods. But it is also a function of the greater participation of the highly privileged in the political process. Governments can best begin to shift public expenditure towards those who need it the most by initiating surveys on the effects of their current patterns of disbursement: where do the funds really go, and who benefits the most? The Bank will assist in such surveys and, based on them, will help design programs, to be financed by it and others, which will improve the distribution of public services.

Finally, policies should be undertaken to eliminate distortions in the prices of land, labor, and capital. To underprice capital for the wealthy and make credit expensive for the poor; to allow liberal access to scarce resources for the privileged, and price them out of reach of the deprived; to provide subsidies for the powerful, and deny them to the powerless—these are wholly self-defeating approaches to development. Such policies lead a nation inevitably toward economic imbalance and social instability.

These, then, are the general measures which all of us in the international development community should move toward with all the urgency that we can command. We in the World Bank Group can assist our developing member countries in this effort, and we fully intend to do so.

VII. SUMMARY AND CONCLUSIONS

Let me summarise and conclude the argument I have put before you this morning.

Current development programs are seriously inadequate. They are inadequate because they are failing to achieve development's most fundamental goal: ending the inhuman deprivation in hundreds of millions of individual lives throughout the developing world.

Why are these programs failing?

There are two overriding reasons: the affluent nations are not moving effectively enough to assist the indigent nations; and the indigent nations are not moving effectively enough to assist the poorest 40% of their own populations.

The affluent nations have, of course, their own domestic priorities. But their growing incremental income is so immense, their technological capacity so powerful, and their whole range of advantage so disproportionately gigantic, that no rational argument can be made for their refusal to do more to assist the disadvantaged nations.

Collectively, the affluent nations are currently providing only half the targeted .7% of their GNPs in the Official Development Assistance which will make so decisive a difference to the development efforts of the poor countries. These amounts of money are miniscule in light of the fact that the collective gross national products of the developed nations, which totalled $2000 billion in 1970, are expected to grow to more than $3000 billion in 1980.

The rich nations are not being asked to diminish their riches in order to help the poor nations. They are only being asked to share a tiny percentage of their continually increasing wealth.

Further, the rich nations are failing the poor nations—and themselves—in another critical respect. They are refusing to give the poor nations a more reasonable opportunity to trade fairly with them. Discriminatory trade restrictions on the part of wealthy countries are indefensible on two counts: they penalize the people of the poor countries, and they penalize their own domestic consumers. The trade problem is admittedly complex, but the essence of it is simple enough. The political pressures of special-interest groups in affluent nations are prevailing over the interests of the majority of ordinary citizens in rich and poor countries alike.

If the rich nations do not act—through both aid and trade—to diminish the widening imbalance between their own collective wealth and the aggregate poverty of the poor nations, development simply cannot succeed within any acceptable time frame. The community of nations will only become more dangerously fragmented into the privileged and the deprived, the self-satisfied and the frustrated, the complacent and the bitter. It will not be an international atmosphere conducive to tranquillity.

The developed nations, then, must do more to promote at least minimal equity in the distribution of wealth among nations.

But the developing nations must do more as well.

Their internal equity problems are no less important than those of the international community at large. In the developing nation's pursuit of rapid economic growth, the poorest 40% of their populations are being largely left behind.

It is becoming increasingly clear that the critical issue within developing economies is not simply the pace of growth, but the nature of growth. The developing nations achieved an overall average annual GNP growth rate of more than the targeted 5% by the end of the sixties. But the social impact of that growth was so severely skewed, and the numbers of individuals all but passed by so absolutely immense, that the simple statistical achievement of that target was misleading.

Governments exist to promote the welfare of all of their citizens—not just that of a privileged few. Absolute egalitarianism is as chimerical as absolute laissez-faire, but what is certain is that absolute human degradation—when it reaches the proportions of 30 to 40% of an entire citizenry—cannot be ignored, cannot be suppressed, and cannot be tolerated for too long a time by any government hoping to preserve civil order.

It would be naive not to recognize that that time in many quarters of the world is running out.

The task, then, for the governments of the developing countries is to reorient their development policies in order to attack directly the personal poverty of the most deprived 40% of their populations. This the governments can do without abandoning their goals of vigorous overall economic growth. But they must be prepared to give greater priority to establishing growth targets in terms of essential human needs: in terms of nutrition, housing, health, literacy, and employment—even if it be at the cost of some reduction in the pace of advance in certain narrow and highly privileged sectors whose benefits accrue to the few.

Such a reorientation of social and economic policy is primarily a political task, and the developing countries must decide for themselves if they wish to undertake it. It will manifestly require immense resolve and courage.

The task of political leadership in the wealthy world is to match that resolve and courage with a greater commitment to equity between their own affluent nations and the grossly disadvantaged developing nations.

I believe that no one within this forum would deny that the time for significantly greater social and economic equity both among nations and within nations has indeed come.

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[2] This is strikingly illustrated in the access to public services. School enrollment ratios and the quality of education, for instance, are almost uniformly higher in the higher income groups. And, in a sample of 20 developing countries, the allocation of scarce foreign exchange was ten times greater for the importation of private cars than for public buses.

Given more than a million years of man's life on earth, it has been long in arriving.

Now that it is here we cannot escape asking ourselves where our responsibilities lie.

It seems to me that the character of our entire era will be defined by the shape of our response.

PROJECTED FLOW OF OFFICIAL DEVELOPMENT ASSISTANCE MEASURED AS A PERCENT OF GROSS NATIONAL PRODUCT[1]

	1970	1971	1972	1973	1974	1975
Australia	.59	.52	.59	.59	.59	.60
Austria	.13	.06	.17	.19	.22	.25
Belgium	.48	.49	.54	.58	.62	.66
Canada	.42	.37	.48	.51	.55	.59
Denmark	.38	.43	.48	.53	.58	.64
France	.68	.68	.65	.65	.65	.65
Germany	.32	.34	.33	.36	.36	.38
Italy	.16	.17	.16	.16	.16	.16
Japan	.23	.23	.28	.32	.36	.40
Netherlands	.63	.60	.70	.74	.76	.78
Norway	.32	.33	.47	.56	.67	.75
Portugal	.61	.75	.45	.45	.45	.45
Sweden	.36	.45	.50	.56	.65	.71
Switzerland	.15	.12	.22	.26	.30	.32
United Kingdom	.37	.41	.41	.41	.45	.46
United States	.31	.32	.30	.28	.26	.24
Total	.34	.35	.36	.36	.36	.37

[1] Countries included are members of OECD Development Assistance Committee, accounting for more than 95 percent of total official development assistance. Figures for 1970 and 1971 are actual data. The projections for later years are based on World Bank estimates of growth of GNP, on information on budget appropriations for aid, and on aid policy statements made by governments. Because of the relatively long period of time required to translate legislative authorizations first into commitments and later into disbursements, it is possible to project today, with reasonable accuracy, ODA flows (which by definition represent disbursements) for 1975.

SENATOR JACOB K. JAVITS 24TH ANNUAL REPORT, 1972

Mr. JAVITS. Mr. President, I am presenting my 24th annual report to the people of New York State on my own activities and on the work of the second session, 92d Congress.

I view this year as one in which we made encouraging progress toward a number of the major goals sought by our country but suffered serious setbacks in other important areas. The goal which must stand as most important to America and to all other countries—world peace—was significantly advanced. The President's trip to mainland China, and the subsequent trip of the leaders of Congress, while they could not result in immediate total accord between the two nations, greatly increased the possibility of rational exploration of matters of mutual concern which could lead to normalized relations between the two countries.

The President's trip to Moscow and the later ratification by Congress of the agreements limiting the proliferation of offensive and defensive strategic nuclear arms signed there provided an historic and tangible step forward for world peace. The prospect of greatly increased East-West trade raised by the United States-Russian trade talks—though dimmed by the onerous exit tax on minorities seeking to emigrate from the U.S.S.R.—suggests the strong possibility of building ties of mutual economic interest which could provide strong support for the maintenance of peace between nations.

Southeast Asia remained the glaring tragedy in our international position in 1972. The President wisely carried out the continued massive withdrawal of ground forces. But these withdrawals were offset by our escalataion of hostilities through the mining of Haiphong Harbor and the dramatic increase in the air war over North Vietnam. Equally alarming was the exposure of the fact that our Air Force had not fully observed the restrictions placed on its activities.

The domestic economy showed significant improvement in 1972, although unemployment remains disturbingly high. The Nation's output is at an all-time peak, and new jobs are being created at a record rate at a time when the labor force is expanding very rapidly. The administration's program for controlling prices and wages had considerable success in stemming inflation. In addition, the December 1971 adjustment in the value of the dollar relative to foreign currencies gave impetus to the domestic economic recovery and strengthened the American competitive position at home and overseas.

A number of urgent domestic problems did not receive sufficient attention in 1972. Not nearly enough progress was made in the critical domestic areas of reducing crime and drug abuse, combating hunger, disease, and poverty, restoring our cities, and providing justice and equal opportunity for all Americans. The historic passage of the Revenue Sharing Act will certainly help to focus more resources in the areas of greatest need. But far greater Federal efficiency is still needed in focusing resources on the right priorities and managing the Government to obtain maximum benefits for the dollars spent.

I continue to feel that my responsibilities in the Senate allow me to help to move us toward the solution of a number of our major contemporary problems. I currently serve as ranking Republican member of the Labor and Public Welfare Committee, the Joint Economic Committee of the Congress, the Select Committee on Small Business; the second ranking Republican member of the Select Committee on Equal Educational Opportunity; and the Governmental Operations Committee and as a member of the Foreign Relations Committee.

I look ahead with hope and confidence to 1973 as a year in which we will make further progress in world peace, social justice, and general prosperity.

THE ECONOMY

As the ranking Republican Senator on the Joint Economic Committee of the Congress, I was able to have an input into the formulation of policies that contributed to the generally favorable economic trends of 1972.

Prompt and complete withdrawal from Vietnam is one positive step that the administration could take to get its budgetary house in order. Further, I am sure that an $80 billion-plus defense budget contains enough fat to allow selective cutting at a time when our Nation is moving into a budgetary crisis. Finally, while I will continue to strive for reductions in governmental expenditures, I do not rule out a tax increase in light of the problems we may have over the next years in adequately financing the Federal budget.

REVENUE SHARING

The most significant economic event on the legislative front this year was passage of the historic general revenue sharing bill to provide Federal funds to States and localities with few restrictions on their use. I was particularly active, in cooperation with Governor Rockefeller, in securing the passage of this legislation and in arguing for a formula for fund distribution that would deal equitably with the fiscal plight of New York State and its local governments. The final formula for the distribution of funds reflects only somewhat our effort to call attention to the extraordinary problems of the urbanized States. And, I am now concerned that revenue sharing might be used as an excuse for unjust reductions in other parts of the Federal budget which provide essential grants-in-aid to State and local governments. It would be ironic indeed if we matched the revenue sharing legislation with budget cuts in education, manpower training, and other forms of grant-in-aid funds.

WAGE AND PRICE CONTROLS

Phase Two of the President's wage and price control program played a significant role in the performance of the economy this year. Much of my activity in the economic policy field was devoted to trying to make the administration's controls more equitable and effective.

One of the important accomplishments I have achieved was to help influence the Price Commission to strengthen the limits on rent increases which landlords can charge. I was also very pleased with the Pay Board's decision following the freeze to grant retroactivity for State and local employees, such as teachers, who were due their yearly increments. This was one of the policies for which I had argued most strongly during phase I.

The wage and price control program is necessarily complex and one of my most important functions has been to assist the thousands of constituents who have complained about certain aspects of the program. I will continue to have a professional staff member assigned full time to deal with control problems which affect the daily lives of so many of my constituents.

INTERNATIONAL ECONOMIC AFFAIRS

The year 1972 saw important developments in three areas that will dramatically influence the course of international economic affairs in the years to come. First, vigorous debate at home over the regulation of U.S. companies that operate abroad. Second, the initiation of discussions that could open important new trading relationships for the United States with the U.S.S.R. and the East. Finally, international discussion of the monetary arrangements affecting trade.

There is a significant danger that legislation restricting U.S. companies abroad will be debated in the Senate next year. It is my strong feeling that if such legislation were to pass, the American consumer would be penalized by being required to pay higher prices for many products. Also, the American worker would find job opportunities in the most dynamic growth industries in the United States—that is, firms who also have overseas operations—drastically curtailed, and our country's access to increasingly vital natural resources from foreign markets could be curtailed. I favor the negotiation of voluntary import restraints on products whose sudden and concentrated influx are damaging U.S. firms and causing job loss. I also support the recent actions of the U.S. Treasury, which I had strongly urged, to prevent foreign nations from dumping their goods on the U.S. market at an unfair price.

The ongoing trade discussions with the Soviet Union, begun with President Nixon's visit, should lead to a trade agreement early this year which could well pave the way for greatly expanded East-West trade. Similarly, the President's discussions with Japanese Prime Minister Tanaka yielded some concessions that should aid the trade imbalance with that country.

Finally, the prospects for long-term reform of the international monetary system were substantially advanced by the United States putting forward a comprehensive plan at the recently concluded meetings of the International Moneary Fund and International Bank for Reconstruction and Development. As the ranking minority member on the International Exchange and Payments Subcommittee of the Joint Economic Committee, I welcomed this plan, just as I welcomed the conclusion of the Smithsonian Agreement of December 18, 1971, which realigned most major currencies against the dollar.

SMALL BUSINESS

As ranking Republican member of the Senate Select Committee on Small Business, I continued my efforts to assist America's small businessmen. I supported legislation enabling Government licensed Minority Enterprise Small Business Investment Companies to be chartered as nonprofit corporations, thereby paving the way for additional vehicles for private capital investment in minority enterprises. The bill would make new funding sources available to MESBIC's and would also provide for increased dollar leverage for MESBIC's with over $500,000 capital. To provide greater incentives for investment in new minority businesses, I cosponsored a bill amending the Small Business Investment Act of 1958 to provide short term SBA guarantees to investors who take an equity position in minority enterprises.

This year I have been able to give increased support to a number of organizations involved in economic and small business development in disadvantaged areas of New York City, Schnectady, Buffalo, and Binghamton.

FOREIGN AFFAIRS

WAR POWERS

Culminating a 2-year effort, the War Powers Act, of which I am the principal author joined by Senators STENNIS, SPONG, and EAGLETON, passed the Senate by a vote of 68 to 16. The War Powers Act is a unique legislative measure to restore the constitutional balance between the President and the Congress in respect to making war—a balance which has been upset by post-World War II practice, culminating in the Vietnam War. The war powers bill, which I initially introduced in June 1970, was the subject of extensive hearings conducted by the Foreign Relations Committee in 1971 which attracted considerable attention and comment from the academic community, legal and constitutional authorities, as well as the press. The 11-day Senate debate preceding the vote is regarded as one of the most important in our Nation's history on this key constitutional issue.

The House of Representatives by a vote of 319 to 13 passed a much more limited version of the War Powers Act. A House-Senate Conference Committee, of which I am a member, has been appointed to attempt to reconcile the divergent House and Senate versions of S. 2956, but final action could not be completed before the end of the session. I will continue to press for enactment of a meaningful War Powers Act to provide effective safeguards against future Vietnams and establish machinery to insure meaningful congressional participation in warmaking decisions as specified in the Constitution.

SOUTHEAST ASIA

The Vietnam war remains the single most disruptive and unsettling factor in this country and I have continued my efforts to terminate completely our active participation in it. To this end I have supported numerous legislative efforts in the Congress to set a date certain for the termination of our involvement in Vietnam. I supported the Church-Case amendment to the Foreign Relations Authorization Act to require a U.S. pullout from Vietnam 4 months after an agreement for the release of all American POW's, and the Brooke amendment to the Foreign Assistance Authorization Act, which passed on July 24 by a vote of 50 to 45. I spoke for the Cooper amendment, not brought to a vote, which required unconditional withdrawal from Vietnam 4 months after enactment. I supported the Brooke amendment to the military procurement authorization, which passed on August 2 by a vote of 49 to 47, only to be dropped in the House-Senate Conference Committee. I voted again for the Brooke amendment to a second foreign assistance authorization on September 26, after the first bill was defeated. The amendment was defeated.

I also supported Senate amendments placing ceilings and restrictions on the level of U.S. involvement in Laos and Cambodia. My own amendment, first adopted in 1970 as a part of the Foreign Assistance Act, making explicit that assistance to Cambodia does not constitute a U.S. commitment to Cambodia's defense, has been retained in this year's legislation.

ARMS CONTROL

President Nixon's SALT agreement to control the nuclear, strategic arms race with the Soviet Union represents an historic achievement in foreign policy. As a member of the Senate Foreign Relations Committee, I have been a strong advocate of arms control agreements and an active participant in Senate consideration of the matter, including the hearings which preceded Senate approval of the SALT agreements. The ABM treaty was approved by the Senate on August 2 by a vote of 88 to 2. The interim agreement on offensive weapons was approved on September 14 by a vote of 88 to 2.

I opposed the Jackson amendment to the interim agreement because I feel it could hinder prospects for further nuclear arms control agreements. It was adopted by a vote of 56 to 35 on September 14. I will do all I can to help achieve a favorable outcome to the SALT II negotiations which begin in late 1972.

SOVIET JEWRY

In our search for stability in our relations with the Soviet Union we must not sacrifice our own dedication to freedom and human dignity. Particular targets of repression in the U.S.S.R. at this time are its intellectuals and its Jewish community. I am the principal sponsor with Senator MUSKIE of an amendment to the Foreign Relations Authorization Act to provide $85 million in settlement assistance to Soviet Jews emigrating primarily to Israel. This measure is now law. I also cosponsored and helped to fashion the revised Jackson amendment to the East-West Trade Relations Act—to be acted on in 1973—to deny granting of "most favored nation" treatment and credit facilities to the Soviet Union after October 15, 1972, unless the "head tax ransom," especially affecting Soviet citizens of the Jewish faith desiring to emigrate, is abated. This amendment was introduced on October 4 with 76 cosponsors.

ISRAEL AND THE MIDDLE EAST

My discussions with Israel's top leaders during my July visit there confirmed that U.S.-Israel relations had reached a new plateau of cordiality and mutual cooperation. The support received from Congress and the Nixon administration is deeply appreciated by the Government and people of Israel and is an essential element in the continuing success of Israel's maintaining peace through deterrent military strength while also pushing ahead with economic and social development.

In the Senate I was again a key proponent of providing $85 million in defense supporting assistance and $300 million in military credit sales—both vital elements in Israel's self-defense efforts.

TERRORISM

The world was stunned by the barbaric murder of 11 Israeli athletes in Munich. I cosponsored with Senators SCOTT, MANSFIELD, and RIBICOFF Senate Resolution 358 to express the Senate's grief and outrage over this terrorism. I urged inclusion of international sanctions against nations harboring, aiding, or abetting in any way terrorists and air hijackers in a draft treaty considered by the Convention of the International Civil Aviation Organization. I authored an amendment to the Antihijacking Act of 1972 authorizing the President to suspend U.S. and foreign air service to and from any nation determined to have aided or abetted terrorists in any way and cosponsored a bill providing for screening of airline passengers.

EUROPE AND NATO

First priority in U.S. foreign policy must be given to restoring our fraying relations with Europe, the central area of U.S. interests in the world. Western Europe is now in the process of achieving economic, and some political, unity within the expanding European Economic Community. The changed conditions in Europe, as well as the new shape of international alinements emerging in the post-Vietnam era, require a new fabric of Atlantic partnership.

I am chairman of a Committee of Nine, consisting of prominent public figures from the NATO countries, which has been commissioned by the North Atlantic Assembly to study and make recommendations on the future of the Atlantic Alliance. The Committee of Nine has held three meetings in 1972 and I will deliver its interim report to the North Atlantic Assembly in Bonn in November. I am fortunate to have working with me on the Committee of Nine such distinguished statesmen as Lester Pearson of Canada, Lord Harlech of Britain, Walter Hallstein of Germany, Manlio Brosio of Italy, Michel Habib-Deloncle of France, Congressman HAYS, Max Vanderstoel of the Netherlands, and Halfdan Hegtun of Norway.

CHINA AND JAPAN

I view President Nixon's trip to Peking as an act of greatness at a time when our Nation and the world were so deeply in need of just such creative statesmanship. The new perception of China and the new conception of the U.S. role in Asia and the world implicit in the President's visit evidence a great sophistication and maturity on the part of U.S. policymakers. Further steps are needed to end China's isolation from the West. I shall work for new openings in Sino-American trade, cultural and scientific exchanges and arms control agreements—measures which I have advocated for some years.

This has also been a crucial year for United States-Japan relations. A close, cooperative United States-Japan partnership is the cornerstone of our policy in Asia, and it is imperative that we resolve our outstanding trade and monetary differences. President Nixon's meeting with Japanese Prime Minister Kakuei Tanaka in Hawaii was a constructive step in that direction. I have introduced the Japanese-American Friendship Act to set aside 10 percent of the funds to be paid by Japan under the agreement to return Okinawa to fund cultural, artistic, and scholarly exchange programs between our two countries. This will help assure mutual understanding and cooperation with Japan—a precondition for continuing peace and security in Asia.

CRIME AND DRUGS

During the past year I supported efforts to develop an effective crime control policy which would result in relatively rapid, significant decreases in the incidence of urban crime. This problem—combined with the devasting problem of heroin addiction—has assumed the dimension of one of the Nation's major domestic concerns.

I supported efforts designed to strengthen the capability of our police departments to obtain professional training assistance through the law enforcement education program. I also worked to eliminate the paralysis in local criminal courts in many parts of the Nation, and similarly, sought to expand LEAA programs dealing with the reform of our corrections system.

During 1972, I introduced five major bills designed to have a measurable impact upon the urban crime problem by concentrating $300 million for each of the next 3 years in the central cities having the highest crime rates in the country; developing a broad based methadone maintenance program; developing of innovative manpower training and job placement programs in the rehabilitation of offenders; formulating national standards relating to the treatment and rehabilitation of inmates in correctional institutions throughout the Nation; and developing a national criminal justice professions development program to attract more qualified people to all of the professions involved in the work of criminal justice.

I also vigorously supported legislation to outlaw the so-called Saturday night special handgun which has been so instrumental in the commission of violent crimes and particularly in homicides against policemen. In this latter connection, I supported an important bill designed to provide compensation for the victims of crime as well as for the widows of law enforcement officers who are killed in the line of duty.

As ranking minority member of the Senate Labor and Public Welfare Committee and as a member of the President's Commission on Marihuana and Drug Abuse, I have sought to clarify the means by which society may justly respond to the crushing weight which the heroin addict imposes upon our cities.

In view of the findings of the National Commission with reference to the effects of marihuana use, I have proposed legislation which would decriminalize the personal possession and use in private of small quantities of marihuana, while retaining criminal penalties for the commercial sale of the drug.

HOUSING

While production of housing under the Government subsidized programs continued at an increased rate, there was some evidence that certain speculators and builders were abusing the Government subsidy programs and that recipients were not sufficiently benefiting. Serious consideration should be given to alternatives to the present subsidy programs while continuing these programs with tightened controls. We must not overlook the fact that even with the present abuses much new housing was built throughout New York State and the Nation.

In 1972 I directed my energy toward both successfully increasing appropriations for Section 236 subsidy funds by $25 million for fiscal 1973—which means approximately $2.5 million for New York State—and proposing new programs. I introduced two major housing bills, both of which were incorporated into the Senate-passed omnibus housing bill which, unfortunately, was delayed in the House. The first would create a National Institute of Building Sciences to propose nationally accepted standards for local building firms and to serve as an authoritative source on the latest advances in construction. The second was the Neighborhood Conservation Act which sought to stimulate the upgrading of existing low- and moderate-income housing and to generate private capital for housing repairs, maintenance, and rehabilitation. I expect that the delayed omnibus housing bill will be enacted early in 1973.

POVERTY AND WELFARE REFORM

While in 1972 we were somewhat successful in efforts to obtain more satisfactory funding for the continuation of vital social programs, four measures which I believe essential—welfare reform, comprehensive manpower training, child development, and a new corporation for legal services—did not see final enactment.

We did see enactment into law of the Economic Opportunity Amendments of 1972. These authorize $4.7 billion over a two year period for the continuation of community action programs, manpower training, headstart and volunteer programs. This law contained provisions I coauthored to establish community development corporations and to increase allocations of funds to persons living outside of poverty areas and also to Puerto Rico. At my request, the Congress added $30 million for this law and other anti-poverty programs in the last appropriations bill.

I also cosponsored legislation which was the basis for the law extending manpower programs such as the JOBS program, the Concentrated Employment Program and the Neighborhood Youth Corps summer jobs program. I was also successful in increasing the appropriation for the Neighborhood Youth Corps summer job program by $150 million which provides approximately 180,000 job opportunities.

I was greatly disappointed by the Senate's failure to pass a meaningful welfare reform bill this year. The bi-partisan package which I supported would have provided for Federal assumption of the heavy welfare burden which is fast bankrupting our States and localities while assuring a meaningful minimum payment to the poor. Our proposal would also have encouraged welfare recipients to find jobs by providing gradually reduced benefits for the working poor, job training and child care services. However, the bill does provide new benefits such as: persons receiving disability are now eligible for medicare; widows will receive 100% of their husbands benefits; aid to the aged, blind and disabled will be administered by Federal Government; the social security earnings limitation will be raised to $2100; prescription drugs for the chronically ill will be under medicare; a special minimum benefit of $170 a month is provided for long term workers under social security.

I will continue my efforts in the next session to secure welfare reform and to attain enactment of the additional anti-poverty efforts I strongly support. The

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first of these is comprehensive manpower training following the lines of the three bills I have introduced: S. 3421, the Community Manpower Training and Employment Act of 1972 which decentralizes existing manpower training programs; S. 3927, which establishes a Federal Full Employment Board and provides supplementary funding for public service jobs; and S. 2962, a Comprehensive Correctional Training and Employment Act to establish special manpower training and employment programs for criminal offenders.

Also a high priority is for enactment of comprehensive child development legislation which I coauthored this year, a plan for a national legal services corporation which I supported and new efforts to see that New York gets a greater share of funds for social services which have been limited by provisions in the Revenue Sharing Act and other new legislation.

LABOR

This year saw several important pieces of legislation considered which affected over 80 million workers.

Early in the year I comanaged a bill to strengthen the Equal Employment Opportunity Commission, which passed the Senate only after a 5-week filibuster. It permits the EEOC to bring cases in Federal courts against employers or unions who discriminate on the ground of race, religion, sex, or national origin. This legislation is vital to insure that true equality of opportunity is extended to millions of members of minorities and women in the labor force.

I was also deeply involved in the bill to expand the coverage of the minimum wage law and to increase the present minimum wage rate of $1.60. This rate was established in 1966 and clearly needs to be increased to permit low-income workers to catch up with increases in the cost of living. An increase is particularly important to New York because the State minimum wage is higher than the Federal minimum wage, which puts us at a competitive disadvantage in attracting new employers to the State. Although the Senate passed an excellent bill, which raised the minimum wage to $2 and later to $2.20, the House passed a different bill and it was not possible to reconcile these two versions this year. I have initiated efforts to find a compromise so that legislation can be enacted next year. I was closely involved this year with legislation which liberalized benefits for victims of black lung disease, increased railroad benefits, and provided better recognition of collective bargaining agreements in administration of the act which requires prevailing wages to be paid to service employees in Government projects. I was also involved in the continuing investigation of the election of officers of the United Mine Workers.

Oversight of the administration of various occupational safety and health laws enacted in recent years was also of major concern. The Labor Subcommittee held hearings on the need for better protection for employees. Legislation to this end will be considered by the committee early next year.

Another major piece of legislation which is of particular interest to New Yorkers is improvements in the workmen's compensation law applicable to longshoremen. The law enacted this year provides dramatic increases in benefit levels, and resolves the long and bitter controversy over third party actions under the so-called unseaworthiness doctrine. Its other provisions include many of the recommendations of the National Commission on State workmen's compensation laws which was created by an amendment which I authored in 1970.

At the close of this year I introduced legislation to require all State workmen's compensation laws to meet Federal minimum standards along the lines of the recommendations of the National Commission on State Workmen's Compensation laws. I expect to reintroduce this legislation and it will be given high priority next year.

PENSION BENEFITS

On September 18, 1972, the Committee on Labor and Public Welfare unanimously reported S. 3598, a comprehensive bipartisan pension reform bill which provides for pension vesting, funding, plan termination insurance, portability, fiduciary standards and disclosure. This bill took as its basis the bills I have authored since 1967, and was introduced jointly by the chairman of the Committee on Labor and Public Welfare, Senator Williams, and myself and cosponsored by close to 50 percent of the Senate. Regrettably, the Senate Committee on Finance stripped the bill of its key provisions; however, the leadership of both parties have pledged to treat this measure as a priority item in the coming Congress. I am confident it will become law.

Finally, I was successful in obtaining Senate approval of provisions to provide special pension protection for defense and aerospace scientists and engineers because of their high labor mobility.

HEALTH

This year was a very active year for health legislation. I introduced legislation to implement a national health insurance system and rationalize medical care service and facilities. I also introduced a bill to establish local comprehensive health services systems and the administration's HMO bill which, in great measure, formed the basis of the Senate passed bill to reorganize health care delivery.

A comprehensive new law, P.L. 92-157, to increase the supply and improve the utilization of physicians and other health professionals was largely based on the administration bill I introduced. Legislation I authored and cosponsored to provide a balanced program of support to nursing education was also enacted into law. P.L. 92-218 which will wage a new war against cancer and P.L. 92-423 which will advance the national attack upon heart, blood vessel, lung, and blood diseases were based upon bills I introduced in the Senate.

I authored the bill to provide for the prevention and control of venereal disease and a resolution to focus public attention on the crippling neuromuscular disease Myesthenia Gravis. I also cosponsored a bill to combat communicable diseases which has become law, and a bill to combat sickle cell anemia which is now law.

In response to the plight of the mentally retarded, I have authored and introduced a bill of rights for the mentally retarded, which for the first time, would establish strict standards to protect the human rights of the institutionalized mentally retarded and, at the same time, stimulate alternative programs of community care. I also authored legislation to safeguard the rights and welfare of human subjects involved in research.

THE HANDICAPPED

Congress enacted new legislation, of which I was a cosponsor, extending and expanding the vocational rehabilitation program. The bill contains provisions to encourage hiring the handicapped in programs under Federal contract or receiving Federal grants. My proposal to make sheltered workshops for the handicapped eligible for small business loans has become law.

OLDER CITIZENS

The 92d Congress took several major steps on behalf of the senior citizens in the Nation. I actively supported the 20-percent increase in social security benefits which has been signed into law. I cosponsored the Older American Comprehensive Services Amendments of 1972 which has passed the Congress and dramatically strengthens the Administration of Aging. This legislation gives authority to provide for more effective delivery of social and nutritional services to the elderly. In addition, I cosponsored the Nutrition Program for the Elderly Amendments—P.L. 92-258—which establishes permanent nationwide nutrition projects to provide low cost nutritionally sound meals to individuals 60 years of age or older and their spouses.

EDUCATION

Congress reaffirmed it priority interest in education by increasing the appropriation for elementary, secondary and higher education programs by $924 million over last year.

Passage of the comprehensive higher education bill which I cosponsored was a historical recognition of the Federal obligation toward higher education. This bill establishes a landmark student assistance program of basic educational grants which, when funded, will provide help to students of up to $1,400 annually. Young people from middle- and lower-income families will benefit particularly from the new law which expands work-study and loan programs as well as providing vitally needed assistance for institutions of postsecondary education.

I am particularly gratified that the bill includes several provisions of which I was the principal sponsor: A program to stimulate innovation in higher education; authorization of matching grants to States for State scholarship programs; establishment of Educational opportunity Centers to counsel the poor and others on entering college; establishment of a Bureau of Occupational and Adult Education in the U.S. Office of Education; and expansion of educational opportunity grants to include half-time students.

Efforts to insure high quality education to students of all backgrounds saw both gains and losses in 1972. The Emergency School Aid Act, which followed the lines of the President's recommendations, authorized $2 billion in financial assistance to encourage the establishment and maintenance of integrated schools, to assist in eliminating minority-group isolation in public school systems throughout the Nation and to provide special targeted assistance for improving academic achievement in inner city schools. It included two provisions, which I coauthored substantially expanding the present Federal commitment to bilingual education, and providing assistance to community-based groups seeking to supplement educational and counseling services.

Throughout our consideration of education legislation during the past year, educational issues were often clouded by attempts to halt school desegregation by restricting the authority of Federal courts to issue orders requiring busing. I believe most of these efforts were unconstitutional as well as unsound policy, and I opposed them. I did, however strongly support the Scott-Mansfield amendment, which assures that no busing can be ordered which endangers the health of children or impinges on the education of those bused or results in their attending inferior schools.

VETERANS

With my full support, the Congress passed important legislation increasing the educational assistance allowance, vocational rehabilitation allowance, and the training assistance allowance payable to veterans. I shall continue to work for legislation to give today's veteran the same benefits as veterans of World War II.

Additionally, I supported S. 2219, which provides health manpower, education, and training within the Veterans' Administration: S. 2354, which broadens veterans' health benefits; and S. 2108, which requires services to veterans suffering from alcoholism and drug dependence. All of these bills passed the Senate. I also supported a bill which liberalizes disability and death pensions, and dependency and indemnity compensation; and another, which establishes a national cemetery system within the Veterans' Administration.

I also supported these bills helping veterans which became law: P.L. 92-315, which extends servicemen's life insurance to service academy cadets and midshipmen; P.L. 92-328, which increases disabled veterans' compensation; and P.L. 92-341, which liberalizes housing grants to disabled veterans.

ENVIRONMENT

In 1972, I cosponsored legislation affecting water pollution, noise pollution, animal protection, solid waste disposal, and establishment of the historic Gateway Recreation Area—in the New York City area. I supported and voted for all major environmental legislation which was brought before the Senate this year.

The water pollution bill which I cosponsored served as the basis for a comprehensive bill which passed both Houses of Congress. This bill will make available over $20 billion to clean up our water and will reimburse New York State approximately $1 billion for construction of sewage treatment facilities.

Bills which I cosponsored to regulate the dumping of pollutants into our oceans, and for coastal zone management, have passed the Senate and the House and are expected to become law.

Other important environmental bills I have cosponsored include a bill relating to ocean mammals passed by both Houses of Congress; a bill to protect wild horses, which has become law; bills to restrict the use of poisons against animals and to discourage the use of certain types of traps on animals. Also I supported the Pesticide Control Act, which has passed both Houses; the noise pollution bill which passed the Senate; and I introduced legislation to provide for an effective method to dispose of abandoned automobiles and to promote more effective use of recycled materials in Government procurement.

FEDERAL PAY RAISES

I strongly supported a bill to provide a 4-percent pay raise to Federal Government hourly employees. The second pay increase scheduled by the 1970 Comparability Act, will take place in early 1973.

POSTAL SERVICE

I am pleased that the Postal Service will not ask for a first-class postage increase in early 1973 and I am supporting legislation which will insure that the mails encourage the dissemination of cultural and educational material.

CONSUMER PROTECTION

This year I sponsored a bill which would establish an independent Federal Consumer Protection Agency, create a three-member Council of Consumer Advisers in the White House, and provide for programs of consumer protection grants to State and local government. Similar to a House-passed bill, this legislation, though it had clear support from the majority of the Senate, was unfortunately killed for failure to muster the two-thirds majority necessary to overcome a filibuster. I will press next year for the enactment of this legislation.

In addition, I had a leadership role in the development and passage of the Consumer Product Safety Act. This establishes an independent regulatory commission to protect consumers from unreasonable risk of injury presented by consumer products.

TRANSPORTATION

I have consistently advocated the use of highway trust fund moneys to help solve the problems of urban mass transit. In 1972 I cosponsored a measure authorizing the use of highway trust funds to operate and improve public transportation services and supported the legislation that ultimately passed the Senate.

In addition I introduced an amendment which passed the Senate to provide up to $800 million over the next 2 fiscal years to help defray the operating deficit of the Nation's urban mass transit and commuter systems. The same provision was retained in subsequent Senate passed legislation.

I also supported legislation granting $270 million to the National Railroad Passenger Corp. for the purpose of insuring Amtrak at least be given a fighting chance to become a viable operation. I strongly urged Amtrak to route a train between New York City and Montreal through New York State. I will continue my efforts to see if rail transportation can be provided for all New York State communities that may have lost significant rail service.

AGRICULTURE

This year the Congress passed the Rural Development Act of 1972. This bill, which I supported, expanded the existing Farmers Home Administration loan and grant program by authorizing certain loans for rural businesses. Programs for farm loans and loans and grants for sewage and water facilities continued, and provisions to improve rural resource conservation and development and fire protection were included.

SPANISH-SPEAKING PEOPLE

My efforts for our Spanish-speaking citizens again focused on insuring that the Puerto Rican community obtains its just share of assistance.

I strongly supported the newly formed National Puerto Rican Coalition in its efforts to obtain a Governmentwide review of aid to Puerto Ricans in the Northeast. I was also successful in getting vital Internal Revenue Service information printed in Spanish.

ASSISTING NEW YORK STATE

Tropical Storm Agnes called for extensive Federal assistance to many New York communties. My personal tours of the devastated areas lead me to cosponsor numerous amendments to the disaster assistance legislation to better aid the needed reconstruction and replacement of damaged homes, farms, businesses, roads and other public works and schools. One such amendment which was signed into law by the President allows more liberal home loans to retired or disabled borrowers. I also cosponsored the Emergency Rail Facilities Restoration Act to provide loans to restore transportation in the affected areas. Finally, I supported a $250 million supplemental appropriations to the Department of Housing and Urban Development to be used for urban renewal in the disaster area.

My office's involvement with communities and community groups is very extensive. For example, I was particularly active in assisting the Richmondtown Restoration Corp. secure funding for their restoration efforts which will be tied to the bicentennial celebration activities planned for New York City. I have intervened to assist a number of local communities threatened with suspension of essential air traffic routes; and I have worked hard for the separate designation of Nassau-Suffolk as an SMSA, and for the expansion of the existing Syracuse SMSA. Other assistance has included efforts to improve local housing, childcare, nutrition programs, narcotics addiction programs, minority enterprise and community action programs. I have supported all grant applications by New York individuals, and groups and have aided in the receipt of funds by dozens of such applicants.

My offices in Washington, New York City and Buffalo continue to maintain a fine record in assisting constituents whose letters and calls are always welcome.

TRIBUTE TO SENATOR MUNDT

Mr. PERCY. Mr. President, it is difficult for me, as a friend and colleague of Senator Karl Mundt, to find the appropriate words to eulogize adequately a man who has loved his country so much and who has contributed so much to his State, his Nation, and the American people. I have been saddened by his absence from the Senate these last few years. He was a sincerely dedicated humanitarian. His love of people and his friends knew no bounds.

Karl, as we all knew him, came to the Congress in 1938 where he established a reputation as a hard-working, conscientious Member. He worked incessantly for the good of the family farmer, REA, and Missouri River development which means so much to South Dakota today. Karl was not provincial, however. In addition to his vital interest in America, he was also concerned about his fellow man throughout the world. He was the sponsor of legislation which ultimately became the food for peace program and, along with Senator Smith, sponsored the Smith-Mundt Act, which established the Voice of America.

We all knew Karl as a man who would listen, but once he made up his mind, it was difficult to get him to change it, without an impressive presentation of facts. As an orator and debater par excelence, he was a match for anyone who challenged him either in committee or on the floor of the Senate. He was a man who used facts and enjoyed the role of the advocate.

The Senate will be diminished by his departure. This Congress, the American people and, in fact, the people of the world will have lost a true and loyal spokesman. I am proud to serve as a trustee of the Karl Mundt Library.

PRODUCTIVITY BARGAINING A KEY TO FUTURE PRODUCTIVITY GAINS

Mr. PERCY. Mr. President, in the midst of an economic recovery such as we are now experiencing, it seems appropriate to examine the issue which will be instrumental in determining our economic stability in the months to come. That issue is our Nation's productivity.

Over the past 5 years the United States has had the worst average annual rate of productivity increase of the 10 leading industrial nations of the world. The necessity of improving our performance has been stressed repeatedly by all of the Government economic policymakers—including the Secretary of the Treasury, the Chairman of the Federal Reserve Board, and the Chairman of the Price Commission. The importance of productivity to our country's economic well-being is also now being recognized by major business and labor organizations.

Productivity bargaining, the method by which management and labor agree to new working methods in exchange for gains in pay and working conditions, is one means of increasing national productivity. It is a relatively new concept in this country, although it has been used in Europe for several years. A serious look at productivity bargaining—what it can do and what it cannot do—is taken by Mr. E. George Fremont, chairman of Emerson Consultants. Because of the impact that productivity bargaining may have upon America's productivity gains, Mr. President, I submit for the Record the views of Mr. Fremont.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Productivity—A Talk Before the Keene Corp.

Nearly my entire adult life has been spent thinking about, looking into and wrestling with productivity problems in industry. Since 1946, when I joined Emerson, I've been involved in all of the affairs of industry which relate to productivity—which, incidentally, in our free enterprise economy means survival on one end of the scale and growth, job security, promotion and efficiency on the other end.

Many things contribute to industrial productivity—efficient, modern and coordinated facilities; the organization created to operate the facilities; the basic skills and contribution of both management and labor; and well-engineered systems for receiving, storing, handling and shipping or distributing end products.

Major business organizations ordinarily do not make serious mistakes in physical facilities design or facilities location.

Major businesses also have a wealth of technical talent and recorded experience to design the supporting techniques and facilities for receiving, processing, shipping and distributing the output of physical facilities.

That leaves just exactly half of the major contributors to productivity as major improvement targets—the organization design and all the attitudes, contractual arrangements, communicational provisions and the like, which influence how the individual and group contribution of people is shaped and directed.

In recent years my firm has had the opportunity to look at and become involved in productivity problems in other parts of the world—in Great Britain, France, Holland, Middle East and several South American countries. Let me assure you they all have productivity problems.

In England, we were involved in a pioneer effort to turn around the traditional ways in which labor and management dealt with each other. The agreement took a long time to work out, but the results have been, as one British publication said, "remarkable." And to the advantage, I might add, of both labor and management.

What captured the British imagination was the total newness of the approach as well as the success of the effort. What was new about it?

One, the company originated the proposal.

Two, the company did a thorough job of doing its economic homework.

Three, the proposal was in no way related to annual bargaining deadlines.

What this company did—the company was Esso Petroleum—was to face a problem squarely. The problem was the need to overhaul traditional ways of doing business. Problems of this nature almost never appear fully formed; they arise gradually as negotiated conditions and concepts of employment are built up layer by layer over time. Characteristically, each layer of practice, singular situation or temporary solution, once built into the pattern, becomes part of a sacred heritage. Whatever comes to be considered sacred is usually quite safe from later questioning or attack. In our example, two parts of the heritage stood in the way of productivity improvement needs:

1. Guaranteed minimum overtime
2. Rigid job demarkation.

Until recently, we here in the U.S. depended upon our unique position of manufacturing for a mass market (large modern plants, efficient marketing and distribution networks) to offset our higher labor costs. Now Japan, Holland, West Germany, Italy, to name but a few, have equally modern plants and are rapidly gaining the necessary skills in mass marketing.

Let us make no mistake—we are being challenged to produce more efficiently than we ever have. If we fail to meet the challenge we'll become another Britain living on the dole of friendly nations—if we can find any friendly ones!

I started out saying that major enterprises seldom make mistakes in designing facilities, but that they do make mistakes in how they design and run the organizations which operate the facilities. We have in our highly developed industrial society, an impressive capability for forward planning. Capable people are constantly at work researching, analyzing, weighing, recommending and testing so that the enterprise always is fixed upon reasonable targets, and so that each major function within the enterprise has compatible goals and is provided a plan for goal accomplishment.

What is completely mystifying to me is that I cannot find (although I can't believe none exists) a company that has an equally thorough and well-reasoned objective and a supporting plan for how it intends to work with its bargaining agreement employees preparing for the changes to be brought about by all its other plans.

New products will be produced by new and different manufacturing tools and processes. Plants will shrink, and expand. New skills will be required. Other traditional skills will diminish in need. Market factors will alter traditional cost-price relationships forcing employment changes. As plans for products, plants and markets develop and become formalized it is possible to cross-reference the impact of these changes upon the labor force and the management organization to identify where existing contracts, traditions, skills and numbers of people will also undergo change if the enterprise is to survive, and make its proper contribution to our standard of living and to society.

We seem to proceed on the assumption that products, physical facilities and economic factors change of themselves and are also susceptible to deliberate and induced change, but that people and the conventions that have grown up to regulate how groups relate to one another do not or cannot be changed. Or, if change is to occur, it of necessity will be accompanied by conflict. I don't believe any of this.

Given the necessary good will, the necessary hard facts, the necessary social responsibility and the necessary time, labor and management can work more closely together to prepare for the changes the very dynamism of our industrial culture forces upon us. If statesmen of management and of labor plan for the events which we know are coming, we can avoid conflict over change and everyone would be a winner.

Religion and politics are two subjects that can be argued, but seldom to any mutually satisfactory conclusion. It seems we've allowed ourselves to adopt an equally sterotyped attitude about management and labor.

The key to improving productivity in any industrial operation really boils down to a serious and continuing search for opportunities. And having identified the opportunities, then management must assume the responsibility for formulating a proposal to accomplish the objective. This sounds easy!

What too frequently happens is that we find ourselves trapped in a maze of traditions, rules and inviolate practices that combine to convince us that what needs doing cannot be done. So the real trick is in developing a philosophy that recognizes change is necessary for survival and to then create the mechanisms whereby change can be discussed rationally with all groups affected by it and agreements reached whereby responsible, fair and appropriate action plans are devised to accomplish the requisite end results.

I don't want to create the impression that only bargaining unit employees are susceptible to productivity improvement. Our firm finds opportunity in many other parts of the total industrial scene. We find, for example, that large technical groups tend to develop a "sacred heritage" of work practices and organizational forms that delay output and contribute to redundant efforts. We find that same traditional-bound views existing *between* most major functions in industry. As in a relay race, more time is lost and more races lost in handing the baton from one man to another than in the actual running of the relay legs. Detailed studies have been made of how information within an organization is created, formed, translated, transmitted, stored and used. It is not uncommon to discover that as much as 90% of all the information (usually paper) serves no discernible purpose. This holds true for research and development, for process, or design engineering, for purchasing, manufacturing, distribution and marketing.

So, gentlemen, increasing productivity is management's foremost responsibility. As with most things human, management has tended to follow the path of least resistance. That line has been that of stressing technological improvements to make the application of capital more productive. Rarely can one find a company that attempts equal effort in the non-capital elements of their enterprise.

Productivity improvement is also a responsibility of labor. In our rapidly changing world, failure to accept the necessity for critically examining our attitudes toward change—which is the greatest single deterrent to productivity—is a form of suicide. Labor and management have ingenuity in great measure. If we do not exercise statesmanship, we accept parochical views, superstitions, taboos and a multitude of sacred cows.

There has been in the past months an increasing number of references to Productivity Bargaining in the general and business press. It has been accepted and endorsed by the Administration generally and specifically by the Labor Department as a vehicle for attacking the problem of low productivity.

Productivity Bargaining is a good idea. However, it is more than a mechanism—or a technique! It is a concept which, if fully and responsibly employed, requires that people think in different and usually new dimensions. And thinking objectively is damn hard work.

The most promising avenue toward arriving at a remedy is an examination of the practices, conventions, and sterotyped approaches to collective bargaining. "Free collective bargaining" is such a cherished phrase that we seldom bother to think about it, but if we do, we must conclude that "free" it generally is, except in crisis situations; "collective" it certainly is; but "bargaining" it is only in a distorted sense. For the fact is that, with few exceptions, management has not bargained.

It has quibbled over and complained about labor's demands, and occasionally has felt compelled to take strike action as its only recourse, but none of these reactions deals directly or effectively with retaining the requisite balance between wages and output. Rather, in the end, higher costs are passed along via higher prices because, as bargainers, most industrial relations managers have grown to be professional losers. When they sit down to negotiate, they are determined not so much to win points for management as to spar with labor and settle for an agreement whereby the employer loses the least possible.

Illogical and hackneyed conventions have grown into management's attitudes about the labor negotiation process. Labor is unreasonable; keep labor "happy;" dealing with labor is a disagreeable process; ongoing working relationships with top labor executives would be a waste of time; bargaining in the true sense is not possible; you've heard all these arguments.

In spite of the limited action area that management sees open to it, as unions press their demands, management is forced to look for offsetting economies in the form of advanced processes, more economical layouts, improved production engineering, and the like. But management has now pretty well exhausted what it has considered to be its options.

A brave new world might be opened up if enlightened management worked closely and continuously with labor at both the local and national level, supported and encouraged by government and the general public. Behind such a new approach would be recognition that change is inherent in modern society and that cooperation is called for to identify the specific labor-management changes needed to keep pace with technological and market changes.

Let us hope the government statements about our economy's need for productivity improvement are not empty rhetoric.

Productivity bargaining is an effort to make the transaction a bargain in fact as well as in name. Management is prepared to grant something of value—often, in fact, more than the union asks—but it expects something of value in return. It wants to alter the relations between unions and management in specified ways that will lead to increased productivity. The changes in relations are designed to increase the productivity of the factory or company, not necessarily the productivity of labor only. If soundly designed, the agreements will increase profits too, as well as wages.

To secure maximum benefits from productivity bargaining, for both labor and management, a system approach is undertaken by the designer of the productivity plans. Beginning with marketing, the determinant of volume, one must plan every step to the final selection and maintenance of equipment and tools.

It is said that productivity bargains raise labor productivity by eliminating restrictive practices, but who knows how to define restrictive practices? All one can say is that in any plant there exist certain agreements, explicit or implied, that bar the introduction of more productive methods of operation. Today's agreements may be tomorrow's restrictions.

The use of the "restrictive practices" phrase has worked against the interest of change by suggesting that management is St. George. The unions, not unnaturally, resent being portrayed as dragons, and they have a good point. More often than not, blame is both mutual and irrelevant.

Agreements that now seem restrictive probably were entered into in good faith by both parties as legitimate means of resolving particular problems. They were addressed to questions of safety, health hazards, employment security, income security, arbitrary managerial action or work pace. They became restrictive because, while the original conditions have changed and new solutions have become necessary, the old agreements remain.

Why do they remain? We have heard much about the union's reasons for holding on to them, but what about management? Many practices have become so familiar that management scarcely notices them, or sees them as annoying, rather than antiproductive. Or management believes, without really having examined the facts, that the union regards the practices as sacred. Or it thinks the cost of buying out the agreement will exceed the value. Or it lacks channels of information through which it can discover how workers actually feel about such a change. Or it fears that more productive use of its labor will spawn a host of new problems, such as redeployment or create manpower redundancy, retraining of foremen, or reorganization of management that will dwarf the problems of low productivity.

Actually, the agreements may have been initiated by management; the great majority of payment-by-results schemes now in effect probably fall into this category. Even though quantity of output is more and more determined by process controls, instead of individual efforts, incentive plans retain their mystique for managers and workers alike, and both resist changing them.

In short, the efficacy of a productivity bargain depends on the analytical intelligence management puts into it. To frame its demands, management will have to ask itself and answer a series of very tough questions:

What is the maximum productivity this plant could achieve if the labor force were willing to follow whatever directions (within reason) management gave it?

Is the difference between potential and present productivity great enough to warrant a substantial investment of management time and effort?

In precisely what ways would we want workers to work? How should their jobs be redesigned? In what respects would methods be changed? How many workers and which grades would be assigned to each part of the operation? How would the work of each man be related to the work of others in his area and in other areas?

What specific understandings or agreements, if any, bar us from making the desired changes immediately? How many of these understandings are real, how many imaginery? How many changes could we make right now without having to negotiate them? Of the changes we cannot make now, how much would each one contribute to productivity and what price would the union ask for it? Would the gains exceed the cost?

What changes in management organization and training would be required to realize the desired changes of working practice? What new system, such as planning and scheduling, would be required? Would changes of these kinds enable productivity to be increased significantly even without major changes of working agreements?

To what extent is the productivity of the plant adversely affected by management decisions regarding product mix, marketing, and inventory control? Can these decisions be modified to ameliorate the adverse effects?

The effort to answer these questions calls into play all of management's analytical resources. Much that has seemed obvious about management and labor proves to need further investigation. It becomes clear that union intrasigence is not the sole cause of operational problems, and that the scope for extending management control over operations is wider than had been believed. Even if the ultimate decision is that productivity bargaining should not be attempted, the examination itself will have produced a payoff.

If the decision is to go ahead, another salutary effect will appear: The lower levels of management will necessarily begin to play an increasingly active part in the program. Although the program will have been initiated by higher managers, they will soon realize that supervisors and foremen possess a vast store of detailed information about operations; that this information is indispensable for formulating workable productivity proposals; that a productivity agreement has little hope of success unless the lower ranks understand and support it; and that management's sole assurance of understanding and support is to involve the lower ranks in the program as early as possible.

From such involvement the lower ranks of management will gain a clearer picture of management aims and of their own duties. They will need to learn in order to make the agreement work, so training will begin to appear as something to be sought rather than submitted to.

Productivity bargaining holds dangers only for those who rush in and depend on good will and high hopes alone to sustain them. Beware of productivity bargaining if:

You haven't carefully reckoned the value of what your company stands to gain and what it will have to pay—including the cost of management time.

The management team, from president through foremen, has not laid out detailed plans for implementing the bargain.

Management hasn't been properly structured to put the bargain into effect.

The company's systems for planning, scheduling and reporting work progress are unable to insure a steady flow of work.

The company does not have continuous access to high-caliber industrial relations counsel.

Management is not prepared to help local union officials and shop stewards sell the bargain to their constituents.

Management is not prepared to bargain with the entire labor force at each plant or division.

The foreman don't really believe in the changes you're bargaining for.

The company does not intend to raise foremen's salaries substantially above the wage levels that may result from the bargain.

You cherish any illusions at all that it is possible to score a lasting "victory" over your employees.

Is productivity bargaining in the national interest? The question may seem incongruous, yet there has been an undertone of opposition in England ever since the idea of productivity bargaining first took hold there. When the opposition has surfaced, it has been in two main arguments—first, that resentment and inflationary pressures are (or may be) the result when workers at one company obtain large wage increases but workers at another company do not; and second, that a productivity agreement may operate as a conspiracy of workers and management against the rest of the economy.

The first point is entirely suppositious. There has been no evidence that genuine productivity wage increases in one company cause distress among workers at other companies. Rather, there is considerable evidence that a productivity wage increase at one company stimulates workers at less-favored companies to press company management to make a similar productivity agreement. If resentment should arise, the management of the resentment-ridden plant need only say, "Cooperate with us in raising productivity and we will be happy to raise wages commensurately."

As for the second argument, one rarely hears it said outright that there is danger of management/union conspiracy through productivity bargaining, but British authorities did urge that some of the benefits from a productivity agreement should "accrue to the community as a whole, in particular in the form of lower prices or improvements in quality."

Assuming that a company does not have a monopoly position in the market and that the government intends to keep its power to restrain wages, suppose that the company makes a productivity bargain and raises wages, but neither increases its prices nor lowers the quality of its products. Doesn't the community as a whole benefit? Don't the wage increases bring in more taxes? And if company profits increase as the result of higher productivity, aren't the profit increments taxable as well? Why doesn't the combination of frozen prices, plus gratuitously increased tax revenues, benefit the community as much as the reduction of prices would?

Recent events and the real possibility of some form of continuing U.S. wage-price controls accent the need to reexamine the roles and relationships of American management and labor. It should be increasingly clear that neither the economy nor any part of society can benefit from "victories" achieved by one party at the expense of the other. Already, the costs of such victories have narrowed or wiped out the margins separating America's industrial complex from that of its competitors. Further victories of this kind make victims of us all.

We have noted that true bargaining (versus haggling over wages) is infrequently encountered. It is also clear that there is no general practice of a continuing, forward-looking, and joint-planning dialogue between executive managers and top union leadership. Dialogue is maintained between active bargaining periods principally via grievance and arbitration procedures and generally does not involve executive management directly. What personal contact there is between top operating managers and top non-local union leaders is almost always occasioned by a flaming local issue having reached the point of threatened coercive action.

Productivity bargaining offers a proved course of action. Adoption of true bargaining principles, under guidelines similar to those recommended in England, could unite management, labor, and government in a meaningful effort to solve our economic problems and achieve all-around general benefits.

TRIBUTE TO SENATOR BROOKE

Mr. PERCY. Mr. President, one of our most distinguished colleagues has recently been profiled in the national magazine Tuesday. I refer to the Senator from Massachusetts (Mr. Brooke). Even before his election to the Senate in 1966, he had become recognized, as Attorney General for the Commonwealth of Massachusetts, as an outstanding public servant.

Since then, he has continued his outstanding service, not only to his constituency of Massachusetts, but to all those people who look to the Senate for wise and reasoned leadership. We in the Senate are truly honored to count him among us, and it is with great pleasure that I ask unanimous consent for this article, which so clearly and forcefully articulates the philosophy and concern of this most distinguished man, to be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Edward W. Brooke—The Senator's Own Approach

(By Frank Carmier)

Edward W. Brooke, the only Black American yet to be elected to the U.S. Senate by popular vote,* is not exactly happy about the tactics of many fellow Black politicians in this election year.

While Brooke believes it is essential for Blacks to gain offices in predominantly Black communities—just as the Irish, the Poles, the Jews, the Italians and other ethnic groups have done—he sees a need for wider-ranging political ambitions. Brooke, a heavy favorite to win a second six-year term from the voters of Massachusetts in November, is disturbed because more Blacks are not seeking Senate seats or other statewide offices.

Although the tall, ruggedly handsome junior senator from Massachusetts feels he shares the goals of the Black Caucus of House members, he added in an interview:

"How we achieve those goals, of course, is quite different. As I look around the country for another Black senator, so-called, I would expect he would come from Pennsylvania, with its large Black population, New York, or Michigan—some place like that. But it is just not happening. Most of the reasons, as I see it, are because the Black politicians in the House are off on this Blackness thing, which is going to be a real barrier to getting White votes on a statewide basis."

Brooke is fervent in expressing a conviction that Black politicians, to be fully effective, must branch out and seek the larger offices that can be attained only with the help of White voters.

"I would encourage young Blacks to look down the road," he said. "I have rejected separatism for myself. I hope that others will reject it. I am an integrationist. I believe in the Constitution and the Bill of Rights. Some of the militants are very critical of my position because I have not been more militant on Black areas the way *they* see Black. I don't think they have any monopoly on Blackness.

"This is the way I view it: I just look at people as people and I run my campaigns the same way."

Brooke reported that he tells Black politicians who solicit his counsel:

"You never just talk, 'Black, Black, Black.' I would not vote for a White man who said, 'White, White, White,' any more than I would expect him to vote for me if I said, 'Black, Black, Black.' "

The 52-year-old senator—that's rather young by senatorial standards—represents a state where only about two percent of the voting population is Black. Moreover, he is a Republican in predominantly Democratic territory. Yet he has won three successive statewide elections by comfortable, even landslide, margins.

Floyd McKissick, when he was national director of the Congress of Racial Equality, remarked: "If one is a politician in a White state, one relies on White votes. Right? Ed Brooke is one hell of a politician. He has the appearance, the education, the intelligence. He has the middle class standards. . . . If he's going to stay in politics, he'd better stay just what he's been."

Brooke's political career has been so successful that, during the past year, his name cropped up in the early speculation about a possible 1972 replacement for Spiro T. Agnew as running mate to President Nixon. The chief executive himself did nothing to discourage such talk when, last September, he was asked at a news conference about a much-publicized opinion of Sen. Edmund S. Muskie's that American voters were not yet prepared to accept a Black as Vice President. Said Nixon:

"I think the example of Ed Brooke in Massachusetts is eloquent demonstration of the fact that the American people, when confronted with a superior man, will not vote against him because of his race."

Asked about the Vice-Presidential talk, Brooke replied, "I never took it seriously." More significantly, he continued, "If I am going to run for anything I would run for President—not for Vice President."

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*U.S. Senators Hiram R. Revels (Miss., Feb. 1870–March 1871) and Blanche K. Bruce (Miss., March 1875–March 1881) were chosen by their State Legislatures. It was not until 1913 that U.S. Senators were elected by popular vote.

As young men still on the lower rungs of the political ladder, Brooke and John F. Kennedy became quite friendly, with the scion of Irish-American wealth insisting that Brooke should be a Democrat and Brooke arguing that Kennedy should be a Republican. They never reached agreement on that score but they did agree that in politics there are only two positions worth striving for—a seat in the U.S. Senate, which Brooke regards as "the only independent place," or the Presidency.

Even had Nixon seriously considered offering Brooke second place on this year's GOP ticket, the senator would have refused. First of all, he feels a Vice President can accomplish very little. "I don't think Agnew has had any real input into this Administration," he said. "I don't think they listen to him at all." Secondly, Brooke does not always agree with Richard Nixon.

"It would be difficult for me, in certain areas, to stand up and say I didn't agree with him," Brooke explained. "I don't say that on everything you have to agree, but once the policy is decided, as Vice President you have to either be with it or resign.

Although he has been a consistent supporter of end-the-war legislation, Brooke does greatly admire many of Nixon's foreign policy initiatives, notably his approaches to Moscow and Peking. He also was pleased by the Administration's devaluation of the dollar and Nixon's efforts to put a damper on inflation through the wage-price freeze and subsequent guidelines.

Where the senator often strongly disagrees with the President is in the areas of civil rights and social policy. Administration stands on busing, voting rights and housing—and some of the Supreme Court nominations—have particularly disturbed him.

Brooke says he was dismayed when a group of politically minded Blacks recently expressed opposition to busing. He argues that conservative elements, as a result, were able to contend, "Look, even the Blacks don't want busing." The senator regards busing as a constitutional tool to achieve *desegregation*—not the *racial balance* the Administration usually refers to. He says racial balance "is what everybody has been shooting at—overlooking what we are really talking about."

Shortly after Nixon was elected, he summoned Brooke and offered him a cabinet post, that of Secretary of Housing and Urban Development. The senator has no regrets that he did not accept. "I would have been very unhappy," he believes. "I would have resigned or been fired."

Still, Brooke, who campaigned for Nixon in 1968, fully expects to support the President's reelection drive. He boycotted Sen. Barry Goldwater's 1964 campaign and it did him no apparent political harm. In fact, Brooke that year won a second term as attorney general of Massachusetts by close to 800,000 votes, the biggest victory margin for any Republican candidate anywhere. Although Democrats enjoyed a two-to-one edge in registered voters, Brooke carried 349 of the state's 351 cities and towns.

Afterwards, as he prepared for his successful 1966 bid for a Senate seat, Brooke wrote a book, *The Challenge of Change*, in which he analyzed what he regarded as the shortcomings of the Republican Party.

"Our principal weakness has not been poor salesmanship, but poor programs," he wrote, "not a poor image so much as poor leadership."

In the treaties, Brooke also raised a point that continues to bother him today, declaring:

"Personally, I would be deeply discouraged were the Republican Party to alter its position in order to accommodate itself to the attitudes of the traditional deep South. For that would mean a realignment of all of our thinking, a rejection of the better part of Republican ideals and tradition. . . . For us, such votes are fool's gold."

After President Nixon had been in office 14 months, Brooke, in a nationwide radio appearance, stated that the Administration had made a "calculated political decision" to follow what Brooke termed "a suburban as well as a Southern strategy" at the expense of Blacks.

Just this summer, the senator was reminded of his 1970 radio remarks and responded:

"I still don't approve of it [the Southern-suburban strategy, as Brooke perceives it], but I don't think it is a matter of Blackness. It is a matter of principle. I think it is a moral wrong but I think it is also politically wrong," Brooke said, stating that "it is not a firm foundation" for the Republican Party to build on.

However, explaining his support of the President, Brooke expressed a belief that "in the second term, I think Nixon will make some moves in the direction which I believe he should be taking. Number two, I think the other issues are so important—the strategic arms limitation talks, Peking, the Soviet trip. There is a lot in Nixon's record that I think I can enthusiastically support. On social issues I have problems and I have said that."

Privately, Brooke was extremely critical at the time of the Administration's strenuous efforts to elect Republican candidates in the 1970 off-year campaign. He went to the White House and expressed his feelings at a meeting with Nixon and Charles Colson, the White House special counsel and political operative. As Brooke recalls it:

"I said it was a negative campaign. I said, 'We have some real positive things in this party. You have done some positive things on which we could run.' The campaign was totally negative." Most of all, Brooke was displeased by the stumping tactics of Spiro Agnew.

In many ways, Brooke is the atypical Black politician. He definitely does not look upon himself as a *Black senator* but rather as a senator who happens to be Black—a logical enough outlook for a man who represents several million Whites.

Recently, Brooke declared, "I'm not by nature, you know, a militant, and I don't think I can change that. This doesn't mean that I am not strong for civil rights. I always have been and I always will be. But I would like to believe that I would feel the same way if I were White and not just Black, because I think it is morally and constitutionally right. And I think I have a record second to none on civil rights, and I think I have worked effectively in my manner of working."

Brooke offers advice to any Black politician who seeks his views. But his office does not attempt to handle the wide range of personal problems that Blacks from all states write about to Brooke. Senate staffs usually are busy enough handling the problems of constituents, and so the Brooke staff channels out-of-state mail to those Members of Congress who represent the letter writers. All this is consistent with a statement Brooke made last year: "I do not intend to be a national leader of the Negro people. I intend to do my job as a senator from Massachusetts," he said.

"I'm not in politics because the Republican Party of Massachusetts wanted a Negro as a candidate for political office," Brooke has also said. "If they had, I would not be their candidate, because that approach is contrary to everything I believe in.

"But I have always thought that great progress could be made if a man who happened to be a Negro could be elected to represent all people, not only the Negro people."

A dozen years ago, when Brooke made his first statewide race—a campaign he lost by some 12,000 votes out of more than two million—he discovered that in some communities many voters had never seen a Black man. "They will have to meet me and be reassured that I'm not an ogre," he remarked.

Elected state attorney general—the number-two public office in Massachusetts—two years later, Brooke immediately adopted a policy of dealing with the problems of people in an even-handed manner, as he saw it. "If I did confine myself to Negro problems alone," he commented, "there would hardly ever be another Negro elected to public office except from a ghetto—and justifiably so." He labored so diligently in behalf of Israel bond campaigns, for example, that a high school in that country has been named in his honor.

When Brooke took his Senate oath in 1967, his GOP elders wanted him to take a seat on the District of Columbia Committee—a body wielding enormous power in a capital city that lacks home rule. Washington is where Brooke was born, in 1919, and he has many relatives there. However, he declined the assignment, suspecting, "I would just lose all my time." As he elaborated later, "I really didn't want to get involved in the lights, lamp posts and the garbage collections in the District." True, the city is predominantly Black, but native son Brooke chose instead to serve on committees more closely involved with the concerns of his adopted state and the voting constituency who sent him to Washington: Appropriations and Banking, Housing and Urban Affairs.

Perhaps Brooke also felt that a seat on the District Columbia Committee would have marked him as *The* Black senator. As he has observed, "I sympathized with Jack Kennedy. I'm sure he got tired of being the first Catholic in his office."

Brooke might like to be President of the United States. But not *The* Black President.

SENATOR GAMBRELL

Mr. TUNNEY. Mr. President, one of the highlights of the 92d Congress has been my personal acquaintance with the distinguished Senator from Georgia, DAVID GAMBRELL. He is a gracious man who has served the Senate in a distinguished manner with deep commitment and moral integrity.

When the 93d Congress begins next January, I know that I will miss DAVE GAMBRELL's friendship and counsel as well as his warmth and charm. I worked closely with DAVE on many issues and I know of his personal dedication to this Nation. I know that this dedication and commitment will continue in whatever field of endeavor that DAVE GAMBRELL pursues. I join his many friends in wishing him great success in the future.

SENATOR ANDERSON

Mr. TUNNEY. Mr. President, Senator CLINTON P. ANDERSON, our very distinguished colleague from New Mexico, is retiring from the Senate after 16 productive and fruitful years of service.

When I first came to the Senate as a freshman 2 years ago, I met with Senator ANDERSON, a member of the Steering Committee. I will always remember his most gracious and kind reception. The advice that he then gave me—which was advice that can only come from an elder and experienced statesman—has truly been invaluable.

Senator ANDERSON's pursuits and accomplishments in the Senate have been as diverse and yet as absolutely thorough as any Member of the Senate. His capable leadership of the Senate Aeronautical and Space Sciences Committee, his exhaustive fight for medicare legislation, and his long and hard work on behalf of American Indians represent the caliber and depth of his efforts.

I join with my colleagues in wishing Senator ANDERSON and his family our fondest and warmest wishes.

TRIBUTE TO SENATOR COOPER

Mr. PELL. Mr. President, I wish to pay tribute to the senior Senator from Kentucky (Mr. COOPER) whom I hugely admire and who has decided not to stay in our body.

Independence, integrity, steadfastness, depth of work, and fairness are each his hallmarks. A civilized and gentle man, he has a spine of steel and a willingness to persevere on the course he considers right. His course of conduct reminds me of Carl Schunz' old adage:

> My country right or wrong. When right, to keep it right; when wrong, to make it right.

I wish him and his lovely wife, Loraine, the best of luck. And for the sake of all of us, I trust they will continue to live in Washington, and serve the common weal in whatever way they choose.

SENATOR JORDAN OF NORTH CAROLINA

Mr. TUNNEY. Mr. President, Senator EVERETT JORDAN is departing from the U.S. Senate. His service in the Senate has been distinguished by high purpose and hard work. We shall miss his contributions, and his home State of North Carolina can be proud of his accomplishments.

As a member of the Agriculture Committee, he earned the respect and trust of his colleagues through mastery of the issues and a sympathetic understanding of the problems.

As chairman of the Rules and Administration Committee, he was particularly helpful during this session in recognizing the need for modernizing the rules governing the operation of senatorial offices. In so doing, he has helped me and numerous other new Senators in providing better service to our constituents.

Having served with Senator JORDAN on the Public Works Committee for the past 2 years, I have come to know him as an able legislator, a dedicated public servant, and a friend.

All who know him have been moved by his courage, his kindness, and his integrity, and we would do well in striving to measure up to his example of a distinguished public career.

PROTECTIVE REACTION STRIKES IN VIETNAM

Mr. STENNIS. Mr. President, I have today dispatched a letter to Secretary Laird regarding the committee hearings on the nomination of General Abrams, General Lavelle, and Admiral McCain, and the issues arising out of these hearings with respect to the protective reaction strikes in North Vietnam in 1971 and 1972 and the reporting irregularities.

The substance of this letter, makes a firm request to the Secretary of Defense to advise the committee of the Department's plans for preventing a recurrence of the incidents and problems which our hearings disclosed. I want to emphasize, Mr. President, that the committee hearings should by no means be considered closed. The committee, however, felt compelled to conclude for the time being since the particular issue before it was the nominations of Generals Abrams and Lavelle and Admiral McCain. The committee, therefore, had to conclude at this point in order to take action on the nominations before the end of this Congress.

I think it is highly proper at this point to request the Department of Defense to make known its own plans for dealing with the various issues arising out of these hearings. I might point out that the committee did not request any overall testimony from the Department of Defense during our hearings but limited it to witnesses who were directly involved in the issues arising from the rules of engagement and the so-called false reporting.

As I have already indicated, Mr. President, this letter has been sent to Mr. Laird, and I have advised him that I did intend to make it a matter of public record. I ask unanimous consent that a copy of the letter be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., October 17, 1972.

HON. MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: As you know, the Senate has concluded action on the nomination of General Abrams. As I assured the Committee members, indicated to the press, and stated on the Senate floor, however, the issues raised in these hearings are by no means closed. The Committee will continue to pursue the issues arising from the protective reaction strikes and the reporting irregularities until there is clear evidence that the administrative and command systems of the Department of Defense have been strengthened to the point that a recurrence of these incidents is highly unlikely.

At this point in time, with the hearings printed, it is both the duty and responsibility of the Department of Defense to advise the Committee of its present and future plans to prevent a recurrence of the incidents and problems covered by the testimony. I am therefore requesting that you advise me of the remedial action of the Department of Defense.

As a part of your response, it is requested that you comment specifically on the following questions.

1. What internal machinery are you considering to obtain further facts and evidence, if any, on this entire matter and to recommend possible remedial actions. One or more Courts of Inquiry have been suggested although these may be too narrow in their scope of authority to accomplish the job. If these are not used, what other type of administrative inquiry will be established to examine the issues and facts arising from the protective reaction strikes in 1971 and 1972 and the reporting irregularities?

2. What is to be done regarding the need for having the rules of engagement and operating authorities set forth in clear, unambiguous terms; and be in writing and maintained in a single central location in operating commands, with the further requirement that changes in such rules be communicated in writing from the originating authority?

3. Is there not a need for the staffs of the various commanders to be better informed before and after combat operations, in order for the field commanders to be better informed on the facts? I realize that staff coordination and review at the various levels of command should not be pursued to the point that timely and efficient conduct of a war is inhibited.

4. What changes are being considered for revising the operation of the Inspector General systems and the other inspection, monitoring, and intelligence systems within each Service in order to insure the accurate reporting of combat operations?

5. With regard to reporting irregularities generally, what is being done to enable the reporting machinery to rapidly detect false reporting? What has been done to advise all military personnel of the seriousness of such a matter?

I would emphasize that the foregoing questions are not intended to be inclusive of all the issues, nor am I suggesting your response be limited to the issues raised by these specific questions. Please advise me of remedial steps now being taken or planned by the Department of Defense to meet the problems raised by this testimony.

I especially request that your response not only reflect your conclusions but a full statement of the facts on which the conclusions were based.

Sincerely,

JOHN C. STENNIS,
Chairman.

SENATOR JOHN SHERMAN COOPER

Mr. TUNNEY. Mr. President, the hour of the 92d Congress draws to a close, I should like to pay tribute to JOHN SHERMAN COOPER, the energetic, wise, and gentle man who has so ably represented the State of Kentucky for over 19 years.

His concern for his State and the Nation have been consistently translated into hard work, enthusiasm, and a creative energy which all of us aspire to, but few attain.

In the Public Works Committee, where I have had the honor to serve with him, his contributions have been tremendous. He has been a voice of reason in the face of controversy and strength in support of the public interest. Most recently, his stanch fight in support of mass transit and his gracious assistance in the fight to save the noise bill have earned him the great respect of citizens throughout the country.

JOHN SHERMAN COOPER will be sorely missed in the Senate and I am proud to know him as a friend.

TRIBUTE TO SENATOR McCLELLAN

Mr. FULBRIGHT. Mr. President, as the 92d Congress draws to a conclusion. I would like to pay a brief tribute to my senior colleague from Arkansas, JOHN L. McCLELLAN, for his diligent efforts in assuring that rail passenger service will once again be available in Arkansas.

Because of JOHN McCLELLAN's leadership as chairman of the Senate Committee on Appropriations, funds will be available for the first time this year for a new Amtrak route from St. Louis through Little Rock, Ark., to Dallas and the Mexican border. This once popular route was abandoned in 1971 by the Department of Transportation when it established the basic system for Amtrak, and since that time Arkansas has been one of two States in the Nation without rail passenger service.

The addition of the new service will mean much to the people of Arkansas. An injustice will now be corrected, and the people of Arkansas will soon have rail passenger service. This could not have been accomplished without the industry and perseverance of my senior colleague. I wish to take this opportunity to commend him for his continuing efforts in behalf of the people of Arkansas and the Nation.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972

Mr. GRIFFIN. Mr. President, the importance of this water pollution bill to Michigan and to the entire Great Lakes region compels me to vote to override the President's veto of this legislation.

The 1972 report of the Council on Environmental Quality indicates that water pollution may be getting worse instead of better. According to the Council's report, nearly a third of the rivers and streams in the United States are polluted. In the Great Lakes region alone there are over 8,000 polluted miles of waterway.

Tough standards and enforcement against polluters are urgently needed. Adequate Federal funding must be forthcoming to assist money-starved communities in building sewage treatment plants. Special emphasis will have to be given to acute pollution problems such as those in the Great Lakes. And financial relief to small businesses may be necessary in meeting environmental objectives while at the same time protecting jobs.

Much can be done to meet these problems if the pending water pollution bill becomes law. The nearly $25 billion in the bill for sewage treatment plant construction is a lot of money. But the problems are also large and the time to correct them is short. Michigan, for instance, will require over a billion dollars in Federal funds under the bill, a cost exceeded only by the States of California and New York.

Over a year ago, I proposed a six-point program for accelerating pollution cleanup programs in the Great Lakes. In response to this call for action, the Environmental Protection Agency requested $140 million in the 1973 budget for a speeded-up program in the Great Lakes. Unfortunately, the budget office refused to go along.

However, further delay cannot be tolerated and the pending water pollution bill will be of great help to the Great Lakes. For one thing, it would authorize, for the first time, Federal funding for projects to control storm sewer runoffs which foul many beaches near cities such as Detroit, Chicago, and Cleveland. For another, the bill would establish a special $300 million clean lakes program. This proposal would assist in the cleanup of many inland lakes as well as the Great Lakes. Furthermore, the bill would authorize a $5 million demonstration program for sewage treatment control along Lake Erie.

In addition to these special programs of interest to the Great Lakes, the bill would fulfill a long-standing Federal commitment to reimburse States and local communities which frequently have had to advance the Federal cost of constructing sewage treatment plants. The failure of the Federal Government in the past to meet its obligations has placed a particularly heavy burden on local municipalities, further hampering their efforts to construct adequate treatment facilities.

ADDITIONAL INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. INOUYE:

S. 4130. A bill for the relief of Mrs. Potenciana Rufo Redaja. Referred to the Committee on the Judiciary.

By Mr. PERCY:

S. 4131. A bill to amend chapter 34 of title 38, United States Code, to increase from 36 to 48 months the maximum period of educational assistance to which an eligible veteran may become entitled under such chapter, and to extend from eight to fifteen years the period within which an eligible veteran must complete his program of education under such chapter after his discharge from military service. Referred to the Committee on Veterans' Affairs.

ADDITIONAL STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PERCY:

S. 4131. A bill to amend chapter 34 of title 38, United States Code, to increase from 36 to 48 months the maximum period of educational assistance to which an eligible veteran may become entitled under such chapter, and to extend from 8 to 15 years the period within which an eligible veteran must complete his program of education under such chapter after his discharge from military service. Referred to the Committee on Veterans' Affairs.

THE STUDENT-VETERAN ELIGIBILITY ENTITLEMENT EXTENSION ACT OF 1972

Mr. PERCY. Mr. President, I am today introducing a bill that would extend the maximum period of entitlement for eligible veterans to take advantage of the benefits provided by the GI bill. The bill increases both the length of time the veteran can attend school, and the amount of time he has available to expend his full entitlement.

Under present law, veterans' educational benefits terminate after a period of 36 months. The veterans is entitled to 1½ months of school for each month of active duty where such duty extended beyond 180 days. The formula, however, is limited to a maximum duration of 36 months. Exceptions are made in cases where a student-veteran is in the process of completing a term, quarter, or semester. These exceptions are granted at the discretion of the Administrator of the Veterans' Administration. This bill retains the 1½-month formula for computing entitlement, but extends the 36-month limitation to provide a maximum of 48 months. Thus, the draftee who served in the Army or Marine Corps for 2 years would still be entitled to only 36 months of education assistance, while those serving 32 months or longer would receive benefits for a maximum of 48 months.

On August 3, 1972, the Senate unanimously passed the Vietnam Era Veterans Readjustment Assistance Act of 1972. This was a major revamping of the "GI bill of rights," which was intended to place the benefits received by the veterans of the Vietnam era on a par with those received by veterans of World War II and the Korean conflict. The bill is now before the President for his signature. Even with these increases in the new bill, the allowances cannot hope to meet the constantly rising costs of living and of education in this country. Many veterans will still be forced to work more hours than they can successfully balance with their academic studies. Many veterans are forced to reduce their total number of academic hours per session in order to work the additional hours necessary to meet all their expenses. Currently, and under the new bill, a veteran can receive the full allowance if he carries a minimum of 12 credit hours per quarter or semester. If an individual is enrolled under the semester system and takes 12 hours per semester for 4 years, he accumulates 96 credit hours. This is at least 24 hours short, or four-fifths of a year short of the required 120 credit hours needed to graduate. The schools which operate on the quarter system have set 180 hours as the minimum number necessary for graduation. The student who takes 4 years of the minimum requirement for full-time status will accumulate 144 credit hours, or 36 short of the 180 necessary for graduation. In effect, far too many veterans are reluctantly decreasing their total number of hours per term in order to be able to work for additional periods of time.

The present 36-month limitation incurs several other handicaps for the student-veteran. Because of the college deferment, the draft focused on men whose families lacked an education orientation or who could not afford college and a student deferment. Over 17 percent of the Vietnam era veterans have not completed high school; thus the educationally disadvantaged veteran has little hope of completing his higher education within the time requirement of 3 years.

Second, this limitation not only forces the veteran to carry the maximum number of credits, but it prohibits adequate consideration for changes in course studies. Many veterans find that their original selection of a course major was based on inadequate considerations. Any change in a major field will require additional hours to earn the desired degree.

The student-veteran is also severely limited in his career selection and postgraduate study considerations. Most professions require more than just the undergraduate degree, and many veterans are not able to maximize their talents because of financial handicaps. In the areas of earning potential and initial job procurement, it is also apparent that a bachelor's degree earned in 1950 is roughly equivalent to a master's degree today.

Finally, a good number of veterans desperately need sufficient time to readjust to civilian society and to the academic environment. College campuses have undergone drastic changes since the unrest which plagued the country in the late 1960's and early 1970's. Familiar modes of study and curriculums are all but vanished from the academic institutions. These problems are multiplied when coupled with grade performance pressures and the necessity of employment which face almost all of our veterans. An increase in the length of entitlement for those who have earned it based on their time in the service can help eliminate a substantial number of these pressures. Congress, and the taxpayer in turn, will only benefit from a better educated and more financially stable veteran. Congress realized this when it passed the original GI bill of rights, which provided that all veterans were able to draw these benefits for 48 months. There are Members of this body who have earned their degrees as a result of this law. It seems only fair to equalize the available opportunities accorded to the two generations.

Present law also provides that the veteran has a period of 8 years from the date of discharge in which to complete his education. Any allowance not used in this 8-year period is forfeited. The bill I am sponsoring today further provides that this period of eligibility for complete use of the 48 months of educational assistance be extended to 15 years.

When Congress initially imposed this 8-year limitation for utilizing GI education benefits, the intent was to encourage the recently discharged veteran to enroll in school promptly and to complete his education as rapidly as possible. The economic problems which face most of today's veterans weakens any modern application of this rationale. Many are financially unable to enroll in schools directly after discharge. Others have experienced academic difficulties in the past; thus college and universities are reluctant to accept them until they have contributed in some manner to the civilian community. Others who do enroll soon after discharge are forced to drop out of school in order to support their families or to earn the money necessary to supplement the GI bill. Others simply do not realize the value of an education until it is too late to take advantage of the benefits.

My bill affords all of these groups the opportunity to take advantage of the benefits Congress has encouraged veterans to use. No greater assistance can be given to the veteran than to enable him to earn a good living. This can best be accomplished by having a good education, whether it be completed at age 25 or age 40.

The increase from 36 to 48 months for those who have earned it and the extension for eligibility from 8 to 15 years will not serve as a catalyst to induce veterans to continue or delay their education simply to consume additional benefits. It is only an equalization of opportunities enjoyed by their predecessors returning to a grateful nation that is proud of the men and women who served it.

I will, of course, reintroduce this bill in the 93d Congress. I submit it now for studying by my colleagues and would welcome cosponsorship.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this morning it reconvene at 12 o'clock noon today.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS TO INSERT ACHIEVEMENTS OF THE COMMITTEE IN THE RECORD

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to insert the achievements of the committee for the second session of the 92d Congress in the RECORD following the adjournment of Congress.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to to come before the Senate, I move in accordance with the previous order that the Senate stand in adjournment until 12 o'clock noon today.

The motion was agreed to; and at 1:22 a.m. on Wednesday, October 18, 1972, the Senate adjourned until 12 o'clock noon.

HOUSE OF REPRESENTATIVES—*Tuesday, October 17, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord watch between me and thee, when we are absent one from another.—Genesis 31: 49.

Eternal God and Father of us all, in the closing days of the 92d Congress we pause again in Thy presence to acknowledge our dependence upon Thee and to offer Thee the devotion of our hearts. Through the year Thou hast been our refuge and strength, our present help in time of trouble.

We thank Thee for the opportunities which have been ours working together under the dome of this Capitol of our national life. Here we have endeavored to serve Thee, our Nation and our world. For our labors may we hear the words "Well done, good and faithful servants."

Bless the Members of this body, some of whom will return and some of whom will not return. May the benediction of Thy spirit rest upon them that coming or going Thy peace may abide in all their hearts. And grant safe return of our majority leader and our colleague. May the Lord bless us and keep us always and in all ways. Amen.

THE JOURNAL

The **SPEAKER.** The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3786. An act to provide for the free entry of a four octave carillon for the use of Marquette University, Milwaukee, Wis.;

H.R. 10638. An act for the relief John P. Woodson, his heirs, successors in interest or assigns;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes;

H.R. 13895. An act to amend title 5, United States Code, to revise the pay structure for nonsupervisory positions of deputy U.S. marshal, and for other purposes;

H.R. 15597. An act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland;

H.R. 16074. An act to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977; and

H.J. Res. 733. Joint resolution granting the consent of Congress to certain boundary agreements between the States of Maryland and Virginia.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2318. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes;

S. 3240. An act to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges;

S. 3483. An act for the relief of Cass County, N. Dak.; and

S. 3671. An act to amend the Administrative Conference Act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) entitled "An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7577) entitled "An act to amend section 3306 of the Internal Revenue Code of 1954," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. ANDERSON, Mr. TALMADGE, Mr. BENNETT, and Mr. CURTIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the joint resolution (H.J. Res. 1331) entitled "Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. INOUYE, Mr. PROXMIRE, Mr. MAGNUSON, Mr. ROBERT C. BYRD, Mr. YOUNG, Mrs. SMITH, and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H.R. 7577. An act to amend section 3306 of the Internal Revenue Code of 1954;

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes; and

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

The message also announced that the Senate recedes from its amendment to a bill of the House of the following title:

H.R. 11773. An act to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection.

The message also announced that the Senate agrees to the House amendment to the Senate amendment to a bill of the House of the following title:

H.R. 16071. An act to amend the Public Works and Economic Development Act of 1965.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable.

ALASKAN SEARCH FOR MISSING MEMBERS, MAJORITY LEADER HALE S. BOGGS AND MEMBER NICK BEGICH

(Mr. O'NEILL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, we are all aware of the circumstances in which our majority leader, Mr. BOGGS, and Congressman BEGICH, are missing in a plane.

The White House has been constantly in touch with the Speaker since yesterday when they first learned that Mr. BOGGS and Mr. BEGICH were missing. Also, the congressional offices are getting a report of any developments every 30 minutes.

Mr. Speaker, apparently the weather is quite bad up there. The search pattern is from Anchorage to Juneau, down the normal air route, and 50 to 75 miles on each side of the air route. Thirty-five aircraft will be lifting off at 0700, local Alaska time, which is 12 o'clock noon our time. The aircraft were unable to take off prior to 7 a.m. Alaska time because of a tremendous fog, I understand. These search planes should be taking off just about this time, now.

Mr. Speaker, these search teams will cover the area from Anchorage to Prince William Sound. As far as the location is concerned, they will have good ceiling at 4,000 feet. Along the coast to Juneau, they expect fog which hopefully will lift about noon, Alaskan time.

Mr. Speaker, the search will be first over water, and when the fog lifts, it will then continue over land.

Of the 35 aircraft in use, four are Army, 11 are Air Force, four are Coast Guard, 15 are Civil Air Patrol, and one FAA.

We have been informed that the pilot who was commanding the two-motor Cessna is one of the great bush pilots of the area. And so, while we pray at this time, we do have hope and we do have confidence that this pilot has been able to find one of the areas where he has landed probably many times through the years. It is our hope and prayer, or course, that the men will be found safe.

Mr. Speaker, I have known Mr. BOGGS since I came to Congress 20 years ago. These past 2 years, I have had the distinct pleasure and honor to work closely with him as his assistant, the majority whip. HALE and I have become good personal friends, as well as close professional colleagues. I know no man who has fulfilled his responsibilities as majority leader with more competence, diligence, and resourcefulness.

Throughout this year he has campaigned all over the country almost weekly for Democratic Members or candidates whenever he was asked. His trip to Alaska on behalf of a Democratic Member and close personal friend, after an exhausting postmidnight session, exemplifies the kind of dedication and responsibility that HALE BOGGS brought to his job as leader of his party.

I have known and worked with NICK BEGICH for 2 years since he became a Member of the 92d Congress. He is a very affable and likable Member, and we are all aware of his tireless efforts on behalf of his constituents in Alaska.

Now is the time for us to say a silent prayer that Mr. BOGGS and Mr. BEGICH will be found unharmed and returned safely to their homes and families.

Mr. Speaker, we will continue with the normal process of business today until we have word from Alaska.

A PRAYER FOR OUR MAJORITY LEADER AND MR. BEGICH AND THE OTHER MEMBERS OF THEIR PARTY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I am sure the heart of every Member of this body is heavy today as we ponder the possible fate of our well-liked and beloved colleague, the majority leader, HALE BOGGS, as well as the fate of our friend and colleague, the gentleman from Alaska, NICK BEGICH.

When I heard the news of their disappearance last night I was immediately filled with great apprehension and deep foreboding.

Although we often fought verbally on the floor of the House, HALE and I are very, very close personal friends.

Mr. Speaker, our hearts go out to their wives and families during this period of uncertainty. We can only pray that no news is good news and that with the morning light which is returning to the vast area over which their flight was planned they will be found alive along with the pilot and NICK's district assistant, Russ Brown.

As many of you know, I came to know HALE extremely well during the trip we made together in late June and early July to the People's Republic of China. My wife, Betty, and I have had no more congenial and pleasant and constructive traveling companions than HALE and his lovely wife Lindy.

Let us say a prayer, Mr. Speaker; let us all pray that HALE BOGGS and NICK BEGICH and his assistant as well as the pilot will all be found safe and well. I humbly pray You, God, that this may be so.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I would like to add, also, that both the Speaker and I have been in touch with Mrs. Boggs. Mrs. Boggs and Mrs. Begich have spoken on the phone to each other since this event occurred. Mrs. Begich made reference to the fact that once before her husband had been found safely after he had been lost in Alaska for 9 hours. All of our prayers go to Mrs. Boggs and Mrs. Begich, with the hope that our dear colleagues will be found alive and well.

APPOINTMENT AS MEMBERS OF TECHNOLOGY ASSESSMENT BOARD

The SPEAKER. Pursuant to the provisions of section 4(a), Public Law 92-484, the Chair appoints as members of the Technology Assessment Board the following members on the part of the House: Mr. DAVIS, of Georgia; Mr. CABELL, of Texas; Mr. MCCORMACK, of Washington; Mr. MOSHER, of Ohio; Mr. GUBSER, of California; and Mr. HARVEY, of Michigan.

APPOINTMENT AS MEMBERS OF COMMISSION ON REVISION OF FEDERAL COURT APPELLATE SYSTEM

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 92-489, the Chair appoints as members of the Commission on Revision of the Federal Court Appellate System the following members on the part of the House: Mr. Brooks, of Texas; Mr. Mikva, of Illinois; Mr. Hutchinson, of Michigan; and Mr. Wiggins, of California.

TRIBUTE TO HON. JACKSON E. BETTS

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, those of us who look forward to returning to the 93d Congress next January will greatly miss the presence of the Honorable Jackson E. Betts of Ohio, who has made an enviable mark in 22 years of service in this body.

It has been my privilege to have known him well, and to have had his invaluable help as a member of the Committee on Standards of Official Conduct, which I have had the honor to chair since its establishment in 1967. For the last 4 years he has been the ranking Republican member of the committee, and it has been my great privilege to have had his wise counsel in the sensitive matters with which the committee has dealt.

Jack Betts is a true gentleman and a warm and gracious human being. And he has been a dedicated member of our committee and the other committees on which he has served.

While we shall miss him, he will always have a warm place in our hearts and, I am sure, in those of his constituents. While he is retiring from this body, we know that he will continue active in service to his beloved Findlay, Ohio, where he plans to resume the practice of law.

Mrs. Price joins me in wishing Jack Betts and his lovely wife Martha the best of everything as they resume life in Findlay.

THE HONORABLE ELIZABETH BULLOCK ANDREWS

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, it is with a great deal of respect and admiration that I rise today to bid farewell from this House to my colleague, the Honorable Elizabeth Bullock Andrews, who is retiring at the close of this Congress.

As you know, Elizabeth, during the year, has so ably completed the term of her late and beloved husband, the Honorable George W. Andrews, serving Alabama's Third Congressional District.

Alabama has been blessed through the years by distinguished, effective, and dedicated public servants by its lovely ladies and Elizabeth has certainly maintained and enhanced this tradition.

In serving her constituents this year she worked harder than most freshman Members running for reelection, up early in the morning and working late hours through the day.

Furthering the programs her husband worked so hard for, she pressed relentlessly for needed funds for river system studies and improvements in Alabama and to secure help for the cancer hospital in Birmingham.

I know her efforts and hard work would make George proud. We are all proud of her.

We wish for Elizabeth Andrews many healthy, happy and meaningful years as she returns to her home in Union Springs, Ala.

CONFERENCE REPORT ON S. 3230, JUDGMENT FUNDS OF ASSINIBOINE INDIANS OF MONTANA

Mr. ASPINALL submitted the following conference report and statement on the Senate bill (S. 3230) to provide for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of Indians in Indian Claims Commission docket numbered 279-A, and for other purposes:

Conference Report (H. Rept. No. 92-1608)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the Bill (S. 3230) to provide for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of Indians in Indian Claims Commission docket numbered 279-A, and for other purposes, having met, after full and free conference, have been unable to agree.

Wayne N. Aspinall,
Ed Edmondson,
John P. Saylor,
John N. Happy Camp,
Managers on the Part of the House.
Henry M. Jackson,
Lee Metcalf,
Henry Bellmon,
Managers on the Part of the Senate.

Joint Statement of the Committee of Conference

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3230) to provide for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of Indians in Indian Claims Commission docket numbered 279-A, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

Wayne N. Aspinall,
Ed Edmondson,
John P. Saylor,
John N. Happy Camp,
Managers on the Part of the House.
Henry M. Jackson,
Lee Metcalf,
Henry Bellmon,
Managers on the Part of the Senate.

FEASIBILITY INVESTIGATIONS OF POTENTIAL WATER RESOURCE DEVELOPMENTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 3959) to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment to the House amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendment, as follows:

At the end of the House engrossed amendment insert: "9. Three Forks Division, Pick-Sloan Missouri Basin program, in Gallatin and Madison Counties, northwest Montana."

The Senate amendment to the House amendment was concurred in.

A motion to reconsider was laid on the table.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

APPOINTMENT AS DELEGATES TO 17TH SESSION OF UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION IN PARIS

The SPEAKER. Pursuant to the provisions of House Resolution 1162, 92d Congress, the chair appoints as delegates to attend the 17th session of the United Nations Educational, Scientific, and Cultural Organization in Paris, France, from October 17 to November 18, 1972, the following members of the Committee on Education and Labor: Mr. Thompson of New Jersey; and Mr. Carlson, of Illinois.

CALL OF THE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 454]

Abbitt
Abernethy
Abourezk
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Archer
Arends
Aspin
Badillo
Baker
Baring
Begich
Bell
Bevill
Blackburn
Blanton
Blatnik
Boggs
Bolling
Bow
Brademas
Brooks
Broomfield
Brown, Mich.
Broyhill, N.C.
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byron
Cabell
Caffery
Carey, N.Y.
Celler
Chappell
Clewson, Del
Clay
Collins, Ill.
Collins, Tex.
Conable
Cotter
Crane
Curlin
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Denholm
Derwinski
Dickinson
Diggs
Dow
Dowdy
Dwyer
Eckhardt
Edmondson
Erlenborn
Evans, Colo.
Fisher
Flowers
Ford, William D.

Frelinghuysen
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Haley
Halpern
Hanna
Hansen, Wash.
Harvey
Hébert
Heinz
Howard
Ichord
Jarman
Jones, Tenn.
Kuykendall
Link
Lloyd
Long, La.
McClure
McCormack
McCulloch
McKay
McKevitt
McKinney
McMillan
Macdonald, Mass.
Mailliard
Martin
Matsunaga
Mayne
Meeds
Mikva
Mills, Md.
Mollohan
Monagan
Moss
Nichols
Patman
Peyser
Podell
Pryor, Ark.
Pucinski
Purcell
Railsback
Reid
Roncalio
Runnels
Rooney, N.Y.
Ruppe
Sandman
Scheuer
Schmitz
Shipley
Shoup
Sisk
Skubitz
Smith, N.Y.
Snyder
Springer
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stuckey
Symington
Talcott
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Widnall
Wilson, Bob
Winn
Wolff
Young, Fla.

The SPEAKER. On this rollcall 281 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF CONFEREES ON HOUSE JOINT RESOLUTION 1331, FURTHER CONTINUING APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year ending June 30, 1973, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees. Messrs. MAHON, WHITTEN, SIKES, PASSMAN, EVINS of Tennessee, BOLAND, JONAS, CEDERBERG, RHODES, and SHRIVER.

TABLE RELATING TO LABOR-HEW APPROPRIATION BILL

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a table relating to H.R. 16654, the Labor-Hew appropriation bill for the fiscal year 1973.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The material referred to is as follows:

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1973 (H.R. 16654) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY

Agency and item	1972 comparable appropriation	Budget estimates of new (obligational) authority, fiscal year 1973 [1]	New budget (obligational) authority recommended in the House bill (H.R. 15417)	New budget (obligational) authority recommended in the Senate bill (H.R. 15417)	New budget (obligational) authority recommended in the vetoed bill (H.R. 15417)	New budget (obligational) authority recommended in the House bill (H.R. 16654)	New budget (obligational) authority recommended in the Senate bill (H.R. 16654) [3]	New budget (obligational) authority recommended in the conference agreement (H.R. 16654) [4]
TITLE I—DEPARTMENT OF LABOR								
MANPOWER ADMINISTRATION								
Salaries and expenses	$36,852,000 (25,660,000)	$37,904,000 (26,602,000)	$37,704,000 (2)	$37,704,000 (2)	$37,704,000 (2)	$37,704,000 (2)	$37,704,000 (2)	$37,704,000 (2)
Trust fund transfer	(25,847,000)	(26,989,000)	(26,989,000)	(26,989,000)	(26,989,000)	(26,989,000)	(26,989,000)	(26,989,000)
Manpower training services	905,349,000 (776,717,000)	719,554,000 (829,862,000)	758,554,000 (2)	719,554,000 (2)	719,554,000 (2)	719,554,000 (2)	719,554,000 (2)	719,554,000 (2)
Emergency employment assistance	1,000,000,000	1,250,000,000	1,250,000,000	1,250,000,000	1,250,000,000	1,250,000,000	1,250,000,000	1,250,000,000
Federal unemployment benefits and allowances	856,600,000	475,000,000	475,000,000	475,000,000	475,000,000	475,000,000	475,000,000	475,000,000
Advances to the extended unemployment compensation account	600,000,000	120,000,000	120,000,000	120,000,000	120,000,000	120,000,000	120,000,000	120,000,000
Federal grants to States for employment services		66,700,000	66,700,000	66,700,000	66,700,000	66,700,000	66,700,000	66,700,000
Limitation on grants to States for unemployment insurance and employment services	(832,000,000)	(800,300,000)	(820,300,000)	(800,300,000)	(800,300,000)	(800,300,000)	(800,300,000)	(800,300,000)
Total, Manpower Administration	3,398,801,000	2,669,158,000	2,707,958,000	2,668,958,000	2,668,958,000	2,668,958,000	2,668,958,000	2,668,958,000
LABOR MANAGEMENT SERVICES ADMINISTRATION								
Salaries and expenses	22,568,000	25,624,000	25,202,000	25,202,000	25,202,000	25,202,000	25,202,000	25,202,000
EMPLOYMENT STANDARDS ADMINISTRATION								
Salaries and expenses	48,935,000	49,721,000	48,889,000	49,889,000	49,139,000	48,889,000	49,139,000	49,139,000
Federal workmen's compensation benefits	112,000,000	81,992,000	81,992,000	81,992,000	81,992,000	81,992,000	81,992,000	81,992,000
Total, Employment Standards Administration	160,935,000	131,713,000	130,881,000	131,881,000	131,131,000	130,881,000	131,131,000	131,131,000
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION								
Salaries and expenses	35,884,000	69,207,000	69,207,000	80,000,000	72,207,000	69,207,000	72,207,000	72,207,000
BUREAU OF LABOR STATISTICS								
Salaries and expenses	37,300,000	45,984,000	44,784,000	45,240,000	45,240,000	44,784,000	45,240,000	45,240,000
DEPARTMENTAL MANAGEMENT								
Salaries and expenses	20,619,000	25,406,000	24,156,000	24,196,000	24,196,000	24,156,000	24,196,000	24,196,000
Trust fund transfer	(772,000)	(797,000)	(797,000)	(797,000)	(797,000)	(797,000)	(797,000)	(797,000)
Special foreign currency program	100,000	309,000	100,000	309,000	100,000	100,000	100,000	100,000
Total, Departmental Management	20,719,000	25,715,000	24,256,000	24,505,000	24,296,000	24,256,000	24,296,000	24,296,000
Total, new budget (obligational) authority, Department of Labor	3,676,207,000	2,967,401,000	3,002,288,000	2,975,786,000	2,967,034,000	2,963,288,000	2,967,034,000	2,967,034,000
TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION								
Mental health	611,294,000	613,823,000	743,823,000	851,525,000	783,323,000	727,573,000	783,323,000	783,323,000
Saint Elizabeths Hospital (indefinite)	27,806,000	30,664,000	30,664,000	30,664,000	30,664,000	30,664,000	30,664,000	30,664,000
Health services planning and development	467,856,000	330,187,000	462,073,000	510,573,000	489,573,000	445,587,000	489,573,000	489,573,000
Health services delivery	667,006,000	751,295,000	751,295,000	844,797,000	798,046,000	751,295,000	798,046,000	798,046,000
Trust fund transfer	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)
Preventive health services	145,104,000	157,372,000	159,872,000	223,872,000	209,372,000	159,872,000	209,372,000	209,372,000
National health statistics	16,125,000	19,264,000	18,514,000	18,514,000	18,514,000	18,514,000	18,514,000	18,514,000

Footnotes at end of table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1973 (H.R. 16654) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY—Con.

Agency and item	1972 comparable appropriation	Budget estimates of new (obligational) authority, fiscal year 1973 [1]	New budget (obligational) authority recommended in the House bill (H.R. 15417)	New budget (obligational) authority recommended in the Senate bill (H.R. 15417)	New budget (obligational) authority recommended in the vetoed bill (H.R. 15417)	New budget (obligational) authority recommended in the House bill (H.R. 16654)	New budget (obligational) authority recommended in the Senate bill (H.R. 16654) [3]	New budget (obligational) authority recommended in the conference agreement (H.R. 16654) [4]
Retirement pay and medical benefits for commissioned officers (indefinite)	$24,600,000	$29,163,000	$29,163,000	$29,163,000	$29,163,000	$29,163,000	$29,163,000	$29,163,000
Buildings and facilities		19,457,000	19,457,000	19,457,000	19,457,000	19,457,000	19,457,000	19,457,000
Office of the Administrator	12,497,000	13,126,000	13,126,000	13,126,000	13,126,000	13,126,000	13,126,000	13,126,000
Medical facilities guarantee and loan fund	90,000,000							
Total, Health Services and Mental Health Administration	2,052,348,000	1,964,351,000	2,227,987,000	2,541,691,000	2,391,238,000	2,195,251,000	2,391,238,000	2,391,238,000
Consisting of—								
Definite appropriations	1,999,882,000	1,904,524,000	2,168,160,000	2,481,864,000	2,331,411,000	2,135,424,000	2,331,411,000	2,331,411,000
Indefinite appropriations	52,466,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000
NATIONAL INSTITUTES OF HEALTH								
Biologics standards	9,294,000	9,528,000	9,528,000	9,528,000	9,528,000	9,528,000	9,528,000	9,528,000
National Cancer Institute	378,885,000	432,205,000	492,205,000	492,205,000	492,205,000	484,705,000	492,205,000	492,205,000
National Heart and Lung Institute	232,688,000	255,280,000	300,000,000	350,000,000	320,000,000	294,410,000	320,000,000	320,000,000
National Institute of Dental Research	43,404,000	44,415,000	46,991,000	54,000,000	49,795,000	46,660,000	49,795,000	49,795,000
National Institute of Arthritis, Metabolism, and Digestive Diseases	153,325,000	188,089,000	167,316,000	182,000,000	173,190,000	166,288,000	173,190,000	173,190,000
National Institute of Neurological Diseases and Stroke	116,722,000	117,877,000	130,672,000	145,000,000	136,403,000	129,073,000	136,403,000	136,403,000
National Institute of Allergy and Infectious Diseases	109,156,000	112,649,000	113,414,000	135,000,000	122,048,000	113,318,000	122,048,000	122,048,000
National Institute of General Medical Sciences	173,472,000	175,960,000	183,171,000	206,000,000	192,302,000	182,270,000	192,302,000	192,302,000
National Institute of Child Health and Human Development	116,510,000	127,244,000	130,479,000	160,000,000	142,257,000	130,031,000	142,257,000	142,257,000
National Eye Institute	37,132,000	37,384,000	38,562,000	45,000,000	41,137,000	38,415,000	41,137,000	41,137,000
National Institute of Environmental Health Sciences	26,408,000	29,013,000	30,956,000	32,000,000	31,374,000	30,713,000	31,374,000	31,374,000
Research resources	74,981,000	75,005,000	75,073,000	83,000,000	78,244,000	75,065,000	78,244,000	78,244,000
John E. Fogarty International Center for Advanced Study in the Health Sciences	4,357,000	4,545,000	4,606,000	6,000,000	5,200,000	4,651,000	5,200,000	5,200,000
Subtotal, NIH research institutes	1,476,334,000	1,580,198,000	1,722,983,000	1,899,733,000	1,793,683,000	1,705,136,000	1,793,683,000	1,793,683,000
Health manpower	673,562,000	533,628,000	738,628,000	927,178,000	846,428,000	713,003,000	846,428,000	846,428,000
National Library of Medicine	24,127,000	28,568,000	28,568,000	29,068,000	28,818,000	28,568,000	28,818,000	28,818,000
Buildings and facilities	3,565,000	8,500,000	8,500,000	33,480,000	12,580,000	8,500,000	12,580,000	12,580,000
Office of the Director	11,324,000	12,042,000	12,042,000	13,042,000	12,542,000	12,042,000	12,542,000	12,542,000
Scientific activities overseas (special foreign currency program)	25,545,000	25,619,000	25,619,000	25,619,000	25,619,000	25,619,000	25,619,000	25,619,000
Payment of sales insufficiencies and interest losses	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
General research support grants	(55,212,000)	(54,624,000)	(60,700,000)	(60,700,000)	(60,700,000)	(60,700,000)	(60,700,000)	(60,700,000)
Total, National Institutes of Health	2,218,457,000	2,192,555,000	2,540,340,000	2,932,120,000	2,723,670,000	2,496,868,000	2,723,670,000	2,723,670,000
OFFICE OF EDUCATION								
Elementary and secondary education	1,776,893,000	1,786,893,000	2,034,393,000	2,036,393,000	2,034,393,000	1,786,893,000	2,034,393,000	2,034,391,000
School assistance in federally affected areas	611,880,000	430,910,000	671,405,000	749,955,000	681,405,000	641,405,000	681,405,000	681,405,000
Education for the handicapped	110,090,000	131,109,000	143,609,000	181,850,000	162,359,000	143,609,000	162,359,000	162,359,000
Vocational and adult education	540,127,000	542,127,000	643,460,000	674,768,000	659,162,000	592,127,000	659,162,000	659,162,000
Library resources	211,209,000 (13,000,000)	122,730,000 (14,000,000)	184,500,000 (2)	274,500,000 (2)	247,000,000 (2)	146,500,000 (2)	247,000,000 (2)	247,000,000 (2)
Educational renewal	168,390,000 (155,165,000)	215,500,000 (147,500,000)	219,190,000 (3)	259,240,000 (3)	238,315,000 (3)	219,190,000 (3)	238,315,000 (3)	238,315,000 (3)
Educational activities overseas (special foreign currency program)	3,000,000	5,000,000	3,000,000	5,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Salaries and expenses	64,160,000	68,360,000	68,360,000	69,360,000	68,360,000	68,360,000	68,360,000	68,360,000
Student loan insurance fund	12,765,000	29,047,000	29,047,000	29,047,000	29,047,000	29,047,000	29,047,000	29,047,000
Payment of participation sales insufficiencies	2,961,000	2,921,000	2,921,000	2,921,000	2,921,000	2,921,000	2,921,000	2,921,000
Civil rights education	9,799,000							
Total, Office of Education	3,521,274,000	3,334,597,000	3,899,885,000	4,283,043,000	4,125,962,000	3,636,052,000	4,125,962,000	4,125,962,000
SOCIAL AND REHABILITATION SERVICE								
Grants to States for public assistance	12,215,134,000	13,344,704,000	13,369,704,000	13,344,704,000	13,344,704,000	13,344,704,000	13,344,704,000	13,344,704,000
Work incentives	259,198,000	455,133,000	(2)	455,133,000	455,133,000	455,133,000	455,133,000	455,133,000
Grants for construction and staffing of rehabilitation facilities	3,051,000			20,000,000				
Grants for the developmentally disabled	42,540,000	35,465,000	(2)	102,825,000	51,250,000	35,465,000	51,250,000	51,250,000
Nutrition programs for the elderly		100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000
Research and training activities overseas (special foreign currency program)	8,000,000	10,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000
Salaries and expenses	44,817,000	60,215,000	60,215,000	60,215,000	60,215,000	60,215,000	60,215,000	60,215,000
Trust fund transfer	(400,000)	(600,000)	(600,000)	(600,000)	(600,000)	(600,000)	(600,000)	(600,000)
Total, Social and Rehabilitation Service	12,572,740,000	14,005,517,000	13,537,919,000	14,090,877,000	14,019,302,000	14,003,517,000	14,019,302,000	14,019,302,000
SOCIAL SECURITY ADMINISTRATION								
Payments to social security trust funds	2,465,297,000	2,475,485,000	2,475,485,000	2,475,485,000	2,475,485,000	2,475,485,000	2,475,485,000	2,475,485,000
Special benefits for disabled coal miners	591,839,000	1,526,500,000	557,788,000	1,526,500,000	1,526,500,000	1,526,500,000	1,526,500,000	1,526,500,000
Limitation on salaries and expenses	(1,167,394,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)
Limitation on construction	(18,194,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,090,000)
Total, Social Security Administration	3,057,136,000	4,001,985,000	3,033,273,000	4,001,985,000	4,001,985,000	4,001,985,000	4,001,985,000	4,001,985,000
SPECIAL INSTITUTIONS								
American Printing House for the Blind	1,580,000	1,696,500	1,696,500	1,696,500	1,696,500	1,696,500	1,696,500	1,696,500
National Technical Institute for the Deaf	7,619,000	4,694,000	4,694,000	4,694,000	4,694,000	4,694,000	4,694,000	4,694,000
Model Secondary School for the Deaf	17,491,000	4,625,000	4,625,000	4,625,000	4,625,000	4,625,000	4,625,000	4,625,000
Gallaudet College	13,371,000	9,486,000	14,446,000	15,082,000	15,082,000	14,446,000	15,082,000	15,082,000
Howard University	61,341,000	58,881,000	58,881,000	58,881,000	58,881,000	58,881,000	58,881,000	58,881,000
Total, Special Institutions	101,402,000	79,382,500	84,342,500	84,978,500	84,978,500	84,342,500	84,978,500	84,978,500

Footnotes at end of table.

Agency and item	1972 comparable appropriation	Budget estimates of new (obligational) authority, fiscal year 1973 [1]	New budget (obligational) authority recommended in the House bill (H.R. 15417)	New budget (obligational) authority recommended in the Senate bill (H.R. 15417)	New budget (obligational) authority recommended in the vetoed bill (H.R. 15417)	New budget (obligational) authority recommended in the House bill (H.R. 16654)	New budget (obligational) authority recommended in the Senate bill (H.R. 16654) [3]	New budget (obligational) authority recommended in the conference agreement (H.R. 16654) [4]
OFFICE OF THE SECRETARY								
Office for Civil Rights	$10,816,000	$13,587,000	$13,587,000	$13,587,000	$13,587,000	$13,587,000	$13,587,000	$13,587,000
Trust fund transfer	(1,049,000)	(1,180,000)	(1,180,000)	(1,180,000)	(1,180,000)	(1,180,000)	(1,180,000)	(1,180,000)
Departmental management	52,141,000	56,893,000	56,893,000	56,893,000	56,893,000	56,893,000	56,893,000	56,893,000
Trust fund transfer	(5,955,000)	(6,875,000)	(6,875,000)	(6,875,000)	(6,875,000)	(6,875,000)	(6,875,000)	(6,875,000)
Total, Office of the Secretary	62,957,000	70,480,000	70,480,000	70,480,000	70,480,000	70,480,000	70,480,000	70,480,000
Total, new budget (obligational) authority, Department of Health, Education, and Welfare	23,586,314,000	25,648,867,500	25,494,226,500	28,005,174,500	27,417,615,500	26,488,495,500	27,417,615,500	27,417,615,500
Consisting of—								
Definite appropriations	23,533,848,000	25,589,040,500	25,434,399,500	27,945,347,500	27,357,788,500	26,428,668,500	27,357,788,500	27,357,788,500
Indefinite appropriations	52,466,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000	59,827,000
TITLE III—RELATED AGENCIES								
Cabinet Committee on Opportunities for Spanish-Speaking People	890,000	1,260,000	1,260,000	1,000,000	1,000,000	1,260,000	1,000,000	1,000,000
Commission on Railroad Retirement	492,000	101,000	101,000	101,000	101,000	101,000	101,000	101,000
Federal Mediation and Conciliation Service	10,418,000	10,650,000	10,650,000	10,650,000	10,650,000	10,650,000	10,650,000	10,650,000
National Commission on Libraries and Information Science	200,000	406,000	406,000	406,000	406,000	406,000	406,000	406,000
National Commission on Marihuana and Drug Abuse	1,228,000	1,140,000	1,440,000	1,140,000	1,440,000	1,440,000	1,440,000	1,440,000
National Labor Relations Board	48,462,000	50,456,000	50,456,000	50,456,000	50,456,000	50,456,000	50,456,000	50,456,000
National Mediation Board	2,796,000	2,888,000	2,888,000	2,888,000	2,888,000	2,888,000	2,888,000	2,888,000
Occupational Safety and Health Review Commission	1,633,000	5,979,000	5,979,000	5,979,000	5,979,000	5,979,000	5,979,000	5,979,000
Railroad Retirement Board:								
Payments for military service credits	20,757,000	21,645,000	21,645,000	21,645,000	21,645,000	21,645,000	21,645,000	21,645,000
Limitation on salaries and expenses	(19,663,000)	(19,822,000)	(19,822,000)	(19,822,000)	(19,822,000)	(19,822,000)	(19,822,000)	(19,822,000)
U.S. Soldiers' Home (trust fund appropriation):								
Operation and maintenance	11,583,000	11,596,000	11,596,000	12,501,000	12,501,000	11,596,000	12,501,000	12,501,000
Capital outlay	80,000	244,000	244,000	2,114,000	2,114,000	244,000	2,114,000	2,114,000
Corporation for Public Broadcasting	35,000,000	45,000,000	(2)	65,000,000	45,000,000	45,000,000	45,000,000	45,000,000
Consisting of—								
Definite appropriations	(30,000,000)	(40,000,000)	(2)	(65,000,000)	(40,000,000)	(40,000,000)	(40,000,000)	(40,000,000)
Indefinite appropriations	(5,000,000)	(5,000,000)	(2)	----------------	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)
Total, new budget (obligational) authority related agencies	133,537,000	151,365,000	106,665,000	173,970,000	154,270,000	151,665,000	154,270,000	154,270,000
Consisting of—								
Definite appropriations	128,537,000	146,365,000	106,665,000	173,970,000	149,270,000	146,665,000	149,270,000	149,270,000
Indefinite appropriations	5,000,000	5,000,000	----------------	----------------	5,000,000	5,000,000	5,000,000	5,000,000
Office of Emergency Preparedness				200,000,000				
Grand total, new budget (obligational) authority	27,396,058,000	28,767,633,500	28,603,179,500	31,354,930,500	30,538,919,500	29,603,448,500	[3] 30,538,919,500	[4] 30,538,919,500
Consisting of—								
Definite appropriations	27,338,592,000	28,702,806,500	28,543,352,500	31,295,103,500	30,474,092,500	29,538,621,500	30,474,092,500	30,474,092,500
Indefinite appropriations	57,466,000	64,827,000	59,827,000	59,827,000	64,827,000	64,827,000	64,827,000	64,827,000

[1] Includes budget amendments and other estimates which were not considered by the House in connection with H.R. 15417, but were considered by the Senate in connection with H.R. 15417, and by both the House and the Senate in connection with H.R. 16654, as follows:

Manpower training services	−$39,000,000
Limitation on grants to States for unemployment insurance and employment services	(−20,000,000)
Grants to States for public assistance	−25,000,000
Work incentives	455,133,000
Grants for the developmentally disabled	35,465,000
Special benefits for disabled coal miners	968,712,000
Corporation for Public Broadcasting	45,000,000
Total	1,440,310,000

[2] Not considered.

[3] Section 409 of the Senate bill authorizes the President to reduce the total amount of the bill to $29,603,448,500, provided that no single appropriation or activity is reduced by more than 10 percent.

[4] Section 409 of the bill will authorize the President to reduce the total amoun tof the bill to $29,300,000,000, provided that no single appropriation or activity is reduced by more than 13 percent.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations have until midnight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONFERENCE REPORT ON H.R. 1467, PERSONAL EXEMPTIONS OF AMERICAN SAMOANS

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans:

CONFERENCE REPORT (H. REPT. No. 92-1607)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

On page 3, line 22, of the Senate engrossed amendments, strike out "4" and insert: "3".

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

On page 4, line 2, of the Senate engrossed amendments, strike out "5" and insert: "4".

And the Senate agree to the same.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
JOHN W. BYRNES,
JACKSON E. BETTS,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON ANDERSON,
WALLACE F. BENNETT,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by managers and recommended in the accompanying conference report:

Amendments Numbered 1 and 2: The bill as passed by the House extends the present law definition of a "dependent" for purposes of claiming an income tax personal exemption to include nationals of the United States who otherwise would qualify as dependents but for the fact that they are not citizens of the United States. The bill as passed by the House also eliminates the provision of existing law which limits an individual who is a national but not a citizen of the United States to one personal exemption. In practice these changes will have application to American Samoans. Under the bill as passed by the House, these changes were to be effective for taxable years beginning after 1970.

Senate amendments numbered 1 and 2 makes these changes effective for taxable years beginning after 1971 rather than after 1970.

The House recedes.

Amendment numbered 3: Senate amendment numbered 3 removes a discrimination in existing law against the spouse of an employee in a community property State who dies before the employee. Generally, an estate tax exclusion is provided for the proportion of the value of a survivor annuity to the extent it is attributable to the contributions of the employer. In a common law State where the nonemployee (often the wife) dies first, no value representing the employer's contributions is included in her estate tax base. In a community property State, however, as a result of the operation of community property laws, half of the value of an annuity is included in the estate tax base of the nonemployee spouse even though attributable to employer contributions. The Senate amendment removes this discrimination against a nonemployee spouse in a community property State.

The House recedes.

Amendment numbered 4: Under existing law (sec. 809(d)(5) of the Internal Revenue Code of 1954), in computing the gain from operations of a life insurance company, a deduction is allowed in an amount equal to 3 percent of the premiums attributable to nonparticipating contracts of life, accident, and health insurance issued or renewed for periods of 5 years or more. Senate amendment numbered 4 provided that, for this purpose, the period for which any contract is issued or renewed was to include the period for which it is guaranteed renewable.

The Senate recedes.

Amendment numbered 5: Senate amendment numbered 5 extends for 2 years (until January 1, 1973) the provision of the Technical Amendments Act of 1958 which provides that a deduction for accrued vacation pay is not to be denied solely because the liability for it to a specific person has not been fixed or because the liability for it to each individual cannot be computed with reasonable accuracy. For a corporation to obtain this deduction the employee must have performed the qualifying service necessary under a plan or policy which provides for vacations with pay to qualified employees and the plan or policy must have been communicated to the employees involved before the beginning of the vacation year.

The House recedes with a clerical amendment.

Amendment numbered 6: Under existing law, an itemized deduction is allowable for State and local general sales taxes. Generally, a general sales tax must apply at a uniform rate, but existing law permits the rate of a sales tax on motor vehicles to be lower than the general sales tax rate. If the rate of a State or local sales tax on motor vehicles is higher than the general sales tax rate no part of the tax paid is deductible.

Senate amendment numbered 6 provides that, where the rate of a State or local sales tax on motor vehicles is higher than the general sales tax rate, that part of the tax paid which is equal to a tax imposed at the general sales tax rate will be deductible. This change is to apply to taxable years ending on or after January 1, 1971.

The House recedes with a clerical amendment.

Amendment numbered 7: Senate amendment numbered 7 amended the effective date of section 308 of the Revenue Act of 1971, which provided that capital gains and stock option income which is attributable to foreign sources is to be treated as receiving preferential treatment for purposes of the minimum tax if the foreign country imposes no significant amount of tax with respect to these items of income. This provision was made applicable by the 1971 Act to taxable years beginning after 1969 (the effective date of the minimum tax). Senate amendment numbered 7 made this provision inapplicable in certain cases to transfers in which delivery occurred before June 25, 1971.

The Senate recedes.

W. D. Mills,
Al Ullman,
James A. Burke,
John W. Byrnes,
Jackson E. Betts,
Managers on the Part of the House.
Russell B. Long,
Clinton Anderson,
Wallace F. Bennett,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 1, SOCIAL SECURITY ACT AMENDMENT

Mr. MILLS of Arkansas, Mr. Speaker, I call up the conference report on the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children, with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 14, 1972.)

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, H.R. 1 as it passed the U.S. Senate would have cost more than $18 billion in its first full year. The House conferees met with representatives of the Senate over the course of 4 days, and we have managed to bring the cost of this bill down to less than one-third of that $18 billion—down to $5.3 billion, which is actually much less than H.R. 1 would have cost as it passed the House.

I insert at this point a table showing the overall cost effects of H.R.1:

Outgo over present law calendar 1974

	Billions
TRUST FUNDS	
Social security cash benefits	$2.3
Hospital insurance	1.6
Supplementary medical insurance	.1
Total	4.0
GENERAL REVENUES	
Supplementary security income	1.8
Food stamp cash-out	.3
Foster care	.2
Medicaid	.8
Supplementary medical insurance	.4
Total	1.3
Grand Total	5.3

The Senate had made 583 amendments to the House bill and the conferees went over every one of them. I admit that the House conferees were tough. We had to be tough. We insisted time after time that the Senate drop provisions which had substantial costs and we did this even when a Senate provision had considerable merit. And frankly, we were just as tough on ourselves. The Senate had dropped three important but costly provisions from the House version of H.R. 1, and the House receded on those three provisions even though they had much merit.

Despite all this, this bill still contains the most far-reaching provisions of a social security bill since we passed medicare in 1965.

The bill makes many important changes in the cash social security programs—for example, raising the earnings test amount, increasing payments to widows, and providing a special minimum benefit.

In the medicare and medicaid area, we have made almost 100 changes including medicare for the disabled and a special program for those suffering from killing kidney diseases.

The bill contains a brand new Federal program of assistance to the aged, blind, and disabled who do not have enough money to live on. This new program will assure that virtually no aged person will have to live below the poverty level.

As you can see, Mr. Speaker, the bill has three major areas of change, social security benefits, medicare and medicaid, and public assistance. I intend to go over each of these areas a little later.

But before I do so, let me refresh the Members of the House on the legislative history of this bill. In the last Congress, the House passed two separate bills, one on welfare reform and one on social security and medicaid and medicare and sent them to the other body. The Senate never did approve the welfare reform bill and did not send us the other bill until two days before the end of a Congress that quit on January 2. Clearly it was impossible at that time to complete a conference.

In order to make up for the Senate's lack of responsibility on this matter, the Committee on Ways and Means in the first days of this Congress in January 1971, reconsidered and improved the provisions in both the earlier bills and included them in H.R. 1. The committee worked hard on this bill, reporting it to the House on May 28, 1971. The House passed the bill on June 22, 1971. The bill was in the Senate for almost 16 months; it was not sent over here until just before the Columbus Day weekend.

I can fully understand and appreciate the concern of Members about having to consider this important legislation in the last days of a Congress. They have no stronger objections to it than I did. But I and the rest of the House conferees were not willing to let the irresponsibility of the other body once again keep the American people from having the benefit of the many important provisions of this legislation. In order to facilitate Members' consideration of this bill, there is available not only the conference report on the bill but also a brief summary of all the provisions in the bill as it will look when enacted.

PROVISIONS RELATING TO THE OASDI PROGRAM

Mr. Speaker, the provisions in the conference report relating to the old-age survivors and disability insurance program were agreed to with the general purpose of including in the bill the provisions of the House and Senate which were in disagreement that could be financed without unduly increasing social security tax rates.

There were some provisions in the House-passed bill that would have required substantial tax increases which had to be omitted from the conference report for this reason. These included provisions to provide an additional dropout year for each 15 years of covered service of a worker, which would have cost 0.25 percent of payroll, the provision for eliminating the actuarial reduction on a benefit subsequently applied for, which would have cost 0.13 percent of payroll, and the provision for combining the earnings of working couples which would have cost 0.20 percent of payroll. These were all meritorious amendments but their combined cost of 0.58 percent of payroll would have required substantial tax increases in future years.

A number of Senate amendments were also eliminated in order to hold down the cost of the bill. These included liberalizing the eligibility requirements of the blind for disability benefits, raising the earnings limitation far above the increase contained in the House bill, benefits for dependent brothers and sisters and providing actuarially reduced benefits at age 60 for workers and at age 55 for widows.

The conference report nevertheless contains many significant improvements in the social security cash benefits program. It increases benefits for widows and widowers which are applied for at or after 65 from 82½ percent to 100 percent of the benefit of a deceased spouse. It increases the earnings limitation from $1,680 to $2,100 a year and reduces the rate at which benefits are withheld to $1 in benefits to $2 of earnings for all earnings over that amount. It provides a special minimum benefit of $170 a month for workers with 30 years of covered employment. It provides higher benefits for persons who continue to work after age 65. It eliminates the discrimination in determining benefits and eligibility for men as compared to women workers. It reduces the waiting period for disability benefits from 6 months to 5 months.

In addition to these amendments, the conference report contains more than 20 additional improvements in the social security cash benefits program.

Benefit payments under the program will be increased by $2.3 billion in the first full year they are in effect.

PROVISIONS RELATING TO THE MEDICARE AND MEDICAID PROGRAMS

The provisions of H.R. 1 as adopted by the conference committee would make a great number of substantial improvements in the medicare and medicaid programs.

First, the bill would cover social security disabled beneficiaries under medicare effective next July. This provision will be of direct benefit to more than 1½ million severely disabled Americans.

Second, the conference committee report would provide protection against the costs of hemodialysis and kidney transplantation for almost all Americans afflicted with that disease beginning after the third month of treatment. This provision will help some of the most sorely afflicted people in the Nation. It has come to my attention on many occasions recently where an individual could benefit from hemodialysis treatment but his failure to be able to pay for it meant that he faced death instead. When H.R. 1 becomes law, this will no longer happen.

Third, the conference approved a provision that will cover chiropractors under medicare beginning next July. I know that many Members have introduced bills on this subject and I know that fact influenced the House conferees to a large degree.

I want to make one comment about the conference committee amendment to this provision. The conference committee amendment is designed to assure that chiropractors deal only with their customary major field. We do not expect or intend an over-technical interpretation of "subluxation;" what we do intend is that the generally accepted definition of this term be applied.

The bill as reported by the conference committee contained some 90 other provisions which will make many other adjustments and improvements in medicare and medicaid benefits and which will make many needed improvements in the operating effectiveness of these programs. These provisions are the result of many, many months of work in both the House and Senate beginning in early 1970. Many of these changes are long overdue and I am pleased that we can finally see them becoming part of the law.

I am not going to describe all 90 of them—they are described in detail in the summary of provisions which have been made available to the Members and which I will insert in the RECORD at this point in my statement. However, I would like to discuss a few of them which I regard as having considerable importance.

As many Members know, the aged pay one-half of the cost of part B in medicare through monthly premiums. The bill, as reported by the conference committee, provides that these premium amounts paid by the aged will be increased in the future at a rate no faster than social security cash benefits are increased.

The conference committee approved provisions which would authorize the establishment of professional standard review organizations. These organizations, which will be composed solely of physicians practicing in an area, will assume responsibility for the review of the utilization and quality of services provided under the medicare and medicaid programs. They would not be involved in determination of reasonable charges under medicare and medicaid, only whether the services provided are sound and proper. Safeguards are included which will protect the public's interest including appeal procedures and provisions to prevent pro forma performance. It may very well be that this will turn out to be one of the most important provisions of the bill. These organizations, which have already been set up in many States including California, Utah, New Mexico, Georgia, Pennsylvania, and Illinois, have already proven that they can do the job. I expect that as the physicians who are involved in these programs consult with and advise physicians in other areas, we will see a rapid expansion of the number of these organizations over the next few years.

The bill would permit the coverage of inpatient care in mental institutions for children covered under the medicaid program. Under present law, coverage is provided only for people 65 years of age and over. This provision will be of direct benefit to many young people who suffer from mental conditions, particularly because the House conferees insisted that any additional funds be spent only for active treatment which can reasonably be expected to lead to discharge of the young person from the mental hospital.

I will not take the time of the Members to describe any more of these provisions, but I hope that all of you will read the long list of them in the summary document and conclude as I have that these provisions represent the most important changes in the medicare and medicaid programs since their original enactment in 1965.

PROVISIONS RELATING TO SOCIAL SECURITY TAXES

The cost of the additional benefits in the OASDI and medicare programs are fully financed by changes in the tax rates paid by employers and employees.

Under present law as amended by Public Law 92–336, the OASDI tax rate is scheduled to remain at 4.6 percent from now through calendar year 1977. Beginning in 1978, it is scheduled to decline to 4.5 percent and remain at that level through the year 2010 and increase to 5.35 percent beginning in the year 2011. Under the conference report, the OASDI tax rate would be increased to 4.85 percent in 1973 and remain at that rate through 1977. Beginning in 1978, the OASDI tax rate would, under the conference report, go down to 4.8 percent and remain at that rate until the year

2010. Beginning in the year 2011, it would increase to 5.85 percent.

I call to the attention of the Members of the House that these tax rates are lower for the next 38 years than the tax rates which would have been effective under the law prior to the time it was amended by Public Law 92–336. Under that prior law, the OASDI tax rate would have increased to 5 percent for calendar years 1973 through 1975 and increased again to 5.15 percent beginning in 1976 and would have remained at that level thereafter.

The hospital insurance tax rates would be increased under the conference report in order to finance the extension of the medicare program to social security disability beneficiaries. These tax rates were raised by Public Law 92–336 in order to make up the actuarial deficit that was building up in the hospital insurance trust fund. As amended by that legislation, the hospital insurance tax rate is scheduled to increase to 0.9 percent for the years 1973 through 1977; to 1 percent for 1978 through 1985; to 1.1 percent for 1986 through 1992; and finally to 1.2 percent beginning in 1993. Under the conference report, the new schedule of rates for the hospital insurance tax would be 1 percent for 1973 through 1977; 1.2 percent for 1978 through 1980; 1.3 percent for 1981 through 1985; and 1.4 percent beginning in 1986. I include at this point two tables on the tax rates:

COMPARISON OF CONTRIBUTION RATES (EMPLOYERS AND EMPLOYEES, EACH)

[In percent]

	Calendar years	OASDI	HI [1]	Total
Present law:				
$10,800 base in 1973; $12,000 base in 1974; automatic thereafter	1973–77	4.60	0.90	5.50
	1978–85	4.50	1.00	5.50
	1986–92	4.50	1.10	5.60
	1993–97	4.50	1.20	5.70
	1998–2010	4.50	(1.20)	(5.70)
	2011 +	5.35	(1.20)	(6.55)

	Calendar years	OASDI	HI [1]	Total
Conference Committee bill:				
$10,800 base in 1973; $12,000 base in 1974; automatic thereafter	1973–77	4.85	1.00	5.85
	1978–80	4.80	1.25	6.05
	1981–85	4.80	1.35	6.15
	1986–97	4.80	1.45	6.25
	1998–2010	4.80	(1.45)	(6.25)
	2011 +	5.85	(1.45)	(7.30)

[1] Cost estimates for hospital insurance are made for a 25-year period only.

DOLLAR AMOUNT OF EMPLOYEE SOCIAL SECURITY CONTRIBUTIONS FOR CALENDAR YEARS 1973 AND 1974—FOR SELECTED LEVELS OF ANNUAL EARNINGS

	Contribution rate (percent)	Maximum covered earnings	Median earnings (male) ($7,433 for 1973; $7,804 for 1974)	Minimum wage earner $3,328 earnings
1973:				
Present law ($10,800)	5.5	$594.00	$408.82	$183.04
Conference bill ($10,800)	5.85	631.80	434.83	194.69
1974:				
Present law ($12,000)	5.5	660.00	429.22	183.04
Conference bill ($12,000)	5.85	702.00	456.53	194.69

I would like to reemphasize that while the combined tax rates including both the OASDI and hospital insurance tax rates would be higher in future years under H.R. 1 than they would have been before the Social Security Act was amended this year, that the tax rate schedule for the OASDI program alone has been reduced and that the increase in the taxes that workers and employers will be paying in the future are going primarily into the hospital insurance trust fund in order to provide hospital insurance benefits to disability beneficiaries and to make up the actuarial deficit that had existed in the hospital insurance trust fund.

The fiscal effects of the provisions in the bill on the medicaid program are quite substantial. The Department of Health, Education, and Welfare estimates that Federal expenditures under medicaid will be reduced by almost $500 million in this fiscal year and almost three-quarters of a billion dollars next fiscal year. I insert at this point a table on medicaid costs and savings in H.R. 1:

COST IMPACT ON MEDICAID OF H.R. 1 (CONFERENCE VERSION)

[Dollar amounts in millions]

	Effective date	Fiscal year— 1973	Fiscal year— 1974
Sec. 201. Disabled under medicare	July 1973		−$67
Sec. 204. Change in SMI deductible	January 1973	+$3	+8
Sec. 207. Incentives for utilization review	July 1973		−152
Sec. 208. Cost-sharing under medicaid	January 1973	−44	−89
Sec. 209. Determination of payments for families under medicaid.	January 1974		+15
Sec. 225. Limits on SNH/ICF payments	January 1973	−11	−22
Sec. 231. Maintenance of effort	Enacted	−540	−600
Sec. 235. Management information system	January 1972	+10	+10
Sec. 247. Level of care requirements	January 1973	−6	−14
Sec. 249B. 100 percent reimbursement SNH inspectors.	October 1972	+14	+20
Sec. 249E. Title XIX eligibility for recipients of social security benefit increase.	do	+$39	+$10
Sec. 271. Increased matching, Puerto Rico and the Virgin Islands.	July 1971	+10	+10
Sec. 299B. Coverage of mentally ill children	January 1973	+40	+110
Sec. 299E. 90 percent funding of family planning services.	October 1972	+15	+32
Sec. 299I. Coverage of renal disease	July 1973		−17
Total fiscal impact		−470	−746

PROVISIONS RELATING TO WELFARE PROGRAMS

Mr. Speaker, one of the very worthwhile and significant improvements which was made through this bill is the provision for supplemental income security for aged, blind, and disabled persons. At the present time these persons receive assistance through a great variety of State programs administered by the State welfare agencies under widely varying provisions as to eligibility and payment.

The conference committee report would create a single Federal program administered by the Social Security Administration with uniform Federal benefits and uniform eligibility requirements. The program entitled, "Supplemental Security Income for the Aged, Blind, and Disabled," would assure to otherwise eligible persons a monthly income of $130 if they have no other income. For a couple the amount would be $195; $20 of any type of income, social security benefits or otherwise, would be exempted so that persons with some other income would be assured $150 a month if single and $215 if married to an eligible spouse.

The special minimum which we established for social security beneficiaries, would assure to a person with 30 years of earnings under social security at least $170 a month. This would give some recognition of an individual's earnings or savings during his working lifetime and an even larger income if he has worked for 30 years. In addition, the aged, blind and disabled would have exempted $65 a month of earnings and one-half of the remainder of earnings, thereby encouraging them to continue in such employment as they may be able to do.

The blind would have similar exemptions together with an assurance that they would have no less of their income from other sources disregarded than they do today.

Resources, which eligible individuals might have, include the home and surrounding land if the value does not exceed a reasonable amount, household goods, personal effects, an automobile, and up to $1,500 in other resources—savings, cash surrender value of life insurance, bonds, et cetera—if single, and up to $2,250 if married. In the unlikely event that this should result in anyone that is now eligible under a State program becoming ineligible the conference report provides that anyone eligible under a State program immediately prior to the new Federal program which goes into effect in January 1974, would be assured of continuing eligibility.

Definitions for blindness and disability similar to those being used for social security beneficiaries would be established but no one would lose eligibility because of these who has been eligible under a State program.

States which have maintained higher levels of payment than those provided would be encouraged to continue to make supplemental payments and for these to be administered by the Department of Health, Education, and Welfare. The Federal Government would pay any administrative costs and would guarantee the States that their 1972 level of need could be met together with the cash value of food stamps without the State having to expend more than they spent in 1972.

Special provisions are made for narcotic addicts and alcoholics to assure that rehabilitation services are provided wherever they are available and that payments are made through third parties rather than giving the addicts checks for cash.

Severely disabled children under age 18 would be eligible for help.

H.R. 1 TITLE III

[Dollars in millions]

	Fiscal year— 1973	1974	1975	Calendar 1974
CURRENT LAW				
Payments	$2,100	$2,100	$2,200	$2,150
Administration	180	190	200	195
Subtotal	2,280	2,290	2,400	2,345
Food stamps	300	300	310	305
Total	2,580	2,590	2,710	2,645
H.R. 1				
Maintenance payments	2,100	2,800	3,500	3,500
Hold harmless		150	300	300
Administration	280	370	350	350
Subtotal	2,380	3,320	4,150	4,150
$4 pass through	.33	.25		
Subtotal	2,413	3,345	4,150	4,150
Food stamps	300	150		
Total	2,713	3,495	4,150	4,150
Net cost over current law	133	905	1,440	1,505

These are the broad outlines of the major provisions of this important bill. I now submit a summary of the bill, including further detail. I insert it in the RECORD immediately following these remarks, along with additional tables.

In the field of family welfare programs, the Committee on Ways and Means devoted a great deal of attention to the recommendations of the administration and to the views of other Members and sources during 1969, 1970, and early 1971. H.R. 1, as you will recall, was passed by the House in June, 1971. For over 15 months it was considered by the Senate Committee on Finance and a large number of complex public assistance amendments, completely divergent from those passed by the House were included in it as it finally passed the Senate. We frankly do not feel that in a week's time we could understand, much less arrive at a reasonable compromise between these new Senate provisions and the House bill. Accordingly, we reluctantly put aside both the House and Senate versions of welfare reform of the family programs.

Mr. Speaker, I feel that in the conference report on H.R. 1 we are bringing the House major and needed improvements in cash social security, medicare, medicaid and assistance for needy blind, disabled and aged people. I deeply regret that we do not bring to the House significant reform in the AFDC program. However, I believe that what we do have represents one of the most important bill in this Congress and that major gains have been made in a fiscally prudent manner.

I will include at this point a summary and certain tables:

SUMMARY OF H.R. 1, THE "SOCIAL SECURITY AMENDMENTS OF 1972" AS APPROVED BY THE CONFEREES

I. SOCIAL SECURITY CASH BENEFIT PROVISIONS

1. Special minimum cash benefits

The bill would provide a special minimum benefit of $8.50 multiplied by the number of years in covered employment up to 30 years, producing a benefit of at least $170 a month for a worker who has been employed for 30 years under social security coverage. This benefit would be paid as an alternative to the regular benefits in cases where a higher benefit would result.

Under this provision, the new higher minimum benefit would become payable to people with 20 or more years of employment; at that point, the special minimum benefit would be more than the regular minimum—$85 as compared to the regular minimum benefit of $84.50 payable under present law. A worker with 25 years of employment under social security would thus be guaranteed a benefit of at least $127.50; while one with 30 years would receive at least $170 a month. Minimum payments to a couple would be one and one-half times these amounts.

Years of covered employment:	*Special minimum*
19 or less	(1)
20	$85.00
21	93.50
22	102.00
23	110.50
24	119.00
25	127.50
26	136.00
27	144.50
28	153.00
29	161.50
30 or more	170.00

[1] Regular $84.50 minimum applies.

Effective date.—January 1973.

Number of people affected and dollar payments.—150,000 people would get increased benefits on the effective date and $20 million in additional benefits would be paid in 1974.

2. Increase in widow's and widower's insurance benefits

Under present law, when benefits begin at or after age 62 the benefit for a widow (or dependent widower) is equal to 82½ percent of the amount the deceased worker would have received if his benefit had started when he was age 65. A widow can get a benefit at age 60 reduced to take account of the additional 2 years in which she would be getting benefits.

The bill would provide benefits for a widow equal to the benefit her deceased husband would have received if he were still living. Under the bill, a widow whose benefits start at age 65 or after would receive either 100 percent of her deceased husband's primary insurance amount (the amount he would have been entitled to receive if he began his retirement at age 65) or, if his benefits began before age 65, an amount equal to the reduced benefit he would have been receiving if he were alive.

Under the bill, the benefit for a widow (or widower) who comes on the rolls between 60 and 65, would be reduced (in a way similar to the way in which widows' benefits are reduced under present law when they begin drawing benefits between ages 60 and 62) to take account of the longer period over which the benefit would be paid.

Effective date.—January 1973.

Number of people affected and dollar payments.—3.8 million people would get increased benefits on the effective date and $1.1 billion in additional benefits would be paid in 1974.

3. Increased benefits for those who delay retirement beyond age 65

The bill includes a provision which would provide for an increase in social security benefits of 1 percent for each year after age 65 that the individual delays his retirement.

Effective date.—For computation and recomputation after 1973 based on earnings after 1970.

4. Age 62 computation point for men

Under present law, the method of computing benefits for men and women differs in that years up to age 65 must be taken into account in determining average earnings for men, while for women only years up to age 62 must be taken into account. Also, benefit eligibility is figured up to age 65 for men, but only up to age 62 for women. Under the bill, these differences, which provide special advantages for women, would be eliminated by applying the same rules to men as now apply to women.

Effective date.—The new provision would become effective, starting January 1973 and become fully effective in January 1975.

Dollar payments.—About $14 million in additional benefits would be paid in 1974.

5. Liberalization of the retirement test

The amount that a beneficiary under age 72 may earn in a year and still be paid full social security benefits for the year would be increased from the present $1,680 to $2,100. Under present law, benefits are reduced by $1 for each $2 of earnings between $1,680 and $2,880 and for each $1 of earnings above $2,880. The committee bill would provide for a $1 reduction for each $2 of all earnings above $2,100, there would be no $1-for-$1 reduction as under present law. Also, in the year in which a person attains age 72 his earnings in and after the month in which he attains age 72 would not be included, as they are under present law, in determining his total earnings for the year.

Future increases in the amount of exempt earnings would be automatic as average earnings rise.

Effective date.—January 1973.

Number of people affected and dollar payments.—1.2 million beneficiaries would become entitled to higher benefit payments on the effective date and 450,000 additional people would become entitled to benefits. About $656 million in additional benefits would be paid in 1974.

6. Dependent widower's benefits at age 60

Aged dependent widowers under age 62 could be paid reduced benefits (on the same basis as widows under present law) starting as early as age 60.

Effective date.—January 1973.

7. Childhood disability benefits

Childhood disability benefits would be paid to the disabled child of an insured retired, deceased, or disabled worker, if the disability began before age 22, rather than before 18 as under present law. In addition, a person who was entitled to childhood disability benefits could become re-entitled if he again becomes disabled within 7 years after his prior entitlement to such benefits was terminated.

Effective date.—January 1973.

Number of people affected and dollar payments.—13,000 additional people would become eligible for benefits on the effective date and $17 million in additional benefits would be paid in 1974.

8. Continuation of child's benefits through the end of a semester

Payment of benefits to a child attending school would continue through the end of the semester or quarter in which the student (including a student in a vocational school) attains age 22 (rather than the month before he attains age 22) if he has not received, or completed the requirements for, a bachelor's degree from a college or university.

Effective date.—January 1973.

Number of people affected and dollar payments.—55 thousand beneficiaries would become entitled to higher benefit payments on the effective date and 5 thousand additional people would become entitled to benefits. About $19 million in additional benefits would be paid in 1974.

9. Eligibility of a child adopted by an old-age or disability insurance beneficiary

The provisions of present law relating to eligibility requirements for child's benefits in the case of adoption by old-age and disability insurance beneficiaries would be modified to make the requirements uniform in both cases. A child adopted after a retired or disabled worker becomes entitled to benefits would be eligible for child's benefits based on the worker's earnings if the child is the natural child or stepchild of the worker or if (1) the adoption was decreed by a court of competent jurisdiction within the United States, (2) the child lived with the worker in the United States for the year before the worker became disabled or entitled to an old-age or disability insurance benefit, (3) the child received at least one-half of his support from the worker for that year, and (4) the child was under age 18 at the time he began living with the worker.

Effective date.—January 1973.

10. Benefits for a child entitled on the record of more than one worker

The bill would provide that a child who is entitled to benefits on the earnings record of more than one worker would get benefits based on the earnings record which results in paying him the highest amount, if the payment would not reduce the benefits of any other individual who is entitled to benefits based on that earnings record. (Entitlement of a child on the earnings record that will give the child the highest benefit could otherwise result in a reduction of the benefits for other people entitled on the same earnings record because of the family maximum limitation.)

Effective date.—January 1973.

11. Benefits for a child based on the earnings record of a grandparent

Under the bill, benefits would be extended to grandchildren not adopted by their grandparents if their parents have died or are disabled and if the grandchildren were living with a grandparent at the time the grandparent qualified for benefits.

Effective date.—January 1973.

12. Nontermination of child's benefits by reason of adoption

Under the present law, a child's entitlement to benefits ends if he is adopted unless he is adopted by (1) his natural parent, (2) his natural parent's spouse jointly with the natural parent, (3) the worker (e.g., a stepparent) on whose earnings the child is getting benefits, or (4) a stepparent, grandparent, aunt, uncle, brother, or sister after the death of the worker on whose earnings the child is getting benefits.

Under the bill, a child's benefits would no longer stop when the child is adopted, regardless of who adopts him.

13. Elimination of the support requirements for divorced women

Under present law, benefits are payable to a divorced wife age 62 or older and a divorced widow age 60 or older if her marriage lasted 20 years before the divorce, and to a surviving divorced mother. In order to qualify for any of these benefits a divorced woman is required to show that: (1) she was receiving at least one-half of her support from her former husband, (2) she was receiving substantial contributions from her former husband pursuant to a written agreement, or (3) there was a court order in effect providing for substantial contributions to her support by her former husband. The bill would eliminate these support requirements for divorced wives, divorced widows, and surviving divorced mothers.

Effective date.—January 1973.

Number of people affected and dollar payments.—10 thousand additional people would become eligible for benefits on the effective date and $23 million in additional benefits would be paid in 1974.

14. Waiver of duration-of-marriage requirement in case of remarriage

The duration-of-marriage requirement in present law for entitlement to benefits as a worker's widow, widower, or stepchild—that is, the period of not less than 9 months immediately prior to the day on which the worker died that is now required (except where death was accidental or in the line of duty in the uniformed service in which case the period is 3 months)—would be waived in cases where the worker and his spouse were previously married, divorced, and remarried, if they were married at the time of the worker's death and if the duration-of-marriage requirement would have been met at the time of the divorce had the worker died then.

Effective date.—January 1973.

15. Reduction in waiting period for disability benefits

Under the bill, the present 6-month period throughout which a person must be disabled before he can be paid disability benefits would be reduced by 1 month (to 5 months).

Effective date.—January 1973.

Number of people affected and dollar payments.—950 thousand beneficiaries would become entitled to additional benefit payments in 1974 and 4 thousand additional people would become entitled to benefits. About $128 million in additional benefits would be paid in 1974.

16. Disability insured status for individuals who are blind

Under present law, to be insured for disability insurance benefits a worker must be fully insured and meet a test of substantial recent covered work (generally 20 quarters of coverage in the period of 40 calendar quarters preceding disablement). The bill would eliminate the test of recent attachment to covered work for blind people; thus a blind person would be insured for disability benefits if he is fully insured—that is, he has as many quarters of coverage as the number of calendar years that elapsed after 1950 (or the year he reached age 21, if later) and up to the year in which he became disabled.

Effective date.—January 1973.

Number of people affected and dollar payments.—30,000 additional people would become immediately eligible for benefits on the effective date, and $38 million in additional benefits would be paid in 1974.

17. Disability insurance benefits applications filed after death

Disability insurance benefits (and dependents' benefits based on a worker's entitlement to disability benefits) would be paid to the disabled worker's survivors if an application for benefits is filed within 3 months after the worker's death, or within 3 months after enactment of the provision. It would be effective for deaths occurring after 1969.

18. Disability benefits affected by the receipt of workmen's compensation

Under present law, social security disability benefits must be reduced when workmen's compensation is also payable if the combined payments exceed 80 percent of the worker's average current earnings before disablement. Average current earnings for this purpose can be computed on two different bases and the larger amount will be used. The bill adds a third alternative base, under which a worker's average current earnings can be based on the 1 year of his highest earnings in a period consisting of the year of disablement and the 5 preceding years.

Effective date.—January 1973.

Number of people affected and dollar payments.—40 thousand people would get increased benefits on the effective date and $22 million in additional benefits would be paid in 1974.

19. Wage credits for members of the uniformed services

Present law provides for a social security noncontributory wage credit of up to $300, in addition to contributory credit for basic pay, for each calendar quarter of military service after 1967. Under the bill, the $300 noncontributory wage credits would also be provided for service during the period January 1957 (when military service came under contributory social security coverage) through December 1967.

Effective date.—January 1973.

Number of people affected and dollar payments.—130 thousand people would get increased benefits on the effective date and $46 million in additional benefits would be paid in 1974.

20. Optional determination of self-employment earnings

Self-employed persons could elect to report for social security purposes two-thirds of their gross income from nonfarm self-employment. Not more than $1,600 in income (farm and nonfarm) could be reported in this manner. (This optional method of reporting is similar to the option available under present law for farm self-employment.) A regularity of coverage requirement would have to be met and the option could be used only five times by any individual.

Effective date.—January 1973.

21. Coverage of members of religious orders who are under a vow of poverty

Social security coverage would be made available to members of religious orders who have taken a vow of poverty, if the order makes an irrevocable election to cover these members as employees of the order.

Effective date.—January 1973.

22. Self-employment income of certain individuals living temporarily outside the United States

Under present law, a U.S. citizen who retains his residence in the United States but who is present in a foreign country or countries for approximately 17 months out of 18 consecutive months, must exclude the first $20,000 of his earned income in computing his taxable income for social security and income tax purposes. The bill would provide that U.S. citizens who are self-employed outside the United States and who retain their residence in the United States would not exclude the first $20,000 of earned income for social security purposes and would compute their earnings for self-employment for social security purposes in the same way as those who are self-employed in the United States.

Effective date.—January 1973.

23. Issuance of social security numbers and penalty for furnishing false information to obtain a number

The bill includes a number of provisions dealing with the method of issuing social security account numbers. Under present law, numbers are issued upon application, often by mail, upon the individual's motion.

Under the bill the Secretary would be required to issue numbers to non-citizens entering the country under conditions which would permit them to work. In the case of a person who may not legally work at the time he is admitted to the United States, the number would be issued at the time his status changes. In addition to these general rules, numbers would be issued to persons who do not have them at the time they apply for benefits under any federally financed program.

The Secretary would be authorized to issue numbers to individuals when they enter the school system.

As a corollary to this more orderly system of issuing social security account numbers, the bill would provide criminal penalties for (1) furnishing false information in applying for a social security number; (2) knowingly and willfully using a social security number that was obtained with false information or (3) using someone else's social security number. The penalty would involve a fine of up to $1,000 or imprisonment for up to 1 year or both.

Effective date.—January 1973.

24. Trust fund expenditures for rehabilitation services

The bill provides an increase in the amount of social security trust fund moneys that may be used to pay for the costs of rehabilitating social security disability beneficiaries. The amount would be increased from 1 percent of the previous year's disability benefits (as under present law) to 1¼ percent for fiscal year 1973 and to 1½ percent for fiscal year 1974 and subsequent years.

Dollar expenditures.—$28 million in additional expenditures for vocational rehabilitation would be made in 1974.

25. Recomputation of benefits based on combined railroad and social security earnings

The bill would provide that a deceased individual who during his lifetime was entitled to social security benefits and railroad compensation and whose railroad remuneration and earnings under social security are, upon his death, to be combined for social security purposes would have his primary insurance amount recomputed on the basis of his combined earnings, whether or not he had earnings after 1965.

26. Payments to disabled former employee

Provides that payments made by an employer to a former disabled employee will not be counted for social security benefit or tax purposes if the payment is made after the calendar year in which the former employee became entitled to social security disability insurance benefits.

27. Social security coverage for foreign missionaries

Eliminates for certain foreign ministers the $20,000 exclusion from earned income earned abroad in the case of a minister or a member of a religious order.

28. Coverage of students and certain part-time employees

Permits States to modify their social security coverage agreements for State and local employees so as to remove from coverage services of students employed by the public school or college they are attending, and the services of part-time employees.

29. Wage credits for World War II internees

Provides non-contributory social security credits for U.S. citizens of Japanese ancestry who were interned by the U.S. Government during World War II. In order to qualify for the wage credits an individual must have been 18 or older at the time he was interned and the credits will be determined on the basis of the then prevailing minimum wage or the individual's prior earnings, whichever is larger.

30. Duration-of-relationship requirements

Amends the provision of present law which reduces from 9 months to 3 months the duration-of-relationship requirement when death is accidental or in line of duty in the Armed Forces so that there would be no duration-of-relationship requirement in cases of an accidental death if it is reasonable to expect that the deceased would have lived for at least 9 months.

31. Other Cash Benefits Amendments

Other amendments included in the committee bill relate to the executive pay level of the Commissioner of Social Security; coverage of registrars of voters in Louisiana; coverage of certain policemen and firemen in West Virginia and Idaho and certain hospital employees in New Mexico; coverage of certain employees of the Government of Guam; coverage of Federal Home Loan Bank employees; and acceptance of money gifts made unconditionally to social security.

II. MEDICARE-MEDICAID AMENDMENTS

1. Medicare coverage for the disabled

Effective July 1, 1973, a social security disability beneficiary would be covered under medicare after he had been entitled to disability benefits for not less than 24 consecutive months. Those covered would include disabled workers at any age; disabled widows and disabled dependent widowers between the ages of 50 and 65; beneficiaries age 18 or older who receive benefits because of disability prior to reaching age 22; and disabled qualified railroad retirement annuitants. An estimated 1.7 million disabled beneficiaries would be eligible initially.

2. Hospital insurance for the uninsured

The bill will permit persons age 65 or over who are ineligible for part A of medicare to voluntarily enroll for hospital insurance coverage by paying the full cost of coverage (initially estimated at $33 monthly and to be recalculated annually). Where the Secretary of HEW finds it administratively feasible, those State and other public employee groups which have, in the past, voluntarily elected *not* to participate in the Social Security program could opt for and pay the part A premium costs for their retired or active employees age 65 or over. Enrollment in part B of medicare would be required as a condition of buying into the part A program.

Effective date: July 1, 1973.

3. Part B premium increases

The bill will limit part B premium increases for fiscal years 1974 and thereafter to not more than the percentage by which the Social Security cash benefits had been generally increased since the last part B premium adjustment. Costs above those met by such premium payments would be paid out of general revenues in addition to the regular general revenue matching.

Effective date: July 1, 1973.

4. Part B deductible

Beginning with calendar year 1973, the bill increases the annual part B deductible from $50 to $60.

5. Automatic enrollment in part B

Effective July 1, 1973, the bill provides (except for residents of Puerto Rico and foreign countries) for automatic enrollment under part B for the elderly and the disabled as they become eligible for part A hospital insurance coverage. Persons eligible for automatic enrollment must also be fully informed as to the procedure and given an opportunity to decline the coverage.

6. Effective utilization review programs in medicaid

Effective July 1, 1973, the bill authorizes a one-third reduction in Federal matching payments for long-term stays in hospitals, nursing homes, intermediate care facilities, and mental institutions, if States fail to have effective programs of control over the utilization of institutional services or where they fail to conduct the independent professional audits of patients as required by law. The bill also authorizes the Secretary, after June 30, 1973, to compute a reasonable differential between the cost of skilled nursing facility services and intermediate care facility services provided in a State to medicaid patients.

7. Cost sharing under medicaid

The bill made the following changes with respect to premiums, copayments, and deductibles under medicaid.

1. It requires States which cover the medically indigent to impose monthly premium charges. The premium would be graduated by income in accordance with standards prescribed by the Secretary.

2. States could, at their option, require payment by the medically indigent of nominal deductibles and nominal co-payment amounts which would not have to vary by level of income.

3. With respect to cash assistance recipients, nominal deductible and co-payment requirements, while prohibited for the six mandatory services required under Federal law (inpatient hospital services; outpatient hospital services; other X-ray and laboratory services; skilled nursing home services; physicians' services; and home health services), would be permitted with respect to optional medicaid services such as prescribed drugs, hearing aids, etc.

Effective date: January 1973.

8. Protection against loss of medicaid because of increased earnings

An individual or member of a family eligible for cash public assistance and medicaid who would otherwise lose eligibility for medicaid as a result of increased earnings from employment would be continued on medicaid for a period of 4 months from the date where medicaid eligibility would otherwise terminate.

9. Coordination between medicare and Federal employee plans

Effective January 1, 1975, medicare would not pay a beneficiary, who is also a Federal retiree or employee, for services covered under his Federal employee's health insurance policy which are also covered under medicare unless he has had an option of selecting a policy *supplementing* medicare benefits. If a supplemental policy is not made available the F.E.P. would then have to pay first on any items of care which were covered under both the Federal employee's program and medicare.

Effective date: January 1974.

10. Medicare services outside of the United States

Effective January 1, 1973, the bill authorizes use of a foreign hospital by a U.S. resident where such hospital was closer to his residence or more accessible than the nearest suitable United States hospital. Such hospitals must be approved under an appropriate hospital approval program.

In addition, the bill authorizes part B payments for necessary physicians' services furnished in conjunction with such hospitalization.

The bill also authorizes medicare payments for emergency hospital and physician services needed by beneficiaries in transit between Alaska and the other continental States.

11. Optometrists under medicaid

The bill requires States, which had previously covered optometric services under medicaid and which, in their State plans, specifically provided for coverage for eye care under "physicians' services," which an optometrist is licensed to provide, to reimburse for such care whether provided by a physician or an optometrist.

Effective date: Enactment.

12. Beneficiary liability under medicare

The bill would, with respect to claims for services provided after the date of enactment, relieve beneficiaries from liability in certain situations where medicare claims are disallowed and the beneficiary is without fault.

13. Limitation on Federal payments for disapproved capital expenditures

The bill would preclude medicare and medicaid payments for certain disapproved capital expenditures (except for construction toward which preliminary expenditures of $100,000 or more had been made in the 3-year period ending December 17, 1970) which are specifically determined to be inconsistent with State or local health facility plans. The provision would become effective after December 31, 1972 or earlier, if requested by a State.

14. Demonstrations and reports

The bill authorizes the Secretary to undertake studies, experiments or demonstration projects with respect to: various forms of prospective reimbursement of facilities; ambulatory surgical centers; intermediate care and homemaker services (with respect to the extended care benefit under medicare); elimination or reduction of the three-day prior hospitalization requirement for admission to a skilled nursing facility; determination of the most appropriate methods of reimbursing for the services of physicians' assistants and nurse practitioners; provision of day care services to older persons eligible under medicare and medicaid; and, possible means of making the services of clinical psychologists more generally available under medicare.

Effective date: Enactment.

15. Limitation on coverage of costs under medicare

The bill authorizes the Secretary to establish limits on overall direct or indirect costs which will be recognized as reasonable for comparable services in comparable facilities in an area. He may also establish maximum acceptable costs in such facilities with respect to items or groups of services (for example, food costs, or standby costs). The beneficiary would be liable (except in the case of emergency care) for any amounts determined as excessive (except that he may not be charged for excessive amounts in a facility in which his admitting physician has a direct or indirect ownership in the facility.

Effective date: January 1973.

16. Limits on prevailing physician charge levels

The bill recognizes as reasonable, for medicare reimbursement purposes only, those charges which fall within the 75th percentile. Starting in 1973, increases in physicians' fees allowable for medicare purposes, would be limited by a factor which takes into account increased costs of practice and the increase in earnings levels in an area.

With respect to reasonable charges for medical supplies and equipment, the amendment would provide for recognizing only the lowest charges at which supplies of similar quality are widely and consistently available.

17. Limits on payments to skilled nursing facilities and intermediate care facilities under medicaid

Effective January 1, 1973, Federal financial participation in reimbursement for skilled nursing facility care and intermediate care per diem costs would not be available to the extent such costs exceed 105 percent of prior year levels of payment under the provision (except for those costs attributable to any additional required services). The provision would except increased payment resulting from increases in the Federal minimum wage or other new Federal laws.

18. Payments to health maintenance organizations

Authorizes medicare to make a single combined Part A and B payment, on a capitation basis, to a "Health Maintenance Organization," which would agree to provide care to a group not more than one-half of whom are medicare beneficiaries who freely choose this arrangement. Such payments may not exceed 100 percent of present Part A and B per capita costs in a given geographic area, and the exact amount of the payment would be dependent on the efficiency of the HMO.

The Secretary could make these arrangements with existing prepaid groups and foundations, and with new organizations which eventually meet the broadly defined term "Health Maintenance Organization."

Effective date: July 1973.

19. Payments for the services of teaching physicians

The bill provides that, for accounting periods beginning after June 30, 1973, services of teaching physicians would be reimbursed on a costs basis unless:

(A) The patient is bona fide private or;

(B) The hospital has charged all patients and collected from a majority on a fee-for-service basis.

For donated services of teaching physicians, a salary cost would be imputed equal to the prorated usual costs of full-time salaried physicians. Any such payment would be made to a special fund designated by the medical staff to be used for charitable or educational purposes.

20. Advance approval of ECF and home health coverage

The bill authorizes Secretary to establish, by diagnosis, minimum periods during which the posthospital patient would be presumed to be eligible for benefits.

Effective date: January 1973.

21. Termination of payment to suppliers of service

Under the bill the Secretary would be authorized to suspend or terminate medicare payments to a provider found to have abused the program. Further, there would be no Federal participation in medicaid payments which might be made subsequently to this provider. Program review teams would be established in each State to furnish the Secretary with professional advice in discharging this authority.

Effective date: January 1973.

22. Elimination of requirement that States move toward comprehensive medicaid program

The bill repeals Section 1903(e) which required each State to show that it was making efforts in the direction of broadening the scope of services in its medicaid program and liberalizing eligibility requirements for medical assistance.

23. Elimination of medicaid maintenance of effort

The bill repeals Section 1902(d). Under Section 1902(d) a State could not reduce its aggregate expenditures for the State share of its medicaid program from one year to the next.

Effective date: Enactment.

24. Determination of reasonable cost of inpatient hospital services under medicaid and maternal and child health programs

The bill would allow States, with the advance approval of the Secretary, to develop their own methods and standards for reimbursement of the reasonable costs of inpatient hospital services. Reimbursement by the States would in no case exceed reasonable cost reimbursement as provided for under medicare.

25. Customary charges less than reasonable costs under medicare

Effective for accounting periods beginning after December 31, 1972, the bill provides that reimbursement for services under medicaid and medicare cannot exceed the lesser of reasonable costs determined under medicare, or the customary charges to the general public. The provisions would not apply to services furnished by public providers free of charge or at a nominal fee. In such cases reimbursement would be based on those items included in the reasonable cost determination which would result in fair compensation.

Effective date: January 1973.

26. Institutional planning under medicare

The bill would require all providers, as a condition of medicare participation, to have a written overall plan and budget reflecting an operating budget and a capital expenditures plan which would be updated at regular intervals.

The required annual operating budget would not have to be a detailed item budget.

Effective date: Fiscal years after March 1973.

27. Cost determination system under medicaid

The bill provides for Federal matching for the cost of designing, developing, and installing mechanized claims processing and information retrieval systems at 90 percent and 75 percent for the operation including contract operation (of such systems).

Effective Date: July 1972.

28. Prohibition against reassignment of claims for benefits

Effective January 1, 1973, the bill prohibits payment to anyone other than the physician or other person who provided the service, unless such person is required as a condition of his employment to turn his fees over to his employer.

29. Utilization review requirements under medicaid and maternal and child health programs

Effective January 1973, the bill requires hospitals and skilled nursing homes participating in titles 5 and 19 to use the same utilization review committees and procedures now required under title 18 for those programs with certain exceptions approved by the Secretary. This requirement is in addition to any other requirements now imposed by the Federal or State governments.

30. Notification of unnecessary hospital and skilled nursing facility admissions

The bill requires notification to patient and physician and a payment cut-off after 3 days, in those cases where unnecessary utilization is discovered during a sample review of admissions to medicare hospitals or skilled nursing facilities.

31. Use of State health agency to perform certain functions under medicaid

Effective January 1973, the bill requires that the same State health agency (or other appropriate State medical agency) certify facilities for participation under both medicare and medicaid. The bill also requires that Federal participation in medicaid payments be contingent upon the State health agency establishing a plan for statewide review of appropriateness and quality of services rendered.

32. Relationship between medicaid and comprehensive health programs

The bill permits States to waive Federal statewideness and comparability requirements in medicaid with approval of the Secretary if a State contracts with an organization which has agreed to provide health services in excess of the State plan to eligible recipients who reside in the area served by the organization and who elect to receive services from such organization. Payment to such organizations could not be higher on a per-capita basis than the per-capita medicaid expenditures in the same general area.

33. Proficiency testing

The bill provides for proficiency testing of paramedical personnel under medicaid until December 31, 1977.

34. Penalty for fraudulent acts and false reporting

The bill establishes penalties for soliciting, offering or accepting bribes or kickbacks, or for concealing events affecting a person's rights to benefit with intent to defraud, and for converting benefit payments to improper use, of up to one year's imprisonment and a $10,000 fine or both. Additionally, the bill establishes false reporting of a material fact as to conditions or operations of a health care facility as a misdemeanor subject to up to 6 months' imprisonment, a fine of $2,000, or both.

35. Provider Reimbursement Review Board

The bill establishes a Provider Reimbursement Review Board to hear cases involving an issue of $10,000 or more. Groups of providers can appeal where the amounts at issue on a common matter aggregate $50,000 or more. Any provider which believes that its fiscal intermediary has failed to make a timely cost determination on its annual cost report or timely determination on a supplemental filing can appeal to the Board where the amount involved is $10,000 or more. The change is effective for accounting periods ending on or after June 30, 1973.

36. Validation of Joint Commission on Accreditation of Hospitals Surveys

The bill provides that State certification agencies, as directed by the Secretary, would survey on a selective sample basis (or where substantial allegations of noncompliance have been made) hospitals accredited by the JCAH. The bill also authorizes the Secretary to promulgate health and safety standards without being restricted to JCAH standards.

37. Payment for durable medical equipment under medicare

The bill authorizes the Secretary to experiment with reimbursement approaches which are intended to eliminate unreasonable expenses resulting from prolonged rentals of durable medical equipment and then to implement the approaches found effective.

38–42. Skilled Nursing Facilities under medicare and medicaid

38. Conforming standards for extended care and skilled nursing home facilities.—The bill would establish a single definition and set of standards for extended care facilities under medicare and skilled nursing homes under medicaid. The provision creates a single category of "skilled nursing facilities" which would be eligible to participate in both health care programs. A "skilled nursing facility" would be defined as an institution meeting the present definition of an extended care facility and which also satisfies certain other medicaid requirements set forth in the Social Security Act.

Effective date: July 1973.

39. "Skilled care" definition for medicare and medicaid.—The bill would change the definition of care requirements with respect to entitlement for extended care benefits under medicare and with respect to skilled nursing care under medicaid. Present law would be amended to authorize skilled care benefits for individuals in need of "skilled nursing care and/or skilled rehabilitation services on a daily basis in a skilled nursing facility which it is practical to provide only on an inpatient basis." Coverage would also be continued during short-term periods (e.g. a day or two) when no skilled services were actually provided but when discharge from a skilled facility for such brief period was neither desirable nor practical.

Effective date: January 1973.

40. 14-Day transfer requirement for extended care benefits.—Under existing law, medicare beneficiaries are entitled to extended care benefits only if they are transferred to an extended care facility within 14 days following discharge from a hospital. Under the bill an interval of more than 14 days would be authorized for patients whose conditions did not permit immediate provision of skilled services within the 14-day limitation. An extension not to exceed 2 weeks beyond the 14 days would also be authorized in those instances where an admission to an ECF is prevented because of the non-availability of appropriate bed space in facilities ordinarily utilized by patients in a geographic area. *Effective date:* Enactment.

41. Reimbursement rates for care in skilled nursing facilities.—The bill amends title 19 to require States, by July 1, 1976, to reimburse skilled nursing and intermediate care facilities on a reasonably cost-related basis, using acceptable cost-finding techniques and methods approved and validated by the Secretary of HEW. Cost reimbursement methods which the Secretary found to be acceptable for a State's medicaid program could be adapted, with appropriate adjustments, for purposes of medicare skilled nursing facility reimbursements in that State.

42. Skilled nursing facility certification procedures.—Under the bill, facilities which participate in both medicare and medicaid would be certified by Secretary of HEW. The Secretary would make that determination, based principally upon the appropriate State health agency evaluation of the facilities.

43. Federal financing of nursing home inspections

The bill authorizes 100% Federal reimbursement for the survey and inspection costs of skilled nursing facilities and intermediate care facilities under medicaid, from October 1, 1972, through July 1, 1974.

44. Disclosure of information concerning medicare agents and providers

The bill provides the DHEW regularly make public the following types of evaluations and reports with respect to the medicare and medicaid programs: (1) individual contractor performance reviews and other formal evaluations of the performance of carriers, intermediaries, and State agencies including the reports of follow-up reviews: (2) comparative explanations of the performance of contractors—including comparisons of either overall performance or of any particular contractor operation: (3) program validation survey reports—,with the names of individual deleted.

45. Prohibition against institutional medical care payments under cash welfare programs

The bill precludes Federal matching for that portion of any money payment which is related to institutional medical or remedial care.

46. Determining eligibility for medicaid for certain individuals

Individuals eligible for medicaid in September 1972 could not lose their eligibility because of the recent 20% social security benefit increase until October 1973.

47. Professional standards review organizations

The bill provides for the establishment of professional standards review organization consisting of substantial numbers of practicing physicians (usually 300 or more) in local areas to assume responsibility for comprehensive and on-going review of services covered under the medicare and medicaid programs. Until January 1, 1976 only such qualified physician-sponsored organizations may be designated as PSRO's. Subsequent to that date priority will be given to such organizations but where they do not choose to or do not qualify to assume such responsibilities in an area, the Secretary may designate another organization having professional medical competence as the PSRO for the area. The PSRO would be responsible for assuring that institutional services were (1) medically necessary and (2) provided in accordance with professional standards. A PSRO, at its option, and with the approval of the Secretary, may also assume responsibility for the review of non-institutional care and services provided under medicare and medicaid. PSRO's would not be involved with reasonable charge determinations. The provision is designed to assure proper utilization of care and services provided under medicare and medicaid utilizing a formal professional mechanism representing the broadest possible cross-section of practicing physicians in an area. Safeguards are included, designed to protect the public interest, including appeals procedures, and to prevent pro forma assumption in carrying out review responsibilities. The provision requires recognition of and use by the PSRO of utilization review committees in hospitals and medical organizations to the extent they are determined to be effective.

48. Physical therapy services and other services under medicare

Effective July 1973, the bill would include as covered services under part B, physical therapy provided in the therapist's office pursuant to a physician's written plan of treatment.

It also authorizes a hospital or extended care facility to provide outpatient physical therapy services to its inpatients, so that an inpatient could conveniently receive his part B benefits after his inpatient benefits have expired.

Benefit payments in one year for services by an independent practitioner in his office or the patient's home could not exceed $100. Effective January 1973, reimbursement for services provided by physical and other therapists would generally be limited to a reasonable salary-related basis rather than fee-for-service basis.

49. Coverage of supplies related to colostomies

The bill provides for medicare coverage of the costs of supplies directly related to the care of a colostomy.

50. Coverage prior to application for medicaid

The bill requires, effective July 1, 1973, all States to provide medicaid coverage for care and services furnished in or after the third month prior to application to those individuals who were otherwise eligible when the services were received. Included as eligible under the three-months retroactive coverage requirement would be deceased individuals whose fatal condition prevented them from applying for medicaid coverage but who would have been eligible if application had been made.

States are expected to modify their provider agreements where applicable so as to permit the application of appropriate utilization control procedures retroactively in these cases to assure that appropriate and necessary care was delivered.

51. Hospital admissions for dental services under medicare

The bill authorizes the dentist who is caring for a medicare patient to make the certification of the necessity for inpatient hospital admission for noncovered dental services under the above circumstances without requiring a corroborating certification by a physician.

This provision would be effective with respect to admissions occurring after the second month following enactment of the bill.

52. Extension of grace period for termination of supplementary medical insurance coverage where failure to pay premiums is due to good cause

The bill extends the 90-day grace period for an additional 90 days where the Secretary finds that there was good cause for failure to pay the premium before the expiration of the initial 90-day grace period.

This provision would apply to such cases of nonpayment of premiums due within the 90-day period preceding the date of enactment.

53. Extension of time for filing claim for supplementary medical insurance benefits where delay is due to administrative error

The bill provides that where a claim under supplementary medical insurance is not filed timely due to error of the Government or one of its agents, the claim may nevertheless be honored if filed as soon as possible after the facts in the case have been established.

This amendment would apply with respect to bills submitted and requests for payment made after March 1968.

54. Waiver of enrollment period requirements where individual's rights were prejudiced by administrative error or inaction

The bill authorizes the Secretary to provide such equitable relief as may be necessary to correct or eliminate the effects of these situations, including (but not limited to) the establishment of a special initial or subsequent enrollment period, with a coverage period determined on the basis thereof and with appropriate adjustments of premiums.

This provision would apply to all cases which have arisen since the beginning of the program.

55. Elimination of provisions preventing enrollment in supplementary medical insurance program more than 3 years after first opportunity

The bill eliminates the 3-year limit with respect to both initial enrollment and reenrollment after an initial termination. Enrollment periods would remain as presently defined and the restriction limiting individuals who terminate enrollment to reenroll only once would be retained.

This provision would apply to all those who are ineligible to enroll because of the 3-year limit in effect under present law.

56. Waiver of recovery of incorrect medicare payments from survivor who is without fault

The bill permits any individual who is liable for repayment of a medicare overpayment to qualify for waiver of recovery of the overpaid amount if he is without fault and if such recovery would defeat the purpose of title II or would be against equity and good conscience.

57. Requirement of minimum amount of claim to establish entitlement to hearing under supplementary medical insurance program

The bill requires that a minimum amount of $100 be at issue before an enrollee in the supplementary medical insurance program will be granted a fair hearing by the carrier.

The provision would be effective with respect to hearings requested after the enactment of the bill.

58. Collection of supplementary medical insurance premiums from individuals entitled to both social security and railroad retirement benefits

The bill provides that the Railroad Retirement Board shall be responsible for collection of supplementary medical insurance premiums for all enrollees who are entitled under that program.

59. Provide that services of optometrists in furnishing prosthetic lenses not require a physician's order

The bill would recognize the ability of an optometrist to attest to a beneficiary's need for prosthetic lenses by amending the definition of the term "physician" in title XVIII to include a doctor of optometry authorized to practice optometry by the State in which he furnishes services. An optometrist would be recognized as a "physician" only for the purpose of attesting to the patient's need for prosthetic lenses. (Of course, neither the physician nor the optometrist would be paid by medicare for refractive services when the beneficiary has been given a prescription by a physician for the necessary prosthetic lenses.) This change would not provide for coverage of services performed by optometrists other than those covered under present law, nor would it permit an optometrist to serve as a "physician" on a professional standards review organization.

60. Prohibition against requiring professional social workers in ECF's under medicare

The bill specifies that the provision of medical social services will not be required as a condition of participation for an extended care facility under medicare.

61. Refund of excess premiums under medicare

The bill provides authority for the Secretary to dispose of excess supplementary medical insurance premiums and excess hospital insurance premiums in the same manner as unpaid medical insurance benefits are treated.

62. Waiver of requirement of registered professional nurses in skilled nursing facilities in rural areas

The bill authorizes the granting of a special waiver of the R.N. nursing requirement for skilled nursing facilities in rural areas provided that a registered nurse is absent from the facility for not more than two day-shifts (if the facility employs one full-time registered nurse) and the facility is making good faith efforts to obtain another on a part-time basis.

In addition, this special waiver may be granted only if (1) the facility is caring only for patients whose physicians have indicated (in written form on order sheet and admission note) that they could go without a registered nurse's services for a 48-hour period or (2) if the facility has any patients for whom physicians have indicated a need for daily skilled nursing services, the facility has made arrangements for a registered nurse or a physician to spend such time as is necessary at the facility to provide the skilled nursing services required by patients on the uncovered day.

63. Exemption of Christian Science sanatoriums from certain nursing home requirements under medicaid

The bill exempts Christian Science sanatoriums from the requirements for a licensed nursing home administrator, requirements for medical review, and other inappropriate requirements of the medicaid program.

Such sanatoriums will be expected to continue to meet all applicable safety standards.

64. Licensure requirement for nursing home administrators

The bill permits States to establish a permanent waiver from licensure requirements for those persons who served as nursing home administrators for the three-year period prior to the establishment of the State's licensing program.

65. Increase in maximum Federal medicaid amount for Puerto Rico and the Virgin Islands

The bill provides that the Federal ceiling on title XIX payments to Puerto Rico be increased to $30 million effective with fiscal year 1972 and fiscal years thereafter. The 50 percent Federal matching rate would remain unchanged. The annual medicaid amount for the Virgin Islands would be increased from $650,000 to $1,000,000.

66. Medicaid: Freedom of choice in Puerto Rico

The bill delays, until June 30, 1975, the requirement that Puerto Rico implement the "freedom of choice" provision, under which medicaid recipients can choose providers or practitioners in its medicaid program.

67. Inclusion of American Samoa and the Trust Territory of the Pacific Islands under title V

The bill authorizes eligibility under title V for Samoa and the Trust Territory of the Pacific Islands.

68. Coverage of chiropractic services under part B of medicare

The bill broadens the definition of the term "physician" in title XVIII to include a licensed chiropractor who also meets uniform minimum standards to be promulgated by the Secretary.

The services furnished by chiropractors would be covered under the program as "physicians' services," but only with respect to treatment of the spine by means of manual manipulation which the chiropractor is legally authorized to perform. Claims for such treatment must be verifiable with a satisfactory X-ray indicating the existence of a subluxation of the spine.

The amendment would become effective with respect to services provided on or after July 1, 1973.

69. Chiropractors' services under medicaid

The bill conforms the coverage of chiropractic under medicaid with the provisions conditioning eligibility of such services included in the amendment adding chiropractic coverage to Part B of medicare except for the requirement that an X-ray show the existence of a subluxation.

70. Services of podiatric interns and residents under part A of medicare

Effective January 1973, the bill includes within the definition of approved hospital teaching programs services furnished by an intern or resident-in-training in the field of podiatry under a teaching program approved by the Council on Podiatry Education of the American Podiatry Association.

71. Use of consultants for extended care facilities

The bill allows those State agencies which are capable of and willing to provide specialized consultative services for medicare patients in a skilled care facility which requests them, to do so, subject to approval of the State's arrangements by the Secretary.

72. Direct laboratory billing of patients

The bill provides that, with respect to diagnostic laboratory tests for which payment is to be made to a laboratory, the Secretary would be authorized to negotiate a payment rate with the laboratory which would be considered the full charge for such tests, and for which reimbursement would be made at 100% of such negotiated rate. Such negotiated rate would be limited to an amount not to exceed the total payment that would have been made in the absence of such rate.

73. Clarification of meaning of "physicians' services" under title XIX.

The bill defines a physician, under Title XIX, for purposes of the mandatory provision of physicians' services as being a duly licensed doctor of medicine or osteopathy.

74. Limitation on adjustment or recovery of incorrect payments under the medicare program

The bill would limit medicare's right of recovery of overpayments to a 3-year period (or a 1-year period) from the date of payment where the beneficiary acted in good faith; would permit the Secretary to set a time between 1 and 3 years within which claims for underpayment would have to be made.

75. Speech pathology services under medicare

The bill would cover under medicare the costs of speech pathology services where such services are provided in clinics participating in the program as providers of covered physical therapy services.

76. Termination of medical assistance advisory council

The bill terminates the medicaid advisory council.

77. Modification of role of health insurance benefits advisory council

The bill provides for modification of the role of HIBAC so that its role would be that of offering suggestions for the consideration of the Secretary on matters of general policy in the medicare and medicaid programs.

78. Authority of Secretary to administer oaths in medicare proceedings

The bill authorizes the Secretary, in carrying out his responsibility for administration of the medicare program, to administer oaths and affirmations in the course of any hearing, investigation, or other proceeding.

79. Withholding medicaid payments to terminated medicare providers

The bill authorizes the Secretary upon 60-days' notices to withhold Federal participation in medicaid payments by States with respect to institutions which have withdrawn from medicare without refunding medicare overpayments or submitting medicare costs reports.

80. Intermediate care in States without medicaid

The bill allows Federal matching for intermediate care in States which, on January 1, 1972, did not have a medicaid program in operation.

81. Required information relating to excess medicare tax payments by railroad employees

The bill deletes the requirement that railroads include amount of hospital insurance tax withheld on W-2 forms. Employees would be notified, however, that those with dual employment may be entitled to a refund of excess hospital insurance tax paid.

82. Appointment and confirmation of Administrator of Social and Rehabilitation Service

The bill provides that appointments made on or after the enactment of this bill to the office of the Administrator of the Social and Rehabilitation Service will be made by the President, by and with the advice and consent of the Senate.

83. Repeal of section 1903(b)(1)

The bill deletes the requirement that States spend at least as much for care of individuals age 65 or over in mental hospitals as in fiscal year 1965.

84. Coverage under medicaid of intermediate care furnished in mental and tuberculosis institutions

The bill provides that intermediate care can be covered for individuals age 65 or older in mental institutions if such individuals could also be covered when in mental hospitals for hospital or skilled nursing facility care. Effective date: Services furnished after December 31, 1972.

85. Independent review of intermediate care facility payments

The bill provides that independent professional review to determine proper patient placement and care of Title XIX patients is mandatory in all intermediate care facilities.

86. Intermediate care maintenance of effort in public institutions

The bill provides that the designation of the base period for the maintenance of effort requirement pertaining to non-Federal expenditures with respect to patients in public institutions for the mentally retarded to be the four quarters immediately preceding the quarter in which the State elected to make such services available.

87. Disclosure of ownership of intermediate care facilities

The bill requires that intermediate care facilities not otherwise licensed as skilled nursing homes by a State make ownership information available to the State licensing agency. Effective date: January 1, 1973.

88. Treatment in mental hospitals for medicaid eligibles under age 21

The bill authorizes coverage of inpatient care (under specific conditions) in mental institutions for medicaid eligibles under age 21. *Effective date:* January 1973.

89. Public disclosure of information concerning survey reports of an institution

The bill requires the Secretary to make reports of an institution's significant deficiencies or the absence thereof (such as in the areas of staffing, fire safety, and sanitation) a matter of public record readily and generally available. Such information would be available for inspection within 90 days of completion of the survey.

90. Family planning services mandatory under medicaid

(1) The bill authorizes 90% Federal funding for the costs of family planning services under medicaid and title IV.

(2) Provision requires States to make available on a voluntary and confidential basis such counseling, services and supplies, directly and/or on a contract basis with family planning organizations throughout the State, to present, former, or likely recipients who are of child-bearing age and who express a desire for such services.

(3) The Federal share of AFDC funds would be reduced by 1%, beginning in fiscal 1974, if a State in the prior year fails to inform the adults in AFDC families of the availability of family planning services or if the State fails to actually provide or arrange for such services for persons desiring to receive them who are applicants or recipients of cash assistance.

91. Penalty for failure to provide child health screening services under medicaid

The bill would reduce the Federal share of AFDC matching funds by 1%, beginning in fiscal 1975, if a State—

(a) fails to inform the adults in FDC families of the availability of child health screening services;

(b) fails to actually provide or arrange for such services; or

(c) fails to arrange for or refer to appropriate corrective treatment children disclosed by such screening as suffering illness or impairment.

92. Home health coinsurance

Effective January 1973, the bill eliminates requirement of coinsurance payment under Part B of medicare for home health services.

93. Long-term care

The bill includes as intermediate care facilities or skilled nursing facilities under medicaid long-term institutions certified by the Secretary on Indian reservations.

94. Medicare appeals

The bill clarifies present law that there is no authorization for an appeal to the Secretary or for judicial review on matters solely involving amounts of benefits under part B, and that insofar as part A amounts are concerned, appeal is authorized only if the amount in controversy is $100 or more and judicial review only if the amount in controversy is $1,000 or more.

95. Medicare: Coverage of persons needing kidney transplantation or dialysis

The bill provides that fully or currently insured workers under social security and their dependents with chronic renal disease would be deemed disabled for purposes of coverage under parts A and B of medicare. Coverage would begin 3 months after a course of renal dialysis is begun.

III. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

The bill would replace the present State programs of aid to the aged, blind, and disabled, effective January 1, 1974, with a new wholly Federal program of supplemental security income.

National supplemental security income; disregard of social security or other income

Under the bill, aged, blind, and disabled persons with no other income would be guaranteed a monthly income of at least $130 for an individual or $195 for a couple. In addition the bill would provide that the first $20 of social security or any other income would not cause any reduction in supplemental security income payments.

As a result, aged, blind, and disabled persons who also have monthly income from social security or other sources (which are not need-related) of at least $20 would, be assured total monthly income of at least $150 for individual or $215 for a couple.

Earned income disregard

In addition to a monthly disregard of $20 of social security or other income, there would be an additional disregard of $65 of earned income plus one-half of any earnings above $65. This will enable those aged, blind, and disabled individuals who are able to do some work to do so and in the process give them a higher income in addition to supplemental security income.

In addition, as under present law, any income necessary for the fulfillment of a plan for achieving self-support would be disregarded for persons qualifying on the basis of blindness. A savings clause would assure that blind persons would not receive any reduction in benefits due to these provisions.

Definitions of blindness and disability

Under present law each State is free to prescribe its own definition of blindness and disability for purposes of eligibility for aid to the blind and aid to the permanently and totally disabled.

Under the new supplemental security income program, there would be a uniform Federal definition of "disability" and "blindness."

The term "disability" would be defined as "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months." This definition is the same as that now used in the Social Security disability insurance program.

The term "blindness" would be defined as central visual acuity of 20/200 or less in the better eye with the use of correcting lens. Also included in this definition is the particular sight limitation which is referred to as "tunnel vision."

A blind or disabled person who was on the rolls in December 1973 and met the State definition for blindness, disability as defined in the State plan in effect October 1972 would be considered blind or disabled for purposes of this title so long as he continues to be blind or disabled.

No disabled person would be eligible if the disability is medically determined to be due solely to drug addiction or alcoholism unless such individual is undergoing appropriate treatment, if available. Payments for addicts or alcoholics would only be made to third parties as protective payments.

Other Federal eligibility standards

Eligibility for supplemental security income would be open to an aged, blind or disabled individual if his resources were less than $1500 (or $2250 for a couple). In determining the amount of his resources, the value of the home (including land surrounding home), household goods, personal effects, including an automobile, and property needed for self support would, if found to be reasonable, be excluded. Life insurance policies would not be counted if the face value of all policies was less than $1,500. (Current recipients under State programs with higher resources limits would retain their eligibility.)

State supplementation

States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplemental security income payment would be free to do so. The bill would permit States to enter into agreements for Federal administration of State supplemental benefits. Under these agreements supplemental payments would have to be made to all persons eligible for Federal supplemental security income payments except that a State could require a period of residence in the State as a condition of eligibility.

Ineligibility for food stamps

Individuals in the Supplemental Security Income program would not be eligible for food stamps or surplus commodities.

Savings clause

The bill provides no direct Federal participation in the costs of State supplemental payments. However, a savings clause is included under which the Federal Government would assume all of a State's costs of supplemental payments which exceed its calendar year 1972 share of the costs of aid to the aged, blind, and disabled. This savings clause would apply only to State supplementation needed to maintain the State's assistance levels in effect as of January 1972. The savings clause would, however, also cover an upward adjustment over the January levels to the extent necessary to offset the elimination of food stamp eligibility.

Medicaid coverage

Under present law, the States are required to cover all cash assistance recipients under the medicaid program. The bill would exempt from this requirement newly eligible recipients who qualify because of the new provision for a $130 minimum benefit with a disregard of $20 of social security or other income.

Social services

States would be authorized to continue programs providing social services to aged, blind, and disabled persons. These services are currently provided under the welfare programs for the aged, blind, and disabled which would be replaced by the new Federal supplemental security income program. There would be 75 percent Federal matching for the services provided, subject to the overall limitations established by the State and Local Fiscal Assistance Act.

Amendments to present law for aid to aged, blind, and disabled persons (effective until January 1, 1974):

Separation of social services not required

Separation of social services and eligibility determination is specifically not required.

Cost for providing manuals

At its option, the State may require a charge for reasonable cost of providing manuals and other policy issuances.

Appeals process

The bill provides that the decision of the local agency on the matter considered at an evidentiary hearing may be implemented immediately.

Absence from State for 90 days

The bill provides that the State may make any person ineligible for money payments who has been absent from the State over 90 consecutive days until such person has been present in the State for 30 consecutive days in the case of an individual who has maintained his residence in the State during such period or 90 days in the case of any other individual.

Rent payments for public housing

Permits the States, if they elect to do so, to make rent payments directly to a public housing agency on behalf of a recipient or a group or groups of recipients.

Safeguarding information

The bill permits the use or disclosure of information concerning applicants or recipients to public officials who require such information in connection with their official duties.

Passalong of social security increases

Present law requires State programs of aid to the aged, blind, and disabled to assure that the total income of recipients who also get social security are at least $4 higher as a result of the 1969 social security benefit increase. The bill would add an additional $4 "passalong" related to this year's 20 percent social security increase and would make both "passalong" provisions applicable until January 1974.

IV. CHILD WELFARE SERVICES AND SOCIAL SERVICES

Grants to States for child welfare services (including foster care and adoptions)

The committee adopted an amendment increasing the annual authorization for Federal grants to the States for child welfare services to $196 million in fiscal year 1973, rising to $266 million in 1977 and thereafter. For fiscal year 1973, this is $150 million more than the $46 million which has been appropriated every year since 1967. It is anticipated that a substantial part of any increased appropriation under this higher authorization will go toward meeting the costs of providing foster care which now represents the largest single item of child welfare expenditure on the county level. The bill, however, avoided earmarking amounts specifically for foster care so that wherever possible the State and counties could use the additional funds to expand preventive child welfare services with the aim of helping families stay together and thus avoiding the need for foster care. The additional funds can also be used for adoption services, including action to increase adoptions of hard-to-place children.

Social services

Provides a saving provision to the limitation on expenditures for social services contained in the State and Local Assistance Act of 1972 so that States for the first quarter of fiscal 1973 will be reimbursed as they would have been under previous laws. This saving provision would be applicable only to the extent that the resultant Federal funding for this quarter does not exceed $50 million.

TABLE 1.—SOCIAL SECURITY TAX RATES FOR EMPLOYERS AND EMPLOYEES UNDER PRESENT LAW AND UNDER H.R. 1

[In percent]

Calendar year	OASDI		HI		Total	
	Present law	New schedule	Present law	New schedule	Present law	New schedule
1973 to 1977	4.60	4.85	0.9	1.0	5.50	5.85
1978 to 1980	4.50	4.80	1.0	1.25	5.50	6.05
1981 to 1985	4.50	4.80	1.0	1.35	5.50	6.15
1986 to 1992	4.50	4.80	1.1	1.45	5.60	6.25
1993 to 1997	4.50	4.80	1.2	1.45	5.70	6.25
1998 to 2010	4.50	4.80	(1.2)	(1.45)	(5.70)	(6.25)
2011 plus	5.35	5.85	(1.2)	(1.45)	(6.55)	(7.3)

Note: Under both present law and the new schedule, the contribution and benefit base would be $10,800 in 1973 and $12,000 in 1974, with automatic adjustment thereafter.

TABLE 2.—*Social security programs: First full-year cost of H.R. 1*

[Amounts in millions]

Provision	*Additional benefit payments in calendar year 1974*
Total	$4,372
Social security cash benefit programs:	
Earnings in year of attainment of age 72	14
Retirement test at $2,100	842
Special minimum at $170 for 30 years	20
Credit for delayed retirement prospectively	27
Liberalized disability provision for blind (House)	38
Reduction in disability waiting period to 5 months	128
Increased benefits for widows and widowers	1,109
Eliminate support requirement for divorced wives	23
Student child benefits payable after 22 to end of semester	19
Age 62 computation point for men	14
Liberalized workmen's compensation offset	22
Children disabled at ages 18 to 21	17
Increased allowance for vocational rehabilitation expenses	28
Military wage credit	46
Subtotal, cash benefits	2,347
Hospital insurance program:	
Coverage of the disabled	$1,412
Liberalized definition of skilled nursing facility care	110
Waiver of beneficiary liability for disallowed claims	35
Coverage of renal dialysis and transportation	75
Subtotal, hospital insurance	1,632
Supplementary medical insurance program (general revenues):	
Coverage of the disabled	365
Increase in part B deductible	−58
Coverage of chiropractors' services	17
Coverage of speech pathologist services	9
Coverage of renal dialysis and transplantation	52
Eliminate coinsurance on home health services	8
Subtotal, supplementary medical insurance program	393

Source: Department of Health, Education, and Welfare.

TABLE 3.—*Changes in estimated medicaid cost (+) and savings (−) under H.R. 1*

[In millions of dollars]

	Calendar year 1974
Changes in H.R. 1:	
Coverage of the disabled under Medicare	−$70
Increase in Medicare pt. B deductible from $50 to $60	+8

	Calendar year 1974
Reduction in Medicaid matching if States fail to perform required utilization review	−$162
Imposition of premium, copayment and deductible requirements on medicaid recipients	−89
Families with earnings under Medicaid: Eligibility extended 4 months	+83
Limitation on nursing home and intermediate care facility reimbursement to 105 percent of last year's payment	−22
Elimination of requirement that States move toward comprehensive Medicaid program by 1977	(1)
Elimination of requirements that States maintain their year to year fiscal efforts in Medicaid	−640
Payments to States under Medicaid for installation and operation of claims processing and information retrieval systems	+10
Increased Medicaid matching for Puerto Rico and the Virgin Islands	+10
More specific requirements as to eligibility for skilled nursing level of care	−14
100 percent reimbursement for the cost of certifying skilled nursing homes under Medicaid	+10
Expansion of Medicaid coverage to include inpatient care for mentally ill children	+120
90 percent Federal funding of family planning services	+36
Coverage of persons needing renal dialysis or transplantation under Medicare	−20
Preserving Medicaid eligibility for social security beneficiaries	-----
Total estimated reduction in Medicaid costs under H.R. 1	−790

[1] The current law estimates take no account of the effect of the requirement that States move toward comprehensive medicaid programs by 1977; therefore, no savings are attributed to the repeal of this requirement.

Source: Department of Health, Education, and Welfare.

TABLE 4.—CALENDAR YEAR 1974 FEDERAL COSTS OF SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED, AND CHILD WELFARE SERVICES

[Dollars in billions]

	Gross costs	Current law	Amount of increase
Aged, blind, and disabled:			
Benefit payments	$3.5	$2.1	$1.4
Savings clause for State supplementation	.3		.3
Food programs		.3	−.3
Administrative costs	.4	.2	.2
Subtotal, aged, blind, and disabled	4.2	2.6	1.6
Child welfare services	.2	(1)	.2
Total	4.4	2.6	1.8

[1] Current law cost is $46,000,000.

Source: Department of Health, Education, and Welfare.

CHANGES IN ACTUARIAL BALANCE OF THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEM, EXPRESSED IN TERMS OF ESTIMATED LEVEL-COST AS PERCENT OF TAXABLE PAYROLL, BY TYPE OF CHANGE, LONG-RANGE DYNAMIC COST ESTIMATES, PRESENT LAW AND CONFERENCE BILL

[In percent]

Item	OASI	DI	Total
Actuarial balance under present law	+0.09	−0.02	+0.07
$2,100 retirement test	−.21	(1)	−.21
$170 special minimum PIA	−.06	(1)	−.06
Delayed retirement increment (prospective)	−.07	(2)	−.07
5-month disability waiting period	(2)	−.03	−.03
100 percent PIA widow's benefit at age 65	−.24	(2)	−.24
Age-62 point for men (prospective)	−0.22	(1)	−0.22
Miscellaneous changes [3]	−.01	−.02	−.03
Revised contribution schedule [4]	+.71	+.08	+.79
Total effect of changes in bill	−.10	+.03	−.07
Actuarial balance under bill	−.01	+.01	0

[1] Less than 0.005.

[2] Not applicable to this program.

[3] Includes the following: Workmen's compensation offset based on 80 percent of highest earnings; child's benefits to children disabled at ages 18 to 21; disabled child 7 years reentitlement; broaden definition of adopted child; student's benefits to end of semester in which attainment of age 22; child's benefit on grandparent's account if full orphan and supported by him; elimination of support requirement for divorced wife's and widow's benefits; reduced widower's benefits at age 60, and liberalization of insured status requirements for disability benefits with respect to blind persons.

[4] The schedule for employer and employee each is as follows:

	OASI	DI	Total
1973–77	4.300	0.550	4.85
1978–2010	4.225	.575	4.80
2011+	5.100	.750	5.85

CHANGES IN ACTUARIAL BALANCE OF THE HOSPITAL INSURANCE SYSTEM, EXPRESSED IN TERMS OF ESTIMATED AVERAGE-COST AS PERCENT OF TAXABLE PAYROLL BY TYPE OF CHANGE, LONG-RANGE DYNAMIC COST ESTIMATES, PRESENT LAW AND CONFERENCE BILL

[In percent]

Item	HI system
Actuarial balance of present system	+0.01
Coverage of disabled beneficiaries	−.43
Kidney dialysis	−.06
Liberalized level of care in ECF's	−.02
Waiver of beneficiary liability	−.01
Revised contribution schedule [1]	+.53
Total effect of changes in bill	+.01
Actuarial balance under bill	+.02

[1] The new schedule for employer, employee, and self-employed each is as follows: 1973–77, 1.00; 1978–80, 1.25; 1981–85, 1.35; 1986+, 1.45.

COST IMPACT ON MEDICARE OF H.R. 1 (CONFERENCE VERSION)

	Fiscal year— 1973	Fiscal year— 1974
Sec. 201. Disabled under medicare		+1,310
Sec. 213. Waiver of beneficiary liability	+15	+32
Sec. 247. Liberalized ECF	+33	+99
Sec. 299I. Renal dialysis		+67
Total, pt. A	+48	+1,508
Sec. 201. Disabled under medicare	+24	+310
Sec. 204. Increase in pt. B deductible	−32	−79
Sec. 283. Speech pathology	+2	+14
Sec. 273. Chiropractors		+20
Sec. 299K. Termination of home health coinsurance	+5	+14
Sec. 299I. Renal dialysis		+35
Total, pt. B	−1	+314

ADDITIONAL SOCIAL SECURITY PAYMENTS RESULTING FROM THE SOCIAL SECURITY AMENDMENTS OF 1972

[In millions]

Provision	Additional payments in calendar year 1973	Additional payments in calendar year 1974
Cash benefits:		
Total	$1,842	$2,347
Increased benefits for widows and widowers up to 100 percent of PIA at age 65 (limited to OAIB)	977	1,100
Retirement test changes:		
$2,100 exempt amount; $1 for $2 above $2,100	$556	$842
Earnings in year of attainment of age 72	10	14
Special minimum PIA up to $170	18	20
Credit for future delayed retirement	10	27
Noncontributory credits for military service after 1956	41	46
Eliminate support requirement for divorced wives and surviving divorced wives	20	23
Student child benefits payable after age 22 to end of semester	17	19
Age 62 computation point for men	2	14
Reduce disability waiting period to 5 months	108	128
Liberalized disability insured status for blind workers	32	38
Liberalized workmen's compensation offset (80 percent of high 1 year)	17	22
Children disabled at age 18–21	16	17
Increased allowance for vocational rehabilitation expenditures	18	28
Medicare:		
Total, pt. A	773	1,634
Coverage of disabled	624	1,412
Liberalize ECF benefits	88	110
Waiver of beneficiary liability	30	35
Coverage of chronic kidney disease	31	77
Total, pt. B	72	476
Coverage of disabled	98	465
Increase in deductible	−64	−115
Coverage of speech pathology	8	18
Coverage of chiropractors	7	35
Eliminate SMI coinsurance for home health	12	15
Coverage of chronic kidney disease patients	11	58

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to my colleague, the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, this is a most significant bill. The gentleman has outlined some of the provisions in it, but would the gentleman not agree this has more far-reaching provisions generally in social security and medicare and medicaid than any bill we have passed in recent times?

Mr. MILLS of Arkansas. I have said I think it is the best and most far-reaching improvement we have passed since the act of 1965 on medicare.

Mr. ULLMAN. If the gentleman will yield further, because of the connection with the budget and the ceiling, I think Members should fully understand the fiscal impact of this bill on the current budget.

Mr. MILLS of Arkansas. As I pointed out the increased cost with respect to the old-age assistance and disability for the blind does not take effect until January 1, 1974. Actually we are improving the 1973 budget situation. We are reducing the cost to the budget by about $900 million in the fiscal year 1973.

Mr. ULLMAN. I think this is tremendously important. It will carry some very far-reaching measures that I think Members should be aware of and I think we should have them in the report.

Mr. MILLS of Arkansas. Yes. I have already inserted an extended statement.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Speaker, I thank the gentleman for yielding.

I am particularly interested in the problem of the impact of the increase of 20 percent in social security. I notice the conferees have provided that this eligibility for medicaid in September 1972 would not reduce eligibility.

Mr. MILLS of Arkansas. That is right.

Mr. BINGHAM. But only for 1 year.

Mr. MILLS of Arkansas. That is right.

Mr. BINGHAM. Could the gentleman comment on the thinking of the conferees?

Mr. MILLS of Arkansas. We can look at it again at the end of that year and make a determination as to whether we want to continue it or not. Most of the people we are dealing with are of an average age of 75. These we are grandfathering in are in the declining years of their lives. If it is necessary to continue this a year or two I think there would be no objection.

Mr. BINGHAM. I thank the gentleman.

Can the gentleman comment on the impact of the 20-percent increase?

Mr. MILLS of Arkansas. We have added another $4 pass-through to the one which we enacted in 1969. It is a second $4 pass-through which would guarantee those people who draw social security and welfare this month at least a $4 increase in the total of their benefits.

Mr. BINGHAM. I thank the gentleman. I assume the conferees recognized that would not totally take care of the problem.

Mr. MILLS of Arkansas. Oh, no; it does not cover the whole increase, but my goodness, we cannot raise social security and then continue to negate all of the increases in social security for purposes of welfare determinations. We just cannot do it.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, did the gentleman do anything about insuring that this pass-through increase to the people will not be reduced by the States by that much?

Mr. MILLS of Arkansas. It can be reduced all right. Say it amounts to $20, the State is prohibited from reducing it by the full $20. The State would reduce it by $16, but it must pass on $4.

Mr. KAZEN. I thank the gentleman.

Mr. MILLS. Mr. Speaker, I urge adoption of the conference report.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. PRICE of Texas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Speaker, we have before us here today a classic example of poor timing and inefficiency by the Congress. In this, the 59th minute of the 11th hour before adjournment, Members are being asked to pass judgment upon legislation which will directly affect the well-being of millions of retired and disabled citizens, and an even greater number of Americans who are workers and taxpayers.

Considering the fact that H.R. 1 was the first bill to be introduced at the opening of the 92d Congress, it is a sad commentary that this bill is one of the very last pieces of legislation to be voted upon, especially since the final bill is but an emasculated, mangled, and toothless shadow of the original proposal. I am particularly referring to the highly touted welfare reform provisions which were designed to extricate us from our current welfare mess. While I do not favor the guaranteed annual income approach which has been the darling of liberals and professional welfare lobby groups, nevertheless I believe that something should have been done by the Congress to face up to the fact that taxpayers and citizens in general are thoroughly disgusted with the present situation which has made public dependence a way of life for far too many persons.

Since it is obvious that welfare reform legislation has been swept under the rug for this session, I believe it imperative that the 93d Congress make this a matter of top priority immediately upon convening. And instead of following the path of least resistance by enacting a guaranteed income scheme which would only further expand the power of the Federal Government at the expense of the States and further perpetuate welfare dependency as an occupation, I plan to introduce and support legislation to provide meaningful reform. Following the President's recommendation for a reorganization of the Federal Government, let us apply the President's concept of special revenue sharing to all welfare programs and put the States fully in charge of administering welfare. Furthermore, such a proposal ought to contain "teeth" such as I have proposed whereby any person fraudulently filling out welfare forms or undeservingly collecting welfare should be subject to the same penalties applied to any other thief. I see no difference whether one steals from a private citizen or from the public treasury; both acts are despicable and ought to be dealt with as such.

Any welfare reform proposal enacted by the Congress ought to be a true workfare program—able-bodied persons receiving benefits should be required to receive job training where possible and should be made to work for whatever assistance they receive. Goodness only knows the filth, trash, and debris that needs cleaning up along our highways, rivers, lakes and streets, and research has shown that a great many needs for workers exists in public service-type work in hospitals, schools, and the like. If the public must underwrite the cost of keeping a certain percentage of the citizenry with over 11 million now on the welfare rolls, let that money be an investment for the public good instead of fruitless drain that it is now.

Mr. Speaker, H.R. 1 as before us is a far cry from the original $18 billion bill it was before going to conference. And while I will support the social security amendments as offered, I believe that the bill is at best a last-minute attempt at compromise. I applaud the provision to raise from $1,680 to $2,100 the amount an elderly citizen receiving social security benefits can earn in outside income before losing his benefits, however I intend to press for action in the next session on my bill which would remove these income limitations altogether. It simply makes no sense that a citizen should pay into social security all of his working life and then be denied the fruits of his labors at the time he needs the benefits the most. While social security is bragged about as a way to meet the needs of our retired citizens, the plain fact is that the system is stacked against the low income worker who is most dependent upon the benefits as his chief source of retirement income. Persons with substantial incomes from investments are free to collect the full amount of social security benefits due them, while poor citizens who must work to supplement their benefits are penalized if they earn more than pin money. Let us make social security more equitable—equal work deserves equal pay, and equal contributions to social security deserve equal benefits to retired citizens.

(Mr. FORSYTHE (at the request of Mr. BYRNES of Wisconsin) was granted permission to extend his remarks at this point in the RECORD.)

Mr. FORSYTHE. Mr. Speaker, once again, with H.R. 1, we are put in the position of having to vote for legislation that only does part of the job, even after more than 2 years of study and debate.

There is no more pressing problem facing this Congress than true reform of the welfare system. The House took a major step on June 22, 1971, when it passed its version of H.R. 1, providing a responsible mix of improved benefits with strong incentives to get people to work instead of accepting Government handouts.

But that bill was emasculated by the Senate, and now all we have is the promise of fiscal relief for the States when the Federal Government takes over the adult welfare categories, now administered by the States, 2 years hence.

Certainly any reform of the welfare system must include financial relief for the States. However, it also ought to provide ways of curbing abuse, of helping those truly in need, and of forcing the loafers to accept training and employment.

In my view, this lack of action by the 92d Congress on basic welfare reform constitutes its greatest failure. Hopefully, the 93d Congress will act more responsibly.

I was also bitterly disappointed over other actions taken by the House-Senate conference, with regard to older citizens.

The provision forbidding the reduction of Federal benefits, such as medicare, for the aged because of increases in social security should not have been cut from the bill. It is absolutely hypocritical for the Congress, on the one hand, to offer a 20-percent boost in social security benefits, and then to take away medicare because the individual is suddenly too affluent. Fortunately for New Jerseyites, Governor Cahill has assured that this will not occur in our State.

I was also disappointed that the conferees eliminated the provision placing some prescription drugs under medicare. Now, there may have been some technical problems with the specific provision before them. These, however, should have been improved, instead of the provision being withdrawn entirely. One of the first bills I sponsored provided this coverage.

H.R. 1 does take a positive step in increasing the earnings limitation for social security recipients from $1,680 to $2,100 a year before benefits will be reduced.

I reiterate: This was a positive step, but by no means is adequate. I was one of many Members of this body who sponsored legislation to eliminate this ceiling, and I am still convinced that this must be done.

On the whole, however, H.R. 1 does make solid advances to benefit our senior citizens, to whom we all owe so much.

Cash benefits are increased for widows to a full 100 percent of their husband's payment. This is certainly long overdue.

The bill encourages healthy persons age 65 to stay on the job and to delay drawing social security, by offering extra cash benefits. Obviously, this will help utilize the great talent resource that we have among Americans of this age group and will contribute to making life ever more meaningful for them.

I was especially pleased with the provision extending medicare payments to cover expensive kidney machine treatments. In the New Jersey Senate, I sponsored legislation, which is now law, providing help for victims of kidney disease. This is very close to my heart.

The bill makes many other important advances in medicare and social security. These, combined with the 20-percent boost in social security and railroad retirement benefits previously approved, as well as the nutrition program now in effect, give this Congress a fine record of responsiveness to the older American.

Mr. BYRNES of Wisconsin. Mr. Speaker, given the problem facing the conferees, I think they really did an exceptional job. I guess that too often I find myself in the role of a protester.

This situation is not different, except that now I express a protest at the way this very, very important subject was handled, not by this body, but by the other so-called coequal legislative branch of Government.

We passed H.R. 1 on June 22, 1971. That was almost 16 months ago. It contained important changes in the Social Security Act but, most importantly, it was an attempt to face up to what is surely one of the most serious problems that we have in this country, one that cries for attention; namely, the problem of welfare reform. In fact, we had sent our recommendations for welfare reform to the other body once before, in the previous Congress, and nothing happened. Then, a year ago last June, we sent H.R. 1, which also embodied welfare reform, to the other body. But when did we get this bill back? For all practical purposes, it was not returned to the House until last Tuesday.

The hope was that the Congress would adjourn last Saturday. Four days before the anticipated adjournment we got this bill back from the Senate with 583 amendments. The Senate conferees asked us to sit down and try to work out the differences in hundreds of areas that are of utmost importance to many millions of our people.

The conferees labored far beyond what human endurance should require in concluding work on this major bill at 10:30 p.m. last Saturday evening after having been almost constantly in conference from 9:30 that morning.

I repeat, I think that given those circumstances, the conferees did a commendable job. I think that this House generally can be pleased with the efforts of its conferees who took this bill, which was an $18-million bill after it came from the Senate, and brought it down to a figure that is more reasonable and responsive to the needs and the capacities of our society today.

I support the conference report, but I do so in protest at the way this most important measure has been handled by the other body and the almost impossible situation in which this House has been placed.

Mr. Speaker, I particularly protest the unwillingness and the apparent inability of the Congress to come to grips with this most pressing problem facing our society—that of welfare reform.

Nobody supports the current welfare system. It is outdated and unworkable. The protests against it have been made not just within the past year or the past 2 years. They have been growing for many years.

We thought we faced up to it 4 years ago in the House. Then we thought we faced up to it a year and a half ago when we passed H.R. 1. But it is still unresolved. We still have that same old system which is unsatisfactory to all.

I believe it is unsatisfactory from any standpoint. It is unsatisfactory to the people who have to foot the bill. It is unsatisfactory to anybody who has to administer the program.

Yet here we are again avoiding the issue and not facing up to the problem.

It is my hope that one of the first things the Senate and the House address themselves to in the next Congress is welfare reform because I do not believe that we can afford to neglect doing something about it much longer. As time goes on it becomes more and more essential that we take action.

It is true, as the chairman of our committee has said, that the Senate was adamant against even talking to us about the program which the House sent to the Senate. Quite frankly, and I think justifiably, we were equally adamant on the House side against talking about the proposals made by the Senate, since they were not responsive to the problem at all, and would push the problem under the rug at a great deal of cost, rather than provide actual reform.

So we were at a stalemate. This was all we could do.

It had been my hope, time permitting, that we might have made a greater effort with the Senate conferees in getting them to at least accept the underlying philosophies of the House bill, philosophies which I believe are essential to any meaningful reform of our welfare system. But time ran out and circumstances would not permit us to deal effectively with a proposition sent to us at the last minute, one involving, as I said, some 583 amendments and some 940 pages. We got to the point, with adjournment of the Congress impending, that there was no such thing as time as far as our capacity to deal effectively with the issues was concerned.

But with the start of a new Congress in January of 1973, I hope it will be kept in mind by both committees and by the Members of the House that just because we failed to approve welfare reform in two Congresses, there is all the more reason for a redetermination to do something about it next year.

With that, Mr. Speaker, I urge my colleagues to support this conference report, which I believe certainly results in a basic improvement of many of the provisions of our laws relating to social security, hospital insurance, supplemental medical benefits, old age assistance, the adult assistance program of aid to the blind and the disabled. I believe that real progress has been made, and I strongly urge approval of this report.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Wisconsin yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, much as I share the extreme disappointment of the distinguished ranking member of the Committee on Ways and Means that this conference report comes to us in a form in which it does not deal in a meaningful fashion with the welfare reform program, I certainly want to commend him and the other conferees for the work that they have done and for the genuinely good bill which they have returned to us, save for the exception that he has already noted.

Mr. Speaker, I join with him in expressing the hope that this will be a matter of the utmost priority for the 93d Congress, and I would only at this time take a further moment to express my own deep personal regret that because of the gentleman's pending retirement he will not be with us to share with us the benefit of his wisdom and his counsel and his almost unequalled expertise on these matters, and we will miss the contribution that I am sure he could have made on this matter.

Mr. BYRNES of Wisconsin. Mr. Speaker, I thank the gentleman.

Mr. MILLS of Arkansas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Speaker, I rise in support of the conference committee report. I would like to associate myself with the remarks of the gentleman from Illinois (Mr. ANDERSON) with reference to the outstanding leadership that the gentleman from Wisconsin (Congressman BYRNES) has given us in this House in this area of policy over the years.

Mr. Speaker, I think the conference committee is to be commended for having waded through some several hundred pages of highly technical language and for having shorn off titles IV and V that the other body in these closing days added to H.R. 1.

The social security amendments are highly desirable.

However, when the history of this particular legislation is written, it will be noted that this new—supplemental security income—section particularly with a federally administered program to maintain income for our aged, blind, and disabled, with a federally stated minimum, will prove to be, the one most remarkable achievement that this particular conference committee report contains. I believe it to be accurate to state that I was the first to urge a national minimum for adults as a part of the welfare reform program of the administration. Thanks to Tom Joe, this is now a reality.

Mr. Speaker, the chairman and I, when H.R. 1 left this House, had a colloquy on the meaning of some of the income and resource language in H.R. 1 as it then existed. The language before us appears to be the same, so I will not take the time of the House to redo that colloquy.

Mr. Speaker, I would like to close by commending the distinguished chairman of the full committee and all the Democratic conferees for coming back under very difficult circumstances with a very acceptable product, and to confirm the following:

First. That the new Federal program does not permit the imposition of liens and further does not permit the imposition of relatives responsibility, except for parents of minor children and a spouse for a spouse, and

Second. That the committee intends that the Secretary, if he administers the States supplemental payments, does not permit the imposition of liens, or the imposition of more restrictive relatives responsibility than that permitted in the Federal programs, or a more restrictive resources test than would be applied under the basic Federal program.

Third. That the Federal program does not permit an "imputation" of rent for an owner occupied residence. Therefore, this practice engaged in by some States, for example, California—which results in a reduction in grants—shall not be permitted under the Federal program.

Fourth. That the income and resource provisions are to be liberally construed.

Mr. MILLS of Arkansas. I fully concur. The gentleman from California's (Mr. BURTON) statement is correct.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Speaker, I wonder if the gentleman could tell us what the impact of the 20-percent social security increase is on those who are receiving both assistance for low-income housing and old-age assistance.

Mr. MILLS of Arkansas. Mr. Speaker, I cannot. That question came up, of course, in the committee, and it came up in the conference, but there was nothing that we could do in the conference to ease the situation insofar as low-rent housing is concerned.

Neither of the two committees, as the gentlewoman understands and knows, has jurisdiction over low-rent housing, so there is not a thing we can do about it. I, frankly, cannot tell the gentlewoman how many people might be adversely affected by the increase in social security as it relates to the limitation for purposes of eligibility for low-rent housing.

Ms. ABZUG. Will the gentleman yield further?

Mr. MILLS of Arkansas. I will be glad to yield to the gentlewoman from New York.

Ms. ABZUG. It was my understanding that there were some provisions in the bill of the other body with respect to the impact of the 20-percent social security increase, not only on medicaid, but on food stamps and old-age assistance, those presently receiving food stamps and old-age assistance.

Mr. MILLS of Arkansas. There could be an effect.

Ms. ABZUG. What about the effect of the conference bill?

Mr. MILLS of Arkansas. There could be an effect on all three areas.

Mr. Speaker, the bill itself "grandfathers" in those who were eligible for medicaid prior to the increase in social security benefits, so that none of them can be made ineligible for a year as a result of this increase.

Nothing has been done to protect them with respect to food stamps. The $4 pass-through—for want of a better term we have named it "pass-through"—protects them against the complete reduction in the welfare payment to overcome the amount in the increase of the social security payment, so that the States must allow for $4 more to back up this item.

Ms. ABZUG. I thank the gentleman.

Mr. MILLS of Arkansas. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. I thank the able chairman for yielding to me.

Mr. Speaker, I wish to commend the able chairman and his fellow managers on the part of the House for the excellent job they did in the conference, but I note with a great deal of concern reference in the report to the action taken on amendments Nos. 328 and 329.

Under amendment No. 328, the Senate amendment added a new section which provided under medicare that certain drugs which would be required on an outpatient basis, in other words, for use in the home, would be covered by medicare.

Amendment No. 329, the Senate amendment added a new section which made available under medicare the cost of eyeglasses, dentures, hearing aids, and podiatric services for members of families with an income of $5,000 or less or individuals with an income of less than $3,000.

May I ask the able chairman of the committee why it was felt necessary for the managers on the part of the House to ask the Senate to recede on these two very desirable provisions?

Mr. MILLS of Arkansas. If the gentleman will yield, actually the addition of care for eyes, ears, and dentures costs the equivalent of 2.42 percent of payroll. It was a poor amendment adopted by the Senate and there was no provision for it in the bill at all, so that although it was very good for making drugs available outside the hospital for those eligible under medicare, this was an item that was dropped in the conference because of the added cost. It was not because it was not a desirable amendment, but we were trying to get a bill through that would enable us to live with the increases in rates and not go too far up on those rate increases.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, I rise in support of the conference report.

I am particularly pleased with the recommendations on the child welfare services provisions dealing with authorization and funding for that purpose.

There are other benefits here that are really good, and I believe every Member of this House will vote for this conference report.

Mr. MILLS of Arkansas. If the gentleman will yield to me. I think the record should indicate that the gentleman from Massachusetts as a conferee was most helpful in the development of this conference report and particularly helpful with respect to the matter he is referring to.

Mr. BURKE of Massachusetts. Mr. Speaker, the conference report before us today on H.R. 1 is certainly one of the most long awaited conference reports in the history of Congress. For close to 1½ years, we have been waiting for the other body to complete action on H.R. 1 so as to go to conference and to get action this Congress on two of the major issues of our time, improving the lot of our elderly and beginning a long-overdue reform of this Nation's welfare system. As a matter of fact, the history of the conference report before us today goes back to the Congress when H.R. 1's predecessor expired in the Senate in the closing days of that Congress as the clock ran out.

Thus, we have in a real sense been this way twice now and on both occasions, the Ways and Means Committee on which I serve spent months in both public and executive sessions considering any number of various proposals affecting both the elderly and the welfare system. Whatever its shortcomings and there were many when H.R. 1 passed this House and left for the other body, I think we all felt that it at least possessed the merit of being a big step in the right direction and constituted a real beginning of a Federal effort to tackle the problem of spiraling welfare costs and the patchwork quilt pattern of welfare practices from State to State.

Having served on the conference committee that presents this report to you today and having all but given up hope that any kind of resolution to the vast differences between the two bodies on the issues involved would be forthcoming this Congress, I really feel that what we are voting on here today is a mere shadow of its former self. This conference report on H.R. 1 cannot be regarded by anyone whether they be advocating reform of our social security system or reform of our welfare system as constituting real progress in that direction or anything more than stop gap legislation. Sure, there are some increased benefits for the elderly in this bill. Very few, but some. Given the attitude that the elderly are bound to be grateful for whatever crumbs they get from the Federal Government, I am in no doubt that this conference report will pass with overwhelming approval.

But, when I think of the possibilities that were presented to this Congress to score significant advances in both these crucial areas, this bill is a poor excuse for years of hard work and labor. No one is going to be satisfied with this report. The pressure is already building up to make both these issues prorities items for the next Congress. I do not know when we are going to learn that problems as overriding as old age and welfare reform will not just disappear for lack of action, but will remain to haunt us until the problems are tackled and mastered. This report does neither.

As a matter of fact, irony of ironies, the biggest cheers around the country today are from those celebrating the fact that for all intents and purposes, this report drops titles IV and V from H.R. 1, as amended by the Senate. In other words, we have abandoned for this Congress any effort to come to grips with what is fast becoming this Nation's No. 1 domestic problem, welfare reform.

Thus, money will continue to be thrown at a problem that knows no bounds, by a Federal Government which has no control over the problem at the local level, since these programs are administered by the local governments with varying degrees of failure.

H.R. 1's attempt at welfare takeover by the Federal Government with promised relief for the local property taxpayer, a beginning of the end to mass migration in search of higher payments, fell victim to all the emotions the very mention of the word "welfare" seems to stir up across this land. It fell victim to a combination of forces of those who are against all kinds of welfare and recognize no genuine need and would like to turn back the hands of time to the 19th century social Darwinism of Herbert Spencer; those who wanted a payment level of $6,900 or nothing; those who found it impossible to compromise between $2,400 and $3,000 for a family of four; and perhaps the largest group of all, those that were confused and afraid to get involved with any legislation having to do with welfare. Well, all these groups should be happy today. Especially those that would not touch the welfare mess with a 10-foot pole. It may well be years before they will be asked to get involved again.

I must confess that given the best solution the Senate could come up with—namely, no solution at all, but rather an expensive era of trial and error—the last thing anyone needs in welfare is more trial and more error—I must confess I would rather have no title IV and V rather than that abomination we would have had to accept in the name of welfare reform. At least we know that welfare remains unfinished business. Too many might have been confused by such a compromise and thought they could walk away from the job feeling they had accomplished something.

As far as improving the lot of our elderly in this Nation, H.R. 1, particularly as it left the Senate, promised more than this report delivered. Sure, we have increased the outside earnings limitation a paltry $420 a year. Sure, there are added widows' benefits and some improvement in the strenuous requirements covering eligibility of the blind. Sure, there have been some long-overdue increases in minimum benefits. But I predict today that what this bill will be remembered mostly for in years to come is the tax increase contained in it.

Unless and until this Congress sits down and really analyzes the needs of the elderly in this Nation today who are totally dependent upon social security for their very sustenance, estimates what it will cost to give these people a reasonable degree of security in their declining years and then considers how to finance the massive costs involved, we are always going to be treated to piecemeal reform around election year and ever-increasing social security payroll taxes.

Those that are working will always feel they are paying for those that are retired and wonder if they will have any security in their old age, so overwhelming a burden will the payroll tax be at the rate it is increasing now. It is time this country stopped trying to go it alone on the myth of a voluntary contributory pension plan, via social security taxes with 50 percent of the burden borne by the employer and 50 percent by the employee. It is time we benefited from the experience of other nations and resorted to the use of general revenues to bear some of the burden.

The aims and uses of the social security system today have changed so substantially since 1935 that we can no longer afford to finance it by 1935's methods. As long as social security continued to be that little something extra, a 50–50 plan had a reasonable chance of success. Nobody felt as though they were getting a Federal hand-out. They were contributing to their own insurance plan. But, today social security is all some of our senior citizens have to count on and if these people are to begin to enjoy some of the dignity, they have a right to expect in old age, then benefits are in need of substantial increases and the present tax system cannot bear the burden.

I sympathize with the employers around this country and those who are working today who groan and dread each new social security increase. They know they are going to be hit between the eyes with another round of what is fast becoming the most regressive tax in this country today, the social security tax. The solution is not to ignore the needs of the elderly to keep the tax down. The solution is to put the social security system on a new financing basis which will spread the costs evenly across the income level in a progressive way.

For years now, I have had my proposal before this body to finance social security on a one-third employer, one-third employee, and one third general revenue basis unless and until this House begins to seriously consider some alternative to the present approach, then these may well be the last social security increases we shall see for some time. Prescription drugs, dental and podiatric care will not be part of the social security program until such reform is accomplished. Long overdue tax reform which would consider the special needs of the elderly, owning homes or paying rent will continue to elude us until something is done about social security taxes.

In other words, until the myth that the social security system in the final quarter of the 20th century can be a self-financed contributory retirement plan instead of a major Federal program constituting an all-out attack on the problems of the elderly, then our elderly are going to continue to complain about the meager improvements and benefits and the employers and employees are going to continue to scream about the unbearable burden of social security taxes. Mr. Speaker, these are the issues which should have been tackled by the Congress; unfortunately, these are the issues which remain unfinished business.

Mr. Speaker, as we today consider approval of the conference report on H.R. 1 which would expand the social security and medicare benefits, and establish a new Federal program of benefits for the aged, blind, and disabled, I want to draw attention to a provision within the Senate Finance Committee report (92–1230) on H.R. 1, which has disturbed a number of people. The section to which I refer would prohibit the Secretary of Health, Education, and Welfare from allowing donated voluntary funds for social services for matching under title IV A of the Social Security Act. In effect such a directive from the Congress would deal a blow to the many productive voluntary and much needed programs now in operation.

The problem of open-ended Federal matching for social services has since been recognized. The problem presented because the HEW Secretary failed to issue effective and detailed regulations has now been dealt with by Congress. But to put an end to allowing State matching requirements be met by funds donated by private sources, would be to throw the baby out with the bath water. I cannot let this opportunity to establish legislative history go by without expressing my serious objection to the impression now afoot that Congress wishes to restrict private matching, in spite of the fact that the Senate provisions were dropped in Conference.

The following memorandum from the United Way of America details the excellent work of private, charitable, voluntary organizations. Even the Secretary of Health, Education, and Welfare is opposed to this congressional elimination of the current private-public partnership which effectively delivers social services to those persons in need. I would hope, Mr. Speaker, that the Secretary of Health, Education, and Welfare does not refrain from approving social services matching plans. What might appear to be abuses to some, when States subsequently contract with these same contributors to perform services with the resulting matching grants, can certainly be tightened up and reexamined. But any blanket prohibition would be utterly disastrous not only to the needy involved, but to what is left of private charity and public philanthropy in this country today.

The material follows:

OCTOBER 13, 1972.

Hon. WILBUR D. MILLS,
Chairman, House Ways and Means Committee, Washington, D.C.

DEAR MR. CHAIRMAN: As we have discussed, I am most concerned about the legislative history which has been made regarding use of donated private funds for social services matching under Title IV A of the Social Security Act. In its report on H.R. 1, the Senate Finance Committee directed HEW to issue regulations prohibiting the use of such funds for this purpose.

Having served as United Fund chairman in the past, I am convinced that this kind of partnership between private donations and public agencies should be encouraged rather than discouraged, and I would strongly urge that the legislative history so far created on this point be modified.

United Fund representatives have indicated that their contributions to state social service agencies now amount to approximately $17 million dollars per year, some 60% of which is being used for child care. They acknowledge that in a few cases, the social service agencies have in turn contracted with United Fund agencies to provide services which may be more directed toward United Fund priorities than the state social service plan priorities. They would be very much willing to accept the limitation that donated funds may be used for matching purposes only if the funds are spent for services in accordance with the state plans and not merely to provide for United Fund priorities.

I thank you for your key role in obtaining Congressional acceptance of the ceiling on social services spending as part of the general revenue sharing bill. With this provision, I am sure that we can now begin to obtain the necessary control over this important program. However, I believe a prohibition on public-private partnership in this field would be a great mistake, and your assistance in correcting this point in the legislative history on H.R. 1 would be very much appreciated.

With best wishes,

Sincerely,

ELLIOT L. RICHARDSON.

UNITED WAY OF AMERICA, OCTOBER 17, 1972

The involvement of the private voluntary sector in the delivery of social welfare services is not a new phenomenon. The private sector has provided local initiative and resources to implement several existing Federal assistance programs. These include day care, programs for the mentally retarded, alcoholics, and drug abusers, services to the aged, blind and disabled, and many more. Moreover, matching funds, in kind and cash, have been made available through United Way to implement OEO and Model Cities legislation.

Since 1970, United Way has channeled more than 17 million in matching funds to state welfare departments for social services. These funds, collected from the private voluntary sector, enable States to provide services directly through public agencies or to purchase services from individuals, other public agencies, or the private sector. United Way of America organizations, while providing matching funds, are not eligible to subcontract with state or municipalities for any of these funds.

A favorable by-product of the fund matching program is a strengthened public/private partnership which clearly demonstrates effective involvement of volunteer leadership in local communities. This leadership represents a broad sector of business, industrial, and low, moderate and upper income lay citizens who bring knowledge, expertise and resources to the design and delivery of essential services for people in need.

The Senate Finance Committee Report (No. 92-1230) on the Social Security Act (H.R. 1) would direct the Secretary of the Department of Health, Education and Welfare to issue regulations which eliminate private sources of funds to be used as the states' matching requirement for Federal financial participation. The result of Congressional approval of this measure would seriously affect existing funding mechanisms in our communities. For example, it would eliminate a United Way contribution of $788,000 in funds to obtain $1,679,000 in Federal match in the State of Maine.

We therefore advocate that instead of totally eliminating the use of private sources for matching, as stated in the report, that the Secretary of the Department of Health, Education and Welfare earmark, within those funds to be appropriated, certain sums to be matched by the private sector.

Mr. ROSTENKOWSKI. Mr. Speaker, I would like at this time to join with my distinguished colleague, the Honorable JAMES BURKE of Massachusetts, in expressing my concern for that section of H.R. 1 which would prohibit the Secretary of HEW from allowing donated voluntary funds for social services for matching under title IV A of the Social Security Act.

I approve the directive to the Secretary of HEW regarding the issuance of regulations prescribing the conditions under which the State welfare agencies may purchase services that they do not themselves provide, but I respectfully disagree with providing regulations that state that the State matching requirements cannot be made by funds donated by private sources.

Secretary Richardson's position is clear in that he believes it would be a mistake, nationally, to prohibit the public-private partnership in the field of social services. Nationwide, I am sure that such a prohibition would have adverse effects which this Congress does not intend.

In Chicago, the local community fund, in collaboration with the city of Chicago's Department of Human Resources, has supported in the last 2 years a camping program which has allowed more than 6,500 disadvantaged children each year to go to camp who otherwise never would have been able. Nationwide, this program has provided 3- and 4-week camping opportunities to more than 50,000 disadvantaged children. Los Angeles, Cleveland, Boston, Chicago—more than 20 large cities have participated constructively and positively in this program of public and private financing with the State plan and with the full approval of HEW.

The private voluntary sector in Chicago is currently ready to contract with the State of Illinois Department of Children and Family Services for a day care program which would allow more than 3,000 children between the ages of infancy and 14 to receive the full benefits and full range of services in more than 40 site locations and would offer employment opportunities for their parents in this program. This program provides parents' day care services so that they may take training or secure employment, and they would then be relieved of the necessity for continuance on public assistance. The private voluntary agencies in Chicago have worked long and successfully and well with local government to achieve social service opportunities for families and individuals in need. They are currently building a case history of those kind of successes which we all look to; namely, the alleviation of the welfare rolls.

The model cities day care program in Chicago and the day care programs in the private sector do not overlap and will not be duplicate efforts. Several meetings with the Model Cities Administration and the private sector have taken place in the last 6 months. It is the hope that these meetings will achieve a common discipline in day care parental training as well as develop evaluation tools and systems of monitoring. This innovative program hangs in balance. Its outcome is based upon the interpretation which the Secretary of HEW would allow that local private funds can be made available. Without such local private funds, this day care program cannot begin and the camping program will terminate.

The State of Illinois, under revenue sharing, will have slightly in excess of $135 million allocated from the Federal Treasury. If all the private donated funds in Illinois for this fiscal year were to be added together, the private sector would be providing local donations of no more than $2 million which would be matched by $6 million of the already agreed upon formula proportion of Illinois of $135 million.

Social services are keyed to people who need them and if the legislation we are going to vote upon today is to achieve its objectives and goal, it does not to my mind seem reasonable that simultaneously we should begin prohibitions and restrictions that would preclude any viable attempt to achieve alleviation of the stresses of city living, be it in the city of Chicago or any other large or small city or community in the United States. The relationship of the public plan and the private dollar is a good one and I hold that the Department of Health, Education, and Welfare should continue its approval and allow that States may accept privately donated funds to be used as appropriate matching funds to effect State plans and achieve the goals of State priorities.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself the remainder of the time.

I yield to the gentleman from Ohio (Mr. Vanik).

Mr. VANIK. I want to join in the commendation that we have today for the fine work of the conferees and ask one question or make one request. I would like to request that there be placed in the Record a tabulation on the effect of the retirement test; that is, the $2,100 retirement test, as it relates to various levels of income.

Mr. MILLS of Arkansas. We propose to do that, but it will take a little time to get it ready.

Mr. Speaker, I now yield to the gentleman from New York (Mr. Carey).

Mr. CAREY of New York. Mr. Speaker, I wish to commend the conferees, especially on their action taken with regard to the disabled in this report on H.R. 1.

However, I am particularly concerned with what the conference report does not say with respect to the relationship between the Federal WIN program and State-funded and operated work programs designed to help able-bodied welfare recipients achieve self-sufficiency.

As the chairman may recall, New York State launched an innovative work program on July 1, 1971, under which able-bodied welfare recipients were required to report twice monthly to State employment offices where they received a full range of employment services, including referral to jobs, training, and counselling, and picked up their welfare checks at the same time.

The first-year results of this program speak for themselves: 29,369 recipients were placed in jobs and 53,030 were dropped from the welfare rolls for failure to comply.

However, a three-judge Federal court ordered the program stopped in a July 28, 1972 decision which held that Congress pre-empted the work program field when it established the Federal WIN program in 1967. The State of New York is appealing its case to the U.S. Supreme Court.

My specific question for the chairman has to do with the intent of the Congress in authorizing the WIN program in 1967 and in amendments to that program in subsequent years. It is my understanding that Congress intended, through the WIN program, merely to assist the States in the critical area of guiding able-bodied welfare recipients toward self-sufficiency—and not to supersede individual State programs designed to achieve the same end. Under this interpretation, New York and other States could operate their own programs as supplementary to the Federal WIN program. Is my understanding of the congressional intent in this area correct?

Mr. MILLS of Arkansas. I agree with the interpretation of my friend, the gentleman from New York, on the matter, so long as the State program does not contravene the provisions of Federal law.

Mr. MILLS of Arkansas. Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. Reuss).

Mr. REUSS. Mr. Speaker, H.R. 1, as agreed to by the House conferees, is in many respects a progressive bill. It boosts widows' social security benefits, permits retirees to earn more without loss of benefits, gives medicare benefits to disability retirees, and institutes a guaranteed minimum for aged, blind, and disabled welfare recipients.

However, the bill is regressive in that it raises the entire $6 billion a year needed to pay for these improvements by increasing the payroll tax on 96 million employed persons, and their employers from the present 5.2 percent in 1972 and 5.5 percent in 1973 to 5.85 percent in 1973 and 6 percent by 1978, together with an increase in the wage base from this year's $9,000 to $12,000 in 1974.

There are no loopholes in the social security tax for the working man. It is a flat tax imposed upon earnings up to a dollar limit, regardless of whether the earner is an average working man or a millionaire. Thus while a person earning $12,000 a year will be paying, in 1973, 5 percent of his income in social security taxes, and in 1978, 6 percent, a corporate executive pulling down $100,000 a year will have to contribute only six-tenth—in 1978, seven-tenth—of 1 percent of his earnings.

Providing a decent life for the aged and the disabled is not the responsibility of the low- and moderate-income working class alone: it is a concern for all Americans. The increased benefits should be funded from general revenues. The notion of an inviolate social security trust fund is outdated. Certain social security expenditures are already paid for out of general revenues: Part B of medicare, for instance, takes approximately $1 billion a year from general funds.

I do not propose that we simply add another $6 billion to the Nixon fiscal 1973 budget deficit. General revenues must be increased by about $6 billion to cover these new expenditures. I would have liked to move today that the report on H.R. 1 be recommitted with instructions to replace the provisions raising payroll taxes by two reform loophole-plugging measures—repealing the Asset Depreciation Range system and tightening up the Minimum Tax—which would yield aproximately the same revenue and would shift the burden to those more able to pay—wealthy individuals and corporations. The measures would not have been within the scope of the conference, however, and I am unable to do so.

Mr. Speaker, I support the conference report on H.R. 1 because of the progressive provisions which it preserves. But I strongly urge that the Ways and Means Committee give highest priority next Congress to reforming the whole system and the system of social security financing, and specifically to revoke the new social security rate schedule in the conference report and to raise the necessary money fairly through plugging tax loopholes.

Mr. Speaker, again I thank the gentleman for yielding, and I congratulate the committee on a very progressive conference report on the social security side, but one that I fear is regressive in its funding. Essentially it taxes 96 million workers regressively in order to pay for what should be at least in my opinion a public responsibility.

Therefore I hope that early in the next session the tax writing committee can turn its attention to plugging some of the loopholes we face in the country.

Mr. MILLS of Arkansas. That is the first order of business, as my friend, the gentleman from Wisconsin, knows, of the Committee on Ways and Means; we are going to enter into that, and we do expect the gentleman from Wisconsin to come before the committee and give us his ideas on how to do it.

Mr. REUSS. Mr. Speaker, I think it is wise, and I hope that the committee will consider using some of the new revenues, to use general revenues in part for the social security improvements we are voting today.

Again I thank the gentleman for yielding.

Mr. MILLS of Arkansas. Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. Drinan).

Mr. DRINAN. Mr. Speaker, I wonder if the distinguished chairman of the Committee on Ways and Means could give us some thoughts with respect to a possible date on which eyeglasses, hearing aids, prescription drugs, and so forth, will become available to the elderly. We already are having inquiries as to when there might be some reasonable expectation that the provisions relating to such items might become law. I understand, of course, that it was dropped in the conference, but nevertheless in my judgment I believe that it would be good legislation.

So could the distinguished chairman of the Committee on Ways and Means, for the benefit of the Members, give us some indication of a timetable so that the elderly might know when these various essential medical devices might be available?

Mr. MILLS of Arkansas. I am sorry, Mr. Speaker, but I cannot answer the gentleman's question and be honest with the gentleman, because I just do not know when we can get to it. As pointed out, this Senate amendment costs 2.42 percent of payroll. That is in the first year, and that is a very, very sizable amount of money, and that of course is only the initial cost, so there was nothing available in H.R. 1 in order to accomplish it, and therefore it was dropped regardless of its merits.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I will be glad to yield additional time to the gentleman from Arkansas (Mr. Mills), but before doing so let me just yield to the distinguished minority leader, the gentleman from Michigan (Mr. Gerald R. Ford) such time as he may consume.

Mr. GERALD R. FORD. Mr. Speaker, I think that under the circumstances, the conferees have done the very best job they can in trying to resolve, as I understood it, some 580-some differences between the House version and the Senate version of H.R. 1. Perhaps if there had been more time something that might have been meaningful in the way of welfare reform might have come out of the conference. Unfortunately, under the circumstances that we face, that result did not seem feasible.

I must conclude, however, that by not acting on the legitimate and long overdue welfare program this Congress has failed the American people.

The House of Representatives in 1970 passed the President's family assistance program. The other body failed to act.

In 1971 and 1972 the other body failed to respond to the public demand for welfare reform, and what they sent to conference could hardly be considered welfare reform under any definition.

So the conferees were hamstrung in what they could do both because of the limitations of time and as to the substantive matters involved.

Mr. Speaker, there is no more important issue in the minds of the American people wherever I travel than the need, the necessity, for welfare reform. For this Congress to fail the American people on this issue is unforgivable. I trust it will have the highest priority on next year's agenda because the public demands it and the public needs it.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. Ullman).

Mr. ULLMAN. Mr. Speaker, having just concluded this final conference with the gentleman from Wisconsin and the gentleman from Ohio, two retiring Members of the Congress, I want to pay my respects to both John Byrnes and Jack Betts for their many years of outstanding service to this Nation.

My friend, John Byrnes, has been on this committee for many, many years. I do not really think that the Congress or the country have fully appreciated or evaluated the tremendous service that he has rendered, and his expertise in these many areas of complicated law covered by the Committee on Ways and Means—unparalleled except for our distinguished chairman. On so many issues that we have covered on a day-today basis, both the gentleman from Wisconsin and the gentleman from Ohio have contributed in a nonpartisan way to constructive solutions.

Their service to their Nation has been unparalleled and outstanding. The committee will sorely miss their continued service. I wish them the very best in their retirement and hope that their skill and expertise may continue in some way to be utilized for the public good.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I am happy to yield to the gentleman.

Mr. MILLS of Arkansas. Mr. Speaker, I would like to associate myself with the remarks made by my good friend, the gentleman from Oregon, regarding the services of our two good friends—John Byrnes and Jack Betts who have seen fit, contrary to all our desires, to retire at the end of this Congress to what, I am sure, will be a more pleasant life, but one that takes them from us in the way my friend, the gentleman from Oregon, has described.

They are leaving two awfully big pairs of shoes to be filled. I do hope when we reconvene in the next Congress that the expertise of these two gentlemen will be taken into consideration by my Republican colleagues when they fill these two vacancies on our committee—we want the best you have because we are losing the best you have.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I spoke just a moment ago about the substance of the legislation before us. I had intended to make some remarks during the consideration of the next conference report concerning the gentleman from Wisconsin and the gentleman from Ohio (Mr. Betts), both of whom are leaving this body of their own free will and of their own accord. Both of them have been long, close personal friends of mine. Both of them have done in a legislative way a job that I think could not have been done better by anybody. I think they have the mutual respect of both sides of the aisle for their performance during their long service in the Congress.

It goes without saying, Mr. Speaker, that I will miss both of them. It goes without saying, Mr. Speaker, that those of our colleagues who have been associated with them on the Committee on Ways and Means will greatly miss their expertise and their attitude in trying to solve problems rather than creating difficulties.

Both of them will be missed, I am sure, by all because of their outstanding performance over a long period of time not only for their districts but for their country.

Mr. ULLMAN. Mr. Speaker, I yield to the gentleman from New York (Mr. Conable).

Mr. CONABLE. Mr. Speaker, like all the rest of my colleagues, I view the departure from this body of John Byrnes and Jackson Betts with a sense of loss and of foreboding. These men have made a fine, solid, dependable contribution to the work of the Ways and Means Committee and the House of Representatives. Both are characterized by directness and intellectual honesty. Both are exceptionally diligent. Both exhibit the loyalty and personal integrity which we admire in human beings, and even more in successful politicians.

As ranking minority member of Ways and Means, Mr. Byrnes has carried a major legislative burden with grace and eloquence. We all depend on him in countless ways, and his retirement leaves a void which will be hard to fill. He and his cheerful, friendly, wise and dependable colleague from Ohio diminish us by their departure, just as they have added to the luster of this institution by their service here. I suppose we can console ourselves with the thought that wise men have served here before, and this Nation calls to its service the strengths it needs when it needs them; but for me, personally, I doubt that I will be able to find others I admire in the same way I admire these two men. I hope they will come back to see us frequently.

Mr. BIESTER. Mr. Speaker, another session of Congress is passing by and Congress has again failed to tackle some of the persistent and growing problems in American society. Last year the House faced up to one of the problems—a welfare "system" growing more and more out of control—when we passed the welfare reform provisions of H.R. 1.

H.R. 1 is before us again, but it is a far cry from the measure which we sent over to the Senate. Welfare reform got lost in the shuffle, a victim of unreconcilable differences from all sides of the issue.

Although I am deeply disappointed by our retreat on this aspect of the House-passed version of H.R. 1, I will vote for the conference report. I will do so primarily because of the desperately needed social security benefits for retired persons which are included.

I would venture that none of us in this Chamber have to deal on a daily basis with more frustrating and moving constituent problems than those of our senior citizens, particularly those who are eking out a marginal existence on a small, fixed income. Changes which will be brought about as a result of H.R. 1 are going to help: increased widows' payments, higher pensions for those working beyond retirement age, raised earnings limitations, new monthly minimums for certain categories of employees and modifications in the medicare program.

As Congress attempts to keep abreast of what is necessary to insure a decent standard of living for the elderly, Congress must also address itself to the inadequacies in the convenient process of social security funding. The time is rapidly approaching—if, indeed, it has not already arrived—when funding from general revenues will be necessary to realize the liberalized benefits which are required.

The current system of payroll and employer taxes is reaching its limits of tolerability. As a regressive tax, the payroll tax falls more heavily on lower and middle-income workers; the provisions of H.R. 1 significantly increase the employee payroll contributions over the next several years.

Using general revenues to improve the effectiveness of the social security system is not a new idea, but it is one which must be carried out if the average American is to receive a fair shake in the whole social security system.

Mr. FRENZEL. Mr. Speaker, the conference report on H.R. 1 is, like most other legislative compromises, a mixed bag of blessings and banes.

The main blessings are the improvements in social security, and the fine job our House conferees did in scaling down the fantastic Senate spending appetite. The package before us, described by the chairman as the most significant improvements since 1965, carries about one-third the cost of the Senate bill. I regret the increase in rates and income levels necessary to support these increases. Social security taxes are onerous and regressive, and surely by now must have reached maximum tolerable levels.

Had I guessed that these sweeping changes could have been achieved this year, I surely would have supported the Byrne amendment to the 20-percent increase passed a few months ago. With reasonable Senate cooperation we could have had equitable, retainable, basic increases in benefits and these other fringe improvements. Because of the way the Senate performed, we have sacrificed some useful fringe benefits and forced a regressive tax upwards.

The curse in this bill is that, for the second straight year, the Senate has refused to participate in achieving the great national goal of welfare reform. The President, and the people of this country, have asked that Congress make welfare reform a high priority. The House has done so twice. The Senate has failed twice.

Again, congratulations are due the House conferees for rejecting the Senate proposal for demonstrations, or trials, of welfare reform. These trials would only postpone reform and give a new license for the operation of an obsolete, unworkable system. I join the gentleman from Wisconsin (Mr. BYRNES) in urging that welfare reform get an even stronger commitment from Members of this body next year.

Since this bill is flawed only by what has gone before and by what is not in it, it obviously is deserving of our support. I hope it is passed overwhelmingly.

Mr. COTTER. Mr. Speaker, I rise in support of H.R. 1, but I do so with some reluctance. This bill corrects many of the abuses in the existing social security system. For example, it gives widows 100 percent of their husbands' benefits; it increased the amount of outside earnings to $2,100, although I believe that $3,000 represents a more realistic figure.

Yet fair play should be a keystone of free government. Today, however, we give our final approval to some very basic changes in our social security system—yet we fail to effectively grapple with the fact that our social security system places more of a burden on the middle-income American than on the very rich. Under the present rules, a man earning $9,000—and a man earning two or three times that amount pay the same tax, $468 for social security. The $9,000 wage earner is paying 5.2 percent of his gross pay while the $18,000-a-year man pays 2.6 percent of his gross income for social security and the $27,000-a-year man pays less than 2 percent of his income for his social security benefits. Even under the new provisions, which will ultimately raise the wage base to $12,000 and the tax rate to 6 percent, the disparity will continue to exist. A $9,000 wage earner will pay 6 percent of his gross pay, or $540 for social security, but the $18,000-a-year man will pay $720, or 4 percent, for the same benefits.

What I am arguing for is equity in this situation. At a minimum, each wage earner should be expected to pay the same percentage of his entire salary for social security benefits. This is the most elementary equity. Each worker pays at the same rate. Many would argue that there should be a progressive social security tax rate.

I am undertaking a study of each of these approaches, and will introduce legislation to replace the existing social security tax system.

Mr. VANIK. Mr. Speaker, in examining the Senate Finance Committee's report accompanying H.R. 1, I notice that it includes a direction to the Secretary of Health, Education, and Welfare to issue regulations which would eliminate private sources of funds to be used as the States' matching requirement for Federal financial participation.

On top of the other limitations which we have placed on social service programs, this Senate Finance Committee suggestion is totally unrealistic and should be disregarded by the Department. The social service funding situation has undergone so many changes since the Senate Finance Committee's report was released, that it is obvious that the entire Congress—not just the Senate Finance Committee—must review the entire title IV(A) and other social service programs of the Government.

The involvement of the private voluntary sector in the delivery of social welfare services is not a new phenomenon. The private sector has provided local initiative and resources to implement several existing Federal assistance programs. These include day care, programs for the mentally retarded, alcoholics, and drug abusers, services to the aged, blind, and disabled, and many more. Moreover, matching funds, in kind and cash, have been made available United Way to implement OEO and Model Cities legislation.

A favorable byproduct of the fund matching program is a strengthened public-private partnership which clearly demonstrates effective involvement of volunteer leadership in local communities. This leadership represents a broad sector of business, industrial, and low, moderate, and upper income lay citizens who bring knowledge, expertise, and resources to the design and delivery of essential services for people in need.

A limitation on private voluntary sector assistance in social service matching funds will only create more confusion—during a most confusing transition period. It is imperative that the present system of public and private support of social services programs continue.

Mr. DONOHUE. Mr. Speaker, I intend to support this conference report on H.R. 1 because the conferees, under existing circumstances, have developed an overall acceptable program through the elimination of a great many of the unhappy additions that were placed in our original House bill, by the Senate, and by their restrengthening of other provisions in our original bill that were weakened by Senate action. We have the option, at this late day, apparently, of accepting this conference report or having no bill at all in this Congress. I think the wiser choice, in the national interest, in this situation, is the adoption of the compromise report.

Mr. Speaker, may I say that many authorities in the administration of social services and in the operation of our Federal program of benefits for the aged, blind, and disabled are very deeply concerned by a provision that was projected in the Senate committee report on our original H.R. 1 bill to the effect that the HEW Secretary would be required to disallow State use of donated voluntary funds for social services for matching under title IV(A) of the Social Security Act.

The substantive effect of such a projection would, in the opinion of the experts, mark the end of numerous productive programs and essentially needed social services in countless communities throughout the various States and I know that this sad development would truly occur in my own Commonwealth.

I think the record of our previous action here on this vitally important measure would show that this Senate committee projection was not in our original House bill, that it was dropped in the conference discussions and the attempted elimination of the existing private-public partnership, which operates so effectively in so many of these social services needs areas, is actually opposed by the highest Government authority himself, the Secretary of the Health, Education and Welfare Department.

Under these circumstances, Mr. Speaker, I would urge and hope that the legislative history on the adoption of this conference report would indicate and emphasize the congressional desire to encourage this wholesome kind of partnership between public agencies and private donators with the clarifying limitation, where necessary, that such donated funds may be used for matching purposes only if the funds are spent for services in full accord with State plans and not solely to provide for the priorities or suggestions set forth by a private donator.

Mr. Speaker, there is no question or doubt that wherever and whenever any abuses or excesses occur in any cooperative exercise of this kind of private unit-public agency relationship that they should be forbidden and eliminated; I am confident that very, very few, if any, such abuses take place in my own area and I know that the donations from voluntary sources to our Massachusetts State Department of Public Welfare have helped that department to generate over $3 million of essential social services all over the State. In an era when we are bent, and I think wisely, on promoting the tremendous national material benefits, not to mention goodwill, of a wholesome private-public partnership in most every area of American life I believe it would be a serious mistake, now, to erect any barrier, such as the prohibition proposed in the Senate report, against the progress of this healthy partnership. In this matter, I most earnestly hope that the Health, Education and Welfare Department Secretary is permitted the modified discretion that he desires and which seems most prudent in the effective operation of the social security law and in advancing the national interest involved.

Mr. REID. Mr. Speaker, I rise in support of H.R. 1, the Social Security Amendments of 1972.

However, I must say, Mr. Speaker, that I was very disappointed that the conference did not see fit to include two important provisions which had been added by the other body and which would have provided significant fiscal relief to the State of New York. Although I did engage in a colloquy just last week with the gentleman from Arkansas (Chairman MILLS) on these provisions, I regret that both the Javits-Mondale amendment authorizing funds for child care—from which New York State could have expected about $80 million—and another amendment providing New York State with approximately $166 million in intermediate fiscal relief, were dropped from the bill.

I was glad to see, however, that the Federal takeover of aid to the aged, blind, and disabled will provide New York State with a vitally needed $168 million, which will hopefully cushion the fiscal blow that my State presently faces.

Finally, and briefly, I want to state my support for a number of other provisions which amend the Social Security Act and liberalize benefits and recipient requirements.

Mr. BINGHAM. Mr. Speaker, it is a great disappointment to me, as I am sure it is to many other Members of the House, that this very important legislation, H.R. 1, affecting so many of our great social programs, has been so delayed by the Senate that we are forced to act on it in the rush of the final hours of the 92d Congress. The House passed its version of H.R. 1 way back in June of 1971. The House-passed bill was not perfect, but it contained a great many urgently needed reforms in the social security system and other programs.

As if the delay by the Senate were not enough, the bill the Senate proposed failed to include a reasonable plan for reform of our existing welfare system, which is so terribly inadequate both for those who find themselves in need of assistance and the remaining citizens who pay the bill for that assistance through their taxes. Again, the House-passed version of H.R. 1 was not perfect. But it did contain a start toward sweeping welfare reform. In the absence, however, of a correspondingly constructive proposal by the Senate, we are now faced with a bill which contains no comprehensive welfare reform provisions at all.

What we are left with, Mr. Speaker, is another assortment of provisions, most relating to the social security system, which should have been approved long ago. Most are needed and worthy of support. But they certainly leave sweeping welfare reform as a major failure of this Congress.

As far as social security improvements are concerned, I had hoped that this bill would provide complete assurance that the 20-percent increase in social security benefits which went into effect in October would be passed on in full to all social security recipients without any loss of other benefits which they might be receiving, such as old-age assistance, medicaid, disability, aid to dependent children, and the like. I am pleased to note that I took the lead in the House in introducing separate legislation to this effect, and have been most concerned that appropriate action be taken before this Congress adjourns to make sure that the 20-percent benefit increase the Congress approved actually results in the 20-percent increase in total income for every recipient that the Congress intended.

This bill does solve the problem, at least temporarily, with regard to medicaid. It provides that anyone and everyone eligible for medicaid as of September 1972, shall continue to be eligible for medicaid until October of next year regardless of any increase in income as a result of the 20-percent social security benefit raise. That will give the Congress time to consider what might best be done on a permanent basis to see that medicaid recipients are not deprived of needed medicaid benefits and thereby robbed of purchasing power as a result of social security benefit increases, and I, for one, intend to seek the strongest possible protection of medicaid recipients in this respect.

With regard to other benefits threatened by the 20-percent social security increase, this bill guarantees only that total income for social security recipients will be $4 higher after the increase than before—far less of a guarantee than I had proposed and feel is essential. This guarantee applies to benefits to the aged, blind, and disabled, but does not cover eligibility for food stamps, ADC, or housing allowances. I believe that action should be taken by the next Congress to expand and improve this guarantee, and I am hopeful that, in the meantime, the various State officials who have certain powers over eligibility for these benefits within their respective States will take every action available to them to see that needy senior citizens continue to receive the full amount of these benefits despite the 20-percent social security increase so that that increase will have the maximum impact on their spending power.

The remaining provisions of this bill make a great many improvements in the coverage and operation of the social security programs, including medicare and medicaid. A number of these improvements were recommended in the broad social security bill I sponsored in this Congress (H.R. 9300). In particular, an increase in the minimum social security benefit to an amount equal to $8.50 times the years of coverage under social security, similar to what I proposed, is contained in this final version of H.R. 1. Likewise, provision is made for widows to receive the full amount—100 percent—of their husband's benefits; and outside earnings permitted without reduction in social security benefits are increased from the current $1,650 to $2,100 per year.

Over all, a minimum of about 6.3 million people will receive higher benefits and about 500,000 people will become eligible for benefits as a result of the liberalized coverage contained in this bill. That is a gratifying achievement which I am glad to support and for which the members of the Ways and Means Committee and the House and Senate conferees on this bill deserve to be commended.

Finally, Mr. Speaker, this bill contains provisions expanding coverage under medicare which will make that program much more helpful to our older citizens who desperately needed improved health care. In particular, coverage is extended to include the services of optometrists and, in some instances, chiropractors, as well as kidney transplant and dialysis. Unfortunately, coverage of the costs of essential prescription drugs, a provision which was included in my bill and which many of us have long felt is of highest importance and priority, was dropped from this bill by the conferees after having been approved by the Senate. With regard to administration of the medicare program, I am particularly gratified to note that enrollment in part B of the program is made automatic, subject to waiver after enrollment, so that we will no longer have the unfortunate situation that has existed in the past where needy older citizens have neglected to enroll at the appropriate time and have therefore been denied benefits for the considerable periods between enrollment dates.

Mr. Speaker, on the basis of these numerous constructive aspects of H.R. 1 as it is now presented to the House, and with confidence that the next Congress will go to work diligently to fill in the very major gaps I have pointed out, I intend to vote for the conference report.

Mr. BURKE of Florida. Mr. Speaker, as my colleagues know I was a cosponsor of the Social Security Amendments of 1971. When H.R. 1 passed the House in 1971, however I did not vote for it, even though I strongly advocated the need for increased social security payments. My objection then was not that I opposed any increase in social security payments, but rather because I felt that social security should not be tied with any welfare package. Our senior citizens who worked and paid into social security as did their employers, certainly never deserved to be treated as welfare recipients; to me such an inference, or coupling thereof, is an insult to them.

Earlier this year the 20-percent increase in social security benefits came to the floor for a vote. Regrettably at that time I was in the hospital recovering from an operation and was therefore prevented from voting. Had I been present then I would have voted yea as I would have done today.

Yesterday, I had some very important meetings in my district involving questions of ocean outfall and the building moratorium which is a serious problem to south Florida, and the area which includes my congressional district.

I learned late yesterday evening that the social security amendments would be called up today and that the welfare reform provisions had been deleted from H.R. 1.

Regrettably my plane flight was canceled and I was delayed in leaving Miami and arrived in Washington at 2:05 p.m. Unfortunately also the vote on the social security amendments which I cosponsored was taken at 1:40 p.m. and my arrival on the House floor was too late to cast my vote. Thus despite my earnest efforts in working for the passage of this legislation I was, once again for reasons beyond my control unable to vote for these measures which, in my opinion, are so deserving to our senior citizens. Nevertheless, I want to state that I am happy that this legislation passed, even though I could not vote for the measure. As I indicated, had I been here, I would have surely done so, and it is with a warm feeling that I join with the millions of Americans who will benefit from the passage of this bill in rejoicing in the knowledge that justice has at last prevailed.

Mr. BIAGGI. Mr. Speaker, I rise in support of the conference report on H.R. 1. While it does not provide all the reforms we sought, especially in regard to the welfare programs, it does provide many needed reforms in our social security law and fulfills many promises to the older people of this Nation.

I am pleased that many of the provisions I have fought for since coming to Congress are included in the omnibus bill. Widow's benefits will be increased from the present 82.5 percent of their husband's pension to 100 percent. A minimum benefit of $170 a month for persons who have worked under social security will be paid. It will extend medicare benefits to the 1.7 million disabled who receive social security pensions. It would include for the first time chiropractors' care under medicare.

The earnings limitation for recipients will also be increased from the present $1,680 to $2,100. While I have fought for complete elimination of the ridiculous provision of the law that restricts people from working, I am pleased that some increase was granted.

There will be many provisions to take up in the next Congress, however. Prescription drugs, and optometric care should be included under medicare. The outside earnings limitation should be eliminated. The retirement age should be reduced from 62 to 60.

The vast majority of older Americans have worked hard all their lives. They are responsible for the great achievements that this country lays claim to today. Our military and technological might and world position is due in large part to their efforts.

Unfortunately the ravages of inflation have relegated the majority of senior citizens to a life of poverty. With fixed pensions or limited income, many have found it necessary to go on welfare. Many have had to give up their homes—purchased through lifelong work—because of high property taxes or the high cost of maintenance. Many others feel unsafe to go out on the streets because of the extensive crime problem.

We cannot afford to turn our backs on these people who have built America. Let us see that in their retirement at least, their financial problems are somewhat alleviated. This bill will help improve the financial outlook of our senior citizens. The other reforms I have mentioned, coupled with much needed tax reforms to reduce property taxes and provide for retirement income exemptions will provide a more adequate measure of relief. I urge you to bear in mind, my colleagues, that some day all of us will be retired senior citizens ourselves.

Mr. ZABLOCKI. Mr. Speaker, I rise at this time to commend our colleague from Arkansas, the Honorable WILBUR MILLS, and other distinguished House Members whose diligent work during the past week has produced legislation of which we all have reason to be proud—the conference report on H.R. 1, containing reforms in the social security system whose enactment the House has urged during the 91st and 92d Congresses.

The task which confronted these conferees was indeed monumental, for they faced the need to reach agreement on the more than 580 points of difference between the legislation as passed by the two Houses. The conference report which has resulted from their efforts represents a positive, progressive contribution toward the improved welfare of our Nation's senior citizens.

The plight of the elderly in this country has been emphasized by recently released statistics of the 1970 census report; in 1970, more than one quarter of the elderly lived in what the Government has officially defined as poverty. While H.R. 1 will not eliminate this tragic situation, its provisions will bring relief to many of our senior citizens. Provisions of the conference report to protect medicaid recipients from loss of their benefits because of the 20 percent social security increase, and to require that States pass along at least $4 of the social security increase to those recipients who also receive aid through State programs to the aged, blind, and disabled, help to insure that the social security increase has its intended impact in helping the elderly to meet increased living costs.

While I commend my colleagues for their efforts in producing this vital report and express my support for the many provisions of H.R. 1 which eliminate inequities in social security, medicare, and medicaid regulations, I must also express my concern and regret that the conference report does not contain legislation which many of us had hoped would have been a significant achievement of the 92d Congress—the sorely needed reforms of our welfare system. We in the House of Representatives have clearly indicated our concern in this matter in twice sending to the Senate detailed programs to comprehensively amend existing welfare programs in order to break the cycle of poverty for many and give positive assistance to help welfare recipients become taxpayers instead of tax-takers. However, because in both the 91st and 92d Congresses the other body has failed to reach agreement, we have been unable to enact programs to provide adequately for those in real need and prevent the abuses which have permitted some to "take a ride" at the expense of the American taxpayer.

In addition to action on welfare reform, it is my hope that the 93d Congress will give top priority to a thorough review of the manner in which social security benefits are funded. The 20-percent increase in social security benefits approved earlier this session, as well as the additional reforms in H.R. 1, as we know, have necessitated an increase in social security taxes—taxes which take a greater percentage of income from those who earn less than from those who are more affluent. In this respect, consideration should be given to the gradual change which has come about in the nature of the social security program, for more and more aged Americans now regard it not as a supplemental addition to their savings but as their only source of support in their retirement. Recognizing this development, the possibility of funding social security programs in part from general funds should be studied. The concept of employee, employer, and Government contributing equally to the trust fund is one which in my opinion should be more thoroughly explored and enacted during the 93d Congress.

At this time, I would also like to join Chairman MILLS, Congressman AL ULLMAN and others in their remarks about our colleague, JOHN BYRNES.

Mr. Speaker, it is with mixed emotions that I extend a fond farewell and best wishes to my esteemed colleague and personal friend, the Honorable JOHN W. BYRNES.

On the one hand, I share his personal satisfaction of relief from the heavy pressures of office occasioned by his retirement after 28 distinguished and productive years in Congress. At the same time I know full well that his dedicated service will be sorely missed.

It was my privilege to serve with JOHN BYRNES in the Wisconsin State Legislature. During his tenure in the State senate and over the years in Congress I have respected and admired his able efforts on behalf of the people of Wisconsin's Eighth District and the Nation. He has unfailingly given freely of himself in attaining the goals and objectives of the Congress.

His special expertise in the area of taxation, exemplified by his distinguished work as ranking minority member of the Ways and Means Committee, has earned him repeated distinction. Without doubt he is one of our Nation's leading tax experts.

GENERAL LEAVE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. BYRNES of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 305, nays 1, answered "present" 3, not voting 122, as follows:

[Roll No. 455]

YEAS—305

Abzug
Adams
Addabbo
Alexander
Anderson, Ill.
Andrews, Ala.
Annunzio
Ashbrook
Ashley
Aspinall
Badillo
Barrett
Belcher
Bennett
Bergland
Betts
Biaggi
Biester
Bingham
Blatnik
Boland
Brademas
Brasco
Bray
Breaux
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton
Byrnes, Wis.
Camp
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Chisholm
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Culver
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, S.C.
de la Garza
Dellenback
Dellums
Denholm
Dennis
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evins, Tenn.
Fascell
Findley
Fish
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fulton
Fuqua
Garmatz
Gaydos
Gibbons
Gonzalez
Goodling
Grasso
Green, Pa.
Griffin
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harrington
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Koch
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lennon
Lent
Long, Md.
Lujan
McClory
McCloskey
McCollister
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Madden
Mahon
Mallary
Mann
Mathias, Calif.
Mathis, Ga.
Mazzoli
Melcher
Metcalfe
Miller, Calif.
Miller, Ohio
Mills, Ark.
Minish
Mink
Minshall
Mitchell
Mizell
Montgomery
Moorhead
Morgan
Mosher
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
O'Konski
O'Neill
Passman
Patten
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Quie
Quillen
Randall
Rangel
Rarick
Rees
Reid
Reuss
Rhodes
Riegle
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Ruth
St Germain
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Seiberling
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Calif.
Terry
Thone
Tiernan
Ullman
Vander Jagt
Vanik
Veysey
Vigorito
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Whitten
Wiggins
Williams
Wilson, Charles H.
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—1

Teague, Tex.

ANSWERED "PRESENT"—3

Hall
Pelly
Rousselot

NOT VOTING—122

Abbitt
Abernethy
Abourezk
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Archer
Arends
Aspin
Baker
Baring
Begich
Bell
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Brooks
Broomfield
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byron
Cabell
Caffery
Chappell
Clawson, Del
Clay
Collins, Ill.
Collins, Tex.
Crane
Curlin
Danielson
Davis, Wis.
Delaney
Derwinski
Dickinson
Dow
Dowdy
Dwyer
Edmondson
Erlenborn
Evans, Colo.
Fisher
Flowers
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Gray
Green, Oreg.
Griffiths
Gross
Haley
Hanna
Hansen, Wash.
Harvey
Hastings
Hébert
Howard
Ichord
Jones, Tenn.
Kuykendall
Link
Lloyd
Long, La.
McClure
McCormack
McKay
McKevitt
McKinney
McMillan
Macdonald, Mass.
Mailliard
Martin
Matsunaga
Mayne
Meeds
Michel
Mikva
Mills, Md.
Mollohan
Monagan
Moss
Murphy, Ill.
Nichols
Patman
Peyser
Podell
Pryor, Ark.
Pucinski
Purcell
Railsback
Roncalio
Rooney, N.Y.
Runnels
Ruppe
Shipley
Shoup
Sisk
Smith, N.Y.
Snyder
Steiger, Ariz.
Steiger, Wis.
Stephens
Symington
Talcott
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Widnall
Wilson, Bob
Winn
Wolff

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Widnall.

Mr. Hébert with Mr. Arends.

Mr. Waggonner with Mr. Martin.

Mr. Rooney of New York with Mr. Mailliard.

Mr. Roncalio with Mr. Archer.

Mr. Brooks with Mr. Collins of Texas.

Mrs. Hansen of Washington with Mr. Del Clawson.

Mr. Shipley with Mr. Andrews of North Dakota.

Mr. Bevill with Mr. Blackburn.

Mr. Cabell with Mr. Shoup.

Mr. Chappell with Mr. Davis of Wisconsin.

Mr. Mikva with Mr. Michel.

Mr. Wolff with Mr. Hastings.

Mr. Delaney with Mr. McKevitt.

Mr. Murphy of Illinois with Mr. Railsback.

Mr. Moss with Mr. Bob Wilson.

Mr. Podell with Mr. Steiger of Wisconsin.

Mr. Giaimo with Mr. McKinney.

Mrs. Green of Oregon with Mr. Ruppe.

Mr. Howard with Mr. Smith of New York.

Mr. Sisk with Mr. Steiger of Arizona.

Mr. Hanna with Mr. Harvey.

Mr. Anderson of California with Mr. Goldwater.

Mr. Anderson of Tennessee with Mr. Baker.

Mr. McCormack with Mr. Winn.

Mr. Macdonald of Massachusetts with Mr. Broomfield.

Mr. Matsunaga with Mr. Thomson of Wisconsin.

Mr. Nichols with Mr. Snyder.

Mr. Gray with Mr. Crane.

Mr. Gettys with Mr. McClure.

Mr. Fisher with Mr. Peyser.

Mr. Flowers with Mr. Burke of Florida.

Mr. Danielson with Mr. Talcott.

Mr. Byron with Mr. Lloyd.

Mr. Blanton with Mr. Kuykendall.

Mr. Ichord with Mr. Dickinson.

Mr. Mollohan with Mr. Mills of Maryland.

Mr. Monagan with Mr. Bow.

Mr. Collins of Illinois with Mr. Gallagher.

Mr. Clay with Mr. Galifianakis.

Mr. Pucinski with Mr. Erlenborn.

Mr. Purcell with Mr. Mayne.

Mr. Runnels with Mrs. Dwyer.

Mrs. Griffiths with Mr. Bell.

Mr. Stephens with Mr. Derwinski.

Mr. Burlison of Missouri with Mr. Byrne of Pennsylvania.

Mr. Jones of Tennessee with Mr. Abernethy.

Mr. Abourezk with Mr. Abbitt.

Mr. Aspin with Mr. McMillan

Mr. McKay with Mr. Long of Louisiana.

Mr. Meeds with Mr. Patman.

Mr. Dow with Mr. Pryor of Arkansas.

Mr. Waldie with Mr. Baring.

Mr. Evans of Colorado with Mr. Curlin.

Mr. Link with Mr. Symington.

Mr. Van Deerlin with Mr. Dowdy.

Mr. Udall with Mr. Edmondson.

Mr. Haley with Mr. Thompson of Georgia.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. McKEVITT. Mr. Speaker, I was delayed en route from Denver to Washington today. However, had I been present, I would have cast my vote in favor of the conference report on H.R. 1.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 1331, FURTHER CONTINUING APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers have until midnight tonight to file a conference report on House Joint Resolution 1331, the continuing resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, I request the Clerk read the subject of the legislation.

The SPEAKER. Will the gentleman restate his request?

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the conferees on the continuing resolution, House Joint Resolution 1331, have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, what is House Joint Resolution 1331?

Mr. MAHON. As I said, this is the continuing resolution to take care of all measures that do not clear the Congress in this session. Foreign aid is one of them.

Mr. HALL. Mr. Speaker, further reserving the right to object, may I say to the gentleman from Texas that I reserved the right to object because I just did not hear the phrase, "continuing resolution." and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO CONSIDER CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 1331, FURTHER CONTINUING APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it shall be in order to consider a conference report on House Joint Resolution 1331, making further continuing appropriations for fiscal year 1973, and for other purposes, at any time during the remainder of this session.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if the gentleman would modify his unanimous-consent request to say "at any time during this day"? I am a little reluctant, in view of what has happened around here Sunday morning, to grant unanimous-consent requests for the balance of this session. I am one of those who does not want to be here on Christmas Eve again, as I have been in the past.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be pleased to yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it shall be in order to consider a conference report on the continuing resolution, House Joint Resolution 1331, at any time during the session today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection, and I appreciate the cooperation of the gentleman from Texas.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TO CORRECT THE ENROLLMENT OF H.R. 1

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 724) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1.

The Clerk read the concurrent resolution, as follows:

H. Con. Res. 724

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 1) to amend the Social Security Act, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

1. At the end of the table of contents, add the following:

Sec. 405. Separation of social services not required.
Sec. 406. Manuals and policy issuances not required without charge.
Sec. 407. Effective date of fair hearing decision.
Sec. 408. Absence from State for more than 90 days.
Sec. 409. Rent payments to public housing agency.
Sec. 410. Statewideness not required for services.
Sec. 411. Prohibition against participation in food stamp or surplus commodities program by persons eligible to participate in employment or assistance programs.
Sec. 412. Child welfare services.
Sec. 413. Safeguarding information.

2. In section 137 of the bill, strike out "(a)" after "Sec. 137.".

3. In section 283 of the bill—

(A) strike out "(including a single service rehabilitation facility)" in subsection (a);

(B) strike out "; except that" and all that follows down through "provided" in subsection (a);

(C) redesignate subsection (b) as subsection (c); and

(D) insert the following new subsection after subsection (a):

(b) Section 1835(a)(2) of such Act (as amended by section 251 of this Act) is further amended—

(1) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(2) by adding after subparagraph (C) the following new subparagraph:

"(D) in the case of outpatient speech pathology services, (i) such services are or were required because the individual needed speech pathology services, (ii) a plan for furnishing such services has been established and is periodically reviewed by a physician, and (iii) such services are or were furnished while the individual is or was under the care of a physician.".

4. In section 301 of the bill, in the proposed new section 1614(a)(1), before the period at the end of clause (B) insert the following: "(including any alien who is lawfully present in the United States as a result of the application of the provisions of section 203(a)(7) or section 212(d)(5) of the Immigration and Nationality Act)".

5. In section 306 of the bill, strike out "October" the second place it appears and insert "September".

6. In section 403 of the bill, strike out all that follows the colon and insert the following:

(1) the amount, not to exceed $50,000,000 payable to the State (as determined without regard to such section 1120) with respect to the total expenditures incurred by the State for services (of the type, and under the programs to which the allotment, as determined under such subsection (b), is applicable) for the calendar quarter commencing July 1, 1972, plus

(2) an amount equal to three-fourths of the amount of the allotment of such State (as determined under such subsection (b), but without application of the provisions of this section):

Provided, however, That no State shall receive less under this section than the amount to which it would have been entitled otherwise under section 1130 of the Social Security Act.

7. After section 411 of the bill, add the following new sections:

CHILD WELFARE SERVICES

Sec. 412. Effective with respect to fiscal years beginning after June 30, 1972, section 420 of the Social Security Act is amended by striking out "$55,000,000 for the fiscal year ending June 30, 1968, $100,000,000 for the fiscal year ending June 30, 1969, and $110,000,000 for each fiscal year thereafter" and inserting in lieu thereof "$196,000,000 for the fiscal year ending June 30, 1973, $211,000,000 for the fiscal year ending June 30, 1974, $226,000,000 for the fiscal year ending June 30, 1975, $246,000,000 for the fiscal year ending June 30, 1976, and $266,000,000 for each fiscal year thereafter".

SAFEGUARDING INFORMATION

Sec. 413. (a) Section 2(a)(7) of the Social Security Act is amended to read as follows:

"(7) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

(b) Section 1002(a)(9) of such Act is amended to read as follows:

"(9) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;"

(c) Section 1402(a)(9) of such Act is amended to read as follows:

"(9) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

(d) Section 1602(a)(7) of such Act is amended to read as follows:

"(7) provide safeguards which permit the use or disclosure of information concerning applicants or recipients only (A) to public officials who require such information in connection with their official duties, or (B) to other persons for purposes directly connected with the administration of the State plan;".

RECIPIENTS OF ASSISTANCE FOR THE AGED, BLIND, AND DISABLED INELIGIBLE

Sec. 414. (a) Section 402(a) of the Social Security Act is amended (1) by striking out the period at the end thereof and inserting in lieu of such period "; and", and (2) by adding at the end thereof the following new clause: "(24) if an individual is receiving benefits under title XVI, then, for the period for which such benefits are received, such individual shall not be regarded as a member of a family for purposes of determining the amount of the benefits of the family under this title and his income and resources shall not be counted as income and resources of a family under this title."

(b) The amendments made by subsection (a) shall be effective on and after January 1, 1973.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, this is very unusual for us, in that we do have a long list of matters that were not included or were incorrectly included by the Printing Office in connection with the conference report, and I understand that the only way to correct the conference report is by a concurrent resolution such as we have just offered.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO INCLUDE SUMMARY OF AMENDMENTS ON H.R. 1

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to include in my remarks in connection with the conference report on H.R. 1 just agreed to, a summary of the amendments that we have caused to be prepared.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CONFERENCE REPORT ON H.R. 16810, PUBLIC DEBT LIMITATION

Mr. MILLS of Arkansas. Mr. Speaker, I call up the conference report on the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WILLIAM D. FORD. Mr. Speaker, reserving the right to object, I would like to ask the chairman if the debt ceiling bill, as he would now bring it to us, includes a cut in education and health programs and to what extent can they be cut, and what is the limitation, if any, on the discretion of the President to pick and choose programs which will be cut?

Mr. MILLS of Arkansas. There are a number of categories—some 49 or 50 and maybe more—there are some 50 categories where the President is limited in the authority we gave him last week to make cuts to not more than 20 percent.

Mr. WILLIAM D. FORD. Are any of the categories that you refer to areas where the President's power is limited in the field of education?

Mr. MILLS of Arkansas. A specific exclusion for that was not in either bill, I must say, and it is not in the conference report. However, the numerical categories I mentioned do include categories for education wherein the 20 percent limitation does apply.

Mr. WILLIAM D. FORD. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk will read the conference report.

The Clerk proceeded to read the conference report.

PARLIAMENTARY INQUIRY

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLS of Arkansas. Mr. Speaker, is it true that this conference report not having laid over for 3 days cannot be called up except by unanimous consent?

The SPEAKER. That is correct.

Mr. MILLS of Arkansas. Mr. Speaker, I withdraw my request for consideration of the conference report.

The SPEAKER. The gentleman from Arkansas withdraws his request for consideration of the conference report.

AMENDING DISTRICT OF COLUMBIA CODE LIMITING ACTIONS ARISING OUT OF DEFECTIVE OR UNSAFE IMPROVEMENT TO REAL PROPERTY

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1524) to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1524

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) Chapter 3 of title 12 of the District of Columbia Code (relating to limitation of actions) is amended by adding at the end the following new section:

"§ 12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property

"(a)(1) Except as provided in subsection (b), any action—

"(A) to recover damages for—

"(i) personal injury,

"(ii) injury to real or personal property, or

"(iii) wrongful death,

resulting from the defective or unsafe condition of an improvement to real property, and

"(B) for contribution or indemnity which is brought as a result of such injury or death,

shall be barred unless in the case where injury is the basis of such action, such injury occurs within the ten-year period beginning on the date the improvement was substantially completed, or in the case where death is the basis of such action, either such death or the injury resulting in such death occurs within such ten-year period.

"(2) For purposes of this subsection, an improvement to real property shall be considered substantially completed when—

"(A) it is first used, or

"(B) it is first available for use after having been completed in accordance with the contract or agreement covering the improvement, including any agreed changes to the contract or agreement,

whichever occurs first.

"(b) The limitation of actions prescribed in subsection (a) shall not apply to—

"(1) any action based on a contract, express or implied, or

"(2) any action brought against the person who, at the time the defective or unsafe condition of the improvement to real property caused injury or death, was the owner of or in actual possession or control of such real property."

(b) The table of sections for such chapter 3 is amended by adding at the end the following new item:

"12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property."

SEC. 2. The amendments made by section 1 of this Act shall apply only with respect to actions brought after the date of enactment of this Act.

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS: Strike out everything after the enacting clause and insert the following:

SECTION 1. (a) Chapter 3 of title 12 of the District of Columbia Code (relating to limitation of actions) is amended by adding at the end the following new section:

"§ 12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property

"(a)(1) Except as provided in subsection (b), any action—

"(A) to recover damages for—

"(i) personal injury,

"(ii) injury to real or personal property, or

"(iii) wrongful death,

resulting from the defective or unsafe condition of an improvement to real property, and

"(B) for contribution or indemnity which is brought as a result of such injury or death,

shall be barred unless in the case where injury is the basis of such action, such injury occurs within the ten-year period beginning on the date the improvement was substantially completed, or in the case where death is the basis of such action, either such death or the injury resulting in such death occurs within such ten-year period.

"(2) For purposes of this subsection, an improvement to real property shall be considered substantially completed when—

"(A) it is first used, or

"(B) it is first available for use after having been completed in accordance with the contract or agreement covering the improvement, including any agreed changes to the contract or agreement,

whichever occurs first.

"(b) The limitation of actions prescribed in subsection (a) shall not apply to—

"(1) any action based on a contract, express or implied, or

"(2) any action brought against the person who, at the time the defective or unsafe condition of the improvement to real property caused injury or death, was the owner of or in actual possession or control of such real property."

(b) The table of sections for such chapter 3 is amended by adding at the end the following new item:

"12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property."

SEC. 2. The amendments made by section 1 of this Act shall apply only with respect to actions brought after the date of enactment of this Act.

SEC. 3. On and after the date of the enactment of this Act, the Chairman of the District of Columbia Council shall receive compensation at the rate of $20,000 per annum.

Mr. JACOBS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman from Indiana if this insertion is the bill which has oft been considered and indeed passed before by this body, sent to the other body, and is now identical to their bill, limiting the statutes of limitation on design construction of 10 years in the cases of architects?

Mr. JACOBS. That is correct.

Mr. HALL. Does the gentleman's amendment encompass section 3 which would give the chairman of the District of Columbia Council compensation at the rate of $20,000 per year?

Mr. JACOBS. That is right. That is also correct.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection. This in effect handles a situation albeit in a nongermane manner, which was brought before this body on Saturday last, and would have promoted all members of the District of Columbia Council, not the commissioners, but just the council, in at least a relative, if not similar, manner.

I did request that that not be considered at that time by unanimous consent, although I am not versed in the legal signature of the so-called Architect's bill. I understand it has passed the other body, and this was a device for getting the hard working chairman of the District of Columbia Council—who I understand left a remunerative job to assume this on the recommendation of the commissioner and by appointment of the President—who now receives only a pittance for what was intended as a "part-time" job; but actually has become a job on which he spends some 12 to 14 hours a day—and based on a conference, he fully deserves this stipend.

Would the gentleman agree with me?

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, that is precisely my understanding of the situation, and I think this is clearly an act of equity on the part of the conference.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. JACOBS. Mr. Speaker, for the benefit of the Members I provide the following more detailed analysis of the provisions of this bill relating to limitations on actions.

PURPOSE OF THE BILL

The purpose of S. 1524 is to provide a limitation on the period of time during which an action may be brought to recover damages, contribution, or indemnity against architects, designers, engineers, or contractors on the ground of a defective or unsafe condition of an improvement to real property. At the present time in the District of Columbia there is no limitation as to the period of liability of an architect, engineer, or contractor for a defective or unsafe condition in an improvement to real property. Thus, such parties may become defendants in a suit brought by a person who sustains a personal injury in a building which was built 25 or even 50 years ago. The only limitation applying in such case under District of Columbia law is that such an action must be brought within 3 years after the date the cause of action accrues.

The bill, S. 1524 reported by the Senate, would require that such an action would be barred unless it is brought within 10 years from the date the improvement to real property was substantially completed.

NEED FOR THE LEGISLATION

In recent years there has been a substantial increase in the number of actions for the recovery of damages, contribution, or indemnity, for injury to property or persons or wrongful death against architects, engineers, and contractors, based upon a defective or unsafe condition of an improvement to real property.

The District of Columbia, as was the case in the States, has no statute of limitations relating to such actions. Architects who design buildings or improvements to real property, engineers who design and install equipment, or contractors, who build the improvements under rigid inspection and conformity with building codes, may find themselves named as defendants in such damage suits many years after the improvement was completed and occupied.

Comparatively, modern architecture, engineering, and construction, with the new techniques, technology, and methods, may give the appearance of defective or unsafe conditions to older structures which conditions may be used as a basis for such damage suits. In such cases, the architectural plans used may have been discarded, copies of building codes in force at the time of design or construction may no longer be in existence, and the persons who were individually involved may have deceased or may not be located. The purpose of the law is to provide a reasonable time and opportunity for a person who has suffered injury or damages to bring an action. To permit the bringing of such actions without any limitation as to time places the defendant in an unreasonable position if not imposing the impossibility of asserting a reasonable defense.

Specific cases are cited to illustrate the need for the pending legislation. In one case an architectural firm designed an auditorium which was built in 1928. In 1965, a visitor to the auditorium fell on the stairway and was injured. Her allegation in a suit for damages against the owner was that her injury was due to the improper location of a handrail. The owner of the building, in turn, filed suit against the architect for alleged negligence in designing the stairway and handrail. Thus, 38 years after the completion of the construction the architectural firm is now defending itself against a $50,000 lawsuit.

In another instance an engineering firm designed a grain elevator which was built in 1934. The elevator was destroyed by an explosion in 1957. In 1959, the owner sued the engineer for $250,000 alleging that the explosion was due to errors in the design of the ventilation system.

In the first case, none of the architects involved in the design of the auditorium were alive but the architectural firm was sued. The plans, specifications, and contracts may have been lost or destroyed. Old building codes, essential to the defense cannot be found. In the grain elevator case, the plaintiff in effect alleged that the engineer should have created in 1934 a ventilation system based on 1959 standards and technology.

Architects, engineers, and contractors have no control over an owner whose neglect in maintaining an improvement may cause dangerous or unsafe conditions to develop over a period of years. They cannot prevent an owner from using an improvement for purposes for which it was not designed. Nor can they prevent the owner of a building from making alterations or changes which may, years afterward, be determined unsafe or defective and appear to be a part of the original improvement.

I believe that as a matter of good law, in fairness and equity to the architect, designer, engineer and builder, it is proper to enact legislation such as S. 1524 to establish a reasonable time limit within which suits for damages alleging defective or unsafe conditions, attributable to their actions, can be brought.

STATE ENACTMENTS

The problem which this legislation is designed to remedy has been recognized throughout the United States. Since 1960, 40 states have enacted statutes of limitation similar to that proposed in this bill. In addition, the legislatures in 10 other States are considering such legislation. The provisions of this bill are reasonably comparable to legislation enacted in the States. See tables A and B attached.

Table A contains citations of similar statutes that have been enacted in various jurisdictions, amounting to about 40.

Table B contains information concerning the basic limitation to personal injury, property damage, and wrongful death, in the various jurisdictions and establishes the correlations between those basic limitations and a 5-year period of limitation.

The tables follow:

TABLE A

STATUTES OF LIMITATION FOR THE DESIGN PROFESSIONS

Alabama. Act No. 788. Approved September 12, 1969, Statutory period is four years. Alabama Statutes, sections one through four.

Alaska. Alaska Statutes, Chapter 61, section 09.10.055. Approved March 21, 1967. Statutory period is six years.

Arkansas. Arkansas Statutes Annotated, sections 37-238. Approved February 7, 1967. Statutory period is five years.

California. West's Annotated California

Code, section 337.1, C.C.P. Approved August 23, 1967. Statutory period is four years.

Colorado. Colorado Revised Statutes 1963, section 3, 87-1-28. Statutory period is ten years.

Connecticut. General Statutes, section 52-584a. Approved 1969. Statutory period is seven years.

Delaware. Delaware Code, section 10-8126. Approved 1969. Statutory period is six years.

Florida. Florida Statutes Annotated, section 95.11(10). Effective September 1, 1967. Statutory period is twelve years.

Georgia. Georgia Code Annotated, § 3-1006. Approved March 8, 1968. Statutory period is eight years.

Hawaii. Revised Laws of Hawaii, 241-7. Approved June 4, 1967. Statutory period is ten years.

Idaho. Idaho Code, section 5-241. Approved March 8, 1965. Statutory period is six years.

Illinois. Smith-Hurd Illinois Annotated Statutes, Chapter 51, Section 58. Laws of 1969. Creates a presumption of due care if injury occurs six years or more after performance of work or manufacture or design (superseding earlier statute considered in *skinner* v. *Anderson*, 1967, Ill., 231 N. E. 2d 588).

Indiana. Burns Indiana Statutes Annotated, section 2-640. Approved March 4, 1967. Statutory period is ten years.

Kansas. Kansas Code of Civil Procedure, § 60-513. Approved 1963. Statutory period is ten years.

Kentucky. Kentucky Revised Statutes, § 413.135. Approved June 16, 1966. Statutory period is five years.

Louisiana. Louisiana Revised Statutes, Title 9, § 2772. Approved July 10, 1964. Statutory period is ten years.

Maryland. Annotated Code of Maryland, § 20 of Article 57. Approved May 21, 1970. Statutory period is twenty years.

Massachusetts. General Laws of Massachusetts. Chapter 260, § 2B. Approved July 16, 1968. Statutory period is six years.

Michigan. Michigan Statutes Annotated, 27A. § 5839, effective November 1, 1967. Statutory period is six years.

Minnesota. Minnesota Statutes Annotated section 541.051. Approved May 21, 1965. Statutory period is ten years.

Mississippi. Mississippi Code Annotated, § 720.5. Approved June 15, 1966. Statutory period is ten years.

Montana. Senate Bill No. 13, Chapter 60, Montana Session Laws of 1971. Approved February 27, 1971. Statutory period is ten years.

Nevada. Nevada Revised Statutes, section 11.205. Approved 1965. Statutory period is six years.

New Hampshire. New Hampshire Revised Statutes Annotated, § 508:4-b. Effective July 27, 1965. Statutory period is six years.

New Jersey. New Jersey Statutes Annotated, 2A:14-1.1. Approved May 18, 1967. Statutory period is ten years.

New Mexico. New Mexico Statutes Annotated, section 23-1-26. Approved March 29, 1967. Statutory period is ten years.

North Carolina. North Carolina General Statutes, § 1-50-(5). Approved 1963. Statutory period is six years.

North Dakota. North Dakota Century Code Annotated, § 28-01-44. Approved March 14, 1967. Statutory period is ten years.

Ohio. Baldwin's Ohio Revised Code, § 2305.131. Effective September 10, 1963. Statutory period is ten years.

Oklahoma. Oklahoma Statutes Annotated, § 12:109. Approved May 22, 1967. Statutory period is five years.

Oregon. Oregon Revised Statutes, § 12.115. Approved 1967. Statutory period is ten years.

Pennsylvania. Purdon's Pennsylvania Statutes Annotated, § 12-65.1. Effective July 1, 1966. Statutory period is twelve years.

South Carolina. Code of Laws of South Carolina, 1962, § 10-151 through § 10-155. Approved April 16, 1970. Statutory period is ten years.

South Dakota. South Dakota Code, House Bill 803, 1966 Regular Session. Approved February 15, 1966. Statutory period is ten years.

Tennessee. Tennessee Code, Title 28, sections 314-8 inclusive. Approved March 26, 1965. Statutory period is four years.

Texas. Acts of 1969, Vernon's Annotated Texas Statutes, Article 5536A. Effective September 1, 1969. Statutory period is ten years.

Utah. Utah Code Annotated, § 78-12-25.5. Approved February 27, 1967. Statutory period is seven years.

Virginia. Virginia Code, Title 8, § 24.2. Approved March 31, 1964. Statutory period is five years.

Washington. Revised Code of Washington Annotated, 4.16.300-4.16.310. Approved March 21, 1967. Statutory period is six years.

Wisconsin. West's Wisconsin Statutes Annotated, § 893.155. Approved 1961. Statutory period is six years.

SUMMARY OF BASIC STARTING POINTS FOR STATUTORY PERIODS:

Description:	*Jurisdictions*
Upon performance or furnishing of construction of services	12
Upon substantial completion or its equivalent	22
Upon original occupancy	2
Other or combined starting points	4

TABLE B.—TABLE OF LIMITATIONS PERIODS RE CLAIMS FOR PERSONAL INJURY, PROPERTY DAMAGE, AND WRONGFUL DEATH (BASIC LIMITATIONS ONLY)

LIMITATIONS OF TIME (YEARS) FOR COMMENCEMENT OF ACTIONS

State	Personal injury	Property damage	Wrongful death
Alabama	1	1	2
Alaska	2	6	2
Arizona	2	2	2
Arkansas	3	3	3
California	1	3	1
Colorado	6	6	2
Connecticut	2	2	2
Delaware	2	2	2
District of Columbia	3	3	1
Florida	4	3	2
Georgia	2	4	2
Hawaii	2	2	2
Idaho	2	3	2
Illinois	2	5	2
Indiana	2	2	2
Iowa	2	5	2
Kansas	2	2	2
Kentucky	1	5	1
Louisiana	1	1	1
Maine	6	6	2
Maryland	3	3	2
Massachusetts	2	2	2
Michigan	3	3	3
Minnesota	6	6	3
Mississippi	6	6	6
Missouri	5	5	2
Montana	3	2	3
Nebraska	4	4	2
Nevada	2	3	2
New Hampshire	6	6	2
New Jersey	2	6	2
New Mexico	3	4	3
New York	3	3	2
North Carolina	3	3	2
North Dakota	6	6	2
Ohio	2	2	2
Oklahoma	2	2	2
Oregon	2	6	3
Pennsylvania	2	6	1
Rhode Island	2	6	2
South Carolina	6	6	6
South Dakota	3	6	3
Tennessee	1	3	1
Texas	2	2	2
Utah	4	3	2
Vermont	3	3	2
Virginia	2	5	2
Washington	3	3	3
West Virginia	2	2	2
Wisconsin	3	6	3
Wyoming	4	4	2

SUMMARY—MEAN AVERAGES

	Years
Personal injury	2.902
Property damage	3.784
Wrongful death	2.216

Source: Derived from Markham's Negligence Counsel, 1971.

GENERAL DISCUSSION

Mr. JACOBS. In almost all cases the statutes which have been passed by various States relating to the design professions have longer statutory periods than those which apply generally to claims for personal injury and property damage. A comparison of the figures shown in table A with those shown in table B makes this clear. The reason for this is, of course, that in statutes of limitation applying generally to claims for personal injury and property damage, the statutory period normally commences to run at the time of the injury or damage. In the District of Columbia this period is now 3 years for personal injury or property damage and 1 year for wrongful death.

In the statutes relating to the design professions—about 40 in number—the period commences to run, generally speaking, at the time the services were completed, and that approach has been used in S. 1524. In general, the legislatures have taken the view that the period in the design profession statutes should be somewhat longer than the statutes which begin to run when the injury or damage occurs. The reason for this is that now—wherever the special statutes do not yet exist—there is, as a practical matter, a period of time subsequent to completion of the work but prior to the occurrence of the injury, during which no statute of limitations is running. Consequently, the longer period in the design profession statutes accommodates partially to the previously existing time frame, but does provide an eventual bar to a suit in such a case. Until such statutes were adopted, there were, in fact, no limitations at all to protect such defendants from potential liability, unless the plaintiff slept on his rights after the occurrence of the injury. The shortest period in design profession statutes is 4 years. Alabama, California, and Tennessee have 4-year periods, Arkansas, Kentucky, Oklahoma, and Virginia have 5 years. Alaska, Idaho, Massachusetts, Nevada, New Hampshire, North Carolina, Washington, and Wisconsin have 6 years. Other States have longer periods. Quite a number have 10 years. Maryland and Pennsylvania have even longer periods, although I understand that legislation is being considered in Maryland to reduce its 20-year period.

S. 1524 provides for a 10-year period. This seems reasonable in the light of other presently existing statutes and in the light of the substantive issues involved. There seems to be no definite correlation between the length of the period or periods in the general statute in a given State and the length of the period chosen for the design profession statute, but in general, the latter are longer.

In the District of Columbia the general statute is 3 years for both personal injury and property damage. The same thing is true in Arkansas, for example, which has a 5-year period in the design profession statute which was sustained by the Supreme Court of Arkansas, in the case in which the U.S. Supreme Court dismissed the appeal. The Supreme Court of Oregon has recently upheld its 10-year statute, the ordinary period being 2 years for personal injury and 6 years for property damage. Thus it seems to me that the 10-year period in S. 1524 is reasonable in the light of all the circumstances and not out of line with the existing periods in the District of Columbia Code.

With regard to a second question which might be raised, it is true that an architect or a contractor is generally responsible for hidden defects existing in design or construction at the time of acceptance or occupancy if the defect involves negligence or a breach of contract. In the old days, there was considerable law, however, to the effect that, where an owner accepted a new building, he waived any claims arising from patent or visible defects. The same doctrine also had an important influence on third party claims. This doctrine of "waiver" has largely been abrogated by the modern cases and by contract provisions. Normally today the architect or the contractor is liable for patent or visible defects if there was negligence or a breach of contract even though the owner has accepted the building. Thus the distinction between latent or hidden defects on the one hand and patent or visible ones on the other is of much less significance than it used to be.

With respect to the design profession statutes of limitation, I believe that the thinking has been that, if a latent or hidden defect has not shown up in 5 years—or whatever the period may be—the design professional or the contractor should not be liable for it any more than he should be for a patent or visible claim. In other words, substantially the same considerations apply for terminating the liability of the design professional after a given time with respect to latent defects as with respect to patent defects. In general, fairness to all parties is the objective and a defect which is latent is as likely—all things considered—to be hidden from everyone. I suppose that to a certain extent the owner is aided by the inspection conducted by District building inspectors in bringing to light defects in a new building, but it does not appear that an owner can—or should be able to—sue the District if a defect were not found. Upon a cursory check of the District of Columbia Digest we have found no cases where the District of Columbia has been sued for personal injury or property damage resulting from the failure of a District building inspector to discover a defect in a building. It seems probable that a case of this kind would be held to fall within the governmental function exception, and that the District would not be liable.

Testimony received on earlier bills by the House District Committee showed that about 84.3 percent of the claims of defects with respect to construction show up within 4 years—hearings on H.R. 6527, H.R. 6678, and H.R. 11544, Subcommittee No. 1, 90th Congress, 1st session 28 (1967). Under present circumstances, design professionals are subject to suit without any limit of time. It would seem that this is an unfair situation, and it has been corrected by 40 of the 50 States. Until about 20 years ago, the acceptance of the property by the owner cut off any chance of suit by him, and in many instances by third parties. Under modern doctrines, he and third parties can sue design professionals on a variety of theories. It is not unreasonable to change the balance between the two interests so that suits can be commenced only through some reasonably long period.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CONFERENCE REPORT ON H.R. 15475, NATIONAL ADVISORY COMMISSION ON MULTIPLE SCLEROSIS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause, the cures and treatments for multiple sclerosis.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, I understand this is a conference report in which there has been a minimum change, but yet the House-passed bill does establish another advisory commission. I would ask if there are any nongermane or additional costs from the House-passed version, and if this new advisory commission comes within the limitation of the overall advisory commission bill passed by the House.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from West Virginia.

Mr. STAGGERS. The proposed conference report is identical with the bill that was passed by the House, with even the number of advisory board members the same. The only thing the report does is change the number of public members from four to five and the number of other members from five to four. That is the only change in the bill. It is otherwise identical to the bill that passed this House some time ago.

Mr. HALL. Mr. Speaker, further reserving the right to object, the gentleman probably answered the second part of my question, but it was put in such a concise form that I am not sure. Does this comply with the form of the Board as passed by the House?

Mr. STAGGERS. It is difficult to hear just exactly what the gentleman from Missouri is talking about.

Mr. HALL. Mr. Speaker, a point of order. The gentleman from West Virginia cannot even hear my question, although I bellow like a bugler.

The SPEAKER. The House will be in order.

Mr. STAGGERS. Mr. Speaker, I would say to the gentleman, if I understood the question, the answer is "yes."

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 14, 1972.)

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with a great sense of pride and gratitude that I rise today to urge adoption of the conference report on H.R. 15475, which would create a National Advisory Commission on Multiple Sclerosis.

As author of the original MS legislation, I am grateful to so many people in this and in the other body for the enormous amount of work and concern they have invested in this legislation.

I feel that I can also speak for some quarter of a million victims of this terrible disease when I thank:

The more than 80 Members of this House who joined me as cosponsors of the MS bill.

The distinguished chairman of the committee, the gentleman from West Virginia (Mr. Staggers) and the ranking member of the minority, the gentleman from Illinois (Mr. Springer).

The great gentleman from Florida (Mr. Rogers) chairman of the subcommittee which conducted hearings on the bill and in its wisdom slightly altered it; the distinguished ranking member of the minority, the gentleman from Minnesota (Mr. Nelsen) whose help was invaluable.

The distinguished members of the conference, the gentleman from Kentucky (Mr. Carter) and the gentleman from Virginia (Mr. Satterfield).

The distinguished chairman of the committee in the other body, the gentleman from New Jersey (Mr. Williams) and the distinguished gentleman from Pennsylvania (Mr. Schweiker).

The list is indeed endless.

But more important, the fact that so many Members recognized the great need this bill is designed to fill makes me proud of this Congress which has demonstrated its ability to respond when the cause is just.

The victims of MS, stricken in the prime of their lives between the ages of 20 and 40, have suffered for too long in silence. Only recently have they cried out to us, telling us of their need and of the hope they feel that help in the form of a research breakthrough is now somehow obtainable.

This legislation, Mr. Speaker, has had a short but stormy history. The problem of multiple sclerosis became an immediate concern of mine when two constituents, Barry Corbett of Attleboro, Mass., and Robert Baptiste of Mansfield, Mass., detailed the problem for me.

They explained how neither the cause nor the cure of MS is known, but that there is general belief the mystery would yield to an all-out coordinated national effort to find a breakthrough amidst all the international research now going on.

Barry and Bob, both members of the Attleboro Jaycees, enlisted the support of their chapter, the Massachusetts chapter and the entire national Jaycee organization behind the legislation. Soon, more than 80 Members of the House joined as cosponsors.

The Interstate and Foreign Commerce Subcommittee on Public Health and Environment then was kind enough to hold a hearing on the legislation May 23, 1972.

The House passed a multiple sclerosis bill on August 1 and the Senate followed suit on September 26. The conference report was adopted in the Senate Saturday, and, hopefully, today in the House.

That is the story of this bill, Mr. Speaker, a multifaceted story played out before an audience of a quarter million Americans whose thin dreams waxed and waned with each twist and turn.

Now we must keep faith with them today by adopting this report. And that same faith must be kept with them in the future with the appointment of truly dedicated, knowledgeable, committed citizens to the National Advisory Commission on Multiple Sclerosis.

I know it will be. I know of the President's deep personal concern. And I know well of the concern of Secretary Elliot Richardson. His outstanding service in public life in Massachusetts, the medical tradition of his family, and his natural commitment to this sort of thing are going to serve multiple sclerosis victims well.

And when this Commission reports back to the President, and to the Secretary, and to this Congress 1 year from now, let us pray this story has a happy ending.

The SPEAKER. Without objection, the previous question is ordered on the conference report.

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER TO DECLARE RECESS

Mr. SIKES. Mr. Speaker, I ask unanimous consent that it may be in order at any time during the day for the Speaker to declare a recess subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, do we return to the question of more recesses, and whether this is one recess for a specific purpose, or whether it is a recess for a time certain, or what the purpose of this recess is?

The SPEAKER. The House is waiting for important information, as the gentleman well understands, and it is also waiting for some Senate action.

Mr. HALL. Further reserving the right to object, I do not know what the alternative of the House is, and it would certainly be better for the House to be in recess than to be, by unanimous consent or other device, passing needless legislation. After what we went through Saturday night and Sunday morning I am still vaguely hoping for some kind of sine die adjournment. Is there any plan for a sine die adjournment resolution to be before the Eouse at this time?

The SPEAKER. The gentleman knows as well as the Chair that the House cannot do anything until the Senate is ready to act on such a resolution.

Mr. HALL. No; the gentleman does not know that, Mr. Speaker. It sounds like the old refrain that I have heard many times, but we could pass a resolution and hasten their actions by so doing. I take it the Chair's statement means there is no such plan.

Therefore, Mr. Speaker, I am constrained to object to this unanimous-consent request.

The SPEAKER. Would the gentleman object to having that request changed if the House should stand in recess until 3:30 p.m.; 1 hour?

Mr. HALL. With the usual notification?

The SPEAKER. The hour of 3:30; specifically, 1 hour.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

Mr. SIKES. Mr. Speaker, I so modify my request.

Mr. ULLMAN. Mr. Speaker, reserving the right to object, could the Chair appraise the Members of the House of the parliamentary situation with respect to the debt ceiling bill?

I understand the report was filed midnight Saturday night. What is the parliamentary situation with respect to that, other than by unanimous consent?

The SPEAKER. The Chair understands the chairman of the committee, the distinguished gentleman from Arkansas, is asking for a special rule.

It was filed after midnight on Saturday night.

Mr. ULLMAN. But tomorrow, majority vote if a rule is granted?

The SPEAKER. If the rules are waived.

Mr. ULLMAN. I thank the distinguished Speaker. I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

RECESS

The SPEAKER. The Chair declares the House in recess until 3:30 p.m.

Accordingly (at 2 o'clock and 31 minutes p.m.), the House stood in recess until 3 o'clock and 30 minutes p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 30 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House with Senate amendments to a bill of the Senate of the following title:

S. 3858. An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 16676. An act to amend the Community Mental Health Centers Act to extend for one year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children.

RECESS

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the House stand in recess until 4:30 p.m.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Accordingly (at 3 o'clock and 35 minutes p.m.), the House stood in recess until 4:30 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 30 minutes p.m.

EMERGENCY HEALTH PERSONNEL

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 3858) to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes, with Senate amendments to the House amendment thereto, and consider the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, may we hear the contents of the Senate amendments and have a little more definition of the bill which we are considering?

The SPEAKER. The Clerk will report the Senate amendments to the House amendment.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 4, line 1, of the House engrossed amendment, after "service" insert: "on a fee-for-service or other basis".

Page 4, line 11, of the House engrossed amendment, after "collect" insert: ", on a fee-for-service or other basis,".

Page 9, line 7, of the House engrossed amendment, strike out "comments (if any) made by" and insert: "approval of".

Page 9, line 17, of the House engrossed amendment, strike out "comment on" and insert: "approve".

Mr. HALL. Mr. Speaker, reserving the right to object, is this bill from the other body under consideration the same as we refer to as the Emergency Health Personnel Act, H.R. 16755?

Mr. STAGGERS. If the gentleman will yield, it is.

I would like to explain that there are two Senate amendments we would disagree on and send back to the Senate. There are two other amendments with which we would like to concur.

These amendments, numbered 1 and 2, are a simple change in the existing law which will permit HEW to collect money under this program in a fee-for-service manner or whatever other manner is most appropriate. Since these amendments would give the program reasonable, extra flexibility without requiring any new action, I feel that they are appropriate and urge that we concur.

The amendments with which we disagree, Nos. 3 and 4, would prevent HEW from closing or transferring any hospital without the prior approval of State and local health-planning agencies. Our bill would ask these agencies for comments, but we do not feel that they should be given an absolute veto power as in these amendments, and I urge that they be disagreed to.

Mr. HALL. I will say that I certainly agree with the amendment as read by the clerk, as near as I can understand the context of it.

Do I understand the gentleman from West Virginia, the chairman of the Committee on Interstate and Foreign Commerce, to say that after accepting these two amendments, he then plans to send the papers back to the other body with two amendments still in disagreement?

Mr. STAGGERS. With two amendments still in disagreement.

Mr. HALL. Which would maintain the position of the House?

Mr. STAGGERS. That is correct. Yes, sir. This is the House bill.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. As I recall the history of the legislation which is now before us, it was passed under suspension of the rules.

Mr. STAGGERS. That is correct.

Mr. GERALD R. FORD. By a relatively narrow margin.

Mr. STAGGERS. No. That was another bill on Emergency Medical Services, not this bill on the Emergency Health Personnel Act which received a good margin.

Mr. GERALD R. FORD. But the margin under suspension of the rules was very narrow?

Mr. STAGGERS. On the other bill.

Mr. GERALD R. FORD. There was a dispute, as the gentleman from West Virginia indicates, but there was also a fair amount of apprehension that if this bill went over to the other body, they would load it up with about $4 to $6 billion of other matters pertaining to health that were objected to by a number of Members on this side of the Capitol.

Now, do I understand the gentleman from West Virginia to say to the House that this is all; this is all that the managers on the part of the House or the chairman of that committee will agree to as far as this matter is concerned?

Mr. STAGGERS. This is correct.

Mr. GERALD R. FORD. There will not be anything else agreed to by the gentleman from West Virginia on this subject?

Mr. STAGGERS. We are not even going to conference. We are sending this back.

Mr. HALL. Mr. Speaker, further reserving the right to object, in withdrawing I simply want to say that this is an excellent example and one of the hazards of prolonging this session of Congress.

But, if the gentleman will stand firm as he has indicated, I have no objection to the two amendments we have under consideration. Therefore, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk reads as follows:

Mr. STAGGERS moves that the House concur in Senate amendments Nos. 1 and 2.

The motion was agreed to.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves that the House disagree to Senate amendments Nos. 3 and 4.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

CONFERENCE REPORT ON H.R. 16810, PUBLIC DEBT LIMITATION

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 14, 1972.)

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this is the conference report on H.R. 16810, the debt-limit bill, which also imposes on the President the burden of cutting back expenditures for this fiscal year to the level of $250 billion. As I am sure the House recognizes the expenditure limit was by far the most important issue in conference, and it consumed at least 90 percent of our time.

One of the two other titles in the House-passed bill increased the temporary limit on the Federal debt to $465 billion for the rest of this fiscal year. Since the Senate made no change in the House provision, this title was not in conference.

The other title—title III—established a temporary joint congressional committee to study and recommend procedures for regaining congressional control over the budget. The substance of the House bill was retained in this case although modified by four minor Senate amendments.

There were also other amendments made on the floor of the Senate adding further new titles. The House conferees agreed to some of these and rejected others. I will discuss them in a few moments.

Let me return now to the expenditure ceiling. You will recall that in order to make it possible for the President to reduce expenditures to the $250 billion ceiling for the next 9 months only, discretion was left with the President as to where the cuts should be made.

Members who opposed this provision argued that this involved a delegation of congressional authority to the President—something I, no more than any other Member, want to do. Despite this, the majority of the House concluded that it is more important for the country—during the remaining 8½ months of the present fiscal year—to gain some control over our ever-increasing deficits, than to forgo this temporary delegation of authority.

The actual facts are that the delegation of authority to the President under this bill is much, much smaller than many Members seem to assume. Presidents have been reserving funds since the time of Thomas Jefferson, and it is a practice followed by most Presidents since that time. Although the Senators may not have been quite aware of the implications of their action, they too recognized that the reserving of funds is a regular practice of Presidents when they tied to this bill a requirement for regular reports by the President on the impoundment of funds.

I believe the Members of the House voted to pass this bill because of the very critical situation in the economy at this time. Even with the $250 billion spending limit, the administration estimates that the Federal funds budget deficit will be $32.4 billion. Thanks to the surplus in the trust funds, the deficit in the unified budget will be somewhat less but still much too large, at $25 billion. This amount, which the Treasury must borrow from the money markets, is in competition with demands of the housing industry, with those of State and local governments, with those of private businesses for purchases of new plant and equipment and even with those of some Federal agencies which have separate authority to borrow funds.

Among these programs, the demands of the housing industry and State and local governments are especially sensitive to variations in the demands made on the money market. When these markets become tight, these two groups of borrowers find themselves in serious difficulty.

If the Federal Government should find it necessary to borrow more than the $25 billion, this almost certainly will drive up interest rates much faster than already is occurring, and cause a slowdown in the rate of housing construction.

When the demand for funds in the money market increases, the pressure on the Federal Reserve System to increase the supply of funds into the money market also rises. The resulting increase in the supply of money is almost sure to bring about a strong revival of inflationary pressures.

The latest figures on the money supply which have been released by the Federal Reserve since I last spoke to you, show that during the past 13 weeks the money supply has increased by 7.6 percent in terms of an annual rate. Over the past 6 months, the rate of increase on an annual basis was 6.3 percent. This higher rate of increase in the last 3 months is a clear danger sign of rising inflationary pressures.

The figures I have just referred to have been made available since the House first acted on this bill, last Thursday. At that time, I also cited figures—which I shall not repeat today—showing that prices were rising, that business inventories were rising and that interest rates also were again rising.

Finally, I believe the House was also strongly influenced by the present sad state of the American competitive position in world trade. Our balance of trade and our balance of payments have continued to deteriorate. Ten months ago in the Smithsonian agreement, the United States agreed to a devaluation of the dollar and depreciation of the dollar relative to other currencies. It was hoped that in time these changes would help us to reverse our present position in world trade.

Whatever improvements may be induced by the changes in exchange rates, there is no chance they will succeed if there is to be a further rise in inflationary pressures. Higher prices for our exports mean they will become less competitive in foreign markets. At the same time, higher domestic prices mean it will be easier for imported goods to compete successfully against the domestically produced goods.

When this bill reached the floor of the Senate, there apparently was a full recognition of the danger of expenditures exceeding $250 billion. But there also was a fear of giving the President any flexibility in holding spending within this limit. They were unwilling to give the President any discretion in cutting spending. The result was unfortunate. They passed an amendment which would have completely hamstrung the President in making the cuts. In fact, the Director of OMB told us the amendment was totally unworkable.

As a result, the Senate passed an amendment which with the exception of nine exempt categories of spending would have required the funds to be reserved proportionately from all other programs. It also limited to 10 percent the reduction "in any appropriation or any activity, program or item within such appropriation."

In the conference, we met the Senate at least halfway. We agreed to exempt items from the cutback and this listing of items was similar to the Senate listing. We also agreed to an overall limitation in any category which provided guidelines for the President without the rigidity of the proportionate cuts of the Senate provision.

This result was no easily-arrived-at decision. It was as difficult for the conferees from the House to convince the conferees from the Senate to change their basic position as it was for the Senate conferees to convince us we should change our basic position. Only after hours of debate, deadlock and then further discussions was it possible to reach this compromise.

I should also say that the administration is not certain the authority in the conference report is sufficient to enable it to make the cuts to $250 billion, but its representatives said that they would do their best to make it work.

Under the conference agreement, there are six categories which are exempted from the cut. They are:

First, veterans compensation, pension benefits, and hospital care;

Second, benefits from social insurance trust funds;

Third, medicaid;

Fourth, public assistance maintenance grants;

Fifth, military retirement pay, civil service annuities, and railroad retirement annuities and pensions; and

Sixth, judicial salaries.

These exclusions do not preclude reservation of amounts for administrative costs or construction that might fall within these programs.

As far as the rest of the budget is concerned, the conferees agreed that the authority provided under this bill was to be limited to reductions of no more than 20 percent in any functional category in the budget. There is one slight modification in this. The functional budget categories, which appear in table 15 of the 1973 budget, show 68 categories. The agreement of the conferees reduced the number of the categories for the purposes of this bill to 50. This was done by consolidating 30 of the smaller, less sensitive categories into 12 categories.

A second Senate floor amendment also related to the expenditure limit. This would have exempted from any expenditure cutback any appropriations where an expenditure reduction of more than 10 percent is required in an appropriation bill. In practice, this would have applied to the appropriation bill for the Departments of Labor and Health, Education, and Welfare where a reduction of 13 percent is required. However, this cutback merely brings the total amount approved back to the House bill level, which still is above the amount shown in the budget. This limitation was eliminated as part of the compromise on the first amendment I described.

Let me turn now to title III of the bill which establishes a temporary joint committee to review operations of the expenditure ceiling and to recommend procedures to enable Congress to regain control over the budget. There were four minor Senate amendments in this title, all of which the House conferees agreed to. The more important of these amendments are as follows:

First. Two Members are to be appointed from the general membership of the House and the Senate—one each from the majority and the minority—instead of only one Member from the general membership as provided in the House bill;

Second. The expenses of the new joint committee are to be paid from the contingent fund of the Senate, and the expenditures through February 28, 1973, may not exceed $100,000.

The House conferees believe that this joint committee in the long run may prove to be the most important portion of this bill. This, of course, will be true only if the joint committee can develop an effective solution to help Congress gain control over the budget.

The Senate also added four other amendments to the bill. The first of these was accepted by the House conferees. It requires the President to transmit to Congress and to the Comptroller General of the United States a report whenever he reserves or impounds funds appropriated by the Congress. This report, which is to be made promptly upon such decision by the President, is to contain specific information with respect to the impounded funds, and all such reports are to be printed in the Federal Register. The House conferees agreed to this amendment since it seemed to represent an appropriate method of keeping Congress informed as to the actions taken under this bill.

The next two Senate amendments were not agreed to. The first of these would have established a permanent joint committee on the budget and would have provided for the duties of that committee. The House conferees believed that the determination of whether such a committee should be established was one of the matters which should be studied by the joint study committee which is to report to the Congress next year.

The next Senate amendment which also was rejected was an income tax amendment. It would have provided that all single individuals, filing separate returns and those filing as heads of households, were to use the same tax rate schedules as married couples filing joint returns. The House conferees were not willing to accept this amendment since it was not germane to this bill, because it involved a big revenue loss and also because it does not represent an adequate solution to the complex problem of the interrelationship of the tax treatment of single persons and married couples.

Mr. Speaker, I think that your conferees have done the best they can in trying to resolve this matter. It is not what I would have wanted; it is not what the Senate would have wanted, either; it is a true compromise. I think we should accept the conference report, because I do not see how we could work out anything better if we went back to conference.

The SPEAKER. The time of the gentleman has again expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 1 additional minute.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, what about the matter of salaries such as those of the judiciary, and the legislative salaries? Can they be reduced?

Mr. MILLS of Arkansas. The difference is this—as I am sure my friend, the gentleman from New York, knows—judicial salaries cannot be reduced under the Constitution during the tenure of a judge on the bench.

Mr. CELLER. What about legislative salaries?

Mr. MILLS of Arkansas. Legislative salaries can be reduced.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, there was no disagreement in conference or between the House and the Senate on the provisions of this legislation which would increase the borrowing authority of the Treasury to $465 billion. Neither was there disagreement in the action of the House or the Senate that spending for fiscal year 1973 should be limited to $250 billion. There is no disagreement between the House and the Senate on those two specific propositions. The disagreement relates only to the authority given the President in this legislation which will enable him to carry out the directives and the responsibilities placed on him to keep spending within a $250 billion ceiling.

In my judgment the House did the proper thing. We directed the President to bring spending for this year within that figure of $250 billion, and then said to him, "You use the authority that is necessary to do that."

The Senate, however, while placing the responsibility on the President to limit spending then circumscribed his opportunity to do so by making it virtually impossible for him to carry out the responsibility imposed on him.

As the chairman of the House conferees explained, we finally came to a compromise with respect to a limitation that would be provided, under this bill, relative to the authority granted the President to bring expenditures down to the proper levels.

Let me point this out, however: There is no certainty that either the limitations on his authority imposed by the Senate or that to which conferees have now agreed will permit the President to carry out the responsibility that we have imposed on him.

Officials in the administration believe they can live within the limited authority that is granted, and have promised to make every effort to do so but it should be noted that it will be difficult, extremely difficult.

When this matter was being considered previously on the House floor I said that it was going to be very hard for the President to bring the spending level down to $250 billion, no matter what authority was granted him.

But now we have circumscribed that situation in this conference report. There is no use of us arguing now or my repeating now the arguments I, the chairman, and others made with respect to the need for a ceiling. That was agreed to by this House and does not merit repetition at this time.

The only question that remains is the degree of limitation on the President's capacity to make reductions and his ability to reach the $250 billion figure.

I am not happy at all with what we have done, even in the conference, because I think we have tied the hands of the President when we put him to work and said: "Now you have to cut down these expenditures to $250 billion." I just do not believe that we are carrying out our responsibilities when we tell the President—"Here is what you have to do but we are not going to give you the tools that you certainly need to do it."

Unfortunately, in this conference as in so many other situations—we finally get to the point where we obtained the best possible compromise. That is what this conference report which we bring back to you today represents. It is the best we could get in terms of carrying out the need for a limitation on spending.

I will not belabor that point any further, Mr. Speaker, except to say that when there is no other alternative, the only thing that can be done and the thing that must be done, is to adopt this conference report. We must certainly have a debt ceiling increase before this Congress adjourns. As the chairman pointed out, if after October 31 we have not acted on this matter, then the limitation on the borrowing authority of the President is not $450 billion, as it is today, and it is not the $465 billion that he needs to get through to next June 30. It will revert to the permanent debt ceiling of $400 billion. Thus $50 billion of borrowing authority will be removed from the President and the Secretary of the Treasury.

I understand that presently the borrowing level is somewhere in the neighborhood of $435 billion and he can borrow that other $15 billion between now and October 31.

However, after October 31, he cannot borrow a penny—and his borrowing authority will be less than it is today. As a result, it will be impossible to run the Government for more than 8 or 10 days.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. I wish the gentleman would take the time to point out that in both the House and the Senate bill, the language is identical with respect to the directive to the President to hold the reins on spending at $250 billion or less. That part of the amendment was not even in conference.

Mr. BYRNES of Wisconsin. Title I of the House bill is the same as title I in the conference report. It was not amended and has no changes. It deals with the $465 billion borrowing authority.

Title II deals with the limitation. I think it is section 201.

Mr. MILLS of Arkansas. That is right.

Mr. BYRNES of Wisconsin. In title II we set forth the directive to the President to keep spending in the fiscal year 1973 to $250 billion. There is not an "i" dotted or a "t" crossed as far as any change in that particular section is concerned.

So it is not in disagreement.

The directive to the President to cut to $250 billion is not in disagreement. The only area of disagreement is the matter of the limitation on his authority. The House put no limitation on his authority. The Senate put a limitation that anybody in his right mind would realize that the President could not possibly carry out and still cut the expenditures or hold them down.

The result of the conference agreement is that the President may be able to carry out the mandate of both Houses with the authority granted him.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I agree with what the gentleman stated. Would the gentleman suggest perhaps we ought to do something also for that borrowing which is outside of the debt, which this year will total $28.1 billion, for which the Government must go in the market? Is there not a need in a future bill considered by the new Congress, perhaps, to include also some kind of restraint on that borrowing that goes on by agencies of the Government beyond the control of the Congress and outside of the Federal debt?

Mr. BYRNES of Wisconsin. Let me say that I agree with the gentleman, that certainly in the future Congress must give serious consideration to this aspect of the problem. Borrowing is an important Government liability. I would start out first by passing the bill S. 3001 which would establish a Federal financing bank to coordinate the various borrowing programs of the Federal Government. That measure passed the Senate last June and was favorably reported by our committee in late September. I understand that it has encountered some problems on this floor and apparently is not going to be enacted during this session. That is unfortunate because, in my judgment, that bill represents an important first step toward solving this problem.

I would certainly also say that I think the gentleman is correct, and that we should get some mechanism to make sure that we are taking a look at this kind of borrowing. While it is certainly not within any realm of possibility to do so in these closing days of the session, I would hope that we would at least do what is possible now; namely, to enact a workable expenditure limitation.

Mr. ULLMAN. Mr. Speaker, I yield to the distinguished chairman of the Rules Committee, the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, when this bill was up originally I attempted to express my own views about the matter. I am sorry that the other body saw fit to limit, such as it did, the powers of the President in this area. However, it is the best thing we can get.

Mr. Speaker, I shall not burden the House with a further recital of my views.

Mr. Speaker, as we approach the passage of the debt-ceiling limitation, and as I approach the final day of my service here in the Congress, I again and finally would like to record my view on our fiscal affairs.

Some will recall that last week when this bill was up for consideration in the House, I made some remarks pointing out again that the crisis which I had been predicting for a number of years had arrived. But, Mr. Speaker, with the hope that it will not be considered as self-serving, I should like to include in these remarks a copy of a speech that I made on March 19, 1952. In that speech I pointed out 11 ways that Congress could do something about spending. As a reminder to this Congress and with the hope that it may have some influence on the next, I enclose this speech as follows:

HIGH TAXES RESULT OF UNBRIDLED SPENDING

Mr. COLMER. Mr. Speaker, I call up House Resolution 578 and ask for its immediate consideration.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and pending that, I yield myself 15 minutes at this time.

Mr. Speaker, for the past two decades this splendid young Republic has been going through one crisis after another; some were real, others mere political creations advanced to perpetuate those in control of the government in power. Today we are faced with another crisis, a real crisis, a crisis that threatens to destroy the fiscal foundation of the Republic. We are on the brink of the precipice of national bankruptcy. More and more thoughtful citizens throughout the country are realizing and fully appreciating the dangers ahead if this unbridled governmental spending is permitted to continue.

Today we, the representatives of the people, are given an opportunity to apply the brakes and thus make a further contribution toward reversing the trend in extravagant government spending.

This rule makes in order the consideration of H.R. 7072, the annual independent offices appropriation bill, a bill appropriating funds for the next fiscal year for most of the Federal bureaus. The President, through his Budget Bureau, requested of the Congress a total of $2,085,097,390 for these bureaus. The Appropriations Committee, under the able leadership of its subcommittee chairman, the gentleman from Texas [Mr. THOMAS], has cut that request by a total of $700,048,695. In every case the committee has made substantial reductions excepting, of course, such items which are fixed and not susceptible to reduction.

As one who has long been interested in this economy drive. I desire now to express, in the premises, on my own part and on the part of my coworkers, the gratitude of all economy-minded Members of this body for the committee's efforts. While further efforts will be made in the form of appropriate amendments to make even further economies, I apprehend that determined efforts will be made by those Members of the House who consider themselves liberal minded to restore the reductions made by the committee in an effort to continue the spending spree. This effort must not prevail. The line must be held.

BALANCED BUDGET

Mr. Speaker, I have been alarmed for the past several years over the dismal picture presented of the country going deeper and deeper each year into the red while the Federal Government digs deeper and deeper into the pocket of the American taxpayers. More than a year ago a little band of southern Democrats, with the aid of others, in this body got together and agreed to accept the President's challenge to cut his budget. Last year we succeeded in trimming that budget several hundred million dollars. This year others have joined our group and the work continues. We have reason to believe that, with the addition of more and more converts to the cause, the budget can be balanced this year in spite of the $82,000,000,000 request of the President with the resultant $14,000,000,000 proposed deficit. If the economy line is held on this bill and the succeeding appropriation bills yet to come before us, there will be no necessity for any deficit. We can place ourselves on a pay-as-you-go basis. Therefore our immediate objective this year should be a balanced budget.

It is as obvious as the noonday sun that if we cannot balance the budget now, with an all-time high national income of cheap money together with an all-time high taxing program, the hope of ever balancing the Nation's budget is indeed dim. In fact, prudence suggests that under such conditions we should be retiring a part of our gargantuan debt and fortifying our fiscal condition for the eventual rainy day.

FANTASTIC GROWTH OF NATIONAL DEBT

Mr. Speaker, the growth of our national debt and the fantastic amount of taxes extracted from our people has caused me to do a little research. I thought it might be well to call the attention of the Congress and the country to some comparative figures of taxes and expenditures by our Federal Government at 25-year intervals over a period of the past 160 years of the country's history. The startling results are as follows:

Period	Total expenditures	Net receipts	Change in public debt
1789 to 1813	$219, 233, 000	$221, 816, 000	[1] $6, 024, 000. 00
1814 to 1838	534, 759, 000	644, 634, 000	—71, 053, 000. 00
1839 to 1863	2, 232, 812, 000	1, 130, 702, 000	1, 109, 339, 000. 00
1964 to 1888	8, 833, 181, 000	8, 881, 529, 000	264, 858, 000. 00
1889 to 1913	12, 701, 857, 000	12, 787, 468, 000	—191, 584, 000. 00
1914 to 1938	124, 883, 429, 000	89, 393, 932, 000	35, 971, 693, 000. 00
1939 to 1952 [2]	638, 131, 389, 000	419, 494, 298, 000	260, 193, 628, 740. 33

[1] 1790 to 1813.

[2] To Mar. 13, 1952.

To say that the figures are startling is an understatement. It is significant to note that in the first period of the country's existence, when the Jeffersonian principle that the people who are least governed are best governed was in full bloom, and prior to the growth of the doctrine of paternalism that the poor young striving Republic actually had a substantial balance of more than $6,000,000 in the Treasury. Compare that figure with the national debt of more than $260,000,000,000 today and one is compelled to question the oft-repeated statement that the country today is more prosperous than ever before in its history. Moreover, I desire to again call the attention of my colleagues to the fact that the Government is no different in its fiscal affairs from the individual or a corporation. The management of Government is a business matter. The fact that Government is big business makes no difference. And I repeat what I have often stated on the floor of this House. "There is a bottom to the Government's meal barrel as well as to the individual's or the corporation's."

INCONCEIVABLE DEBT

Mr. Speaker, we have been lulled into complacency so long by the so-called liberal thinkers and have been so accustomed to appropriating the taxpayers' money in denominations of billions that it is impossible to comprehend what a billion really is. Some mathematician, in an effort to comprehend a billion dollar figure, has come up with this startling illustration:

"If a person had started in business in the year A.D. 1 with a billion dollars capital, and if he had managed his business so poorly that he lost $1,000 each day, in 1952 he still would have enough capital left out of his original billion to continue in business, losing $1,000 a day, for almost an additional 800 years, or until the year 2739."

Now in order to attempt to get some conception of how long it will take us to retire the present national debt of over $260,000,000,000 let us assume that we are frugal and prudent and start retiring that debt at the rate of $500,000,000 a year; 520 years would be required to retire the debt.

Moreover, Mr. Speaker, if further emphasis is desired on our financial status one needs only to refer to the fact that it now requires more than $6,000,000,000 per annum in the form of interest to service this enormous debt. The Treasury has now asked for and we appropriated last week an increase of $300,000,000 to take care of the increased interest on that debt over last year. In other words, the interest alone on our national debt is costing the taxpayers now about one and one-half times as much as the total expenditures for 1 year of the Federal Government in the period of 1914–38.

DARK BUT NOT HOPELESS

Mr. Speaker, that, sir, is the fiscal condition of the greatest business in the world, the United States of America. It is an unpleasant picture. It cannot be passed off lightly with the explanation that we are in a global warfare against communism, another crisis. Neither can we comfort ourselves into further complacency by adding to that the fact that we have recently emerged victoriously from a global strife with Nazi Germany and totalitarian Japan. The fact is that the country has been victorious in other contests at arms and through other crises throughout its history without serious impairment of its financial structure. Those crises, prior to World War II and prior to the Soviet Russian menace, were serious too in their day. Can it be logically reasoned that the situation in this country for the past 6 years has been so grave as to require the extraction of more taxes from the American people than was taken from them in the first 156 years of the country's existence? I think not.

Permit me to again point out to my colleagues what I have repeatedly pointed out on the floor of this House during the past 6 years that so far as the masters of the Kremlin are concerned they want neither war nor peace. Their main purpose, in my humble judgment is to conquer this country, as they have conquered all others, by the simple procedure of bleeding us white in the destruction of our economy. They would accomplish this here as elsewhere through fear, infiltration, by prodding us into national bankruptcy, and taking over in the resultant confusion of chaos and hunger. No one realizes more than the Kremlin strategists that a hungry belly cares little about the type of government it lives under. In substantiation of this I call your attention to the well-known fact that more than 600,000,000 peoples have been drawn behind the iron curtain without the firing of a single gun by a Russian soldier.

CONGRESSIONAL RESPONSIBILITY

Mr. Speaker, the solution to our financial problem and the responsibility therefor are strictly up to the Congress. More than that it is up to this House to see that the dangerous trend is reversed. I need not remind you that the wise men who founded this Government provided that because we of the House must originate all taxes and appropriations we should be elected every 2 years. We cannot hide behind the Chief Executive or complain of the traditional policy of the other body to increase appropriations. Certainly, at best the responsibility is twofold, the President and the Congress. Furthermore, I should like to refresh your memories today by calling your attention to the fact that the people of America are tax conscious as never before. The income tax, originally designed and practiced as a soak-the-rich tax, has become so enlarged that it now digs into the pockets of the smallest businessman, the white-collar workers, and the day laborer. The policy, under the Fair Deal program, of everybody "touching" the Federal Government has likewise developed into the policy of the Federal Government "touching" everybody. Even the humblest citizen now realizes that the Federal Government is no Santa Claus. In fact, we have reached the saturation point in taxation. With the tax rate as high as 90 percent in the upper brackets, the incentive for businessmen to make money scarcely exists, while the day laborer and the middle class find it difficult to live under the high rate of their own taxes.

Yes, Mr. Speaker, the people, the overburdened taxpayers of this country, are looking to us, as their representatives, to at least balance the budget. In fairness to those who founded this Republic and to the generations of future Americans yet unborn, we can do no less.

SOLUTION

Mr. Speaker, I fear that I have been boresome, and that I may even be charged with pessimism, in this long recital in an effort to emphasize the seriousness of the situation. It is serious. America is at the cross-roads in its fiscal policy. If we do not change that policy we become a bankrupt people. If we destroy the faith and credit of the Government we lose everything, our economy, our standard of living, yes, even our cherished liberties.

If the Congress is to regain its constitutional control of the purse strings; if the budget is to be balanced; if we are ever to liquidate this enormous debt, I respectfully suggest and urge that the following formula be adopted:

First. Our legislative committees, as well as committees on appropriations, must cease reporting out bills except those which are absolutely essential to our economy and national defense.

Second. Every Member of this body must recognize that the objective of balancing the budget is his most important assignment.

Third. Sectionalism, partisan politics, responsiveness to highly organized minorities, must give way to the national need for a sound financial policy.

Fourth. Every dollar appropriated must be considered as carefully as if it were coming out of the pockets of the Members themselves, as indeed the Members' proportionate share is.

Fifth. Our congressional committees, particularly the appropriation committees, must be staffed with an adequate staff of experts equal in efficiency to the staffs of the various governmental agencies who appear before them seeking appropriations.

Sixth. The Congress and the country must recognize that financial solvency is as important as military might in preparing ourselves against any potential foreign aggressor, a fact which our military captains should be made to understand.

Seventh. Our foreign friends must be made to understand that there is a limit to the resources of America.

Eighth. The system of permitting the carry-over of unspent funds from the current fiscal year into the new year must be abandoned. A meticulous study of the 1,200 pages of the President's budget this year will show that the carry-over of unspent funds from the current fiscal year will exceed $60,000,000,000.

Ninth. The procurement of military requirements, which constitute more than 50 percent of our expenditures, must be placed in the hands of trained civilians who appreciate the value of the dollar.

Tenth. And finally, the citizens of the Republic, now conscious as never before of the burdens of taxation, must practice the doctrine of States' responsibility as well as States' rights. The practice of looking to Washington for Federal aid in civil responsibilities of their own must cease. They must realize that there is no State, county, or city whose financial statement is not sounder than that of the Federal Government.

Finally, Mr. Speaker and Members of the House, this budget can be balanced and must be balanced this year. Whatever it takes to balance it must be done. A $14,000,000,000 deficit under the President's budget recommendations is unthinkable. If this country, the last fortress and haven of a free people, is to survive our fiscal policy must be placed on a sound basis. The time is now. Next year may be too late. Now is the time to place the country above party.

In the name of the founding fathers who gave the country its birth, in the name of the untold thousands who have died to preserve it, in the name of free peoples everywhere, I beseech you to save the Nation from bankruptcy and thus perpetuate this, the most glorious form of free government ever conceived by the minds of men.

Mr. ULLMAN. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Appropriations Committee, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Speaker, in past years I have sponsored and supported expenditure ceilings. However, they were expenditure ceilings which did not abrogate the constitutional prerogative of Congress.

When this measure was before us last week, I offered a substitute to title II which would have preserved the traditional role of the Congress in regard to the purse, and yet would not have denied the Congress and the President the opportunity to make meaningful reductions in spending. Control of the purse strings is the most precious prerogative of Congress. Without control of the purse, Congress is little more than an impotent arm of the Government.

My substitute was not adopted, but I voted to send the bill to the other body hoping that an acceptable bill could be worked out in the conference between the House and Senate.

The conference report has not achieved this objective. Whether we are liberals or conservatives or middle-of-the-roaders, I think it must be said that the conference report surrenders to the Executive in very substantial ways the power and control of the purse.

The conference report in effect nullifies the 9 months of labor which Congress devoted to appropriations, authorizations, backdoor spending, and spending otherwise.

The adoption of the pending measure will in effect transfer the meaningful decisionmaking in regard to Government spending to the Executive, and this should not be done.

Mr. Speaker, I have strong convictions about the necessity for a course of restraint in the Federal Government but this does not permit me to support the conference report which tends to destroy the power of the legislative branch of Government, the preservation of which is more important than the pending measure.

Let us not lose perspective. Let us not panic in the face of difficulty and frustration. Let us anchor ourselves to the traditional strengths of this Government and do that which in the long run is right. In my judgment it is right to reduce spending. It is right to restructure priorities. It is right to do what is fiscally responsible, but it is also right that in the long run we do not seek to gain some temporary relief from our troubles and lose the soul of the legislative branch of the Government.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I wonder if the gentleman's argument is going to the merits or demerits of the bill as passed by the House rather than the merits or demerits of the conference action, because we were limited in what we could do in conference, as the gentleman well knows. We could not touch the ceiling that was established by this House. It was a ceiling and we directed the President to live with it.

Mr. MAHON. I am not complaining that the $465 billion expenditure debt limitation was not modified.

Mr. BYRNES of Wisconsin. No, I am talking about the expenditure ceiling.

That was the ceiling of expenditures of $250 billion, which was not in conference. It had been agreed to by both Houses. The gentleman cannot blame the conference.

Mr. MAHON. The gentleman is correct, but if we turn to page 526 and following pages of the budget, and analyze the impact of the conference agreement, we discover that the broadest authority is given. This tends to nullify the action of the Congress on the various spending bills out of the various committees of the Congress.

Mr. BYRNES of Wisconsin. The only thing I want the gentleman to admit, if I can get him to do so, is that the conference report is the result of the action of the House when it passed the bill a few days ago.

Mr. ULLMAN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I concur with the gentleman from Texas (Mr. MAHON).

The conference substitute is better than the House-passed version only in that it defines very succinctly five major programs from which the President cannot make reductions: Veterans' benefits; social security benefits; retirement annuities and pensions; medicaid; and public assistance grants. The persons who are affected by these kinds of benefits are the ones least able in our soceity to subsist on the status quo.

This is all well and good and the only positive aspect of the substitute. The substitute completely abdicates all discretion and authority to the President to eliminate almost any program he wants without any congressional oversight review, as long as his actions keep within the 20-percent broad range of reduction.

This means that he has the authority to cut health programs, such as programs already authorized by Congress for cancer research, sickle cell anemia, Cooley's anemia, and appropriations for the National Institutes of Health. He can reduce or eliminate many of the construction grants to build new hospitals or to renovate and remodel outdated hospitals in metropolitan areas.

In the field of education, he can eliminate programs under title I which affect the poor, impact-school-aid grants, loans and Federal grants such as the national education defense loans for students who are attending colleges and universities.

This year, the budget for education was a little more than $3 billion. A 20-percent reduction would allow the President to cut $720 million in any education area he chooses.

During the past year, the President has vetoed Health, Education, and Welfare appropriations, accelerated public works, Economic Opportunity Act, and the Appalachian Regional Development Act Amendments of 1971. These measures would have done much to improve general economic development. Through these vetoes, the President has already demonstrated his lack of concern for making a real commitment to improve the lot of low- and middle-income citizens. Under the broad authority given to him by Congress in this conference substitute, the President could reduce funding further in these areas.

Mr. Speaker, I stand exactly as I did the other day. I think the greatest danger in this measure is that we are abdicating to the President the authority to eliminate any program he wants without any oversight review by this Congress.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. WILLIAM D. FORD. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Massachusetts.

Mr. Speaker, once again I stand in opposition to this act. Last week, when the debt ceiling limitation legislation first came before this body for consideration I opposed it because I feared that it would give the President authorization to cut back funds in vitally needed areas such as education, manpower, training, environmental protection, and health.

After reading the conference report now before us I see that my fears were justified. Under the measure now under consideration, the President would be able to cut back funds authorized and appropriated by the Congress not only in these areas, but in other areas as well.

Under the conference report the President would have the authority to cut back funds in areas such as vocational education. He could cut back funds for libraries, arts, and humanities. He could reduce funds for public broadcasting.

Mr. Speaker, this legislation is preposterous. Why should Congress abdicate its power and responsibility to one who has already proven by his past performance that he is totally irresponsible when it comes to human needs? Why should Congress give its power away to one who has demonstrated by both word and deed his total disregard for the will of Congress?

What makes anyone here today think that an employee of the Bureau of the Budget or a Nixon administration staff member is more intelligent or better able to make fiscal decisions than a Member of Congress? What makes us think that a President who cannot even control his own campaign staff and who evidently does not even know how his own campaign is being financed or how the funds are spent is better able to make fiscal decisions than a Member of Congress?

Mr. Speaker, the passage of legislation under which Congress abdicates its constitutionally derived powers to the executive branch at any time is unwise. The passage of legislation of this nature at a time when the executive branch is under the control of an administration which has already demonstrated its total lack of compassion and feelings for the average working man and woman of America is simply irresponsible.

The passage of this legislation today would negate all of my efforts during the past year to provide more badly needed funds to education programs. It would thwart my efforts to add additional funds to the President's miserly budget request for educational programs.

It would thwart our efforts in adopting the Hathaway amendment this year which added $1.2 billion to the Nixon administration's budget request for education, and it would thwart our efforts over the past years in overriding presidential vetoes of education appropriations bills.

The adoption of this measure today would completely undermine virtually all of this body's efforts to provide more Federal funds for human needs for badly needed Federal programs in fields such as health, education, and environment.

Mr. Speaker, I urge the defeat of this unwise and irresponsible legislation.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I rise to associate myself with the remarks of the gentleman from Massachusetts against this giving the power to control spending to the President and I commend him for a very fine statement.

Mr. ULLMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. EVINS).

Mr. EVINS of Tennessee. Mr. Speaker, I oppose the pending conference report to establish a rigid and inflexible ceiling on expenditures.

I opposed this bill in the House earlier and, although it passed under the appeal of economy in government as we are all concerned about restraint and economy in government, the fact remains that this is simply another effort by the Office of Management and Budget—the Bureau of the Budget—to induce Congress to surrender additional power to the executive branch. This amounts to an item veto and I oppose this—an item veto on appropriations.

I continue to oppose an item veto in any administration—whether Democratic or Republican. With the granting of the item veto to the Executive, we have gone down the road of erosion of the Congress a long way—the wrong way. Over the years we have legislated away many powers of the Congress. We have seen too much erosion of the Congress to the executive branch.

While some contend that the bill has been improved by the other body I still oppose it. Some state that this only provides for a temporary authority—a temporary dictatorship.

History shows that powers lost are seldom regained.

I cannot support a further abdication of the powers of the Congress—and giving to OMB the power to "pick and choose" at will the right to select "pet" projects for funding while denying others on priorities set by the Congress.

The conference report for these and many other reasons should be defeated in the public interest.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Will the gentleman agree that some years back the great pressure to turn power over to the

President came from the liberals? They wanted liberal programs which Congress would not pass, and they wanted the President to be able to get this liberal program through quickly.

The liberals have come to regret that with the war in Vietnam, as they realized that Congress by abdicating its power allowed the President to take us into Vietnam.

I say that the so-called conservatives are going to see the day when they rue this abdication of power by turning the power to spend over to the President.

Mr. EVINS of Tennessee. From whatever source the abdication of power has come, it is bad.

Two years ago, we saw a complete stopping of a project approved by the public works appropriation in toto. Already this year, they are frozen to the fourth quarter on the public works projects, utilizing this assumed authority which we now propose to give him on this legislation.

From whatever source, it is bad legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. Duncan).

Mr. DUNCAN. The conference report indicates what veterans' benefits, compensation, pension benefits, hospital benefits are exempt, but it is mute as far as education benefits, direct loan benefits, and service-connected benefits. I wonder if these are included.

Mr. BYRNES of Wisconsin. Veterans' compensation pension benefits and hospital care are excluded from any cut as, I believe, it is the general intention that any benefits administered by the Veterans' Administration in terms of cash benefits.

Mr. MILLS of Arkansas. That is my interpretation.

Mr. DUNCAN. I just wanted to ask.

Mr. BYRNES of Wisconsin. Now let me say, in all that category there never has been any intention, we have been told by the administration, certainly there was never any intention that these items would be cut in any way, but I suppose it gave the Senate some assurance to put it in.

Mr. DUNCAN. I thank the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have no further requests for time.

Mr. MILLS of Arkansas. I yield to the gentleman from New York (Mr. Reid).

(Mr. REID asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. REID. Mr. Speaker, I rise in opposition to the conference report on H.R. 16810, the public debt limitation, which includes a limitation on expenditures.

In my view, Mr. Speaker, by authorizing the Executive to make cuts in the budget that Congress has carefully and painstakingly prepared, with no congressional action or oversight over those cuts, we are abdicating our responsibilities as a separate branch of Government.

I supported the Mahon amendment to the original House version of this bill, but the bill as passed gave the President a blank check to cut any program he wished. I oppose the conference version as little more than a nod toward those of us in both bodies who refused to give the President this blanket power, with the substantive effect of the bill before us being one which would, again, authorize the President to slash numerous programs even when a majority in Congress supported them.

To be specific, as this conference agreement has been written, the President would be authorized to cut a number of programs by no more than 20 percent in order to reduce his total budget to a total of $250 billion. Certain programs, in addition, have been "lumped together" into categories, the total of which may not be cut by more than 20 percent. Finally, six certain areas specified by the conference are not to be cut at all.

What becomes clear, however, is that the President would be authorized, under this language, to cut 100 percent of a specific item within a category, provided the net reduction of the category were not reduced by over 20 percent.

For instance, in a program such as elementary and secondary education, for which Congress has appropriated a total of $2.34 billion, the President could cut a total of almost $500 million. However, if we wished, he could take all of the $500 million from, for instance, title I, aid to educationally deprived children, even though that would mean a cut of almost one-third in that vital program.

Similarly, the President is entitled to reduce the category of "other manpower aids"—a subcategory of education and manpower in the budget—by 20 percent. This entitlement would enable him to eliminate all funds for, for instance, the Equal Employment Opportunity Commission.

Clearly, the definition of "category" in the conference report is so broad as to permit a 100-percent reduction in specific programs, even though the "category" is cut by only 20 percent and even though Congress specifically voted the funds for that program.

Finally, as if the "category" definition were not already broad enough, the conference has "lumped together" certain categories. For instance, they have combined vocational education, library commission programs, and funds for the arts and humanities—three totally unrelated categories. This combination means that, as long as the President does not reduce the totals of their budgets by more than 20 percent, he can cut as much as he wishes from a specific program.

I cannot vote for this bill.

It seems clear to me that there is a fundamental constitutional question involved in these blanket grants of authority over what is and has always been a congressional prerogative: The "power of the purse." In a time when the imbalance between the Congress and the executive branch is growing wider, we in Congress must not broaden the gap.

I appeal to my colleagues to oppose this bill, and protect not only the Constitution but also the rights of the Congress.

Mr. ANDERSON of Illinois. Mr. Speaker, the Washington Post article has indicated that the fiscal year 1973 budget statement issued in January showed a total of $174 billion in uncontrollable or relatively uncontrollable items and an additional $55 billion in the defense budget that presumably would not be cut, leaving only $17 billion from which to make the necessary $7 billion reduction. It further assumed that most of this $17 billion is comprised of domestic social welfare, health, education, and pollution control programs and that to get down to the $250 billion ceiling would require an average cut of about 41 percent in all of these programs.

This argument is highly misleading because the categories specifically exempted from the expenditure ceiling do not overlap with the "uncontrollable" figure listed in the fiscal year 1973 budget. In fact, the specifically exempted programs total only $92.5 billion—37 percent of the budget—leaving $157.5 billion in programs which would be subject to cutback. It woud take an average cut of 4.4 percent in these programs to reduce total outlays by $7 billion. The outlays involved in the items specifically exempted are as follows:

Fiscal year 1973 outlays

Program:	*Billions*
Military retirement pay	$4.3
Veterans benefits	8.7
Social security	46.0
Unemployment compensation	6.1
Medicare and medicaid	14.0
Public assistance maintenance grants	7.3
Railroad and civil service retirement annuities	6.0
Judicial salaries	.12
Total	92.5

Mr. PICKLE. Mr. Speaker, I oppose the conference report on H.R. 16810. When this bill was before the House, I had voted for the Mahon amendment because I thought the House ought to know where the President intends to make his cuts. On final passage in the House I voted for the measure because I felt it should be sent to the other body and to hope that a satisfactory conference could be held. This report before us now does not satisfy my objections and I think it should be opposed.

A confluence of problems have beset Congress, but the so-called spending limit in its form before us is the most doubtful uncertainty of them all. The administration's proposal to set an arbitrary Federal spending ceiling for the remainder of the 1973 fiscal year is a hoax on the American taxpayers and it does great violence to the legislative branch of the Government. Whether you are a liberal or a conservative, a mossback, a moderate, or in between, a close examination of this proposal would label it a political hatchet job, and certainly a bookkeeping sham.

If we pass H.R. 16810, we allow the President to take our responsibilities and cut back some $7 or $8 billion from programs vital to America.

What kind of programs will be suffering? Let us list a few:

Food-for-peace.

State Department.

Rural housing.

Land management.

The Environmental Protection Agency.

Recreational programs.

High-speed ground transportation.

Area and regional economic development.

Community action programs.

Model cities.

Urban development and planning.

Low- and moderate-income housing aids.

Aid to education.

Headstart.

Manpower training.

Equal Employment Opportunities Commission.

Development of health programs.

Commission on Civil Rights.

Peace Corps.

And I could go on.

I hope these figures are correct. It is very difficult to hear the figures tossed out by the Ways and Means Committee and to try to interpret the statements of the Appropriations Committee and make the figures correspond. This is another very important reason why we should have more time to consider this important measure.

From these above-named programs, it is obvious that many of our domestic problems will suffer severely from these cuts. It has been contended by Speaker CARL ALBERT and other Members of Congress that the programs of the Great Society, initiated during the term of office of President Lyndon B. Johnson, will suffer the greatest cuts of all. These programs have proven to be worthwhile and beneficial programs and are the symbols of the progressive area of our times. If we allow them to be dismantled as this bill might do, we are actually destroying some of the greatest programs of the past decade.

It will be contended that the programs are being dismantled in the name of fighting inflation and the accusation will be that it is the only way a Republican President can control the spending of a Democratic Congress. It must be pointed out, however, that the Appropriations Committee this year has cut the President's budget nearly $5 billion. If we have cut this budget $5 billion it must be asked, therefore, why we are overspending—why we are facing a $7 billion spending cut. And it also must be asked where did these extra appropriations come from?

Well, the truth of the matter is that a good portion of this excess spending has emanated from the Ways and Means Committee—the very committee that is asking us to vote for this measure today. We have spent in excess of $3.3 billion on the revenue-sharing bill. In addition, the 20-percent social security increase and this present social security reform measure, which will cost the taxpayers some $6 billion, constitutes a very considerable sum of actual expenditures, because the social security rates are increased and because 100-percent funding is made available now to widows, and because the ceiling of earnings has been raised from $1,680 to $2,100. Just these items constitute under half of the excess spending that has occurred. But you will see that the President will attack the "Democratic Congress" when in truth the bills that have caused the greatest excess spending have been those demanded by this administration.

If the President wants to save money and if he is given the authority to keep spending at a $250 billion level, then he can choose to make the cuts in these categories or at least to make them a proportionate cut along with others. I daresay, though, that when the President goes to Philadelphia and sits in the shadow of the Liberty Bell, he will not meet his responsibilities to exercise cuts in these areas, but rather will proclaim a vow to keep us fiscally strong.

I also would like to recap the impact of H.R. 16810 on other programs. For example, in the Elementary and Secondary Education Act, title I is designed to aid educationally disadvantaged children. Currently the program's specific objective is to improve the achievement of about 8 million children. I do not want to slam the school door shut on millions of American children.

I do not want to be a messenger boy for the executive department in the rural areas of my district to tell the farmers that they should reduce their standard of living 20 percent because the President has decided to cut food for peace by 20 percent. Watch for heavy cuts in all the domestic programs while the favored programs will be kept intact. If we vote this spending limitation in its present form then those who vote that way will lose their right for legislative objections.

Mr. Speaker, we do need to cut back spending and under normal circumstances a spending limitation can be achieved. This has been done under other Presidents and I have supported those limitations. But the measure before us is in violation of constitutional restraints. It requires the President to spend in some areas and not in others and it gives him constitutional authority to eliminate a complete program if it happens to be one of a lumped-together program or in the same category. This is not a good privilege to give to the President and it certainly is not a wise thing for the Congress to impose on itself.

GENERAL LEAVE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. HALL

Mr. HALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. HALL. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HALL of Missouri moves to recommit the conference report on the bill (H.R. 16810) to the committee of conference.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the conference report.

Mr. MILLS of Arkansas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 166, nays 137, not voting 128, as follows:

[Roll No. 456]

YEAS—166

Alexander
Anderson, Ill.
Andrews, Ala.
Belcher
Bennett
Bergland
Betts
Biester
Boland
Bray
Breaux
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Byrnes, Wis.
Byron
Carey, N.Y.
Carlson
Carter
Cederberg
Chamberlain
Clancy
Clausen
Don H
Cleveland
Collier
Colmer
Conable
Conover
Coughlin
Daniel, Va.
Davis, Ga.
Davis, S.C.
de la Garza
Dennis
Devine
Downing
Duncan
du Pont
Edwards, Ala.
Esch
Eshleman
Fascell
Findley
Fish
Flood
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Frenzel
Fuqua
Gaydos
Gibbons
Goodling
Grasso
Griffin
Grover
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harsha
Heckler, Mass.
Hillis
Hogan
Horton
Hull
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Keating
Kee
Keith
Kemp
King
Kyl
Landrum
Latta
Lent
Lujan
McClory
McCloskey
McCollister
McDade
McEwen
McKevitt
McKinney
Mallary
Mann
Mathias, Calif.
Mazzoli
Miller, Ohio
Mills, Ark.
Mills, Md.
Minshall
Mizell
Montgomery
Murphy, N.Y.
Myers
Natcher
Nelsen
O'Konski
Patten
Pelly
Pepper
Pettis
Pike
Pirnie
Powell
Preyer, N.C.
Price, Tex.
Quie
Quillen
Randall
Rhodes
Robinson, Va.
Robison, N.Y.
Roe
Rogers
Rooney, Pa.
Rostenkowski
Roy
Ruth
Sandman
Satterfield
Saylor
Schneebeli
Scott
Sebelius
Shriver
Smith, Iowa
Spence
Springer
Staggers
Stanton,
J. William
Steele
Stratton
Stubblefield
Taylor
Teague, Calif.
Terry
Thone
Ullman
Vander Jagt
Veysey
Vigorito
Wampler
Ware
Whalley
Whitehurst
Wiggins
Williams
Wydler
Wylie
Wyman
Yatron
Young, Fla.
Zion
Zwach

NAYS—137

Abzug
Adams
Addabbo
Annunzio
Ashbrook
Ashley
Aspinall
Barrett
Biaggi
Bingham
Blatnik
Brademas

Brasco
Brinkley
Burke, Mass.
Burton
Camp
Carney
Casey, Tex.
Celler
Chisholm
Clark
Collins, Ill.
Conte
Conyers
Corman
Cotter
Culver
Daniels, N.J.
Dellenback
Dellums
Dent
Diggs
Dingell
Donohue
Drinan
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Evins, Tenn.
Foley
Ford, William D.
Fraser
Fulton
Garmatz
Gonzalez
Green, Pa.
Gude
Hagan
Hall
Harrington
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Holifield
Hungate
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Kazen
Kluczynski
Kyros
Landgrebe
Leggett
Lennon
Long, Md.
McCulloch
McFall
Macdonald, Mass.
Madden
Mahon
Mathis, Ga.
Metcalfe
Miller, Calif.
Minish
Mink
Mitchell
Moorhead
Morgan
Mosher
Murphy, Ill.
Nedzi
Nix
Obey
O'Hara
O'Neill
Passman
Perkins
Pickle
Poage
Price, Ill.
Rangel
Rarick
Rees
Reid
Reuss
Riegle
Roberts
Rodino
Rosenthal
Roush
Rousselot
Roybal
St Germain
Sarbanes
Scherle
Scheuer
Schmitz
Schwengel
Seiberling
Sikes
Skubitz
Slack
Smith, Calif.
Stanton, James V.
Steed
Stokes
Stuckey
Sullivan
Teague, Tex.
Tiernan
Vanik
Whalen
White
Whitten
Wilson, Charles H.
Wright
Yates
Young, Tex.
Zablocki

NOT VOTING—128

Abbitt
Abernethy
Abourezk
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Archer
Arends
Aspin
Badillo
Baker
Baring
Begich
Bell
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Brooks
Broomfield
Brown, Ohio
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Chappell
Clawson, Del
Clay
Collins, Tex.
Crane
Curlin
Danielson
Davis, Wis.
Delaney
Denholm
Derwinski
Dickinson
Dorn
Dow
Dowdy
Dwyer
Edmondson
Erlenborn
Evans, Colo.
Fisher
Flowers
Flynt
Frey
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Haley
Hanna
Hansen, Wash.
Harvey
Hastings
Hébert
Henderson
Hosmer
Howard
Hunt
Ichord
Jones, Tenn.
Koch
Kuykendall
Link
Lloyd
Long, La.
McClure
McCormack
McDonald, Mich.
McKay
McMillan
Mailliard
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Mollohan
Monagan
Moss
Nichols
Patman
Peyser
Podell
Pryor, Ark.
Pucinski
Purcell
Railsback
Roncalio
Rooney, N.Y.
Runnels
Ruppe
Shipley
Shoup
Sisk
Smith, N.Y.
Snyder
Steiger, Ariz.
Steiger, Wis.
Stephens
Symington
Talcott
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Widnall
Wilson, Bob
Winn
Wolff
Wyatt

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Melcher for, with Mr. Thompson of New Jersey against.

Mr. Bevill for, with Mr. Wolff against.

Mr. Nichols for, with Mr. Caffery against.

Mrs. Griffiths for, with Mr. Burlison of Missouri against.

Mr. Burleson of Texas for, with Mr. Waldie against.

Mr. Cabell for, with Mr. Badillo against.

Mr. Hunt for, with Mr. Moss against.

Mr. Hosmer for, with Mr. Monagan against.

Mr. Arends for, with Mr. Link against.

Mr. Bob Wilson for, with Mr. Matsunaga against.

Mr. Widnall for, with Mr. Hanna against.

Mr. Thomson of Wisconsin for, with Mr. Koch against.

Mr. Gubser for, with Mr. Blanton against.

Mr. Andrews of North Dakota for, with Mr. Chappell against.

Mr. Baker for, with Mr. Clay against.

Mr. Archer for, with Mr. Aspin against.

Mr. Broomfield for, with Mr. Brooks against.

Mr. Martin for, with Mr. Danielson against.

Mr. Railsback for, with Mr. Delaney against.

Mr. Peyser for, with Mr. Mikva against.

Mr. Davis of Wisconsin for, with Mr. Dow against.

Mr. Dickinson for, with Mr. Roncalio against.

Mr. Erlenborn for, with Mr. Henderson against.

Mr. Frey for, with Mr. McCormack against.

Mr. Goldwater for, with Mr. Rooney of New York against.

Mr. Harvey for, with Mr. Podell against.

Mr. Hastings for, with Mr. Pucinski against.

Mr. Kuykendall for, with Mr. Patman against.

Mr. Ichord for, with Mr. Pryor of Arkansas against.

Mr. Jones of Tennessee for, with Mr. Van Deerlin against.

Mr. Mailliard for, with Mr. Udall against.

Mr. Fisher for, with Mr. Symington against.

Mr. Brown of Ohio for, with Mr. Sisk against.

Mr. Ruppe for, with Mr. Shipley against.

Mr. Shoup for, with Mr. Edmondson against.

Mrs. Hansen of Washington for, with Mr. Denholm against.

Mr. Mayne for, with Mr. Baring against.

Mr. Michel for, with Mr. Abourezk against.

Mr. Dorn for, with Mr. Byrnes of Pennsylvania against.

Mr. Flowers for, with Mr. Gallagher against.

Mr. Flynt for, with Mr. Abernethy against.

Mr. Winn for, with Mr. Dowdy against.

Mr. Snyder for, with Mr. Blackburn against.

Mr. Smith of New York for, with Mr. Crane against.

Mr. Wyatt for, with Mr. Derwinski against.

Mr. Giaimo for, with Mr. Meeds of California against.

Mr. Curlin for, with Mr. Anderson of California against.

Until further notice

Mr. Gray with Mr. McDonald of Michigan.

Mr. Gettys with Mr. Bow.

Mrs. Green of Oregon with Mr. Bell.

Mr. Haley with Mr. Lloyd.

Mr. Evans of Colorado with Mrs. Dwyer.

Mr. Anderson of Tennessee with Mr. Collins of Texas.

Mr. Abbitt with Mr. McClure.

Mr. Hébert with Mr. Del Clawson.

Mr. Waggonner with Mr. Steiger of Arizona.

Mr. Purcell with Mr. Steiger of Wisconsin.

Mr. Mollohan with Mr. Talcott.

Mr. Stephens with Mr. Thompson of Georgia.

Mr. Howard with Mr. Long of Louisiana.

Mr. McKay with Mr. McMillan.

Mr. Runnels with Mr. Galifianakis.

Messrs. JONES of North Carolina and TERRY changed their vote from "nay" to "yea."

Mr. ASHLEY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT IN DISAGREEMENT

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 5, after line 4, insert:

TITLE VI—MISCELLANEOUS PROVISIONS

AMENDMENT TO FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

Sec. 601. Section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following new sentence: "Effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, and beginning after the date of the enactment of this sentence (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof and as if paragraph (1) of section 203(b) did not contain subparagraph (B) thereof.".

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MOTION OFFERED BY MR. MILLS OF ARKANSAS

Mr. MILLS of Arkansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MILLS of Arkansas moves that the House recede from its disagreement to Senate amendment numbered 10 and agree to the same with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE V—MISCELLANEOUS PROVISIONS

AMENDMENT TO FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

Sec. 501. Secion 203 (e) (2) of the Federal-State Extended Unemployment Compensation Act of 1970, is amended by adding at the end thereof the following new sentence: "Effective with respect tu compensation for weeks of unemployment beginning before July 1, 1973, and beginning after the date of the enactment of this sentence (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State "off" indicator ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof."

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD:

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, this is an amendment that was not germane to the subject matter of H.R.

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16810 since it is an amendment to the Federal-State Extended Unemployment Compensation Act. Under the rules of the House, there was nothing the conference committee could do but bring this amendment back in disagreement. In the conference we discussed the Senate amendment and we discussed the motion that I have just submitted.

The Senate amendment provided for a temporary amendment to the Extended Unemployment Compensation Act which would have cost $350 to $450 million in State and Federal funds. The Federal cost alone would have been $175 to $225 million. The amendment contained in the motion I have made would cost approximately $160 to $202 million in total funds, including both Federal and State, or an estimated $80 to $101 million in Federal funds.

Let me take just a moment to explain the amendment. Under the Federal-State Extended Unemployment Compensation Act of 1970, extended benefits are paid to workers who have exhausted their benefits under a State program or one of the Federal programs which provide for the payment of unemployment compensation. These extended benefits may be paid, however, only during an "extended benefit period." An extended period can exist either on a national or a State level if certain conditions are met. A national extended benefit period begins in all States with the third week after the week in which insured unemployment for all States equals or exceeds 4.5 percent. A national extended benefit period remains in existence until the third week after there is a national "off" indicator; that is, the week the rate of insured unemployment nationally falls below 4.5 percent.

The extended benefits can be paid in a single State beginning with the third week after there is a State "on" indicator and ending with the third week after there is both a national and State "off" indicator.

There is a State "on" indicator for a week if the insured unemployment rate in the State for a moving 13-week period, first, equaled or exceeded 120 percent of the average of such rates for the corresponding 13-week periods in the preceding 2 calendar years, and second, equaled or exceeded 4 percent. There is a State "off" indicator for a week if either of these conditions was not satisfied.

The amendment contained in my motion would permit the States until July 1, 1973, to disregard the 120-percent requirement which I just mentioned in applying the State "off" indicator.

This 120-percent requirement was incorporated into the law to preserve the concept that extended benefits would be payable only in periods when unemployment rates were higher than normal. It was designed to prevent the program from becoming operative every year in a State where seasonal industries produce a high rate of unemployment for a relatively short period as a normal consequence of seasonality and to prevent the program from becoming operative on a permanent basis in a State where the normal unemployment rate exceeds 4 percent.

For the purposes of the State "on" indicator, the 120-percent factor has satisfactorily achieved its intended purpose. With respect to the State "off" indicator, however, its operation has proved to be defective when periods of high unemployment last for more than 2 years, as they have in some States since the extended benefits program was enacted into law. When this happens, the rate of insured unemployment, however high, must continue to get worse in order to meet the 120-percent requirement and keep the extended benefits program operating in a State. The program triggered "off" for example in the State of Washington and extended benefits ceased to be payable after April 1, 1972, in that State despite an insured unemployment rate of 12 percent at that time.

The anomalous results of the operation of the 120-percent requirement were not foreseen when the legislation was enacted. It was not expected that unemployment would remain as high as it has in certain States for as long as it has.

The amendment contained in my motion provides that a State may disregard the 120-percent requirement in determining whether there is a State "off" indicator during the period after enactment until the last week beginning before July 1, 1973. The Senate amendment would have permitted the States to disregard the 120-percent requirement in both the State "on" indicator and the State "off" indicator, and in addition would have suspended the application of a requirement of the law that there be a minimum 13-week hiatus between extended benefit periods.

According to information received by the U.S. Department of Labor from the States, there are 10 States which would be affected by the amendment. They are: Alaska, Maine, Massachusetts, Michigan, Nevada, New Jersey, Puerto Rico, Rhode Island, Vermont, and Washington. The cost estimate which I mentioned earlier, that is the total cost of $160 to $202 million with the Federal share $80 to $101 million, assumes that each of these States takes full advantage of the amendment and enacts legislation suspending the 120-percent requirement as of the effective date of the amendment. Since it is hardly likely that all of the States will act in this manner, the actual cost of the legislation is likely to be considerably less than these estimated amounts. The number of beneficiaries that would be affected if all of the States took full advantage of the authority provided them in the amendment would be approximately 300,000 to 380,000 unemployed persons.

This amendment is identical to a bill which the Committee on Ways and Means considered and ordered reported in August of this year—H.R. 15624. At the time the committee took action on this bill, the situation was somewhat different than it is today, and we were told then that it would have affected more States than are expected now to be affected by this amendment. According to the estimates that were made in August, there were three additional States that were expected to be affected by the legislation. These States are California, Connecticut, and New York. Since that time, the insured unemployment rate has declined in those three States more than it was expected to. We are now told that the insured unemployment rate dropped below 4 percent as of September 30 in California and New York and is expected to drop below 4 percent as of October 14 or October 21 when the final data for these weeks is compiled. These States would, therefore, not be affected by the amendment since a State is required to continue to have an insured unemployment rate of 4 percent or more to keep the extended benefits program in operation, and the legislation does not modify this requirement.

I urge the House to adopt this motion.

Mr. BYRNES of Wisconsin. Mr. Speaker, in the first instance it was my feeling that this amendment should be opposed. I still have very serious misgivings with respect to it, but quite frankly, it has to be acknowledged that there are some States where there has been a continuing level of high unemployment. In these instances, although the level of unemployment may remain relatively high, the extended benefits program triggers off because unemployment is not 120 percent higher than the corresponding period during the 2 preceding years. Due to this, the Federal-State extended benefits program is not available in those States.

Additionally, Mr. Speaker, this bill suspends the 120-percent trigger only through June 30 of this fiscal year. Also the suspension will require the States to adopt implementing legislation and they will pay one-half of the benefit costs. These factors lead me to a feeling that we should not oppose this amendment at this time.

It is probably the course of wisdom to recognize the plight of the unemployed in the States affected, and to go along with the Senate amendment. I would say, though, Mr. Chairman, that I thought we eliminated the practice of enacting ad hoc unemployment compensation legislation to take care of temporary emergencies when the Ways and Means Committee developed the Federal-States extended benefits program included in the Employment Security Amendments Act of 1970. I thought that that legislation was to take care of these kinds of situations.

Yet, since enacting that legislation, ad hoc amendments have been enacted on three separate occasions to deal with special circumstances. When next June 30 comes around, I hope we will develop and enact improvements on a permanent basis if changes are desirable, rather than eroding a sound system through a series of omnibus amendments to deal with temporary expedients.

Mr. MILLS of Arkansas. Mr. Speaker, I have no further requests for time.

Mr. GERALD R. FORD. Will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, when I first came to Congress one of the younger members of the powerful Committee on Ways and Means befriended me. Now that the gentleman from Wisconsin, the Honorable JOHN W. BYRNES, is about to retire after 28 years of distinguished service. I am consoled only by the fact that we both feel as young and vigorous as ever.

The contributions of JOHN BYRNES to his country, through his skillful and extremely knowledgeable role as ranking minority member of the Committee on Ways and Means, simply defy my ability to repeat here. He has been one of the giant legislators of our time. Formidable in debate, unequalled in conference, and universally respected for his integrity and intelligence, JOHN BYRNES has left a lasting imprint on the fiscal policies of the postwar period. He has been a counsellor of Presidents but more importantly a great and good friend to all of us.

Personally, I know that old friends are the best friends and I know that I am only losing a colleague, not a friend. My wife Betty and I wish for JOHN and Bobbie every good fortune in the future.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas (Mr. MILLS).

The motion was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 724. Concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1) entitled "An act to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes.

CONFERENCE REPORT ON H.R. 1467, PERSONAL EXEMPTIONS OF AMERICAN SAMOANS

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 1467) to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. VANIK. Mr. Speaker, reserving the right to object, I would appreciate it if the distinguished chairman of the Committee on Ways and Means would describe the various provisions of the conference report and also advise the House as to the loss of revenue, the effect on the Treasury.

Mr. MILLS. of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. As my friend from Ohio knows, the American Samoan provision was contained in the bill of the gentlewoman from Hawaii (Mrs. MINK), which passed the House by unanimous consent. It involves a loss of less than $100,000 a year.

The bill, H.R. 1467, as passed by the House, extends the present law definition of a "dependent" for purposes of claiming an income tax personal exemption to include "nationals" of the United States who otherwise would qualify as dependents but for the fact that they are not citizens of the United States. In practice, these changes will have application only to American Samoans. The Senate accepted this House-passed provision changing only the effective date, making it apply to taxable years starting after 1971 rather than after 1970.

The Senate has also added five other amendments to the bill. The conferees accepted three of these amendments and rejected two.

The first amendment rejected by the conferees relates to guaranteed renewable life, health, and accident insurance contracts of life insurance companies. The second amendment which the conferees disagreed to relates to the effective date of the provision in the 1971 Revenue Act dealing with the minimum tax in the case of capital gains and stock option income attributable to foreign sources. In rejecting these amendments, it should be made clear that it was not because of any fundamental disagreement with the provisions but rather because there was not time for the House conferees to fully explore the technicalities involved in them.

The first amendment accepted by the conferees relates to the estate tax treatment of annuities in community property States. This amendment removes a discrimination in existing estate tax law against spouses of employees in community property States who die before the employee spouse. Generally, an estate tax exclusion is provided for the proportion of the value of a survivor annuity representing the contributions of the employer. In a common law State where the nonemployee—often the wife—dies first, no value representing the employer's contribution is included in her estate tax base. However, in a community property State, as a result of the operation of community property laws, half of the value of the annuity in such a case is included in the estate tax base of the nonemployee spouse, even though attributable to employer contributions. This amendment overcomes this discrimination against nonemployee spouses in community property States.

The second amendment agreed to by the conferees extends through the end of this year the provision of the Technical Amendments Act of 1958 which provides that a deduction for accrued vacation pay is not to be denied solely because the liability for it to a specific person has not been fixed or because the liability with respect to each individual cannot be computed with reasonable accuracy. This is a continuation for 2 more years of the treatment which has been available for taxable years ending before January 1, 1971. It is necessary if corporation which have been on an accrual basis for past years are not to be denied all deductions for vacation pay in the current year.

The third and final amendment, agreed to by the conferees, relates to the deduction of a portion of a State tax on motor vehicles in the case where the tax rate is higher than the general sales tax rate. Under present law, State taxes on motor vehicles are deductible where that tax is at the same rate as—or at a lower rate than—the State's general sales tax. However, where the State tax on motor vehicles is imposed at a higher rate than the general sales tax rate, the entire tax is nondeductible. The Senate amendment permits a deduction of the portion of the taxes on motor vehicles which is equal to the general sales tax rate. This amendment is applicable to the State tax on motor vehicles imposed by the States of West Virginia and Vermont.

Mr. VANIK. I should like to inquire of the distinguished chairman whether there is any plan to bring up any of the other bills on the Ways and Means Committee list for action?

Mr. MILLS of Arkansas. No, there is no plan. Two or three of them ought to pass. It is not a life and death matter.

Actually, there is a bill dealing with Guam, as to which I am pressed by certain members of the Committee on Interior and Insular Affairs. I wish the gentleman and others would look at it, because it is eminently fair for citizens of Guam. If there is no objection to it, I will call it up.

Beyond that, I do not believe there is any need to call the others up. I will have a request in a few minutes to take a bill from the Speaker's table, H.R. 7577, with a number of amendments. I understand my request to send the bill to conference will be objected to; and I do not care.

Mr. VANIK. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today.)

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, in view of the explanation given, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

REQUEST FOR CONFERENCE ON H.R. 7577, INTERNAL REVENUE CODE AMENDMENT

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7577) to amend section 3306 of the Internal Revenue Code of 1954, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ROUSSELOT. Mr. Speaker, I object to the conference report on this bill, H.R. 7577, because it contains an amendment to the Federal-State Extended Unemployment Compensation Act which is contrary to an amendment to that same legislation in the conference report on the debt ceiling bill, H.R. 16810, which the House just adopted.

The amendment contained in H.R. 7577 is too extreme a departure from the original concept of the Extended Unemployment Compensation Act. It is much broader than the amendment adopted as part of the conference report on the debt ceiling bill. If the House had approved the amendment contained in this bill, it would have been in the anomalous position of taking action to amend the same provisions of law in two contrary ways.

SPECIAL PAY FOR NUCLEAR-QUALIFIED NAVAL PERSONNEL

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16925) to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, after the line following line 9, insert:

> SEC. 2. The provisions of section 7545(c) of title 10, United States Code, shall not apply with respect to any gift made after the date of enactment of this Act and prior to January 1, 1973, by the Department of the Navy to the city of Clifton Forge, Virginia, of a Baldwin steam locomotive (No. 606) which is no longer needed by the Navy and which has certain historical significance for the city of Clifton Forge, Virginia.

Mr. PRICE of Illinois. Mr. Speaker, on October 11, 1972, the House passed H.R. 16925, a bill designed to continue for 2 additional years the special pay for nuclear qualified submarine officers who contractually agree to remain beyond their minimum obligated service, to authorize special pay for nuclear qualified naval surface officers who agree to continue service in that field beyond their obligated tour of duty, and to provide special pay to certain nuclear trained and qualified enlisted members of the naval service who agree to reenlist. The authority is provided to run through June 30, 1975.

The bill was approved by the House without objection.

The Senate today passed H.R. 16925 and agreed to all its provisions as approved by the House. However, because of the press of legislative business and the pending termination of the session, the Senate added a minor amendment.

The amendment does not affect the subject matter of the House passed bill but is concerned with a completely new subject matter. Briefly, the amendment simply waives the 30-day waiting period required under title 10, United States Code, section 7545, relating to the transfer of obsolete and surplus property.

Senator SPONG of Virginia has received a commitment from the Department of the Navy to transfer an obsolete locomotive to the city of Clifton Forge, Va. However, under the provisions of the statute which I have just cited, prior notice must be made to the Congress and such notice must remain before the Congress for 30 consecutive days before the transfer can be completed.

The amendment therefore simply waives this 30-day waiting period.

The amendment was offered in the other body and accepted without objection. I trust this body will do the same.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the chairman of the Subcommittee No. 1 of the Committee on Armed Services on which I serve: Does the gentleman think that this amendment, as added on in the other body, is germane to the House-passed legislation?

Mr. PRICE of Illinois. Mr. Speaker, I do not know of any amendment that is more not germane than this particular amendment.

Mr. HALL. Oh, Mr. Speaker, I would wonder how that could be true.

Mr. PRICE of Illinois. There is basically no change from the previous intent of the bill as passed by the House.

Mr. HALL. Mr. Speaker, I know of nothing more important than the retention of personnel who have thousands upon thousands of dollars spent on their training in special weapons and in the handling and use thereof, and I know of nothing less important than whether Clifton Forge, Va., gets a little old used Navy surplus locomotive or not, but I'm glad they are going to get it.

So, Mr. Speaker, I am not going to make the point of order, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FREE ENTRY OF CARILLON FOR UNIVERSITY OF CALIFORNIA AT SANTA BARBARA

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4678) to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, with Senate amendments thereto, and disagree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> (1) Page 1, line 7, strike out "bill" and insert: Act
>
> (2) Page 1, after line 9, insert:
>
> "SEC. 3. (a) Subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 907.45 the following new item:"

" 907.50	Caprolactam monomer in water solution (provided for in item 403.70, part 1B, schedule 4)	Free	No change	On or before June 30, 1973.

".

> (b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.
>
> (c) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry or withdrawal of any article—
>
> (1) which was made after August 15, 1972, and before the date of the enactment of this Act, and
>
> (2) with respect to which there would have been no duty if the amendment made by subsection (a) applied to such entry or withdrawal,
>
> shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of enactment of this Act.
>
> (3) Page 1, after line 3, insert:
>
> SEC. 4. (a) Paragraph (a) of general headnote 3 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "Except as provided in headnote 6

of schedule 7, part 2, subpart E, except as provided in headnote 4 of schedule 7, part 7, subpart A," and inserting in lieu thereof "Except as provided in headnote 1 of schedule 3, part 3, subpart C, in headnote 6 of schedule 7, part 2, subpart E, and in headnote 4 of schedule 7, part 7, subpart A,".

(b) Schedule 3, part 3, subpart C of the Tariff Schedules of the United States is amended by inserting the following headnote after the subpart caption:

"Subpart C headnote:

"1. Products of Insular Possessions.—(a) Except as provided in subparagraph (b) of this headnote, any fabric of a kind provided for in item 336.50, 336.55, or 336.60, which is the product of an insular possession of the United States outside the customs territory of the United States and which was imported into such insular possession as a fabric for further processing, shall be subject to duty at the rate applicable thereto under item 336.50, 336.55, or 336.60 with respect to the country producing the fabric which was imported into the insular possession.

"(b) If the requirements for free entry set forth in general headnote 3(a) are complied with, fabrics, not exceeding 60 inches in width, provided for in items 336.50, 336.55, and 336.60, which are the product of an insular possession of the United States outside the customs territory of the United States and which were imported into such insular possessions as a fabric for further processing may be admitted free of duty, but the total quantity of such articles entered free of duty during each calendar year shall not exceed the quantities specified below:

"Calendar year:	Quantity (linear yards)
1972	2,500,000 (or, if greater, the quantity entered during 1972 before the effective date of this headnote).
1973	2,000,000.
1974	1,500,000.
1975 and each subsequent calendar year	1,000,000."

(c) The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Amend the title so as to read: "An Act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and for other purposes."

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the amendments, since I have asked that the House not agree to them, be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were disagreed to.

A motion to reconsider was laid on the table.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10751) to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The Clerk will report the first Senate amendment.

The Clerk read Senate amendment No. 1, as follows:

(1) Page 10, strike out all after line 21 over to and including "Representatives." in line 14 on page 11 and insert:

(c) After the proposed development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Commissioner of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the proposed plan with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. The Commissioner of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission, shall hold public hearings on the proposed plan, and shall notify the Corporation of his approval or recommended modifications: Provided, That in the event that the Secretary of the Interior or the Commissioner of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the proposed plan within ninety days after the date of submission, he shall be deemed to have approved the proposed plan.

(d) In the event the Secretary of the Interior or the Commissioner of the District of Columbia has recommended modifications of the proposed plan, the Corporation within one hundred and twenty days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a final development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

If the Secretary of the Interior or the Commissioner of the District of Columbia has not approved the final development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Commissioner of the District of Columbia and the views of the Corporation thereon.

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ASPINALL moves that the House concur in Senate amendment No. 1 with an amendment as follows:

In lieu of the language of Senate amendment No. 1, insert the following:

(c) After the development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Commissioner of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the plan with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. The Commissioner of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission, shall hold public hearings on the plan, and shall notify the Corporation of his approval or recommended modifications: Provided, That in the event that the Secretary of the Interior or the Commissioner of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the plan within ninety days after the date of submission, he shall be deemed to have approved the plan.

(d) In the event the Secretary of the Interior or the Commissioner of the District of Columbia has recommended modifications of the plan, the Corporation within one hundred and twenty days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

If the Secretary of the Interior or the Commissioner of the District of Columbia has not approved the development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Commissioner of the District of Columbia and the views of the Corporation thereon.

Mr. SAYLOR. Mr. Speaker, if the gentleman will yield, I would like to ask the gentleman from Colorado to tell the Members of the House whether or not all of the amendments are germane and whether or not they increase the cost of the bill.

Mr. ASPINALL. I will say to the gentleman from Pennsylvania they are all germane. In fact, most of the amendments are similar to the House bill with the exception of one amendment, which my colleague understands, relative to the matter of borrowing from private sources. The language is different, but they are germane and in order.

Mr. SAYLOR. I thank the gentleman.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 2:

Page 11, lines 16 and 17, strike out [plans as authorized by the other provisions of this Act] and insert: plan

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ASPINALL moves that the House concur in Senate amendment No. 2.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 3:

Page 14, strike out all after line 20 over to and including line 5 on page 15.

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ASPINALL moves that the House concur in Senate amendment No. 3 with an amendment as follows:

In lieu of the House language deleted by the Senate, insert the following:

(9) shall seek authority from the Congress to borrow money by issuing marketable obligations, after obtaining proposals from at least three private financial analysts on the feasibility of private versus public financing of the Corporation, which proposals shall be transmitted to the Congress with the development plan as provided in Section 5 of this Act.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that Senate amendments Nos. 4 through 7, and 9 through 17 be considered en bloc.

The SPEAKER. Is there objection to the request of the gentlemen from Colorado?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendments referred to.

The Clerk read as follows:

Senate amendments:

Page 15, line 6, strike out "(10)" and insert: "(9)".

Page 16, line 17, strike out "(11)" and insert: "(10)".

Page 17, line 1, strike out "(12)" and insert. "(11)".

Page 17, line 4, strike out "(13)" and insert: "(12)".

Page 17, line 11, strike out "(14)" and insert: "(13)".

Page 17, line 16, strike out "(15)" and insert: "(14)".

Page 17, line 22, strike out "(16)" and insert: "(15)".

Page 18, line 1, strike out "(17)" and insert: "(16)".

Page 18, line 5, strike out "(18)" and insert: "(17)".

Page 18, line 11, strike out "(19)" and insert: "(18)".

Page 18, line 17, strike out "(20)" and insert: "(19)".

Page 18, line 21, strike out "(21)" and insert: "(20)".

Page 19, line 3, strike out "(22)" and insert: "(21)".

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House disagree to Senate amendments numbered 4 through 7, and 9 through 17.

The motion was agreed to.

The SPEAKER. The Clerk will report the remaining Senate amendment.

The Clerk read as follows:

Senate amendment No. 8:

Page 17, line 5, strike out [of] and insert: or

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves the House concur in Senate amendment No. 8.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

TO AMEND THE SECURITIES AND EXCHANGE ACT OF 1934

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 3876) to amend the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a National Commission on Uniform Securities Laws, and for other purposes, with House amendments thereto, and insist upon the House amendments.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

MENTAL HEALTH CENTERS ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16676) to amend the Community Mental Health Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children, with Senate amendments thereto, and disagree to the Senate amendments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

That (a) section 201 of the Community Mental Health Centers Construction Act is amended to read as follows:

"Sec. 201. There are authorized to be appropriated for grants for facilities of public and other nonprofit community health centers under this title $100,000,000 for the fiscal year ending June 30, 1973, and $40,000,000 for the fiscal year ending June 30, 1974."

(b) Section 207 of such Act is amended to read as follows:

"Sec. 207. No grant may be made under any provision of the Public Health Service Act for any fiscal year, for construction of any facility described in this title unless the Secretary determines that funds are not available, under this title to make a grant for the construction of such facility.".

(c) Section 224(a) of such Act is amended to read as follows:

"(a) There are hereby authorized to be appropriated to enable the Secretary to make initial grants to community mental health centers, under the provisions of this part, $60,000,000 for the fiscal year ending June 30, 1973, and $90,000,000 for the fiscal year ending June 30, 1974. For the fiscal year ending June 30, 1973, and each of the twelve succeeding fiscal years there are hereby authorized to be appropriated such sums as may be necessary to make grants to such centers which have previously received a grant under this part and are eligible for such a grant by the year for which sums are being appropriated under this sentence.".

(d) Section 246 of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(e) Section 247(d) of such Act is amended to read as follows:

"(d) To carry out the purposes of this section there are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1973, and $60,000,000 for the fiscal year ending June 30, 1974."

(f) Section 252 of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(g) Section 253(d) of such Act is amended to read as follows:

"(d) To carry out the provisions of this section there are authorized to be appropriated $14,000,000 for the fiscal year ending June 30, 1973, and $14,000,000 for the fiscal year ending June 30, 1974.".

(h) (1) Section 261(a) of such Act is amended by inserting after "June 30, 1973," the following: "and $90,000,000 for the fiscal year ending June 30, 1974,".

(2) Section 261(a) of such Act as further amended by striking "construction and staffing of facilities" and inserting in lieu thereof "facility and operating costs of facilities".

(3) Section 261(b) of such Act is amended to read as follows:

"(b) There are authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next fourteen fiscal years such sums as may be necessary to make grants for operating costs with respect to any project under part C or D for which an operating grant was made from approriations under subsection (a) of this section for any fiscal year ending before July 1, 1974."

(i) (1) Section 271(d) of such Act is amended to read as follows:

"(d) (1) There are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1973, and $45,000,000 for the fiscal year ending June 30, 1974, for grants under this part for facilities and for initial grants under this part and for training and evaluation under section 272.

"(2) There are also authorized to be appropriated for the fiscal year ending June 30, 1974, and for each of the next eleven fiscal years such sums as may be necessary to continue to make grants with respect to any project under this part for which grants for operating costs were made from appropriations under paragraph (1) for any fiscal year ending before July 1, 1974."

(2) Section 271(a) of such Act is amended by striking the words "construction of" and "of compensation of professional and technical personnel".

(3) Section 271(b)(3) of such Act is amended by striking the words "construction of".

(4) Section 271(c) of such Act is amended by striking the words "costs of compensation of professional and technical personnel" and inserting in lieu thereof the words "operating costs".

(j) Section 256(e) of such Act is amended to read as follows:

"(e) There are authorized to be appropriated to carry out this section $60,000,000 for the fiscal year ending June 30, 1973, and $75,000,000 for the fiscal year ending June 30, 1974.".

(k) (1) Paragraph (1) of section 220(b) is amended by striking the word "eight" and inserting in lieu thereof "eleven" and by striking the word "four" and inserting in lieu thereof "seven".

(2) Paragraph (2) of such section is amended by striking the word "three" immediately after the word "next" and inserting in lieu thereof "six".

(3) Such subsection is further amended by adding at the end thereof the following new paragraph:

"(3) In any year where funds appropriated do not reach the level required to fully fund applications for assistance under paragraphs (1) and (2), the Secretary shall distribute the funds available as follows: 30 per centum for applicants under paragraph (1) and 70 per centum for applicants under paragraph (2)."

(l) (1) Section 200(a) of such Act is amended by striking the words "of professional and technical personnel" and inserting in lieu thereof the words "for operational costs".

(2) The caption for part B of such Act is amended to read as follows:

"Part B—Grants for Initial Costs of Operation of Centers"

(m) Section 220 of such Act is further amended by adding at the end thereof the following:

"(d) Notwithstanding subsection (b) of this section, the Secretary may make additional grants to each center equal to 5 per centum of such costs, which maintains a bona fide program under parts C, D, F, and G, for each such program. In no case shall grants exceed 100 per centum of such costs for any project."

(n)(1) Section 221(a) of such Act is amended by striking out "and" at the end of paragraph (4); by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and by adding after paragraph (5) the following new paragraphs:

"(6) the services to be provided by the center are made available to any health maintenance or health service organization if in the catchment area for such center;

"(7) such center has a program whereby it screens, and where practicable provides treatment for, persons within its catchment area, who may be admitted to a State mental health facility; and

"(8) such center has a program for the followup care of persons within its catchment area, who are discharged from a State mental health facility."

(2) Section 221(b) of such Act is amended by striking "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

(o) Part B of such Act is amended by adding at the end thereof the following new section:

"GRANTS FOR CONSULTATION SERVICES

"SEC. 225. (a) In the case of any community mental health center, alcoholism prevention and treatment facility, specialized facility for alcoholics, treatment facility for narcotics addicts, and other persons with drug abuse and drug dependence problems, or facility for mental health of children, or mental health of the elderly to which a grant under part B, C. D. F, or G, as the case may be, is made from appropriations for any fiscal year beginning after June 30, 1972, to assist it in meeting a portion of the operating costs the Secretary may, with respect to such center or facility, make a grant under this section for consultation services in addition to such other operating grants for such center or facility.

"(b) A grant under subsection (a) with respect to a center or facility referred to in that subsection may not exceed 100 percent of such costs.

"(c) For the purposes of making initial grants under this section, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, and $5,000,000 for the fiscal year ending June 30, 1974."

(p)(1) Section 242(a) of such Act is amended by striking the words "costs (determined pursuant to regulations of the Secretary) of compensation of professional and technical personnel" and inserting in lieu thereof the words "operating costs (determined pursuant to regulations of the Secretary)";

(2) Section 242(b)(1) is amended by striking the word "three" and inserting in lieu thereof "six" and striking the word "eight" and inserting in lieu thereof "eleven";

(3) Section 242(b)(2) is amended by striking the word 'three" and inserting in lieu thereof "six".

(4) The section caption of section 242 of such Act is amended by striking the word "STAFFING" and inserting in lieu thereof "OPERATING".

(q) Section 243(a) of such Act is amended by striking the words "compensation of professional and technical personnel" and inserting in lieu thereof "operating expenses";

(r) Section 244 of such Act is amended by striking the words "a project for the construction or initial staffing" and inserting in lieu thereof the words "facility and operating costs".

(s)(1) Section 251(a) of such Act is amended by striking the words "of construction" and "of compensation of professional and technical personnel" and inserting in lieu of the latter the words "operating costs".

(2) Section 251(c) of such Act is amended by striking the words "costs of compensation of professional and technical personnel" and inserting in lieu thereof the words "operating costs".

(3)(A) Section 256(b)(1) of such Act is amended by striking the word "eight" and inserting in lieu thereof "eleven".

(B) Section 256(b)(2) of such Act is amended by striking the word "three" wherever it appears and inserting in lieu thereof the word "six".

(4) Section 254 of such Act is amended by striking the words "a project for the construction or initial staffing of a" and inserting after the word "facility" the words "operating costs".

Amend the title so as to read: "An Act to amend the Community Mental Health Centers Act to extend for one year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children, and for other purposes.".

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were disagreed to.

A motion to reconsider was laid on the table.

ENVIRONMENTAL NOISE CONTROL ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11021) to control the emission of noise detrimental to the human environment, and for other purposes, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object. I have understood that there is considerable controversy about this bill, as amended, even with the present amendment, and that it has not been completely cleared.

Furthermore, Mr. Speaker, under the legislative situation, I do not understand the final effect of the amendment we are now adding to the other body's amendment to the House-passed bill.

I wonder if the gentleman from West Virginia would explain his intent, his conviction, and the stand that he will finally end up with.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be glad to yield to the gentleman for that purpose.

Mr. STAGGERS. I might explain first—this will finally complete action on the bill and there will be nothing further on it.

The House passed a bill which the Senate took and modified in many respects. One of the amendments would have transferred the basic jurisdiction over aircraft noise to the EPA—and I insisted that this could not be. Safety in the air is one of the things that must be given absolute priority.

The amendment that is proposed here to the House bill retains for the FAA the decisionmaking authority with regard to aircraft noise. But it says that the EPA, where there is anything that has to do with health or welfare, may suggest to the FAA regulation governing noise. The FAA then would hold hearings on these recommended regulations and after holding hearings, they can accept them or they can modify them or they can reject them.

This is a good amendment.

Second, the proposed amendment would incorporate provisions dealing with national regulations of railroad and trucking noises.

There was no comparable provision in the House bill, but it is a good provision and we think it ought to be incorporated in the bill.

The third addition to this bill involves provisions that we put into the Air Pollution Act and that should be made applicable to noise pollution as well.

There is a small change in the appropriations. In the House bill we had $3 million, $6 million and $12 million for 1972, 1973, and 1974.

The Senate amendments had $18 million, $36 million and $50 million for 1973, 1974, and 1975.

We finally agreed it would be $5 million, $10 million, and $15 million for 1973, 1974, and 1975—which is just slightly over what the House bill provided.

I think the bill as amended is a good bill and one that is needed. If we do not pass it now, we will create a lot of chaos not only for the aircraft and airline pilots, but for the car makers, railroads, truckers and others.

I think it is a bill that is needed at this time. I will say to the gentleman from Missouri, I think all of the subcommittee and the full committee will agree, who have studied the amendments.

Mr. HALL. I appreciate the gentleman's explanation.

I am glad that the gentleman brought up the question of authorization and appropriation. It seems to me that is quite a jump.

Do I understand that that increase in authorized appropriations is from the taxpayers' fund for the implementation of these noise abatement regulations that we are legislating?

Mr. STAGGERS. Let me say—instead of $3 million, we made it $5 million and instead of $6 million, we made it $10 million and instead of $12 million, we made it $15 million.

The Senate amendments had $18 million, $36 million, and $50 million.

Mr. HALL. Mr. Speaker, further reserving the right to object, do I understand the ranking minority Member agrees to these conclusions?

Mr. SPRINGER. Yes.

Mr. HALL. The gentleman agrees to the conclusions, and the motion?

Mr. SPRINGER. Yes, I do. Let me say this is a compromise with the Senate. There is no doubt about it. We could not agree to the Senate bill under any circumstances. We believe we had a good bill, but may I say that I very reluctantly came to the conclusion that we had to have a compromise. I personally have been against it up until this moment. But I am convinced that this bill is justified. There is no objector to the bill that I know of at this time. In other words, everybody including the EPA and the FAA and everybody that may be regulated has agreed to this bill.

I had serious reservations about it, but since everybody has said that they wanted the bill, I am willing to yield to them.

Mr. HALL. I am not quite that willing to yield—and I do not believe that this is a matter of Federal or centralized control, plus my oftstated objection to this end-of-session technique of procedure, therefore, I do object.

The SPEAKER. Objection is heard.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. Could I ask my distinguished colleague, the gentleman from Missouri, if he would reconsider?

Mr. HALL. The gentleman can ask, of course.

Mr. SPRINGER. Or would the gentleman from Missouri give it some thought?

Mr. HALL. Surely, I will think about it.

The SPEAKER. Objection is heard.

Mr. STAGGERS. Mr. Speaker, do I have a right to speak for a moment on this?

The SPEAKER. The gentleman is recognized for 1 minute.

Mr. STAGGERS. Mr. Speaker, I should like to say to the gentleman from Missouri that if he does not withdraw his objection, I think that he is doing a great disservice to America.

I was not in favor of the bill as it came from the Senate, and every member of the committee will tell the gentleman I was so adamant against it that if they had not agreed to the things that I thought were good for this land, I would not have agreed to it. I do think this legislation is necessary now, and we should not wait until next year. If we wait until next year, we are going to have 41 to 50 different State laws regulating noise and causing so much inconvenience to so many people that I think it would just create chaos in America.

Mr. SPRINGER. I think the real crux of the matter here today is that if we do not have a bill of this kind extending this matter, we are going to have every municipality, city, State, and local subdivision setting up their own standards. That is the real difficulty. That is one of the reasons why I came around to the decision that this bill ought to have my support, and I do think it is a perfectly valid reason, and I think we all can see what chaos we could get into if every subdivision in the country took some action.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, the point just made by our ranking Member is a very compelling one. The understanding I have is if we do not move in this way, the total national picture will be just a jigsaw puzzle of many, many States moving in this area, and this was the reason I felt that the bill had merit and should be passed.

Mr. STAGGERS. We are already moving in that area right now.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I have reservations about this bill, but I have been convinced that the circumstances, coupled with the amendments, made it far more palatable. For that reason I was willing to be convinced that the legislation should go through.

Mr. STAGGERS. Mr. Speaker, the administration has pointed out the urgency of this bill now. I was dead set against it the way it was, until we did correct the inequities that were in the bill.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Florida.

Mr. ROGERS. Mr. Speaker, I, too, should like to join in appealing to the gentleman from Missouri to reconsider, if he would. This is a bill that has been gone over quite thoroughly. I think people are in complete agreement now. It is a bill upon which, once this amendment is taken, the only action that the Senate can take is to accept this bill as it is now and has been explained.

I would hope the gentleman from Missouri would reconsider.

COORDINATION OF UNITED STATES AND GUAM INCOME TAXES

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 14628) to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. VANIK. Mr. Speaker, reserving the right to object, will the distinguished gentleman describe the bill and provide the House with the revenue loss as a result of this proposed legislation?

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, H.R. 14628, deals with the taxation of income earned by U.S. citizens or corporations residing in, or obtaining income from, Guam. The bill makes two changes of major significance. The first one provides that passive income, such as dividends, interest, and rent, derived from Guam by U.S. corporations, is not to be subject to the special 30-percent tax withheld at source, which generally applies only in the case of income received by a foreign corporation. The second significant change made by the bill sets up a special tax system under which U.S. citizens are to file their income tax returns with the United States or Guam, but not both, generally based upon their residency at the end of the year.

Mr. Speaker, this bill is necessary in the case of the 30-percent tax U.S. corporations have to pay on the passive income they derive from Guam, because this tax has had the effect of seriously retarding investments in Guam by U.S. corporations. This has occurred because this tax is a gross tax, that is, no deductions are allowed under it, with the result that it usually results in a higher effective rate of tax than is true of the regular corporate tax which would otherwise apply.

This bill provides that U.S. corporations are not to be subject to the 30-percent Guam tax on their Guam-source passive income. However, a U.S. corporation which carries on a business in Guam will remain subject to the regular corporate tax in Guam.

Mr. Speaker, this bill is also necessary to eliminate the dual filing and tax requirements in both Guam and the United States for U.S. citizens who are residents of Guam, whose citizenship status does not derive from birth or naturalization in Guam. Under the present system, these individuals must file tax returns with both jurisdictions, even though the foreign tax credit usually operates to eliminate the tax liability of one of the jurisdictions. This requirement has proved to be burdensome both to the taxpayers and the two governments.

As a result, the bill provides special filing requirements which generally eliminate the dual filing and dual tax liability requirements by providing for filing only with the jurisdiction where they are a resident at the end of the year. However, in the case of citizens with $50,000 or more of adjusted gross income and with at least $5,000, of gross income from the jurisdiction other than that in which they reside, their taxes are to be allocated between the United States and Guam generally on the basis of the source of their income.

Mr. Speaker, the revenue effect of this bill is expected to be minimal. It has been reported unanimously by the Ways and Means Committee and the Treasury Department has recommended its enactment. I urge the approval of this bill.

Mr. VANIK. Mr. Speaker, then the right of the taxpaper to elect is based on what his residence is?

Mr. MILLS of Arkansas. It is not an election. It is based on an actual factual situation: where he is residing at the end of the year.

Mr. VANIK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Coordination of United States and Guam individual income taxes.

(a) IN GENERAL.—Subpart D of part III of subchapter N of chapter 1 of the Internal Revenue Code of 1954 (relating to possessions of the United States) is amended by adding at the end thereof the following new section:

"Sec. 935. Coordination of United States and Guam individual income taxes.

"(a) APPLICATION OF SECTION.—This section shall apply to any individual for the taxable year who—

"(1) is a resident of Guam,

"(2) is a citizen of Guam but not otherwise a citizen of the United States, "(3) has income derived from Guam for the taxable year and is a citizen or resident of the United States, or

"(4) files a joint return for the taxable year with an individual who satisfies paragraph (1), (2), or (3) for the taxable year.

"(b) Filing Requirement.—

"(1) In General.—Each individual to whom this section applies for the taxable year shall file his income tax return for the taxable year—

"(A) with the United States, if he is a resident of the United States,

"(B) with Guam, if he is a resident of Guam, and

"(C) if neither subparagraph (A) nor subparagraph (B) applies—

"(i) with Guam, if he is a citizen of Guam but not otherwise a citizen of the United States, or

"(ii) with the United States, if clause (i) does not apply.

"(2) Determination date.—For purposes of this section, determinations of residence and citizenship for the taxable year shall be made as of the close of the taxable year.

"(3) Special rule for joint returns.—In the case of a joint return, this subsection shall be applied on the basis of the residence and citizenship of the spouse who has the greater adjusted gross income (determined without regard to community property laws) for the taxable year.

"(c) Extent of Income Tax Liability.—In the case of any individual to whom this section applies for the taxable year—

"(1) for purposes of so much of this title (other than this section and section 7654) as relates to the taxes imposed by this chaper, the United States shall be treated as including Guam,

"(2) for purposes of the Guam territorial income tax, Guam shall be treated as including the United States, and

"(3) such individual is hereby relieved of liability for income tax for such year to the jurisdiction (the United States or Gaum) other than the jurisdiction with which he is required to file under subsection (b).

"(d) Special Rules for Estimated Income Tax.—If there is reason to believe that this section will apply to an individual for the taxable year, then—

"(1) he shall file any declaration of estimated income tax (and all amendments thereto) with the jurisdiction with which he would be required to file a return for such year under subsection (b) if his taxable year closed on the date he is required to file such declaration,

"(2) he is hereby relieved of any liability to file a declaration of estimated income tax (or amendments thereto) for such taxable year to the other jurisdiction, and

"(3) his liability for underpayments of estimated income tax shall be to the jurisdiction with which he is required to file his return for the taxable year (determined under subsection (b))."

(b) Administration.—Section 7654 of the Internal Revenue Code of 1954 (relating to payment to Guam and American Samoa of proceeds of tax on coconut and other vegetable oils) is amended to read as follows:

"Sec. 7654. Coordination of United States and Guam individual income taxes.

"(a) General Rule.—The net collections of the income taxes imposed for each taxable year with respect to any individual to whom section 935 applies for such year shall be divided between the United States and Guam according to the following rules if such individual for such year has gross income of more than $5,000 derived from sources within the jurisdiction (either the United States or Guam) with which such individual is not required under section 935 (b) to file his return and adjusted gross income in excess of $50,000;

"(1) net collections attributable to United States source income shall be covered into the Treasury of the United States;

"(2) net collections attributable to Guam source income shall be covered into the treasury of Guam; and

"(3) all other net collections of such taxes shall be covered into the treasury of the jurisdiction (either the United States or Guam) with which such individual is required by section 935(b) to file his return for such year.

"(b) Definitions and Special Rules.—For purposes of this section—

"(1) Net collections.—In determining net collections for a taxable year, appropriate adjustment shall be made for credits allowed against the tax liability for such year and refunds made of income taxes for such year.

"(2) Income taxes.—The term 'income taxes' means—

"(A) with respect to taxes imposed by the United States, the taxes imposed by chapter 1, and

"(B) with respect to Guam, the Guam territorial income tax.

"(3) Source.—The determination of the source of income shall be based on the principles contained in part I of subchapter N of chapter 1 (section 861 and following).

"(c) Transfers.—The transfers of funds between the United States and Guam required by this section shall be made not less frequently than annually.

"(d) Military Personnel in Guam.—In addition to any amount determined under subsection (a), the United States shall pay to Guam at such times and in such manner as determined by the Secretary or his delegate the amount of the taxes deducted and withheld by the United States under chapter 24 with respect to compensation paid to members of the Armed Forces who are stationed in Guam but who have no income tax liability to Guam with respect to such compensation by reason of the Soldiers and Sailors Civil Relief Act.

"(e) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section and section 935, including (but not limited to)—

"(1) such regulations as are necessary to insure that the provisions of this title, as made applicable in Guam by section 31 of the Organic Act of Guam, apply in a manner which is consistent with this section and section 935, and

"(2) regulations prescribing the information which the individuals to whom section 935 may apply, and payors of amounts to such individuals, shall furnish to the Secretary or his delegate."

(c) Civil Penalty for Failure To Furnish Information.—Subchapter B of chapter 68 of the Internal Revenue Code of 1954 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

"Sec. 6686. Assessable penalties with respect to information required to be furnished under section 7654.

"In addition to any criminal penalty provided by law, any person described in section 7654(a) who is required by regulations prescribed under section 7654 to furnish information and who fails to comply with such requirement at the time prescribed by such regulations unless it is shown that such failure is due to reasonable cause and not to willful neglect, shall pay (upon notice and demand by the Secretary or his delegate and in the same manner as tax), in addition to the amount required to be shown as tax on the return of such person for the taxable year for which such information was required to be furnished, 10 percent of the amount of such tax."

(d) Amendment of Section 31(d) of the Organic Act of Guam.—The second sentence of section 31(d)(2) of the Organic Act of Guam (48 U.S.C. 1421i) is amended by inserting "not inconsistent with the regulations prescribed under section 7654(e) of the Internal Revenue Code of 1954" and "Needful rules and regulations".

(e) Corporate Income Taxes.—

(1) Section 881 of the Internal Revenue Code of 1954 (relating to tax on income of foreign corporations not connected with United States business) is amended by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection:

"(b) Exception for Guam Corporations.—For purposes of this section, the term 'foreign corporation' does not include a corporation created or organized in Guam or under the law of Guam."

(2) Section 1442 of such Code (relating to the withholding of tax on foreign corporations) is amended by adding at the end thereof the following new subsection:

"(c) Exception for Guam Corporations.—For purposes of this section, the term 'foreign corporation' does not include a corporation created or organized in Guam or under the law of Guam."

(f) Technical and Conforming Amendments.—

(1) Section 931(c) of the Internal Revenue Code of 1954 (relating to income from sources within possessions of the United States) is amended by inserting "or Guam" after "Puerto Rico".

(2) The second sentence of section 932(a) of such Code (relating to citizens of possessions of the United States) is amended by inserting "or Guam" after "Puerto Rico".

(3) Subsection (c) of section 932 of such Code is amended to read as follows:

"(c) Guam.—

"For provisions relating to the individual income tax in the case of Guam, see sections 935 and 7654; see also sections 30 and 31 of the Act of August 1, 1950 (48 U.S.C., secs. 1421h and 1421i)."

(4) Section 7701(a)(12)(B) of such Code (relating to performance of certain functions in Guam or American Samoa) is amended by striking out "chapters 2" and inserting in lieu thereof "chapters 1, 2,".

(5) The table of sections for subpart D of part III of subchapter N of chapter 1 of such Code is amended by adding at the end thereof the following:

"Sec. 935. Coordination of United States and Guam individual income taxes.".

(6) The table of sections for subchapter D of chapter 78 of such Code is amended by striking out the item relating to section 7654 and inserting in lieu thereof:

"Sec. 7654. Coordination of United States and Guam individual income taxes.".

(7) The table of sections for subchapter B of chapter 68 of such Code is amended by adding at the end thereof the following:

"Sec. 6686. Assessable penalties with respect to information required to be furnished under section 7654.".

Sec. 2. Effective date.

The amendments made by section 1 (other than section 1(e)) shall apply with respect to taxable years beginning after December 31, 1972. The amendments made by section 1(e)(1) shall apply with respect to taxable years beginning after December 31, 1971. The amendment made by section 1(e)(2) shall take effect on the date of the enactment of this Act.

With the following committee amendments:

Page 4, line 8, strike out "or amendments" and insert "and amendments".

Page 4, line 23, strike out "section 935" and insert "this subsection".

Page 4, strike out line 25 and all that

follows down through line 5 on page 5 and insert "to the following rules:".

Page 5, after line 15, insert:

"This subsection applies to an individual for a taxable year if section 935 applies to such individual for such year .and if such individual has (or, in the case of a joint return such individual and his spouse have) (A) adjusted gross income of $50,000 or more, and (B) gross income of $5,000 or more derived from sources within the jurisdiction (either the United States or Guam) with which the individual is not required under section 935 (b) to file his return for the year."

Page 6, line 21, after "Act" insert "(50 App. U.S.C., sec. 501 et seq.)".

Page 7, beginning in line 7, strike out ", and payors of amounts to such individuals,".

Page 7, line 15, strike out "6686 and insert "6687".

Page 7, beginning in line 25, strike out "no tax), in" and all that follows down through line 4 on page 8 and insert "no tax) a penalty of $100 for each such failure.".

Page 10, in the matter appearing after line 10, strike out "6686" and insert "6687".

Page 10, line 17, strike out "on the date" and insert on the day after the date".

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendments be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The committee amendments were agreed to.

(Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks at this point in the Record.)

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise in support of this legislation which deals with certain taxation problems of U.S. citizens residing in or obtaining income from Guam. H.R. 14628, among other things, makes two significant changes in the tax law. Both are occasioned by what is known as the "mirror image" tax system of Guam.

An understanding of the "mirror image" concept is necessary to appreciate the significance of this bill. Under existing law, the tax laws of Guam are the income tax laws in force in the United States. The taxes applicable in Guam are determined by applying the U.S. tax laws, but by substituting the word "Guam" for the words "United States" wherever the latter appears in the Internal Revenue Code. As a result, whenever the Internal Revenue Code is amended, so also are Guam's tax laws. This situation has produced certain problems with which this legislation deals.

H.R. 14628 is concerned with the taxation of income earned by U.S. citizens or corporations residing in, or obtaining income from Guam. Two changes made by this bill are of particular importance.

The first provides that passive income, such as interest, dividends and rent, derived from U.S. corporations from Guam, is not to be subject to the special 30-percent tax withheld at source, which usually applies only in the case of income received by a foreign corporation. Under existing law, as a result of the "mirror image" system, an additional 30-percent Guam tax is imposed on certain U.S. corporate income because these corporations which were neither created or organized in Guam are treated as foreign corporations by Guam's tax laws. Similarly, a Guam corporation is treated as a foreign corporation under U.S. tax laws. Consequently, income of U.S. corporations now can be taxed at a higher rate than similar income earned in the United States. This has had the effect of seriously retarding investments by U.S. corporations in Guam. The committee bill effectively eliminates this disincentive.

In the second instance, the committee bill deals with another situation arising out of the "mirror image" tax system. Here, this system requires most individual taxpayers, who derive income from both Guam and the United States to file tax returns with both jurisdictions. This requirement, despite the fact that the foreign tax credit eliminates the tax liability owed to one of the jurisdictions, has proved to be burdensome to both the taxpayers and the two governments.

As a result, the committee bill provides that U.S. citizens are to file returns with either the United States or Guam based upon their residency at the end of the year. Where a citizen has $50,000 or more adjusted gross income and, at least $5,000 of gross income from the jurisdiction other than that in which he resides, his taxes are to be allocated between the United States and Guam generally on the basis of the source of the income. This change should simplify the filing requirements for many of those who previously have had to file two tax returns per year, one with the United States and another with Guam, while, at the same time, insuring a fair distribution of tax to both jurisdictions.

Although the committee bill contains some other provisions relating to changes occasioned by the "mirror image" system, the two previously mentioned are paramount. The bill was unanimously reported by the committee and has the support of the Treasury Department. I urge its approval.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 14628, legislation to provide coordination of U.S. and Guam income taxes.

The basic purpose of this legislation is quite simple. It is to correct inequities in taxation which are the unintended result of the existing "mirror image" system of Guam tax law.

The income tax law of Guam is identical to the income tax law of the United States, except that the word "Guam" is inserted for the words "United States" wherever they appear in the Internal Revenue Code. Under this system, U.S. citizens and corporations deriving income from Guam—but who are not Guam citizens or corporations—must file both a U.S. and Guamanian tax return.

As a result of the "mirror image" approach, non-Guamanian citizens are taxed by Guam as foreign nationals and non-Guamanian corporations are taxed as foreign corporations. In both instances, additional taxes must, therefore, be paid to Guam. Individuals cannot claim full tax advantages as far as family exemptions and deductions are concerned. Corporations must pay a 30-percent special Guam tax on certain income. While a foreign tax credit is allowed both individual taxpayers and corporations, frequently it is not sufficient to recoup the actual tax loss.

H.R. 14628 would correct both situations by providing that an individual would pay taxes only to the jurisdiction—Guam or the United States—in which he resides at the end of the year. Corporations' income now subject to the special 30-percent withholding tax applicable to income received from a foreign corporation would not be so taxed.

A number of other conforming and technical changes are made in the tax code to accomplish the purposes of these two basic reforms. Overall, the bill is simply designed to provide tax equity, and remove current disincentives for U.S. citizens and corporations to work or do business in Guam.

I have been introducing legislation for some time to achieve this objective. My bill was reported by the House Committee on Interior and Insular Affairs in the 91st Congress. In the current Congress, I am cosponsoring H.R. 5336 which has also been approved by the committee, which has jurisdiction over U.S. territories and possessions. Since the Internal Revenue Code is involved, the approval of the House Committee on Ways and Means is also required; and I am happy to see that this bill has been approved by that committee.

I urge the adoption of H.R. 14628.

Mr. JOHNSON of California. Mr. Speaker, as a supporter of H.R. 14628, I rise to urge favorable consideration of this legislation which is vitally needed to clarify certain aspects of the tax relationships between Guam and the United States.

The purpose of H.R. 14628 is solely to correct an inequity resulting from legislative oversight when the Congress made the entire U.S. Internal Revenue Code of 1954 applicable in Guam as the Guam Tax Code.

Since 1968, the administration of this code by Guam for its own territorial income tax purposes has resulted in U.S. mainland citizens temporarily working on Guam being taxed as "nonresident aliens" and the U.S. corporations doing business on Guam being taxed as "foreign" companies. The effect is to impose penalty taxes on income earned on Guam by these taxpayers which are substantially in excess of the normal tax rate. The urgent need for action on H.R. 14628 during this session of Congress is to correct this inequity at the earliest possible date so that all U.S. citizens, whether located on the U.S. mainland or on Guam, will be afforded equal tax treatment.

Similar legislative proposals antedating H.R. 14628, which was introduced by Mr. Wilbur Mills on April 26, 1972, have been pending in one form or another before the Congress of the United States since March of 1970. The present version of the bill is the final product of the combined drafting efforts of the Joint Committee on Internal Revenue and Taxation, the U.S. Treasury Department, Internal Revenue Service, as well as the government of Guam.

I wish to point out that there is unanimous support for this bill, both here in the United States and on Guam, from all levels of Government as well as the private sector and the business community.

Before the House Subcommittee on Territorial and Insular Affairs, the testimony was unanimously in support of the objective of this legislation.

As far as the U.S. Treasury is concerned, the effect of passage of this legislation will be minimal and likely to result in a slight gain of revenues.

I respectfully urge your support for enactment of H.R. 14628.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may be permitted to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERSONAL EXPLANATION

Mr. MACDONALD of Massachusetts. Mr. Speaker, on the rollcall vote on the conference report on H.R. 1, I was inadvertently delayed due to the fact that the aircraft did not arrive on time.

I wish the RECORD to reflect the fact that had I been present, I would have voted in the affirmative.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 1331, CONTINUING APPROPRIATIONS, 1973

Mr. MAHON submitted the following conference report and statement on the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973 and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92-1611)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H.J. Res. 1331) "making further continuing appropriations for the fiscal year 1973, and for other purposes" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "subsection and sections, after further amending clause (c) of section 102 by striking "or the sine die adjournment of the second session of the Ninety-second Congress:":" ; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted oy said amendment, insert the following:

Obligations may be incurred hereunder for the activities hereinafter specified and shall, in addition to other funds available for such purposes, not exceed the annual rates specified herein during the period beginning October 15, 1972, and ending February 28, 1973:

"TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

"FUNDS APPROPRIATED TO THE PRESIDENT

Economic assistance

Worldwide, technical assistance	$155,000,000
Alliance for Progress, technical assistance	77,500,000
International organizations and programs	105,000,000
Programs relating to population growth	100,000,000
American schools and hospitals abroad	25,500,000
American schools and hospitals abroad (special foreign currency program)	None
Indus Basin Development Fund, grants	10,000,000
Indus Basin Development Fund, loans	12,000,000
Contingency fund	25,000,000
International narcotics control	None
Refugee relief assistance (Bangladesh)	100,000,000
Alliance for Progress, development loans	150,000,000
Development loans	250,000,000
Administrative expenses:	
AID	50,000,000
State	4,221,000
Subtotal, economic, assistance	1,064,221,000

"Military assistance

Military assistance	550,600,000
Regional naval training	2,500,000

"Security supporting assistance

Security supporting assistance	600,000,000

"OVERSEAS PRIVATE INVESTMENT CORPORATION

Overseas Private Investment Corporation, reserves	12,500,000

"INTER-AMERICAN FOUNDATION

Inter-American Foundation (limitation on obligations)	(5,000,000)
Total, title I, new budget (obligational) authority, Foreign Assistance Act Activities	2,229,821,000

"TITLE II—FOREIGN MILITARY CREDIT SALES

Foreign military credit sales	400,000,000
Total, titles I and II, new budget (obligational) authority	2,629,821,000

"TITLE III—FOREIGN ASSISTANCE (OTHER)

"INDEPENDENT AGENCY

"Action

Peace Corps, operating expenses	$81,000,000

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistance to refugees in the United States (Cuban program)	145,000,000

"DEPARTMENT OF STATE

Migration and refugee assistance	8,500,000
Assistance to refugees from the Soviet Union	50,000,000

"FUNDS APPROPRIATED TO THE PRESIDENT

"International financial institutions

Asian Development Bank (special fund)	None
Inter-American Development Bank:	
Paid-in capital	25,000,000
Callable capital	168,380,000
Fund for special operations	225,000,000
Subtotal, IDB	418,380,000
International Development Association	320,000,000
Total, title III, new budget (obligational) authority, Foreign Assistance (other)	1,022,880,000

"TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES

Limitation on program activity	(7,323,675,000)
Limitation on administrative expenses	(8,438,000)
Grand total, new budget (obligational) authority, titles I, II, and III	3,652,701,000

Provided, That no restrictive provision which is included in the Foreign Assistance and Related Programs Appropriation Act, 1973 (H.R. 16705), as passed during the second session, Ninety-second Congress, but which was not included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to any appropriation fund or authority provided for in this section unless such provision shall have been included in identical form in such Act as passed by both the House and the Senate: *Provided further*, That any provision which is included in such Act as passed by one House and was included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to the appropriations, funds, or authorities provided in this section.

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 109. Notwithstanding the provisions of this joint resolution or any other Act, the President is authorized to provide, on such terms and conditions as he may determine, relief, rehabilitation, and reconstruction assistance in connection with damage caused by floods in the Philippines during 1972. Of the funds provided herein for 'security supporting assistance', $50,000,000 shall be available only to carry out this section."

And the Senate agree to the same.

GEO. MAHON,
ROBERT L. F. SIKES,
OTTO E. PASSMAN,
JOE L. EVINS,
EDWARD P. BOLAND,
CHARLES R. JONAS,
E. A. CEDERBERG,
JOHN J. RHODES,
GARNER E. SHRIVER,
Managers on the Part of the House.

DANIEL K. INOUYE,
WARREN G. MAGNUSON,
ROBERT C. BYRD,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Amendment No. 1: Inserts perfecting language instead of language as proposed by the House and as proposed by the Senate.

Amendment No. 2: Inserts language for continuing benefits for special benefits for disabled coal miners but at an annual rate for operations not to exceed $1,526,500,000 as proposed by the Senate.

Amendment No. 3: Provides an annual rate for operations of not to exceed $3,652,701,000 instead of $4,010,155,000 as proposed by the House and $3,494,701,000 as proposed by the Senate for foreign aid, and amends language proposed by the Senate to make available certain reflows that become available during the interim period.

By adopting this language, the managers intend to make available, during the interim period, development loan reflows as well as carryovers of unobligated balances and other so-called "bridge" items.

The amounts listed for each activity are stated on a new obligational authority basis, and certain activities have been adjusted by the conferees.

Amendment No. 4: Amends language proposed by the Senate to allow $50,000,000 to be used for Philippine disaster relief from funds provided in the continuing resolution for security supporting assistance.

It is the intent of the managers that $50,000,000 shall be available only to carry out Philippine disaster relief assistance. In recognition of the urgent need for these funds, it is expected they be obligated in a timely manner.

GEO. MAHON,
ROBERT L. F. SIKES,
OTTO E. PASSMAN,
JOE L. EVINS,
EDWARD P. BOLAND,
CHARLES R. JONAS,
E. A. CEDERBERG,
JOHN J. RHODES,
GARNER E. SHRIVER,
Managers on the Part of the House.

DANIEL K. INOUYE,
WARREN MAGNUSON,
ROBERT C. BYRD,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

Mr. MAHON. Mr. Speaker, pursuant to unanimous consent previously granted, I call up the conference report on the joint resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see prior proceedings of the House today.)

Mr. MAHON. Mr. Speaker, I believe a recitation of a few facts would be of interest to the Members at this point.

There are only four amendments involved in this conference report. No amendments were reported in disagreement. It is a straightforward conference report, which is fully understandable.

It continues various Government programs for which there are not yet appropriations until February 28, 1973, the date when this resolution will expire.

It allows for payments under the black lung program of sums which have been provided by Congress, about $1.5 billion on an annual basis. This provision was not in the House version of the continuing resolution.

The continuing resolution also provides for the continued orderly operation of the foreign aid program and contains a provision contained in the Senate version of the resolution making $50 million available only for disaster relief in the Philippine Islands. This is in recognition of the urgent need growing out of the disastrous flood conditions there.

The conference agreement on the foreign aid portion of the measure is $461 million above last year's level. This needs explanation, because actually for the traditional foreign aid activities, such as economic assistance and military assistance, it is slightly below last year. The reason why we are above the level of last year in total is because of the international financial institutions. There are several in the measure and they have been funded at a higher level than last year.

Last year certain funds were postponed until the current fiscal year, so the fiscal year 1972 appropriation was $3.2 billion. The budget for 1973 was $5.2 billion. The House appropriation bill was $4.2 billion. The Senate appropriation which deferred action on several major activities due to lack of authorization was $2.8 billion.

The continuing resolution which passed the House a short time ago provided $4 billion. The Senate reduced that by about a half billion dollars.

The conference report on this continuing resolution provides for foreign aid at the level of $3.6 billion, until February 28, 1973. This is $357 million below the figure in the continuing resolution as passed by the House late last week. It is $158 million above the Senate continuing resolution which was passed by the other body yesterday.

That generally covers the basic facts, but I should advise Members that copies of the conference report are available as well as other details on the subject. Under leave to extend, I include at this point a table reflecting the levels of foreign assistance provided for under the House, Senate, and conference versions of the continuing resolution.

CONFERENCE ACTION ON CONTINUING RESOLUTION, H.J. RES. 1331

Item	House continuing resolution rate	Senate continuing resolution rate	Conference agreement
TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES			
Funds appropriated to the President			
Economic assistance			
Worldwide, technical assistance	$155,000,000	$155,000,000	$155,000,000
Alliance for Progress, technical assistance	77,500,000	77,500,000	77,500,000
International organizations and programs	105,000,000	105,000,000	105,000,000
Programs relating to population growth	100,000,000	100,000,000	100,000,000
American schools and hospitals abroad	25,500,000	20,000,000	25,500,000
American schools and hospitals abroad (special foreign currency program)	(5,350,000)		
Indus Basin Development Fund, grants	10,000,000	10,000,000	10,000,000
Indus Basin Development Fund, loans	12,000,000	12,000,000	12,000,000
Contingency fund	25,000,000	25,000,000	25,000,000
International narcotics control	42,500,000		
Refugee relief assistance (Bangladesh)	100,000,000	100,000,000	100,000,000
Alliance for Progress, development loans	165,000,000	150,000,000	150,000,000
Development loans	350,000,000	200,000,000	250,000,000
Administrative expenses:			
AID	50,000,000	50,000,000	50,000,000
State	4,775,000	4,221,000	4,221,000
Subtotal, economic assistance	1,222,275,000	1,008,721,000	1,064,221,000
Military assistance			
Military assistance	$600,000,000	$500,600,000	$550,600,000
Regional naval training	2,500,000		2,500,000
Security supporting assistance			
Security supporting assistance	685,000,000	550,000,000	600,000,000
Subtotal	2,509,775,000	2,059,321,000	2,217,321,000
Overseas Private Investment Corp.			
Overseas Private Investment Corp., reserves	42,500,000	12,500,000	12,500,000
Inter-American Foundation			
Inter-American Foundation (limitation on obligations)	(5,000,000)	(5,000,000)	(5,000,000)
Total, title I, budget (obligational) authority, Foreign Assistance Act activities	2,552,275,000	2,071,821,000	2,229,821,000
TITLE II—FOREIGN MILITARY CREDIT SALES			
Foreign military credit sales	435,000,000	400,000,000	400,000,000
Total, titles I and II, new budget (obligational) authority	2,987,275,000	2,471,821,000	2,629,821,000

Item	House continuing resolution rate	Senate continuing resolution rate	Conference agreement
TITLE III—FOREIGN ASSISTANCE (OTHER)			
Total, title III, new budget (obligational) authority, Foreign Assistance (other)	$1,022,880,000	$1,022,880,000	$1,022,880,000
TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES			
Limitation on program activity	(7,323,675,000)	(7,323,675,000)	(7,323,675,000)
Limitation on administrative expenses	($8,438,000)	($8,438,000)	($8,438,000)
Total, title IV, Export-Import Bank of the United States, limitations on use of corporate funds	(7,332,113,000)	(7,332,113,000)	(7,332,113,000)
Grand total, new budget (obligational) authority, titles I, II, and III	4,010,155,000	3,494,701,000	3,652,701,000

Mr. MAHON. I would like to yield at this time for further explanation to the gentleman from Louisiana (Mr. PASSMAN), the chairman of the subcommittee that deals directly with foreign assistance programs.

Mr. PASSMAN. Mr. Speaker, I want to thank the distinguished chairman for yielding.

Mr. Speaker, we are below the appropriations for the fiscal year 1972 in titles I and II. We are $1,510,000,000 below the total budget requests. It is one of the largest reductions made in foreign aid.

Mr. Speaker, title III contains the international financial institutions such as the Inter-American Development Bank and the International Development Association. The Members may recall we had no request for the International Development Association last year. The request is for $320 million this year. You may also recall, the appropriation request was for $836.7 million for the Inter-American Development Bank.

Mr. Speaker, we cut that request in half, but even so it is approximately $200 million above what we appropriated the previous year. So the increases in the Inter-American Development Bank and the International Development Association are not in the AID portion of the bill.

We bring the bill back, as the distinguished chairman just mentioned, at a figure $357 million below what we approved last Saturday night.

Mr. Speaker, I would like to inform the Members where we made the increases.

There is $50 million in the military assistance program; $50 million in emergency aid for the Philippines disaster covered under the supporting assistance item; and $50 million in the development loan fund.

Mr. Speaker, we yielded to the other body in all items except these three, and, in addition, we did get the Senate to yield on $5.5 million for hospitals and schools abroad, and another $2.5 million for regional naval training.

So, Mr. Speaker, this beyond any doubt is one of the tightest foreign aid bills presented to this House for consideration.

I would like to place in the RECORD at this point a table showing the comparisons of the continuing resolution figures for foreign aid:

Fiscal year 1972 appropriation	$3,190,896,000
Fiscal year 1973 budget estimates	5,163,024,000
Fiscal year 1973 House appropriation bill	4,195,155,000
Fiscal year 1973 Senate appropriation bill	$2,823,897,000
House continuing resolution	4,010,155,000
Senate continuing resolution	3,494,701,000
Conference agreement on continuing resolution	3,652,701,000
Conference agreement compared to—	
Fiscal year 1972 appropriation	+461,805,000
Fiscal year 1973 budget estimate	-1,510,323,000
Fiscal year 1973 House appropriation bill	-542,454,000
Fiscal year 1973 Senate appropriation bill	+828,804,000
House continuing resolution	-357,454,000
Senate continuing resolution	+158,000,000

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Louisiana yield?

Mr. PASSMAN. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman indicate the figures that were in the House bill, in the Senate version, and in the bill according to the conference report, as we have it today, on military assistance and on supporting assistance?

Mr. PASSMAN. Mr. Speaker, on military assistance the House bill was $600 million, the Senate bill was $500.6 million, and the compromise is $550,600,000. So it is below the House bill.

Now, Mr. Speaker, on supporting assistance the House bill was $685 million, the Senate bill was $550 million, and in the conference report the continuing resolution is $600 million.

Mr. Speaker, the House figure on development loans was $350 million; the Senate figure was $200 million; and the compromise figure was $250 million.

Mr. GERALD R. FORD. Mr. Speaker, let me say to my friend from Louisiana that, under very difficult circumstances, I believe that the House conferees did as well as they possibly could. I do not, however, want the Members of this body to believe that I think that this conference report provides adequately for military assistance or supporting assistance. I think the conference report is inadequate in these instances.

Mr. Speaker, I am only registering an individual protest. I do not think it is wise for us to make these reductions, but I must realize, on the other hand, the object and the practicality at this time.

Therefore, Mr. Speaker, I do endorse the conference report as much as I disapprove of certain provisions of certain dollar amounts in the conference report.

Mr. PASSMAN. In response to what the distinguished minority leader has said, I certainly concur in his views. I think the bill is entirely too low in the military assistance area, and I think it is entirely too low in the supporting assistance area, because in Vietnam alone they say they will require $585 million for supporting assistance, but this was the very best compromise we could work out.

I repeat that I certainly concur that we have underfunded supporting assistance and underfunded military assistance.

Mr. JONAS. Will the gentleman yield?

Mr. PASSMAN. I yield to the distinguished gentleman from North Carolina.

Mr. JONAS. I think the distinguished minority leader will recall—and I know I do not have to remind him—the other body killed this whole program at one time this year, so we were in the position of starting off with zero.

Mr. GERALD R. FORD. Will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. GERALD R. FORD. I am cognizant of that practical problem and of the lack of judgment and wise action on the part of the other body. That is why I predicated my remarks by saying these conferees were bringing this conference report back to us under very adverse and difficult circumstances.

Mr. JONAS. That is true.

I will add one other thing: The primary reason why we are here with a continuing resolution for this program is that we could not get the foreign aid authorization bill enacted.

Mr. PASSMAN. If I might say, before yielding to the distinguished gentleman from Kansas; we have a House authorization bill, a Senate authorization bill, a House appropriation bill, a Senate appropriation bill, a House continuing resolution, and a Senate continuing resolution. So you have six pieces of legislation with each one containing a different figure. It made it most difficult for us to work out an agreement in conference and we will be considering this program again in January or February.

I now yield to the distinguished gentleman from New York, a member of the committee.

Mr. MCEWEN. Mr. Speaker, I would like to associate myself with the remarks of the distinguished gentleman from Michigan (Mr. GERALD R. FORD), and my chairman, Mr. PASSMAN, and the others on this.

I would like to ask this question of the gentleman from Louisiana. Is it not true these are the funds with which we carry out our commitment, for example, to Korea, where we have reduced the number of U.S. troops and in return for that we have pledged our assistance to them in modernizing their forces?

Mr. PASSMAN. I might say for the record that Secretary of Defense Laird stated the $780 million request made for military assistance for fiscal year 1973 was inadequate and they possibly would have to ask for a supplemental to offset the cancellations we made last year against this positive commitment.

It is inadequate, I believe, and when we come back in January we will hopefully have a little different atmosphere. We will get an authorization bill then and we can move to modify the situation.

I now yield to the distinguished gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Speaker, I thank the gentleman for yielding to me.

I want to remind the Members that this is stopgap legislation. At the end of February the authority in this act will cease. By that time we will probably have a working of the will of the House again on this legislation.

This is a matter that relates to a report adopted by the conference committee, which expires February 28 of next year. So we will be back again with this bill then.

We are satisfied, as stated before by the minority leader and others who have spoken before me, that it does not supply sufficient funds to carry out the many programs which are important to Vietnamization, to the Nixon doctrine, to winding down the war, and to the conclusion of hostilities in Southeast Asia. However, it is the best we can do at this late hour in this session, and we did the best we could under these difficult circumstances.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. PASSMAN. I yield to the distinguished gentleman who is a member of the authorizing committee.

Mr. FRELINGHUYSEN. Mr. Speaker, I would like to agree with the gentleman from Louisiana that the amount you have provided under this continuing resolution for military assistance and supporting assistance is not sufficient.

I would like to reiterate what I said the other day when we had the continuing resolution before us, that it is a reflection on the authorizing committee that we do not have a normal process to provide funds. I do not think the finger should be pointed at Members of the House. I am sure the House conferees have done their best to provide adequate funds and to reach agreement. I am not at all sure that the problem is going to be resolved next year. Of course, this is a stopgap expedient, but what worries me, if the other body should be as stiffnecked and as arbitrary as they have been in this session, we are going to have the same kind of problem and perhaps even a more serious problem next year. I can see a lot of trouble as a result of the situation which was allowed to develop this year.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I appreciate the gentleman yielding. I know that the gentleman from Louisiana has been extremely interested in the foreign aid program and has talked long and hard on reducing this program.

May I ask the gentleman from Louisiana what has happened to all the dollars that the gentleman has been talking about many times that are in the pipeline? Where are these dollars now?

Mr. PASSMAN. May I say to the distinguished gentleman from California that the money that is in the pipeline is obligated for ongoing projects.

Mr. ROUSSELOT. I understand that, but I am asking what the total amount is.

Mr. PASSMAN. The pipeline is being drained and, of course, it has been going on for many years and, believe it or not, we have actually contained it in this bill. If the gentleman will permit me to say that going back about 10 years ago we had a larger foreign aid program than you have now when you consider only what we thought of foreign aid back in those days.

So we have contained this bill, as I say.

I am not a foreign aid enthusiast, as I am sure the gentleman knows, but nevertheless we have made certain commitments and we are going to have to honor those commitments. If we are going to do that, then we must provide the necessary amount of money to meet those commitments.

Mr. ROUSSELOT. The point I was trying to make is what has actually happened to the money in the pipeline, because I know the gentleman has kept track of the total amount that is in the pipeline.

Mr. PASSMAN. I would say that possibly it is down in the neighborhood of $2 billion for economic assistance.

Mr. ROUSSELOT. $2 billion, did the gentleman say?

Mr. PASSMAN. Approximately in the area.

Mr. ROUSSELOT. So actually this foreign-aid program is not exactly on a starvation basis.

Mr. PASSMAN. May I point out to the gentleman from California that the $2 billion is to finance ongoing projects, for equipment that has been requested, and is to be delivered. The same is true with the Department of Defense and other agencies. These funds are to meet commitments that have been made.

Mr. ROUSSELOT. My point is that program really is not on a starvation basis.

Mr. PASSMAN. Let me say to the gentleman from California that this bill is not very high when you have considered the savings resulting from the Nixon doctrine and you have studied the mechanics and the items.

Mr. ROUSSELOT. I have.

Mr. PASSMAN. Then I am sure that the gentleman will concur with his own distinguished minority leader that we have reduced these items too much, and we might have to consider this later on.

I thank the gentleman for his contribution.

Mr. ROUSSELOT. I thank the gentleman for yielding.

(Mr. PASSMAN asked and was given permission to revise and extend his remarks, and to include certain tables.)

Mr. MAHON. Mr. Speaker, I yield to the distinguished gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the chairman of the Committee on Appropriations yielding.

I would like to change the tenor and the direction of the continuing resolution for just a minute and address myself to amendment No. 2.

This is the one that inserts the language for continuing benefits for disabled coal miners at an annual rate not to exceed $1.5 billion plus. Was this added on in the other body as a surprise to everyone? Or is it up over any appropriation that we are carrying in any other House bill or what is the situation that suddenly brings this before us?

Mr. MAHON. The other body included this additional language to insure financing for the black lung program for this current fiscal year at the increased level. It is the amended budget estimate of the sum that will be required.

I was astounded at the size of the request, but this is a figure that has been presented. The Congress has passed this legislation and we are required to fund it.

There was a black lung program in existence before action was taken earlier this year to liberalize the program, and we are confronted with the necessity to meet these new requirements. These funds are included in the new HEW appropriation bill which has been cleared through both bodies, but which has not yet been enacted into law. This assures the availability of these funds at the level provided by the Congress earlier this year.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I am familiar with the basic authorizing legislation.

Like the gentleman from Texas, I was astounded at the total amount.

Is this full funding of the entire authorization?

Mr. MAHON. It is the program level for the current fiscal year which reflects the increases provided by Congress.

Mr. HALL. It was my understanding at the time that authorizing legislation passed that we were amalgamating bituminous type of discoloration of the lung along with the dangerous innercity type—the difference between anthracosis and pneumoconiosis.

Of course we were aware of the sacredness of the disabled miners who have been treated so shabbily in the past. Many of us knew that this was excessive, especially when the radiographic evidence was ruled out in the determination of what constituted disability for those who have black lungs, whether it be from coal mines or other untimely black lung discoloration of the lympth node of the lungs situation.

I doubt if many of us thought it would be fully funded by an appropriation, especially by a continuing resolution in any one given year.

I question the wisdom of the entire amount. I would hope that it would not all be used, if it is not necessary just because it has been appropriated.

Mr. MAHON. Certainly, I too would hope that it would not all be used unless it is absolutely required.

The amount for black lung benefits under the present continuing resolution for the fiscal year 1972 is $591 million. The committee is advised that these funds would be exhausted by December.

This continuing resolution runs until the 28th of February and authority is provided to make payments at the higher rate until that date.

In the event the second HEW appropriation bill should not be enacted into law this will provide spending authority until further action can be taken.

Mr. HALL. May I just say that I just do not believe it can be equitably used in even the highest quality care to anyone who even sniffs the smoke—let alone the disabled and deserving coal miners.

Mr. Speaker, I agree with the gentleman.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Speaker, I just want to point out to the gentleman from Missouri that this is not an appropriation of $1,526,500,000. The provision is the continuing resolution provides authority, if it should be necessary, to make benefit payments at the higher rate until February 28. The actual appropriation is contained in the second appropriation bill for the Department of Health, Education, and Welfare which has been sent to the President but which has not yet been signed.

Mr. PICKLE. Mr. Speaker, if I understand the explanation of this continuing resolution, it is difficult for me to believe that Members would vote for it. Perhaps the desire to help foreign assistance will be strong enough with some Members to cast an "aye" vote, but there is a great deal more to this measure than foreign assistance.

As I understand it, this continuing resolution provides the appropriations for the black-lung program. I voted for that program, and I am surprised to learn that at this late hour no appropriations have been made to handle this authorization, except in the HEW bill. It is beyond me why we have to handle this kind of measure on a continuing resolution. With respect to the foreign aid program, the Appropriations Committee has actually appropriated a new sum by brute force rather than continue spending at the level of last year's expenditures. That is normally what a continuing resolution is supposed to do. Last year we funded foreign assistance at a $3.2 billion level. This year the House funded foreign assistance at a $4.2 billion level and the Senate only at a $2.8 billion level. Actually, the measure has not been authorized in the other body. So even though last year's appropriation was only the $3.2 billion level, the conference committee comes in here and asks us to approve the sum of $3.7 billion for the fiscal year 1973 or at least until early next year. We therefore are not continuing at last year's level—the conference committee just looked at the two levels that the House and Senate tried to agree upon and decided on the cozy sum of $3.7 billion. To me, this is not a continuing resolution but rather a strong-armed submission to the committee which gives us a new and higher sum.

Worst of all, however, is what I understand this bill will also do, and that is that it would extend expenditures for the HEW programs through the rest of the year at the 1972 level and it would do the same thing to programs affecting water pollution control, except for grant programs. Why in the world do we want to pass a continuing resolution tonight to continue our present programs is beyond belief. This is an open invitation to the President to veto the water pollution bill; and even though it may discourage the President from vetoing the HEW bill, it still seems to me that passing the continuing resolution for the appropriations of these two programs would be more appropriate at a later date—possibly Wednesday.

Indeed, one would think that there is collusion between the Appropriations Committee and the White House on the water pollution bill to set up this continuing funding level because someone has been told that the President might or would veto this program. I cannot believe that that is the development; but passage of this continuing resolution in its present form is an absolute abdication of our responsibilities. I do not know if the President is going to veto the Federal water pollution bill or the HEW bill. I hope he does not. But surely, the Congress will be embarrassed if he does veto them to learn that 24 hours in advance the Congress extended the handle of the veto hammer to him. If all this takes place, we have cut our own throats.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DELLENBACK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 188, nays 80, not voting 183, as follows:

[Roll No. 457]

YEAS—188

Abzug
Adams
Addabbo
Alexander
Anderson, Ill.
Andrews, Ala.
Aspinall
Barrett
Belcher
Bergland
Biaggi
Biester
Blatnik
Boland
Brademas
Brasco
Breaux
Brotzman
Brown, Mich.
Buchanan
Burke, Mass.
Burton
Byrnes, Wis.
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Chisholm
Clancy
Clausen, Don H.
Collins, Ill.
Conable
Conte
Conyers
Corman
Coughlin
Culver
Daniel, Va.
Daniels, N.J.
Davis, S.C.
de la Garza
Dellenback
Dellums
Dennis
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Esch
Eshleman
Evins, Tenn.
Fascell
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Forsythe
Fraser
Frelinghuysen
Frenzel
Fulton
Fuqua
Garmatz
Gonzales
Green, Pa.
Grover
Gude
Halpern
Hamilton
Hansen, Idaho
Harrington
Hathaway
Hays
Hechler, W. Va.
Heinz
Helstoski
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Keating
Kee
Keith
Kemp
King
Kluczynski
Kyl
Kyros
Landrum
Leggett
Lent
Long, Md.
McCloskey
McDade
McEwen
McFall
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mallary
Mann
Mathias, Calif.
Mazzoli
Metcalfe
Minish
Mink
Morgan
Murphy, Ill.
Nedzi
Nelsen
Nix
O'Hara
O'Neill
Passman
Patten
Pepper
Perkins
Pike
Pirnie
Poage
Preyer, N.C.
Price, Ill.
Quie
Randall
Rangel
Rees
Rhodes
Riegle
Roberts
Robinson, Va.
Rodino
Roe
Rooney, Pa.
Rosenthal
Roybal
Sarbanes
Scherle
Scheuer
Schneebeli
Seiberling
Shriver
Sikes
Slack
Smith, Iowa
Staggers
Stanton, J. William
Stanton, James V.
Steele
Stokes
Sullivan
Teague, Calif.
Ullman
Vanik
Vigorito
Wampler
Ware
Whalen
Whalley
Whitehurst
Wiggins
Wilson, Charles H.
Wright
Wydler
Wylie
Yates
Young, Tex.
Zablocki

NAYS—80

Ashbrook
Bennett
Bray
Brinkley
Burke, Fla.
Byron
Camp
Cleveland
Colmer
Conover
Davis, Ga.
Dulski
Duncan
Fountain
Gaydos
Gibbons
Goodling
Griffin
Hagan
Hall
Hammerschmidt
Harsha
Hillis
Hull
Hungate
Hutchinson
Jarman
Jones, N.C.
Kastenmeier
Kazen
Landgrebe
Latta
Lennon
Lujan
McCollister
Mathis, Ga.
Miller, Ohio
Mills, Ark.
Minshall
Mitchell
Mizell
Montgomery
Myers
Natcher
Obey
O'Konski
Pettis
Pickle
Powell
Price, Tex.
Quillen
Rarick
Rogers
Roush
Rousselot
Roy
Ruth
St Germain
Sandman
Satterfield
Saylor
Schmitz
Scott
Smith, Calif.
Spence
Steed
Stubblefield
Stuckey
Taylor
Teague, Tex.
Terry
Thone
Tiernan
Veysey
White
Whitten
Wyman
Young, Fla.
Zion
Zwach

NOT VOTING—163—

Abbitt
Abernethy
Abourezk
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashley
Aspin
Badillo
Baker
Baring
Begich
Bell
Betts
Bevill
Bingham
Blackburn
Blanton
Boggs
Bolling
Bow
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Chappell
Clark
Clawson, Del
Clay
Collier
Collins, Tex.
Cotter
Crane
Curlin
Danielson
Davis, Wis.
Delaney
Denholm
Derwinski
Dickinson
Dow
Dowdy
du Pont
Dwyer
Edmondson
Erlenborn
Evans, Colo.
Findley
Fisher
Flowers
Flynt

Frey
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Haley
Hanley
Hanna
Hansen, Wash.
Harvey
Hastings
Hawkins
Hébert
Heckler, Mass.
Henderson
Hosmer
Howard
Hunt
Ichord
Jacobs
Jones, Tenn.
Koch
Kuykendall
Link
Lloyd
Long, La.
McClory
McClure
McCormack
McCulloch
McDonald, Mich.
McKay
McMillan
Mailliard
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Mills, Md.
Mollohan
Monagan
Moorhead
Mosher
Moss
Murphy, N.Y.
Nichols
Patman
Pelly
Peyser
Podell
Pryor, Ark.
Pucinski
Purcell
Railsback
Reid
Reuss
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rostenkowski
Runnels
Ruppe
Schwengel
Sebelius
Shipley
Shoup
Sisk
Skubitz
Smith, N.Y.
Snyder
Springer
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Symington
Talcott
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Vander Jagt
Waggonner
Waldie
Widnall
Williams
Wilson, Bob
Winn
Wolff
Wyatt
Yatron

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Arends.

Mr. Thompson of New Jersey with Mr. Hosmer.

Mr. Hébert with Mr. Davis of Wisconsin.

Mr. Rooney of New York with Mr. Martin.

Mr. Bingham with Mr. Clay.

Mrs. Griffiths with Mr. Andrews of North Dakota.

Mr. Delaney with Mr. Findley.

Mr. Podell with Mr. Peyser.

Mr. Reid with Mr. Kuykendall.

Mr. Mikva with Mr. Erlenborn.

Mr. Howard with Mr. Lloyd.

Mr. Stratton with Mr. Broomfield.

Mr. Sisk with Mr. Railsback.

Mr. Wolff with Mr. du Pont.

Mr. Waldie with Mr. Del Clawson.

Mr. Badillo with Mr. Gallagher.

Mr. Shipley with Mr. Crane.

Mr. Melcher with Mr. Shoup.

Mr. Monagan with Mr. Derwinski.

Mr. Danielson with Mr. Talcott.

Mr. Cotter with Mr. Brown of Ohio.

Mr. Flowers with Mr. Baker.

Mr. Flynt with Mr. Archer.

Mrs. Grasso with Mr. Hunt.

Mr. Rostenkowski with Mr. Collier.

Mr. Reuss with Mr. Gubser.

Mr. Murphy of New York with Mr. Wyatt.

Mr. Moorhead with Mr. Snyder.

Mrs. Hansen of Washington with Mr. Dickinson.

Mr. Moss with Mr. Goldwater.

Mr. Bevill with Mr. Broyhill of Virginia.

Mr. Nichols with Mr. Blackburn.

Mr. Roncalio with Mr. Collins of Texas.

Mr. Giaimo with Mr. Smith of New York.

Mr. Denholm with Mr. Frey.

Mr. Clark with Mr. Williams.

Mr. Chappell with Mr. Broyhill of North Carolina.

Mr. Anderson of California with Mrs. Heckler of Massachusetts.

Mr. Ashley with Mr. Mosher.

Mr. Brooks with Mr. Michel.

Mr. Burleson of Texas with Mr. Ruth.

Mr. Burlison of Missouri with Mr. Schwengel.

Mr. Cabell with Mr. Winn.

Mr. Evans of Colorado with Mr. Mayne.

Mr. Fisher with Mr. Vander Jagt.

Mr. Gettys with Mr. Sebelius.

Mr. Gray with Mr. Pelly.

Mr. Haley with Mr. McClure.

Mr. Runnels with Mr. Hastings.

Mr. Purcell with Mr. Skubitz.

Mr. Mollohan with Mr. Harvey.

Mr. Matsunaga with Mr. Mailliard.

Mr. Meeds with Mr. Thompson of Georgia.

Mr. Koch with Mr. Steiger of Wisconsin.

Mr. Ichord with Mr. Robison of New York.

Mr. Jacobs with Mr. Thomson of Wisconsin.

Mr. Henderson with Mr. Steiger of Arizona.

Mr. Hawkins with Mr. Dow.

Mr. Hanna with Mr. Bob Wilson.

Mr. Hanley with Mr. Widnall.

Mr. Link with Mr. Bell.

Mr. Jones of Tennessee with Mr. Betts.

Mrs. Green of Oregon with Mrs. Dwyer.

Mr. Yatron with Mr. Williams.

Mr. Symington with Mr. Bow.

Mr. McCormack with Mr. McClory.

Mr. Anderson of Tennessee with Mr. McCulloch.

Mr. Abernethy with Mr. Springer.

Mr. Udall with Mr. Mills of Maryland.

Mr. Waggonner with Mr. Pryor of Arkansas.

Mr. Van Deerlin with Mr. Patman.

Mr. Stephens with Mr. Curlin.

Mr. Edmondson with Mr. Abbitt.

Mr. Aspin with Mr. Baring.

Mr. Abourezk with Mr. Blanton.

Mr. Byrne of Pennsylvania with Mr. Caffery.

Mr. McKay with Mr. McMillan.

Mr. Long of Louisiana with Mr. Miller of California.

Mr. Pucinski with Mr. Galifianakis.

Messrs. ROUSH and ROY changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the conference report just agreed to, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONFERENCE REPORT ON S. 2087, OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. RODINO submitted the following conference report and statement on the Senate bill (S. 2087) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents:

CONFERENCE REPORT (H. REPT. No. 92–1612)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2087) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "Public Safety Officers' Benefits Act of 1972."

SEC. 2. The Omnibus Crime Control and Safe Streets Act of 1968, as amended, is amended by—

(1) redesignating sections 451 through 455 respectively as sections 421 through 425;

(2) redesignating sections 501 through 532 respectively as sections 550 through 571;

(3) redesignating parts F, G, H, and I of title I respectively as parts G, H, I, and J of title I; and

(4) adding at the end of part E of title I of this Act, the following new part:

PART F—DEATH BENEFITS FOR PUBLIC SAFETY OFFICERS

DEFINITIONS

SEC. 525. As used in this part—

(1) "child" means any natural, adopted, or posthumous child of a deceased public safety officer who is—

(A) under eighteen years of age; or

(B) over eighteen years of age and incapable of self-support because of physical or mental disability; or

(C) over eighteen years of age and a student as defined by section 8101 of title 5, United States Code.

(2) "criminal act" means any crime, including an act, omission, or possession under the laws of the United States or a State or unit of general local government, which poses a substantial threat of personal injury, notwithstanding that by reason of age, insanity, intoxication or otherwise the person engaging in the act, omission, or possession was legally incapable of committing a crime;

(3) "dependent" means a person who was wholly or substantially reliant for support upon the income of a deceased public safety officer;

(4) "intoxication" means a disturbance of mental or physical faculties resulting from the introduction of alcohol, drugs or other substances into the body;

(5) "line of duty" means within the scope of employment or service;

(6) "public safety officer" means a person serving a public agency, with or without compensation, as—

(A) a law enforcement officer, including a corrections or a court officer, engaged in—

(i) the apprehension or attempted apprehension of any person—

(a) for the commission of a criminal act, or

(b) who at the time was sought as a material witness in a criminal proceeding; or

(ii) protecting or guarding a person held for the commission of a criminal act or held as a material witness in connection with a criminal act; or

(iii) the lawful prevention of, or lawful attempt to prevent the commission of a criminal act or an apparent criminal act or in the performance of his official duty; or

(B) a firefighter; and

(7) "separated spouse" means a spouse, without regard to dependency, who is living apart for reasonable cause or because of desertion by the deceased public safety officer.

AWARDS

SEC. 526. (a) Upon a finding made in accordance with section 527 of this part the Administration shall provide a gratuity of $50,000.

(b) (1) Whenever the Administration determines, upon a showing of need and prior to taking final action, that a death of a public safety officer is one with respect to which a benefit will probably be paid, the Administration may make an interim benefit payment not exceeding $3,000 to the person entitled to receive a benefit under section 527 of this part.

(2) The amount of any interim benefit paid under paragraph (1) of this subsection shall be deducted from the amount of any final benefit paid to such person or dependent.

(3) Where there is no final benefit paid, the recipient of any interim benefit paid under paragraph (1) of this subsection shall be liable for repayment of such amount. The Administration may waive all or part of such repayment.

(c) The benefit payable under this part shall be in addition to any other benefit that may be due from any other source, but shall be reduced by payments authorized by section 12(k) of the Act of September 1, 1916, as amended, (4-531(1) of the District of Columbia Code.

(d) No benefit paid under this part shall be subject to execution or attachment.

RECIPIENTS

SEC. 527. When a public safety officer has been killed in the line of duty and the direct and proximate cause of such death was a criminal act or an apparent criminal act, the Administration shall pay a benefit as provided in section 526 of this part as follows:

(1) if there is no surviving dependent child of such officer to the surviving dependent spouse or separated spouse of such officer;

(2) if there is a surviving dependent child or children and a surviving dependent spouse or separated spouse of such officer, one-half to the surviving dependent child or children of such officer in equal shares and one-half to the surviving dependent spouse or separated spouse of such officer;

(3) if there is no such surviving dependent spouse or separated spouse, to the dependent child or children of such officer, in equal shares; or

(4) if none of the above, to the dependent parent or parents of the decedent, in equal shares.

(5) if none of the above, to the dependent person or persons who are blood relatives of the deceased public safety officer or who were living in his household and who are specifically designated in the public safety officer's duly executed authorization to receive the benefit provided for in this part.

LIMITATIONS

SEC. 528. No benefit shall be paid under this part—

(1) if the death was caused by the intentional misconduct of the public safety officer or by such officer's intention to bring about his death;

(2) if voluntary intoxication of the public safety officer was the proximate cause of such officer's death; or

(3) to any person who would otherwise be entitled to a benefit under this part if such person's actions were a substantial contributing factor to the death of the public safety officer.

MISCELLANEOUS PROVISIONS

SEC. 3. Section 569 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended and as redesignated by this Act, is amended by inserting "(a)" immediately after "569" and by adding at the end thereof the following new subsection:

"(b) There is authorized to be appropriated such sums as are necessary for the fiscal year ending June 30, 1973, for the purposes of part F."

SEC. 4. Until specific appropriations are made for carrying out the purposes of this Act, any appropriation made to the Department of Justice or the Law Enforcement Assistance Administration for grants, activities or contracts shall, in the discretion of the Attorney General, be available for payments of obligations arising under this Act.

SEC. 5. If the provisions of any part of this Act are found invalid or any amendments made thereby or the application thereof to any person or circumstance be held invalid, the provisions of the other parts and their application to other persons or circumstances shall not be affected thereby.

SEC. 6. This Act shall become effective and apply to acts and deaths occurring on or after the date of enactment of this Act.

And the Senate agree to the same.

Peter W. Rodino,
John F. Seiberling,
David W. Dennis,
Managers on the Part of the House.

John McClellan,
Sam J. Ervin, Jr.,
P. A. Hart,
Roman Hruska,
Hugh Scott,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2087) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate passed S. 2087 and the House substituted the provisions which it had adopted by striking out all after the enacting clause and inserting its own provision. The Senate insisted upon its version and requested a conference; the House then agreed to the conference. The Conference Report recommends that the Senate recede from its disagreement to the House version and agree to the same with an amendment. The amendment being to insert, in lieu of the matter inserted by the House amendment, the matter agreed to by the conferees and that the Senate agree thereto. The Conference Report contains substantially the language of the House version with certain exceptions which are explained below.

(1) As passed by the Senate the bill provided that the Law Enforcement Assistance Administration shall pay a $50,000 lump sum to the defined eligible dependents of a federal, state, or local public safety officer killed in the line of duty as a result of a criminal act or an apparent criminal act. The bill furthermore provided a dismemberment payment for a public safety officer who suffered dismemberment in the line of duty and the proximate cause of such dismemberment was a criminal act or an apparent criminal act. As amended by the House, the bill directed the Law Enforcement Assistance Administration to pay a $50,000 lump sum to defined eligible dependents of a public safety officer who died as the direct and proximate result of a personal injury sustained in the performance of duty. The House measure covered only state or local officers. The conferees agreed to the deletion of the dismemberment provision and to adopt the Senate version which provided that the $50,000 would be payable only to eligible dependents of the public safety officer who was killed in the line of duty and the proximate cause of such death was a criminal act or an apparent criminal act. The conference agreed to cover only state and local officers. It was agreed, however, that if further study indicated that the exclusion of Federal officer worked inequity, consideration would be given to amending the provision of the Act.

(2) The Senate bill contained a provision to make the lump sum payments retroactive to January 1, 1967. The House amendment contained no such provision. The conferees agreed to the deletion of the retroactive feature and agreed that provisions of the bill would become effective as to acts and deaths on the date of enactment.

(3) The Senate bill provided that the lump sum payment would not be subject to attachment or execution. Furthermore, the Senate bill provided that no benefit shall be paid if the death of the public safety officer was caused by the intentional misconduct of the public safety officer, by his intention to bring about his death, by his voluntary intoxication, or if the public safety officer was killed by any person who would otherwise be entitled to a benefit under the bill if such person's action was a contributing factor to the death of the public safety officer. The House version contained no such provision. The conferees agreed to adopt the Senate provisions.

Peter Rodino,
John F. Seiberling,
David W. Dennis,
Managers on the Part of the House.

John McClellan,
Sam J. Ervin, Jr.,
P. A. Hart,
Roman Hruska,
Hugh Scott,
Managers on the Part of the Senate.

Mr. RODINO. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the Senate bill (S. 2087) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide a Federal minimum death and dismemberment benefit to public safety officers or their surviving dependents.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. WIGGINS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New Jersey if this is not the bill that provides for a $50,000 gratuity to widows of State policemen and firemen who may be killed in the line of duty?

Mr. RODINO. This is a $50,000 lump sum gratuity to police and firemen and other law enforcement officers who are killed in the line of duty as a result of their involvement in trying to stop some criminal act.

Mr. WIGGINS. If the gentleman will respond further under my reservation of objection, Mr. Speaker, is it not so that the conferees met this afternoon and that the conference report had just been agreed to today?

Mr. RODINO. That is correct.

Mr. WIGGINS. So that copies therefor of the conference report are not now available on the floor for the inspection of the Members?

Mr. RODINO. No; because the conferees only met this afternoon and the conference report was just filed.

Mr. WIGGINS. Mr. Speaker, believing that there is no real Federal justification for involvement in this program, and believing further that it is not supportable to pay to the wives of police officers more than we pay to our surviving widows of veterans killed in Vietnam, I object.

The SPEAKER. Objection is heard.

TOXIC SUBSTANCES CONTROL REGULATING USE AND DISTRIBUTION OF CHEMICAL SUBSTANCES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1478) "to regulate interstate commerce by requiring premarket testing of new chemical substances and to provide for screening of the result of such testing prior to commercial production, to require testing of certain existing chemical substances, to authorize the regulation of the use and distribution of chemical substances, and for other purposes", with Senate amendments to the House amendments thereto, and disagree to the Senate amendments to the House amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendments, as follows:

Page 13, after line 15, of the House engrossed amendments, insert:

"The Administrator may, by rule, prescribe procedures for the purpose of insuring that manufacturers, processors, or importers of chemical substances which were not produced or distributed in commerce for commercial purpose prior to the date of enactment of this Act, furnish notice, a description of such chemical substance, and technical data relating to the environmental or public health effects of the substance to the Administrator before its distribution in commerce.".

Page 22, line 19, of the House engrossed amendments, strike out "or".

Page 23, line 4, of the House engrossed amendments, strike out "Act)." and insert: "Act); or".

Page 23, after line 4, of the House engrossed amendments, insert:

"(3) pesticides as defined in the Federal Insecticide, Fungicide, and Rodenticide Act and chemical substance used in such pesticides except that if a chemical substance which constitutes such pesticide or such ingredient is used for any purpose other than such pesticide, this Act shall apply to such use.".

Page 23, line 5, of the House engrossed amendments, strike out "The" and insert: "Except for sections 4, 5, or 6, the".

Page 23, line 10, of the House engrossed amendments, after "extent" insert: "in a reasonable time and in a reasonable manner".

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, am I properly identifying this bill by its call number, as Senate 1478 the toxic substances act or bill that we worked on and sent to the other body on Saturday last?

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. STAGGERS. Mr. Speaker, last Friday the House passed by rollcall vote of 240 to 61 a House substitute amendment to the bill S. 1478—a bill to protect health and the environment against hazards associated with toxic chemical substances. During the debate on this legislation I repeatedly emphasized that we would not accept a conference with the Senate on this bill. It was the committee's opinion that we have gone as far as we could go in this area. The Senate has returned the bill to us with further amendments. One of these proposes that we give the Environmental Protection Agency additional rulemaking authority to require prior notice and the submission of test data before marketing for all new chemical substances. This authority may well lead to a system which requires premarket clearance of all new chemical substances. The committee considered that approach but was unwilling to go that far.

I regret that the press of business in the close of the legislative session does not allow sufficient time for the House and Senate to meet in careful deliberation of its differences. However, I believe that the House bill is a good bill which presents a most workable means of providing necessary protection for health and the environment without stifling technological innovation.

As I noted earlier, the committee met for over 3 weeks in executive session on this bill. This legislation has been given very careful consideration. It is my hope that the Senate—on reconsideration of this matter—will find the House version of this bill acceptable. Accordingly I recommend that we disagree with the Senate amendments and return the bill to the Senate.

Mr. HALL. Mr. Speaker, based on the colloquy as recorded in the CONGRESSIONAL RECORD at page 36064 on S. 1478, and the gentleman's motion at this time, I object.

The SPEAKER. Objection is heard.

FORTY CONSECUTIVE YEARS OF PUBLIC SERVICE IN THE U.S. HOUSE OF REPRESENTATIVES

(Mr. KEE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KEE. Mr. Speaker, it is with a feeling of sadness that my public service in the U.S. House of Representatives will come to an end at the close of the 92d Congress.

I well remember the election of my late father, Representative John Kee, to the House of Representatives in 1932. I clearly remember his full and complete devotion to public service until his death while presiding as chairman of the House Committee on Foreign Affairs in May 1951.

Then—I remember with gratitude the election of my mother—the Honorable Elizabeth Kee—to succeed my father—finish his term—and to be returned to the House each consecutive Congress until she voluntarily retired at the close of the 88th Congress. This association gave me an insight into the Congress and a deep respect for the Members who served during this period.

It was with humility that I was elected in 1964 to serve in my own right—starting with the 89th Congress. It has been—and still is—with heartfelt satisfaction that I have had the privilege to work closely with the Members of the House—especially the Committee on Public Works and the Committee on Interior and Insular Affairs.

I respect the views of all Members and shall carry close to my heart—as long as I may live—those wonderful memories covering a period of 40 consecutive years.

Experience has taught me the jealous demands upon the time of each and every Member of both political parties. Experience has taught me the complete devotion to public service so clearly demonstrated by the men and women who serve with such dedication—those who go that extra step to measure up to and exceed that sacred obligation which each sought and won.

Mr. Speaker, I commend my colleagues and wish for the Members of the House every success as they approach the serious problems that must be solved in the days ahead. It is an unquestioned fact that the Members of the House are responsive—responsible—and the closest public officials to the residents of their respective congressional districts.

Our Founding Fathers determined that our country was originated with the understanding that the future of our Nation depends upon the succes or failure of the U.S. House of Representatives. We do have unusually capable representatives in both political parties who deserve the respect and the gratitude of every concerned citizen of our Nation. I am most honored to have served with all of you. May you be richly rewarded for your statesmanship in future elections and may you be blessed with happiness and the satisfaction that you have done your part for the benefit of those yet to come.

Mr. Speaker, I am equally gratified with the great public record established by my late father and mother—and hope that in some small way I have added to their splendid records.

THE 1972 HOUSING AND URBAN DEVELOPMENT BILL

(Mr. BARRETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BARRETT. Mr. Speaker, as the Members know, the House Rules Committee on September 27 declined to grant a rule for the consideration of H.R. 16704, the Housing and Urban Development Act of 1972. Prior to the House Rules Committee action and subsequent to the Committee on Banking and Currency's reporting the bill, a number of articles have appeared in the press concerning the proceedings in the Committee on Banking and Currency and its Housing Subcommittee on the markup of this legislation. On September 20, 1972, the New York Times carried a front page story entitled "Federal Housing Reform Unlikely Despite Scandal" by John Herbers. This article contains numerous misstatements of fact and several serious charges against the House Committee on Banking and Currency and the Housing Subcommittee. On September 22, I wrote a detailed rebuttal to Mr. Herbers' story. I was informed by the Times staff that the letter was too long to be printed in the "letters to the editor" section of the newspaper. I subsequently sent a much shorter version of this letter to the Times, and it was published October 3. Since a number of other articles have been written on the housing bill based on Mr. Herbers' New York Times story, I believe that it is important that I clarify for the benefit of the Members of the House some of the charges that are contained in this article and the subsequent articles that have been written based on Mr. Herbers' story.

Mr. Speaker, I would like to include in the RECORD at this point the article in the New York Times on Wednesday, September 20, 1972, entitled "Federal Housing Reform Unlikely Despite Scandal" as well as my detailed reply to the editor of the New York Times, and the shortened version of the letter that appeared in the Times on October 3:

[From the New York Times, Sept. 20, 1972]

FEDERAL HOUSING REFORM UNLIKELY DESPITE SCANDAL

(By John Herbers)

WASHINGTON, Sept. 19.—Despite widespread scandals and failures in Federal housing programs, Congress appears to be on the verge of enacting voluminous new legislation that would continue the controversial programs for another two years without major reform.

The House Banking and Currency Committee reported out today, 19 to 3, an omnibus bill that would leave undisturbed the basic thrust of the subsidy and other housing programs that have burgeoned in the last three years.

The bill also contains authorization for Federal operating subsidies for mass transit systems and a consolidation of community development grants that would increase funding to cities.

Although there is strong opposition to the housing aspects of the bill, sponsors said they expected it to pass before Congress adjourns in October. The Senate passed a similar bill last month.

In the view of a number of critics and Congressional investigators, Congress, during months of review and struggle, has been unable to effect change because of the following factors:

Unusually close ties between the commercial interests, which want to see the programs continue essentially unchanged, and members of Congress responsible for drafting legislation.

Failure of the Administration to promote and work for new housing projects.

The common background of many of the housing experts on the legislative committee staffs, in the Department of Housing and Urban Development and in the industry. The move from one job to another so that they form a closed circle of expertise.

CLASSIC FAILURE SEEN

What has happened in housing is viewed by many as a classic failure of the Federal Government to make a complex social program work for the general public while serving rather well the special interests involved in delivering it.

"It is a system failure going back to 20 years of legislating and Government practices," said a member of one of the Congressional investigating committees.

Millions of people are affected by the Federal housing laws, and in some cities—New York, Detroit, Philadelphia, St. Louis, Miami and others—there have been disclosures of major fraud against consumers and the Government.

A series of audits and nonpartisan studies have shown that the housing subsidy programs are filled with inequities, that they encourage inefficiencies and bad construction, that they are extremely costly to the Government, that they provide more help for moderate income families than for the poor and that they frequently harm rather than help the troubled central cities.

Yet there appears to be little understanding or public scrutiny of the legislative processes involved. The situation is seldom mentioned in the political campaigns. Neither President Nixon nor Senator George McGovern has any detailed position on the issue.

INSIDER'S GAME

Housing has become, as John W. Gardner, chairman of Common Cause, a peoples' lobby, has said, "an insider's game." How it works can be seen in the Senate Banking Committee, headed by John J. Sparkman of Alabama.

A few weeks ago, an official of Housing and Urban Development, discussing the housing picture at an informed conference, said, "That section of the law is just like Carl Junior wrote it." The remark did not raise an eyebrow in the room.

Carl A. S. Coan Jr. is a lobbyist for the National Association of Home Builders, which has one of the largest and most effective lobbies here. Carl A. S. Coan Sr. is staff director for housing on the Sparkman committee.

Both Coans have reputations as able men who have more of a sense of the public interest than most operatives on Capitol Hill. Carl Coan Sr. also has considerable influence on legislation.

Senator Sparkman, who is 72 years old, frequently sleeps during hearings. He delegates much authority to Carl Coan Sr.

Whenever Senator Sparkman runs for reelection, the interests his committee regulates pours thousands of dollars into his campaign coffers.

Early this year, banking interests put on a special fund-raising drive for three Senate committee members up for reelection. Mr. Sparkman; John G. Tower, Republican of Texas, and Thomas J. McIntyre, Democrat of New Hampshire.

Bankers were asked to write a series of checks in amounts of $99 each. The campaign law governing campaign funds provided that any donation of $100 or more had to be recorded with the clerk of the House.

The amount collected was not disclosed, but during an eight-week period last spring, reports filed with the clerk of the House showed that Senator Sparkman had $33,000 on hand, and $16,580 more in itemized receipts was reported.

Of the $16,580, about $10,000 had come from persons with a direct interest in housing. They included builders, mortgage and real estate agents and persons associated with banks and savings and loan associations. Some donors were not identified as to occupation.

In 1971, Senator Sparkman reported receiving more than $16,000 in speaking fees, $14,000 of it for 12 appearances before bank, savings and loan, mortgage and building groups.

His top fee was $3,000 for a Nov. 22 speech before the United States Savings and Loan Convention. He received $2,000 from the National Association of Real Estate Boards and $1,500 each from the Mortgage Bankers Association and the National Association of Home Builders.

A number of other committee members have received large contributions from the housing interests.

For example, Senator Edward W. Brooke, Republican of Massachusetts, reported itemized receipts of $101,446 between April 7 and May 31 for his re-election campaign. The interests of many donors listed were not identified in the report, but of those who were there were 21 separate contributions totaling about $1,000 from builders, bankers and mortgage organization and real estate operators.

Although the omnibus housing bills put together by the Senate Banking Committee contain enormous outlays of money and other Government commitments, ideological differences dissolve when the bills start to roll.

Conservatives who regularly condemn welfare expenditures rarely speak up against the housing outlays. Liberals who take a populist stance seldom say anything about the large. bite that the commercial interests take in housing programs.

PROCESS SIMILAR IN HOUSE

A similar but more complicated process is seen in the House.

There the Banking Committee is composed of 37 members, and housing legislation is written by a 15-member subcommittee headed by a jovial Pennsylvanian, William A. Barrett, a former real estate agent who is a product of Philadelphia's once powerful Democratic organization.

Mr. Barrett, who is little known outside his district, is often described as quaint and parochial. He is short and rotund and has owlish eyes and an alert expression. He wears bright clothing and a pasted-down wig.

For years, Mr. Barrett has commuted every working day between his district in southwest Philadelphia and Washington, a distance of 125 miles. He is in his Philadelphia office every evening, he says, to meet constituents.

Under Mr. Barrett, the forces that shape legislation are diffuse. The special interest lobbies are regarded as particularly strong.

CAMPAIGN REPORTS

Records for the current campaigns are far from complete, but a sampling of the April-7-through-May-31 reporting gives an indication of what is involved.

William B. Widnall of New Jersey, ranking Republican on the subcommittee, reported $1,100 in itemized contributions during that period, all but $100 of it from Warren Hill, president of the New Jersey Savings and Loan League.

Of $1,570 reported by Thomas L. Ashley, Democrat of Ohio, $500 was from the Mortgage Bankers Political Action Committee and $500 from two Ohio housing consultants.

Of $1,689 reported by William S. Moorhead, Democrat of Pennsylvania, $1,200 was from the Public Affairs Committee of the Savings Association.

Those three members are known as among the more able, articulate and public-minded members of the housing subcommittee.

Wright Patman of Texas, chairman of the full House committee, is well known for his wars with the banking interests, but before this year he had rarely questioned the work of the housing subcommittee. As the housing scandals were breaking this year, Mr. Patman indicated that he might step in and seek a change of direction.

PROFIT MARGIN ADDED

"Many of these programs start out with high-sounding purposes; then someone comes along and insists that we add in the profit margin for each real estate interest," he said. "There's a little bit for the land speculator, the builder, the lender, the closing attorney, the title company, the insurance company and on down the line. By the time the project reaches the end of the line, it is so topheavy you can't be sure just who did get the subsidy."

The full committee subsequently took under consideration the subcommittee's bill, and Mr. Patman delayed action on it for several months, partly in a power dispute with Mr. Barrett. The revised bill that emerged last week was, according to staff members, more than ever a "Christmas tree," the Congressional words for legislation that has something for everyone.

Some of the interests did not get all they wanted. The home builders, for example, objected to provisions, retained in the bill, that would further restrict housing construction in the suburbs. But they were able to have knocked out a provision requiring homebuilders to guarantee their construction for three weeks.

U.S. House of Representatives,
Subcommittee on Housing of
the Committee on Banking
and Currency,
Washington, D.C., September 22, 1972.

The Editor,
New York Times,
New York, N.Y.

Dear Sir: The September 20 article by John Herbers, entitled "Federal Housing Reform Unlikely Despite Scandal", makes several serious charges against the House Banking and Currency Committee and its Housing Subcommittee on their handling of the 1972 housing and urban development bill, which deserve a full and serious reply.

Mr. Herbers asserts that despite the widespread scandals in the housing subsidy programs, the recently-approved Committee bill would "leave undisturbed the basic thrust" of these controversial programs, and that the Committee is unable to bring about major changes in these programs because of three factors: (1) the "unusual close ties" between commercial interests (such as homebuilders and lending institutions) and the Committee Members responsible for drafting housing legislation; (2) the failure of the Administration to promote and work for new housing policies; and (3) the "common background" of housing experts on the Committee and Subcommittee legislative staffs, in the Department of Housing and Urban Development, and in the industry.

Before taking up these charges, it should be noted that in my nearly three decades in the Congress as a participant in the development of housing legislation, no bill has been so vigorously opposed in whole or in part by the "special interests" that Mr. Herbers implies virtually write housing legislation as the Housing Subcommittee bill, which was reported favorably by a vote of 15–0. In fact, the extraordinary opposition of these "special interests" to the bill resulted in the Chairman of the full Banking and Currency Committee, Mr. Patman, calling for additional public hearings on the Subcommittee bill, a step unprecedented in the history of housing legislation. At these hearings the homebuilding industry, the mortgage bankers and savings and loan associations, real estate attorneys, and the title insurance industries strongly objected to nearly every major aspect of the Subcommittee bill that affected their business operations.

In addition, Mr. Herbers mistakes the urgent need to deal with admitted abuses in the housing subsidy programs for a strong drive to change the "basic thrust" to those programs. Both the Housing Subcommittee and full Committee bills attempt to deal directly with the abuses that have plagued these programs—inflated appraisals, lack of inspection and control by HUD of the quality of units, and the location of units in areas not served by adequate community facilities and services. Mr. Herbers' article is seriously deficient in not pointing out the provisions of the bill that deal with these abuses.

Furthermore, it is to the great credit of Committee Members that the existence of abuses in these programs was not met by a wholesale and hastily-considered revamping of housing programs. There is a great need for a total and comprehensive reappraisal of the basic thrust of these programs—in terms of the income groups to be served, the emphasis on new or existing housing, and the essentially private nature of decisionmaking in the housing field. Mr. Herbers' previous articles in this area have called to the attention of your readers the rethinking concerning these aspects of our programs that Housing Subcommittee Members are increasingly undertaking. However, neither Committee Members nor other Members of the House are willing to suspend the considerable benefits existing programs bring to hundreds of thousands of poorly housed families prior to their development of a more satisfactory and workable substitute.

A huge and complex system of Federal assistance for housing cannot be discarded because of a series of disgraceful abuses which result more from faulty administration than inherent weaknesses in the programs. The efforts of Housing Subcommittee Members in the development of the metropolitan housing agency proposal was an initial step in framing the important issues Congress must address in constructing new approaches. It is certainly asking too much of the Congress to enact fundamental changes in recently-enacted programs during an election year and against the background of the need to deal with specific and relatively narrow, although widespread, program abuses.

In fact, during nearly eight weeks of Housing Subcommittee executive sessions and six weeks of full Committee executive sessions, not a single Member—Democratic or Republican, liberal or conservative—attempted to repeal these programs, to reduce substantially their funding levels, or to change their basic elements. The benefits provided by the programs are simply too great to abandon, without careful consideration of the nature and workability of an alternative system. Mr. Herbers should also have noted that the Congress, both in this bill and in the 1970 Housing Act, provided for demonstrations of alternative housing subsidy systems—the housing allowance and direct loan approaches. I am certain Mr. Herbers would not recommend the immediate implementation of either of these alternatives without additional study.

The "unusually close ties" between commercial interests and Members of Congress and the "common background" of Committee legislative staff members, HUD, and the industry cannot be denied; yet together they represent mere truisms, which are not helpful in evaluating their impact on legislation. The banking and savings and loan industries, for example, have virtually no impact on legislation dealing with the housing subsidy programs: they simply do not participate to any important extent in the FHA housing programs and usually do not even request an opportunity to testify on housing bills. Consequently, the "close ties" between these industries and the Members of the Banking Committee cannot be said to be responsible for the Committee's actions with respect to the housing subsidy programs. Similarly, if the "common background" of legislative staff members, the Department, and the industry were a crucial element in the development of legislation, it is unlikely that these "special interest" groups would have so roundly and vigorously criticised the Subcommittee bill, and, to a great extent, many of the provisions of the Committee bill itself. Mr. Herbers' article is deficient in its failure to specify those provisions of the bill that appear to him to be a result of the "unusually close ties" and "common backgrounds."

Mr. Herbers' charge that the Administration has failed to "promote and work for new housing policies" is, unfortunately, accurate. The Administration has given extremely low-priority to these programs, to the extent that HUD Secretary Romney has been forced to appeal Office of Management and Budget manpower cuts in his Department directly to the President. The Department's record of administering these programs is a truly dismal one and documented as such by his own Department's auditors, the Banking and Currency Committee, and other Congressional committees. It is equally dismal in pointing the way toward alternative program approaches, although it is quick to condemn the Congress for enacting "ill-conceived programs" without sufficient testing and evaluation. The Administration cannot take credit, after nearly four years, for the development of any new housing approach or even for initiating the discussion and leadership that might ultimately lead to one; yet at the same time it has repeatedly urged the Congress to remedy the existing program defects, without offering solutions of its own.

I would add only that Mr. Herber's reference to me as a "former realtor", while accurate, is, standing alone, certainly misleading. I have not engaged in the real estate business since my election to Congress in 1944. Surely twenty-eight years is adequate time to place a reasonable distance between the real estate industry and my responsibilities as a national legislator.

Sincerely yours,
William A. Barrett,
Chairman, Housing Subcommittee.

U.S. House of Representatives,
Subcommittee on Housing of
the Committee on Banking and
Currency,
Washington, D.C., September 26, 1972.

The Editor,
New York Times,
New York, N.Y.

Dear Sir: John Herbers' recent article, entitled "Federal Housing Reform Unlikely Despite Scandal", makes several serious charges against the House Banking and Currency Committee and its Housing Subcommittee on their handling of the 1972 housing and urban development bill, which deserve a full and serious reply.

Mr. Herbers asserts that despite the widespread scandals in the housing subsidy programs, the pending housing bill would "leave undisturbed the basic thrust" of these controversial programs; he blames this primarily on the "unusually close ties" between commercial interests and Committee Members; and the "common background" of the Committee's staff and representatives of the industry.

Mr. Herbers mistakes the urgency of dealing with abuses in housing programs for a strong drive to change the "basic thrust" of those programs. The bill deals directly with these abuses and the article should have pointed out the relevant provisions.

The Committee, in fact, should be commended for not hastily scrapping present programs in order to get rid of narrow, though widespread, abuses. Neither Committee Members nor other Members of the House wish to suspend the considerable benefits that existing programs bring to hundreds of thousands of poorly housed families *prior to* the development of a more satisfactory and workable substitute.

The "unusually close ties" between commercial interests and Members of Congress and the "common background" of Committee staff members and industry representatives cannot be denied; but they are simply not significant without an evaluation of their impact on specific legislation. The banking and savings and loan industries, for example, have virtually no impact on legislation dealing with the housing subsidy programs; since they simply do not participate to any important extent in the FHA housing programs. Similarly, if the "common backgrounds" to which the article refers were a crucial element in the legislation, it is highly unlikely that these "special interest" groups would have so vigorously opposed and criticized the pending bill. Mr. Herbers' conclusions do not stand up, since they do not specify the provisions of the bill that appear to him to be a result of the "unusually close ties" and "common backgrounds."

I would add only that Mr. Herbers' reference to me as a "former realtor", while accurate, is, standing alone, certainly misleading. I have not engaged in the real estate business since my election to Congress in 1944. Surely twenty-eight years is adequate time to place a reasonable distance between the real estate industry and my responsibilities as a national legislator.

Sincerely yours,

WILLIAM A. BARRETT,
Chairman, Housing Subcommittee.

EDUCATION ON POPULATION GROWTH

(Mr. SCHEUER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCHEUER. Mr. Speaker, I rise today to present on behalf of a half-dozen colleagues on the Education Committee an amendment to the Environmental Education Act of 1970. The purpose of this amendment is to insure that the Office of Education, in carrying out its mandate under the Environmental Education Act, gives adequate emphasis to the funding of programs focusing on the dynamics of population growth and their implications for our society. In the 2 years since the Congress enacted this landmark piece of environmental legislation, the intimate linkage between environmental quality, population growth, and population distribution has become highly visible and evident to those involved in formulating environmental policy.

The head of the Environmental Protection Agency, M. William Ruckelshaus, has repeatedly testified that on the basis of "foreseeable technology" his Agency will be unable to carry out its mandate to combat air and water pollution on the basis of continued population growth. And just this past summer the Honorable Russell Train, Chairman of the Council on Environmental Quality, repeated this warning that preservation of environmental quality demands the stabilization of U.S. population.

These opinions are buttressed by a 2-year study conducted by the Commission on Population Growth and the American Future on which I had the privilege of serving, which found that population was a critical factor in long-term environmental quality, and that a number of environmental problems such as water shortages, adequate recreational facilities, and land use planning, were seriously exacerbated by population growth even in the short run.

These warnings, I am heartened to note, have not been ignored by the American people. The Census Bureau has recently reported that for the first time in our history, this Nation has reduced its fertility over a 6-month period to the "replacement level," an average family size of 2.1 children per family. There are those, I am aware, who have trumpeted that this means the population problem has been solved—just as there are those drivers who, having successfully avoided their first near accident on a long trip on our overcrowded and congested highways, relax on the assumption that all will be well for the rest of their journey. The fallacy in both cases is the same—for at replacement rates of fertility we are compelled by the demographer's calculus to maintain a constant fertility rate for the next 70 years in order to reach stabilization. And a look at the changes in fertility rates for this country in the 20th century shows us that such rates have never remained constant for even a decade, to say nothing of 70 years.

What are the chances that we shall achieve such stable birth rates? Not very good, if we continue on our way as a nation of demographic ignoramuses. The Population Commission found that only 40 percent of the American people were able to make an intelligent guess about the total population of the United States, and that only one-sixth could make such a guess for the world. An earlier Gallup poll found that two-thirds of the American people believed that the poor were the largest single factor in U.S. population growth, although the Census statistics show that it is the middle class which contributes the overwhelming bulk of U.S. growth.

This population illiteracy, of course, is not an isolated anomaly in environmental matters. It was the general environmental illiteracy of the American people which led the Congress to enact the Environmental Education Act. As President Nixon has said:

> It is vital that our entire society develop a new understanding and a new awareness of man's relationship to his environment—what might be called "environmental literacy."

And population literacy needs to be a significant part of such environmental literacy.

Indeed, the legislative history makes it clear that in enacting the Environmental Education Act, the Congress believed that it was dealing with population as a part of the entire environmental problem. The definition of environmental education in the act specifically includes "the relation of population" to other environmental factors. This very broad mandate was affirmed by then Commissioner of Education James Allen, who told the Senate Education Subcommittee during its hearings on the bill that he expected that most of the grants funded under the act would include significant population components. Both Commissioner Marland and Assistant Commissioner Don Davies have assured the Congress within the last year that they were aware of our concern on this matter, and that they would act to see that population was fully incorporated within the environment education programs funded under the act.

But alas, promising our young people that we will educate them about the population realities of the world they will inherit is an inadequate substitute for actually educating them. And performance to date has come nowhere close to the promises. The guidelines issued by OEE for grant proposals do not even encourage the inclusion of population components. Friends of the Earth conducted a survey of 1971 grant recipients which found that only 6 percent of the average grant was devoted to population education, whereas 20 percent of the grants were for subject matter not even covered by the act's definition of environmental education. In fiscal 1972, 5 out of 162 grants were aimed at population education. The bureaucracy may be beginning to comprehend congressional intent, but they show no signs of feeling any sense of urgency about responding to it.

The Population Commission considered this problem, and called for passage of a separate Population Education Act. I concede that at some future date, if we are finally unable to develop effective programs of population education as part of our overall environmental education effort, this may be necessary. But I would prefer to see the two programs integrated, both because I believe there is a danger of excessive proliferation of specific grant programs, and because the subjects covered are intimately interwoven and connected. I believe that the Office of Education has demonstrated that, with the present wording of the Environmental Education Act, such integration will not take place.

For this reason my amendment would change the act in three ways. First, it would provide a more explicit definition of the way in which population education relates to environmental education, so that there can be no future misunderstanding of congressional intent on this matter. Second, the amendment would require that at least one-fourth of the grant money appropriated under the act in each year should be expended on programs related to population growth and distribution. This is in line with the promise made by Commissioner Allen before the bill was enacted, but which has never been carried out. Finally, the amendment would increase authorizations under the act to $35 million in each of the next 3 fiscal years. Such a level of expenditure would insure an adequate overall program in environmental education, and that the Population Commission's goal of spending at least $7 million for population education each year would be achieved.

Mr. Speaker, I believe that this amendment would provide a sound legislative framework for effective Federal programs in environmental and population education. But a framework is of little value unless it is built upon. In the first 3 years of the Environmental Education Act we have seen total appropriations of approximately $8.3 million, where the Congress had anticipated the appropriation of approximately $45 million. Unless the Appropriations Committee and the entire Congress make clear to the Office of Management and Budget that environmental education is, in OE's own words, "Education that cannot wait," we are going to see our best efforts to clean up the environment undone by our inadequate national understanding of what we must do.

HON. DURWARD G. HALL

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 60 minutes.

Mr. MILLER of Ohio. Mr. Speaker, in the closing moments of this Congress, I wish to pay tribute to a Member who, by his boundless energy, personal integrity, and dedication to purpose, has earned the respect of all Members of this body. When the gavel raps the adjournment of this 92d Congress, it will signify the closing of the illustrious career of my dear friend and colleague, DURWARD HALL. First elected to the 87th Congress, November 8, 1960, "Doc" HALL has served the people of Missouri's Seventh District with great distinction and they are justifiably proud of his excellent record in the Congress.

Often his skillful, meticulous work in the House Chamber has gone unnoticed by the press but if they had paid more attention, they would have reported a stalwart, first-class legislator at work. Holding close rein on the business conducted on the House floor, "Doc" has earned the reputation of "House watchdog." Little escaped his close, analytical scrutiny. Under his watchful and probing eye, deadwood legislation was weeded out, the rules of the House were followed to the letter, and the taxpayers were saved millions of dollars. Because of his omnipresence, we all have had to do our homework and be a little better prepared in debate to answer his probing inquiries.

At no time have Doc's commentaries been so poignant as over the past several weeks during our rush to adjournment. His constant cautioning about the "squeeze play" and legislating in haste have given us cause to reflect longer and deeper about the bills we consider.

Doc HALL is what every schoolboy envisions a legislator to be—a debater, a prober, a man of great courage and conviction. Yes, he has become an institution within an institution. This body is losing a talented legislator and the American taxpayer is losing a true friend. All of us will miss him.

One of the most enjoyable experiences in my 6 years in the Congress has been by association with Doc. I wish him and his wonderful wife Betty much happiness in their retirement.

DEPARTMENT OF AGRICULTURE ORDERED TO STOP PAYING SUGAR SUBSIDIES TO LOUISIANA SUGAR GROWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 20 minutes.

Mr. O'HARA. Mr. Speaker, in my capacity as chairman of the Subcommittee on Farm Labor, I was delighted to note that U.S. District Judge John H. Pratt has ordered the Department of Agriculture to stop paying sugar subsidies to Louisiana sugar growers until the Secretary of Agriculture pays sugar workers in Louisiana back wages which were wrongfully withheld from them by a Department of Agriculture order in 1971.

I was particularly pleased at this order because I believe that the hearings held by my subcommittee in March of this year may have been of some assistance in getting the facts on the record, so that the courts could take action on USDA's contemptuous disregard for the law and the economics of the sugar industry.

Let us look at the facts. The Sugar Act requires, as a condition of the payment of subsidies, that growers pay their workers no less than an amount determined every year by the USDA. Every year during the history of the present act, there has been a hearing, every year USDA has made some kind of determination, and almost every year they have ordered the wages—which are minute even now—raised a few pennies an hour. Sometimes the USDA determination has been that no raise was called for. But they have made some determination and put it into effect for the sugar workers.

In 1971, the Department held its customary hearings. And it made its customary determination, which it announced in glowing prose, calling attention to USDA's generosity to the sugar worker. But there was a small technical difference between 1971 and the previous years. In 1971, Mr. Speaker, the wage increases were carefully made effective after the harvest season was over—so in Louisiana no one got any of the "new wage," and in Florida, the other area covered by the "new rates," most of the workers had also departed before the effective date.

The Subcommittee on Farm Labor held hearings on this shocking abuse of discretion by the Secretary of Agriculture, and we were, to put it mildly, not impressed by the arguments offered by USDA witnesses.

We were not impressed by the arguments of USDA's Sugar Division that production had been so badly cut by a September hurricane that they just could not pay improved wages—and whatever weight that argument might have carried was undercut subsequently when the growers were granted more acreage to make up for their lost production.

We were not impressed by the argument that the President's wage freeze required the delay in increased sugar wages until December 22—especially when one contemplates the fact that the wage freeze expired on November 13.

Nor were we impressed by the letter from then Assistant Secretary of Agriculture Palmby explaining why the Department refused to order growers to pay wage rates even though the growers had been recompensed for some of the losses by being granted additional acreage. Mr. Palmby's viewpoint was summarized in a sentence in his letter to Mr. Peter Schuck, in which he said:

> We do not believe that a producer, in order to become eligible for a Sugar Act payment, should be required to meet minimum wage requirements that were not known to him or in existence when the work was performed.

As Members of this body well know, Mr. Speaker, it little matters to the bureaucrats in the executive branch whether or not we Members of the Congress are "impressed" or not by their arguments. Once they decide to do something, they do it, and our protests are usually ignored.

The courts, however, also have a role to play—sometimes a good one, sometimes not. In this case, they played a very useful role.

Armed with the record of our hearing, and with their own research and their correspondence with the USDA, the sugar workers went to court, and on Wednesday last, they prevailed.

Secretary Butz has been ordered to withhold the payment of further sugar subsidies until the sugar growers pay back to the sugar workers the wages they should have been paid if the USDA had done its duty a year ago.

So, the friends of the sugar worker are dancing in the streets because everything is all right. Right? No, Mr. Speaker, wrong, dead wrong.

The sugar worker is only just beginning to get the barest glimpse of a shadow of a hint that things may come right.

And his Government is continuing to manage the labor supply for the sugar grower as though the grower alone were important to that government, and the workers were only so many domestic animals.

Let me explain.

The 1972 harvest has already begun, in Florida and in Louisiana. The 1973 wage rates have been announced for Louisiana—though not for Florida, as yet. But they are effective October 23—in some places as much as a month after the harvest has begun.

In Florida, rates for this year have not been announced. So, the U.S. Department of Labor—whose Rural Manpower Service was this year the subject of severe criticism by the Department's own special review staff for its laxity in doing just this—has gone out in its annual charade to see "if there are domestic workers available" for the sugar harvest at last year's rate.

Naturally, there are few if any sugar workers available at last year's rates, especially when they know that there will soon be an increase—or there is supposed to be one, anyway. So, the Department of Labor announces that "there are no domestic workers available," and the growers proceed to import workers from the British West Indies. In spite of massive unemployment in Florida, as elsewhere, the Department of Labor, which is supposed to concern itself with the interests of American workers, baldly announces that there are no workers available, and permits sugar growers to import workers from outside the United States—workers who, incidentally, are unable to complain against mistreatment, against short wages, or to show the slightest interest in unionization because the minute they do, they lose their jobs, and are deported back to the British West Indies.

It is a neat arrangement, Mr. Speaker. The USDA carefully delays the setting of wages as late as it can. Now that it cannot get away with delaying them until after the harvest, it simply delays them until after the Department of Labor has "looked for domestic workers" on the basis of last year's wages. The grower gets his license to import offshore workers, who constitute a massive and effective barrier against the efforts by domestic workers to improve their own lot.

Mr. Speaker, if this is not a conspiracy against sugar workers, I do not know what it is. That the U.S. Government should even permit such a conspiracy is a shame and a disgrace. That it should be a party to it is even worse.

The district court has spoken, Mr. Speaker. Secretary Butz has been ordered to withhold sugar subsidies from his friends until they start paying their workers what they should have been paying. I intend, if necessary, to call my subcommittee into session as soon as possible to see if he has done it.

Mr. Speaker, I include Judge Pratt's October 11 decision, and a fact sheet on the Florida situation at this point in the RECORD:

INFORMATION ON FARM LABOR IN FLORIDA SUGAR CANE HARVEST

The following information was compiled by the United Farm Workers Union, AFL-CIO to support the contention that laborers are being imported to work in Florida sugar cane fields at the cost of jobs to domestic workers. Further, the importation is being handled illegally.

I. Legal requirements for certification of temporary foreign labor (according to Immigration and Naturalization Service Regulations, summarized in Dept. of Labor Publication "Certification and Use of Temporary Foreign Labor for Agricultural and Logging Employment".)

The two major requirements which have been, and continue to be violated are as follows:

A. Prospective agricultural employers must file offers of employment for U.S. workers at the local office of the State Employment Service (in this case, Belle Glade, Florida). This must be done early enough for Manpower Administration to determine availability of domestic workers. According to law, these requests must be forwarded to other state employment offices where "reasonable efforts" must be made to secure American farm workers to fill these openings.

"Reasonable efforts" is explicitly defined in the document as including ". . . full use of workers who commute on a daily basis between their residence and the place of enployment, the use of the interstate clearance system, full participation in special youth recruitment programs, and the use of other recruitment measures which have produced or are expected to produce effective results." (602.10(d)(2)).

B. It must be determined by the regional Manpower Administrator (in this case, Mr. William U. Norwood, Jr.) of the U.S. Dept. of Labor that Employment OF TEMPORARY FOREIGN LABOR IN THESE JOBS ". . . WILL NOT ADVERSELY AFFECT THE WAGES AND WORKING CONDITIONS OF DOMESTIC WORKERS." (602.10(d)(1)).

II. Proof of persistent and blatant violation of both these legal requirements. (Data comes from U.S. Dept. of Labor and other governmental agencies)

Following statistics (from Farm Labor and Rural Manpower Services of the Florida Dept. of Commerce report) show that merely a "reasonable effort" in southern Florida would have discovered more than enough unemployed farm workers available for work in sugar. In this area (Belle Glade, Dade County, Delray Beach and Immokalee), the following data were recorded:

Date of observation	Employed domestic farm workers	Unemployed domestic farm workers	Certified foreign workers
Sept. 30, 1970	13,529	17,395	552
Oct. 15, 1970	14,731	16,193	1,206
Oct. 31, 1970	20,025	10,899	1,516
Nov. 15, 1970	22,654	8,270	4,596
Nov. 30, 1970	25,892	5,032	7,709
Dec. 15, 1970	28,652	2,272	7,960

Note that this data shows clearly that, in their rush to find employable domestic workers, the Manpower Administration overlooked up to 17,395 possibilities.

Domestic workers are in the sugar cane area during the harvest time. Migration of Florida workers to other states ceases to be practical during the Falls months because of weather and completed harvests in Northern states. The official State of Florida estimate of the number of Florida-based migratory farm workers who pick food crops in the East and East-Central regions of the U.S. during the summer months is placed conservatively at 87,000 workers. These people are then available to work in the sugar or other Fall and Winter Florida crops.

In addition, there are, according to the state farm labor report, 29,044 domestic farm workers (July 31, 1971 report). This number increases as mechanization decreases the number of jobs outside Florida and as more permanent year-round jobs are created in Florida.

Taking the 87,000 migrant workers in Florida during the sugar cane harvest, and adding the 29,044 permanent workers, the total number of farm workers in Florida available for work during the November to March sugar season comes to something around 116,000.

III. Proof of failure of regional Manpower Administration to determine that the employment of temporary foreign labor ". . . will not adversely affect the wages and working conditions of domestic workers."

How could trained professional labor economists in the Manpower Administration honestly believe that the wages and working conditions of south Florida farm workers would not be adversely affected by reducing their available employment by approximately 10,000 jobs or 25%? During the depths of the Great Depression there was a 25% reduction in employment in the U.S. It is generally agreed that incomes, working conditions and wages were seriously impaired at this time. In those years, unemployment meant middle and upper income people were out of work as well as the "traditionally poor". Now, when only the "traditionally poor" are involved, the outcry has all but ceased.

Whenever there is a large supply of unemployed workers seeking employment, working conditions deteriorate simply because a farmer will discharge any worker who complains about eroding working conditions. The supply of hungry, desperate unemployed workers is there to fill the gap. This situation accounts for the USDA statistics which show a continued decline in the average number of days worked per farm worker in our country. With a rising surplus of labor, each man works fewer days with a resulting fall in real income. The plight of this, the poorest segment of our work force, is severe enough without the Manpower Administration's illegal certification of foreign workers accelerating the hardships of our citizens.

IV. Proof that continued certification of foreign workers by the Manpower Administration is not simply a product of faulty economic reasoning or an inadequate effort to locate the large number of unemployed farm workers in the immediate area of Florida sugar production.

During the seasons of 1970 and 1971, there were agricultural disasters (a flood and a drought) in the Immokalee area of south Florida which induced the Secretary of Agriculture to declare an agricultural emergency for growers. While the farmers received governmental emergency relief for lost crops, farm workers who now had nothing to pick received nothing. Migrants marched to President Nixon's Key Biscayne home and were successful in getting an increase in food stamps for unemployed farm workers.

The Dept. of Labor also promised to increase jobs in the public sector for farm workers at this time. However, even though the President, the Secretary of Agriculture, and the Secretary of Labor admitted there was a crisis in agricultural employment and production, the Manpower Administration continued to permit foreign workers to hold approximately 9,000 agricultural jobs scarcely 100 miles away from the massive unemployment. It is to be remembered that such certification of foreigners to be legal requires that "reasonable effort" be taken to locate domestic workers. The blatant disregard for the law in these cases can be seen only as the Manpower Administration being the servant of large and politically powerful agribusinesses which control sugar production.

The 1972 written report, "Review of the Rural Manpower Service" (conducted by special review staff of the Dept. of Labor) has the following criticisms of the certification procedure for foreign workers (pp 32–41):

"Problems with this system became evident in the course of this review. In spite of the oversupply of labor and the increase in the unemployment rate over the last several years, intra-state and interstate orders for domestic workers have gone unfilled and the number of foreign workers being admitted has been moving upward. The number has increased from 13,323 in 1968, to 15,830 in 1969, to 17,474 in 1970.

Wages or earnings of foreign workers have been a particular problem. While the adverse wage requirements have provided a minimum hourly earning level, they have been difficult to administer in reference to piece rates. Wage surveys normally do not translate piece rates into hourly earnings. Since most foreign workers are paid piece rates, it is difficult to determine whether minimum hourly rate is being maintained. There is evidence that indicates that foreign workers do depress earnings.

In addition to the wage issue, employers also do not find it necessary, according to RMS staff, to give as much attention to the supervision of foreign workers as to domestic workers. The tendency is to use the threat of repatriation as a substitute for good supervisory practices.

The effect of foreign workers on the earnings in sugar cane is difficult to ascertain because of the method of computing pay which is on a non-uniform task rate basis. The system operates as follows: A "Scratch Boss" unilaterally decides what the rate will be for cutting a particular row of sugar cane. He determines the rate by sizing up a row of cane and estimating the time it would take to complete the row based on its length, width, density, and other factors. Pay is not based on a uniform rate per foot, or per ton cut, and may vary between rows a short distance removed from one another. This method allows for variations in average hourly earnings. . . . Regional Office and National Office Rural Manpower Service staff both expressed concern over this situation in that there have been complaints about earnings in sugar cane while the present pay system does not allow for verification of the earnings on any comparable basis.

Efforts at recruiting domestic workers appear to be largely pro forma. The State Farm Labor Director of one supply state said that interstate "criteria orders" (orders which must be filed before foreign workers can be certified) were routinely refused by his agency and were returned to the state where they originated. The reasons given for returning the orders, he said, were not the real reasons. While it might be indicated that the employment period was too short, the distance to the job was too far, wages or living conditions were unsuitable, or no workers were available, the more compelling reason was that the *orders were made to satisfy criteria for certification of foreign workers, and were never intended to be filled in the first place. He indicated that in the past when such orders were filled, employers would call his agency and ask why referrals were made on the orders when obviously they were only* *criteria orders*. (italic ours). He added that in some cases when workers were referred they would be laid off or would quit because of low wages or poor working conditions, and then would return to his state where their complaints and bitterness at being referred became an embarrassment to the State agency.

In the same vein, a farm labor contractor interviewed in the same state said he was reluctant to take crews to areas where foreign workers traditionally have been employed, because he has found working conditions to be particularly bad in those areas and he has trouble keeping a crew together. It was reported to the review team that workers who have been in those areas before will not respond to recruitment efforts because they know they are not wanted.

Foreign workers can be attracted by an employer, however, in spite of wages and working conditions that are refused by domestic workers. This is true because the wages and working conditions in the foreign areas where the workers come from are even less desirable by comparison than those in the U.S. The U.S. currency is desired by foreign workers because of the relatively greater purchasing power it has in the workers' home country. Hence, foreign workers, once they are here and working, tend to avoid complaining or agitating about conditions on the job, as they fear repatriation. A self-reinforcing cycle is thus created: foreign workers tend to depress wages; depressed wages discourage domestic workers from taking the jobs; and inability to recruit domestic workers is used to justify the use of foreign workers. The result is the continuation and expansion of the use of foreign workers despite an oversupply of domestic workers.

Nationally, the unemployment rate is 5.8% (September 1971) for all workers and 8.1% for agricultural wage and salary workers. Among the ten states in which temporary foreign agricultural workers were employed in 1971, September rates of unemployment for all workers ranged from 3.2% for Virginia up to 8.3% for Connecticut. The total unemployed in 1971 for these ten states was over one million persons, while the total number of foreign workers in 1970 was only 17,500. Florida, largest user of foreign workers under the program (approximately 9,000) is now faced with the problem of oversupply, and has discontinued any interstate recruitment to meet peak season labor needs for this year."

The first contingent of Jamaicans arrived on August 12, 1972, to work in seed cane. United Farm Workers has in its possession affidavits from workers who want to work there, but who were not contacted 30 days beforehand about availability of work. Employment office directors from other areas also testify that they were not contacted about availability of sugar cane jobs. In recent weeks, employers were encouraged by farm worker organizations to try harder at making the "reasonable effort" to get domestic help, and so ads were run in English-speaking newspapers and on English-language radio programs. Not only is there a low incidence of newspaper reading among the poor in general, but Cuban Americans and Mexican-Americans rarely read the English language press. Those farm workers with the highest incidence of unemployment for the sugar harvest season are now working outside the state. When the 87,000 Florida-based migrants return to look for work, foreigners will already be certified for the jobs in sugar. Rural Manpower Service, had they done their job of checking through interstate clearance programs for workers, would have been in touch with the migrants and known that they would return in time to work in the Florida sugar crops. Rural Manpower Service acknowledged that it no longer uses the interstate checkup because of the oversupply of farm workers in Florida. Yet the government continues to certify the foreign workers for these scarce jobs.

[In the U.S. District Court for the District of Columbia—Civil Action No. 1490–72]

Ruling of the Court

Huey Freeman et al., Plaintiffs v. U.S. Department of Agriculture, et al., Defendants.

Washington, D.C., Wednesday, October 11, 1972.

Before: The Honorable John H. Pratt, U.S. District Judge.

Appearances: John M. Ferren, Esq., and Philip C. Larson, Esq., Counsel for the Plaintiffs.

Michael A. Katz, Esq., Assistant U.S. Attorney, Counsel for the Defendants.

Proceedings

* * * * *

The Court: As one might gather from the questions we've asked, we think that the plaintiffs are entitled to a preliminary injunction.

First, it is our judgment that the Secretary had an obligation under the statute and the regulations not only to hold an annual hearing as to the wage scale applicable to sugarcane workers but also to issue an annual determination. Under the language of the regulations, after a reasonable time, the proposed annual determination is to be issued for immediate approval by the Secretary.

Taking into account past practice running over a period of 20-some years, this would mean that the annual wage determination should be made on or about the time of the start of the harvest season. So I think there was an abuse of discretion, if the Secretary had any discretion, not to have issued the annual determination prior to the time that he acted effective 7 January 1972. I think the announcement made, namely, that because of the Economic Stabilization Act he would make no wage change, did not amount, in effect, to an annual wage determination. It was not published in the Federal Register, and was nothing more than a statement by him that 1970 wage rates would remain in effect until further notice.

With respect to the second part of the complaint filed by the plaintiffs, it seems to the Court that the Secretary, in addition to being very late in issuing the annual determination, when he finally acted should have made it retroactive from the time of the harvest season.

Furthermore, in so doing he took into account factors that were other than those suggested by the four criteria in the Agriculture Adjustment Act; he should have considered the four criteria and then determined whether or not they were more or less than the 5.5% increase permitted by the end of the wage freeze on November 13, 1971.

Accordingly, because of the Secretary's unlawful conduct as described, I am going to issue the preliminary injunction and direct that the plaintiffs submit findings of fact and conclusions of law and a form of an order.

I assume, Mr. Katz, that you would like this order stayed until you have a chance to take an appeal?

Mr. Katz. Yes, Your Honor. Do I understand that Your Honor is granting all aspects of their motion for a preliminary injunction?

The Court. Do you have a form of order in here?

Mr. Larson. Yes, I do, Your Honor, at the back of our motion for a preliminary injunction a form of order has been drafted. I have a copy here. Your Honor, that can be used.

The Court. Let me see it. Oh, yes, that is part of your motion and you have also included that in your memorandum of points and authorities, but you don't have a separate order form.

Mr. Katz. You submitted an order. I've got a copy of it.

Mr. Larson. Here's a separate order, Your Honor. Excuse me. That is just to deny the defendants' motion to dismiss in connection with our motion for a preliminary injunction. I think we have an appropriate——

The Court. I've seen that, but that doesn't do anything more than deny the government's motion to dismiss.

Mr. Larson. Yes, this is it. Mr. Katz has a copy here.

Mr. Katz. I haven't seen the other order.

The Court. In your motion, Mr. Larson, you request that the Court issue a preliminary injunction:

(a) restraining defendants and their agents, employees, successors in office, and all persons acting in concert with them from making any further subsidy payments under the Sugar Act of 1948 for the 1971 Louisiana sugarcane crop or any future sugarcane crop until final disposition of this cause on the merits; and

(b) ordering defendants and their agents, employees, successors in office, and all persons acting in concert with them to issue, within 30 days from the date of the Court's order, an amended 1971 Louisiana wage determination (establishing fair and reasonable wage rates for Louisiana sugarcane workers) which (i) shall be based solely upon consideration of appropriate factors prescribed by the Sugar Act of 1948 and (ii) shall apply to all labor performed on or after October 1, 1971, in the harvest of the 1971 Louisiana sugarcane crop and the planting and cultivation of the 1972 Louisiana sugarcane crop.

Mr. Katz. Your Honor, may I just reiterate with respect to that second prayer that it seems to me that if that were part of the preliminary injunction, that would grant all that plaintiffs desired from this action and would be tantamount to granting final judgment.

The Court. Well, I said at the outset of the hearing on the preliminary injunctions that I thought it would conclude this case. Usually it does. If I had granted your motion to dismiss, that would have ended it, too.

Mr. Katz. Well, we might be entitled to further proceedings in terms of a motion for summary judgment, and we might be entitled to submit further material.

The Court. I am going to grant the relief requested in both parts.

And as a further finding, I would hold that the criteria of A Quaker Action v. Hickel and Virginia Petroleum Jobbers have been met.

First of all, it is our opinion that there is a substantial likelihood that the plaintiffs will prevail on the merits. Our reasons for this opinion have already been spelled out.

Second, the Court believes that the plaintiffs do not have an adequate remedy at law, and because of that will suffer irreparable injury unless relief is granted.

Third, as far as the public interest is concerned, it seems to us that the public interest is represented by the expressions of Congress and the instant statute favors granting the injunction.

And, finally, balancing the equities between the plaintiffs on the one side and the producers on the other, it seems to us that, on balance, the equities clearly favor the plaintiffs.

Mr. Larson, you submit findings of fact and conclusions of law and an order consistent with those.

Mr. Larson. Thank you, Your Honor.

The Court. Thank you, Mr. Katz and Mr. Larson.

Mr. Katz, I am dismissing your motion on the form submitted by Mr. Larson.

We will stand recessed until tomorrow morning at 9.30.

COMMENDING THE HONORABLE PAGE BELCHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. TEAGUE) is recognized for 5 minutes.

Mr. TEAGUE of California. Mr. Speaker, I am anxious to call to the attention of my colleagues the following excellent remarks made by Mr. Bryce Harlow regarding our good friend, the Honorable PAGE BELCHER:

> Dear hearts and gentle people. What has risen before you is the eroded remnant of a giant of a man—one who has had the distinction and delight—yea, even the obligation—to labor well nigh a quarter of a century tete-a-tete with the incredible, peerless, formidable, lovably cantankerous Congressman Page Belcher of Oklahoma.
>
> Well I recall our first encounter when I loomed over him when he first came to Congress. In that very first session, when I imprudently rendered a judgment counter to his, I discovered I quickly lost three inches in height due to his remarkably acerbic, rapier and scalpel-like tongue.
>
> From that day forward I followed that old piece of doggerel in my relations with Page:
>
> Those who fight and run away
> Live to fight another day.
>
> Only by careful adherence to that doctrine have I survived to be here this evening, joining in tribute to one who has become a pillar in Congress, one who has been a mainstay of the Republican Party for all the years I have known him.
>
> Now let's be perfectly frank about Page. After all, he would expect that of us. The simple truth is, it would probably be easier now and then to live with Gloria Steinem than with Page Belcher when you get right down to it.
>
> My observation has been that there are two ways to get along with Page. One is his way. The other is his way. There's just no other way.
>
> And that is precisely why he is what he has come to be—Page the Incredible.
>
> I have seen this man, during my ten years in the White House, overcome not one, not two, not five, but a whole procession of obstacles before which lesser men would have quailed. Why, Page, even Ezra Taft Benson at the zenith of his imperturbable inflexibility never once even approximated your doggedness, your tenacity, your automatic, absolute insistence on achieving your purpose once your mind is made up.
>
> Now in some people that kind of an attribute is not necessarily a handsome one. You know such a fellow can come to be viewed as dogmatic, or intolerant of others' views, or just plain bullheaded.
>
> Well, to be honest about it my friends, there have been times that I have thought Page was coming just a bit close to some of those things when, no matter what I tried to say, and no matter what the President or anyone else tried to say, he went cheerily careening down the highway of his choice, forcing the rest of us to dodge away for fear of our lives.
>
> But there is a difference here—a really noteworthy difference. Let me put it this way.
>
> Did you ever see a lovable cocklebur? Now some of you would say you haven't—but you lie in your teeth when you say that because that's precisely what is with us this evening.
>
> Yes, Page is tough and Page is rough, and Page is demanding, and he will push around the biggest people in the entire United States without the slightest hesitancy, and virtually always with complete success in what he is trying to do.
>
> But—and here's the big difference—always we have known, we who have been so lucky as to have worked with this gifted man, that his motives always have been gold undefiled. It is party loyalty that motivates Page. It is loyalty to our country that motivates Page. It is that grand concept of the long-term interest of the American people, the avoidance of the tawdry, the expedient the short-sighted solution that control Page. And so, a soft-hearted, a good-hearted thistle—a tough man, an able man, a driving man—but, oh, such a good man—that's our Page.
>
> I, for one, am so mightily proud to have been able to work with him on many of his major achievements in his Congressional years, and as a fellow Oklahoman I glow like a firefly because he is a product of my state.
>
> I guess one of the most enjoyable parts of what I am saying to you is to convey my understanding that he has decided to remain in these environs in which he has been so dominant and so constructive and so admired for so long. I frankly say Washington would be a far lesser place if he and Gladys should leave, and thank God they are staying, for their counsel, judgment and friendship will continue to be sorely needed by us all.
>
> Let me close off with a sidebar comment—Gladys.
>
> I have talked of Page being so big and so rough and tough, but, friends, everyone of us has seen him hunker down like the proverbial dog in the hailstorm when Gladys, irresistible Gladys, has turned and said, "Now, Page." So in saluting you, Page, we know full well we are saluting as well your wonderful lady, who I have reason to believe has been your anchor as well as your rudder, and I rather suspect also your engine, all of these years.
>
> I suppose I am the right one to say one thing more, in light of the way this program has shaped out—a simple parting thought.
>
> May the sun be in your face, may the winds be to your back, may all your breezes be fair and balmy, and may the Lord's hand be on your shoulder as you move down the street a piece but carry forward your devotion to this greatest country on earth.

THE MILITARY-INDUSTRIAL COMPLEX—A LOOK AT THE OTHER SIDE OF THE COIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GUBSER) is recognized for 15 minutes.

Mr. GUBSER. Mr. Speaker, for a number of years now a vocal minority has bombarded both the Congress and the American people with accounts of the sinster nature of the military-industrial complex. It has cited instances of gross mismanagement of military and space programs, and has emphasized horror stories of cost overruns to the point where the true situation has become completely distorted. There have indeed been a number of spectacular overruns, plus on a few occasions some well publicized difficulties in meeting very advanced specifications.

But for every overrun and every missed target date which you read about in glaring headlines there are dozens of success stories which go unnoticed. There is another side of the coin which is drastically different than the sensationalistic condemnation of the military-industrial complex which you read about so regularly. One of these examples is the fantastically successful Titan III program carride on by United Technology in Santa Clara County, Calif.

On the whole, the groups in the military services and the industrial concerns who carry out the Nation's aerospace programs are among the most dedicated, honest, and hardworking organizations in our country today. It must also be stated that they have been successful in providing the advanced systems which are necessary for our national security in the face of substantially decreased funds for research and development. As you may know, since 1963, in terms of actual purchasing power, our rate of annual funding for the nonmanpower elements of defense, including research and development, has actually decreased nearly 25 percent. This, incidentally has occurred in the face of an increase of about 15 percent per year in the rate of funding for military-related research and development by the Soviet Union.

Unfortunately, it is generally only the few cases where difficulties are experienced that receive intense public exposure with the result that our entire system comes under attack. These attacks come from both individuals and groups with motivations which vary from genuine concern and desire to improve our national efficiency, to publicity seeking, to a desire to weaken our defense capabilities. At this time, I believe it is appropriate to cite one example out of a number which could be described which represents the type and quality of effort that has been carried out by our Defense Department time after time, and which seldom, if ever, receives any publicity.

Through the late 1950's we faced a so-called "booster gap." It is not the generation gap or any of the other popular gaps we contend with today. It was discussed both in the Congress and in the press, and it was recognized as a serious problem for our country. The booster gap involved the ability of the Russians to loft huge payloads into space using their very powerful Cosmos boosters, while our country had to be content with much smaller payloads because our boosters were much less powerful than those of the Russians. As our need increased for the capability of launching large payloads into space, various avenues were explored in an attempt to find a way to develop an economical and, at the same time, highly reliable family of standard space launch vehicles. These vehicles were to be used not only for use in putting heavy payloads into space, but also were to be suitable for manned missions.

After painstaking considerations of need, cost, and technical capability, a plan evolved for the development of a family of space boosters to be called Titan III's. The plan utilized as its core an existing two-stage vehicle, the Titan II, one of our advanced ballistic missiles, which was also used to put our Gemini spacecraft into orbit, in a very successful program which began in April 1964. New elements for the Titan III system included a third stage and an advanced inertial guidance system. Two huge solid propellant rockets, ten times larger than anything in our inventory at the time, were planned to provide an initial lift-off thrust of nearly 2.5 million pounds force. The Titan III vehicle using the huge solid booster dockets would have the ability to put 25,000 pounds in low earth orbit or approximately 2,200 pounds in a 24 hour synchronous equatorial mission.

The job of developing this advanced new space vehicle and getting into operational status was given the U.S. Air Force and, in turn, to its Systems Command. Along with this charter came the most stringent requirements to stay on schedule and within budget.

Rising to the task, the Air Force put together a military-industrial team that worked together with the precision of a fine watch and which met or exceeded all of the schedule and budget requirements laid down by DOD. The Air Force management team was led by the Titan III Systems Program Office which was attached to the Space Systems Division of the Air Force Systems Command—now the Space and Missile Systems Organization—with systems engineering and technical direction being accomplished by the Aerospace Corp., a nonprofit organization. Industry included the following associate prime contractors:

Martin-Marietta Corp.—Liquid propellant booster stages and system integration.

Aerojet General Corp.—Liquid propellant engines.

AC Electronics, division of General Motors Corp.—Guidance.

United Technology Center, division of United Aircraft Corp.—Large solid rocket boosters.

In addition to these prime contractors, literally thousands of subcontractors across the Nation provided components for this vital program. Actual development and fabrication of the new boosters was initiated in late 1962. So precise and efficient was this team, that the first launch of the new vehicle came within 6 days of a date planned at the inception of the program 4 years earlier.

The third stage was designed and built by the Martin-Marietta Corp. utilizing a set of new liquid propellant engines developed by Aerojet General Corp. The engines were fired for the first time in July 1963 at Sacramento, Calif. This stage has the capability to change orbits and was namel "Transtage."

After AC Electronics completed the basic design of the inertial guidance system in the spring of 1963, hardware was fabricated and the first test of the system was completed in December 1963. The development was completed on schedule and the system performed within specifications on the very first flight.

Adhering to the same master schedule, in July 1963, United Technology Center successfully tested at their Santa Clara County, Calif., facility the 500,000 pound, 85-foot tall solid propellant booster rocket to be used in pairs as the initial stage of the Titan III. Because the predessor Titan II vehicle's two stages—stage I and stage II—were retained with only slight modifications, the big solid rocket boosters which became the initial stage were identified as "Stage Zero." Twenty-five months after go-ahead, in December 1964, United Technology Center shipped the first pair of flight boosters to the launch base. There, during the spring of 1965, all of the Titan III-C stages were assembled and subjected to rigorous preflight testing. On June 18, 1965, the first vehicle was successfully launched. It met every one of its performance specifications.

The planned versatility of the Titan III booster has been well demonstrated since that time with over 60 flights having been performed to date. Over 20 of these flights have utilized the large solid propellant boosters which currently have a flawless record of performance. This program has always operated within its established budgets.

Now, the NASA plans to use Titan III vehicles for the unmanned spacecraft "Viking" which is scheduled to land on the planet Mars in the next few years.

As I stated in my introductory remarks, the Titan III program is only one of many in the relatively short history of our space programs where a Government agency has worked side by side with its industrial partners, and has done a difficult job with economy and efficiency—on schedule and without cost overruns. Further, the experience gained in the Titan III program with its unprecedented record of successful booster performance will undoubtedly pay further dividends in reduced costs and higher reliability for NASA's new and versatile space shuttle which is now on the drawing boards.

While it is certainly true, as every farmer knows, that one bad egg when broken receives more attention than 10 dozen good ones, it is unfortunate that successful programs of the type which I have just described do not receive the public notice which is their due. The American people have a right to know the country generally gets a good value received for its dollars spent on our defense and space programs.

THE ENERGY CRISIS IS REAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 25 minutes.

Mr. HOSMER. Mr. Speaker, on June 27 an article from the June 26, 1972, issue of the Nation appears in the CONGRESSIONAL RECORD as an alleged example of "good, tough journalism." The article, by Robert Sherrill, was entitled "Energy Crisis—The Industry's Fright Campaign." It was included by our colleague from Wisconsin (Mr. ASPIN) as part of his remarks extended at page 23033.

With power blackouts reported in New York and elsewhere, it is incredible that anyone would still believe that the energy crisis is a figment of someone's imagination. But what is most frightening about the article and the comments introducing it is the assertion that it is an example of good journalism. In fact, the article is full of distortions, misrepresentations and fallacies. It would take too long to enumerate them all, so I will cite only the more obvious and glaring examples.

First, the natural gas shortage was not sprung on the public as a sudden surprise, as contended. Nor was it a direct offspring of the 1968 Supreme Court decision in the Permian Basin area rate case, as implied. Petroleum industry executives have been warning for years that Federal controls on natural gas producers were discouraging the search for new reserves. Spokesmen for the American Gas Association have issued similar warnings.

One published example, among many, appeared on page 19 of the August 27, 1964, issue of Public Utilities Fortnightly in an article entitled "Regulation and Our Dwindling Gas Supply." It was written by H. K. Hudson and R. L. Howard, who were identified respectively as a retired counsel and an economics adviser for Phillips Petroleum Co. at Bartlesville, Okla.

The authors wrote:

> With total exploration (geophysical and drilling) down to its lowest level since World War II, discoveries of new gas reservoirs have gone sharply downward during the last 4 years to 76 percent of the 1955 rate, while development of our known gas reservoirs continued upward until 1962 (using up our development locations), when it too followed sharply downward.
>
> Unless these trends are reversed, full-line deliverability life for gas pipelines by 1975 will not exceed 4 or 5 years at best. Before that point, the enormous capital investment of pipeliners and distributors would be in serious jeopardy, and their customers will face scarcity.

In a 1965 speech, Bruce R. Merrill, counsel, Continental Oil Co., said:

> The (Federal Power) Commission is either a great cynic, or the coolest of gamblers, for it takes the position—contrary to the great weight of the evidence—that the present level of exploratory drilling is satisfactory. . . .
>
> What if the Commission is wrong? What if the current level of exploratory effort is not sufficient? What if the established rates do not increase drilling activity, do not maintain the current level, and cause even a further decline? What if a cost formula won't work for the fixing of rates in this industry? What if value considerations cannot be ignored? What happens when the first pipeline has to curtail service for want of gas? What if the industry was right?

The following year Stanley Learned, then president of Phillips Petroleum Co., uttered these cautionary words in a speech to the Executives' Club of Chicago:

> With demand and production going up and additions to reserves maintained at the average of the last few years, we reach the danger point in about 2 years where we will be consuming more gas than we're finding.

Many more examples in the same vein could be quoted, but these should be enough to show that the petroleum industry endeavored to warn consumers about the downward trend of gas supplies years before the Supreme Court Permian Basin area rate case decision.

Even in discussing of the 1968 Permian Basin case, the Sherrill article displays a curious selectivity in the use of quotations. One part of the Supreme Court majority opinion is quoted but this key sentence is omitted:

> We do not suggest, nor did the Commission, that the Commission should not continuously assess the level and success of exploration, or that the relationship between reserves and production is not a useful benchmark of the industry's future.

Also ignored is this sentence in a key footnote to the majority opinion:

> It is, however, proper to recognize that the ratio of new discoveries to annual net production has generally declined since 1946, although the decline is neither steep nor consistent.

In the 4 years that have passed since that opinion was delivered, on May 1, 1968, the drop in proved gas reserves in the lower 48 States has been both steep and consistent. At the end of 1967, just before this Supreme Court opinion, proved natural gas reserves were equal to almost 16 times annual production. By the end of last year, proved natural gas reserves in the contiguous 48 States were equal to less than 12 times 1971 production. An additional 26 trillion cubic feet of proved gas reserves under Alaska's North Slope will not be available to consumers until a pipeline to transport this fuel to market is authorized and built.

Proved natural gas reserves in the lower 48 States have declined in each of the 4 years after the Permian Basin decision. The public has been consuming more gas than industry has been able to replace with available new discoveries. This, as the Supreme Court suggested, should be regarded as "a useful benchmark."

Second, the article mentions, without describing, what is termed "excellent circumstantial evidence" against the oil and gas industry put together by Charles F. Wheatley, Jr., general manager and general counsel of the American Public Gas Association, which is referred to as "a proconsumer organization." However, the March 1, 1971, issue of Gas & Oil Journal, in the feature "Fiction & Fact," gives this revealing bit of background about Wheatley's claims:

> But the most persuasive answer to Mr. Wheatley's charges comes from his own constituents—municipally owned distribution interests he is hired to represent and protect. There has been a veritable flood of letters to FPC and the APGA officers from cities protesting APGA's position on producer rates. APGA recently asked cities operating their own systems to contribute to a fund to finance opposition to the proposed rate settlement in southern Louisiana negotiated by producers and distributors. Dozens bluntly replied that APGA wasn't representing their interests or the interests of consumers.

The Oil & Gas Journal item goes on to quote specific statements by individual mayors and is somewhat more convincing journalism than making accusations about deep plots and skulduggery without providing a single shred of evidence to support the charges.

Third, the Sherrill piece declares :

> And if the Supreme Court demanded a showing of shortage before it would go along with industry, then industry was prepared to juggle the record to show just that.

Here are underlying facts that this assertion ignores:

It quotes the following from the 1968 Supreme Court opinion in the Permian Basin Area Rate Cases: "There is . . . substantial evidence that additions to reserves have not been unsatisfactorily low, and that recent variations in the ratio of reserves to production are of quite limited significance."

But in reading this opinion two key footnotes in that particular sentence must be regarded in context. Both footnotes refer to statements of the American Gas Association at a time when that organization did not think there was reason for concern about the trend of proved reserves. However, when proved gas reserves began a persistent decline, the Association changed its view.

AGA is the organization that annually compiles and publishes statistics on proved natural gas reserves and is the source of the figures under discussion. It represents gas distributing utilities and gas transmission companies. Its membership has nothing to gain, and much to lose, from a shortage of natural gas.

This was underlined by the association's vice president, George H. Lawrence, when he testified on April 13, 1972, at hearings on the energy situation conducted by the House Interior and Insular Affairs Committee. He said that AGA members would realize "no self-serving benefit" from trying to make people believe in "a nonexistent gas shortage." On the contrary, he said, "our competitors use this fact against us, our ability to finance is impaired, we cannot serve customers we have sought for years."

Lawrence went on to say that attacks on the American Gas Association's proved gas reserve estimates are now being made "by those who were quite willing to accept these same estimates in past years when they indicated an excess of discoveries over production."

Fourth. Errors in the Sherrill article extend beyond mistaken claims about the gas shortage. it claims:

> Industry's fright campaign can be easily documented by turning to that standard index of periodical literature, *Reader's Guide*. From March 1968 to February 1969, just three years ago, *Reader's Guide* lists not one article on the topic of energy shortage. In fact, there are no magazine articles that point even obliquely in that direction.

Here are the facts about this claim:

Within the arbitrary time limit selected, feature articles bearing on some aspect of shrinking domestic petroleum reserves appeared in Forbes magazine for March 15, 1968—page 68—and the U.S. News & World Report of July 22, 1968—page 79.

Outside the narrow time boundaries chosen by the article, U.S. News & World Report ran a piece on shale oil and the tightening oil supply outlook in its May 31, 1965, issue—page 100—and another on petroleum supply in its January 15, 1968, issue—page 64—Despite the foregoing the Sherrill writing claims that all the articles on an energy shortage "appeared in magazines that can be counted on to give industry a helping hand."

And, is this a characterization of the Nation? It, too, published a piece in this vein in its January 9, 1967, issue—page 40. The author, Roscoe Fleming, gave a darkly pessimistic forecast of the future outlook for domestic liquid petroleum reserves and discussed the possibilities of oil from shale to meet surging demand.

The daily press also ran numerous reports, editorials, and features during the sixties on the trends that pointed to a coming energy supply pinch. One example is a series on "The Petroleum Crisis," which appeared in The Philadelphia Inquirer April 23 to April 27, 1967.

Charges about a "fright campaign" fall apart when the Sherrill accusations are compared with the factual record.

Fifth, his article cites as one authority for his position an item in the October, 1971, issue of Pipeline & Gas Journal, which was written by the editor, Edward R. Leach. A comparison between Sherrill's version and the actual article shows that he has done violence to his source by wrenching phrases out of context. Leach actually wrote:

> All of these factors tend to offset the rule of diminishing returns to a degree, because—when you have the big volume of gas coupled with a favorable success ratio and high pressure—you are actually reducing the basic unit cost. But despite this, all agree that these future gas supplies are still going to be costly, and we are indeed drawing closer to that, as yet undefined, point of diminishing returns.

Elsewhere in the same article, Leach wrote and italicized:

> What it all adds up to is that future gas is going to be expensive.

It is a measure of Sherrill's standard of accuracy that he used out-of-context quotations from this Pipeline & Gas Journal article to try to substantiate his position that there is "no reason to accept higher prices, or at least much higher prices" for natural gas.

Sixth. Sherrill's article contains the statement that "the coal companies—which, since the inter-ties are almost total, means the oil and gas industry," another inaccuracy.

In point of fact, of the 100 largest coal companies only 10 are controlled by oil companies. These oil company affiliated coal companies accounted for a shade less than 20 percent of total coal production in 1970, the latest year for which figures are available. This hardly warrants the description or an "almost total" interrelationship.

The reason some oil companies have acquired coal companies could be inferred from the previously mentioned Roscoe Fleming article in the January 9, 1967, issue of the Nation. As domestic crude oil and gas reserves become harder and costlier to find in economic quantities, increased attention is being given to synthetic oil and gas from other sources. One of these sources will be shale oil, as discussed in the Fleming article. Another potential source is the manufacture of synethetic oil and gas from the huge domestic reserves of coal. The companies with coal interests evidently see possibilities in the conversion of that fuel and are simply showing industrial foresight.

Seventh, at another point, the Sherrill piece refers in a confused way to "the most profitable industry in the world." If by this term he means the American petroleum industry, he is wrong again. According to statistics compiled by the First National City Bank of New York, oil company earnings averaged 11.8 percent of net worth in the decade 1962–1971. Over the same period, and on the same basis, total manufacturing earnings averaged 12.2 percent. Far from being "the most profitable industry," petroleum's earnings ranged slightly below the all-manufacturing average.

Eighth, in a paragraph filled with propaganda-loaded phrases, the writing I am complaining about attacks the flaring of natural gas in foreign countries. This gas is not flared, as he suggests, out of willful malice. It is associated with oil in the reservoir and comes up when oil is produced. This gas is flared because there is no means of transporting it to a distant market.

This situation may change for some foreign producing fields because of progress in the new technology of liquefying natural gas and shipping it in special vessels designed for this purpose. The process requires extremely low temperatures and very costly facilities. Naturally, gas transported by expensive cryogenic methods has to sell for a high price. It could not compete with domestic natural gas, which is actually priced below its market value under Federal Power Commission control. But now that Government-established unrealistically low prices for domestic gas have brought about the shortage that Sherrill denies, arrangements are being made to import gas from overseas to sell at about double the highest prices allowed for domestic gas production delivered to the same point.

Ninth, oil company executives are accused in the Sherrill article of insisting that petroleum exploration go forward regardless of the consequences. It attributes to these executives the philosophy: "And to hell with conserving the tundra and the surf."

This charge—which is central to the theme of his article—does not have a single example to back it up in the article. If there were such examples, they could have used it to give substance to the accusation. That there were none is significant.

Since the Sherrill article refers to tundra, it must be referring to the proposed trans-Alaska pipeline in mind. An outstanding feature of this project is the extreme care exercised in its planning and design to prevent any harm to the tundra or to any other aspect of the Alaskan ecology. Up until late last year, it was estimated, almost $60 million had been spent on research to assure safe operation of the proposed pipeline and to protect the environment. This research is continuing. More than 100 construction and operating stipulations set forth by the Federal and State Governments in the interests of environmental preservation have been agreed to by the oil companies participating in this proposed project. There is no foundation at all for implying that the oil companies operating on Alaska's north slope have adopted an irresponsible attitude toward the ecology.

As for Sherrill's reference to the surf, the statistical record speaks for itself. Of some 14,000 marine wells drilled in this country to date only three have produced any significant pollution. Even these three widely publicized oil spills did no lasting harm to the environment. The oil industry is not satisfied with this record. It continues to strive for the highest level of safety in marine operations that is humanly and technically attainable. One would be hard put to find another human activity, taking place under anything like equal difficulties, that can match the current safety record of marine petroleum drilling and production.

Tenth, the article claims that "the Interior crowd has conceded a pipeline across Canada would be less ecologically dangerous" as a means of bringing oil from Alaska's North Slope to the lower 48 States.

In point of fact, the Interior Department has conceded nothing of the sort. In testimony before the Congressional Joint Economic Committee on June 22, 1972, Interior Secretary Rogers Morton said that a route through Canada would involve "a greater degree of unavoidable environmental damage than does the Alaskan route." This would be the case, he said, because of the greater length of a Canadian route, because it would cross more permafrost and more major rivers, and because it would require the extraction of much more gravel.

Eleventh, the parenthetical mention of Japan in the Sherrill article's reference to the proposed trans-Alaska pipeline is a phantom conjured up by opponents of this project. Even if approval is given in the near future for work to start on that pipeline, it is not likely to be completed and in operation before 1976 at the earliest.

By that time the domestic petroleum deficit for consumers on the U.S. west coast is expected to be so great that there would be no possibility of a surplus to ship to Japan. That would be true even if the Japanese were willing to buy small quantities of Alaskan oil at higher prices than they pay for purchases from the Middle East.

Twelfth, much of the Sherrill article is given to charges that there is no domestic shortage of natural gas and then it shifts over to talk about the administration being called on to help industry manipulate a deal for the purchase of Russian natural gas.

What "industry" does it refer to? It does not say. Would even the most naive reader think that any American industry—and especially the petroleum industry—would actually be pleased by gas imports from the Soviet Union? Is not it obvious to anyone with the capacity for clear thought that the possible purchase of natural gas from the Soviet Union is only a desperate expedient to tide the country through a domestic natural gas shortage brought about by the very Federal controls that the Sherrill article applauds?

There are a number of other fallacies in the article that could be dealt with in detail, but the foregoing should be enough to make the point.

The President of the United States has said that there is an energy supply problem. Both Houses of Congress have shown an intense interest in the energy supply outlook. During the first session of the present 92d Congress alone, 18 committees and subcommittees held 130 days of hearings on legislation and questions related to fuels and energy. Economists and other academicians have expressed concern about the energy outlook and "think tanks" and other researchers have studied the subject in depth. The press, radio, and television have all devoted time and space to this topic. Yet the Sherrill article makes the simple-minded claim that the whole thing is a hoax.

THE BOSTON GLOBE—SPOTLIGHTS THE CREDIBILITY GAP FOR COLEBROOK, N.H.

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 20 minutes.

Mr. CLEVELAND. Mr. Speaker, in a recent series of articles the Boston Globe was highly critical of the New England Regional Commission. Time does not permit a detailed analysis of the Boston Globe series.

However, because I was personally involved in one project, which was discussed by the authors of the article, I do wish to mention that. The project I am referring to is the regional commission's supplemental grant to the Upper Connecticut Valley Hospital in Colebrook, N.H. I lived with this project for a good many torturous months. I am proud of the fact that I was able to convince the Economic Development Administration and the New England Regional Commission that this was a project of vital necessity to the economic health and job potential not only for Colebrook, but large areas around Colebrook including parts of Vermont, Maine, and Quebec.

The Boston Globe reporters did a very sloppy job in commenting on this project. First of all, they did not even get the right name of the hospital. Second, they apparently spoke to no one who really knew about the background of the project. Dr. William Herbert Gifford, who, for agonizing years, fought redtape and bureaucracy to get this hospital finally built, was certainly not consulted. It is regrettable that the Boston Globe, which has been pontificating about the credibility gap, can add to the problem with this type of journalism.

Frederick Harrigan, the publisher of the News and Sentinel has written an editorial on this matter which I commend to my colleagues' attention. His sense of outrage and rightous indignation at the Boston Globe is justified. His editorial is not only factual, it is delightfully written. It deserves recognition and should be studied by all who are concerned with whether or not today's national media is reporting the news in a fair and accurate manner.

Mr. Harrigan's editorial follows:

An Editorial

In the October 9 issue of the Boston Globe, one of a series of "Spotlight" articles saw fit to attack the New England Regional Commission and its agency, New England Industrial Regional Development (NEIRD) for spending vast sums of money without creating any new jobs. In part, Monday's article said:

Most officials point to the failure of the commission to support a "comprehensive health master plan" in the region that was recommended in its own study done on the problem by Arthur D. Little, Inc. in 1970. Instead, the commission has funded 16 separate health projects in the region "on a willy-nilly basis, with no thought towards what's best for the region as a whole," said William Thompson, administrator of the Androscoggin Valley Hospital in Berlin, N.H.

Most criticized has been the Regional Commission's two largest grants in the region, both of which went towards the construction of hospitals in St. Johnsbury, Vt., and in Colebrook, N.H.

The Northeastern Vermont Regional Hospital in St. Johnsbury—which received a whopping construction grant from the commission—has been operating deeply in the red since it opened last January. At present, only one-third of its 100 beds are occupied and the entire third floor is unused.

The commission gave $400,000 in 1968 to help build the hospital. It's been the highest single commission grant for improving the health needs of the region's residents. But, according to Henry Coe, the commission's liaison man with the five rural counties, "right now, that hospital is a monument to ill-planning."

Similarly, the struggling Colebrook Hospital in New Hampshire was constructed with the aid of a $282,000 commission grant. Health officials fought the large grant to Colebrook because its location, is too distant from populated centers to attack the problem of lack of hospital care on a regional basis.

The critics appear to have been correct. Since opening last February, the hospital has usually had less than half its 37 beds occupied.

"A couple of self-serving officials in Colebrook were able to sell the commission on the hospital and that was it," Thompson, head of the Berlin, N.H. hospital said.

"There's really no difference between people up here and those in Boston," he continued. "They are going to put their own self-interests before the needs of the public as a whole, if they are allowed to. So far the commission has gone along and it's unfortunate. We're dealing with people's lives up here, not their careers."

Well, now, First of all, the Globe must have a million or so readers, and our puny 3,000 press run every week can't possibly reach even a fraction of that figure. In the interests of fairness, equal space would seem to be in order for this editorial, a copy of which is being sent on to the Globe, to the merits of the matter.

In the first place this far northern end of New Hampshire had a hospital built in the early 1930's, which was serving the public well, until the U.S. Public Health Service ordered it closed. Some 700 square miles of territory in New Hampshire, Vermont, Maine, and the Province of Quebec found itself without any hospital facilities at all, its people compelled to travel to Lancaster (37 miles from Colebrook, 65 miles from Pittsburg or Berlin (54 miles from Colebrook, 75 from Pittsburg)—and add another twenty miles or so if somebody happened to get shot or hurt in the woods up around Third Connecticut Lake.

Something had to be done, before somebody died in an ambulance on the way to a "regionalized" hospital, and before all the doctors gave up and left because they had no hospital facilities for their patients. It was.

One of the "self-serving officials" our neighbor over in Berlin imagines had read the Arthur D. Little report the Commission is accused of ignoring. On page 63, it says that, "Regionalization will have to emerge—it cannot be imposed." Colebrook and the North Country went to work with a vengeance. Fourteen towns in three States did all the paper work, mountains of it, which were required to justify a new hospital in Colebrook on the basis of saving and creating jobs. "Spotlight" researchers to the contrary, it's worked. The promise, backed up by letters from large employers in the area, was 300 new jobs in 3 years. As of the end of the first year the Upper Connecticut Valley hospital operated 218 such jobs had already been created. Among other things, the old County Hospital remained open as a nursing home, and employs between 90 and 95 local people right there.

The new hospital serves the Ethan Allen Inc. furniture factory at Beecher Falls, Vt. (employment up 64 since it opened). Tillotson Corporation's factory at Dixville (up 75), and the Wilderness Ski Area at The Balsons which is also growing by leaps and bounds. Scattered through hundreds of square miles of wilderness are innumerable hunting and fishing camps, employing hordes of local people and all depending on the hospital in Colebrook. A plywood factory at North Stratford has closed through circumstances beyond the control of local people. When, hopefully, it reopens with a payroll of more than 500 people, it will be at least partly because there is a hospital 13 miles away capable of serving all its medical needs.

Now, just a word about these "self-serving officials." They would include, undoubtedly, Dr. William H. Gifford, who spearheaded the work to get the new hospital built when he could have been tending his medical practice and making all the vast sums of money doctors are supposed to make. As it was, he had to mortgage his home and go on personal notes to keep the hospital in payroll money during the critical early period. Or perhaps Redmon Gorman, down in Lemington, Vt., who is almost 80 and doesn't get around as fast as he used to, but did yeoman work getting the hospital effort off the ground. Or the hundreds of people who put on hunters' dances, rug raffles, suppers, and other fund-raising events all through the area to scrape up the initial local contribution of $50,000 to buy the land and get the plans drawn up. These "self-serving" people got themselves nothing but headaches and battle fatigue, but they got their hospital, and being stubborn Yankees, they're going to make it go.

Perhaps I should take some of the blame. This little newspaper swung in behind the hospital effort from the very beginning—the News and Sentinel printed so many pictures of people giving Dr. Gifford checks that he finally insisted on having one taken with a barrel over his head. My own self-serving reward has been an opportunity to take a Red Cross course and qualify as one of a local band of volunteer ambulance driver-attendants. Which leads to another fact for the record—we've trained our own technicians, our own ambulance people, our own nurses' aides, and we have "feelers" from three young doctors in addition to the young general practitioner who came to the area almost simultaneously with the hospital.

Your "Spotlight" may be right more often than it's wrong—I'm sure it is. But its author should have come and spent some time in the far northern tip of New England before looking at a flat map and jumping to conclusions.

Mr. Thompson of Androscoggin Valley Hospital—with a friend like him, who needs enemies?—concludes that we're dealing with lives, not careers. He's so right, and lives are exactly the concern which brought our hospital into existence. Lives which would be lost in transit to remote hospitals elsewhere, lives that might well be lost through sheer loneliness and despondency because tribally-oriented North Countrymen wither when they cannot receive frequent visits from their relatives and neighbors, lives placed in jeopardy with every additional mile and minute it takes to get to a hospital.

Wishing nobody any harm, you understand, but I just hope neither the authors of "Spotlight" nor Berlin's Mr. Thompson ever find themselves suffering from a ruptured appendix or a critical gunshot wound up near the Chartierville border station. If that should ever happen, they'd see the light, real quick.

PRAISE FOR THE NIXON ADMINISTRATION'S ECONOMIC PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Railsback) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, I welcome this opportunity before the 92d Congress adjourns to go on record in praise of the Nixon administration's economic program. The latest economic indicators show an impressive recent performance by the economy, and are consistent with the growing confidence over future economic developments. The best news Americans have had for a long time is that the rate of inflation has been cut in half since August of last year when the President first implemented phase I of his new economic policy.

A very brief outline which describes the "goals" and the "results" of the Nixon administration's wage-price economic program shows how the economy has progressed in recent months.

Mr. Speaker, if there are no further objections I would like to insert that outline on the administration's economic progress for the review of my colleagues.

The material follows:

Key Facts on Wage-Price Controls

Goals

To reduce inflation to 2 to 3% by the end of 1972:

The Price Commission restricts price increases, on an average, to 2.5% per year;

The Pay Board holds wage increases to an average annual rate of 5.5%.

This combination allows further gains in real earnings and expected overall increases in productivity of at least 3%.

THE RESULTS

Wage-price decisions

Since November 14, out of a total of 13,177 submissions, the combined weighted average pay increase granted has been 5.0% affecting over 15.2 million workers.

The cumulative average increase granted by the Price Commission is 3.25% on the items for which increases were requested and just 1.65% on total sales of requesting firms.

Prices held down

During the 12 months of indexes since the beginning of the New Economic Policy, the Consumer Price Index has increased at an annual rate of 2.9%, compared to 3.8% before the Freeze and rates of 5 to 6% during 1969–70.

Food prices during the period of controls have increased at an annual rate of 3.8% compared to a 5.0% rate registered during the 8 months preceding the Freeze.

Commodities other than food have increased at a 2.0% annual rate during the period of controls compared to a 2.9% rate during the 8 months before the Freeze.

Services have increased at a 3.4% annual rate during the period of controls compared to 4.6% during the 8 months preceding the Freeze.

The Wholesale Price Index has increased at an annual rate of 4.4% during the period of controls compared to 5.2% in the first 8 months of 1971 before the Freeze.

Real earnings increase

While there was no gain in real earnings for workers from 1966–1970, since the beginning of the New Economic Policy, real spendable weekly earnings have increased 4.1%. During Phase II the increase has been 4.2%.

Economic expansion continues while the rate of inflation slows down. Latest reports show favorable trends in production, employment and prices.

Gross National Product in "real" terms grew at an annual rate of 9.4% in the second quarter, the highest rate since the fourth quarter of 1965. Over the last three quarters, the growth rate was 7.5%.

Employment has increased sharply, spurred, by the rapid growth of output. In August, total civilian employment was 2.5 million higher than a year ago. We are adding new jobs at the highest rate since 1955.

Unemployment has averaged 5.5% from June to August, down from 5.9% from the preceding 3-month period. During 1971 and the early months of 1972, it had hovered close to 6.0%, despite the substantial growth of employment, because of abnormally large growth in the labor force (discharged veterans, etc.)

Real spendable earnings for the average production worker did not increase at all between 1965 and 1970 as inflation more than offset wage hikes. Since the introduction of the New Economic Policy last August, real earnings have risen at a rapid annual rate of 4.1%. This is increased buying power—the real test.

Retail sales in August were 9.7% above the level of a year earlier.

Consumer Price Index (CPI) rose at an annual rate of only 2.9% during the 12 months of Phase I and Phase II, continuing the declining trend since 1969. Inflation has been cut in half.

TRIBUTE TO THE HONORABLE WAYNE ASPINALL, THE HONORABLE J. IRVING WHALLEY, AND THE HONORABLE WILLIAM S. CONOVER II

The SPEAKER pro tempore (Mr. McFall). Under a previous order of the House, the gentleman from Pennsylvania (Mr. Saylor) is recognized, for 60 minutes.

HON. WAYNE ASPINALL

Mr. SAYLOR. Mr. Speaker, it has been my privilege to know, to argue with, to debate with, to disagree with, to compromise with, and to work with, one of the finest gentlemen ever to come to this House in these past 24 years.

Personally it is difficult for me to properly assess and pay tribute to the distinguished career of the chairman of the House Interior and Insular Affairs Committee. I can, of course, assure you that he will be sorely missed.

The Honorable Wayne Norviel Aspinall has been more than my friend and companion, he has been a constant source of inspiration and challenge. His diligence, his dedication, his perserverance, have been like a beacon to all who have known him, and all who have served with him.

Wayne and I, have disagreed more times than I like to recall. Nevertheless, I like to think that our differing points of view on the great issues that have faced our committee, helped to mold legislation that was beneficial to the whole Nation.

Perhaps, as the ranking Republican Member of the committee, I should leave the accolades about Wayne Aspinall's service to this House and our country to Members of his own party.

However, I claim a special privilege to address our beloved House on this man's accomplishments because, more than any Member of either party, I know the depth of his commitment, the breadth of his knowledge, and the extent of his expertise, on matters in which we have both been intimately involved with throughout our tenures on the Interior and Insular Affairs Committee.

There is one more reason I claim this privilege.

No other Member can claim to have met Wayne Aspinall on his own home grounds in opposition to his position on a matter affecting the course of legislation.

My friend from Colorado has never let me forget that I am his junior in point of service in this House—by a matter of 8½ months.

In turn, I have never let him forget that, as a Member of the opposition party, from Pennsylvania, I received write-in votes against him in a primary election some years ago.

The issue in that primary concerned the policy of our Nation regarding our natural environment. Though I did not prevail in the Colorado primary election, the position I represented did prevail in the Congress.

I mention this unique bit of history to the Members of the House, the depth of commitment needed to properly legislate for the good of the country. I recall this also to measure the depth of friendship and magnanimity which sets Wayne Aspinall apart from his peers.

We have disagreed mightily over many issues; we have not let our friendship and mutual respect to be affected by such disagreements.

Over 1,000 pieces of legislation which have become public law, emanating from the House Interior and Insular Affairs Committee, had the "Aspinall stamp" on them. That stamp will be felt by the Nation for years to come. The chairman effectively and fairly presided over the volatile interests of our committee. This House has never had a better chairman of this committee or any other committee.

In bidding Wayne Aspinall farewell, we must remember those qualities of leadership and dedication which set him apart from other Members. Not a man in this House worked harder, few men have equaled his grasp of the complex issues he guided through the Congress, and I am sure my colleagues will agree that no more dedicated servant has ever served this Nation than the Honorable Wayne N. Aspinall.

We wish him well as he returns to his lovely Colorado and we pray that our service to this House and country can be measured on the same scale as his will be when the great histories are written.

Mr. ASPINALL. Mr. Speaker, I personally thank my longtime friend and coworker, the gentleman from Pennsylvania, Mr. Saylor, the ranking minority member of the Committee on Interior and Insular Affairs, for his many courtesies and acts of friendship, the present special order being one of such acts of friendship.

My colleagues, in the most thoughtful and friendly way, this is the time to prepare for the severance of what, to me, has been a most happy and rewarding 24 years of legislative experiences and associations. I have enjoyed to the utmost my hours, months and years with you. It seems only yesterday that I held up my right hand and took my oath of office with my colleagues of that day—some 46 of whom are still Members of this great body. These years have not only been to me the culmination of over 50 years service to my fellow citizens, but of course, the years of my heaviest and most enjoyable responsibilities.

As I leave my daily presence in this hallowed Chamber, I do so with profound personal gratitude for the contributions of all those who have served in like capacity since the birth of our country, as well as to those who will be chosen by their fellow citizens to serve in the decades and centuries ahead.

In this body, more than in any other institution in our land, rests the destiny of the peoples of our Nation. It is here that the rights, responsibilities, and benefits of our people abide. If our Members do their job well, we shall continue virile and strong. If our Members forget or fail, then our Nation will suffer accordingly. I realize only too well that this body mirrors the longings, the desires, the strength, the weaknesses of the people. Dedication to the wishes of the people is not sufficient within itself. Dedication with selfless service is not enough. There must be dedication not only with these attributes just mentioned, but also there must be present the understanding of the possible and the attributes of those considerations that make a people strong. History not only furnishes a beacon, but it also holds a warning. It is my earnest prayer that those who serve here in our tomorrows shall be knowledgeable of both.

And now, my colleagues, as to our farewells. You have been good to me. In turn, I say "thank you." You have been considerate not only of my talents, whatever they may have been, but you also have been tolerant of my shortcomings. Again, I say "thank you."

But even more, you have shown to me true friendship throughout the years. This is the real reward to those of us who have mutual responsibilities in our work for the general welfare of the people. For this relationship more than any other, in all humility, I say my final "thank you." may the God of each one of us go with us separately and collectively as our paths lead us in various directions to the fulfillment of our unfinished tasks. Goodby.

Mr. HALEY. Mr. Speaker, as a member of the Interior and Insular Affairs Committee ever since I came to Congress, and chairman of the Indian Affairs Subcommittee for 18 years, I have worked very closely with the distinguished chairman of the committee, WAYNE ASPINALL. Thus, I have firsthand knowledge of this dedicated leader's capacity for work, his great knowledge of every subject under the committee's jurisdiction, his non-partisan approach to the committee's legislative responsibilities, and his complete fairness in presiding over the committe's operations.

Mr. Speaker, WAYNE ASPINALL has served this House with great distinction. The legislative record of the Interior and Insular Affairs Committee under his leadership will continue to be beneficially felt by this Nation for many decades in the future. Over a thousand measures have been approved by the House under his supervision and legislative skill, and not a single one defeated.

In addition to his legislative expertise, WAYNE ASPINALL possesses all the qualities and strengths that make an effective public servant and a great American. His departure will be a great loss to this body.

Mr. Speaker, it has been a great privilege for me to have worked so closely with WAYNE ASPINALL in legislative matters and his departure will be a special loss to me. My best wishes go with him and Mrs. Aspinall. May good health, good fortune, and happiness accompany them in the years ahead.

Mr. TAYLOR. Mr. Speaker, today we honor an unusual and a remarkable man who is a close personal friend. We honor a hard-working, intelligent and thorough individual who has dedicated most of his life to serving the American people and the people of his home State of Colorado, particularly.

It has been my privilege to serve as a member of the House Committee on Interior and Insular Affairs since first coming to Congress over 12 years ago. No Member has served with a more dedicated, harder-working, more diligent chairman. WAYNE ASPINALL attended all subcommittee meetings and became familiar with the provisions of each bill. This knowledge of subject matter aided him as he presented bill after bill on the House floor. In the Committee on Interior and Insular Affairs, which he has chaired longer than any other man in the history of the committee he cuts quickly to the principal issues of each problem.

WAYNE ASPINALL is a friend to all of us, but from everyone he demands the same high standards and proper regard for orderly procedure. While some have criticized him for being impatient or for refusing to yield to pressure, I have always respected him for being his own man, thinking for himself, and standing by his convictions.

As a result of his penchant for perfection, he has one of the finest records of accomplishment ever established by any Member of Congress. Many hundreds of legislative matters have been processed by the committee which he has chaired since 1959. This House has seldom found it necessary to amend a committee measure once it reached the House floor, because generally most of the controversies have been resolved during committee deliberations. In fact, I am told that no committee bill considered by the Congress since WAYNE became chairman has ever been rejected by the House.

WAYNE ASPINALL believes that natural resources should neither be wasted nor destroyed, but he recognizes that much can be accomplished for the good of all men if they are wisely and properly used in a manner which will assure their availability now and in the future. To this end, he has sought to convert the meager water resources of the West into the maximum beneficial use. He is justly proud of the Upper Colorado River storage program which helps supply electrical energy and needed irrigation and municipal water, as well as providing flood control benefits and recreation opopportunities for the rapidly expanding communities of the West. Because of his expertise in water programs, generally and because of his contributions to water resource development, he has become the "Water Statesman of the West."

Few Members of Congress have done more for the expansion of the national park system than WAYNE ASPINALL. He has helped develop the legislation which has resulted in the creation of at least 75 units of the national park system throughout the country. In addition, he was involved in the establishment of the national wilderness system, the wild and scenic rivers system, and the national trails system. He, along with the ranking minority member, was instrumental in establishing the land and water conservation fund which has made it possible to convert these authorizations into reality.

Mr. Speaker, WAYNE ASPINALL is a fair man with a strong sense of command. In the Interior Committee he has been captain of our ship for more than a decade. As he leaves, an era is passing. He is honest and practical and cautious and sometimes critical, but when everything is considered, he is a master, and we shall miss him. He has shown what can be accomplished by a combination of ability, hard work, and total integrity. He has served his Nation well and we are all grateful to him. He has served his people of Colorado with dedication and honor. We are all better legislators, because we have learned from him. He will leave behind a record of service that should be an example and a challenge to all of us. When he leaves this House we all wish him and Mrs. Aspinall continued good health, happiness, and much success during the years ahead. Personally, I am glad to call WAYNE ASPINALL my friend and I look forward to hearing more from him in the future.

Mr. STEIGER of Arizona. Mr. Speaker, in this biannual season of political rhetoric I am sincerely hopeful that these few words offered by me will not be obscured by the sheer volume of similar efforts by those who think differently than I, or my totally genuine concern not be mitigated by any cynical attitude presuming personal or political considerations.

I have served on the House Committee on the Interior and Insular Affairs for 6 years. As an inevitable result of this service I am very comfortable in expressing outrage at the totally unfair and ridiculous charges that have been repeatedly leveled at the chairman of the full committee, WAYNE ASPINALL.

He has been designated capriciously, unconscionably, and in absolute error as a "foe of conservationists," "a tool of public land permittees" and a whole lot more. He has been labeled a member of the "Dirty Dozen," those Members of Congress who allegedly would destroy our environment. Recognizing all the inequities in the political process, I can simply not remain silent in the face of this blatant, ludicrous, and vicious lie. As a member of the opposition party to WAYNE ASPINALL, I have found myself in disagreement with him on occasion. But to overlook Mr. ASPINALL's achievements in the fields of conservation—genuine—environmental protection and ecological concern is so damnable it simply must be stopped.

Under his leadership the Congress has passed the Wilderness Act, the wild rivers bill, national trails, and literally hundreds more. To allow the spleen of a few professional activists to be vented unchallenged is to do truth more harm than it deserves.

History will show that WAYNE ASPINALL was the lynch-pin that turned the Nation's concern for the environment from verbiage to solid, national action.

He is entitled to the respect and gratitude of those who are similarly concerned, not their meaningless, blind attacks.

Mr. CAMP. Mr. Speaker, I wholeheartedly join with my colleagues in tribute to Congressman WAYNE ASPINALL.

Congressman ASPINALL has a deep and thorough working knowledge of our Government, having served in the Colorado House of Representatives and Senate for 18 years prior to his election to the U.S. Congress in 1948. It has been an educational experience watching him put this knowledge to work in the House.

It has been my privilege and honor to serve on the House Interior and Insular Affairs Committee during the tenure of Chairman ASPINALL. His warm friendship, sound judgment, keen intelligence, and dependability will be sorely missed by all of us in the House, but

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few will feel this loss as sharply as we who have worked with him on the Interior Committee. The experience and expertise Congressman Aspinall has gathered during his 24-year membership and 14-year chairmanship on this committee cannot be replaced and the energy he has expended for the welfare of our country during this time is unparalleled.

Mr. Chairman, I think I can speak for all our colleagues in wishing for the chairman and Mrs. Aspinall the best of everything in the coming years.

Mr. DELLENBACK. Mr. Speaker, I have only had the privilege of serving on the Interior and Insular Affairs Committee for the last 2 of my 6 years in the Congress. Nevertheless, I have come to know Wayne Aspinall quite well during that time—and to know him as a knowledgeable, hard working, honest, and fair man, a chairman who presided confidently because he has done his homework and knows the issues.

Perhaps more than anything else, I have been impressed with the chairman's thoroughness. Any witness or any Member on the opposite side of any issue from the chairman has had to prepare his case well. He must have a strong grip on all the arguments, pro and con, or he will be at a disadvantage in any discussion or debate with the gentleman from Colorado.

The chairman commands respect because he has expertise in each area of jurisdiction which the Interior and Insular Affairs Committee is involved. Mr. Aspinall's acute perception of the legislative process and all its intricacies has helped him to win many legislative battles, and in doing so to win at the same time the respect of those with whom he dealt.

There were some who sought Wayne Aspinall's defeat on the alleged ground that he was not a friend of the conservationists. I think they were wrong, and I fear they will learn that fact the hard way. An editorial which was published in the Oregon Journal, one of my State's leading newspapers, spoke to this point well, and I include that editorial here:

More Friend Than Foe

> Come the next year and the next Congress, the small man whose owl-like face and inevitable cigar barely surfaced above the dais in the House Interior committeeroom will be seen no more.
>
> Rep. Wayne N. Aspinall, D-Colo., veteran chairman of that committee and one of the really powerful men in Congress, was defeated Tuesday in his bid for a 13th consecutive term.
>
> An aggressive, well-organized campaign by a college professor; Aspinall's age, 76; and reapportionment which took away more than half the counties in his enormous Fourth District made the difference by 1,500 votes.
>
> Interior is a committee with vast jurisdiction—literally from Maine to Micronesia—and impressive responsibilites, these including public lands, water, mining, Indian affairs, oil irrigation, parks, and recreation. It is, by its nature, critically important to Oregon. Aspinall controlled his committee firmly, but fairly, and with an impressive knowledge of the issues before it. He knew what he was takling about, and he knew when witnesses didn't.
>
> Aspinall was partial to the interests of his district in northern and western Colorado, and these are mining and grazing. It is because of Aspinall that mining activity is possible in wilderness areas, clearly an outrage, and it is because of Aspinall that the tremendous potential of oil shale in his district was treated rather distantly by the Public Land Law Review Commission.
>
> Some conservation groups already have claimed that Aspinall's loss is conservation's gain, but this approach is neither fair nor realistic.
>
> These groups should not forget that it was because of Aspinall that there was a Wilderness Act of 1964, that there was a Public Land Law Review Commission (which Aspinall chaired), and that in the last two years Interior added an environment subcommittee, which Aspinall also chaired.
>
> From Aspinall's committee came a Colorado River Act without dams flanking the Grand Canyon, the Redwoods National Park, the North Cascades National Park, and scads of other national seashores, memorials and recreation areas.
>
> In the last few months, Aspinall's committee got out the Oregon Dunes bill, the McQuinn Strip bill, and a reasonable solution to the Minam controversy.
>
> Politics is the art of the possible. It is an art Aspinall practiced well. The time may come when those who cheer Aspinall's defeat will discover he was more friend than foe.

While the gentleman from Colorado (Mr. Aspinall) and I have not always agreed, as no two thinking people will always agree, he has earned my deep respect and my extremely warm regard. I join my colleagues on both sides of the aisle in thanking him for his distinguished service to the Nation through his service in the House of Representatives these last 24 years.

Mr. BROTZMAN. Mr. Speaker, I rise to join with my colleagues in praising the able and dedicated service in this body by the senior Member of the Colorado congressional district, Congressman Wayne N. Aspinall.

It has been my pleasure, Mr. Speaker, to work with Wayne in the House of Representatives. His friendship and counsel have been of inestimable value to me in the 8 years I have had the privilege of representing the Second District of Colorado.

Public service has been the hallmark of Wayne Aspinall's life. As a young man he taught school and practiced law. For nearly 50 years he has held elective office. First he served on his local school board; then he was elected to the State Legislature. In the Colorado General Assembly he served with distinction as the Speaker of the house and the majority leader of the senate. Then, in 1948 he was elected to represent his Western slope constituency, and serve it he has for 24 years.

Because water resources and land use are of such great importance to Colorado, Wayne Aspinall became absorbed in the work of his committee, Interior and Insular Affairs, eventually becoming chairman of that panel. In the course of his work, he has mastered the intricate rules of the House and has been able to steer through to passage many pieces of legislation of lasting value to the people of Colorado.

Mrs. Brotzman and I have both enjoyed our association with Wayne and Mrs. Aspinall. Although Wayne will not be serving in the 93d Congress, I am confident that we will be able to call on him whenever the need arises. Those who have been committed to serving the Nation as long as Wayne Aspinall has will not be forgotten, and I look forward to a continuing association with this distinguished son of Colorado.

Mr. BLATNIK. Mr. Speaker, it has been a genuine privilege to have served and worked closely with the highly esteemed dean of the Colorado delegation, Wayne N. Aspinall. I am proud to join in saluting this distinguished gentleman, who in his capacity as chairman of the House Committee on Interior and Insular Affairs, has demonstrated strong, able, and responsible leadership. Through his integrity and devotion to the highest of principles, he has earned the deep respect of all his colleagues.

Long before the national conscience was raised to natural resource depletion, and a host of other severe ecological problems, Wayne was concerned and working for the preservation and enhancement of our precious natural resources, and I am personally appreciative for his instrumental role in the enactment of legislation establishing Voyageurs National Park in northeastern Minnesota.

We will miss Wayne's expertise, but he is leaving us with a record of legislative accomplishments to serve as a guide and inspiration for all of us.

Ours has been a rewarding association spanning almost a quarter of a century and I extend my sincerest best wishes to Wayne for success and fulfillment for the years to come in all of his future endeavors.

Mr. SLACK. Mr. Speaker, I am pleased to join my colleagues in paying tribute to the distinguished and able chairman of the Interior and Insular Affairs Committee, the Honorable Wayne N. Aspinall. He possesses an earnest awareness of the problems confronting the Congress and our country, and has played a major role in the consideration and passage of landmark legislation helpful to the people of the State of Colorado and to the best interest of America.

His unfailing courtesy and his regard for the views of others impressed the many Members who had an opportunity to consult with him during his years in the House.

I am privileged to have been included in his circle of friends and I join in wishing him many years of health and happiness in the years ahead.

Mr. DON H. CLAUSEN. Mr. Speaker, I am pleased and proud to join in this special order honoring and recognizing the outstanding record of my very close friend and highly respected chairman of the House Committee on Interior and Insular Affairs, Wayne Aspinall from Colorado.

History will be very kind to this very able and genial gentleman. His record as a chairman is extraordinary by any means of measurement or comparison one might choose.

In all fields of conservation, ranging from wilderness areas, parks and recreation areas, seashores, public land management, water resource conservation and development, mines and mining, fish and wildlife, saline water, and trust territories, Mr. ASPINALL, with his very strict adherence to parliamentary procedures, built a list of conservation programs that will be very difficult to match in the future.

He would be the first to recognize and admit that he had great cooperation from both the Republican and Democrat members of the committee in advancing this great record.

WAYNE ASPINALL always took great pride in the fact that a bipartisan spirit prevailed in the committee he chaired.

Mr. Speaker, there is no more difficult job in the U.S. Congress than that of chairman of the House Committee on Interior and Insular Affairs.

While it is true of most issues that the Congress is faced with the problem of analyzing and balancing a variety of different and competing interests, it is equally true that the difference and competition between the interests involved in legislation pending before the Interior Committee is greater than any other in Congress.

The general result of the competition of the various sides on legislative issues is a compromise solution that is not entirely pleasing to every side but which considers all needs and considerations and, generally speaking, is basically satisfactory to all but the fiercest partisans.

However, the nature of the issues before the committee are such that time is nearly always of the essence, a consensus of support for any position is nearly always absent and the attendant debate is nearly always inflammatory.

Therefore, the prerequisites to chair the Interior Committee have to be a keen mind, a thick skin, an even temperament, honesty, integrity, dedication to principle, a perfect understanding of the legislative process, fairness, firmness, responsibility, reliability and, finally, a commitment to conservation, his colleagues, and his country.

WAYNE ASPINALL fits this impressive description.

No man has been more unfairly maligned while developing an unparalleled record of leadership and accomplishment in conservation. And yet, no man has withstood the slings and arrows with more grace under pressure or with greater sense of commitment to the goals he knew were right.

I am privileged to represent the north coast of California in the Congress. Our area has been blessed in quantity by nature and the Redwood Empire boasts many areas of great natural beauty and prime national significance.

Today, thanks to WAYNE ASPINALL and his commitment to conservation we have a string of parks and recreation areas and unparalleled seashores that have been protected for all time in a way that has allowed us to retain and expand our economic potential.

In the north is the magnificent Redwood National Park which contains the most magnificent of the giant Redwoods and over 40 miles of both sandy and rocky seashore. One hundred miles south is the King Range Conservation Area—and area of great pristine beauty which is being put together through consolidation of land holdings in a way that will neither diminish the local tax base nor disrupt the local economy. This conservation area was a first of its kind in the Nation.

Another hundred miles to the south is incomparable Point Reyes National Seashore, a vast area comparatively untouched by civilization and yet practically adjacent to the major urban center around San Francisco Bay.

Finally, the most recent monument to WAYNE ASPINALL is the Golden Gate National Urban Recreation Area—known as Gateway West in relation to its sister Gateway East in New York. It combines every aspect of enlightened conservation and the major part of the credit for its creation, again, goes to the gentleman from Colorado, because of his willingness to cooperate with the bay area Congressman and the committee members we advanced these two uniquely similar national recreation areas on each side of the United States.

Gateway East and the Golden Gate National Recreation Areas are truly the outstanding examples of President Nixon's "Parks to the People" program concept.

They are of national and international significance and will stand alone with our other great parks and recreation areas as living monuments to the leadership, understanding, patience, diligence and dedication of this great American, my friend, WAYNE ASPINALL of Colorado.

The country and generations to come that will enjoy these beautiful areas will remain eternally in your debt.

You are a great and good man WAYNE. You have the deepest admiration and respect of this very greatful Member of Congress from redwood country, California. You have made my dream of "Redwoods to the Sea," a very comprehensive Redwood regional conservation package, come true.

The people of our area will always welcome with open arms, the gentleman from Colorado and his lovely lady.

Good depends not on things, but on the use we make of things.

By your balanced and considerate point of view you have left a legacy of good things for many people to enjoy.

He who masters his words will master his works.

Not the hearers of the law are just before God, but the doers of the law shall be justified.

These words, to me best illustrate and describe the WAYNE ASPINALL I have been privileged to know and work with for 10 years in the Congress of the United States.

He is a man of integrity and great character—a character that is like a diamond that scratches every other stone—just as WAYNE ASPINALL leaves a marked impression on anyone he meets and anything he touches.

May the good Lord be kindly to you, WAYNE and Mrs. Aspinall, in your retiring years—the country, the Congress, and your friend from California will miss you very much.

Mr. BINGHAM. Mr. Speaker, I am glad to join in paying tribute to our colleague from Colorado, the chairman of the Committee on Interior and Insular Affairs, Mr. ASPINALL.

During my first term in Congress, I had the honor and the pleasure of serving on that great committee under the chairmanship of WAYNE ASPINALL. He was always meticulous in being fair to all the members of the committee, including the freshmen members, and was always willing to help them when he could do so. I was particularly appreciative of the fact that he chose to report to the House for passage my bill to make Ellis Island a part of the Statue of Liberty National Monument, House Joint Resolution 454, although at least two other Members of the House, each of whom claimed that Ellis Island was in their district, wished to have the honor of having his bill passed by the House and enacted into law. Although I could not even begin to claim that Ellis Island was in my district, I was a member of the committee. Accordingly, Chairman ASPINALL in Solomon-like fashion decided to avoid the issue of whether Ellis Island is in New York or New Jersey and selected my bill to be reported.

It was also an education to watch Mr. ASPINALL preside over the meetings of the committee. His knowledge of the rules was extensive and he was extremely careful to observe them.

One of the remarkable things about WAYNE ASPINALL's career as chairman of the Interior Committee is the fact that practically every bill he brought to the floor sailed through. This was a measure of the high esteem in which he was held by his colleagues and also of his ability to gage the temper of the House.

WAYNE ASPINALL will be greatly missed by the committee and by the House. Along with his many friends and admirers, I wish him success and happiness in the future.

Mr. ANDERSON of Illinois. Mr. Speaker, it is with pleasure tinged however with sadness that I join with my colleagues in paying tribute and saying goodbye to the Honorable WAYNE N. ASPINALL.

When I came to the Congress in 1960, WAYNE had already been here for 12 years. He had acknowledged stature and reputation in which I stood in awe. Now, some 12 years later, that stature though tempered with experience and understanding on my part has not diminished. That reputation has increased.

I serve with WAYNE on the Joint Atomic Energy Committee. There I became acquainted with his keen interest and methodical approach to the complex energy problems considered by that committee. There I was impressed by his ever present concern for individual rights as well as for governmental leadership in the new fields of atomic energy application.

As a member of the Committee on Rules, I have had occasion to listen to many committee chairmen plead their cause for special consideration in the order of legislative business. Chairman WAYNE ASPINALL's quiet approach, thorough knowledge of his subject, and strategic use of the legislative avenues afforded by the Rules Committee always impressed me. Of more than 1,080 measures referred to the Committee on Interior and Insular Affairs, only six times did that committee under his leadership request a rule. Five of those rules were granted, the remaining one dying in the last days of this Congress. That is an enviable record and can, in my opinion, be attributed to WAYNE ASPINALL's good leadership and judgment.

WAYNE ASPINALL, the man, is a thorough gentleman. I have benefited from his acquaintance and wish him well in his future endeavors. I hope that he and his lovely bride, Essie, will now take time from the demands of public office to enjoy their home State, Colorado.

Mr. HULL. Mr. Speaker, I take it as my special honor to offer words of praise for the years of dedicated service given by Congressman WAYNE N. ASPINALL. His inquiring mind and sense of justice has made him the guardian of the country's natural resources. Expertise in this area comes only after many years of study. It is this expertise which the Congress and the Nation are losing with Congressman ASPINALL's departure.

So it is with an acute sense of loss that I express my warmest regards upon this occasion to my colleague and friend. May he continue to offer his services to us all and keep us informed of his views on those matters about which he knows so much.

Mr. SIKES. Mr. Speaker, I am pleased, indeed, to join my colleagues in paying a well-deserved tribute to Representative WAYNE ASPINALL, who will be leaving the House of Representatives at the end of this session of Congress after 24 years of dedicated and capable service. WAYNE ASPINALL has served his district, State, and Nation faithfully and well and can enter retirement secure in the knowledge that future generations of Americans will enjoy and benefit from his great work.

As chairman of the House Committee on Interior and Insular Affairs, he has achieved one of the greatest records ever made in the Congress in expanding the outdoor recreational opportunities of the people of this country and in helping to add to our great and wonderful park domain. Congress has added more than 100 new units to the National Park System under his leadership. He is known and recognized as a developer and defender of our Nation's natural resources. He has guided more than 40 important park and major recreation bills through the House and has been instrumental in the enactment of many additional park and conservation measures. Congressman ASPINALL also served on the Committee on Standards of Official Conduct where his contributions to the preparation of a code of conduct for the Members of the House were most important and most constructive.

It has been a privilege and an honor for me to serve with WAYNE ASPINALL and I want to heartily congratulate him upon his many years of dedicated service. In particularly do I appreciate the friendship we have shared. We shall miss him and his family, and wish for them all the good luck, health, and happiness as he enters a richly deserved retirement from public service.

Mr. REUSS. Mr. Speaker, I appreciate this chance to join in paying tribute to Congressman WAYNE ASPINALL as his long and dedicated service in this body draws to a close.

WAYNE ASPINALL had already chalked up a fine legislative record in his home State of Colorado—having served as both speaker of the State house of representatives and floor leader in the State senate—when he brought his talents to the national scene in 1948.

In his subsequent 24 years in the House of Representatives, he has worked with equal energy and effectiveness, channeling his efforts largely through the Committee on Interior and Insular Affairs. He has served as chairman of that committee during a period in which it cleared a host of vital legislation, piloting such measures as the Wilderness Act and a variety of park and recreation bills, including the redwoods measure.

I extend my best wishes for many more happy and productive years to our friend WAYNE ASPINALL.

Mr. KEE. Mr. Speaker, I want to join my colleagues in honoring our illustrious friend and leader from Colorado—Mr. ASPINALL.

It has been my pleasure to be acquainted with Chairman WAYNE ASPINALL for many years. When he came to Congress—my father—the late Honorable John Kee—was serving in the House. Later—my mother—Honorable Elizabeth Kee—was assigned to the Committee on Interior and Insular Affairs where she developed a keen respect and admiration for the legislator we now honor. At her suggestion—I sought an opportunity to serve on the Committee on Interior and Insular Affairs and learned that our chairman conducts his committee operations in a completely fair manner which does great credit to this House.

I have learned a great deal from my committee chairman and I have enjoyed and benefited, because of my service with him. Through my association with him—I know that he has contributed constructively on all matters under the jurisdiction of the House Interior Committee.

Mr. Speaker, no one is more capable on matters involving western problems than is the gentleman from Colorado. He was the chief architect of the Upper Colorado River Storage Act which has resulted in the conservation of the water resources and he has helped protect the limited water supplies throughout the Nation.

But his interest has not been limited to Colorado. He has always worked for the national interest. I have worked closely with him on matters involving minerals and mining legislation and I have gained a great respect for him in this field.

Mr. Speaker, this will be my last opportunity to serve with my very dear friend from Colorado—but I expect to see him in the future and I want to join my colleagues in wishing him complete happiness in the years ahead and to humbly thank him for his superior leadership for all of America.

Mr. MURPHY of New York. Mr. Speaker, it is with deep sorrow that I bid farewell and offer these few words in behalf of my colleague Congressman WAYNE N. ASPINALL.

Serving as Speaker, Democratic whip twice, majority and minority whip on the State level; and serving the State of Colorado for 24 years in the House of Representatives, his record as a public servant is beyond words.

His chairmanship on the Interior and Insular Affairs Committee has established him a reputation for hard, effective, and constructive work and genial relations with his colleagues. He was successful with the bills he handled and his outlook was national, extending far beyond the district and the State which he had the honor to represent. Such dedication is hard to come by, and we shall miss the gentleman from Colorado in the days ahead.

WAYNE ASPINALL was a man committed to public life, proud of his patriotism and proud to serve his country.

Mr. MORGAN. Mr. Speaker, I am very glad to have this opportunity to pay tribute to my friend, WAYNE ASPINALL.

His long and distinguished career of public service has brought him many honors and yet I am sure that the knowledge that his friends and colleagues in the House with whom he has served so many years appreciate his accomplishments and value his friendship must be very gratifying.

I have always been impressed with the diversity of WAYNE ASPINALL's experience. We recognize his talent as a legislator which he has developed during his many years in the House but, in addition, by serving in both the House and Senate of the legislature of the State of Colorado.

He taught school for a number of years and was a member of the armed services in World War I and World War II.

We know WAYNE best for his outstanding service as a member and, in recent years, as chairman of the Committee on Interior and Insular Affairs. He has attained both national and international recognition for his work in this area.

We think of WAYNE ASPINALL most often, however, as a diligent and skillful legislator. He had the ability and the understanding to render outstanding service to his constituents and to his country. His leaving will mean a real loss to the House.

I am sorry WAYNE is leaving us. I will miss his friendly contacts and his guidance on important issues.

WAYNE, you deserve the years of leisure and freedom which lie ahead. I assure you that we all extend our sincere best wishes for the future.

Mr. FLOOD. Mr. Speaker, to say that I will miss the warmth of friendship and the wisdom of the good counsel of WAYNE ASPINALL, is, I fear, a bit of understatement.

This House in the past decades has "seen them come and seen them go." This House has seen the leadership and dedication of many, but the excellence, foresight, and pursuit of the good is a trait not found in all. But it is a trait found in the gentleman from Colorado: A trait by which he has come to be known by those who have served with him in this great House.

A gentleman from the Rocky State, in the heart of our great Midwest, where God's beautiful nature and our precious environment are so much in bloom, from there, Mr. Speaker, comes WAYNE ASPINALL.

For more than 20 years his outstanding service to his Nation, his district, and his fellowman have marked him as a man who cares. WAYNE ASPINALL is a man who cares about all of these, and most of all, cares that America will be a greater place in which to live.

WAYNE ASPINALL is a man not of compromise, but of practical determination that the public be served at all times. He is a man who let prudence, the practical, and the just be a part of his decisions as he chaired for many years that great Committee on Interior and Insular Affairs.

To be a committee chairman in the House is a great honor, an honor he shares with only 21 other men. His tenure as a committee chairman has been one that marked him as concerned, dedicated American, vitally concerned with America's great natural resources. At the same time he has done all that he could possibly do to make sure that these vital natural resources be preserved, and not destroyed. He has done all that he could to make certain that the average American be given every opportunity to use them, and not relegated with an attitude that they are his only to admire and behold.

The advances in the ecological-technical age which we live have brought much in the way of a new life for those who love outdoor America. WAYNE ASPINALL has had much to do with this, and I salute him for his accomplishments.

Mr. Speaker, it has been my pleasure and privilege to serve with WAYNE ASPINALL, and my honor to call him my friend.

Mr. SKUBITZ. Mr. Speaker, it has been my good fortune during my 10-year tenure in Congress to serve in a committee under a chairman whose reputation for experience, informed judgment, commonsense and fair treatment of his colleagues will live long in the annals of this House.

I speak, of course, of the Honorable WAYNE NORVIEL ASPINALL, chairman of the Interior and Insular Affairs Committee. The gentleman from Colorado has graced this Chamber for almost 24 years and his knowledge of legislative procedure and practice has few parallels. He came to this body following his election in 1948, but before that he had 16 years in both chambers of his State legislature, serving both as speaker in the house and majority and minority floor leader in the senate.

I make a point of this, because one of the great problems in parliamentary bodies, including this House, is lack of adequate legislative experience by those elected. In short, men with WAYNE ASPINALL'S background become increasingly rare and more is the pity.

My personal relations with Chairman ASPINALL have been the friendliest and warmest. Always considerate, always obliging, always courteous, he ran his committee firmly, intelligently, and with great effectiveness. Its record in the disposition of legislation, much of it controversial and complex, bespeaks the role that its chairman played. I am proud that I had the opportunity to serve with and under Mr. ASPINALL. I salute him and wish him and his family well in the days ahead.

Mr. JOHNSON of California. Mr. Speaker, I rise at this time to add my voice to those of my colleagues—joining in the special order by the gentleman from Pennsylvania on the service of our friend and distinguished colleague, WAYNE ASPINALL. While most Members of the House have been privileged to serve with and learn from this master legislative craftsman, I have been more privileged than most. My relationship as friend, student, and colleague has been closer, perhaps, than any other, serving as I have as chairman of the Subcommittee on Irrigation and Reclamation where Chairman ASPINALL'S major interest has been located. I would say to those Members whose service has not brought them into intimate daily contact with the chairman of the Interior and Insular Affairs Committee—you have missed a rare experience for you are not apt to see his equal pass this way again. He has been chairman longer than all his predecessors combined. He has never lost a bill on the floor. There has never been a bill reported from our committee that did not, to some degree, bear his personal imprint.

In a manner that is hard to understand, he carried the load of administering a committee while attending practically every meeting of every subcommittee. He chaired the full committee with preciseness and fairness, never derogating another's position but unfailingly observing the rules of the House and the committee which are designed to protect us all.

His departure from the Interior Committee will mark the end of an era in that body as it will in the House as a whole. Nevertheless, his influence will be reflected in the performance of that committee for so long as currently sitting members continue to serve. Of this I have no doubt.

On a more personal note, Mr. Speaker, I would like to conclude by merely saying that I will miss the chairman and wish him many years of relaxation and enjoyment. No man ever earned it more.

Mr. ADDABBO. Mr. Speaker, I rise to pay tribute to a man whose career in this Chamber has been filled with accomplishments which have added to the character of our Nation. Congressman WAYNE ASPINALL has placed his special mark on so many bills, including many national monuments and parks which have improved for future generations the recreational opportunities in this country.

Recently I had the privilege of working with Chairman ASPINALL on the Gateway National Recreation Area bill approved by the Congress last week. This most important and far-reaching bill will preserve more than 23,000 acres of valuable land near the entrance to New York Harbor as a national park. The people of the New York area and those who reside on the eastern seaboard and many others who visit this site in the future have Congressman ASPINALL to thank for making it all possible. The same is true of many other national parks and historic sites preserved through the leadership and foresight of this man.

The long and productive public service of this leader in the House will be sorely missed but long remembered. I wish him every success in the future.

Mr. BROOKS. Mr. Speaker, it would not be an overstatement to say that every person in this country who enjoys the great outdoors, who likes to hunt and fish, to hike along wilderness trails, or just to spend Sunday afternoons in the park with his family owes a tremendous debt to WAYNE ASPINALL.

The distinguished chairman of the House Interior and Insular Affairs Committee has probably done more than any other single Member of Congress in the history of our country to insure the effective and efficient management of our Nation's vast public lands in the best interests of the American people.

Congress will miss WAYNE ASPINALL, and the American people will miss the leadership, dedication, drive, and hard work that he has contributed to our efforts to preserve America's incomparable recreational and wilderness areas.

I shall always value Chairman ASPINALL'S warm friendship and wise counsel. I wish him the very best that life has to offer.

Mr. McCORMACK. Mr. Speaker, it is a great honor for me to have this opportunity to pay special tribute to the unusually able and dedicated chairman of the House Interior and Insular Affairs Committee, the Honorable WAYNE N. ASPINALL, on his retirement from the U.S. House of Representatives.

While only in my first term in Congress, I well know and very much share the respect he has earned from his colleagues in the House of Representatives and from observers of the legislative process alike for being one of our most productive, dedicated and professional congressional leaders.

As chairman of the House Energy Task Force, I have had a unique and rewarding opportunity to work with Chairman ASPINALL and benefit from his knowledge, concern and high-minded sense of effective congressional cooperation. In an area such as energy, where congressional committee jurisdiction is fragmented, this is critical if we are to be effective. Because of Chairman ASPINALL's finely tuned sense of rationality and economy in Government, and his concomitant determination to make a meaningful contribution to integrated congressional action and national policy progress, our efforts in the Science and Astronautics Committee have been immeasurably enhanced.

The chairman recognized that if this Nation is to avoid brownouts, blackouts and work stoppages in the future, serious and far-reaching congressional action and enlightened public awareness of the impending energy crisis are critical. His extensive hearings have gone a long way toward publicizing the serious nature of the issue and laying a vital foundation for future congressional action and national policy formulation.

As a freshman Congressman, I am especially indebted to the chairman's generosity and advice. His many accomplishments, his dedication to hard work, and his effectiveness as a legislator will long remain an example for us to seek to emulate.

Mr. DULSKI. Mr. Speaker, I appreciate very much this opportunity afforded by my colleague from Pennsylvania (Mr. SAYLOR) to pay a deserved tribute to a distinguished Member of the House, the Honorable WAYNE N. ASPINALL of Colorado.

As the books are closed on the 92d Congress, WAYNE ASPINALL prepares to put aside his role as Federal legislator after 12 terms in the House. For more than half of that period, he served as the very able chairman of the Interior and Insular Affairs Committee.

His work on this committee, particularly since he became chairman, has been cited in some details by my colleagues. I know well of the responsibilities and chores that face a committee chairman and WAYNE ASPINALL has been a tower of strength in the many areas of direct concern to his committee. He is a tireless worker who has a reputation for doing his homework. I am told that there have been few hearings by his committee or its subcommittees in which he has failed to participate.

My district rarely has projects or problems which come within the scope of WAYNE ASPINALL's committee.

But there has been one instance which was of paramount interest and concern to my people in Buffalo, N.Y. It involved the designation of the Ansley Wilcox Mansion as a national historic site. The significance of this site is that it was where Theodore Roosevelt took the oath of office as President in 1901 after the assassination of William McKinley.

I introduced appropriate legislation in the 88th Congress and pursued the project vigorously but the bill never emerged from committee. I introduced new legislation when the 89th Congress convened and launched my effort all over again.

To make a long story short, with the cooperation and assistance of my good friend WAYNE ASPINALL, the Wilcox Historic Site bill passed the House in February 1966 and finally was signed into law the following November.

Mr. Speaker, all of us in the House are going to miss the daily participation of WAYNE ASPINALL in our work. He is an outstanding public servant who has compiled an enviable record of achievement on the national level, while at the same time caring for the needs of his own constituency and his state. I am happy for this opportunity to extend my public appreciation and my best wishes to WAYNE ASPINALL.

Mr. DERWINSKI. Mr. Speaker, WAYNE ASPINALL certainly merits the commendations of the Members of the House for his long and effective service, and I am pleased to join JOHN SAYLOR in his tribute to WAYNE.

As chairman of the Interior and Insular Affairs Committee, he was a productive, sound, energetic leader. The legislative record of the group attests to that. WAYNE ASPINALL is one of the truly knowledgeable Members of the House. We will miss his wise counsel and leadership.

WAYNE was especially devoted to the people of his district and to the State of Colorado and the Rocky Mountain region. We will long remember the many contributions that he made to the expansion of national parks and recreation areas, irrigation and reclamation projects, his concern for more effective administration of our Indian affairs, and many other subjects to which he gave his special attention.

Mrs. Derwinski and I wish WAYNE and Mrs. Aspinall a long and happy retirement.

Mr. WILLIAMS. Mr. Speaker, today will probably mark the close of the 92d Congress; it will also mark the close of one of the most impressive political careers in the history of the State of Colorado. Our friend and colleague, WAYNE ASPINALL, is closing out his affairs as a Member of this House and preparing to enter retirement.

For almost 50 years WAYNE ASPINALL has served his State and his Nation. He was first admitted to the bar of Colorado in 1925. In 1926 he became a member of the board of trustees of the town of Palisade. By 1931 WAYNE had won election to the Colorado House of Representatives and in that body he served both as his party's whip and speaker of the house. In 1939 he was elected to the Colorado State Senate. In that body he also served his party as both the whip and later as the floor leader. During both world wars WAYNE ASPINALL put aside his own affairs and entered the military service.

Our colleague was first elected to this House in 1948 to serve in the 81st Congress. He has been reelected at each general election since that time.

I have been honored to serve with WAYNE on the House Committee on Standards of Official Conduct. The important business of this committee has often required long and serious deliberations. I can assure you, Mr. Speaker, that WAYNE ASPINALL has assisted those of us who serve on that committee many times to find the right path by his careful and complete analysis of the issues.

Mr. Speaker, I have not been privileged to serve with WAYNE on his other two committees. However, I have frequently heard from many of our colleagues that his work on the Joint Committee on Atomic Energy has been excellent.

Recently, I had the honor of going before his own Committee on the Interior and Insular Affairs with one of my own bills, H.R. 7088, which I introduced to establish the first National Environmental Center in the United States, at the Tinicum Marsh in my district. Throughout the hearings before WAYNE's committee, and while the bill was pending before the House, I was proud and pleased to have the gentleman's support for that important legislation.

I have no doubt that my colleagues join with me in wishing WAYNE ASPINALL a long and happy retirement in his beloved Colorado. For half a century, he has well and faithfully served the interests of his State and of the Nation, and I wish him well.

Mr. FUQUA. Mr. Speaker, a man of great stature and discipline will be leaving this body at the end of this session of Congress.

Mr. WAYNE ASPINALL, chairman of the House Committee on Interior and Insular Affairs, has given great leadership and reasoned deliberation to legislation that would improve our environment and provide sanctuaries from the turmoil of everyday life. The chairman will be missed by us in the House but, equally important, his leadership and service will be missed by the citizens of the Fourth District of Colorado.

I have been privileged to serve with Chairman ASPINALL and ascribe to his admonishment that Members do their homework on various legislative proposals. WAYNE ASPINALL demanded a great deal of those around him and, for the most part, they responded accordingly. Whatever successes the chairman enjoyed in the classroom could come only second to the outstanding contributions he made to the Congress and to his country.

Among WAYNE's many outstanding accomplishments in the House was his efforts in behalf of the establishment of the Land and Water Conservation Fund. This important act has provided urgent financing for additions to State and national park systems and has been most beneficial to the people of my State. Few men give more of themselves in the consideration of a particular piece of legislation than WAYNE. Never swayed by popular rhetoric, he gave reasoned and deliberate attention to every bill reported by his committee and the country benefited accordingly.

I shall miss the chairman as I am honored to have known him and counted him among my friends. A recent Wall Street Journal article quoted a conservation lobbyist as saying—

> We could have looked a Hell of a lot longer and farther (for a chairman) and done a Hell of a lot worse.

Though maybe a back-door tribute, a tribute it was.

I wish WAYNE and his wonderful family every happiness in the years ahead.

Mr. FINDLEY. Mr. Speaker, the citizens of Springfield, Ill., will feel a special loss in the retirement of Congressman WAYNE ASPINALL, as will Lincoln buffs around the country. It was Congressman ASPINALL, more than any other person, who made the Lincoln Home National Historic Site a reality. For the past 10 years, Lincoln's Home in Springfield has been plagued by creeping urban blight, danger from fire, and encroaching commercialism. The only home that Lincoln ever owned, the place where he spent his manhood before his election to the Presidency, was in danger of being lost or permanently damaged.

Chairman ASPINALL recognized the need for quick, decisive action. In February, 1971, he came to Springfield and visited the Lincoln Home. In a speech before the prestigious Abraham Lincoln Association, he told why the home is important:

> Not because of its physical prominence, for it is not an architectural masterpiece;
>
> Not because it can house memorabilia of the past, for any building can serve as a museum;
>
> But rather because it tells something of this man, just by silently letting it tell its own story.
>
> It can tell people that while he lived in his Springfield home, he continued to mature and grow intellectually.
>
> This home can tell our children and the generations following them that a humble man of modest means can advance to the top by working within "the system."

It was an inspiring speech; one of the best we have heard in Springfield.

Shortly after this, Chairman ASPINALL agreed to cosponsor H.R. 3118, the Lincoln Home bill, which subsequently was enacted into law. It was his great concern for the memory of Lincoln which led to the scheduling of hearings on the bill and to favorable committee action within only a few months. President Nixon flew to Springfield in August of last year to sign the Lincoln Home bill into law.

Perhaps Washington columnist Lester Bell best summarized Chairman ASPINALL's lasting contribution to Springfield when he said:

> The people of Springfield and Illinois and the United States who cherish the memory of Abraham Lincoln owe Aspinall a very special vote of thanks.
>
> In Aspinall's twenty-four years as chairman of the powerful House Interior Committee he was its dominant personality.
>
> Washington could count on any bill bearing Aspinall's imprimatur to pass safely through the House once he brought it to the floor.
>
> That's what happened when the entire Illinois delegation, plus many other cosponsors got Aspinall on their side for a bill to create the four-block Lincoln Home National Historic Site in Springfield.
>
> "Aspinall was the key to the success of the Lincoln Home Bill," Representative Paul Findley, an Illinois Republican, says ungrudgingly of the Colorado Democrat.
>
> "Without his enthusiastic support, the Lincoln Home Bill never would have come out of committee," adds Findley, author of the legislation.
>
> Aspinall laid the groundwork well for preservation of the Lincoln shrine for generations of visitors, who will see the area much as it was when the President-Elect said farewell to Springfield at the depot.
>
> The House Interior Committee authorized $5,860,000 in appropriations over five years for development of the four-block historic site. The additional $2,003,000 for land came from existing funds.

On October 9, 1972, Springfield invited Congressman ASPINALL to come back to witness the official transfer of the Lincoln home from the State of Illinois to the National Park Service. All those present—Governor Ogilvie, Secretary of the Interior Rogers Morton, Senators PERCY and STEVENSON, National Park Director George Hartzog—realized full well that the man most responsible for the ceremony taking place was WAYNE ASPINALL.

Congressman ASPINALL's identification with Lincoln goes beyond the home in Springfield. Like Lincoln, WAYNE ASPINALL was concerned with the way in which our country developed. Just as Lincoln signed into law such important measures as the Homestead Act, the Pacific Railway bill, and the Morrill Act, so Chairman ASPINALL was responsible for passage through Congress of some of the most important legislation to affect the continental United States in the past decades.

The people of Springfield, as all the Nation, will miss the leadership and the wisdom of WAYNE ASPINALL. Others, especially his colleagues in Congress, will miss more—his friendship. All wish him the very best in the years that lie ahead.

Mr. HOSMER. Mr. Speaker, I have worked for 20 years with our colleague from Colorado (Mr. ASPINALL) and he was in the Congress before I got here. Consequently all these years I have been his junior in rank. Also, as is practically everyone in this House, I am his junior in the knowledge of his specialty, the affairs of the Interior and Insular Affairs Committee, and how to get things done in that committee and legislation from it passed by the Congress.

WAYNE ASPINALL is one of the most remarkable and memorable men I have ever met. His intelligence is great, his perseverance unequaled and his perception constantly crystal clear. I have learned more from him and another colleague like him, the gentleman from California (Mr. HOLIFIELD) during these 20 years than I would have learned earning a Ph. D. I am grateful for it, very grateful. I am tremendously sorry that WAYNE is leaving the Congress. Truly this Nation is the loser, not him, and the same goes for the State of Colorado of and from which WAYNE ASPINALL will always be one of the giants.

Water Desalination Report for September 28 carried a rather nice tribute to both WAYNE and another very fine warrior and delightful friend, the senior Senator from New Mexico (Mr. ANDERSON). The item, written by Richard Arlen Smith, publisher of the report, follows:

END OF A DESALTING ERA: ANDERSON, ASPINALL LEADERSHIP NO MORE

> Political bells have tolled for the two whose names are borne by the original Saline Act. Wayne N. Aspinall (D-Colo.) and Clinton P. Anderson (D-N.M.), as political forces, are no more. Aspinall, 76, fell victim in the recent primaries after 17 terms in Congress, and Anderson, 77, dropping from the Cabinet to enter the Senate in 1948, is retiring.
>
> But powers they were.
>
> Anderson, in his heyday of the late 50's and early 60's controlled legislation from an inner circle that included Lyndon Johnson, Robert Kerr and Richard Russell. Former Sect'y of Agriculture, chairman of the once super-significant Joint Committee on Atomic Energy, a chairman of the Interior Committee, present chairman of the Space Committee, Anderson knew the way around official circles as well as anybody in Govt. And there weren't many bigger fish swimming the Washington seas.
>
> He strongly believed in public patent benefits accruing from govt.-sponsored research-development. Recent OSW forays to squelch the public patent section of the Saline Act were almost single-handedly turned off by a few opposing words from Anderson. His vision was the first of real consequence that saw desalting as an alternate water source on a grand scale for parched land such as his own Southwest. He supported the first nuclear desalting dual plant studies by R. Philip Hammond at Los Alamos in the 50's. His accomplishments on the Senate Interior Committee date from 1948, only two years after the Committee was first established by the Legislative Reorganization Act of 1946. As one of his closest Senate associates described Anderson's farewell: "It's the end of an era for far western power on the Committee."
>
> Aspinall's leadership in the House of Representatives was as formidable as Anderson's in the Senate. Rep. Craig Hosmer (R-Calif.) summed it up best: "He's arbitrary, dictatorial, contentious . . . but about the nicest guy who ever breathed. Nobody can claim a better record for passing legislation. He'll be badly missed. I would think the Committee is weaker."
>
> Meanwhile, others in similar circumstances perhaps off on world trips or the like, Aspinall is back in the Capitol, getting the Committee's remaining legislation through—and in great spirits. Campaign issues against Aspinall was that he was too pro-development of the nation's resources and not enough conservationist-environmentalist. That and a light voter turnout won for his opponent, Alan Merson, on a balloting of about 16,800 to 15,000. But Merson isn't given much chance to win the general election.
>
> A Christmas Tree. Many grand and glorious desalting designs, schemes, prototypes, etc. were bounced off Aspinall and Anderson. For example, this is the fifth and final yr. of the $200 million Johnson-DiLuzio accelerated desalting plan, which included a veritable Christmas Tree of prototypes, 2nd generation and full scale plants. This is the yr. large desalting plants were to be operating economically, at less than $.30/1000 gals. Aspinall winked at that 5-yr. proposal to flower the deserts and had some tongue-in-cheek fun with it. But he supported it. The net result: no plants are making water at $.30 per, and there aren't any large plants period under the U.S. program. This yr. the Interior Sect'y. after studying prototype possibilities the past yr. informed Congress there aren't any construction possibilities (WDR, 14 Sept. '72, 1).
>
> Such foibles never deterred Aspinall nor Anderson in their constancy to the desalting program and support of the funding requests of the various administrations. Recently, Aspinall began to hold back characteristic tongue-lashings of departmental functionaries who got their budget requests and legislative programs to the Committee late, when their statements made outlandish claims or weren't even authored by the Dept.

and got developmental sequences out of whack. But continuity of U.S. desalting activities and efforts remained more in Anderson and Aspinall and their committees than in the often half-hearted attempts of OSW under this or that administration to field a program.

What does it all mean for desalting?

Fading from the scene of these venerable powerhouses, like Hosmer says, can only soften desalting's future and weaken its already sagging bargaining power within the Federal perimeter. Then who knows, maybe younger, better, stronger, more perfect men will come along and lift the banner higher.

So long as there's life, there's hope.

(Editor's note.—Maybe environmentalists who defeated Aspinall and favor non-resource development will not get legislation for their area more to their liking, which Aspinall failed to deliver. But we doubt it.)

Mr. RHODES. Mr. Speaker, no man is more deserving of tribute than is the Honorable Wayne N. Aspinall. There are scarcely words to describe the great respect we have for him, for he is a man whose deeds and service in the House make him one of the great Members of Congress, as well as a very special person in the eyes of his colleagues.

Wayne Aspinall has represented the citizens of the Fourth District of Colorado since the 81st Congress. He has been dedicated to their interests and has served them with devotion and ability. At the same time, over the years he has become a man of national stature, particularly in the field of reclamation where his knowledge cannot be matched. He has headed the Interior and Insular Affairs Committee since 1959 in a masterful and brilliant manner, and much of the legislation pertaining to and resulting in the development of the western part of our country has come through his able and knowledgeable leadership.

Wayne became one of my first friends when I was assigned membership on the Interior Committee when I came to Congress in 1953. During the years I served with him and under his chairmanship, I came to know him well, both professionally and personally. His wise counsel and good judgment have often stood me in good stead, and they still do. I have yet to find a quality in Wayne that is not admirable. Integrity, honesty of thought and purpose, responsibility to colleagues, belief in and representation of only the highest principles, warmth of friendship, utter loyalty to his country—these are only some of the qualities which make up the totally fine man that is Wayne Aspinall.

I will miss Wayne more than I can say. I cherish his friendship, and I feel privileged to have had the opportunuity to serve with him over the past 20 years. I will never forget our association, and I hope our paths will continue to cross as frequently in the future as they have in the past. Mrs. Rhodes joins me in wishing Wayne and Essie only happiness and the best things of life in the years ahead.

Mr. DORN. Mr. Speaker, Wayne Aspinall is one of the truly great committee chairmen and leaders of the Congress that it is ever been my pleasure to know. He has very skillfully handled his committee, the great Committee on Interior and Insular Affairs, in writing hundreds of bills to further protect and properly develop our great natural resources. He is properly proud, Mr. Speaker, of his beautiful State of Colorado, and has done more toward proper protection and development of the environment and our mineral resources than any other man of our time. He has been truly a national Congressman, with concern for all sections of the Nation. This has truly been a better House because of Wayne's service here. Mrs. Dorn joins me in wishing for Wayne Aspinall continued success and happiness and the best always.

Mr. GRIFFIN. Mr. Speaker, Congressman Wayne Aspinall will be leaving Congress at the close of the 92d Congress and I know he will be sorely missed.

Wayne Aspinall has served with distinction as a member of this body for nearly 24 years, achieving an outstanding record of accomplishments.

We all know him well as the dedicated and hardworking chairman of the Interior and Insular Affairs Committee. In this position his service and concern for our Nation's environment and resources has touched every State of this Union.

During the last few years a project of particular interest to the people of Mississippi and to me, the restoration of the gunboat *Cairo*, could have not been successful without the interest and concern of Congressman Aspinall. I would like to express my personal appreciation as well as that of the people of Mississippi for his help and interest over the years. I know that each State in the Nation has benefited from the deeds of Wayne Aspinall over his term of service in the Congress.

I want to wish him well in the future as he concludes an outstanding congressional career.

Mr. GARMATZ. Mr. Speaker, I gladly join my colleagues in paying tribute to Congressman Wayne Aspinall. He is one of the most capable and dedicated members of the House of Representatives, and he has rendered outstanding service to his Nation and his native State of Colorado.

As a committee chairman, I am especially aware of this legislator's outstanding abilities, because I know how difficult it is to keep abreast of the myriad bills that deluge every committee. Despite the heavy volume and the complexities of the legislation that flows in such an endless stream from his committee, I have often observed that Chairman Aspinall manages almost all of it himself when it is brought up on the Floor of the House for debate. The fact that he is able to handle his bills so skillfully, and that he is able to answer in detail the many difficult questions that are raised, illustrates that this is a man who does his homework.

Congressman Aspinall has been an effective chairman, and a dedicated public servant for many years, and I wish him happiness in his well-deserved retirement.

Mr. MAHON. Mr. Speaker, I want to join with my colleagues in commemorating the service in the House of Representatives of Wayne Aspinall of Colorado, the distinguished and effective chairman of the House Committee on the Interior and Insular Affairs.

Institutions are but the lengthened shadows of men. Wayne Aspinall has labored for a quarter century here in the House establishing an illustrious record as an effective legislator. As chairman of the great Committee on the Interior and Insular Affairs he has contributed quality, dignity, strength and stature to the leadership of the House.

Mr. Speaker, Wayne Aspinall is one of the abler men who has been sent to Capitol Hill as a representative of the people in my time here. None has been more devoted to the people of his district and the welfare of the Nation. A man of ability and conviction, a dedicated American in the fullest sense, he has made his mark on this institution.

Leaving aside his remarkable legislative achievements for a moment, I want to say that it has given me great personal pleasure to have served with this man. His office adjoins mine in the Rayburn Building, so he is one of my close neighbors. We have been attendants at the same church during our time here. His counsel and friendship have been an ever present reassurance and inspiration to me personally over the years.

Wayne Aspinall, I salute you today and join with your other friends in wishing you and your loved ones every happiness and success in the coming years.

Mr. ROYBAL. Mr. Speaker, it is a privilege to join with my colleagues in paying tribute to the Honorable Wayne Aspinall whose distinguished career is drawing to a close after more than 20 years in Congress.

During his tenure as chairman of the Committee on Interior and Insular Affairs, Wayne Aspinall continually demonstrated his leadership, diligence and ability, and I will remember with pleasure, in the years to come, our association while a member of that committee. His experience and expertise will be missed by all fortunate enough to have worked with him, I am sure.

He has served his district, State and Nation well and can certainly reflect with satisfaction on his numerous accomplishments.

I extend to him my sincere best wishes as he prepares to return to private life.

HON. J. IRVING WHALLEY

Mr. SAYLOR. Mr. Speaker, I rise this afternoon to pay tribute to a retiring Republican colleague, the Honorable J. Irving Whalley, a man who has been a faithful and diligent ally since his election to the House of Representatives in 1960.

Congressman Whalley brought to Washington 35 years of successful business experience, an understanding of the value of a taxpayer's dollar, and 10 years of valuable legislative experience in the Pennsylvania Legislature.

As a member of the House Foreign Affairs Committee, Representative Whalley has displayed his knowledge and understanding of the complicated state our world now faces. Much of this insight was gained through extensive travel in more than 100 countries.

His broad background in foreign affairs qualified him for an appointment to serve on the Interparliamentary Conferences held with Canada and Mexico.

"IRV" WHALLEY's recognized knowledge in world affairs has also assisted him in serving as the ranking Republican member on the African Subcommittee of the House Foreign Affairs Committee.

Not only has Congressman WHALLEY's service to his district been outstanding, his dedication to his country has been uppermost in his actions.

In 1969, Representative WHALLEY accepted an appointment from President Nixon to be a Delegate to the United Nations General Assembly. Despite the fact that he was forced to split his time between Washington and New York, and his district, Mr. WHALLEY accepted the extra workload and longer hours with a heated intensity.

The contributions J. IRVING WHALLEY made to his district will long be remembered. He brought his area of Pennsylvania millions of Federal dollars in order to give his constituents a better way of life. He was instrumental in obtaining new water systems, sewage plants, hospitals, community buildings and numerous other projects for his district. He has fought to make life better for his constituents by voting for lower taxes, reduced spending and balanced Federal budgets.

Congressman WHALLEY and I have worked closely on many pieces of legislation that would benefit our neighboring district and I will miss his assistance and friendship. The old 12th District of Pennsylvania, the State of Pennsylvania, and the Nation will feel the loss of the influence this retiring legislator will take with him.

Come January, "IRV" WHALLEY will be one of my constituents, in the newly created 12th District, and I will endeavor to serve him as faithfully and diligently as he has represented his constituents during the past 12 years.

Mr. SCHNEEBELI. Mr. Speaker, IRV WHALLEY came to the House toward the close of the 86th Congress and the two of us have spent about the same length of time here since late 1960. IRV has been a most conscientious legislator and worked particularly hard for his constituents in the large area he represented in central Pennsylvania.

His previous experience in the Pennsylvania State House of Representatives and the State Senate gave him an excellent background for his more than 12 years as a federal legislator. He became the ranking member of a Foreign Affairs Subcommittee and served as U.S. Delegate to the United Nations for the 1969 Fall session.

Probably his outstanding service to the State of Pennsylvania was his exceptionally close liaison which he had with his District and his constituents. He was home every weekend, keeping his District Offices open for constituent visits so that he could be helpful to them. He maintained some of his local business and community contacts, and served conscientiously the causes of his Community Hospital, his church, and he was a very active member in the American Red Cross for 25 years. One of his special interests was the Whalley Athletic Club wherein he supported many of the athletes and athletic activities of the young people in his District.

IRV decided to retire from Congress as a result of a redistricting problem which put him in the same District with a more senior Congressman. His many friends in the House will miss IRV WHALLEY, and I join with his colleagues in the hope that IRV and Ruth will be able to relax and have a less strenuous future.

HON. WILLIAM S. CONOVER II

Mr. SAYLOR. Mr. Speaker, it is a particularly sad day for me to bid farewell to one of Pennsylvania's bright young men who is retiring from Congress with the close of this session.

Although the Honorable WILLIAM S. CONOVER II, will not be back with us in the 93d Congress, I am positive he will come back to this House in the future. My young friend from Mount Lebanon, Pa., had to fill large shoes, in a short time, and during a unique political year in our State. Though losing an election, Congressman CONOVER ably fulfilled the task for which he was elected in a Special Election—to give the citizens of the 27th Pennsylvania Congressional District, the representation it required and deserved.

In his career in the U.S. House of Representatives, he has shown the ability, the qualities and the sensitivity to be a truly great legislator. Such qualities will be sought out by the people of Pennsylvania and BILL CONOVER will be back.

We wish BILL and his lovely family well and thank him for a job well done.

Mr. SCHNEEBELI. Mr. Speaker, BILL CONOVER is so new to the congressional scene that his background is not listed in the Congressional Directory for the second session of the 92d Congress. However, we know enough about BILL to give a very favorable impression about his capabilities and attitude toward his job.

BILL is eager and quick to learn and enters into his congressional responsibilities with a great deal of zest and pleasant determination. He has an inquiring mind and does an excellent job considering the fact that he came in after half the session had been completed and he was at the usual disadvantage of being sworn in after the session had started.

However, despite this handicap, he has caught up and gotten along very well. In this short time, he has made his mark and has contributed to the progress of the House. It is apparent to all that BILL is a very pleasant and capable person and we hope that he has seen enough of the political scene to want to continue his active participation in politics, and I know that he will do a very thorough job. It has been a pleasure to have him in the Pennsylvania Republican delegation.

GENERAL LEAVE

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the accomplishments and public service of the Honorable WAYNE ASPINALL.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the accomplishments and public service of the Honorable J. IRVING WHALLEY.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the accomplishments and public service of the Honorable WILLIAM S. CONOVER II.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CBS BLINDED BY WHEAT CHAFF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, CBS television was unfair in its recent three-part series on the wheat sales to Russia.

In a letter to Frank Stanton, chairman of the board of the Columbia Broadcasting System network, I have asked for equal time to set the record straight.

So much wheat is being moved so rapidly these days, the chaff must have momentarily blinded CBS reporters and caused them to lose sight of the great benefit the Russian wheat sale assures to the American people as taxpayers, wage earners, and farmers.

The three-part series CBS just concluded left the totally unjustified impression that the sale was a bad deal for the American people in general and the farmers in particular.

In light of the omission in the series and unjustified conclusions reached by its commentators, CBS rendered a serious disservice to its viewers.

As a member of the House of Representatives Committee on Agriculture and of the subcommittee that conducted hearings on these sales, I personally can attest to their shortcomings.

Walter Cronkite, in introducing the first report, assumed an air of objectivity that quickly broke down. Subsequently, he and the reporters set forth conclusions, both by implication and directly, that were not supported by fact.

Among the unsupported conclusions were these:

First. Profits for the grain companies were excessive. They pocketed the export subsidies.

Second. Illegal conflict of interest by grain company employees existed based on previous Government service.

Third. Farmers lost income because they were deliberately deprived of information concerning crop conditions in Russia and activities of the grain companies.

Fourth. Officials of the U.S. Department of Agriculture conspired with grain companies to insure excessive profits at taxpayer and consumer expense.

Fifth. The American people, as taxpayers and consumers, are worse off because of the wheat sale.

None of these conclusions were proven, nor have they been since. In fact, there is strong evidence to indicate they are false. Such evidence was available to CBS reporters but was not mentioned by them.

The facts are these:

First. It is far too early to determine if grain companies made excessive profits. There is still some question whether profit will occur at all. The wheat sales are all at a fixed price based on delivery on board ship.

No one, not even the big grain companies, could anticipate the magnitude of the grain sales to the Soviet Union when contracts were made, and the effect of this magnitude on logistical costs. These costs still cannot be measured. The increase in export subsidies gave the grain companies no advantage whatever. It served only to keep the world price from rising.

I can provide further elaboration on this point.

Second. No illegal conflict of interest has been proven. No charges have been filed. So far as I can determine, no charges are even being drafted. While the transaction may have been mishandled in some respects, this aspect is minor contrasted with the total effect of the sale.

Third. The public, which of course includes farmers, was given a steady flow of information beginning early this year of impending crop crisis in the Soviet Union. This included optimistic reports about the possibility of sizable U.S. grain sales.

Fourth. All through the period of controversy, the Department of Agriculture adhered strictly to its longstanding policy on subsidy payments on foreign wheat sales. The policy originated many years ago and has been continued without change until very recently when the subsidy was reduced to zero.

Fifth. On balance, the American people were well served by the wheat sale.

To be sure, they face the possibility of increased food prices because wheat prices and other grains are up. But these increases have not been approved by the Price Commission, and may not be. And even the worst prospect would show food-price increases for the next 9 months far, far less than the $1.5 billion figure CBS pulled from the chaff.

Whatever food-price increase occurs will be more than offset by the advances the American people will score as taxpayers.

Note these beneficial effects on the U.S. Treasury:

Storage and interest costs of Government wheat stocks will be cut about $3.6 million the first year.

The Treasury is $279 million better off because that amount of wheat has been sold.

Remaining Government wheat stocks are worth $7.5 million more than before.

The 1972 wheat program costs are down $161 million.

The 1973 wheat program costs will be $142 million less than otherwise.

Sixth. All farmers are better off. Most sold their wheat after the price rise. The others will benefit from better prices next year. The net increase in gross farm income will be up over $1 billion. Cash receipts—including payments—from wheat sales this year will hit an all-time record high. So will wheat exports.

Seventh. Countless wage earners whose jobs depend on the movement of grain into market will earn considerably more. Approximately 40,000 new jobs will be created. Estimates indicate $2.40 will be added to the economy for each $1 of wheat sold.

On most counts, CBS has fulfilled admirably its responsibilities under the first amendment. Before election to Congress in 1960, I was an editor-reporter. Because of this background, I have always been committed to the first amendment and to the independence of news reporters. In 1971, I voted against the contempt citation resolution brought against CBS. I believed then, and still do, that CBS has performed a valuable service most admirably for the people of our country.

CBS handling of the wheat sale was an exception to an otherwise fine record.

CONGRESSMAN RODINO CITES RECORD OF ACHIEVEMENTS IN 92D CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, earlier I reported to my constituents on some of the major activities of this Congress, but I was not able to include details on several important areas.

New programs were enacted to help students from preschool to college. The Higher Education Act extends aid to all existing programs and creates important new ones. These include: a new system of basic opportunity grants, entitling every college student to an annual grant of $1,400, less the amount his parents can contribute; a new program of direct institutional aid for colleges; and help for occupational and vocational education. It also established a National Institute of Education to develop better ways of teaching and learning at every level.

In addition, Congress expanded the Head Start Program to enable children of working families, as well as the poor, to participate in this voluntary day care program. Amendments to the National School Lunch Act will assure free and low price meals for needy children.

For older Americans, this has been one of the great Congresses in history. Chief among our actions, of course, was the combined 32 percent social security increases passed in 1971 and 1972.

Some of the other benefits our 20 million senior citizens will realize from congressional initiatives are: nutritional meals for those who need them, including shut-ins; low-cost transportation; job training and employment; community centers; preretirement training; health and education services; centers to study the many problems older Americans face; a new National Institute of Aging to conduct research on aging and the special health problems of the elderly; and a 20 percent increase in railroad retirement benefits, enacted after Congress overrode a presidential veto.

Veterans will also benefit greatly from bills passed in this Congress. Of vital importance is the law giving a 10 percent boost in benefits for disabled veterans. Also we enacted a landmark new GI education bill increasing allowances for Vietnam veterans by 25 percent.

The new National Cemetery Act transfers to the VA responsibility for all national cemeteries, and also increases and liberalizes administration of burial allowances.

To help meet the Nation's medical manpower shortage and to improve VA medical care, we authorized a pilot program establishing 8 new medical schools in veterans' hospitals across the Nation. Another new act will vastly improve the entire VA medical care system, by permitting veterans with nonservice connected medical problems to be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive medical care.

Environmental Protection was given high priority in this Congress. Clean air and water and the conservation of resources and wildlife have been some of our chief concerns. The Water Quality Standards Act provides $24.6 billion to clean up our waters. The goal of this bill—the most far-reaching anti-pollution bill ever passed—is to end all discharges of pollutants into navigable waters by 1985.

Among other significant environmental protection bills passed was the Environmental Pesticide Control Act and extension of the Youth Conservation Corps.

In recent years Congress has also focused on consumer protection. Already enacted are truth in lending, wholesome meat and poultry, truth in packaging, fair credit reporting, and auto, tire and toy safety measures.

This Congress has expanded this record by passing: The Flammable Fabrics Amendments, to require that products meet stringent anti-fire requirements; the Consumer Product Safety Act to set up a new agency to fix safety standards and remove unsafe products from distribution; and a bill to fix minimum standards for bumpers to reduce damage in low-speed auto collisions.

Two constitutional amendments which I introduced and helped steer through the Judiciary Committee and the Congress would extend the right to vote to 18-year-olds and end discrimination based on sex.

The 18-year-old vote amendment permits citizens over 18 to vote in all elections and it was quickly ratified by the States. Because of it, 11 million more voters are eligible to vote in the elections this year.

The Equal Rights for Women Amendment was long overdue, for many distinctions based on sex still exist in law. For example, 26 States prohibit women from working in certain occupations, and in some communities there still exist dual pay schedules for men and women public school teachers. Twenty-one States have already ratified the amendment; 38 are required.

Economic problems have also troubled Congress greatly. Since January 1969, unemployment in the United States has climbed to over 5½ percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and Government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the Accelerated Public Works Act of 1971, providing $2 billion to create 170,000 jobs in the public sector. Unfortunately, the President vetoed this bill. We then passed the Emergency Employment Act authorizing $2¼ billion for transitional public service jobs and special employment assistance programs. We also earmarked $275 million for additional unemployment benefits and allowances.

Congress also extended the President's authority to establish controls on prices, rents, wages, and salaries; increased the personal income tax exemption per taxpayer and dependent to $675; and came to the aid of small businesses by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the administration's budgets, while seeking to meet the Nation's vital needs. During the past 3 years, Congress has cut a total of $14½ billion from the administration's appropriations requests—and the total appropriations this year will again be below the President's budget.

Mr. Speaker, I believe this Congress has compiled an outstanding record. However, when the 93d Congress convenes in January, the problems facing our Nation will still be with us, for there are no instant solutions or overnight cures. But we will be building on a solid foundation laid down during the past 2 years, and I pledge my continuing efforts to work for the goals all Americans share—a strong and free, a just and prosperous Nation in a world of peace.

EDUCATIONAL AND CULTURAL POSTAL AMENDMENTS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. William D. Ford) is recognized for 5 minutes.

Mr. WILLIAM D. FORD. Mr. Speaker, today I am introducing the Educational and Cultural Postal Amendments of 1972, a bill which would amend the Postal Reorganization Act of 1970 to give proper weight to the role of the Postal Service in distributing informational, educational and cultural materials.

I am submitting this bill today so that it may be circulated and discussed during the balance of this year prior to its reintroduction at the beginning of the next Congress. I would particularly welcome comments by library and educational organizations since they would benefit significantly by provisions of this legislation. As we all know, these types of organizations have been subjected to extreme financial pressures during the past few years, including the repeated vetoing of Federal education appropriations by the Nixon Administration.

We have now had 2 years of experience with the Postal Reorganization Act, including one lengthy rate proceeding and the institution of the new and higher schedule of rates, effective July 6, 1972. We have also had extensive hearings before a Subcommittee of the House Post Office and Civil Service Committee by the Postal Service and various classes of mail users.

It is now clear that the fears of the House were justified that the Postal Reorganization Act might severely inhibit the distribution of information, educational and cultural materials through the Postal Service.

The House Bill had various safeguards in it and, in some cases such as library materials and books, reserved to the Congress the policy question of setting rates on such materials rather than leaving it to a Postal Rate Commission. This safeguard was lost in the Bill agreed to in conference, although it was perfectly clear in the legislative history that Congress wished to call particularly to the attention of the Rate Commission the public interest nature of the rates which the Congress had traditionally established.

It is also evident that in the recommendations of the Postal Rate Commission which were subsequently adopted and promulgated by the Board of Governors, the Rate Commission specifically rejected this congressional concern. The Commission interpreted the statute to require consideration only of strictly economic considerations.

Therefore, it seems clear that Congress will need to amend the statute to make its concern about the role of the Postal Service in the distribution of informational, educational and cultural materials binding on the executive branch. My bill does this in the following ways:

First. It writes into the statute a new specific requirement that the Commission take into account in recommending rates the following criterion: "the educational, cultural, scientific and informational value to the recipient of mail materials";

Second. It provides that the transitional period for increasing rates on second class periodicals and newspapers and books, educational films and other educational cultural materials be extended from 5 years to 10 years.

Third. It provides that increases in rates for periodicals and newspapers, books, educational films and other educational and cultural materials should not exceed 50 percent of the rates put into effect by the Board of Governors on July 6, 1972;

Fourth. It limits the increase in rates for small magazines and newspapers by providing that the first 250,000 pieces of each issue of such publications shall not exceed two-thirds of the rates otherwise in effect, and

Fifth. It provides that the transitional period which is 10 years for some types of mail and 5 years for others shall be guaranteed as contemplated by the Congress and not subject to cancellation by action of the Office of Management and Budget in submitting appropriation requests to the Congress.

Mr. Speaker, at this point I would like to insert the text of my proposal into the Record and I would urge my colleagues to study its provisions carefully. Only by enacting legislation such as this can we insure that the widespread distribution of educational and cultural materials will be safeguarded.

The text of the Educational and Cultural Postal Amendments of 1972 follows:

A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Educational and Cultural Postal Amendments of 1972".

Sec. 2. That (a) section 3626 of title 39, United States Code, is amended—

(1) by inserting "(a)" immediately before "If the rates of postage for any class of mail or kind of mailer";

(2) by striking out "with annual increases as nearly equal as practicable, so that—" and inserting in lieu thereof "with annual increases as nearly equal as practicable for mail under former sections 4421, 4422, and 4452 and with biennial increases (after 1972) as nearly equal as practicable for mail under former sections 4358, 4359 and 4454 so that—";

(3) by inserting "(and the ninth year in the case of mail under former section 4358)" immediately after "tenth year" in paragraph (1);

(4) by deleting "4359" and "4554(a)" in paragraph (2);

(5) by deleting the word "and" at the end of paragraph (1), deleting the period at the end of paragraph (2) and inserting in lieu of the period a semicolon and the word "and", and adding immediately below paragraph (2) the following new paragraph (3);

"(3) the rates for mail under section 4359 and 4554(a) shall be equal, on and after the first day of the ninth year following the effective date of the first rate decision applicable to that class or kind, to the rates that would have been in effect for such mail, if this subsection had not been enacted.";

(6) by adding immediately after "unless he files annually with the Postal Service a written request for permission to mail matter at such rates." the following new sentence: "Notwithstanding any other provision of this section, rates established by the Postal Service for the first 250,000 pieces of each issue of a publication of a class or kind authorized to be mailed under former sections 4358 and 4359 of this title shall not exceed 66⅔ percent of the otherwise applicable temporary or permanent rate then in effect."; and

(7) by adding at the end of such section the following new subsections:

"(b) Notwithstanding any other provision of this title, the revenues received from rates for mail under former section 4358 shall not exceed 50 per centum of the amount that would otherwise be received from any increase in rates for such classes required by the provisions of this chapter after July

6, 1972, if this subsection (b) had not been enacted.

"(c) Notwithstanding any other provision of this title, the revenues received from rates for mail under former section 4359 and 4554 (a) shall not exceed 50 per centum of the amount that would otherwise be received from any increase in rates for such classes established in any proceeding under the provisions of this chapter instituted after July 6, 1972, if this subparagraph (c) had not been enacted.".

(b) The changes in existing law made by this section shall become effective on such date (not later than the ninetieth day after the date of enactment of this Act), published in the Federal Register by the United States Postal Service, as the Postal Service shall determine.

Sec. 3. Section 2401 of title 39, United States Code, is amended—

(1) by deleting in subsection (b)(1) "there are authorized to be appropriated to the Postal Service the following amounts:" and inserting in lieu thereof "the Secretary of the Treasury, at the beginning of each fiscal year, shall credit to the Postal Service Fund, out of any moneys in the Treasury not otherwise appropriated, the following amounts:";

(2) by deleting in subsection (b)(1)(A) "1972" and inserting in lieu thereof "1974"; and

(3) by amending subsection (c) to read as follows: "(c) At the beginning of each fiscal year, the Secretary of the Treasury shall credit to the Postal Service Fund, out of any moneys in the Treasury not otherwise appropriated, such sums as may be determined by the Postal Service annually to be equal to the difference between the revenue the Postal Service would have received if sections 3217, 3403–3405, and 3626 of this title and the Federal Voting Assistance Act of 1955 had not been enacted and the estimated revenues to be received on mail carried under such sections and Act. Determinates by the Postal Service under this subsection (c) shall be subject to verification by the Comptroller General of the United States.".

Sec. 4. Section 3622 of title 39, United States Code, is amended—

(1) by renumbering subsection "(8)" as "(9)" and inserting a new subsection "(8)" as follows: "(8) The educational, cultural, scientific and informational value to the recipient of mailed materials; and".

A GREAT CONGRESS FOR VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, the veterans of the wars in which our country has been involved, so far as I am concerned, ranking high among the most important citizens of this Nation. They are the ones who have foregone their own personal ambitions, sacrificed normal family relationships, and suffered financial hardships when our country most needed them to fight our wars, to preserve the freedom of this Nation and that of the free world. A significant portion of our total population is now comprised of veterans of the Vietnam war, the Korean encounter, and World War II. Most unfortunately, the ranks of World War I veterans are now diminishing. Very few Spanish-American War veterans remain. But whatever name is attached to the conflict where they were involved, the men who wore the uniforms of our armed services should be our most honored citizens.

Each year near Veterans Day I make a report to the veterans residing in Missouri's Fourth Congressional District on the manner in which the year's congressional session has responded to their needs. In the interest of brevity the items treated in my report are in condensed form. Those who may read this report are invited to write to our Washington office for additional information on those subjects that may be of special interest. This year I report on the following matters:

1. NON-SERVICE-CONNECTED PENSION RATES AND INCOME LIMITATION PROVISIONS LIBERALIZED

This law, Public Law 92–198, provides an average cost-of-living increase of approximately 6.5 percent in non-service-connected pension rates payable to approximately 1.6 million veterans and widows, and prevents such pensioners from losing any of their VA pension because of the 1971 increases in their social security benefits.

The law applies only to social security payments received by a pensioner in his own behalf.

Maximum annual income limitations for nonservice-connected pensions are increased by the new law to $2,600 for single pensioners and $3,800 for pensioners with dependents.

The law also establishes a new formula for payment of pensions which will be more responsive to the needs of veterans and widows.

2. VA TO ADMINISTER CEMETERIES

Congress passed and sent to the President a bill which clears up the troublesome subject of national cemeteries and veterans burial rights by transferring responsibility for all national cemeteries, except Arlington, to a new National Cemeteries System within the Veterans' Administration. This bill also provides a new $800 burial benefit payable upon the death of any veteran who dies as a result of service-connected causes. It further directs the VA to study and provide for the burial of an unknown Vietnam war soldier.

3. RATE OF COMPENSATION INCREASED FOR SERVICE-CONNECTED DISABLED VETERANS

Increases in service-connected compensation rates for approximately 2,100,000 veterans by about 10 percent were effected by Public Law 92–328.

In addition to the basic compensation rates and/or statutory awards to which the veteran may be entitled, dependency allowances are payable to veterans who are rated at not less than 50 percent disabled. Those with greater disabilities are paid in an amount bearing the same ratio to the amount specified as the degree of disability bears to total disability.

Other increases provided by the bill include: a. a $150 per annum clothing allowance for those who wear a prosthetic appliance or other devices which tend to wear out clothes; b. repeals the law reducing by 50 percent the amount payable to a single veteran when in a VA hospital. Previously funds withheld were paid to the veteran in a lump sum upon his release or discharge from the medical facility; c. provides for payment of compensation to veterans incurring disability during a period of military service other than wartime at the same rate as for wartime—rather than at 80 percent of the wartime rate.

4. DEPENDENCY AND INDEMNITY PAYMENTS LIBERALIZED

Public Law 92–197 provides for a cost-of-living increase amounting to about 10 percent for widows, 5 percent for children, and about 6.5 percent for parents of veterans who died as a result of service-incurred disabilities.

The law also increases the annual income limitation.

5. ADDITIONAL INSURANCE CAN BE PURCHASED WITH ACCRUED DIVIDENDS

Previously, a veteran could use dividends to pay premiums, and could not purchase more than $10,000 in National Service Life Insurance. Public Law 92–188 allows a veteran to purchase more NSLI insurance with his dividends, without proof of good health.

The $10,000 insurance limitation does not apply to the additional, paid up insurance.

6. NATIONAL SERVICE LIFE INSURANCE CAN NOW BE CONVERTED TO THE MODIFIED LIFE PLAN

Under the provisions of Public Law 92–193, insured veterans between age 65 and age 70 may now choose modified life plans.

7. WHO ARE YOUR BENEFICIARIES? NEW LAW CLEARS UP THE CONFUSION

In the past, if a veteran died without designating a beneficiary, it was up to the State law to decide who were legal spouses and children. Since the laws are different in some States, the result was a lack of uniformity in the disbursement. Public Law 92–185 defines the terms widow and widower to mean a person who is the lawful spouse of the insured at the time of death, and also provides that adopted children can qualify for benefits.

8. BILLS AWAITING THE PRESIDENT'S SIGNATURE

Veterans Medical Care Act: This bill significantly broadens the VA's authority to provide outpatient care for all veterans.

Hospitalization, nursing care, and outpatient services are extended to wives and children of permanently disabled service-connected veterans and to surviving widows and children of veterans who died as a result of service-connected causes.

VA Medical School Act: A pilot program of assistance to States to establish eight new medical schools if such schools are located in proximity to, and operated in conjunction with, VA medical facilities.

Vietnam vets "GI bill": This measure provides long overdue increases in monthly educational allowances for veterans pursuing educational and training under the GI bill. Educational allowance rates are raised 25.7 percent and vocational rehabilitation allowances increased by 48 precent. For example, a veteran without dependents will now receive $220 a month instead of $175. This bill also authorizes advance payment for veterans going to school.

Wives, widows, and children now entitled to educational benefits will be able to apply them to correspondence courses or to apprentice and on-job training programs.

9. BILLS PASSED BY THE HOUSE, AWAITING SENATE ACTION

Nursing home care: This bill authorizes transfer of a veteran hospitalized under VA auspices for a non-service-connected condition and who has received maximum benefit from such hospitalization, to a public or private nursing home for care at Federal expense.

Drug treatment and rehabilitation: Veterans' Administration facilities are authorized for the confinement, care, protection, and treatment of any member of the Armed Forces or veteran.

Insurance for National Guard and Reserves: Full-time coverage is provided under the Servicemen's Group Life Insurance program—SGLI—for members of the Ready Reserve assigned to units or positions in which they may be required to perform activity for training, and who each year are scheduled to perform 12 periods of inactive duty training creditable for retirement purpose. This eligibility is also extended to members of the Retired Reserve under 60 years of age who have completed 20 years of satisfactory service.

Veterans Group Life Insurance: Provides for automatic conversion of Servicemen's Group Life Insurance policies in force after separation or release, to a nonrenewable nonpartcipating—no dividends—5-year term policy.

McGOVERN'S PROPOSAL EXAMINED AND EVALUATED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 10 minutes.

Mr. GERALD R. FORD. Mr. Speaker, on October 10 Senator GEORGE McGOVERN outlined for the American people his proposal for ending U.S. involvement in Vietnam and bringing back our prisoners of war. McGOVERN's proposal has been examined and evaluated by the Detroit News in an editorial October 12 and by columnist Crosby Noyes in the Washington Star-News. With the permission of the House, I include both of these commentaries in the RECORD at this point:

BLUEPRINT FOR SURRENDER—McGOVERN'S "PEACE"

The raving demagog quickly reveals himself for what he is; the world can cope with him. But God save us from the demagog who speaks in professorial tones.

Sen. George McGovern spent a half hour on TV this week begging Hanoi to wait for him to be elected so he can give the Communists an unqualified victory in South Vietnam. In the course of this plea he quietly delivered some of the more preposterous assertions and flagrant distortions of this or any presidential campaign.

In his nationwide TV address on Vietnam, McGovern told the American people:

One, that he has "publicly opposed this war for nine years."

The truth is that George McGovern eight years ago voted for the Gulf of Tonkin Resolution, thus supporting former President Johnson's sharply increased involvement in Vietnam. Subsequently, McGovern voted to kill an amendment to repeal that resolution, and on numerous occasions he voted for funds to continue the war. Five years ago, he was denying that he wanted unilateral withdrawal. Only in 1969, after a Republican president had taken office, did McGovern start talking about total and unilateral withdrawal.

Two, that all the blood shed by American men in Vietnam has been shed in an immoral cause contrary to the ideals of the American people.

McGovern referred, as he does at every opportunity, to his service in World War II as a bomber pilot. Dropping bombs in that war was all right, he said, because he was fighting tyranny. In other words, it was right to regard German aggression and oppression as tyrannical; but when the Communists in Indochina slaughter innocent people and try to seize non-Communist governments, there's really nothing for us to be concerned about. The senator seems to have different sets of morals for different times and places and peoples. As we see it, tyranny is tyranny whether practiced in 1940 or 1972, whether in Germany or Vietnam.

Three, that we can give up all our military advantages, crawl to Hanoi on hands and knees, and still expect to obtain a satisfactory settlement.

After ceasing the bombing and suspending all other action against the Communists in Indochina, after ending the shipments of supplies, after withdrawing most of our forces, McGovern would then tell the enemy: "See now, we've shown our good faith—now you show yours." Presumably, we would get our POW's back, and the Vietnamese would be free to work out, if they wished, a coalition government.

But if we had already granted the Communists everything they could want, what incentive would they have to grant us anything? How could any fair stability be achieved and maintained if we withdrew our aid from non-Communist peoples while the Soviets and Red Chinese continued to furnish supplies and equipment to the Communist aggressors? Why should the Communists agree to form a coalition government when they would be free to form a wholly Communist one? There is nothing in the long history of negotiation with Communists to suggest that abject unilateral withdrawal from any confrontation with them produces anything but further woe.

We all recognize that the South Vietnamese government has not been a model of democracy; that our bombs have sometimes gone astray; that war is wearying and ugly. But most of us also recognize that an imperfect democratic government is better than one imposed by Communists by force; that the bombing of North Vietnam can help bring a negotiated settlement; that we cannot depend on 90-day magic to end wars that have resisted the best efforts of four presidents. And surely most people recognize that Mr. Nixon has exerted—and is now exerting—heroic efforts to close down the war which he inherited.

Instead of bringing early settlement of the war, the demagogic speech by Sen. McGovern this week could hinder current efforts toward an early settlement. For he has made it clear that he would give Hanoi more than it can get from Mr. Nixon, more even than Hanoi has demanded as its peace price. If the Communists thought McGovern had a chance of getting elected, why would they settle now?

Perhaps it is time for George McGovern to be reminded of his own words in 1964:

"I would hope we could take the Vietnamese issue out of partisan politics and consider it from the standpoint of what is best for our country and what will make the most likely contribution to the cause of peace."

THE BANKRUPTCY OF McGOVERN'S FORMULA

(By Crosby S. Noyes)

Before his speech on Vietnam the other night, George McGovern is reported to have predicted that anyone who listened to it "will vote for the Democratic candidate for president." Which leads to the conclusion that McGovern is in for something of a disappointment.

It was billed as a "presidential speech" in which the candidate spelled out in confident detail the orders that he proposed to issue, come next January. But that any president—or any candidate who thought that he had a ghost of a chance to become president—would lay out such a blueprint for surrender and betrayal is almost inconceivable.

Yet George McGovern spelled it out all right, adding little except renewed emphasis to what he has been saying for a long time. His "peace plan," as before, boils down to the rapid pullout of all remaining forces in Indochina and the immediate cut-off of all military supplies from South Vietnam.

After the South Vietnamese have thus been rendered incapable of defending themselves, they and their Communist enemies would be encouraged to "work out a settlement" between themselves. McGovern nourishes the illusion that a settlement under these conditions might be something less than an outright Communist military takeover in the South. But few, especially in South Vietnam, would share that pious hope.

The problem of the war prisoners continues to give some trouble. McGovern apparently is banking on the thought that after the surrender is accomplished, the North Vietnamese will have no further use for their American captives. Instead of himself, he is now proposing to send Sargent Shriver to Hanoi to beg for their release, or, as he put it, "to speed the arrangements" for their return.

But if that doesn't work, the senator is keeping a most un-McGovernlike threat up his sleeve. The bases in Thailand and the fleet off Vietnam will not be withdrawn until the prisoners are home, the implication being that if the men are not returned, we may have a whole new war on our hands. How this would secure the release of the prisoners is not explained.

As for the rest of it, McGovern's inflated rhetoric, his incredible distortions of what has happened in Vietnam over the last 25 years and his version of who is doing what to whom will do nothing to repair the senator's frayed credibility among the electorate. His speech was directed exclusively, it would seem, to the converted who believe as he does that a Communist victory in South Vietnam is in the highest interests of the United States.

There are some, of course, who have reached the stage of demanding an end to the war in Vietnam on any terms, including the disgraceful sellout that McGovern is proposing. But there are very few, one suspects, who will buy the tortured rationale by which McGovern tries to justify the betrayal of our commitment of the South Vietnamese.

The American people are not so idiotic as to believe that the war in Vietnam has been fought to preserve the power of Nguyen Van Thieu, no matter how many times McGovern says so. They also know that it is not being fought against "a tiny band of peasant guerrillas in the jungle of little Vietnam."

For all the talk about "corrupt dictatorships," the majority of Americans realize that the war in Vietnam is an effort by 15 million South Vietnamese to defend themselves against an aggression as flagrant, as ruthless and as implacable as any in history. They are well aware that what McGovern is proposing would deny these people their means of self-defense and deliver them over to their enemies. They do not agree that this would be the moral and righteous solution to the Vietnam conflict that the senator pretends it is.

So it is quite possible that the war issue, on which McGovern apparently is pinning his remaining hopes for election, may turn out to be one of the more conspicuous duds in the Democratic arsenal. After all, McGovern's stand on the war has been known for a very long time. It has always been a major theme in his campaign, and also quite possible a major factor in his dismal standing in the polls.

For the simple fact is that these same polls show that the majority of Americans approve of President Nixon's efforts to end the war through negotiation, while continuing essential support for the South Vietnamese. As an alternative to surrender and sellout, that is the course which most people would normally prefer.

THE HONORABLE WAYNE ASPINALL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. McKEVITT) is recognized for 5 minutes.

Mr. McKEVITT. Mr. Speaker, a few years ago I heard a story in Colorado of how a certain prominent member of my party—I will not identify him—was asked whether he would campaign against the distinguished chairman of the House Interior Committee. The way the story goes, the gentleman said: "Campaign against WAYNE? Heck, if I lived in his district, I would vote for him."

I think this story helps explain how Coloradans feel about the distinguished and beloved chairman of the House Committee on Interior and Insular Affairs, WAYNE ASPINALL.

It has been my good fortune to serve on the Interior Committee in my first term in Congress. The chairman's advice and counsel, his leadership and guidance have been of considerable value to me, and I know that most Members of this body feel the same way about the chairman.

But beyond this, his service to the Nation and his State will be missed. The State of Colorado has indeed been fortunate to have one of its representatives serve as chairman of the House Committee on Interior and Insular Affairs, a committee that is vital to the State of Colorado. As a fellow Coloradan, I would like to say simply, thank you, Mr. Chairman.

I also wish you and your lovely wife Essie many long and happy years and do not be surprised if many of us continue to turn to you for counsel and advice.

TRIBUTE TO SENATOR LEN B. JORDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho, (Mr. McCLURE) is recognized for 10 minutes.

Mr. McCLURE. Mr. Speaker, there is this to be said about LEN JORDAN: He stands at the fore of a long line of great and beloved Idahoans, and he will be long remembered in the West as one of the last rugged individualists on that vanishing frontier.

As the 92d Congress draws to a close, I feel a deep and personal sense of loss over the approaching end of LEN JORDAN's long years of illustrious public service. In reflecting over the years I can honestly say that no other man so consistently affected my own thinking, and I dare say thousands of other Idahoans have been similarly affected.

As a matter of fact, my first interest in politics goes back to working for the election of LEN JORDAN as Governor of Idaho. And I will never forget one particular achievement that still stands as the most astonishing budgetary feat I have ever witnessed. As Governor, LEN actually reduced the State's welfare budget while simultaneously increasing welfare payments. It was not done with mirrors, and he did not resort to the kind of sophisticated trickery we are accustomed to today. He did it simply by applying plain, old-fashioned administrative efficiency.

Having first-hand knowledge of such unheard of accomplishments as this and knowing I had played even a small role in his election, made an indelible impression on me. It was the kind of civics lesson that transcends the classroom.

With LEN JORDAN, all things have seemed possible. In 1933, he moved his family to a new home on a remote reach of the Snake River below Hell's Canyon. The family lived in an old stone ranch house which LEN rebuilt with his own hands.

JORDAN sheep grazed over this mountainous terrain while LEN acted as a working conservationist, taking care of the range, his pack strings carrying fish from the canyon to restock the streams and lakes of the high country.

Later on, these experiences were to make him the Nation's leading authority on natural resources; as Governor, promoting cooperation among Northwestern States in the conservation and development of water resources in the Snake-Columbia basin; as head of the U.S. section of the International Joint Commission negotiating with Canada on agreements for the Saint Lawrence Seaway, the Columbia Basin Treaty, and Libby Dam; as a U.S. Senator, where his knowledge in the fields of irrigation and reclamation would bring him an influence seldom matched by legislators from a small State.

LEN JORDAN brought to the Senate the sort of independence one would expect from someone who had spent so much of his life in the raw wilderness battling the natural elements. But most of all he brought integrity, and in association with his longtime friend, John Williams of Delaware, gave the Senate a sort of personal conscience. For, if there is one characteristic LEN JORDAN exemplifies above and beyond all others, it is personal integrity. This was manifest in his refusal to prejudge an issue on the basis of political, geographical, or other pressures, and to thus maintain an independence of thought that permitted at once a flexibility of attitude and a willingness to examine all the testimony, pro and con, adduced in the examination of any issue. There are many here in Washington who are fully aware of this side of LEN JORDAN.

But if you were to ask the Senator to identify the one single factor which played the most important role in shaping and building his career, he would undoubtedly and quickly give credit to his lovely wife, Grace. Grace and LEN JORDAN are two of the beautiful people who grew to be as nearly one as it is humanly possible to do on this earth. LEN paid tribute to Grace recently, and the warmth of their relationship shone through his words:

> I have been very fortunate with respect to the lovely lady I married almost 48 years ago. She is loyal, patient, with a mind of her own and a career of her own—whose record of accomplishment is far more impressive than my own; mother of three, grandmother of eight; author of four books, with a fifth at the printer awaiting publication. For 48 years she has been my co-pilot and counselor, and she has always been a great sources of pride and inspiration to me.

From college to cowboy, from cowboy to businessman, from businessman to legislator, from legislator to statesman—and now to retirement, LEN JORDAN, with Grace still at his side, can well rest on the laurels which come only from a life of purpose and contribution to mankind.

Longfellow said that the light a man leaves behind him lies upon the paths of men. And it is, indeed, true. I have never known a finer man than LEN JORDAN.

"CONGRESS IN THE YEAR 2000"—AN ESSAY BY CONGRESSMAN JOHN BRADEMAS OF INDIANA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAS) is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, the publication this week by Ralph Nader and his associates of the book, "Who Runs Congress?" and the individual profiles of Members of the House of Representatives and the Senate, together with the current debate in both bodies of Congress concerning the relative powers of the executive and legislative branches with respect to spending are two developments which focus attention on the role of Congress in our constitutional system.

It is for this reason, Mr. Speaker, that I take the liberty of today addressing myself to the subject of "Congress in the Year 2000."

I must explain, Mr. Speaker, that in discussing this question, I am drawing largely on the text of a paper of that title which I prepared in 1969 for a book of essays, published in 1971 by Braziller—in paperback in 1972 by Prentice-Hall—and entitled, "The Future of the United States Government: Toward the Year 2000," edited by Harvey Perloff.

My own contribution to this volume was to set forth my own judgment on two questions: First, what I believed Congress would in fact be like in the year 2000; and second, what I believed Congress ought to be like a generation hence.

CONGRESS IN THE YEAR 2000

Mr. Speaker, if Congress did not exist in the year 2000, I believe it would be necessary to invent it. For there are certain functions essential to responsible and effective government in the United States which can be carried out only by an institution with the attributes of Congress.

The principal functions that, I believe, Congress should—and will—serve three decades from now are: First, to act as a vehicle of representation and participation; second, to help formulate public policy; and third, to monitor its administration.

All these are roles which Congress today fills to greater and lesser degree, but, in my view, each will be still more indispensable to effective, democratic government as the United States enters the 21st century.

Mr. Speaker, I intend also to argue that, contrary to the expectations of many, certain developments over the next 30 years will strengthen rather than erode the capacity of Congress to discharge these three principal responsibilities.

CONGRESS AS VEHICLE FOR PARTICIPATION

I want first to press the proposition that Congress should have a central role in making widespread participation in Government both possible and important by the year 2000.

Running through most of the papers in the volume, "The Future of the United States Government: Toward the Year 2000" are certain themes about the future of government in America: less clear distinctions between public and private activities, a higher degree of policymaking on a nationwide basis, more decentralization of operation, and a reinvigoration of local, State, and regional government. But common also to many of these essays is the call for increased participation by the citizen in making decisions affecting his life.

McGeorge Bundy sounded this participatory theme in 1960 in his Godkin Lectures at Harvard:

> The most important element of all, in a modernized theory of government for freedom, may be the reconciliation of strong political authority with effective and widespread political participation. If strong government is to be government for freedom . . . it must be reconciled with the difficult but fertile concept of "maximum feasible participation"—to follow the language of the Poverty Law. This idea is difficult because in a mass society there are many forces that separate the authority of government from those whom it affects. . . . But the idea is also fertile because out of it can come the kind of reconnection between government and the citizen which is indispensable to both freedom and democracy in our age.[1]

The community action agencies in the antipoverty war, the model cities program, the move to decentralize school systems, student demands for a say in running the universities, the black power movement, and the insistence of priests that their voices be heard by their ecclesiastical superiors—all these efforts, whatever one may think of the merits of any one of them, are contemporary instances of the participatory phenomenon.[2] Bundy's admonition for today I take for mine for the year 2000, and I make it prediction as well: We shall then both require and have a strong central government, and we shall both need and have widespread participation by the citizenry in the decisions of government.

THE INDIVIDUAL LEGISLATOR AND CONGRESS AS AN INSTITUTION

My thesis here is that the individual Senator and Congressman—and Congress as an institution—and ideally situated to help insure this kind of participation. There are three reasons for this assertion:

First. Congressmen and Senators are representative of local districts or States and must therefore be sensitive to local feelings about national policy and its administration. Our legislators in Washington in effect serve as links between locally perceived needs and the formulation and administration of national policy. That they are elected rather than appointed is of course fundamental to their ability to be genuine representatives.

Second. Senators and Congressmen are national legislators: The bills they pass apply to the entire country, not just their own areas. The kinds of issues with which American Government in the early 21st century will deal will surely be ones requiring coherent policies for an entire nation—although many of them will require implementation on a local or regional basis.

Third. Senators and Congressmen develop unusual skill as brokers among private individuals and groups and officials of every level of government—local, State, and Federal. Congressional politicians are nurtured in negotiation; they swim in a pluralistic sea. Bargaining among disparate forces is their natural way of life. Nor does the erosion of differences between public and private pose any great dilemma for them; it is everyday fare.

PARTICIPATION SHOULD BE ENCOURAGED

There are several arguments for the contention that participation in making decisions on matters that affect people, epecially on governmental policies, should be encouraged.

First, participation educates the participants in defining problems and seeking solutions. It increases the likelihood that real problems, not false ones, will surface.

Second, participation enhances the possibility of developing a range of alternative solutions. More people are thinking and reacting.

Third, participation in the system reduces the prospect of efforts to disrupt or destroy it by those who otherwise are left out.

Fourth, participation in making policy correspondingly increases the prospect that such policy will win acceptance by those whose views did not prevail—or at least that their opposition will be minimized.

Fifth, participation reduces the possibility of tyranny—one of the principal reason the Founding Fathers created what Richard E. Neustadt calls "a government of separated institutions sharing powers".[3]

If such arguments, or similar ones, make any sense, then we must seek ways to increase participation by citizens that can be translated into actual government policy, policy that is effective, responsive and intelligent. Here there is a central role for Congress.

LOCALLY ELECTED, BUT LEGISLATE FOR THE NATION

Senators and Congressmen, individually, and Congress as an institution enjoy attributes which characterize no other element in the American political system—the President, the courts, governors or mayors. To reiterate, our Federal legislators are locally elected but legislate for the nation. It is precisely this combination of attributes which can enable Congress by the year 2000 to help assure the "reconnection between government and the citizen" of which Bundy speaks. If, as seems likely, we shall have a very large government by the start of the next century, and if, as also seems likely, we shall have grown to a population of 300 million, some such reconnection between government and the citizen will be essential if we are to make any pretense at having a viable democracy.

For these reasons and in this analysis, we should devise methods of making it possible for Senators and Congressmen in their own States and districts to act much more effectively than they do now as intermediaries between the citizen and the National Government. And when I say "national government", I mean especially the legislative and executive branches.

Although I have been discussing Congress as an instrument of participation, a word now very much in current usage, I could as well have said that Congress is here filling its "representative" function. For government that claims to be democratic must be responsible, and representation is one way in which it can be. Participation that goes beyond merely voting for legislators is in turn one way to insure that government is representative—and responsible.

HOW TO ENCOURAGE PARTICIPATION?

How then can we encourage genuine participation? How can we stimulate involvement of citizens at the local level in the shaping of national policy?

Can we not systematize dialogue between the legislator and his constituency on those issues most relevant to them? The Senator or Congresman can listen to what his constituents have to say and at the same time tell them what he has to say. He can lead as well as respond. He can bring back to Congress as a whole and to the executive branch both information and admonition, advising them what he has learned back home and in turn urging upon them certain courses of action. He can try to change either the policy itself or how it is carrried out.

In this way he can afford an entry into the political system for the citizen who is pressing to be heard and can also spark the interest of the far larger number of citizens who do not want to be bothered with problems of government.

Of course, some Senators and Congressmen already play this role in varying degrees, but those who do usually operate in a highly piecemeal and haphazard fashion. Obviously it is not possible—nor would it be desirable—to have every citizen debating and discussing every issue in a kind of continuous New England town meeting. Government by

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plebiscite or after the fashion of a Swiss canton is neither feasible nor advisable for the United States.

The 106th Congress, sitting in the year 2000, should continue to be a representative institution, and the need for professional politicians to exercise the reconnective function here being suggested will be even more urgent, not less, at the outset of the 21st century. For the more complex our society and its problems, the more work emerges for both the leaders and brokers of that society.

If this analysis is at all on target, we must consider means of making citizen participation both possible and relevant. No purpose is served by a discussion of matters about which no one cares, nor will much benefit be derived from only token interchange, merely going through the motions of consultation between Congressman and constituents.

A few concrete models for this dialog come to mind, such as neighborhood advisory councils, which could both counsel Senators and Congressmen and have some operating responsibility as well. These citizens groups could be organized around certain problems important in that community or State and would in time develop a certain expertise. A local pollution control organization or a mass transit group or a housing council are other instances—and such units could exist at many levels: neighborhood, community, city, metropolitan, congressional district and statewide.

DIFFICULTIES

There are, of course, difficulties raised by this model.

How to form such organizations and how to insure that they are in fact "representative" will pose particular problems, as anyone who knows anything about the community action programs in the poverty war will readily realize.

The degree and kind of authority and influence such groups should wield, legally and politically, vis-a-vis the Senator or Congressman and other public officials and other elements of society, not excluding political parties, are uncertain. What is the extent to which a Senator or Congressman should feel himself bound by the decisions of such groups? Such councils, of course, need not always come to a yea or no conclusion; some groups may exist only to receive and supply information.

Other questions arise with respect to the mechanisms of the relationships between the Congressman and his participating constituents. Will he host periodic meetings? Will he use closed circuit television exchanges between Washington and his congressional district? utilize more frequent, sophisticated and elaborate polling techniques? Would it be useful to hold sessions of Congress across the country on a regional basis during which representatives of these councils would appear to testify at committee hearings?

Would it not be sensible to adopt Kenneth Karst's "variable franchise," suggested in "the future of the United States Government," for certain local and special-service units of Government to allow those chiefly affected by a decision to have a greater voice on those matters directly affecting them? We do this now, he notes, with farmers, and we make such efforts, too, in the community action and model cities programs.

Will a Senator or Congressman be persuaded that, on balance, this more visible and structured kind of exchange with the people he represents will enhance or endanger his prospects for survival at the polls? Or will he feel that it is better to let sleeping voters lie and be unwilling to stir them to more active participation?[4]

Although only to suggest the proliferation of such councils will quickly result in lengthy lists of difficulties and objections, it may well be better to wrestle with those problems than with the larger dilemma of the estrangement of millions of citizens from the decisions of a government they regard as distant and removed. Indeed, we cannot easily wait until the year 2000. The Harris poll reported in 1968 that 28 percent of adult Americans—over 33 million people—"feel largely alienated from the mainstream of society."[5]

In sum, a Congress carrying out its representative functions through mechanisms for a more intensive and extensive participatory dialogue with the citizenry can help make the national government more responsive and responsible.[6]

CONGRESS AS CREATOR OF POLICY

A second function of Congress in the year 2000 will be to help shape public policy.

Congress is often attacked as either a rubber stamp of the executive or a willful obstructionist of Presidential policies. That Congress has historically warranted both descriptions, there can be little doubt. That Congress has also played a creative role in formulating policy is less well appreciated. I have elsewhere argued that Congress can have—and has had—a significant part in making policy, and that Congress need not therefore choose between subservience to the President or stubborn opposition.[7]

There are, however, reasons that Congress should play an important part in making policy—reasons that, if compelling now, will be all the more persuasive in the United States of the year 2000. Moreover, enhancing the capacity of Congress to serve as a participatory link with the citizenry, as suggested here, will strengthen the ability of Congress to be creative and constructive in helping make policy.[8]

THE EXECUTIVE WILL NEED CONGRESS

In the year 2000, with far greater involvement of the Federal government in a wide spectrum of activities, the executive branch will need the assistance of Congress in a variety of ways.

First, Congress can help resolve conflicts and formulate consensus on controversial issues. In a society less diverse than ours and/or with more disciplined political parties, parties might well fill these functions. In a nation like the United States, however, with different racial, religious and ethnic groups, a vastly increased population by the year 2000, with lingering economic specialization in the several regions, and a Federal system with national, State and local units of government, not to mention the whole array of nonpublic groupings—in such a nation, the resolution of internal conflict becomes indispensable to the operation of free government.

Major changes of public policy must, in such a society, command widespread support or at least the absence of substantial opposition. "Kennedy used to quote Jefferson: 'Great innovations should not be forced on slender majorities'"[9]

Congress, the institution in the American political system most sensitive to public opinion because least insulated from it, can, through the give and take of the political and legislative process, contribute to the resolution of conflict and to the generation of support for public policy. In fairness, of course, it must be acknowledged that it is precisely its sensitivity to public opinion that can lead Congress, in response to the clamor of the electorate, to make bad policy. A Congress that fills the heightened participatory role I have forecast for it by the year 2000 can be still more effective in winning acceptance of public policy than it is today.

Congress can explain the purposes and details of policy, can justify policy, feed back to the Executive views on the weaknesses and strengths of policy, offer measures for improving it, block policy unacceptable to the citizenry, and often act as broker between the Federal Executive, on the one hand, and, on the other, State and local government officials and nongovernmental organizations and individuals.

TO MAKE POLICY ACCEPTABLE

All these activities can help make existing policy work and can channel new policy into the system—functions essential when the Federal Government will be, in the more complex America of the year 2000, engaged in a multiplicity of programs affecting every citizen and community in the land.

For the challenge will then be to reconcile the need for strong National Government with the equally compelling requirement that Government be sensitive to the opinions of the citizenry. In the absence of highly disciplined parties, Congress can here fill what will otherwise be a vacuum. Senators and Congressmen can supply information, interpretation, justification, and leadership to their constituencies—functions sometimes difficult for the Executive to perform. Presidents and cabinet officers and regional heads of executive departments do not maintain their agents in every community in the land to explain and justify public programs.

These activities, however, are natural to the legislator, who is elected locally or by his State and is a persuader by instinct and necessity. Explaining, justifying, interpreting, and interceding all help, to repeat, secure acceptance of public policy—a process vital to democratic government and especially important, given the circumstances of American social diversity, huge population, and political parties not likely even by 2000 to be highly disciplined.[10]

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It is moreover, in the interest of Senators and Congressmen to carry out these functions for they thereby store up electoral credit for themselves with their constituents—and enterprise not so crucial to appointed civil servants or even cabinet officers.

James L. Sundquist has cited the proposal of the Johnson administration for legislation authorizing a war on poverty as an example of a measure almost wholly initiated in the executive branch with little original involvement on Congress. He wisely observes:

> The course of action chosen left the program without the base of reliable and continuing congressional and public support accorded those measures that were the product of the legislative branch's own initiative and tedious processes of refinement."[11]

Congressional attacks on the poverty program help substantiate Sundquist's thesis.

TO INITIATE NEW POLICY

In addition to helping win acceptance of policy, Congress can initiate new policy; it need not wait for the executive. Sundquist speaks of "the dual legislative process," by which he means both the process used by a President to develop legislative proposals for submission to Congress and the procedures which Congress itself uses for considering new law.[12]

He acknowledges that "the separation of powers in the American system makes the processes of action cumbersome and sometimes tediously slow," but concludes that "it also contributes vitality through assuring a series of independent centers for the generation of ideas and creative energy."[13]

One can recite a lengthy list of major legislative enactments in recent years that were in large measure the product of substantial Congressional initiative and effort in such fields as health, education, pollution control, immigration reform, and economic development. The attachment to these laws of the names of their principal advocates in Congress is only symbolic of the important substantive role that Congress has played in the legislative process. That this function will be still greater in the year 2000, I feel sure.

It is simply not possible, given the limits of human intelligence, for the executive branch to discover all the new ideas; certainly it is not possible for the executive alone to transform the worthwhile ideas into public policy. Nor, for that matter, do we really have a single executive; we have many executives and some are less open to innovation than others. In any event, like the elected President, Congress is politically hypersensitive, always looking toward the next election and anxious to cultivate measures which will command public attention and approbation.

CONGRESS A SOURCE OF POLICY ALTERNATIVES

Without disciplined parties as a dependable source of criticism and creativity, Congress as an institution must play this role. Congress can, independently of the executive, be a source and advocate of policy alternatives—a function of great value to the executive and the Nation, on the reasonable assumption that a complex society like ours will be in constant need of new ideas.[14]

Not only the executive but the legislative branch has the capacity to launch ideas into public view, to give ideas visibility and clothe them with the respectability essential to serious consideration by a public much broader than the groups that spawned them. The two branches, however, launch ideas in different ways.

The executive proposes policy by promulgating a legislative program. But crucial executive debate on alternatives for the most part takes place internally and privately. Not only does the executive fail to call attention to the full range of possible actions; it resents public reports that debate is taking place. For the executive does not wish to cultivate a public garden of all possibilities; it seeks to assemble a bouquet to be offered as the best of all possibilities. The result is to contract the field of visible alternatives.

In contrast, the natural operation of Congress expands the range of alternatives. Through this constant search for a vehicle with which to win public attention, every Member of Congress becomes an instrument by which ideas can be propelled into public view. Ideas can attach themselves to individual Members, committees, party organizations and informed groups of Members. By introducing bills, holding hearings, making speeches and conducting floor debates, Members can capture the interest of the public.

All these activities of Congress make it possible for public policy to be welcomed, accepted, or, at least, tolerated by the citizenry. Congressional involvement, moreover, given the multiplicity of views expressed and the visible nature of many proceedings, is likely to produce more intelligent policy than that which could have been generated by the executive alone. As Sundquist asserts, the American system derives "its unique vitality" from its "multiple centers of legislative initiative."[15]

CONGRESS, THE PRESIDENT, AND THE CONSTITUTION

One may complain that the dual legislative process often makes it difficult for Government to act decisively. The response to this contention must be somewhat complicated. The Constitution itself, prescribing separated powers and all the checks and balances, when coupled with the diversity of American society, is not ideally tailored for decisive governmental action. Nor is the voice with which the American voter speaks always a decisive one, as the slender margins of the 1960 and 1968 presidential elections and the present situation, in which President and Congress are controlled by different parties, attest. Our Government, for better or for worse, does not seem so ill matched either to the nature of our political institutions or to the nature of our society.

Moreover, those who complain about congressional obstruction of presidential proposals often fail to acknowledge that Congress can block presidential initiatives that better judgment decrees is not sound. This is not a difficult observation for a Democratic Congressman commenting in 1972 to voice.

In a highly disciplined party system, legislators have little redress if they oppose their party leaders on a specific issue, for they will normally not try to change their party leadership. In a disciplined system, with legislators wed to fixed party positions, they are thereby less effective in bargaining with the executive. In these circumstances, legislators have less incentive to engage in the interchange with citizens which, I have argued, can bring greater insights to legislator and executive and thereby, more acceptable, more intelligent policy.

To shut out Congress, then, as a source of new ideas and rely instead on centralized parties as fountains of innovation and creativity does not seem, in the American system, either prudent or feasible in the year 1969 or the year 2000.

CONGRESS AS MONITOR: MAINTAINING THE DELICATE BALANCE

There will be a third function of Congress in the year 2000, even as now, that of appraising, criticizing and overseeing— in a word, monitoring—public policies and their administration.

Given that a generation hence there will be many more points of contact between the National Government, on the one hand, and the individual and the communty, on the other, the opportunities—and the need for—Congress to look over the shoulder of the executives will be far greater.

Although our parties are likely to be more homogeneous in 2000, they are not likely to be so disciplined and centralized as to become reliable centers of criticicism and oversight of the executive.

Politicians elected to Congress are qualified as are no others to play this role of critic, advocate and broker for their constituents vis-a-vis the executive. A Senator or Congressman is naturally engaged in a constant effort to persuade the leaders and citizens whom he represents that their interests as well as those of the State or community are better served with him in office than by any possible opponent. He seeks to keep the confidence of as many key groups as he can. Furthermore, it is to his advantage to prevent trouble in his State or district with political consequences difficult to assess.

The legislator's capacity to act as an effective broker and advocate depends in no small part on his constituents' perception of his ability to make or modify policy, to affect its administration and to be generally effective in his dealings with the executive.

Yet there are those who argue that Congress should, by another generation, or preferably less, surrender its pretensions to making and monitoring policy and confine itself to a task still narrower than that of oversight, the ombudsman role, championing the causes of individual constituents.

THE AMERICAN LEGISLATURE COMPARED WITH OTHERS

What the proponents of this view fail to understand is that the effectiveness of Congress, both in interceding for con-

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stituents, and, still more important, in appraising policy and overseeing its administration, is directly related to its capacity to change, affect, oppose and propose policy, and to vote money. If Senators and Congressmen, as individuals and as members of committees, did not have at least some influence in shaping policy administered by the executive, their ability to intervene for constituents and to monitor policy would be greatly diminished.

It is here essential to remember that American legislators have far more bargaining power with their executive than do their English or French counterparts with theirs. Not only does the separation of powers require affirmative congressional action on legislation, but American Senators and Representatives are nominated and elected by different sets of voters from those who elect the President; they sit for different terms; they are elected periodically and often in different elections. None of these factors, with the exception of a 4-year term for Representatives, is likely to be radically altered during the next 30 years.

All this means that American legislators are not directly dependent for their survival on the executive. When coupled with the power of the purse, these factors constitute the basis of the congressional opportunity, and responsibility, to oversee policy and its administration.

HEARING THE GRIEVANCES OF INDIVIDUAL CITIZENS

Assuring individual citizens that their grievances will be heard and attended to will surely be a more urgent concern in the more populous and complex society of 2000 even than today. Confidence that their complaints will be satisfactorily serviced can be a valuable way of stemming the alienation of citizens from the processes of big government in a very large and complicated nation. Such grievances, moreover, can be important source of knowledge for shaping new policy. Surely the executive will, a generation hence, need to know more, not less, about where the shoe of public policy is pinching back home—and interchange between elected legislator and citizen can be a highly useful mechanism for improving policy.

Happily it is in the nature of Congress as an institution to be able to focus on the details of the administration of policy, as distinguished from its broad outlines. This propensity to concentrate on specifics should astonish no one. The diffuse, fragmentary organization of Congress lends itself far better to preoccupation with details than the kind of overall, unified consideration of policy goals that characterizes a parliamentary system with centralized parties.

Indeed, a criticism commonly leveled at Congress is that its centrifugal origins and nature prevent it from taking the comprehensive view of government that is possible for the executive. Yet it is precisely its pluralistic and decentralized base that largely defines Congress and enables it to represent the multiplicity of interests that make up the American society.

It is precisely this variegated and uncoordinated base that makes it possible—and desirable—for Congress to feed new and different views into the policymaking stream. After all, while the policies legislated may be national in scope, they must be applied at local, State or regional levels.

I must here add that if Congress by the year 2000 takes advantage of the revolution in information technology to obtain access to organized and relevant information, Congress will be able to move beyond its present preoccupation with the details of policy to take the kind of comprehensive overview which is now possible only for the executive.

At this juncture it may be instructive to observe that many proposals for reforming Congress seem to require a reduction in the power of Congress and an increase in that of the executive or, to put the point another way, seem to advocate both a more parliamentary form of government and the disciplined parties without which parliamentary government cannot operate.

CONGRESSIONAL OVERSIGHT POWER ESSENTIAL

But it is essential that the congressional oversight function neither wither away nor be overwhelmed by the executive or be replaced by party.

It is this capacity for oversight that enables Congress to provide some protection to the citizen and the community against the dangers of bureaucratic insensitivity and centralism. Those who complain that Congress harasses and interferes with the executive in the administration of the laws seem to imply that if Congress were to retreat from this field, so too would the other, extra-congressional forces that exercise pressure on the executive agencies. This is not a rationale assumption.

Furthermore, if Congress continues to vote to vest considerable powers in the executive branch, all the more is Congress justified in continuing its surveillance over the use of these powers. As the branch of Government that is by nature most politically sensitive and responsive, Congress has a responsibility to equip itself adequately for carrying out its duty of appraisal of what in most analyses will be the steadily widening activities of the executive.

All things considered, the second session of the 106th Congress, convening in January 2000, will have an even more important responsibility than, say, the present 91st Congress, in monitoring the myriad activities of an executive branch grown both greater in size and more potent in its capacity to affect all our lives.

AN INCREASED ROLE FOR CONGRESS IN THE YEAR 2000

The doctrines of separation of powers and checks and balances are not likely then, in the world of 2000, to disappear. On the contrary, in the circumstances of the United States three decades from now, when a powerful national government has greater access to far more rapid communications and other technology, these doctrines may prove more indispensable than ever both to the preservation and extension of individual rights and freedoms and to the prevention of widespread alienation from government. By vigorously exercising the three functions of representation, policymaking and oversight, Congress will contribute to the achievement of both these overriding objectives.

Congress may be, as Emerson said, "a standing insurrection," but Congress also, he concluded, "escapes the violence of accumulated grievances." [16]

It is a nice question whether in recent years this aphorism accurately describes the fruits of congressional action. There should be little doubt, however, that in another generation we shall be in great need of mechanisms to insure that Government will be able to resolve grievances that, accumulated, spell violence.

Roger H. Davidson made the same point in a more positive way:

> The legislator's indispensable contribution to policymaking is his delicate feel for the political system of which he is a part. He need not, even if he could, merely add his voice to the Babel of technical language now being spoken by experts within decision-making arenas. His special expertise lies in his ability to inject the unique data of politics into this process, in order to render policy outcomes tolerable as well as rational.[17]

I forecast, then, an increased, not diminished, place for Congress in the American political system in the year 2000. Yet Congress will not then be able effectively and creatively to fill the several functions I have discussed unless it is strengthened in important ways.

SOURCES OF A STRENGTHENED CONGRESS

There are three major sources from which, I believe, Congress will draw new strength over the next three decades: changes in the national political environment; internal institutional reform; and greater access to information and intelligence.

I do not foresee a radical restructuring of American Government between 1969 and 2000. The public is not that much interested in political institutions, as distinguished from political issues. In additon, there is, practically speaking, no feasible way for the people to have the opportunity to make a sweeping decision between, for example, unitary government and the separation of powers. A referendum on a question like this is not possible save for the improbable prospect of a full-blown constitutional convention.[18] Indeed, any changes in the American Constitution—and this is true of the American political system generally—are likely to be piecemeal and incremental.

Federalism will remain at least nominally intact; the States will have different roles by 2000 but they will still be part of the fabric of government, supplemented by a wide variety of regional and metropolitan arrangements.

We shall continue to have our present tripartite system of legislative, executive, and judicial branches: there will still be a President, a Senate, and a House of Representatives and a Supreme Court. And the American Government in the year 2000 will remain republican.

STRENGTH THROUGH POLITICAL EVOLUTION

Although there are not likely to be any revolutionary changes in the written Constitution in the next three decades,

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there will be gradual modifications in the national political environment which will enable Congress to play both a more vigorous and more constructive role in the governmental process.

Of particular significance in this respect is the growth of certain nationalizing forces in American politics.

Among these will be a realignment of American political parties. We shall probably see a further erosion of one-party politics in the South and a continuing rise of two-party politics in the Midwest. The one-man, one-vote decision will have the effect of making Congress, especially the House, far more representative of urban and suburban interests and therefore of the population as a whole.

Although the electoral college will have passed into history before 2000 and the President will be directly elected, he will have to find his winning margin from among the urban-surburban majority. Congressional and presidential candidates of the same party will be more likely to perceive the interests of their respective electorates in similar ways.

Mass communications, widespread access to education, greater speed and ease of transport and the enhanced participatory role of Congress by then are other forces which will increase the likelihood that those who bear allegiance to the same party will be in close touch with public opinion and will come to similar conclusions on needed changes in public policy.

Robert A. Dahl says that these urbanizing influences mean that objective differences among voters will account even less for voting patterns and political attitudes than they do now and that subjective factors, or values and ideology, will rise in importance. Parties will therefore see voters less in terms of their social, economic, and ethnic backgrounds; political leaders will pay increasing attention to attitudes and policy views that are embraced by likeminded voters in all groupings. The consequences will be more unified and less heterogeneous policies and increasingly stable coalition.[19]

Sundquist, in his perceptive analysis, makes the same point in a different way in predicting the rise of homogeneous parties, not rent by the deep internal cleavages and defiant minorities that have characterized American congressional parties throughout the last generation.

THE NATIONALIZING OF THE PARTIES

In addition to all the influences that make for realinment, Sundquist adds a crucial one: "the pressures of the two national parties." He said:

> Both parties, he says, have a stake in realignment that they can scarcely overlook—the Republican party to gain the numbers necessary to organize the Congress, the Democratic party to gain the capacity to control it in fact when they organize it in form.[20]

Indeed, a recent study shows that northern Democrats will become more influential within the House of Representatives within a few years. The effect of these trends, the writers say, will be a decrease in the power of the defiant wing of the Democratic party and an increase in party cohesion.[21]

Footnotes at end of article.

Other nationalizing factors in American politics which will thereby contribute to party homogeneity include: presidential campaigning in the midterm elections; the popular tendency to judge Congress in terms of its approval of the "President's program," no matter what his party; the increasing number of Senators and Congressmen who are delegates to the national conventions; a considerable rise in centralized fundraising for congressional campaigns; and the development of ideologically oriented groups within Congress, such as the Democratic Study Group and the Republicans' Wednesday Club, both in the House of Representatives.

What is fundamental to understand, however, is that in our system of divided powers, the rise of cohesive parties during the next generation will not mean that Congress will be, like the British House of Commons, subject to an all-powerful executive. The decisions on policy goals and strategies for achieving them will not be announced by a central party leadership; rather they will be the product of a widespread network in which Senators and Congressmen and their constituents will play an indispensable part.

I share the view of Sundquist:

> The discipline of a homogeneous majority party in the new American system will be supplied not by the imposition of one man's will, but by the cohesive power of the party's program, fashioned through processes . . . in which members of the party from the executive branch, the Senate, the House, and party organs outside the government all take part. What passes will be passed not by direction of the president but by consensus of the party—a consensus that becomes achievable once those who are opposed in general to the party's program are, by definition, outside the party.[22]

The participatory Congress I have suggested for 2000 will surely be at home with the parties that develop policy by consensus rather than by direction.

The nationalizing of the parties along the lines here suggested goes hand in hand with the nationalizing of political problems. Presidents and Congresses will not see the Nation's problems exactly alike, but advances in communications and technology will at least militate in the direction of a common awareness of problems.[23]

For example, the present pattern of presidential hegemony in foreign policy will not by 2000 have radically changed. Yet Congress by that year, responding both to the pressures and expectations of constituents and its own greater access to intelligence on international problems, will be far more actively engaged, both at the local and national level, in the dialog on foreign affairs decisions.

Let me reiterate that the party realinement here predicted will not be characterized by the kind of powerful central control that has classically been the hope of many American political scientists. Not only do the division of powers and the decentralized, fragmented electoral system prevent it, but the pull of local, State and regional interests and all the other diversities of American life will remain powerful forces in the politics of the year 2000 and, indeed, should if the system pretends to be democratic in the sense of being responsive to the will of the electorate.

CHANGES IN THE ELECTORATE

In addition to all the factors that make for the nationalizing of American politics and the rise of homogeneous parties, certain changes in the composition of the electorate will have an impact on the place of Congress in the political firmament of 2000.

The full exercise of the franchise by Negroes, the Spanish-speaking and other minorities and its extension to the younger citizens will yield a Congress more representative of the actual population than is now the case. Such a Congress, especially if more prone to leading and listening to its constituents, will be more effective both in legislating and overseeing the Executive.

The redistricting and reapportionment decisions, to which I have earlier referred, will also strengthen the representative character of Congress; the citizenry and their interests will be more accurately reflected in the 106th Congress of 2000 than in the 91st Congress of 1969.

Even as the Nation grows younger and as levels of education rise, the characteristics of Senators and Congressmen will change. Better educated legislators will become more numerous and powerful in both parties, and, particularly important, they will tend to have fundamentally different perceptions of their roles than they do now. Not only will they be more vigorous in their representative-participatory function, but their primary focus will be on issues that cut across lines of geography and economic interest, on problems affecting the entire country and, indeed, the world.

Because the decisions taken by government will be so many and varied and so important to the lives of people, and because the 106th Congress will play both a more complex and a more significant role in making policy, Congress will be a magnet for the ablest figures in the Nation's life.

There will, morever, be so much work to be done and enough problems to be resolved that the Executive, a generation hence, will welcome the activities of Congress in reducing conflict, helping build support for public policies, and even in initiating new policies.

REFORM: STRENGTHENING CONGRESS FROM WITHIN

Beyond changes in the national political environment, Congress will be able to increase its effectiveness through certain reforms in its own organization and procedures.

Such reforms will be of two general types: First, measures for strengthening the power of party organization in Congress, and second, measures for making the operations of Congress more efficient. I shall not here recite the long litany of congressional reforms so often proposed. My focus, rather, will be on several concepts crucial to significant reform within Congress.

It must be obvious that by reason of its organization and procedures, Congress has on many occasions failed to act even when the President and majorities in both the House and Senate have agreed that action was necessary. Such is the legislative process in the American Congress that, as countless critics have noted, it is easier to keep laws from being passed than it is to pass them.

As the most knowledgeable student of the House of Representatives within the House, Richard Bolling, of Missouri, reasonably asks:

> Is the essential well-being of the nation dependent on a political landslide every generation? [24]

Twenty-eight years from now there will be certain formal modifications in the rules of Congress that will both reflect and help assure greater control over the legislative process by the majority of a congressional party than is today the case. Accordingly, the majority party in Congress will be able to insist, as it cannot now do, that there be both debate and vote on the legislative proposals of its own majority and on the proposals of the President.

For instance, the insistence that Congress cannot act on certain controversial issues save with a two-thirds majority—for example, rule 22 of the Senate, which requires a two-thirds vote to close debate and allow voting—will have disappeared by the year 2000, and majorities in Congress will be able, in the jargon of legislators, "to work their will," as they cannot now always do. Thus, a generation from now Congress will no longer be saddled with the doctrine of the concurrent majority. For that matter, given the kinds of changes in society and in the congressional role I have forecast, the doctrine will by then be viewed as less essential. In this respect, then, the 106th Congress will be more representative, and more effective, than the 91st.

OTHER REFORMS

There will be other reform measures designed to heighten the power of the majority within each party. I have argued that our political parties will become more homogeneous. Senators and Congressmen of the same parties will thus tend to have similar perceptions of problems and to share common outlooks on policies. This development will in turn produce organization and procedures within Congress more in tune with the attitudes of the majorities of each congressional party, and this fact will itself diminish the kind of internal struggle that characterizes present efforts to change the organization and rules.

Another step that will be taken to enable a party majority in Congress to exercise its majority is some modification of the seniority system.

The present method of selecting committee chairmen will disappear. Several alternatives are especially worth attention: First, the Speaker—or minority leader—having been selected in party caucus, would then nominate in that caucus all chairmen—or ranking minority members—of all committees, these nominations to be confirmed by the party caucus.

Or, second, the caucus could elect the chairman—or ranking minority member—of each committee from among, say, the top three most senior members of it.

Or, third, the caucus could vote for a chairman from among the committee members, starting with the most senior and continuing to vote, going down the line of members on the basis of seniority, until a committee member had won the approval of a majority of the caucus.

Footnotes at end of article.

Fourth, another mechanism that some foresee is that the members of each committee will vote by secret ballot to elect their own chairmen.

Any of these changes would make committees and their chairmen more responsive to the party majority and not, as is the case in the 91st Congress, extraordinarily unrepresentative of the majority.[25]

Given the prospect of greater party homogeneity in the country, any of these alterations in the method of choosing committee chairmen and minority leaders would greatly increase the prospect that Congress and the President—if both were of the same party—would tend to agree on policy matters. Yet to focus attention solely on the views of the committee chairmen and the extent to which they are representative or not of the majority of their party is to miss what may well be even more important in insuring that the views of the party majority get a fair hearing. Where the rules and procedures governing the chairman's operation of a committee are such that an arbitrary chairman cannot continue to be arbitrary, such democratic processes may themselves be enough to resolve the adverse effects of the seniority system.[26]

Another method of enhancing the likelihood that both the agenda of legislation and the outcome of action on it reflect the will of the majority in Congress would be selection by caucus of party policy committee, composed of the leadership and others elected by the caucus. With homogeneous parties, the recommendations of such committees would carry far greater weight than they do now.

THE EFFECT OF ORGANIZATION, RULES, AND PROCEDURES

None of what I am here suggesting entails exercise of strong discipline over Congress by the Executive or by a centralized party organ, nor is there any intention of denying Senators and Congressmen their freedom to vote or to take policy positions as they see fit. There will be periodic caucuses at which party leaders and Senators and Congressmen will exchange views on policy—but, as is the case at present, without binding participants to vote the majority position. Again, realinement into homogeneous parties with policy developed by dialog and interchange will produce as much discipline on policy as both the electoral system and diversity of the Nation will permit—or require.

To reiterate, these changes, which I both commend and predict, are directed toward insuring that a party majority will be able to express itself and not be prevented from doing so by the organization, rules, and procedures of Congress. There is nothing in the Constitution that requires or authorizes congressional minorities to exercise vetoes over congressional action. The Constitution contains many other checks and balances, but these are not among them.

Failure to make changes in rules and procedures in order to permit a majority to act, given all the safeguards of minority voice built into the Constitution and all the other elements of the political system, will in the long run only erode the power of Congress in the process of governing.[27] For if Congress is perceived as continuously, by use of its rules and procedures, frustrating the will of the majority, the citizenry will as a result be compelled to turn elsewhere for action. For sobering examples of this syndrome, witness how big city mayors, denied effective help from their State governments, parade to Washington, D.C., to seek assistance from the Federal Government. Or consider the Supreme Court's one-man, one-vote ruling in response to the consistent refusal of rural-dominated State legislatures to give urban and suburban citizens an equitable voice in their own State governments. These lessons, I predict, will not be lost on a Congress that is determined to maintain some significant place in the sun of the American political system.

THE 4-YEAR TERM FOR THE HOUSE

Members of the House will also be strengthened in exercising their three functions of representation, maker and monitor of policy by virtue of the 4-year term that they will enjoy by 2000. Because the House elections will not be coterminous with presidential elections, Representatives will not be as dependent on presidential popularity as they would be if both sought office at the same time.

With a 4-year term, moreover, a Congressman will be more effective in meeting all three of his major responsibilities because there will be less pressure on him to expend his energy, time, and other resources in the sheer task of political survival, as the present 2-year term requires him to do. Indeed, the important participatory responsibilities I predict for Congressmen will keep them closer to public sentiment both in listening and leading than even the present 2-year term allows.

At the same time, the 4-year term will give future Congressmen more of the latitude which Senators now enjoy to take positions they perceive to be in the national interest although at some variance with the views of their constituents.

CONGRESSIONAL STAFFING

Changes in staffing, both in number and quality, for individual Senators and Congressmen, for the House and Senate leaders, and for congressional committees seems so obviously a need by the year 2000, not to speak of 1969, as to require little elaboration.

Congress is utterly outmanned by the executive in quantity—if not quality—of staff, advice, and assistance. Yet the increased responsibility simply to oversee the burgeoning Federal programs means that Congress will need to staff itself far more effectively if it is not to be overwhelmed by its tasks. In fact, forces are already in motion that will bring to the 106th Congress a staff both more numerous and qualitatively more capable of helping Congress carry out its functions.

OTHER ADVANCES IN EFFICIENCY

Two other advances which come under the rubric of improving the efficiency of

Congress will be made by 2000, perhaps sooner:

First. Congress will authorize the General Accounting Office, which is intended to be its watchdog of executive expenditures, to review all budget requests after they are submitted by the President; and

Second. Congress will establish a Permanent Joint Committee on Congressional Operations with the assignment of thinking and engaging in research on various measures to strengthen Congress.

Both these steps proved to be among the most popular items for reform among Members of the House themselves, according to a recent survey.[28]

More modern techniques of handling constituents' cases, questions, and complaints can also safely be predicted. Although on occasion onerous, the activities of serving constituents, including the ombudsman function, are far too productive of electoral credit for most legislators lightly to surrender. Streamlining the congressional capacity to provide such assistance is a far more acceptable resolution of this problem. Indeed, bringing modern techniques, including automatic data processing, to bear on the operation of congressional offices is a move that will have become far advanced by 2000, a development to be elaborated upon in the next section of this paper.

I have suggested a number of changes in the organization, rules and procedures of Congress which will enable Congress, a generation from now, to play the vigorous role in the American system of government the Founding Fathers contemplated.

Measures that strengthen the ability of the majority of a party to exercise its majority, the 4-year term for Congressmen, improved staffing and more effective mechanisms for legislative oversight—these are all steps on the lists of most congressional reformers and will, I predict, by the year 2000, contribute substantially to the ability of Congress to meet the responsibilities I have forecast for it.

CONGRESS AND THE COMPUTER

I have discussed two forces, evolution in the external political and social environment and internal congressional reform, which will contribute to strengthening Congress for the decades ahead. But there is a third force that must be harnessed if Congress is to have any serious chance of coping with the number and complexity of future public policy issues: The revolution in information technology. On its response to this revolution will depend, in large measure, the capacity of Congress to analyze and evaluate existing programs and proposed policies as well as to improve communications between individual Members of Congress and their constituents.

The process of acquiring, structuring, processing and retrieving various types of data could have been considered as another aspect of congressional reform. Yet so extraordinary are the opportunities which modern information support offers Congress that it seems appropriate to single out these developments for particular attention.

The information systems which Congress employs today will simply not be adequate for the Congress of the year 2000. Indeed, they are not adequate for the year 1969. Consider that during the 90th Congress more than 29,000 bills were introduced on an enormous variety of subjects. Although the vast majority of these bills were noncontroversial or private in nature, a serious evaluation of many of them demanded much better information, both in quantity and quality, on the complex questions of policy. Many legislators today feel acutely their lack of information of this kind.[29]

By the year 2000 Congress will have thoroughly acknowledged the implications of the information explosion and will draw upon it as a major source of energy in meeting the responsibilities of representation, making and overseeing policy.

CONGRESS LAGS BEHIND EXECUTIVE IN ADP

Today Congress lags far behind the executive in its utilization of automatic data processing—ADP. The current disparity in computer usage between the legislative and executive branches both symbolizes and helps explain at least some of the advantages which the executive now enjoys over Congress in both generating and supervising policy. Computers are widely employed in the executive branch. By June 1969 the Federal executive will be using over 4,600 computers[30] at an annual cost of nearly $2 billion.[31] Of their contribution, there can be little doubt. In the judgment of the Bureau of the Budget:

> No single technological advance in recent years has contributed more to effectiveness and efficiency in government operations than the development of electronic data processing equipment.[32]

By way of contrast, look at Congress. Despite the many uses to which a congressional computer facility could be put, the first bill to provide for ADP support for Congress was not introduced until the second session of the 89th Congress—in 1966. As the 91st Congress convened in January 1969, there were only three ADP facilities on Capitol Hill. The most impressive of these, located at the Library of Congress, provides twice monthly to every congressional office, through the Legislative Reference Service, a "Digest of Public Bills," including synoptic and status information, on all bills and resolution in both Chambers; on a monthly basis, a "Legislative Status Report" on 200 major bills; and selected bibliographical information which congressional offices and committees can request. The House of Representatives has a small computer which is used for payroll purposes only while the Senate uses automated data processing for an equally unambitious purpose, to speed mail delivery.[33]

Such modest efforts compel the question: Will Congress continue to deny itself the tools of modern information technology and permit the executive virtually to monopolize access to such capability? It is no exaggeration to say that the stakes are immense. For if Congress fails to create its own information analysis and retrieval capacity or to assure itself adequate access to the data machinery of the executive and the private sector, Congress will ultimately destroy its power both to create policy and to oversee the executive. For in government, as in every other human activity, information is power. To paraphrase Lord Acton, lack of information tends to weaken Congress, and absolute lack of information will weaken Congress absolutely.

At last, however, Congress is beginning to become aware of the possibilities of bringing modern information technology to bear on its legislative and other responsibilities. Congressional leaders are taking their first halting steps toward utilizing the new instruments and techniques of data processing.[34] With these means for analysis and evaluation, Congress will be able far more effectively to tackle thorny public policy problems in defense and space, transportation, health and education, pollution control, and urban rejuvenation.

Equipped with ADP and the staff to employ it, Congress can even undertake the task of rationalizing the appropriations process. For there is wide recognition that the present calendar of budget requests, authorization legislation and appropriations bills is inflexible and ill adapted to the needs and tempo of 20th century government.[35]

The possibilities of using ADP to support Congress seem, therefore, almost unlimited.

One of the most imaginative thinkers on the relationship between technology and politics, John S. Saloma of the Massachusetts Institute of Technology, dramatically describes the prospects for Congress:

> Computer-based analysis as it is refined over the remaining decades of this century will make possible an advance in human intellectual capacity comparable to the invention of language, arabic numerals, and calculus. With his new ability to understand the dynamics of complex organizations and social processes, the congressman of tomorrow will explore a range of problems previously beyond the grasp of his predecessors . . . the computer will give man the capacity to interrogate and reorganize the massive data files almost instantaneously for social science research. Usable information which is accessible to decision-makers acting under time pressure should be increased by several orders of magnitude.[36]

I believe there is little danger in predicting that well before the advent of the 21st century, Professor Saloma's vision will become reality:

> Some legislators will hire professional analysts on their office staffs or acquire analytical skills themselves. While such legislative diligence will still be the exception, one can readily foresee a congressman sitting at a console in his office pouring over computer print-outs into the late evening hours or over the weekend and cutting through the paper arguments and justifications of executive programs with penetrating lines of questions.[37]

THE POSSIBILITIES OF TECHNOLOGY FOR CONGRESS IN THE YEAR 2000

I think, moreover, that nearly all of the following possibilities, which a number of information and communications specialists foresee, will characterize the Congress of the year 2000:[38]

Footnotes at end of article.

Printouts indicating the status of pending legislation with adequate descriptions of bills.

Direct access by individual members and committees to legislative research information prepared by such resources as the Legislative Reference Service of the Library of Congress.

Automated index of congressional documents and legal periodicals.

Schedules of committee meetings and hearings.

Legislative histories, including committee actions, floor debates, and executive statements.

Status information on Federal contract awards.

Background information about lobbies.

Catalogs of executive department computer files.

Analysis of executive budget proposals and congressional alternatives.

"Tele-mobile" units for communication between a congressional office or committee room and a Congressman who may be at a distant location. This equipment will allow two-way conversations and, perhaps, would feature a "scrambler" device to permit secure transmission of sensitive data.

Keyboard consoles for contact with a remote computer. These units will be employed in data entry, recall and editing and will allow rapid access to enormous amounts of machine-readable data stored in legal, economic and other data banks.

Facsimile data storage and transmission systems, ranging in complexity from systems now in use, such as microfiche cards, to sophisticated photocopy systems which will allow rapid reproduction of material entered at a remote location.

Two-way video linkups between each Senator and Congressman and the Executive Office of the President, agency heads, laboratories, state houses and universities. Indeed, video linkups will permit conferences among participants located in different parts of the world.

"Vote for a computer-competent Congressman!" may well be one of the common campaign slogans of the year 2000!

Developments like these will obviously have a great impact on the ability of Congress to meet its responsibilities in the 21st century. The new information technology will enable the 106th Congress much more capability than the 91st to discharge its functions as participatory agent and representative, maker and overseer of policy.

IMPROVING COMMUNICATIONS BETWEEN LEGISLATION AND CONSTITUENTS

One important facet of the technology revolution is the radical improvement of communications between legislators and constituents. Technological advance promises greater accessibility of Senators and Congressmen to their constituents, individually and collectively, and greater access of citizens to their Senators and Congressmen as well. This development, of course, is fundamental to my thesis that Congress ought to be a principal instrument for making possible citizen participation in government at the national level. The new technology will make it easier to bridge the gulf between the citizen and his government. And just as most Senators and Congressmen or their staffs will understand computers and how to use them, so, too, knowledge of and access to ADP among the population generally will be much more common in another 31 years. The street will not be one way.

There are, of course, pitfalls, implicit in the changes wrought by the technological revolution. There are potential disadvantages as well as advantages in making too perfect the communication between legislators and their constituents. There may be a point beyond which communications that are too close and constant can be a constricting force. For instance, by the year 2000, it will be an easy matter, technologically, to have virtually up-to-the-minute polls of the electorate on any given issue. Telecasts and newspapers can raise "Do you favor . . .?" questions, to which citizens can respond simply by pressing a button on a telecommunications device in their homes. The armchair "yeas" and "nays" can then be instantly tabulated. But where does this development leave the Senator and Congressman? Suppose, as Paul Baran of the Rand Corp. suggests, the newspaper then reports that 85 percent of a Congressman's constituents oppose, say, curbs on tourists. Should the Congressman happen to feel that the proposed curbs as necessary for the time being, it will be difficult for him, confronted with such unambiguous constituent sentiment, to discharge his Burkean responsibility to vote his best judgment.

Nonetheless, the radically increased flow of timely and relevant data about his constituents, their interests and views, should combine with a similar rise in the quality and quantity of appropriate information available to the legislator to make possible a significant improvement in the caliber of the participatory dialog I have forecast.

Advances in information technology, coupled with the emerging technique of programing-planning-budgeting — PPB, hold unusual promise for enabling Congress to meet its other two major responsibilities—formulating policy and monitoring the Executive.

The most obvious benefit in this respect will, or can be, the improved quality of information and information processing. Data will be more accurate, relevant, and, of course, accessible. Data of this kind are the great reward of the information revolution and the most valuable gain for those who make decisions in government, both inside and outside Congress. But it is for Congress, which now suffers far more from inadequate information than does the executive, that the advances in information technology over the next several decades promise the most dramatic assistance.

Congress will no longer be confined to its present prison of considering policies on a largely piecemeal and incremental basis but will be able more intelligently than today to conceive and initiate broad and integrated policy proposals. For Congress in 2000 will enjoy operative access to a far wider and more complex range of information about a far wider and more complex range of problems than in 1969. Thus armed, Congress will be able to take the kind of comprehensive view of the Federal budget that is presently so difficult for a body whose political base is decentralized and whose organization for considering legislation is so much based on specialization.

CONGRESS AND THE PRESIDENT'S BUDGET

The Congress of the year 2000 will be able to respond to the program budget recommended by the President with its own budgetary preferences, its own set of legislative priorities and its own program choices—and to do so on the basis of analyses and evaluations made by its own staff and effective access to adequate data. For Congress in another generation will be able to tap into the data systems of the executive and parts of the private sector. Congress will, moreover, to insure that it is not dependent on the data supply of the executive, maintain its own information system, together with a staff of analysts answerable to Congress.

In addition to a revived capacity for making policy, the tandem of ADP and PPB will also enable Congress more vigorously to oversee the administration of policies and particularly to evaluate the results of Government programs to determine, for example, if legislation is in fact achieving the purposes for which it was passed. ADP and PPB thus will enhance the traditional penchant of Congress to inquire into the details of policy while making it possible for Congress to undertake an overall examination of policy as well. Equipped with far better data, Senators and Congressmen will be able both to put questions to the executive about how certain policies are being administered, inquire into the basis of executive proposals, and to press their own alternatives to the measures advanced by the executive.

As problems become more complex and the number of parameters increases, and as the commitment of manpower and money affects policies in overlapping areas, government officials will find it imperative to use the tools of ADP and PPB in order to reach sound decisions. Consider, for example, the use of simulation. With this technique, the 106th Congress will be able to perform tasks that the 91st cannot do at all or only with great difficulty or imprecision. Computer-manipulated models will in the years ahead be employed to consider the impact of various tax proposals on the level of employment, the gross national product, and revenue inflow—an experiment already begun by Joseph H. Pechman of the Brookings Institution. Congress will by 2000 be able to determine the several mixes of consequences from shifting certain variables in a formula for allocating Federal funds.

Of course, having information on the results of a spectrum of possible policies will not answer the question of which course to choose, but such knowledge will at least afford a rational basis for deciding among competing alternatives. Such information, to repeat, can be particularly valuable in the consideration of appropriate policies for solving problems characterized by many variables and great complexity.

MACHINERY IS NOT ENOUGH

It should be evident that the mere existence of sophisticated machinery, even the fantastic machinery we can imagine for the 21st century, is no substitute for the human thought and judgment necessary to ask appropriate questions of the computer. In fact, a more subtle but nevertheless significant consequence of the great change in information systems is the improvement in the quality of human judgment. Because the effective use of the computers requires disciplined human thought, policymakers must, in order to program the computers, undertake a more exacting analysis of issues than they might otherwise do.

It seems clear then that the new information technology will mean a significant increase in the power of Congress vis-a-vis the executive—an increase in respect of all three of the functions of Congress: to link the government with the citizen, to formulate new policy goals, and to oversee the details of the implementation of existing policy.

It must also be evident that should Congress fail to equip itself effectively with the new information technology as well as zealously to utilize the technique of planning-programing-budgeting, both of which instruments the executive will exploit to full advantage, Congress will suffer a very sharp decline within the American framework of government. For both ADP and PPB are powerful weapons within our system of separated institutions sharing powers.

In summary, neither technology nor management techniques embody a panacea for the problems of the future. Yet Congress will need all the help it can get from both. For the growth and survival of the United States depend largely upon the effectiveness of its leaders on their perception of the problems we face and on the policies they shape to meet them. In the year 2000, Congress must—and—will—exploit the tools which will equip it to cope with its great tasks.

A SUMMARY: CONGRESS IN THE YEAR 2000

Mr. Speaker, let me summarize what I have tried to say.

By the year 2000 Congress will occupy an important place in the American system of government—in some respects more important than in 1969.

Congress will, 31 years from now, serve three major functions: representative of the citizenry and agent for enabling them to participate more fully in the decisions of Government; maker of public policy, creating and initiating measures as well as responding to proposals of the Executive; and critic of policy and monitor of its administration. Although Congress now performs all these functions, their significance, I believe, will rise sharply as the United States enters the 21st century.

Over the next three decades Congress will draw new and substantial strength for discharging these responsibilities from three principal sources: changes in the national political environment; reform of congressional organization and procedures; and the revolution in information technology. These developments, both internal and external, will infuse the legislative branch with a dynamism and capability today found wanting by many students of Congress.

Although we cannot plot with certainty the trajectory of Congress during the next 31 years, we can be reasonably confident that the Congress of the year 2000 will, as it does now, reflect the dominant characteristics of our Constitution and of our people: a pluralistic political system within a pluralistic society.

In such a setting, the more resilient and more effective Congress which I predict for 2000 will not bring a correspondingly diminished role for the American Presidency. Rather we shall have in the decades ahead both a stronger President and a stronger Congress.

I do not then, Mr. Speaker, despair, as some do, for the American political system or for Congress as part of it.

Given our large, complex, and restless society and our deliberately fragmented constitutional structure, I believe that in the pattern of National Government which I have foreseen for the year 2000—one in which the contributions of Congress will be indispensable—lies the best hope for the American democracy in the 21st century.

FOOTNOTES

[1] McGeorge Bundy, *The Strength of Government* (Cambridge, Mass.: Harvard University Press; 1968), pp. 80–81.

[2] In this connection see Daniel P. Moynihan's observation: "Clearly one of the most powerful forces right now in politics is the diffusion of *middle-class* attitudes concerning participation: 'I want to take part,' 'I want to help decide,' "I want to be heard' ". *Daedalus* (summer 1967), p. 663. Italics mine.

[3] Richard E. Neustadt, *Presidential Power: The Politics of Leadership* (New York: John Wiley & Sons; 1961), p. 33. Italics his.

[4] Two analyses are worth reviewing in this respect. Donald E. Stokes and Warren E. Miller cite the results of a survey of voting behavior in elections to the House of Representatives which indicate that, in deciding for whom to vote, most citizens do not pay much attention to the policy views of Congressional candidates for the reason that they do not know what these views are. This factor, of course, means that there is no overriding constituency pressure for Congressmen to vote with their party. *Public Opinion Quarterly*, Vol. 26 (Winter, 1962), p. 531 et. seq.

Similarly, Lewis Anthony Dexter reports that Congressmen are subjected to so many cross-pressures from constituents that they are relatively free to vote as they wish. He cites two additional considerations that increase the relative independence of Congressmen in deciding how they will vote on public policy: (1) Congressmen win the allegiance of multi-interest groups unwilling to desert him on the basis of his defection on only one issue; and (2) Congressmen build and lead their own coalitions, which often take their cue from the Congressmen rather than the other way around. Raymond A. Bauer, Ithiel de Sola Pool and Lewis Anthony Dexter, *American Business and Public Policy: The Politics of Foreign Trade* (New York: Atherton Press; 1963). Cited in Raymond Wolfinger, *Readings in American Political Behavior* (Englewood Cliffs, N.J.: Prentice-Hall; 1966), pp. 6–26.

[5] *Washington Post*, December 16, 1968.

[6] For a recent essay that perceptively sounds the participatory theme, see Richard N. Goodwin, "Reflections: Sources of the Public Unhappiness," *The New Yorker* (January 4, 1969), pp. 38–58.

For a thoughtful discussion of both the need for and the perils associated with increasing citizen participation in a large representative democracy like the United States, see Robert A. Dahl, "The City in the Future of Democracy," *American Political Science Review*, Vol. LXI, No. 4 (December, 1967), pp. 953–970. Dahl, whose views in some way echo Kenneth Karst's suggestion of a variable franchise, writes, at pp. 959–960:

> . . . we drop completely the notion so dear to the Greeks and early Romans that to be legitimate a unit of government must be wholly autonomous. With autonomy we also drop the belief that there is a single sovereign unit for democracy, a unit in which majorities are autonomous with respect to all persons outside the unit and authoritative with respect to all persons inside the unit. Instead we begin to think about appropriate units of democracy as an ascending series, a set of Chinese boxes, each larger and more inclusive than the other, each in some sense democratic, though not always in quite the same sense, and each not inherently less nor inherently more legitimate than the other.
>
> . . . This is logically untidy, and it requires endless readjustments as perspectives and levels of interdependence change. But it makes for a better fit with the inevitable pluralistic and decentralizing forces of political life in nation-states with representative governments.
>
> . . . we may need different models of democracy for different kinds of units . . . we need models that approximate reality in the world of history and experience, and models that indicate standards of performance by which we can appraise the achievements of a particular democracy. I see no reason to think that all kinds of units with democratic institutions and practices do, can, or should behave in the same way . . .

[7] John Brademas, "The Role of Congress in the Making of Public Policy," *Proceedings, 1967, Indiana Academy of Social Sciences*, Third Series, Volume II, pp. 181–204. I have drawn on this essay for some of the analysis in the present paper.

[8] I do not here propose to get into the argument of whether the power of Congress to make policy has declined or risen in recent years. Although the view is widely held that the power of Congress vis-a-vis the executive has atrophied, many writers like James McGregor Burns, Samuel P. Huntington and Walter Lippman contend that the Congressional power to frustrate and harass the executive has grown far too large. The most sensible discussion I have seen of this ambiguous and not easily measured question is found in Robert A. Dahl, *Pluralist Democracy in the United States: Conflict and Consent*, (Chicago: Rand McNally; 1967), pp. 139–42.

Dahl observes at pp. 141–42:

> . . . it is correct to say that the "power" of Congress over policy and appointments has declined since its apex in the period after the Civil War. In the twentieth century not only has the President broken the monopoly of Congress over policy—and, of course, over appointments—but . . . he has also largely taken command over the initiation of new policies.
>
> Similarly, the Congress is now a far more active institution, far better equipped to deal with complex matters of public policy, far more deeply involved in an incredible range of important issues than ever it was or could be in the nineteenth century. . . .
>
> In this sense, then, the "power" of Congress has grown: the decisions Congress makes by modifying, passing, or rejecting measures affect all of us, and the whole world, to an incomparably greater extent today than in the nineteenth century . . .
>
> In sum, in the post-Civil-War (sic.) period, Congress enjoyed a monopoly control over policies mostly of trivial importance; today Congress shares with the President control over policies of profound consequence. Congress has, then, both lost and acquired power.

[9] Arthur M. Schlesinger, Jr., *A Thousand Days: John F. Kennedy in the White House,* (Boston: Houghton Mifflin; 1965), p. 713.

[10] Samuel Beer presses members of the British House of Commons to undertake this kind of activity—what he calls "mobilising consent." Says Beer: "For modern government cannot and does not rely solely upon the legitimising effects of political elections. It must make continuous efforts to create consent for new programs and to sustain consent for old ones. *It must mobilise consent between as well as at elections.*" In "The British Legislature and the Problem of Mobilising Consent" in Elke Frank (ed.) *Lawmakers in a Changing World,* (Englewood Cliffs, New Jersey: Prentice-Hall; 1966), p. 45. Italics his.

[11] James L. Sundquist, *Politics and Policy: The Eisenhower, Kennedy, and Johnson Years,* (Washington, D.C.: Brookings Institution; 1968), p. 494.

[12] *Ibid.*, p. 490.

[13] *Ibid.*, p. 495.

[14] . . . Congress must help to supply dissonance, or opposition, in public decision making. One of the most important commodities Congress can provide is an institutional base for alternative viewpoints and criticisms. Thus, steps should be taken to increase the probability that Congress will act independently—that it will possess both the inclination and the influence to function as an autonomous voice in the affairs of state. Internally, this viewpoint suggests that Congress be structured as pluralistically as possible, so that policy entrepreneurship by individuals, committees, voting blocs, and parties themselves will be maximized . . .

Roger H. Davidson, David Kovenock, and Michael O'Lary, *Congress in Crisis: Politics and Congressional Reform,* (New York: Hawthorne Books; 1966), p. 175.

The authors here cite Charles E. Lindblom's compelling argument for "permitting legislators and executives to act flexibly and intelligently toward each other and in interchange with the citizenry in order to explore . . . all possible opportunities for agreement and acceptable aggregation." See *The Intelligence of Democracy,* (New York: Free Press; 1965), p. 319. Lindblom's analysis of the superiority of the present American system of what he calls "partisan mutual adjustment" over disciplined parties—not for 18th century checks and balances reasons, but in terms of producing intelligent policy—parallels and supplements my own.

[15] Sundquist, *op cit*. p. 535.

[16] Ralph Waldo Emerson, quoted in Stephen K. Bailey and Howard D. Samuel, *Congress at Work,* (New York: Henry Holt; 1952), p. 1.

[17] Roger H. Davidson in Alfred de Grazia (ed.), *Congress: The First Branch of Government,* (Garden City, New York: Doubleday; 1966), p. 402.

[18] But see Rexford G. Tugwell, "Constitutional Reform: Let Law Catch Up with Life," *Center Magazine,* Vol. 1 (January, 1968) pp. 50–54.

[19] Robert A. Dahl, *Political Opposition in Western Democracies,* (New Haven: Yale University Press; 1966), p. 69.

[20] Sundquist, op. cit., p. 529.

[21] Raymond E. Wolfinger and Joan Heiftez, "Safe Seats, Seniority, and Power in Congress," *American Political Science Review,* Vol. LIX, No. 2 (June, 1965), p. 349.

[22] Sundquist, *op. cit.*, p. 535.

[23] Moynihan speaks of ". . . the nationalization of public policy that has accompanied the achievement of a genuinely national society. If there is still a goodly supply of local problems, there are fewer and fewer specifically local 'subjects.' It has been agreed, as it were, that the most important national issues will be resolved in national terms and at the national level . . ." in *Daedalus, op. cit.*, p. 801.

[24] Richard Bolling, *Power in the House,* (New York: E. P. Dutton; 1968), p. 269.

[25] Indeed, some may be astonished to learn that an examination of roll call votes in the House of Representatives during the 90th Congress reveals that the strongest and most stubborn opposition to the positions of the Democratic Administration and the majority of House Democrats came from a group of 36 Democratic committee and subcommittee chairmen, all from Southern and border states. They voted against the position of the Democratic Administration and against the majority of House Democrats even more often than did House Republicans. See *Congressional Quarterly,* Weekly Report No. 43 (October 25, 1968), pp. 2933–37.

[26] Sundquist, *op. cit.*, pp. 522–53.

[27] Dahl calls these safeguards the "multiplicity of check-points", *Pluralist Democracy in the United States, op. cit.*, pp. 326–29.

[28] See Davidson, Kovenock, and O'Leary, *op. cit.*, p. 191.

[29] A recent study underscores the conviction of many Congressmen that they have inadequate information on which to base their decisions. Each of a group of eighty members of the House, selected at random was asked to "name any problems which prevented him from carrying out the role he would like to play in the House and all problems which he saw as preventing the House from operating as he thought it should." The problems which were cited most frequently by fully 78 percent of the Congressmen were "complexity of decision-making; lack of information." Significantly, the problem cited by the second largest number of Congressmen fell within the category of "services for constituents"—an area of Congressional activity susceptible to greater streamlining through ADP techniques. See Michael O'Leary (ed.), *Congressional Reorganization: Problems and Prospects—A Conference Report,* (Hanover, N.H.: Public Affairs Center, Dartmouth College, 1964), pp. 22–23; cited in de Grazia, *op. cit.*, pp. 409–410.

[30] General Services Administration, *Management Information Systems Report 2–J: Government-wide EDPE Systems Purchase/Lease Status (in Place as of 6/30/69)*, Washington, D.C., 1968.

[31] General Services Administration, *Management Information Systems Report 5–C: Government-wide ADP Resources,* Washington, D.C., November, 1968.

[32] Executive Office of the President, Bureau of the Budget, *Report to the President on the Management of Automatic Data Processing in the Federal Government,* (Washington, D.C., February, 1965), p. 1.

[33] Among the best descriptions of both present and possible uses of the new information technology by Congress are Robert L. Chartrand, 'Congress Seeks a Systems Approach," *Datamation,* Vol. XIV, No. 5 (May, 1968), pp. 46–49; and Robert L. Chartrand, Kenneth Janda, and Michael Hugo (eds.), *Information Support, Program Budgeting, and the Congress* (New York: Spartan Books, 1968).

[34] See, for example, Congressman Jack Brooks, "Data-Processing Techniques to Aid Congress," Congressional Record, volume 115, part 1, pp. 129–131.

[35] For one of many indignant comments on the appropriations process as it exists today, see Philip Donham and Robert J. Fahey, *Congress Needs Help* (New York: Random House, 1966), p. xi:

Corporate enterprise handling far less money know much more about what they are doing with it. If Congress wanted to, it could put the entire budget through a computer, break it down by subject and function, and quickly see where the money goes. If there is duplication, as there certainly is, the details would be precise and clear. The whole budget could be analyzed coldly and accurately, and the analysis distributed to every member . . . but Congress still does its figuring as an eighth-grade schoolboy does his. Even a small-town banker knows more about the thousand-dollar loan he approved last year than Congress knows about the fifty billion dolars it approved yesterday, and it is absurd.

[36] John S. Saloma, 3rd, "Systems Politics: The Presidency and Congress in the Future," *Technology Review* (December, 1966), pp. 23, 28.

[37] *Ibid*, p. 24.

[38] See for example, Andrew A. Aines, "Integration of Public and Private Archives for Government Decision Makers," in Chartrand, Janda, and Hugo (eds.), *op. cit.*, p. 131; and Congressman Robert McClory, statement before Washington Operations Research Council, January 17, 1968, inserted in Congressional Record, volume 114, part 1, pp. 1313–16.

CORRUPTION AND SCANDAL IN ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Burton) is recognized for 30 minutes.

Mr. BURTON. Mr. Speaker, nothing has dominated the Nixon Presidency more than the continuing parade of scandals, incidents of corporate favoritism, and corruption on a scale unprecedented in American history.

Never before has the country witnessed such widespread corruption in a presidential administration. Never before has graft from the entire business community been so openly solicited in return for favorable treatment by Federal agencies. Never before has an administration sponsored illegal political sabotage of its opposition. And never before has an administration been so contemptuous of the public in answering charges of corruption.

Hardly a day goes by without some new revelation of direct White House involvement. Yet the President and his top administration and campaign aides refuse to answer questions either from the press or congressional investigating committees.

Instead, the Nixon camp runs its own investigation and declares itself innocent—and, when that fails, attacks the press for doing its job by covering the scandals, tries to portray the corruption charges as routine political attacks, and otherwise attempts to confuse and obscure the issue.

In an effort to put these charges of corruption clearly in focus, the Democratic Study Group, of which I am chairman, has prepared a special report designed to catalog and summarize the various Nixon scandals. At this point I would like to include the DSG report in the Record as I am sure it will be of interest to all Members.

DSG SPECIAL REPORT: IT REALLY IS "THE MOST CORRUPT ADMINISTRATION IN HISTORY"

This special report deals with the numerous charges of corruption and scandal against the Nixon Administration. The report contains three sections, as follows:

A brief description of the major scandals of the past.

A listing of top White House aides who have been involved in the Nixon scandals and a brief description of some 18 charges of corruption against the Administration.

A list of sources for further details on each of the Nixon scandals.

SECTION I—SCANDALS OF THE PAST

Three scandals involving the Executive Branch have received widespread public attention in the past 50 years. The three are the Teapot Dome scandal under President Warren G. Harding, the "five-percenters" in the Harry S. Truman Administration, and the Sherman Adams case under President Dwight D. Eisenhower. None of these scandals approached the dimensions of money involved in corruption under Richard M. Nixon.

Following is a short description of each of these scandals.

Teapot Dome

In 1924 it was discovered that Secretary of Interior Albert B. Fall had accepted $400,000 in gifts and "loans" in exchange for leasing naval oil reserve lands (in an area known as Teapot Dome) to private oil companies. Fall, an opponent of the Congressional legislation creating the reserves, was protected from prosecution by the Harding Administration's Justice Department but was convicted of bribery after President Coolidge appointed a special prosecutor to handle the case.

The five-percenters

In 1949, a Senate investigation uncovered activities of four Executive Branch officials, including an aide to President Harry Truman, who secured Government contracts, jobs and other favors in return for a five-percent commission.

It was estimated that up to $500,000 was obtained by "five-percenters" through government graft. The discovery led to new procurement practices in the Department of Defense. John Maragon, a friend of several influential government officials, was the key witness and was later convicted of perjury for his testimony in a closed Senate committee session.

Sherman Adams

In 1958, Congressional investigations turned up information that high Eisenhower Administration officials intervened and pressured officials in federal regulatory agencies on behalf of corporate friends, most notably Boston industrialist Bernard Goldfine. While charges were made against many Administration officials—including Vice President Richard Nixon—they were concentrating on Sherman Adams, Eisenhower's "right-hand man". Adams received gifts from Goldfine—mainly a $700 vicuna coat and payment of hotel bills totalling about $2000—in exchange for Adams' alleged intervention on Goldfine's behalf with the FCC and the SEC.

Adams continually denied wrongdoing, but did resign as did John Mitchell after disclosure of the Watergate break-in. Goldfine's refusal to answer Congressional inquiries led to a conviction for contempt of Congress. He was also later convicted for contempt of Court and tax evasion.

SECTION II—THE NIXON SCANDALS

During Richard Nixon's four years as President there have been at least 15 major scandals, each of which would have brought a major public outcry in the past. In many of these scandals, including those associated with the Nixon Re-election Committee, the trail has led to direct White House involvement.

The scope of the Nixon scandals makes the scandals of previous Administrations look like penny-ante affairs. Nothing points up the dimensions of corruption in the Nixon Administration more than the involvement of key White House aides and appointees—including at least three Cabinet level officers—in virtually every scandal over the past four years. Following is a list of White House aides and appointees who have been directly involved in the Nixon scandals:

Peter Flanigan, special assistant to the President, who was implicated in official actions benefitting his own companies and who has helped giant corporations so much that Sen. Thomas Eagleton branded him "Mr. Fix-it" for big business in the Nixon Administration.

Maurice H. Stans, former Secretary of Commerce, who used his contacts with the oil and chemical interests he protected during his Cabinet service, to help raise a secret $10.2 million campaign fund for Richard Nixon's re-election.

John Mitchell, former Nixon Attorney-General, who—while he headed the Justice Department—controlled a $350,000 slush fund which was the source of payment to the Watergate breakin suspects and who resigned as head of the Nixon Re-election Committee after disclosure of the Watergate affair.

Richard Kleindienst, Nixon's second Attorney General, who intervened in anti-trust suits and organized-crime investigations to protect Nixon campaign contributors and who tried to absolve a Justice Department official from involvement in a Texas bank scandal.

Earl Butz, Secretary of Agriculture and long-time agribusiness advocate, who helped grain corporations get inside information which enabled them to reap excessive profits from the sale of wheat to the Soviet Union.

Clarence D. Palmby, former Assistant Secretary of Agriculture, who quit the Department during the negotiations with Russia to become Vice President of Continental Grain Company and used his inside information to help Continental control nearly half of the sales to the Soviet Union.

E. Howard Hunt, a White House consultant, who was one of seven men indicted for the break-in at the Democratic Headquarters at the Watergate.

G. Gordon Liddy, a consultant for the Administration's anti-marijuana campaign, who also was indicted for the Watergate burglary along with Hunt and five others.

Charles Colson, Presidential advisor and Nixon political hatchetman, who has been linked to a massive GOP political espionage campaign against Democratic presidential hopefuls and who was implicated in the Watergate break-in when his phone number was found in the address book of one of the suspects. A search of Hunt's desk in Colson's office uncovered a pistol, part of a telephone bug, a walkie-talkie, and diagrams thought to be of the Democratic National Committee headquarters.

William E. Timmons, assistant to the President for congressional relations, who received memos summarizing the information obtained from the Watergate phone taps.

Robert C. Odle, former White House aide, now director of administration for the Nixon Re-elect Committee, who also received summaries of the Watergate phone tap information.

Ken W. Clawson, deputy director of White House communications, who allegedly wrote a letter to a New Hampshire newspaper under an assumed name in an attempt to portray then-presidential hopeful Edmund S. Muskie as a bigot.

Harry Dent, White House political operative, who joined former Commerce Secretary Maurice Stans in trying to suppress a GAO report citing the Reelection Committee for numerous violations of the campaign law.

Dwight L. Chapin, Nixon appointments secretary, who hired and served as contact for Donald H. Segretti, one of 50 undercover agents employed by the GOP to spy on and to sabotage the Democratic presidential campaign.

Gordon Strachan, a White House aide, who worked with Chapin in hiring Segretti and other GOP saboteurs.

Herbert W. Klamback, Nixon's personal attorney and key fund-raiser, who paid the salary of Segretti and other GOP agents out of the $350,000-to-$700,000 slush fund accumulated by the Nixon re-election committee.

Considering this continuing pattern of White House involvement in corruption and scandal, it is little wonder that Ralph Nader and George McGovern have described the Nixon Administration as "the most corrupt in history."

Following are brief descriptions of the major charges of corruption against the Nixon Administration:

WATERGATE BREAK-IN AND BUGGING

One of the gravest acts of political espionage ever uncovered in this country came in June of this year when five Nixon operatives were arrested after breaking into the headquarters of the Democratic Committee in the Watergate building. Subsequent investigation uncovered an elaborate Republican effort to bug Democratic phones with some of the involvement reaching back to White House staff members. Seven men—including two former White House aides and the security director of the Committee to Re-Elect the President—have been indicted for the Watergate break-in.

The investigation of the Watergate crimes by the FBI, the GAO, Congressional committees and the press, has uncovered a series of illegal campaign contributions and financial transactions, a long-running Republican effort to sabotage the campaigns of Democratic presidential candidates, and Administration favors granted in exchange for campaign contributions. Hardly a day passes without a new revelation about the Administration's and the Re-Elect Committee's involvement in the Watergate burglary or the illegal financial dealings surrounding it.

As a result of the Watergate break-in the Democratic National Committee has filed a $3.2 million civil suit against all major Re-Elect Committee officials and several White House aides. However, neither this case nor the criminal case involving the seven indicted defendants is scheduled for court action before the election.

GOP ESPIONAGE UNIT

The FBI has uncovered a GOP espionage unit which has been conducting political espionage and sabotage against the Democratic presidential contenders ever since the primary campaigns began. The unit includes about 50 undercover agents, some hired directly by White House aides. For example, one of the agents, Donald H. Segretti, was hired by Nixon appointments secretary Dwight L. Chapin and reported directly to Chapin. Payment to the agents came from the Nixon re-election committee's slush fund of secret campaign contributions and was made, in some cases, by Richard Nixon's personal lawyer, Herbert W. Kalmbach.

The Republican espionage unit's activities included disrupting Democratic events and impersonating Democrats in phone calls. The unit was allegedly responsible for false charges against Sen. Edmund Muskie printed in the *Manchester* (N.H.) *Union-Leader* just before the primary, for attempts to cancel Sen. McGovern's TV address on the Vietnam War in October, and for disruptive phone calls to CBS News commentator Walter Cronkite and AFL–CIO President George Meany.

REELECTION SLUSH FUND

The Nixon Reelection Committee has maintained a $350,000-to-$700,000 slush fund of cash to be used for political espionage and "investigative" purposes, including the Watergate break-in. The fund was controlled by former Attorney General John Mitchell while he headed the Justice Department. When he switched to the campaign committee, Mitchell shared control with former

Commerce Secretary Maurice Stans. Other Reelect Committee officials with access to the fund included two former White House aides, Jeb Stuart Magruder and Herbert L. Porter, both of whom withdrew at least $50,000.

The Reelect Committee did not keep records of where the money came from or how it was spent—even after the April 7 effective date of the new campaign law. However, the FBI traced part of the money received by the Watergate defendants to the slush fund.

ANDREAS BANK CHARTER

Minnesota millionaire Dwayne Andreas was granted a highly-sought federal bank charter for a Minneapolis suburb shortly after he secretly donated $25,000 to the Nixon campaign. Banking officials acknowledged that the charter was approved much more rapidly than usual—especially in light of the fact that the shopping center where the bank is to be located will not be completed for 2 or 3 years. The Andreas money was transferred to the Nixon campaign committee after the campaign law's April 7 effective date but was not reported in the Committee's June 10 report, as required. Later the money was traced to the bank account of Bernard Barker, one of the men charged with the break-in and bugging of the Democratic headquarters in the Watergate.

SECRET CAMPAIGN CONTRIBUTIONS

In the weeks before the new campaign law requiring disclosure of campaign contributions went into effect, Maurice Stans, who resigned as Nixon's Secretary of Commerce to become his chief campaign fund-raiser, raised $10.2 million in secret campaign funds through a concerted effort to collect the money prior to April 7 when the new law took effect. While technically legal, the Stans effort represented a blatant violation of the spirit and intent of the law. President Nixon and other GOP officials have continually refused to identify who contributed the $10.2 million in secret funds, despite the fact that all major Democratic presidential candidates identified their pre-April 7 contributors.

It is believed that the Stans fund-raising was concentrated on special interests and the executives of corporations doing business with the government, especially the giant chemical companies. Stans as Commerce Secretary helped by advising a "go-slow" government policy in prosecuting polluters and the oil interests he aided by fighting attempts to increase oil imports and efforts to reduce the oil depletion allowance.

MEXICO BANK COVER

An illegal $100,000 campaign contribution from a Texas corporation was funneled through Mexican banks, rushed to Washington aboard a chartered corporate jet, and later $89,000 of it was transferred to the account of Watergate defendant Barker. The money came from the Gulf Resources and Chemical Corporation, a Texas corporation which—until the contribution—had a major subsidiary under pressure from the Environmental Protection Agency to correct extensive water and air pollution problems. Since the $100,000 contribution, the pressure has weakened.

Technically the corporation's contribution was made by a Mexican lawyer—even though it is illegal for corporations or foreign nationals to give campaign contributions to presidential candidates. In routing the money through Mexican banks, the Nixon Committee used a procedure similar to that used by organized crime leaders to avoid detection. The money was paid by the corporation to the lawyer in inflated fees. He put it in the Mexican bank and then withdrew it in the form of $89,000 worth of cashier's checks and $11,000 in cash. This $100,000 was then jetted to Washington—along with $600,000 in other fat-cat contributions—in order to beat the April 7th deadlines when campaign contributors would have to be identified.

SOVIET WHEAT DEAL

The Administration gave inside information to giant grain companies which enabled them to make huge profits from the sale of wheat to the Soviet Union at the expense of American consumers, wheat farmers and taxpayers. Clarence Palmby, one of the chief Agriculture Department officials in the negotiations with the Russians, left USDA before the negotiations were completed to become Vice-President of Continental Grain Co. and helped Continental close a deal with the Russians—before USDA had announced its own credit agreement. Palmby's Continental has sold almost 50% of the wheat sold to the U.S.S.R.

In all, six major companies have monopolized the sale of wheat to the U.S.S.R. There has been a virtual revolving door between top jobs in USDA and top executive positions with five of those companies in the past year. This cozy relationship has resulted in windfall profits for these companies and has resulted in higher prices. It will eventually cost consumers about $1.5 billion in higher food prices—especially meats and bakery goods. It will cost small farmers millions in lost subsidy payments and more millions in lost income because of artificially low prices when they sold their wheat. And it will cost the American taxpayer about $200 million in subsidies to the big firms who were guaranteed profits on their Russian sales by friendly USDA officials.

ITT CONTROVERSY

The Republicans were forced to move their national convention from San Diego to Miami after it was learned that ITT's subsidiary, the Sheraton Corporation of America, had pledged to underwrite $400,000 of the cost of the GOP convention in exchange for a Justice Department settlement of anti-trust charges against ITT. The settlement permitted ITT to retain its acquisition of the Hartford Fire Insurance Corporation and kept the door open for further ITT acquisitions. The revelation of the role of then Deputy Attorney General Richard Kleindienst in aiding ITT's fight against the anti-trust action almost scuttled Kleindienst's nomination as Attorney General. Senate hearings also uncovered pro-ITT activities of Presidential assistant Peter Flanigan leading to a speech by Sen. Thomas Eagleton branding Flanigan the Administration's "Mr. Fix-it for big business."

The scandal was triggered by the disclosure of a memo written by Dita Beard, ITT's Washington lobbyist, which linked the anti-trust settlement to the convention contribution. When called to testify before the Senate, Beard was hospitalized for heart ailments. It was later disclosed that the two doctors who recommended that Beard not testify in person at the Senate were being investigated at the time by the Justice Department for Medicare and Medicaid billing kickbacks.

ANTITRUST SETTLEMENTS

The Nixon Administration has refused to prosecute antitrust suits against giant firms with close personal and financial contacts with the Administration. Attorney General Kleindienst blocked the Antitrust Division from opposing the merger of two giant drug firms—Warner - Lambert ahd Parke - Davis. The honorary board chairman of Warner-Lambert is Elmer Bobst, a long-time friend and financial backer of Richard Nixon and a major client of Nixon's former law firm. Attorney General Mitchell continually refused to fight the merger between the National Steel Corporation and the Granite City Steel Co.—two of the nation's largest steel firms. The director of one of the companies has contributed large sums of money to Republicans and his father—another major Republican fat-cat—owns a company which controls one of the steel firms and which has long-term contracts with the other.

FLANIGAN'S SHIP WINDFALL

In March 1970, the Treasury Department issued a waiver which would have resulted in a $6 million windfall to a company headed by special assistant to the President Peter Flanigan prior to his White House appointment.

Sen. Joseph Tydings alerted the public to the deal and the outcry led the Treasury Department to reverse the ruling. The unprecedented ruling permitted a ship owned by the Barracuda Tanker Corporation—whose President until 1969 was Peter Flanigan—and flying a Liberian flag to engage in U.S. coastal trade despite a law which restricts such trade to vessels built and registered in the United States or if "necessary in the interest of national defense."

SAN DIEGO U.S. ATTORNEY DEAL

The Nixon-appointed U.S. Attorney for the Southern District of California (San Diego), Harry Steward, squelched an investigation of C. Arnholt Smith, a San Diego multi-millionaire who has been a close friend and supporter of Richard Nixon since Nixon's first campaign for Congress. The investigation was being made by a federal organized crime task force as part of a case it was putting together against Smith and several other San Diegans for conspiring to violate federal tax laws and the Corrupt Practices Act. The Attorney also intervened in cases involving a real estate speculator with gambling interests and a former Mayor who was charged, and cleared, of bribery.

The FBI started an investigation of Steward's actions after *Life* magazine charged him with obstructing justice in the Smith case. Then-Deputy Attorney General Kleindienst forced the FBI to discontinue the investigation.

KLEINDIENST BRIBE OFFER

In 1971, Republican senatorial aide Robert Carson offered Kleindienst $100,000 as a contribution to the Nixon re-election fund if Kleindienst would help block a stock fraud investigation being conducted by SEC. Kleindienst, later to become the nation's chief law enforcement officer, turned down the bribe but did not bother to report it until he learned that the FBI was eavesdropping on Carson's office. Kleindienst later claimed he "did not recognize the offer as a bribe." Carson was convicted of bribe conspiracy and perjury.

MILK MONEY

Dairy interests have poured over $320,000 into the Nixon campaign in return for an Agriculture Department decision to boost milk support payments. The increased price supports were worth about $400 million to the dairy industry and came only 13 days after the Department had announced a policy against such an increase. Later, letters were made public in which officials of the Mid-America Dairymen, Inc.—one of the major campaign sources—claimed that by giving to the Nixon re-election fund they had reversed the milk support decision. Ralph Nader's Public Citizen organization, the Federation of Homemakers, and the D.C. Consumer's Association have filed suit to rescind the milk price support increase on the grounds that the increase was a political payoff.

CARPET CONTRIBUTIONS

A major carpet manufacturer gave the Nixon campaign committee a $94,580 donation after the Administration promised to postpone effective federal flammability regulations for carpeting. The contributions—spread out in 30 separate transactions to avoid contribution limitations—came only a few weeks after Nixon finance chief (and former Secretary of Commerce) Maurice Stans set up a private meeting between the government and industry representatives.

NIXON'S LAW FIRM

The United States Postal Service chose Nixon's former law firm, (Mudge, Rose, Guthrie, and Alexander) and an investment company which Presidential advisor Peter Flanigan was once Vice-President of to handle a $250 million bond offering. Nixon's law firm was paid $100,000 although an earlier USPS estimate of the job's cost was between $5,000 and $10,000. Flanigan's former firm had little experience in underwriting bonds, but got the job anyway, along with another firm with little experience which happened to have officers who poured extensive contributions into the Nixon campaign in 1968.

POLITICIZING THE FBI

President Nixon and Attorney General Kleindienst have claimed that the FBI investigation of the Watergate incidents is "the most extensive" in the Bureau's history. However, FBI Director Patrick Gray has suppressed any information uncovered by FBI aegnts which is not *directly* related to the Watergate break-in itself. It is believed that information obtained by FBI agents regarding related incidents—such as the broad GOP espionage activities and the collection of illegal campaign contributions by the Nixon Re-elect Committee—has been leaked to the press by disgruntled agents opposed to this politicization of the FBI. Gray has also departed from the nonpolitical tradition of J. Edgar Hoover by giving public speeches praising the Administration and mouthing the Administration's line on crime statistics and other non-crime related topics, including defense spending.

HAMBURGER HELPER

Richard Nixon received over "$255,000 in campaign contributions from hamburger king Ray Kroc, chairman of the board of the Macdonald's chain, after the Administration launched an all out fight to set a subminimum wage for young workers. The Administration-backed measure would apply to 16 and 17 year olds and to students under 21. It would permit Macdonalds to pay their young workers 40¢ an hour less than the minimum wage—a savings of millions of dollars in wages.

PRICE COMMISSION RULING

The Price Commission has made a ruling specifically favorable to the Combined Insurance Company, a corporation headed by Nixon friend and financial angel W. Clement Stone. Chicago multimillionaire Stone has poured over $500,000 into the Nixon campaign and has promised to contribute much more.

SECTION III: SOURCES OF ADDITIONAL INFORMATION

This section presents major sources for further information about the various Nixon scandals. For further information you should check your local library and look at back copies of your local paper and, if available, the *Washington Post* and *New York Times*. After each scandal below some dates are listed in parentheses. These dates refer to the most likely times for newspaper stories about that scandal.

Nixon Scandals Generally:

"The Politics of Wealth and Health," a series of speeches in the Senate by Sens. Stevenson and Moss, *Congressional Record*, September 21, 1972, pages 31655–60.

"Justice—A New Vision," a speech by Sargent Shriver, September 27, 1972. Available from McGovern-Shriver Headquarters.

"Now, More Than Ever," one of a series of editorials in the *Washington Post* on the Administration's corruption, October 12, 1972, page A18.

The Watergate and related incidents (continuing story beginning June 17, 1972, highlighted by *Post* editorials and articles from October 1 onward.)

See newspapers for:

Republican Espionage (October 10–17).

Re-election Slush Fund (August 10–11).

Mexican Banks (June 24–25, August 22–23, September 13–14).

Andreas Bank Charter (August 25–26).

"Memorandum on the Watergate Break-In and Bugging", prepared by the McGovern-Shriver political research staff, September 22, 1972, available from McGovern-Shriver Headquarters.

"The Watergate Story", interview with the chief government witness, *Congressional Record*, October 6, 1972, page 34179.

"More Fumes from the Watergate Affair," *Time*, October 23, 1972, page 23.

"FBI Finds Nixon Aides Sabotaged Democrats," *Washington Post*, October 10, 1972, page 1.

Time magazine: July 3, page 10; July 24, page 28; August 14, page 21; August 28, page 20; September 4, page 19; September 11, page 18; September 18, page 18; September 25, page 21; October 23, page 23.

Newsweek magazine: July 3, page 18; September 4, page 38; September 11, page 22; September 18, page 40; October 2, page 98.

Unreported Campaign Funds (April 7–15, 1972):

"GOP Money Men Expect to Raise $41 million for Nixon Campaign," *National Journal*, May 27, 1972, page 882.

Soviet Wheat Deal (August 15 to present; especially Sept. 7–20):

"Of the Grain Trade, By the Grain Trade and For the Grain Trade," an analysis of the Soviet wheat deal by the Agribusiness Accountability Project, placed in the *Congressional Record*, October 6, 1972, page 34213.

"Unanswered Questions on Russian Wheat Sale," by Rep. John Melcher, *Congressional* Record, October 4, 1972, page 33786.

"United States-Soviet Grain Agreement," Sen. Lloyd Bentsen, *Congressional Record*, September 20, 1972, page 31441.

"The Wheat Sale Scandal," Sen. Frank Church, *Congressional Record*, September 20, 1972, page 31446.

"The Russian Wheat Deal," Sen. J. William Fulbright, *Congressional Record*, September 19, 1972, page 31168.

"Nixon Orders the FBI into the Grain Case: Other Angles That Need Probing," Rep. John Melcher, *Congressional Record*, September 20, 1972, page 31426.

"Sale of Wheat to the Soviet Union," Rep. Graham Purcell, *Congressional Record*, September 14, 1972, page 30601.

"Missouri Farmer Suffers From Secrecy in Grain Deal," Sen. Stuart Symington, *Congressional Record*, October 4, 1972, page 33606.

"Marketing Grain", Rep. Neal Smith, *Congressional Record*, September 21, 1972, page 31867.

"Farmers Union Grain Terminal Association", Rep. John Melcher, *Congressional Record*, September 21, 1972, page 31848.

"Tax Benefits for Grain Exporters", Sen. Harry Byrd, *Congressional Record*, September 25, 1972, page 32065.

Secret Soviet Trade Negotiations—Another Case of Ignoring the Congress and the People in Favor of a Chosen Few", Sen. Symington, *Congressional Record*, September 28, 1972, page 32645.

"American Grain Sales to the Soviet Union", Rep. Edward Roush, *Congressional Record*, September 5, 1972, page 29410.

Time magazine: August 21, page 63; October 2, page 25.

Newsweek magazine: September 4, page 63; September 18, page 77.

ITT (February 29 through June 1):

Congressional Quarterly Weekly Report: March 11, 1972, page 522; March 18, 1972, page 575; May 13, 1972, page 1103.

Hearings on the nomination of Richard G. Kleindienst, Senate Judiciary Committee, March and April, 1972.

Jack Anderson's column, February 29, 1972, *Washington Post*.

Senate debate on Kleindienst's nomination, *Congressional Record*, May 31, 1972 through June 8, 1972.

"The Flanigan Factor", speeches by Sen. Thomas Eagleton, *Congressional Record*, March 14, 1972, pages 8213, 8217–18.

Time magazine: May 8, page 24; September 18, page 19.

Newsweek magazine: May 1, page 26; May 2, page 37, July 3, page 62.

Antitrust cases:

See Kleindienst Hearings (ITT), Stevenson speech (Nixon Scandals Generally).

Flanigan's Ships (March 9–10, 1970):

"The Future of Shipbuilding in Maryland," speech by Sen Joseph Tydings, *Congressional Record*, vol. 116, pt. 5, p. 6422.

"The 'Sansinena' Affair," speech by Sen. Joseph Tydings, *Congressional Record*, vol. 116, pt. 5, p. 6634.

Congressional Quarterly Weekly Report, March 13, 1970, page 764.

San Diego Prosecution Failure (March 19–20, 1972):

See Kleindienst Hearings (ITT).

Life magazine, March 24, 1972.

Kleindienst Bribe Offer (November 16–17, 1971):

See Kleindienst Hearings (ITT).

Congressional Quarterly Annual 1971, page 20.

Sharpstown Scandals (June 16, 1971, to October 20, 1971, especially October 15–16, 1971):

A series of speeches by Rep. Henry B. Gonzales in the *Congressional Record* between June 16 and October 20, chief of which were: September 8, 1971, page 30873; September 13, 6, 1971, page 35376; October 14, 1971, page 31811; September 15, 1971, page 32000; September 20, 1971, page 32427; September 21, 1972, page 19960; June 20, 1972, page 21546. 34581; October 4, 1971, page 34833; October 6, 1971, page 35376; October 14, 1971, page 36227; October 20, 1971, page 37111; June 7, 1972, page 19960; June 20, 1972, page 21546.

Milk Money (December 1, 1971, through January 24, 1972):

"GOP Money Men Expect to Raise $41 Million for Nixon Campaign," *National Journal*, May 27, 1972, page 882.

Carpet Contributions (October 5–6, 1972):

"Carpet Lobby Said to Pay GOP for Aid," *Washington Post*, October 5, 1972, page 1.

Nixon's Law Firm:

See Stevenson's speech (Nixon Scandals Generally).

YOUR WINDOW IN WASHINGTON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DANIELS) is recognized for 30 minutes.

Mr. DANIELS of New Jersey. Mr. Speaker, every year I have provided my constituents with an annual "round-up" of legislative activity in the previous session of Congress in addition to regular newsletters during the year discussing pending issues. These newsletters called "Your Window on Washington" serve several purposes. They provide citizens with information they otherwise do not receive in the newspapers, magazines, television, or radio that do not cover in detail many of the serious issues before Congress. Through my newsletters my constituents are not only apprised of pending issues that affect them, but they obtain a better understanding of how their Congress and their House of Representatives actually works.

Your Window on Washington provides a regular contact between each citizen and his Federal Government. It lets each citizen know that there is an individual, a person to whom he or she can write for assistance, to protest, or to urge a position. No one can seriously argue today that such a contact is not needed.

In addition to his legislative role, a Member of Congress is a focal point of the entire Federal Government for his constituents. This "ombudsman role" of a Congressman recently came under attack by members of the staff of Ralph Nader in the recent book "Who Runs Congress?" The suggestion was made there that if Congress paid more attention to its oversight role over the executive branch agencies, it would not be necessary to spend time with constituent problems. I agree with the proposition that Congress ought to concentrate additional attention to its oversight role. But even in the best of circumstances, even if executive branch agencies did provide more personal attention to citizen requests, an ombudsman would still be required to deal with the vast Federal bureaucracy.

Furthermore, a Congressman serves a manageable number of people. In my own case, I answer between 50 and 75 people each day. I can keep track of these constituents and their problems. With the assistance of a small but efficient and close knit staff I am able to provide personal service to my constituents. Rather than being file numbers they are people to me, many of whose former problems I can recall each time they write. In 14 years, I can recall many people who I have helped, who I provided information, or on whose behalf I have rescued a case from a bureaucratic morass.

Members of Congress are uniquely situated to act as ombudsmen. They deal daily with the agencies concerning legislative problems as well as on behalf of their local municipalities. Thus they have already established contacts with executive branch agencies and understand how they operate. When a constituent has a problem a Member can generally cut through to where the problem lies and resolve it. In my own experience, agency personnel have appreciated my intervention. They realize that they make mistakes or that matters get sidetracked, and appreciate the fact that I can explain the problem to them in their own terms so they can repair the situation.

My newsletter, "Your Window in Washington," follows:

Your Window in Washington by
Mr. Daniels of New Jersey

COMMERCE AND INDUSTRY

Maritime Authorization: subsidies for U.S. Cargo ship construction and operating expenses.

Cargo Safety Commission: on Security and Safety of Cargo.

COMMUNICATIONS

Public Broadcasting Act of 1972: Corporation for Public Broadcasting to promote the utilization and development of telecommunications facilities for educational programs.

CONSUMER AFFAIRS

Federal Meat Inspection Act: increase the amount the federal share toward state meat inspection programs.

Flammable Fabrics Act Amendments of 1971: increased enforcement by requiring manufacturer to certify that product offered for sale meets requirement of applicable standard or regulation based on a testing program.

Fair Credit Billing Act: protect consumers against careless and unfair billing practices.

Consumer Protection Act of 1971: establish within Executive Office of the President an Office of Consumer Affairs to report annually to the President and Congress on the office's activities in coordinating federal programs affecting consumers, assure that consumers' interests were observed in setting policy and operating programs, etc.

Title II—Consumer Protection Agency: establish an independent Consumer Protection Agency administrator appointed to represent consumers in formal proceedings conducted by other federal agencies and in certain court suits, etc.

Consumer Product Warranties: set minimum federal standards for warranties on consumer products.

EDUCATION

Education Amendments of 1971: establish a new program of direct federal assistance to colleges or vocational schools and to qualifying middle-income and other needy students. To provide emergency school aid for school desegregation; to postpone until all appeals have been ruled on, or the time for them had expired, the effective date of all federal district court orders requiring the transfer or transportation of students to achieve racial balance. To limit federal funds for busing intended to overcome racial imbalance or to desegregate a school system to instances when local officials requested federal funds for this use, and for other purposes.

Indian Education Act of 1971.

Vocational Rehabilitation Act Amendments of 1972 assist in the rehabilitation of mentally, physically and socially disabled persons.

FOREIGN AFFAIRS AND NATIONAL DEFENSE

National Week of Concern for Prisoners of War/Missing in Action: authorized the President to proclaim the week of March 21–27 as "National Week of Concern for Prisoners of War/Missing in Action."

Prisoners of War Resolution: to call for humane treatment of American servicemen held prisoner by North Vietnam and its allies and endorsing efforts to win their release.

Radio Free Europe and Radio Liberty Funding.

War Powers of Congress and the President: to require the President to submit a written explanation to Congress if he acted without prior congressional consent in committing U.S. Troops to combat, sending combat-equipped forces to foreign countries or significantly enlarging military forces already stationed abroad.

Treaty for the Suppression of Unlawful Seizure of Aircraft.

International Agreements Dealing with Oil Pollution.

Fishermen's Protective Act Amendment: reimbursement to commercial fishermen for fines incurred by unlawful seizure of U.S. flag vessels by other nations; establish revolving Fishermen's Protective Fund.

Military Selective Service Act Amendments.

Military Procurement Authorizations: authorize funds for defense procurement of weapons systems, research and development. To declare it to be U.S. Policy that all American troops would be withdrawn from Indochina at a date certain pending the release of U.S. prisoners.

War Powers of Congress and the President: to govern the use of Armed Forces by the President in the absence of a declaration of war and allow the President to repel attacks on the armed forces outside the U.S. or its territories but require prior congressional authorization for retaliatory attacks against the nation launching the assault.

GENERAL GOVERNMENT

Obscene Mail: to prohibit the sending of obscene material through the mail. Defined obscene matter which no longer could be mailed to minors under 17 years of age; provide mail patrons with a procedure to prevent delivery of "Potentially offensive sexual materials".

Federal Employees—Rate of Pay: provide an equitable system for fixing and adjusting the rates of pay for prevailing rate bluecollar employees of the Government.

Lowering the Voting Age to 18.

To Disapprove President's Alternate Pay Plan for Federal Employees—resolution would have allowed an estimated 5.5 percent pay raise to go into effect as scheduled on January 1 for federal civilian and military employees. President's plan opposed to raise.

Prohibition of Emergency Detention Camps: to provide that "no citizen shall be imprisoned or otherwise detained by the United States except pursuant to an act of Congress".

Equal Rights Amendment: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex," effective if ratified by the legislatures of three-fourths of the states within 7 years.

Equal Employment Opportunities Enforcement Act.

Federal Constitutional Convention Procedures Act.

Federal Election Campaign Act of 1971: strengthened regulations on spending and reporting of campaign funds.

Protection of Privacy for Federal Employees: guard federal employees from questions about their race, religion and origins and personal habits. Limit the use of psychological and polygraph tests.

Federal Employees Health Benefits Program: increase federal contribution for the cost of health insurance premiums for government employees to 55 percent from 40 percent in 1972 and to provide an additional 5-percent increase each year through 1976, at which time the government contribution would reach 75 percent of the total cost, etc.

HEALTH AND HEALTH INSURANCE

Health Professions Education Assistance Amendments of 1971 grants for schools in the health professions and to encourage construction and expansion of enrollments and student loan and scholarship funds.

Conquest of Cancer Act.

Comprehensive Drug Abuse Prevention and Control Act of 1970 Amendment: increase from $1 million to $4 million in the authorization for the Commission on Marihuana and Drug Abuse.

Health Professions Student Loans and Scholarships Extension.

Medicare-Medicaid Amendment: improve the operating effectiveness.

Nurse Training Act of 1971: Extend federal programs to train nurses.

Drug Listing Act of 1971: require manufacturers and processors of drugs to submit to the Secretary of HEW a list of all drugs manufactured or processed for commercial distribution.

Black Lung Benefits: liberalize eligibility standards for benefits to coal miners and dependents stricken by black lung disease.

Drug Abuse Office and Treatment Act of 1972: provide for a coordinated federal attack on drug abuse.

Vocational Rehabilitation Act Amendments of 1972.

National Sickle Cell Anemia Prevention Act.

National Heart, Blood Vessel, Lung and Blood Act: to establish a 10-point program to be carried out by the Heart and Lung Institute at the National Institute of Health.

National Institute on Arthritis, Metabolism and Digestive Diseases.

Children's Dental Health Act of 1971.

LABOR

Railroad Retirement Annuity Increase: 10 percent increase in railroad retirement annuities retroactive to January 1, 1971.

Settlement of West Coast Dock Strike.

Fair Labor Standards Amendment 1971: two-step increase in the minimum wage to $2 for most non-agricultural workers and to $1.70 for farm workers by the end of 1973.

LAW ENFORCEMENT AND CRIMINAL PROCEDURES

Juvenile Delinquency Prevention and Control Act Extension.

Narcotic Addict Rehabilitation Act Amendments.

Narcotic Treatment Programs in Correctional Institutions.

Institute for Continuing Studies of Juvenile Justice.

MANPOWER TRAINING AND JOB OPPORTUNITY

Emergency Employment Act of 1971: to authorize $2.25 billion to provide public service jobs for the unemployed at the state and local level when the national unemployment rate rose to 4.5 percent or more for three consecutive months.

Manpower Development and Training Act Amendments: to extend Title II of the Manpower Development and Training Act of 1971 for one year.

MONETARY, BANKING, TAX AND FISCAL POLICIES

Wage-Price Controls and Extension of Interest Rate Provisions: extend the President's standby authority to implement wage, price and rent controls to June 1, 1971. To extend to June 1, 1971, authority to regulate the rate of interest paid by lending institutions on savings deposits.

Wage-Price Controls and Extension of Interest Rate Provisions: through April 30, 1972.

Revenue Act of 1971.

Interest Equalization Tax Extension Act of 1971.

Small Business Loan Ceiling Increase.

Assistance for U.S. Citizens Returned from Abroad.

Economic Stabilization Act: extension through April 30, 1972.

NATURAL RESOURCES AND CONSERVATION

Joint Committee on the Environment.

Wildlife Hunting From Aircraft-Prohibit.

Water Resources Planning Act.

National Environmental Data System.

Regulation of Public Exposure to Sonic Booms.

Protection of Wild Horses and Burros.

Federal Environmental Pesticide Control Act of 1971.

Toxic Substances Control Act of 1972.

Natural Gas Pipeline Safety Act Amendments.

Water Pollution Control Extension.

Marine Protection, Research and Sanctuaries Act of 1971.

Noise Control Act of 1972.

Coastal Zone Management Act.

Youth Conservation Corps.

Saline Water Conversion.

Marine Mammal Protection Act of 1971.

SOCIAL SECURITY AND PENSION PLANS

Social Security Amendments: to provide Social Security beneficiaries with a 5 percent increase in benefits effective June 1, 1972.

Social Security Benefits Increase: provide a 10 percent across-the-board increase in Old-Age, Survivors and Disability Insurance (OASDI) benefits, retroactive to January 1, 1971. To raise the minimum monthly payment to $70.40 from $64.00. Effective January 1, 1972.

Social Security Act—Amendments: pay death memorial expenses for an insured individual whose body was unavailable for burial and to require certain welfare recipients to register for work incentive programs.

TRANSPORTATION

Boat Safety Act: to improve recreational boating safety. To require manufacturers to build recreational boats in accordance with performance standards prescribed by the Department of Transportation, with the advice of the Coast Guard.

Maritime Authorization—1972.

Air Traffic Controller Career Programs: authorize new career training at government expense for air traffic controllers with at least five years' experience.

Ports and Waterways Safety Act of 1971: federal controls in marine areas to reduce the increasing frequency of vessel accidents and to avoid pollution of ports, waterways and adjoining shoreline; to authorize the Coast Guard to enforce marine safety and prevent water pollution.

Rail Passenger Corporation (Amtrak).

Airport and Airway Trust Fund: for airport development and airway facilities.

High Speed Ground Transportation: to authorize the Secretary of Transportation to coordinate high speed ground transportation research and development.

VETERANS AFFAIRS

Veterans Drug Treatment and Rehabilitation Act of 1971.

VA Medical School Assistance.

Veteran's Medical Act of 1971: extend hospital and medical care benefits to wives, widows and children of veterans who were either totally and permanently disabled from service-connected causes or who had died as a result of a service-connected disability. To provide for outpatient hospital treatment for veterans and to liberalize VA employee pay.

Uniformed Services Health Professions Revitalization Act of 1971.

Armed Forces Drug Treatment and Rehabilitation Program.

Veterans Hospitals: to limit the authority of the Veterans' Administration and the Office of Management and Budget with respect to the construction, acquisition, alteration, or closing of veteran's hospitals, and to prohibit the transfer of Veterans' Administration real property unless such transfer is first approved by the House Committee on Veterans' Affairs.

Veterans Education and Training Amendments of 1972: increase the monthly allowance for all types of education assistance for veterans and their dependents by approximately 14 percent. To raise the monthly allowances for on-the-job or apprentice trainees by about 48 percent and for other purposes.

WELFARE AND RELATED AREAS

Family Assistance.

Disaster Relief Act of 1971: to make areas suffering from severe unemployment or other economic hardship eligible for emergency federal aid.

Economic Opportunity Amendments, 1971.

Older Americans Act of 1965 Amendments: authorize grants to states to pay up to 90 percent of the cost of establishing nutrition program for the elderly.

Disaster Relief Act Amendments.

Headstart, Child Development and Family Services Act of 1972.

OTHER

National School Lunch Act Amendments.

Cabinet Committee on Opportunities for Spanish-Speaking People.

ACTION FOR SENIORS

The 92d Congress, which is completing its work as *"Your Window on Washington"* goes to press has made many contributions to benefit senior citizens.

Some of the more significant measures are:

A 32% increase in social security—The largest increase in any two year period since the program was established 35 years ago. President Nixon had originally opposed the increase which went into effect on October 1, 1972 as "inflationary" but later he changed his mind and signed the bill into law.

Nutrition for the elderly—This act provides machinery and money to provide a hot, nutritious meal daily, five days a week, to persons aged 60 and over. Meals will also be delivered to elderly persons who cannot leave their homes.

Daniels Emergency Employment Act—My employment measure which I steered through the House provides badly needed public service jobs to unemployed and underemployed elderly persons "who desire to remain in, enter, or re-enter the labor work force." I have always felt that healthy and vigorous seniors who wish to work should work and that every effort should be made to find work for seniors who want work.

Cost of Living Adjustment in Social Security Payments—Regular readers of this newsletter will recall that for many years I have been fighting for a cost of living adjustment in Social Security payments. As Chairman of the committee dealing with Federal Government retirees, I had written into the Daniels Civil Service Retirement bill just such a provision. I have been trying to persuade my colleagues to support a similar provision in the Social Security Law. This year I succeeded and the new law contains just such a cost-of-living escalator.

Beginning in 1975, whenever the cost of living rises by three percent or more there will be an automatic increase in benefits. I didn't like waiting until 1975 but had to accept this provision to get the increase through Congress as it was considered a "closed rule," a parliamentary device which means a Congressman can only vote "aye" or "nay" and cannot offer amendments.

National Institute on Aging—A new National Institute of Aging to be part of the National Institutes of Health will conduct research on the aging process and on the special health problems of older Americans. I have long supported increased action in this area and I am delighted with the increased attention given the special medical problems of older Americans.

STOL PORT

Many Hudson residents have protested the development of short-take-off-landing (STOL) facilities in our area. I have been in contact with the Department of Transportation and they seem to have pulled in their horns. I thought you might be interested in reading a letter I sent to Mrs. Helen Manogue, Coordinator of the Hudson Environmental Coalition back in April, 1972:

> DEAR MRS. MANOGUE: This is in response to your recent letter in opposition to a STOL site in Hudson County. . . .
>
> I agree with you that a STOL port facility in the middle of an urban area is ill-advised. I am not confident that it is either a safe means of getting people in and out of the community nor, for that matter, is it economical. It would be far more advisable to develop high speed rapid transit lines to and from central airports and thus eliminate the necessity for this particular automobile transportation on the expressways. Moreover, it would provide needed transportation for non-airport users, thus serving a double function with tremendous cost savings. In addition, existing rail facilities and rights-of-way in Hudson County could be utilized to and from the surrounding areas. . . .
>
> Certainly residents of the community have little to gain from the facility, even in the way of jobs.
>
> Although I have been following the matter for some time, I would like to thank you for bringing the matter once again to my attention. Incidentally, I would like to commend you and your colleagues in the Hudson Environmental Coalition for your good work in raising environmental questions. This is an extremely sensitive area and I am sure

that as problems are raised, we will learn to deal with them and solve them.

Please let me hear from you again.

Sincerely,

DOMINICK V. DANIELS,
Member of Congress.

OLDER AMERICANS

The present 92nd Congress will long be remembered as the Congress which acted to enrich the lives of the nation's older citizens. This Congress—along with the 74th Congress which passed Social Security under Franklin D. Roosevelt . . . and the 89th Congress which passed Medicare and the Older Americans Act under Lyndon B. Johnson—will be known as one of the three great Congresses in legislation for the elderly.

But the 92nd Congress is—in a significant way—different from the 74th and 89th Congresses. For the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but on Capitol Hill. *Congress*, not the Administration, has taken the initiative for action in behalf of America's elderly.

Here are some of the landmark provisions this Congress is passing:

SOCIAL SECURITY INCREASES

Social Security payments were raised by 32 percent in just two years—the largest increases ever voted by a single Congress.

NUTRITION FOR THE ELDERLY

This Act authorizes the machinery and money to provide at least one hot, nutritious meal daily, five days a week, to people aged 60 and over. Meals will also be delivered to elderly persons who are home-bound.

COMPREHENSIVE SERVICES

Low-cost transportation.

Expanded employment and volunteer service opportunities, including strengthening the Retired Senior Volunteer Program and the Foster Grandparents Program.

Senior citizens community centers.

Pre-retirement training.

Health, education and other social services.

Improved system of delivering services to older citizens.

Strengthened role of the Administration on Aging in the Department of Health, Education, and Welfare.

Gerontological centers to study the variety of problems older persons face.

DANIELS' EMERGENCY EMPLOYMENT ACT

This law, which authorizes the Department of Labor to help provide jobs in needed public services to unemployed and underemployed persons, specifically includes "older persons who desire to remain in, enter, or re-enter the labor work-force."

NATIONAL INSTITUTE OF AGING

A new National Institute of Aging, to be a part of the National Institute of Health, will conduct research on the aging process and on the special health problems of older persons.

These five measures constitute more than rhetoric. They represent effective action.

The 92nd Congress, sometimes over Administration opposition, has made a commitment to the principle that our older citizens should be able to live their lives in comfort and dignity.

The historian, Arnold Toynbee, concluded that the quality and durability of a society were best measured by "the respect and care given its elderly citizens."

That respect and care are the inspiration of the legislation which the 92nd Congress has passed on behalf of older Americans.

TAX CREDIT LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE. Mr. Speaker, because of the widespread interest in the tax credit legislation and the ending of this session I felt it would be well to explain the tentative action taken by the House Ways and Means Committee in relation to H.R. 17072. Had the bill been finally acted upon before the House Rules Committee terminated the acceptance by that committee of any further legislation, the report of the House Ways and Means Committee as the result of tentative favorable action would have been as follows:

TAX CREDITS TO PARENTS FOR TUITION PAID ELEMENTARY AND SECONDARY NONPUBLIC SCHOOLS (H.R. 17072)

I. SUMMARY

The purpose of the bill is to provide tax relief to low- and middle-income parents who bear increasingly severe financial costs of educating their children in nonpublic elementary and secondary schools. If this relief is not provided for these parents, it is probable that many of them will be forced to stop sending their children to nonpublic schools, substantially eliminating the benefits received from these schools, and increasing school costs for taxpayers generally.

The bill provides an individual income tax credit for tuition paid by parents (or certain other persons who support schoolchildren) for the elementary and secondary education of their children. The credit is 50 percent of tuition paid up to a maximum credit of $200 per year for each child. The total credit available is reduced by $1 for every additional $20 of the parents' total adjusted gross income over $18,000. To qualify for the credit, tuition must be paid to a school that meets specified standards, and the children must be full-time students as defined in the bill.

II. REASONS FOR THE BILL

Many low- and middle-income parents who now send their children to nonpublic schools bear a very heavy financial burden. The cost of this education has increased substantially in recent years, and it is expected that this increase will continue. At the same time, the cost of public schools also is rising substantially, and taxes keep increasing to meet these cost increases. As a result, nonpublic school parents must pay for the increased costs of both public and nonpublic schools, even though they relieve the public schools of the cost of educating their children. For many of these parents, this financial burden is becoming too great and this undoubtedly is an important factor in accounting for the declining enrollments of many nonpublic schools and in the closing of many of them. The school closings prevent those families that are able to pay from providing their children with nonpublic school education.

Nonpublic schools represent an integral part of our society. Nonpublic schools provide a diversity of choice, and also healthy competition for public education. They provide the means for a number of Americans to express themselves socially, ethnically and culturally through educational institutions, and they provide stability to urban neighborhoods by giving parents important reasons to stay in the cities. Through diversity and innovation in education, these schools stimulate other schools to higher quality. Finally, nonpublic schools relieve the public school system, and thus all taxpayers supporting public schools, of very substantial costs. It has been estimated that the costs to the taxpayers which would arise from the closing of nonpublic schools would be great.[1]

A key to the diversity and competition of nonpublic schools is that they are sustained by the voluntary action of parents and others. Individual initiative has formed and maintained the unique quality of nonpublic schools, and it is important that this basis of support be maintained. As a result the bill provides that any Government assistance given should be in a form which reinforces these voluntary actions. Moreover, historically, the Federal Government has encouraged and assisted individuals who support education by relieving them of part of their Federal income tax. Since 1917, the Federal income tax laws have allowed taxpayers a deduction from taxable income for amounts given to nonprofit educational institutions.

Two commonly accepted methods for easing tax burdens are allowing a deduction for income subject to tax or allowing a deduction for the tax itself (that is, a tax credit). As noted above, the charitable contributions deduction encourages voluntary support of education. Recently, voluntary contributions to political campaigns have been encouraged with the alternatives of a credit or a deduction. The retirement income credit has been used to aid the elderly with relatively low incomes.

It was concluded that in the present situation the credit is the best solution. A credit against tax gives more assistance than a deduction to lower- and middle-income taxpayers who bear the greatest relative financial burden in sending their children to nonpublic schools. This is true because a deduction usually would be available only to those taxpayers who itemize their deductions and these generally are higher-income taxpayers. In addition, because of the progressive rate schedule, a deduction provides the greatest dollar benefit to higher income taxpayers, while a tax credit provides the same dollar benefit to all taxpayers.

It was also concluded that a credit for tuition best serves its purposes when it is a credit for only a proportion of the tuition paid. The 50-percent credit provided by this bill insures that the educational institution must rely on substantial voluntary support, since with a credit on this basis each parent must use his own funds to a substantial extent if he is to send his child to a nonpublic school. If the school does not meet an important need, parents will not spend their own funds for this purpose and the school must improve or close. Also, with the percentage credit, in many situations there will be pressure on the schools not to increase tuition any more than necessary since the parents may be unable to absorb the whole increase through the tax credit. Furthermore, in the case of parents who send their children to religiously affiliated schools, the 50-percent credit also ensures that government does not subsidize secretarian education, since secular education clearly is more than half of the education received in such schools. Finally, the percentage credit ensures that the credit will remain a tax benefit to the parent and not become a payment by the Government to the schools.

The bill limits the maximum credit for tuition to $200 per year per child, in order to minimize the assistance given to parents who send their children to high cost, private schools, the reduction of the credit where taxpayers have adjusted gross income over $18,000 limits still further the tuition assistance for higher income taxpayers. The greater financial burden on parents with several children in school is recognized in this limitation, however, by reducing the aggregate credit available to a taxpayer, rather than the credit per child.

The schools to which tuition is paid must be nonprofit, tax-exempt institutions (referred to in secs. 170(b) (1) (A) (ii) and 501 (c) (3) of the code). This requirement follows existing law. For many years, the income tax laws have provided that for tax benefits to be available to schools (and their contributors) these standards must be met. Moreover, by requiring the qualified nonpublic schools to meet these requirements of the tax law, no payment to a school that discriminates on the basis of race will qualify for the credit.

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[1] The President's Commission on School Finance estimated that public school operating costs would increase from $1.3 billion to $3.2 billion, and capital costs from $4.7 to $10 billion. President's Commission on School Finance, "Schools, People and Money," p. 55 (1972).

For the credit to be available, the school to which the tuition is paid must satisfy State compulsory education requirements. This means that the parents will receive the tax benefit only if the school they choose meets established and accepted standards of education quality and curriculum.

This provision has been carefully considered from the standpoint of the requirement of the First Amendment that Congress shall make no law respecting an establishment of religion. The issue arises, of course, because a substantial percentage of nonpublic school students attend religiously affiliated schools. Nevertheless, it is believed that the bill does not in any way violate this Amendment. This view is based on an analysis of the court cases dealing with this Amendment.

The Supreme Court has ruled that government assistance to parents for the education of their children is valid even though the children attend religiously affiliated schools and even though the schools may indirectly or collaterally benefit from this assistance (*Everson* v. *Board of Education*, 330 U.S. 1 (1947); *Board of Education* v. *Allen*, 392 U.S. 236 (1968)). Moreover, the Supreme Court has also ruled that governments may give tax relief to religious institutions in connection with the conduct of their religious activities. (*Walz* v. *Tax Commission*, 397 U.S. 664 (1970)). These decisions make it clear that the Government may give tax relief to parents who send their children to religiously affiliated schools, whether or not the relief may indirectly benefit the schools. Moreover, by limiting the credit to 50 percent, care has been taken in the bill to assist parents in paying for secular education, and not in paying for religious education.

Furthermore, since 1917, the tax laws have given relief through deductions to persons who support nonprofit educational institutions, whether or not these schools are religiously affiliated. This tax relief has never been questioned by the courts. The credit is only a variation of this established and accepted type of tax relief.

There appear to have been only two court decisions (both by lower courts) which have squarely addressed the question of the constitutionality of tax benefits to parents whose children attend nonpublic school. In both cases, the courts held that a tax benefit of this type was constitutional and did not violate the First Amendment to the U.S. Constitution.[2]

Even though it appears clear that the bill is constitutional, because of the questions which are likely to be raised, the bill provides for expedited court review of the constitutionality of the tax credit.

III. GENERAL EXPLANATION

As indicated above, it is important to relieve parents of some of the costs of providing secular education for their children in nonpublic schools. To provide relief, the bill (new sec. 42(a) of the code) allows an individual a credit against income tax for the tuition he pays to a private, nonprofit school for the elementary or secondary education of a full-time student who is a dependent of the individual.

Amount of Credit (*sec. 42(b)(1)*)

The credit allowed under this provision for each dependent is to be 50 percent of the amount of the tuition paid during the taxable year for his education but in no case more than $200. To be eligible for the credit, the amounts must be paid for the elementary or secondary education of a dependent who is a full-time student for a school year. In addition, these amounts must be paid in a taxable year in which the dependent's school year begins or ends. Under the bill, to qualify as full time during a school year, an elementary or secondary student must be a student at one or more private, nonprofit elementary or secondary schools during each of 5 calendar months during the school year (sec. 42(c)(5)). The term "school year" is defined as a one-year period beginning July 1 and ending June 30 (sec. 42(c)(4)).

To limit the amount of the credit to $200 in any one school year, the bill provides that only $400 of tuition is to be taken into account with respect to any one school year. The operation of this provision may be illustrated by the following example. T, an individual who is a calendar year taxpayer paid $1,000 tuition for the nonpublic secondary education of his dependent son, B, in the school year beginning July 1, 1973, and ending June 30, 1974. T paid $500 of this total amount in September, 1973, and the remaining $500 in January, 1974. Since only $400 of tuition may be taken into account during any one school year, the maximum credit T is entitled to for B's school year 1973–74 is $200, even though T made payments in 2 different taxable years. Therefore, if T elects to take a $200 credit (as described below) for taxable year 1973, he cannot take a credit for taxable year 1974 with respect to the amount paid in January, 1974.

The credit is available only to a person who pays the tuition in question. Therefore, where a person is only a conduit, being reimbursed for tuition payment by grant or scholarship or similar gift, he is not entitled to a credit.

Reduction in Credit on Adjusted Gross Income Increases (*sec. 42(b)(2)*)

To avoid giving unnecessary tax benefits to parents with adjusted gross incomes over $18,000, the bill provides for a reduction in the amount of the credit as the adjusted gross income of a taxpayer (and his spouse) increases. Marital status is to be determined under the rules provided in section 143 of the code. The amount of the tax credit is reduced by $1 for every $20 of adjusted gross income of a taxpayer (and his spouse) over $18,000. Under this provision, the aggregate credit available to a taxpayer is reduced, not the credit per child, thereby recognizing the fact that the more children a family has in nonpublic schools the more burdensome is the cost of education to his family. The following table illustrates the effect of this phaseout for various adjusted gross incomes over $18,000.

Adjusted gross income:	*Reduction in credit*
$18,000	0
19,000	$50
20,000	100
21,000	150
22,000 [1]	200
26,000 [2]	400
30,000 [3]	600

[1] Level at which maximum tax credit is eliminated for 1 dependent.

[2] Level at which maximum tax credit is eliminated for 2 dependents.

[3] Level at which maximum tax credit is eliminated for 3 dependents.

Definition of Private, Nonprofit Elementary or Secondary Schools (*sec. 42(c)(2)*)

To qualify under the bill as a private, nonprofit elementary or secondary school, a school must meet certain criteria. First, the school must be an educational institution (described in sec. 501(c)(3) and sec. 170 (b)(1)(A)(ii) of the code) and also exempt from tax (under sec. 501(a)). No school can meet these tests unless it has a racially nondiscriminatory policy and also is "not part of a system of schools operated on a racially segregated basis as an alternative to white students seeking to avoid desegregated public schools."[3] It is intended that a school which is integrally a part of a church or other tax-exempt organization must meet these requirements to the same extent as a tax-exempt school that is organized or operated as a separate entity. It is expected that the Internal Revenue Service will apply the same policy regarding racial discrimination to all schools, whether or not separately organized or operated.

Second, the school must regularly offer education at the elementary or secondary level. Third, the school must satisfy the compulsory education laws of the State with respect to students attending the school who are subject to these laws. However, a student need not be subject to the compulsory education requirements in order for tuition expenses in his case to qualify for the credit (for example, he may be over age 16 in a State where compulsory school attendance is required only to age 16). However, for those students who are subject to compulsory education requirements, the school must satisfy the requirements in their case.

Definition of elementary and secondary education (*sec. 42(c)(3)*)

Under the bill the term "elementary or secondary education" means education beginning at the first grade level and continuing through the 12th grade level. However, the term does not include kindergarten, nursery, or similar preschool training. It also does not include special courses or attendance at a Sunday school class or retreat or weekend or afternoon religious training, or other similar ancillary activities connected with a nonpublic school. As a consequence of the requirement that a student be full-time, tuition paid for dependents who attend only summer school in nonpublic schools will not qualify for the credit. In the case of special education for individuals who are mentally or physically handicapped, the credit is to be allowed to the extent this education serves as a substitute for elementary or secondary education.

Definition of tuition (*sec. 42(c)(1)*)

It is recognized that administrative problems could arise if a credit were allowed for "fees" paid to an elementary or secondary school. Often, schools may not issue detailed receipts for minor amounts paid, and an audit of these claimed fees may lead to unnecessary disputes with the Internal Revenue Service. Moreover, in many cases similar fees are charged at public schools and no deductions are to be allowed in these cases.

As a result, the bill provides that tuition includes any amount required for the enrollment or attendance of a pupil in a private, nonprofit elementary or secondary school but does not include any amount paid directly or indirectly for meals, lodging, transportation, supplies, equipment, clothing, or other personal or family expenses. The treatment of tuition under the bill is not intended to have any bearing on whether tuition is a personal or family expense under any other section of the code. Items such as admission fees to attend extracurricular activities, such as sporting events, are intended to be excluded. Where the amount paid for tuition is not separately stated and includes an amount for any excluded item, the Secretary of the Treasury or his delegate is to prescribe regulations for the determination of that portion of the total amount which is attributable to tuition and that portion which is attributable to those items for which a credit is not allowed.

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[2] *Committee for Public Education and Religious Liberty* v. *Nyquist*.—F. Supp.—(No. 72 Civ. 2286) (S.D. N.Y., October 2, 1972), and *Minnesota Civil Liberties Union* v. *Minnesota* (Nos. 379526 and 380252) (Dist. Ct. 2d Judicial Dist., Ramsey Co., Minn., July 6, 1972).

[3] Rev. Pul. 71–447, 1971–2 C.B. 230; *Green* v. *Kennedy*, 309 F. Supp. 1127 (D.D.C. 1970); and *Green* v. *Connally*, 330 F. Supp. 1150 (D.D.C., 1970), aff'd, sub. nom. *Coit* v. *Green*, 404 U.S. 997 (1971).

Application of credit with other deductions (sec. 42 (e))

It is recognized that in some cases (in the absence of this provision) a payment might qualify for both the tuition credit and a deduction. For example, amounts which can qualify for the tuition credit may also qualify as medical expense deductions (sec. 213) or as child care deductions (sec. 214). To prevent a taxpayer from receiving a double benefit for these payments, the bill provides that any amount taken into account for purposes of the tuition credit is not to be taken into account in determining whether a taxpayer is entitled to a deduction. However, to provide the maximum benefit with respect to these payments, the bill provides for an election with respect to the tax credit. For example, a taxpayer pays $1,000 during a taxable year for the special schooling of a handicapped child and this amount would otherwise qualify both for the tuition credit and the medical expense deduction (sec. 213); if the taxpayer elects to take advantage of the credit $400 of this amount cannot be taken into account for the medical expense deduction, whether or not the credit is reduced because the taxpayer's adjusted gross income is over $18,000. It is intended that this election be reflected by whether the taxpayer claims an amount as a credit for tuition or as a deduction on his individual tax return. It also is intended that the taxpayer will be permitted to change this election at any time during the period for which the statute of limitations for his return remains open.

Application with other credits and regulatory authority (*sec. 42 (d) and (f)*)

The bill provides that the credit for tuition is not to exceed the amount of an individual's tax liability in a taxable year reduced by the sum of most credits allowable under the individual income tax laws (allowable under subchapter A of the code). The tuition credit will not, however, be reduced by the credit for taxes withheld on wages (sec. 31) and the credit for certain uses of gasoline, special fuels and lubricating oil (sec. 39). However, the tuition credit may not offset an individual's tax liability for the minimum tax (sec. 56).

The bill provides that the Secretary of the Treasury or his delegate is to prescribe regulations necessary to carry out the provisions of this bill.

Examination of books and records (sec. 7605(d))

A provision was added to the bill to give assurance that there would be no unnecessary interference with the activities of a church or association of churches where a school is operated in conjunction with it. As a result, the bill provides that the books and records of a school operated in conjunction with a church may be examined by the Internal Revenue Service only to the extent necessary to determine that the school is an exempt educational institution, regularly offers education at the elementary or secondary level and satisfies any State compulsory education laws. In all other respects, the burden then is upon the taxpayer to prove that he is eligible for the tax credit. It is his responsibility, for example, to establish the amount paid and that this amount was paid for tuition, in the same manner as is provided under present law, in verifying charitable contribution deductions.

Judicial Review (sec. 2 of the bill)

Although it is believed that the provisions of this bill are valid legislation under the Constitution, in order to resolve any questions that may arise, it has provided for expeditious disposition of legal proceedings brought with respect to these provisions. Notwithstanding any other law or rule of law, proceedings to test the constitutionality of this provision may be commenced by any taxpayer of the United States in U.S. District Court for the District of Columbia within the 3-month period beginning on the date of enactment. Proceedings under this bill may, at the discretion of the court, be consolidated into a single proceeding.

A three-judge district court is to have jurisdiction over any case brought under this provision and is to hear the case at the earliest practicable date, without regard to whether the taxpayer who brought the action has exhausted any administrative or other remedies provided by law. Any appeal from decisions of the three-judge district court is to go directly to the Supreme Court. It is intended that this provision for expedited judicial review is to be an additional remedy, and that all remedies under present law remain available whether during or after the 3-month period.

Effective date (sec. 1(d) of the bill)

It was concluded that the credit should first be made available for amounts paid at the beginning of the usual school year, rather than the beginning of the calendar year. This will avoid the unequal treatment of parents who prepaid tuition before December 31 (and therefore would receive no benefit) and those who paid after December 31, and therefore would receive the maximum benefit. As a result, the bill provides that the tuition credit is to apply to amounts paid on or after August 1, 1973, and only for school periods beginning on or after this date.

Revenue effect

It is estimated that the bill will reduce Federal income tax liability annually by $362 million at estimated enrollment and tuition levels for school year 1972–73.

DR. GERALD M. EDELMAN—NOBEL PRIZE RECIPIENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 10 minutes.

Mr. ADDABBO. Mr. Speaker, the people of Queens County, N.Y. are very proud of Dr. Gerald M. Edelman who has won the 1972 Nobel prize for medicine. As the Representative of the Seventh District, New York and a resident of Ozone Park where Dr. Edelman went to high school, I am certainly privileged to present to my colleagues in the House the story of Dr. Edelman's brilliant and interesting career.

The October 14, 1972, edition of the Long Island Press contains an informative article on Dr. Edelman and his family which I am inserting in the CONGRESSIONAL RECORD at this point:

STRAIGHT ROAD TO NOBEL—ALREADY A WINNER AT LI HIGH SCHOOL

(By Jeff Forgoston)

The exceptional intellectual qualities which made Dr. Gerald M. Edelman the winner of the 1972 Nobel Prize for medicine were already evident to some people while he was growing up in Queens.

A molecular biologist at Rockefeller University in Manhattan, Dr. Edelman at 17 found himself graduating first in the class of 1946 at John Adams High School in Ozone Park.

His school record shows only one grade below 95—a 90. At graduation, he received the social studies award, mathematics award and physics award as well as honors in French and Latin. He was president of the biology club and the history club. And he played the violin in the school orchestra and was graded 100 per cent in music.

"In anything, he was tremendous," his father, Dr. Edward Edelman, said yesterday. "Whatever he did, he did it with his whole heart; his standards were very high."

In the past 13 years, the younger Dr. Edelman has worked "endless" hours, according to his wife, in his effort to help discover the chemical structure of antibodies, the blood proteins which play a key role in destroying bacteria and viruses in the body.

Dr. Edelman shared the $101,000 world-renowned Nobel Prize, announced Thursday, with Dr. Rodney R. Porter, a professor of biochemistry at Oxford University in Britain. The two men never collaborated directly, but as Edelman put it, their work "was complementary and made the puzzle go click."

Yet, as a teenager, Edelman once considered music rather than medicine as a career. "His first love was music," his father recalled. "I'm sure he could have been first violinist in any American or European symphony orchestra."

The Nobel winner, now 43, perhaps demonstrated the first real promise of his later talent as a research scientist in high school when he found a way to freeze living cells with ultra-violet light so that the cells would not die. "He took my microscope and won a Westinghouse prize," said Edelman's dad, a general practitioner in the same Cross Bay Boulevard location for 47 years.

The elder Dr. Edelman became aware of his son's precociousness at a very early age. He could remember how the youngster "was able to talk to people much older and hold his ground."

And, in the lower grades at Public School 63, Dr. Edelman said, "he would talk back to the teachers, not like a rebel, but to show he had a superior knowledge."

This assessment of the Nobel winner's early intellectual capabilities was verified by a high-ranking school official who knew Edelman, not in the classroom, but in the boy's home.

"He always got A in everything," said Mrs. Rose Schwab, superintendent of Local School District 27 in the Ozone Park area. A teacher when Edelman was in high school, she visited the Edelman home with her husband, who went to medical school with the elder Edelman.

Mrs. Schwab said the future scientist was "a rather quiet, studious boy, but very nice."

Today, Edelman's intense pursuit of research has given him something of a reputation at Rockefeller University for being reserved and perhaps lacking in a sense of humor. Some of his admirers said that his mind is nearly always preoccupied with his work and he has little time or patience for chit-chat.

His wife of 22 years, the former Maxine Morrison, said he comes home for dinner at their East Side home to visit with her and the three children, Eric, 15, David, 12, and Judith, 7. But he frequently returns to the laboratory, sometimes not getting home again until 3 a.m. And he also works on weekends.

"It's pretty much the same 12 months of the year," Mrs. Edelman said. "He never takes vacations because he gets too wound up in his work. He's always worked that way, even as a student.

After graduating from high school, Edelman earned a B.S. in chemistry from Ursinus College in Pennsylvania in 1950. His father said that "he didn't feel he fit" at Harvard University, although today his son is visiting professor there and at Cornell and Princeton Universities.

After Ursinus, Edelman received a degree in internal medicine from the University of Pennsylvania in 1954. He won his Ph. D. from Rockefeller in 1960 and was named a professor in 1966.

Interestingly enough, the elder Dr. Edelman credits his son's "intuitive brain" to his wife Anna, who died six years ago.

"The brain that he has is the gift of his mother," the old G.P. said. "I'm just an ordinary doctor, but he's really something because he's done something for humanity."

HEALTH MAINTENANCE ORGANIZATION ACT OF 1972

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. ROY) is recognized for 15 minutes.

Mr. ROY. Mr. Speaker, after many weeks of hard work and deliberation, the Subcommittee on Public Health and Environment reported, without dissent, the "Health Maintenance Organization Act of 1972" to the Interstate and Foreign Commerce Committee for consideration. As I am the original author of this bill, I was very pleased with the subcommittee's action and grateful for the cosponsorship of Subcommittee Chairman PAUL ROGERS and other members of the subcommittee. There was no opportunity for the full Commerce Committee to review the HMO bill during these busy last days of the 2d session of the 92d Congress.

Several months of research went into the original bill last year, and many additional months of hearings and discussions have preceded the final draft. Basically, this bill authorizes the Federal Government to assist in demonstration projects of up to 150 health maintenance organizations during the next 4 years through programs of grants, loans, loan guarantees, contracts, and through technical assistance.

Although the session is quickly drawing to a close, I would like to share with my colleagues the fruits of the subcommittee's work, H.R. 16782. I hope that this bill will be given careful consideration early in the 93d Congress.

H.R. 16782

A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Health Maintenance Organization Act of 1972".

PUBLIC HEALTH SERVICE ACT AMENDMENTS

SEC. 2. (a) The Public Health Service Act is amended by adding after title XI the following new title:

"TITLE XII—HEALTH MAINTENANCE ORGANIZATIONS

"DEFINITIONS

"SEC. 1201. For purposes of this title:

"(1) The term 'health maintenance organization' means a public or private entity organized to provide, directly or indirectly, basic and supplemental health services to its members in the following manner:

"(A) Each member is to be provided basic health services for a basic health services payment which (i) is to be paid on a periodic basis without regard to the dates health services (within the basic health services) are provided; (ii) is fixed without regard to the frequency, extent, or kind of health service (within the basic health services) actually furnished; (iii) is established under a community rating system, except that if the entity establishes to the Secretary's satisfaction that compliance with this clause would prevent it from competing effectively for the enrollment of new members or for the retention of current members, the Secretary may permit the entity to establish for the first year of its operation, rates for its basic health services payment without regard to this clause; and (iv) may be supplemented by such additional nominal payments which may be required for the provision of specific services (within the basic health services) and which are to be fixed in accordance with the regulations of the Secretary.

"(B) For such payment (hereinafter in this title referred to as 'supplemental health services payment') as the entity may require in addition to the basic health services payment, the entity shall provide to each of its members each health service (i) which is included in the definition of supplemental health services in paragraph (3), (ii) which can reasonably be made available to the members of the entity, and (iii) for the provision of which the member has contracted with the entity.

"(C) The services of health professionals which are provided as basic health services shall be provided through health professionals who are members of the staff of the entity or through a medical group (or groups) or individual practice association (or associations), except that this subparagraph shall not apply in the case of health professionals' services which are provided out of the area served by the entity or which the entity determines, in conformity with regulations of the Secretary, are infrequently used. For purposes of this subparagraph, the term 'health professionals' means physicians, dentists, podiatrists, optometrists, and such other individuals engaged in the delivery of health care as the Secretary may by regulation designate.

"(D) Basic health services (and supplemental health services in the case of the members who have contracted therefor) shall, within the area served by the entity, be available and accessible to each of its members promptly, as appropriate, and in a manner which assures continuity; and such services shall be provided to any member when he is outside such area, or he shall be reimbursed for his expenses in securing such services outside such area, if it is medically necessary that the services be rendered before he can return to such area.

"(2) The term 'basic health services' means—

"(A) physician services (including consultant and referral services by a physician) and services of a licensed dentist when such services legally may be performed by a doctor of medicine or osteopathy or a doctor of dentistry;

"(B) in-patient and out-patient hospital services;

"(C) diagnostic laboratory and diagnostic and therapeutic radiologic services;

"(D) home health services; and

"(E) preventive health services (including preventive dental care for children and children's eye examinations conducted to determine the need for vision correction).

"For purposes of this paragraph, the term 'hospital' has the same meaning as is prescribed for that term by section 645(c); and the term 'home health services' means health services provided at a member's home by health care personnel, as prescribed or directed by the responsible physician or other authority designated by the health maintenance organization.

"(3) The term 'supplemental health services' means—

"(A) services of facilities for long-term care (as such facilities are defined by section 645(h));

"(B) vision care not included under clause (A) or (E) of paragraph (2);

"(C) dental services not included under clause (A) or (E) of paragraph (2);

"(D) mental health services;

"(E) physical medicine and rehabilitative services (including physical therapy); and

"(F) prescription drugs.

"(4) The term 'member' when used in connection with a health maintenance organization means an individual who has entered into a contractual arrangement, or on whose behalf a contractual arrangement has been entered into, with the organization under which the organization assumes the responsibility for the provision to such individual of basic health services and of such supplemental health services as may be contracted for.

"(5) The term 'medical group' means a partnership, association, or other group of persons who are licensed to practice medicine, osteopathy, dentistry, podiatry, optometry, or other health profession in a State and who (A) as their principal professional activity and as a group responsibility engage in the coordinated practice of their profession; (B) share medical and other records and substantial portions of major equipment and professional, technical, and administrative staff; (C) utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in the regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the members of the partnership, association, or other group; and (D) arrange for and encourage continuing education in the field of clinical medicine and related areas for the members of the partnership, association, or other group.

"(6) The term 'individual practice association' means a partnership, corporation, association, or other legal entity which has entered into an arrangement (or arrangements) with persons who are licensed to practice medicine, osteopathy, dentistry, podiatry, optometry, or other health profession in a State under which—

"(A) such persons will provide their professional services in accordance with a compensation arrangement established by the entity; and

"(B) to the extent feasible (i) such persons will utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the persons who are parties to the arrangement, (ii) medical and other records, equipment, and professional, technical, and administrative staff are shared by such persons, and (iii) their continuing education is arranged for and encouraged.

"(7) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land, and (B) equipping new buildings and existing buildings, whether or not constructed, acquired, expanded, remodeled, or altered with assistance under this title.

"(8) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) (hereinafter in this title referred to as a 'section 314(a) plan'); and the term 'section 314(b) area-wide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) (hereinafter in this title referred to as a 'section 314(b) plan').

"(9) The term 'medically underserved

area' means an urban or rural area or population group designated by the Secretary as an area or population group with a shortage of personal health services. Such a designation may be made by the Secretary only after consideration of the comments (if any) of (A) each section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such area, and (B) each section 314(b) area-wide health planning agency whose section 314(b) plan covers (in whole or in part) such area.

"(10) The term 'community rating system' means a system of establishing rates of basic health service payments. Under such a system rates for basic health service payments may be determined on a per-person or per-family basis and may vary with the number of persons in a family, but, except as otherwise authorized in the next sentence, such rates must be equivalent for all individuals and for all families of similar composition. The following differentials in rates of basic health service payments may be established under such system:

"(A) Nominal differentials in such rates may be established to reflect the different administrative costs of collecting basic health service payments from the following categories of members:

"(i) Individuals (including families).

"(ii) Small groups of members (as determined under regulations of the Secretary).

"(iii) Large groups of members (as determined under regulations of the Secretary).

"(B) Differentials in such rates may be established for members enrolled in a health maintenance organization pursuant to a contract with a governmental authority under section 1079 or 1086 of title 10, United States Code, or under any other governmental program other than (i) the health benefits program authorized by chapter 89 of title 5, United States Code, or any health benefits program for employees of States, political subdivision of States, and other public entities, or (ii) the program of grants and contracts authorized by sections 1206 and 1207 of this title.

"GRANTS AND CONTRACTS FOR FEASIBILITY SURVEYS

"SEC. 1202. (a) The Secretary may (1) make grants to and enter into contracts with public or nonprofit private entities for projects for surveys or other activities to determine the feasibility of developing or expanding health maintenance organizations, and (2) enter into contracts with private entities for projects for surveys or other activities to determine the feasibility of developing or expanding health maintenance organizations which will serve residents of medically underserved areas.

"(b) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, and submitted in such manner, as the Secretary shall by regulation prescribe, and shall contain—

"(1) assurances satisfactory to the Secretary that, in conducting surveys or other activities with assistance under a grant under this section, the applicant will (A) cooperate with the section 314(b) area-wide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area for which the survey or other activity will be conducted, and (B) consult with the medical society serving such area; and

"(2) such other information as the Secretary may by regulation prescribe.

Each contract entered into under subsection (a)(2) of this section shall require the cooperation and consultation described in paragraph (1) of this subsection.

"(c) In considering applications for grants and contract proposals under this section, the Secretary shall give priority to applications and contract proposals for projects for health maintenance organizations which will serve residents of medically underserved areas.

"(d)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants and contracts made under this section:

"(A) If a project has been assisted with a grant or contract under subsection (a), the Secretary may not make any other grant or enter into any other contract for such project.

"(B) Any project for which a grant is made or contract entered into must be completed within twelve months from the date the grant is made or contract entered into.

"(2) The Secretary may make not more than one additional grant or enter into not more than one additional contract for a project for which a grant has previously been made or a contract previously entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(e) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) shall be determined by the Secretary, except that (1) the amount to be paid by the United States under any single grant or contract for any project may not exceed $50,000, and (2) the aggregate of the amounts to be paid by the United States for any project under such subsection under grants or contracts, or both, may not exceed the greater of (A) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (B) in the case of a project for a health maintenance organization which will serve residents of a medically underserved area, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants and contracts for such project should be determined by such greater percentage.

"(f) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(g) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(h) For the purpose of making payments pursuant to grants and contracts under this section, there is authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1973, and $1,500,000 for the fiscal year ending June 30, 1974. No funds appropriated under any other provision of this Act may be used to make payments under a grant or contract under this section.

"GRANTS, CONTRACTS, LOANS, AND LOAN GUARANTEES FOR PLANNING AND FOR INITIAL DEVELOPMENT COSTS

"SEC. 1203. (a) The Secretary may—

"(1) make grants to and enter into contracts with public or nonprofit private entities, and make loans to public entities, for planning projects for the establishment of health maintenance organizations or for significant expansion of the membership of, or area served by, health maintenance organizations;

"(2) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private entity (other than a nonprofit private entity) for such a planning project; and

"(3) enter into contracts with private entities for planning projects for the establishment or expansion of health maintenance organizations for the purpose of serving residents of medically underserved areas.

"(b) The Secretary may—

"(1) make grants to and enter into contracts with public or nonprofit private entities, and make loans to public entities, for projects for the initial development of health maintenance organizations;

"(2) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private entity (other than a nonprofit private entity) for such a project; and

"(3) enter into contracts with private entities for projects for the initial development of health maintenance organizations which will serve residents of medically underserved areas.

For purposes of this section, the term 'initial development' when used to describe a project for which assistance is authorized by this subsection includes significant expansion of the membership of, or the area served by, a health maintenance organization.

"(c)(1) No grant, loan, or loan guarantee may be made under subsection (a) or (b) of this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, and submitted in such manner, as the Secretary shall by regulation prescribe, and shall contain such information as the Secretary may by regulation prescribe; except that an application for a grant, loan, or loan guarantee under subsection (a) for a planning project shall contain assurances satisfactory to the Secretary that in carrying out the planning project for which the grant, loan, or loan guarantee is sought, the applicant will (A) cooperate with the section 314(b) area-wide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area proposed to be served by the health maintenance organization for which the planning project will be conducted, and (B) consult with the medical society serving such area. Each contract entered into under subsection (a) of this section shall require the cooperation and consultation described in the preceding sentence of this paragraph.

"(2) If the Secretary makes a grant, loan, or loan guarantee or enters into a contract under subsection (a) for a planning project for a health maintenance organization, he may, within the period in which the planning project must be completed, make a grant, loan, or loan guarantee or enter into a contract under subsection (b) for the initial development of that health maintenance organization; but no grant, loan, or loan guarantee may be made or contract entered into under subsection (b) for initial development of a health maintenance organization unless the Secretary determines that (A) sufficient planning for its establishment or expansion (as the case may be) has been conducted by the applicant for the grant, loan, or loan guarantee, or by the person with whom such contract would be entered into, as the case may be, and (B) the feasibility of establishing and operating, or of expanding, the health maintenance organization has been established by the applicant or such person, as the case may be.

"(d) In considering applications for grants and contract proposals under subsections (a) and (b), the Secretary shall give priority to applications and contract proposals for projects for health maintenance organizations which will serve residents of medically underserved areas.

"(e)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants, loans, loan guarantees, and contracts made under subsection (a) of this section:

"(A) If a planning project has been assisted with a grant, loan, loan guarantee, or contract under subsection (a), the Secretary may not make any other grant, loan, or loan guarantee or enter into any other contract for such project.

"(B) Any project for which a grant, loan, or loan guarantee is made or contract entered into must be completed within twelve months from the date the grant, loan, or loan guarantee is made or contract entered into.

"(2) The Secretary may make not more than one additional grant, loan, or loan guarantee or enter into not more than one additional contract for a planning project for which a grant, loan, or loan guarantee has previously been made or a contract additional entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant, loan, loan guarantee, or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(f)(1) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) for a planning project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for a planning project made or guaranteed under such subsection, shall be determined by the Secretary, except that (A) the amount to be paid by the United States under any single grant or contract, and the amount of principal of any single loan made or guaranteed under such subsection, may not exceed $125,000, and (B) the aggregate of the amounts to be paid for any project by the United States under any grants or contracts, or both, under such subsection when added to the amount of principal of any loans made or guaranteed under such subsection for such project may not exceed the greater of (i) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve residents of a medically underserved area, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, loans, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(2) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (b) for an initial development project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for an initial development project made or guaranteed under such subsection, shall be determined by the Secretary; except that the amounts to be paid by the United States for any initial development project for a health maintenance organization under any grants or contracts, or both, under such subsection when added to the amount of principal of any loans made or guaranteed under such subsection for such project may not exceed the lesser of—

"(A) $1,000,000 or the product of $25 and the number of members that the health maintenance organization will have (as determined under regulations of the Secretary) when it first becomes operational after its establishment or expansion, whichever is the greater; or

"(B) an amount equal to the greater of (i) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve residents of a medically underserved area, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, loans, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(3) The cumulative total of the principal of the loans outstanding at any time which have been directly made, or with respect to which guarantees have been issued, under this section may not exceed such limitations as may be specified in appropriation Acts.

"(4) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(g) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(h)(1) For the purpose of making payments pursuant to grants and contracts under subsection (a), there is authorized to be appropriated $19,000,000 for the fiscal year ending June 30, 1973, and $5,400,000 for the fiscal year ending June 30, 1974. No funds appropriated under any other provision of this Act may be used to make payments under a grant or contract under subsection (a).

"(2) For the purpose of making payments pursuant to grants and contracts under subsection (b), there is authorized to be appropriated $93,000,000 in the aggregate for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. Of the sum authorized to be appropriated by the preceding sentence, not more than $45,000,000 may be appropriated for the fiscal year ending June 30, 1973. Sums appropriated under this paragraph for the fiscal year ending June 30, 1973, or for the next fiscal year shall remain available for obligation through the close of the fiscal year next following the fiscal year for which the appropriation was made. No funds appropriated under any other provision of this Act may be used to make payments under a grant or contract under subsection (b).

"(3)(A) For the purpose of making loans under subsection (a), there is authorized to be appropriated to the fund established under section 1212(e) $1,000,000 in the aggregate for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. No funds appropriated under any other provision of this Act (except section 1212(e)) may be used to make a loan under subsection (a).

"(B) For the purpose of making loans under subsection (b), there is authorized to be appropriated to the fund established under section 1212(e) $3,000,000 in the aggregate for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. No funds appropriated under any other provision of this Act (except section 1212(e)) may be used to make a loan under subsection (b).

"LOAN AND LOAN GUARANTEES FOR INITIAL OPERATION COSTS

"Sec. 1204. (a) The Secretary may—

"(1) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the costs of the first thirty-six months of their operation;

"(2) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the costs of their operation which the Secretary determines are attributable to significant expansion in their membership or area served and which are incurred during the first thirty-six months of operation after such expansion; and

"(3) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private health maintenance organization for the costs referred to in paragraph (1) or (2).

"(b)(1) No loan or loan guarantee may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(2) In the fiscal year ending June 30, 1973, the Secretary may make loans and loan guarantees under this section for the operation of not more than 40 health maintenance organizations; in the fiscal year ending June 30, 1974, he may make such loans and loan guarantees for not more than a number of health maintenance organizations which when added to the number assisted under this section in the preceding fiscal year does not exceed 90; and in the fiscal year ending June 30, 1975, he may make such loans and loan guarantees for not more than a number of health maintenance organizations which when added to the number assisted under this section in the two preceding fiscal years does not exceed 150.

"(c)(1) Except as provided in paragraph (2), the principal amount of any loan made or guaranteed under this section in any fiscal year for the operation of a health maintenance organization may not exceed $1,000,000 and the aggregate amount of principal of loans made or guaranteed, or both, under this section for the operation of any health maintenance organization may not exceed $2,500,000.

"(2) The cumulative total of the principal of the loans outstanding at any time which have been directly made, or with respect to which guarantees have been issued, under this section may not exceed such limitations as may be specified in appropriation Acts.

"(d) For the purpose of making loans under this section, there is authorized to be appropriated to the fund established under section 1212(e) $50,000,000 in the aggregate for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. No funds appropriated under any other provision of this Act (except section 1212(e)) may be used to make a loan under this section.

"LOANS AND LOAN GUARANTEES FOR CONSTRUCTION PROJECTS

"Sec. 1205. (a) To assist in meeting the costs of construction projects for outpatient facilities and hospitals for health maintenance organizations, the Secretary may—

"(1) make loans for such construction projects to public or nonprofit private entities carrying out projects under assistance provided under section 1203(b) for the initial development or expansion of health maintenance organizations,

"(2) make loans for such construction projects to public or nonprofit private health maintenance organizations for which assistance was provided under section 1203(b) or 1204,

"(3) guarantee to non-Federal lenders payment of the principal of and interest on loans made for such construction projects to any private entity carrying out a project under assistance provided under section 1203(b) for the initial development or expansion of a health maintenance organization, and

"(4) guarantee to non-Federal lenders payment of the principal of and interest on loans made for such construction projects to any private health maintenance organization for which assistance was provided under section 1203(b) or 1204.

For purposes of this section, the terms 'hospital' and 'out-patient facility' have the same meaning as is given those terms by paragraphs (c) and (f) of section 645, respectively.

"(b)(1) No loan or loan guarantee may be made under this section unless an application therefor has been submitted to the Secretary before July 1, 1975, and approved by him. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe. In considering applications for loans under this section, the Secretary shall give priority to applications for projects for health maintenance organizations which will serve residents of medically underserved areas.

"(2) No application submitted under this section may be approved for a project unless such application contains reasonable assurances that all laborers and mechanics employed by contractors or subcontractors on the project will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a–276a–5, known as the Davis-Bacon Act). The Secretary of Labor shall have with respect to the labor standards referred to in the preceding sentence the authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

"(c) The cumulative total of the principal of the loans outstanding at any time which have been directly made, or with respect to which guarantees have been issued, under this section may not exceed such limitations as may be specified in appropriation Acts.

"(d) For the purpose of making loans under this section, there is authorized to be appropriated to the fund established under section 1212(e) $30,000,000 in the aggregate for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. No funds appropriated under any other provision of this Act (except section 1212(e)) may be used to make a loan under this section.

"DEMONSTRATION GRANTS AND CONTRACTS FOR ENROLLMENT OF THE INDIGENT

"SEC. 1206. (a) (1) For the purpose of demonstrating the feasibility of expanding the membership of health maintenance organizations to include persons in the areas they serve or could serve who are unable to pay all or a part of the basic health services payment required by the organizations, the Secretary may make grants to, and enter into contracts with, health maintenance organizations. The total number of health maintenance organizations which may receive funds under grants and contracts under this section may not exceed sixteen and of that number not more than eight may be health maintenance organizations which serve primarily residents of urban areas and not more than eight may be health maintenance organizations which serve primarily residents of rural areas.

"(2) A grant or contract under this section shall be used by a health maintenance organization to provide membership—

"(A) for such period (not in excess of thirty-six months and ending before July 1, 1977) as the Secretary shall prescribe, and

"(B) without charge or at a reduced rate, to persons who reside in the area served, or in the area which can be served with a grant or contract under this section, to pay all or a part of the basic health services payment required by the organization.

"(3) No grant may be made or contract entered into under this section for a fiscal year ending after June 30, 1975, for a health maintenance organization which did not receive a grant or contract under this section for the fiscal year ending on that date.

"(b) (1) No grant or contract may be made under this section to a health maintenance organization unless—

"(A) it received or is receiving a grant, contract, loan, or loan guarantee under section 1204 or 1205 or a grant, loan, contract, or loan guarantee was made under section 1202 or 1203 for a project respecting its development, establishment, or expansion; and

"(B) an application has been submitted to, and approved by, the Secretary.

"(2) An application for a grant or contract under this section shall be in such form, and submitted in such manner, as the Secretary shall by regulation prescribe and shall contain—

"(A) an estimate of the number of persons who reside in the area served by the health maintenance organization and in any other area which can be served by the organization with a grant or contract under this section and who are unable to pay all or a part of the basic health services payment of the organization;

"(B) an estimate of the number of such persons who, with a grant or contract under this section, may be provided membership in the health maintenance organization;

"(C) reasonable assurances satisfactory to the Secretary that the health maintenance organization (i) has a contractual or other arrangement with the agency of each State in which it provides services which administers or supervises the administration of a State plan approved under title XIX of the Social Security Act under which arrangement all or a part of the basic health services payment required by the health maintenance organization is paid for its members who are eligible for medical assistance under such a State plan, or has made every reasonable effort to enter into such an arrangement; and (ii) has made and will continue to make every reasonable effort to collect appropriate reimbursement for its costs in provding basic and supplemental health services to its members who are entitled to insurance benefits under title XVIII of such Act, to medical assistance under a State plan approved under title XIX of such Act, or to assistance for medical expenses under any other public assistance program or public or private health insurance program; and

"(D) such other information as the Secretary may by regulation require.

"(c) (1) The amount of any grant or contract under this section shall be determined by the Secretary; except that no grant or contract to any health maintenance organization for any fiscal year may exceed 50 per centum of the income (including basic and supplemental health services payments from its members and prepayments and reimbursements from public and private entities) received by or accruing to the health maintenance organization in such fiscal year from and on behalf of its members (other than its members enrolled with a grant or contract made under this section) for the basic and supplemental health services provided to them in such fiscal year.

"(2) Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(3) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(d) (1) In order to assure that a health maintenance organization which receives a grant or contract under this section does not retain revenues in excess of its expenses with respect to the persons who are enrolled with the organization under such grant or contract at a rate greater than the rate at which it retains revenues in excess of its expenses with respect to its other members, the Secretary shall require, at such time following the expiration of each accounting period of the health maintenance organization which falls within the period for which a grant or contract is made under this section as he may prescribe, that—

"(A) such organization report to him in a certified public statement (in such form and in such detail as he may prescribe) the the amount retained (as defined in paragraph (2) of this subsection) and the rate of retention (as defined in such paragraph) for the preceding accounting period with respect to (i) persons enrolled with such organization under such grant or contract, considered as a group, and (ii) all other persons enrolled with such organization, considered as a group;

"(B) an audit (meeting requirements prescribed by the Secretary) be conducted with respect to any such organization which has a rate of retention with respect to persons enrolled under a grant or contract made under this section which is in excess of 90 per centum of such organization's rate of retention with respect to all other persons enrolled with such organization; and

"(C) such part of the amount retained by any health maintenance organization with respect to persons enrolled under a grant or contract made under this section which is attributable to an excessive rate of retention (as defined in paragraph (2) of this subsection) shall be repaid to the Secretary by such organization.

"(2) For purposes of this subsection—

"(A) the term 'amount retained' means the difference between (i) the revenues (irrespective of the source of such revenues) of the health maintenance organization (for any accounting period as defined in regulations) with respect to any group of persons who are enrolled with such organization and (ii) the expenses of such organization (for such accounting period) with respect to such group of persons;

"(B) the term 'rate of retention' means the ratio of such amount retained to such revenues, expressed as a percentage; and

"(C) the term 'excessive rate of retention' means any rate of retention with respect to persons enrolled under a grant or contract under this section which is greater than a reasonable rate of retention as determined in accordance with regulations, taking into account the rate of retention experienced by comparable organizations with respect to other persons enrolled with such comparable organizations.

"(e) For the purpose of making payments under grants and contracts under this section, there is authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1973, $9,500,000 for the fiscal year ending June 30, 1974, $20,000,000 for the fiscal year ending June 30, 1975, $24,000,000 for the fiscal year ending June 30, 1976, and $15,000,000 for the fiscal year ending June 30, 1977. No funds appropriated under any other provision of this Act may be used to make payments under a grant or contract under this section.

"DEMONSTRATION GRANTS AND CONTRACTS FOR SERVICE IN RURAL MEDICALLY UNDERSERVED AREAS AND FOR ENROLLMENT OF HIGH RISK INDIVIDUALS

"SEC. 1207. (a) For the purpose of demonstrating the feasibility of establishing health maintenance organizations in rural medically underserved areas, the Secretary may make grants to, and enter into contracts with, health maintenance organizations in such areas. The total number of health maintenance organizations which may receive funds under grants and contracts under this section may not exceed twenty. A grant or contract under this subsection to a health maintenance organization—

"(1) shall be in such amount (but not to exceed $100,000) as the Secretary determines is necessary to cover the additional costs of the health maintenance organization's operation (including any cost respecting the establishing and operation of transportation and communications systems) which he determines are attributable to its operation in a rural medically underserved area; and

"(2) shall be for such costs for such period (not in excess of thirty-six months and ending before July 1, 1977) as the Secretary shall prescribe.

No grant may be made or contract entered into under this subsection for a fiscal year ending after June 30, 1975, for a health maintenance organization which did not receive a grant or contract under this subsection for the fiscal year ending on that date.

"(b) For the purpose of demonstrating the feasibility of expanding the membership of health maintenance organizations to include individuals who, because of their physical condition or medical history, are unable to purchase health insurance at reasonable rates, the Secretary may make grants to, and enter into contracts with, health maintenance organizations which provide membership to such individuals. The total number of health maintenance organizations which may receive funds under grants and contracts under this section may not exceed eight. A grant or contract under this subsection to a health maintenance organization shall be in such amount as the Secretary determines is necessary to cover the difference between the income of the health maintenance organization from the basic health service payment of such individuals (and from any other payments (other than under a grant or contract made under this subsection) to the health maintenance organization made by such individuals or on their behalf) for such period (not in excess of thirty-six months and ending before July 1, 1977) as the Secretary shall prescribe and its expenses in providing basic health services to such individuals during such period. No grant may be made or contract entered into under this subsection for a fiscal year ending after June 30, 1975, for a health maintenance organization which did not receive a grant or contract under this subsection for the fiscal year ending on that date.

"(c) (1) No grant or contract may be made under this section to a health maintenance organization unless—

"(A) it received or is receiving a grant, contract loan, or loan guarantee under section 1204 or 1205 or a grant, loan, contract, or loan guarantee was made under section 1202 or 1203 for a project related to its development, establishment, or expansion; and

"(B) an application has been submitted to, and approved by, the Secretary.

"(2) An application for a grant or contract under this section shall be in such form, submitted in such manner, and shall contain such information, as the Secretary shall by regulation prescribe.

"(3) Payments under grants and contracts under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(4) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(d) (1) For the purpose of making payment pursuant to grants and contracts under subsection (a), there is authorized to be appropriated $200,000 for the fiscal year ending June 30, 1973, $1,000,000 for the fiscal year ending June 30, 1974, $1,500,000 for the fiscal year ending June 30, 1975, $1,300,000 for the fiscal year ending June 30, 1976, and $500,000 for the fiscal year ending June 30, 1977. No funds appropriated under any other provision of this Act may be used to make payments under grants or contracts under subsection (a).

"(2) For the purpose of making payments pursuant to grants and contracts under subsection (b), there is authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1973, $2,000,000 for the fiscal year ending June 30, 1974, $4,000,000 for the fiscal year ending June 30, 1975, $3,000,000 for the fiscal year ending June 30, 1976, and $2,000,000 for the fiscal year ending June 30, 1977. No funds appropriated under any other provision of this Act may be used to make payments under grants or contracts under subsection (b).

"SPECIAL PROJECT GRANTS AND CONTRACTS

"SEC. 1208. (a) The Secretary may make grants to, or enter into contracts with, health maintenance organizations, for which a grant, contract, loan, or loan guarantee was made under section 1202, 1203, or 1204, to assist them in meeting the costs of special projects to—

"(1) develop, operate, and evaluate programs which (A) substantially involve present health professionals in new roles and relationships, or (B) encourage new roles, types, or levels of health personnel;

"(2) develop and institute new and improved health information systems which shall include (A) uniform systems for recording and retrieving diagnostic and therapeutic data, or (B) the transmitting of such data within and between such organizations for the purpose of effective and efficient patient care;

"(3) develop and institute new and improved systems for transporting patients receiving health care services;

"(4) effect significant improvements in programs of health education for the organization members;

"(5) develop and institute innovative programs to educate members with ongoing decisionmaking responsibilities in health maintenance organization management and operation;

"(6) develop, institute, operate, and evaluate programs to periodically screen and assess the level of health of persons obtaining health care from such organizations;

"(7) develop, institute, and evaluate innovative programs of initial medical screening of persons seeking health care; and

"(8) develop and institute methods to assure appropriate levels of care for the convalescent, chronically ill, and aged through predischarge planning, home care, and periodic member evaluations.

"(b) (1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

"(2) The amount of any grant under this section shall be determined by the Secretary. Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(c) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529, 41 U.S.C. 5).

"(d) For the purpose of making payments pursuant to grants and contracts under this section, there is authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1973, $4,500,000 for the fiscal year ending June 30, 1974, and $6,000,000 for the fiscal year ending June 30, 1975. No funds appropriated under any other provision of this Act may be used to make payments under grants or contracts under this section.

"GRANTS FOR HEALTH MAINTENANCE ORGANIZATION MANAGEMENT TRAINING

"SEC. 1209. (a) The Secretary may make grants to public and nonprofit private educational entities wtih approved professional training programs in the management and administration of health maintenance organizations to assist them in meeting the costs of providing training under such programs and of providing fellowships and traineeships for such training. No such program of an educational entity may be approved unless the educational entity has a contractual maintenance organization under which the organization will provide practical training to the fellows and trainees enrolled in such program.

"(b) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe. The amount of any grant under this section shall be determined by the Secretary. Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(c) Payments by recipients of grants under this section for (1) traineeships shall be limited to such amounts as the Secretary finds necessary to cover the cost of tuition and fees of, and stipends and allowances (including travel and subsistence expenses and dependency allowances) for, the trainees; and (2) fellowships shall be limited to such amounts as the Secretary finds necessary to cover the cost of advanced study by, and stipends and allowances (including travel and subsistence expenses and dependency allowances) for, the fellows.

"(d) For the purpose of making payments pursuant to grants under this section, there is authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1973, $4,500,000 for the fiscal year ending June 30, 1974, and $6,000,000 for the fiscal year ending June 30, 1975. No funds appropriated under any other provision of this Act may be used to make a grant under this section.

"PROGRAM EVALUATION

"SEC. 1210. (a) (1) The Secretary shall evaluate (directly or by grants to public or nonprofit private entities or contracts with public or private entities or individuals) programs assisted under this title. Such evaluation shall be concerned with the operation of individual health maintenance organizations, with the operation of distinct categories of health maintenance organizations in comparison with each other, with health maintenance organizations as a group in comparison with other health delivery systems or organizations, and with the impact that these organizations, individually, by category, and as a group, have on the health of the public. The results of such evaluations shall be made available to the general public and to the Congress on at least an annual basis.

"(2) Contracts may be entered into under this subsection without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(3) No grant may be made under this subsection unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe. The amount of any grant under this subsection shall be determined by the Secretary. Payments under grants under this subsection may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(4) For the purpose of making payments pursuant to grants and contracts under this subsection, there is authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1973, $7,000,000 for the fiscal year ending June 30, 1974, and $10,000,000 for the fiscal year ending June 30, 1975. No funds appropriated under any other provision of this Act may be used to make payments under a grant or contract under this subsection.

"(b) For the purpose of assisting the Congress in determining the desirability of providing financial assistance under this title for additional health maintenance organizations subsequent to the period for which such assistance is currently authorized by this title, the Secretary shall evaluate the operations of at least seventy-five of the health maintenance organizations for which assistance was provided under section 1202, 1203, or 1204. The period of operation of such health maintenance organizations which shall be evaluated under this subsection shall not be less than thirty-six months. In conducting the evaluation, the Secretary shall utilize information developed under evaluations under subsection (a) of this section. The Secretary shall report to the Congress the results of the evaluation not later than ninety days after at least seventy-five of such health maintenance organizations have been in operation for at least thirty-six months. Such report shall contain findings with respect to the ability of the organizations evaluated—

"(1) to operate on a fiscally sound basis without continued Federal financial assistance,

"(2) to meet the requirements of section

1211(b)(1) respecting their organization and operation,

"(3) to provide basic and supplemental health services in the manner prescribed by section 1201(1),

"(4) to include the indigent and high-risk individuals in their membership, and

"(5) to provide services in medically underserved areas.

"GENERAL PROVISIONS RESPECTING APPLICATIONS FOR ASSISTANCE

"SEC. 1211. (a)(1) Within the limitations of appropriations under sections 1202 and 1203 (relating to assistance for projects for feasibility studies and for planning and initial development), the Secretary may approve such number of applications for grants, loans, and loan guarantees under such sections, and may enter into such number of contracts under such sections, as he determines is appropriate to carry out the purposes of this title, except that he shall not approve such an application or enter into such a contract if he determines that there is a reasonable probability that, as a result of the completion of the project for which the application is made or for which the contract would be entered into, the number of operational health maintenance organizations in the United States whose development or operation has been or is being assisted under this Act would exceed 40 in the fiscal year ending June 30, 1973, 90 in the fiscal year ending June 30, 1974, or 150 thereafter.

"(2) The Secretary may not approve an application for a grant, contract, loan, or loan guarantee under this title unless he determines that the applicant would not be able to complete the project or undertaking for which the application is made without such grant, contract, loan, or loan guarantee.

"(b)(1) The Secretary may not approve an application submitted under section 1203 or 1204 or enter into a contract under those sections unless he determines that when the health maintenance organization for which such application is submitted or contract proposed is first operational after its establishment or expansion it will—

"(A) have (i) a fiscally sound operation, and (ii) insurance which protects its members against the risk of its becoming insolvent and which is approved by the Secretary or such other provision against such risk (including participation in an insolvency fund established under 1213(b)) as the Secretary determines is adequate;

"(B) be organized in such a manner (as prescribed by regulations of the Secretary) that assures its members a meaningful role in the making of policy for the health maintenance organization, and provide meaningful procedures for hearing and resolving grievances between the members and the health maintenance organization (including the medical group or groups and other health delivery entities providing health services);

"(C) encourage and actively provide for its members (i) health education services, and (ii) education in the appropriate use of health services;

"(D) have organizational arrangements, established in accordance with regulations of the Secretary made after consultation with the National Advisory Council on Health Maintenance Organizations, for an ongoing quality assurance program for its health services which program provides review by physicians and other health professionals of (i) the process followed in the delivery of health services, and (ii) the quality of the results obtained through the health services provided;

"(E) provide in accordance with regulations of the Secretary an effective procedure for developing, compiling, evaluating, and reporting to the Secretary, data (which the Secretary shall publish and disseminate on a periodic basis) relating to (i) the cost of its operations, (ii) the patterns of utilization of its services, (iii) the availability, accessibility, and acceptablity of its services, (iv) to the extent practical, developments in the health status of its members, and (v) such other matters as the Secretary may require, and disclose, at least annually, such data to its members and to the general public;

"(F) assume full financial risk on a prospective basis for the provision of basic health services; and

"(G) enroll persons who are broadly representative of the various age, social, and income groups in the area it serves.

"(2) The requirement of subparagraph (F) of paragraph (1) does not prohibit a health maintenance organization from obtaining insurance or making other arrangements (A) for the cost of providing to any member basic health services the aggregate value of which exceeds $5,000 in any year, (B) for the cost of providing basic health services to its members while they are outside the area served by the organization, or (C) for not more than 80 per centum of the amount by which its costs for any of its fiscal years exceed 120 per centum of its income for such fiscal year.

"(c)(1) The Secretary may not approve an application submitted under section 1203, 1204, or 1205 or enter into a contract under section 1203 or 1204 unless the section 314 (b) area-wide health planning agency whose section 314(b) plan covers (in whole or in part) the area to be served by the health maintenance organization for which such application is submitted or contract proposed, or if there is no such agency, the section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such area, has, in accordance with regulations of the Secretary, been provided an opportunity to review the application or contract proposal and to submit to the Secretary for his consideration its recommendations respecting approval of the application or contract proposal. If under applicable State law such an application may not be submitted or such a contract entered into without the approval of the section 314 (b) area-wide health planning agency or the section 314(a) State health planning agency, the Secretary may not approve such an application or enter into such a contract unless the required approval has been obtained.

"(2) The Secretary shall by regulation establish standards and procedures for section 314(b) area-wide health planning agencies and section 314(a) State health planning agencies to follow in reviewing and commenting on applications for assistance and proposals for contracts for health maintenance organizations.

"GENERAL PROVISIONS RELATING TO LOAN GUARANTEES AND LOANS

"SEC. 1212. (a)(1) The Secretary may not approve an application for a loan guarantee under this title unless he determines that (A) the terms, conditions, security (if any), and schedule and amount of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States, and (B) the loan would not be available on reasonable terms and conditions without the guarantee under this title.

"(2)(A) The United States shall be entitled to recover from the applicant for a loan guarantee under this title the amount of any payment made pursuant to such guarantee, unless the Secretary for good cause waives such right of recovery; and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(B) To the extent permitted by subparagraph (C), any terms and conditions applicable to a loan guarantee under this title may be modified by the Secretary to the extent he determines it to be consistent with the financial interest of the United States.

"(C) Any loan guarantee made by the Secretary under this title shall be incontestable (i) in the hands of an applicant on whose behalf such guarantee is made unless the applicant engaged in fraud or misrepresentation in securing such guarantee, and (ii) as to any person (or his successor in interest) who makes or contracts to make a loan to such applicant in reliance thereon unless such person (or his successor in interest) engaged in fraud or misrepresentation in making or contracting to make such loan.

"(D) Guarantees of loans under this title shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this title will be achieved, and, to the extent permitted by subparagraph (C), any of such terms and conditions may be modified by the Secretary to the extent he determines it to be consistent with the financial interests of the United States.

"(b)(1) The Secretary may not approve an application for a loan under this title unless—

"(A) the Secretary is reasonably satisfied that the applicant therefor will be able to make payments of principal and interest thereon when due, and

"(B) the applicant provides the Secretary with reasonable assurances that there will be available to it such additional funds as may be necessary to complete the project or undertaking with respect to which such loan is requested.

"(2) Any loan made under this tilte shall (A) have such security, (B) have such maturity date, (C) be repayable in such installments, (D) bear interest at a rate comparable to the current rate of interest prevailing, on the date the loan is made, with respect to loans guaranteed under this title, and (E) be subject to such other terms and conditions (including provisions for recovery in case of default), as the Secretary determines to be necessary to carry out the purposes of this title while adequately protecting the financial interests of the United States.

"(3) The Secretary may, for good cause but with due regard to the financial interests of the United States, waive any right of recovery which he has by reason of the failure of a borrower to make payments of principal of and interest on a loan made under this section, except that if such loan is sold and guaranteed, any such waiver shall have no effect upon the Secretary's guarantee of timely payment of principal and interest.

"(c)(1) The Secretary may from time to time, but with due regard to the financial interests of the United States, sell loans made by him under this title.

"(2) The Secretary may agree, prior to his sale of any such loan, to guarantee to the purchaser (and any successor in interest of the purchaser) compliance by the borrower with the terms and conditions of such loan. Any such agreement shall contain such terms and conditions as the Secretary considers necessary to protect the financial interests of the United States or otherwise appropriate. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guarantee under this subsection.

"(3) Interest paid on any loan to a public agency guaranteed under this subsection shall be included in the gross income of the purchaser of the loan (or his successor in interest) for the purposes of chapter 1 of the Internal Revenue Code of 1954.

"(d) There is established in the Treasury a loan guarantee fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to discharge his responsibilities under loan guarantees issued by him under this title. There are authorized to be appropriated from time to time such amounts as may be necessary to provide the sums required for the fund. To the extent authorized in appropriation Acts, there shall also be deposited in the fund amounts received by the Secretary under this section and in connection with loan guarantees under sections 1203, 1204, and 1205 and other property or assets derived by him from his operations respecting loan guarantees under sections 1203, 1204, and 1205, including any money derived from the sale of assets. If at any time the sums in the funds are insufficient to enable the Secretary to discharge his responsibilities under guarantees issued by him under this title, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury, but only in such amounts as may be specified from time to time in appropriation Acts. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury shall purchase any notes and other obligations issued hereunder and for that purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which the securities may be issued under that Act are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Secretary from the fund.

"(e) There is established in the Treasury a loan fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to make loans under this title. To the extent authorized by appropriation Acts, there shall also be deposited in the fund amounts received by the Secretary as interest payments and repayment of principal on loans made under sections 1203, 1204, and 1205 and other property or assets derived by him from his operations respecting loans under those sections and under subsection (c) of this section, including any money derived from the sale of assets.

"PROTECTION AGAINST INSOLVENCY OF HEALTH MAINTENANCE ORGANIZATIONS, THE COST OF PROVIDING UNUSUAL AMOUNTS OF HEALTH SERVICES OR OF PROVIDING OUT-OF-AREA HEALTH SERVICES, AND UNUSUAL LOSSES

"SEC. 1213. (a) For the purposes of assisting in the making of contracts between private insurance carriers (including nonprofit plans for the prepayment of hospital, surgical, medical, or health care) and health maintenance organizations assisted under this title for the provision by such carriers of insurance to a health maintenance organization (or any combination of health maintenance organizations)—

"(1) protecting its members against the risk of the organization becoming insolvent, or

"(2) for (A) the cost of providing to any of its members basic health services the aggregate value of which exceeds $5,000 in any year, (B) the cost of providing basic health services to its members while they are outside the area served by the organization, or (C) not more than 80 per centum of the amount by which its costs for any of its fiscal years exceed 120 per centum of its income for such fiscal year,

the Secretary shall consult with and provide technical assistance to private insurance carriers and such health maintenance organizations (or combinations of such organizations) respecting the negotiation of such contracts; and may take such other action (other than the provision of financial assistance) as he determines is necessary to carry out the purpose of this subsection.

"(b) (1) The Secretary shall consult with, and provide technical and other assistance (other than the provision of financial assistance) to, health maintenance organizations assisted under this title to assist them in establishing and managing an insolvency fund (consisting of payments made by participating health maintenance organizations) for health maintenance organizations assisted under this title which have fiscally sound operations (as determined by the Secretary), from which fund members of contributing health maintenance organizations would be paid or reimbursed, in accordance with paragraph (2), for expenses incurred in securing a basic or supplemental health service which their health maintenance organization is unable, because of insolvency, to provide them. Each health maintenance organization assisted under this title which has a fiscally sound operation (as determined by the Secretary) shall be permitted to participate, on the same basis as each of the other participating health maintenance organizations, in the insolvency fund established with assistance provided under this subsection.

"(2) Payments or reimbursements under an insolvency fund established with assistance provided under paragraph (1) shall be made to a member of a health maintenance organization which contributed to the fund (A) only for health services provided him (i) in the period for which he paid basic health services payments or supplemental health service payments, as the case may be, and (ii) in a period of not exceeding three months following the period referred to in subclause (i), and (B) in such an amount that the member pays only those amounts which he would have been required to pay his health maintenance organization for such services.

"(c) The Secretary may consult with, and provide technical and other assistance (other than the provision of financial assistance) to, health maintenance organizations assisted under this title to assist them in establishing and managing a fund or funds (consisting of payments made by participating health maintenance organizations) for health maintenance organizations assisted under this title which have fiscally sound operations (as determined by the Secretary) from which fund a contributing health maintenance organization would be reimbursed for (1) the cost of providing to any of its members basic health services the aggregate value of which exceeds $5,000 in any year, (2) the cost of providing basic health services to its members while they are outside the area served by the organization, or (3) not more than 80 per centum of the amount by which its costs for any of its fiscal years exceed 120 per centum of its income for such fiscal year. Each health maintenance organization assisted under this title which has a fiscally sound operation (as determined by the Secretary) shall be permitted to participate, on the same basis as each of the other participating health maintenance organizations, in any fund established with assistance provided under this subsection.

"TECHNICAL ASSISTANCE

"SEC. 1214. The Secretary shall directly provide, upon request, such technical assistance and consultative services as he, in his discretion, determines is necessary to any entity (whether public or private) in the planning or development of a health maintenance organization. The Secretary shall give priority to requests for assistance under this section to those entities providing health care previously assisted in whole or in part under one or more programs of Federal financial assistance designed to assist medically underserved areas.

"RESTRICTIVE STATE AND LOCAL LAWS AND PRACTICES

"SEC. 1215. (a) With respect to any organization for which a grant, contract, loan, or loan guarantee was made under section 1202, 1203, or 1204 and which cannot do business in a State in which it proposes to furnish services because the State, or political subdivision thereof, by law, regulation, or otherwise—

"(1) requires as a condition to doing business in that State or political subdivision that a medical society approve the furnishing of services by the organization,

"(2) requires that physicians constitute all or a percentage of its governing body,

"(3) requires that all physicians or a percentage of physicians in the locale participate or be permitted to participate in the provision of services for the organization, or

"(4) requires that the organization meet requirements for insurers of health care services doing business in that State respecting initial capitalization and establishment of financial reserves against insolvency,

the requirements described in this subsection shall not apply to that organization. If a State or political subdivision of a State refuses to permit a health maintenance organization to do business for failure to comply with any such requirement, the Secretary may bring a civil action in the United States district court for the district in which such health maintenance organization is located to enforce compliance with this subsection.

"(b) No State or political subdivision of a State may establish or enforce any law which the Secretary determines prevents a health maintenance organization, for which a grant, contract, loan, or loan guarantee was made under section 1202, 1203, or 1204, from soliciting members through advertising its services, charges, or other non-professional aspects of its operation, but this subsection does not authorize any advertising which identifies, refers to, or makes any qualitative judgment concerning, any health professional who provides services for a health maintenance organization.

"(c) No hospital or other health care facility may—

"(1) arbitrarily refuse or limit practice privileges in its facilities for any physician solely because such physician would utilize such privileges to treat members of a health maintenance organization for which a grant, contract, loan, or loan guarantee was made under section 1202, 1203, or 1204, or

"(2) arbitrarily charge more for its services for members of such a health maintenance organization than it regularly charges for its services to any other person.

If a hospital or other health care delivery facility engages in an activity prohibited by this subsection, the health maintenance organization or any individual adversely affected by such activity may bring a civil action in the United States district court for the district in which such hospital or other facility is located to enjoin the hospital or other facility from continuing such activity.

"CONTINUED REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1216. (a) If the Secretary determines that an entity which received a grant, contract, loan, or loan guarantee under this title as a health maintenance organization—

"(1) fails to provide basic and supplemental services to its members,

"(2) fails to provide such services in the manner specified in section 1301(1), or

"(3) is not organized or operated in the manner described in section 1311(b),

the Secretary may, in addition to any other remedies available to him, bring a civil action in the United States district court for the district in which such entity is located to enforce its compliance with any assurances it furnished him respecting the provision of basic and supplemental health services or its organization or operation, as the case may be, when application was made under this title for a grant, loan, or loan guarantee or in connection with a contract under this title.

"(b) The Secretary shall administer this section through an identifiable unit within the Department of Health, Education, and Welfare.

"EMPLOYEES' HEALTH BENEFITS PLANS

"SEC. 1217. Each employer who is required to pay his employees the minimum wage specified by section 6 of the Fair Labor Standards Act of 1938 (or would be required to pay his employees such wage but for section 13(a) of such Act) shall, in accordance with regulations which the Secretary shall prescribe, include in any health benefits plan offered to his employees the option of membership in any health maintenance organization for which assistance was provided under this title and which is serving the area in which his employees reside. No employer shall be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract for the provision of health benefits between an employer and his employees. Failure of any such employer to comply with the requirements of this section shall be considered a willful violation of section 15 of such Act.

"NATIONAL ADVISORY COUNCIL ON HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1218. (a) There is established in the Public Health Service a National Advisory Council on Health Maintenance Organizations (hereinafter in this section referred to as the 'Council') consisting of twelve members appointed by the Secretary (without regard to the provisions of title 5 of the United States Code relating to appointments in the competitive service) from persons who are not officers or employees of the United States Government, and who include representatives of health maintenance organization programs, the medical sciences, medical education, hospital or medical administration, the health insurance industry, labor and management, and public affairs. Three of the members shall be practicing physicians and at least three shall be members of health maintenance organizations who are not themselves engaged in the provision of health services. The Secretary shall appoint a chairman for the Council from among its members.

"(b) Each member of the Council shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, as follows: Three shall expire at the end of the first year, three at the end of the second year, and three at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(c) Members of the Council, while attending meetings or conferences thereof, or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding for any day the daily equivalent of the effective rate for grade GS–18 of the General Schedule, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5 of the United States Code for persons in the Government service employed intermittently.

"(d) The Council shall advise and assist the Secretary (1) in the development of policy and preparation of regulations relating to programs under this title and to procedures and criteria for the consideration and approval of applications for assistance under this title and of proposals for contracts under this title, and (2) with respect to the consideration and approval of each such application and proposal.

"JOINT ADMINISTRATION

"SEC. 1219. Pursuant to regulations prescribed by the President, where funds are advanced for a single project or program by more than one Federal agency to an organization assisted under this title, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant, contract, or loan requirement (as defined by such regulations) which is not imposed by statute and which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"ANNUAL REPORT

"SEC. 1220. The Secretary shall periodically review the programs of assistance authorized by this title and make an annual report to the Congress of a summary of the activities under each program. The Secretary shall include in such summary—

"(1) a summary of each grant, contract, loan, or loan guarantee made under this title in the period covered by the report,

"(2) the data reported in such period to the Secretary in accordance with section 1211(b)(1)(E), and

"(3) information developed under grants and contracts under section 1210(a).

"LIMITATION ON SOURCE OF FUNDING FOR HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1221. No funds appropriated under any provision of this Act other than this title may be used—

"(1) for grants or contracts for surveys or other activities to determine the feasibility of developing or expanding health maintenance organizations or other entities which provide, directly or indirectly, health care to a defined population on a prepaid basis;

"(2) for grants, loans, or contracts for planning projects for the establishment or expansion of such organizations or entities;

"(3) for grants, loans, or contracts for projects for the initial development or expansion of such organizations or entities;

"(4) for grants, contracts, or loans, or for payments under loan guarantees, to assist in meeting the costs of the initial operation after establishment or expansion of such organizations or entities;

"(5) for loans, or for payments under loan guarantees, for construction projects for outpatient facilities and hospitals for such organizations or entities, except that this paragraph shall not prohibit the provision of assistance under title VI, VII, or VIII for such facilities or hospitals; and

"(6) to make grants or contracts under section 1206, 1207, 1208, or 1209."

CONFORMING AMENDMENTS

SEC. 3. (a) Section 1 of the Public Health Service Act is amended by striking out "Titles I to XI" and inserting in lieu thereof "Titles I to XII".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XII (as in effect prior to the date of enactment of this Act) as title XIII, and by renumbering sections 1201 through 1214 (as in effect prior to such date), and references thereto, as sections 1301 through 1314, respectively.

(c) Section 306(g) of the Federal National Mortgage Association Act (12 U.S.C. 1721(g)) is amended by inserting ", or which are guaranteed under title XII of the Public Health Service Act" after "chapter 37 of title 38, United States Code".

(d) The first section of the Act of August 5, 1954 (42 U.S.C. 2001) is amended by inserting "(a)" after "That" and by adding at the end thereof the following new subsection:

"(b) In carrying out his functions, responsibilities, authorities, and duties under this Act, the Secretary is authorized, with the consent of the Indian people served, to contract with private or other non-Federal health agencies or organizations for the provision of health services to such people on a fee-for-service basis or on a prepayment or other similar basis."

REPORTS RESPECTING MEDICALLY UNDERSERVED AREAS

SEC. 4. Within three months of the date of the enactment of this Act, the Secretary of Health, Education, and Welfare shall report to the Congress the criteria used by him in the designation of medically underserved areas for the purposes of title XII of the Public Health Service Act. Within one year of such date, the Secretary shall report to the Congress (1) the areas and population groups designated by him under section 1201(9) of such title as medically underserved areas, and (2) the comments (if any) submitted by State and area-wide comprehensive health planning agencies under such section with respect to any such designation.

ADVANCED RESEARCH ON SST

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, contracts have just been awarded by NASA to three major aircraft manufacturers in connection with future supersonic commercial aircraft. The following October 13 news release from NASA describes the details of these contracts:

TECHNOLOGY STUDY CONTRACT AWARDED

The National Aeronautics and Space Administration's Langley Research Center today awarded contracts to three major aircraft manufacturers to study the technology requirements for future supersonic commercial aircraft.

As part of the agency's advanced planning under the Office of Aeronautics and Space Technology, the studies are intended to assure the existence of the technology needed to maintain United States leadership in the world aircraft market.

Translating technical advances into the

production of an economically competitive aircraft may involve years of concerted effort, and research now underway is focused on aircraft for the 1985–90 time period.

The three companies selected for the work and the contract value are:

The Boeing Company, Seattle, Wash., $316,415; McDonnell-Douglas Aircraft Corp., St. Louis, Mo., $259,000; and Lockheed Aircraft Corp., Burbank, Calif., $231,015.

Each cost-plus-fixed-fee contract will continue for one year and will involve about 10,000 man-hours of effort. Langley will manage the work through a system of task orders. The first task each company will perform will be an independent and systematic assessment of existing aeronautical technology to determine its state of readiness and to identify promising areas for additional research.

Special emphasis will be placed on such environmental factors as engine noise and combustion products. The contractor studies will seek ways to employ advances in aerodynamics, propulsion, structures, materials, flight controls and configurations.

As part of the coordinated program, parallel studies in advanced propulsion technology will be managed by NASA's Lewis Research Center, Cleveland, Ohio, also under the general guidance of OAST.

Other research at Langley contributing to the effort is in progress in the areas of structures; aerodynamics and configurations; active controls technology; and fly-by-wire techniques.

Langley will manage the contract activities through its Advanced Supersonic Technology Office, headed by David G. Stone.

DISCRIMINATORY DOUBLE TAXATION FOR SOCIAL SECURITY AND UNEMPLOYMENT COMPENSATION

(Mr. BETTS asked and was given permission to extend his remarks at this point in the Record.)

Mr. BETTS. Mr. Speaker, the House should be made aware of a glaring case of double assessment of employer taxes for social security and unemployment compensation purposes.

Many business activities are carried on through separate corporations owned by a holding company. Other large businesses operate through divisions instead of separate corporations. In the case of the multiple corporate structure, the Internal Revenue Service has taken the position that each corporate entity is a separate employer for social security and unemployment tax purposes. For example if corporation X transfers an employee to corporation Y after having paid the taxes for the year, corporation Y, even though a member of the same affiliated group as corporation X, has to again pay social security and unemployment taxes. Under such circumstances, the employee gets a tax credit on his personal tax return for the excess social security tax withheld; but the employer is without recourse from multiple payment of social security and unemployment taxes with respect to the employment activities of the same individual.

Congress recognized the inequity of a similar situation in the case of the railroad industry and provided for the elimination of the multiple tax for the railroad retirement plan and unemployment compensation by permitting joint employers to allocate the amount of tax due between the respective employers of the same employee.

Last February, the American Bar Association endorsed a recommendation of its section on taxation for a proposed amendment to the Internal Revenue Code to eliminate multiple social security and unemployment taxes between employers of an affiliated group as defined in the Internal Revenue Code. Upon learning of this situation Mr. Burleson and I introduced H.R. 16595 to eliminate such multiple taxation. Time has not permitted the consideration of this bill. At the earliest opportunity, this House should examine the problem and take steps to eliminate the discriminatory assessment of duplicate taxation in the case of affiliated groups of corporations.

THE DEATH OF THE HIGHWAY ACT OF 1972

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, one of the most needless and incredible legislative casualties of the 92d Congress is the Highway Act of 1972 which succumbed in conference.

It is needless, Mr. Speaker, because as I will show you, the conferees on the part of the House made every effort possible to reach an agreement with the other body. It is incredible, furthermore, because the demise of this extremely important legislation was brought about by seven Senators who took their signals from the Department of Transportation.

The Department of Transportation and its allies, have now made their aim abundantly clear. They do not want a highway bill. They do not want mass transit for the cities. They want to invade the highway trust fund at whatever cost to the Nation's city dwellers who need mass transportation and to the millions of other Americans who need highways.

In short, seven of the conferees made it plain from the outset of the conference that there would be no highway legislation this year if the highway trust fund was not broken into for a token mass transit program.

A quartet of official lobbyists from the Department of Transportation, who prowled the halls and anterooms of the Capitol throughout the conference session, called the signals for this deplorable hatchet job. They were followed obediently by seven conferees—a majority of whom were not even present for most of the conference. This is absentee trust-busting with a vengeance.

Mr. Speaker, I deplore such high-handed dictation to the Congress by the Department of Transportation. I especially deplore the lockstep compliance by a tiny, and absentee, majority of the conferees. I would like to make it quite clear, however, that a minority of the conferees did all in their power to save this legislation.

In other words, Mr. Speaker, a majority of the Members whose ballots were cast to kill the highway program, were not even present for most of the conference, and none were there during the critical periods when the basic and far-reaching acommodations offered by the House were under initial discussion and negotiation.

Time and time again, the House conferees offered major concessions which would have met the need for mass transit far more satisfactorily than anything proposed by the Department of Transportation and its allies. Repeatedly, they were voted down by a pocketful of proxies.

I would like to point out that the contention by these absentee trust-busters that they were fighting for mass transit is clearly refuted by any number of offers advanced by the House conferees. Specifically, I cite the following:

First. A $3 billion authorization with contract authority for capital grants for mass transit out of the general fund with a mandatory 80 percent Federal contribution. In addition $600 million would have been outlayed for direct mass transit operating subsidies.

Second. The complete Cooper-Muskie package of $800 million, any part of which would be available immediately for mass transit purposes, to be deducted from urban system funds out of the general fund.

Third. Complete local control of urban funds, spent for mass transit—including rail.

Fourth. Revision of the priority primary routes provision of the House bill to meet Senate objections.

Fifth. Authorization of Interstate highway funds for fiscal years 1974 and 1975.

Sixth. Authorization of all regular primary and secondary, urban and rural highway funds for fiscal years 1974 and 1975.

In the words of one conferee:

> The big winner would have been mass transit. In other words, our nation's cities and the tens of millions of citizens who inhabit them. Their lives would have been made better. Traffic congestion and air pollution would have been reduced and of course, transit systems improved.

Having thus gone 95 percent of the way toward the original Senate position, having made these fundamental concessions, House conferees were informed by certain conferees that there would be no bill unless we agreed to break open the highway trust fund. In this demand, they were blindly followed by proxy supporters. To this last bust the trust ultimatum, the House specifically ordered its conferees not to accede.

The economic impact of this irresponsible action by a small band of obdurate men will be widespread and severe. For the State highway departments to handle a program of present size, they must have an orderly development of projects from conception through the award of contract and construction, which requires assurance of funding continuity, size and stability.

Preconstruction lead-time currently is measured from 70 to 80 months and involves public hearings and the acquisition of properties. These things require definite and firm commitments from State highway officials as to the time that certain things will be accomplished in the development of a project, and when properties will be required, when people can be expected to be relocated, and when they will be reimbursed for properties taken and for relocation expenses.

It appears that if there is no highway bill until later on in the next Congress, that within a relatively short time, 36 States will be without Federal-aid funds. It is expensive and most inefficient to turn on and off a program of this size.

Above all, the States must have assurance of continuity and the size of the Federal-aid highway program in order that they can put their own State financing house in order, and make the necessary plans for matching, and their own construction activities.

We are still in a point in our economy, where delays in projects involve substantial increases in costs, and if projects are delayed for as long as a year, plans ready for contract generally have to be revised causing expensive and unnecessary work.

Some interim agreement, whereby the 1972 Interstate cost estimate would be approved by the Congress and apportionments made for the Interstate system based on 1970 authorizations, would not be entirely satisfactory. Furthermore, it is my opinion that in accordance with title 23, apportionments for the primary, secondary and urban extension systems have first priority from the trust fund before any Interstate apportionments can be made.

I believe it is appropriate to clear up one point about which this same group of conferees are confused. They have insisted from the outset on a 6-month to 1-year extension of highway authorizations as a price for a highway bill. They do not seem to realize that, since both House and Senate bills had already agreed upon 2-year extensions of authorization, that any lesser period was not within the scope of the highway conference. To have attempted to alter the time frame of these authorizations would have been to thwart the rules of the House of Representatives.

There is a possibility, whereby the Secretary of Transportation might increase obligational authority for unexpended apportionments already made to the States, some of which might temporarily help. But, this would be limited in the States aided and would not necessarily be in line with the specific needs of the States, who have programed projects for scheduled lettings, which might be of a different system category from the system funds made available to them.

It is noted that as of the last of this September, Tennessee, Kentucky, Oklahoma, Delaware, and New Mexico are among those that have obligated from 72 percent to 98 percent of their 1973 Interstate funds.

The States of Texas, Illinois, California, Alabama, Minnesota, and Massachusetts are among those States that have currently obligated 33 percent or more of their 1973 ABCD funds. This shows the pressing need for a 1972 Federal-aid highway act.

The Federal-aid program is of such size that it practically dictates the States' highway program activities. It, therefore, becomes imperative to give the States that measure of stability, continuity, and assurance which they must have in this country to keep an adequate highway program going to assure that our highway system is adequate to take care the needs of our most dominant and extensive transportation system.

Finally, I am compelled to direct the Congress and the Nation's attention to the shocking fact that more than needed highway construction, more than urban mass transit was killed by their decision. The people who deliberately scuttled the Highway Act of 1972 also sank the most far-reaching, most promising program of highway safety that has ever been produced by the Congress of the United States.

I am convinced that this program, if administered as the House of Representatives intended it to be administered, would have saved 10,000 of the 55,000 lives that are being lost each year on the highways of America. In a sense, Mr. Speaker, the Department of Transportation and its allies who killed this bill must bear the responsibility for this loss.

And that is something to ponder as we close this 92d session of Congress without the highway mass transit and safety legislation the people of this Nation could have had, and should have had.

A LETTER TO RALPH NADER

(Mr. MINSHALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MINSHALL. Mr. Speaker, I am today sending the following letter to Ralph Nader:

> CONGRESS OF THE UNITED STATES,
> HOUSE OF REPRESENTATIVES,
> *Washington, D.C., October 17, 1972.*
>
> MR. RALPH NADER,
> *"Congress Project"*
> *Washington, D.C.*
>
> DEAR MR. NADER: Pursuant to my secretary Mrs. Rush's telephone conversation with Mr. Wayne Neiman of your staff on October 12th, I wish to confirm that I have not made any attempt to correct the many factual errors and misstatements in your unprofessional assessment of my 18-year record of service in the Congress.
>
> While I have long respected your courageous fight on behalf of consumers, I must join your other critics who believe you have now spread yourself much too thin and are relying upon too many eager, but untrained, youthful aides. They have done you a disservice on this project. Their work is too distorted to be susceptible to accurate correction.
>
> I will continue to rely upon the good judgment of my constituents who have been familiar with my personal integrity, my dedicated service and my voting record since I have been in Congress.
>
> Sincerely yours,
> WILLIAM E. MINSHALL,
> *Member of Congress.*

INDOOR SPORTS OUTDOOR ATHLETIC RECREATION FOUNDATION ACT OF 1972

(Mr. CAREY of New York asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CAREY of New York. Mr. Speaker, as my last of the 92d Congress, I am introducing today the Indoor Sports Outdoor Athletic Recreation Foundation Act of 1972—ISOAR.

Mr. Speaker, I am introducing this legislation on the last day of the Congress because I want the idea to simmer on the hot stove league all winter.

I do not want to attempt to substitute my judgment for that of the dedicated members of the world of athletics, but I do think that much of the money we collect from athletics should be turned into the muscles of the future. We must build athletic facilities, such as playgrounds, soccer fields, vest-pocket parks, basketball courts, roller hockey rinks, and swimming pools, where we do not have them now.

The purpose of ISOAR is to help every child develop his athletic capacity to his full potential. It will provide an alternative to the bored idleness which has condemned too many of our young people to the cycle of drugs and delinquency.

ISOAR money would be used to wipe out the eyesores of vacant lots and littered areas of debris in our cities, and replace them by basketball courts and softball fields and, yes, bocci courts. ISOAR money would be directed primarily to our urban areas.

VETERAN RETURNS MEDALS

(Mr. DELLUMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, when future generations reckon the cost of our generation's lapse from honor in Indochina, they will see the full dimensions at which we can only guess. A foreign policy based on fear and brutality that has lost us the hard-won respect of the world—the missed chances and thwarted creativity in domestic reform—the further alienation and disillusionment of our most generous spirits—the corruption of our political methods and the decay of the basic trust we need in order for our system to work—all these and more are the American casualties in this infinitely sad episode of our history.

But there is another cost, which perhaps may be said to affect only a small minority, and yet I think it is one of the most tragic results of our involvement. This is the personal despair and unhappiness of those we have forced to do our dirty work in Indochina. While our leaders talk of pride and honor, the soldiers in Indochina know shamefulness and degradation. And when they try to tell us of what they have seen and experienced, we refuse to listen. When the proud heros of our imagination suddenly come to life and tell us what we have done to them, we reject them and some of us even have the nerve to call these men, whose lives we have twisted out of shape forever, unpatriotic malcontents.

Recently I received a letter from a constituent who has found that his bravery and commitment has been shamefully misused by the leaders of the country. He can no longer live with the realization that he has been rewarded for participation in the violation of a nation.

And for this reason, he has asked me to forward his medals, including the Purple Heart, back to the Government and the Commander in Chief who gave them to him.

I intend to honor this request, although I realize the pain that such a step involves. What Mr. Furnas is telling us is that we have stolen a few years of his life, that they have gone for nothing, for worse than nothing. Perhaps only when we realize what we have done to Mr. Furnas and the many, many others like him will we see the full madness of still requiring young men, Americans, to throw their lives away in Indochina for our psychic comfort.

Mr. Furnas' letter to the President follows:

BERKELEY, CALIF.,
September 28, 1972.

RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

MR. PRESIDENT: I am returning the medals and awards given to me while a member of the United States Army. I can no longer live with the realization that I have been awarded for my participation in the mass genocide of the Indo-Chinese people. I bear no grudge toward the people of Indo-China. I cannot justify my role, however slight, in the racist and sexist policies of the United States military in Indo-China. I made many friends in the fourteen months I was stationed in Indo-China. I am doing what I can to educate the people of the United States to the responsibility they bear for the atrocities committed in their name in Indo-China. This is not sufficient means of repaying my friends for my grave injustices, but I know of little else to do.

As a citizen of the United States, I cannot tolerate the continuation of the war against the peoples of Indo-China. I demand that it cease immediately. I cannot tolerate the support of a corrupt military dictatorship in the Republic of Vietnam. The pretense of a democracy is existent only from afar. I knew of no Vietnamese who voluntarily supported the Thieu regime. I demand that no more support of the Thieu regime be made from the resources of the people of the United States. I demand that you exercise your power as Commander-in-Chief of the Armed Forces and President of the United States to immediately cease the bombing of Indo-China and to immediately curtail all military actions against the peoples of Indo-China. I demand that total withdrawal of United States military personnel be accomplished immediately and retribution be made to the peoples of Indo-China to enable them to rebuild their world into a place of love and happiness. For this should be our true goal, not the subjugation or elimination of all that oppose our imperialistic urges.

Toward a greater understanding,
STEPHEN R. FURNAS.

When Abraham Lincoln told us we must never forget what the soldiers of the Civil War had done at Gettysburg and elsewhere, he was referring to a record of selfless sacrifice in a noble cause. I hope Americans will also never forget what we have forced our soldiers to do in Indochina—and I hope this memory will keep us from ever demanding such a cruel and meaningless sacrifice again.

UNWARRANTED THREAT TO CHILD CARE PROGRAMS

(Mr. DELLUMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, as a strong supporter of child care programs I am quite distressed at what I see as a major threat to the continuation of these services for millions of American families.

Specifically, I am referring to language in the Senate Finance Committee report on H.R. 1 which would direct the Secretary of Health, Education, and Welfare to issue regulations which would eliminate private sources of funds to be used as State's matching requirement for Federal financial participation.

The result of such regulations would be disastrous.

Already I have been contacted by numerous day care programs located within the district I represent, and from each one the story is similar: Such regulations would cause drastic cutbacks in child care and other vital social services.

On a national level such a limitation would affect up to $60 million in social service programs financed through private efforts—and about 60 percent of those services are in child care alone.

But, aside from these horrible effects of such a limitation, the method by which this limitation is being "ordered" raises serious questions.

There is no language anywhere within the Senate or House versions of H.R. 1 which specifically calls for such regulations. There was no debate on such regulations brought before either body. Instead, the "official" fiat for any regulations is contained within a huge document which itself is part of thousands of pages of hearings and reports.

I cannot accept this "order" as the mandate of Congress—or any as "official" part of the legislative history of H.R. 1. If there are to be such regulations, they must first be passed upon by the entire Congress.

LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, we had hoped that the last of the major conference reports would have been before us. They are the toxic substance matter; the noise control matter; the police and fire bill. They all take, as Members know, unanimous consent, and they have been objected to.

At the present time, the Committee on Rules will meet at 8:30 p.m. The Committee on Rules will be called upon to report a rule placing in order the debt limit, if it comes back; the continuing resolution, if it comes back; the highway bill, if there is a conference report.

Also, we must take into consideration the fact that tomorrow there will be a possibility of the water pollution bill coming up.

Also, we must have a quorum here tomorrow. It is expected the sine die resolution will be considered tomorrow.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I am in full accord with the statement made by the distinguished majority whip. I think that is the agreement which was made and understood by all.

If the Committee on Rules writes the rule, we are prepared to take those things that were mentioned by the gentleman from Massachusetts and dispose of them. Then, that is the signal for adjournment sine die tomorrow.

Mr. O'NEILL. The gentleman is correct.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Mississippi.

Mr. COLMER. I thank the gentleman for yielding. I merely want to observe that the Rules Committee meeting is set for 8 o'clock. The signals have been changed, which is nothing new. It is for 8 o'clock, so I did not want any of the Members to stray off.

Mr. O'NEILL. I am very grateful to the gentleman from Mississippi. Sometimes the signals are changed without notice.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from California.

PARLIAMENTARY INQUIRY

Mr. SMITH of California. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of California. Mr. Speaker, if the debt ceiling is defeated in the Senate and we come back with just simply a $465 billion extension, it would be my opinion, as a halfway parliamentarian, that a simple rule to consider it, without a two-thirds vote, would give us trouble unless we waive points of order against a further conference report on the debt ceiling, because of the fact there is material in there that we had to begin with, which was $250 billion ceiling, and the other body changed that.

I am concerned, Mr. Speaker, as to what will happen if we come back with a simple resolution from the Rules Committee that can be heard the same day. We might find ourselves subject to a point of order because of a further conference report on that material. I should like to have an answer to that.

The SPEAKER. The Chair would like to state that in the first place it is a matter of privilege, on the conference report, and sending it back to the House, and the chairman of the Committee on Ways and Means can call it up.

But the important thing, as the Chair understands it, about the rule which would be obtained tonight is that, if obtained, the House can vote on it tomorrow and pass it by a majority vote. It may not be the only rule obtained, but there will not be rules for any other purpose except dealing with these three items. In so doing it will be in order to bring them up on the very same day on which they come out.

Mr. SMITH of California. That I agree with. Apparently I have not made myself clear. Could I ask the gentleman from Wisconsin (Mr. BYRNES) to explain what we were discussing a while ago, so that I will know, when I go upstairs, just what is the situation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I believe the parliamentary inquiry which the gentleman from California wants to propound relates to it if it becomes necessary for a resolution on the debt ceiling issue to go beyond items that are in conference—and it may be that is what we will have to do in order to reach an agreement. That would require a rule waiving points of order.

The SPEAKER. In all probability it would. The important thing about the rule being sought tonight is that it will enable the leadership to bring it up the self-same day.

Mr. BYRNES of Wisconsin. I understand that, but even if it were brought up the self-same day it would not serve a useful purpose if a point of order could be made to some aspect of it.

The SPEAKER. The gentleman is correct.

Mr. SMITH of California. Then why not waive points of order in the rule, so far as the conference report is concerned, when the debt ceiling matter comes back? That is what I am concerned about

The SPEAKER. The Chair does not know how it will come back.

Mr. O'NEILL. Is that not a substantive matter for the Rules Committee to take up?

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. Is there a record of any Member having objected to any of these serious conference reports being considered on the same day since we have been "hastening toward adjournment"?

Mr. O'NEILL. Would the gentleman be kind enough to repeat his question.

Mr. HALL. I asked if anyone knows of any Member who has objected to consideration by unanimous consent of an important conference report that was good legislation in the last few days?

Mr. O'NEILL. There is always a possibility; and we are driving for tomorrow.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Is it the intention, with respect to the Rules Committee passing a rule, to consider it in the House tonight?

Mr. O'NEILL. No. It is the intention to consider it tomorrow.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Matsunaga (at the request of Mr. O'Neill), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Randall, for 15 minutes, today.

(The following Members (at the request of Mr. Carlson) to revise and extend their remarks and include extraneous material:)

Mr. Teague of California, for 5 minutes, today.

Mr. Gubser, for 15 minutes, today.

Mrs. Heckler of Massachusetts, for 15 minutes, today.

Mr. McCloskey, for 30 minutes, today.

Mr. Hosmer, for 25 minutes, today.

Mr. Cleveland, for 20 minutes, today.

Mr. Railsback, for 5 minutes, today.

Mr. Saylor, for 60 minutes, today.

Mr. Findley, for 5 minutes, today

Mr. Gerald R. Ford, for 10 minutes, today.

Mr. McCormack, for 5 minutes, today.

Mr. McClure, for 10 minutes, today.

(The following Members (at the request of Mr. Preyer of North Carolina) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Brademas, for 5 minutes, today.

Mr. O'Hara, for 10 minutes, today.

Mr. Burton, for 30 minutes, today.

Mr. Daniels of New Jersey, for 30 minutes, today.

Mr. Burke of Massachusetts, for 15 minutes, today.

Ms. Abzug, for 10 minutes, today.

Mr. Roy, for 15 minutes, today.

Mr. Addabbo, for 10 minutes, today.

(The following Members (at the request of Mr. Melcher) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Conyers, for 60 minutes, today.

Mr. Gonzalez, for 5 minutes, today.

Mr. Rodino, for 10 minutes, today.

Mr. William D. Ford, for 5 minutes, today.

Mr. Kastenmeier, for 15 minutes, today.

Mrs. Griffiths, for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Aspinall, and to include extraneous material.

Mr. Rousselot, to extend his remarks immediately following the discussion on H.R. 7577.

Mrs. Heckler of Massachusetts, to extend her remarks prior to adoption of conference report on H.R. 14575, today.

(The following Members (at the request of Mr. Carlson) and to include extraneous material:)

Mr. McEwen in two instances.

Mr. Steiger of Wisconsin in five instances.

Mr. Broyhill of Virginia in two instances.

Mr. Belcher in two instances.

Mrs. Heckler of Massachusetts in two instances.

Mr. Derwinski in three instances.

Mr. Springer.

Mr. Johnson.

Mr. McCloskey in two instances.

Mr. Carter.

Mr. Hosmer in five instances.

Mr. Frenzel in two instances.

Mr. Vander Jagt in five instances.

Mr. Wyman in two instances.

Mr. McClory in two instances.

Mr. Thone.

Mr. McDonald of Michigan in two instances.

Mr. Bray in three instances.

Mr. Cleveland in three instances.

Mr. Winn.

Mr. Gude in five instances.

Mr. Gubser.

Mr. Bob Wilson.

Mr. Ashbrook in three instances.

Mr. Pelly in five instances.

Mr. McClure.

Mr. Fish in three instances.

Mr. Burke of Florida.

Mr. Veysey.

Mr. J. William Stanton.

Mr. Grover.

Mr. Shoup.

Mr. Don H. Clausen.

Mr. Sebelius.

Mr. Miller of Ohio in six instances.

Mr. Chamberlain in four instances.

Mr. Byrnes of Wisconsin.

Mr. Steele.

Mr. Kemp in 10 instances.

Mr. Hall.

Mr. Halpern in two instances.

Mr. Skubitz.

(The following Members (at the request of Mr. Preyer of North Carolina) and to include extraneous matter:)

Mr. Brademas in six instances.

Mr. Carey of New York in five instances.

Mr. Badillo in three instances.

Mr. Roy.

Mr. Daniels of New Jersey.

Mr. Patten.

Mr. Morgan.

Mr. Brinkley.

Mr. Baring.

Mr. de la Garza in four instances.

Mr. Rogers in six instances.

Mr. Kee in two instances.

Mr. Burke of Massachusetts.

Mr. Helstoski in two instances.

Mr. McCormack in six instances.

Mr. Waldie in two instances.

Mr. Pickle.

Mr. Rosenthal.

Mr. Leggett.

Mr. Zablocki in three instances.

Mr. Anderson of California in two instances.

(The following Members (at the request of Mr. Melcher) and to include extraneous matter:)

Mr. Stokes.

Mr. Moorhead in eight instances.

Mr. Dent.

Mr. Gonzalez in three instances.

Mr. Rarick in three instances.

Mr. Teague of Texas in six instances.

Mr. Carney.

Mr. Waldie.

Mr. Kastenmeier.

Mrs. Sullivan in three instances.

Mr. Rooney of Pennsylvania in six instances.

Mr. Galifianakis in two instances.

Mr. Annunzio in six instances.

Mr. Fuqua in five instances.

Mr. Moss in two instances.

Mr. Kee in two instances.

Mr. Begich in two instances.

Mr. Murphy of New York in three instances.

Mr. Rodino in two instances.

Mr. Monagan.

Mr. Blatnik.

Mr. Sarbanes in five instances.

Mr. Roberts.

Mr. Hanna.

Mr. PERKINS.
Mr. EDWARDS of California.
Mr. DOW.
Mr. ROE in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., non-navigable; To the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3786. An Act to provide for the free entry of a four octave carillon for the use of Marquette University, Milwaukee, Wis.;

H.R. 5066. An act to authorize appropriations for fiscal year 1973 to carry out the Flammable Fabrics Act;

H.R. 7093. An act to provide for the disposition of judgment funds of the Osage Tribe of Indians of Oklahoma;

H.R. 8273. An act to amend section 301 of the Immigration and Nationality Act;

H.R. 8395. An act to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes;

H.R. 10384. An act to release certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior;

H.R. 10880. An act to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery;

H.R. 11032. An act to enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia;

H.R. 11563. An act to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal Employees' Group Life Insurance purposes during a period of erroneous removal or suspension.

H.R. 12186. An act to strengthen the penalties imposed for violations of the Bald Eagle Protection Act, and for other purposes;

H.R. 12674. An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes;

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government;

H.R. 12828. An act to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons: to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes;

H.R. 13158. An act to name a bridge across a portion of Oakland Harbor, Calif., the "George P. Miller-Leland W. Sweeney Bridge";

H.R. 13895. An act to amend title 5, United States Code, to revise the pay structure for nonsupervisory positions of deputy U.S. marshal, and for other purposes;

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the armed forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes;

H.R. 15375. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973;

H.R. 15461. An act to facilitate compliance with the treaty between the United States of America and the United Mexican States, signed November 23, 1970, and for other purposes;

H.R. 15597. An act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland;

H.R. 15657. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes;

H.R. 15735. An act to authorize the transfer of a vessel by the Secretary of Commerce to the Board of Education of the city of New York for educational purposes.

H.R. 15763. An act to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes;

H.R. 15965. An act to amend the District of Columbia Teachers' Salary Act of 1955 to increase salaries, to provide certain revisions in the retirement benefits of public school teachers, and for other purposes;

H.R. 16675. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 to extend for one year the program of grants for State and local prevention, treatment, and rehabilitation programs for alcohol abuse and alcoholism.

H.R. 16804. An act to rename the Mineola Dam and Lake as the Carl L. Estes Dam and Lake.

H.R. 16883. An act relating to compensation of members of the National Commission on the Financing of Postsecondary Education;

H.R. 17038. An act designating the Oakley Reservoir on the Sangamon River at Decatur, Ill., as the William L. Springer Lake.

H.J. Res. 733. Joint resolution granting the consent of Congress to certain boundary agreements between the States of Maryland and Virginia;

H.J. Res. 748. Joint resolution amending Title 38 of the United Code to authorize the Administrator of Veterans' Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans' Administration; to develop cooperative arrangements between institutions of higher education, hospitals and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancements opportunities; to improve and expand allied and other health manpower utilization; to afford continuing education for health manpower of the Veterans' Administration and other such manpower at Regional Medical Education Centers established at Veterans' Administration hospitals throughout the United States; and for other purposes, and

H.J. Res. 1301. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah;

S. 141. An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes;

S. 655. An act for the relief of certain postal employees at the Elmhurst, Ill., Post Office;

S. 909. An act for the relief of John C. Rogers;

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 1462. An act to provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets Nos. 142, 359, 360, 361, 362, and 363, and for other purposes;

S. 2147. An act for the relief of Marie M. Ridgely;

S. 2270. An act for the relief of Magnus David Forrester;

S. 2275. An act for the relief of Wolfgang Kutter;

S. 2318. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes;

S. 2460. An act for the relief of Kenneth J. Wolff;

S. 2714. An act for the relief of M. Sgt. William C. Harpold, U.S. Marine Corps (retired);

S. 2753. An act for the relief of John C. Mayoros;

S. 2822. An act for the relief of Alberto Rodriquez;

S. 3055. An act for the relief of Maurice Marchbanks;

S. 3230. An act to provide for the division and for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Mont.;

S. 3240. An act to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges;

S. 3257. An act for the relief of Gary Wentworth, of Staples, Minn.;

S. 3326. An act for the relief of the Appalachian Regional Hospitals, Inc.;

S. 3358. An act to prohibit the use of certain small vessels in U.S. fisheries;

S. 3419. An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes;

S. 3483. An act for the relief of Cass County, N. Dak.;

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended;

S. 3545. An act to amend section 7 of the Fishermen's Protective Act of 1967.

S. 3583. An act for the relief of Gerald Vincent Bull;

S. 3671. An act to amend provisions of law relating to the Administrative Conference of the United States;

S. 3843. An act to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972;

S. 3943. An act to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes;

S. 3959. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments;

S. 4022. An act to provide for the participation of the United States in the International Exposition on the Environment to be held in Spokane, Wash., in 1974, and for other purposes;

S. 4062. An act to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area, and for other purposes;

S. 4059. An act to provide that any person operating a motor vehicle within the District of Columbia, shall be deemed to have given his consent to a chemical test of his blood, breath, or urine, for the purpose of determining the alcohol content; and

S. J. Res. 221. Joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On October 14, 1972:

H.R. 7117. An Act to amend the Fishermen's Protective Act of 1967 to expedite the reimbursement of United States vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries, to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed and for certain other amounts, and for other puropses;

H.R. 8756. An act to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes;

H.R. 9554. An act to change the name of the Perry's Victory and International Peace Memorial National Monument, to provide for the acquisition of certain lands, and for other purposes;

H.R. 9727. An act to regulate the transportation for dumping, and the dumping, of material into ocean waters, and for other purposes;

H.R. 10729. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act, and for other purposes;

H.R. 13067. An act to provide for the administration of the Mar-A-Lago National Historic Site, in Palm Beach, Fla.;

H.R. 13694. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended;

H.R. 14128. An act for the relief of Jorge Ortuzar-Varas and Maria Pabla de Ortuzar;

H.R. 14370. An act to provide fiscal assistance to State and local governments, to authorize Federal collection of State individual income taxes, and for other purposes;

H.R. 14424. An act to amend the Public Health Service Act to provide for the establishment of a National Institute on Aging;

H.R. 14989. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 15641. An act to authorize certain construction at military installations, and for other purposes;

H.R. 16593. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 16754. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes.

On October 16, 1972:

H.R. 10556. An act to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land in Georgia to Thomas A. Buiso, the record owner of the surface thereof;

H.R. 14542. An act to amend the act of September 26, 1966, Public Law 89–606, to extend for four years the period during which the authorized numbers for the grades of major, lieutenant colonel, and colonel in the Air Force may be increased, and for other purposes;

H.R. 15260. An act to amend the act of August 16, 1971, which established the National Advisory Committee on Oceans and Atmosphere, to increase the appropriation authorization thereunder;

H.R. 16444. An act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes; and

H.R. 16987. An act to amend the act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Wednesday, October 18, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2425. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' Home for fiscal year 1971, and a copy of the report of Annual General Inspection of the Home, 1971, pursuant to 24 U.S.C. 59, 60; to the Committee on Armed Services.

2426. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, covering the quarter ended September 30, 1972, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2427. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the effect of the formula now in use for allotment to the States of new construction funds in the Hill-Burton program, pursuant to section 103(c) of Public Law 91–296; to the Committee on Interstate and Foreign Commerce.

2428. A letter from the vice president for public affairs, National Railroad Passenger Corporation, transmitting reports on (1) the average number of passengers per day on board each train operated by Amtrak, and (2) the on-time performance at the final destination of each train operated, by route and by railroad, covering the month of September 1972, pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

2429. A letter from the Attorney General, transmitting the first annual report on Federal law enforcement and criminal justice assistance activities, pursuant to section 12 of Public Law 91–644; to the Committee on the Judiciary.

2430. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2431. A letter from the Secretary of Health, Education, and Welfare, transmitting the third annual report on services to AFDC families, pursuant to section 402(c) of the Social Security Act, as amended; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee of conference. Conference report to accompany H.R. 1467 (Rept. No. 92–1607). Ordered to be printed.

Mr. ASPINALL: Committee of conference. Conference report to accompany S. 3230 (Rept. No. 92–1608). Ordered to be printed.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on the position and problems of small business in Government procurement (Rept. No. 92–1609). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Committee on Government Operations. Report on U.S. assistance programs in Vietnam (Rept. No. 92–1610). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. Conference report on House Joint Resolution 1331. (Rept. No. 92–1611). Ordered to be printed.

Mr. RODINO: Committee of conference. Conference report to accompany S. 2087. (Rept. 92–1612). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 1168. Resolution providing for the consideration of conference reports on the same day reported and waiving the rule requiring a two-thirds vote for the consideration of reports from the Committee on Rules on the same day reported on October 18, 1972. (Rept. No. 92–1613). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 17190. A bill to provide for a Federal loan guarantee and grant program to enable educational institutions and individuals to purchase the optacon, a reading aide for the blind; to the Committee on Education and Labor.

By Mr. BRADEMAS:

H.R. 17191. A bill to amend the Internal Revenue Code of 1954 to impose an excise tax on fuels containing sulfur and on certain emissions of sulfur oxides; to the Committee on Ways and Means.

By Mr. CAREY of New York:

H.R. 17192. A bill to amend the Internal Revenue Code of 1954 to provide that contributions to the Indoor Sports and Outdoor Athletic Recreation Foundation shall be deductible for purposes of the Federal income and estate and gift taxes, and to create a trust fund to receive contributions to such foundation which may be used to improve sports and recreational facilities; to the Committee on Ways and Means.

By Mr. CURLIN (for himself, Mr. CARTER, and Mr. STUBBLEFIELD):

H.R. 17193. A bill to amend the Federal Seed Act, to provide that the term "Kentucky Bluegrass" shall be used only in the labeling and advertising of bluegrass seeds grown in the State of Kentucky; to the Committee on Agriculture.

By Mr. DELLUMS (for himself and Mr. RODINO):

H.R. 17194. A bill to authorize the establishment of the Desert Pupfish National Monument in the States of California and Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAM D. FORD:

H.R. 17195. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER (for himself, Ms. ABZUG, Mr. BADILLO, Mr. COLLINS of Illinois, Mr. CONYERS, and Mr. DIGGS):

H.R. 17196. A bill to amend the Social Security Act to provide for a system of children's allowances, and for other purposes; to the Committee on Ways and Means.

By Mr. GROVER:

H.R. 17197. A bill to authorize the Secretary of the Interior to establish a National Law Enforcement Heroes Memorial within the District of Columbia, and for other purposes; to the Committee on House Administration.

By Mr. KUYKENDALL:

H.R. 17198. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration, to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 17199. A bill to prevent certain vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to certain vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. McCLOSKEY:

H.R. 17200. A bill to amend the Fish and Wildlife Coordination Act in order to provide assistance for the preservation of natural game fish streams in the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. McKEVITT:

H.R. 17201. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. PELLY (by request):

H.R. 17202. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 17203. A bill to amend the National Defense Education Act of 1958 to provide that law schools approved by the State bar of any State be considered institutions of higher education; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 17204. A bill to amend the Wild and Scenic Rivers Act; to the Committee on Interior and Insular Affairs.

H.R. 17205. A bill to amend the act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER (for himself, Mrs. MINK, Mr. BADILLO, Mr. REID, Mrs. HICKS of Massachusetts, Mr. MAZZOLI, Mr. HANSEN of Idaho, and Mr. LANDGREBE):

H.R. 17206. A bill to amend the Environmental Education Act; to the Committee on Education and Labor.

By Mr. STEELE (for himself, Mr. COUGHLIN, and Mr. FRASER):

H.R. 17207. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

H.R. 17208. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the costs of training programs for firemen; to the Committee on Science and Astronautics.

H.R. 17209. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the costs of fire science programs; to the Committee on Science and Astronautics.

H.R. 17210. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

H.R. 17211. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

H.R. 17212. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

H.R. 17213. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

H.R. 17214. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

H.R. 17215. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interestate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK (for himself, Mr. BERGLAND, Mr. GUBSER, and Mr. McCLOSKEY):

H.R. 17216. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy county which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. FUQUA:

H. Con. Res. 725. Concurrent resolution requesting the President to proclaim the second full week in May of each year as "National Art Week"; to the Committee on the Judiciary.

By Mr. PATTEN:

H. Res. 1167. Resolution designating May 3 as "Polish Constitution Day"; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOW:

H.R. 17217. A bill for the relief of Rose Levine; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.R. 17218. A bill for the relief of Wilmoth N. Myers; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17219. A bill for the relief of Raymond Szytencheim; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 17220. A bill for the relief of Fioravante Leo, his wife, Annunciata Leo, and their minor child, Laurie Leo; to the Committee on the Judiciary.

By Mr. OBEY:

H.R. 17221. A bill for the relief of estate of James J. Caldwell; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

TODAY AND TOMORROW IN OUR EVER CHANGING AMERICA

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 17, 1972

Mr. RANDOLPH. Mr. President, as we approach the end of this second session of the 92d Congress, each of us can look back with satisfaction to some particular piece of legislation that might help some individual or group or class of citizens. Few of us are under the delusion that all the legislation we are involved in will move the world an inch or change the course of history. Yet, when we cast a vote, each of us must always be aware that what we do here might have a far-reaching impact on many millions of Americans, present and future. One of the problems we face is an attempt to treat the United States as a single entity, because few persons can really grasp the size, the scope and complexity of this Nation and its citzens.

An article in a recent issue of the Journal of the Industrial Designers Society of America, written by industrial design consultant Richard Hollerith, contains some interesting statistics, rounded for comparative purposes, which tend to summarize the physical strengths of America. Much of the article is aimed at showing the relationship of industrial design in modern society. It is the summarization of the physical, material, and categorical units of persons and professions that I find most intriguing. It is an attempt to capsulize a great nation into individual components.

XUM

I ask unanimous consent that excerpts of the article be included in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Industrial Design USA—Today and Tomorrow

(By Richard Hollerith)

We are all familiar with the USA, its size, and influence but I would like to take just a few minutes to go over it once more to try to establish some of today's characteristics that are important for designers to understand.

The USA is a reasonably large piece of geography, something over 3000 miles east to west and over 1000 miles north to south. The western one-third of the country is mountainous, the middle one third is flat—and the breadbasket—and the eastern one third a combination of the two. Water bounds the USA on the east and west, halfway across the north, via the St. Lawrence River and Great Lakes and over two thirds across the south. A river courses up the middle and off to the west nearly cutting the USA in two. The lowest temperature of −67°F occurred at the highest point, 14,000 feet, and the highest temperature of 134° occurred at the lowest point, 280 feet below sea level.

About 210,000,000 constantly changing individuals are supported and live on this land. Last year 4,000,000 individuals were born and 2,000,000 individuals died. There are just over 100,000,000 females and just under 100,000,000 males. There are 74,000,000 individuals under 18, 8,000,000 students in college, and 20,000,000 over 65. If you pause to think of these groups of individuals you begin to see the diverse needs there may be and how they will be changing. 3,000,000 families live on farms while 47,000,000 are non-farm families. 122,000,000 individuals live in Metropolitan areas with 11,000,000 in the New York area alone, 8,000,000 in Los Angeles, and 7,000,000 in Chicago. The population center of the USA has steadily moved from Washington, D.C. west to St. Louis as more and more people have filled in the plains and moved to the climate of the West coast.

These 210,000,000 individuals have various forms of mobility. The country is tied together by 3,700,000 miles of highway and bridges with 75,000 miles being added each year. While 9,000,000 new cars were being bought 6,000,000 were being junked with about 84,000,000 cars serving the 210,000,000 in every way they can find to use them.

There are 60,000,000 homes with housing starts running at the rate of nearly 2,000,000 units this past year. 36,000,000 individuals changed their addresses last year with the average individual's move in the city occurring every four years. Visualize for a moment the impact this has on the individual, his attitudes, his relationships and his community, and how this can influence the design problems.

The USA individual has immense communication mobility—namely the single largest area in the world with a common language throughout. He is interconnected with well over 100,000,000 telephones most of which have direct dialing to anywhere in the country. Over 60,000,000 radios, 60,000,000 BW TV's and 22,000,000 color TV's serve to keep him informed on events, products and services. Over 36,000 or nearly 100/day, new book titles and editions were published last year. A survey of 12 prominent people requesting the ten best books read in the previously year named 113 out of a possible 120 different titles indicating great diversity in mental intake. The government alone issued over 100,000 reports, and 450,000 articles, books, etc. in one year.

A very interesting and unique form of mobility shows up as money mobility. 60,000,000 individuals hold and use credit cards which simply means that money does not have to be carried in sufficient quantities to make purchases.

Again look at the various forms of mobility and try to visualize the impact this has on the over 200,000,000 individuals, their wants and their needs, and the continual changing inputs they are influenced by.

80,000,000 are employed, 1,000,000 more than last year, while unemployment is now about 5,000,000. One half of the unemployed are married and there are 15,000,000 working females. How does this break down into areas of employment? 45,000,000 are in industry, 12,000,000 in government (Federal 3 million; State 9 million) and 11,000,000 in the service industry. There are the same number of men in the military as there are farmers and this is at the 3,500,000 level.

While slightly over 200,000 businesses failed last year, 275,000 were formed and there were 11,500,000 who were employers. The average factory wage rate is $3.55/hour and this is spent as follows:

Food, 22.3%; Housing, 14.4%; Housing Operation, 14.2%; Transportation, 12.9%; Clothing, 10.3%; and leaves 26% as disposable income.

Out of the 80,000,000 employed individuals, 10,000 are Industrial Designers. The people he works with number 215,000 mechanical engineers and 230,000 electronic engineers. There are 34,000 architects, 15,000 interior decorators, 8,500 landscape architects and 7,000 urban planners for a total of 64,500 who work together with 180,000 civil engineers. In other words out of the 80,000,000 working individuals there are 74,500 designers.

How does this compare with other professions and activities in the USA? Designers are a small group as you will see.

500,000 accountants; 270,000 lawyers; 295,000 doctors; 100,000 dentists; 24,000 veterinarians; 10,000 economists; 50,000 commercial artists; and 660,000 nurses.

"In the future products will be taken as only one element in a service system and designers will find it necessary to join multidisciplinary organizations which transcend familial alliances."

The "unit" or product will increasingly be thought of as a continuing problem throughout its full life from conception until it ceases to be useful and in relation to the impacts it has on the changing environments within which it operates.

It will become natural to look at the product within the system in which it is embedded to seek out the missing ingredients or sub-systems, all based on a more deliberate effort keyed to system approaches instead of random inventions.

"We have grown up with the idea that personal security was based on stability, roots, consistency and familiarity but changes are coming faster and faster and the only people to live successfully in tomorrow's world are those who can accept and enjoy temporary systems."

The Industrial Designer is well qualified to handle this new way of designing because his breadth of attitude in arriving at a final solution is user oriented—and he will more and more be moving into the overall planning activity because of his education and inclination to handle this sort of complex socially oriented physical product planning.

"The strength of the discipline of Industrial Design lies in its amorphic nature"—"its ability to define itself in relationship to the immediate job to be accomplished" and its ability to address itself to the point of view of the buyer-user as an individual, and to draw from what is available in technology to answer the problem. Industrial Design is a verb not a noun.

ITEM VETO ON CONGRESSIONAL APPROPRIATIONS, A RADICAL DEPARTURE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. EVINS of Tennessee. Mr. Speaker, the Washington Post, this morning, carried an editorial entitled "An Unacceptable Compromise on Spending" and the Monday Evening Star carried a similar story written by Richard Wilson entitled "Spending Power Shift—a Radical Departure."

Many Members and others are concerned about the proposed expenditure ceiling which many envision as a line item veto and unconstitutional, allowing the administration to pick and choose at will the funding of pet projects, while denying others and thus constituting an erosion of power from the congressional branch to the executive branch.

Because of the interest of my colleagues and others in this subject, I place the editorial from the Post and the article by Mr. Wilson, which appeared in the Star, in the Record.

The editorial and article follow:

An Unacceptable Compromise on Spending

Since President Nixon's proposed spending ceiling is wrong in principle, it follows that the conference committee's compromise is also wrong. That compromise contains enough of the original language to derange fundamentally the constitutional balance of powers. The ceiling, in principle, authorizes the President to cut whatever he chooses, without regard to any existing laws, to hold expenditures this year down to $250 billion. That would mean cutting $7 billion in the eight months remaining in this fiscal year. Even in its compromise form the ceiling would permit, and in fact would require, a vast new centralization of fiscal power in the White House.

The House was panicked into passing the ceiling in its original, 200-proof version originally demanded by the President. On Friday night the Senate, demonstrating good sense as well as fortitude, watered the language down; the Senate version will not do the country any good, but it is at least limited in the harm that it can inflict. On Saturday night the conference met and the resulting compromise tests at about 140 proof, unfit for human consumption, portending an evil headache and a bilious stomach on the morning after election day.

The House is very likely to pass the compromise as easily as it passed the original ceiling. For those who regard it as a menace, the only hope must now lie with the Senate. It is important to observe that the majority behind the Senate version is not composed merely of Democrats routinely jousting with Mr. Nixon, or with fiscal liberals who disapprove of Mr. Nixon's budgets. The leadership for the Senate version (as well as many of the votes that passed it) comes from constitutional conservatives who are looking beyond the present election campaign, and beyond the current argument over money, to the fundamental issue of the structure of the American government. A vote for the ceiling in the compromise form, is a vote for a historic shift of authority from Congress to the White House.

Mr. Nixon has sedulously avoided specifying those federal responsibilities that he would cut under the ceiling. His reason is obvious; he does not wish to arouse the people who support those responsibilities. Even the Senate version, not to mention the compromise, attempts to reassure the country by including long lists of the federal programs that would not be subject to cuts. But there is no great mystery where the targets would lie. The $250 billion ceiling would, in fact, give the President relatively little discretion. Senator Bennett of Utah, the administration's floor manager, observed at one point that, out of the $246 billion in the original budget that Mr. Nixon presented last winter, some $174 billion is classified "as either uncontrollable or relatively uncontrollable." Of the remainder, $55 billion is in the defense budget. That leaves programs amounting to only perhaps $17 billion a year, out of which to cut $7 billion in eight months.

It would be a great deal simpler, as well as more honest, for the authors of this legislation to list the programs that will be cut rather than those that will not. The cuts will chiefly come, clearly, in the fields of education, housing, urban development, environmental protection, and the remnants of the war against poverty.

Mr. Nixon's budget carried a $26 billion deficit when he presented it last January. The largest increases have resulted from administration action, or from legislation that Mr. Nixon signed. The present situation has been clearly predictable ever since last winter. The accusation that Congress created it is false. If Mr. Nixon took no action for the first half of this year to reduce the deficit, he is in a poor position now to ask for a heavy transfer of congressional power under emergency conditions. Any senator who votes now for the ceiling compromise will have little right, in other years, under other Presidents, to complain of the decline of the authority of Congress.

SPENDING POWER SHIFT—A RADICAL DEPARTURE

(By Richard Wilson)

The temptation to exaggerate runs strong in examining the $250 billion spending ceiling which Congress apparently will grant President Nixon power to impose. But it is potentially the most important new legislative proposal in this session of Congress and perhaps during the whole life of the Nixon first term.

The President would be authorized to limit, curb, revise or perhaps entirely eliminate spending programs adopted by Congress to keep within a $250 billion spending ceiling.

That means President Nixon, assuming his re-election, would go into his second term with recognized powers and under mandate to reverse Congress and suspend the expenditures of many billions of dollars already appropriated. Estimates of how much this would involve run from $7 to $15 billions. Opponents claim the entire brunt of budget cuts would come from the $75 billion allotted to programs for education, health, environmental protection, manpower training and other "socially desirable" projects.

A grant of power on this scale is a radical departure from basic understandings of how the government operates. While it is true that presidential authority to reserve the expenditure of funds exists and has been exercised, there never before has been such a direct recognition of a nonreversible presidential veto on congressional spending powers.

This expansion of the presidential authority, taken together with all the other powers which have flowed to the presidency in recent years, could make President Nixon the strongest chief executive in history.

Nixon asked for this authority and he will get it, if the Senate now acts favorably, in large part through the good offices of the Chairman of the House Ways and Means Committee, Rep. Wilbur Mills of Arkansas.

Said Mills in the closing minutes of debate in the House: ". . . The political power of this worries me greatly. If we abdicate here any willingness to join in controlling spending and thereby reducing inflationary pressures, all in the world that the President has to do is go before the American people on TV and ask for a Congress as a result of the vote on Nov. 7, a Congress that will cooperate with him in getting control of spending and in doing something about inflation.

"I tell you—you are playing with your own political lives and destinies. . . ."

The House passed the spending limit, the Senate Finance Committee endorsed the proposal and the Senate finally held the key on whether or not there would be limitations on this unusual grant of authority.

The scene was rather pathetic in the House. Congressman after congressman rose to wring his hands over Congress' uncontrollable will to spend which could only be overcome by a stern president. Others said the hallowed Constitution was being torn to shreds as Congress abdicated its power of the purse to an all powerful presidency. And there were those ready to shed tears over Mills' willingness to surrender congressional prerogatives to a presidency already regarded as too strong.

Mills, the past symbol of conservatism, jealous guardian of congressional rights, was giving in to the political power of the White House. But for how long?

There are those who say Congress will snatch back its authority at the first good opportunity after the election. In any case, the spending limit would, if finally adopted, apply only for one year.

But snatching back this authority will be hard to do, once the principle has been established that Congress cannot control itself in the willy-nilly voting of new spending programs with no advance calculation of how they will totally add up.

In that one year, termed an "experiment" by one member of Congress, the President could shift funds from one project to another. He could bring some programs he deemed ineffective to a virtual halt. If he were all-wise he could make work programs Congress knows are badly administered, wasteful and off the mark but so politically entrenched that Congress has lost its power over them.

The damage to the Constitution, if any, is probably not so great that it cannot be risked in the interest of seeing if a president of the United States can bring spending under some semblance of control. The incumbent President has not been able to do so but has built up some of the biggest deficits in history with the aid of an uncontrollable Congress. The prevailing sentiment seems to be that if he now thinks he has found a way to kick the habit, let him try.

TRIBUTE TO CHARLES H. GRIFFIN

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McMILLAN. Mr. Speaker, I want to take this opportunity to join my colleagues from Mississippi in paying honor to Hon. CHARLES GRIFFIN who has served on Capitol Hill as an assistant to Hon. John Bell Williams and later as a Member of Congress. I sincerely regret to see Congressman GRIFFIN leave as he is at the very age at which to carry on the work of the Members who have spent their entire lives here.

I wish for Congressman GRIFFIN good health, happiness, and success in his future endeavors.

INITIATIVE OF PRIVATE INDUSTRY IN REVITALIZING URBAN AREAS

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 17, 1972

Mr. SCHWEIKER. Mr. President, the condition of our Nation's cities as places in which to live and do business is a matter of serious concern to the Members of this body. For that reason, I would like to bring to the attention of my colleagues a private program currently operating in Philadelphia to revitalize a part of that city. The Allegheny West Community Development Project, which is administered by the Greater Philadelphia Foundation, the nonprofit affiliate of the Greater Philadelphia Chamber of Commerce, began 4 years ago when Tasty Baking Co., committed its own resources to improve conditions within the residential neighborhoods adjacent to its North Philadelphia headquarters.

The particular area was not in poor enough condition to qualify for Federal or State aid so the company decided it should take the active role in working with residents who live nearby to stop the beginning signs of deterioration. The president of the company, Mr. Paul R. Kaiser, met with community residents and leaders to develop programs which, working through the residents themselves, supply day-to-day resources to help the 23,000 people living in 6,300 households improve their living condition.

The money to hire a full-time project director and a technical advisor to work with the community was supplied by Tasty Baking Co. The project director, a lawyer, incorporated two existing civic associations, encouraged the formation of at least four neigborhood improvement associations and gives help to more than 50-block groups in Allegheny West so that area residents can solve their own problems and develop a sense of community pride through self help; 23 of these blocks have neighborhood scouting units with more than 325 boys whose uniforms are furnished by the Allegheny West program.

The technical advisor, a former builder and architectural instructor, encourages families who are buying homes to maintain and improve their properties. He has arranged for discounts to area residents for certain common building materials and also gives personal advice to home buyers, from choosing contractors and proper pricing to actual do-it-yourself home improvements.

The Greater Philadelphia Foundation also acquires vandalized "shell" properties and rehabilitates them according to today's living standards into single-family dwellings. Mortgage money is made available by the Philadelphia National Bank so residents can move into the refurbished properties and own them.

The project goes beyond physical improvements and includes opportunities for better education—a community Montessori School for 40 neighborhood preschool children is now in its second year, more employment—permanent jobs are found for adults in local industry and teenagers work at Tasty Baking part time during the summer months; recreation—playgrounds and parks are refurbished with city help; legal aid, and personal counseling.

After these programs were operating for 2 years, Tasty Baking's president asked other local industries to participate on the theory that this community service is part of doing business. Every business benefits from working with residents of the local community to improve the environment of the neighborhood in which both have a stake. Just as all residents are encouraged to become involved in improving their community, all businesses with facilities in the area have been invited to help by participating in the project. Tastykake has recently been joined in this privately sponsored renewal effort by the following companies:

The Budd Co.; Cassidy Richlar, Inc.; Container Corp. of America; Morris Wheeler and Co., Penn Fishing Tackle Manufacturing Co.; The Pep Boys—Manny, Moe and Jack; Philadelphia Electric Co.; Philadelphia National Bank; Rosenau Brothers, Inc.; Sears, Roebuck & Co.; and Steel Heddle Manufacturing Co.

Tasty Baking Co. has received a certificate of civic merit from the Pennsylvania Department of Community Affairs recognizing its "great leadership in organizing the Allegheny West Project with the Greater Philadelphia Foundation as an original concept in community action—that of holding a community as it is and preventing it from slipping into a ghetto-like area."

This effort on the part of these businesses to improve their neighborhoods and uplift living conditions for the people in their community is to be commended and is certainly a fine example of the very positive role which the private initiative of business can play in helping to solve both the physical and social problems which confront many of our inner-city areas.

TRIBUTE TO CHARLES JONAS

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. MAHON. Mr. Speaker, I wish to join in paying tribute to Charlie Jonas of North Carolina. His service here in these legislative halls has been outstanding. I have tremendous admiration and respect for Charlie Jonas. He has stood like a stone wall in support of his down-to-earth views about the Federal Government and about how best to preserve our great traditions.

Charlie Jonas has not been able to stop the tide toward less restraint and less discipline in our Government, but his contributions have been tremendous. He has not been unaware of the need to take the short view; but he has never forgotten that, if we do not take the long view, we jeopardize the future of our country.

It was fortunate for North Carolina and the country that Charlie was selected to serve on the House Committee on Appropriations, the largest committee in the House and in many ways the most important one. His work on the committee throughout the years has been of the highest quality. He has been thorough in his work and has insisted upon the facts. He has provided leadership and guidance; and he has been instrumental, in his congressional service, in saving billions of dollars of the taxpayers' money.

Charlie Jonas, I salute you as a man who has made an indelible mark in the House of Representatives and as a man whose friendship I shall always treasure.

RODNEY J. DIRIDON

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. EDWARDS of California. Mr. Speaker, I would like to take this opportunity to recognize a constituent and my personal friend, Rodney J. Diridon, who was chosen one of the five outstanding young men by the California Jaycees earlier this year. He has recently been further honored by his nomination to be considered for selection as one of the ten outstanding young men in the United States. A participant in a broad cross section of community activities, Rod has contributed thousands of hours of effective leadership to civic, religious, service, health, and professional activities at the city, State, and National levels.

He has been particularly effective with programs for the disadvantaged. As founding chairman of the Alcoholism Council of Santa Clara County, he combined the efforts of seven groups into a unified body that is now funded by a $100,000 Federal grant and is recognized as the single agency for alcoholism programing in the Santa Clara area. His work as chairman of the methadone council has lead to its expansion from a small, one-clinic program to a county-wide, five-clinic, comprehensive mental health effort treating over 800 hard-core addicts. In addition, under his guidance the San Jose Citizens Community Improvement Committee grew from a do-nothing group to a 27-delegate cross section of San Jose life, recognized by the city and by the Department of Housing and Urban Development as the official grant review and advisory authority for the metropolitan area.

At the same time, he has developed one of the most successful market research firms in California, becoming a recognized authority on the subject, advising the Governor and lecturing to universities all around the State. Not the least of his many accomplishments is his responsibility for raising almost $400,000 for health, youth, cultural, and civic activities. In sum, his influence will have a vital effect for years to come.

TRIBUTE TO BILL COLMER AND CHARLES GRIFFIN

HON. THOMAS G. ABERNETHY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ABERNETHY. Mr. Speaker, I am honored to join in this tribute today to my good friends and colleagues, Representatives Bill Colmer and Charles Griffin, who have chosen to retire from service in the Congress.

Bill Colmer is completing 40 years of service in this body to his district, State and to the Nation. He not only has served longer than any other Member in the history of Mississippi, but is third in seniority among the entire membership of the Senate and House of Representatives. This longevity speaks for itself as to the esteem in which he is held by the electorate of his district and the great State of Mississippi. It would require a lengthy book to record his distinguished and valuable service.

The dean of our delegation, Bill Colmer, has not only been my good friend; he has been an inspiration and confidant to me. His spirit, his dedication, his wide and expert knowledge, his courage and understanding, his humble and kind manner and his impeccable integrity and strength—all have been a pillar of inspiration to me. Bill's service here has spread a record upon the history books of which our State and Nation can be justly proud.

Bill has truly earned a respite. It is my hope that he and his lovely wife, Ruth, will have a long, peaceful and enjoyable retirement.

Mr. Speaker, another distinguished and valuable Member, Charles Griffin, is also retiring. Charlie, young, energetic and unusually capable, has already recorded an incredible 25 years of congressional service, a great part of which was in the capacity as administrative assistant to former Congressman John Bell Williams. I recall so well when he began his service with John Bell. Upon meeting him it was instantaneously obvious that he was a young man with ability, dedication and a desire to accomplish. And accomplish, he did.

Charlie's service as a Member of the House of Representatives has been highly effective. He dedicated himself to serving his district and State. There is no question but that he could have looked to many, many long years of service here because his outstanding abilities, dedication and knowledge are recognized by his constituents, whom he served so well.

But for his own personal reasons Charlie made a choice which will bring his service here to a close, a choice which I know was difficult for him. But then, Charlie came up the hard way and has demonstrated that he can make decisions, the right decisions.

I have not only had the pleasure of working with this outstanding young man, but have had his friendship, something of which I am proud. Charlie has many, many years ahead of him. They will be productive years—that is the way Charlie is. Even at his young age he has worked hard and long. He is entitled to a period of relaxation and enjoyment. I hope that he and his charming and beautiful wife, Angie, will have every happiness in future years.

Mr. Speaker, fortunately for me these two good friends and colleagues will be returning to Mississippi as I, myself, am. Therefore, I am looking forward to our paths crossing frequently in future years as Bill, Charlie and I return to our great and beautiful native State of Mississippi.

THE MOUNT PLEASANT FAMILY OF THE YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STOKES. Mr. Speaker, on Sunday, October 15, 1972 the Mount Pleasant Civic-Social Club sponsored a civic tribute to two of Cleveland's most cherished citizens. Samuel and Naomi Wilcox of Cleveland were honored as the Mount Pleasant Family of the Year.

Spearheading this tribute, where several hundred Clevelanders gathered, were Councilman William Franklin, Ms. Evelyn Logan and Ms. Louise Kirby, who were co-chairmen, and their committee.

We gathered on this occasion in recognition of this outstanding couple and their devotion to community service and civic leadership. Our city is a better place to live today because of this family and its devotion to the community in which they live. I would like for each of my colleagues to know about this family and why we in Cleveland chose to honor them as the Mount Pleasant Family of the Year.

Mr. and Mrs. Samuel L. Wilcox, for more than 25 years, have been active in the Mount Pleasant community. Mrs. Naomi G. Wilcox has lived in Cleveland for over 50 years. She is a graduate of the Atlanta School of Social Work. Mrs. Wilcox was president of the 10th Ward Democratic Club for 10 years. She was elected precinct committeewoman in 1947, and has been elected repeatedly since. She worked with Carl B. Stokes as campaign manager for Lowell A. Henry, who ran and was successfully elected councilman of ward 10 in 1958. Mrs. Wilcox was elected ward leader in 1959, and served in that capacity throughout Councilman Henry's term in office.

Mrs. Wilcox served as chairman of the Heart and Cancer Fund Drive in the Mount Pleasant community for many years, of which she received citations for her diligent service. Under the direction of Dr. Martin Luther King during the year of 1967, Mrs. Wilcox headed the voter registration drive for the SCLC. Headquarters for the drive was at the Mount Pleasant Methodist Church.

For 6 years, she was a member of the county child welfare board, the Mount Pleasant Housing Development Foundation, and vice president of the Cuyahoga County Women's Democrat Organization. She is presently serving as board member of the following organizations: The Greater Cleveland Neighborhood Council, the Eliza Bryant Home for the Aged, the League of Women Voters, Pleasant Gate Business Association, Mount Pleasant Service Center, and Mount Pleasant community representative for the Cleveland Urban League.

Mr. and Mrs. Wilcox are members of St. John's AME Church. Mr. Wilcox is assistant superintendent of the adult department of the Sunday school, and treasurer of the Maccabeus class. He is a member of the Excelsior Lodge No. 11, Prince Hall Affiliate. Mr. Wilcox holds the office of treasurer of the Mount Pleasant Civic and Social Club. Mr. Wilcox also served as treasurer of the 10th Ward Democratic Club for a period of 10 years.

Mrs. Wilcox served as pianist for the church for several years. Presently, Mrs. Wilcox is president of St. John's Federal Credit Union, Dorcas Sunday school class and assistant superintendent of the young adult department.

Mrs. Wilcox was campaign manager for Councilman William Franklin during his successful campaign for councilman of ward 10. Presently, Mrs. Wilcox is lady ward leader of ward 10, and was recently elected State central committeewoman.

Mr. and Mrs. Wilcox are both holding office in the East 132d Street Club, and the Mount Pleasant Civic-Social Club.

Mr. Speaker, I appreciate this opportunity to advise you and my other colleagues in this Chamber of the contributions of Mr. and Mrs. Samuel L. Wilcox. I am proud to represent two constituents who have done so much for so many.

FLOOD CONTROL ACT OF 1972—BY CONGRESSMAN RAY ROBERTS—S. 4018

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ROBERTS. Mr. Speaker, in the statement of managers on the conference report on S. 4018, the Flood Control Act of 1972, listing projects for inclusion in the Appalachian water resources section, the project for Curry Creek was inadvertently omitted. This project was among those included in the Secretary's report and is authorized by section I of the Flood Control Act of 1972.

HON. JOHN L. McMILLAN

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from South Carolina (Mr. Dorn) and other colleagues in the words of tribute they have paid to my friend, John McMillan. John's departure is an occasion for personal regret so far as I am concerned. John has had one of the longest records of public service in the history of this body or of the country. He has served as staff member and Congressman for a combined total of 44 years. He has served on two great committees of the House—the Committee on Agriculture and as chairman of the House District Committee. I doubt one could approximate two more difficult legislative problems than the problems of farmers and the problems of the District of Columbia. A softer man, a man with a lesser sense of responsibility, might have taken the easy way out and simply looked for another assignment.

I myself served on the Agriculture Committee for many years. I know that the problems of farmers have been harsh and difficult of solution. John McMillan represented the PeeDee District, so called from the river that winds its way through the coastal lowlands of his State. Its No. 1 crop is tobacco and it has taken all of John McMillan's power on the committee to represent the needs of his constituency in a time when tobacco growers have faced some of their toughest challenges. As the second-ranking member on the Agriculture Committee, I do not think anyone will dispute me when I say that John McMillan has done an outstanding job of representing the interests which represent the main economic base in his district.

The chairmanship of the District Committee is demanding beyond question. It would be a hard job for any chairman, no matter what his political or philosophical bias happened to be. The economic and political status of the District has been in a state of flux many years. Complex problems have cropped up at every hand. It would have taken a Solomon to have produced solutions to all of them. John McMillan has given the business of the District his best efforts for many years. Many have not agreed with his judgment, many have opposed him, but I do not think anyone doubts that he has acted in good conscience and taken his duties seriously.

As a representative of rural America and also the legislative overseer of a part of America which has had to bring many of its day-to-day administrative responsibilities to Congress, John McMillan can conclude his career with the assurance that he has carried great burdens and has tried to act constructively in two most demanding legislative areas. He has been a devoted and conscientious Congressman. He is a great American and his service will long be remembered in this House. As the Representative of a great State, the State if not the district in which my wife was born, both Mary and I join in wishing JOHN and his lovely wife, Margaret, a happy and fruitful future. The McMillans will always have a place in our regard and affection and in those of the Members of this body.

LET THEM EAT BOMBS

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. McCLOSKEY. Mr. Speaker, since June of 1970, there has been debate in this Chamber over whether or not it has been an American practice to bomb and destroy the villages of Laos.

Additional evidence on the subject was presented in an eyewitness account by John Everingham appearing in this month's issue of the Washington Monthly. The article follows:

LET THEM EAT BOMBS

(By John Everingham)

(AUTHOR'S NOTE.—From March, 1968, to May, 1972, I made seven treks to the jungled villages of Long Pot District in north central Laos. The district is located approximately 32 miles to the northwest of Long Cheng, headquarters for General Vang Pao's American-trained army, and 30 air miles to the southwest of the now deserted Plain of Jars.

In 1968, Long Pot was made up of slightly less than 2,000 people living in 11 separate villages. Five of these were populatqd by the Meo clan, five by the Hill Lao, and one by the people of the Mekong River lowlands. Long Pot is the name of the district and also the name of the Meo village serving as district headquarters.)

MARCH 1968

It was a three-day walk to Long Pot village from the nearest motor road. When I first arrived, I saw clusters of thatch and bamboo houses gripping the sides of a man-scraped ridge. The cries of small children scampering on the rust-colored clay mingled with the grunts and squeals of fat pigs rooting in the underbrush. It was a peaceful scene.

I was shown to the home of the district chief. He was a short, vigorous man in his late fifties, with a high forehead and the melancholy dignity of a senior statesman. Gair Su Yang wore loose black pants of traditional Meo cut and a U.S. military fatigue jacket; he wore no shoes.

According to Gair Su Yang, the first helicopter landed in Long Pot in 1960. The pilots were American, but a Meo officer climbed out to talk with him. The officer spoke of an alliance between the Americans and a Meo colonel of the Royal Lao Army named Yang Pao. He said that American officials had made a pact with Vang Pao, promising to build for the Meo their own army and independent state in the mountains. They guaranteed that the tribesman would not fall under the control of either faction of lowland Lao then girding for civil war. The officer painted a picture of future prosperity for the Meo. All they had to do was become anti-communist, helping the Americans to fight the Pathet Lao revolutionaries controlling sections of Laos' northern provinces.

One of the problems that the people of Long Pot had in accepting the deal was that they were not sure who Vang Pao was. But there was a more basic problem—though Gair Su Yang did not inform me of it until sometime later: "If we joined the alliance, the Pathet Lao would have become our enemy and would have threatened our village. . . . I told him that Long Pot would not join Vang Pao and the Americans." According to Gair Su Yang, the officer then became angry and threatened that Vang Pao and the Americans considered those not friends to be enemies, and "enemy villages would be attacked and captured by Vang Pao's men."

"We couldn't do anything," Gair Su Yang later contended, pointing out that only fear of a helicopter-load of soldiers descending upon Long Pot forced him to accept involvement in the war venture.

By the end of 1960, every man in Long Pot village had received an M-1 rifle or carbine. Many had been flown to Long Cheng for three to four months' training by U.S. soldiers. (These were probably U.S. Special Forces, whom it was common to see in small up-country towns of Laos until 1968-69. Thereafter CIA "civilians" were used to train Vang Pao's army.) Long Pot's men were then given rank in irregular battalion 209.

Long Pot had been militarized in defense of "Meoland" nearly eight years when I first visited. It had not, however, gone to war. The M-1s were used for shooting squirrels and birds. Men, women, and children slashed, burned, and planted to reap harvests of rice, corn, and, of course, the opium poppy. Opium was the main cash crop, which from 1960 onwards had been bought by Meo soldiers and transported both by pony caravan and American-piloted Air America helicopters from Long Cheng.

OCTOBER 1970

During the summer of 1969, the Bureau of Public Roads, Laos Division (an arm of USAID), opened war-abandoned Route 13 linking the administrative capital of Vietiane with the royal capital at Luang Prabang. The new road put Long Pot only a half-day walk from motor transport. A companion and myself traveled up Route 13 by motorcycle and walked the rest of the way to Long Pot village. As we arrived, 20 teenage boys in U.S. army uniforms, dragging M-1 carbines and rifles often too big for them, paced through mock-military maneuvers, periodically driving to the ground in a half-hearted manner that would have gotten them killed if bullets had really been flying. A few days earlier, they had returned by helicopter from Long Cheng. There, they said, U.S. soldiers had put them through three months of military training. Another helicopter would arrive that afternoon, they said, and take them off to Moung Soui district, about 30 miles to the northeast, where the Pathet Lao were in the midst of attacking and taking the town.

The boys' eyes revealed their fear and demoralization as they talked about the coming helicopter ride and their destination. And as we all waited, bombs could be heard peppering the hills in the distance, in the direction of Moung Soui. The bomb blasts, though 15 to 20 miles away, shook the hill under our feet and shattered the young soldier's nerve. Several mothers were crying as they fussed over their soldier-boys; lucky charms were stuffed into baggy pockets. District Chief Gair Su Yang was at the center of the gathering handing out new U.S. army uniforms, pep-talking his recruits. But Gair Su Yan's voice was flecked with anger and did nothing to ease the funeral atmosphere.

No, said every boy I asked, they didn't want to go to fight the Pathet Lao. They said their village headmen had chosen them; they must go. And they went. Early next morning, I ran out from breakfast in Gair Su Yang's house as a helicopter finally whoop-whooped in to land. "Air America" was clearly printed down the side of the silver and blue craft. Boys clambered aboard. The helicopter rose and swept away toward Moung Soui. In three swift trips, 20 village boys were gone. None ever came home again—except for one. His body was returned for burial 12 months later.

Tong Ouie is a village of Hill Lao people about an hour's walk from Long Pot village. The Hill Lao are a less prosperous, less colorful race who share the mountains with the Meo. But such distinctions are obscured in khaki. Early in 1970, Long Cheng demanded men from Tong Ouie to boost the failing Meo forces. The headmen recounted the story bitterly: he had first refused to send a single man up to Long Pot village to fill out the district's quota. "The Americans are crazy. So is Vang Pao. They send more and more men against the Pathet Lao each year and they all get killed. Why should our people fight and die for the Meo or the Americans?"

It was after dinner; we lounged on the springy bamboo floor of the headman's house, raised by stilts from the ground. The outrage weighed heavy in him as he told his story. "American soldiers" had arrived in his village soon after he failed to send the men to Long Pot's helicopter pad. (The "American soldiers" he spoke of were actually CIA-trained Meo. In local usage, soldiers from Long Cheng are often called, or call themselves, "American soldiers.") They had come fully armed from Tam Son military garrison 10 miles to the east. The headman described carefully how the soldiers offered him a new chance to choose four men for his quota of conscripts. If he would not, they would seize whoemever they could find. He had no choice, he said bitterly, and told how four of the miserable young soldiers I had seen helicoptered off to Moung Soui were his own boys.

Back in Long Pot village, Gair Su Yang had invited us to "stay as long as you like; there is plenty of rice." The rice was stacked bag-on-bag in one corner of the house. It had been dropped to the village by USAID supply planes under the guise of providing rice for refugees.

One of the original promises the CIA had made to Vang Pao in 1960 was to air-drop rice to feed the families of every soldier in the new army, Gair Su Yang said. And since Long Pot—despite its unwillingness—was supplying boys for the army, USAID planes dropped the half-filled bags (to keep them from breaking) to the village every month. Many families had no other means of support since their men had been drafted. And a constant supply of American rice for two years had destroyed many of the villagers' incentive to plant any themselves.

AUGUST 1971

Seven hours slogging through the mud along wet-season tracks brought Alfred McCoy and myself into Long Pot and to Gair Su Yang's guest bed. I was guiding McCoy, another American writer, to the village to study the CIA's role in the opium trade. [McCoy's book, *The Politics of Heroin in Southeast Asia*, is being published this month by Harper and Row.] Pathet Lao guerrilla bands were in the hills north of the village, waiting out the end of the rains. In the year since I had last been in the area, Lao advances had put them in control of the 30 miles of territory from Moung Soui down to Long Pot's northern hills. With the Pathet Lao had come the bombing. The people of Long Pot were afraid to walk even 400 yards from their village. Faced with a CIA-army expansion, the Pathet Lao moved slowly onto the offensive. With the war threatening to burst through their gates, tribesmen and families were fearful.

The Pathet Lao had the Vang Pao-CIA army against the wall. What remained of the army was clinging to perhaps a fourth of the territory it had held in the mid-sixties, and as it continued to pull back, American aircraft evacuated the civilians to the foothills.

District Chief Gair Su Yang had regularly traveled to Long Cheng for conferences with both American and Meo officers. He had flown to forward bases and to the Plain of Jars. He had seen the war approach until its shadow hung over his own village. He was desperate. Soldiers were dying faster than they could be trained. Demands from Long Cheng became more persistent and more threatening. Long Pot must send more men.

"Of the 60 I had to send to the army in 1970, 12 were dead by the end of the year. Then this year they said I must send all our 14-year-olds. Last year they wanted only 15-year-olds; I sent many and they got killed. We have only 60 men left in the village, and we need them here. I refused to send more."

Gair Su Yang said officials from Long Cheng had radioed and threatened, "no men, no rice." The families with men already sent to the army depended upon continuation of American-dropped rice. But Gair Su Yang refused again, he said. "Fourteen is too young to be a soldier, and we need them here in the village." The last rice was dropped to the village in February. In March, the Pathet Lao entered the northern part of the district. Villagers fled to the forest to avoid the bombing. In hiding, they became desperate for rice, but continued radio calls to Long Cheng brought the same response: "no men, no rice."

Hunger first hit the families whose men had been drafted. It next spread to three villages of refugee Hill Lao who had deserted their huts during the Pathet Lao occupation of the northern part of the district and had come to camp at Long Pot village. Wealthier families who had shared their grain were next, and by the time McCoy and I arrived there was no rice. We ate bland corn meal grown to feed the livestock. The pigs outside fended for themselves and became thin. There was little meat to be had.

Crowding Gair Su Yang's mid-floor fire, nine village headmen gathered on our second day. They stamped their feet, chanted, and spoke defiantly against Vang Pao and the Americans in Long Cheng. They unanimously passed a resolution to buy what rice they could afford and then to go hungry if necessary; they would send no more men to the army.

The USAID official coordinating rice deliveries in the Long Pot area worked out of Ban Son, a town 35 miles to the south. I met him a few months later and he said that he personally reviewed each decision to drop or not drop rice. To find who was responsible back in Long Cheng, I asked the radio operator in Long Pot. Meo officers, he said, pass-orders over the radio, though sometimes he had to wait for decisions until these officers conferred with Americans. "Americans," he said, "are the bosses.")

Fear motivates as well as hunger. Long Pot's families had stripped their homes and fled south to the refugee settlements. The hungry Hill Lao refugees would not return to their villages and rice fields, a two-hour walk to the north, even though the Pathet Lao had withdrawn. Gair Su Yang spoke about the fear breaking out in his own village. There were tears in his eyes and I noted that his hair, barely specked with gray when I had first met him in 1968, was now a silver color.

"It's the bombs. Every village north of here has been bombed. Every village. From here to Moung Soui, from here to the Plain of Jars. When bombs haven't blown the houses up they have burned them down. There are huge craters in the villages. Many people have died."

He shaped the biggest crater he could manage with his arms, then swooped them low to simulate an attacking plane. "Near here the villages were bombed, too. Phou Miang was bombed this year. Very near us here. Eleven bombs exploded in the village and one that did not go off is still there."

OCTOBER 1971

After our August trip to Long Pot, McCoy had complained to USAID officials in Vientiane that Long Pot's rice supply had been cut off. Within a week of McCoy's complaints to the U.S. Embassy, Long Pot was again receiving airdrops of rice. An American-trained Meo medic was helicoptered in to set up a small dispensary for the district. Yet on my return to the village in October, people were still without sufficient food. The normal USAID monthly ration—supplied to everyone who really needed it, according to the American in charge of the program—was 15 kilograms (33 pounds) per person. People in Long Pot were receiving only five kilograms (11 pounds), even though a "concerned" USAID officer in Ban Son had personally listened to the pleas of Gair Su Yang. Over a three-day period I compiled a list of every hungry family in the district. I later presented the findings to the refugee relief division of USAID in Vientiane. Nothing was done.

As Gair Su Yang recounted it, the village of Phou Miang, about 10 miles north of Long Pot, lay destroyed by bombs. My second attempt to reach the site went without incident. (A similar trip in August proved impossible when Meo soldiers fired at us with automatic rifles.) The houses of Phou Miang had been few and far apart, and this had saved it from complete destruction. Many more than Gair Su Yang's figure of 11 bombs had been dropped among the houses.

Craters were wide and shallow, indicating the bombs had been mounted with two-yard-long rods to make them explode above the ground. With the rods on their noses the bombs spread their shrapnel over a greater distance—they became anti-personnel bombs. They were accompanied by what my guide called "the bomb that burns everything."

DECEMBER 1971

It was mid-December, Meo Lunar New Year, when I last saw Gair Su Yang in Long Pot. He apologized that the festivities would not be as gay as in past years. Many families could not even offer a pig for sacrifice and feasting. In his 60 years he could not remember such poverty in the village. Nevertheless, unmarried girls adorned themselves with richly colored tunics and trousers, and with finely crafted silver rings around their necks. Atop a grassy hillock they tossed ceremonial cloth balls with boys from distant villages, part of the mass courtship game of swapping partners, compliments, and songs.

Gair Su Yang was more apprehensive than ever. The rains were over and the tracks dry. It was the time of the year for Pathet Lao guerrillas to attack the Vang Pao army outposts. Helicopters had recently landed 30 irregulars and 30 Royal Lao army soldiers in Long Pot. They had erected fortifications 400 yards outside the village limits. "Now," said Gair Su Yang, "The Pathet Lao won't be able to just walk into the village and take it. They'll have to clear out the soldiers first. And then the planes will bomb us." Rice denial, he said, was only one means, and not the most effective, that the Americans had to push his people to fight the Pathet Lao. The thought of bombs raining on a man's family would keep him fighting when nothing else would. For any village, Gair Su Yang said, falling behind Pathet Lao lines would mean devastation from the sky.

"To keep away the bombs we must keep away the Pathet Lao. And that's what the Americans want." But, said Gair Su Yung, if the Pathet Lao were to come to his village the people would not fight. "The villagers at Phou Miang fought to keep the Pathet Lao away. They lost; the planes leveled their village anyway. We won't fight. We will slip out the back way and go to the refugee camps."

FEBRUARY 1972

I made my way by motorboat and sampan into Pak Sah village, 17 miles southeast of the royal capital, Luang Prabang. Like Long Pot, Pak Sah was perched on the brink of the free-fire zone blanketing Pathet Lao territory; I had come to get photographs of its predicament. Five minutes' walk outside Pak Sah I found myself face to face with two Pathet Lao soldiers. Arrested and then marched to the east, I spent the next 29 days in "liberated territory." For the first four days I was held at gunpoint, kept in jail, and branded a "professional bomb dropper." Eventually I was sent to a small, jungle camp 20 miles west of the Plain of Jars and held for two weeks while my story and credentials were checked. The camp was near Muong Soui, the destination of the boy soldiers I had watched helicoptered out of Long Pot in 1970.

"Every village north of here has been bombed," Gair Su Yang had told me, and it seemed true. During my 29 days with the Pathet Lao I saw not a single village standing in the open. All human activity had gone underground or into the security of the forest. Though a large portion of the province had chosen to leave for the U.S.-run refugee camps, many had opted to remain. I saw nine different communities making a living in the shelter of the deep jungle. People from one village, Par Kheng, were living in caves.

While I was still thought to be a pilot, angry villagers yelled at me that American and Royal Lao air force bombers had been dropping explosives on them since 1967. Every day, T-28 bombers dumped aluminum canisters filled with anti-personnel bomblets into the protective canopy of vegetation. The six-foot containers would open as they fell and spew out more than 100 grenade-sized ball-bearing filled bomblets which spread over a sizeable area. Any person outside when the bomblet went off had little chance of escaping alive. The T-28s would saturate as much forest as possible with their six-canister loads and return to home base for more. Once an attack by three T-28s found the camp at which I was being held. Soldiers, civilians, and I jammed our bodies into one of the ever-present tunnel shelters and escaped with our lives.

I was finally sent back on the same route along which I had been marched into the "liberated zone." The Pathet Lao government was satisfied that I probably was a photo-journalist. I entered Luang Prabang with a personal appreciation of the terror in Gair Su Yang's voice as he tried to describe the zone of destruction he feared would envelop Long Pot.

MAY 1972

"Nobody lives there," said the Royal Lao soldiers as I looked eastward from Route 13 towards Long Pot District. They found it queer that I should even stop and ask about Long Pot. They did not know which tracks were mined. Their attitude didn't help my sense of purpose—still, I had to get there. Early in January, a Western traveler had somehow managed to return from a frightening trip to Phou Khoun, about 10 miles northeast of Long Pot. He claimed he had taken a photograph of a huge mushroom cloud rising from behind a hill after three planes had attacked a village that soldiers along the road had called "Long Pot." In February, while still detained by the Pathet Lao, I had been told by an officer named Khamsing, who had only recently returned from Long Pot, that the district was under Pathet Lao control but that the village had been bombed to "black stumps and scorched earth."

I took my chances, striking off on one of the approaches I knew best. With the exception of nearly stepping on a mine on my return journey (fortunately it had been half-unearthed by the spring rains), I made the trip without trouble. What I found, however, more than matched the worst predictions and reports of Long Pot's fate. I wandered alone over the scorched hilltop where Gair Su Yang's home had stood. Ash and a few charred poles, a few pieces of metal plate and utensils were all that was left.

A single house homehow remained erect on the most prominent hill. It stood like a tombstone in memory of Long Pot's death, though with most of its walls blown away. It hardly promised to remain long.

The village's ruins had been deserted more than four months, but in that one remaining house I found Gair Su Yang's wife and his second son, Chao Cho. They had returned to the village with about 10 others to search for lost cattle and buffalo. Any animals they found would be taken south to the refugee camps, their new homes. Chao Cho told of the bombing of Long Pot. The Pathet Lao offensive had swept south, by-passing the village to get at the military garrison from Long Cheng. The Pathet Lao had the 30 Long Cheng irregulars and 30 Royal Lao regulars on the run within an hour. Caught behind Pathet Lao lines and fearful of the bombing that was sure to come, Long Pot's families fled to the forest.

Old Var Lur, the village's most respected medium, whom I had often photographed during his incantations, had returned from the forest late one day to feed the pigs and chickens. His wife and a Hill Lao man were with him. While they were in the village a T-28 spotted them, attacked, and dropped cluster bombs (CBUs). All three were killed trying to get inside Var Lur's house. The village was finished off with napalm, fragmentation bombs, and more CBUs the following few days, Chao Cho said.

Chao Cho and his friends said that most of the bombs were dropped by the propeller-driven T-28s, but, they said, jets bombed on some days, and the big crater in the middle of one cluster of Long Pot's houses was from a bomb released by a jet.

In Ban Nam Phak, a Hill Lao village and the biggest settlement in the district, 14 people had been killed by CPUs, according to Chao Cho. That had been the first village bombed, apparently before the inhabitants had had time to evacuate. After that, Chao Cho, said, the whole of Ban Nam Phak fled into the forest and joined the Pathet Lao. The village itself had subsequently been razed clean.

According to Chao Cho, the people of Long Pot never saw the Pathet Lao, who had passed the village and continued south in pursuit of the fleeing soldiers from Long Cheng. Nobody had heard of any Pathet Lao being killed by the bombing.

In five days I traveled to 10 of 11 villages in the district. All had been destroyed. A few people at Long Pot village assured me that the 11th had also been razed. Tong Ouie, whose headman had been so enraged at the kidnap-drafting of his men, was in cinders. At Ban Tam Geo, charred two-by-fours stood at attention before a dozen large craters.

People from two of the 11 villages had fled north into Pathet Lao territory. Those from the nine others, including Gair Su Yang and his people, had fled south to the refugee centers. They would only come back to live in Long Pot, said Chao Cho, if the war finished and there were no more planes dropping bombs. Until then, they would live in refugee camps with the rest of the Meo people, who, according to the official American explanation, "are denied their homes by the presence of the Pathet Lao."

CONSTITUTION DAY, SEPTEMBER 17, 1972

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BOB WILSON. Mr. Speaker, it is heartwarming to find many high school students today showing great interest in the traditions of our country, because of the inspired leadership of certain teachers. One such individual is Mr. Oscar Baer who, through the years as an instructor at Madison High School in San Diego, has instilled patriotic love of country in the hearts and minds of many hundreds of his students, some of whom have won Freedoms Foundation Awards for their activities.

I was recently privileged to participate in a program built around the framing of the Constitution and witnessed a dramatic recreation of the turbulent days when our Constitution was being hammered out. The students of Mr. Baer's class wrote and acted in the dramatization and it was a very live and moving pageant indeed. A portion of the program included reading of a statement made by the students on Constitution Day, September 17, 1972.

I include in the RECORD as a portion of my remarks the statement as written by students of Mr. Oscar Baer's social studies classes:

CONSTITUTION DAY, SEPTEMBER 17, 1972

Today the Constitution is 185 years old. Born out of the desire to include the 13 colonies into a family of states the Constitution emerged out of a series of compromises as the solid foundation upon which to build One Nation, under God, indivisible with Liberty and Justice for all.

We celebrate this birthday of our Constitution adopted in its final form at Independence Hall, Philadelphia September 17, 1787, even though there were apprehensions and misgivings then that it would or could be ratified by the 9 states needed for final adoption.

Today we celebrate this birthday of our Constitution amidst a deluge of rising criticism from both home and abroad.

To critics who say America is in a very, very bad way and engaged in our decline and fall, we look around us and reply:

It's about time to stand up and say what is good about America.

We could point out our constantly improving physical health and lengthening span of life, our concern for the welfare of others, our toleration of differences and our inviolable respect for human dignity.

We could suggest our supposedly "decadent" people govern by the secret ballot rather than the secret police.

And our legislative assemblies recognize free discussion and group decision rather than submission to arbitrary power.

We have more young people in high schools and colleges, more musical and literary organizations, greater distribution of the printed and spoken word than any other country.

We alone of all nations fought as free men in two world wars and asked no indemnities, no acquisition of territory, no domination over other people, we asked only to remain free and to assure for others their own freedom of choice.

On this 185th birthday of the United States we look through the open window of freedom kept open by our Constitution. On this 185th anniversary of the Constitution we proudly salute our Constitution of the United States of America.

THE BYELORUSSIANS OF NORTH AMERICA REAFFIRM THEIR CONTINUED DEDICATION TO A FREE AND INDEPENDENT BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ROE. Mr. Speaker, we are all highly aware of the courage, fidelity, and dedication to the principles of representative democracy manifested by the long struggle and pioneering efforts of the Byelorussian people. In a recent communique that I received from Dr. Roger Horoshko, president of the Byelorussian-American Association, Inc., he advised me of the resolution unanimously adopted by the participants of the 10th convention of Byelorussians of North America held in Toronto, Canada, on September 2-3, 1972, which reads as follows:

RESOLUTION

Whereas Russian rule over Byelorussia—first forcibly annexed by Muscovy in 1772 and 1793—was re-established by force of Bolshevik arms through destruction of the Byelorussian Democratic Republic, which had been proclaimed independent on March 25, 1918;

Whereas the Soviet Byelorussian government, including its spokesmen in the United Nations, does not represent the will of the Byelorussian people, but constitutes a docile instrument of Russian imperialism and propaganda;

Whereas the wealth of the Byelorussian land is being siphoned off by the central Soviet government to finance Russian expansionist schemes throughout the world (with Byelorussian territories partitioned by Moscow in a political game between herself and Byelorussia's neighbors);

Whereas the Communist Party in Byelorussia, under the subterfuge of the so-called merging of nations, conducts an intensive campaign of Russification and discrimination against Byelorussian culture;

Whereas many Byelorussian patriots in Byelorussia, especially among the young and the intelligentsia, do their utmost to defend and develop Byelorussian national interests,

Therefore we the Byelorussians of Canada and the United States of America, gathered at the 10th biennial convention of Byelorussians of North America in the great city of Toronto, Canada, on September 2-3, 1972, to commemorate the 90th birthday of two of the foremost Byelorussian poets and national leaders, Janka Kupala (murdered in Moscow in 1942) and Jakub Kolas (d. 1956), as well as to mark the 450th anniversary of printing in Byelorussia, do unanimously resolve

To continue the struggle for re-establishment of a free and independent Byelorussian Democratic Republic;

To encourage in Soviet Byelorussia manifest trends toward liberalization, extension of civil rights, and cultural freedom;

To expose economic exploitation and Russification of Byelorussia, now being continued under the smoke screen of the 50th anniversary of Soviet federation;

To preserve in our own midst, along with Canadian and American values, our Byelorussian heritage—language, history, traditions, and the concern for the well-being of the entire Byelorussian nation;

To support any resistance among the Byelorussian people in the Soviet Union directed toward the restitution of Byelorussia's territorial integrity and free development of material and cultural values.

Mr. Speaker, the United States of America, as a nation comprised of the heritage of all people of all nations, many of whom are descendants of, or have personally experienced oppression and tyranny in foreign lands, is deeply sympathetic to the plight of the Byelorussians. Their cause of equality and justice has been kept alive and vibrant by many Americans. I wish to take this opportunity to acknowledge the contribution that the Byelorussian-American Association, Inc., has made to this noble effort over these many, many years and participate with you, through this historic journal of Congress in national recognition of the officers, directors, and members of this highly dedicated organization of our leading citizens of Byelorussian heritage who are in the vanguard of support in this manifestation of loyalty and continued encouragement to the Byelorussians of the U.S.S.R. The roster of the officers and directors of the Byelorussian-American Association is as follows:

Executive Committee: Dr. Roger Horoshko, President; Walter Stankievich, Vice-President; Basil M. Pleskacz, Vice-President; Vlad Kuryllo, Vice-President; Dr. Alla Orsa Romano, Secretary; Miss Raisa Stankevich, Secretary; and Branislau Danilovich, Treasurer.

Members: Walter Duniec, George Mazuro, Alexander Mickievich, Andrej Streczyn, and Michael Tulejko.

Mr. Speaker, I am indeed pleased to join with our fellow citizens of Byelorussian ancestry in this annual observance and renewed encouragement to Soviet Byelorussians in our mutual concern for their national independence and individual well being.

EMANUEL CELLER

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DRINAN. Mr. Speaker, long before I came to Congress—long before I ever thought I would be a Congressman—the name Emanuel Celler was very well known to me and to my law students. That name was, and is, intimately associated with several constitutional amendments, with antitrust laws, with legislative proposals of the greatest significance to church-state relations, with legislation essential to the administration of justice in our country, with all of the civil rights bills which, since Brown against Board of Education, have given hope to minorities in the United States.

I have served on the Judiciary Committee, chaired so devotedly by Congressman Celler, since I came to Congress 2 years ago. I have seen this distinguished man in action, and I have the highest respect for him.

Manny Celler is a good man, an outstanding Congressman, who has served in this House for 50 years, and he will be missed by all of us.

I extend to Chairman Celler warmest wishes for good health, for happiness, and for many, many years of continued vigor. He has left an indelible mark for justice on this House.

CAPTIVE NATIONS WEEK MASS RALLY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. CRANE. Mr. Speaker, I have recently received a copy of the program for the 13th Captive Nations Week Mass Rally held in the Republic of China on July 20, 1972.

Included in the program were a message from President Nixon and the principal address delivered by our colleague, Congressman Floyd Spence. Congressman Spence's speech was entered in the Congressional Record on July 31, 1972, and can be found on page 26127 of that issue.

Because of my long-standing concern for the fate of the people of the captive nations of the world and because I feel strongly that the messages included in this program of the Captive Nations Week Rally merit the attention of every Member of the Congress, I am asking unanimous consent that portions of the program be reprinted in the Record immediately following my remarks.

The program follows:

Mass Rally of the Republic of China in Support of Captive Nations Week and for Consolidation of Free World Unity Against Communist Aggression

PROGRAM

1. Patriotic Song by Taipei Children's Choir.
2. Opening Ceremony.
3. Fanfare.
4. The Chairman Ascends the Rostrum.
5. All Rise.
6. Singing of the National Anthem.
7. Three Bows to National Flag and Portrait of Dr. Sun Yat-sen.
8. Address by the Chairman.
9. Reading of President Chiang's Message.
10. Reading of President Nixon's Message (by Mr. William H. Gleysteen, Charge d'-Affaires of the American Embassy).

(Band Music.)

11. Address by Vice President Yen.
12. Address by Congressman Floyd D. Spence.
13. Reports by Freedom-Fighters.

(Band Music.)

14. Announcements.
15. Songs by Taipei Children's Choir.
16. Shouting Slogans.
17. Fanfare.
18. Rally Closes.

Dr. Ku Cheng-kang's Address at the Mass Rally of the Republic of China in Support of Captive Nations Week, Taipei, July 20, 1972

Vice President Yen, Honorable Guests, Ladies and Gentlemen: As people from all walks of life and representatives of all the civic bodies in this country are assembled in this mass rally today in support of the captive nations' struggle for freedom, we are aware that we have already devoted ourselves to this campaign for 12 years. We have held high the torch of free world support for the enslaved peoples inside the Iron Curtain in their quest for freedom. We have kept on urging those inside and outside the Iron Curtain who are unwilling to be Communists' slaves to rise in unity and fight together for freedom.

With the continuous development of our anti-slavery movement in the free world, the enslaved peoples behind the Iron Curtain have also taken up the anti-Communist struggle: those who have fallen are followed by an endless column of brave successors. Examples of constant struggle include the liberalization movement in the Soviet Union, the campaign for independence in captive East European nations, and the anti-Communist and anti-tyranny struggle on the Chinese mainland. We firmly believe that the waves will keep on surging ahead and ultimately converge as a mighty torrent to crush Communist tyranny and bring about victory for freedom.

Unfortunately, this anti-slavery struggle has been adversely affected by President Nixon's announcement of his Chinese mainland tour a year ago and his subsequent visits to Peiping and Moscow earlier this year. The U.S. government advocates opposition to slavery but has followed a different policy in countering Communist aggression. Contrary to the lofty principle enunciated at the start of the "Captive Nations Week" years ago, Washington has been trying hard to effect reconciliation with Communist forces of enslavement. This attempt has started a gradual disintegration in the freedom camp and enabled the Communists to utilize the free world confusion for stepping-up their oppression at home and aggressive expansionist moves abroad. In view of man's inborn desire for survival in freedom and holding firmly to our stand for international justice as we seek world peace, we must awaken freedom-loving peoples from their slumber in this widespread appeasement world, consolidate free world unity, check the Communist forces of aggression and enslavement, positively support the enslaved peoples' anti-Communist and anti-tyranny struggle, and bring about an early victory of freedom over slavery.

Bent on enslaving all the people, international Communists are now utilizing certain free nations' wishful thinking about peace and willingness to arrive at solutions through appeasement. In each and every free area, the Communists are actively pushing plans of armed rebellion, vigorously carrying out infiltration and subversive activities, and launching an all-out peace offensive to disarm the entire free world spiritually. Recently the Russians are spreading their influence to the Mediterranean, the Indian Ocean and the South Seas even as they hold peace talks with the United States and West European nations. Peiping is doing everything possible to develop nuclear weapons and get ready for hot wars as it continues with its smiling face diplomacy for the United States and certain other free nations. The Communists of Hanoi are in the midst of an all-out aggression of South Vietnam but are asking for resumption of Paris peace talks. Pyongyang is poised for another armed aggression of South Korea but is pretending readiness for talks with Seoul toward a so-called peaceful reunification. All these are examples of double-edged tactics calling for alternative war and peace maneuvers. The Communists want free nations to fall into their peace talk trap because they can use negotiation as a cover for further aggressive moves as well as attempts to get what cannot be gained on the battlefield.

Unfortunately, leaders of certain free nations have followed policies of appeasement and compromise instead of hitting back hard at camouflaged Communist schemers. This has meant a retreat of free nations on the battlefront against slavery and aggression, created cracks in the free world anti-Communist unity, and seriously dampened the enslaved people's fighting spirit.

As mankind stands today on a crossroad of freedom or slavery, I must clearly and strongly point out a number of fundamental ideas that should be applied to our struggle against the Communists.

Firstly, freedom can never coexist with slavery. No society can remain half free and half slave. This aphorism of Abraham Lincoln aptly underlines the truth of the struggle of freedom against slavery. Unless enslaved people are given freedom, those who are free now cannot hope to preserve their freedom in security. In other words, if we are to assure freedom for free people, we must first of all restore freedom to the enslaved. We must not allow slavery to exist. We definitely must not allow any more free people to be enslaved.

Secondly, struggle against slavery cannot be in the form of negotiation, because negotiation is used by the Communists as a way of struggle to impair freedom camp unity, step up infiltration, dampen civilian and military morale, and drive toward complete subversion. In view of this Communist scheme behind negotiation, free nations must insist on fight for freedom and active opposition to slavery as their first and foremost conditions.

Thirdly, man's freedom and world peace can be protected only when all systems of slavery are destroyed. The Communist crime of enslavement not only is cruelly hampering man's freedom but also constitutes a serious threat to world peace. Elimination of slavery must be the primary goal of our struggle to gain freedom for mankind and establish lasting peace for the world. Only when all the peoples are truly free of Communist yokes can the world expect peace to last.

With these principles in our minds, we must continue our fight in a number of ways.

We must call upon the enslaved people behind the Iron Curtain to struggle on vigorously and resolutely against slavery and for freedom. They must oppose all Communist atrocities that accompany class struggle and liquidation. They must oppose all Communist tyranny and support freedom of residence, freedom of change of residence, freedom of speech, freedom of assembly, freedom of association and freedom of religious belief. Intellectuals must fight against the Communist control over their thinking and against the rustication policy that drives them to rural areas for labor and reform. Young people must fight for the freedom of seeking knowledge, of schooling and of academic pursuit. They must oppose all the despotic Communist measures for farmers, such as confiscation of lands and herding of people into communes. Farmers should fight for title to the land they cultivate and for the right to reap and enjoy the fruit of their labor. The people must oppose slave labor and reform through labor. Workers must fight for the freedom to choose occupation and have leisure for their own enjoyment. The people must oppose Communist shooting of freedom-seekers and fight for free exchange of visits.

Next, we must call upon all the free nations, especially the United States that leads the free world, to suspend immediately all its superpower secret talks with Moscow and Peiping. No free nation should take steps that can only hurt free world interest and fan up the totalitarian Communists' aggressive ambition, thereby dooming the enslaved people to perpetual enslavement and causing those who are now free to lose their freedom.

We must appeal to the United States and all the free nations, to fulfill their commitment concerning support for the enslaved peoples' struggle for their fight to destroy slavery and gain freedom. Encouragement should be provided for these people's further revolutionary struggle against Communism and tyranny. Freedom-seekers from behind the Iron Curtain should be given political asylum and assured of occupation, schooling and freedom of living.

We call on all the free nations and freedom-loving peoples to jointly reproach and severely sanction the Communists for their roles in all the skyjacking, kidnaping, assassination, massacre, dope-trafficking and other heinous terrorist activities. Steps must be taken to protect social order and people's security.

We call on the United States and other free nations to note that the Republic of Vietnam's war to defend its freedom and independence has to do not only with the future of Vietnam itself but also with the fate of the entire Southeast Asia and Pacific region. We support America's decision to bomb North Vietnam and blockade Haiphong and other Communist harbors. The U.S. government and all the allies fighting in Vietnam should take immediate effective steps to help Saigon recover all the areas that have fallen into Viet Cong hands. When talking with the Vietnamese Communists, the United States must not retreat from its stand and agree to a Communist proposal for coalition government with Saigon.

Furthermore, we must call upon all the freedom-loving nations and people of the world to unite strongly together under the lofty banner of opposition to slavery and protection for freedom. A truly strong united battlefront against the Communists must be formed throughout the world. Helping hands must be actively extended to the enslaved peoples. An unflinching fight must be waged against the Communist slave masters. We are making this appeal because consolidation of free world unity is our most sacred mission today and cannot be neglected in our fight to destroy slavery and assure freedom. This is indeed our historical mission and must be carried out thoroughly.

Lastly we must appeal to all our compatriots at home and abroad that in this great struggle to decide man's whole future, we of the Republic of China must closely follow President Chiang's leadership, unite all the anti-Communist and anti-tyranny forces at home and abroad and on the Chinese mainland, destroy the most wicked Maoist regime, restore freedom to our 700 million enslaved countrymen, unite with all the forces of freedom and justice in the world, and jointly strive to give freedom back to the one billion others still shut behind the Iron Curtain.

PRESIDENT CHIANG KAI-SHEK'S MESSAGE TO THE MASS RALLY SUPPORTING CAPTIVE NATIONS WEEK, JULY 20, 1972

Support of the people behind the Iron Curtain in their efforts to win freedom has become a principal movement and part of the movement has been carried out and expanded through the years. It has reinforced the courage of the broad masses of the enslaved people in their resistance to tyranny and in their struggle for survival, and has also strengthened the unity among the world's forces of righteousness.

In recent years, some democratic countries have attempted to open the Iron Curtain through negotiations and to reduce tension through conciliation. Such attempts have served only to promote an international atmosphere of appeasement. The Communist bloc took advantage of this opportunity to launch a smiling campaign and step up its united front activities with a view to undermining the unity of the free world and to shattering the anti-Communist will of the free peoples. To negotiate with and attempt to conciliate with the Communist bloc is tantamount to asking the tiger to give up his skin or inviting the wolf into one's house. At a time when the world is in chaos, when people are confused and when enemies cannot be distinguished from friends, we must adhere to the spirit of self-reliance with vigor and the conviction that we are masters of our own fate. We must combine the will and the strength of our compatriots at home and abroad on the one hand and on the other strengthen our ties with the international forces of righteousness so as to fortify our position as an unshakable pillar in a turbulent stream and consolidate our anti-Communist defenses.

History proves that permanent peace is possible only when mankind has obtained freedom. The world cannot have real peace and security when half of mankind is free and the other half remains enslaved. The idea that Communist aggression can be stopped by negotiations can only extinguish the light of hope for the enslaved peoples. The international appeasers have now fallen into the trap set by the Communists in their efforts to Communize the world. However, the world situation will in the natural course of events change from the chaotic to the orderly and people will gradually eschew cowardice and regain their courage. The footsteps of the international appeasers cannot possibly continue to follow the present direction for long. I believe we can expedite this change by raising our shining banner of "uniting with all free nations against Communist slavery." The various activities conducted by our people in support of Captive Nations Week will raise the tides of freedom ever higher and make an important contribution to the safeguard of peace and security of mankind.

TEXT OF PRESIDENT NIXON'S CAPTIVE NATIONS WEEK PROCLAMATION

The cause of human rights and personal dignity remains a universal aspiration. Yet, in much of the world, the struggle for freedom and independence continues. It is appropriate, therefore, that we who value our own precious heritage should manifest our sympathy and understanding for those to whom these benefits are denied. The eighty-sixth Congress on July 17, 1959, by a Joint Resolution, authorized and requested the President to proclaim the third week of July in each year as Captive Nations Week in support of this sentiment.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the week beginning July 16, 1972, as Captive Nations Week.

I call upon the people of the United States to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all peoples for self-determination and human liberty.

In witness whereof, I have hereunto set my hand this fifteenth day of July, in the year of Our Lord nineteen hundred and seventy-two, and of the independence of the United States of America the one hundred and ninety-seventh.

VICE PRESIDENT YEN CHIA-KAN'S ADDRESS AT THE MASS RALLY SUPPORTING THE CAPTIVE NATIONS WEEK, TAIPEI, JULY 20, 1972

Mr. Chairman, Honorary Guests, Freedom-Seekers, Ladies and Gentlemen: To support the "Captive Nations Week" Movement and strike back at international appeasement, we people from the various circles in this country are gathered here today to strengthen "consolidation of free world unity against Red aggression." We are to intensify the anti-Communist vigilance of all free nations and rouse the international appeasers from their delirious dream that peace might be gained the way a tiger might be talked into giving up its hide. Together we shall struggle in unity to pull asunder the Iron Curtain and free all the enslaved people. This rally is of the utmost great timely significance.

When the "Captive Nations Week" was started in the United States 13 years ago, the Republic of China was the first to respond with all-out support. Our annual observation has been closely tied in with the World Freedom Day campaign on January 23 every year. In conjunction with member units of the World Anti-Communist League and Asian Peoples' Anti-Communist League the effect has been maximized. People behind the Iron Curtain have received enormous encouragement for struggle to assure survival and gain freedom. Unfortunately, just as the struggles against tyranny were spreading behind the Iron Curtain, Communist violence received encouragement from international appeasement. The world remains what it was half free and half slave. The enslaved people's sufferings are being prolonged and the entire free world is subjected to serious threats of Communist subversion. Our hearts, therefore, are filled with agony and anger as we struggle in support of the "Captive Nations Week" Movement.

The international society that we witness today is in a confused state that cannot tell right from wrong and friend from foe. This is an age in which the virtuous give way to the wicked. However, we are confident that the quest for freedom and respect for righteousness are man's innate nature and that the unchanging iron rule of history, irrespective of time and place, condemns tyranny to destruction and aggression to defeat. We are positive that the rampancy of appeasement and the raging of Communist violence are only temporary phenomena in this changing world and that, if only we turn our agony and anger into spiritual strength, freedom and justice will lead mankind to an ultimate victory over violence and evil. A bright and secure future will be awaiting us.

The vicious schemes and savage crimes of the Communists, especially those perpetuated by Peiping, are incompatible with the free world's respect for freedom, desire for peace and high regard for human rights. All attempts to turn these enemies into friends can instead of easing the tense world situation, only help the Communists apply further pressure on the people at home and with greater audacity commit their armed subversions abroad. I therefore wish to avail myself of this opportunity to call upon all the freedom-loving nations and individuals to discern the wicked characteristics of the Communists, check the world troubles at the source, immediately cast aside any wishful thinking about peaceful settlement with the Communists, end forthwith the foolery of appeasement that can only bring trouble to themselves, and together form a powerful anti-Communist front for the salvation of mankind and the world.

At the same time, I also want to remind my fellow countrymen at home and abroad that, in this highly unstable and confused world situation, we must understand the truth that "security or danger depends on one's being right or wrong, not on being strong or weak" and that "survival or downfall hinges on inner strength rather than on plurality." With this understanding we should faithfully follow President Chiang's instruction to maintain "self-respect and self-invigoration" and "calmness in the face of change." We must firmly uphold our anti-Communist stand, pool all our anti-Communist forces and, for the elimination of Red scourge and protection of freedom, gallantly shoulder our historical mission.

INFORMATION ON GASOLINE PRICES

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BELCHER. Mr. Speaker, I would like to insert the following information on gasoline prices in the Record. This information has been provided by my longtime friend and constituent, Mr. H. E. Rorschach of Tulsa, Okla.

[From the Tulsa Daily World, Oct. 2, 1972]

GASOLINE SURVEYED

HOUSTON.—"The Oil Daily's 100 cities survey last week placed domestic major brand gas service station regular grade gasoline prices at an average of 25.35 cents a gallon, exclusive of taxes.

A week before the average was 25.50 cents, a year ago 25.20.

The average dealer tankwagon price was 18.40 compared to 18.50 a week earlier and 17.45 cents a year earlier.

Following are additional comments made by Mr. H. E. Rorschach:

We need to direct attention of public to this situation 1920 no tax—Gas price at service stations, 25–30 cents; 52 years later, no increase by oil companies—all other items doubled or tripled or more. Oil companies capital reinvestment plowed back into more efficient equipment and transportation (product pipelines, refineries, etc.) responsible—but all we get is kicks from Kennedy and Proxmire. The real reason for gasoline prices at today's level is direct taxes—about 12–14 cents per gallon imposed by states and U.S. Congress.

Further evidence is submitted by Mr. Rorschach in the attached article by Mr. Robert G. Dunlop, chairman of the board of the Sun Oil Co.:

OIL PROFITS IN SQUEEZE BETWEEN HIGHER COSTS, DEPRESSED PRICES

The petroleum industry continued in the second quarter to be confronted by the paradox of weak prices in the face of a strong upward trend in demand for refined products.

Coupled with higher costs among which taxes are a notable example, this uncommon circumstance depressed earnings in the industry at a time when the economy generally was showing signs of new strength.

At the end of June, the average retail price of gasoline including excise taxes was down almost one cent per gallon, even though the average tax was up more than one-half of one cent per gallon, compared with levels a year earlier. In many areas, competitive pressures were holding prices well below Phase II ceilings.

In Sun's case, sales of refined products rose a solid 9 percent during the first half of the year, reaching 633,818 barrels a day. Natural gas sales were up 8.6 per cent to 1,557 million cubic feet per day. Yet, revenues derived principally from sales declined 4.8 per cent—from $960,690,000 to $914,161,000.

Contributing to the decline in revenues was the fact that the Company's gasoline prices were about two cents a gallon below the ceilings established by the freeze a year ago.

The fact that Sun Shipbuilding & Dry Dock Company delivered two ships in the first half of 1971, whereas no deliveries were made through June of this year, had an additional negative impact on revenues.

Net income for the first half declined 7.9 per cent from $74,859,000 in 1971 to $68,920,000, reflecting lower revenues plus proportionately higher costs.

To be sure, total costs and expenses declined 4.6 per cent to $845,241,000, but the ratio of expenses to revenues was marginally higher. Running the business required 92.5 cents of each dollar of revenue in the first six months of this year, compared with 92.2 in 1971.

Operationally, crude oil refined at Sun's refineries rose 5.5 per cent to 506,719 barrels daily.

Synthetic crude produced for shipment by Great Canadian Oil Sands Limited rose 17.6 per cent to 49,477 barrels daily. Meanwhile, Sun's share of GCOS losses declined to $305,000 as against $2,729,000 at mid-year 1971.

While domestic crude oil production for the industry showed a 3.3 per cent decline. Sun showed a 2.3 per cent increase in U.S. production. Its world-wide production, at 370,523 barrels of crude and condensate daily, was less than one per cent below production a year earlier.

Noteworthy in considering these higher levels of operation is the fact that they were accomplished during a period when progress was being made in reducing operating costs. The results are a tribute to the dedication and skill of the Company's employees. Unforunately, their efforts were frustrated by the lower market value of the products and increases in other elements of cost.

A VALUED MEMBER OF THE COMMITTEE ON EDUCATION AND LABOR

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. PERKINS. Mr. Speaker, John Dent is a ranking member of the Committee on Education and Labor and certainly one of its most valued and dedicated. He is chairman of the General Subcommittee on Labor and has served with distinction in that capacity. He brings to all of our deliberations a unique quality of incisiveness and relevance and enjoys the respect of all his colleagues. One of the most accurate descriptions of John Dent's public service I have heard was narrated by newscaster Joseph McCaffrey over a local radio station. The audience for that broadcast was obviously limited in terms of the full scope of John Dent's activities, and I now include the text so a greater number might read these deserved remarks:

MEET THE MEMBER

Long ago, when it was not popular, when a trade imbalance was only a cloud as big as man's fist in the sky, Pennsylvania's John Dent was warning that we could not continue to have foreign imports driving American businesses into bankruptcy. Today the Pennsylvania Democrat has been proven right.

When the foreign aid appropriation bill was on the floor at the end of last year, the House listened to Congressman Dent, adopting his amendment that requires any and all United States foreign aid funds spent by South Vietnam for the purchase of iron and steel products to be spent on those manufactured or produced in the United States. This is the first such specific "Buy American" provision ever included in a foreign aid bill.

During the debate, Dent said: "If we have to continue with foreign aid, even though I believe we have more pressing domestic priorities, we should at least insure that those funds provide some economic benefit to the United States instead of accruing to the benefit of our competitors. We now find ourselves in the awkward situation of providing our foreign friends with our money to use in competition against us. My amendment relates only to iron and steel products, but these are among our most basic and essential industries, and represent a good place to start this practice."

Mr. Dent joined with Republican Congressman John Saylor in this Congress to establish a non-deficit spending policy for the federal government. The two men coauthored a resolution prohibiting the appropriation and budgeting of funds in excess of expected revenue.

If accepted, it would prohibit Congress from authorizing or appropriating and the President from expending or budgeting any amount in excess of anticipated revenues from the ensuing fiscal year.

Said Mr. Dent, "In essence, this would return this country to a pay-as-you-go basis. The only deficit spending that could occur would be in the event actual revenue fell short of the predicted amount."

In the course of discussing his resolution, the Democratic House member from Westmoreland County said: "American wages are necessarily high because of public and private debts and debt services, as well as our standard of living, which increases the cost of government, production and purchases. In return, however, we have given a better standard of living to all Americans. We have reached the point where we are fast approaching a time when the inflation spiral is no longer triggered by profit taking and wage increases, but is in fact triggered by increased taxes which shrink the take home pay. The worker demands higher wages and the producer must necessarily raise prices . . . But as we increase the number of services available, additional revenues are required. This increases the public debt and the need for higher taxes to support the demands of government . . . it's a vicious circle."

Dent proposes to end it by putting a hat on government spending. But his chances for success in this Congress, at least, are not the best.

John Dent has been a member of the House since January 21, 1958, after long and outstanding service in both the Pennsylvania State House and Senate. In the Senate he was Democratic Floor Leader for 17 years.

Dent is a senior member of the House Committees on Education and Labor and House Administration and among the House leadership. He is also chairman of the powerful General Subcommittee on Labor. Virtually all national labor legislation has his fine imprint on it, and Dent has literally forged new federal laws regarding coal mine health and safety, black lung benefits, minimum wage extensions and increases, equal employment opportunity, anti-age discrimination in employment, vocational education and problems of the aging. We can also expect his innovative welfare and pension reform bill to soon emerge from his committee.

John Dent has been in the eye of the hurricane since he first came to Congress, and he is a veritable whirlwind of activity. He has brought the support of the Federal Government to his Western Pennsylvania district in a variety of public projects, such as urban renewal, housing, health and educational services, flood control, streets and highways, and a myriad of other services and facilities. In spite of his growing national stature and reputation, he makes it his business to "stay in touch" with his constituency and serve their needs.

John Dent is a busy and effective man. And you can usually find him in the front ranks of a progressive cause.

DISCOURAGING DRUG ABUSE FIGURES FROM THAILAND

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MONAGAN. Mr. Speaker, last week the distinguished chairman of the Senate Subcommittee on Armed Forces Drug Abuse and Alcoholism, Senator HUGHES, took the floor to warn of a growing national complacency over drugs in the military.

Senator HUGHES' remarks are well-founded, and he is to be commended for keeping this issue before the Congress and the Nation. For while the military drug problem is still very much with us, the country no longer seems interested in this tragedy which continues to discharge military drug users to the civilian sector of society.

In early 1971, a great wave of public concern swept the Nation following reports of widespread drug abuse among GI's in Vietnam. Reports were produced, proposals introduced, and the national commitment to conquer this problem seemed firm. In just a year and a half, however, this concern has dropped to almost nothing. The administration has declared that the military heroin epidemic is reversed, and the general public has lost interest. Even the press has relegated military drug stories to the back pages.

Unhappily, this indifference is unjustified. Thousands of detected drug users have been and continue to be released into civilian life without treatment. Few of these veterans then enter programs voluntarily. They disappear into the general population to enter the deadly cycle of addiction and crime.

The recent release of statistics showing a fivefold increase in detected heroin users among American Air Force personnel in Thailand creates a whole new dimension of this tragedy, and indicates that the military drug epidemic may not have been reversed, but merely transferred from one country to another along with our troops. These figures contradict earlier Defense Department statements of victory in the war against drugs. They alarmingly evidence that the military drug problem is still with us, and that hundreds more GI addicts will soon be discharged in need of treatment and rehabilitation.

The Department of Defense statistics show that a total of 7,161 Air Force personnel in Thailand were tested for drug use in August, with 178, or 2.5 percent testing positive. This figure was up from July, when only 0.5 percent tested positive, and up from the period from January 1 to July 1972, when a total of 25,662 men were tested, with only 196, or 0.7 percent showing positive. A specific breakdown was not available for July on the number of men tested, and the number of positives.

The Department of Defense had no figures available for Army, Navy, and Marine personnel serving in Thailand. However, while the percentage of total troop strength in Thailand represented by the Air Force is classified information, the Defense Department does acknowledge that the "majority" of our personnel in Thailand are members of the Air Force.

The implications of these figures are unclear at the present time. Only the coming months will indicate whether a new and tragic trend has developed. What is clear is that drug abuse in the military will not easily go away. Significant steps have been taken by the Armed Forces to control drug abuse, but given the easy availability of heroin in Southeast Asia and the continuing presence of U.S. troops in Thailand, the potential for future addiction among American soldiers is strong.

The complacency which seems to have developed over military drug abuse in the press and in the population at large is thus totally unjustified. Thousands of detected drug users have already been released back into civilian life without adequate treatment. These new figures indicate that many more will follow.

These men should be rehabilitated before they are discharged even if this means an extension of service beyond scheduled separation. I hope that the Congress will make an effective drug treatment program one of its first orders of business. At stake are both the future of our GI's and the future health of the Nation.

GIRARD, OHIO HONORS POLICE CHIEF LEO R. MORAN

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. CARNEY. Mr. Speaker, on Sunday, October 15, 1972, I had the pleasure of attending a testimonial dinner honoring Chief Leo R. Moran at the Mahoning Country Club in Girard, Ohio.

Leo Moran was appointed to the Girard Police Department as a special policeman in 1938–39 by Mayor John Cronin, and appointed as a regular policeman on April 19, 1940, by Mayor Alex Whiteford. He served in the U.S. Army from 1942–46, as a staff sergeant with the military police. After returning to the force as a patrolman he was made captain on October 15, 1958, and chief of police on October 6, 1960.

During his career with the police department he has attended numerous training schools, seminars, and special courses. He has also found time to be active in many worthwhile organizations. Among these are: Member and past president of the Fraternal Order of Police, Lodge No. 52; a member of the International Association of Chiefs of Police; a member of the Ohio State Association of Chiefs of Police; a member and past president of the Greater Youngstown Crime Clinic; one of the founders of the Area Police Association and also sponsor of 19 FBI seminars for area police officers.

Chief Moran is a member of: BPOE No.

1949, FOE No. 2172, American Legion Post 235, VFW Post 419, Girard Lions Club, Knights of Columbus, Saint Vincent de Paul. He was named Girard's Man of the Year 1959–60. The chief is well known for his wild game dinners and golf outings sponsored by the department. He is a life-long resident of Girard and attended St. Rose and Girard High Schools. His wife, Evelyn, died in 1962, and he has three children: Pat, age 23; Kathy, age 21; and Peggy, age 15.

The program for the testimonial dinner was as follows: Banquet cochairmen Anthony Vivo and Fred Faustino; toastmaster Senator Harry V. Meshel; invocation Rev. Reuben W. Rader; welcome Hon. Joseph M. Masternick, mayor of Girard; remarks Attorney Paul Burns; presentations Congressman CHARLES J. CARNEY, Mayor Masternick, Hon. Jack C. Hunter, mayor of Youngstown, and Representative Michael Delbane; response Chief Leo R. Moran; benediction Rt. Rev. Msgr. Robert C. Fannon; principal speaker Phillip Richely, director of the Ohio Department of Transportation.

The members of the testimonial committee were: John Kruger, honorary chairman; cochairman Anthony Vivo and Fred Faustino; treasurer Betty Lamancusa, Fred Faustino; program Mike Zuppo, Ronnie Vince, Rita Prokay, Charles Lamancusa, Bessie Seidler; research Charles Lamancusa; publicity Bessie Seidler, Fred Faustino.

The members of the ticket committee were: Fred Faustino, Charles Lamancusa, Betty Lamancusa, Tom McClurkin, Dave Bennett, Anthony Vivo, Lou DePaul, James Cerenelli, Annabell Fialla, Rocky Greco, James Augustine, Ernie DeMatteo, John Kruger, Tomi Filip, Jerry Bernat, Alex Milne, John Ross, Paul Burns, Lt. Rudy March, Sgt. Charles LiDilili, Ray Fusilo, Inis Callard, Norma Higgins, and Bessie Seidler.

ON THE RETIREMENT OF THE HONORABLE ALTON A. LENNON

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mrs. SULLIVAN. Mr. Speaker, for 16 years, the 17th District of North Carolina has been represented by a dedicated and able servant—the Honorable ALTON A. LENNON, and it is a privilege for me to join in a salute to an able and much admired colleague.

I have had many, many opportunities to observe this well-informed, astute gentleman from the South, and have always respected him for his kindly manner and untiring dedication to serve his constituency and country and the ability with which he served. His vast knowledge of military and maritime matters has shown all of us the depth of his wisdom and integrity. He has been particularly helpful to all of us on the House Committee on Merchant Marine and Fisheries, where he has continually taken an active part in the business before us. He is truly one of our most outstanding Members of Congress and I deeply regret his decision to retire.

It has been a very special privilege to serve with ALTON LENNON, and while not all thinking men agree on legislation, we must all agree he has been a great asset to the Congress and his record a tribute to both his State and the Nation.

My best wishes go with you as you leave us for your home in Wilmington, dear friend, and may the years ahead be filled with happiness and continued good fortune. We will certainly miss you.

SUPERSONIC ANNIVERSARY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DULSKI. Mr. Speaker, in these days of high speed air transportation and space exploration, it is timely to recognize that man's first flight at supersonic speed was made just 25 years ago.

A small, needle-nosed research aircraft, the X–1, was built by a Buffalo, N.Y., company, the Bell Aircraft Corp.—now Bell Aerospace Co., division of Textron.

Development was under a contract with the National Advisory Committee for Aeronautics, now the National Aeronautics and Space Administration, with cooperation of the Army Air Force.

At the controls of the X–1 in the historic first flight smashing the "sound barrier" was an outstanding Air Force test pilot, Capt. Charles E. "Chuck" Yaeger, now an Air Force brigadier general on duty in Pakistan.

Mr. Speaker, little could we imagine a quarter century ago—even at word of Captain Yeager's historic flight—the really amazing era of aeronautics and space development and achievement which was just ahead.

It was only 5 years earlier, in October 1942, that a successful test flight of the world's first jet aircraft occurred. This was the XP–59A Airacomet, also developed by the Buffalo manufacturer, Bell Aircraft Corp.

Both the X–1 and the XP–59A now are on exhibition at the Smithsonian Institution.

Mr. Speaker, we in the Buffalo area are very proud of the pioneering work in aviation and space which has been done by our local industry, including in particular the company established by one of our Nation's aviation pioneers, the late Lawrence Bell.

As part of my remarks I include the text of an article from the October 14 issue of the Buffalo Courier-Express regarding that first supersonic flight by man.

[From the Buffalo (N.Y.) Courier-Express, Oct. 14, 1972]

X–1 TEST FLIGHT 25 YEARS AGO WAS DAWN OF SUPERSONIC AGE

(By Ray Dearlove)

The age of supersonic flight was born 25 years ago today when the former Bell Aircraft Corp.'s X–1 experimental plane became the first to fly faster than the speed of sound.

The feat was performed Oct. 14, 1947, at Muroc Flight Test Base in California. At the controls was Air Force Capt. Charles E. Yeager, who flew the bullet-shaped X–1 to a speed of 670 m.p.h.

In the annals of flight, the accomplishment of the X–1 has been acclaimed as being second in importance only to the first flight of the Wright brothers in 1903. For Yeager, who visited Buffalo often at the time, it meant worldwide recognition. He is now an Air Force brigadier general stationed in Pakistan.

The development of the X–1 by Bell paved the way for today's supersonic aircraft, including the Concorde and other supersonic transports. Bell Aircraft is now Bell Aerospace Co. Division of Textron Inc. in Wheatfield.

JET PROPULSION

The idea for an aircraft which could fly faster than sound started with Robert A. Wolf, who was a member of Bell Aircraft's engineering staff in the early 1940s. At a concerence of the National Advisory Committee for Aeronautics (NACA) in Washington on Dec. 18, 1943, Wolf emphasized that by using jet propulsion, the opportunity was at hand to build a high-speed research airplane.

Such a plane was desired at the time to provide needed aerodynamic information for aircraft manufacturers. Wolf suggested that the development and testing of the high-speed plane could be ideally handled by the NACA.

By April 14, 1944, Bell engineers came up with a three-view drawing of a proposed high-speed research airplane. Both the Air Force and the Navy were extremely interested.

CHIEF ENGINEER

Robert J. Woods, who was chief design engineer of Bell at the time, heard that an American power plant company was developing a turborocket which could develop 6,000 pounds of thrust. Woods was confident that with such power, he could design a supersonic plane.

Woods received approval from Bell to initiate such a project with the possibilities of developing an 800 m.p.h. plane. The Air Force classified the project secret.

The 6,000-pound thrust turborocket was not used in the final design of the X–1 because by the time the X–1 was developed, the turborocket was not available. A four-tube rocket engine designed and built by Reaction Motors was used instead.

The Air Force contracted for three X–1s, each to be slightly different. The NACA was designated to receive one for a research program it planned along with the Air Force flight work.

MANY PROBLEMS

Between December, 1944 and April, 1946, answers were found for the hundreds of problems presented in the designing of a supersonic airplane. At the time, very little was known about design or conditions for supersonic flight, especially stability and control problems.

The Reaction Motors rocket was to have been equipped with a turbo pump, but waiting for the pump to be developed would have held up the over-all X–1 program substantially. It was decided to use a pressure system instead, cutting down by approximately one-half the amount of fuel which the X–1 could carry, but permitting the project to move ahead.

By March, 1945, the final preliminary design characteristics had been agreed upon, detail engineering was pushed forward, and actual construction of the X–1 began. The first flight tests were made without power early in 1946.

The first power flights of the X–1 took place in December, 1946, setting the stage for that history-making flight. In all flight testing of the X-1, the plane was taken aloft in the belly of a B-29.

EXPERIMENTAL CITY: A BICENTENNIAL PRESENT TO REMEMBER

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FRENZEL. Mr. Speaker, an excellent article reenforcing the proposal for a Bicentennial Experimental City appeared in the Washington Post September 23, 1972.

I take pleasure in informing my colleagues that the Minnesota Experimental City Project is on schedule, and that it provides the only realistic opportunity to make the Bicentennial Experimental City idea a reality.

The 1971 Minnesota State Legislature created an 11-member authority to recommend a site to the 1973 legislature. That authority will be announcing its site selection decision within 30 days and the project will be ready to move ahead.

Minnesota Experimental City, a free-standing city for innovative projects involving physical and social systems, can demonstrate some of the solutions our urban centers so desperately need.

The Washington Post article suggests that an experimental city might well be placed within an area of dense population.

This is a question that the founders and board members of the Minnesota Experimental City faced many years ago. Their well-founded conclusion was that it is not possible to lay a truly experimental city over existing governmental, social, and economic interests. The experimental city, to be really effective, must be placed outside of areas of relative population density in order that its builders and operators need not be tied to the restrictions of the past, whether those restrictions be placed by local governments or by the needs and desires of the local citizens, or local business interests. The experimental city requires a fresh start, and the Minnesota Experimental City, in my judgment, has all of the essentials for such a fresh start.

The article follows:

EXPERIMENTAL CITY: A BICENTENNIAL PRESENT TO REMEMBER

(By Wolf Von Eckardt)

We still have a chance—a remote chance—to celebrate the bicentennial of the American Revolution with something that may be remembered at the tricentennial, 103 years from now.

That chance lies along the Anacostia River across the Capital and Arlington Cemetery on 900 wasted acres of federal land known as Anacostia-Bolling.

The ideals of the American Revolution forged a great nation—essentially a rural nation. The challenge of 1976, as some people said many years ago, is to demonstrate that we are willing and able to bring the same idealism, pioneering spirit and technical ingenuity to the awesome fact that we have now become an urban nation.

The Pursuit of Happiness is no longer only a matter of liberty and civil and civic rights. The common welfare also demands livability democratic livability—a good place to live for all.

Anacostia-Bolling, one of the most valuable and scenic pieces of real estate in the country, has been used by the military since 1930. It is no longer essential to them. The city of Washington has long wanted it for housing, which is essential.

But just as the military were about to relinquish it, the late Rep. L. Mendel Rivers, by way of a rider tacked onto some bill, got Congress to prohibit use of this land for any non-military purpose until January 1975.

Although Pentagon plans for a huge branch office were rejected by the House Appropriations Committee last week, it still wants a good part of the site for military housing in a military enclave. The city, supported by the residents of Anacostia and such organizations as the Washington Planning and Housing Association and the Izaak Walton League, has vague plans for the needed housing, a new town-in-town, that might include military personnel.

But neither the Department of Defense nor the District of Columbia should have it. It should be a birthday present for the entire nation.

A Bicentennial Experimental City at Anacostia-Bolling could be the catalyst for that New American Revolution that President Nixon has talked about. It could be a laboratory for the research and development for new and daring solutions of the nation's—and the world's—fearful urban problems.

The Germans in the late 1920s built such a demonstration project at Weissenhof near Stuttgart. Europe's leading avant-garde architects and designers were given an opportunity there to show what they could do by way of good planning, housing and interior design. Weissenhof's influence can still be seen all around us. We haven't advanced much in architecture and construction technology since then.

After World War II, the Germans gave a repeat performance with their Hansaviertel in West Berlin. It brought Weissenhof up-to-date, but was less innovative.

But at this point and in America we need more than another Hansaviertel, a mere architectural showcase. Another new town, such as we are building at Fort Lincoln, at Coldspring near Baltimore, Welfare Island in New York or Cedar-Riverside near Minneapolis, would be nice—but not enough. The Bicentennial City on Anacostia-Bolling should be a comprehensive, international urban laboratory.

No, it would not be a world's fair. Who needs it? Yes, it would be a living community for people of all kinds and incomes to live, learn, work and be creative in a variety of "lifestyles," as the jargon has it.

That means that George Romney, the Secretary of Housing and Urban Developmet would be given a chance to demonstrate the best and most promising designs and construction methods his "Operation Breakthrough" has yielded us.

But a city is more than buildings. A city is its institutions, as Louis Kahn, the architect has said. And Bicentennial City should be an experiment in new and renewed institutions.

The modern world does not lack imagination or even theoretical know-how to make our urban environment work more efficiently, justly and pleasantly. It lacks the practical, administrative and political means and opportunity to test new environmental ideas on a meaningful scale. That is what Bicentennial City should provide.

Law enforcement and fire protection experts in this country and—through their international organizations—from around the world might be given the means and the opportunity, for instance, to introduce and test their latest ideas in law enforcement and fire protection. When they are all set up in 1976, they might be invited to come to Washington to see these ideas in action and discuss them in an international conference.

The same would apply to education—from nursery schools and day-care centers to adult education. Bicentennial City would have the most advanced educational opportunities—both systems and facilities—built right into it from the beginning.

In 1976, the U.S. would then host a special, international conference on child care and education with the new city as its focus.

We would also present to the nation and the world what can be done by way of health and mental health care, with special emphasis, no doubt, on drug addiction, prevention and cure.

The city would demonstrate what needs be done about recreation—outdoors and in—and the arts. There must be ways for the poor to spend their leisure time other than watching mediocre television programs. Another challenge is creative care of the elderly.

As important as these and other social problems are our environmental ones. Bicentennial City would show us what technology is capable of doing about waste disposal and providing energy for heating, cooling, cooking, lighting, transportation and industry without pollution.

At Transpo '72 at Dulles airport, we got a glimpse of new urban "people movers." At Anacostia-Bolling, the best of them would actually move people, not just for a 100-yard joy ride, but from the nearest Metro stop, Anacostia Station, and around the town to work, shopping, worship, education and recreation.

This new city would also show us what to do about automobiles, which have easy access to the site on the Anacostia freeway. That task should probably be assigned to the highway engineers and financed by the highway lobby, which is always so eager to bring more and more cars into our cities without telling us where to put them when they get there.

But the comprehensive creation of Bicentennial City, the planning and building of this urban laboratory, cannot be left to our established interests alone. Government, too, is too cumbersome, too set in its bureaucratic and legalistic ways to accomplish what might still be accomplished here.

The most vitally needed reform, in fact, is a total reform of the very process of urban development and the factors that determine that process: our established methods of land use, land ownership, financing and taxation.

There are other, less chaotic and frustrating ways of building the man-made environment and they must be tried—ways that avoid land speculation and outrageous profiteering, new and more enlightened ways of calculating the cost-benefit equation.

The federal government must be an active and enthusiastic partner in this enterprise. The experiment requires, to begin with, those 900 acres of federal land. But we are not celebrating the bicentennial of our bureaucracy. We are celebrating, on July 4, 1976, the birth of a political and economic system that, for better or worse, is now largely operated by big business and big labor and a vast technocracy. Let these operators show what they can do to help the system survive our urban ills.

In other words, Bicentennial City should be largely a joint effort of our great foundations—such as Rockefeller and Ford—and our large corporations, together with the representatives of the American people and their minority groups.

The great experiment should be planned, built and run by a new kind of organization, somewhat like COMSAT. It might be called USELAB, for U.S. Environmental Laboratory, or URBVIS, for Urban Vision.

There must be leaders in America with the vision and energy to bring such a bold scheme about. Athelstan Spilhaus, a scientist, inventor and publicist who has the unique experience of having launched a similar Experimental City project in Minnesota, might be one of them, given the high-level support and funds the Minnesota project failed to get.

Can it be done? Well, let's say it could be done. We got to the moon, didn't we?

Can it be done in time for 1976?

The answer to that one is an essential part of the proposed national experiment. The cities, it has been said, are in a race against time. The question is not only whether we managed to solve our urban problems. It is also whether we manage to solve them before they become insoluble.

CONGRESSMAN BRINKLEY REPORTS ON AGRICULTURE

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BRINKLEY. Mr. Speaker, I submit herewith my newsletter entitled, "A Special Report on Agriculture," which will soon be mailed to the rural areas of the Third District of Georgia, which I am privileged to represent.

A SPECIAL REPORT ON AGRICULTURE

(By Congressman Jack Brinkley)

FCIC TO INSURE PEANUT, SOYBEAN CROPS IN HOUSTON COUNTY

The U.S. Department of Agriculture has announced that Federal All-Risk Crop Insurance for peanuts and soybeans will be made available to farmers in Houston County for the 1973 crop year. In making the announcement the USDA noted that Houston will be the first county in Georgia to have FCIC protection for soybeans.

USDA figures show that Houston will raise the number of Georgia counties in which Federal All-Risk Crop Insurance is available to 41. In 1972 tobacco was insured in 27 counties, cotton in 27, peanuts in 24, peaches in 2, and corn in 1.

A delegation headed by Arthur A. White, Jr. of Byron, James C. Johnson of Kathleen, Harry Dumas of Warner Robins, J. L. Poole, Emmet V. Whelchel, Jr., Bob Richards, Lewis M. Meeks, and McKinley Franklin, all of Perry, successfully initiated the action which led to USDA's approval of the crop insurance.

"BOILED PEANUT DAY" OBSERVED ON CAPITOL HILL

On Tuesday, October 3, I joined with seven other Members—who represent the bulk of the peanut producing counties of the Southeastern United States—in designating "Boiled Peanut Day" on Capitol Hill.

Joining with me in sponsoring peanut day were Representatives William L. Dickinson and Elizabeth Andrews of Alabama, Robert L. F. Sikes and Don Fuqua of Florida, and W. S. (Bill) Stuckey, Jr., Dawson Mathias, and G. Elliott Hagan of Georgia.

Peanuts are the most valuable row crop in Georgia—worth some $171 million at the farm level alone. This year about 62 percent of the U.S. peanut crop was grown in the Southeast (Georgia, Alabama, and Northern Florida).

In special observance of the day, peanut producers from Georgia, Alabama, and Florida furnished the House restaurants with complementary *boiled peanuts* as well as *peanut soup and peanut pie*—all delicious!

CONGRESSMEN HOST INTERNATIONAL SOYBEAN FAIR

Some forty of us in Congress recently cohosted an International Soybean Fair in Washington which was attended by representatives for more than 60 foreign governments.

The purpose of the Fair was to acquaint representatives of these foreign countries with promising new feed and food uses of soybeans. The American Soybean Association, the National Soybean Processors Association and other industry institutions and firms joined together in helping to sponsor the event.

Guests had the opportunity to sample a wide variety of mouth-watering soybean products—from parched beans to cookies and candy—and to discuss soybeans with USDA, university and industry officials.

According to USDA statistics, the Third Congressional District ranks 87th in the Nation in total soybean production.

AMERICAN FARMER—'TRADITIONAL BACKBONE OF THE COUNTRY'

The growing trend of government to intrude more and more into the lives of private citizens is a matter of increasing concern to me. One of the most notorious examples of such an 'intrusion' is the so-called Occupational Safety and Health Act of 1970. I believe that the application of this law frequently places unfair financial hardships on many farmers in Georgia—and across the Nation—by imposing on them the same rules and regulations which are applied to big business.

Recently, I presented a statement to the Subcommittee on Labor of the House Committee on Education and Labor regarding this particular law.

I told the Subcommittee that at the present time, net returns to many farmers—especially small farmers—are minimal and often non-existent, and to force our small farmers to abide by all the regulations imposed by this law would create an unjustifiable economic burden. Most small farming operations cannot stand the additional costs incurred by layers of technical safety rules which are not relevant to the particular farm operation. As we all know, the American small farmer is the traditional backbone of the country and, if his existence is to be preserved, then we must act now to prevent the economic hardship which would be caused by the full application of this law.

We can see the handwriting on the wall when safety inspectors for small business are more concerned with the specifications of toilet seats than they are with industrial machinery. (The Congressional Record of September 19, 1972, page 31307.) This is patently ridiculous.

Presently, more than 100 of us in the Congress are sponsoring various bills all aimed at amending this law.

HON. KARL M. LeCOMPTE

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. HAYS. Mr. Speaker, I served with Congressman Karl M. LeCompte when I first came to the Congress and served under him when he was chairman of the House Administration Committee. I knew him to be a kindly man and a good friend of mine although we were of opposing political parties. I feel a deep sense of personal loss at his passing, and I am sure his constituents in Iowa will miss him. I know he had several happy years of retirement and I am happy for that.

I think about the nicest thing I can say and the most truthful is that he was one of the kindest and nicest men I have ever known in my life.

TOWARD PRESS FREEDOM

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. KASTENMEIER. Mr. Speaker, our esteemed colleague and good friend, Congressman WILLIAM S. MOORHEAD, recently appeared before my House Judiciary Subcommittee to testify on behalf of legislation which would protect the confidentiality of press information and sources. I and the subcommittee members found Mr. MOORHEAD's remarks particularly cogent, and the Pittsburgh Post-Gazette also noted the testimony with high regard in a recent editorial.

Mr. Speaker, I am asking that the Post-Gazette editorial be reprinted here for the convenience of other Members, and commend it to their attention and perusal. Thank you.

[From the Pittsburgh Post-Gazette, Oct. 13, 1972]

FOR AN UNFETTERED PRESS

It is most appropriate that this year's observance of National Newspaper Week should find the nation's newsmen united in support of a Free Flow of Information Act to protect the confidentiality of press information and sources in the aftermath of a U.S. Supreme Court ruling that breached this right.

The breach came in the case of Earl Caldwell, a New York Times reporter who refused to answer grand jury questions. Its dangers are underscored by the recent jailing of Peter Bridge, a Newark reporter, by a New Jersey judge who interpreted narrowly a state immunity statute (one of 19 so-called state "shield" laws). Bridge refused and still refuses to divulge to a grand jury the identity of the culprit in a bribery story he had written.

Newsmen have traditionally claimed absolute immunity from revealing sources under the broad protection of the First Amendment to the Constitution, guaranteeing freedom of the press. But the Supreme Court penetrated that protection last June in a 5–4 decision that journalists have no guaranteed immunity against compulsory testimony before a grand jury. The court said, however, that Congress and the states could write laws giving full or partial immunity to newsmen under a variety of circumstances.

Now leaders of news organizations have joined lawyers, legislators and others in seeking congressional enactment of legislation which would give newsmen all but absolute protection in federal investigations. Hopefully such legislation would provide a model for the states.

Among legislators in the forefront of this struggle is Pittsburgh's William S. Moorhead, who is chairman of the House Foreign Operations and Government Information Subcommittee trying to improve the flow of information from government agencies.

"One of the best antidotes to government secrecy," Mr. Moorhead testified recently, "is an aggressive investigative press—a press that is not fearful of government intimidation or unjust harassment."

The problem for Congress and state legislatures is to write an effective law short of absolute immunity which, as most newsmen recognize, must yield to the needs of law enforcement in extreme cases involving a compelling and overriding national interest.

Mr. Moorhead testified in support of House Resolution 16638, which specifies that no employe of the print or broadcast media shall be required by a court, grand jury, legislature or administrative body to disclose before the Congress or any Federal court, grand jury, agency, department, or commission any information or the source of any information procured for publication or broadcast. Exceptions would come only if a crime had probably been committed, the information could be obtained in no other way, and there was a "compelling and overriding national interest" in disclosure.

This would properly put the burden of proof on government. Any law written should give newsmen immunity in all situations other than those which could be shown beyond doubt to involve considerations of national security. As Mr. Moorhead testified, "true freedom of the press is not only a keystone of the freedom of speech guaranteed by the First Amendment, but possibly more important, is central to the functioning of a democratic society . . . The public's right to know should not be further fettered by Congress' refusal to act in the face of naked intimidation masquerading as legitimate legal inquiry."

The government has the resources and should have the energy to do its own sleuthing. It should not attempt to convert newsmen into tools of the law enforcement apparatus.

LITHUANIAN FAMILY STARTS NEW LIFE IN CHICAGO

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DERWINSKI. Mr. Speaker, as an extension of my remarks, I insert into the RECORD the full text of a press release issued by the Lithuanian American Council announcing the arrival in Chicago of a Lithuanian family which recently managed to escape from Lithuania which, as the Members know, has been illegally occupied by the Soviet Union since the close of World War II.

The fact must be emphasized again and again that the Soviet Union remains a dictatorship, and included within it are many non-Russian nations such as Lithuania that are being denied the freedom which remains their goal.

PRESS RELEASE FROM LITHUANIAN AMERICAN COUNCIL, INC.

The Lithuanian American Council is pleased to announce that a five-member family of three small children, their lawyer father and medical doctor mother concluded a dramatic, hair-raising escape from Soviet occupied Lithuahia yesterday by arriving in Chicago to meet with relatives and make a new start in life.

They are attorney Zigmas Antanas Butkus, his wife, Dr. Danute Butkus, daughters, Loreta, age 11 and Raimonda, age 10 and a 3 year old son, Rimvydas. Their grueling experience began some three years ago when they started to plan an escape that eventually took them, initially by car, later by a variety of means of transportation, through much of Western Europe until they felt safe enough to approach an American installation to ask for political asylum. This they received: And now they finally find themselves among relatives in Chicago who are not merely excited, but delighted to have them in their midst as the latest bit of evidence that patriotic feeling is a force in Lithuania that is growing and that Soviet authorities increasingly have to reckon with.

The Lithuanian American Council brings out that their escape once again calls attention to a series of events well-known to the American people. In the recent past, first came the tragic escape attempt of the Lithuanian seaman, Simas Kudirka, then a petition of some 17,000 Lithuanians in Soviet-occupied Lithuania to the United Nations pleading for religious freedom, and finally the tragic self-immolation of a young man, Romas Kalanta in Kaunas, Lithuania, which was quickly followed by the greatest anti-Soviet riots in Kaunas that the Soviet authorities have experienced anywhere in that country. Since then there have been at least two other self-immolations in Soviet Lithuania. In addition, 75,000 Americans of Lithuanian descent signed a petition presented to President Nixon on May 17, 1972, prior to his departure for Moscow, asking the President to call attention of Moscow leaders to the illegal occupation of Lithuania and the persecutions which occur there. At this very moment 8 of the several hundred people that were arrested during the riots in Kaunas are being tried before a Soviet Supreme Court in Vilnius, the capital city of Soviet-occupied Lithuania for "major disturbances of the public order".

The usual human problems of day to day existence now faces the Butkus family as they arrive in Chicago. They have to pick up the threads of their life in "a new democratic country". In other words, "in a dramatically new environment". They will have to establish a home, send their children to school, and find useful work for themselves. There is a difference—now they can breathe freely and speak freely. They look to the future with great optimism. They feel than an unsupportable burden of oppression has fallen from their shoulders.

The Lithuanian American Council has efforts under way to give the Butkus family all possible assistance in establishing themselves in this country.

HON. KARL M. LeCOMPTE

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MILLS of Arkansas. Mr. Speaker, it is with deep sorrow and sadness that I note the death of former Congressman Karl M. LeCompte of Iowa.

Karl and I came to Congress at the same time. We were both sworn in on January 3, 1939. He had previous legislative experience in the Iowa Legislature before being elected to Congress in 1938 and had been a newspaper publisher in private life.

For 20 years, Karl LeCompte devoted himself completely to service to his constituency, to Iowa, and to the Nation as a very able, articulate, and effective Representative in Congress. I was sorry when he announced in 1958 that he would not seek renomination at the end of that session, the last session of the 85th Congress.

I am, of course, as are all of his many friends and former colleagues in the House, grieved to learn of his recent death. We express our deepest sympathy to his surviving loved ones, who can take great solace and pride in the very full and useful life that Karl LeCompte lived.

AGRICULTURE PRODUCTS—A BARGAIN FOR THE CONSUMER

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. THONE. Mr. Speaker, a few months ago I had the pleasure of appearing before the Price Commission to speak out for our agriculture community. Following is the statement I made at that time:

There is good news today for the consumer in the price of food.

There is good news for housewives in prices now at the supermarket. Here is an example. This is a 4-page advertisement that appeared in Washington newspapers this week. Nearly all items featured in the 4 pages are priced lower than a year ago. Included is beef and not just ground round but also lower prices than a year ago for roasts and steaks. Included is pork, and not just the least desired cuts, but also lower prices than April 1971 for ham and bacon. The food priced lower now than last year includes poultry, fresh vegetables and fruit, processed vegetables, bread and meat pies. Today, the housewife's shopping cart is filled with a high percentage of non-food items. But this ad even includes laundry bleach and paper diapers at prices less than a year ago.

There is good news today for the consumer because the highest price paid for pork this year is under the price paid 6 years ago. When beef on the hoof was at its highest price this year, it had only reached the price paid to farmers about 20 years ago. Prices for live cattle are now lower than about 20 years ago, despite the fact that Americans are eating 2½ times as much beef.

There is good news today for the consumer in that the average housewife this year will spend only about 15½ percent of the family's disposable income on goods compared to 23 percent 20 years ago.

Beyond the good news about food prices, there is good news today for all Americans in results from the work of the Price Commission. Among firms with gross sales of 100 million dollars annually or more who have asked for increases, the Price Commission has granted an average increase of only 3.2 percent.

The Price Commission has my sympathy in its difficult work. I believe there is a need for greater public understanding of just how successful the Commission has been. There is a need, too, for more public understanding of the fact that the Price Commission has responsibility for policing only about 82 percent of the items that are included in the Consumer Price Index.

There is need for more public understanding of our food producing system in the United States.

Such understanding is not fostered by incredibly inept reporting on how food is produced in the United States. To illustrate, let me read one phrase from the April 10, 1972 issue of *Time:* "Ranchers pocket about two-thirds of the retail price for beef . . ." One of the glaring errors in that statement is that a rancher almost never sells cattle to be slaughtered. For every dollar that a consumer spends on beef, the rancher receives about 47 cents for keeping breeding stock and raising a steer.

Of every dollar that a consumer spends on beef, about 20 cents goes to the farmer who takes the ranch steer and spends about 5 months in feeding him 400 pounds of grain and supplements. All of the remainder of the consumer's meat dollar goes to the meat packer and the supermarket. *Time's* use of the word "pocket" would indicate that money received by the rancher and the feeder is all profit. The truth of the matter is that each takes a considerable gamble as to whether he will break even, much less make a decent profit.

If you understand how meat is produced in America, you will *not* advocate price controls on the sale of livestock. Livestock producers can't increase their output of beef and pork as quickly in response to increased demand as can most manufacturers. Controlling the price of meat would certainly bring rationing and black marketing. Then we would need many more government bureaucrats to try to control the situation. We don't want that—we don't need that.

If you understand the quality of meat that is produced by American agriculture, you will *not* advocate more meat imports as an answer. A U.S. housewife who wants steak wouldn't touch the range-raised beef from South America. The housewife who wants a tender leg of lamb isn't about to purchase any mutton from Australia or New Zealand.

I want to insert into the hearing record an editorial from the *Crete* (Nebraska) *News*. Editor Lloyd Reeves, in a very brief and clear fashion, sums up how farm prices have not shared in the general increases of the past 20 years.

The Price Commission, of course, has an important role to play in making certain consumers have the lowest possible food prices. The Commission, in my opinion, should increase inspections to make certain food processors and major food chains are obeying regulations. A salutory effect would result, I believe, if several flagrant violators were dealt with severely.

Food, and particularly meat, is one of the consumer's best bargains. Vigorous action by the Price Commission in enforcing existing regulations can ensure that food will continue to be available at prices that make up a small share of the consumer price index.

Mr. Speaker, this situation has not changed substantially since I testified before the Price Commission. The consumer is still eating high-quality food for a lower cost than anywhere else in the world. And the farmers are still gambling. The American consumer should recognize and applaud the great contribution to our economy and our well-being that is given us by agriculture—the most advanced agriculture at any time in the history of man.

HON. JOHN McMILLAN

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. SPRINGER. Mr. Speaker, I have been associated with John McMillan on the District of Columbia Committee for many years and have had ample opportunity to take measure of the man. I know him as a fine upstanding gentleman, a southern statesman of the old school, as one whose concern with the problems of the Federal City made him one of the best known Congressmen in the National Capital area.

In a way, the District phase of his congressional career has been overemphasized. It has somewhat obscured the fact that John McMillan also rendered devoted service to his rural constituents and to farmers everywhere in the Nation. As a senior member of our great Committee on Agriculture, he had a big part in shaping legislation for improving the rural economy and making life better in other ways for all those who live on farms and in small towns.

John McMillan's seat in the Congress of the United States will be a hard one to fill.

TWO EXPERTS LOOK AT GREECE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ROSENTHAL. Mr. Speaker, two distinguished experts on Greece have recently reviewed books useful for Americans who want to understand what has happened in that troubled country since 1967. The seizure of power, by a group of officers who mutinied against both their military leaders and their constitutional government, has led Greece into an antidemocratic tangent which increasingly isolates the country from its NATO and other European allies. Only the United States continues to deal with Greece as if 1967 had never happened.

Mr. Spyridon Granitsas, a free-lance journalist and foreign correspondent, recently reviewed in the Nation a new book called "Inside the Colonel's Greece" by a knowledgeable and, perhaps, therefore necessarily anonymous, Greek.

Prof. George Anastaplo, of Rosary College, Chicago, reviewed John A. Katris' book "Eyewitness in Greece: The Colonels Come to Power" and Bayard Stockton's "Phoenix With a Bayonet: A Journalist's Interim Report on the Greek Revolution," which recently appeared, in a somewhat edited form, in the Saturday Review. I include both of these excellent reviews below:

A New Species—Pentagonal Man

(By Spyridon Granitsas)

Early in the 19th century, while Greece was still under Ottoman rule, a book *Elliniki Nomarhia* (Greek Legality) appeared in Greece and in Greek. It was a profound and critical analysis of the evils of slavery. And it was written anonymously out of fear of the Sultan in Constantinople or the local Pasha and his murderous agents.

In 1970, another Greek wrote anonymously *Inside the Colonels' Greece*, with substantially the same motif, albeit better documented—but with an ominous difference: he wrote it in French and had it printed abroad. So the Greeks cannot read it, as Colonel Papadopoulos' rule is even more cruel than that of the Turk. Now this book, with pertinent revisions and additions by Richard Clogg, has appeared in English. And thereby hangs another tale: "I am particularly gratified to see my book translated into English, the more so since it is going to be published in the United States," writes the author, and he adds: "Had I been given the choice, English would have been the first language in which it would have appeared. There is a specific and cogent reason for this. . . ."

As we read on, the reason becomes abundantly clear: if a long and bloody civil war is to be avoided, the ousting of the dictatorship in Greece, the only European and NATO country where this kind of Latin American, nonideological junta has been imposed, depends on the United States. That thesis is supported by most Greeks, rightists and royalists, centrists, liberals and leftists—except the hard-core Communists.

The author, a confessed pro-West intellectual, in a well-balanced and dispassionate account of the events leading to the coup of April 1967, blames not only the "foreign factor" (the Americans) but also the Greek politicians. He is especially harsh about the Communists and, perhaps, gratuitously so about Prof. Andreas Papandreou, a leading left-of-Center politician now living in Toronto.

A LONG CONSPIRACY

There is no denying that Professor Papandreou, the Communists, the royalists and other public figures made many mistakes. But their policies, and even their grave errors, were not the *causa proxima* of the dictatorship. For there was a military conspiracy afoot for several years before Papandreou had even returned to Greece in 1961, following his more than twenty years of residence in the United States. This writer, as a U.S. correspondent for the leading Athens daily *Eleftheria* (closed on that fateful night of April 21, 1967), reported from Washington on this subject as early as the spring of 1963. Others have traced the conspiracy as far back as the early 1950s.

Inside the Colonels' Greece is not only impeccably documented, save in the case of some details that might compromise the anonymity of the sources, but also extremely well written. It reads like a political novel. The book is divided into the following chapters, which disclose the reasoning of the author (who is a well-known figure among Greek political expatriates and is probably equally well known to the Pashas in Athens): Part I—The Past, Or How It All Came About; Part II—The President, Or What It Is Like; and Part III—The Future, Or How To Get Rid of Them.

In Part II, "Style and Ideology," possibly the best chapter, in describing the *Homo militaris*, the writing becomes painfully funny as it recounts the actions, and records the statements of the bizarre and illiterate Papadopoulos. The author explains that those who object to the term *Homo militaris* on the ground "that it is not a separate species but a subspecies of *Homo sapiens*, evidently do not know the Greek colonels." Yet, those colonels are not simply comic figures; they have instituted a terror network, tortured political prisoners, maintained martial law for more than five years ("something of a world record"), abolished human rights—the list of their cruelties is almost endless. "Greece today is a Kafkaesque world," writes the author in another excellent chapter, "The Great Fear."

AMERICAN SUPPORT SEEN

But there was no fear in the brave heart of Vice President Spiro Agnew, when he decided to visit his ancestral land last fall, nor in that of Secretary of State William Rogers, when he decided to celebrate the Fourth of July in Athens this year. Fear is for the natives only. Those visits, of course, strengthened the belief that Washington is behind the most unpopular, and possibly the most corrupt, regime in Europe. The author, as well as other sources, estimates that no more than 10 per cent of the Greeks support it.

If one were to disagree with "Athenian," it would be primarily on the ground of his historical account. As we said earlier, the conspiracy existed long before the "chaos" was conveniently invented; it existed in a "Pentagon Paper" which came into the hands of this writer years before the scarecrow of a Communist take-over was invoked. It was a

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"strategic" plan for the imposition of dictatorship on practically any country aided militarily by the United States—from Brazil to Turkey. To its discredit, unfortunately, the then free Greek press refused to believe—and to publish—this document.

In other words, the current dictatorship in Greece is a fairly new and unbelievable phenomenon—at least in the European context. It has its roots not in Greek history but in that new species: *Homo militaris pentagonicus.*

GREECE OF THE JOURNALISTS: A REVIEW OF TWO BOOKS

(by George Anastaplo)

The reviewer, George Anastaplo, who was born in St. Louis and now lives in Chicago, is lecturer in the Liberal Arts, The University of Chicago, and Professor of Political Science, Rosary College. He is the author of *The Constitutionalist: Notes on the First Amendment*, published in 1971 by the Southern Methodist University Press.

Dr. Anastaplo has been declared *persona non grata* by the Greek government because of his articles about American policy in Greece. Citations to those articles may be found in the *Congressional Record*, vol. 117, pt. 16, pp. 20709–20718. See also, *Congressional Record*, vol. 118, p. 889 (Jan. 24, 1972), p. 24990 (July 24, 1972).

The two books reviewed** on this occasion are John A. Katris's *Eyewitness in Greece: The Colonels Come to Power* (St. Louis: E. P. Dutton Co., 1971; 317 pages, $9.95), and Bayard Stockton's *Phoenix With a Bayonet: A Journalist's Interim Report on the Greek Revolution* (Ann Arbor, Mich.: Georgetown Publications, 1971; 306 pages, $7.95).

Both of these excessively partisan books can be useful for the discerning American reader. Bayard Stockton, an American free-lance journalist living in Greece, attempts to make a case for the Greek colonels who seized power in Athens in April 1967. John A. Katris, a Greek journalist with a very good reputation (who now lives in Minneapolis), states the case against the United States which will probably be accepted some day by most Greeks, a case which sees the colonels as little more than American agents. Perhaps, indeed, that day has already come.

The Stockton book, despite its effort to say all that can be said for the colonels—and, even more significant, despite its willingness to ignore much of what can be said against them—, has not been received altogether enthusiastically in Athens. Mr. Stockton remains enough of a journalist to reveal here and there (often almost inadvertently) marked deficiencies in the regime he defends. In addition, one can deduce the colonels' shortcomings by noticing the subjects skirted by their apologist. Most revealing may be the manner in which the longstanding torture charges are handled by Mr. Stockton. He will not say outright that there has not been widespread deliberate recourse to torture as official government policy. Rather, he argues that such charges cannot be "totally proved or disproved" and then proceeds to treat them as frivolous, if not even fraudulent. P. 144. The colonels themselves have been obliged to admit, both by the vituperative denials they issue and by the reprehensible deeds they conceal, that neither their program nor their country's plight has justified reliance on the torture which is alleged by their critics.

DOCUMENTED TORTURE

Had Mr. Stockton been willing, in assessing the torture charges, to apply the standards and accept the kind of evidence he relies upon to condemn the misdeeds of the colonels' predecessors, he would have been obliged to recognize the existence since 1967 of systematic torture unknown in any West European country today and unprecedented in peacetime Greece. Had he been willing to conduct the inquiries which *foreign* journalists can still make in Greece, he could easily have confirmed dozens (if not hundreds) of cases of savage torture, cases which have been documented in even greater number in James Becket's *Barbarism in Greece* (New York: Walker and Co., 1970) and in the thousand-page report (issued in 1970) of the Commission on Human Rights of the Council of Europe. For anyone to attempt by equivocation and sophistry to dismiss so much available evidence is to raise serious doubts about his reliability. The reader should be reminded of the kind of perverse self-deception, if not even dishonesty, which permitted intelligent men to ignore for so many years Stalin's barbarities.

Recourse has been had to torture and to continued repression because the colonels have not been able, in their five years in power, to secure more than the sullen acquiescence of the Greek people. The United States has been gulled into its unseemly support of the regime by repeated assurances of a speedy return to constitutional government and free elections. It should be evident that the colonels have neither the intention of ever giving up power voluntarily nor the ability to retain it constitutionally. Certainly, one does not need much personal exposure to these unfaithful army officers to realize they are crude opportunists who are ruthless, self-righteous and dangerous. "We have all learnt, we all know," George Seferis (the Nobel Laureate poet) observed in Athens in March 1969, "that in dictatorial regimes the beginning may seem easy, yet tragedy waits at the end, inescapably. . . . The longer this abnormal situation lasts, the greater the evil."

The colonels were able to seize power in 1967 because of the imprudent and irresponsible feuding among the recognized politicians in Greece during the preceeding decade. This feuding, which was magnified with the aid of an excitable press into a prolonged constitutional crisis in 1965, is exhibited in the Katris book. Mr. Katris's disregard of the practical consequences of what he writes is an instructive sample of the public folly in which Greek politicians and journalists indulged before the colonels struck. His intemperate denunciations of the Greek monarchy can only impede the forging of an effective alliance among the many honorable men, royalists and republicans alike, who now find themselves in opposition to the colonels. How unrealistic his program is may be seen in the conditions he lays down for the replacement of the colonels by an acceptable regime: there is about such pronouncements considerable fantasy, as if the colonels' opponents are now able to decide who will govern Greece. It does not seem to be realized, that is, that the colonels are likely to remain in power for a generation, barring chance developments or a serious international crisis.

The only prospect for dislodging the colonels, once entrenched, depended upon judicious support by the United States of the Greek people in their desire to rid themselves of their tyrants. But the influence of the United States has been fading, and with this the colonels have dared become more open in their contempt for the free world, its institutions and its concerns. I have, since 1967, seen at close range all the principal Greek political figures who are alive today as well as all the principal members of the colonels' conspiracy. I myself would much prefer to have any one of the former (e.g., King Constantine, P. Kanellopoulos, C. Karamanlis, G. Mavros, C. Mitsotakis, A. Papandreou, G. Rallis, O. Vidalis, H. Vlachou) as my governor than any or all of the colonels. The best known opponents to the colonels seem to me, as an American, to have much more in common (such as a genuine respect for civilization) than any of them have in common with the colonels now in power.

U.S. ROLE IGNORED

Who is really responsible for the emergence of these colonels? Mr. Stockton virtually ignores the notorious role of the United States in the making and unmaking of Greek governments since the Second World War. He recognizes that virtually all the leading men in Greek political life between 1965 and 1967 (including the King) refused to do the sensible thing, which would have been to publicly compromise their constitutional differences. Mr. Katris's emphasis, on the other hand, is upon the failings of the Right and upon the decisive interventions of the United States. He does not appreciate the extent to which frequent street demonstrations and public-service strikes in 1965 and 1967 (for which the Center and the Left were largely responsible and of which he now writes with nostalgic approval) also helped prepare the way for the colonels. Many apprehensive Greeks, albeit mistakenly, saw these disturbances as harbingers of a breakdown of civil order and of a return to the civil war of a generation before. Mr. Katris virtually ignores that war and its traumatic effect upon contemporary Greece, an effect which may be seen both in the reluctance of the King to permit blood to be shed in resisting the colonels and in the concern of the colonels themselves that their regime not be identified publicly with executions. There would be much more violent resistance to the colonels among disaffected Greeks today but for the tacit agreement on all sides that the ferocious vendettas of the 1940s should not be revived.

Mr. Katris's insistence that the American C.I.A. is really behind the colonels does not recognize that such control need not be posited in order for one to understand what happened in Greece in April 1967. To insist upon the C.I.A. as decisive is to underestimate the shortcomings of Greeks of all parties. It is to be a prisoner of that taste for the conspiratorial and the dramatic (with its depreciation of the role of chance in human affairs) which can make Greeks both so engaging and so exasperating. It ignores, furthermore, the growing realization among Greeks of all persuasions (at least among those who have remained in Greece) that something was seriously wrong with the old way of doing things, that leaders of all parties contributed to the suicidal irresponsibility and posturing which permitted barbarians in khaki to install themselves as the saviours of their troubled country.

The most obvious feature of the Stockton book for Americans should be its display of how barbarians can be prettied up as patient, well-meaning and determined protectors of law and order. It is to the credit of Greek politicians and journalists that no one of stature among them can be recruited by the dictatorship to serve as its apologist. Thus, however irresponsibly passionate they have been, they do retain the sense of honor which often accompanied such passion. Would a similar regime among us remain unable for five years to attract any serious support from established leaders and writers?

NO GENUINE PUBLIC SUPPORT

The colonels and their associates, usually the most disreputable elements in the army and out, realize they face imprisonment or execution if they should surrender power. That is, they realize that propaganda barrages have not secured for them genuine popular support. It is significant, for instance, that the newspapers which are described by Mr. Stockton as most closely identified with the colonels are found (elsewhere in his

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**The review was published, in a somewhat edited form, in the *Saturday Review*, February 12, 1972, pp. 79–80.

book) at the bottom of the list of circulation figures for Athens newspapers. P. 164. Even he recognizes (almost as an aside), "The danger to the future of Greece lies in the fostering of apathy and sterility in a citizenry no longer used to the flexibility of free thought. If the Revolution prevails, its drive for conformity could produce a generation too sheltered to be fully responsible." P. 223. (That which the colonels call a "revolution" is called by their opponents a "military takeover" or a "hijacking.")

The colonels do not, and indeed cannot, solve any of the serious problems of their country. Instead, chronic ailments are concealed; bombast and deception are substituted for much-needed reforms; and the future is casually mortgaged to the desperate efforts of opportunists to do what they can to perpetuate themselves in power. Shameless apologists for the colonels should be reminded of the military regime in Pakistan which was long extolled as a competent government but which was eventually revealed as having merely postponed (and hence made even more difficult) responsible treatment of problems of longstanding seriousness.

One need not assume, in order to anticipate that Americans will be discredited for a long time to come in Greece, that the United States covertly engineered the colonels' coup. Our public conduct since April 1967, in supplying the colonels arms and other testimonials of legitimacy and even of approval, suffices to earn for us a legacy of potentially explosive bitterness of which Mr. Katris's book is but a warning. Greek conservatives and royalists will dispute Mr. Katris's explanation of what happened in Athens before 1967; but they will not want to challenge his denunciations of what the United States has and has not done since the colonels seized power. The most prudent course for the United States in the years ahead, in an area so important to the interests of the free world, may be to encourage Greece to insulate itself against further American bungling by moving into closer political and economic association with Western Europe. Perhaps such an association can help supply that constitutional moderation which a fraction-ridden Greece has all too often lacked. *Federalist No. 10* comes to mind.

CHARLES HUDSON GRIFFIN

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. JOHNSON of California. Mr. Speaker, it is a pleasure to join my colleagues in paying tribute to the Honorable CHARLES HUDSON GRIFFIN, who is not running for reelection from the great State of Mississippi. Since Mr. GRIFFIN was elected to the Congress in 1968, he has served with distinction on the Banking and Currency Committee, and the Merchant Marine and Fisheries Committee. He can be very proud of his record of achievements. He truly represented his constituents, his State, and the Nation.

All of us, who have been privileged to serve with Mr. GRIFFIN, will miss him.

Mrs. Johnson joins me in wishing him a long, healthy and happy retirement from public office, and wish him every success in his future endeavors.

A CHAMPION RETIRES: A TRIBUTE TO EMANUEL CELLER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. RANGEL. Mr. Speaker, a career unparalleled in American history in coming to a close. EMANUEL CELLER, dean of the House of Representatives, is retiring from the House after 50 years of service.

It is impossible, even in summary, to do justice to a career as long and distinguished as that enjoyed by MANNY CELLER within the confines of the short statement necessitated by the time limitation imposed upon us on the House floor. And in truth, it is not necessary for me, or for any of us, to speak in detail of MANNY CELLER's many accomplishments, because the history books will record for posterity the record of achievement that marks his 50 years in the Congress.

It is said that MANNY CELLER has been responsible for writing more of the U.S. Constitution than any American except the Founding Fathers. Four constitutional amendments have resulted from his leadership, and equally important, this firm and wise leadership has prevented the enactment of other, proposed constitutional amendments which were not in the country's interest and would have demeaned the Constitution.

MANNY CELLER's fierce commitment to the integrity of the Constitution has not dimmed with the passage of years. I was proud, as a freshman Member of this body, to see the vigor and tenacity of his leadership during this session against the adoption of the proposed constitutional amendment to limit the use of busing to achieve racial integration. The Constitution, Mr. CELLER said, is not a municipal ordinance, and not the place for enactments concerning the manner in which children arrive at school.

This high regard for the Constitution has characterized MANNY CELLER's chairmanship of the Committee on the Judiciary and the whole committee, largely because of his leadership, has gained the respect of the entire House as the protector of the Constitution and the liberties it guarantees. As the newest member of the Judiciary Committee, I am especially proud of the committee's reputation and especially grateful to Chairman CELLER for the wise leadership which has created this record.

More than 350 public laws bear the name of EMANUEL CELLER; among them, the landmark civil rights legislation of the past 15 years, which has laid the groundwork for the fulfillment of America's promise of equal rights and equal opportunity to its minority citizens. I am confident MANNY CELLER's leadership in the passage of this legislation, more than any other act in his long and notable career, assures his place in history among the greatest of America's leaders.

Finally, I wish to pay tribute to MANNY CELLER, the friend, colleague, and teacher. We will all miss the sterling human qualities that shine forth from him like a beacon, but we in the New York delegation will especially miss the wise counsel that was always available from the dean of our delegation and which always contributed to our understanding and made us better Congressmen for our native State and for the Nation.

MANNY CELLER has been a champion—a champion for the Constitution, a champion for civil rights and civil liberties, and a champion for the common man. He remains a champion for his principles, for the people, and in our hearts. As he leaves us, I wish him Godspeed and many more happy productive years in the Nation's service.

TRIBUTE TO WILLIAM F. RYAN

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DOW. Mr. Speaker, my dear friend and colleague, William F. Ryan, left us in Congress in just the courageous way in which he always performed on the many occasions when he was the foremost champion for human causes in the House.

He came from his hospital in New York to cast his "aye" vote to "set the date" of war's ending in Vietnam. He poured out the last ounce of effort in that final venture of his career. It was exactly the gallant style of his final challenge to fate that typified every encounter of his career.

Because he was a champion of minorities seeking rights that are not altogether popular, Bill was more often than not at a disadvantage upon the floor of the House.

He would accost the chairman in charge of the debate and ask for "time"—that precious commodity set down as a minimum for debate on each bill. Chairmen prefer to allot "time" to their friends and those whose views are "right." Sometimes accorded adequate "time," sometimes not, Bill seized what was granted and made the very most of it.

Sitting in the House, waiting for his "time" in debate to come, Bill was struggling constantly to perfect his text. It was never quite perfect enough. Crossing out words, reaching for references in the CONGRESSIONAL RECORD, consulting colleagues, Bill fought for the right words, just as he fought for the underdog and would fight for high principles when his turn came at least in debate.

I cannot ever remember Bill Ryan merely sitting and listening in the chairs of the House. He was always struggling, appealing, denouncing, or declaring.

After the last words of debate, in which Bill was more often than not, the final debater, accorded the last small grant of time, came the amending process under the 5-minute rule.

Under the 5-minute rule, it is easier to secure that amount of time if you offer an amendment. Bill never failed to produce an amendment to counter any flaw or loophole or wrongdoing that was written into a bill concerning health, labor, education, civil rights, black minorities, young people, children, the aged, the lame, the halt, and the blind. He was their champion. Known the Nation over as one for unfortunate people to rely upon, he was the man they sought for redress of grievances and relief from oppression. Bill Ryan's passing is a defeat for the best causes in America today, and it comes at a time when we needed him most.

In a personal way, the loss of Bill Ryan is difficult for me. He was a guide and a mentor, since his seniority was greater than mine. He set the example that I have tried to follow, in a slight measure, for seeking the scarce debate time, for offering amendments that may not pass but do make a record of the issue.

Bill Ryan showed me many kindnesses, one time a very special and personal hand-up for my ailing son. Numerous times he has come to my aid in our congressional work.

In the minds of many of us, his colleagues, as we list our names on bills we are sponsoring, resolutions we are submitting and protests we are making. Bill Ryan's name will still be there among ours.

FEDERAL-AID HIGHWAYS

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MIZELL. Mr. Speaker, I rise at this time to express my strong support for the rule approved by the Rules Committee for consideration of the proposed Federal-Aid Highways Act.

All of us know, of course, that the matter at hand is much more than a procedural argument, that it strikes at the very heart of the legislation we are considering.

To adopt the substitute rule would constitute a serious threat to the highway trust fund which has been so instrumental and so valuable in the construction of an excellent system of interstate and other federally assisted highways.

Proponents of the substitute rule have as their sole objective a massive raid on this trust fund. They claim as their goal a reallocation of this fund to finance urban mass transit systems as well as highway construction, but the effect of this dilution of resources would be to make impossible the adequate financing of either the highways or the rapid transit systems.

As a member of the Committee on Public Works and its Subcommittee on Roads, I have taken an active interest in protecting this highway trust fund.

The Senate has adopted a proposal allowing $1.6 billion from the trust fund to be allocated to urban mass transit systems over the next 2 years, and apparently the House proponents of the substitute rule would advocate similar proposals.

Such proposals are deeply distressing to me, Mr. Speaker. We are literally the keepers of a public trust, which we as a body assumed 16 years ago with the creation of this fund.

The foundation of that trust was that we would employ highway user taxes to benefit highway users, by constructing a system of interstate highways which has greatly improved America's transportation capabilities.

With the legislation we have before us today, we expand this work to include construction of 10,000 miles of primary roads to connect with the interstate network and make it more easily accessible.

None of us denies that there are tremendous and urgent problems associated with urban mass transit requirements. We have been working on these problems with a high degree of intensity since 1964, with the passage of the Urban Mass Transportation Act, and we have spent millions of dollars in studying the problems and implementing improvements.

Certainly, there is more to be done in this area, and we have a responsibility to do more.

But as is so often the case, we find ourselves in disagreement over the ways and means to reach a commonly shared goal.

As I have already said, I am convinced that raiding the highway trust fund is not the solution to this problem. It will not significantly improve mass transit systems in America's major cities; there is not enough money in the fund to do that. But it would significantly impair the highway construction effort we have already begun and which we seek to expand.

Therefore, I strongly urge my colleagues to join with me in voting for the rule as recommended by the Rules Committee on this legislation.

HON. WILLIAM M. COLMER

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FLOOD. Mr. Speaker, the gentleman from Mississippi, a truly great gentleman of this House, WILLIAM COLMER, is about to retire.

The end of his distinguished career in this House in a large sense will mark the end of an era.

WILLIAM COLMER is an accomplished man in every sense of the word. He is an accomplished chairman of a great committee, the Committee on Rules. He is an accomplished Representative in this Congress, making great accomplishments for his district and his State. Most of all he is an accomplished American, for his service to his Government and his Nation is one of the truly great tenures of public service in this century.

I join with Chairman COLMER's other House colleagues in saluting him for his contribution, as he served to make the U.S. Congress a greater one. I join with my colleagues in expressing my regret that this House is about to lose one of its outstanding Members as we end the 92d Congress.

REPRESENTATIVE ELLA GRASSO ANNOUNCES ALLOCATION OF REVENUE SHARING GRANTS TO SIXTH DISTRICT TOWNS FOR 1972

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mrs. GRASSO. Mr. Speaker, the Joint Committee on Internal Revenue Taxation recently made available a breakdown of the revenue sharing grants that Connecticut cities and towns can expect to receive in 1972. The revenue sharing bill passed by Congress provides Connecticut with $66.1 million, including $22 million for the State and $44.1 million for cities and towns. Communities in the Sixth District will receive over $8 million. This important funding will supplement local revenue to assist our cities and towns in such programs as public safety, environmental protection, public transportation, health, recreation, libraries, financial administration, and social services.

The following are the available revenue sharing figures for Sixth District communities:

Sixth District

Hartford County:	
Avon	$58, 676
Berlin	208, 919
Bristol	1, 170, 772
Burlington	29, 518
Canton	66, 148
East Windsor	102, 953
Enfield	829, 071
Farmington	138, 269
Granby	65, 164
New Britain	1, 760, 599
Plainville	338, 753
Simsbury	136, 174
Southington	560, 772
Suffield	104, 730
Windsor Locks	272, 567
Litchfield County:	
Harwinton	12, 567
Litchfield	63, 925
New Hartford	20, 394
New Milford	162, 271
North Canaan	23, 747
Plymouth	123, 728
Salisbury	15, 798
Thomaston	96, 615
Torrington	484, 893
Washington	10, 594
Watertown	209, 406
Winchester	over 200, 000
Woodbury	40, 330
New Haven County:	
Middlebury	40, 447
Southbury	64, 176
Fairfield County:	
Brookfield	48, 836
New Fairfield	20, 346
Newton	204, 481
Tolland County:	
Somers	39, 123

MAJ. GEN. JOHN W. KAINE

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MURPHY of New York. Mr. Speaker, I would like to honor a splendid public spirited American who has spent a lifetime in service to the people and the Nation, Maj. Gen. John W. Kaine, U.S. Army Reserve. An impressive special retirement review was conducted by the officers and men of the 411th Engineer Brigade, 77th U.S. Army Reserve Command, at Fort Tilden, N.Y., on October 1, 1972.

Text of the retirement review follows:

MAJ. GEN. JOHN W. KAINE

Major General John W. Kaine enlisted as a Private in the 77th Infantry Division Reserve in 1935. He was appointed a Second Lieutenant in the Army Reserve in 1937 and served with the 305th Infantry, 77th Division until called to active duty in 1940. During World War II, he served successively as a Platoon Leader, Company Commander, Battalion S-3, Battalion Executive Officer and Battalion Commander. He commanded the 2nd Battalion, 180th Infantry of the 45th Infantry Division in the European Theatre of Operations. He was released from active duty in March 1946, as a Colonel.

In 1948, General Kaine rejoined the 77th Infantry Division in Reserve status. He served successively as Chief of Staff and Commanding Officer of the 306th Infantry Regiment, Division Chief of Staff, Assistant Division Commander, and as Commanding General of the of the Division from 1958 through December 1965, when the 77th Division was inactivated.

On the inactivation of the 77th Division in 1965, he was appointed Deputy Chief of Army Reserve (Mobilization Designee), Department of the Army, Washington, D.C.

Simultaneously with his service as Divison Commander and Deputy Chief of Army Reserve, General Kaine also served on several key Reserve affairs policy committees. He served as Alternate Member from First United States Army on the Department of the Army General Staff Committee on Army Reserve Policy (the "Section 5 Committee") from 1 July 1960 to 31 December 1961.

On 1 January 1962, he was appointed principal Member from First United States Army to this Committee. A year later, he was appointed Chairman of the Committee on Army Reserve Policy, and in January 1964 was appointed Chairman of the Joint Committee on Army Reserve and National Guard Policy. He served in this capacity until statutory relief in December of 1966.

In September of 1966, General Kaine was appointed to the Department of Defense Reserve Forces Policy Board and served on this board until statutorily relieved in 1969.

Meanwhile, in December 1967, upon implementation of the Army Reserve Command (ARCOM) structure, he was reassigned from Deputy Chief, Army Reserve (Mob Des), to Commanding General, 77th United States Army Reserve Command, his current assignment. The ARCOMs represented an entirely new challenging concept of Reserve organization, wherein the ARCOMs' headquarters assumed major command functions and responsibilities formerly exercised by Active Army. The 77th U.S. Army Reserve Command is the largest of the ARCOM with over 200 units and approximately 20,000 personnel authorized.

In April 1969, Gneral Kaine visited U.S. Army Reserve units serving in Vietnam, including five 77th USARCOM units which had been called up, and which served with distinction.

In March 1970, during the National Emergency declared because of a massive postal strike. General Kaine rapidly mobilized 84 units of the 77th USARCOM including thousands of personnel in what was the first time U.S. Army Reserve units had been employed in a domestic crisis. The call-up also proved that Army Reservists could be effectively mobilized within only a few hours. During the operation ("GRAPHIC HAND"), as part of "Task Force New York," General Kaine was in command and control of the many Navy, Marine, Air Force and Coast Guard Reserve units mobilized, in addition to 77th USARCOM and other Army Reserve units. General Kaine's control and employment of these units was an instrumental element in the rapid restoration of postal services.

In civilian life, General Kaine is Executive Vice-President of Conso Products Company, a division of Consolidated Foods Corporation. He and his wife, the former Helen Field, have two children and two grandchildren.

General Kaine's organizational affiliations and offices held includes Past President, New York Chapter, Association of the United States Army; Board of Governors, New York Society of Military and Naval Officers of the World Wars; President, Liberty Patch Fund, Inc.; President, 77th Infantry Division Reserve Officers Association; Member, Military Order of the World Wars, 45th Infantry Division Association Reserve Officers Association of the United States.

With a deep feeling of regret the Army Reserve, the military, and the American people lose the services of this spendid officer.

HON. JOHN L. McMILLAN

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. NICHOLS. Mr. Speaker, I rise today to pay tribute to our longtime colleague from the great State of South Carolina, the Honorable JOHN L. McMILLAN. JOHN McMILLAN has served in the Congress for 34 years, faithfully serving his constituents from South Carolina's Sixth Congressional District.

His accomplishments have been many—he represented the United States at the Interparliamentary Union in London in 1960 and in Tokyo in 1961. For 24 years, he served as chairman of the House District Committee while also serving on the important Agriculture Committee. He has served as vice chairman of the Agriculture Committee and was chairman of the Forestry Subcommittee and vice-chairman of the Tobacco Subcommittee, a position that was extremely beneficial to his constituents.

Mr. Speaker, the residents of South Carolina's Sixth Congressional Delegation have indeed been fortunate to have JOHN McMILLAN, Dean of the South Carolina Delegation, representing them here in Washington for 34 years. As he returns to his beloved home in Florence, he can rest assured that his District, his State and his Nation are better because of his devoted service.

I consider myself fortunate to have been able to call JOHN McMILLAN a friend. I will remember him warmly in the years to come.

YOUR LIFE MAY BE AT STAKE

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FRENZEL. Mr. Speaker, recently the Minneapolis Star printed a nationally syndicated column written by Nicholas Von Hoffman. Although Mr. Von Hoffman is clearly not a recognized expert in the field which he is addressing, I think that his comments are worthy of consideration by the Members of this House:

YOUR LIFE MAY BE AT STAKE

(By Nicholas Von Hoffman)

WASHINGTON.—A few days ago a group of nuclear safety experts met in Bethesda, Md., but other than on a back page of the New York Times the event went largely unreported. The participants met in secret and the Atomic Energy Commission told them not to shoot their mouths off to the press.

That the AEC should try to keep it quiet isn't surprising since the topic was how safe are the atomic generating plants being put up by the scores all over America. The answer is that nobody knows, neither the Atomic Energy Commission, nor its scientists and engineers, nor companies like Westinghouse, which build these reactors, nor the public utilities which buy and operate them. Quite literally, nobody knows.

"What bothers me most is that after 20 years we are still making purely subjective judgments about what is important and what is not in reactor safety. Purely by decree, some things, like the rupture of a reactor pressure vessel (the protective pot in which the hot stuff cooks), are ruled impossible. To decide these things without some objective measure of probabilities is, to me, almost criminal." Those are the words of a senior engineer at the Oak Ridge National Laboratory as quoted by Robert Gillette in a series of articles in Science magazine. Reading Gillette's series is the next best thing to coming down with a howling case of leukemia.

Nuclear power plants are kept cool and safe by running enormous quantities of water through them. What would happen if, for any of 10,000 reasons, the water dried up on them? A "loss-of-fluid test" would give some answers about that, and so in 1963 the AEC wisely decided to run such a test. However, Gillette reports:

"Nine years later, the AEC is still struggling to finish building the loss-of-fluid test facility, let alone run it. At last report (September) construction was 80 per cent completed, but work is now more than six years behind schedule. The tests and crucial experiments have been expanded in scope but postponed until 1974 or 1975; by then, as many as 80 nuclear plants that might have made use of the results in their design will already be running."

You have to force yourself to believe it, but there have been no empirical tests or experiments done on the safety systems of these plants. Their safety and reliability depend wholly on the validity of computerized, mathematical models. Proceeding with the reactor-building program simply on the basis of computations unsupported by hard, experimental data is risky enough, but it was near madness to do it when a number of the AEC's own scientists doubt the soundness of these models.

Indeed, last spring the AEC's own public hearings on these questions were knocked out of kilter when Philip Rittenhouse, an Oak Ridge researcher, submitted a list of 28 of his professional associates who consider the present safety standards seriously deficient in a large number of the fundamental technical assumptions.

This isn't an abstruse hair-pulling contest between a bunch of far-outs in white lab smocks. Your life may depend upon the outcome.

A group of Harvard-MIT experts who go under the name of the Union of Concerned Scientists have been making a few calculations on what would happen if—. If there is a bad goof, which for some obscure reason the scientists call a "China Accident," you're not going to get an explosion, but rather a drifting, lethal, radioactive cloud. Unlike the fission products of a nuclear weapon explosion, which are distributed in an immensely hot bubble of gas that rises rapidly, the gases here are relatively cool. Accordingly, they rise little at best and may easily be trapped under temperature inversions common at night.

With the big, new nuclear power plants your local electric utility is probably putting up at this very minute only about five percent of its radioactive gas, not dust or such material, needs to escape through a crack in the pot. Should that happen with no temperature inversion and a 12-mile-an-hour wind, lethal injuries might be expected to a distance of a mile; injuries are likely to 2.5 miles. If there is a temperature inversion—and we smog-conscious people know how frequent they are—all you need is a six-and-a-half-mile-an-hour wind to produce death in a strip two miles wide and 40 miles long; there would be injuries in that strip as far as 80 or 100 miles away.

This, it should be emphasized, would be the result of a mere five percent of the radioactive gas escaping. If there were a full-fledged China Accident, it could, as the Union of Concerned Scientists expresses it, "generate a catastrophe of very great proportions, surely greater than any peacetime disaster this nation has ever known.

On Nov. 1 the AEC is going to come out of its closet and resume public hearings. We'd best all pay attention this time.

PUBLIC EMPLOYMENT PROGRAM

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. HANNA. Mr. Speaker, I am sure that my colleagues share my distress at the recent reports in the press that the administration intends to see the public employment program die next year. If this is true, it reveals a callous disregard for thousands of Americans who want work rather than welfare. Our Nation's unemployment figure still exceeds 5 percent. I have today written to the President urging him to support a continuation of PEP and I hope my colleagues will do the same.

FLORIDA'S FIRST DISTRICT HONORED

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SIKES. Mr. Speaker, Florida's First and Finest District was singularly honored on Friday night, October 13, by a visit from the Hon. Melvin Laird, Secretary of Defense. He was guest speaker at the Supervisors Banquet in Pensacola. The Supervisors Banquet is held annually by members of the National Supervisors Association of the Naval Air Station in Pensacola, Whiting Naval Air Station at Milton, and the Naval Coastal Systems Laboratory at Panama City. It is considered one of the outstanding events of the year in that it brings together the supervisory personnel among civilian employees at the naval installations, the ranking military personnel, business and civic leaders in the three communities, and their families and guests. We have consistently been honored with the presence of very high ranking national figures in the field of defense as guest speakers at these occasions. We take particular pride, of course, in the fact that Mr. Laird was our guest this year.

This distinguished American with whom I was privileged to serve on the Appropriations Committee prior to the time he became Secretary of Defense is indeed an outstanding leader. He has accomplished a great deal to bring pride and solidarity to the services and esprit de corps to uniformed personnel in all ranks.

I am privileged to submit his address in Pensacola for printing in the CONGRESSIONAL RECORD:

ADDRESS BY THE HONORABLE MELVIN R. LAIRD, THE SECRETARY OF DEFENSE AT THE 26TH ANNUAL BANQUET OF THE PENSACOLA AND PANAMA CITY AREA CHAPTERS OF THE NATIONAL ASSOCIATION OF SUPERVISORS, PENSACOLA, FLORIDA

My last visit to this fine city occurred during the first few months of my tenure as Secretary of Defense. Though it has been almost four years, the charm of this city and the warmth of its people are every bit as impressive as I had remembered. This area is well known for a community spirit that unites military and civilian communities and it is gratifying for me to again see and sense this spirit in person.

In 1969 when I was here, I talked of some of the things I hoped to achieve. Today, as I near the end of my tenure as Secretary of Defense, I'd like to comment on what has been done during this period of almost four years.

We have shaped a new national security strategy, the Strategy of Realistic Deterrence. The purpose of this strategy is to provide strong, adequate defense and to give substance and necessary support to the diplomatic initiatives of the Nixon Doctrine. The goal of this realistic strategy has been to adjust our defense policy to the world and national conditions as they are and as they will be.

Abroad, this strategy has encouraged increased self-reliance on the part of our allies. In the Western Pacific it has allowed us to bring home the more than half a million troops formerly in South Vietnam and to reduce significantly our ground forces in Korea and other parts of that area.

Our NATO allies too have responded to the call for more meaningful partnership by strengthening the mutual defense forces in Europe and by increasing their burden-sharing.

At home the adjustments of our new national security strategy have been directed toward providing a smaller, more effective, truly volunteer force.

As a result of more meaningful partnership with our allies and a more important role for our National Guard and Reserve forces, we have been able to reduce military manpower by more than one million.

And we have undertaken a task never before accomplished in a military force of this size—the transition to a force manned by true volunteers. In a country that prides itself on being the land of the free, freedom of choice in military service is as logical as it is desirable. We have made extraordinary progress in reducing draft calls by 250,000 a year since we took office, but final success depends on the ability of the armed services to attract and retain a great number of the fine young men and women of this country. To do this we will need the continued support of the American people, and the continued support of Congress for equitable pay and other benefits for our men and women in uniform. I am confident that we will have the support needed to complete the task of reducing draft calls to zero by our target date of July 1, 1973.

Each defense budget of this Administration has taken a smaller proportion of our Gross National Product—the truest measure of the insurance cost of defense. This year's budget is 6.4% of GNP, the lowest figure in more than twenty years.

At the same time we have not cut into the muscle of our defense strength. Today we remain—in President's Nixon's words—

"As strong as we need to be for as long as we need to be."

For all our services, including the National Guard and Reserves, this means modern equipment and effective training. The Navy, for example, will maintain flexible, mobile airpower with a new nuclear carrier, and a new aircraft—the F-14. To ensure effective nuclear deterrence, we plan to build a new missile submarine, the Trident, and to protect our sea lanes we have devoted record sums to the badly needed modernization of our fleet.

There remain, however, those who feel that our spending on defense is excessive, and that further massive cuts are desirable. I am deeply troubled by such recommendations which fail to acknowledge the significant progress made in the past four years in reducing the burden of defense.

Our manpower and program cutbacks since 1968—priced in 1973 dollars—would amount to a spending cut in Defense of $32.7 billion. Actual spending dropped by only $1.5 billion, however, because of higher pay costs and higher price tags on the goods we purchase.

Since 1968, manpower costs have increased by over 30% at the same time that military and civil service manpower has decreased by nearly 1.5 million. This increase, I want to emphasize is largely a reflection of substantial pay raises for military personnel, particularly for those in lower grades.

I believe the vast majority of American people support our programs to eliminate the gross inequities in military pay which we found when taking office in 1969.

Since 1964, the price of goods has risen by nearly 30% as a result of a wave of inflation felt in all sectors of the American economy—now, happily, receding.

After the significant reduction of our defense forces which has occurred in recent years, we must approach proposals for further drastic cuts with a great deal of caution. Although this Administration has made sizeable savings in our defense establishment, we have not and we will not sacrifice strength for expediency or undermine our national security by trading substance for promise.

Because we have maintained adequate strength, we have been able to open avenues of negotiation that were not possible four years ago:

Who in 1968 could have confidently predicted that an American President would be in Peking opening lines of communication and cooperation between these two adversary powers?

Or an American President in Moscow achieving significant agreements on a host of important issues—most significantly on the historic first agreement to limit strategic nuclear weapons?

Who in 1968 would have been confident that the four great powers would reach an agreement to reduce tension on Berlin, or that East and West Germany would begin to deal directly after more than 25 years of hostility?

Such negotiations represent a remarkable achievement, and I'm proud of the support that the Department of Defense has been able to give them.

In the future, under President Nixon's leadership, we will continue to build on the negotiating framework established in the past four years.

Along with our European allies, we will work to achieve an agreement with the Warsaw Pact nations for Mutual and Balanced Force Reductions. This is a relizable goal—a goal that will enhance security in Europe—but we must maintain our strength. One fact is certain, we will not achieve any such objective if we cut our force in half, as some advocate, without receiving anything in return from the other side. That's a pure giveaway program.

We are preparing for further negotiation with the Soviet Union on strategic arms limitation. We can expect progress in this field of arms control, but not if we unilaterally cut our nuclear deterrent force.

I want to assure the people of this area, who are so sensitive to the welfare of those in uniform, that we will continue to use every available approach to bring about the return of American prisoners of war and an accounting of the missing in action in Southeast Asia. This we can and will achieve—but not if we supinely pull all our forces out and place our trust in the enemy's goodwill. I would remind you that this is an enemy who continues to disregard the humanitarian provisions of the Geneva Convention.

The encouraging negotiations that go on today occur because our country, in partnership with our friends, is strong. Any undermining of this strength would diminish the prospects for negotiating solutions to the critical problems of the world.

In the final analysis, the question of providing adequate defense strength is one that will be decided by the American people and by your representatives in Congress. The power is with you and the many thousands of citizens like you to decide this issue.

It is encouraging to address a group such as the National Association of Supervisors because I know that you understand the role that national defense plays in our quest for a generation of peace.

But you also understand that although we will never settle for less than is sufficient for adequate defense, we cannot afford to spend more than is necessary. Competing domestic priorities simply do not allow the luxury of "fat" in defense spending.

I'm confident that both our military and our civilian employees can do the job—

In the military the transition to the all-volunteer force is providing an ever-growing number of motivated, capable young men and women. They will be better organized, better led, and more efficient than their predecessors.

Our civilian employees too will be fully capable of meeting this challenge. I'm encouraged by the growth of supervisory organizations such as the National Association of Supervisors and the leading role that such organizations have taken in defining the contribution of middle-management to the overall defense effort. We look to you for the vital leadership that will improve productivity and permit us to do the job more efficiently.

Civilian and military, we are working together to achieve a generation of peace. President Nixon has led us closer to this goal. With wise and strong leadership in the future, we will make this goal a reality.

JEWISH HALL OF FAME

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MURPHY of New York. Mr. Speaker, 1,200 people will attend the first annual Jewish Hall of Fame award at a breakfast on Sunday, November 5, at the Commodore Hotel Grand Ballroom in New York City. The Council of Jewish Organizations in Civil Service, Inc., consisting of 34 organizations representing 130,000 Federal, State, and New York City civil service employees, is sponsoring the Jewish Hall of Fame of New York, Inc. Louis Weiser, a retired New York City police lieutenant, is president of the Council of Jewish Organizations in Civil Service, Inc. Alex Novitsky of Brooklyn is the founder of the Jewish Hall of Fame of New York, Inc.

Novitsky said:

> Jews who have made contributions in American life will be selected annually to have their names in the Jewish Hall of Fame to serve as models for our youth.

Novitsky also said that contributions made by Jews in American life are indeed enormous. Jews have been prominent in many areas and unfortunately many of these forgotten, outstanding people do not receive recognition they deserve.

The Jewish Hall of Fame of New York, Inc., a nonprofit organization, will salute and annually award those outstanding people of Jewish heritage who have excelled in various fields such as education, journalism, medicine, government, science, entertainment, commerce, labor, sports, arts, and culture to receive recognition for serving mankind.

The Council of Jewish Organizations in Civil Service, Inc., will give four scholarships during the Jewish Hall of Fame award announcement on November 5 at the breakfast. The scholarships will be named after the late Herman P. Mantell, former president of the Council of Jewish Organizations in Civil Service, Inc.

TRIBUTE TO THE LATE GEORGE THOMAS DELAP

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, I rise to announce with profound sorrow to Members of this House the death of a good friend, respected labor leader, and trusted member of my district staff, Mr. George Thomas Delap.

Mr. Speaker, this is the second death among my staff within the past month. I have lost two irreplaceable friends with the passing of John Griffin and, now, George Delap, who passed away on Friday, October 6, 1972.

George Delap was a man widely known and widely admired in Hudson County, N.J. He served as business agent to locals of the International Longshoremen's Association. In fact, only on Friday, just a few hours before his sudden and tragic death, I had called him on the telephone to discuss the pending Longshoremen's and Harbor Workers' Compensation Act which was pending business on the House floor. As my adviser and consultant on labor matters, George was vitally concerned with the passage of this bill and, in large measure, its passage would be a memorial to this fine man.

Mrs. Daniels joins with me in expressing our sincerest sympathy to George Delap's lovely widow, the former Frances Dolan, and their children, in this time of sorrow. Rest in peace, dear friend.

HOUSE OF REPRESENTATIVES—*Wednesday, October 18, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Prove all things; hold fast that which is good.—1 Thessalonians 5: 21.

O Thou holy and merciful God, who seeks us when we go astray and who redeems us warmly when we return with the coming of a new day we would quietly lift our hearts unto Thee in prayer. For this day of Thy grace grant unto us courage, faith, and good will that in meeting the needs of our Nation we may not fail man nor Thee.

Deliver us from bigotry and bitterness, from pettiness and prejudice. Keep us devoted to the higher values and greater virtues which give to life meaning and purpose and which hold us steadfast in the struggle for freedom, justice, and peace in our world.

"God of justice, save our people
From the clash of race and creed.
From the strife of class and faction
Make our Nation free indeed.
Keep her faith in simple goodness,
Strong as when her life began;
Till it finds its full fruition
In the brotherhood of man."

Again we pray for the safe return of our majority leader and our colleague.

May Thy peace and Thy comfort abide in all our hearts. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 1331) entitled "Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes."

The message also announced that the Senate had voted to override the President's veto of the bill (S. 2770) to amend the Federal Water Pollution Control Act.

The objection of the President not withstanding.

The message also announced that the Senate recede from its amendments Nos. 3 and 4 to the amendment of the House of Representatives to the bill (S. 3858) entitled "An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes."

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed Mr. ALLOTT as an alternate delegate, on the part of the Senate, to the North Atlantic Assembly to be held in Bonn, Germany, November 18 to 24, 1972.

The message also announced that the Senate disagree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) entitled "An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973."

And that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate numbered 10, to the above-entitled bill, with an amendment.

And that the Senate further insist upon its amendments to the above-entitled bill and request a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon and appoints Mr. LONG, Mr. ANDERSON, Mr. TALMADGE, Mr. BENNETT, and Mr. JORDAN of Idaho be the conferees on the part of the Senate.

ENVIRONMENTAL NOISE CONTROL ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11021) to control the emission of noise detrimental to the human environment, and for other purposes, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, this bill, as the Members well recognize, is the Environmental Noise Control Act of 1972, to which I objected yesterday, principally on the basis of protest against the procedural press of year-end legislation. Since then and immediately thereafter I have been importuned by the distinguished gentleman, the chairman of the Committee on Interstate and Foreign Commerce, and many people across the length and breadth of the Nation, to withdraw my objection. I well know their fears of more stringent regulation in 1973, but rather than acceptance, now, I believe they will gain amelioration in the committee's mature deliberation. In principle I am against Federal preemption of State rights.

Mr. Speaker, I have gone into prayerful consideration of this bill, which does require unanimous consent, because of the legislative bind in which we find ourselves. I have resurrected the legislative file, with all my notes pertaining thereunto, as it passed the House by a vote of 356 to 32 on February 29 of this year, with its amendments.

Mr. Speaker, I am one of those who voted against it at the time, on the basis that it was not coordinated between the new Environmental Protection Agency and responsibilities of the Federal Aviation Agency, which I understand from my friend from West Virginia (Mr. STAGGERS), is presumably corrected in the House amendment to the Senate amendments in the House-passed version of the bill. There has been no conference in this procedure, and these is no printed report on which to base a mature judgment.

At the time of the original House consideration, my objection was predicated further on too severe penalties, the new granted right for citizens to bring civil suits leading to these too severe penalties, the fact it was applicable to much noise abatement, besides those of the transportation industry, and so forth.

I felt, Mr. Speaker, it would come back to haunt us as the occupational health and safety bill has done. I also made an annotation at that time that I thought it was too costly for experimental legislation. I have reviewed all of that and had a conference with the distinguished chairman this morning, but I regret to say in my heart and in my most considered judgment I find, with the increase costs—doubled—offered in these amendments, and as related by the chairman yesterday on page 36957 of the CONGRESSIONAL RECORD, that my conviction is more deeply founded and more profound than ever, and therefore I must object.

The SPEAKER. Objection is heard.

APPOINTMENT OF CONFEREES ON H.R. 16810, PUBLIC DEBT LIMIT

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16810) to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. PICKLE. Mr. Speaker, reserving the right to object, I would ask the gentleman from Arkansas if this is the measure which also pertains to the extension of the unemployment benefits program.

Mr. MILLS of Arkansas. If the gentleman will yield, it does. Yes.

Mr. PICKLE. With great hesitation and reluctance, Mr. Speaker, I make the point of order that that portion of the bill is no germaine.

The SPEAKER. The Chair will advise that this is a matter of disagreeing to the Senate amendments and that issue is not before the House at this time, so a point of order is not available at this time.

Mr. PICKLE. Then the same point of order may be reserved when it comes back from conference?

The SPEAKER. Perhaps.

Is there objection to the request of the gentleman from Arkansas? The Chair hears none, and appoints the following conferees: Messrs. MILLS of Arkansas, ULLMAN, BURKE of Massachusetts, Mrs. GRIFFITHS, Messrs. BYRNES of Wisconsin, and SCHNEEBELI.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 458]

Abbitt
Abernethy
Abourezk
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Badillo
Baker
Baring
Begich
Bell
Bergland
Betts
Bevill
Biaggi
Blackburn
Blanton
Boggs
Bolling
Bow
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byron
Cabell
Caffery
Cederberg
Chappell
Clark
Clawson, Del
Clay
Cleveland
Collier
Collins, Ill.
Collins, Tex.

Cotter
Crane
Curlin
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellums
Denholm
Derwinski
Dickinson
Dorn
Dow
Dowdy
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evans, Colo.
Findley
Fisher
Flowers
Flynt
Foley
Ford,
William D.
Forsythe
Frey
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Hagan
Haley
Hanna
Hansen, Wash.
Harvey
Hastings
Hébert
Heckler, Mass.
Hillis
Hosmer
Hunt
Ichord
Jarman
Jones, Tenn.
Keith
Kuykendall
Link
Lloyd
Long, La.
McClory
McClure
McCormack
McDonald,
Mich.
McKay
McMillan
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Mills, Md.
Mollohan
Monagan
Montgomery
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Nichols
Patman
Peyser
Podell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Railsback
Randall
Rees
Riegle
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rosenthal
Rostenkowski
Runnels
St Germain
Scheuer
Schmitz
Schwengel
Scott
Sebelius
Shipley
Shoup
Sisk
Skubitz
Snyder
Springer
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Whitehurst
Wiggins
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wyman
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Zablocki

The SPEAKER. On this rollcall 250 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. O'NEILL. Mr. Speaker, I offer a resolution (H. Res. 1169) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1169

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members on the part of the House of the Committee to Notify the President, the gentleman from Massachusetts, Mr. O'Neill, and the gentleman from Michigan, Mr. Gerald R. Ford.

OUR THANKS FOR THE SERVICE OF OUR GOOD COLLEAGUE "DOC" HALL

(Mr. ROUSSELOT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROUSSELOT. Mr. Speaker, unfortunately, we do not always show our appreciation for a job well done until someone makes the decision to move on to another activity or passes from the scene. In this case, I am pleased, as so many of my colleagues have done in the past, to join in saying, "Thank you, 'Doc' Hall," for the splendid and worthy service that you have performed in the House of Representatives in remembering the rules under which we are supposed to operate and, more important, acting as a watchdog to make sure that we have not cut corners when it would have been very easy to do so.

Since we both arrived at this public body, the House of Representatives, together in January of 1961, I, along with many others, have admired your principled stand and just plain courageous position of acting as the conscience of the House. This has been needed and I am sure that you realize by the vast number who daily seek your advice and counsel how the respect of your colleagues has grown since that time in 1961 when we both arrived in Congress.

There are so many things on which I could comment, but because I know you also are opposed to having our Record filled with reams of material, I will merely list a few of the more constructive achievements that your efforts have added to the House of Representatives.

You have worked long and hard to make sure that any so-called reform activity in the House would not run roughshod over principles of procedure that are needed to protect a minority group or a so-called unpopular position. Yet, you were in the forefront of those anxious to provide needed changes in the 1970 Reorganization Act which would contribute to sensible legislative process rather than legislation by whim or undue organizational pressure.

Your willingness to serve what in effect was the entire membership, together with our colleague H. R. Gross, of Iowa, by being on the floor every day for almost every single moment of floor activity, was a service appreciated by even those temporary antagonists who might have become disgruntled because you raised appropriate points of order or even asked for a quorum call because not enough Members were willing to listen.

Thank you, "Doc" Hall, for all you have done to serve your country, your State of Missouri, your district, and especially the U.S. House of Representatives which you have tried valiantly to make a more responsible institution.

HON. WILLIAM McCULLOCH

(Mr. CELLER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CELLER. Mr. Speaker, it seems to me altogether fitting that Bill McCulloch and I should both be leaving the institution we both love at the same time. We, as everybody knows, have worked together in the closest of harmony, and so I feel fully qualified to state categorically that Bill McCulloch has over and over again proven himself to be a man of the highest courage, unbreakable in spirit, devoted to his country and the well-being of his fellow men. I shall always hear him say in a voice of the strongest sincerity—

> When we are talking of civil rights, remember, we are talking really of constitutional rights.

So he was, a defender of the Constitution. His probities are beyond question, his contributions are already part of history and his leadership tested and never found wanting.

My appreciation of Bill McCulloch is equaled only by my affection. Bill and his dear wife Mabel have come to be a part of my life, and I hope and trust when they are back in Piqua enjoying the tranquility which he has so richly earned that he and Mabel will sometimes think of me.

I owe much to Bill McCulloch and want to state for the record that this debt of gratitude I can never really repay.

Mr. GERALD R. FORD. Would the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I share all of the sentiments expressed by the distinguished dean of the House of Representatives in regard to Bill McCulloch.

Bill and I were sworn in together on January 3, 1949, but Bill was elected to fill an unexpired term, so during our nearly 24 years of service Bill was senior to me in the House of Representatives.

We shared many common views and we worked in close tandem in trying to accomplish those things that were beneficial to the country in the way of legislation. I can only mention a few of them; the gentleman from New York has mentioned several.

Bill McCulloch's record in the field of civil rights legislation is unparalleled; his efforts to try to change the method of electing the President of the United States, unfortunately, are not included, but he successfully led the fight in the House of Representatives. He did many, many other things in a constructive and visionary way.

Bill McCulloch's rapid progress up the ladder of the Judiciary Committee resulted a decade later in his becoming the ranking Republican on that great committee. All the time that I have had the privilege of being the Republican leader Bill McCulloch has been the ranking Republican member of the great Committee on the Judiciary.

I could not have had a more cooperative and helpful colleague in that capacity, for which I express my appreciation and gratitude at this time.

We have not agreed on every issue, but his willingness to understand my viewpoint endeared him to me even more, perhaps, than if we had always agreed.

Of course, Bill McCulloch's outstanding record as a Member of this body could have been foreseen, because he served with great distinction in the Ohio State Legislature. He was a former speaker of the Ohio House of Representatives and held other important posts during his outstanding career in that legislative body.

Mr. Speaker, those of us who have known Bill McCulloch have grown to respect him and to hold a great affection for him. We will miss Bill McCulloch greatly in future Congresses.

Let me say in conclusion, Mr. Speaker, we will not only miss Bill McCulloch, but we will miss his wonderful wife Mabel and their daughter Nancy just as much.

I wish to both Bill and Mabel the very finest in health and happiness in their years ahead.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Mr. Speaker, I am privileged to yield to the distinguished Speaker of the House of Representatives.

Mr. ALBERT. Mr. Speaker, I desire to join the two distinguished gentlemen, the Dean of the House and the minority leader, in this word of tribute to Bill McCulloch on his departure from this Chamber. He has been every inch a man during his entire service in the House of Representatives. Like the Dean of the House, he has been a leader in the field of civil rights, and in many other areas of legislation coming out of the great Committee on the Judiciary.

His wife, Mabel, and my wife, are very close personal friends. My wife considers her to be one of the finest people she has ever known. Both Bill and Mabel are so genteel and so humble and so fine and yet at the same time so determined in everything in life that is worth while.

Again I thank the gentleman for yielding.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Speaker, I join with the distinguished Members of this great body and with the chairman of the House Judiciary Committee and dean of the House in this well deserved tribute to my good friend and colleague, the Honorable William McCulloch.

Bill McCulloch has, with Mr. Celler, been long engaged in championing the rights of individuals. He, too, has established for himself a record in the field of human rights. For it was he, along with the chairman of our Judiciary Committee, who led the fight for the landmark civil rights legislation in the 1960's.

A compassionate and sensitive individual, Mr. McCulloch stood always firm in his insistence that the basic rights of all men, guaranteed in the Constitution, be denied to no one. And, through all my years of association with him as a member of the Judiciary Committee, I found this great depth of understanding for the needs and rights of this fellow man to remain uppermost in his mind and to serve as the motivating factor in his legislative endeavor.

Bill McCulloch will be long remembered in our Nation's history for these great achievements. As a friend, I shall miss his presence both on this House floor as well as in the great committee on the Judiciary. As a colleague, I salute him for his outstanding accomplishments and wish him and his gracious lady, Mabel, many more fruitful years.

Mr. REID. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. REID. Mr. Speaker, Bill McCulloch, the distinguished ranking minority member of the Judiciary Committee is a Member of conviction and compassion. Bill McCulloch stands for courage in this House, and when the voting rights bill was under attack by this administration he stood firm and stanch to insure its passage; to make totally plain that every man and woman would have the right to vote.

I wish Bill and Mabel the very best. Bill McCulloch has honored this House by his service.

Bill McCulloch ranks as one of the great members of the Committee on the Judiciary, and a man whose arm could never be twisted. He fought for the future of this country for the Constitution and for all the American people. Courage shines out in Bill McCulloch, and again I wish him and his family many happy years back in his beloved Ohio.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I certainly join in all the fine things that have been said here today about my good friend, the gentleman from Ohio, Bill McCulloch. I have known my good friend Bill for many, many years. These fine tributes to this great public servant are most fitting—for I have not only known of his distinguished service in the House but I have also had the privilege of serving with him when he was Speaker of the Ohio House of Representatives.

Mr. Speaker, I should also like to advise the House that I have obtained a special order at the conclusion of today's business not only to pay tribute to Bill McCulloch, our distinguished colleague, but to Frank Bow and Jack Betts who as you all know are retiring from the Congress. I should also like to say that I ask unanimous consent that all Members will have 5 days to revise and extend their remarks.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio (Mr. Keating).

Mr. KEATING. Mr. Speaker, I thank my distinguished chairman of the Committee on the Judiciary for yielding to me and giving me the opportunity to associate myself with the remarks in gratitude for the service rendered by Bill McCulloch in this House over so many years.

As a new Member I had an opportunity to observe him in the House and to work with him. I appreciate the great help and support he gave in helping me to come on the Committee on the Judiciary and to work with him in this way.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. GUDE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as a junior Member of the House, I would like to join in these most eloquent words of praise by the chairman of the Judiciary Committee.

Since his election to the House in 1947, Bill McCulloch has served his party, his constituents, and his Nation with the highest distinction and honor. As the ranking Republican member of the House Judiciary Committee since 1959, he has played a major role in the passage of much landmark legislation.

Bill McCulloch's leadership in the field of civil rights marks him as one of the greatest statesman in the Republican Party and in the Nation. Civil rights bills in 1964, 1965, 1968, and 1970 might well have failed passage had it not been for Bill McCulloch's persuasive, determined efforts. School desegregaton, public accommodation, voting rights, and employment safeguards were included in these bills and represented major progressive steps.

The Safe Streets Act amendments also bear the personal stamp of Bill McCulloch's subcommittee efforts. This legislation passed without amendments either in committee or on the floor.

An independent, hard-working Congressman, Bill McCulloch has received many awards and honors. One of the most distinguished was from the American Bar Association for distinguished public service. This was given in 1971 and was the first time the ABA has made such an award.

Mr. Speaker, I join in the tribute to Bill McCulloch upon his retirement. His presence in this body will be sorely missed.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I think this session of the Congress will witness in the departure of Bill McCulloch one of the real giants of this or any other Congress. He has truly written for himself, and I think more importantly for the entire country, the kind of imperishable record of public service and most particularly in his devotion to the cause of civil rights a record that will be difficult for any Member of this body or any Member of a future Congress to surpass. Only very rarely does our Nation owe such a debt of gratitude to one man as they do to Bill McCulloch. Without his steadfast courage and inspiring leadership we would not pass some of the truly landmark civil rights legislation during that turbulent and difficult decade of the 1960's. Without rancor and with cool, calm reason he stood like a prophet of old in the well of this House on many occasions and reminded all of us of our solemn duty and responsibility under the Constitution.

I had the opportunity on one occasion to travel to his home district in the State of Ohio at his invitation and to speak at a dinner being held in his behalf. It gave me the opportunity to see the affection and the esteem in which he is held by the people whom he represents.

We will miss you, Bill McCulloch. We

will miss the wise counsel, the wisdom, conviction, courage, and capacity that you have brought to this House in your role as ranking member of the House Committee on the Judiciary.

Beneath a calm and unruffled exterior there is a warm heart that beats with compassion and concern for the cause of equal rights in our Nation. You have always been mindful of our great heritage as the party of Lincoln. In calm and measured tones during sometimes stormy debate you have consistently displayed the knowledge and understanding of constitutional principles that has made you a voice to be respected and listened to.

Mr. Speaker, I repeat that I will personally miss the companionship and counsel of Bill McCulloch more than that of any other retiring Member of this body. I will forever treasure our deep friendship, and wish both him and his lovely wife, Mabel, long life and continued health and happiness.

Mr. SEIBERLING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. SEIBERLING. Mr. Speaker, one of the things I will cherish for the rest of my career is that I was granted the opportunity of serving on the Committee on the Judiciary with two very great men—Chairman Celler and the ranking minority member Bill McCulloch.

I was particularly privileged, because Mr. McCulloch is the dean of the delegation from my home State of Ohio—and he has brought great honor to the State of Ohio because of his steadfast defense of the Constitution of the United States and the rights that it guarantees to all its citizens. He has done this without regard to partisanship—without regard to personal political considerations. He has set a standard to inspire all of us and which I hope we will succeed in following through all the years to come.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. CORMAN. Mr. Speaker, I want to underscore everything that the members of the Committee on the Judiciary have said about Bill McCulloch and the great privilege it was to work with him during the years when we were doing so many constructive things in the field of civil rights legislation.

I had the unique privilege to serve with Bill McCulloch on President Johnson's Advisory Commission on Civil Disorders. We looked at a terribly complex problem that faced this Nation of ours. I hope that the Commission in its report shed a little light on that basic problem. If it did it was primarily because of the compassion and the reason and the wisdom of the gentleman from Piqua, Ohio.

I traveled with him in 1967 to the major cities which had suffered from explosion and eruption. It was Bill's calm, deliberate contribution to the Commission's work that made its final report such an extraordinary document, for it spoke to us in terms of what America must do to achieve social justice for every American—a commitment to which Bill McCulloch has devoted his life.

It has been a great privilege to have served with Bill in the House. I shall miss him very much.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from California (Mr. Miller).

Mr. MILLER of California. Mr. Speaker, I, too, wish to join with the others in paying my humble respects to two great men who are leaving the Committee on the Judiciary, its chairman and its ranking Republican member.

It has been my privilege to have known these two men. Not being a lawyer, I do not know them and I do not judge them professionally, but as humanists it is understandable why they have won the respect of this House.

As far as Bill McCulloch is concerned, we became very friendly many years ago, and this friendship has deepened, and I revere him just as I revere the chairman.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I thank the distinguished gentleman in the well for giving to me the privilege of joining him and our colleagues for a tribute to Bill McCulloch.

At a time when so many shafts of criticism are hurled at men and women in public service, it is a great privilege to be able to point to a statesman, a scholar, and a man of conscience like Bill McCulloch, who has so long served this House and our country. Had I one tribute to pay to Bill McCulloch, I would say he was a man of conscience. He sought not to serve his party but his country. So many times have I heard him make his moving appeal to the Committee on Rules, and to this House. We knew when Bill McCulloch spoke he was speaking not only out of his great knowledge of our country's history, out of his deep dedication to our country's welfare, but he was speaking from a sensitive heart and a conscience concerned about the well-being of his fellow citizens.

I join with all my heart in the accolades paid to Bill McCulloch and in revering his service here, wishing him and his wife and loved ones, many, many happy years hereafter.

Mr. BUCHANAN. Mr. Speaker, many fine statements have been made concerning the work and character of our distinguished colleague from Ohio, Mr. McCulloch.

All the words which have been spoken, however, do not suffice to describe the reality of the gentleman's statesmanship or his service to our country.

Mr. DONOHUE. Mr. Speaker, it is a high personal pleasure and privilege for me to join with my colleagues here this afternoon in this eminently merited tribute to one of this country's most distinguished national public servants, the Honorable William M. McCulloch, of Ohio, who is voluntarily retiring from the U.S. House of Representatives at the end of this session.

During the course of his continuing distinguished legislative service in this national legislature, over these past 24 years, years marked by an unwaivering example of the highest personal character and integrity, his progressive accomplishments have been indelibly inscribed in the annals of our congressional history and they will everlastingly stand as an inspiring reflection of a quiet, but great man, serving his district, his State, and his country, in accord with the highest nonpartisan traditions of American patriotism, courage, and idealism. It has been by high honor to serve with him on the House Judiciary Commitee, where he is the ranking minority member, and his impartial cooperation and leadership have resulted in the passage of landmark legislative achievements that will be of lasting benefit to all the people of this Nation.

Congressman Bill McCulloch's legislative accomplishments and his contribution to the passage of innumerable measures in the national interest, without regard to his own political career, mark him as one of the greatest legislative leaders who have ever served in this body.

However, Bill McCulloch has endeared himself even more to his colleagues here because, through the years, he has consistently proven himself to be a warm, principled, and compassionate human being with a genuine concern for every one of his associates, on both sides of the aisle, and for all his fellow men.

Bill McCulloch will always remain as an enlightening and guiding legend to every individual who will come after him to serve his district and his country in this national Chamber.

As he leaves this U.S. House of Representatives, at the end of this session, we assure him that he does so with the highest measure of esteem and gratitude from all his colleagues and I know we all join in wishing him continuing success and happiness in all his future endeavors.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I am happy to join in paying tribute to the most distinguished gentleman from Ohio (Mr. McCulloch). He will take something quite substantial with him when he leaves this House.

He will take with him the expertise, wisdom, judgment, and leadership that have served him and us and the country well during his many years of dedicated work in this Congress. All of us will miss him all the more for that.

One of the many examples of his virtue of defending the rights of the undefended when others were silent was his understanding and advocacy of equal rights for women.

I daresay his bright and progressive wife and daughter had something to do with that.

But, Mr. Speaker, we honor a great man, which we can always afford to do. We lose a great man, and that we can never afford.

I wish the gentleman every success.

Mr. DENNIS. Mr. Speaker, as a member of the Committee on the Judiciary, and a next-door neighbor of the distinguished gentleman from Ohio, Bill McCulloch, I should like to associate

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myself with all of the good things so justly said about him here today.

Like our chairman, Mr. Celler, Mr. McCulloch is one of the comparatively few Members of Congress whose presence here has made a difference in the life of the country, and has left its mark upon the laws and statutes of the United States.

I appreciate the opportunity I have had to serve on the Committee on the Judiciary with the gentleman from Ohio as the ranking member of the minority, and I appreciate also the uniform courtesy and consideration which I have received at his hands.

In common with my colleagues I sincerely wish for Bill McCulloch, and for his gracious wife, many years of happy and useful life, in their beautiful Ohio.

Mr. CLANCY. Mr. Speaker, on this occasion as we sit together in legislative consideration for perhaps the last time, I want to pay tribute to my good friend and respected colleague from Ohio, the Honorable William M. McCulloch.

Bill has been an outstanding Member of the U.S. Congress and this body for 25 years. Nothing I can say would add measurably to the recognition and awards which have been bestowed upon him down through the years as result of his services to Ohio and the United States of America.

He has played a prominent role in a great deal of fine legislation which we have all considered. As a prominent and respected member of the Committee on Judiciary, his voice was always listened to, because he spoke from a keen knowledge and appreciation of the law.

In the memories of our years in the House of Representatives are many instances when we have asked for the counsel of Bill McCulloch, and he has always given it. He will be sorely missed by his colleagues, both of Ohio and the other States, and I am sure that we will continue to seek him out wherever he may be to ask his advice on the complex issues which confront us.

Bill has won our respect and admiration. I wish him great happiness as he returns to his home in Piqua, Ohio, in retirement.

GENERAL LEAVE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of Representatives Frank T. Bow, Jackson E. Betts, and William M. McCulloch, all of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNICATION FROM THE SENATE

The SPEAKER laid before the House the following communication from the Senate of the United States:

The Senate having proceeded to reconsider the bill (S. 2770) entitled "An act to amend the Federal Water Pollution Control Act," returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the Senate of the United States:

The pollution of our rivers, lakes and streams degrades the quality of American life. Cleaning up the Nation's waterways is a matter of urgent concern to me, as evidenced by the nearly tenfold increase in my budget for this purpose during the past four years.

I am also concerned, however, that we attack pollution in a way that does not ignore other very real threats to the quality of life, such as spiraling prices and increasingly onerous taxes. Legislation which would continue our efforts to raise water quality, but which would do so through extreme and needless overspending, does not serve the public interest. There is a much better way to get this job done.

For this reason, I am compelled to withhold my approval from S. 2770, the Federal Water Pollution Control Act Amendments of 1972—a bill whose laudable intent is outweighed by its unconscionable $24 billion price tag. My proposed legislation, as reflected in my budget, provided sufficient funds to fulfill that same intent in a fiscally responsible manner. Unfortunately the Congress ignored our other vital national concerns and broke the budget with this legislation.

Environmental protection has been one of my highest priorities as President. The record speaks for itself. With the Council on Environmental Quality and the Environmental Protection Agency, we have established a strong new framework for developing and administering forceful programs in this problem area. I have proposed more than 25 far-reaching laws to deal with threats to the environment; most still await final action in the Congress. Pending enactment of new legislation, our enforcement agencies have cracked down on polluters under old laws seldom enforced by previous administrations.

The budget authority which I have requested for pollution control and abatement in fiscal year 1973 is more than four times the amount requested in 1969. Federal grants for local sewage treatment plant construction have increased almost tenfold, from an annual rate of $214 million appropriated up to the time I took office, to $2 billion in my budget for 1973. This dramatic growth in the share of Federal Government resources being devoted to the environment exceeds, many times over, the rate of increase for funds in most other major government programs.

Every environmental spending increase that I have proposed, however, has been within the strict discipline of a responsible fiscal policy—*a policy which recognizes as the highest national priority the need to protect the working men and women of America against tax increases and renewed inflation.* Specifically, the water pollution control bill which I originally sent to the Congress last year was fully consistent with the concept of a balanced, full-employment budget. It would have committed $6 billion in Federal funds over a three-year period, enough to continue and accelerate the momentum toward that high standard of cleanliness which all of us want in America's waters.

By contrast, the bill which has now come to my desk would provide for the commitment of a staggering, budget-wrecking $24 billion. Every extra dollar which S. 2770 contemplates spending beyond the level of my budget proposals would exact a price from the consumer in the form of inflated living costs, or from the taxpayer in the form of a new Federal tax bite, or both.

Ironically, however, only a portion of the $18 billion by which my bill was fattened on Capitol Hill would actually go to buy more pollution control than the Administration bill would have done. One backward-looking provision, for example, would provide $750 million to reimburse State and local governments for work already completed on sewage treatment plants *between 1956 and 1966.* The precedent this would set for retroactive reimbursement in other matching grant programs is an invitation to fiscal chaos. Another provision would raise the Federal share of the cost of future facilities from 55 percent to 75 percent. Neither of these costly actions would, in any real sense, make our waters any cleaner: they would simply increase the burden on the Federal taxpayer.

There is a well-worn political axiom which says that any election year spending bill, no matter how ill-advised, defies veto by the President. But I say that any spending bill this year which would lead to higher prices and higher taxes defies signature by this President. I have nailed my colors to the mast on this issue; the political winds can blow where they may.

I am prepared for the possibility that my action on this bill will be overridden. The defeat of my proposal for a spending ceiling showed that many Senators and Congressmen are simply AWOL in our fight against higher taxes. And some have been lured to the wrong side of the fight by the false glitter of public works money for their districts or States. They seem to forget that it is their constituents' pockets from which the higher taxes must come as a result of their votes this week. Others, to their great credit, voted for the spending limit to try to hold taxes down. Taxpayers must be sad to learn that a majority are charge account Congressmen.

If this veto is not sustained, however, let the issue be clearly drawn. As with the spending ceiling, so with this bill, a vote to sustain the veto is a vote against a tax increase. A vote to override the veto is a vote to increase the likelihood of higher taxes.

Even if this bill is rammed into law over the better judgment of the Executive—even if the Congress defaults its obligation to the taxpayers—I shall not default mine. Certain provisions of S. 2770 confer a measure of spending discretion and flexibility upon the President, and if forced to administer this legislation I mean to use those provisions to put the brakes on budget-wrecking expenditures as much as possible.

But the law would still exact an unfair and unnecessary price from the public. For I am convinced, on the basis of 26 years' experience with the political realities here in Washington, that the pressure for full funding under this bill would be so intense that funds approaching the maximum authorized amount could ultimately be claimed and paid out, no matter what technical controls the bill appears to grant the Executive.

I still hope, with millions of taxpayers, that at least one-third plus one of the Members in one House will be responsible enough to vote for the public interest and sustain this veto. It should be noted that doing so would by no means terminate the existing Federal water quality programs, because the Environmental Protection Agency will continue to operate those programs until the merits of a new water bill can be dealt with as a first order of business in the new Congress.

I look forward to cooperating with the next Congress on a prudent bill, to achieve ends on which we are mutually agreed, and by means which I trust will take better account than S. 2770 did of the working men and women who must ultimately pay the bill for environmental quality.

RICHARD NIXON.

THE WHITE HOUSE, *October 17, 1972.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. JONES of Alabama. Mr. Speaker, for 10 days and nights I have prayed that this issue would not be brought before the House; indeed, I had become convinced by the President's own words and those of his closest environmental advisers that he could not, in good conscience and with due regard for the national interest, allow himself to veto this bill.

The President of the United States has told us time and time again that we must come forward with a strong and effective water pollution control law if we are to save our environment. And we have done so.

The President's own environmental protection administrator has warned that the entire pollution control program "probably will be destroyed" if this act is permitted to die under the knife blade of a Presidential veto.

The President's own Council on Environmental Quality warned him most solemnly in its third annual report, just 2 short months ago, that the life-or-death need to save our environment must not be subordinated to short-run, temporary economic considerations.

Now, Mr. Speaker, we are told in the President's veto message that the cost which Congress has placed on the survival of our environment—a cost arrived at after 15 months of the most soul-searching deliberation—is "unconscionable," that America is not prepared to pay the price.

Mr. Speaker, this is a decisive hour in our Nation's history. We have known for a long, long time, and the President has known for a long, long time, that this is a costly undertaking. But we know also that the people who are this greatest Nation on earth are prepared to pay the price of this undertaking, provided they are given a program that will restore and preserve the waters upon which our future depends.

We have produced such a program. We have set deadlines for our industries, and for our cities and towns, to clean up their waters, to make them fit for our children to swim in by 1983. We have set as a national goal the complete elimination of all pollution from our rivers, lakes, and streams by 1985. And we have authorized the President of the United States to use the money and the enforcement measures that are needed to get the job done.

Mr. Speaker, just 11 days ago, this body approved that program by passing the Water Pollution Control Act Amendments of 1972 by the overwhelming margin of 266 to 11.

Nothing has changed since that day. We knew then, and we know now, that the spending authorized in this legislation will have only minimal impact on the Federal budget until 1975, at the very earliest. And by that time, we have been assured that the tragic burden of Vietnam will have been lifted from America's shoulders, that we shall once again be strong enough to meet our domestic responsibilities.

We cannot postpone action on our environmental crisis. The pollution that is fast destroying our waters will not go away of itself, nor can it be eliminated by halfway, bargain basement measures.

To those who say that we cannot afford to start now on the restoration of our waters, on the scale that Congress believes is essential, I say that we dare not postpone this undertaking. Every day of inaction most certainly will add to the ultimate cost; another year of inaction may well destroy all hope of saving our environment.

The price of action is high. But the price of inaction is a national disaster beyond all reckoning.

Mr. Speaker, this body must make its historic decision here and now, as the other body made its decision last night. To override a Presidential veto is a most serious and most unwelcome step that should be taken only on matters of overriding national interest. This is a matter of such overriding interest.

I would recall to my colleagues these words, spoken at another time, in another place, on the very issue we face today:

> . . . the 1970's absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters, and our living environment. It is literally now or never.

President Nixon made that statement on January 1, 1970. Mr. Speaker, I concur in the President's call for action, and I call upon the House to overturn this veto.

Following the passage of the conference report, there has been an outpouring of support for this legislation just as there had been during its various stages of the legislative process. Although I could fill the RECORD with hundreds of letters submitted to the President asking that he sign S. 2770, I would at this point present this letter from the National League of Cities and the U.S. Conference of Mayors exemplifying the kind of support this legislation has.

NATIONAL LEAGUE OF CITIES, UNITED
STATES CONFERENCE OF MAYORS,
October 10, 1952.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The National League of Cities and the U.S. Conference of Mayors, representing over 15,000 municipalities across the nation, strongly urge you to sign S. 2770, the Federal Water Pollution Control Act Amendments of 1972.

We urge your signing of S. 2770 for the following reasons:

1. The magnitude of the problem and the need demands a major and continuing Federal commitment. The National League of Cities and the U.S. Conference of Mayors have estimated the total need of municipalities at approximately $35 billion between 1972 and 1977. This higher estimate than that submitted by EPA reflects demands for higher levels of treatment and also for the treatment of combined storm and sanitary flows. These considerations are omitted in the EPA needs studies, but are incorporated into the bill now before you;

2. The bill increases the Federal share to 75% of project costs. The budget request was based on the present lower, and variable, Federal share. Furthermore, S. 2770 provides for approximately $2 billion additional funds to reimburse municipalities for Federal shares owed, but for which adequate funds were not previously made available;

3. The budgetary impact of the expenditures authorized by S. 2770 will not be felt for several years because of the time-consuming capial construction process. The National League of Cities and the U.S. Conference of Mayors had urged the Congress to fund the grant program through an advanced commitment mechanism, as in the Federal-Aid Highway program, to assure cities a long-term and continuous source of project funding throughout the lengthy time period needed to build treatment works;

4. Adequate means are available to the Administration to ensure national fiscal responsibility;

5. The fight to clean up the nation's waterways has been led by the nation's cities, that level of government financially least well off. Cities have shown their commitment by financing treatment works at 70% of total costs, and often beyond, assuming not only the local share, but paying the Federal share as well. Cities will not be able to continue to bear this burden alone and also adhere to the time frames set out in the bill. It is time for the Federal govern-

ment to match the cities commitment to clean water. Unless that Federal commitment to spend the money to help build the treatment plants is made, we will have no alternative but to insist that the time schedule for achieving the national goals of clean water be postponed. There is no difference of opinion between the cities, the Congress and your administration regarding the final objectives. We stress, however, that the time schedules and fiscal resources are intrinsically related.

The money must be available to build the municipal treatment works. The National League of Cities and the U.S. Conference of Mayors, therefore, respectfully and most strongly urge you to sign S. 2770, the Federal Water Pollution Control Act Amendments of 1972.

Sincerely,

JOHN J. GUNTHER,
Executive Director, U.S. Conference of Mayors.
ALLEN E. PRITCHARD, Jr.,
Executive Vice President, National League of Cities.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. Mr. Speaker, I yield to the gentleman from Ohio, who has been one of the conferees and one of the chief leaders in all of our efforts to hammer out a responsible program for this problem.

Mr. HARSHA. Mr. Speaker, I thank the gentleman from Alabama for those words.

Mr. Speaker, I doubt that there is a city or community in America today which does not have an urgent need for improved and expanded sewage treatment facilities. I doubt that there is a river or stream left in this country that does not desperately require stronger water pollution control laws and methods now to clean it up or to keep it clean.

The trouble is, we haven't had until now the kind of laws or amount of money necessary to tackle this phenomenal job. The Federal Water Pollution Control Act Amendments of 1972 would serve us greatly in this endeavor: In concept, in authorizations, and in the strength of its provision. The conference report on this proposal was hammered out only after exhaustive debate with the other body, and I believe we can all be proud of the resulting proposal.

The fact that the President would veto this most important bill is most disconcerting. If it were a question of money, I fail to see the logic both legislatively and environmentally. The price tag is not small, but neither is the problem—and the bulk of this money, $18 billion goes for sewage treatment plants. It is perhaps the singlemost aspect of water pollution with which we can most readily deal and from which we can realize the most immediate benefits. It is the singlemost problem—inadequate municipal sewage treatment—which is the most widespread and acute. This cost is not only warranted; it is critically imperative.

Furthermore, Mr. Speaker, we have emphasized over and over again that if Federal spending must be curtailed, and if such spending cuts must affect water pollution control authorizations, the administration can impound the money.

I want to point out that the elimination of the word "all" before the word "sums" in section 205(a) and insertion of the phrase "not to exceed" in section 207 was intended to emphasize the President's flexibility to control the rate of spending.

I might add, while this legislation does provide for contract authority, the present administration recommended contract authority in H.R. 18779, the bill I introduced in behalf of the administration some time ago.

Furthermore, let me point out, the Committee on Public Works is acutely aware that moneys from the highway trust fund have been impounded by the Executive. Expenditures from the highway trust fund are made in accordance with similar contract authority provisions to those in this bill. Obviously expenditures and appropriations in the water pollution control bill could also be controlled. However, there is even more flexibility in this water pollution control bill because we have added "not to exceed" in section 207, as I indicated before.

Surely, if the administration can impound moneys from the highway trust fund which does not have the flexibility of the language of the water pollution control bill, it can just as rightly control expenditures from the contract authority produced in this legislation by that same means.

Second, I would like to point out that the Administrator of the Environmental Protection Agency must approve plans, specifications, and estimates. This is the pacing item in the expenditures of funds. It is clearly the understanding of the managers that under these circumstances the Executive can control the rate of expenditures.

Furthermore, I would like to call the attention of the Executive to the table on page 147 of House Report 92–911; the report of the Committee on Public Works on H.R. 11896. This table demonstrates that the first major impact of obligations from the $5 billion authorizations for the fiscal year ending June 30, 1973, is in fiscal year 1975. During that year the appropriations required for payment for obligations authorized by this legislation would only be $2,450,000,000. The appropriations will be spread out over the period of construction of these waste treatment projects and would not be felt in any appreciable sum until fiscal year 1975, some 2 or 3 years hence.

As a matter of fact, for fiscal year 1973 if all the money were obligated and placed under contract, there would only be $20 million needed to meet the obligations and in fiscal year 1974 there would only be the necessity of appropriating $250 million. Obviously there is not a severe impact on the economy for the next 3 years under this legislation.

Mr. Speaker, the President was fully aware of the flexibility of this bill. In his veto message to the Senate, he states that if the measure is passed, he would use the provisions in S. 2770 to curb the expenditures as much as possible.

Furthermore, the President also stated in his veto message that a veto would "by no means terminate the existing Federal water quality programs." However, I must point out that the Refuse Act program is being held up in the courts and its effectiveness in the area of water pollution control has come to a grinding halt. Other than that law, we had the 1965 Water Pollution Control Act, the enforcement provisions of which are so cumbersome they have proven to be ineffective—as even the administration itself has stated. It is the very amendments to that act we consider here today. If no new law is enacted, the water pollution control program dies, and with it our rivers and lakes will continue to die.

Mr. Speaker, there is another point which I must raise. We have known all along that it would take a massive amount of money and time to reclaim and to protect our precious water resources. But, we dare not measure the cost of this water bill merely in terms of dollars alone. We cannot measure the wealth of our great natural resources in dollars alone—and if we wait too long, all the dollars on earth won't buy back what we've lost. Under these circumstances, I am firmly convinced that the price of killing this water bill—of sustaining this Presidential veto—is far, far too costly.

I don't think there is one Member of this body who has not asked his constituents whether or not they were willing to pay the high price to achieve our national environmental goals. I don't think that there is one Member of this body who could report that after such polling, his constituents objected. "Just get along on the legislation we need, before it gets any later," they told us.

I believe the Congress of the United States has an overriding environmental commitment to the people of this Nation. We must keep it.

Furthermore, the President maintained that a vote to override the veto of the Water Pollution Control Act Amendments of 1972 was a vote to increase the likelihood of higher taxes. So be it, the public is prepared to pay for it. To say we can't afford this sum of money is to say we can't afford to support life on earth.

When the administration is right, I will support the administration. However, when the administration is wrong, I will strongly oppose, and I do so today as I ask you to vote to override the President's veto.

Mr. FRASER. Mr. Speaker, the Congress has worked for 2 years on legislation which is vitally needed to undo the damage we have done to our Nation's waters. Our country's lakes and rivers and streams grow filthier by the day. In 1970, the Public Health Service reported potentially harmful levels of chemicals in one-third of our drinking-water supply. In 1971, the President's Council on Environmental Quality found that 90 percent of the watersheds in this country are polluted.

The Senate, by unanimous vote, and the House, by a 97 percent majority, have twice signified that they want this law to clean up our country's waters. Rarely has the President shown poorer judgment—or a falser sense of economy—than in his decision to veto this measure.

The problem will not go away. The longer we wait the more it will cost.

In his 1970 state of the union message, Mr. Nixon told the country that he was committed to putting "modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and to do it now." In his February 1971 message on the environment, Mr. Nixon repeated his commitment to "adequate funds to insure construction of municipal waste treatment facilities needed to meet water quality standards." Yet, he now rejects a measure designed to do just this and rejects it on ground of expense.

The moneys which this bill authorizes for waste treatment plant construction are based on estimates of needs provided by Mr. Nixon's administration. The Environmental Protection Agency, in its 1972 report on the "Economics of Clean Water," set these needs at $14.5 billion for the next 3 years. Left out of EPA's estimates were funds for combined storm sewers and recycled water supplies, which would be eligible for grants under the new law.

In a letter of October 16, the EPA Administrator, Mr. Ruckelshaus, pointed out these facts to the President and emphasized that the bill is based on the administration's own estimate of construction needs.

The National League of Cities has calculated construction costs for waste treatment plants to be much greater—from $33 to $37 billion in the next 5 years. Minnesota's plans for construction of 140 sewage treatment plants will require $212 million in the coming year. Seventy-five percent of this—the maximum Federal share—would come to $159 million. Under the vetoed bill, Minnesota would be eligible for about $100 million.

This is not "extreme and needless overspending"—to use Mr. Nixon's language. The moneys authorized are based on estimates made by his own administration. Furthermore, the bill sets up a new system of user charges, by which industrial users would return their share of operating and maintenance costs of waste treatment plants—an estimated $4.5 billion—to the Federal Treasury.

Our economy can, and must, absorb the costs of pollution control. A March 1972 report of the President's Council on Environmental Quality on "The Economic Impact of Pollution Control" notes that no real attempt has yet been made to quantify the benefits of a cleaner environment and that studies tend consequently to overstate the net costs to society.

Mr. Speaker, this is perhaps the most important environmental legislation the Congress has yet enacted. The question is not, "Can we afford to spend $18 billion over the next 3 years for waste treatment plants?" but "Can we afford not to?" To delay acting now would only mean greater expense later. I urge the House to override the veto.

Mr. JOHNSON of California. Mr. Speaker, I rise this afternoon to support wholeheartedly the efforts to override the Presidential veto of S. 2770, the Federal Water Pollution Act Amendments of 1972.

As I indicated earlier in these chambers, I feel that this legislation represents one of the most significant achievements of the 92d Congress, as we are determined to meet our commitment to cleaning up the polluted rivers, streams, lakes and other waterways of this Nation. Congress long has had a concern over water pollution. This goes back to the 86th Congress which was my first in Washington, when the first antipollution legislation was adopted, only to be vetoed by President Eisenhower.

The following year, 1961, the Federal Water Pollution Act was drafted by the House Public Works Committee, on which I serve, and the Federal Government jumped into the pollution fight with both feet. Federal participation was expanded in 1966 and again in 1970, in legislation which broadened Federal concern to include not only rivers and lakes but also coastal and inland waters contaminated by oil spills.

A tremendous boost to the water pollution fight would result from approval of the Federal Water Pollution Control Act Amendments of 1972, which the President vetoed last night. The goal of this bill and its $18 billion in grants to local government, is to achieve by 1983 water quality suitable for protection and propagation of fish and wildlife, for recreation use and for the elimination of discharge of all pollutants into the rivers and lakes by 1985.

In my career in Congress, there has been no single piece of legislation which demanded more time and energy, both mine personally and that of my colleagues on the Public Works Committee, than this one. Hopefully, my colleagues here in the House of Representatives share this determination to meet our commitment to clean water and will join me in voting to override this important piece of legislation of which I am proud to have coauthored.

In conclusion, I want to emphasize that we have, what I believe, is a very solid, realistic legislative program, one which received very careful scrutiny during the subcommittee and full committee proceedings in the House Committee on Public Works, one which withstood substantial debate on the floor of the House of Representatives, when the House acted on this legislation. The bill then, as we all know, went to conference and was the subject of one of the most intensive and comprehensive conferences ever held between the House and Senate, representing 39 conference sessions and hundreds of hours of work.

I feel that you can vote with confidence in support of this bill today, for I believe, that not only is it one which will help us meet our commitment to clean the water in our Nation, but it is also one which will prove most beneficial to local government by providing over the next 3 years from $18 billion in Federal assistance to local communities, to solve our sewer and water pollution problems with the Federal Government participating with 75 percent of the total cost. Here in my mind is the real way to help local government meet their problems. This is a sound investment in the future of this Nation.

Thank you.

Mr. O'NEILL. Mr. Speaker, once again the President has demonstrated his true commitment to the national environment by vetoing the Federal Water Pollution Control Act of 1972.

In his veto message the President declared that his approval was withheld from the measure because he believed it would result in "spiraling prices and increasingly onerous taxes".

By clinging to a concept of fiscal responsibility, the President hopes to convince both the American public and the Congress that he is concerned with environmental quality, and that it is Congress who must bear the ultimate blame for defeat for a far-reaching and drastically needed program to clean up the Nation's waterways.

The President has used this ploy before, whether it be Labor-HEW appropriations or the Child-Care Development Act. He is willing to pay lip service to the philosophy of ecological improvement and preservation, but he is unwilling to sign the check.

I am sure that my colleagues in the House are aware of the importance of this measure. We must begin the important task of cleaning up our rivers, harbors and lakes. Delay in implementing this program can only mean delay in our overall effort to meet the challenge of clean air and water.

If the President insists on hiding behind a false cloak of fiscal responsibility on this important issue, then the Congress must insure that the program passes over his objections.

Both the House and Senate have worked extremely hard on this measure, both in committee and in conference. I submit that it is a bill that we can all be proud of. Therefore, let the President blame us for its passage, for I am confident that the American people will thank the Congress for enacting the Federal Water Pollution Control Act of 1972. Should we fail to act, future generations of Americans living with dirty, unsafe rivers and lakes will know where to squarely fix the blame—with the Congress that refused to override the groundless objections of the President.

President Nixon stated in his veto message:

> I have nailed my colors to the mast on this issue.

It is now up to Congress to nail our own colors to the mast on the issue of national water quality.

Mr. METCALFE. Mr. Speaker, the President has exercised a veto for the 19th time since he came into office. This latest act vetoed was the Water Pollution Control Act—S. 2770—and was done over the strong objections of William Ruckelshaus, Administrator of the Environmental Protection Agency, and a Nixon appointee. Mr. Ruckelshaus argued that this bill would not cause economic hardships because the Government would not have to start paying on contracts until fiscal year 1975. Mr. Nixon has hinted that this measure would hurt the economy now and that, in order to have this piece of legislation, we would have to raise our taxes immediately. This kind of politics is not necessary.

Presidential Assistant John Ehrlichman stated at the White House press briefing yesterday that he had been instructed not to issue the veto unless the Senate rejected the conference report on the spending ceiling including the unconstitutional item veto power given to the President. By doing this the President is not facing the substantive issues that confront him and this Nation; the President is attempting to blackmail the Congress of the United States in an attempt to get a quid pro quo arrangement. Congress will get what it wants only if the President gets what he wants. This is a subversion of the will of the people and the needs of the Nation.

At the same time Mr. Erlichman indicated that the President may veto the second Labor-HEW bill of this session. A veiled threat of this nature only further illustrates the President's insensitivity to the needs of this country. If he does veto the second Labor-HEW bill he will again show that he cares little for the health of our citizens, the nutritional program for the elderly, the education supplements for our children, the public health office supplements, and many more. The President cannot browbeat us into forgetting the very people who elected us and who make this great country function.

This water pollution control bill will enable us to start cleaning up our major waterways, many of which are nothing but large sewers. It is a crime that the most advanced technological country in the world cannot have clean waterways, and the most populated cities in the Western World have antiquated sewer systems which do little to treat the raw sewage being poured into our waterways. This bill is not something that can be played with by politicians—it is not a bill which is aiming at heading off a particular evil some time in the future; it is a bill which is trying to correct a disaster which is almost beyond our grasp. This bill represents a commitment by this Government to clean up what it has allowed industry to get away with for decades. It is our commitment to make this country ecologically safe for future generations.

I hope that all of you will join me in overriding the President's veto this afternoon. Of the 19 times the President has vetoed bills passed by this body, we have only overridden three of those; I doubt that anyone could say that we have tried to be at odds with the President, but now, he has just gone a little bit too far. I say we must override this veto.

Mr. DELLUMS. Mr. Speaker, I support the override of this veto.

Yet, I am glad the President attempted this veto. It shows clearly how phony is the Nixon commitment to the environment.

Once again, under the false rationale of fiscal responsibility the President and his special interest friends have indicated where their real priorities lie. When it comes to any possible conflict between public needs—such as clean water—and private interests—the chance that the costs for such controls may be passed on to huge corporations and other special interests—the bias of this administration has been self-evident.

At least the President has not said he is against clean water.

But, for him, the need for clean water is less important than billion dollar handouts to Lockheed and Penn Central, less important than the SST, less important than give-aways to foreign dictatorships and repressive regimes, less important than the highway program which strangles our central cities, and less important than the myriad of costly, unneeded defense boondoggles.

I urge overturn of this absurd veto.

Mr. REUSS. Mr. Speaker, I hope and trust that the veto of S. 2770, the Federal Water Pollution Control Act Amendments, will be sharply overridden.

The President's veto message talks about the bill's unconscionable price tag. Rather, I suggest, it is the veto which is unconscionable.

Americans are determined that their lakes and their streams will be cleaned up. If we are to do the job, we must be prepared to pay the price. That price, it should be noted, will be a great deal less than the cost of permitting further degradation of our waters.

Given that resolve, the only question is, "How shall the cleanup job be paid for?"

The President's veto simply means that a greater share of the burden will be placed on the hard-pressed homeowner, the person who pays the local property tax. Without the massive Federal help for local efforts contemplated in S. 2770, that local real estate tax will have to do yet another job.

If this is the first step in Mr. Nixon's widely proclaimed campaign to help the homeowner, we can ill afford to receive any more such help.

The demand for environmental cleanup is as soundly based as it is widespread and genuine. As a recently disclosed position paper from the Environmental Protection Agency shows, upholding the veto would be a catastrophe for environmental programs.

Members on both sides of the aisle should join in overriding it.

Mr. DINGELL. Mr. Speaker, I think the President's veto of this bill was extremely unwise. I note that he states in his veto message that:

> Legislation which would continue our efforts to raise water quality but which would do so through extreme and needless overspending, does not serve the public interest. There is a much better way to get this job done.

He then said that he was—

> Compelled to veto this bill because its laudable intent is outweighed by its unconscionable 24 billion dollar price tag.

I think in reply to the President that it is appropriate to quote from Mr. Ruckelshaus' own letter which he sent the other day to the President:

> The total amount of contract grant authority contained in the enrolled bill is formulated from the Administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amounted to $16.1 billion. The Federal share at 75% would amount to $13.6 billion. This needs estimate did not include any allowance for inflation, nor did it include funds for combined, storm, and collection sewers, or for recycled water supplies. These are project eligibilities newly specified by the enrolled bill.
>
> The total value of construction initiated in the near-term under the enrolled bill is expected to correspond closely to the total value of construction that would have been initiated under the Administration bill. Under the Administration's proposal, communities were free to continue to initiate reimbursable projects, were not constricted by the $6 billion authorization, and could have substantially increased this amount. Reimbursable projects are precluded under the enrolled bill and the $18 billion contract grant authority represents a ceiling, while the Administration's $6 billion proposal represented a floor. With the projected close correspondence in total near-term value of construction starts, the potential inflationary impact upon the entire construction sector would be minimized.
>
> The total amount of contract grant authority contained in the enrolled bill is formulated from the Administration's estimate of construction needs as submitted to the Congress in February of this year. The total estimate amounted to $18.1 billion. The Federal share at 75% would amount to $13.6 billion. This needs estimate did not include any allowance for inflation, nor did it include funds for combined storm, and collection sewers, or for recycled water supplies. These are project eligibilities newly specified by the enrolled bill.
>
> This needs estimate provided to the Congress was constructed to support the commitment of the President in his State of the Union message of January 22, 1970, to "put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and to do it now." This commitment was repeated in the February 1970 Message on the Environment which enunciated funding support for "every community that needs it with secondary waste treatment, and also special, additional treatment in areas of special need, including communities on the Great Lakes." The commitment was re-endorsed in the February 1971 message on the Environment with a statement that we should provide "adequate funds to ensure construction of municipal waste treatment facilities needed to meet water quality standards."

Mr. Speaker, there is no valid reason for vetoing this bill for the reason stated by the President. This price tag is not unconscionable. It is a realistic estimate of the immediate needs of this Nation to prevent the very water pollution that the Council on Environmental Quality only 3 months ago said was still accelerating at an alarming rate. The protection of our natural resources, particularly our waterways which serve our health and wildlife needs and the recreational needs of urban and rural areas cannot in any sense whatsoever be described as unconscionable. That is what the President is saying, however, when he claims that to spend $24 billion over the next several years is unconscionable and amounts to an "extreme and needless overspending."

At this point I want to quote the words of Senator BUCKLEY which are quoted at page 36878 of the CONGRESSIONAL RECORD of October 17, 1972. In urging an override of the President's veto, Senator BUCKLEY states:

> I think Mr. Nixon has chosen the wrong time and the wrong issue to impose a veto. I believe he has failed all Americans, by pro-

viding negative leadership on this vital matter. He has taken a dangerous position by suggesting we delay the beginning of a massive water pollution control program.

I am in total agreement with Senator Buckley's comments.

Mr. Speaker, I now take this opportunity once again to comment on the provisions of the conference report (H. Rept. 92–1465, Sept. 18, 1972), on the Federal Water Pollution Control Amendments of 1972 (S. 2770) which we adopted on October 4, 1972, and which we are called upon to do again today in light of President Nixon's last minute veto yesterday.

At the outset, I want to reiterate my floor comments that appear in the October 4, 1972, Congressional Record at pages 33755 through 33759. As one of my colleagues later pointed out in his extension of remarks at page 33766 of the October 6, 1972, Congressional Record, I have participated fully in the House in the debate on this legislation, as one of the principal co-sponsors of the Reuss-Dingell clean water package of amendments which were offered during the March 1972 debate in the House on H.R. 11896—the House version of S. 2770. Most of our amendments, or their substance, were adopted either during that debate or later by the House-Senate conferees. I hope, therefore, that my October 4 comments on this legislation as reported by the conferees will help the Environmental Protection Agency, the public, and the courts in the administration, enforcement, and interpretation of this important law.

Perhaps some of my comments may seem in conflict with those of the conferees. That is simply because, in a few cases, the conferees' hurriedly drafted explanation of their language or statement of intention was not consistent with the statutory language itself. It is a fundamental rule of statutory construction that unambiguous statutory language governs over any such an explanation or intention. One example where my comments state, while the conferees' explanation is not consistent with, the statutory language, relates to section 311(a)(2) of the law which defines the term "discharge" of oil and hazardous substances, page 33757.

Mr. Speaker, I once again draw attention to section 511(c) of the law which reads as follows:

> (c)(1) Except for the provision of Federal financial assistance for the purpose of assisting the construction of publicly owned treatment works as authorized by section 201 of this Act, and the issuance of a permit under section 402 of this Act for the discharge of any pollutant by a new source as defined in section 306 of this Act, no action of the Administrator taken pursuant to this Act shall be deemed a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (83 Stat. 852); and
>
> (2) nothing in the National Environmental Policy Act of 1969 (93 Stat. 852) shall be deemed to—
>
> (A) authorize any Federal agency authorized to license or permit the conduct of any activity which may result in the discharge of a pollutant into the navigable waters to review any effluent limitation or other requirement established pursuant to this Act or the adequacy of any certification under section 401 of this Act; or
>
> (B) authorize any such agency to impose, as a condition precedent to the issuance of any license or permit, any effluent limitation other than any such limitation estblished pursuant to this Act.

In my October 4, 1972, floor comments on this section, I said (p. H9127):

> The key words are in paragraph (1) of this section. They are: "A major Federal action significantly affecting the quality of the human environment." These same words are found in section 102(2)(C) of NEPA which relates to the preparation and publication of environmental impact statements. Thus, under this provision, such statements will be required in the case of an application for a permit under section 402 for discharge of pollutants by a new source and in the case of publicly owned treatment works financed under this bill.
>
> The other provisions of NEPA are, however, not affected by this language in paragraph (1) of section 511(c).
>
> Section 511(c)(2) seeks to overcome that part of the Calvert Cliffs decision requiring AEC or any other licensing or permitting agency to independently review water quality matters. But it does not affect the obligations of those agencies to consider alternatives and other environmental matters, such as esthetics, fish and wildlife, and so forth.
>
> I am heartened to learn that the Administrator of the Environmental Protection Agency shares my view that the National 1969 Environmental Policy Act does not "retard' progress, but insures that progress be identified as the protection of the Nation's heritage in the broadest sense. Mr. Ruckelshaus made this statement in a letter to Congressman Eckhardt and myself, dated October 3, 1972. He said:
>
> "The National Environmental Policy Act provides an opportunity for Federal agencies to review and assess proposed Federal actions which have an impact on the environment. The Act clearly is not intended to retard progress but rather to insure that progress be identified as the protection of the Nation's heritage in the broadest sense."

Earlier, Mr. Speaker, my colleague, the distinguished Member from Alabama (Mr. Jones) made some floor statements concerning this section that attempt to give it a far broader interpretation and meaning than the language itself. He implies, at least, that all of NEPA is repealed with respect to EPA. Senator Muskie, in his comments that occurred later in the day on October 4 makes nearly the same statements—pages 33708–33709 of Congressional Record.

Both statements, however, are in conflict with the prepared statement by Mr. Jones which he inserted in the Record at page 33751 and which is entitled "The Highlights of the House-Senate Conference Report". That statement says, in regard to section 511(c), as follows:

> "ENVIRONMENTAL IMPACT STATEMENTS
>
> "With the exception of construction of publicly-owned waste treatment plants and permits granted for the discharge of pollutants by new sources, no actions taken by the Environmental Protection Agency will be subject to the requirements for environmental impact statements of the National Environmental Protection [Policy] Act (NEPA)."

Mr. Speaker, I agree with that prepared statement. That is all that section 511(c) does.

The term "major Federal actions" has not, and I emphasize the words "has not," become "synonymous" with NEPA, despite contentions by some to the contrary. The only place this term appears in NEPA is in section 102(2)(C) which deals solely with environmental impact statements. It does not appear elsewhere in section 102 of NEPA. Nor does it appear in any other section, subsection, paragraph, or clause in NEPA.

Thus, it is clearly wrong to explicitly or impliedly state that section 511(c)(1) in any way, shape, or form can be construed as a limitation on NEPA insofar as that statute applies to the Environmental Protection Agency. While it may be that some of the conferees intended to wipe out NEPA as far as the Environmental Protection Agency is concerned, it is plain to see that they did not do so in legislative language. What they did not do in legislative language, they cannot try to do on the floor of the House or Senate in so-called "bootstrap" legislative history.

I, therefore, reiterate that my comments as to the meaning of section 511(c), and those of our colleague, Mr. Jones, in his prepared statement which I quoted above, are the only possible interpretation that can be placed on this section.

Mr. Speaker, during the debate on this conference report on October 4, Congressman Jones and Senator Muskie went beyond the conference report to discuss the meaning of NEPA as it was passed in 1969. In an apparent attempt to create post-legislative history, they both stated that NEPA does not apply to the "environmental protective regulatory activities of EPA," and that the intent of Congress was clear on this point at the time NEPA was enacted in 1969. In support of this statement, they both quote from a colloquy between the then chairman of the House Public Works Committee, Mr. Fallon, and myself, the then floor manager of NEPA, as follows:

> Mr. Fallon. What would be the effect of this legislation on the Federal Water Pollution Control Agency?
>
> Mr. Dingell. Many existing agencies such as the Federal Water Pollution Control Agency have important responsibilities in the area of environmental control. The provisions of sections 102 and 103 are not designed to result in any changes in the manner in which they carry out their environmental protection authority. This provision is primarily designed to assure consideration of environmental matters by agencies in their planning and decision-making—but most especially those agencies who now have little or no legislative authority to take environmental considerations into account.

Mr. Speaker, I totally disagree that this colloquy between Mr. Fallon and myself supports the contentions made by Congressman Jones and Senator Muskie.

As I stated in 1969:

> The provisions of NEPA are "primarily designed to assure consideration of environmental matters by agencies in their planning and decision-making—but most especially those agencies who now have little or no legislative authority to take environmental considerations into account.

I emphasize the words "most especially." In no way did I intend then or now that NEPA was only to apply to agencies that have "little or no legislative authority to take environmental considerations into account." It clearly applies to EPA and all Federal agencies, as the courts have clearly stated.

As I stated in my colloquy, "the provisions of section 102 and 103 are not designed to result in any changes in the manner in which" EPA carries out its "environmental protective authority." I did not mean then, nor can anyone imply from this statement, that the full disclosure provisions of NEPA and the policy of NEPA would not be applicable to EPA. Clearly, as the third circuit recently determined in *Getty Oil* v. *Ruckelshaus* (4 ERC 1567), environmental impact statements would not be required "at the enforcement stage" because to require such statements at that stage "would do substantial harm to the congressional purpose of obtaining expeditious compliance" with the law. But that does not mean that impact statements and the other provisions of NEPA do not apply to the nonenforcement activities of the Environmental Protection Agency. For example, NEPA does, at this very moment, apply to the Refuse Act permit program, as the court determined in *Kalur* v. *Resor*, 335 F. Supp. 1.

I do not subscribe to the theory that just because an agency like EPA, or the Fish and Wildlife Service, or the National Oceanic and Atmospheric Administration, or the Forest Service, has "environmental" objectives or regulatory functions, that those agencies will not make mistakes or take actions that would be in fact detrimental to the environment. Those agencies, like any other agency, must be responsive to the people. Public disclosure of their decisionmaking and the steps leading to their decisionmaking is imperative. NEPA provides for that disclosure not only through the environmental impact statement provision, but in the other provisions of the statute requiring a look at the alternatives, and so forth.

NEPA can work in tandem with all of the laws now administered by EPA. They are not inconsistent. They have the same objectives. They should be supported. They should not be denigrated through postlegislative history. I urge all environmentalists and environmental organizations to insist on this and to make their views known to the Administrator of EPA and others.

I hope that this statement will cause people to stop quoting the above colloquy to support their contentions that are not solidly based in the statute and other facets of the legislative history of NEPA.

Finally, Mr. Speaker, I want to reiterate my earlier comments that section 511(c) of the bill does not in anyway, shape, or form change EPA's responsibility to comply with all provisions of the National Environmental Policy Act of 1969, except as to section 102(2)(C) as noted in section 511(c)(1) of the bill.

On another matter, I reiterate my comments on the importance of section 101(e) of this bill which encourages public participation in the development, revision and enforcement of various actions taken under this statute. I sincerely hope that the Administrator understands that this applies across the board, including the establishment of the permit program under section 402 of the bill.

Mr. DINGELL. Mr. Speaker, for a number of months I have been publishing in the CONGRESSIONAL RECORD the "102 Monitor" issued by the Council on Environmental Quality.

Because of the increased cost to the Federal Government of printing this document, I have not had it published in the CONGRESSIONAL RECORD for the months of July and August. Since I have received very few inquiries as to why this document has not been printed, I can only assume that it is more readily available from the Council on Environmental Quality than it was originally or there is not the demand for it that there once was.

Therefore, I have decided to suspend the publishing of this document in the CONGRESSIONAL RECORD pending a determination as to its accessibility and the need to continue this method of distribution.

Mr. DON H. CLAUSEN. Mr. Speaker, I urge my colleagues to vote to override the President's veto of S. 2770. We can provide the necessary tools to bring about the level of water quality our Nation needs and deserves by this action.

This bill was developed after 38 days of hearings by the House Committee on Public Works where I am a member and extensive hearings by the Committee on Public Works in the other body. After the 1972 amendments to the Federal Water Pollution Control Act were passed in each House, it required 39 meetings of the committee on conference to agree on a compromise measure.

As a manager on the part of the House, I can attest to the fact that all of the provisions of the bill and the differences between the two Houses were thoroughly reviewed before agreements were made. The conference report represents a bill which is superior to that which was passed by either House.

It is unfortunate that the President felt that he had to veto this bill. It is obvious that the only reason is his concern for the task he has of holding the reins on the Federal budget, a concern which we all share.

I believe the action by the managers in the committee on conference in eliminating the word "all" before the word "sums" in section 205(a) and the insertion of the phrase "not to exceed" in three places in section 207 gave the President the authority and the flexibility he needs to control the rate of spending. As a matter of fact, he refers to it in his veto message.

The legislative history in the House when the conference report was under consideration was clear on this point. If the legislative history had been as clear when the conference report was under consideration in the other body as it was yesterday when the other body voted to override the veto, there may not have been a veto in the first place. It would have strengthened our position. I do not want to question their motives but I believe the other body, in not making abundantly clear in its legislative history the same spirit, comments and substance of the House legislative history, left ambiguities as to legislative intent. Also, the Senate's unwillingness to support the desire of the House and the President to establish an expenditure ceiling was the prime factor leading to the veto in my judgment. This I deeply regret after nearly 15 months of long and tedious work by our committees to say the least, it is frustrating and discouraging. It would have been abundantly clear that the President has the authority to control the rate of spending. This was the clear intent of the managers.

I urge you to vote aye and override by an overwhelming majority. The waters of our Nation need this bill.

Mr. DORN. Mr. Speaker, the clean water bill now before the Congress is the most far-reaching environmental improvement bill in history. This is bipartisan legislation, and it passed both bodies by overwhelming votes. I am especially pleased to be a coauthor of this bill. Our committee has been working on the clean water program since 1956, and this legislation is the result of our efforts. The bill authorizes the greatest cleanup program in world history. Mr. Speaker I shall vote to override the veto, and I urge my colleagues to give final approval by a tremendous margin to this clean water legislation.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER.** The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 247, nays 23, answered "present" 1, not voting 160, as follows:

[Roll No. 459]

YEAS—247

Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Ashley
Aspinall
Barrett
Biaggi
Biester
Bingham
Blatnik
Boland
Brademas
Brasco
Bray
Brinkley
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton
Carey, N.Y.
Carlson
Carney
Carter
Casey, Tex.
Celler
Chamberlain
Chisholm
Clancy
Clark
Clausen, Don H.
Collins, Ill.
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Culver
Daniel, Va.
Daniels, N.J.
Davis, Ga.
de la Garza
Dellenback
Dellums
Dennis
Dent
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evins, Tenn.
Fascell
Fish
Flood
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Frenzel
Fulton
Fuqua
Garmatz
Gaydos
Gibbons
Gonzalez
Goodling
Green, Pa.
Grover
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harrington
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz

Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Howard
Hull
Hungate
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Kemp
King
Kluczynski
Koch
Kyl
Kyros
Landrum
Latta
Leggett
Lent
Long, Md.
Lujan
McCloskey
McCollister
McCulloch
McDade
McEwen
McFall
McKevitt
McKinney
Macdonald, Mass.
Madden
Mailliard
Mallary
Mann
Mathias, Calif.
Mathis, Ga.
Mazzoli
Metcalfe
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mitchell
Mizell
Moorhead
Mosher
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
O'Konski
O'Neill
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Powell
Preyer, N.C.
Price, Ill.
Quie
Quillen
Rangel
Reid
Reuss
Roberts
Robinson, Va.
Rodino
Roe
Rogers
Rooney, Pa.
Roush
Roy
Roybal
Ruppe
Ruth
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Scheuer
Seiberling
Shriver
Sikes
Slack
Smith, Iowa
Smith, N.Y.
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steele
Stokes
Stubblefield
Symington
Taylor
Teague, Calif.
Teague, Tex.
Terry
Thone
Tiernan
Ullman
Vander Jagt
Vanik
Veysey
Vigorito
Wampler
Ware
Whalen
Whalley
White
Whitten
Widnall
Williams
Wilson, Charles H.
Wright
Wydler
Wylie
Yates
Young, Fla.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—23

Belcher
Bennett
Byrnes, Wis.
Byron
Camp
Colmer
Devine
Griffin
Hall
Jonas
Landgrebe
Lennon
McDonald, Mich.
Mahon
Mills, Ark.
Passman
Pelly
Rarick
Rhodes
Schneebeli
Smith, Calif.
Springer
Steed

ANSWERED "PRESENT"—1

Rousselot

NOT VOTING—160

Abbitt
Abernethy
Abourezk
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Aspin
Badillo
Baker
Baring
Begich
Bell
Bergland
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Breaux
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Cederberg
Chappell
Clawson, Del
Clay
Cleveland
Collier
Collins, Tex.
Crane
Curlin
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Denholm
Derwinski
Dickinson
Dow
Dowdy
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evans, Colo.
Findley
Fisher
Flowers
Flynt
Ford, William D.
Forsythe
Frey
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Hagan
Haley
Hanna
Hansen, Wash.
Harvey
Hastings
Hébert
Hillis
Hosmer
Hunt
Ichord
Jones, Tenn.
Keith
Kuykendall
Link
Lloyd
Long, La.
McClory
McClure
McCormack
McKay
McMillan
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mills, Md.
Mollohan
Monagan
Montgomery
Morgan
Moss
Murphy, Ill.
Nichols
Patman
Podell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Railsback
Randall
Rees
Riegle
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rosenthal
Rostenkowski
Runnels
St Germain
Schmitz
Schwengel
Scott
Sebelius
Shipley
Shoup
Sisk
Skubitz
Snyder
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Whitehurst
Wiggins
Wilson, Bob
Winn
Wolff
Wyatt
Wyman
Yatron

So, two-thirds having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio and Mr. Thompson of New Jersey for, with Mr. Montgomery against.

Mr. Wolff and Mr. Moss for, with Mr. Abernethy against.

Mr. Riegle and Mr. Hunt for, with Mr. Rousselot against.

Mr. Forsythe and Mr. Robison of New York for, with Mr. Martin against.

Mr. Thomson of Wisconsin and Mr. Shoup for, with Mr. Crane against.

Until further notice:

Mr. Brooks with Mr. Bow.
Mrs. Sullivan with Mr. Arends.
Mr. Giaimo with Mr. Derwinski.
Mr. Pryor of Arkansas with Mrs. Dwyer.
Mr. Morgan with Mr. Eshleman.
Mr. St Germain with Mr. Clay.
Mr. Burlison of Missouri with Mr. Broomfield.
Mr. Flowers with Mr. Whitehurst.
Mrs. Grasso with Mr. Steiger of Wisconsin.
Mr. Gray with Mr. Findley.
Mr. Monagan with Mr. Andrews of North Dakota.
Mr. Chappell with Mr. Baker.
Mr. Cabell with Mr. Wyatt.
Mr. Blanton with Mr. Michel.
Mr. Anderson of Tennessee with Mr. Frey.
Mr. Bergland with Mr. Archer.
Mr. Rostenkowski with Mr. Collier.
Mr. Rosenthal with Mr. McClure.
Mr. Badillo with Mr. Keith.
Mr. Hébert with Mr. Cederberg.
Mr. Waggonner with Mr. Mayne.
Mr. Shipley with Mr. Steiger of Arizona.
Mr. Sisk with Mr. Bob Wilson.
Mr. Podell with Mr. Wiggins.
Mr Delaney with Mr. Talcott.
Mr. Dow with Mr. Schwengel.
Mrs. Green of Oregon with Mr. Gubser.
Mr. Pucinski with Mr. Betts.
Mr. Rooney of New York with Mr. Hastings.
Mr. Roncalio with Mr. Kuykendall.
Mr. Meeds with Mr. Hosmer.
Mr. Melcher with Mr. Hillis.
Mr. Matsunaga with Mr. Scott.
Mr. Murphy of Illinois with Mr. Railsback.
Mr. Nichols with Mr. Broyhill of North Carolina.
Mr. Flynt with Mr. Sebelius.
Mrs. Hansen of Washington with Mr. Brown of Ohio.
Mr. Hanna with Mr. Goldwater.
Mr. Ichord with Mr. Cleveland.
Mr. Bevill with Mr. Price of Texas.
Mr. Danielson with Mr. Skubitz.
Mr. Davis of South Carolina with Mr. Snyder.
Mr. Denholm with Mr. Mills of Maryland.
Mr. Evans of Colorado with Mr. Lloyd.
Mr. William D. Ford with Mr. Erlenborn.
Mr. Gettys with Mr. Edwards of Alabama.
Mrs. Griffiths with Mr. Davis of Wisconsin.
Mr. Rees with Mr. Collins of Texas.
Mr. Randall with Mr. Dickinson.
Mr. Waldie with Mr. Del Clawson.
Mr. Stephens with Mr. Ashbrook.
Mr. Burleson of Texas with Mr. McClory.
Mr. Jones of Tennessee with Mr. Schmitz.
Mr. Montgomery with Mr. Thompson of Georgia.
Mr. Link with Mr. Winn.
Mr. Yatron with Mr. Harvey.
Mr. Purcell with Mr. Brotzman.
Mr. Stratton with Mr. Wyman.
Mr. Van Deerlin with Mr. Bell.
Mr. Fisher with Mr. Gallagher.
Mr. Caffery with Mr. Byrne of Pennsylvania.
Mr. McCormack with Mr. Long of Louisiana.
Mr. Stuckey with Mr. McMillan.
Mr. Abourezk with Mr. Abbitt.
Mr. Edmondson with Mr. Dowdy.
Mr. Haley with Mr. Curlin.
Mr. Hagan with Mr. Galafianakis.
Mr. Runnels with Mr. Aspin.
Mr. Patman with Mr. Baring.
Mr. Mollohan with Mr. Udall.
Mr. McKay with Mr. Breaux.

Mr. ROUSSELOT. Mr. Speaker, I have a live pair with the gentleman from Michigan (Mr. RIEGLE). If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks on the veto message just considered.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PROVISION FOR SINE DIE ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 726) and ask for its immediate consideration.

The Clerk read as follows:

H. CON. RES. 726

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Wednesday, October 18, 1972, and that when they adjourn on said day, they stand adjourned sine die.

The SPEAKER. The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. O'HARA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 240, nays 21, not voting 170, as follows:

[Roll No. 460]

YEAS—240

Abzug
Adams
Addabbo
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Ashley
Belcher

Bennett
Biester
Bingham
Blatnik
Boland
Brademas
Brasco
Bray
Brinkley
Brown, Mich.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burton
Byrnes, Wis.
Byron
Camp
Carlson
Carney
Carter
Casey, Tex.
Celler
Chamberlain
Chisholm
Clancy
Clark
Clausen, Don H.
Collins, Ill.
Colmer
Conable
Conover
Conte
Conyers
Corman
Cotter
Coughlin
Culver
Daniel, Va.
Daniels, N.J.
Davis, Ga.
de la Garza
Dellums
Dennis
Dent
Devine
Diggs
Donohue
Dorn
Downing
Drinan
Dulski
Duncan
du Pont
Eckhardt
Edwards, Calif.
Eilberg
Evins, Tenn.
Fascell
Fish
Flood
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Frenzel
Fulton
Fuqua
Garmatz
Gibbons
Gonzales
Goodling
Green, Pa.
Griffin
Grover
Gude
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harrington
Harsha
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks, Wash.
Hogan
Holifield
Horton
Howard
Hull
Hungate
Hutchinson
Jacobs
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keating
Kee
Kemp
King
Kluczynski
Koch
Kyros
Landgrebe
Landrum
Latta
Leggett
Lennon
Lent
Long, Md.
McCollister
McCulloch
McDade
McEwen
McFall
McKevitt
McKinney
Macdonald, Mass.
Madden
Mahon
Mailliard
Mallary
Mann
Mathias, Calif.
Mathis, Ga.
Mazzoli
Metcalfe
Mikva
Miller, Calif.
Mills, Ark.
Minish
Mink
Minshall
Mitchell
Moorhead
Mosher
Murphy, N.Y.
Myers
Natcher
Nelsen
O'Neill
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Powell
Preyer, N.C.
Price, Ill.
Quie
Quillen
Rangel
Rarick
Reid
Reuss
Rhodes
Roberts
Robinson, Va.
Roe
Rogers
Rooney, Pa.
Roush
Rousselot
Roybal
Ruppe
Ruth
Sandman
Sarbanes
Satterfield
Saylor
Scherle
Schneebeli
Seiberling
Shriver
Sikes
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Spence
Springer
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steele
Stokes
Stubblefield
Symington
Taylor
Teague, Tex.
Terry
Thompson, N.J.
Thone
Tiernan
Ullman
Vander Jagt
Vanik
Veysey
Vigorito
Wampler
Ware
Whalen
Whalley
White
Widnall
Williams
Wilson, Charles H.
Wright
Wydler
Wylie
Yates
Young, Fla.
Young, Tex.
Zwach

NAYS—21

Barrett
Biaggi
Buchanan
Dingell
Ford, William D.
Gaydos
Hicks, Mass.
Lujan
McCloskey
Miller, Ohio
Mizell
Nedzi
Nix
Obey
O'Hara
O'Konski
Rodino
Scheuer
Teague, Calif.
Zablocki
Zion

NOT VOTING—170

Abbitt
Abernethy
Abourezk
Alexander
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Aspin
Aspinall
Badillo
Baker
Baring
Begich
Bell
Bergland
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Breaux
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Carey, N.Y.
Cederberg
Chappell
Clawson, Del
Clay
Cleveland
Collier
Collins, Tex.
Crane
Curlin
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Denholm
Derwinski
Dickinson
Dow
Dowdy
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Findley
Fisher
Flowers
Flynt
Forsythe
Frey
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Hagan
Haley
Hanna
Hansen, Wash.
Harvey
Hastings
Hathaway
Hébert
Hillis
Hosmer
Hunt
Ichord
Jarman
Jones, Tenn.
Keith
Kuykendall
Kyl
Link
Lloyd
Long, La.
McClory
McClure
McCormack
McDonald, Mich.
McKay
McMillan
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mills, Md.
Mollohan
Monagan
Montgomery
Morgan
Moss
Murphy, Ill.
Nichols
Patman
Peyser
Podell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Railsback
Randall
Rees
Riegle
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rosenthal
Rostenkowski
Roy
Runnels
St Germain
Schmitz
Schwengel
Scott
Sebelius
Shipley
Shoup
Sisk
Skubitz
Snyder
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Thompson, Ga.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Whitehurst
Whitten
Wiggins
Wilson, Bob
Winn
Wolff
Wyatt
Wyman
Yatron

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REVISED EDITION OF RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES, 93D CONGRESS

Mr. O'NEILL. Mr. Speaker, I offer a resolution (H. Res. 1170) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1170

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the Ninety-third Congress be printed as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF REPORTS OF COMPTROLLER GENERAL OF THE UNITED STATES AS HOUSE DOCUMENTS OF 92D CONGRESS

Mr. O'NEILL. Mr. Speaker, I offer a resolution (H. Res. 1171) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1171

Resolved, That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U.S.C. 841 et seq.) shall be printed during such adjournment as House documents of the second session of the Ninety-second Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM SENATE AND SPEAKER TO SIGN ENROLLED BILLS NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS AND APPOINT COMMISSIONS, BOARDS, AND COMMITTESE NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the second session of the 92d Congress, the Speaker be authorized to accept resignations, and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HALL. Mr. Speaker, reserving the right to object, does the gentleman mean the 91st Congress, as he read it, or is it the 92d Congress, the current one?

Mr. O'NEILL. It is the 92d Congress.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection, and ask unanimous consent that the resolution be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRINTING OF REPORTS FILED WITH CLERK, FILED FOLLOWING ADJOURNMENT, AS REPORTS OF 92D CONGRESS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that reports filed with the

Clerk following the sine die adjournment by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 92d Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL LEAVE FOR EXTENSION OF REMARKS UNTIL PUBLICATION OF LAST EDITION OF CONGRESSIONAL RECORD

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the Congressional Record on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HALL. Mr. Speaker, reserving the right to object, is it understood that this would be subject to the usual estimate of expense by the Public Printer and not in excess thereof?

Mr. O'NEILL. The gentleman is correct.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION FOR CHAIRMEN AND RANKING MINORITY MEMBERS OF STANDING COMMITTEES AND SUBCOMMITTEES TO EXTEND REMARKS AND INCLUDE SUMMARIES OF WORK OF COMMITTEES UNTIL PUBLICATION OF LAST RECORD

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and the subcommittees of the House may extend their remarks up to and including the publication of the last Record and to include a summary of the work of their committees; also that the ranking minority member of such standing committee or any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their point of view, separately from that of the chairman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL LEAVE TO EXTEND TO MAJORITY LEADER AND SPEAKER OF THE HOUSE

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the majority leader and the Speaker of the House may have the privilege of extending their remarks up to and including the publication of the last Record and to include a summary of the work of the Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL EXPLANATION

Mr. THOMPSON of New Jersey. Mr. Speaker, on rollcall No. 459, to override the Presidential veto on the Water Pollution Act, I was delayed by circumstances beyond my control. Had I been present I would have voted "yea."

PERSONAL EXPLANATION

Mr. WILLIAM D. FORD. Mr. Speaker, on rollcall No. 459, the vote to override President Nixon's veto of the Water Pollution Act, I was unavoidably detained at the back of the chamber. Had I been here in time to vote, I would have voted to override the President's veto.

PERSONAL EXPLANATION

Mr. ESCH. Mr. Speaker, on rollcall No. 460, just concluded, I was on my way to the well. I was not recognized. Had I been recognized, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF REPORTS FROM THE COMMITTEE ON RULES AND CONFERENCE REPORTS SAME DAY REPORTED

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1168 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1168

Resolved, That on Wednesday, October 18, 1972, it shall be in order (1) to consider reports from the Committee on Rules as provided in clause 23, rule XI, except that the provisions requiring a two-thirds vote to consider said reports on the same day reported are hereby suspended, and (2) to consider conference reports the same day reported notwithstanding the provisions of clause 2, rule XXVIII.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to my good friend, the gentleman from California (Mr. Smith). Pending that, Mr. Speaker, I yield myself such time as I may consume, which I assure the House shall be very brief.

Mr. Speaker, as the rule reflects, it is very short and very simple. It simply provides that for the rest of this day the 3-day rule shall be waived on the conference reports and that rules from the Committee on Rules will not have to lie over a day. It is just that simple. The sine die resolution already having been passed by the House, it would seem that this would be highly in order and that we can wind up the business of this Congress in short order today.

Mr. Speaker, I yield to the gentleman from California (Mr. Smith).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Rules Committee met yesterday at 3 o'clock, after a rather extended discussion here in the well of the House, where the Speaker and the minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), and the gentleman from Mississippi (Mr. Colmer), and myself and other Members were present. We were concerned about the debt ceiling conference report and about the continuing resolution and about the possibility of the highway conference report. We agreed at that time we would go to the Rules Committee and report out a resolution, which is before us now, House Resolution 1168, and although, Mr. Speaker, it says all conference reports, my understanding, and I want the Record to show very clearly, is that it referred only to those three conference reports; that is, the debt ceiling, the continuing resolution, and the highway conference report if we obtained it, and I understand we will not have such a report before us.

The continuing resolution was taken care of in the Senate, so now we are faced simply with the debt resolution. The sine die resolution having been offered by the House, whether or not that will permit any other conference report to be brought up prior to the time the Senate passes it I do not know, but there may be one or two that will be brought up. That can be done by unanimous consent or by Rules Committee action.

We had a discussion in the Rules Committee about the possibility of permitting the Speaker to declare a recess at any time, and at my request it was decided that we would not add that, because I am satisfied nobody on my side of the aisle will in any case make an objection to a reasonable request for a recess today if we need it.

So, Mr. Speaker, this will waive the two-thirds rule requirement, so we can possibly conclude the debt matter when it is brought before the House and can adjourn, I hope, within the next hour or so.

That is my understanding of the resolution, Mr. Speaker, and I urge its adoption.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. RODINO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RODINO. Mr. Speaker, under the resolution just agreed to, would it be in order for the House to consider the conference report when it is ready on S. 2087, Omnibus Crime Control and Safe

Streets Act of 1968, benefits to survivors of police officers killed in line of duty, which was agreed upon and which was filed yesterday?

The SPEAKER. The Chair must answer the gentleman in accordance with the language which the Chair used when this matter was before the House on yesterday. At that time the Chair stated, and no specific reference was made to any bill because it had been informally mentioned to the Members who were seeking the rule, that this rule would not be used for any other bill except those dealing with three items. Under that interpretation it would be in order to bring those conference reports upon the day on which they were filed. As the Chair understands his own language and his own informal agreement, which was a part of the history, the Chair would very much like to recognize the gentleman, but the Chair feels constrained to hold that the legislative history restricts all action under House Resolution 1168 to three measures, the highway bill, the debt ceiling bill, and the continuing resolution.

Mr. RODINO. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RODINO. Mr. Speaker, referring again to the rule adopted, was not the language strictly stated, and this is the language that I heard stated, the language referred to in the course of debate notwithstanding legislative history of yesterday, to consider conference reports the same day reported, notwithstanding the provisions of clause 2, rule XXVIII?

The SPEAKER. The gentleman is referring to three conference reports which precipitated the action which brought into existence this resolution.

The Chair would like to recognize the gentleman, but the Chair feels that its own promise is at stake here.

The Chair will try to find some other method of recognizing the gentleman.

The Chair does not feel that in good faith or in good conscience it can recognize the gentleman under the circumstances.

CONSIDERATION OF CONFERENCE REPORT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I wish to say that, in my judgment, the Speaker is 100-percent correct in the observation and the decision he has made. That was the agreement at the time, and any contrary interpretation would not be accurate.

The SPEAKER. The Chair is so strongly in favor of the conference report; the Chair must point out that it is not a personal decision, but this was a necessary arrangement the Chair made yesterday in order to get this resolution agreed to.

CONSIDERATION OF CONFERENCE REPORTS

(Mr. COLMER asked and was given permission to address the House for 1 minute.)

Mr. COLMER. Mr. Speaker, I do not know that it is necessary for me to comment on this matter, but I feel constrained, under the circumstances, to make the observation that the statement of the Speaker and of the minority leader is the correct understanding that was had in the Committee on Rules yesterday afternoon, which resulted in the reporting of this resolution.

I am sure that the Speaker would, as is his usual generous attitude and manner about these matters, like to recognize the gentleman, but under the circumstances I think the Speaker's ruling is the only one available to him.

Mr. SEIBERLING. Mr. Speaker, would the gentleman yield for a question?

Mr. COLMER. I shall be glad to yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Speaker, the Members of the House, when they voted on this resolution, were not privy to the understanding arrived at in the Committee on Rules; is that not correct?

Mr. COLMER. No, I would not say that that was exactly correct. I was not following it too closely, but my recollection is that the gentleman from California (Mr. SMITH), the minority ranking member on the committee, did discuss this matter in some detail on the floor of the House.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I shall be glad to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, last night or late afternoon when this agreement was reached, there must have been 50 Members on the floor of the House. All those who were here, who were privy to the agreement or understanding, agree the understanding was as indicated.

So, there was no effort on the part of anybody to mislead anyone. This was an agreement, and even though I am for this bill, I do not think we should violate that understanding.

Mr. COLMER. Mr. Speaker, as a matter of fact, as I recall it, the Speaker announced yesterday afternoon that the authority granted in the resolution would be confined to these three conference reports.

CONFERENCE REPORT ON POLICE AND FIREMAN ANNUITIES

(Mr. RODINO asked and was given permission to address the House for 1 minute.)

Mr. RODINO. Mr. Speaker, I would like to state that while I certainly understand the agreement between the Speaker and the leadership to consider those three pieces of legislation, which undoubtedly are within the purview of that resolution, nonetheless I must state that the matter which we have been trying to get before the floor is a matter of great urgency. Each day that we delay, another public safety officer may be slain and his family may become dependent for support upon charity, or other public-spirited citizens.

The legislation provides a lump sum payment to the dependent survivors of policemen, firemen, and other law enforcement officers who have been killed in the line of duty as the result of a criminal act. This bill is the product of detailed discussions, first, in my subcommittee and the full Judiciary Committee, and finally in the House-Senate conference committee.

This legislation has been sponsored by many, many Members of Congress. It is long overdue and I think it should not become the "unfinished business" of the 92d Congress.

The SPEAKER. Would the gentleman ask unanimous consent? If he cannot obtain consideration under this method, perhaps it can be brought up under some other method.

The Chair feels constrained to say—and the Chair hates to make a statement from the chair on issues like this—it was suggested these three bills which the Chair has mentioned be listed in the resolution. The Chair said that was not necessary; that was the understanding, and it would simply complicate the resolution by naming the three bills. That is what happened.

The Chair recognizes that had it not been for that understanding and legislative history, which is in the RECORD, this would have been eligible under the clear language of the resolution.

The Chair would gladly recognize the gentleman for a unanimous-consent request to bring it up now.

FEDERAL MINIMUM DEATH AND DISMEMBERMENT BENEFIT TO PUBLIC SAFETY OFFICERS OR SURVIVING DEPENDENTS

(Mr. EILBERG asked and was given permission to address the House for 1 minute.)

Mr. EILBERG. Mr. Speaker, yesterday in Pennsylvania a State trooper was slain. He went into a bathroom to arrest an individual who had escaped from prison. He had on a bulletproof vest. He was shot to death by the escaped prisoner. He had three children. The benefits they would be entitled to from the State of Pennsylvania are negligible.

The need is great. I wonder how many cases of this kind we need?

Mr. Speaker, in the light of the colloquy which has just taken place, I ask unanimous consent that the conference report on the bill S. 2087 be considered at this time.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MIZELL. Mr. Speaker, reserving the right to object, did the gentleman ask unanimous consent to call up the bill discussed previously?

The SPEAKER. It is a conference report.

CALL OF THE HOUSE

Mr. MIZELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 461]

Abbitt
Abernethy
Abourezk
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Aspinall
Badillo
Baker
Baring
Begich
Bell
Bergland
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Breaux
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Cabell
Caffery
Carey, N.Y.
Cederberg
Celler
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Collier
Collins, Tex.
Crane
Curlin
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Denholm
Derwinski
Dickinson
Diggs
Dow
Dowdy
Dwyer
Edmondson
Edwards, Ala.
Edwards, Calif.
Erlenborn
Eshleman
Evans, Colo.
Findley
Fisher
Flowers
Flynt
Forsythe
Fraser
Frenzel
Frey
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Goldwater
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Gubser
Haley
Halpern
Hanna
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hays
Hébert
Hillis
Holifield
Hosmer
Howard
Hunt
Ichord
Jacobs
Jones, Tenn.
Kastenmeier
Keith
Kemp
Kuykendall
Kyl
Kyros
Link
Lloyd
Long, La.
Lujan
McClory
McClure
McCormack
McDonald, Mich.
McKay
McMillan
Martin
Matsunaga
Mayne
Meeds
Melcher
Michel
Mikva
Mills, Md.
Mitchell
Mollohan
Monagan
Montgomery
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nichols
Patman
Pepper
Pike
Podell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Railsback
Randall
Rees
Riegle
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roy
Runnels
St Germain
Satterfield
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shoup
Sisk
Skubitz
Snyder
Springer
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Talcott
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Waggonner
Waldie
Whitehurst
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wyman
Yatron

The SPEAKER. On this rollcall 231 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL MINIMUM DEATH AND DISMEMBERMENT BENEFIT TO PUBLIC SAFETY OFFICERS OR SURVIVING DEPENDENTS

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CARLSON. Mr. Speaker, on behalf of the gentleman from California (Mr. WIGGINS), I object.

The SPEAKER. Objection is heard.

REPORT OF THE COMMITTEE TO NOTIFY THE PRESIDENT

The SPEAKER. The Chair will receive a report.

Mr. O'NEILL. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty.

The President has directed us to say that he has no further communication to make to the Congress, other than to send to them his best wishes and hope that they all have a happy vacation.

CONFERENCE REPORT ON H.R. 16810, PUBLIC DEBT LIMITATION

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973:

CONFERENCE REPORT (H. REPT. No. 92–1614)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 9, and 11.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) The provisions of this title shall cease to apply on the day after the date of the enactment of this Act and no action taken before such day under such provisions shall have any force or effect on or after such day."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

On page 5, line 7, of the Senate engrossed amendments, after "Sec." insert: 203

And the Senate agree to the same.

Amendment numbered 10: That the Senate recede from its amendment to the amendment of the House to amendment numbered 10 and agree to the amendment of the House to amendment numbered 10.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
MARTHA GRIFFITHS,
JOHN W. BYRNES,
JACKSON BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON P. ANDERSON,
HERMAN E. TALMADGE,
WALLACE F. BENNETT,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16180) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Amendment numbered 1: The bill as passed by the House establishes a ceiling of $250,000,000,000 on expenditures and net lending during the fiscal year ending June 30, 1973, and directs the President to reserve from expenditures and net lending, from appropriations or other obligational authority heretofore or hereafter made available, such amounts as may be necessary to keep expenditures and net lending during fiscal year 1973 within this ceiling.

Senate amendment numbered 1 also directed the President to reserve such amounts as may be necessary to keep expenditures and net lending within the $250 billion ceiling, but provided that, with certain exceptions, such amounts were to be reserved proportionately from appropriations or other obligational authority available for all programs or activities. The program and activities from which no reservations were to be made were—

(1) interest,
(2) veterans' benefits and services,
(3) payments from social insurance trust funds,
(4) medicaid,
(5) public assistance maintenance grants,
(6) social services grants under title IV of the Social Security Act,
(7) food stamps,
(8) military retirement pay, and
(9) judicial salaries.

Senate amendment numbered 1 also provided that no amount specified in any appropriation, or any activity, program, or item within such appropriation, could be reduced by more than 10 percent.

The conference substitute provides that the provisions of title II of the bill, containing the limitation on expenditures and net lending, will cease to apply on the day after the date of enactment of the bill and no action taken under title II before that day will have any force or effect on or after that day.

Amendment numbered 2: Senate amendment numbered 2 provided that the amounts proportionately reserved by the President pursuant to Senate amendment numbered 1 were not to include appropriations or other obligational authority available for fiscal year 1973 to which statutory spending limitation of 10 percent or more applies. The Senate recedes.

Amendment numbered 3: The bill as passed by the House establishes a temporary joint committee to review operations of the expenditure ceiling established by title II of the bill, and to recommend procedures for improving congressional control of budgetary outlay and receipt totals, including procedures for establishing and maintaining an overall view of each year's budgetary outlays which is fully coordinated with an overall view of the anticipated revenues for that year. Under the bill as passed by the House, the joint committee consisted of 30 members as follows:

(1) Seven members from the Committee on Ways and Means of the House and seven members from the Committee on Appropriations of the House, appointed by the Speaker.

(2) One additional member of the House appointed by the Speaker.

(3) Seven members from the Committee on Finance of the Senate and seven members from the Committee on Appropriations of the Senate, appointed by the President pro tempore.

(4) One additional member of the Senate appointed by the President pro tempore.

Senate amendment numbered 3 increases

the membership of the joint committee to 32 members, and provides that (in addition to the 7 members of the House chosen from the Committee on Ways and Means and the Committee on Appropriations and the 7 members of the Senate chosen from the Committee on Finance and the Committee on Appropriations) each House would have two additional members on the joint committee, one from the majority party and one from the minority party, to be appointed by the Speaker and the President pro tempore, respectively.

The House recedes.

Amendment numbered 4: Senate amendment numbered 4 provides that no person appointed by reason of his membership on the House and Senate committees referred to shall continue as a member of the joint committee after he has ceased to be a member of the committee from which he was chosen. However, the members of the joint committee chosen from the House committees who have been reelected to the House may continue to serve as members of the joint committee notwithstanding the expiration of the Congress.

Senate amendment numbered 4 also provides that a vacancy in the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as the original selection.

The House recedes.

Amendment numbered 5: Senate amendment numbered 5 provides that the expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee, and authorizes expenditures of not to exceed $100,000 through February 28, 1973. The House recedes.

Amendment numbered 6: This is a clerical amendment. The House recedes.

Amendment numbered 7: Senate amendment numbered 7 provides that, for purposes of paragraph (6) of Rule XXV of the Standing Rules of the Senate (which limits the number of committee assignments and committee chairmanships of Senators), service of a Senator as a member of the joint committee, or as chairman of the joint committee, shall not be taken into account. The House recedes.

Amendment numbered 8: Senate amendment numbered 8 adds a new title IV to the bill which adds a new section to title II of the Budget and Accounting Procedures Act of 1950. Under the new section, whenever the President impounds any appropriated funds, he is to transmit promptly to the Congress and to the Comptroller General of the United States a report containing specified information with respect to the funds impounded. All such reports are to be published in the Federal Register.

The House recedes with a clerical amendment.

Amendment numbered 9: Senate amendment numbered 9 added a new title V to the bill containing three amendments to the Legislative Reorganization Act of 1970. Section 501 added a new section to the 1970 Act which established a permanent Joint Committee on the Budget to review all matters relating to the annual budget and information relating to Government expenditures and revenues, and to make reports and recommendations to the appropriate committees of the Congress concerning Government efficiency, spending ceilings, fiscal year estimates of program and project costs, and deviations from basic authorizations of law and appropriations inconsistent with those authorizations. Section 502 amended the 1970 Act to require each Federal agency responsible for carrying out a proposed bill or joint resolution, being reported by a Congressional committee (with certain exceptions), to furnish the committee with cost estimates of the proposed legislation. The Joint Committee on the Budget was to maintain a compilation of, and print, those estimates. Section 503 further amended the 1970 Act by authorizing the Joint Committee to recommend to the Appropriations Committees of the two Houses of the Congress to hold joint hearings.

The Senate recedes.

Amendment numbered 10: This amendment added a new title VI to the bill providing that section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended so that, effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, the State may by law provide that the determination of whether there has been a State "on" indicator or a State "off" indicator beginning or ending any extended benefit period is to be determined without regard to the 120-percent requirement contained in section 203(e)(1)(A) of such Act and without regard to the requirement of a 13-week waiting period between extended benefit periods contained in section 203(b)(1)(B) of such Act.

The House amended this provision to provide that section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended so that, effective with respect to compensation for weeks of unemployment beginning before July 1, 1973 (and beginning after the date of the enactment of this Act, or if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State "off" indicator ending any extended benefit period is to be determined without regard to the 120-percent requirement contained in section 203(e)(1)(A) of such 1970 Act.

The Senate amended the House amendment to restore the language of Senate amendment numbered 10 and also to provide that the provisions of title II of the bill are to cease to apply on the day after the date of the enactment of the bill. The Senate recedes and concurs in the House amendment to Senate amendment numbered 10.

Amendment numbered 11: Senate amendment numbered 11 added a new title VII to the bill relating to the income tax treatment of unmarried individuals. In general, this amendment provided that all individuals, other than married individuals filing separate returns, would be subject to the same rates of tax on their taxable incomes.

The Senate recedes.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
MARTHA GRIFFITHS,
JOHN W. BYRNES,
JACKSON BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON P. ANDERSON,
HERMAN E. TALMADGE,
WALLACE F. BENNETT,
Managers on the Part of the Senate.

Mr. **MILLS** of Arkansas. Mr. Speaker, I call up the conference report on the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see prior proceedings of the House, today.)

Mr. **MILLS** of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **MILLS** of Arkansas. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we have a rather unusual report to bring back to the House. It appears that both sides have won a great victory with respect to the limitation on spending. The Senate would not take our language, as Members know, and the House would not recede from its language, so with the enactment of this conference report there will be a ceiling on spending of $250 billion for 1 day.

At the end of that 1 day, the Senate language will prevail and that provision will become a nullity. In fact, any action taken under it will have no effect.

That was the only way, in fact, we could get the matter out of the two bodies, because the Senate had directed the President to do exactly what the House had directed him to do; namely, to hold the rate of spending to $250 billion, but in the process they refused to implement that directive by allowing him the latitude required to carry it out.

The Secretary of the Treasury came to the meeting of the conference at 1 o'clock and told us that the President, himself, would rather not have any provision in the law relating to a spending ceiling, unless he could have the latitude that was in the last conference report, or in the House-passed bill, as necessary for him to carry out the directive of the Congress.

However, I think the President takes some degree of hope and encouragement from the fact that both the House and the Senate told him not to let the spending get above the $250 billion ceiling. I would imagine that he would use what is and has been over the years established by and asserted by all of the Presidents of the past, back to Thomas Jefferson, as being a Constitutional right, to withhold and reserve moneys, taking the position that the President does not have to spend every penny that the Congress makes available to him.

Mr. Speaker, I would imagine that since the two bodies, both have said to hold the spending below the $250 billion, that the President may use such an authority as that to try to accomplish his objective. Whether he can or not remains to be seen.

The other provisions of the bill remain the same as in the last conference. The Senate did another unusual thing. Not only did it amend the conference report in the respect that I just mentioned by, in effect, repealing the $250 million spending limit, but they wrote back into the conference report on the floor of the Senate the unemployment compensation provisions which they had originally written in.

So, there was a Senate amendment to a House amendment to a Senate amendment. The only way we can handle that under the rules of the House is for the Senate to recede from its Senate amendment to the House amendment to the Senate amendment. This is what they did.

Mr. SEIBERLING. Mr. Speaker, will the gentleman yield for a question?

Mr. MILLS of Arkansas. Mr. Speaker, I shall be glad to yield to the gentleman from Ohio.

Mr. SEIBERLING. Is the distinguished chairman of the Committee on Ways and Means saying that by approving this ceiling limitation, that we are in effect affirming the constitutional authority of the President to refuse to spend money appropriated by Congress?

Mr. MILLS of Arkansas. No, I am not saying that. I do not think you have to affirm it. If the President has that authority, there is nothing we can do to take it away from him.

Mr. SEIBERLING. We are not changing that?

Mr. MILLS of Arkansas. We are not changing that one iota, nor could we change it.

I am just saying, not having talked to him, what you may take as the meaning of the fact that both Houses, the Senate as well as the House, passed a provision that required the President to conserve enough to keep the spending within $250 billion.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Speaker, I would like to ask the chairman, in his presentation did I understand him to say the President would have the power for 1 day, as we had discussed, to veto line items in the appropriations?

Mr. MILLS of Arkansas. Yes, but at the same time we say that anything he does on that 1 day is a nullity. He cannot really do anything under the provision.

This reminds me of the time Mr. Doughton was chairman of the Ways and Means Committee and sought to include benefits for the disabled under social security. The House passed it.

We had a great fight within the Ways and Means Committee, but he finally prevailed. The matter got to the Senate. The Senate was adamant. They did not want the disabled under social security.

Finally some of us in the conference suggested that the Senate recede from its position and agree to our position with an amendment that repealed it the day after it went into effect.

This is the second time I know of we have done something like this out of the necessities of the moment.

Ms. ABZUG. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentlewoman from New York.

Ms. ABZUG. I wonder if the gentleman would clarify the unemployment compensation provision in this conference report?

Mr. MILLS of Arkansas. Yes. The unemployment compensation provision in the conference report is the same as the motion we made when last we had the conference report here on the floor. It is identical to a bill which was ordered reported by the Ways and Means Committee some weeks ago.

Ms. ABZUG. In other words, if a State has fallen below the 4-percent unemployment it will not be eligible?

Mr. MILLS of Arkansas. All we are doing is permitting a State to disregard the 120 percent requirement in determining whether the extended benefits program has triggered off. It does not help the State of New York, because the State of New York has dropped below 4 percent insured unemployment in the last few days.

Mr. PICKLE. Mr. Speaker, will the gentleman yield

Mr. MILLS of Arkansas. I yield to the gentleman from Texas.

Mr. PICKLE. I was off the floor when this bill was first brought up, after waiting an hour.

Mr. MILLS of Arkansas. Let me tell the gentleman about it, if he wanted to make a point of order.

Mr. PICKLE. I wanted to ask that question of the Speaker.

PARLIAMENTARY INQUIRY

Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. PICKLE. Would the gentleman from Texas be permitted to make the point of order that the title in this conference report pertaining to the unemployment benefits program is not germane under this conference report?

The SPEAKER. That point of order would come up too late now.

PARLIAMENTARY INQUIRY

Mr. MILLS of Arkansas. Mr. Speaker, just for the purpose of clarification, may I make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. MILLS of Arkansas. Since the House did approve the nongermane proposal with an amendment, that then becomes, when the conference committee submits a second conference report, germane to the bill, and can be included in the conference report, can it not?

The SPEAKER. The gentleman is correct.

Mr. MILLS of Arkansas. That is my understanding.

Mr. PICKLE. Mr. Speaker, will the gentleman yield further?

Mr. MILLS of Arkansas. I yield further.

Mr. PICKLE. This is the second or perhaps the third time that in the closing day or days of the session we have come here with an extended benefit program for some 5 to 10 million people.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. MILLS of Arkansas. I yield myself 1 additional minute.

Mr. PICKLE. Mr. Speaker, I wonder if the gentleman could yield 4 or 5 minutes. How much time does the gentleman have?

Mr. MILLS of Arkansas. Let me control the time, if I may. I have yielded to the gentleman. If we need more than a minute I will yield myself another minute.

Mr. PICKLE. The measure which the House passed is considerably better than that from the Senate side, because the cost of the Senate version would have been somewhere around $450 million. As it is under the House version, perhaps it will be only $200 million. But that is about $100 million we are perhaps going to be extending out of the Treasury to the same States, year after year.

Mr. MILLS of Arkansas. We really do not know but this is merely a temporary provision. It will have no effect after June 30, 1973.

Mr. PICKLE. Still, the money comes out of the unemployment benefits program. It is already $575 million in the red.

I wonder if the gentleman could tell the Members of the House what was in the Magnuson bill, that went to the point of alleviating the condition in States where there was chronic unemployment. That program is still in operation and goes to the end of the year, does it not?

Mr. MILLS of Arkansas. Yes. We agreed to that. Earlier this year we extended the Magnuson program of temporary emergency benefits. This is an extension until June 30, 1973 of the permanent extended benefits program in those States that maintain a 4 percent insured unemployment rate but fail to meet the 120 percent requirement.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The time of the gentleman from Arkansas has again expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 1 additional minute.

What we have done in this proposal of ours that we offer, that we agreed to in the conference report, is to disregard the 120-percent factor in the off indicator only. Let me explain the situation in detail.

The House conferees did not accept the Senate amendment because it would have been too extreme a departure from the original concept of the "on" and "off" triggers contained in the Extended Unemployment Compensation Act. The amendment which the House has already agreed to is limited to permitting the States to disregard the 120-percent factor in the "off" indicator only. This is merely a temporary provision and not a permanent solution to the problem we face. It will, however, permit the extended benefits program to be kept in operation in those States that have had continued high unemployment. It is designed to prevent the extended unemployment compensation program from triggering "off" in a State merely because the insured unemployment rate, however high it may be, has not continued to increase. This is the problem with the 120-percent requirement: It leads to the extended benefits program triggering "off" whenever the insured unemployment rate has remained at a continuously high level for 2 years or more.

The Senate amendment, on the other hand, would have permitted the States to disregard the 120-percent factor in both the State "on" and "off" indicators. In addition, it would have suspended the operation of a requirement in the law that there be a 13-week waiting period after the termination of an extended benefit period before another such period could begin. This amendment would have affected some 25 or 26 States as opposed to the 10 States that are estimated to be affected by the conference agreement. The additional States affected by the original Senate amendment are those in which the insured unemployment rate has either already dropped below 4 percent or is expected to drop below 4 percent during the period the amendment would operate. In the opinion of the House conferees, this was too great a departure from the original purposes of the State trigger mechanisms that were enacted in 1970. Unlike the provision agreed to by the conferees, it would not have been limited to correcting a problem which has resulted from the faulty operation of the 120-percent requirement but would have amounted to a change in the basic philosophy of the extended benefits program.

Mr. Speaker, I will point this out. Do not overlook this: We have some longtime unemployed people in certain pockets of unemployment in the United States. In the State of Washington that situation exists in and around Seattle, and I think the Senator from Washington is to be commended for making every effort that he can make to see to it that his people are taken care of under Unemployment and Welfare.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 2 additional minutes.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, may I ask the gentleman from Arkansas: After looking at the record, I note there are seven or eight States covered under the protective program, and among those States not covered are three States, named as California, New York, and Pennsylvania. Is that not correct?

Mr. MILLS of Arkansas. California and New York are not included within this amendment that is in the conference. They would have been included in the original Senate amendment.

Mr. PICKLE. Could they become eligible within the next 30 days?

Mr. MILLS of Arkansas. No, there is no way they could become eligible now since they have already fallen below 4 percent in their insured unemployment rates.

Mr. PICKLE. Mr. Speaker, I would simply say to the gentleman that I was not on the floor and I will say further that this is the last time this kind of bill is going to come in and get by with unanimous consent. We have set up the machinery to try to take care of an extended benefits program; we have passed the Magnuson Act.

Mr. MILLS of Arkansas. Mr. Speaker, I agree with the gentleman, that this is not the proper way to do it. I do think we will have to come back next year and make a further analysis of this 120 percent trigger-on and trigger-off device, because what it means is this: That it triggers on if you have 120 percent of the unemployment that you had in the past 2 years. You can have a high rate of unemployment, 7, 8, and 9 percent in a State for as long as 3 or 4 years, and at the end of the second year you trigger off, and you can go another 1 or 2 years without any relief from that heavy unemployment.

Mr. Speaker, I think we must find a different formula than that which we have in the law to take care of this extended benefits program. I do agree with the gentleman that we must seek a permanent solution rather than a solution on a piecemeal basis.

Mr. PICKLE. Mr. Speaker, will the gentleman yield further?

Mr. MILLS of Arkansas. Yes, I will yield to the gentleman.

Mr. PICKLE. Mr. Speaker, of course, this means that some 43 States, a figure in that neighborhood, are going to have to help finance 50 percent of the extended benefits for these seven or eight States that may be drawing continued benefits. Under the unemployment insurance provision in the Magnuson program, we have set up machinery to try to take care of the States where they do need to be given extended benefits. As a former member of the Texas Employment Commission, I recommended and voted for the program that would set up extended benefits. I did not envision, and I do not think the conference meant this type of thing to go on, because we may make permanent that which is supposed to be on an extended basis. Mr. Speaker, we must make positive changes in the extended benefits program in the near future.

Mr. MILLS of Arkansas. The Interstate Conference of Employment Security Agencies has also taken a different view about the 120 percent as being a set figure, and I think everybody in this body has, at least those I have talked to.

Mr. BURTON. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from California.

Mr. BURTON. Mr. Speaker, the previous colloquy has been very helpful, and, as pointed out, it has been stated that the States of New York and California, among others, will be discriminated against by the provisions of this bill.

I, for one, intend to vote for the legislation, given the reality that there are a lot of other unemployed people elsewhere who will be penalized if we do not do something for some of them. However, may I ask the gentleman this:

Am I not correct that if we are permitted to work our will on 640, that 640 would then eliminate what those of us in California and New York perceive to be an unfair treatment?

Mr. MILLS of Arkansas. Mr. Speaker, the gentleman is correct. If I call up H.R. 640, I would on that occasion move to disagree with the Senate on an amendment that deals with this subject matter.

Mr. Speaker, let me say to the gentleman from California that it is my understanding that the unemployment of covered workers in California has dropped below the 4 percent requirement of this program, not the 120 percent figures.

Mr. BURTON. Well, I do not have the data on that. I think 640 does result in the legislation that this does not. However, I intend to support this legislation.

Mr. ANDERSON of California. Will the gentleman yield to me?

Mr. MILLS of Arkansas. I yield to the gentleman.

Mr. ANDERSON of California. I may have missed this in your earlier explanation, but does not the conference report cover an extension of the national debt from $445 billion to $465 billion?

Mr. MILLS of Arkansas. Yes, it increases the debt ceiling.

Mr. ANDERSON of California. Is there some way to vote against the increase of the national debt extension and then vote against this conference report?

Mr. MILLS of Arkansas. No. I would not suggest that anybody vote against this conference report. I do not see how anybody can justify voting against an increase in the national debt when we have imposed this increase through our own actions by way of authorization and appropriation.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MILLS of Arkansas. I yield myself 1 additional minute.

Mr. PICKLE. Will the gentleman yield for an additional question?

Mr. MILLS of Arkansas. I yield to the gentleman.

Mr. PICKLE. If the States listed in the conference report on this bill are extended these benefits, it would just eliminate the 120-percent triggering portion of the bill; would it not?

Mr. MILLS of Arkansas. That is right.

Mr. PICKLE. And a State must still enter into the program and vote for it, and the funds will be paid on a 50-percent basis?

Mr. MILLS of Arkansas. That is right. It must have enacted legislation to participate in the permanent extended benefits program.

Mr. RHODES. Will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Arizona.

Mr. RHODES. I would like to ask my good friend from Arkansas if there is anything in the debt limit increase which would not allow the President of the United States to withhold funds which were authorized through the back door in the water bill which the conference report had in it and which was passed over the President's veto. As I understand it, the spending limitation, if it had remained at that debt level, would have been such that the President would have been able to regard such expenditures in about the same way as he did appropriated expenditures and cut the amount.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MILLS of Arkansas. Mr. Speaker, I yield myself 1 additional minute.

I am not as expertly informed as my friend from Arizona is on the provisions of the water bill to which he refers, but if we are authorizing and really appropriating moneys for a project and we are not passing that money out under a formula, then the President might spend less if he wanted to than the Congress made available. In other words, he could reserve funds.

Mr. RHODES. If the gentleman will yield further, most of the money in that bill, as I understand it, is distributed in accordance with the formula.

Mr. MILLS of Arkansas. There is some question in the minds of some lawyers as to whether the President can so reserve under that circumstance.

Mr. RHODES. So the point I am trying to make is that it seems to me the Congress has told the President to cut his spending to $250 billion. By the action on the debt limit and also by the action on passing this bill over his veto we also tell him we do not care how much he spends.

Mr. MILLS of Arkansas. Let me state it differently, and I want to make it clear. Both the House and Senate said the President must reserve his spending at not more than $250 billion. The Senate after saying that then put the President in such a straitjacket that he could not exercise the directive that the Congress or the Senate gave him. He needed the flexibility we provided for him in the House bill instead of what both branches told him to do. It is a little incongruous that one branch of the Government will tell the President that he has to do something and then make it utterly impossible for him to carry that branch's directive out.

Mr. RHODES. That is exactly what we have done today. I hope the gentleman is correct and the President will be able to hold spending at $250 billion. I am afraid the back door spending on the water bill—and certainly I favor the rationale of that bill—will make it almost impossible for him to do as we direct him.

Mr. MILLS of Arkansas. I hope that is not the case.

I yield to the gentleman from Ohio, who is a member of the committee.

Mr. VANIK. Mr. Speaker, I agree with what the chairman said. This bill should be supported by all of the Members of the House.

I want to point out that in his statement the chairman did say it is the responsibility of the Congress, because Congress——

Mr. MILLS of Arkansas. You can draw the President into it if you want to, because there is only one bill we passed over his veto—or two now. The water bill plus the railroad retirement bill. So I guess the President down at the other end is spending the money if we make it available to him. All I am saying is I do not know how anyone can make him available.

Mr. VANIK. But the point I am making is that when a contract is signed it is signed by a representative of the President and when people are hired they are hired by him, so he must agree with it.

Mr. MILLS of Arkansas. That is true. However, on occasion, the Congress may be just too liberal in applying other people's money.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has again expired.

Mr. MILLS of Arkansas. Mr. Speaker, yield myself 1 additional minute.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I wonder whether those of us who have consistently through the years voted to keep spending far below what the President's requests have been are not warranted in voting against this increase in the debt ceiling, especially since the President has pushed the revenue-sharing program.

Mr. ZION. Mr. Speaker, would the gentleman yield?

Mr. MILLS of Arkansas. Mr. Speaker, I grant that my friend, the gentleman from Maryland, is one of the most highly educated men in this body, and that he has a Ph. D. degree, and I have always bowed to the gentleman's knowledge in this field, but any economist who would argue to me that there is justification for voting against a debt ceiling after the debts have always been made, I cannot understand. I feel sure the gentleman does not want to put himself in that class, and be all by himself as an economist in advocating that.

Mr. LONG of Maryland. I believe we generally agree that all these things are a matter of individual conscience, but what I view with alarm is that all through the year the President's followers over on the Republican side have been following the President down the aisle, voting for his spending requests, and if anyone has they are the ones who have gotten us into this jam, and now we have to bail them out.

Mr. ZION. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. If the gentleman will wait one moment, let me point out that we have been in session for almost 2 years, and let us not adjourn this Congress sine die on a partisan note.

Mr. ZION. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I will be glad to yield to the gentleman from Indiana.

Mr. ZION. Mr. Speaker, I am getting sick of the gentleman from Maryland bragging about his conservative voting record. That statement makes him the prime paragon of political demagoguery.

According to impartial rating services, the Americans for Constitutional Action and the National Associated Businessman, the gentleman from Maryland has voted for spending in approximately 70 percent of his chances. His economy rating of about 30 percent is hardly worth bragging about.

Incidentally his main economy action seems to come at the expense of our national security. His "stand up for America" rating is a very modest 22 percent.

The SPEAKER. The time of the gentleman from Arkansas has expired.

ECONOMY VOTES IN THE 92D CONGRESS

(Mr. LONG of Maryland asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LONG of Maryland. Mr. Speaker, I include the following:

ECONOMY VOTES IN THE 92D CONGRESS (1971–72) BY REPRESENTATIVE CLARENCE D. LONG, DEMOCRAT, SECOND DISTRICT, MARYLAND

1. In four instances, I voted against funds for the SST program, totalling $469.6 million. (March, May, and July of 1971)

2. Voted against providing $3 million for counselling services for the Federal Housing Administration. (June, 1971)

3. Voted to limit crop subsidies to $20,000 to any person. During 1971, the Federal Government paid almost 14,000 farmers over $20,000 each in crop subsidies. A California company received $696,801, a Texas farmer received $117,012, and a California farmer received $139,263 in crop subsidies for 1971 alone. (June, 1971)

4. Voted against the so-called Welfare Reform Bill, or guaranteed annual income, which would have cost about $13 billion in the first year of operation, because it did not provide incentives for people to work. (June, 1971)

5. Voted against a $250 million give-away to Lockheed Corporation. (July, 1971)

6. Voted against the Agriculture-Environmental Protection Conference Report appropriation of $13.3 billion. (July, 1971)

7. Voted against providing $50 million for the U.S. contribution to the U.N. Development Program, because of mismanagement of the UNDP. From 1965–1969, $100 million was granted to countries which did not need aid. (December, 1971)

8. Voted against a $72.5 million appropriation for the D.C. subway on the ground that the nation's highest-income city should finance its own rapid transit. (December, 1971)

9. Voted against increasing the public debt limit to $450 billion. (March, 1972)

10. Voted against the NASA authorization for over $3.4 billion, a $49.9 million increase over the Administration's request. (April, 1972)

11. Voted against providing $3 million in public assistance to mass transit bus companies in D.C. (May, 1972)

12. Voted against a $364 million increase in funds for education because the figure in the bill was adequate in view of our huge national debt. (June, 1972)

13. Voted against the Revenue Sharing Bill, which would cost $30 billion, because, among other things, we have no revenue to share. (June, 1972)

14. Voted to reduce the funds for the Office of Telecommunications Policy in the White House from $1,025,000 to $300,000. (June, 1972)

15. Voted against the $1.2 billion Federal guarantee of obligations issued by the Metropolitan Area Transit Authority for the D.C. subway. (June, 1972)

16. Co-sponsored an amendment to limit the number of ungraded employees to 95 and the amount of money for salaries to $29.7 million in the Executive Office of the President. (June, 1972)

17. Voted against providing a four-month extension of the temporary level of $450 billion of the public debt limit. (June, 1972)

18. Voted again to limit Federal crop subsidies to $20,000 for any person. This would save about $10 million per year. (June, 1972)

19. Voted against providing reimbursement for losses suffered by industry because of the ban on cyclamates. Conservative estimates placed the cost of this legislation at well over $120 million. (July, 1972)

20. Voted against increasing the annuities for Supreme Court Justices' widows, which could cost as much as $51,600 annually. (August, 1972)

21. Voted to eliminate aid to Brazil be-

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cause that nation has wasted our aid or diverted it to the wrong purposes. The aid is over $46 million. (August, 1972)

22. Voted to sustain the President's veto of the $30.5 billion Labor-HEW Appropriation Bill because it contained more money than we could afford at the present time. (August, 1972)

23. Voted against the Public Works-Economic Development Bill, which authorized $3.1 billion. (August, 1972)

24. Voted against extending the programs under the Office of Economic Opportunity Act. The bill authorized $4.7 billion over the next two years. (September, 1972)

25. Voted against allowing the military to hire civilians to do KP work, because the work should continue to be done by enlisted personnel rather than asking the taxpayers to pay an additional $250–500 million annually (and more later on) for the hiring of civilians. (September, 1972)

26. Offered six amendments to the 1973 Foreign Assistance Appropriation Bill to reduce funds by approximately $1 billion, to the 1972 appropriation levels, because of our huge national deficit.

27. Voted against authorizing $14 million in "start-up" monies for the Eisenhower Memorial Bicentennial Civic Center because the nation's taxpayers should not have to pay for civic center for Washingtonians. (October, 1972)

28. Voted against increasing the temporary public debt limit from $450 billion to $465 billion. (October, 1972)

29. Voted against spending the taxpayers' money to take over the bus companies in the D.C. metropolitan area. ⅔ of the funds for the take-over would be Federal grants. (October, 1972)

30. Voted against the Conference Report on the Pesticide Control Act because it contained a provision to indemnify pesticide producers. This could cost the taxpayers $100 million to $600 million. (October, 1972)

CONFERENCE REPORT ON H.R. 16810, PUBLIC DEBT LIMITATION

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

I will speak only about the conference report, and about the situation in which we find ourselves.

I am not going to belabor the spending ceiling issue. That was before us when this bill first came before the House. It was before us again last evening. I do not think anything need be added at this point except to say that it has become amply clear that the other body is adamant. In the face of that adamancy, we have no alternative. As your conferees we have done the only thing we could do, we have come back here with something on which we could get agreement from the Senate.

It is interesting to note from the history of spending ceilings that when Presidents do not want a ceiling, then the Congress is apparently quite willing to impose one. This was the case with President Johnson.

But now we have a situation where a President has come to us and asked for a limitation on spending? He has said to us, in effect: "We all recognize we are spending too much, so put some obligation on me to reduce this spending and give me authority to carry out this obligation effectively."

Our reaction has been, in effect, to say: "Oh, no, Mr. President—under no circumstances. We are fearful you might carry out our directives." We are glad to give him the obligation, but not the authority to carry it out.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. I just wonder if the gentleman is saying that if the President asks for a spending ceiling and the Congress gives it to him, then that is an abdication of congressional responsibility, but that if the Congress forces it on him against his will, that is not an abdication of congressional responsibility.

Mr. BYRNES of Wisconsin. I am sure that we will try to find rationale for some of our inconsistencies—and that probably is one of them.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. CONABLE. I am disappointed and I know there are many people like me who are disappointed that this spending ceiling has not been accomplished. There is a natural tendency, when you are disappointed, to vote against a conference report of this sort. I wonder if the gentleman would explain what situation we would be in if this conference report is not accepted by the House.

Mr. BYRNES of Wisconsin. I expect to come to that later in my remarks. I appreciate the gentleman bringing it up.

Mr. CONABLE. Particularly in view of the parliamentary situation that we find ourselves in.

Mr. BYRNES of Wisconsin. Yes.

Before commenting on that, let me make one other very brief comment with respect to today's action.

It seems to me that this Congress comes to a close on a rather sad note, particularly with respect to our fiscal problems.

In the first place, it overrides a presidential veto on a bill that would authorize $24 billion of expenditure in the next 3 years.

Then, it turns around and tells the President that it cannot give him the tools he needs to put some restraint on spending.

We are all protesting, and we will go back home and protest, about taxes, inflation and the debt. Yet today, when we can take action—in not being unreasonable in our demands for the spending of money in an area where the President has sent back a veto, and in giving the President some authority and directive to save money—we threaten to abandon fiscal responsibility in both instances.

Now let me point out exactly what this vote means. Let no one make any mistake about it. If you vote against this conference report—if you are in the majority in that position—you are voting to come back in special session by the 8th of November, because you are leaving the President no alternative but to call us back.

As of today the Treasury has the authority to borrow up to a ceiling of $450 billion. On November 1 its authority to borrow will be only $400 billion. So in voting against this proposal, you will be cutting back by $50 billion borrowing authority that has in large part already been used, and the Government would be unable to pay its bills. No administration could live with that situation.

So if you vote against giving the President this ceiling of $465 billion, you are telling the President you want him to call you back here in special session.

I want the President to go to the American public and say that this Congress, if it rejects this conference report, is acting just as irresponsibly as it did with respect to the water bill, and just as irresponsibly as it did in not giving him the authority to cut spending. They are so irresponsible—they take away the dollars I now have to pay the bills.

Mr. Speaker, this Congress, no matter what its views are individually, has no practical alternative but to provide for a debt ceiling of $465 billion until June 30, 1973. Yet in so doing, we all know that this is going to be an inadequate ceiling, because we can only remain within it if we hold spending to $250 billion. And we have already said we are not concerned about that, we have already abdicated our responsibility in that area.

There is every indication, therefore, that this proposal ceiling will be exceeded before the end of this fiscal year, and if it is, we are going to have to come in and vote next time on even more than $465 billion.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have no further requests for time.

Ms. ABZUG. Mr. Speaker, I, too, am also for the working people of New York and California, and I would just like to know how many other States are involved in the Senate amendment, in doing something about the 4-percent cutoff requirement.

Mr. MILLS of Arkansas. The gentlewoman would like to have the States that would have been included by the Senate amendment, and which are not included in the House amendment?

Ms. ABZUG. Yes.

Mr. MILLS of Arkansas. Arkansas, California, Hawaii, Idaho, Kentucky, Louisiana, Minnesota, Montana, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Utah, and West Virginia.

Ms. ABZUG. I thank the chairman.

The unemployment provisions on this bill as it comes to us from conference help only a handful of States, arbitrarily leaving a large number of others out in the cold. If we agree—as we should and as our conferees obviously did by including this provision—that requiring a State to have unemployment 20-percent higher than in the 2 previous years in addition to having a 4-percent level of employment is artificial and unfair, then why provide relief only to those States which have not yet fallen victim to this irrational standard?

To my mind, it makes no sense to keep a State and its unemployed workers from participating in this unemployment program just because their already high unemployment rate has not become 20-

percent higher over a 1- or 2-year period. The mere fact of a high unemployment rate should be sufficient to render a State eligible for this kind of assistance. The provision offered by the Senate, which was similar to legislation introduced by me many months ago, would have permitted any State to waive the 20-percent increase requirement with respect not only to its going off the program, but also with respect to going on or going back on it.

The unemployment provision included in this conference report will benefit a few workers, but it will leave many, many more out in the cold. These are the people who build our great Nation and keep it going through thick and thin. They deserve better than this measure gives them.

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to include with my remarks two tables which show the States affected by the Senate amendment and those affected by the language in this conference report.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The tables referred to follow·

TABLE 1.—STATES AFFECTED BY THE PROVISION IN THE CONFERENCE REPORT

State	Estimated maximum number of beneficiaries	Estimated maximum total additional costs (thousands)
Alaska	1, 100–1, 500	$600–$800
Maine	7, 000–8, 000	3, 000–3, 500
Massachusetts	49, 300	30, 000
Michigan	71, 400–97, 300	40, 700–55, 400
Nevada	6, 700	3, 600
New Jersey	80, 000–120, 000	48, 000–72, 000
Puerto Rico	33, 000–42, 000	9, 000–11, 000
Rhode Island	8, 000–9, 000	5, 000
Vermont	3, 600	2, 000–3, 000
Washington	42, 000	17, 000
Total (approximate)	300, 000–380, 000	160, 000–202, 000
Federal share		80, 000–101, 000

TABLE 2.—STATES AFFECTED BY THE SENATE AMENDMENT

State	Number of beneficiaries	Costs (Federal and State share) (in thousands)
Alaska	1, 100–1, 500	$600–$800
Arkansas	2, 750	1, 000
California	140, 000–150, 000	80, 000–90, 000
Hawaii	1, 500–2, 500	1, 000–1, 500
Idaho	1, 500	350–400
Kentucky	5, 000	2, 000
Louisiana	6, 000–6, 500	2, 400–2, 700
Maine	7, 000–8, 000	3, 000–3, 500
Massachusetts	49, 300	30, 000
Michigan	71–400–97, 300	40, 700–55, 400
Minnesota	11, 000–13, 000	4, 900–5, 500
Montana	1, 700	435
Nevada	6, 700	3, 600
New Jersey	80, 000–120, 000	48, 000–72, 000
New Mexico	400–600	200–300
New York	170, 000–200, 000	80, 000–120, 000
North Dakota	1, 200	960
Ohio	12, 000–20, 000	8, 000–10, 000
Oregon	11, 000–14, 000	4, 000–5, 000
Pennsylvania	22, 000–37, 600	11, 000–18, 800
Puerto Rico	33, 000–42, 000	9, 000–11, 000
Rhode Island	8, 000–9, 000	5, 000
Utah	1, 900	850
Vermont	3, 600	2, 000–3, 000
Washington	42, 000	17, 000
West Virginia	1, 500	450
Total (approximate)	690, 000–840, 000	350, 000–460, 000
Federal share (millions)		175–230

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, I thank the distinguished chairman for yielding.

There has been, Mr. Speaker, some discussion about fiscal responsibility here this afternoon. I propose to support the resolution of the distinguished chairman of the Committee on Ways and Means because I believe that would be the responsible thing to do. However, in connection with responsibility, I would draw to the attention of the Members of the House remarks made by the distinguished leader of the other body—which I have just observed on the ticker—in which he points out that in the 4 years of the present administration Congress has cut the President's budget requests by $20.2 billion and that is, I think, an act of fiscal responsibility on the part of Congress. As the distinguished majority leader in the other body observed, during the 4 years of the present administration the budget deficits have increased $104.3 billion; during that period of time, as I was observing, Congress cut over $20 billion below the President's budget request. So this Congress has been a responsible Congress in terms of its response to the administration's budget proposals, and I hope that we will again be responsible in voting to support the resolution of the gentleman from Arkansas.

Mr. MILLS of Arkansas. I thank my friend, the gentleman from Indiana.

Mr. Speaker, I yield to the gentleman from California.

Mr. CORMAN. I thank the chairman for yielding.

Mr. Speaker, I suggest to the Members that we are right back where we started, back where we were when the President brought his request to the Committee on Ways and Means. Members of that committee asked, "Where is it you want to cut that you cannot cut without this specific expenditure ceiling." He would not tell us. Because he would not tell us, the Congress would not give him the authority, and that decision was right.

We have been told so much about the necessity for an expenditure ceiling and, almost simultaneously by the same speakers, that the President already has all the authority he needs to hold expenditures to the $250 billion. I suggest to you that there is a good bit of misleading information in both statements.

The President's proposal which was brought to the floor as the original Ways and Means Committee bill was much more than a mere sense-of-the-Congress resolution to hold down spending. It was a repeal of every expenditure decision made by this 92d Congress. It would have impowered the President to do a great number of things which he cannot do now that the Congress, for sound reasons, has rejected the proposal.

The expenditure ceiling as passed by the House would have delegated to the President unrestrained power to cut social security payments, the Federal portion of welfare payment due to the States, health and education funds directed on a formula basis, and revenue sharing.

Some of us on the Ways and Means Committee urged the administration to tell us their intentions. The response was total silence except for the commitment that revenue sharing would not be cut.

The arrogance of the President's request, coupled with the refusal to say how the power was to be used is worthy of note.

By passage of the debt ceiling increase now pending, we say to the President that if his revenue estimates are accurate and if he spends no more than $250 billion in this fiscal year, we authorize him to borrow sufficient funds to carry the Federal Government through the fiscal year. If revenues go above the estimates, he will have more money to spend or may borrow less than he indicates is his intention. If revenues are less than are estimated, he must reduce expenditures below the $250 billion or seek additional borrowing authority.

There is no question but that the President has discretion in some significant areas of expenditures—to either speed up or slow down the outflow of Federal dollars. Because of the way in which we appropriate funds there is roughly the same amount of money from prior years appropriations—pipeline money—as was requested for this fiscal year. Much of these funds are in the Department of Defense. If the President decides to consider the will of the American people as expressed by this Congress, he will as the first order of business slow down defense expenditures, for it is in this field that the Congress made the greatest cuts in the President's request for funds. But, it is to be noted that he may ignore that congressional action by speeding up defense pipeline expenditures, even though he got $4 billion less for defense than his request for the current year.

Further, if the President decides to take into account the will of the people, as expressed through their Representatives, he will refrain from slowing down expenditures for such things as water pollution control. The veto override should have been clear. Yet, because of the nature of that expenditure, the President may constitutionally drag his feet and delay critically needed expenditures in this field.

Because of the wisdom finally displayed by the Congress in refusing to grant unrestrained discretion, the President may not now stay within the $250 billion expenditure ceiling by cutting social security payments or railroad retirement payments or, as I have always suspected he intended doing, robbing the school children of America of badly needed Federal funds to finance education. He clearly may—and in my own view should—stay within that ceiling by cutting defense expenditures and delaying low-priority public works.

Since there has been so much talk about fiscal responsibility, it is worth noting that the President has submitted deficit budgets beyond anything ever comprehended by any other President.

The principal reason for these deficits is the President's espousal of new—and in his own view—popular expenditure programs, such as revenue sharing and unprecedented defense budgets, while at the same time he successfully urges the Congress to cut taxes—this in the face of record unemployment and inflation. A simple but typical example was the President's successful effort to eliminate the automobile excise tax—a Federal revenue loss of $3 billion annually. The argument was that at least 100,000 new jobs would be created; not a big dent in an unemployment figure of 5 million, but hopefully a step in the right direction. The actual result, as best as we can ascertain, has been 10,000 new jobs—for $3 billion of lost revenue.

One of the last witnesses before the Ways and Means Committee was again an administration spokesman urging—would you believe—another billion dollar tax cut—this time for aid to nonpublic schools.

The Treasury Department submitted evidence to the Ways and Means Committee that 12 percent of the 50 largest corporations in America pay a lower effective Federal income tax rate than does the American wage earner pay in social security taxes alone.

How can we be satisfied with giant deficits, 5 million unemployed, a grossly inequitable and insufficient tax system? This is the administration's view of fiscal responsibility. It is not my own.

Mrs. HECKLER of Massachusetts. Mr. Speaker, our debate on the spending ceiling has centered primarily on the question of an abdication of congressional authority and responsibility.

Authorizing the President to cut funds is an abdication of congressional power; there is no doubt that the Constitution mandates this body to raise revenues and allocate them. Unfortunately, it is a power that is utilized inadequately. The Congress is a sleeping giant, and if the President is the only one who is awake to the situation, then he should be allowed to do what is necessary to control spending, because the public will not stand for more taxes and more inflation.

Mr. Speaker, the Congress is losing its credibility with the people. The public is demanding tax reform and an end to Government waste. We are not answering them. I am a strong supporter of necessary social programs—education, environment, social security. I am also committed to getting value for the taxpayers' dollar.

I would never vote to give the President this kind of power for an unlimited period of time; the legislation provides for only an 8-month period, however. What I hope this crisis has shown us is that there is a tremendous need for reform.

Congressional reform is always a topic of interest, and when we speak of reform, we most often think of the seniority system. But our most pressing need at this point in time is reform of our budgetary process.

The process of enacting a Federal budget into law is an exhausting one, and our colleagues on the Committee on Appropriations spend long weeks and months attempting to rationally order our national priorities. But the fragmented system under which they must work prevents such a rational ordering. The Congress considers 13 separate appropriations measures, exclusive of supplemental and continuing appropriations. This does not provide adequately, however, for a careful weighing of alternative programs and priorities. This is what the Congress needs.

In addition, the fiscal year has become the laughing stock of Capitol Hill. Not only are appropriations enacted into law after July 1, but often programs for defense and foreign aid are not even authorized by that date.

The budgetary process has two facets—spending and receiving. If we consider spending alone, we ignore the fact that our allocations must be made in light of our available resources.

Mr. Speaker, we in the Congress have demanded that the elderly of this Nation skrimp and save and watch their pennies in order to sustain the most basic existence. We have asked that the cities and States operate on shoestring budgets; that they go hat in hand to the electorate in order to keep their schools open and their policemen paid.

In view of our attitudes on fiscal restraint which we preach to our neighbors, I believe that it is time for the Congress to "do as we say" and practice that same restraint and oversight with the Federal tax dollars of the American people.

To do less is to deny our responsibility to our constituencies and our country.

Mr. MADDEN. Mr. Speaker, I do want to commend the Senate for modifying the actions of the House in endorsing the President's unprecedented demand to usurp the power of the Congress in designating funds to be distributed of various programs which have been enacted by the Congress over the years.

During my visits back in Indiana over the past several weekends protests have reached me from industry and workers against the Congress retreating from its constitutional rights in controlling Federal expenditures.

Today, I received a letter from the American Association of Retired Persons, National Retired Teachers Association, setting out their opposition to the President's request on controlling spending limitations and also designating various programs which should not be dependent on the decision of one person as to the function of various programs involved.

Mr. Speaker, I include with my remarks the following letter from Mr. Cyril F. Brickfield, legislative counsel, American Association of Retired Persons, National Retired Teachers Association:

WASHINGTON, D.C.,
October 16, 1972.

DEAR CONGRESSMAN: The National Retired Teachers' Association and the American Association of Retired Persons, with a combined membership of 4.6 million-older persons, wish to express our views with respect to H.R. 16810, the public debt limitation legislation.

Our Associations appreciate the current need for better coordination of the spending and taxing aspects of fiscal policy to avoid recurring deficits. We recognise the lack of just such coordination may present the 93rd Congress with the unacceptable alternatives of increasing Federal revenue through further taxation or of acquiescing in further deficits and inflation. However, we feel that the spending limitation provisions of the debt limit bill, while representing a simple means of avoiding a difficult decision in the future, are an unsatisfying remedy, the future ramifications of which may adversely affect the delicate system of checks and balances on which our Government is based. We fear that enactment of the principle contained in this legislation, despite any restrictions placed thereon by the Senate, may amount to an unconstitutional delegation of authority to the Executive Department and a dilution of the prerogatives of the Congress.

The exercise of uncontrolled discretion by a chief executive over spending, for even a limited number of congressionally approved programs, may frustrate not only the will of Congress with respect to such programs, but our own efforts as well. The fiscal viability of the health, education, Administration on Aging and other programs for which we have worked so diligently during the past year could be jeopardized.

Our Associations, therefore, urge the members of the House to reject the Conference Committee's version of H.R. 16810. If any spending limitation is to be enacted into law, our Associations would hope that the executive's power to control spending would be circumscribed so as to exempt from such power Social Security and Medicare benefits, welfare payments, military retirement, civil service and railroad retirement benefits, judicial salaries, interest on the national debt and social service outlays and so as to limit, to a maximum of ten per cent, the amount by which the budget for any one program in any one department may be reduced. In the light of the foregoing, we would further urge the members of the House to instruct their conferees on H.R. 16810 to agree to the Senate-passed version of a spending limitation.

Sincerely,

CYRIL F. BRICKFIELD,
Legislative Counsel.

Mr. DORN. Mr. Speaker, this is no time for fault-finding or finger-pointing The President has asked for this public debt increase, and I shall support his request. This is the same old story Mr. Speaker. It is a worn out record. We increase the debt ceiling virtually every year, although we do so with misgivings. The solution is the balanced budget. If the money is not there, do not spend it. Inflation is the greatest danger to national security. It strikes at the housewife and at the elderly. Regardless of who is President, inflation must be brought under control. I join with our great chairman, Mr. MILLS of Arkansas in supporting the President's request for an increase in the debt ceiling.

Mr. VANIK. Mr. Speaker, I am opposed to the grant of unnecessary expenditure controls to the Executive.

The President has all the power he needs to control and limit Federal expenditures. He has already demonstrated his power in "freezing" billions of dollars in Federal programs. He has already demonstrated his capacity to "redtape" to extinction any program which he dislikes.

If there is one dollar of waste or error in Federal contracts—and there are billions—the President's man signs the contract. If there are drones on the public payroll—and there are hundreds of thousands—the President's men hired them and can fire them. If there are disgusting subsidies paid to the undeserving, the President's men order it done.

Early next year, Congress can develop appropriate measures to control inflation and hold down expenditures of the Government and the Federal deficit. Congress must put an end to "inflation" by Executive decree—through which untouchable forces in American can raise prices at will.

GENERAL LEAVE

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works:

WASHINGTON, D.C.,
October 14, 1972.

HON. CARL ALBERT,
Speaker of the House
Washington, D.C.

MY DEAR MR. SPEAKER: Pursuant to the provisions of section 201 of Public Law 89-298, the Committee on Public Works of the House of Representatives on October 12, 1972, adopted Committee resolutions authorizing the following water resources development projects:

Beals Creek, Big Spring, Texas.

Metlakatle Harbor at Metlakatla, Alaska.

Des Moines River at Ottumwa, Iowa.

Hoonah Harbor, Alaska.

North Shore of Long Island, Suffolk County, N.Y.

Texas City Channel, Texas.

Peyton Creek, Texas.

Perry County Drainage and Levee Districts Nos 1, 2, and 3, Mo.

Little Rivert Inlet, N. Carolina and S. Carolina.

Point Place, Toledo, Ohio.

With kindest personal regards,

Sincerely,

JOHN A. BLATNIK,
Chairman, Committee on Public Works.

ADDITIONAL LEGISLATIVE PROGRAMS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I think the membership ought to know that the conferees have agreed on a conference report for the highway bill and there is a possibility that there will be a rollcall on that legislation.

I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, I was going to make that announcement, that the conferees have met and they are working on the conference report and that will be before the House soon; but they are not ready yet.

RECESS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MILLER of Ohio. Mr. Speaker, reserving the right to object, I would like to have a time certain set when we may return or I will find it necessary to object.

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the House stand in recess until the hour of 5 p.m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Accordingly (at 3 o'clock and 50 minutes p.m.) the House stood in recess until 5 o'clock p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock p.m.

CONFERENCE REPORT ON S. 1819, UNIFORM RELOCATION ASSISTANCE

Mr. WRIGHT (on behalf of Mr. KLUCZYNSKI) filed the following conference report and statement on the bill (S. 1819) to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the act:

CONFERENCE REPORT (H. REPT. No. 92-1616)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1819) to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That (a) section 207 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1898) is amended by striking out "July 1, 1972," and by inserting in lieu thereof "July 1, 1976"; and by inserting before the period at the end of such section, "required by section 210, and in the case of any real property acquisition or displacement occurring prior to July 1, 1974, such Federal agencies shall pay 100 per centum of the cost of such payments and assistance required by section 305".

(b) Section 211(a) of such Act is amended to read as follows: "(a) The cost to a State agency of providing payments and assistance pursuant to sections 206, 210, 215, and 305, and cost to a person of providing payments and assistance pursuant to section 223(a), shall be included as part of the cost of a program or project for which Federal financial assistance is available to such State agency or person, and such State agency or person shall be eligible for Federal financial assistance with respect to such payments and assistance in the same manner and to the same extent as other program or project costs, except that, notwithstanding any other law in the case where the Federal financial assistance is by grant or contribution the Federal agency shall pay the full amount of the first $25,000 of the cost to a State agency or to a person of providing payments and assistance for a displaced person under sections 206, 210, 215, and 223(a), on account of any acquisition or displacement occurring prior to July 1, 1976, and under section 305, on account of any acquisition occurring prior to July 1, 1974, and in any case where such Federal financial assistance is by loan, the Federal agency shall loan such State agency or person the full amount of the first $25,000 of such cost."

(c) Title II of such Act is amended by adding at the end thereof the following new section:

"INTERIM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION EXPENSES

"SEC. 222. (a) During the period from July 1, 1972, through June 30, 1973, the head of a Federal agency is authorized to pay to a State which is not in compliance with this Act such sums in excess of the first $25,000 of cost as may be necessary to make all payments and provide all assistance required by this Act.

"(b) On and after July 1, 1973, or such earlier date that a State is able, under its laws, to comply with sections 210 and 305, the head of a Federal agency shall (1) not approve any grant to, or contract or agreement with, any State agency, of the kind referred to in such sections, unless such State agency satisfies the head of the Federal agency that the State is taking appropriate measures to repay to the United States an amount equal to the payments made by the Federal agency in carrying out subsection (a) of this section that the State would have paid if it had been in full compliance with such sections after July 1, 1972, or (2) after giving the State agency a reasonable period of time to seek funds to repay the United States the amounts of such payments, deduct sums totaling the amounts of such payments from Federal assistance available under any grant, contract, or agreement (except relocation payments) from the Federal agency, to that State agency, over a period and in a manner that shall not substantially and adversely affect the programs or projects so assisted.".

(d) Section 101(3) is amended by inserting immediately after "means" the following: "a State,".

(e) Section 101(6) is amended by inserting immediately after "personal property from real property" the following: "which he or his personal property lawfully occupies," and by adding at the end thereof the following: "In any administrative or judicial determination as to lawful occupancy, occupancy shall be deemed to be prima facie evidence of lawful occupancy, and the burden of proving unlawful occupancy shall be on the party alleging unlawful occupancy."

(f) Title II of such Act, as amended by subsection (c) of this section, is amended by adding at the end thereof the following new sections:

"ASSISTANCE TO CERTAIN PROGRAMS AND PROJECTS UNDERTAKEN DIRECTLY BY NONPROFIT ORGANIZATIONS AND PERSONS

"SEC. 223. (a) Notwithstanding any other provision of law, whenever a program or project to be undertaken (A) by a person, other than an individual, furnished Federal financial assistance for such program or project under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), under title VI of the Public Health Service Act (42 U.S.C. 291), under section 301 of the Public Health Service Act (42 U.S.C. 241), under title IV of the Housing Act of 1950 (12 U.S.C. 1749), or under the Higher Education Facilities Act of 1963 (20 U.S.C. 701), or (B) by a State agency furnished Federal financial assistance for such program or project under the United States Housing Act of 1937 (42 U.S.C. 1401) for the rehabilitation or modernization of public housing, and the Federal financial assistance is furnished by a Federal agency pursuant to a grant, contract, or agreement and such program or project will result in the forced displacement of any person, the head of the Federal agency furnishing such financial assistance shall insure that the following payments and services be provided—

"(1) fair and reasonable relocation payments and assistance to or for such displaced persons, as are required to be provided by a Federal agency under sections 202, 203, and 204 of this title:

"(2) relocation assistance programs offering the services described in section 205 to or for such displaced persons; and

"(3) prior to the approval of the grant, contract, or agreement by the head of the Federal agency, that decent, safe, and sanitary replacement dwellings will be available to such displaced persons within a reasonable period of time prior to displacement in accordance with section 205(c)(3).

"(b) Notwithstanding any provision of law, whenever a program or project to be undertaken by a person furnished Federal financial assistance for such program or project under section 235(j) or section 236 of the National Housing Act, as amended (12 U.S.C. 1745z(j), 1715z–1), or under section 101 of the Housing and Urban Development Act of 1965, as amended (12 U.S.C 1701s), by a Federal agency pursuant to a grant, contract, or agreement will result in the forced displacement of any person, the head of the Federal agency furnishing such financial assistance shall insure the provision of and provide full payment for—

"(1) fair and reasonable relocation payments and assistance to or for such displaced persons, as are required to be provided by a Federal agency under sections 202, 203, and 204 of this title;

"(2) relocation assistance programs offering the services described in section 205 to or for such displaced persons; and

"(3) within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings to such displaced persons in accordance with section 205(c)(3).

"(c) The head of any Federal agency providing Federal financial assistance pursuant to the programs or projects identified in subsections (a) and (b) of this section shall insure that relocation payments and other benefits provided under this section reach only displaced persons.

"REMOVAL OF VACANT IMPROVEMENTS

"SEC. 224. No department, agency, or instrumentality of the Federal Government administering any program providing Federal financial assistance shall, for the purpose of assuring compliance with this Act, impose any limitation on the removal of vacant improvements located on real property acquired in connection with such a federally assisted project."

SEC. 2. Section 202(a)(2) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, is amended by inserting immediately before the semicolon a comma and the following: "except that in any case where it is impracticable to determine such relocation expenses the payment shall be for the actual direct losses".

SEC. 3. Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1898) is amended by adding at the end thereof the following:

"DONATIONS

"SEC. 307. Nothing in this title shall be construed to prevent a person, after he has been tendered the full amount of estimated just compensation as established by the approved appraisal of the fair market value of the subject property, from making a gift or donation of such property or any part thereof or of any of the compensation paid therefor, to a Federal agency, a State or a State agency, as such person shall determine.".

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the amended title proposed by the House amendment, amend the title so as to read: "An Act to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments for four additional years, and for other purposes."

And the House agree to the same.

John C. Kluczynski,
Jim Wright,
George W. Collins,
Don H. Clausen,
Managers on the Part of the House.

Edmund S. Muskie,
Lee Metcalf,
Lawton Chiles,
Bill Brock,
Edward J. Gurney,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1819) to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the Act, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text and provided a new title for the Senate bill, and the Senate disagreed to the House amendments.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the bill, with an amendment which is a substitute for both the text of the bill and the House amendment to the text of the bill. The committee of conference also recommends that the Senate recede from its disagreement to the amendment of the House to the title of the bill with a substitute title.

The differences between the text of the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, and minor drafting and clarifying changes.

FEDERAL SHARE OF COSTS

Subsections (a) and (b) of the first section of the Senate bill amended sections 207 and 211 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to extend the period of Federal funding indefinitely for the first $25,000 of relocation payments required by those sections. The Senate language also provided for the termination of Federal funding for the first $25,000 of expenses required by section 305.

The House amendment provided for Federal funding through July 1, 1974 in the case of the first $25,000 of section 210 relocation payments and section 305 incidental expenses.

The conferees agreed to provide Federal funding for the first $25,000 of relocation payments required by sections 207, 211, and 223(a) (discussed below) through July 1, 1976, and expenses required by section 305, through July 1, 1974.

INTERIM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION EXPENSES

Subsection (c) of the first section of the Senate bill amended section 221 (b) of the 1970 Act to extend the effective date of the Act until July 1, 1973 (except as it applies to section 210 (3)), or thirty days after the end of the next regular session of the State legislature, whichever is earlier, to give a State legislature extra time to pass legislation enabling it to comply with the Act.

Subsection (d) of that first section added a new companion section 222 to the Act to provide that during the extension referred to above any person displaced by a Federal program in a State not yet in compliance with the Act would be paid the benefits provided under the Act directly by the Federal agency administering the project responsible for displacement. The Senate language also provided that the Federal agency head shall take all reasonable steps to recover the portion of these payments which would have been the non-Federal share if the State would have been in lawful compliance with the Act, and authorized the Federal agency head to deduct any delinquent non-Federal share from future program payments within such State.

The House amendment contained no comparable provision for a formal extension of the effective date, but allowed the head of a Federal agency to advance a State not in compliance with this Act funds as are necessary to make all payments that are required by the Act.

The conferees agreed to a new section 222 which would allow the head of a Federal agency to pay a State not in compliance with this Act funds as are necessary to make all payments and provide all benefits that are required by the Act. The conference agreement further provided that the Federal agency head shall take all reasonable steps to recover the portion of these payments which would have been the non-Federal share if the State would have been in lawful compliance with the Act, and authorized the Federal agency head to deduct any delinquent non-Federal share from future program payments from the Federal agency to the State.

It is the intent of the conferees that this new section 222 allow State agencies to act as conduits for payment of Federal funds in excess of $25,000 for up to one additional year. Nothing contained in section 222 shall be construed to require a State to incur a formal debt obligation in order to receive Federal funds under such section.

DEFINITION OF DISPLACED PERSON

Subsection (e) of the first section of the House amendment limited the eligibility of displaced persons who can receive benefits under the Act to those persons who lawfully occupy the real property from which he is displaced.

The Senate bill contained no comparable provision.

The conference report limits eligibility of a displaced person who can receive benefits under the Act to those persons who lawfully occupy the real property from which they are displaced, but puts the burden of proving unlawful occupancy on the party alleging the unlawful occupancy. It is the intent of this section to prohibit unlawful squatters from receiving the benefits of this Act.

ASSISTANCE TO SPECIFIED PROGRAMS

The Senate bill added a new section 223 to the 1970 Act that insured that the payments and other benefits of the Act would be provided to persons displaced by any Federally assisted program or project. The Senate bill further provided that Federal agency heads administering any such program or project would be required to take reasonable and necessary steps to provide payments and other benefits to persons displaced between January 2, 1971 (the effective date of the 1970 Act) and the date of enactment of S. 1819.

The House amendment provided that persons displaced by five programs identified in the bill on or after the date of enactment of S. 1819 would be eligible to receive payments and other benefits under the Act. In the case of all programs identified in the House amendment, other than section 236 of the National Housing Act, relocation payments and other benefits would not be provided to persons displaced by Federally assisted programs or projects where the recipient of such program or project assistance was not a non-profit organization.

The conference report provides in section 223 that persons displaced by eight specified programs would be eligible for the payments and other benefits of the Act. Under section 223(a) of the conference report, persons displaced by programs or projects where the recipient of Federal program or project assistance is an individual (as opposed to a partnership, corporation, or association) would not be eligible for payments or any other benefits under the Act. The cost of providing payments and other benefits under section 223(b) will be borne entirely by the Federal Government.

Section 205(c)(3) of the Act requires the State agency to provide "assurances" that within a reasonable period of time prior to displacement there will be available decent, safe, and sanitary replacement dwellings at rents or prices within the financial means of the families and individuals to be displaced equal in number to the number of and available to such displaced persons.

The new section 223, in expanding coverage of the Act, requires the organization, or State agency, as the case may be, to provide the Federal agency furnishing the financial assistance "assurances" of the adequacy of housing resources in accord with section 205(c)(3) for such programs or projects which will result in the forced displacement of any person.

There is concern that the replacement housing needs for the extended coverage of programs or projects under the new section 223 could create an overlapping demand for housing resources needed by other public programs or projects being undertaken or proposed within a locality, and could result in inadvertently restricting public programs or projects that may be deemed essential to the locality. Therefore, Federal agency administrative regulations should provide that (1) the head of the Federal agency will review the adequacy of housing resources for each program or project covered by this section in light of the competing needs of all other public programs or projects in the locality, and (2) wherever there appears to be a question as to the adequacy of housing resources to meet all relocation needs, the head of the Federal agency, before approving the program or project under review, will obtain recommendations of priority from the appropriate unit of local and state governments.

REMOVAL OF VACANT IMPROVEMENTS

Subsection (c) of the first section of the House amendment added a section 224 to the 1970 Act prohibiting a department, agency, or instrumentality of the Federal Government administering any program providing Federal financial assistance, for the purpose of complying with this Act, from imposing any limitation on the removal of vacant improvements located on real property acquired in connection with the Federally assisted project.

The Senate bill contained no comparable provision.

The Senate accepted the House language.

MOVING AND RELATED EXPENSES

Section 2 of the House amendment removed the existing limitation of section 202 (a)(2) that payment of actual direct losses of tangible personal property incurred as the result of moving or discontinuing a business or farm operation, in any case where it is not practicable to determine the reasonable expenses of relocating such personal property.

The Senate bill contained no comparable provision.

The Senate accepted the House language.

DONATIONS

Section 3 of the House amendment added a section 307 to the 1970 Act to provide that nothing in the land acquisition title of the Act shall be construed to prevent a person, after he has received an estimate of the full amount of just compensation for his property, from making a donation of the property or any part of the property or any of the compensation paid him for the property to a Federal agency, a State, or a State agency as the person determines.

The Senate bill contained no comparable provision.

The Senate accepted the House language.

The conferees agreed that any such donation be considered as an acquisition for purposes of the 1970 Act.

John C. Kluczynski,
Jim Wright,
George W. Collins,
Don H. Clausen,
Managers on the Part of the House.
Edmund S. Muskie,
Lee Metcalf,
Lawton Chiles,
Bill Brock,
Edward J. Gurney,
Managers on the Part of the Senate.

ENVIRONMENTAL NOISE CONTROL ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11021) to control the emission of noise detrimental to the human environment, and for other purposes, with a Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

SECTION 1. This Act may be cited as the "Environmental Noise Control Act of 1972".

SEC. 2. Title IV of the Clean Air Act Amendments of 1970 is amended to read as follows:

"SHORT TITLE; TABLE OF CONTENTS

"SEC. 401. This Act, including the following table of contents, may be cited as the 'Environmental Noise Control Act'.

"TABLE OF CONTENTS

"Sec. 401. Short title; table of contents.
"Sec. 402. Findings and policy.
"Sec. 403. Office of Noise Abatement and Control.
"Sec. 404. Definitions.
"Sec. 405. Research, investigation, training, and other activities.
"Sec. 406. Federal programs.
"Sec. 407. Noise criteria and control technology.
"Sec. 408. Noise emission standards for new products.
"Sec. 409. Labeling.
"Sec. 410. Imports.
"Sec. 411. Prohibited acts.
"Sec. 412. Enforcement.
"Sec. 413. Citizen suits.
"Sec. 414. Emergency situations.
"Sec. 415. Judicial review.
"Sec. 416. Records, reports, and information.
"Sec. 417. Federal procurement.
"Sec. 418. Grants for support of environmental noise planning and control programs.
"Sec. 419. Development of low-noise-emission products.
"Sec. 420. Authorization of appropriations.

"FINDINGS AND POLICY

"SEC. 402. (a) The Congress finds—

"(1) that environmental noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas;

"(2) that the major sources of noise emissions include aircraft, vehicles, machinery, appliances, and other products in commerce; and

"(3) that, while primary responsibility for control of environmental noise rests with State and local governments, Federal regulatory action is essential to deal with major noise emission sources, and Federal assistance is necessary to encourage and support programs for the control of environmental noise.

"(b) The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their public health or welfare. To that end, it is the purpose of this Act to establish a means for effective coordination of Federal research and activities in environmental noise control, to authorize the establishment of Federal noise emission standards of new products, to provide information to the public of the noise emission and noise reduction characteristics of new products, to encourage and support State and municipal programs for the control of environmental noise through planning and program grants to State and local environmental noise control agencies, and to provide information to the public on the control of environmental noise through regulation of use of products and other methods and procedures to reduce environmental noise.

"(c) Public participation in the development, revision, and enforcement of any regulation, noise emission standard, program or plan established by the Administrator or any State or municipality under this Act shall be provided for, encouraged, and assisted by the Administrator and the States and municipalities. The Administrator, in cooperation with the States and municipalities, within ninety days after enactment of this section, shall develop and publish regulations specifying minimum guidelines for public participation in such processes.

"OFFICE OF NOISE ABATEMENT AND CONTROL

"SEC. 403. (a) The Administrator shall establish within the Environmental Protection Agency an Office of Noise Abatement and Control, and shall carry out through such

Office a full and complete investigation and study of noise and its effect on the public health and welfare and administer the provisions of this Act.

"(b) The Administrator is authorized to prescribe such regulations as are necessary to carry out his function under this Act. The Administrator may delegate to any officer or employee of the Environmental Protection Agency such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

"(c) Upon the request of an environmental noise control agency, personnel of the Environmental Protection Agency may be detailed to such agency for the purpose of carrying out the provisions of this Act.

"(d) Payments under grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Administrator.

"DEFINITIONS

"Sec. 404. For purposes of this title and title V of this Act:

"(a) The term 'Administrator' means the Administrator of the Environmental Protection Agency.

"(b) The term 'person' means an individual, corporation, partnership, or association, and (except as provided in section 413(a)(1) of this Act) includes any officer, employee, department, agency, or instrumentality of the United States, a State, or any political subdivision of a State.

"(c) The term 'product' means any manufactured article or goods or component thereof; except that such term does not include—

"(1) any aircraft, aircraft engine, propeller, or appliance, as such terms are defined in section 101 of the Federal Aviation Act, as amended (49 U.S.C. 1431); or

"(2)(A) any military aircraft, rockets, weapons, or equipment which are designed for combat use; or (B) any aircraft, rockets, launch vehicles, spacecraft, or equipment which are designed for research, experimental, or developmental work to be performed by the National Aeronautics and Space Administration, as determined by the President under section 406 of this Act.

"(d) The term 'ultimate purchaser' means the first person who in good faith purchases a product for purposes other than resale.

"(e) The term 'new product' means a product the equitable or legal title to which has never been transferred to an ultimate purchaser. Products remanufactured or rebuilt by a manufacturer from used products to restore original functions shall be considered to be new products for the purposes of this title and title V of this Act.

"(f) The term 'manufacturer' means any person engaged in the manufacturing, assembling, or importing of new products, or who acts for, and is controlled by, any such person in connection with the distribution of such products, but shall not include any dealer with respect to any new product received by him in commerce.

"(g) The term 'dealer' means any person engaged in the sale or the distribution of new products to the ultimate purchaser who may prepare a product for sale or distribution to the ultimate purchaser: *Provided*, That when such dealer's preparatory or final assembly work involves modifications which increase the noise emission characteristics of such product, such dealer shall then be considered a manufacturer of such product for the purposes of this title and title V of this Act.

"(h) The term 'commerce' means trade, traffic, commerce, or transportation—

"(1) between a place in a State and any place outside thereof, or

"(2) which affects trade, traffic, commerce, or transportation described in paragraph (1) of this subsection.

"(i) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

"(j) The term 'Federal agency' means any department, agency, or instrumentality of the United States including the United States Postal Service.

"(k) The term 'environmental noise control agency' means any of the following:

"(1) A single State agency designated by the Governor of that State as the official State environmental noise control agency for purposes of this Act;

"(2) An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of environmental noise;

"(3) A city, county, or other local government authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of environmental noise; or

"(4) An agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of environmental noise.

"(l) The term 'municipality' means a city, town, borough county, parish, district, or other public body created by or pursuant to State law.

"(m) The term 'noise emission standard' means a statement of a noise level or other acoustical characteristic which may not be exceeded under specified conditions or method of operation. Such standard shall include the test procedures to be followed and shall be stated in terms of performance rather than design criteria.

"(n) The term 'environmental noise' means the intensity, duration, and character of sounds from all sources.

"(o) The term 'cumulative noise exposure' means the exposure of individuals in defined areas around airports to noise from aircraft operations weighted by time of day."

"RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES

"Sec. 405. (a) The Administrator shall establish a national research and development program for the prevention and control of environmental noise and as part of such program shall—

"(1) conduct, and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention and control of environmental noise;

"(2) conduct and finance research by contract with any person, on the effects, measurement, and control of noise, including but not limited to—

"(A) investigation of the direct or indirect effects of noise on humans (including physiological and psychological effects), and the direct or indirect effects of noise on domestic animals, fish, wildlife, and property, and determination of acceptable levels of noise on the basis of such effects; and

"(B) development of improved methods and standards for measurement and monitoring of noise, in cooperation with the National Bureau of Standards, Department of Commerce.

"(3) encourage, cooperate with, and render technical services (including the drafting of model ordinances) and provide financial assistance to environmental noise control agencies and other appropriate public or private agencies, institutions and organizations, and individuals in the conduct of such activities;

"(4) conduct investigations and research and make surveys concerning any specific problem of environmental noise in cooperation with any noise pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or if, in his judgment, such problem may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the noise is located; and

"(5) establish technical advisory committees composed of recognized experts in various aspects of noise to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research, and for other purposes.

"(b) In carrying out the provisions of the preceding subsection the Administrator is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of activities pursuant to subsection (a) and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal agencies, with environmental noise control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities, including technical assistance;

"(3) make grants to environmental noise control agencies, to other public or nonprofit private agencies, institutions and organizations, and to individuals, for purposes stated in subsection (a) of this section;

"(4) contract with public or private agencies, institutions and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5);

"(5) provide training (without fee) for, and make training grants to personnel of environmental noise control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Environmental Protection Agency and at public or nonprofit private educational institutions or research organizations;

"(7) collect and make available through publications and other appropriate means, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on physical, and human and other effects of varying levels of noise and other information pertaining to noise and the prevention and control thereof; and

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of environmental noise.

"(c) In carrying out the provisions of subsection (a) of this section the Administrator shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons by the various known noise sources.

"(d) In carrying out research pursuant to this Act, the Administrator shall give special emphasis to research on the short- and long-term effects of environmental noise on public health and welfare.

"FEDERAL PROGRAMS

"Sec. 406. (a) The Congress authorizes and directs that Federal agencies shall, to the fullest extent consistent with their authority under Federal laws administered by them, carry out the programs within their control in such a manner as to further the policy declared in section 402 of this Act.

"(b) Each department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government (1) having jurisdiction over any property or facility, or (2) engaged in any activity resulting, or which may result, in the emission of noise shall comply with Federal, State, interstate, and local requirements respecting control and abatement of environmental noise to the same extent that any person is subject to such requirements. The President may exempt any single activity or facility, including noise emission sources or classes thereof, of any department, agency, or instrumentality in the executive branch from compliance with any such requirement if he determines it to be in the paramount interest of the United States to do so; except that no exemption, other than for those products specified pursuant to section 404 (c)(2) of this Act may be granted from the requirements of sections 408, 511, and 521 of this Act. No such exemption shall be granted due to lack of appropriation unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation. Any exemption shall be for a period not in excess of one year, but additional exemptions may be granted for periods of not to exceed one year upon the President's making a new determination. The President shall report each January to the Congress all exemptions from the requirements of this section granted during the preceding calendar year, together with his reason for granting such exemption.

(c)(1) The Administrator shall coordinate the programs of all Federal agencies relating to environmental noise research and environmental noise control. Each Federal agency shall furnish to the Administrator such information as he may reasonably require, to determine, as provided under section 309 of the Clean Air Act, if the nature, scope, and results of the noise research and environmental noise control programs of the agency are consistent with the purposes of this Act.

"(2) Each Federal agency shall consult with the Administrator in prescribing any regulations respecting environmental noise. If at any time the Administrator has reason to believe that a standard or regulation, or any proposed standard or regulation of any Federal agency, respecting noise, does not protect the public health and welfare to the extent he believes to be required he shall request such agency to review and report to him on the advisability of revising such standard or regulation to provide such protection. Any such request shall be published in the Federal Register and shall be accompanied by a detailed statement of the information on which such request is based. Such agency shall complete the requested review and report to the Administrator within 180 days after the date of the publication in the Federal Register of the request. The report shall be published in the Federal Register and shall be accompanied by a detailed statement of the findings and conclusions of the agency respecting the revision of its standard or regulation.

"(3) On the basis of regular consultation with appropriate Federal agencies, the Administrator shall compile and publish annually a report to the Congress on the status and progress of Federal activities relating to environmental noise research and environmental noise control. This report shall describe the environmental noise control programs of each Federal agency and assess the contributions of those programs to the Federal Government's overall efforts to control environmental noise.

"NOISE CRITERIA AND CONTROL TECHNOLOGY

"SEC. 407. (a) The Administrator shall, after consultation with appropriate Federal, State, and municipal agencies, and other appropriate persons, within nine months after the date of enactment of this section, issue noise criteria. Such criteria shall reflect the scientific knowledge most useful in indicating the kind and extent of all identifiable effects on the public health or welfare which may be expected from differing quantities and qualities of noise, and such criteria shall set forth levels of environmental noise the attainment and maintenance of which in defined areas under various conditions are requisite to protect the public health and welfare with an adequate margin of safety.

"(b) The Administrator, after consultation with appropriate Federal, State, and municipal agencies, and other appropriate persons, shall within fifteen months after date of enactment of this section compile and publish a report or series of reports (1) identifying products (or classes of products) which on the basis of information available to him appear to be major sources of noise, and (2) giving information on the processes, procedures, or operating methods which result in the control of the emission of noise, to implement noise emission control standards under sections 408, 501, 503, 511, and 521 of this Act, which such information shall include technical and other data, including costs, as are available on alternative methods of noise control.

"(c) The Administrator, after consultation with appropriate Federal, State, and municipal agencies, and other appropriate persons, shall compile and provide information on methods and techniques of controlling environmental noise through, among other means, product use control, land use regulation, and construction and building standards. Such information shall be compiled and published to assist State and local governments in establishing and enforcing environmental noise control programs supported under section 418 of this Act.

"(d) The Administrator shall from time to time review and, as appropriate, revise or supplement any criteria or reports published under this section.

"(e) Any report under subsection (b)(1) of this section identifying major noise sources shall be published in the Federal Register. The publication or revision of any criteria or information on control techniques under this section shall be announced in the Federal Register, and copies shall be made available to the general public.

"NOISE EMISSION STANDARDS FOR NEW PRODUCTS

"SEC. 408. (a)(1) The Administrator shall publish proposed regulations establishing noise emission standards for new products or classes of products—

"(A) identified in any report published under section 407(b)(1) of this Act as a major source of noise, and

"(B) which falls in one of the following categories:

"(i) Construction equipment.

"(ii) Transportation equipment (including snowmobiles, motorcycles, and recreational vehicles and related equipment).

"(iii) Any motor or engine (including any equipment of which an engine or motor is an integral part).

"(iv) Turbines and compressors.

"(v) Electrical and electronic equipment, except those products which are designed for the production or reproduction of music or sound (to the extent such reproduction is identical, except in amplitude, to the source reproduced).

"(vi) Percussion and explosive equipment.

"(2)(A) Regulations proposed under paragraph (1) shall be promulgated not later than eighteen months after the date of enactment of this Act, and shall apply to any appropriate new product described in paragraph (1) which is identified (or in a class identified) in any report published under section 407(b)(1) of this Act on or before the date of publication of such initial proposed regulations.

"(B) In the case of any new product described in paragraph (1) which is identified (or is part of a class identified) as a major source of noise in a report published under section 407(b)(1) of this Act after publication of the initial proposed regulations under subparagraph (A) of this paragraph, regulations under paragraph (1) of this subsection for such new product shall be promulgated by the Administrator not later than nine months after such report is published.

"(b) The Administrator may publish proposed regulations establishing noise emission standards respecting any new product for which he is not required to establish standards under subsection (a) of this section but for which, in his judgment, noise emission standards are requisite to protect the public health and welfare. Not later than six months after the date of publication of such regulations respecting such new product, he shall promulgate regulations establishing noise emission standards for such new product.

"(c)(1) Any noise emission standard prescribed under subsection (a) or (b) of this section respecting a new product shall set limits on noise emissions from such new product over the useful life of the product (as determined by the Administrator taking into account the range of possible uses for the same type of product) and shall be a standard which in the Administrator's judgment, based on information published under section 407 of this Act, reflects the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. In establishing such standards for any new product the Administrator shall assure that such standards are compatible with standards under other laws respecting emission of air or water pollutants and safety, including (but not limited to) any standard under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), the Clean Air Act (42 U.S.C. 1857 et seq.), or the Federal Water Pollution Control Act (33 U.S.C. 1151 et seq.). Any standard prescribed under subsection (a) or (b) of this section may contain provisions respecting instructions of the manufacturer for the maintenance or use of the product.

"(2) After publication of any proposed regulations under this section, the Administrator shall allow the public an opportunity to participate in rulemaking in accordance with section 553 of title 5, United States Code.

"(3) The Administrator may revise any noise emission standard prescribed by him in accordance with this section.

"(4) Any regulation prescribed under this section (and any revision thereof) shall take effect after a period not to exceed two years or such lesser time as the Administrator finds necessary to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period. Standards prescribed under this section shall apply to products manufactured on or after the effective date of such standards.

"(5) The Administrator may prescribe regulations defining 'effective date' for the purpose of assuring that products manufactured before the effective date of a regulation under this section were not manufactured for purposes of circumventing the effective date of such regulations.

"(d)(1) On and after the effective date of any standards prescribed under this section, the manufacturer of each new product shall warrant to the ultimate purchaser and each subsequent purchaser that such product is (A) designed, built, and equipped so as to conform at the time of sale with applicable regulations under this section, and (B) free from defects in materials and workmanship which cause such product, under normal use, operation, and maintenance to fail to conform wtih applicable regulations for its useful life, as determined by the Administrator, taking into account the range of uses for such product.

"(2) Any cost obligation of any dealer incurred as a result of any requirement imposed by paragraph (1) of this subsection shall be borne by the manufacturer. The transfer of any such cost obligation from a manufacturer to any dealer through franchise or other agreement is prohibited.

"(3) If a manufacturer includes in any advertisement a statement respecting the cost or value of noise emission control devices or systems, such manufacturer shall set forth in such statement the cost or value attributed to such devices or systems by the Secretary of Labor (through the Bureau of Labor Statistics). The Secretary of Labor, and his representatives, shall have the same access for his purpose to the books, documents, papers, and records of a manufacturer as the Comptroller General has to those of a recipient of assistance for purposes of section 311 of the Clean Air Act, as amended.

"(e)(1) No State or political subdivision thereof may adopt or enforce, with respect to (A) any product manufactured after the effective date of a regulation prescribed by the Administrator under this section or (B) any component incorporated into such product by the manufacturer of such product, any standard setting a limit on noise emissions from such product enforceable against the manufacturer which is not identical to the standard prescribed by the Administrator.

"(2) Subject to paragraph (1) of this subsection, nothing in this section shall preclude or deny the right of any State or political subdivision thereof to establish and enforce controls on environmental noise through the licensing, regulation, or restriction of the use, operation, or movement of any product or combination of products: *Provided*, That such control, licensing, regulation, or restriction shall not, in the case of any motor carrier engaged in interstate commerce or any equipment or facility of a surface carrier engaged in interstate commerce by railroad, result in a limit on noise emissions for any carriers, equipment, or facility different than any limit contained in any regulation applicable thereto prescribed by the Administrator under this section or title V of this Act, except that in the case of such carriers the Administrator may by regulation, upon the petition of a State or political subdivision thereof and after consultation with the Secretary of Transportation, permit such more restrictive limits on such noise emissions through the application of use, operation, or movement controls or regulations as in his judgment are necessitated by special local conditions.

"(3) If, after promulgation of any standards and regulations under this section and prior to their effective date, a product is manufactured in compliance with such standards and regulations such standards and regulations shall, for the purposes of paragraph (1) of this subsection, become effective with respect to such product on the date of such compliance.

"LABELING

"SEC. 409. (a) The Administrator shall by regulation for any new product (or class thereof)—

"(1) identified pursuant to section 407(b)(1); or

"(2) which is sold wholly or in part on the basis of its effectiveness in reducing noise, require either (1) that a notice of the level of noise emission including the relationship to any applicable noise emission standard under secton 408, or notice of the effectiveness in reducing noise (as the case may be) supplied by the manufacturer, be affixed to the new product and to the outside of its container at the time of its sale to the ultimate purchaser, or (2) that such notice of such level or effectiveness supplied by the manufacturer otherwise be given to the prospective user. He shall prescribe the form of the notice and the methods and units of measurement to be used for this purpose. Section 408(c)(2) shall apply to the promulgation of any regulation under this section.

"(b) This section does not prevent any State or political subdivision thereof from regulating product labeling in any way not in conflict with regulations promulgated by the Administrator under this section.

"IMPORTS

"SEC. 410. Any product offered for entry into the United States for which a standard or regulation has become effective pursuant to this title, which is not accompanied by certificate of compliance in the form prescribed by the Administrator, shall be refused entry into the United States. If a product is refused entry, the Secretary of the Treasury shall refuse delivery to the consignee and shall cause disposal or storage of any product refused delivery which has not been exported by the consignee within three months from the date of notice of such refusal under such regulations as the Secretary of the Treasury may prescribe, except that the Secretary of the Treasury may deliver to the consignee such product pending examination and decision in the matter on execution of bond for the amount of the full invoice value of such product, together with the duty thereon, and on refusal to return such product for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding it from the country, or for any other purpose, said consignee shall forfeit the full amount of said bond. All charges for storage, cartage, and labor on products which are refused admission or delivery under this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any future importation made by such owner or consignee.

"PROHIBITED ACTS

"SEC. 411. (a) Except as otherwise provided in subsection (b) of this section, the following acts or the causing thereof are prohibited:

"(1) In the case of a manufacturer, the sale in, the offering for sale in, or the introduction or delivery for introduction into, commerce of any new product, aircraft, or aircraft engine manufactured after the effective date of noise emission control standards prescribed under sections 408, 501, 503, 511, and 521 of this Act which are applicable to such product, unless such product is in conformity with such standards.

"(2)(A) The removal or rendering inoperative by any person, other than for purposes of maintenance, testing, repair, or replacement, of any device or element of design incorporated into any product, aircraft, or aircraft engine in compliance with noise emission standards promulgated under sections 408, 501, 503, 511, and 521 of this Act prior to its sale or delivery to the ultimate purchaser or during its term of use, or (B) the use of a product after such device or element of design has been removed or rendered inoperative.

"(3) In the case of a manufacturer, the sale in, the offering for sale in, or the introduction or delivery for introduction into, commerce of any new product manufactured after the effective date of regulations promulgated under option (1) in section 409(b) of this Act (requiring information respecting noise) which are applicable to such product, unless it is in conformity with such regulations.

"(3)(A) In the case of a manufacturer or dealer, the assistance of any person in a violation of paragraph (2)(A) of this subsection or the furnishing of information with respect to a violation of paragraph (2)(A) of this subsection.

"(B) In the case of a manufacturer, the sale in, the offering for sale in, or the introduction or delivery for introduction into, commerce of any new product manufactured after the effective date of regulations promulgated under option (1) in section 409(a) of this Act (requiring information respecting noise) which are applicable to such product, unless it is in conformity with such regulations.

"(4)(A) The removal by any person of any notice affixed to a product or container pursuant to regulations promulgated under section 409(a) of this Act prior to the sale of the new product to the ultimate purchaser, or (B) the sale of such product or container from which such notice has been removed.

"(5) The importation into the United States by any person of any new product in violation of regulations promulgated under section 410 of this Act that are applicable to such product.

"(6) The failure of any person to comply with any order issued under section 412(d) or 414 of this Act.

"(b)(1) The Administrator may after public hearings exempt for a specified period of time not to exceed one year, any new product, or class thereof, from paragraphs (1), (2), (3), and (5) of subsection (a) of this section upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(2) A new product intended solely for export, and so labeled or tagged on the outside of the container and on the product itself, shall be subject to noise emission standards of the country which imports such product. In no event shall the Administrator allow the export from the United States of any product subject to section 414 of this Act as a product, the noise emissions from which are an imminent and substantial endangerment to public health.

"ENFORCEMENT

"SEC. 412. (a) Any person who willfully or negligently violates paragraph (1), (3), (5), or (6) of subsection (a) of section 411 of this Act shall be punished by a fine of not more than $25,000 per day of violation, or by imprisonment for not more than one year, or by both. In the case of a violation of paragraph (1) or (6) of subsection (a) of section 411 of this Act the fine shall be not less than $2,500 per day of violation. If the conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two years, or by both.

"(b) For the purpose of this section, each day of violation of section 411(a) of this Act shall constitute a separate violation of that section.

"(c) The district courts of the United States shall have jurisdiction of actions brought by and in the name of the United States to restrain any violations of section 411(a) of this Act.

"(d)(1) Whenever any person is in violation of section 411(a) of this Act, the Administrator may issue an order specifying such relief as he determines is necessary to protect the public health and welfare. Such relief may include an order requiring such person to cease such violation, to notify ultimate purchasers of the risks associated with such violation, to make public notice of such risks, to recall any products responsible for such violation, to repurchase any such products, or to replace any such products. Such order may also require the seizure of any such products by the Administrator.

"(2) Any order under this subsection shall be issued only after notice and opportunity for a hearing in accordance with section 554 of title 5 of the United States Code.

"(e) When authorized by State law—

"(1) The Administrator may, by agreement with any environmental noise control agency with or without reimbursement, authorize law enforcement officers or other officers or employees of such environmental noise control agency to bring civil actions in the appropriate State courts to restrain any person from violating section 411(a).

"(2) The courts of such State may entertain any such civil action.

Nothing in this section shall affect the authority of an environmental noise control agency to commence a civil action under section 413 of this Act.

"CITIZEN SUITS

SEC. 413. (a) Except as provided in subsection (b) of this section, any person may commence a civil action on his own behalf—

"(1) against any person (including (A) the United States, and (B) any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of any noise control requirement (as defined in subsection (f) of this section), or

"(2) against—

"(A) the Administrator of the Environmental Protection Agency where there is alleged a failure of such Administrator to perform any act or duty under this Act which is not discretionary with such Administrator.

"(B) the Administrator of the Federal Aviation Administration where there is alleged a failure of such Administrator to perform any act or duty under this Act or section 611 of the Federal Aviation Act of 1958 which is not discretionary with such Administrator.

The district courts of the United States shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such noise control requirement or to order such Administrator to perform such act or duty, as the case may be.

"(b) No action may be commenced—

"(1) under subsection (a)(1) of this section—

"(A) prior to sixty days after the plaintiff has given notice of the violation (i) to the Administrator of the Environmental Protection Agency (and to the Federal Aviation Administrator in the case of a violation of a noise emission control requirement with respect to aircraft under this Act or section 611 of the Federal Aviation Act as amended) and (ii) to any alleged violator of such requirement, or

"(B) if an Administrator has commenced and is diligently prosecuting a civil action to require compliance with the noise control requirement, but in any such action in a court of the United States any person may intervene as a matter of right; or

"(2) under subsection (a)(2) of this section prior to sixty days after the plaintiff has given notice to the defendant that he will commence such action.

Notice under this subsection shall be given in such manner as the Administrator of the Environmental Protection Agency shall prescribe by regulation.

"(c) In an action under this section, the Administrator of the Environmental Protection Agency or, if appropriate, the Administrator of the Federal Aviation Administration, if not a party, may intervene as a matter of right.

"(d) The court, in issuing any final order in any action brought pursuant to subsection (a) of this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such an award is appropriate.

"(e) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any noise control requirement or to seek any other relief (including relief against an Administrator).

"(f) For purposes of this section, the term 'noise control requirement' means any prohibition, standard, or requirement under section 408, 411, 501, 503, 506, 511, or 521 of this Act or a prohibition, standard, rule, or regulation issued under section 611 of the Federal Aviation Act of 1958, as amended.

"EMERGENCY SITUATIONS

"SEC. 414. (a) The Administrator or the Attorney General shall file, in a district court of the United States having venue thereof, an action against any product the noise emissions from which are an imminent and substantial endangerment to public health, or against any person who manufactures for sale, sells, or offers for sale, in commerce, or imports into the United States, such product. Such an action may be filed, notwithstanding the existence or nonexistence of a noise emission standard applicable to a product, or the pendency of administrative proceedings initiated pursuant to this Act.

"(b) The district court in which such action is filed shall have jurisdiction to declare such product a product the noise emissions from which are an imminent and substantial endangerment to public health, and to grant (as ancillary to such declaration or in lieu thereof) such temporary or permanent equitable relief as may be necessary to protect the public from such risk. Such relief may include a mandatory order requiring the notification of the original purchasers of such product of such risk, public notice, the recall, the repurchase, the repair, the replacement, or the seizure of such product.

"JUDICIAL REVIEW

"SEC. 415. Any judicial review of final regulations promulgated under this Act shall be in accordance with sections 701–706 of title 5 of the United States Code, except that:

"(a) a petition for review of action of the Administrator in promulgating any standard or regulation under section 408, 501, 511, or 521 of this Act or any labeling regulation under section 409 of this Act may be filed only in the United States Court of Appeals for the District of Columbia. Any such petition shall be filed within ninety days from the date of such promulgation, or after such date if such petition is based solely on grounds arising after such ninetieth day. Action of the Administrator with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil proceedings for enforcement except as to whether the administrative and judicial procedures of this Act have been observed;

"(b) if a party seeking review under this Act applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the information is material and was not available at the time of the proceeding before the Administrator, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Administrator, and to be adduced upon the hearing, in such manner and upon such terms and conditions as the court may deem proper. The Administrator may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file with the court such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence;

"(c) with respect to relief pending review of an action by the Administrator, no stay of an agency action may be granted unless the reviewing court determines that the party seeking such stay is (1) likely to prevail on the merits in the review proceeding and (2) will suffer irreparable harm pending such proceeding.

"RECORDS, REPORTS, AND INFORMATION

"SEC. 416. (a) Such manufacturer of a new product, aircraft, or aircraft engine to which standards or regulations under sections 408, 501, 503, 511, or 521 of this Act or regulations under section 409 apply shall (1) establish and maintain such records, make such reports, provide such information, and make such tests, as the Administrator may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this Act, (2) upon request of an officer or employee duly designated by the Administrator, permit such officer or employee at reasonable times to have access to such information and the results of such tests and to copy such records, and (3) make new products coming off the assembly line or otherwise in the hands of the manufacturer available for testing by the Administrator, to the extent required by regulations of the Administrator.

"(b) For the purpose of obtaining information to carry out titles IV and V of this Act, the Administrator may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In cases of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator, to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(c) Any records, reports, or information obtained under this section shall be available to the public, except that upon a showing satisfactory to the Administrator by any person that records, reports, or information or particular part thereof (other than noise emission data) to which the Administrator has access under this section if made public, would divulge methods or processes entitled to protection as trade secrets of such person, the Administrator shall consider such record, report, or information or particular portion thereof confidential in accordance with the purposes of section 1905 of title 18 of the United States Code, except that such record, report, or information may be disclosed to other officers, employees, or authorized representatives of the United States concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Administrator or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) Any communication from a person to the Administrator or any other employee of the Agency concerning a matter presently under consideration in a rulemaking or adjudicatory proceeding in the Agency shall be made a part of the public file of that proceeding unless it is a communication entitled to protection under subsection (c) of this section.

"(e) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Act, shall upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than six months, or by both.

"FEDERAL PROCUREMENT

"SEC. 417. (a) No Federal agency may enter into any contract for the procurement of goods, materials, or services with any person, who has been convicted of a criminal offense under section 412(a) of this Act and who, upon consideration of the gravity of the violation and the good faith of the person charged in attempting to achieve rapid compliance, the Administrator determines should be subject to the prohibition of this section. The prohibition in the preceding sentence shall continue until the Administrator certifies that the condition giving rise to a conviction has been corrected.

"(b) The Administrator shall establish procedures to provide all Federal agencies with the notification necessary for the purposes of subsection (a) of this section.

"(c) In order to implement the purposes and policy of this Act, the President shall, not more than one hundred and eighty days after its enactment, cause to be issued an order (1) requiring each Federal agency authorized to enter into contracts and each Federal agency which is empowered to extend Federal assistance by way of grant, loan, or contract to effectuate the purposes and policy of this Act in such contracting or assistance activities, and (2) setting forth procedures, sanctions, penalties, and such other provisions, as the President determines necessary to carry out such requirement.

"(d) The President may exempt any contract, loan, or grant from all or part of the provisions of this section where he determines such exemption is necessary in the paramount interest of the United States, and he shall notify the Congress of such exemption.

"GRANTS FOR SUPPORT OF ENVIRONMENTAL NOISE PLANNING AND CONTROL PROGRAMS

"SEC. 418. (a)(1). The Administrator may make grants to environmental noise control agencies in an amount up to two-thirds of the cost of planning, developing, establishing, or improving, and up to one-half of the cost of maintaining programs for the prevention and control of environmental noise.

"(2) Before approving any grant under this subsection to any environmental noise control agency within the meaning of sections 404(k)(3) and 404(k)(4) of this Act, the Administrator (when appropriate) shall receive assurances that such agency provides for adequate representation of State, interstate, local, and international interests in its area of jurisdiction. Before approving any grant under this subsection the Administrator shall determine that the recipient in the appropriate environmental noise control agency for the jurisdictions involved in order to minimise overlap and duplication of effort.

"(3) Before approving any planning grant under this subsection to any environmental noise control agency within the meaning of sections 404(k)(3) and 404(k)(4) of this Act, the Administrator shall receive assurances that such agency has the capability of developing and enforcing a comprehensive environmental noise control plan.

"(4) Before approving any grant for purposes other than developing a program under this section to any environmental noise control agency within the meaning of section 404 of this Act, the Administrator shall determine that such agency has the authority—

"(A) to regulate the location, modification, and construction of any facilities within the area of jurisdiction of such agency which may result in the generation of environmental noise; and

"(B) to assure that the use of any product in the area of jurisdiction of such agency will not exceed applicable noise control levels;

"(C) to (i) identify, if appropriate, sources of environmental noise within the jurisdiction of such agency, and (ii) set forth procedures, processes, and methods (including land use requirements and design and construction standards) to control such sources to the extent feasible;

"(D) to acquire, maintain, and operate noise monitoring facilities in the field and otherwise, making public reports of noise emissions and levels of environmental noise disclosed by such monitoring, which reports shall be related to any applicable standards or limitations; and

"(E) to issue abatement orders.

"(b) From the sums available for the purposes of subsection (a) of this section for any fiscal year, the Administrator shall from time to time make grants to environmental noise control agencies upon such terms and conditions as the Administrator may find necessary to carry out the purposes of this section. In establishing regulations for the granting of such funds the Administrator shall, so far as practicable, give due consideration to (1) the population, (2) the extent of the actual or potential environmental noise problem, and (3) the financial need of the respective agencies. No agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of environmental noise unless the Administrator is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, or other non-Federal funds. No grant shall be made under this section until the Administrator has consulted with the appropriate official as designated by the Governor or Governors of the State or States affected.

"(c) Not more than 10 per centum of the total funds appropriated or allocated for the purposes of subsection (a) of this section shall be granted for environmental noise control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Administrator shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"(d) The Administrator, with the concurrence of any recipient of a grant under this section, may reduce the payments to such recipient by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of any officer or employee to the recipient under section 403(c) of this Act, when such detail is for the convenience of, and at the request of, such recipient and for the purposes of carrying out the provisions of this Act. The amount by which such payments have been reduced shall be available for payment of such costs by the Administrator, but shall, for the purpose of determining the amount of any grant to a recipient under subsection (a) of this section, be deemed to have been paid to such agency.

"(e) There is authorized to be appropriated for this section $5,000,000 for fiscal year ending June 30, 1973, $7,500,000 for the fiscal year ending June 30, 1974, and $10,000,000 for the fiscal year ending June 30, 1975.

"DEVELOPMENT OF LOW-NOISE-EMISSION PRODUCTS

"SEC. 419. (a) For the purpose of this section:

"(1) The term 'Committee' means the Low-Noise-Emission Product Advisory Committee.

"(2) The term 'Federal Government' includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

"(3) The term 'low-noise-emission product' means any product which emits noise in amounts significantly below the level of other products in the competitive market for such product at the time of procurement.

"(4) The term 'retail price' means (A) the maximum statutory price applicable to any type of product; or (B) in any case where there is no applicable maximum statutory price, the most recent procurement price paid for any type of product.

"(b)(1) The Administrator shall determine which products qualify as low-noise-emission products in accordance with the provisions of this section.

"(2) The Administrator shall certify any product—

"(A) for which a certification application has been filed in accordance with paragraph (5)(A) of this subsection;

"(B) which is a low-noise-emission product as determined by the Administrator; and

"(C) which he determines is suitable for use as a substitute for a type of product at that time in use by agencies of the Federal Government.

"(3) The Administrator may establish a Low-Noise-Emission Product Advisory Committee to assist him in determining which products qualify as low-noise-emission products for purposes of this section. The Committee shall include the Administrator or his designee, a representative of the National Bureau of Standards, and representatives of such other Federal agencies and private individuals as the Administrator may deem necessary from time to time. Any member of the Committee not employed on a full-time basis by the United States may receive the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day such member is engaged upon work of the Committee. Each member of the Committee shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(4) Certification under this section shall be effective for a period of one year from the date of issuance.

"(5)(A) Any person seeking to have a class or model of product certified under this section shall file a certification application in accordance with regulations prescribed by the Administrator.

"(B) The Administrator shall publish in the Federal Register a notice of each application received.

"(C) The Administrator shall make determinations for the purpose of this section in accordance with procedures prescribed by him by regulation.

"(D) The Administrator shall conduct whatever investigation is necessary, including actual inspection of the product at a place designated in regulations prescribed under subparagraph (A).

"(E) The Administrator shall receive and evaluate written comments and documents from interested persons in support of, or in opposition to, certification of the class or model of product under consideration.

"(F) Within ninety days after the receipt of a properly filed certification application the Administrator shall determine whether such product is a low-noise-emission product for purposes of this section. If the Administrator determines that such product is a low-emission product, then within one-hundred and eighty days of such determination the Administrator shall reach a decision as to whether such product is a suitable substitute for any class or classes of products presently being purchased by the Federal Government for use by its agencies.

"(G) Immediately upon making any determination or decision under subparagraph (F), the Administrator shall publish in the Federal Register notice of such determination or decision, including reasons therefor

"(c) (1) Certified low-noise-emission products shall be acquired by purchase or lease by the Federal Government for use by the Federal Government in lieu of other products if the Administrator of General Services determines that such certified products have procurement costs which are no more than 125 per centum of the retail price of the least expensive type of product for which they are certified substitutes.

"(2) Data relied upon by the Administrator in determining that a product is a certified low-noise-emission product shall be incorporated in any contract for the procurement of such product.

"(d) The procuring agency shall be required to purchase available certified low-noise-emission products which are eligible for purchase to the extent they are available before purchasing any other products for which any low-noise-emission product is a certified substitute. In making purchasing selections between competing eligible certified low-noise-emission products, the procuring agency shall give priority to any class or model which does not require extensive periodic maintenance to retain its low-noise-emission qualities or which does not involve operating costs significantly in excess of those products for which it is a certified substitute.

"(e) For the purpose of procuring certified low-noise-emission products any statutory price limitations shall be waived.

"(f) The Administrator shall, from time to time as he deems appropriate, test the emissions of noise from certified low-noise-emission products purchased by the Federal Government. If at the time of purchase he finds that the noise-emission levels exceed the levels on which certification under this section was based, the Administrator shall give the supplier of such product written notice of this finding, issue public notice of it, and give the supplier an opportunity to make necessary repairs, adjustments, or replacements. If no such repairs, adjustments, or replacements are made within a period to be set by the Administrator, he may order the supplier to show cause why the product involved should be eligible for recertification.

"(g) There are authorized to be appropriated for paying additional amounts for products pursuant to, and for carrying out the provisions of, this section, $1,000,000 for the fiscal year ending June 30, 1973, and $2,000,000 for each of the two succeeding fiscal years.

"(h) The Administrator shall promulgate the procedures required to implement this section within one hundred and eighty days after the date of enactment of this section.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 420. There are authorized to be appropriated to carry out this Act (other than sections 418 and 419) $18,000,000 for the fiscal year ending June 30, 1973; $36,000,000 for the fiscal year ending June 30, 1974; and $50,000,000 for the fiscal year ending June 30, 1975."

Sec. 3. The Clean Air Act is amended to add a new title V as follows:

"TITLE V—MAJOR MOVING SOURCES

"Part A—Control and Abatement of Aircraft Noise and Sonic Boom

"Sec. 501. (a) In order to afford present and future relief and provide protection to public health and welfare from aircraft noise and sonic boom—

"(1) the Administrator of the Environmental Protection Agency, after consultation with the Administrator of the Federal Aviation Administration, shall promulgate and amend standards for the measurement of aircraft and aircraft engine noise and sonic boom; and

"(2) the Administrator of the Environmental Protection Agency shall promulgate and amend regulations with respect to noise emission standard for aircraft and aircraft engines which he determines are necessary and adequate to protect the public health and welfare with an adequate margin of safety.

"(b) (1) Any regulations under this section or amendments thereof, with respect to noise emissions from types of aircraft or aircraft engines, shall reflect the degree of noise reduction achievable through the application of the best available demonstrated technology, taking into account the reasonableness of the cost of compliance and the demonstrable public benefit that will result, determined by the Administrator of the Environmental Protection Agency after consultation with the Administrator of the Federal Aviation Administration and shall not be promulgated until the Administrator of the Federal Aviation Administration has determined that such regulations are consistent with the highest degree of safety in air commerce and that any proposed standard, rule, or regulation has been demonstrated to be technologically available for application to types of aircraft, aircraft engine, appliance, or certificate to which it will apply.

"(2) All standards, rules, and regulations prescribed pursuant to section 611 of the Federal Aviation Act, as amended, prior to the date of enactment of the Environmental Noise Control Act of 1972 shall remain in effect until amended or revoked by subsequent standards, rules, or regulations promulgated and approved pursuant to this part: *Provided, however*, That the Administrator of the Environmental Protection Agency, within nine months of the date of enactment of this Act, shall review all noise emission standards, rules, or regulations in effect under section 611 of the Federal Aviation Act, as amended, prior to the date of enactment of the title.

"(c) Each Federal agency with regulatory authority over air commerce, aircraft or airport operations, or aircraft noise emissions shall exercise such regulatory authority so as to reduce noise in airport environments and surrounding areas.

"Sec. 502. (a) The Administrator of the Environmental Protection Agency, after consultation with appropriate Federal, State, and local agencies and interested persons, shall conduct a study of the (a) adequacy of Federal Aviation Administration flight and operational noise controls; (b) adequacy of noise emission standards on new and existing aircraft, together with recommendations on the retrofitting and phaseout of existing aircraft; (c) implications of identifying and achieving levels of cumulative noise exposure around airports; and (d) additional measures available to airport operators and local governments to control aircraft noise. He shall report on such study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committees on Commerce and Public Works of the Senate within one year after enactment of this title.

"(b) The Secretary of Transportation, after consultation with the appropriate Federal, State, and local agencies and interested individuals, shall conduct a study of the means of financing the retrofitting of existing jet aircraft (excluding aircraft owned or operated by any military agency) in order to carry out the purposes of this part, and shall make recommendations, taking into consideration what is economically reasonable, technologically practicable, and appropriate for the types of aircraft and aircraft engines to which the recommendations will apply. He shall report on such study to the Committees on Interstate and Foreign Commerce, and Ways and Means of the House of Representatives, and the Committees on Commerce, Finance, and Public Works of the Senate by July 1, 1973, together with his recommendations for whatever legislation may be required.

"Sec. 503. (a) The Secretary of Transportation, after consultation with the Administrator of the Environmental Protection Agency, shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under section 501 of this Act. The regulations of the Secretary of Transportation shall include provisions making such standards respecting noise emissions from any type of aircraft applicable in the issuance, amendment, modification, suspension, or revocation of any certificate authorized by the Federal Aviation Act, as amended, or the Department of Transportation Act, as amended. Such Secretary shall insure that all necessary inspections are accomplished, and may execute any power or duty vested in him by any other provision of law in the execution of all powers and duties vested in him under this section.

"(b) In any action to amend, modify, suspend, or revoke a certificate in which violation of aircraft noise or sonic boom standards, rules, or regulations applied to aircraft or aircraft engines existing on the date of enactment of the Environmental Noise Control Act of 1972, is at issue, the certificate holder shall have the same notice and appeal rights as are contained in section 609 of the Federal Aviation Act, as amended, except that in any appeal to the Natonal Transportation Safety Board, the Board may amend, modify, or revoke the order of the Secretary of Transportation only if it finds no violation of such standards, rules, or regulations, and that such amendment, modification, or revocation by the Board is consistent with safety in air transportation.

"Sec. 504. The Administrator of the Federal Aviation Administration shall not issue a type certificate under section 603(a) of the Federal Aviation Act, as amended, for any aircraft, or for any aircraft engine, propeller, or appliance that affects significantly the noise or sonic boom characteristics of any aircraft, unless such type certificates apply all of the standards promulgated by the Administrator of the Environmental Protection Agency prior to the date of issuance of such certificates.

"Sec. 505. No State or political subdivision thereof may adopt or enforce any standard respecting noise emissions from any aircraft or engine thereof.

"Sec. 506. Terms used in this part (other than Administrator) shall have the same meaning as such terms have under section 101 of the Federal Aviation Act of 1958, as amended. Notwithstanding any other provision of this Act, the sole authority to establish aircraft noise emission standards is contained in part A of this title.

"CIVIC AIRCRAFT SONIC BOOM

"Sec. 507. (a) No person may operate a civil aircraft over the territory of the United States, the territorial sea of the United States, or the waters of the contiguous zone (as defined under Article 24 of the Conservation of the Territorial Sea and the Contiguous Zone) at a true flight mach number greater than 1 except in compliance with the conditions and limitations in an authorization to exceed mach 1 issued to the operator under this section.

"(b) For a research and development flight in a designated flight test area an authorization to exceed mach 1 may be issued if the applicant shows one or more of the following:

"(1) The flight is necessary to show compliance with an airworthiness regulation or is necessary for aircraft development.

"(2) The flight is necessary to determine the sonic boom characteristics of the airplane, or is necessary to establish means of reducing or eliminating the effects of sonic boom.

"(3) The flight is necessary to demonstrate the conditions and limitations under which speeds greater than a true flight mach number of 1 will not cause a sonic boom to reach the land or water surface of the earth.

"(c) An application for an authorization to exceed mach 1 must be made on a form and in a manner prescribed by the Federal Aviation Administrator in consultation with the Administrator of the Environmental Protection Agency. In addition, for an authorization covered by subsection (b) of this section, each application must contain—

"(1) information showing that operation at speeds greater than mach 1 is necessary to accomplish one of the purposes specified in subsection (b) of this section;

"(2) a description of the flight test area proposed by the applicant; and

"(3) conditions and limitations that insure that no sonic boom will reach the land or water surface outside of the designated flight test area.

"(d) An application for an authorization to exceed mach 1 shall be denied whenever the Administrator of the Environmental Protection Agency finds that such research and development flight or flights will adversely affect public health or welfare or the quality of the environment.

"(e) An authorization to exceed mach 1 is effective until it expires, or until it is surrendered, and shall be terminated by the Administrator whenever he finds that such action is necessary to protect public health or welfare or the quality of the environment.

"(f) Any violation of this section shall be subject to the penalties prescribed under subsection (a) of section 412 of this Act.

"SUPERSONIC AIRCRAFT

"Sec. 508. No civil aircraft capable of flying at supersonic speed shall land at any place under the jurisdiction of the United States unless in compliance wtih the noise levels prescribed for subsonic aircraft by the Administrator of the Federal Aviation Administration and in effect on September 1, 1972.

"Part B—Railroad Noise Emission Standards

"Sec. 511. (a) Within nine months after the date of enactment of this title, the Administrator shall publish proposed noise emission regulations for surface carriers engaged in interstate commerce by railroad. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of the equipment and facilities of surface carriers engaged in interstate commerce by railroad which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 408 of this Act.

"(b) Within ninety days after the publication of such regulations as may be proposed under subsection (a) of this section, and subject to the provisions of section 415 of this Act, the Administrator shall promulgate final regulations. Such regulations may be revised from time to time, in accordance with this section.

"(c) Any standard or regulation, or revision thereof, proposed under this section shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

"(d) Any regulation or revision thereof promulgated under this section shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

"Sec. 512. The Secretary of Transportation, after consultation with the Administrator, shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under section 511 of this Act. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Safety Appliance Acts, the Interstate Commerce Act, and the Department of Transportation Act. Regulations promulgated under this section and section 511 of this part shall be subject to the provisions of sections 411, 412, 413, 415, and 416 of this Act.

"Sec. 513. Notwithstanding any other provision of this Act, after the effective date of regulations under this part, no State or political subdivision thereof may adopt or enforce any standard respecting noise emissions resulting from the operation of equipment or facilities of surface carriers engaged in interstate commerce by railroad unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section: Provided, however, That nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product as the Administrator, after consultation with the Secretary of Transportation may determine to be necessitated by special local conditions or not in conflict with regulations promulgated under this part.

"Sec. 514. The terms 'carrier' and 'railroad' as used in sections 511, 512, and 513 of this part shall have the same meaning as such terms have under section 22 of title 45 of the United States Code.

"Part C—Motor Carrier Noise Emission Standards

"Sec. 521. (a) Within nine months after the date of enactment of this title, the Administrator shall publish proposed noise emission regulations for motor carriers engaged in interstate commerce. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of motor carriers engaged in interstate commerce which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 408 of this Act.

"(b) Within ninety days after the publication of such regulations as may be proposed under subsection (a) of this section, and subject to the provisions of section 415 of this Act, the Administrator shall promulgate final regulations. Such regulations may be revised from time to time, in accordance with this section.

"(c) Any standard or regulation, or revision thereof, proposed under this section shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

"(d) Any regulation or revision thereof promulgated under this section shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

"Sec. 522. The Secretary of Transportation, after consultation with the Administrator shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under section 521 of this part. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Interstate Commerce Act and the Department of Transportation Act. Regulations promulgated under this section and section 521 of this part shall be subject to the provisions of sections 411, 412, 413, 415, and 416 of this Act.

"Sec. 523. Notwithstanding any other provision of this Act, after the effective date of regulations under this part no State or political subdivision thereof may adopt or enforce any standard respecting noise emissions resulting from the operation of motor carriers engaged in interstate commerce unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section: *Provided, however*, That nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product as the Administrator, after consultation with the Secretary of Transportation, may determine to be necessitated by special local conditions or not in conflict with regulations promulgated under this part.

"Sec. 524. The term 'motor carrier' as used in sections 521, 522, and 523 of this part shall have the same meaning as those terms as defined in section 303(a) (14), (15), and (17) of title 49 of the United States Code."

Sec. 4. There is hereby authorized to be transferred to the Administrator any function or personnel of the Department of Transportation with respect to the control and abatement of aircraft noise which the President determines is necessary to carry out section 3 of this Act.

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the gentleman what the intent is in this oft called so-called noise pollution abatement bill, which has been objected to on two occasions before: First, because of the procedure under which it is brought in the waning hours; and second, because of the substance of the bill. What is different about the proposed new amendment before we give unanimous consent to consider the Senate amendment read? I yield for that purpose.

Mr. STAGGERS. Mr. Speaker, if the gentleman will yield, the only difference would be the amount of money. We would go back to the original House amount of $3 million, $6 million, and $12 million. The Senate had $18 million, $36 million, and $50 million. We had agreed on a compromise of $5 million, $10 million and

$15 million, but we would go back to the original amounts which we had when we passed the bill originally.

Mr. HALL. Further reserving the right to object, is it the gentleman's intention to move that sliding scale, which I think is much too much, as voted in the House version up to the years 1973, 1974, and 1975, with the $3 million, $12 million, and $6 million respectively, inasmuch as 1972 has now expired?

Mr. STAGGERS. That is correct.

Mr. HALL. May I ask the distinguished gentleman if this will be included in his amendment to the Senate amendment to the House-passed bill, as passed on February 29, 1972?

Mr. STAGGERS. I did not get the gentleman's question.

Mr. HALL. Is it the gentleman's intention to include the corrected dates and the amounts, the amounts the gentleman now proposes to offer to the Senate amendments to the House-passed bill?

Mr. STAGGERS. That is right. Yes, sir.

Mr. HALL. Before I grant unanimous consent I want to be convinced and I was certain the gentleman said he was "pretty sure."

Furthermore, Mr. Speaker, I want to be certain that the power of the FAA to regulate safety and noise-producing air transportation devices is maintained, rather than granted, and the other body would have done, to the Environmental Protection Agency, the difference being I have had a chance to restudy the bill since the objections of yesterday.

Mr. STAGGERS. Yes, sir, if the gentleman will yield. I can assure the gentleman beyond any shadow of a doubt that the safety of our airlines still remains and will remain with FAA. This is the intention of the House. The reason why I objected to the Senate amendments is that they would give the noise-regulation authority to the EPA. I can assure the gentleman beyond any shadow of a doubt the safety will remain with FAA.

Mr. HALL. Are the three amendments the same as the gentleman has provided me with the authorized appropriations at the bottom?

Mr. STAGGERS. They are.

Mr. HALL. Mr. Speaker, may I further query the gentleman as to whether or not this is not a device to which suddenly industry has agreed, for a fear of a much more harsh anti-noise pollution bill in the 93d Congress and because this does include preemption of the States' rights to each and severally develop anti-noise emission devices of their own?

Mr. STAGGERS. I cannot say what industry's intention may be, but I can say to the gentleman what my intention is in trying to get this bill passed. We have evidence that across America some cities and States are trying to pass noise regulations. Certainly we do not want that to happen. It would harass industry and progress in America. That is the reason why I want to get this bill passed during this session.

Mr. HALL. And of course since it is interstate commerce, it comes from the gentleman's committee and it involves more than interstate commerce in many instances, since it involves aviation compacts and large jet airports, and so forth.

Mr. STAGGERS. Yes.

Mr. HALL. One other thing that worries me, and then I shall certainly withdraw my objection to the gentleman having the Senate amendments considered as read, and that is the question of whether or not there is due process and judicial recourse for the citizen civil suits that this bill makes in order, or does the gentleman's amendment take those out?

Mr. STAGGERS. It does not. There is certainly all the recourse in the world for anyone interested.

Mr. HALL. In other words, if some person were arrested and hailed into court as a result of a civil suit, he would have appellate rights and judicial review right up the line as in any other case?

Mr. STAGGERS. Yes, all the way, I can assure the gentleman.

Mr. HALL. I still think the penalties are too severe, but, Mr. Speaker, for the time being I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. Natcher). Is there objection to the request of the gentleman from West Virginia that the reading of the Senate amendment be dispensed with?

There was no objection.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Staggers moves to concur in the Senate amendment with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SHORT TITLE

Section 1. This Act may be cited as the "Noise Control Act of 1972".

FINDINGS AND POLICY

Sec. 2. (a) The Congress finds—

(1) that inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas;

(2) that the major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce; and

(3) that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce control of which require national uniformity of treatment.

(b) The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare. To that end, it is the purpose of this Act to establish a means for effective coordination of Federal research and activities in noise control, to authorize the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products.

DEFINITIONS

Sec. 3. For purposes of this Act:

(1) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) The term "person" means an individual, corporation, partnership, or association, and (except as provided in sections 11(e) and 12(a)) includes any officer, employee, department, agency, or instrumentality of the United States, a State, or any political subdivision of a State.

(3) The term "product" means any manufactured article or goods or component thereof; except that such term does not include—

(A) any aircraft, aircraft engine, propeller, or appliance, as such terms are defined in section 101 of the Federal Aviation Act of 1958; or

(B) (i) any military weapons or equipment which are designed for combat use; (ii) any rockets or equipment which are designed for research, experimental, or developmental work to be performed by the National Aeronautics and Space Administration; or (iii) to the extent provided by regulations of the Administrator, any other machinery or equipment designed for use in experimental work done by or for the Federal Government.

(4) The term "ultimate purchaser" means the first person who in good faith purchases a product for purposes other than resale.

(5) The term "new product" means (A) a product the equitable or legal title of which has never been transferred to an ultimate purchaser, or (B) a product which is imported or offered for importation into the United States and which is manufactured after the effective date of a regulation under section 6 or section 8 which would have been applicable to such product had it been manufactured in the United States.

(6) The term "manufacturer" means any person engaged in the manufacturing or assembling of new products, or the importing of new products for resale, or who acts for, and is controlled by, any such person in connection with the distribution of such products.

(7) the term "commerce" means trade, traffic, commerce, or transportation—

(A) between a place in a State and any place outside thereof, or

(B) which affects trade, traffic, commerce, or transportation described in subparagraph (A).

(8) The term "distribute in commerce" means sell in, offer for sale in, or introduce or deliver for introduction into, commerce.

(9) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

(10) The term "Federal agency" means an executive agency (as defined in section 105 of title 5, United States Code) and includes the United States Postal Service.

(11) The term "environmental noise" means the intensity, duration, and the character of sounds from all sources.

FEDERAL PROGRAMS

Sec. 4. (a) The Congress authorizes and directs that Federal agencies shall, to the fullest extent consistent with their authority under Federal laws administered by them, carry out the programs within their control in such a manner as to further the policy declared in section 2(b).

(b) Each department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government—

(1) having jurisdiction over any property or facility, or

(2) engaged in any activity resulting, or which may result, in the emission of noise, shall comply with Federal, State, interstate, and local requirements respecting control and abatement of environmental noise to the same extent that any person is subject to such requirements. The President may exempt any single activity or facility, including noise emission sources or classes thereof, of any department, agency, or instrumentality in the executive branch from compliance with any such requirement if he determines it to be in the paramount interest of the United States to do so; except that no exemption, other than for those products

referred to in section 3(3)(B) of this Act, may be granted from the requirements of sections 6, 17, and 18 of this Act. No such exemption shall be granted due to lack of appropriation unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation. Any exemption shall be for a period not in excess of one year, but additional exemptions may be granted for periods of not to exceed one year upon the President's making a new determination. The President shall report each January to the Congress all exemptions from the requirements of this section granted during the preceding calendar year, together with his reason for granting such exemption.

(c)(1) The Administrator shall coordinate the programs of all Federal agencies relating to noise research and noise control. Each Federal agency shall, upon request, furnish to the Administrator such information as he may reasonably require to determine the nature, scope, and results of the noise-research and noise-control programs of the agency.

(2) Each Federal agency shall consult with the Administrator in prescribing standards or regulations respecting noise. If at any time the Administrator has reason to believe that a standard or regulation, or any proposed standard or regulation, of any Federal agency respecting noise does not protect the public health and welfare to the extent he believes to be required and feasible, he may request such agency to review and report to him on the advisability of revising such standard or regulation to provide such protection. Any such request may be published in the Federal Register and shall be accompanied by a detailed statement of the information on which it is based. Such agency shall complete the requested review and report to the Administrator within such time as the Administrator specifies in the request, but such time specified may not be less than ninety days from the date the request was made. The report shall be published in the Federal Register and shall be accompanied by a detailed statement of the findings and conclusions of the agency respecting the revision of its standard or regulation. With respect to the Federal Aviation Administration, section 611 of the Federal Aviation Act of 1958 (as amended by section 7 of this Act) shall apply in lieu of this paragraph.

(3) On the basis of regular consultation with appropriate Federal agencies, the Administrator shall compile and publish, from time to time, a report on the status and progress of Federal activities relating to noise research and noise control. This report shall describe the noise-control programs of each Federal agency and assess the contributions of those programs to the Federal Government's overall efforts to control noise.

IDENTIFICATION OF MAJOR NOISE SOURCES; NOISE CRITERIA AND CONTROL TECHNOLOGY

SEC. 5. (a)(1) The Administrator shall, after consultation with appropriate Federal agencies and within nine months of the date of the enactment of this Act, develop and publish criteria with respect to noise. Such criteria shall reflect the scientific knowledge most useful in indicating the kind and extent of all identifiable effects on the public health or welfare which may be expected from differing quantities and qualities of noise.

(2) The Administrator shall, after consultation with appropriate Federal agencies and within twelve months of the date of the enactment of this Act, publish information on the levels of environmenal noise the attainment and maintenace of which in defined areas under various conditions are requisite to protect the public health and welfare with an adequate margin of safety.

(b) The Administrator shall, after consultation with appropriate Federal agencies, compile and publish a report or series of reports (1) identifying products (or classes of products) which in his judgment are major sources of noise, and (2) giving information on techniques for control of noise from such products, including available data on the technology, costs, and alternative methods of noise control. The first such report shall be published not later than eighteen months after the date of enactment of this Act.

(c) The Administrator shall from time to time review and, as appropriate, revise or supplement any criteria or reports published under this section.

(d) Any report (or revision thereof) under subsection (b)(1) identifying major noise sources shall be published in the Federal Register. The publication or revision under this section of any criteria or information on control techniques shall be announced in the Federal Register, and copies shall be made available to the general public.

NOISE EMISSION STANDARDS FOR PRODUCTS DISTRIBUTED IN COMMERCE

SEC. 6. (a)(1) The Administrator shall publish proposed regulations, meeting the requirements of subsection (c), for each product—

(A) which is identified (or is part of a class identified) in any report published under section 5(b)(1) as a major source of noise,

(B) for which, in his judgment, noise emission standards are feasible, and

(C) which falls in one of the following categories:

(i) Construction equipment.

(ii) Transportation equipment (including recreational vehicles and related equipment).

(iii) Any motor or engine (including any equipment of which an engine or motor is an integral part).

(iv) Electrical or electronic equipment.

(2)(A) Initial proposed regulations under paragraph (1) shall be published not later than eighteen months after the date of enactment of this Act, and shall apply to any product described in paragraph (1) which is identified (or is a part of a class identified as a major source of noise in any report published under section 5(b)(1) on or before the date of publication of such initial proposed regulations.

(B) In the case of any product described in paragraph (1) which is identified (or is part of a class identified) as a major source of noise in a report published under section 5(b)(1) after publication of the initial proposed reglations under subparagraph (A) of this paragraph, regulations under paragraph (1) for such product shall be proposed and published by the Administrator not later than eighteen months after such report is published.

(3) After proposed regulations respecting a product have been published under paragraph (2), the Administrator shall, unless in his judgment noise emission standards are not feasible for such product, prescribe regulations, meeting the requirements of subsection (c), for such product—

(A) not earlier than six months after publication of such proposed regulations, and

(B) not later than—

(i) twenty-four months after the date of enactment of this Act, in the case of a product subject to proposed regulations published under paragraph (2)(A), or

(ii) in the case of any other product, twenty-four months after the publication of the report under section 5(b)(1) identifying it (or a class of products of which it is a part) as a major source of noise.

(b) The Administrator may publish proposed regulations, meeting the requirements of subsection (c), for any product for which he is not required by subsection (a) to prescribe regulations but for which, in his judgment, noise emission standards are feasible and are requisite to protect the public health and welfare. Not earlier than six months after the date of publication of such proposed regulations respecting such product, he may prescribe regulations, meeting the requirements of subsection (c), for such product.

(c)(1) Any regulation prescribed under subsection (a) or (b) of this section (and any revision thereof) respecting a product shall include a noise emission standard which shall set limits on noise emissions from such product and shall be a standard which in the Administrator's judgment, based on criteria published under section 5, is requisite to protect the public health and welfare, taking into account the magnitude and conditions of use of such product (alone or in combination with other noise sources) the degree of noise reduction achievable through the application of the best available technology, and the cost of compliance. In establishing such a standard for any product, the Administrator shall give appropriate consideration to standards under other laws designed to safeguard the health and welfare of persons, including any standards under the National Traffic and Motor Vehicle Safety Act of 1966, the Clean Air Act, and the Federal Water Pollution Control Act. Any such noise emission standards shall be a performance standard. In addition, any regulation under subsection (a) or (b) (and any revision thereof) may contain testing procedures necessary to assure compliance with the emission standard in such regulation, and may contain provisions respecting instructions of the manufacturer for the maintenance, use, or repair of the product.

(2) After publication of any proposed regulations under this section, the Administrator shall allow interested persons an opportunity to participate in rulemaking in accordance with the first sentence of section 553(c) of title 5, United States Code.

(3) The Administrator may revise any regulation prescribed by him under this section by (A) publication of proposed revised regulations, and (B) the promulgation, not earlier than six months after the date of such publication, of regulations making the revision; except that a revision which makes only technical or clerical corrections in a regulation under this section may be promulgated earlier than six months after such date if the Administrator finds that such earlier promulgation is in the public interest.

(d)(1) On and after the effective date of any regulation prescribed under subsection (a) or (b) of this section, the manufacturer of each new product to which such regulation applies shall warrant to the ultimate purchaser and each subsequent purchaser that such product is designed, built, and equipped so as to conform at the time of sale with such regulation.

(2) Any cost obligation of any dealer incurred as a result of any requirement imposed by paragraph (1) of this subsection shall be borne by the manufacturer. The transfer of any such cost obligation from a manufacturer to any dealer through franchise or other agreement is prohibited.

(3) If a manufacturer includes in any advertisement a statement respecting the cost or value of noise emission control devices or systems, such manufacturer shall set forth in such statement the cost or value attributed to such devices or systems by the Secretary of Labor (through the Bureau of Labor Statistics). The Secretary of Labor, and his representatives, shall have the same access for this purpose to the books, documents, papers, and records of a manufacturer as the Comptroller General has to those of a recipient of assistance for purposes of section 311 of the Clean Air Act.

(e)(1) No State or political subdivision thereof may adopt or enforce—

(A) with respect to any new product for which a regulation has been prescribed by the Administrator under this section, any law or regulation which sets a limit on noise emissions from such new product and which is not identical to such regulation of the Administrator; or

(B) with respect to any component incorporated into such new product by the manufacturer of such product, any law or regulation setting a limit on noise emissions from such component when so incorporated.

(2) Subject to sections 17 and 18, nothing in this section precludes or denies the right of any State or political subdivision thereof to establish and enforce controls on environmental noise (or one or more sources thereof) through the licensing, regulation, or restriction of the use, operation, or movement of any product or combination of products.

AIRCRAFT NOISE STANDARDS

SEC. 7. (a) The Administrator, after consultation with appropriate Federal, State, and local agencies and interested persons, shall conduct a study of the (1) adequacy of Federal Aviation Administration flight and operational noise controls; (2) adequacy of noise emission standards on new and existing aircraft, together with recommendations on the retrofitting and phaseout of existing aircraft; (3) implications of identifying and achieving levels of cumulative noise exposure around airports; and (4) additional measures available to airport operators and local governments to control aircraft noise. He shall report on such study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committees on Commerce and Public Works of the Senate within nine months after the date of the enactment of this Act.

(b) Section 611 of the Federal Aviation Act of 1958 (49 U.S.C. 1431) is amended to read as follows:

"CONTROL AND ABATEMENT OF AIRCRAFT NOISE AND SONIC BOOM

"SEC. 611. (a) For purposes of this section:

"(1) The term 'FAA' means Administrator of the Federal Aviation Administration.

"(2) The term 'EPA' means the Administrator of the Environmental Protection Agency.

"(b) (1) In order to afford present and future relief and protection to the public health and welfare from aircraft noise and sonic boom, the FAA, after consultation with the Secretary of Transportation and with EPA, shall prescribe and amend standards for the measurement of aircraft noise and sonic boom and shall prescribe and amend such regulations as the FAA may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards and regulations in the issuance, amendment, modification, suspension, or revocation of any certificate authorized by this title. No exemption with respect to any standard or regulation under this section may be granted under any provision of this Act unless the FAA shall have consulted with EPA before such exemption is granted, except that if the FAA determines that safety in air commerce or air transportation requires that such an exemption be granted before EPA can be consulted, the FAA shall consult with EPA as soon as practicable after the exemption is granted.

"(2) The FAA shall not issue an original type certificate under section 603(a) of this Act for any aircraft for which substantial noise abatement can be achieved by prescribing standards and regulations in accordance with this section, unless he shall have prescribed standards and regulations in accordance with this section which apply to such aircraft and which protect the public from aircraft noise and sonic boom, consistent with the considerations listed in subsection (d).

"(c) (1) Not earlier than the date of submission of the report required by section 7 (a) of the Noise Control Act of 1972, EPA shall submit to the FAA proposed regulations to provide such control and abatement of aircraft noise and sonic boom (including control and abatement through the exercise of any of the FAA's regulatory authority over air commerce or transportation or over aircraft or airport operations) as EPA determines is necessary to protect the public health and welfare. The FAA shall consider such proposed regulations submitted by EPA under this paragraph and shall, within thirty days of the date of its submission to the FAA, publish the proposed regulations in a notice of proposed rulemaking. Within sixty days after such publication, the FAA shall commence a hearing at which interested persons shall be afforded an opportunity for oral (as well as written) presentations of data, views, and arguments. Within a reasonable time after the conclusion of such hearing and after consultation with EPA, the FAA shall—

"(A) in accordance with subsection (b), prescribe regulations (i) substantially as they were submitted by EPA, or (ii) which are a modification of the proposed regulations submitted by EPA, or

"(B) publish in the Federal Register a notice that it is not prescribing any regulation in response to EPA's submission of proposed regulations, together with a detailed explanation providing reasons for the decision not to prescribe such regulations.

"(2) If EPA has reason to believe that the FAA's action with respect to a regulation proposed by EPA under paragraph (1) (A) (ii) or (1) (B) of this subsection does not protect the public health and welfare from aircraft noise or sonic boom, consistent with the considerations listed in subsection (d) of this section, EPA shall consult with the FAA and may request the FAA to review, and report to EPA on, the advisability of prescribing the regulation originally proposed by EPA. Any such request shall be published in the Federal Register and shall include a detailed statement of the information on which it is based. The FAA shall complete the review requested and shall report to EPA within such time as EPA specifies in the request, but such time specified may not be less than ninety days from the date the request was made. The FAA's report shall be accompanied by a detailed statement of the FAA's findings and the reasons for the FAA's conclusions; shall identify any statement filed pursuant to section 102(2) (C) of the National Environmental Policy Act of 1969 with respect to such action of the FAA under paragraph (1) of this subsection; and shall specify whether (and where) such statements are available for public inspection. The FAA's report shall be published in the Federal Register, except in a case in which EPA's request proposed specific action to be taken by the FAA, and the FAA's report indicates such action will be taken.

"(3) If, in the case of a matter described in paragraph (2) of this subsection with respect to which no statement is required to be filed under such section 102(2) (C), the report of the FAA indicates that the proposed regulation originally submitted by EPA should not be made, then EPA may request the FAA to file a supplemental report, which shall be published in the Federal Register within such a period as EPA may specify (but such time specified shall not be less than ninety days from the date the request was made), and which shall contain a comparison of (A) the environmental effects (including those which cannot be avoided) of the action actually taken by the FAA in response to EPA's proposed regulations, and (B) EPA's proposed regulations.

"(d) In prescribing and amending standards and regulations under this section, the FAA shall—

"(1) consider relevant available data relating to aircraft noise and sonic boom, including the results of research, development, testing, and evaluation activities conducted pursuant to this Act and the Department of Transportation Act;

"(2) consult with such Federal, State, and interstate agencies as he deems appropriate;

"(3) consider whether any proposed standard or regulation is consistent with the highest degree of safety in air commerce or air transportation in the public interest;

"(4) consider whether any proposed standard or regulation is economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply; and

"(5) consider the extent to which such standard or regulation will contribute to carrying out the purposes of this section.

"(e) In any action to amend, modify, suspend, or revoke a certificate in which violation of aircraft noise or sonic boom standards or regulations is at issue, the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the National Transportation Safety Board, the Board may amend, modify, or reverse the order of the FAA if it finds that control of abatement of aircraft noise or sonic boom and the public health and welfare do not require the affirmation of such order, or that such order is not consistent with safety in air commerce or air transportation."

(c) All—

(1) standards, rules, and regulations prescribed under section 611 of the Federal Aviation Act of 1958, and

(2) exemptions, granted under any provision of the Federal Aviation Act of 1958, with respect to such standards, rules, and regulations,

which are in effect on the date of the enactment of this Act, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Administrator of the Federal Aviation Administration in the exercise of any authority vested in him, by a court of competent jurisdiction, or by operation of law.

LABELING

SEC. 8. (a) The Administrator shall by regulation designate any product (or class thereof)—

(1) which emits noise capable of adversely affecting the public health or welfare; or

(2) which is sold wholly or in part on the basis of its effectiveness in reducing noise.

(b) For each product (or class thereof) designated under subsection (a) the Administrator shall by regulation require that notice be given to the prospective user of the level of the noise the product emits, or of its effectiveness in reducing noise, as the case may be. Such regulations shall specify (1) whether such notice shall be affixed to the product or to the outside of its container, or to both, at the time of its sale to the ultimate purchaser or whether such notice shall be given to the prospective user in some other manner, (2) the form of the notice, and (3) the methods and units of measurement to be used. Sections 6(c) (2) shall apply to the prescribing of any regulation under this section.

(c) This section does not prevent any State or political subdivision thereof from regulating product labeling or information respecting products in any way not in conflict with regulations prescribed by the Administrator under this section.

IMPORTS

SEC. 9. The Secretary of the Treasury shall, in consultation with the Administrator, issue

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regulations to carry out the provisions of this Act with respect to new products imported or offered for importation.

PROHIBITED ACTS

SEC. 10. (a) Except as otherwise provided in subsection (b), the following acts or the causing thereof are prohibited:

(1) In the case of a manufacturer, to distribute in commerce any new product manufactured after the effective date of a regulation prescribed under section 6 which is applicable to such product, except in conformity with such regulation.

(2) (A) The removal or rendering inoperative by any person, other than for purpose of maintenance, repair, or replacement, of any device or element of design incorporated into any product in compliance with regulations under section 6, prior to its sale or delivery to the ultimate purchaser or while it is in use, or (B) the use of a product after such device or element of design has been removed or rendered inoperative by any person.

(3) In the case of a manufacturer, to distribute in commerce any new product manufactured after the effective date of a regulation prescribed under section 8(b) (requiring information respecting noise) which is applicable to such product, except in conformity with such regulation.

(4) The removal by any person of any notice affixed to a product or container pursuant to regulations prescribed under section 8(b), prior to sale of the product to the ultimate purchaser.

(5) The importation into the United States by any person of any new product in violation of a regulation prescribed under section 9 which is applicable to such product.

(6) The failure or refusal by any person to comply with any requirement of section 11(d) or 13(a) or regulations prescribed under section 13(a), 17, or 18.

(b) (1) For the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security, the Administrator may exempt for a specified period of time any product, or class thereof, from paragraphs (1), (2), (3), and (5) of subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare.

(2) Paragraphs (1), (2), (3), and (4) of subsection (a) shall not apply with respect to any product which is manufactured solely for use outside any State and which (and the container of which) is labeled or otherwise marked to show that it is manufactured solely for use outside any State; except that such paragraphs shall apply to such product if it is in fact distributed in commerce for use in any State.

ENFORCEMENT

SEC. 11. (a) Any person who willfully or knowingly violates paragraph (1), (3), (5), or (6) of subsection (a) of section 10 of this Act shall be punished by a fine of not more than $25,000 per day of violation, or by imprisonment for not more than one year, or by both. If the conviction is for a violation committed after a first conviction of such person under this subsection, punishment shall be by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two years, or by both.

(b) For the purpose of this section, each day of violation of any paragraph of section 10(a) shall constitute a separate violation of that section.

(c) The district courts of the United States shall have jurisdiction of actions brought by and in the name of the United States to restrain any violation of section 10(a) of this Act.

(d) (1) Whenever any person is in violation of section 10(a) of this Act, the Administrator may issue an order specifying such relief as he determines is necessary to protect the public health and welfare.

(2) Any order under this subsection shall be issued only after notice and opportunity for a hearing in accordance with section 554 of title 5 of the United States Code.

(e) The term "person," as used in this section, does not include a department, agency, or instrumentality of the United States.

CITIZEN SUITS

SEC. 12. (a) Except as provided in subsection (b), any person (other than the United States) may commence a civil action on his own behalf—

(1) against any person (including (A) the United States, and (B) any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of any noise control requirement (as defined in subsection (e)), or

(2) against—

(A) the Administrator of the Environmental Protection Agency where there is alleged a failure of such Administrator to perform any act or duty under this Act which is not discretionary with such Administrator, or

(B) the Administrator of the Federal Aviation Administration where there is alleged a failure of such Administrator to perform any act or duty under section 611 of the Federal Aviation Act of 1958 which is not discretionary with such Administrator.

The district courts of the United States shall have jurisdiction, without regard to the amount in controversy, to restrain such person from violating such noise control requirement or to order such Administrator to perform such act or duty, as the case may be.

(b) No action may be commenced—

(1) under subsection (a) (1)—

(A) prior to sixty days after the plaintiff has given notice of the violation (i) to the Administrator of the Environmental Protection Agency (and to the Federal Aviation Administrator in the case of a violation of a noise control requirement under such section 611) and (ii) to any alleged violator of such requirement, or

(B) if an Administrator has commenced and is diligently prosecuting a civil action to require compliance with the noise control requirement, but in any such action in a court of the United States any person may intervene as a matter of right, or

(2) under subsection (a) (2) prior to sixty days after the plaintiff has given notice to the defendant that he will commence such action.

Notice under this subsection shall be given in such manner as the Administrator of the Environmental Protection Agency shall prescribe by regulation.

(c) In an action under this section, the Administrator of the Environmental Protection Agency, if not a party, may interview as a matter of right. In an action under this section respecting a noise control requirement under section 611 of the Federal Aviation Act of 1958, the Administrator of the Federal Aviation Administration, if not a party, may also intervene as a matter of right.

(d) The court, in issuing any final order in any action brought pursuant to subsection (a) of this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such an award is appropriate.

(e) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any noise control requirement or to seek any other relief (including relief against an Administrator).

(f) For purposes of this section, the term "noise control requirement" means paragraph (1), (2), (3), (4), or (5) of section 10(a), or a standard, rule, or regulation issued under section 17 or 18 of this Act or under section 611 of the Federal Aviation Act of 1958.

RECORDS, REPORTS, AND INFORMATION

SEC. 13. (a) Each manufacturer of a product to which regulations under section 6 or section 8 apply shall—

(1) establish and maintain such records, make such reports, provide such information, and make such tests, as the Administrator may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this Act.

(2) upon request of an officer or employee duly designated by the Administrator, permit such officer or employee at reasonable times to have access to such information and the results of such tests and to copy such records, and

(3) to the extent required by regulations of the Administrator, make products coming off the assembly line or otherwise in the hands of the manufacturer available for testing by the Administrator.

(b) (1) All information obtained by the Administrator or his representatives pursuant to subsection (a) of this section, which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other Federal officers or employees, in whose possession it shall remain confidential, or when relevant to the matter in controversy in any proceeding under this Act.

(2) Nothing in this subsection shall authorize the withholding of information by the Administrator, or by any officers or employees under his control, from the duly authorized committees of the Congress.

(c) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Act, shall upon conviction be punished by a fine of not more than $10,000, or by imprisonment for not more than six months, or by both.

RESEARCH, TECHNICAL ASSISTANCE, AND PUBLIC INFORMATION

SEC. 14. In furtherance of his responsibilities under this Act and to complement, as necessary, the noise-research programs of other Federal agencies, the Administrator is authorized to:

(1) Conduct research, and finance research by contract with any person, on the effects, measurement, and control of noise, including but not limited to—

(A) investigation of the psychological and physiological effects of noise on humans and the effects of noise on domestic animals, wildlife, and property, and determination of acceptable levels of noise on the basis of such effects;

(B) development of improved methods and standards for measurement and monitoring of noise, in cooperation with the National Bureau of Standards, Department of Commerce; and

(C) determination of the most effective and practicable means of controlling noise emission.

(2) Provide technical assistance to State and local governments to facilitate their development and enforcement of ambient noise standards, including but not limited to—

(A) advice on training of noise-control personnel and on selection and operation of noise-abatement equipment; and

(B) preparation of model State or local legislation for noise control.

(3) Disseminate to the public information on the effects of noise, acceptable noise levels, and techniques for noise measurement and control.

DEVELOPMENT OF LOW-NOISE-EMISSION PRODUCTS

SEC. 15. (a) For the purpose of this section:

(1) The term "Committee" means the Low-Noise-Emission Product Advisory Committee.

(2) The term "Federal Government" includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

(3) The term "low-noise-emission product" means any product which emits noise in amounts significantly below the levels specified in noise emission standards under regulations applicable under section 6 at the time of procurement to that type of product.

(4) The term "retail price" means (A) the maximum statutory price applicable to any type of product; or (B) in any case where there is no applicable maximum statutory price, the most recent procurement price paid for any type of product.

(b) (1) The Administrator shall determine which products qualify as low-noise-emission products in accordance with the provisions of this section.

(2) The Administrator shall certify any product—

(A) for which a certification application has been filed in accordance with paragraph (5) (A) of this subsection;

(B) which is a low-noise-emission product as determined by the Administrator; and

(C) which he determines is suitable for use as a substitute for a type of product at that time in use by agencies of the Federal Government.

(3) The Administrator may establish a Low-Noise-Emission Product Advisory Committee to assist him in determining which products qualify as low-noise-emission products for purposes of this section. The Committee shall include the Administrator or his designee, a representative of the National Bureau of Standards, and representatives of such other Federal agencies and private individuals as the Administrator may deem necessary from time to time. Any member of the Committee not employed on a full-time basis by the United States may receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule for each day such member is engaged upon work of the Committee. Each member of the Committee shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(4) Certification under this section shall be effective for a period of one year from the date of issuance.

(5) (A) Any person seeking to have a class or model of product certified under this section shall file a certification application in accordance with regulations prescribed by the Administrator.

(B) The Administrator shall publish in the Federal Register a notice of each application received.

(C) The Administrator shall make determinations for the purpose of this section in accordance with procedures prescribed by him by regulation.

(D) The Administrator shall conduct whatever investigation is necessary, including actual inspection of the product at a place designated in regulations prescribed under subparagraph (A).

(E) The Administrator shall receive and evaluate written comments and documents from interested persons in support of, or in opposition to, certification of the class or model of product under consideration.

(F) Within ninety days after the receipt of a properly filed certification application the Administrator shall determine whether such product is a low-noise-emission product for purposes of this section. If the Administrator determines that such product is a low-noise-emission product, then within one hundred and eighty days of such determination the Administrator shall reach a decision as to whether such product is a suitable substitute for any class or classes of products presently being purchased by the Federal Government for use by its agencies.

(G) Immediately upon making any determination or decision under subparagraph (F), the Administrator shall publish in the Federal Register notice of such determination or decision, including reason therefor.

(c) (1) Certified low-noise-emission products shall be acquired by purchase or lease by the Federal Government for use by the Federal Government in lieu of other products if the Administrator of General Services determines that such certified products have procurement costs which are no more than 125 per centum of the retail price of the least expensive type of product for which they are certified substitutes.

(2) Data relied upon by the Administrator in determining that a product is a certified low-noise-emission product shall be incorporated in any contract for the procurement of such product.

(d) The procuring agency shall be required to purchase available certified low-noise-emission products which are eligible for purchase to the extent they are available before purchasing any other products for which any low-noise-emission product is a certified substitute. In making purchasing selections between competing eligible certified low-noise-emission products, the procuring agency shall give priority to any class or model which does not require extensive periodic maintenance to retain its low-noise-emission qualities or which does not involve operating costs significantly in excess of those products for which it is a certified substitute.

(e) For the purpose of procuring certified low-noise-emission products any statutory price limitations shall be waived.

(f) The Administrator shall, from time to time as he deems appropriate, test the emissions of noise from certified low-noise-emission products purchased by the Federal Government. If at any time he finds that the noise-emission levels exceed the levels on which certification under this section was based, the Administrator shall give the supplier of such product written notice of this finding, issue public notice of it, and give the supplier an opportunity to make necessary repairs, adjustments, or replacements. If no such repairs, adjustments, or replacements are made within a period to be set by the Administrator, he may order the supplier to show cause why the product involved should be eligible for recertification.

(g) There are authorized to be appropriated for paying additional amounts for products pursuant to, and for carrying out the provisions of, this section, $1,000,000 for the fiscal year ending June 30, 1973, and $2,000,000 for each of the two succeeding fiscal years.

(h) The Administrator shall promulgate the procedures required to implement this section within one hundred and eighty days after the date of enactment of this Act.

JUDICIAL REVIEW; WITNESSES

SEC. 16. (a) A petition for review of action of the Administrator of the Environmental Protection Agency in promulgating any standard or regulation under section 6, 17, or 18 of this Act or any labeling regulation under section 8 of this Act may be filed only in the United States Court of Appeals for the District of Columbia Circuit, and a petition for review of action of the Administrator of the Federal Aviation Administration in promulgating any standard or regulation under section 611 of the Federal Aviation Act of 1958 may be filed only in such court. Any such petition shall be filed within ninety days from the date of such promulgation, or after such date if such petition is based solely on grounds arising after such ninetieth day. Action of either Administrator with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil or criminal proceedings for enforcement.

(b) If a party seeking review under this Act applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the information is material and was not available at the time of the proceeding before the Administrator of such Agency or Administration (as the case may be), the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before such Administrator, and to be adduced upon the hearing, in such manner and upon such terms and conditions as the court may deem proper. Such Administrator may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file with the court such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(c) With respect to relief pending review of an action by either Administrator, no stay of an agency action may be granted unless the reviewing court determines that the party seeking such stay is (1) likely to prevail on the merits in the review proceeding and (2) will suffer irreparable harm pending such proceeding.

(d) For the purpose of obtaining information to carry out this Act, the Administrator of the Environmental Protection Agency may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In cases of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator, to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

RAILROAD NOISE EMISSION STANDARDS

SEC. 17. (a) (1) Within nine months after the date of enactment of this Act, the Administrator shall publish proposed noise emission regulations for surface carriers engaged in interstate commerce by railroad. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of the equipment and facilities of surface carriers engaged in interstate commerce by railroad which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 6 of this Act.

(2) Within ninety days after the publication of such regulations as may be proposed under paragraph (1) of this subsection, and subject to the provisions of section 16 of this

Act, the Administrator shall promulgate final regulations. Such regulations may be revised, from time to time, in accordance with this subsection.

(3) Any standard or regulation, or revision thereof, proposed under this subsection shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

(4) Any regulation or revision thereof promulgated under this subsection shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

(b) The Secretary of Transportation, after consultation with the Administrator, shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorised by the Safety Appliance Acts, the Interstate Commerce Act, and the Department of Transportation Act. Regulations promulgated under this section shall be subject to the provisions of sections 10, 11, 12, and 16 of this Act.

(c)(1) Subject to paragraph (2) but notwithstanding any other provisions of this Act, after the effective date of a regulation under this section applicable to noise emissions resulting from the operation of any equipment or facility of a surface carrier engaged in interstate commerce by railroad, no State or political subdivision thereof may adopt or enforce any standard applicable to noise emissions resulting from the operation of the same equipment or facility of such carrier unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section.

(2) Nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restrict is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(d) The terms "carrier" and "railroad" as used in this section shall have the same meaning as such terms have under the first section of the Act of February 17, 1911 (45 U.S.C. 22).

MOTOR CARRIER NOISE EMISSION STANDARDS

SEC. 18. (a)(1) Within nine months after the date of enactment of this Act, the Administrator shall publish proposed noise emission regulations for motor carriers engaged in interstate commerce. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of motor carriers engaged in interstate commerce which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 6 of this Act.

(2) Within ninety days after the publication of such regulations as may be proposed under paragraph (1) of this subsection, and subject to the provisions of section 16 of this Act, the Administrator shall promulgate final regulations. Such regulations may be revised from time to time, in accordance with this subsection.

(3) Any standard or regulation, or revision thereof, proposed under this subsection shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

(4) Any regulation or revision thereof promulgated under this subsection shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

(b) The Secretary of Transportation, after consultation with the Administrator shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Interstate Commerce Act and the Department of Transportation Act. Regulations promulgated under this section shall be subject to the provisions of sections 10, 11, 12, and 16 of this Act.

(c)(1) Subject to paragraph (2) of this subsection but notwithstanding any other provision of this Act, after the effective date of a regulation under this section applicable to noise emissions resulting from the operation of any motor carrier engaged in interstate commerce, no State or political subdivision thereof may adopt or enforce any standard applicable to the same operation of such motor carrier, unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section.

(2) Nothing in his section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(4) For purposes of this section, the term "motor carrier" includes a common carrier by motor vehicle, a contract carrier by motor vehicle, and a private carrier of property by motor vehicle as those terms are defined by paragraphs (14), (15), and (17) of section 203(a) of the Interstate Commerce Act (49 U.S.C. 303(a)).

AUTHORIZATION OF APPROPRIATIONS

SEC. 19. There are authorized to be appropriated to carry out this Act (other than section 15) $3,000,000 for the fiscal year ending June 30, 1973; $6,000,000 for the fiscal year ending June 30, 1974; and $12,000,000 for the fiscal year ending June 30, 1975.

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, may I be assured that the amendment at the desk is the same which I hold in my hand?

Mr. STAGGERS. Absolutely.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, does the Clerk's copy show the dates as June 30, 1973, for $3 million; June 30, 1974, for $6 million; June 30, 1975, for $12 million in the amended bill?

Mr. STAGGERS. May I assure the gentleman from Missouri that if they do not, they should, because that is our intent.

Mr. HALL. The gentleman's statement that they should is not good enough.

The SPEAKER pro tempore. The Clerk will read the section which the gentleman from Missouri (Mr. HALL) has called attention to

The Clerk read as follows:

Section 19. There are authorized to be appropriated to carry out this Act (other than section 15) $3 million for the fiscal year ending June 30, 1973; $6 million for the fiscal year ending June 30, 1974; and $12 million for the fiscal year ending June 3, 1975.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

A motion to reconsider was laid on the table.

CONTROL OF NOISE EMISSIONS

Mr. ROGERS. Mr. Speaker, I rise in full support of the House amendment to the Senate amendment to H.R. 11021, which has as its purpose the control of noise emissions detrimental to the human environment. I and other members of the Subcommittee on Public Health and Environment, have thoroughly reviewed this amendment. The amendment retains all principles contained in the House bill and adds certain provisions found in the Senate amendment which we feel clarify and enhance the position of the House. In my opinion, this amendment insures that all interested parties—regulatory agencies, industry, and the public—will bring together their special qualities to free the American people from the noise pollution which jeopardizes their health and welfare.

Mr. Speaker, the principal difference between the House bill and the Senate amendment was with respect to aircraft noise. The House bill left control of aircraft noise in the hands of the FAA while the Senate gave substantial control to EPA. The amendment before the House today combines the best of both. It retains the existing law's provision which provides the FAA with ultimate authority to prescribe standards to regulate aircraft noise. This is necessary to insure that noise control standards will, through the benefit of FAA's expertise, be consistent with the highest degree of aircraft safety.

However, recognizing that it is the overall responsibility of EPA to insure a sound environment, the amendment provides that EPA play a significant role in the development of aircraft noise standards. This role includes the requirement that EPA propose to FAA a broad and comprehensive range of regulations designed to abate aircraft noise. The FAA, in turn, must respond to the EPA proposals quickly and substantively.

Mr. Speaker, many people feel that noise pollution is the last remaining gap in environmental law. The Congress has, in recent years, responded to our many-faceted environmental problems with legislation to all known forms of environmental pollution except noises. This amendment insures that unlike air and water pollution, the excesses of noise pollution do not become so prevalent as to literally threaten the destruction of the environment.

Mr. Speaker, I urge unanimous adoption of the amendment.

NONNAVIGABLE SECTION OF DELAWARE RIVER

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1971) to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1971

An act to declare a portion of the Delaware River in Philadelphia County, Pennsylvania, nonnavigable

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portion of the Delaware River in Philadelphia County, Commonwealth of Pennsylvania, lying between all that certain lot or piece of ground situate in the second and fifth wards of the city of Philadelphia described as follows:

Beginning at a point on the easterly side of Delaware Avenue (variable width) said side being the bulkhead line of the Delaware River (approved by the Secretary of War on September 10, 1940), at the distance of 1,833.652 feet from an angle point on the easterly side of said Delaware Avenue south of Washington Avenue;

thence extending along the easterly side of said Delaware Avenue the following courses and distances, (1) north 0 degree 45 minutes 33.2 seconds west 2,524.698 feet to a point; (2) north 9 degrees 36 minutes 25 seconds east, 2,168.160 feet ot a point; (3) north 18 degrees 26 minutes 45.8 seconds east, 0,239.270 feet to a point; (4) north 20 degrees 12 minutes 52.4 seconds east, 35.180 feet to an angle point in Delaware Avenue;

thence continuing north 20 degrees 12 minutes 52.4 seconds east along the said bulkhead line, the distance of 574.970 feet to a point on the south house line of Callowhill Street produced;

thence extending along the south house line of Callowhill Street produced south 80 degrees 47 minutes 30.6 seconds east, the distance of 523.908 feet to a point on the pierhead line of the Delaware River (approved by the Secretary of War on September 10, 1940);

thence extending along the said pierhead line the following courses and distances, (1) south 17 degrees 52 minutes 48.5 seconds west, 605.262 feet to a point; (2) south 14 degrees 14 minutes 14.7 seconds west, 1,372.530 feet to a point; (3) south 10 degrees 37 minutes 35.3 seconds west, 1,252.160 feet to a point; (4) south 8 degrees 23 minutes 50.4 seconds west, 1,450.250 feet to a point; (5) south 2 degrees 22 minutes 45.9 seconds west, 1,221.670 feet to a point; (6) south 1 degree 4 minutes 36 seconds east, 1,468.775 feet to a point on the north house line of Catherine Street extended, thence extending north 76 degrees 56 minutes 29.2 seconds west, the distance of 555.911 feet to the first mentioned point and place of beginning is hereby declared not to be a navigable water of the United States within the meaning of the Constitution and laws of the United States, and the consent of Congress is hereby given, for the filling or erection of permanent structures in all or any part of the described area.

SEC. 2. This declaration shall apply only to portions of the above-described area which are filled or occupied by permanent structures. No such filling or erection of structures in the above-described area shall be commenced until the plans therefor have been approved by the Secretary of the Army who shall, prior to granting such approval, give consideration to all factors affecting the general public interest and the impact of the proposed work on the environment.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIBUTE TO THE HONORABLE WILLIAM McCULLOCH, THE HONORABLE FRANK BOW, AND THE HONORABLE JACKSON BETTS

(Mr. MINSHALL asked and was given permission to revise and extend his remarks.)

Mr. MINSHALL. Mr. Speaker, I have taken this time to pay tribute to three of the finest friends I have ever had. The three are retiring from the Congress this year. They are all from Ohio, as you well know: my good friends, Bill McCulloch; Frank Bow; and Jackson Betts.

I am not going to take the time now to sing all the praises that are due to them, because that in itself would take much more than the 30 minutes.

Mr. Speaker, I do want the House to know that I have asked for 5 days in which all Members may make remarks about Bill McCulloch, Jack Betts, and Frank Bow.

Mr. Speaker, at this time, I would like to revise and extend my remarks and ask unanimous consent that all my colleagues may have 5 days in which to revise and extend their remarks.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MINSHALL. I am glad to yield to the minority leader.

Mr. GERALD R. FORD. I am deeply grateful that the gentleman from Ohio has taken the time to make some observations and comments about several of our close and dear friends who are voluntarily leaving the Congress at this time.

HON. JACKSON BETTS

Mr. Speaker, the great State of Ohio is losing a number of its most distinguished Members through retirement at the end of this Congress and the loss seems to hit most heavily on our side of the aisle. I would like at this time to pay tribute to one of the ablest Members of the House, the Honorable Jackson Betts, with whom I have enjoyed a fine friendship and close cooperation over the past 22 years.

Jack Betts has served diligently as a senior member of the Committee on Ways and Means and more recently as the ranking Republican member of the Committee on Standards of Official Conduct. His legislative skill and success as a Member of the House was preceded by a decade of distinguished service in the Ohio General Assembly where he served as Speaker in 1945 and 1946.

We will all greatly miss Jack Betts and his lovely wife, Martha, and wish for them much health and happiness in the future.

HON. FRANK BOW

Mr. Speaker, the House of Representatives is the constitutional guardian of the public purse and for a good many years the guardian of the purse strings on this side of the aisle has been my good friend from Ohio, Frank Bow. As the ranking Republican member of the Committee on Appropriations, he has been diligent and determined to protect the taxpayers' interests in every spending bill that has come before recent Congresses. It is hard to believe that there will be no more Bow amendments after Frank retires voluntarily at the close of this session.

I just want to pay tribute to the tremendous contributions which my friend from Ohio has made in the field of fiscal responsibility and in the steadfast support of President Nixon who has entrusted him with a new but equally important responsibility as our Ambassador to Panama, a sensitive and strategic area for the United States.

So while I am sorry to lose an invaluable colleague upon whom I have depended heavily, we say farewell to Frank with confidence that he will continue to serve the country as ably as he has during the 22 years we have worked together in the House.

Betty and I wish for Frank and Caroline every good fortune in the future.

Mr. CONTE. Mr. Speaker, the State of Ohio has been distinguished over the years by the caliber of the leaders it has sent to the Congress. That long and proud record has been upheld magnificently by the trio of Ohio colleagues to whom we bid farewell today.

Sixty-nine years of congressional service are represented by the careers of William M. McCulloch, Frank T. Bow, and Jackson E. Betts. The retirement of any one of these three legislators is regrettable. Retirement of two of them is alarming. But to have all three leaving this House at the same time is a calamity, not only to their many friends but also to anyone who is concerned with the need for expertise and dedication in Government.

As the ranking minority member of the Appropriations Committee, Frank Bow is a man dedicated to fiscal responsibiblity. He has been a great example to me and other members of the committee because of his wide-ranging knowledge and his willingness to do the hard day-to-day work required by his influential position. The people of the 16th District of Ohio have had the benefit of his painstaking congressional service for 22 years. I know they are as proud of having Frank Bow as their representative as we here are of having him for our friend.

Bill McCulloch, during his quarter-century of service in this House, ranks as one of the truly outstanding members of the Judiciary Committee. He earned the admiration of the country for his stanch support of the great civil rights legislation enacted in the 1960's. But he had our admiration, and certainly that of his Fourth District in Ohio, long before that. His absence from this floor, and from the Judiciary Committee where he served as the ranking minority member, will be a great loss to the Congress and the country.

The departure of Jackson Betts from these halls means, among many things, that the American worker has lost a friend in Congress. As the second ranking minority member on the Ways and Means Committee, he has operated with quiet effectiveness. His proposals in the area of trade reflect a great concern for the problems affecting the workingman, and his early support of revenue sharing indicate a deep understanding for the fiscal troubles of the States and localities. He has served Ohio's Eighth District for 22 years, and served it extremely well.

Mr. Speaker, it is with true regret that I join with my colleagues today to bid farewell to these three outstanding Members. All are men of influence in this body who greatly deserve the respect in which they are held. I extend my warmest wishes to each for their continued health, happiness, and prosperity.

Mr. LATTA. Mr. Speaker, I wish to join my colleagues in paying tribute to three members of our Ohio delegation who are retiring after this session—the Honorable William M. McCulloch, the Honorable Jackson E. Betts, and the Honorable Frank T. Bow. All three are senior members of important committees of this Congress, Judiciary, Ways and Means, and Appropriations. They have left their "marks" on all of the major pieces of legislation reported from their respective committees for many, many years. The service of these three distinguished gentlemen represents a cumulative total of 70 years in these legislative halls, a very enviable record indeed. Both the State of Ohio and the Nation will miss their leadership and their guidance in this body.

I sincerely regret their departure, not only as colleagues but as friends, and extend my very best wishes to them and to their families; with a special note of congratulations to our next Ambassador to the Republic of Panama, Frank T. Bow.

Mr. SLACK. Mr. Speaker, I want to take this opportunity to pay tribute to one of the outstanding Members of the House, the Honorable Jackson Betts, who is retiring at the close of this session.

He has distinguished himself as a man of integrity and tremendous ability, and has been an asset to the Congress, to his State, and to the Nation.

I wish to congratulate him upon his many years of dedicated service, and wish him many years of health and happiness.

Mr. VANIK. Mr. Speaker, on this last day of the 92d Congress, I am pleased to join with my other Ohio colleagues and the Members of this House in saluting the fine work of two Ohioans who are retiring at the end of this Congress.

Representatives William McCulloch and Jackson Betts have served their districts, their State, and their Nation for a total of 48 years. Their retirement will be Ohio's loss—it will be a loss to the House—and to each of us who have had the privilege of knowing and working with these two gentlemen. Bill McCulloch has been one of the warmest, most compassionate legislators in this Chamber. His service as the ranking minority member of the House Judiciary Committee has been distinguished; his efforts have helped bring about some of the most important legislation of the past decade. Jackson Betts has made numerous contributions to the work of the Ways and Means Committee. I, for one, will certainly miss him, for our 7 years of service together on that committee have been ones of great cooperation and mutual assistance.

Mr. Speaker, I just want to wish each of these great Ohioans the best in the years ahead and to thank them for their years of service. It has been a pleasure knowing each of them and I hope that we will have the opportunity to visit together in the years ahead.

Mr. MILLER of Ohio. Mr. Speaker, on this last day of the 92d Congress, I would like to take this opportunity to salute and wish Godspeed to a trio of legislators whose contribution to this country and to their home State of Ohio will long be remembered.

Little need be said about the jobs Jack Betts, Frank Bow, and Bill McCulloch have accomplished during their long and outstanding service in the House of Representatives. The record reflects clearly the singular and collective contributions of these fine men.

Be it in the arena of international affairs or on the cutting domestic issue of the economy, these men have met their assignments brilliantly. Responsible, imaginative, concerned—all the attributes apply.

It is with much regret that we bid them farewell. As colleagues, we will sorely miss their legislative leadership.

TRIBUTE TO HON. GEORGE P. MILLER OF CALIFORNIA

(By unanimous consent, Mr. Holifield was allowed to address the House for 30 minutes.)

Mr. HOLIFIELD. Mr. Speaker, I shall not proceed for 30 minutes.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members, including the California delegation, of course, have permission to extend their remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker and my friends, I take this time to say a few words as the dean of the California delegation. Having been here for 30 years, I have had by my side a Member we all know and love, George Miller.

George Miller has served in this House for 28 years. He will not be with us next year. I just want to say a few words about this remarkable man.

This gentleman has been a State legislator, before coming to the Congress. He has been an engineer. He was the head of the Fish and Game Commission of California. He served in the State Assembly of California for many years. Then he came to the Congress.

He has served on many committees. He started on the Post Office and Civil Service Committee, and then he went to the Committee on Armed Services. When the new Space and Astronautics Committee was formed he went on that committee. Certain events transpired, and he became the chairman of that committee.

He has had an illustrious career. He is the man, in my opinion, most responsible for the success of our space program. He is the man who has engineered the authorizations and helped to get the appropriations to make this Nation outstanding in the field of space.

We have had the most illustrious accomplishments as the result of his leadership on that committee. We have achieved a spot in the world which is preeminent. The achievements we have made in space, of course, are important. They will go down in history as among the most glorious exploits of man, among the glorious accomplishments of man in the field of exploration.

As we look back over the course of history and we think of the men who have discovered new islands, new continents, new mountains, and so forth, we come to this discovery of another planet and the exploration of another planet almost 300,000 miles away from the earth.

Some of us who have been so interested in science and technology think about the difficulties that were involved and the tremendous accomplishments our scientists and our engineers have made in achieving this great accomplishment. We can remember very well that young man in the White House, who was a former colleague of ours, John F. Kennedy, who said:

> We will put a man on the moon and we will bring him back safely in ten years.

Now, the tragedy of the assassination of our President, our fourth President to have been assassinated, occurred, and he did not live to see that accomplished, but he started in motion the program, and George Miller and his companions on the Committee on Science and Astronautics carried out that program. Since then, Mr. Speaker, we have not only put a man on the moon and brought him back, but we have done this a number of times; we have put automotive type vehicles on the moon; we have secured specimens of the substances of which the moon is made, and this has given us tremendous scientific knowledge; we have learned to put vehicles into space and to control those vehicles through the science of computers, and it is our engineering technology that has accomplished this.

Mr. Speaker, it is not only the moon accomplishment that I speak of today, but the technology that was developed, the technology that enables us to keep vehicles circulating around the earth permanently in our communications system. It has advanced that area of communication and the possibilities of communication between nations and peoples. It is such a step forward, a quantum step forward, that few of us realize how obsolete have become the old cables and the old wireless, and other methods that have been used in the past. We have become able to pick up pictures that originate across the seas, in Japan and in other nations in the world, and now we can see them on our screens, on our television screens at night.

Mr. Speaker, these are just some of the wonders that have been made possible by the work of the Committee on Science and Astronautics under the able leadership of GEORGE MILLER of Oakland, Calif. The technology, the technological discoveries and advances that we have made have opened up new fields of endeavor, fields that no one ever expected would be opened up, and it is these fields, whose potentialities are unknown at this time, from which we are going to receive benefits and blessings far beyond our own capacity to predict at this time.

So, Mr. Speaker, tonight I want to say to my colleagues here—and I wish to place this upon the permanent RECORD of the CONGRESSIONAL RECORD for all time—that we have had the leadership of a man, the extraordinary leadership of a man who has been the lodestone and the impetus that has enabled us to develop this complete new science, with all of the benefits which we have already received, and all the potential benefits, going far beyond the capacity of the mind of man to comprehend.

Mr. Speaker, he has not only done all this, but he has been a good Congressman. He has been interested in many things. He has advanced the decimal system for currency and for our mathematical computations, and although this has not yet been accomplished, he has been in the forefront of the advancement of this particular system. This is a system which has to come, because we have to get into step with the rest of the world in this area.

GEORGE MILLER has been a good Congressman, and he has been receiving many notices lately. I will not go into all of them.

Mr. Speaker, he has had bridges and bluffs in the Antarctic named for him, and God knows how many other notices there have been of his great accomplishments. I know that there are others in the offing; there are some in Los Angeles. There is going to be a new Museum of Science and Technology named after him.

So, GEORGE, as you leave this body, I want you to know that every Member of the California delegate, Republican and Democrat, is proud of you, and we are proud of the record of accomplishment that you have made.

We are proud of the record of accomplishment you have made. I will not limit it to that, because I think there is not a man in this body who does not have a feeling of deep friendship for you and a feeling of wishing you well in the rich years we know lie ahead of you.

Mr. Speaker, I now yield to my colleague from California, Mr. JOHNSON.

Mr. JOHNSON of California. Mr. Speaker, as this 92d Congress draws to a close I feel that we Californians would be remiss if we failed to extend our special thanks and good wishes to our colleague from Alameda, GEORGE P. MILLER, retiring chairman of the House Committee on Science and Astronautics, who is closing out his service with the Congress of the United States.

GEORGE MILLER has been a welcome and competent influence in every area and on every endeavor with which he has been associated. And there are many of those.

Before he came to Congress following his early career as a civil engineer, GEORGE MILLER was instrumental in bringing about much needed new programs into the West as a member of the California State Legislature, as a member of the State land commission and as executive director of the California Division of Fish and Game.

California is truly a better and more progressive place today because of what GEORGE MILLER did there many years ago.

When GEORGE, with the aid and assistance of that very exceptional woman, Esther Miller, came to the Congress 28 years ago, he was no stranger to the legislative process. Yet, characteristically, GEORGE never threw his weight around and worked diligently as a freshman Congressman to learn the parliamentary works of Washington. He was a highly effective member of the Post Office and Civil Service Committee, a highly regarded member of the Armed Services Committee and, later, served as chairman of the first Subcommittee on Oceanography to eventuate in the Congress as a member of the Merchant Marine and Fisheries Committee. It was under the direction of GEORGE MILLER, that oceanography became known for what it is and a familiar word in the lexicon of modern government.

When GEORGE took over as chairman of the brandnew Committee on Science and Astronautics in 1961, he was faced with a program about which there was much enthusiasm, but also about which little was known and much had yet to be invented. The task which faced the committee in drawing up the legislation to meet the goals which the Nation had set for itself in space exploration was extremely complex—but GEORGE MILLER knew how to go about it. In the process he endeared himself not only to his constituents and the Nation, but to his peers and the members of his committee. This is, indeed, a high tribute.

The space program, to a great extent depending upon the diligent hard work of GEORGE MILLER's committee, succeeded in doing what most people thought was impossible. It has, indeed, put men on the moon and returned them safely—and in the process has produced priceless scientific information, the true value of which will probably not be realized for many, many years. That program also produced the technological marvel known as the communication satellite, which permits us to view events on the other side of the world at the time they are happening and which we now almost take for granted. It has produced the earth resources satellite system, by which we are finding out much we did not know about our planet and the natural resources which may or may not be available to us. It his produced the wide variety of technological innovations which have revolutionized many aspects of the world we live in—industrial, geographical, medical, social, and otherwise.

I must also point out that the recent international agreements which have been reached with the Soviet Union with regard to science and space were largely made possible by these achievements which GEORGE MILLER helped create. I do not think it is stretching the truth to suggest that some of the other new agreements in international trade had the trail blazed for them in this scientific area.

GEORGE MILLER was almost solely responsible for the awakening of the Nation to the need for a system of institutional grants to higher education, and while the bills he introduced on this subject did not themselves become law, their effect has been felt and their counterpart institutionalized in other legislation dealing with the problems of higher education.

It was with Mr. MILLER's enthusiastic support that his committee reviewed the long-stagnant charter of the National Science Foundation, overhauled it, and succeeded in getting its approval as a matter of public law—so that today the Science Foundation is able to assist the Nation not only in the continuous development of basic research, which we so badly need, but also in applying the results of that research to the social needs facing our country.

And, Mr. Speaker, we in Congress who have been concerned about the proper balance of power between the legislative and executive branches owe a particular debt of thanks to GEORGE MILLER, whose committee was responsible for the development of the concept of an Office of Technology Assessment. That concept is now crystalized. The President signed the OTA bill into law last Friday, and for only the third time in its entire history the Congress has thus created for itself a new and sorely-needed independent service institution within the legislative branch.

It is a fitting tribute to GEORGE MILLER, a man who has wanted to see things for himself and who has traveled to all parts of the world, working hard to understand the needs and relationships of his country in conjunction with those of other nations—that the National Commission on Geographical Names just this past month designated an extensive range of high plateau in Antarctica as Miller Bluffs. And so it should, for it was GEORGE who, at what for him was the ripe young age of 80, made a special trip to the South Pole at the invitation of the National Science Foundation in his ever-continuing quest for new scientific knowledge.

The Congress is going to miss GEORGE

Miller in the future. His kind does not come along very often.

Mr. HOLIFIELD. I thank the gentleman.

I now yield to my friend from Iowa, Mr. Smith.

Mr. SMITH of Iowa. Mr. Speaker, I want to associate myself with the gentleman's remarks.

George Miller is a hard-working, conscientious man who has dealt with subjects so technical and requiring so much study in special fields as to be beyond the full understanding of most Members of Congress. He has been a hard-working Member, and I think the test of time will show he was one of our great leaders.

Mr. HOLIFIELD. I thank the gentleman for his remarks.

I now yield to my distinguished colleague from Illinois, Mr. Price.

Mr. PRICE of Illinois. I want to join my colleague from California in the tribute he has just paid to one of the outstanding Members of the House who is retiring at the end of this session.

I came into the Congress with George Miller in the 79th Congress and served on the Committee on Armed Services with him for many years until he decided to transfer to the newly created Committee on Science and Astronautics.

What the gentleman from California (Mr. Holifield) said about the career of Mr. Miller in the House is exactly on point. I know of no one who has dedicated himself more to the advancement of science and research and development and to the space program than has George Miller. As the gentleman from California stated, he was far ahead of his time in advocating the adoption by this country of the metric system, and I am certain in a few years the metric system will be used in the United States just the same as it is throughout the world. George was way ahead of his time on that, as he has been in many things in the field of science.

Mr. Speaker, I am glad to have the gentleman from California yield this time to me so that I might make those comments in reference to Mr. Miller's career here.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman for his remarks.

I now yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am very grateful that the gentleman from California has yielded to me.

I learned to know George Miller in the time that we have served mutually in the House. I think the House will miss George Miller and a lot of us who got to know him will miss a very good friend.

He has done an admirable job as chairman of a very important committee. Those of us who believe in the space program know that George Miller's support of that program was a material factor in making the United States preeminent in the area of space and science.

George, we will miss you. God bless you and good luck.

Mr. HOLIFIELD. I thank the majority leader for his remarks.

I now yield to my friend from California, Mr. Don H. Clausen.

Mr. DON H. CLAUSEN. Mr. Speaker, I am deeply appreciative of the fact that our very distinguished dean, Mr. Holifield, has taken this special order so that we might incorporate our thoughts into the Record on behalf of our very beloved and very distinguished colleague, George Miller of California.

I think, Chet, most of the California delegation would agree with what you have said and even expand on it.

The country is losing one of its outstanding leaders in this Congress. Having had a great interest in the area of aerospace and aviation education programs in California myself, I am going to be calling on George Miller and the fantastic amount of expertise that he has developed in that field, because we are just on the launching pad of what he has provided in the aerospace field.

He is known for his record of service in the California Legislature, as an administrator in the agencies of California, and in resource management. In my book he is a walking encyclopedia in so many areas that we could literally fill the entire Congressional Record with a recital of his accomplishments. I want to express to George my deep appreciation for his continuing willingness to listen to some of the suggestions that I had, but even more importantly than that, for the extraordinary advice and counsel that you gave to this Member when I first came to the Congress. I shall remain eternally in your debt, sir.

Mr. HOLIFIELD. I now yield to the gentleman from Texas (Mr. Casey).

Mr. CASEY of Texas. Mr. Speaker, I appreciate the gentleman from California giving me the opportunity to say a few words about one of the dearest friends I have. I had the pleasure of starting out in this Congress and serving with the esteemed gentleman from California, the Honorable George Miller, on the Committee on Merchant Marine and Fisheries. And a few years later I joined the gentleman on the Committee on Science and Astronautics.

George Miller is one of those individuals the country owes a great debt of gratitude for his foresight. George always thought younger than the rest of us. He is youthful in spirit, and youthful in his ideas that he has for the advancement of this country.

It was George Miller who created the Subcommittee on Oceanography long before oceanography was in the minds of our Nation. It was his foresight that got that committee started so that the Congress would be ready. It was George Miller who shepherded the Committee on Science and Astronautics to man's greatest achievement—that of landing a man on the moon.

I have had the warm pleasure of knowing Mrs. Miller and Hazel, my wife, and myself have enjoyed many pleasant hours with our dear, warm friends, George and Esther.

This Congress and this Nation is going to miss George Miller's services, but his name is certainly not only engraved on our hearts, but it is engraved in the accomplishments he has helped this Nation achieve.

I thank the gentleman for yielding.

Mr. HOLIFIELD. Mr. Speaker, I now yield to my distinguished colleague, the gentleman from California (Mr. McFall).

Mr. McFALL. Mr. Speaker, George Miller's accomplishments as a Member of the Congress are on the record for all to see. As the chairman of the Committee on Science and Astronautics, as others have mentioned, he has received plaudits, awards, and medals from all over the world. Certainly the giant steps that we have made in space have been during the time that he has been the chairman of this important committee of the House of Representatives. But perhaps even more important, I think, has been the friendship that he has given to all of us. Certainly for this Member something that he did many years ago, back in 1932 or 1933, when as an active member of the American Legion in California, was more important than his many other great accomplishments in the field of science and astronautics in this Congress.

It was back then that he and other members of the American Legion sponspored legislation providing for educational benefits for the children of deceased veterans of World War I. It was through those programs that I was able to get through school and probably laid the basis for my membership in this body.

So I personally think of him as having a great belief in humanity and real desire to help his fellowman, not only by virtue of his record in Congress but because of his acts over 40 years or so ago, when he helped so many who needed help.

Certainly we will miss him and his wonderful helpmate Esther, Mrs. Miller, and we wish them the best kind of retirement possible.

Mr. HOLIFIELD. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished member of the Committee on Rules, the gentleman from Indiana (Mr. Madden).

Mr. MADDEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join in everything that has been said by the gentleman from California, Congressman Holifield, and other Members here in regard to my friend Congressman George Miller.

He came to the Congress, in January 1945, 2 years after I came, which was in the 78th Congress. I can truthfully state in observing the long service of George Miller that I do not believe there is a Member of Congress who can leave this body after 28 years with a record that will benefit humanity and our Nation more then George. It has been stated here on this floor many times that his record, scientifically and otherwise, through his work on the Committee on Science and Astronautics is unparalleled. He devoted hours and hours of time, day after day, and week after week—work in scientific study that the ordinary Member of Congress does not realize. The beneficial legislation scientifically and otherwise that George Miller has placed on the Federal statute books, and the great results that will come scientifically in the hereafter will be reviewed by colleges for future years.

I am not familiar with the university George attended, but I do not believe there is any graduate of any school in this country or abroad who has left their name on legislation particularly and as to accomplishments in scientific exploratory and space than George Miller.

Like the rest of us, some of the older Members here, I am fearful that George Miller devoted so much time here in Washington and during all his travels in behalf of space and science that he failed to go back and tell the people in his district about his magnificent record—and maybe some of his colleagues are at fault—that they did not go back to his district and inform them about his legislative achievements. If the majority of voters knew as his colleagues do—he could serve the Congress and the Nation for years to come.

But as time marches on, the voters of his district are certainly going to regret it, because it will not be long until the record of Congressman George Miller's service in Congress will be inculcated into the minds of the American public and the schoolchildren over the Nation for generations.

Congressman Miller's work toward science and space expansion is recognized by universities, colleges, and nations throughout the world.

Mr. HOLIFIELD. I thank the gentleman.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. PEPPER. Mr. Speaker, I thank the able gentleman in the well for allowing me to join our colleagues in expressing our appreciation to George Miller.

On my office wall I have an autographed photograph of the first airplane flight at Kitty Hawk in 1903 by Orville Wright as he lay prone on that frail craft and soared a few feet for a few seconds in the air.

That was in my lifetime. Largely due to the wisdom, dedication, and persistence of George Miller, also in my lifetime, I believe now 12 men have risen from my State of Florida and ascended some 300,000 miles to the moon and have safely returned.

What a magnificent achievement to have been recorded in relatively so short a time.

So my State is grateful to George Miller for what he has done, of which we have been a part. All of the scientific world—all of the world—that knows about science and astronautics also honor and revere the name of George Miller. He was a man who was the master of his subject. How many times I recall his coming before the Committee on Rules and sitting there without notes and discussing these scientific subjects in such a masterful way, revealing that he was thoroughly abreast of all of the scientific knowledge that was involved in this very difficult field in which he was such a leader.

I remember also when he used to come as one of my colleagues, as he said, and talk about the metric system, and how our beloved late friend who was with us, Judge Smith, used to call it the "meetric" system, when George would present it to the committee. But George almost got it adopted, and he has laid the predicate, probably, for the adoption by Congress and the country on what would be a forward step in the technology of our Nation's affairs.

Mr. Speaker, we shall remember George Miller for what he has done here in those 28 meaningful years, but the fact that will linger longest in the hearts and minds of many of us is the man, George Miller, the modest man, the gracious, gallant gentleman, the kindly human being, the man who looked upon the world with kindness, the man who looked upon his fellow men with affection, who looked toward the future with confidence, respecting always the great past, because he had made such a large contribution.

When that distant day may come, George Miller shall pass not only from this House, but into still another chamber where, too, he will be revered. Some man may well say, as he lies upon the field at Philippi over the body of Brutus:

> His life was gentle, and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, "This was a man!"

Mr. HOLIFIELD. I thank the gentleman for his eloquent remarks.

The SPEAKER pro tempore. The gentleman from California.

Mr. EDWARDS of California. I thank the dean of the California delegation.

Mr. Speaker, it is with deep regret that I rise to bid goodbye to our friend, George Miller, upon his retirement from the House after 28 years of dedicated service. Ten years ago when I came here, inexperienced in politics, from the newly created Ninth District in California, I leaned on George for advice and guidance. One half the district consisted of an area that he had ably represented for many years and he generously provided me with assistance on an almost daily basis.

Whatever my question or problem, I was never disappointed. His advice was sound and experienced; his friendship sincere and supportive. It made the first few months, indeed the first few years, of my work here in the House of Representatives much, much easier and much more productive.

In addition, I have the pleasure of being a member of the northern California delegation of which George Miller has been dean. As the leader of the largest delegation in the House, including San Francisco, San Jose and the great East Bay area, he has consistenly provided instructive guidance in confronting and dealing with many difficult problems.

His contribution, year after year, to his native Alameda County has been huge. He is especially beloved in the city of Alameda where he and his charming and lovely wife, Esther, live.

But George Miller's contributions have reached far beyond his district and the State of California. As chairman of the Committee on Science and Astronautics, he has been a foremost champion of the Nation's space program. Under his careful and dedicated direction, the space program has grown from a small organization involving a few rockets and an imaginative dream, to a large, technically sophisticated Agency which leads the world in aeronautical achievements and which has succeeded in sending men to and returning them from the moon.

In 1967, he was awarded the Robert H. Goddard Memorial Trophy for his sustained leadership in the formulation and execution of national policy contributing immeasurably to the remarkable accomplishments of the U.S. space effort. As the recipient of this award, he joined the ranks of such distinguished men as Werner von Braun, John Glenn, President Johnson and Astronauts Armstrong, Collins, and Aldrin, the first men to land on the moon. He has also been honored by being chosen to serve as Special Adviser to the U.S. Ambassador to the United Nations for the Peaceful Uses of Outer Space, as a member of the Select Committee on Government Research, and as a member of the National Historical Publications Commission.

Mr. Speaker, I will sorely miss this fine gentleman and legislator. I know that my colleagues will miss him, too, and that the House of Representatives will not be the same without him.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman from California (Mr. Edwards).

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio (Mr. McCulloch).

Mr. McCULLOCH. Mr. Speaker, I thank the gentleman from California for yielding to me at this time.

I want to join with the gentleman from California (Mr. Holifield) and all of my colleagues who have paid the deserved tributes that have been paid to George Miller, the gentleman from California, this evening. Among all the scientific things which have been said, I would like to say this elementary thing. He has a knowing mind and an understanding heart. He will be missed not only for his scientific leadership, but he will be missed also for all those approaches he has made for so many of us for all these years.

I wish for him and his good wife everything that is good and just for as long as they wish it.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman from Ohio.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished Speaker.

Mr. ALBERT. Mr. Speaker, I am happy that the distinguished dean of the California delegation is taking this opportunity to give us a chance to say a word about one of our really great Members.

I have known George Miller ever since the first day I came to the Congress. I served on two committees with him. I served on the Committee on Post Office and Civil Service when I was a freshman in this House and I served under his chairmanship as a junior mem-

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ber of the Committee on Science and Astronautics when I was the majority leader. He has been a great chairman and he has been a great man.

I have had the honor of knowing George better than I have known most Members of this House. We were on the same floor for a long time, the fifth floor of what we now call the Cannon Building. I know his wife and daughter, and I knew his daughter long before she was grown and married. I am very happy she went to Stillwater and married a boy who was attending the University of Oklahoma.

George Miller has truly had an illustrious career. He spanned an epoch in his service on the Committee on Science and Astronautics, the great epoch which covered the years between the time when Russia shook America and astonished the world by launching the first sputnik to the time when we placed men on the moon, as John F. Kennedy had promised when he first became President of the United States. We did it on time. He was the leading figure in the Congress of the United States in that great feat. Of course that was only the most dramatic of the things for which he can claim credit.

His work on the committee covered many phases of science. Every year for many years he has conducted science panels and has made it possible for interested congressmen to meet the most outstanding men of science from the world over. I suppose he has had more contact with the most eminent scientists of this world of any man who ever served in the House of Representatives

He has been not only a great chairman, but also an outstanding Congressman and a great American. He is my friend. I am proud to know him.

Mr. HOLIFIELD. I thank the distinguished Speaker for those remarks.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, the whole world knows that George Miller is one of the leading scientific men of our time. The Members of Congress know that he is one of the most capable and well-informed men of any Congress. Those of us who served with him also know that mixed with all those great attributes is the fact that he is a good and kindly gentleman.

I have not been privileged to serve with him as many years as many of the Members here, but I can say that no one conducts himself with more pleasantness or graciousness than does George Miller.

I think I always will see George Miller and his lovely wife there in yonder dining room eating together; complete devotion to each other, and as a team, devoted to the Congress.

I think it is also perhaps time that we say to the people of his district, "We thank you for sending us George Miller for all these years." He has made us one of the world's finest statesmen. We thank them, and we pay our respects to this man who led us in scientific endeavor.

As you look at him, he does not look like any scientist at all. He might be more properly referred to as a man who looks like a Methodist preacher.

The truth of the matter is that he is a great Congressman and a great statesman. We will miss him very much.

Mr. HOLIFIELD. I thank the gentleman for those remarks.

Mr. CAMP. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished gentleman from Oklahoma.

Mr. CAMP. Mr. Speaker, I, too, would like to pay my respects to my good friend, George Miller. I have not known George too long; about 4 years. Those 4 years have been very full of good knowledge, and I have learned from him and from the activities in which he and I have been involved.

Not too long ago we were at the South Pole together, at Antarctica, and because of our age—that was the reason they gave us—we were not able to go to Vladivostok and Byrd's Station at the South Pole, but we had an opportunity to go up to Beardmore Glacier.

While we were there, the scientists brought forth the second set of fossils, and George and I had the opportunity to see the little pictures of fish and small flotsam. I happened to be very fortunate to be a recipient of a rock that has the perfect leaf in it, the same thing they found in Africa.

George, to me, is one of the most knowledgeable men I have ever met in my life. He is very considerate of the members of his committee. He always was willing to take them into his consideration as far as his thinking and activity within the committee itself.

We in Congress are losing one of the most knowledgeable men who has ever had the privilege to be in this body.

I would like to say to my good friend, George, that we hope that somewhere down the road we will have an opportunity to have an association again that we have had in the past 2 years.

Mr. HOLIFIELD. I thank the gentleman from Oklahoma.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, Miller from Ohio would like to convey his respects to Miller from California.

I feel very strongly that this Congress, this country, and our world is better off because George Miller came our way.

Mr. HOLIFIELD. I thank the gentleman.

Mr. PIRNIE. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. PIRNIE. Mr. Speaker, I would like to take this opportunity to join in this well-deserved tribute to a distinguished gentleman and good friend.

Since we are speaking of geography, we might as well span the continent and go to the State of New York to speak of our distinguished Congressman from California. He has our affection and respect. He has chaired this important committee during the momentous period in the history of this Nation. I trust that the great memories which this experience has provided will give him happiness in his well-deserved retirement.

I welcome this opportunity to extend to him and to his fine wife every good wish for health and happiness in the years ahead. I thank the gentleman for yielding.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Speaker, I would like to pay tribute to George Miller as well, as those who have been before me have done.

I particularly want to emphasize his service on the House Armed Services Committee, which has not been mentioned here very much. I used to sit next to him on that committee. I noticed that he was always dedicated to the idea of seeing that our country remained strong so that world peace would be maintained.

I also noted he was dedicated to the idea that a man who fought for our country, whether on the sea, in the air, or on the land, should have his problems considered carefully by Congress. He was always in the forefront of taking care of the enlisted men and other people who served with the Armed Forces, to see that their living conditions were adequate and proper, in conformity with the ability of this great country of ours.

As I close I should like to point out one particular characteristic which I have always greatly admired in this man, and that is his willingness to be a member of a team, and not always requiring that he be the captain of the team. He has been extremely helpful to me in counseling with me and giving me advice and helping me in things I was interested in. I am deeply grateful.

One of the things we treasure very much in the Congress is the brotherhood of Members of Congress. It probably is not thoroughly understood outside the halls of the Congress, but there is a sort of brotherhood or familyship which exists here. I do not know of any other Member of Congress who better demonstrates this than Chairman Miller, and that throughout all the years he has been here. We will all greatly miss George Miller.

Mr. HOLIFIELD. I thank the gentleman from Florida.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. Dingell).

Mr. DINGELL. Mr. Speaker, I rise in great sadness to pay tribute to my distinguished and able friend from California, George Miller.

I have had the pleasure of calling on George throughout my 17 years of service in this body. He was one of my early mentors and friends. He sat one seat over from me in the early days of service on the Committee on Merchant Marine and Fisheries. I had the pleasure of serving with him on the Subcommittee on Oceanography and on the Conservation Subcommittee.

I have had the pleasure of benefiting from his tutelage and leadership and guidance on many occasions while he served there and after he had gone.

He has been to me and all of the Members, particularly the younger

Members, a very fine and very warm friend and guide. He is a man of the greatest integrity and honesty, and is also very wise, good, and generous.

I pride myself on having been able to associate with this great man from California. I shall certainly miss him, as will all of our colleagues in the House of Representatives.

I certainly wish my good friend from California every good thing, as always. It is my hope that all of us from time to time will have the privilege and pleasure of seeing him come back to visit with us, so that we may refresh ourselves of his wisdom and goodness and renew our friendship in this body.

Mr. HOLIFIELD. I thank the gentleman from Michigan.

Mr. MAHON. Mr. Speaker, I wish to join my colleagues in paying tribute to George Miller, chairman of the House Committee on Science and Astronautics.

George Miller has been a pioneer in the most exciting adventure of this century. Others have spoken at length of his outstanding career and I shall not extend my remarks except to say that it has been an honor and privilege to serve with this able and distinguished Member of the House. He has made an imprint on the history of our country which will endure for generations.

George, as your friend and colleague, I salute you and wish you and Mrs. Miller great abundance of happiness in the coming years.

Mr. ROYBAL. Mr. Speaker, I take great pleasure in joining with my colleagues in paying tribute to our friend and my fellow Californian, the Honorable George P. Miller, whose long and distinguished career as a Member of this body draws to a close at the end of the session.

George has served in the House for more than a quarter of a century and, during this time, has continually proven himself a loyal and dedicated representative both for the interests of his own constituency and the Nation as a whole.

His experience and expertise as chairman of the Science and Aeronautics Committee has been instrumental to—and I might even add integral to—the formulation of legislation upon which the numerous accomplishments of the U.S. space effort hinge. And in this respect, George has himself contributed significantly to the various historic moments he has witnessed during his extensive career in Congress.

I know that he carries back many memories of us with him to California and George will, of course, always be remembered here.

Mr. BIAGGI. Mr. Speaker, after having served the Congress for nearly 30 years, Congressman George P. Miller of California—a good friend of mine and a trusted colleague—is leaving us shortly. For—after having completed his 14th consecutive term to this body, he had not sought reelection this fall.

I especially know George Miller from having worked with him during my first term 22 years ago on the House Science and Astronautics Committee, of which he was then; and is now the chairman. Particularly from my dealings with him then—but on all other occasions as well—I can say, most forthrightly, that he has always been of tremendous counsel and assistance to me.

And his record of public service is to be commended as well Indeed, before he was elected to the Congress, he had served for two terms in the California State Assembly—from 1937 to 1941—and then as the executive secretary of California's Fish and Game Division—from 1941 to 1944 He is also a World War I veteran, having served at that time in the field artillery as a lieutenant

And since becoming a Member of Congress in 1944, George Miller has served not only the constituents of his own district in California, but of course, has served the Nation as a whole He has done so in his capacity as chairman of the House Science and Astronautics Committee as well as in the role he has played on the Special Select Committee on Government Research and as Special Adviser to the U.S. Ambassador to the United Nations on the Peaceful Uses of Outer Space. For such activities as these, he was the recipient in 1967 of the Robert H. Goddard Memorial Trophy—an award which in part noted:

> His sustained leadership in the formulation and execution of national policy contributing immeasurably to the remarkable accomplishments of the United States space effort.

Mr. Speaker, George Miller—after so many years of distinguished service to both his constituents and the Nation—will clearly be missed when he leaves us after his current term in January. But—in whatever George Miller decides to do in his future activities—I certainly wish both him and his family well.

Mr. CORMAN. Mr. Speaker, as we say our goodbyes to those of our colleagues who will not be returning when we reconvene in January, I note with a very deep sense of personal regret that my distinguished fellow Californian, the Honorable George P. Miller, will not be with us.

For 28 years George Miller has devoted his energies, loyalties, and his enormous capabilities to serving not only his own constituents, but also the people of California and the Nation. His tireless efforts and expert leadership as chairman of the House Committee on Science and Astronautics have advanced our space program to heights beyond the imagination of any man. More than any other single person in the Congress, he is responsible for the greatness America has achieved as each feat in the space program brought us nearer to the ultimate "giant step for mankind."

George Miller's name is on a plaque on the moon. George Miller's name is in the hearts of all of us who have worked with him.

Mr. VANIK. Mr. Speaker, I want to join with my colleagues here today in saluting the work of Chairman George Miller. One of the saddest things about the last day of Congress is that there are so many friends one has to say goodby to—yet I hope that in the years to come we will have the opportunity to visit and meet again with these retiring colleagues. I, for one, will certainly look forward to such opportunities.

Until such time, I simply want to say that it was a privilege and honor to serve in the same body with the distinguished gentleman from California (Mr. Miller). As chairman of the Science and Astronautics Committee he has helped guide the Nation to some of its greatest scientific feats. That an American first walked on the face of the moon can to a very large extent be credited to the support and direction which Chairman Miller has given to the space program. He has prepared the way for our Nation to move into new areas of research which will open up new marvels and services to mankind in the years ahead.

Mr. Speaker, we all salute you and wish you and your family the best in the years ahead.

Mr. HOLIFIELD. Mr. Speaker, this time has been made available because of the lapse in the regular official business of the House. It was impossible in these closing hectic days of the Congress to plan ahead for a time and to notify the Members of our delegation that there would be a time for these tributes. We spoke of it, but we could not fix just when it would be.

We have seized upon this opportunity, because there was no other business before the House. We have been very fortunate to have the time we have been using here, which would not have been used otherwise. I know there will be a great many Members who will avail themselves of the permission to extend their remarks in the Record, who would have been here had they known this time would be available at this particular time.

In closing these remarks, Mr. Speaker, I just want to say that in my 28 years of association with George Miller in the House of Representatives, and with his lovely wife, Esther, I have never known a man and wife who are respected more. I have never known a person I liked better. I have never known a man who had Christian principles and deep love of his fellow man and adherence to his concept of what was good for the people of his district and Nation more.

I am proud to have had this experience with him. The California delegation is proud we have had a man of such tremendous accomplishments.

We are sad, of course, that he is leaving, but we know that there are still a lot of things George Miller will be able to do. I have heard him talk about some of the things he wants to do. I believe if he would just put down in writing some of the experiences he has had and write his own story of this tremendous space program he has so ably managed and to which he had dedicated so many years of his life, I am sure that book would be one of the richest experiences in literature any man could read.

So in closing, Mr. Speaker, I want, George, to wish you and Esther and the other members of your family great happiness and good health in the years that lie ahead. Thank you for being with us. Thank you for being the grand human being you are.

FREE ENTRY OF CARILLON FOR UNIVERSITY OF CALIFORNIA AT SANTA BARBARA

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4678) to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SENATE AMENDMENTS

The **SPEAKER.** The Clerk will report the first Senate amendment.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 7, strike out "bill" and insert: "Act".

MOTION OFFERED BY MR. MILLS OF ARKANSAS

Mr. MILLS of Arkansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MILLS of Arkansas moves that the House recede from its disagreement to the Senate amendment numbered 1 and concur therein.

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 2: Page 1, after line 9, insert:

SEC. 3. (a) Subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting immediately after item 907.45 the following new item:

" 907.50	Caprolactam monomer in water solution (provided for in item 403.70, part 1B, schedule 4).	Free	No change	On or before June 30, 1973. ".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(c) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, the entry or withdrawal of any article—

(1) which was made after August 15, 1972, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by subsection (a) applied to such entry or withdrawal,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of the enactment of this Act.

Mr. MILLS of Arkansas (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the Senate Amendment No. 2 be dispensed with, and that it be printed in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, this amendment has to do with the importation of a chemical, the name of which is awfully hard to pronounce, caprolactam monomer, which is used in the production of nylon.

Mr. Speaker, we have examined this amendment, and I propose to offer an amendment to concur in the Senate amendment, fixing the date of this suspension of the duty as of December 31, 1972 in the place of "June 30, 1973."

Caprolactam monomer is produced by only three domestic firms. One of these domestic producers has experienced technical difficulties in its production process of producing caprolactam monomer and is unable to meet its contract commitments. The other two domestic producers, one of which also purchases the chemical from the company in difficulty, are not in a position to make caprolactam monomer available to other consumers.

Thus, the domestic producer who has been experiencing technical production problems has requested that the rate of duty of 1.5 cents per pound, plus 10 percent ad valorem, be temporarily suspended in order that it meet its contract commitments during the period which its plant is not operable.

We are assured that caprolactam monomer is indeed in short supply and the reduction in cost through the suspension of the duty will permit the plants using caprolactam monomer in the production of nylon to continue to operate. However, a bill similar to the Senate amendment was introduced by our colleague, Mr. STEPHENS of Georgia, which provided for a temporary suspension to December 31, 1972. Our amendment accomplishes the same thing. We have checked this bill with the Department of Commerce, and we are informed informally that there would be no objection to this shorter period of suspension from domestic producers.

Thus the motion we make is to concur to the Senate amendment with an amendment reducing the period of the duty suspension from the date of enactment to December 31, 1972.

MOTION OFFERED BY MR. MILLS OF ARKANSAS

Mr. MILLS of Arkansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MILLS of Arkansas moves that the House recede from its disagreement to Senate amendment No. 2 and concur therein with the following amendment:

On page 1 of the Senate engrossed amendments, in the matter which appears below line 6, strike out "June 30, 1973" and insert the following: "December 31, 1972".

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 3: Page 1, after line 9, insert:

SEC. 4. (a) Paragraph (a) of general headnote 3 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out "Except as provided in headnote 6 of schedule 7, part 2, subpart E, except as provided in headnote 4 of schedule 7, part 7, subpart A," and inserting in lieu thereof "Except as provided in headnote 1 of schedule 3, part 3, subpart C, in headnote 6 of schedule 7, part 2, subpart E, and in headnote 4 of schedule 7, part 7, subpart A,".

(b) Schedule 3, part 3, subpart C of the Tariff Schedules of the United States is amended by inserting the following headnote after the subpart caption:

"Subpart C headnote:

"1. Products of Insular Possessions.—(a) Except as provided in subparagraph (b) of this headnote, any fabric of a kind provided for in item 336.50, 336.55, or 336.60, which is the product of an insular possession of the United States outside the customs territory of the United States and which was imported into such insular possession as a fabric for further processing, shall be subject to duty at the rate applicable thereto under item 336.50, 336.55, or 336.60 with respect to the country producing the fabric which was imported into the insular possession.

"(b) If the requirements for free entry set forth in general headnote 3(a) are complied with, fabrics, not exceeding 60 inches in width, provided for in items 336.50, 336.55, and 336.60, which are the product of an insular possession of the United States outside the customs territory of the United States and which were imported into such insular possessions as a fabric for further processing may be admitted free of duty, but the total quantity of such articles entered free of duty during each calendar year shall not exceed the quantities specified below:

"*Calendar year and quantity (linear yards)*

1972	2,500,000 (or, if greater, the quantity entered during 1972 before the effective date of this headnote).
1973	2,000,000.
1974	1,500,000.
1975 and each subsequent calendar year	1,000,000."

(c) The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Mr. MILLS of Arkansas. Mr. Speaker, this is an additional Senate amendment which relates to the duty-free shipments of woolen fabrics from insular possessions. While I feel that this amendment may have some merit, there has not been adequate opportunity to study the situation regarding the duty-free entry of woolen fabrics from the Virgin Islands. The committee has not had a hearing on it, and we ascertained from the Senators on the Senate Finance Committee that they had had no hearings on this matter before acting on the amendment.

I am going to ask the House to recede from this Senate amendment and concur with an amendment. It is an amendment that the State Department is most anxious to have us pass. This is the proposal to prohibit the importation into the United States of Pre-Columbian monumental and architectural sculpture and murals, exported contrary to the laws of the country of origin.

This proposal is a bill (H.R. 9463) that passed the House originally by unanimous consent and came back to us with several amendments attached to it that I do not think the House wants to agree to and I do not want to agree to. So I would like to move that the House recede and concur with an amendment. Before doing that, though, Mr. Speaker, let me yield to the gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to ask the distinguished chairman if we can expect the Committee on Ways and Means to consider this matter after the first of the year.

Mr. MILLS of Arkansas. Certainly. Whenever we get to consideration of trade legislation it will be a part of that consideration.

Mr. BURKE of Massachusetts. I thank the gentleman.

MOTION OFFERED BY MR. MILLS OF ARKANSAS

Mr. MILLS of Arkansas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MILLS of Arkansas moves that the House recede from its disagreement to Senate amendment No. 3 and concur with the following amendment: In lieu of the matter proposed to be inserted, insert the following:

TITLE II—REGULATION OF IMPORTATION OF PRE-COLUMBIAN MONUMENTAL OR ARCHITECTURAL SCULPTURE OR MURALS

SEC. 201. The Secretary, after consultation with the Secretary of State, by regulation shall promulgate, and thereafter when appropriate shall revise, a list of stone carvings and wall art which are pre-Columbian monumental or architectural sculpture or murals within the meaning of pargraph (3) of section 205. Such stone carvings and wall art may be listed by type or other classification deemed appropriate by the Secretary.

SEC. 202. (a) No pre-Columbian monumental or architectural sculpture or mural which is exported (whether or not such exportation is to the United States) from the country of origin after the effective date of the regulation listing such sculpture or mural pursuant to section 202 may be imported into the United States unless the government of the country of origin of such sculpture or mural issues a certificate, in a form acceptable to the Secretary, which certifies that such exportation was not in violation of the laws of that country.

(b) If the consignee of any pre-Columbian monumental or architectural sculpture or mural is unable to present to the customs officer concerned at the time of making entry of such sculpture or mural—

(1) the certificate of the government of the country of origin required under subsection (a) of this section;

(2) satisfactory evidence that such sculpture or mural was exported from the country of origin on or before the effective date of the regulation listing such sculpture or mural pursuant to section 202; or

(3) satisfactory evidence that such sculpture or mural is not covered by the list promulgated under section 202;

the customs officer concerned shall take the sculpture or mural into customs custody and send it to a bonded warehouse or public store to be held at the risk and expense of the consignee until such certificate or evidence is filed with such officer. If such certificate or evidence is not presented within the 90-day period after the date on which such sculpture or mural is taken into customs custody, or such longer period as may be allowed by the Secretary for good cause shown, the importation of such sculpture or mural into the United States is in violation of this title.

SEC. 203. (a) Any pre-Columbian monumental or architectural sculpture or mural imported into the United States in violation of this title shall be seized and subject to forfeiture under the customs laws.

(b) Any pre-Columbian monumental or architectural sculpture or mural which is forfeited to the United States shall—

(1) first be offered for return to the country of origin and shall be returned if that country bears all expenses incurred incident to such return and complies with such other requirements relating to the return as the Secretary shall prescribe; or

(2) if not returned to the country of origin, be disposed of in the manner prescribed by law for articles forfeited for violation of the customs laws.

SEC. 204. The Secretary shall prescribe such rules and regulations as are necessary and appropriate to carry out the provisions of this title.

SEC. 205. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "United States" includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term "pre-Columbian monumental or architectural sculpture or mural" means—

(A) any stone carving or wall art which—

(i) is the product of a pre-Columbian Indian culture of Mexico, Central America, South America, or the Caribbean Islands;

(ii) was an immobile monument or architectural structure or was a part of, or affixed to, any such monument or structure; and

(iii) is subject to export control by the country of origin; or

(B) any fragment or part of any stone carving or wall art described in subparagraph (A) of this paragraph.

(4) The term "country of origin", as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.

The SPEAKER. Without objection, the motion is agreed to.

Mr. HALL. Mr. Speaker, reserving the right to object, earlier in the day I was advised by a member of the Committee on Ways and Means that there would be a clean bill numbered H.R. 17222 on the importation of pre-Columbian artifacts and/or sculpture or murals.

Mr. MILLS of Arkansas. Such a bill was introduced, if the gentleman will yield, but I ran into some trouble.

Mr. HALL. I will be glad to yield, but first I would like to state my question.

Mr. MILLS of Arkansas. I am sorry.

Mr. HALL. Is that bill going to be introduced and is the gentleman's amendment identical to that bill and, if so, are we not playing the same tricks on the other body as they are on us, as to nongermane amendments?

Mr. MILLS of Arkansas. No I do not think we will be playing such tricks. The gentleman from Florida and I conferred and I suggested that he introduce a clean bill, which I think is identical with what I suggested here, but it was impossible for us to bring it up by unanimous consent and get it through again.

Mr. HALL. But the gentleman is convinced, then, if I may interrupt—and I do not mean to be rude during the gentleman's explanation, that the importation of pre-Columbian sculpture and murals is germane, and is closely related to the importation of carillons for the University or California at Santa Barbara, duty free?

Mr. MILLS of Arkansas. No, if the gentleman wants to make a point of order against it I would have to admit it is not germane to the subject matter of the bill. However, they both have to do with importation of goods. This is more or less a policing operation.

Mr. HALL. Mr. Speaker, the gentleman has just convinced me, and with glee I hasten to withdraw my reservation of objection.

The SPEAKER. Is there objection?

Mr. BYRNES of Wisconsin. Mr. Speaker, I reserve the right to object.

Mr. Speaker, we have a rather odd situation here. In the first place, there is no controversy whatever about the pre-Columbian art legislation. We have to do something about it, and everybody agrees this is what has to be done.

The situation is that a narrow class of very valuable archeological objects from the pre-Columbian period in South America are being taken out of that country illegally, and being brought into this country.

There is no prohibition in this country about bringing in these articles, the prohibition is against taking these articles out of the country in which they are found, and this is an attempt to cooperate with these countries to avoid this exploitation that is taking place.

The pre-Columbian art bill is unquestionably a good bill. It passed the House by unanimous consent. It has passed the Senate. The Senate added some amendments on it, and the bill went to conference. In conference we accepted an amendment that was adopted in the Senate dealing with custom port security control on which there is general agreement, and is very much needed. But there was one other item that we modified in conference which has to do with judicial review where if a petitioner does not prevail in a countervailing duty case. The respondent, or the defendant in these can appeal if he loses, but a recent court decision has held that a petitioner cannot appeal. There should be judicial review on both sides, and the conference committee agreed on this principal, although we adopted an amendment limiting the retroactive effect of any reversal by the court on appeal to 6 months. The Treasury Department has presented objections on this, and they want to have more time to consider it. They think that the amendment may have imperfections in it, and cause some problems.

Frankly, my own view is that this pre-Columbian act problem should be cured by calling up the conference report which is sitting up on the desk, but because of the objection that has been raised, by the Treasury the conference report is not being called up.

In view of this, the needed pre-Columbian legislation passed by both Houses is just languishing.

This is a way to avoid bringing up the conference report that is sitting on the desk, but still to obtain the passage of the pre-Columbian art legislation.

I am most opposed to these procedures, but I certainly support the amendment proposed by the chairman of the committee. I would not suggest that anyone object to what is proposed.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. RHODES. The countervailing tariff measure that the gentleman from Wisconsin mentioned was adopted in the other body was introduced by the senior Senator from Arizona. I am familiar with it.

I, too, am sorry that the conference report is not to be brought up. The merits of this are certainly all on the side of the American petitioner.

It is my understanding—the gentleman from Wisconsin can correct me if I am not right—that the foreign petitioner does have an appeal and the domestic petitioner does not; is that correct?

Mr. BYRNES of Wisconsin. It is not a question of whether you are domestic or foreign petitioner. It is a question whether you are a petitioner—who normally is a domestic producer—or a defendant who is an importer.

Today, if the ruling goes against the importer, he can appeal. If the ruling goes against the American producer, he cannot appeal. The amendment of the Senator from the gentleman's State attempted to remedy this.

In conference we made some modifications but we did grant these people the right to appeal. That is what I was pointing out—this conference report is sitting at the desk.

Mr. RHODES. If the gentleman will yield further so that I may ask a question of the chairman of the Committee on Ways and Means.

Would it be the chairman's feeling that this particular subject could be taken up in the next Congress rather early?

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield so that I may respond.

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. I agreed at the request of the Secretary of the Treasury, after having gone to conference on this, along with my friend, the gentleman from Wisconsin, not to call it up at this time because the Secretary impressed upon me the importance of the timing of this amendment rather than the merit of the amendment—that it was a bad time to bring it up, as he said. Certainly I am for the amendment—make no mistake about that—I agree with everything that my friend, the gentleman from Wisconsin said. It is fair for any advantage to work both ways. If there is an advantage in appealing from the decision involving the rate of duty—the countervailing duty—then it should go to all parties involved. It should not be a matter of going to just one side. But it is bad timing and that is what is involved here.

I can assure the gentleman I am for this and I would like to get done legislatively those things I am for even though I do not get to do it immediately, as I would like to. In connection with any trade legislation, this is a matter we would have to conclude.

Mr. BYRNES of Wisconsin. I think I can say to the gentleman from Arizona also that the position of the Treasury on this bill was not that it is not a matter that does not have to be cleared up and an equity that must be removed, a matter of the timing.

Mr. MILLS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS of Arkansas. I think it is more a question of timing in doing this than anything else.

Mr. BYRNES of Wisconsin. The point is—this is a matter I would think the gentleman and the committee would give attention to in the next Congress.

Mr. MILLS of Arkansas. Oh, yes—and Secretary Connally was for it.

Mr. BYRNES of Wisconsin. That is right.

Let me just conclude, Mr. Speaker, by saying I just raise this point because I think the history is of some interest to the Members and also because of the fact I want to make it absolutely clear that there should be no objection to the pre-Columbian amendment which the chairman is now proposing. The House and the Senate passed it and it is absolutely noncontroversial and essential.

Mr. BYRNES of Wisconsin. I yield to the gentleman from Kentucky.

Mr. CARTER. I thank the distinguished gentleman for yielding.

Mr. Speaker, we all know that this House has worked long and hard for many weeks and many months, and I wonder why at this time of night pre-Colombian art is taken up. It seems to me that a subject of this nature could have been taken up weeks and weeks before now.

I am interested in art, and I visit art galleries. I have visited them almost all over the world, and I enjoy art. I do not know that I would oppose importation of pre-Colombian art, Aztec art, or Mayan art, but I do oppose taking up art at this time when other matters of much more import confront this House. It just simply is not the time for us to consider these things.

Mr. BYRNES of Wisconsin. Mr. Speaker, first let me make it clear the pre-Colombian art is where legislative deals with items stolen in the country of origin, and we are saying that if it is stolen it cannot be brought in.

Mr. CARTER. I would generally agree that that is noncontroversial, but I do think this should have been brought up many weeks ago before this House was ready to adjourn, and desiring the opportunity to conclude its business.

Mr. MILLS of Arkansas. This passed the House in February 1972.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

The SPEAKER. The Clerk will report the Senate amendment to the title of the bill.

The Clerk read as follows:

Senate amendment: Amend the title so as to read: "An Act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and for other purposes."

The SPEAKER. Without objection, the House recedes from its disagreement to the amendment of the Senate to the title of the bill and concurs therein.

There was no objection.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

FUTURE REVIEW OF UNEMPLOYMENT SITUATION

(Mr. MILLS of Arkansas asked and was given permission to address the House for 1 minute.)

Mr. MILLS of Arkansas. Mr. Speaker, we are in the closing hours, we hope, of a sine die adjournment, but there is a problem existing in the other body, and I am in hopes that I can clarify the situation to the satisfaction of those who see a problem existing and want to do something about it at this time. I just discussed the matter with two of our very distinguished friends from the other body, Senator JAVITS from the State of New York and Senator TUNNEY from the State of California. They are very concerned that there will be a greater degree of unemployment within their States some time during the early part of next year, and that if the House had accepted the Senate amendment on unemployment compensation, their States would have been protected, should that situation develop.

Now they will not be protected, as they know, in the event that there is a rise in unemployment in their States under the language that the House has agreed to that is pending before the Senate.

Naturally, fulfilling their responsibilities as Senators to their constituents, they are most anxious that something be done about it. I want to say this about unemployment in New York State and California, or anywhere else.

If we do have a rise in the rate of unemployment within these States or any other States, I want them to know and I want the Speaker to know and I want the public to know that I would be as much interested in trying to do something for the benefit of those people who are unemployed as they or any other Senators would be interested.

If this situation comes about, I think the proper way to do it is to go back to the temporary unemployment compensation program, as my good friend, the gentleman from Wisconsin, earlier suggested, and determine some more satisfactory method of triggering this program into existence and triggering it off, so that we do not have the anomalous situation existing of high levels of unemployment within a State for 3 or 4 years, but because the unemployment rate is not 120 percent greater than it was in the 2 preceding years, even though it may be at an 8-percent rate, because it was at an 8-percent rate in those years, this programs triggers off. To me that is not right.

I would want to assure them that if they have any fears about my own position, they need not have any fears about my desire to take care of the situation.

I wanted to say that while they were present here on the floor.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. MILLS of Arkansas. I yield to the gentleman from Texas.

Mr. PICKLE. The gentleman is mindful of the colloquy we had earlier today. I was not here when the bill, H.R. 16810, was presented to the House. If I had been I would have objected to the manner in which it was presented.

I will say to the gentleman, since I see two of our distinguished colleagues from the other body here in the Chamber, I want the gentleman from Arkansas to know if the bill, H.R. 16810, comes back in a different form from what it was when it passed this House, I will make it quite plain I will object.

Mr. MILLS of Arkansas. I understand the gentleman's position. He has made it clear before. I am not talking about that. I am talking about the situation next year. I know the gentleman from Texas would be as sympathetic in that case as I am.

Mr. PICKLE. Yes. The present Magnuson bill for States with chronic unemployment will not expire until actually the end of the year, and with the benefits we have been able to give they will go to early spring. But unless we include some other States, some 15 more than we did this afternoon, I will object.

Mr. MILLS of Arkansas. What we are talking about is the situation the Ways and Means Committee will look into and try to provide a remedy that will take care of that, and I am satisfied my friend, the gentleman from Texas, would want to do that next year if this develops.

I am sorry my friend, the gentleman from Wisconsin, will not be here with us, but what we are talking about is exactly in line with what he suggested earlier in the day: Let us go back and review the formula we have and make it work more satisfactorily than the present formula works.

RESIGNATION AS A MEMBER OF U.S. DELEGATION TO 18TH ANNUAL SESSION OF NORTH ATLANTIC ASSEMBLY

The SPEAKER laid before the House the following resignation as a member of the U.S. delegation to the 18th annual session, North Atlantic Assembly:

WASHINGTON, D.C.,
October 18, 1972.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I regretfully submit my resignation as a member of the United States Delegation to the 18th Annual Session of the North Atlantic Assembly scheduled to be held in Bonn, Germany, November 18–24, 1972.

I am honored with the appointment but unforeseen developments make it impossible for me to attend the Conference.

Sincerely,

L. C. ARENDS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT AS MEMBER OF THE U.S. GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1 of Public Law 34–689, the Chair appoints as a member of the U.S. group of the North Atlantic Assembly the gentleman from Illinois (Mr. FINDLEY), to fill the existing vacancy.

REVIEW OF UNEMPLOYMENT

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS of Arkansas. One point which I overlooked in connection with my statement of a few moments ago: It is not 4 percent within the State that I am suggesting the change in, but 4 percent of covered employees made unemployed. If that figure is reached in a State or exceeded in a State, but I say at the same time it must be qualified by the 120-percent, then the program is not working properly.

Then the formula is not working.

Mr. BYRNES of Wisconsin. The insured unemployed?

Mr. MILLS of Arkansas. That is correct, 4 percent of the insured who are unemployed is what I am talking about.

Whenever that figure happens to be reached by a State, I want that State to get the benefit of this rule.

TRIBUTE TO THE HONORABLE PAGE BELCHER

Mr. CAMP. Mr. Speaker, I take this time to pay tribute to a great Oklahoman, a gentleman who has served for 22 years in this body. He is a friend, I am sure, as I have witnessed to every Member of this body, and that is the Honorable PAGE BELCHER.

I knew PAGE BELCHER first about 1928, when I was the chairman of the Young Republican Organization in Garfield County, Okla., and PAGE was running for his first political office. During PAGE's early career, he had a very unusual thing happen. He had a tie race, and to break the tie they flipped a coin, and PAGE lost.

PAGE has one of the best speeches that I have ever heard of in my lifetime pertaining to one vote. This speech was brought about, because of this instance in his life.

PAGE served northwest Oklahoma until 4 years ago as its Congressman, and then moved in to Tulsa, Okla., because of redistricting. Previous to his experience in Congress, PAGE was an assistant to the Congressman from the Sixth Congressional District in Oklahoma, Mr. Ross Rizley.

PAGE has completed a good tenure in Congress. He has been an individual who has been respected by all Members of this body. Through his retirement this year we will lose a very fine Member, as well as a very fine friend of this body.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. CAMP. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the gentleman from Oklahoma has spoken eloquently, and properly so, about our colleague, PAGE BELCHER.

I can say without any hesitation, reservation, or equivocation that there has not been a more stanch person in this body when it came to tough issues than PAGE BELCHER.

On the other hand, I have seen him in committee; I have seen him on the floor, work effectively to get things done.

I can think of one particular instance in this Congress. I do not believe we would have had an acceptable pesticide control bill if it had not been for PAGE BELCHER. The previous pesticide legislation was unsatisfactory and unacceptable. PAGE BELCHER, by diligent work hour after hour after hour, helped to present a pesticide control bill to the House, and subsequently worked in conference to get legislation which is a vast improvement over previously existing law.

This is only one indication of the kind of topflight legislator PAGE BELCHER has been. He has done masterful work in getting constructive legislation through the House, through the Congress, so that we could have a better America.

People in agriculture owe a great debt of gratitude to PAGE. People of his district, of the State of Oklahoma and of the country are indebted to PAGE BELCHER for the long and constructive service he has rendered during his term of office in the House of Representatives.

In my responsibilities I could turn to PAGE at any time, and he would give a straight answer, a good answer, and he would stand like a bulwark of strength against pressures from all sides for the things that were right and good for his country.

I will miss PAGE. We all will. I wish him and his family the very best.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CAMP. I yield to the distinguished Speaker.

Mr. ALBERT. I thank my colleague for yielding.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Oklahoma Members may extend their remarks on the subject of the service and life of PAGE BELCHER, and that all Members may have 5 legislative days, or such legislative time as remains, to do so.

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am glad my good friend from northwestern Oklahoma has taken this time to pay tribute to PAGE BELCHER. As a matter of fact, most of the territory geographically which Mr. CAMP represents today in the House was represented by PAGE BELCHER when he first came to Congress.

No one will be more missed in this body next year than my very good friend, the distinguished ranking minority member of the Committee on Agriculture, PAGE BELCHER. We have been colleagues and friends for a long time. PAGE has served in the House only two terms less than I have—I came in the 80th Congress and PAGE in the 82d.

We served together on the Committee on Agriculture and he served on the Wheat Subcommittee, a subcommittee which I chaired when he was ranking minority member. As I mentioned, PAGE represented the northern part of Oklahoma and the largest wheat-producing area in the State. His service on the

Wheat Subcommittee was critically important to his constituents as well as to all wheat growers.

We worked well together on the subcommittee and the committee. PAGE believed, as I did, that the farmer had far too large a handicap in the marketplace; he and I always supported commodity price support programs which would give small farmers a fighting chance to stay on the land, and try to maintain a reasonable balance between their capital investment and operating costs and the price they received for crops.

Our State as well as other rural areas still had some distance to go in obtaining adequate electric power and telephone lines, and PAGE and I always supported rural electrification and telephone programs.

There, of course, were times when we did not agree legislativewise, and a few occasions, I recall one in particular, where I was prompted to mention this before an audience. At a meeting of the Chamber of Commerce in Tulsa I introduced PAGE as "my good friend and a great statesman." I pointed out that we had much in common, both of us being Members of Congress, lawyers, Sooners, Methodists, and members of many of the same organizations. I then said, "PAGE just made one mistake which I did not: He became a Republican." This was greeted with silence. I then turned to PAGE and said, "You know, PAGE, that would not hurt you with this group." That surprised PAGE and brought a chuckle from the crowd.

In addition to other similarities in our background, PAGE and I are both Taureans, his birthdate being April 21 and mine May 8. We have not played up the fact that we both were born under the sign of the bull but it may explain why we discovered years ago that we were avid and compatible bridge players. We used to play partners in the Congressional Staff Club's weekly sessions. We also played in tournaments together, including the Nationals. We happened to be playing in a tournament at the Sheraton Park Hotel in Washington the day after I was elected majority leader. The photographers kept snapping away at us until the other partners demanded to know what was going on. PAGE told them that his partner was the next majority leader of the House of Representatives. PAGE always had a lack of "side" and a modesty which made him happy to focus attention on anyone who had succeeded or advanced in any way.

A few years later when I was convalescing from a heart attack, PAGE wrote me a letter which I hope he will not mind having quoted:

> From all the accounts in the paper you seem to be regaining your health and I am extremely happy about that. I think one of the most important things to do, Carl, is not to overwork yourself and get ambitious too quickly. I personally want you to be able to carry on because I don't want any changes in the Majority leadership.
>
> I think it would be very good for you to spend a little bit more time playing bridge with me instead of taking care of all the social demands that aren't worth a darn to you.

Thus he sought to entice me to spend more time playing the game we both love.

PAGE certainly understands the burdens of leadership. He is ranking member of the Committee on Agriculture. If the Republicans had the majority to organize the House, he, of course, would be chairman of his committee.

He also represents Oklahoma and 12 other States on the powerful House Republican Policy Committee which formulates the policy for the party on legislation coming from all of the committees of the House.

As you know, every organization has certain people who are known for their even-tempered, compassionate nature. Whether you choose to use the word gentleman, genteel, humane, or what have you, PAGE as a person is regarded in that light by his colleagues and friends. He is the least presumptuous person. He has a balanced view of himself, other people, and life. He is not a pious do-gooder, not an ego-tripper, not a trivial man. He is a genuinely serious, dedicated, judicious Congressman who has always taken his responsibilities seriously, but has the balance to work into his life a happy family, friends, and other pleasures of living. He is the kind of Congressman who gives genuine substance to a political party and a political body.

As a friend of his, I deeply regret to see him leave the House. But no one knows better than he and I, that personal freedom diminishes as responsibility increases. I cannot begrudge any man the right to have first call on his own time after many years of public service which, while gratifying, is a juggernaut whose demands are never entirely fulfilled. PAGE has served here 22 years. He has voluntarily retired; he has earned a rest. I hope that he and his good wife, Gladys, who is a wonderful friend of my wife and myself, will enjoy the retirement which they have earned.

I hope that I have the opportunity to spend many more days and many more happy occasions with this wonderful personal friend. I know of no man whom I admire more and for whom I have a higher regard than my fine colleague from Oklahoma, PAGE BELCHER.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. CAMP. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Speaker, with all the depth of sincerity that I possess, I associate myself with the remarks just made by the Speaker. He and I served with PAGE BELCHER for many years on the Committee on Agriculture, and should I be reelected and should the Republican caucus see fit, I will be in the position of endeavoring to fill some very large shoes.

The only possible difference I could find from the Speaker's comments—and they were not intended by him to be meant in this sense at all, I know—would be this: PAGE BELCHER is still not only a great man, possessing a fine mentality and know-how, and a fine Member of Congress, but in spite of his little indisposition, which he seems to be getting over rapidly, he will be out there on that golf course shooting in the low 80's and getting eagles, as he does from time to time.

Mr. Speaker, I shall miss him very much as my leader on the Committee on Agriculture, the position which he has held during these long years in which we have served together.

So, Mr. Speaker, I am just delighted and honored to have been able to pay tribute to PAGE BELCHER, a really great American.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. CAMP. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, although it was never my privilege to serve on the Committee on Agriculture, it was 12 years ago that I first came to know PAGE BELCHER. Since that time the passage of time has only served to increase my admiration and respect for the contributions that he has made.

I think that we have had an unusually large number of tributes in the closing days of this second session of the 92d Congress paid to various departing Members. I cannot think of anyone who more richly deserves these tributes than the man about whom we are now speaking, PAGE BELCHER.

Mr. Speaker, so many stories come into my mind about PAGE, because of the very unusual and very pungent and pithy sense of humor with which he was equipped.

I remember on one occasion as a freshman Member of this body asking PAGE, "What do you do when you go home and campaign?"

His reply was simply this: "John, I simply go home and sit down on a wagon tongue and listen to what the people have to say."

Mr. Speaker, I think that may be part of the secret of his great success as a legislator. It is what has endeared him to many of us as a man. His willingness to listen and to take interest in our problems.

Coming, as I do, from a great agricultural State, I have every reason to appreciate the great contributions that he made to the American farmer. We are going to miss him in this body, and I am pleased that I have had this opportunity to pay this final tribute and to wish him and his wife many happy and useful years in retirement.

Mr. CARTER. Mr. Speaker, I thank the distinguished gentleman from Oklahoma for yielding to me.

PAGE BELCHER was one of my preceptors when I came to this body in 1964. He is one of the finest gentlemen I have ever known. Some of the advice he gave me included this aphorism: "Never try to explain the previous question. You will certainly get into trouble if you do."

Also he said, "When you speak of a bill be sure you know more about that bill than anyone else does."

Another thing was concerning the construction of dams. He said that everyone below a dam was for it; everyone above the dam was against it, and everyone at the dam did not give a damn.

Mr. Speaker, PAGE BELCHER was not only a great football player, but he was a great golfer and a master in playing bridge.

Truly the House is losing a great personality, and I regret that Page Belcher is retiring.

I thank the distinguished gentleman for yielding to me.

Mr. CAMP. Mr. Speaker, I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise to associate myself with the remarks of the distinguished gentleman from Oklahoma regarding our beloved friend, Page Belcher, who is retiring from the Congress at the end of this session.

I am confident Page Belcher will be recognized and appreciated for having one of the outstanding practical political minds of anyone who has ever served in this great body. He knows precisely what was attainable and what was realistic.

His service on the House Agriculture Committee, including his tenure as its ranking minority member, has left an indelible mark on American agriculture. Everyone involved in agriculture will long remember his contributions.

U.S. farm policy has not always followed the recommendations of Congressman Belcher and many mistakes have been made that could have been avoided had his preceptive advice been taken and followed up.

Coming from a rural agricultural and heavily forested area, I speak for both myself and my constituents when I say how much we appreciate Page Belcher's support for agriculture and reforestation programs in this the 92d Congress particularly and in all the previous Congresses we have served together as well.

I mention the 92d Congress specifically because I believe in the past 2 years we have been able to come up with the most significant program of reforestation acceleration in the history of the United States. None of this, I might add, would have been possible without the leadership and support of Congressman Belcher.

Oklahoma is losing a fine and honorable legislator and rural America is losing a strong and effective spokesman. I know all the Members of the House join me in wishing Page Belcher a restful, well-earned retirement.

Mr. CAMP. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. Ruth).

Mr. RUTH. I thank the gentleman for yielding.

Mr. Speaker, when I came here in 1969 as a new Congressman I was looking for friends and advice, and I did not find any anywhere better than Page Belcher.

I would like to say I am honored to have been able to serve with this gentleman, and I wish him all the best in his new life.

Mr. MAHON. Mr. Speaker, I wish to join the members of the Oklahoma delegation and other colleagues in the House in commenting on the distinguished service of Page Belcher of Tulsa.

As the Member of Congress from one of the major agricultural districts in the United States, I have had frequent occasion to confer with the gentleman from Oklahoma in regard to farm matters. He has been most helpful to me and to the people whom I represent in his capacity as the ranking minority member of the House Committee on Agriculture.

Page, others have spoken at more length and more eloquently than I but none with greater respect for you and your good work in behalf of our country. I wish you continued good health and good fortune in the years ahead.

Mr. CAMP. Mr. Speaker, I would like to acknowledge that my wife and I have been long-time friends of Gladys and Page Belcher. We wish for them the best in the years to come.

LEND-LEASE DEBT

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, today the United States and the Soviet Union signed two historic agreements which if carried out in good faith might change the destiny of the world and help to insure international peace for decades to come.

I am referring to the settlement of the World War II lend-lease debt owed to the United States by Russia and the new trade agreement.

Congressional implementation of the trade agreement, of course, depends largely on what the Soviet Union does to facilitate the emigration of Jews who wish to leave that country.

But even here, there are hopeful signs. News reports indicate the Soviet Union will ease the imposition of exit taxes, applying them selectively for the time being and then allowing them eventually to wither into disuse.

The significance of the two agreements signed today cannot be underestimated. The Soviet Union has agreed to honor its World War II debts 12 years after the last negotiations were broken off.

The trade agreement has the potential of a major economic partnership between America and the Soviet Union which will make it much easier to resolve existing and future political differences between us. I am sure it will be quickly implemented by Congress if the Soviet Union adopts an equitable policy on Jewish emigration.

Finally, Mr. Speaker, it should be noted for the historical record—if nothing else—that the House Foreign Operations and Government Information Subcommittee of the Committee on Government Operations played an instrumental role in helping to initiate the United States-Soviet debt talks. We are proud of that contribution and hope that it will lead to new understandings between our two great countries.

I have received a letter from Commerce Secretary Peterson commending the subcommittee and I insert the text of that letter following my remarks:

The Secretary of Commerce,
Washington, D.C., October 18, 1972.

Hon. William Moorhead,
Chairman, Subcommittee on Foreign Operations and Government Information, Committee on Government Operations, House of Representatives, Washington, D.C.

Dear Mr. Moorhead: I am pleased to advise you that today the U.S. and the Soviet Union have signed a trade agreement which we believe marks a major step forward in the economic relationships between our two countries.

The agreement includes a settlement of the lend lease obligation which the Soviet Union incurred during World War II. As you know, the negotiations leading to this trade agreement have been in progress since President Nixon met with Mr. Brezhnev earlier this year. The details of both the trade agreement and the lend lease settlement are contained in the attachment.

I am most appreciative of the advice and counsel you have given me on this subject, and I earnestly believe you will be satisfied with the terms of the agreement.

With the expected adjournment of Congress today, I recognize that more detailed briefings may not be possible at this time. Please be assured that we shall make every effort to appraise you and members of the Committee of the specific details of the agreement at your earliest convenience and certainly well in advance of the time the Congress considers legislation which ultimately will be needed to consummate the agreement.

Sincerely,

_____ _____.

COMMITTEE TO REELECT THE PRESIDENT

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. McCLOSKEY. Mr. Speaker, in the face of continuing Republican silence on the unfolding story of the operations of the Committee to Reelect the President, I rise to commend the Washington Post for its professional courage and commitments to the ascertainment of the truth. Regardless of the committee's activities which are still in dispute or unknown, the facts that are known should cause a feeling of outrage and dismay on the part of Republicans who treasure truthfulness and integrity as basic cornerstones of the Republican Party.

Whatever may be the benefits of political espionage and electronic surveillance, they have no place in operations directed from the White House against the political party not in power.

It is a tragedy that the American people have become so accustomed to secrecy, deception, and suppression of the truth in recent years, that a public outcry has not already forced a complete explanation from the White House. I know Clark MacGregor to be a decent and honorable man. His attack on the Post, however, is an attack on the motives and credibility of those that would publish the truth; it is not an explanation of the activities of the Committee to Reelect the President which he now heads. As this administration declined to question the truthfulness of Ramsey Clark but chose instead to attack his patriotism, so now its practice is to condemn an opponent rather than to answer his charges. I cannot express too strongly my respect for the Post in standing almost alone against the enormous power of an administration which is willing to use that power not only to conceal the truth but to suppress it.

At the very least, the President owes a full disclosure of the part played in the Watergate and Segretti operations by personnel employed now or previously by the White House and the Committee to Reelect the President.

In the military service, a unit's excellence is generally the result of a commanding officer's leadership; when a unit performs badly, it is usually because of a failure of that leadership. The commander creates the environment in which subordinates either feel free to commit crimes or not. The Commander in Chief owes an explanation as to whether he knew of the Segretti and Watergate operations, and if not, who it was who knew of them but failed to advise him.

I say these things with regret. I have been a Republican all my life. My Republican colleagues in the House and Senate include some of the most decent men and women in America. The activities of the Committee To Reelect the President, however, are such as to impel all of us to dissociate ourselves from that committee and those to whom they have reported in the White House until a full explanation is made. The identity of the highest official who was aware of and condoned the Watergate and Segretti operations should be made public and he should resign or be fired forthwith, whether it is Dwight Chapin, John Mitchell, or the President himself.

The activities in question challenge the most basic of our national assets, the faith of our people in our very system of government.

Unless this administration is willing to fully disclose the complete operations of the Committee To Reelect the President with respect to the Watergate incident and the Segretti operation, I suggest that it should be rejected on November 7th as unworthy of the trust of the American people.

I also wish to express my regret on an additional matter—that we adjourn today at a time when the President has said he intends to continue the most devastating bombing attacks in history on the people, villages and culture of Vietnam.

For Congress to adjourn at this time without voting a termination of this bloodshed seems to me an abdication of our duty so long as this bombing continues. Every peaceful cornfield and Thanksgiving dinner table in America will bear the shadow of the awful havoc we are wreaking in countries halfway around the world—countries whose people and children and customs are at least as deserving of peace as ours.

I intend to vote no on the motion to adjourn. I only regret that I have been unable to persuade more of my colleagues to do the same. I am ashamed today to have been so ineffective on the greatest issue of our time. That issue is, purely and simply, What have we Americans become, as a nation, when we kill for pride alone?

It is a misplaced pride which urges that "Peace with Honor" requires carpet bombing by 200 B-52s and the reduction of thatched-roof huts to kindling; that "Peace with Honor" requires the killing and maiming of thousands and hundreds of thousands of women, children and old people whose only offense is that they live along the roads and trails of Indochina.

Today's paper reports that we have destroyed the French Embassy in Hanoi—that the chief of the French Mission is being flown home to Paris with third degree burns over 60 percent of his body. How many Vietnamese women, children, and old people have suffered the same fate or worse? And will continue to suffer and die in the months before the next Congress convenes and can act to control the actions of the executive branch?

It seems appropriate to append the words of Mark Twain on war:

ON WAR

(By Mark Twain)

There never was a just one never an honorable one—on the part of the instigator of the war. I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. The pulpit will object at first, the great dull bulk of the nation will rub its sleepy eyes and try to make out why there should be a war and will say earnestly and indignantly.

"It is unjust and dishonorable and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded; but it will not last long; those others will outshout them, and presently the anti-war audiences will thin out and lose popularity.

Before long you will see this curious thing: the speakers stoned from the platform and free speech strangled by hordes of furious men who in their secret hearts are still as one with those stoned speakers . . . but do not dare to say so. And now the whole nation, pulpit and all—will take up the war cry and shout itself hoarse, and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open. Next the statesman will invent cheap lies putting the blame upon the nation that is attacked; and every man will be glad of those conscience-soothing falsities and will diligently study them and refuse to examine any refutations of them; and thus he will by and by convince himself that the war is just and will thank God for the better sleep he enjoys after this process of grotesque self-deception.

REV. ANDREW B. BOCIANSKI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDade) is recognized for 10 minutes.

Mr. McDADE. Mr. Speaker, on Sunday, the 22d of October, there will be celebrated in Scranton a mass of thanksgiving honoring the Reverend Andrew B. Bocianski, pastor of the Church of SS. Peter and Paul. This is a mass which is so appropriate because it honors a man who has given nearly 50 years of his life to the service of God and to his fellow man as a parish priest in the Diocese of Scranton. It is well that his people should give thanks to God for such a pastor, and all of us might join in that thanksgiving.

Father Bocianski was born on October 7, 1900, in Simpson, Pa., the son of Frank and Catherine Wilant Bocianski. He attended St. Thomas College in Scranton, then St. Mary's College and the Seminary of SS. Cyril and Methodius at Orchard Lake, Mich. He then attended the Sulpician Seminary at the Catholic University of America in Washington, D.C., and was ordained to the holy priesthood at St. Peter's Cathedral, Scranton by the Most Reverend Michael J. Hoban on May 29, 1926.

It would seem a simple thing to detail the priestly work of Father Bocianski, as assistant pastor at St. Hedwig's Church in Kingston, at the Church of the Sacred Hearts of Jesus and Mary in Scranton, and at St. Stanislus in Nanticoke; then as pastor of Holy Cross in Buttonwood, of the Sacred Heart of Jesus in Mayfield, of St. Joseph's in Hudson, then at SS. Peter and Paul in Scranton.

In fact, of course, that recitation does little to show how immensely this distinguished man of God involved himself in all of the life of this community. During those years, Father Bocianski served as president of the Scranton Chapter, Alumni of the Orchard Lake Schools; as a member, Supervisory Council, Alumni of the Orchard Lake Schools; chaplain, Ladies Auxiliary of the Orchard Lake Schools; member of the President's Club, University of Scranton; member of the Sulpician Seminary Century Club; member of the Century Club, Catholic University of America; vice-chaplain, Polish Union of the United States of America; chaplain of the Polish Army Veterans' Association, District XI; spiritual director of the Polish National Alliance, Groups 2911 and 1218; spiritual director of the Polish Women's Alliance, Groups 328 and 618; spiritual director of the Polish Falcons, Nest 214; director of the Diocesan Council Catholic League for Religious Assistance to Poland; director of St. Stanislaus' Institute, Nanticoke; chaplain, Kosciuszko Post No. 207, American Legion, Scranton; treasurer, Friends of Poland Society of Lackawanna County; chaplain and honorary member, General Casmir Pulaski Memorial Committee; president and member of the Board of Pastors, West Scranton Central Catholic High School.

It is a story of participation in the life of this community almost without peer, and his participation was to bring the richness of his own spiritual life into everything he touched.

For the past 17 years, Father Bocianski has served as pastor of SS. Peter and Paul Church in Scranton. He has been the spiritual leader of his people, but most especially he has given his heart to the young people of the parish. His greatest care has been for the parish elementary school, and the parish, under his pastorate, has sponsored the Children of Mary, the Boy Scout Troop 70, and the newly formed Cub Scout pack.

I know, Mr. Speaker, that you will join me, as will all my colleagues here in the House of Representatives, in that mass of thanksgiving on Sunday. In these difficult and trying times, when each day seems to bring new cares, new problems, it is certainly fitting that we should take pause, however briefly, to thank God that He has sent so many remarkable men among us to lead us through our difficulties, men like our own good Father Bocianski.

REPORT OF THE 92D CONGRESS

The SPEAKER. Under a previous order of the House, the gentlewoman from Massachusetts, (Mrs. HECKLER), is recognized for 10 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, the end is a time for summing up, and as this 92d Congress concludes its business, I would like to report its successes and failures to the people of the 10th Congressional District of Massachusetts.

It may be premature to write the final history of the 92d Congress when swiftly moving events can sometimes alter endings. There have been significant accomplishments however, in a Congress whose every action was taken against the backdrop of the Viet Nam war and whose posture on that war seemed finally to evolve into resignation to the will of the President. Here then is a report on that Congress.

SALT

One of the most historic acts of the 92d Congress was the ratification of the interim nuclear arms agreement with built-in U.S. safeguards, between this country and the Soviet Union. Hopefully, this end product of the President's trip to Russia will also turn out to be one of the milestones in mankind's struggle to survive its own passions and prejudices.

REVENUE SHARING

I would call the enactment of the program in which revenue collected by the central government is returned to State, county, city and town governments one of the most significant developments in the recent history of federalism. It is an important cession of power and it is very direct relief to financially beleaguered subdivisions of government and to the taxpayers who support them. I recognized this great need and strongly advocated revenue sharing. Tenth District cities and towns will soon receive approximately $8 million under the first year allocation.

SENIOR CITIZENS

This Congress has been especially good to our senior citizens. It was particularly gratifying to me to see approval of a 25-percent increase in benefits over 2 years and an increase in the amount of outside income seniors could earn. I worked very hard in support of both.

CONSUMERS

American consumers got a half a loaf from this Congress. It consisted of a bill creating a program to assure consumers the products they buy and use are safe, and, if they are not, there is some official redress available. But a Consumer Protection Agency, that would have given the public a double wrapper of safeguards in the marketplace was, unfortunately, filibustered to death in the Senate.

MULTIPLE SCLEROSIS

The action of the 92d Congress which I lived with and take the most pride in was the enactment of my legislation creating a National Advisory Commission on Multiple Sclerosis. The hard-won agreement of the House and Senate in the dying hours of the session means the thousands of MS victims now have more than a faint hope of help, they have a nationally spotlighted effort designed to help them. This represents the Congress of the United States at its responsive best.

VETERANS

Increased benefits and better health care characterized the veterans legislation enacted by the 92d Congress.

As a member of the House Committee on Veterans Affairs, I cosponsored seven major bills that provide for these increases in educational, disability and dependent benefits and in better hospital treatment.

Specifically, the legislation liberalizes disability and death pensions; raises dependency and disability compensation to widows and children of veterans; creates a National Cemeteries System under the VA and provides burial plot allowances; increases compensation and allowances for disabled veterans.

In education, there are increases in allowances for vocational rehabilitation, special training, advance education and regular education.

There is a special program of Federal assistance to medical schools and other educational institutions training doctors and health personnel in conjunction or affiliation with veterans hospitals.

And in the Veterans Medical Care Act, there is improved overall care in VA hospitals, upgrading of the operating and personnel practices of the hospitals, and extension of treatment to the dependents of veterans suffering total disability or death from service-connected causes.

A new drug treatment and rehabilitation program for servicemen and veterans had been passed in both houses but there was no final agreement at session's end.

HOUSING

The House Banking and Currency Committee, on which I serve, worked for more than 2 years on legislation to modernize and consolidate Federal programs to accommodate the Nation's expanding housing needs.

The new housing bill that finally emerged was blocked by the Rules Committee from consideration on the floor of the House as the session drew to a close.

I was proud to have authored a number of provisions in the bill, two of which I think are significant.

One would have prohibited any discrimination against single, divorced, or widowed women trying to obtain FHA home mortgage financing; and it would have required that the income of married women be counted when they and their husbands seek FHA home mortgage financing. This was designed to put a stop to the unwritten law that women should not be extended mortgage credit either in their own name or in partnership with their husbands.

The other provision I sponsored would have extended Federal assistance to the owner-occupants and tenants of three-family housing—triple deckers. This was to encourage the rehabilitation of existing neighborhoods by making it unnecessary for low- and moderate-income families to relocate to sterile public housing developments. This would have been particularly beneficial in Fall River.

Regardless of whether another attempt is made in the next Congress to revive or rewrite the housing legislation, I intend to have these two provisions written into law. I believe that they are needed. And because housing legislation has become so complex as it increases in importance and touches nearly every aspect of the quality of life, I also believe there ought to be a separate House Committee on Housing and Urban Affairs.

Housing legislation is now handled by a subcommittee of the Banking and Currency Committee, which, needless to say, has many other concerns within its legislative jurisdiction. The residential needs of the American people are too broad and deep for them to have subcommittee status. I think only a full major committee with no other jurisdiction can do justice to this critical national issue.

SOVIET JEWRY

The terrible repression of Jews in the Soviet Union has grown worse.

Any Jewish citizen now wanting to emigrate to any other country is subjected both to specific economic punishment and often to physical abuse.

Every Soviet Jew applying for a visa to leave is immediately dismissed from their job, and, if the application is approved, before they can leave the country they must pay to the Government the equivalent cost of whatever level of education they have achieved.

This amounts to an inhuman ransom and constitutes the Soviet response to the outcries from the rest of the world over its previously reprehensible, but not as diabolical, treatment of its Jewish citizens.

I have introduced legislation which withholds from the Soviet Union favored nation treatment by the United States in any trade agreements between the two countries until this treatment of Jews is stopped.

The Soviets obviously are anxious for special trade with this country. Perhaps they will be willing to act more civilized in order to get it.

DAY CARE

The biggest day care breakthrough in months came at the Republican convention in Miami Beach. As a member of the committee drafting the party platform, I made day care my No. 1 concern and I was able to win approval of a plank in the platform that puts the party on record in favor of a national program of locally controlled, Federally assisted day care centers.

But it was not easy. It took no less than 96 rewrites before we came up with language that won the platform committee's endorsement. It was worth it, because I think this more than anything has set the stage for congressional action that has a good chance of being signed into law.

That is going to be one of my top priorities in the next session of Congress.

NONPUBLIC SCHOOLS

A form of Federal assistance to parents overburdened by the rising costs of nonpublic education took a significant step forward in this session of Congress. It is still far from a reality, however.

Just before the end of the session, the House Ways and Means Committee approved legislation that would provide an income tax credit to the parents of nonpublic schoolchildren equal to half the annual tuition they must pay for each child, or $200, whichever is less.

This is even more generous than the legislation I proposed and testified on before the committee.

I hope that this tax credit approach does not violate the constitutional separation of church and state, which I strongly favor. It meets some of the tests of constitutionality laid down by the Supreme Court in older cases. The recent Ohio decision of the Court does cast a shadow on this approach. But that involved the expenditure of appropriated money whereas tax credit is a distinctly different matter.

Besides, it is desperately needed if the traditional American freedom of choice, inherent in the existence of a nonpublic school system, is to be preserved.

To allow that system to succumb to economic strangulation would also place an intolerable burden on the public schools of this country whose own sources of tax revenue are strained to the breaking point and which consequently already face a fiscal crisis of their own.

For example, if all the nonpublic schools in Fall River were to close and the students transfer to public schools, the city real property tax rate would have to be increased by $46.20 per $1,000 assessed valuation. In Taunton, the increase would be $39.70, in Attleboro, $6.40.

In the same vein, I am also continuing my efforts to secure tax credit to help parents grapple with the skyrocketing cost of higher education.

RESULTS OF REPRESENTATIVE MARGARET HECKLER'S 6TH ANNUAL QUESTIONNAIRE

[The figures below indicate the percentages in favor of the various positions outlined. The percentages do not add up to 100 because most people checked more than 1 category]

	His	Her	Youth
Vietnam: Would you favor a national referendum on the war?	47	47	62
Which alternative would you vote for?			
(a) The present mining and bombing policy	38	22	14
(b) Immediate and total withdrawal of U.S. forces	31	33	55
(c) Withdrawal by a date certain concurrent with release of U.S. prisoners	52	62	61
(d) Total military victory	12	08	06
Tax reform: Would you favor appointment of a blue-ribbon national commission to conduct a 2-year study of our tax system and recommend needed reforms?	92	81	97
Equal rights: Should the Massachusetts Legislature ratify the proposed U.S. Constitutional amendment granting men and women equal rights?	91	91	99
Education: Which would you support:			
(a) Continued public school financing by local property taxes	30	25	28
(b) State financing of public school system	38	36	42
(c) Increased Federal financing of public schools	55	53	52
(d) Federal income tax credits for private non-profit elementary and secondary education expenses	36	36	40
Power-environment: Would you like to see a New England Regional Power Commission representing the 6 States which would decide power usage, plant sites, and the environmental impact for the whole region?	90	87	77
Day care: Do you favor a Federal program to provide day care facilities?	57	66	66
Health insurance:			
Do you favor a national health insurance program?	73	70	70
Which of several proposed programs do you prefer?			
(a) Complete medical and hospital coverage for everyone financed by payroll tax and employer and Federal matching contributions	50	45	46
(b) Limited coverage financed by 75–25 employer-employee contributions with separate Federal plan for poor and low-income families	12	11	10
(c) Limited coverage with employer-employee or individual financing options and separate State-Federal plan for poor and low income	12	12	8
(d) Limited coverage with individuals granted credit on their Federal income tax liability for health insurance premiums they pay	26	25	12

SENIOR CITIZENS

The country owes senior citizens something for the investment of themselves in decent, hard-working, law-abiding lifetimes that, in the aggregate, built America.

I believe it owes them economic security, comfort, ease, good health care, Social Security income equal to their needs, adequate housing suitable to their needs, easy transportation, protection from crime, and the opportunity for social activities.

Thus I have been supporting and working for 20-percent increase in Social Security benefits and other legislation needed to provide these things for seniors.

Of more immediate importance is the Federal money I was recently able to obtain for additional senior citizens' housing in Taunton.

The Department of Housing and Urban Development has provided initial funds for planning and design work on an 80-unit complex for seniors.

The project had been snarled in red tape, but we worked it out with city and Federal officials, and it is now proceeding on schedule.

SOME OF MY OTHER MAJOR LEGISLATION

Urge definite withdrawal date from Viet Nam, concurrent with release of American prisoners.

Create a Joint Committee on the Environment.

Prohibit discrimination against the physically and mentally handicapped.

Provide tax credits for private non-profit elementary and secondary education and for higher education expenses.

Authorize programs to promote the cultural heritage of ethnic groups.

Establish a Comprehensive Child Development Program.

Permit tax exemption of the first $5,000 of retirement income.

CONSUMERS

Two issues affecting Massachusetts consumers the most are food and fuel oil.

I have been working to bring price relief on both.

I called for a White House study of the entire food price situation which finds neither farmer nor housewife the beneficiary. Uncontrolled food prices defeat any attempt to check inflation by controlling wages and other prices.

The Price Commission held hearings on the subject, as I urged, but whatever little result there has been is not enough.

Massachusetts oil consumers—victimized by high prices resulting from restrictions on imports of foreign crude oil—may be helped by two recent developments, but, again, not enough.

One is that the foreign oil import quota for New England has been slightly increased, boosting the supply and, hopefully, lowering prices.

The other is the decision to build a pipeline to bring Alaskan oil to California. I urged that the pipeline be built in Canada to bring the oil closer to New England. I just hope some of the additional oil from Alaska finds it way to Massachusetts to ease the price pressure.

I have been working on the oil situation with the bipartisan Congressional delegation from Massachusetts since I came to Congress. But the problem is that the big oil-producing states in the West and Southwest, which have money and a lot of votes, want foreign imports controlled to protect the domestic oil industry. That is New England's chief competition and it is formidable.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title

H.R. 14628. An act to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes.

The message also announced that the Senate agrees to the House amendment to Senate amendments numbered 1 and 3 and recedes from Senate amendments numbered 4, 7, and 9 through 17 to a bill of the House of the following title:

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes.

The message also announced that the Senate further insists on its amendments to a bill of the House of the following title:

H.R. 4678. An act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1524. An act to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3939) entitled "An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes"

TRAGEDY AVERTED IN RECENT CRISIS AT THE D.C. JAIL

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. Buchanan) is recognized for 5 minutes.

Mr. BUCHANAN. Mr. Speaker, I do not believe this Congress should end without note being taken for the record of the decisive role which one of our colleagues played in averting tragedy in the recent crisis at the District of Columbia jail.

The gentlelady from New York (Mrs. Chisholm) served on the negotiating team which achieved the release of the captives whose lives were threatened, and an end to the disturbance itself.

No one has worked harder for prison reform and to overcome the conditions which the prisoners stated prompted the outbreak of violence.

She was, therefore, in excellent position to plead for reason on the part of the rioting inmates as well as some needed changes in the prison itself.

If anyone ever sees fit to write a book like "Profiles in Courage" concerning Members of the U.S. House of Representatives, a chapter should be devoted to this incident.

In the conduct of her campaign as a Presidential candidate, in the day-by-day fulfillment of her obligation as a representative of the people and in her decisive role in this crisis, Shirley Chisholm has demonstrated ability and manifested courage which make her a credit to this House and to our beloved country.

A PERFECT VOTING RECORD

The SPEAKER. Under a previous order of the House, the gentleman from Mississippi (Mr. Griffin) is recognized for 10 minutes.

Mr. GRIFFIN. Mr. Speaker, the records of the Clerk of the House of Representatives discloses that my friend, Representative William H. Natcher, Democrat of Kentucky, still holds a perfect voting record. During the second session of this Congress—the 92d—so far we have had 457 rollcalls in the House of Representatives.

Representative Natcher has never missed a rollcall vote since he has been a Member of the House of Representatives and has never missed a day in Congress. He was sworn in as a Member on January 6, 1954, and during the first 18-year period of his service, which was concluded on December 31, 1971, 2,704 rollcall votes on legislation were held, and, Mr. Speaker, this does not include quorum calls. During this period of time if the quorum calls were added you would find that he was present and answered to his name well over 3,500 times. For instance, during the second sesssion of the 92d Congress we have had 457 rollcalls up to the time that I make this statement concerning Bill Natcher's record, and this figure includes rollcall votes, recorded teller votes and quorum calls.

As a Member of Congress, Bill Natcher knows that the fact that he has not missed a day in Congress or a rollcall vote is not the sole test of a good Representative, but, Mr. Speaker, I know that he is definitely of the opinion that each Member should stand up and be counted on each issue. I have always believed this myself and I know that this is the main reason why Bill Natcher is proud of the record that he has established.

As the records will disclose, Mr. Speaker, I do not have a perfect voting record, but I have an excellent record and one that I am proud of. I have endeavored to cast the vote of my people the way it should be cast.

Mr. Speaker, if the Clerk of the House would check the records back to March 4, 1789, which was the opening date of the First Session of the 1st Congress which met in the city of New York, he would find that no Member has served in either the House of Representatives or in the Senate of the United States who had a comparable record. We have a number of Members of Congress today who have excellent voting records and this has applied all down through the years, but, Mr. Speaker, Bill Natcher's record is a perfect record since he has never mised a vote for a period of 19 years.

Bill Natcher is a Member of the Committee on Appropriations and I know that his assignment to this committee certainly has placed him in a position where on more than one occasion he has had close calls in order to be present to cast his vote.

Mr. Speaker, the record established by Representative Natcher is one that he and his people can be proud of, and it is a privilege for me to call attention to the Members of Congress to this record.

THE ABZUG REPORT

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. Abzug), is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, as Congress prepares to adjourn, I am sending my fourth report to my constituents on my work as their Congresswoman. This issue recaps the entire 92d Congress and sets forth a few highlights of the bills and amendments which I have sponsored and supported.

I include in the text of the Abzug report at this point in the Record:

THE ABZUG REPORT

ON VIETNAM

The Abzug Resolution—A Bill to cut off all funds for the Vietnam War. The bill which I have introduced in the House calls for 1) cutting off funds for bombing and mining in all Indo-China, 2) cutting off funds for military assistance to the Thieu "government", 3) withdrawing all U.S. military forces from Indo-China within 30 days of an agreement about war prisoners; and 4) establishing a coalition government that reflects political and military reality.

Other key issues—I have supported every attempt to force Congress to reassert its role in Foreign Policy by cutting off funds for the Vietnam War and setting a date for the total withdrawal of U.S. troops.

ON MILITARY SPENDING

The Abzug Bill against nuclear weapons testing—My Amendment to the Atomic Energy Commission Bill would have totally banned all U.S. nuclear testing.

Other key issues—I voted against funds for the S.S.T.; against subsidizing Lockheed; and against the incredibly wasteful $71 billion Military Spending Bill.

ON JOBS

The Abzug Amendment increased economic development funding for urban areas—I drafted and introduced legislation which increased funding for economic development programs in cities. My amendments were passed by the House of Representatives. (Manhattan and the Bronx are now eligible for Federal funds under this program).

The Bill to extend unemployment benefits—I introduced and fought for a bill to extend unemployment benefits. The House Ways and Means Committee has reported out a bill containing most of the provisions which I recommend.

Unfreezing the wages of low income people—I sponsored legislation to exempt fringe benefits and low-wage workers from the Nixon wage freeze. The legislation was passed by Congress.

Guaranteed pension rights—I am a cosponsor of a bill which insures pensioners against loss of benefit if an employer goes out of business, and also establishes a system to make pensions portable from job to to job.

Jobs for Vietnam Veterans—I introduced the Veteran Unemployment and Readjustment Act which improves job counseling and hiring for veterans and provides them with job placement services.

Other key issues—I voted *for* the bill creating public service jobs for the unemployed, and for the bill creating a $2.8 billion dollar training program for health-connected jobs.

ON EDUCATION

The Abzug-Chisholm Child Development Act—creating a comprehensive child development program—I drafted and co-sponsored legislation to create a comprehensive child care program that included pre-school education, nutritionally balanced meals, parent participation in day care programs, and full tax deduction for money spent for child care. Most of my proposals were included in the bill which President Nixon vetoed in December 1971. Several of these were also included in a bill that passed the Senate on October 4, 1972.

Restoring $10 million to Bilingual Education—In November 1971, along with Congressmen Yates and Badillo, I succeeded in getting the Nixon administration to release $10 million in bilingual education funds.

Other key issues—I voted *for* $728.6 million in additional Federal Aid to Education *for* emergency aid funds for desegregating school districts; and *against* the bill to postpone busing for racial, sex, religious, or socio-economic balance.

ON HOUSING AND RENT CONTROL

Freezing rents in New York City—I drafted the New York City rent amendment to the Economic Stabilization Act of 1971. This bill, which became law, places New York City rent controlled apartments under the Federal Price-freeze guidelines and this is now being tested in the courts.

Co-op housing for the poor and the middle class—I am co-sponsor, together with Congressman Badillo, of a bill to enable low and moderate income families to own their own apartments.

New housing for the elderly—The Housing for the Elderly Act, which I sponsored, authorizes $150,000,000 annually to make loans for construction of housing for the elderly.

Free air rights in Chelsea—At 30th Street and 9th Avenue, I forced the Post Office to allow the air rights to the Morgan Annex to be used for low and moderate income housing, at no cost to New York City taxpayers.

ON SOCIAL SECURITY

The Abzug bill to increase social security benefits by 25%—I introduced several bills to reform the Social Security system. The bill, known as H.R. 1, which passed the Senate on October 5, 1972, included numerous provisions suggested by my bills, including:

Increased "widows" benefits from the present 82½% to the full 100% of the husband's entitlement;

Permission for social security beneficiaries to earn up to $3,000 (presently $1,680) annually without loss of benefits;

A "guaranteed" minimum annual payment of $3360 to each aged couple;

Medicare payments for outpatient drugs;

Reduction of the retirement age from 62 to 60;

Reduction of widows' retirement age from 60 to 55.

Other key issues—Some of my proposals which have not been enacted into law include:

A cabinet Department for Elderly Affairs;

Elimination of the 3-year limit in applying for Medicare, housing and property tax relief for the elderly;

Employment for the middle-aged and elderly;

Pension insurance and portability programs;

Elimination of Medicare premiums and deductions; and

Grants to private groups to provide transportation for the elderly.

ON CIVIL LIBERTIES

Emigration of Soviet Jews—I sponsored a resolution calling upon President Nixon to raise the question of treatment of Soviet Jews when he visited Moscow. I sponsored legislation to limit guarantees on U.S. companies' private investment in the U.S.S.R. if Jews are not allowed to emigrate. I sponsored and fought for legislation authorizing $85 million to Israel for resettlement there of Soviet Jews who did manage to emigrate.

The Fort Worth Five—I have opposed the imprisonment of these Irish-American patriots for refusing to testify before a Texas grand jury. I introduced a bill which would allow transfer of grand jury investigations to a location convenient for witnesses, and joined with other members in pressuring the Justice Department to free the men while their case was on appeal. Frank Durkin, attorney for the men, credited my bill in part with helping to get defendants freed on bail.

Northern Ireland—I testified before the Foreign Affairs Committee on the need for full Civil Rights in Northern Ireland, dissolution of the Stormont government, and a plebiscite on unification. I co-sponsored the Bingham and Carey resolution.

Other key issues—I voted *against* funds for the House Internal Security Committee; *against* funds for the Subversive Activities Control Board; and *for* the bill to create an independent corporation to provide legal services for the poor.

ON ENVIRONMENTAL PROTECTION

The struggle for urban mass transit funds—I fought in committee and on the House floor to free highway trust fund money for subways, buses and other mass transit uses. I led the fight on the floor to make $700 million directly available to the cities.

The Abzug Water Pollution Control Bill—$1 billion dollars for New York State—I introduced a bill to clean up our lakes and rivers and I fought hard for strict provisions through Public Works Committee's year-long consideration of the bill. The version sent to the President October 4, 1972, included a number of amendments which I proposed, including:

Reimbursement of localities for funds already spent on pollution abatement (worth nearly $1 billion to N.Y. State);

User charges, requiring industrial users of municipal water treatment plants to pay for the waste they produce and pour into the municipal system;

Citizens' lawsuits against polluters and against public agencies which fail to stop pollution;

75% federal funding for local construction of water treatment plants.

Other key issues—I voted *for* strengthening the Environmental Protection Agency; and *against* nuclear testing at Amchitka Island.

ON WOMENS' RIGHTS

The Equal Rights Amendment—I co-sponsored and worked very actively for the equal rights amendment to the Constitution which now has won approval from 20 of the necessary 38 states.

Maternity protection—The legislation which I introduced would assure adequate pre-natal care for all and guarantee that women would not be penalized for taking maternity leave time from their jobs and careers.

The Equality Act of 1972—I introduced the Equality Act of 1972. This bill prohibits sex discrimination in public education, federally assisted programs, housing sale and rental, and provides equal pay for equal work.

Other key issues—I have spoken out and introduced legislation forbidding sex discrimination in the granting of credit and got passed into law prohibitions on discrimination against women in major federally-funded programs.

ON TAXES

Abzug co-sponsors major tax reform proposals—I am the co-sponsor of several tax reform proposals, all of which have the effect of forcing the very wealthy to pay their fair share of taxes and reduce the tax burden on the middle class and the poor.

ON HEALTH CARE

Extending medicare coverage—The Medicare Bill which I co-sponsored eliminated all deductibles and premiums. It eliminates limits on the length of hospital stay. It extends coverage to include eye and dental care, prescription drugs and it includes automatic enrollment in supplementary Medicare.

A national program of medical insurance—I am a co-sponsor of the Kennedy-Griffith Bill which would establish a national Federal system of health insurance and encourage group medical practice.

ON PUBLIC SAFETY

Federal funds to put more cops on the beat—I am co-sponsor of a bill to provide federal funds to increase the size of local police forces and upgrade the quality of local police protection.

Reform of the Criminal Justice System—The Bill which I co-sponsored, provides grants for speedy trials, improved correctional facilities, and direct local funding of criminal justice programs.

Jobs for ex-addicts—I have introduced a bill to create a National Environment Service Corps to be staffed by individuals convicted of drug violations.

More housing police—I have introduced a bill to provide more housing police in public housing projects.

TRIBUTE TO THE HONORABLE JAMES A. BYRNE

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 60 minutes.

Mr. MORGAN. Mr. Speaker, I rise to join with my colleagues in paying tribute to my good friend, JIM BYRNE. His departure from the Congress is an occasion for deep personal regret on my part, for I shall miss him very much in the days to come.

JIM BYRNE has compiled an outstanding record of service to the people of his district, to our State of Pennsylvania, and to the Nation.

Before he ever arrived in the House of Representatives, he was engaged in productive public life in Pennsylvania, serving as U.S. Marshal for the Eastern District of Pennsylvania, chief disbursing officer for the State treasury, and as a member of the Pennsylvania State Legislature from 1950 to 1952.

So outstanding was his work in those positions that the people of Pennsylvania's Third Congressional District determined to send him to be their representative in the House. They renewed their mandate to him for 10 consecutive elections.

Mr. Speaker, Pennsylvania's Third District is Philadelphia's center city and the neighborhoods around it. It truly is an American melting pot with a variety of ethnic and racial groups residing there. It has its rich and its poor, its educated and its barely literate.

It is a tribute to the genius of JIM BYRNE for 20 years he gave a great majority of that disparate electorate the kind of representation they desired in Congress. He always put the service of his people first, working to see to it that they received a fair shake in their dealings with the Federal Government, whether on social security or on veterans' benefits or on their mail service.

JIM was never too busy to give his best efforts to aiding those constituents who came to him for help.

Just as he has served his district, so has JIM worked toward the well-being of the State of Pennsylvania. It has been my privilege to serve with him as a member of the Pennsylvania delegation.

Finally, there is his outstanding record of service to the Nation. As fifth ranking member of the Committee on Armed Services, JIM BYRNE has been a part of the major decisions on America's defensive posture since the inception of the Korean war.

He has been a strong proponent of the idea that our Nation's defensive capabilities should always be second to none and he has consistently cast his vote in favor of strategic and conventional forces sufficient to meet the myriad challenges of our times.

As chairman of subcommittee No. 4 of the Armed Service Committee, JIM has been particularly active in looking out for the health, education and general welfare of the men and women of the Armed Forces, and of their dependents.

As a result of his energetic sponsorship of measures to aid our fighting men, our military is the best fed, receives the best medical and dental care, and is the best educated in the world.

Every man and woman wearing the American uniform had a friend in JIM BYRNE, whether they knew him or not. They share our loss as JIM prepares to leave this body and enter into a well-deserved retirement.

JIM, your many friends in the House wish you all the best for the future. May you return here often to visit us and give us the benefit of your experience and sage advice on the many difficult issues which the future will bring.

Mrs. Morgan joins me in wishing you, JIM, and your wife, Virginia, good health and all possible happiness in the days ahead.

Mr. YATRON. Mr. Speaker, I would like to pay tribute to my good friend and colleague, the Honorable JAMES A. BYRNE. JIM has been an asset to the State of Pennsylvania where he has served his district since 1952. His service in these legislative halls has been outstanding and I have tremendous admiration for JIM BYRNE.

As a member of the Pennsylvania Delegation, I know that JIM is one of the State's finest legislators. Pennsylvania has lost a most dedicated man—a representative who has always thought of the welfare of his District, State, and Nation. There is no doubt that he has dedicated his life to superb service for his constituents during his 10 terms as a Congressman.

JIM BYRNE is an accomplished man in every sense of the word. He was a dedicated Member of the Pennsylvania State Legislature. In the House of Representatives, a member of the Armed Services Committee and the Merchant Marine and Fisheries Committee, he has shown depth, good judgment and wise counsel in the concern he has had for America's interests.

Mrs. Yatron joins me in wishing him every success in his future endeavors as he returns to Pennsylvania.

I salute JAMES A. BYRNE as a man who has made an indelible mark in Congress and as a man whose friendship I shall always treasure.

Mr. NIX. Mr. Speaker, Congressman JAMES ALOYSIUS BYRNE is my friend. He has been a friend and colleague for well over 30 years and I hope our friendship continues for another 30 years. I believe it will.

I would like to comment on his leave-taking from the House of Representatives by pointing out that his career is one of ceaseless labor here for 20 years.

His career was one performed on a high level for many thousands of Philadelphians and Americans. A career that in 20 years knew no days of slack performance. He is a Congressman's Congressman. He was a constituent's Congressman, as those who saw him during the thousands of hours of service can tell you.

He was for many years a chairman of an Armed Services Subcommittee. He served on three subcommittees of the Committee on Merchant Marine and Fisheries.

The Merchant Marine Committee was vital to the interests of the Port of Philadelphia, as vital as his service on the Armed Services Committee was to the maintenance of the Philadelphia Naval Yard's role in our national defense effort.

What the American people do not realize is that Cabinet officers and executive officials are much like Christmas help. They come and go and it is the Congress that plays a great role in making national policy. Congressman BYRNE played a great but unsung role in such policy.

I know him as a companion in arms in many bitter battles including the fight for civil rights.

As a friend, I will miss his daily friendship and companionship here in the House of Representatives.

But, I know all of us will be reminded from day to day that we have gained the most knowledgeable constituent in the United States.

His career has entered a new phase. Ours will, too, as we learn of things we can do for Philadelphia from one of Philadelphia's most illustrious sons, the Honorable JAMES ALOYSIUS BYRNE. We may have lost a Congressman, but we have gained a constituent.

This is not necessarily a sad occasion because he will go on serving his city through the Democratic Party. His career has covered many miles and many turns, as a businessman, Federal Marshal, State and local official and 20 years as a Congressman.

I look forward to his friendship, to working with him for Philadelphia's great future and the future of the United States in Philadelphia. I will merely say goodby and hello to my old friend and say that the Congress and two of its major committees have lost a great deal, while Philadelphia will gain in his more concentrated service in the future.

Mr. DENT. Mr. Speaker, I appreciate this opportunity to join with my colleagues and particularly with my fellow Pennsylvanians in paying tribute to JIMMY BYRNE. As this is perhaps the last day we have to serve with him here on the floor of the House, it is a sad occasion—especially since he is my close personal friend.

However, as Congress grinds on in its usual preadjournment melee, I realize that JIMMY may actually be happy to be passing on to calmer and happier personal pursuits. I know that our loss will be the gain of his family and friends in Philadelphia, and we certainly wish him every success.

I have served with JIMMY BYRNE since the first day I came to Congress. I appreciated his guidance during my days as a freshman and have continued to rely on him for exchanging ideas which have guided my thinking on many issues. I will sorely miss his counsel and the fine rapport we have enjoyed.

JIMMY has been a fine legislator and a man of character and guts such as we Pennsylvanians are proud to claim as native sons. He has left the kind of mark on the House which will make it hard to follow in his footsteps.

Keep in touch, JIM, we need you and will miss you.

Mr. GAYDOS. Mr. Speaker, I feel specially privileged today, to have an opportunity to express my sincere feelings regarding my colleague and personal friend, JAMES A. BYRNE of Philadelphia. One of the first Members of Congress I had the pleasure of meeting on the floor of the House was JAMES BYRNE, who, incidently, considerately introduced himself to me, the new Member. This gesture is typical of JIM BYRNE's consideration and compassion for his colleagues in the House and for people generally. His constituents, I know, have long recognized this great quality of real feeling and concern of his fellow man.

JIM BYRNE was a tireless worker and made meaningful and effective contributions to the Pennsylvania delegation in its attempt to represent all of Pennsylvania in a myriad of problems common to all of Pennsylvania. His presence will be sorely missed by all of his friends and in particular by the Pennsylvania delegation. I join with all of JIM's friends in wishing him Godspeed and many years of health and happiness in and during his retirement years.

Mr. ROONEY of Pennsylvania. Mr. Speaker, JAMES A. BYRNE, a dear friend and colleague of the Pennsylvania delegation will retire at the end of the 92d Congress. With JIMMY's retirement the House will lose one of its finest Members.

We will miss JIMMY for many reasons; for his wit, for his kindness and for his counsel. If ever there was a Member's Member then JIMMY is that man.

JIMMY is always concerned with everyone's problems, the Members, the officers and the employees who love him dearly. He was always there when you needed him.

As a dedicated member of the House Armed Services Committee, JIMMY served during the trying times of the Vietnam conflict, always concerned with his country and his fellowman. As a member of the Merchant Marine and Fisheries Committee, JIMMY lead many fights for the merchant seaman and their welfare. Always for equity for all.

I wish JIM and his lovely wife Virginia the very best. May God bless them.

Mr. BARRETT. Mr. Speaker, I am most pleased to have this opportunity to join in paying tribute and expressing my high esteem for my dear friend and colleague, Congressman JAMES A. BYRNE from Philadelphia.

Let me say that I have known JIMMY BYRNE for many, many years. He is a man, known for his veracity and rectitude. He has spent many years serving the people of his district. He has been close to them, understanding their problems and concerns. JIMMY has served the city of Philadelphia, the State of Pennsylvania and this Nation for more than just the two decades that he has been a Member of this House.

Although JIMMY leaves the Halls of Congress, I do not think he will leave the field of public service. He is one of Philadelphia's outstanding ward leaders.

His guidance and counsel have always been of great value and I am sure will continue to be so.

We will miss him here, his wit, his humor and his charm as well as his advice and assistance.

Of JIMMY BYRNE it can be said that to know him is but to love him.

Mr. EILBERG. Mr. Speaker, for 20 years the Third Congressional District of Pennsylvania, as well as the city of Philadelphia, has been represented in Congress by a dedicated and able servant—the Honorable JAMES A. BYRNE. It is a privilege to join in a salute to this much beloved gentleman.

During his years in Congress JIMMY BYRNE has served with distinction as a member of the House Committee on Armed Services, as well as the House Committee on Merchant Marine and Fisheries. His vast knowledge of military matters has been of infinite value to our city and to our Nation.

However, JIMMY BYRNE's greatest contribution has been the outstanding service he provided his constituents. During his term in office the people of his district always knew they had a hardworking friend in Washington. He did much for many.

I am proud to have served with JIMMY BYRNE and wish him and his lovely wife, Virginia, all the best.

Mr. BENNETT. Mr. Speaker, I rise in praise for our beloved colleague JAMES BYRNE. I have had the honor of serving with him on the Armed Services Committee for many years and it has been indeed a pleasure and an inspiration. He has always been a man full of compassion for the serviceman and a strong supporter of what our country has needed in its defense. Yet he has never failed to be on the side of economy when it could be secured without imperiling our national security. Our country owes him much; and I wish for him and his lovely wife every happiness in their retirement.

Mr. CLARK. Mr. Speaker, I want to join with my colleagues in paying tribute to JAMES A. BYRNE. Those of us who have worked so closely with him will remember him for his leadership, dedication, understanding, and most of all, friendship. I have always admired his down-to-earth approach. His service, not only to the people in Pennsylvania, but to so many throughout the entire country, will not be forgotten. To you, JIMMY, my warmest wishes for the best in health, happiness and memories.

Mr. MOORHEAD. Mr. Speaker, it is always difficult to say goodbye to your colleagues who are retiring, or otherwise, finishing their congressional careers. It is doubly hard when that person is a member of your State delegation and a friend. Such a man is JIMMY BYRNE.

I've known JIMMY ever since I came to Congress 14 years ago. He has been a good friend and an able adviser.

He has served the people of Philadelphia in an able and efficient manner.

I know of no man who loves this body more and has more respect for the institutions of government than JIMMY BYRNE.

His service on the Armed Services Committee was marked by dedication and concern for the magnitude of the issues which that committee handled daily.

I will miss JIMMY BYRNE and I know his friends on the Pennsylvania Delegation and throughout the House will miss him too.

I am sure that when he returns to his native Philadelphia, he will find the relaxation and contentment that he so richly deserves.

H.R. 17072—A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954 TO ALLOW A CREDIT AGAINST THE INDIVIDUAL INCOME TAX FOR TUITION PAID FOR THE ELEMENTARY OR SECONDARY EDUCATION OF DEPENDENTS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. CAREY) is recognized for 5 minutes.

Mr. CAREY of New York. Mr. Speaker, I am taking this special order along with other cosponsors of H.R. 17072 (Mr. BYRNES of Wisconsin and Mr. BURKE of Massachusetts) in order to provide a detailed analysis of this important legislation.

This is an analysis of the bill as it has been acted upon by the Ways and Means Committee. I think it important that Members have the opportunity to carefully consider this analysis in advance of the 93d Congress. In this way we hope to insure that H.R. 17072 be one of the first items for consideration in the new Congress, and that its prompt passage be assured.

Mr. Speaker, I request unanimous consent that the analysis of H.R. 17072 be included at this point in the RECORD.

I. SUMMARY

The purpose of the bill is to provide tax relief to low- and middle-income parents who bear increasingly severe financial costs of educating their children in nonpublic elementary and secondary schools. If this relief is not provided for these parents, it is probable that many of them will be forced to stop sending their children to nonpublic schools, substantially eliminating the benefits received from these schools, and increasing school costs for taxpayers generally.

The bill provides an individual income tax credit for tuition paid by parents (or certain other persons who support schoolchildren) for the elementary and secondary education of their children. The credit is 50 percent of tuition paid up to a maximum credit of $200 per year for each child. The total credit available is reduced by $1 for every additional $20 of the parents' total adjusted gross income over $18,000. To qualify for the credit, tuition must be paid to a school that meets specified standards, and the children must be full-time students as defined in the bill.

II. REASONS FOR THE BILL

Many low- and middle-income parents who now send their children to nonpublic schools bear a very heavy financial burden. The cost of this education has increased substantially in recent years, and it is expected that this increase will continue. At the same time, the cost of public schools also is rising substantially, and taxes keep increasing to meet these cost increases. As a result, nonpublic school parents must pay for the increased costs of both public and nonpublic schools, even though they relieve the public school of the cost of educating their children. For many of these parents, this financial burden is becoming too great and this undoubtedly is an important factor in accounting for the declining enrollments of many nonpublic schools and in the closing of many of them. The school closings prevent those families that are able to pay from providing their children with nonpublic school education.

Nonpublic schools represent an integral part of our society. Nonpublic schools provide a diversity of choice, and also healthy competition for public education. They provide the means for a number of Americans to express themselves socially, ethnically and culturally through educational institutions, and they provide stability to urban neighborhoods by giving parents important reasons to stay in the cities. Through diversity and innovation in education, these schools stimulate other schools to higher quality. Finally, nonpublic schools relieve the public school system, and thus all taxpayers supporting public schools, of very substantial costs. It has been estimated that the costs of the taxpayers which would arise from the closing of nonpublic schools would be great.[1]

A key to the diversity and competition of nonpublic schools is that they are sustained by the voluntary actions of parents and others. Individual initiative has formed and maintained the unique quality of nonpublic schools, and it is important that this basis of support be maintained. As a result it has been concluded that any Government assistance given should be in a form which reinforces these voluntary actions. Moreover, historically, the Federal Government has encouraged and assisted individuals who support education by relieving them of part of their Federal income tax. Since 1917, the Federal income tax laws have allowed taxpayers a deduction from taxable income for amounts given to nonprofit educational institutions.

Two commonly accepted methods for easing tax burdens are allowing a deduction for income subject to tax or allowing a deduction for the tax itself (that is, a tax credit). As noted above, the charitable contributions deduction encourages voluntary support of education. Recently, voluntary contributions to political campaigns have been encouraged with the alternatives of a credit or a deduction. The retirement income credit has been used to aid the elderly with relatively low incomes.

It was concluded that in the present situation the credit is the best solution. A credit against tax gives more assistance than a deduction to lower- and middle-income taxpayers who bear the greatest relative financial burden in sending their children to nonpublic schools. This is true because a deduction usually would be available only to those taxpayers who itemize their deductions and these generally are higher-income taxpayers. In addition, because of the progressive rate schedule, a deduction provides the greatest dollar benefit to higher income taxpayers, while a tax credit provides the same dollar benefit to all taxpayers.

It was also concluded that a credit for tuition best serves its purposes when it is a credit for only a proportion of the tuition paid. Th 50-percent credit provided by this bill insures that the educatonal institution must rely on substantial voluntary support, since with a credit on this basis each parent must use his own funds to a substantial extent if he is to send his child to a nonpublic school. If the school does not meet an important need, parents will not spend their own funds for this purpose and the school must improve or close. Also, with the percentage credit, in many situations there will be pressure on the schools not to increase tuition any more than necessary since the parents may be unable to absorb the whole increase through the tax credit. Furthermore, in the case of parents who send their children to religiously affiliated schools, the 50-percent credit also ensures that government does not subsidize sectarian education, since secular education clearly is more than half of the education received in such schools. Finally, the percentage credit ensures that the credit will remain a tax benefit to the parent and not become a payment by the Government to the schools.

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[1] The President's Commission on School Finance estimated that public school operating costs would increase from $1.3 million to $3.2 billion, and capital costs from $4.7 to $10 billion. President's Commission on School Finance, "Schools, People, and Money," p. 55 (1972).

The bill limits the maximum credit for tuition to $200 per year per child, in order to minimize the assistance given to parents who send their children to high cost, private schools. The reduction of the credit where taxpayers have adjusted gross income over $18,000 limits still further the tuition assistance for higher income taxpayers. The greater financial burden on parents with several children in school is recognized in this limitation, however, by reducing the aggregate credit available to a taxpayer, rather than the credit per child.

The schools to which tuition is paid must be nonprofit, tax-exempt institutions (referred to in secs. 170(b)(1)(A)(ii) and 501(c)(3) of the code). This requirement follows existing law. For many years, the income tax laws have provided that for tax benefits to be available to schools (and their contributors) these standards must be met. Moreover, by requiring the qualified nonpublic schools to meet these requirements of the tax law, no payment to a school that discriminates on the basis of race will qualify for the credit.

For the credit to be available, the school to which the tuition is paid must satisfy State compulsory education requirements. This means that the parents will receive the tax benefit only if the school they choose meets established and accepted standards of educational quality and curriculum.

This provision has been carefully considered from the standpoint of the requirement of the First Amendment that Congress shall make no law respecting an establishment of religion. The issue arises, of course, because a substantial percentage of nonpublic school students attend religiously affiliated schools. It is believed that the bill does not in any way violate this amendment. This view is based on an analysis of the court cases dealing with this amendment.

The Supreme Court has ruled that Government assistance to parents for the education of their children is valid even though the children attend religiously affiliated schools and even though the schools may indirectly or collaterally benefit from this assistance (*Everson* v. *Board of Education*, 330 U.S. 1 (1947); *Board of Education* v. *Allen*, 392 U.S. 236 (1968)). Moreover, the Supreme Court has ruled that Government may give tax relief to religious institutions in connection with the conduct of their religious activities. (*Walz* v. *Tax Commission*, 397 U.S. 664 (1970)). It is believed that these decisions make it clear that the Government may give tax relief to parents who send their children to religiously affiliated schools, whether or not the relief may indirectly benefit the schools. Moreover, by limiting the credit to 50 percent, the bill only assists parents in paying for secular education, and not in paying for religious education.

Furthermore, since 1917, the tax laws have given relief through deductions to persons who support nonprofit educational institutions, whether or not these schools are religiously affiliated. This tax relief has never been questioned by the courts. The credit is only a variation of this established and accepted type of tax relief.

There are only two court decisions (both by lower courts) which have squarely addressed the question of the constitutionality of tax benefits to parents whose children attend nonpublic school. In both cases, the courts held that a tax benefit of this type was constitutional and did not violate the First Amendment to the U.S. Constitution.[2]

Even though it is believed that the bill is constitutional, because of the questions which are likely to be raised, the bill provides for expedited court review of the constitutionality of the tax credit.

III. GENERAL EXPLANATION

As indicated above, it is important to relieve parents of some of the costs of providing secular education for their children in nonpublic schools. To provide relief, the bill (new sec. 42(a) of the code) allows an individual a credit against income tax for the tuition he pays to a private, nonprofit school for the elementary or secondary education of a full-time student who is a dependent of the individual.

Amount of Credit (*sec. 42(b)(1)*)

The credit allowed under this provision for each is to be 50 percent of the amount of the tuition paid during the taxable year for his education but in no case more than $200. To be eligible for the credit, the amounts must be paid for the elementary or secondary education of a dependent who is a full-time student for a school year. In addition, these amounts must be paid in a taxable year in which the dependent's school year begins or ends. Under the bill, to qualify as full time during a school year, an elementary or secondary student must be a student at one or more private, nonprofit elementary or secondary schools during each of 5 calendar months during the school year (sec. 42(c)(5)). The term "school year" is defined as a one-year period beginning July 1 and ending June 30 (sec. 42(c)(4)).

To limit the amount of the credit to $200 in any one school year, the bill provides that only $400 of tuition is to be taken into account with respect to any one school year. The operation of this provision may be illustrated by the following example. T, an individual who is a calendar year taxpayer paid $1,000 tuition for the nonpublic secondary education of his dependent son, B, in the school year beginning July 1, 1973, and ending June 30, 1974. T paid $500 of this total amount in September, 1973, and the remaining $500 in January, 1974. Since only $400 of tuition may be taken into account during any one school year, the maximum credit T is entitled to for B's school year 1973–74 is $200, even though T made payments in 2 different taxable years. Therefore, if T elects to take a $200 credit (as described below) for taxable year 1973, he cannot take a credit for taxable year 1974 with respect to the amount paid in January, 1974.

The credit is available only to a person who pays the tuition in question. Therefore, where a person is only a conduit, being reimbursed for tuition payment by grant or scholarship or similar gift, he is not entitled to a credit.

Reduction in Credit as Adjusted Gross Income Increases (*sec. 42 (b)(2)*)

To avoid giving unnecessary tax benefits to parents with adjusted gross incomes over $18,000 the bill provides for a reduction in the amount of the credit as the adjusted gross income of a taxpayer (and his spouse) increases. Marital status is to be determined under the rules provided in section 143 of the code. The amount of the tax credit is reduced by $1 for every $20 of adjusted gross income of a taxpayer (and his spouse) over $18,000. Under this provision, the aggregate credit available to a taxpayer is reduced, not the credit per child, thereby recognizing the fact that the more children a family has in nonpublic schools the more burdensome is the cost of education to his family. The following table illustrates the effect of this phaseout for various adjusted gross incomes over $18,000.

Adjusted gross income:	*Reduction in credit*
$18,000	0
19,000	$50
20,000	100
21,000	150
22,000 [1]	200
26,000 [2]	400
30,000 [3]	600

[1] Level at which maximum tax credit is eliminated for 1 dependent.

[2] Level at which maximum tax credit is eliminated for 2 dependents.

[3] Level at which maximum tax credit is eliminated for 3 dependents.

Definition of Private, Nonprofit Elementary or Secondary Schools (*sec 42(c)(2)*)

To qualify under the bill as a private, nonprofit elementary or secondary school, a school must meet certain criteria. First, the school must be an educational institution (described in sec. 501(c)(3) and sec. 170(b)(1)(A)(ii) of the code) and also exempt from tax (under sec. 501(a)). No school can meet these tests unless it has a racially nondiscriminatory policy and also is "not part of a system of schools operated on a racially segregated basis as an alternative to white students seeking to avoid desegregated public schools."[3] It is intended that a school which is integrally a part of a church or other tax-exempt organization must meet these requirements to the same extent as a tax-exempt school that is organized or operated as a separate entity. It is expected that the Internal Revenue Service will apply the same policy regarding racial discrimination to all schools, whether or not separately organized or operated.

Second, the school must regularly offer education at the elementary or secondary level. Third, the school must satisfy the compulsory education laws of the State with respect to students attending the school who are subject to these laws. However, a student need not be subject to the compulsory education requirements in order for tuition expenses in his case to qualify for the credit (for example, he may be over age 16 in a State where compulsory school attendance is required only to age 16). However, for those students who are subject to compulsory education requirements, the school must satisfy the requirements in their case.

Definition of Elementary and Secondary Education (*sec. 42(c)(3)*)

The bill in using the term "elementary or secondary education" means education beginning at the first grade level and continuing through the 12th grade level. The term does not include kindergarten, nursery, or similar preschool training. It also does not include special courses or attendance at a Sunday school class or retreat or weekend or afternoon religious training, or other similar ancillary activities connected with a nonpublic school. As a consequence of the requirement that a student be full-time, tuition paid for dependents who attend only summer school in nonpublic schools will not qualify for the credit. In the case of special education for individuals who are mentally or physically handicapped, the credit is to be allowed to the extent this education serves as a substitute for elementary or secondary education.

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[2] *Committee for Public Education and Religious Liberty* v. *Nyquist*, — F. Supp. — (No. 72 Civ. 2286) (S.D. NY, October 2, 1972), and *Minnesota Civil Liberties Union* v *Minnesota* (Nos. 379526 and 380252) (Dist. Ct., 2d Judicial Dist., Ramsey Co., Minn., July 6, 1972).

[3] Rev. Rul. 71-447, 1971-2 C.B. 230: *Green* v. *Kennedy*, 309 F. Supp. 1127 (DDC, 1970); and *Green* v. *Connally*, 330 F. Supp. 1150 (D.D.C., 1970), aff'd, sub. nom *Coit* v. *Green*, 404 U.S. 997 (1971)

Definition of Tuition (sec. 42(c)(1))

It was recognized that administrative problems could arise if a credit were allowed for "fees" paid to an elementary or secondary school. Often, schools may not issue detailed receipts for minor amounts paid, and an audit of these claimed fees may lead to unnecessary disputes with the Internal Revenue Service. Moreover, in many cases similar fees are charged at public schools and no deductions are to be allowed in these cases.

As a result, the bill provides that tuition includes any amount required for the enrollment or attendance of a pupil in a private, non-profit elementary or secondary school but does not include any amount paid directly or indirectly for meals, lodging, transportation, supplies, equipment, clothing, or other personal or family expenses. The treatment of tuition under the bill is not intended to have any bearing on whether tuition is a personal or family expense under any other section of the code. Items such as admission fees to attend extracurricular activities, such as sporting events, are intended to be excluded. Where the amount paid for tuition is not separately stated and includes an amount for any excluded item, the Secretary of the Treasury or his delegate is to prescribe regulations for the determination of that portion of the total amount which is attributable to tuition and that portion which is attributable to those items for which a credit it not allowed.

Application of Credit with Other Deductions (sec. 42(e))

It was recognized that in some cases (in the absence of this provision) a payment might qualify for both the tuition credit and a deduction. For example, amounts which qualify for the tuition credit may also qualify as medical expense deductions (sec. 213) or as child care deductions (sec. 214.) To prevent a taxpayer from receiving a double benefit for these payments, the bill provides that any amount taken into account for purposes of the tuition credit is not to be taken into account in determining whether a taxpayer is entitled to a deduction. However, to provide the maximum benefit with respect to these payments, the bill provides for an election, with respect to the tax credit. For example, a taxpayer pays $1,000 during a taxable year for the special schooling of a handicapped child and this amount would otherwise qualify both for the tuition credit and the medical expense deduction (sec. 213); if the taxpayer elects to take advantage of the credit, $400 of this amount cannot be taken into account for the medical expense deduction, whether or not the credit is reduced because the taxpayer's adjusted gross income is over $18,000. It is intended that this election be reflected by whether the taxpayer claims an amount as a credit for tuition or as a deduction on his individual tax return. It also is intended that the taxpayer will be permitted to change this election at any time during the period for which the statute of limitations for his return remains open.

Application With Other Credits and Regulatory Authority (sec. 42 (d) and *(f)*)

Under the bill, the credit for tuition is not to exceed the amount of an individual's tax liability in a taxable year reduced by the sum of most credits allowable under the individual income tax laws (allowable under subchapter A of the code). The tuition credit will not, however, be reduced by the credit for taxes withheld on wages (sec. 31) and the credit for certain uses of gasoline, special fuels and lubricating oil (sec. 39). However, the tuition credit may not offset an individual's tax liability for the minimum tax (sec. 56).

The bill provides that the Secretary of the Treasury or his delegate is to prescribe regulations necessary to carry out the provisions of this bill.

Examination of Books and Records (sec. 7605(d))

A provision was added to the bill to give assurance that there would be no unnecessary interference with the activities of a church or association of churches where a school is operated in conjunction with it. As a result, the bill provides that the books and records of a school operated in conjunction with a church may be examined by the Internal Revenue Service only to the extent necessary to determine that the school is an exempt educational institution, regularly offers education at the elementary or secondary level and satisfies any State compulsory education laws. In all other respects, the burden then is upon the taxpayer to prove that he is eligible for the tax credit. It is his responsibility, for example, to establish the amount paid and that this amount was paid for tuition, in the same manner as is provided under present law, in verifying charitable contribution deductions.

Judicial Review (*sec. 2 of the bill*)

Although it is believed that the provisions of this bill are valid legislation under the Constitution, in order to resolve any questions that may arise, the bill provides for expeditious disposition of legal proceedings brought with respect to these provisions. Notwithstanding any other law or rule of law, proceedings to test the constitutionality of this provision may be commenced by any taxpayer of the United States in U.S. District Court for the District of Columbia within the 3-month period beginning on the date of enactment. Proceedings under this bill may, at the discretion of the court, be consolidated into a single proceeding.

A three-judge district court is to have jurisdiction over any case brought under this provision and is to hear the case at the earliest practicable date, without regard to whether the taxpayer who brought the action has exhausted any administrative or other remedies provided by law. Any appeal from decisions of the three-judge district court is to go directly to the Supreme Court. It is intended that this provision for expedited judicial review is to be an additional remedy, and that all remedies under present law remain available whether during or after the 3-month period.

Effective Date (*sec. 1(d) of the bill*)

It was concluded that the credit should first be made available for amounts paid at the beginning of the usual school year, rather than the beginning of the calendar year. This will avoid the unequal treatment of parents who prepaid tuition before December 31 (and therefore would receive no benefit) and those who paid after December 31 and therefore would receive the maximum benefit. As a result, it was provided that the tuition credit is to apply to amounts paid on or after August 1, 1973, and only for school periods beginning on or after this date.

Revenue Effect

It is estimated that the bill will reduce Federal income tax liability annually by $362 million at estimated enrollment and tuition levels for school year 1972-73.

FOREIGN SERVICE GRIEVANCE SYSTEM

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 10 minutes.

Mr. FRASER. Mr. Speaker, on October 15 Secretary of State Rogers said in response to a question on ABC's "Issues and Answers" that the State Department has "the best grievance system for employees in the Government" and that the morale of its employees is high. These statements simply do not square with numerous reports I have received on current Foreign Service attitudes, or with my own conversations with Foreign Service personnel. In fact, employee representative organizations in the State Department have been trying unsuccessfully for 2 years to convince the State Department, AID, and USIA to institute a fair and independent grievance system for the Foreign Service comparable to the adverse action procedures to which civil service employees in other agencies are entitled.

These procedures for the civil service, authorized by legislation more than 25 years ago, provide for appeals outside the employee's agency on major adverse personnel actions, with the decisions of the appeals board binding on the head of the employee's agency. In legislation introduced during this Congress, Foreign Service personnel are asking for no more than that which was long ago accorded their civil service colleagues. Secretary Rogers has stated:

> We are perfectly prepared to improve our grievance procedures. We have done it in the past year.

But the interim grievance procedures instituted by the State Department provide only for in-house appeals, and decisions of the grievance panel are not binding on the Secretary of State, who may overrule them.

Evidence of unfair personnel action in the Foreign Service is too plentiful for one to dismiss as merely the concoction of a few malcontents. The two major employee organizations at the State Department, AID and USIA—the American Foreign Service Association and the American Federation of Government Employees—have given detailed testimony in both the Senate and the House about the injustices of the present system.

During the coming month, elections are being held among Foreign Service employees to determine which organization will be the exclusive employee representative under the Executive order for employee-management relations in the Foreign Service. After the exclusive representative has been chosen, the Secretary of State will have a new opportunity to prove that the Department is prepared to improve its grievance procedures by negotiating a fair and independent system with its employees. If these negotiations fail, it will be the responsibility of Congress to guarantee due process for the Foreign Service by enacting grievance legislation.

HARRY L. MAGEE

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, northeastern Pennsylvania has lost one of its greatest citizens.

Harry L. Magee of Bloomsburg, Pa., industrial and community leader, philanthropist, pioneer in the carpet manufacturing industry, and respected fellow human being to all who knew him, died recently following an illness.

The story of Harry Magee's life is one that could not be told in this House today. There would not be enough time, and I could not muster adequate words of tribute to this wonderful man who spent his life helping others, in all of his vast undertakings.

His career began as a boy working in the mills of the Magee Carpet Co. in Bloomsburg, which was founded by his father. After finishing school he devoted his energies to making the Magee Carpet Co. one of the Nation's leading rug manufacturing firms. He became president on the death of his founder father, and spearheaded an industrial expansion that made the name "Magee" synonymous with quality carpeting, and the family name "Magee" one to be identified with leadership in all walks of life.

Harry Magee was a civil official, an industrial official, a banking official, business leader, the moving force behind a radio station, who literally gave to his community a portion of all that he owned so that life in Columbia County, Pa., could be even better for those who live there.

He retired as president of the Magee Carpet Co. in 1966, but remained as an active leader in the company, as board chairman, always concerned with the needs of his employees, his neighbors, and his associates. His son, Jim, became company president, and has since carried on the fine tradition of Magee family leadership.

There have been many tributes to Harry L. Magee, but perhaps the finest tribute which lasts is the proud memory which will be forever held by those who knew him and those for whom he was an inspiration.

Mr. Speaker, I present to the House the obituary on Mr. Magee, a valued friend whom I have lost, which appeared in the Berwick Enterprise:

Harry L. Magee, Area Leader Dies

> Harry L. Magee, one of the leading industrialists of Central Pennsylvania, passed away at the Bloomsburg Hospital early Monday morning. He had been ill for some time.
>
> Mr. Magee was the son of the founder of The Magee Carpet Company, and was well known for his active participation in community affairs and philanthropies, in addition to the leadership in management of the company.
>
> Mr. Magee was born in Bloomsburg, on May 31, 1901, and was the son of James II, and Ella G. Magee.
>
> He secured his grade school education in the Bloomsburg Public Schools and was graduated from the Bloomsburg High School Class of 1920. While attending high school he started working at The Magee Carpet Company during the summers, and the Company records indicate his initial date of employment was July 1, 1916. Following graduation from high school he attended Dickinson College, and began his full-time employment in the plant in 1920. In February of 1940 he became President and Treasurer of the Company, a position he held until February of 1961 when he was named Chairman of the Board. Because of mandatory policy, Mr. Magee retired as Chairman of the Board. * * * He continued to serve as a member of the Board of Directors, Executive Committee and Advisory Committee until the time of his death.
>
> Mr. Magee's philosophy which contributed much to the Company's success may be summed up when he said, "In everything we do we must find a better way. Our Company must be a better, more secure one for which to work, we must be a better neighbor in our community, give excellent service to our customers, and we must continue to justify the faith our stockholders have in us."
>
> Harry Magee was appointed to the Bloomsburg Town Council which he served for several years; he also served for six years as a member of the Board of Education. In 1930 he deeded the James Magee Memorial Park to the Town of Bloomsburg. This property is located on West Main Street and was developed by Harry Magee with the installation of lights and sidewalks.
>
> He was instrumental in the formation of Radio Station WHLM, AM-FM, which has served the local area since 1946.
>
> During his business career, Mr. Magee also held the Presidency of the Bloomsburg Amusement Company, the James Magee Webbing Company, the Leader Store Company, who operated the Leader Store, Hotel Magee, and Coffee House, and directorship with the Farmers National Bank, Bloomsburg Bank-Columbia Trust Company, and the Bloomsburg Hospital. At the time the new hospital was built, he gave substantial financial support and again when the new wing was erected a number of years ago. He continued as a major supporter of this institution throughout his lifetime.
>
> Mr. Magee was an active member of the Bloomsburg Municipal Authority since its inception, and a director of the Bloomsburg Water Company. He was active in the Bloomsburg Rotary Club for many years, club president in 1939, and an honorary member at the time of his death. He also held membership with the Union League of Philadelphia, the Elks, and was a 33 degree Mason. He was a member of the following Masonic organizations: Washington Lodge F. & A.M. Chapter, Commandery, Mt. Moriah Council-Royal and Select Master Masons, Caldwell Consistory, Irem Temple Shrine.
>
> He was the organizer of the Bloomsburg Flying Club in 1931. This non-profit organization was conceived by Mr. Magee, a licensed pilot, and he subsequently purchased the Hendershott Farm on the banks of the Susquehanna. This site was developed into one of the finest aviation facilities in those early days of aviation in Pennsylvania. He operated the airport under the name of Columbia Airways for a number of years before making the site available to the Town of Bloomsburg.
>
> Down through the years he also operated the following businesses which are not in operation at present: Magee Garage, Magee Sales, Magee Oil Service. He had also operated four farms, devoted for the most part to the raising of Angus cattle.
>
> In April 1959, Mr. Magee received the Silver Beaver Award from the Boy Scouts of America in recognition of a long period of years as a booster of scouting in the Columbia-Monotur Council.
>
> For the last several years he has served as an active member of the Northeastern Area Anti-Pollution Committee.
>
> He was active in the Republican Party both locally and statewide, and for a number of years served as Finance Chairman of the Columbia County G.O.P.
>
> Following his retirement from active management of The Magee Carpet Company, he devoted his time and energies to the developing of the Magee Museum on West Main Street and the Magee Transportation Museum on the Millville Road, both museums being continually developed and growing in popularity with the local people and tourists coming into Pennsylvania. Both Museums were extensively damaged in the June floods that were caused by Hurricane Agnes.
>
> In more recent years, he has devoted much of his time to organizing the Magee Industrial Enterprises, Inc., a holding company, and served as Chairman of its Board.
>
> He was a member of the Wesley United Methodist Church, a steward for many years, and more recently an honorary steward.
>
> He is survived by his wife, Alice, and two children, Joanne M. Katerman and James A. Magee, who now serves as President of The Magee Carpet Company. He is also survived by six grandchildren.
>
> Funeral services will be held Wednesday afternoon at 2 o'clock from the Wesley United Methodist Church of Bloomsburg. Dr. Frank Ake will officiate. Burial will be made in New Rosemont Cemetery.

HON. DURWARD G. HALL AND HON. W. R. HULL, JR.

The SPEAKER. Under a previous order of the House, the gentleman from Missouri (Mr. Hungate) is recognized for 30 minutes.

Mr. HUNGATE. Mr. Speaker. I requested this special order to pay tribute to two of our distinguished colleagues who are retiring at the close of this Congress. W. R. "Bill" Hull, Jr., of Missouri's Sixth District, and Durward G. "Doc" Hall, of Missouri's Seventh District, have served Missouri and the Nation well. They have continued the fine tradition of great public servants from the State of Missouri.

Bill Hull has served in Congress for 18 years, and his record of dedication and outstanding service has earned him high regard and respect from his colleagues, and the citizens of the Sixth District he has represented so well. Bill Hull is a fine statesman; his friendliness and friendship, and sense of justice will be sorely missed in the Halls of Congress.

"Doc" Hall has served southwest Missouri for 12 years with forcefulness and deep concern for his district, State, and county. He has had the distinction in recent years of being the only Republican representing Missouri in Congress. This distinction reflects his independence and the high regard his colleagues from both parties and his constituency have for him.

We Missourians are justly proud of these two colleagues and wish them well in the years ahead.

Several of our colleagues have asked to join in his tribute and their remarks follow.

Mr. FLYNT. Mr. Speaker, it is with regret that I join our colleagues in paying tribute to the two distinguished gentlemen from Missouri, W. R. Hull, Jr., and DURWARD G. HALL, who are retiring at the close of the 92d Congress.

One of the rewarding aspects of my service in the U.S. Congress has been the privilege of association and friendship with these two gentlemen. As colleagues, they have earned my highest esteem and respect, so it is only natural that their presence will be missed in the 93d Congress.

Each has to his credit an outstanding record for which he can reflect upon with pride and satisfaction. Both have served their districts, Missouri, and our country untiringly and unselfishly and with honor and distinction.

BILL, in his work on the Appropriations Committee, and DURWARD, in his work on the Armed Services Committee and the Joint Committee on the Organization of Congress, have performed every task posed them with excellence. Their service to the Congress has always been marked with the dignity and dedication which is characteristic of them.

Their retirement is well deserved, but we shall miss them. Mrs. Flynt and I join with the people of Missouri in wishing both BILL and DURWARD every good wish for many rewarding and pleasant years ahead as they return to their homes.

Mr. RARICK. Mr. Speaker, it is with great sadness that I join our colleagues in paying tribute to the distinguished gentleman from Missouri, Dr. DURWARD HALL—the watchdog of the House.

I know of no more capable legislator, no one better informed about legislation that has come before the House. Too often—in the press of day-to-day business—we fall into the habit of relying on others for facts about bills under debate. This was never the case with "Doc" HALL; he always knew what was in the bill and never failed to object to provisions in the legislation which he felt were detrimental to the best interests of the American people.

It is fitting that we should pause here in the rush to adjourn and to consider the accomplishments of this man from Missouri. He was never one to yield to the pressures of expediency and always insisted on reason and deliberate speed. He took his job seriously and expected other Members to do likewise.

Words cannot express my gratitude for the honor of this friendship and for the privilege of having served with him. The Nation's debt to him is great. His character and attitude toward his job—everything about him—reflect what is truly great about America. It is the Nation's loss that he has chosen not to seek reelection at the end of this Congress. "Doc" has performed a yeoman's job for his people and our country.

Mrs. Rarick and I join with the people of the Sixth District of Louisiana in wishing "Doc" HALL the best of health and happiness during his every future endeavor.

Mr. HULL. Mr. Speaker, this year there are many good men retiring after years of service in Congress. Though they all deserve special recognition for their labors, a few can be singled out for truly exceptional work. DURWARD G. HALL is one such Congressman who warrants words of highest praise and honor. A look at his record demonstrates his concern for the welfare of his constituents. Surely there can be no greater tribute to him that the overwhelming affection he enjoys from the people of the Seventh District of Missouri.

From my personal viewpoint, it has been both my pleasure and honor to have served with him as a Congressman from Missouri. As a member of the same delegation, I have had the good fortune to be closely associated with him and to be able to consider myself his "good friend." Though his retirement is a loss to all who support honest, good government, I am certain he will continue to offer us the benefit of his wisdom and experience. So it is without reservation that I take this opportunity to extend this salute to "Doc" HALL as a sign of my personal thanks and sincere appreciation for his many contributions to Missouri and the Nation.

Mr. ANDERSON of Illinois. Mr Speaker, next year, the call of the consent calendar will be different. Objections from the right side of the aisle will evoke nostalgia. An oft anticipated opportunity for witty repartee will be gone. The 93d Congress, bereft of the now familiar and demanding voice of "Doc" HALL will proceed with business, but the "show me" quality will be missing.

DURWARD G. HALL, the nemesis of the first and third Mondays of each month is retiring and I for one am saddened at his departure.

DURWARD G. HALL and I came to the Congress together, he a doctor, me a lawyer. Ever since that opening session, "Doc" HALL has been objecting to things I wanted to do. Early I chafed. Now I know he was merely practicing his professional calling—looking out for my health, procedurally, however, rather than medically. That is the only service I have received from one of the medical profession that has not cost me. In fact, it has on occasion, benefited me "Doc" HALL's three masters: his constituency, his party, and his country have benefited. Indeed, his colleagues in the House of Representatives have benefited. "Doc" HALL's attention to duty and to detail, to fairness and to equity are part of what made his service during these past 12 years truly exemplary. I, and I am sure I speak for my colleagues on both sides of the aisle, wish our friend and colleague well in his retirement.

Mr. SIKES. Mr. Speaker, I want to join our colleagues today in paying tribute to the distinguished gentleman from Missouri, Dr. DURWARD HALL—the watchdog of the House. I know of no more capable legislator, no one better informed about legislation. He took his job seriously and he expected his colleagues to do the same. He always knew the content of the bill under consideration by the House and he never failed to object to provisions in the legislation which he felt were detrimental to the best interests of the American people.

It has been an honor and a privilege for me to serve with "Doc" HALL. He is one of the hardest working Members of the House of Representatives and I admire and respect him for his tireless efforts dedicated to protecting the interests of our Nation. He is a man of strong conviction and firm resolution. There is never any ambiguity of opinion or wavering of viewpoint—you know by his consistent course of action and decision where he stands on any given issue. He defends his position with veracity and sincerity.

The people of Missouri, and particularly those of the Seventh Congressional District which "Doc" HALL represents, have been fortunate indeed to have such an outstanding Representative in the Congress. I welcome this opportunity to express my personal appreciation for both his friendship and his public service. He will certainly be missed and, although I am very sorry to see him leave the Congress, I join with his many friends in wishing for him many years of good health and happiness in his retirement.

Mr. CLANCY. Mr. Speaker, with a combination of feelings, I bring notice of the departure from the Halls of Congress of our esteemed colleague, DURWARD G. HALL. His leaving is a loss to all of us but we are happy for him in the prospects for a pleasurable retirement.

Doc HALL and I came together to the 87th Congress and we have served side-by-side on the Armed Services Committee. We are members of the same political party and many of our views on national policy are the same. Naturally enough, I consider him to be a good, personal friend.

His contributions to the U.S. Congress have been great the last 12 years. He was one of the most knowledgeable Members on military matters. He was instrumental in the preparation of much of the legislation pertaining to the Department of Defense.

Because of his expertise, we all will miss him and, because we have known him, we wish him great happiness in the retirement which he so richly deserves.

Mr. ASPINALL. Mr. Speaker, I wish to join with my colleagues in paying a most deserved tribute to our colleague, W. R. "BILL" HULL, JR., as he is getting ready to leave his work on Capitol Hill.

I have known BILL HULL ever since he first came to Congress. It has been a pleasing relationship with me. BILL has been a quiet, dedicated, and effective Member of this body. He has represented his people at home most ably as he has worked among us. His pleasing and friendly personality has endeared him to all of us and I especially wish to give my tribute to him at this time.

As he returns to his home, I wish him and his loved ones well in their days ahead. Congress and the people of the Nation generally are his debtors for the service which he has rendered to all.

Mr. Speaker, I have already let our colleague, Dr. DURWARD G. HALL, know by personal letter how much I value and respect his services as he served here on the Hill as a dedicated Member of Congress.

No other Member has paid more attention to the daily activities and operations of our body. It can truly be said that he not only has been the "watchdog" of our actions, but he has been a part of practically everything that has taken place on the floor, especially during his last years among us. He has an outstanding capacity for work. His talents have enabled him to get to the heart of legislative matters with a keen understanding of what is involved.

I not only pay tribute to these qualities of our colleague, "Doc" Hall, but I also wish to give special attention to his dedication to work and attentiveness to his responsibilities. This House, this Congress and the Government of the United States are all the beneficiaries of his courage, his dedication, his understanding, and his knowledge of the work. He is possessed with a keen insight of what he thinks are the necessary ingredients to carry this Nation forward successfully and he has not been afraid to state his position. These are qualities that all of us admire.

Mrs. Aspinall joins with me in wishing for our colleague and his loved ones the best of happiness in the days ahead.

Mr. SPRINGER. Mr. Speaker, when the 93d Congress convenes on January 3 two familiar faces will be missing from the Missouri delegation, those of our good friends, Doc Hall and Bill Hull.

Since first taking his seat in 1961 Doc Hall has become one of the outstanding Members of the House. I believe my colleagues on both sides of the aisle will agree on that. Few Members know the rules and precedents of the House as well as he. As ranking minority member of the joint committee that worked on congressional reform proposals a few years ago, Doc Hall was instrumental in writing the Legislative Reorganization Act of 1970 and some of its best features bear the marks of his careful draftsmanship.

Bill Hull's service in the Congress over the last 18 years also reflects great credit on the people of his great State and of his district. He originally was assigned to the Committee on Public Works and then for a brief time served with me on the Interstate and Foreign Commerce committee. His appointment to the Committee on Appropriations in 1964, succeeding its great chairman and his fellow Missourian, Clarence Cannon, demonstrated the high regard that the Missouri delegation and the House had for Bill Hull.

I wish both these distinguished gentlemen the best of everything in their retirement years.

Mr. HANSEN of Idaho. Mr. Speaker, I am pleased to join today with my colleagues in the House in paying tribute to Durward G. Hall who will be retiring at the end of the 92d Congress.

One of the more rewarding aspects of serving in Congress is the opportunity to meet and associate with outstanding men and women from every part of the United States, and I count it as a rare privilege indeed to have had the pleasure of knowing Doc since I came to Washington 4 years ago. His diligent and scrutinizing attention to legislation is a shining example and a valuable lesson to those who will remain behind and for those who have yet to enter into future sessions of the U.S. Congress.

The entire Nation is deeply in his debt for his long years of devoted service. I know that I voice the sentiments of my colleagues, his constituents and a grateful Nation in expressing the hope that Doc will find, in his retirement years, the enjoyment and personal reward that he has earned by his long and dedicated service.

My wife June joins me in extending to Doc and Bettie our warmest good wishes for continued health and happiness in the years that lie ahead.

Mr. HARVEY. Mr. Speaker, I take pleasure in joining my friend Bill Hungate in saluting two distinguished members of the Missouri congressional delegation who are retiring at the end of this Congress—W. R. "Bill" Hull, Jr., and Durward G. "Doc" Hall.

For the past 2 years, Bill Hull and I have been neighbors in a corridor of the Rayburn Building, about as far away from the floor of the House as you can be and still have an office on Capitol Hill. Often, we have walked the distance together, and in our conversations, I have come to know Bill Hull as a good friend and true gentleman. The people of Missouri's Sixth Congressional District are losing a fine Congressman, and I want to wish Bill Hull all the best in the coming years.

Durward "Doc" Hall and I came to Congress together in 1960, and it is hard to imagine what the House of Representatives will be like without him. His keen eye and quick mind have earned him the well-deserved nickname of the "Watchdog of the House." As one of the few medical men to serve in Congress, "Doc" Hall has protected the interests of his constituents—and all Americans—well. I wish him every success for the future.

Mr. SIKES. Mr. Speaker, I rise at this time to add my voice to those of my colleagues joining in the special order by the gentleman from Missouri on the service of our friend and distinguished colleague, Representative W. R. "Bill" Hull, Jr. Bill Hull, the able and outstanding Representative of Missouri's Sixth Congressional District, who is retiring after 18 years of faithful and dedicated service. I have had ample opportunity to observe this gentleman and have always respected him for his kindly manner and untiring dedication to his constituency and country. He has demonstrated many times not only political courage but a high order of selflessness in service to our Nation. It has been my good fortune to know and serve with him in both the Appropriations Committee and the House of Representatives.

While I know he will be missed by all of the Members of this House, Congressman Hull has earned a well-deserved rest. I wish for him many years of good health and happiness in his retirement.

Mrs. SULLIVAN. Mr. Speaker, it is with mixed feelings that I join in these tributes to two members of the Missouri delegation who are retiring at the end of this Congress—the Honorable William R. Hull, Jr., Democrat, and the Honorable Durward G. Hall, Republican. While I am sorry to see both of them leave the Congress, because they have each enlivened our proceedings and brought unusual talents to the House, I understand the personal reasons which prompted their decisions to retire and I wish them the best of good luck and happiness in the years ahead.

Their names are so similar in spelling and in sound that there is often great difficulty in the House in hearing whether it is Mr. Hull or Mr. Hall whose name has been called, but of course there has been no problem in differentiating between them because they are so different as individuals. Congressman Hull is a quiet, gently-spoken, effective behind-the-scenes legislator who works hard on legislation through the committee process; Congressman Hall is a highly visible battler in the House for a variety of causes, a born debater whose needle is as sharp as his wit.

Different as they are, they share some things in common: The affection of their colleagues and the status of gentlemen of unusual gallantry.

Bill Hull is one of the most warm-hearted men I have ever met. Doc Hall is one of the most courteous. My votes have often been different from those of Bill Hull and almost always different from those of Doc Hall, but we have differed on issues rather than on the basis of personalities.

All of the Members of the House will miss Congressmen Hull and Hall in the next Congress, but none more so than the members of the Missouri delegation. We have enjoyed their companionship in our delegation meetings and in countless events over the years when we met with groups of Missouri citizens on legislative matters or just socially. Bill Hull always has brought to these gatherings a delightful sense of humor which is warm and affectionate and never at the expense of others; he is deeply loved by his colleagues. Doc Hall, in the political arena, is a formidable spokesman for conservative causes in the House, who does his homework on legislation coming before the House and is always ready to challenge everyone here with whom he disagrees on the issues. But off the floor he is one of the most genial of gentlemen who easily puts aside the political differences to earn the sincere friendship of those with whom he disagrees politically.

I consider both men as my personal friends, and I shall miss both of them here next year if I am privileged to return. They have both made their careers in Congress so much a part of their lives that I am sure they will miss this House as much as we miss them.

Mr. GIAIMO. Mr. Speaker, I appreciate very much this opportunity to extend my sincere good wishes to a fine friend and loyal colleague, the Honorable W. R. Hull, U.S. Representative from the State of Missouri.

Bill Hull and I have served together on the House Appropriations Committee for many years, and I have witnessed his dedication to the tasks placed before him. His service on the Subcommittees on Agriculture-Environmental and

Consumer Protection and on Labor-Health, Education, and Welfare has been noteworthy and commendable. He has been an excellent representative both in the interests of his constituents back in Missouri and for the welfare of the country as a whole. This is an exemplary quality of an outstanding legislator.

I shall miss BILL's companionship, just as I believe we all will miss the benefit of his hard work and counsel. Nevertheless, I am sure that BILL will not cease in devoting his time to many worthwhile endeavors, and it is for continued success in the future that I offer BILL my heartiest and warmest wishes.

Mr. Speaker, at this time I would like to offer my congratulations and best wishes to an active and dedicated Member of this House, the Honorable DURWARD G. HALL, U.S. Representative from the State of Missouri.

"Doc" HALL has been a wonderful asset to this body, for he preceded his years in the Congress with a distinguished career in the medical services, both civilian and military. This experience was of great benefit to his position on the House Committee on Armed Services, where he served as a hard-working and devoted member. In addition, I have had the pleasure to work with Doc on the Joint Committee on Congressional Operations.

It is an honor to use this forum to commend Doc for his fine career in the House of Representatives and to express my warm thoughts to him for a bright and successful retirement.

Mr. HUNT. Mr. Speaker, with the retirement of my good friend and colleague, "Doc" HALL, it is hard to find words to express the humility and gratitude which is in my heart for the experience of having associated with him for the past 6 years. More than any other man in public office, "Doc" has been a mainstay, a "Rock of Gibraltar," to his friends who sought his advice and counsel in these trying times. As one who was privileged to serve with him both on the Committee on Armed Services and in the House of Representatives, I can tell you that "Doc's" courageous adherence to the Constitution of his beloved country and to sound legislative principles has been a source of inspiration and guidance to all who have been privileged to know him. He is well deserving of the respect and admiration of his colleagues and every American owes a debt of gratitude to this great patriot who has served his district, his State of Missouri, and his Nation so well.

Mr. FUQUA. Mr. Speaker, the retirement of our colleague BILL HULL gives rise to ambivalent feelings in me as he will be sorely missed in the House. I am pleased, however, that BILL will be able to take life at a more leisurely pace and be able to spend more time with the people he has represented so well during his years in the Congress.

The good people of the Missouri Sixth Congressional District have been the recipients of 18 years of reasoned and dedicated service by BILL and he has represented their interests admirably. His service on the House Committee on Appropriations gives tribute to the deliberative and responsible approach he takes to all matters of national importance. It has been an honor to serve with BILL during my years in the Congress and I take pleasure in the friendship we have developed.

BILL's constituents were not alone in receiving the benefits of his leadership and foresight. He is truly a national leader and was a guiding force in the policies of our Government. I am a better man for having known and worked with BILL HULL, and my very best wishes go with him in the coming years.

Mr. SCHMITZ. Mr. Speaker, it is a source of great personal regret for me that a man I regard as one of the most valuable Members of this House—valuable and indeed almost indispensable to the American people as well as to us—is retiring this year. During my two and a half years in Congress, I never ceased to admire the ceaseless vigilance, keen insight, and dedication to fiscal restraint and general economic sanity of that pair of sleepless watchdogs on the floor of the House, Congressmen DURWARD HALL of Missouri and H.R. GROSS of Iowa. Now Congressman HALL is retiring, and I only hope and pray that someone will come forward to fill, at least to some degree, the enormous void that would otherwise be left with his departure.

DURWARD HALL is a true patriot, in the best sense of that much-abused and much-maligned word—a man who has kept the real interest of the American people and the American taxpayer first in his mind and heart throughout his service in Congress. Each year a weekly periodical to which I have often contributed, the Review of the News, publishes its "Conservative Index"—a voting record which reveals how Members of this body voted on 10 selected issues during the course of the year. These are deliberately selected to be the "toughest" votes—the votes on which it takes the highest degree of moral courage to stand against the prevailing political and ideological trend. This year, DURWARD HALL was one of only three Members of this House who scored 100 percent in the Review of the News Conservative Index. And he was one of 31 who scored 100 percent in the voting record just published by the American Conservative Union.

Whether you agree with him or not—and of course I do agree with him, on the great majority of issues—no man of integrity can fail to admire such a record of consistency and principle as DURWARD HALL has established. We will miss "Doc" HALL—and the Nation will miss him. His like are not easy to find in these days of the decline of our once-great Republic.

Mr. ICHORD. Mr. Speaker, I rise on this occasion with mixed emotions to pay tribute to the Honorable WILLIAM R. HULL, JR., an effective and tireless representative of the Sixth Congressional District of Missouri, an area of some 23 counties with some 440,000 people in the northwest and north central portion of Missouri.

BILL HULL, voluntarily retiring at the end of the 92d Congress after 18 years of service, is going to be sorely missed by the citizens of his district as well as the citizens of the great State of Missouri and of the Nation itself. I, too, am going to miss BILL HULL's leadership and counsel in the Congress. When I was first elected to this body in 1960, BILL HULL was one of the Members of Congress who was most helpful in giving me good advice and direction on how to become an effective Congressman.

BILL HULL, a "man of the soil," was first elected in the 84th Congress. His life-long home has been in Weston, Platte County, Mo., where he is an operating farmer and a small businessman. His dedication to his constituents and his persistent and untiring efforts on their behalf has been the cornerstone and hope for new growth and revitalization in rural Missouri and rural America. BILL was one of the first Congressmen to raise the alarm over the effect of the shift of population from rural America to urban America. His solution along with urging both urban and rural Congressmen to join him to stem the population shift which he characterized as a problem for the cities as well as the counties, towns, and villages, was to introduce the Rural Job Development Act of 1971. Noting then that—

> It is a lot easier to keep people on the land than to force them off through low farm prices and stagnant economies and see them crowd into cities.

BILL HULL's measure would grant incentives to locate in smaller communities. In addition, BILL HULL has expended concerted efforts in securing the means for the area in the Sixth Congressional District to obtain sufficient water supplies for recreational and industrial development. His efforts include the funding for the Smithville Dam and Reservoir project; they have been authorized. He also has sought additional direct and insured loans for rural communities to establish water and waste disposal programs. BILL HULL has played a vital role in bringing the new town of Pattonsburg project to reality.

While BILL has concentrated on help to rural Missouri, he was also one of the strongest supporters of the Kansas City International Airport, an installation that has already attracted more than $330 million in proposed business expansion in Platte County. Then there is the construction of Interstate 35 and Interstate 29, two major highways that opened up large portions of northwest Missouri to many millions of dollars of investments and commerce. BILL HULL was a member of the House Public Works Committee when it initiated the 1955 Federal Aid to Highways Act.

BILL HULL's foresight and persistence has met the challenge confronting rural Missouri. His efforts have broken ground for new programs for growth. His footsteps will be difficult to follow. Rural America and particularly rural Missouri will miss WILLIAM R. HULL, JR., a great Missourian.

Mr. Speaker, it was with deep regret that I learned of the impending retirement from Congress of DURWARD G. "Doc" HALL, a distinguished Missourian, one of the most important Members of

Congress and one of the American taxpayer's best friends.

For many years now Doc HALL and the redoubtable H. R. GROSS of Iowa have formed a team ceaselessly—and effectively—acting as foes of reckless Federal spending. Americans who have never heard of Doc HALL and H. R. GROSS nevertheless owe them a debt of gratitude every time they open their paychecks or file Federal income tax returns.

Although Doc HALL is not of my party, I am proud to claim him as a fellow Missourian—especially since we are neighbors in Missouri's Seventh and Eighth Districts. Doc has been a good neighbor, both at home in Missouri and here in this House.

Most important, Doc HALL has served his district and his State with dedication and distinction.

Most of you here undoubtedly know that prior to Doc's election to the 87th Congress he had a distinguished military record of 7 years during World War II in the Army Surgeon General's office, rising to the rank of colonel and winning the Legion of Honor with two palms.

Doc's many other political volunteer and professional honors are too numerous to mention but I would be remiss if I did not note that they include being named a fellow in the American College of Surgeons and a diplomate of the American Board of Survey.

Many of you also know that Doc HALL is also a licensed riverboat pilot and spends vacation time piloting his houseboat from this area to the Florida Keys. But some may not know that Doc's wife is also a licensed pilot and enjoys taking the helm of the houseboat as much as her husband.

Doc also enjoys fishing and golf and I imagine retirement will find him on the links or fishing Missouri's lakes and streams when he is not sailing the inland waterways.

Doc will also be able to spend more time with his daughter and her husband—himself a distinguished surgeon—and his three grandchildren.

We will wish Doc a long and happy retirement but we will sorely miss him in Congress and so will the American taxpayers.

Mr. RANDALL. Mr. Speaker, whatever else the 93d Congress holds, the Nation will be the poorer because two of our ablest and most beloved Missouri colleagues will not be back. BILL HULL and "Doc" HALL have decided to retire.

Through personal friendship and because I worked with them on problems of mutual interest to and effect on our great State of Missouri, I had a close and satisfying relationship with Congressman HULL and Dr. HALL. But this affinity was the greater because the Fourth Missouri Congressional District, which I have the honor to represent, is sandwiched between these two good friends, on the north by BILL HULL's Sixth District and on the south by "Doc" HALL's Seventh District. Nine of the 15 counties in my district adjoin counties that have been represented by one or the other of these retirees.

WILLIAM R. HULL, JR., of Weston, in Platte County, Mo., was elected to the 84th Congress on November 2, 1954, and he has served with great distinction in this body continuously through eight succeeding Congresses. Upon coming to Congress, BILL HULL was assigned to the Committee on Public Works, where he served until 1963 when he went on the Interstate and Foreign Commerce Committee. In 1964 our fellow Missourian, Clarence Cannon died, leaving a vacancy on the Appropriations Committee, of which he was chairman, for which a member of the Missouri House delegation was eligible. That honor went to BILL HULL and he has served that committee with honor for 8 years. There are 25 counties in his district, most of which are agricultural in nature, so it is fitting that BILL has served on the Agriculture Subcommittee of the Appropriations Committee. He has also served on the Labor-HEW Subcommittee.

Dr. DURWARD HALL was elected to the 87th Congress on November 8, 1960, and to five succeeding Congresses. He has been a member of the Armed Services Committee during his entire congressional career. In recognition of the outstanding service and leadership he rendered the House in steering through Congress the Legislative Reorganization Act of 1970, "Doc" HALL was named ranking minority House member of the Joint Committee on Congressional Operations.

"Doc" HALL is sometimes called "the conscience of the House." He believes that good reason underlies all the rules of this body and that those rules should be obeyed. And I doubt if there is another Member of this body who knows more about the rules of the House and its parliamentary procedures than he.

I am especially indebted to Congressman HALL for some assistance he gave me several years ago in a matter of great importance to my congressional district. The Richards-Gebaur Air Force Base in Grandview was about to be closed, ending the employment of about 800 civilian workers, many of whom were my constituents. Largely because of invaluable assistance from "Doc" HALL we were able to bring about the consolidation of the Air Force Communications Service and Ground Electronics Engineering Installation Agency on the site of the Richards-Gebaur facility. Not only were some 800 jobs saved by this consolidation but several hundred additional jobs became available through this consolidation. Without "Doc" HALL's help we might not have been able to perform this service for our district.

BILL HULL and "Doc" HALL. They are two very different kinds of men. BILL is a retiring kind of person who does his work and serves his constituency in a quiet but effective manner. "Doc," who, by reason of his extensive medical training and practice of the healing arts in both private and military service, is highly knowledgeable in a wide range of scientific matters. He is often called upon for advice and guidance when committees other than his own consider legislation of a scientific nature. He is very articulate in debate and searching in his analysis of any given proposition, possibly because of his scientific background. Yes, they are two different kinds of men but equal in their records of public service. They will both be greatly missed when Congress again convenes next January. I am proud to have known them and served with them in the Congress.

As long as I live, I shall always look back with pleasant memories of those years I was privileged to serve as a fellow Member of the House of Representatives with two men of such rare personal characteristics, men of great integrity, knowledgeable of the procedures to accomplish good legislative results and able in every sense of the word. And most of all down to earth fellow Missourians.

GENERAL LEAVE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include therein extraneous matter on the special order given today by the gentleman from Pennsylvania (Mr. MORGAN) in tribute to the Honorable JAMES A. BYRNE of Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

GENERAL LEAVE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include therein extraneous matter on the special order given today by the gentleman from Missouri (Mr. HUNGATE) in tribute to the Honorable W. R. HULL, Jr., of Missouri, and the Honorable DURWARD G. HALL of Missouri.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

FEDERAL AID HIGHWAY AUTHORIZATION

Mr. WRIGHT (on behalf of Mr. KLUCZYNSKI) filed the following conference report and statement on the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92–1619)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I

SHORT TITLE

SEC. 101. This title may be cited as the "Federal-Aid Highway Act of 1972".

REVISION OF AUTHORIZATION FOR APPROPRIATIONS FOR THE INTERSTATE SYSTEM

Sec. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended by striking out "the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1975, and the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1976", and by inserting in lieu thereof the following: "the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1974, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1975, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1976, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1977, the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1978, and the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1979."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

Sec. 103. The Secretary of Transportation is authorized to make the apportionment for the fiscal year ending June 30, 1974," of the sums authorized to be appropriated for such year for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5, of House Public Works Committee Print Numbered 92–29.

HIGHWAY AUTHORIZATIONS

Sec. 104. (a) For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system in rural areas, out of the Highway Trust Fund, $725,000,000, for the fiscal year ending June 30, 1974. For the Federal-aid secondary system in rural areas, out of Highway Trust Fund, $425,000,000 for the fiscal year ending June 30, 1974.

(2) For the Federal-aid urban system, out of the Highway Trust Fund, $700,000,000 for the fiscal year ending June 30, 1974. For the extensions of the Federal-aid primary and secondary systems in urban areas, out of the Highway Trust Fund, $400,000,000 for the fiscal year ending June 30, 1974. For the Federal-aid small urban system, of the Highway Trust Fund, $50,000,000 for the fiscal year ending June 30, 1974.

(3) For forest highways, out of the Highway Trust Fund, $33,000,000 for the fiscal year ending June 30, 1974.

(4) For public lands highways, out of the Highway Trust Fund, $16,000,000 for the fiscal year ending June 30, 1974.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1974.

(6) For public lands development roads and trails, $10,000,000 for the fiscal year ending June 30, 1974.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1974.

(8) For parkways, $20,000,000 for the fiscal year ending June 30, 1974.

(9) For Indian reservation roads and bridges, $100,000,000 for the fiscal year ending June 30, 1974.

(10) For economic growth center development highways under section 143 of title 23, United States Code, out of the Highway Trust Fund, $150,000,000 for the fiscal year ending June 30, 1974.

(11) For carrying out section 319(b) of title 23, United States Code (relating to landscaping and scenic enhancement), $10,000,000 for the fiscal year ending June 30, 1974.

(12) For necessary administrative expenses in carrying out section 131, section 136 and section 319(b) of title 23, United States Code, $3,000,000 for the fiscal year ending June 30, 1974.

(13) For carrying out section 215(a) of title 23, United States Code—

(A) for the Virgin Islands, not to exceed $5,000,000 for the fiscal year ending June 30, 1974.

(B) for Guam not to exceed $2,000,000 for the fiscal year ending June 30, 1974.

(C) for American Samoa not to exceed $500,000 for the fiscal year ending June 30, 1974.

Sums authorized by this paragraph shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code.

(14) Nothing in the first ten paragraphs or in paragraph (13) of this section shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b), or chapter 4 of title 23, United States Code.

(b) Any State which has not completed Federal funding of the Interstate System within its boundaries shall receive at least one-half of 1 per centum of the total apportionment for the fiscal year ending June 30, 1974, under section 104(b)(5) of title 23, United States Code, for an amount equal to the actual cost of completing such funding, whichever amount is less. In addition to all other authorizations for the Interstate System for the fiscal year ending June 30, 1974, there are authorized to be appropriated out of the Highway Trust Fund to carry out this subsection not to exceed $50,000,000 for such fiscal year for such system.

SUBMISSION OF CERTAIN REPORTS

Sec. 105. The Secretary of Transportation is hereby directed to forward to the Congress within thirty days of the date of enactment of this Act final recommendations proposed to him by the Administrator of the Federal Highway Administration in accordance with section 105(b)(2), section 121, and section 144 of the Federal-Aid Highway Act of 1970 together with those recommendations of the Secretary of Transportation to the Director of the Office of Management and Budget unless these recommendations have been submitted to the Congress prior to the date of enactment of this Act.

DEFINITIONS

Sec. 106. Subsection (a) of section 101 of title 23 of the United States Code is amended as follows:

(1) The definition of the term "construction" is amended by striking out "Coast and Geodetic Survey in the Department of Commerce)," and by inserting in lieu thereof: "National Oceanic and Atmospheric Administration in the Department of Commerce), traffic engineering and operational improvements,".

(2) The definition of the term "urban area" is amended by inserting immediately after "State highway department" the following: "and appropriate local officials in cooperation with each other".

(3) The definition of the term "Indian reservation roads and bridges" is amended to read as follows:

"The term 'Indian reservation roads and bridges' means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

Sec. 107. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "twenty years" and inserting in lieu thereof "twenty-three years" and by striking out "June 30, 1976", and inserting in lieu thereof "June 30, 1979".

(b)(1) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking out "1976" each place it appears and inserting in lieu thereof at each such place "1979".

(2) Such section 104(b)(5) is further amended by striking out the sentence immediately preceding the last sentence and inserting in lieu thereof the following: "Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1976, and June 30, 1977. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1976. Upon the approval by Congress, the Secretary shall use the Federal share of such approved estimates in making apportionments for the fiscal years ending June 20, 1978, and June 30, 1979."

MINIMIZATION OF REDTAPE

Sec. 108. Section 101 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(e) It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title and any other provision of law relating to the Federal highway programs shall encourage the drastic minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government."

FEDERAL-AID SYSTEMS

Sec. 109. Section 103 of title 23, United States Code, is amended as follows:

(1) The second sentence of subsection (d) is amended by inserting immediately after "such area" the following: "and shall provide for the collection and distribution of traffic within such area".

(2) Subsection (d) is further amended by inserting immediately following the next to the last sentence the following new sentence: "Any State not having a designated urbanized area may designate routes on the Federal-aid urban system for its largest population center, based upon a continuing planning process developed cooperatively by State and local officials and the Secretary."

(3) The next to the last sentence of subsection (g) is amended by striking out "1975" and inserting in lieu thereof "1977".

(4) Subsection (g) is further amended by adding at the end thereof the following new sentence: "This subsection shall not be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968."

APPORTIONMENT

Sec. 110. Section 104 of title 23, United States Code, is amended as follows:

(1) Paragraph (1) of subsection (b) is amended by striking out "one-third in the ratio which the population of each State bears to the total population of all the States" and inserting in lieu thereof the following: "one-third in the ratio which the rural population of each State bears to the total rural population of all the States".

(2) Paragraph (6) of subsection (b) is amended by adding at the end thereof the following: "No State shall receive less than one-half of 1 per centum of each year's apportionment."

(3) Subsection (c) is amended by striking out "20 per centum" in each of the two places it appears and inserting in lieu thereof in each such place the following: "30 per centum" and by striking out "paragraph (1), (2), or (3)" and inserting in lieu thereof "paragraph (1) or (2)".

(4) Subsection (d) is amended to read as follows:

"(d) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with paragraph (3) or (6) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under the other paragraph if such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. The total of such transfers shall not increase the original apportionment under either of such paragraphs by more than 30 per centum."

(5) The last sentence of subsection (c) and subsection (f) are hereby repealed.

TERMINATION OF FEDERAL-AID RELATIONSHIP

Sec. 111. (a) Notwithstanding any other provisions of Federal law or any court decision to the contrary, the contractual relationship between the Federal and State governments shall be ended with respect to all portions of the San Antonio North Expressway between Interstate Highway 35 and Interstate Loop 410, and the expressway shall cease to be a Federal-aid project.

(b) The amount of all Federal-aid highway funds paid on account of sections of the San Antonio North Expressway in Bexar County, Texas (Federal-aid projects numbered U 244(7), U 244(10), UG 244(9), U 244(8), and U 244(11)), shall be repaid to the Treasurer of the United States and the amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which funds have been repaid and any other Federal-aid projects located on such expressway and programed for expenditure on such project, if any, shall be canceled and withdrawn from the Federal-aid highway program. Any amount so repaid, together with the unpaid balance of any amount programed for expenditure on any such project shall be credited to the unprogramed balance of Federal-aid highway funds of the same class last apportioned to the State of Texas. The amount so credited shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 112. (a) The last sentence of subsection (a) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

(b) The first sentence of paragraph (3) of subsection (c) of section 108 of title 23, United States Code, is amended by striking out "seven years" and inserting in lieu thereof "ten years".

HIGHWAY NOISE LEVELS

Sec. 113. Subsection (i) of section 109 of title 23, United States Code, is amended by adding at the end thereof the following: "The Secretary after consultation with appropriate Federal, State, and local officials, may promulgate standards for the control of highway noise levels for highways on any Federal-aid system for which project approval has been secured prior to July 1, 1972. The Secretary may approve any project on a Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the construction of physical barriers, and landscaping. Sums apportioned for the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title.

SIGNS ON PROJECT SITE

Sec. 114. The last sentence of subsection (a) of section 114 of title 23, United States Code, is amended to read as follows: "After July 1, 1973, the State highway department shall not erect on any project where actual construction is in progress and visible to highway users any informational signs other than official traffic control devices confronting with standards developed by the Secretary of Transportation."

CERTIFICATION ACCEPTANCE

Sec. 115, (a) Section 117 of title 23 of the United States Code is amended to read as follows:

"§ 117. Certification acceptance

"(a) The Secretary may discharge any of his responsibilities under this title relative to projects on Federal-aid systems, except the Interstate System, upon the request of any State, by accepting a certification by the State highway department of its performance of such responsibilities, if he finds—

"(1) such projects will be carried out in accordance with State laws, regulations, directives, and standards establishing requirements at least equivalent to those contained in, or issued puruant to, this title;

"(2) the State meets the requirements of section 302 of this title;

"(3) that final decisions made by responsible State officials on such projects are made in the best overall public interest.

"(b) The Secretary shall make a final inspection of each such project upon its completion and shall require an adequate report of the estimated, and actual, cost of construction as well as such other information as he determines necessary.

"(c) The procedure authorized by this section shall be an alternative to that otherwise prescribed in this title. The Secretary shall promulgate such guidelines and regulations as may be necessary to carry out this section.

"(d) Acceptance by the Secretary of a State's certification under this section may be rescinded by the Secretary at any time if, in his opinion, it it necessary to do so.

"(e) Nothing in this section shall affect or discharge any responsibility or obligation of the Secretary under any Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)), and the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), other than this title."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by striking out

"117. Secondary road responsibilities."

and inserting in lieu thereof the following:

"117. Certification acceptance.".

MATERIALS AT OFF-SITE LOCATIONS

Sec. 116. Section 121(a) of title 23 of the United States Code is amended by inserting after the period at the end thereof the following: "Such payments may also be made in the case of any such materials not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the materials cannot be stockpiled in such vicinity."

TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES

Sec. 117. After the second sentence of section 129(b) of title 23, United States Code, insert the following: "When any such toll road which the Secretary has approved as a part of the Interstate System is made a toll-free facility, Federal-aid highway funds apportioned under section 104(b)(5) of this title may be expended for the construction, reconstruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the Interstate System."

CONTROL OF OUTDOOR ADVERTISING

Sec. 118. (a) The first sentence of subsection (b) of section 131 of title 23, United States Code, is amended by inserting after "main traveled way of the system," the following: "and Federal-aid highway funds apportioned on or after January 1, 1973, or after the expiration of the next regular session of the State legislature, whichever is later, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of those additional outdoor advertising signs, displays, and devices which are more than six hundred and sixty feet off the nearest edge of the right-of-way, located outside of incorporated cities and villages, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way,".

(b) Subsection (c) of section 131 of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that such signs, displays or devices after January 1, 1968, if located within six hundred and sixty feet of the right of way and on or after July 1, 1973, or after the expiration of the next regular session of the State legislature, whichever is later, if located beyond six hundred and sixty feet of the right of way be limited to (1) directional and official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale or lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located."

(c) Subsection (d) of section 131 of title 23, United States Code, is amended by striking out the first sentence thereof and inserting the following in lieu thereof:

"In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

(d) Subsection (e) of section 131 of title 23, United States Code, is amended to read as follows:

(e) Any nonconforming sign under State law enacted to comply with this section shall be removed no later than the end of the fifth year after it becomes nonconforming, except as determined by the Secretary."

(e) Subsection (f) of section 131 of title 23, United States Code, is amended by inserting the following after the first sentence:

"The Secretary may also, in consultation with the States, provide within the rights-of-way of other roads on the Federal-aid highway system for areas in which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained."

(f) Subsection (g) of section 131 of title 23, United States Code, is amended by striking out the first sentence and inserting the following in lieu thereof:

"Just compensation shall be paid upon the removal of any outdoor advertising sign, display, or device lawfully erected under State law prior to the date of enactment of the Federal-Aid Highway Act of 1972."

(g) Subsection (m) of section 131 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be apportioned to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $2,000,000 for the fiscal year 1970, not to exceed $27,000,000 for the fiscal year 1971, not to exceed $20,500,000 for the fiscal year 1972, and not to exceed $50,000,000 for the fiscal year ending June 30, 1973, and $50,000,000 for the fiscal year ending June 30, 1974. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(h) Section 131 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(o) No directional sign, display, or device lawfully in existence on June 1, 1972, giving specific information in the interest of the traveling public shall be required by the Secretary to be removed until December 31, 1974, or until the State in which the sign, display, or device is located certifies that the directional information about the service or activity advertised on such sign, display, or device may reasonably be available to motorists by some other method or methods, whichever shall occur first. A State may not refuse to purchase and remove any directional sign, display, or device voluntarily offered to the State for removal by a sign owner if funds are available in the Department of Transportation.

"(p) In the case of any sign, display, or device required to be removed under this section prior to the date of enactment of the Federal-Aid Highway Act of 1972, which sign, display, or device was after its removal lawfully relocated and which as a result of the amendments made to this section by such Act is required to be removed, the United States shall pay 100 per centum of the just compensation for such removal (including all relocation costs)."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 119. Subsection (c) of section 135 of title 23, United States Code, is hereby repealed and existing subsection (d) is relettered as subsection (c), including any references thereto.

CONTROL OF MORE JUNKYARDS

SEC. 120. (a) Subsection (j) of section 136 of title 23, United States Code, is amended by striking out the first sentence and inserting in lieu thereof the following: "Just compensation shall be paid the owner for the relocation, removal, or disposal of junkyards lawfully established under State law."

(b) Subsection (m) of section 136 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $3,000,000 for each of fiscal years 1970, 1971, and 1972, not to exceed $5,000,000 for the fiscal year ending June 30, 1973, and not to exceed $15,000,000 for the fiscal year ending June 30, 1974. The provisions of this chapter relating to obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

HIGHWAY PUBLIC TRANSPORTATION

SEC. 121. Section 142 of title 23, United States Code, is amended to read as follows:

"§ 142. Highway public transportation

"(a) To encourage the development, improvement, and use of public mass transportation systems operating motor vehicles (other than on rail) on Federal-aid highways for the transportation of passengers (hereafter in this section referred to as buses'), so as to increase the traffic capacity of the Federal-aid systems for the movement of persons, the Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters), and fringe and transportation corridor parking facilities to serve bus and other public mass transportation passengers. Sums apportioned under section 104(b) of this title shall be available to finance the cost of these projects.

"(b) The establishment of routes and schedules of such public mass transportation systems shall be based upon a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) For all purposes of this title, a project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such project shall be that provided in section 120 of this title.

"(d) No project authorized by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will have adequate capability to fully utilize the proposed project.

"(e) In any case where sufficient land exists within the publicly acquired rights-of-way of any Federal-aid highway to accommodate needed rail or nonhighway public mass transit facilities and where this can be accomplished without impairing automotive safety or future highway improvements, the Administrator may authorize a State to make such lands and rights-of-way available without charge to a publicly owned mass transit authority for such purposes wherever he may deem that the public interest will be served thereby."

ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAYS

SEC. 122. (a) Section 143 of title 23, United States Code, is amended by striking out "demonstration projects" each place it appears and inserting in lieu thereof "projects", and by striking out "demonstration project" each place it appears and inserting in lieu thereof in each such place "project", by striking out "the Federal-aid primary system" in each place it appears and inserting in lieu thereof in each such place "a Federal-aid system (other than the Interstate System)", and in subsection (d) by striking out "Federal-aid primary highways" and inserting in lieu thereof "highways on the Federal-aid system on which such development highway is located".

(b) Section 143(e) of title 23, United States Code, is amended to read as follows:

"(e) Except as otherwise provided in subsection (c) of this section, the Federal share of the cost of any project for construction, reconstruction, or improvement of a development highway under this section shall be the same as that provided under this title for any other project on the Federal-aid system on which such development highway is located."

(c) Section 143(a) of title 23, United States Code, is amended by striking out "to demonstrate the role that highways can play".

SPECIAL URBAN HIGH DENSITY TRAFFIC PROGRAM

SEC. 123. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 145 Special urban high density traffic program

"(a) There is hereby authorized to be appropriated out of the Highway Trust Fund, $100,000,000 for the fiscal year ending June 30, 1974, for the construction of highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Secretary shall develop guidelines and standards for the designation of routes and the allocation of funds for this purpose which include the following criteria:

"(1) Routes designated by the Secretary shall not be longer than ten miles.

"(2) Routes designated shall serve areas of concentrated population and heavy traffic congestion.

"(3) Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.

"(4) Any routes shall connect with existing routes on the Interstate System.

"(5) Routes designated under this section shall have been approved through the planning process required under section 134 of this title and determined to be essential by responsible local officials.

"(6) A route shall be designated under this section only where the Secretary determines that no feasible or practicable alternative mode of transportation which could meet the needs of the area to be served is now available or could become available in the foreseeable future.

"(7) The designation of routes under this section shall comply with section 138 of this title, and no route shall be designated which substantially damages or infringes upon any residential area.

"(8) Routes shall be designated by the Secretary on the recommendation of the State and responsible local officials.

"(9) No more than one route in any one State shall be designated by the Secretary.

"(b) The Federal share payable on account of any project authorized pursuant to this section shall not exceed 90 per centum of the cost of construction of such project."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"145. Special urban high density traffic program."

PRIORITY PRIMARY ROUTES

SEC. 124. It is the intent of Congress to establish priority primary routes in each State, and the Secretary of Transportation, in cooperation with the State highway departments, is directed to develop such routes and criteria for the designation thereof and to submit a report to the Congress not later than June 30, 1973.

ALASKA HIGHWAY

SEC. 129. (a)(1) Chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 217. Alaska Highway

"(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide for necessary reconstruction of such highway. Such appropriations shall remain available until expended. No expenditures shall be made for the construction of such highways until an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

"(1) will provide, without participation of funds authorized under this title all necessary right-of-way for the reconstruction of such highways, which right-of-way shall forever be held inviolate as a part of such highways for public use;

"(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

"(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

"(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

"(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

"(b) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary."

(2) The analysis of chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following:

"217. Alaska Highway."

(b) For the purpose of completing necessary reconstruction of the Alaska Highway from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaskan border there is authorized to be appropriated the sum of $58,670,000 to be expended in accordance with the provisions of section 217 of title 23 of the United States Code.

BRIDGES ON FEDERAL DAMS

Sec. 126. (a) Section 320(d) of title 23, United States Code, is amended by striking out "$16,761,000" and inserting in lieu thereof "$25,261,000".

(b) All sums appropriated under authority of the increased authorization of $8,500,000 established by the amendment made by subsection (a) of this section shall be available for expenditure only in connection with the construction of a bridge across lock and dam numbered 13 on the Arkansas River near Fort Smith, Arkansas, in the amount of $2,100,000 and in connection with reconstruction of a bridge across the Chickamauga Dam on the Tennessee River near Chattanooga, Tennessee, in the amount of $6,400,000. No such sums shall be appropriated until all applicable requirements of section 320 of title 23 of the United States Code have been completed by the appropriate Federal agency, the Secretary of Transportation, and the State of Arkansas for the Fort Smith project, and the State of Tennessee for the Chattanooga project.

ALASKAN ASSISTANCE

Sec. 127. Subsection (b) of section 7 of the Federal-Aid Highway Act of 1966 is amended by striking out at the end of the last sentence "June 30, 1972 and June 30, 1973." and substituting "June 30, 1972, June 30, 1973, and June 30, 1974."

HIGHWAY BEAUTIFICATION COMMISSION

Sec. 128. (a) Subsection (l) of section 123 of the Federal-Aid Highway Act of 1970 is amended by striking out the first sentence and inserting the following in lieu thereof: The Commission shall not later than December 31, 1973, submit to the President and the Congress its final report."

(b) Subsection (n) of section 123 of the Federal-Aid Highway Act of 1970 is amended to read as follows:

"(n) There are hereby authorized to be appropriated such sums, but not more than $450,000, as may be necessary to carry out the provisions of this section and such moneys as may be appropriated shall be available to the Commission until expended."

CLINTON BRIDGE COMMISSION

Sec. 129. (a) In order to facilitate interstate commerce by expediting the completion of interstate bridge facilities across the Mississippi River in the vicinity of the city of Clinton, Iowa, the City of Clinton Bridge Commission (hereafter referred to as the "commission"), created and operating under the Act approved December 21, 1944, as revived, amended, and reenacted, is hereby authorized to sell, convey, and transfer to the State of Iowa all of its real and personal property, books, records, money, and other assets, including all existing bridges for vehicular traffic crossing the Mississippi River at or near the city of Clinton, Iowa, and the substructure constituting the partially constructed new bridge which has been designed to replace the older of the two existing vehicular bridges, together with all easements, approaches, and approach highways appurtenant to said bridge structures, and to enter into such agreements with the State Highway Commission of the State of Iowa (hereafter referred to as the "highway commission"), and the Department of Transportation of the State of Illinois as may be necessary to accomplish the foregoing: *Provided, however,* That at or before the time of delivery of the deeds and other instruments of conveyance, all outstanding indebtedness or other liabilities of said commission must either have been paid in full as to both principal and interest or sufficient funds must have been set aside in a special fund pledged to retire said outstanding indebtedness or other liabilities and interest thereon at or prior to maturity, together with any premium which may be required to be paid in the event of payment of the indebtedness prior to maturity. The cost to the highway commission of acquiring the existing bridge structures by the State of Iowa shall include all engineering, legal, financing, architectural, traffic surveying, and other expenses as may be necessary to accomplish the conveyance and transfer of the properties, together with such amount as may be necessary to provide for the payment of the outstanding indebtedness or other liabilities of the commission as hereinbefore referred to, and permit the dissolution of the commission as hereinafter provided, less the amount of cash on hand which is turned over to the highway commission by the commission.

(b) The highway commission is hereby authorized to accept the conveyance and transfer of the above-mentioned bridge structures, property, and assets of the City of Clinton Bridge Commission on behalf of the State of Iowa, to complete the construction of the new replacement bridge, to repair, reconstruct, maintain, and operate as toll bridges the existing bridges so acquired until the new replacement bridge has been completed, to dismantle the older of the two existing bridges upon completion of the new replacement bridge, and to thereafter repair, reconstruct, maintain, and operate the two remaining bridges as toll bridges. There is hereby conferred upon the highway commission the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such privately owned real estate and other property in the State of Iowa and the State of Illinois as may be needed for the location, construction, reconstruction, or completion of any such bridges and for the operation and maintenance of any bridge and the approaches, upon making just compensation therefor to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes by said State. The highway commission is further authorized to enter into agreements with the State of Illinois and any agency or subdivision thereof, and with any agency or subdivision of the State of Iowa, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision. The cost of acquiring the existing bridge structures, of completing the replacement bridge and of dismantling the bridge to be replaced and paying expenses incidental thereto as referred to in subsection (a) of this section may be provided by the highway commission through the issuance of its revenue bonds pursuant to legislation enacted by the General Assembly of the State of Iowa, or through the use of any other funds available for the purpose, or both. The above-described toll bridge structures shall be repaired, reconstructed, maintained, and operated by the highway commission in accordance with the provisions of the General Bridge Act of 1946, approved August 2, 1946, and the location and plans for the replacement bridge shall be approved by the Secretary of Transportation in accordance with the provisions of said Act, as well as by the Department of Transportation of the State of Illinois. The rates and schedule of tolls for said bridges shall be charged and collected in accordance with said General Bridge Act of 1946 and applicable Iowa legislation and shall be continuously adjusted and maintained so as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridges and approaches under economical management, to provide a fund sufficient to pay the principal of and interest on such bonds as may be issued by the highway commission as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity, and to repay any money borrowed by any other means in connection with the acquisition, construction, reconstruction, completion, repair, operation, or maintenance of any of said bridge structures. All tolls and other revenues from said bridges are hereby pledged to such uses. No toll shall be charged officials or employees of the highway commission, nor shall any toll be charged officials of the United States while in the discharge of duties incident to their office or employment, nor shall any toll be charged members of the fire department or peace officers while engaged in the performance of their official duties. No obligation created pursuant to any provision of this section shall constitute an indebtedness of the United States.

(c) After all bonds or other obligations issued or indebtedness incurred by the highway commission or loans of funds for the account of said bridges and interest and premium, if any, have been paid, or after a sinking fund sufficient for such payment shall have been provided and shall be held solely for that purpose, the State of Iowa shall deliver deeds or other suitable instruments of conveyance of the interest of the State of Iowa in and to those parts lying within Illinois of said bridges to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same, and thereafter the bridges shall be properly repaired, reconstructed, maintained, and operated, free of tolls by the State of Iowa and by the State of Illinois, or any municipality or agency thereof, as may be agreed upon.

(d) The interstate bridge or bridges purchased, constructed, or completed under the authority of this section and the income derived therefrom shall, on and after the effective date of this section, be exempt from all Federal, State, municipal, and local property and income taxation.

(e) After all of the property, books, records, money, and other assets of the City of Clinton Bridge Commission have been conveyed and transferred to the State of Iowa as contemplated by this section, such commission shall cease to exist, without the necessity for any hearing, order, or other official action.

(f) The right to alter, amend, or repeal this section is hereby expressly reserved.

ROUTE 101 IN NEW HAMPSHIRE

Sec. 130. The amount of all Federal-aid highway funds paid on account of those sections of Route 101 in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment, the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such toll road and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Hampshire. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) Upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of the projects on said sections of Route 101 as provided in subsection (a) of this section, such sections of said route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections:

(1) That section of Route 101 from Route 125 in Epping to Brentwood Corners, a distance of approximately two and thirty one-hundredths centerline miles.

(2) That section of Route 101 in the vicinity of Sells Corner in Auburn, beginning approximately two and forty one-hundredths centerline miles east of the junction of Interstate Route 93 and running easterly approximately two miles.

FREEING INTERSTATE TOLL BRIDGES

Sec. 131. Section 129, title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(h) Notwithstanding the provisions of section 301 of this title, in the case of each State which, before January 1, 1974, shall have constructed or acquired any interstate toll bridge (including approaches thereto), which before January 1, 1974, caused such toll bridge to be made free, which bridge is owned and maintained by such State or by a political subdivision thereof, and which bridge is on the Federal-aid primary system (other than the Interstate System), sums apportioned to such State in accordance with paragraphs (1) and (3) of subsection (b) of section 104 of this title shall be available to pay the Federal share of a project under this subsection of (1) such amount as the Secretary determines to be the reasonable value of such bridge after deducting therefrom that portion of such value attributable to any grant or contribution previously paid by the United States in connection with the construction or acquisition of such bridge, and exclusive of rights-of-way, or (2) the amount by which the principal amount of the outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever is the lesser amount."

STUDY OF TOLL BRIDGE AUTHORITY

Sec. 132. The Secretary of Transportation is authorized and directed to undertake a full and complete investigation and study of existing Federal statutes and regulations governing toll bridges over the navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide. The Secretary shall submit a report of the findings of such study and investigation to the Congress not later than February 1, 1974, together with his recommendations for modifications or additions to existing laws, regulations, and policies as will achieve a uniform system of tolls and best serve the public interest.

PARTICIPATION IN TOPICS AND FRINGE PARKING PROGRAMS

Sec. 133. In the administration of title 23 of the United States Code the Secretary of Transportation shall take such actions as he deems necessary to facilitate broad participation by the States in the urban area traffic operations improvement programs and projects for fringe and corridor parking facilities authorized by sections 135 and 137 of such title.

DISTRICT OF COLUMBIA

Sec. 134. None of the provisions of the Act entitled "An Act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities", approved March 2, 1893 (27 Stat. 532), as amended, shall apply to any segment of the Interstate System within the District of Columbia.

CORRIDOR HEARINGS

Sec. 135. (a) The Secretary of Transportation shall permit no further action on Interstate Route I-287 between Montville and Mahwah, New Jersey, until new corridor hearings are held.

(b) The Secretary of Transportation shall permit no further action on the Corporation Freeway, Winston-Salem, North Carolina, until new corridor hearings are held.

INTERSTATE SYSTEM

Sec. 136. Paragraph (2) of subsection (e) of section 103 of title 23, United States Code, is amended as follows:

(1) The first sentence is amended by striking out "additional mileage for the Interstate System of two hundred miles, to be used in making modifications" and inserting in lieu thereof "there is hereby authorized such additional mileage for the Interstate System as may be required in making modifications".

(2) The fourth sentence is amended by striking out "the 1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised." and inserting in lieu thereof the following: "the 1972 Interstate System cost estimate set forth in House Public Works Committee Print Numbered 92-29."

(3) The fifth sentence is amended by striking out "due regard" and inserting in lieu thereof the following: "preference, along with due regard for interstate highway type needs on a nationwide basis,".

FERRY OPERATIONS

Sec. 137. (a) The last subsection of section 129 of title 23, United States Code, is hereby redesignated as subsection (g).

(b) Paragraph (5) of subsection (g) of section 129 of title 23, United States Code, shall be inapplicable to any ferry operated solely between the States of Alaska and Washington.

METRO ACCESSIBILITY TO THE HANDICAPPED

Sec. 138. The Secretary of Transportation is authorized to make payments to the Washington Metropolitan Area Transit Authority in amounts sufficient to finance the cost of providing such facilities for the subway and rapid rail transit system authorized in the National Capital Transportation Act of 1969 (83 Stat. 320) as may be necessary to make such subway and system accessible by the handicapped through implementation of Public Laws 90-480 and 91-205. There is authorized to be appropriated, to carry out this section, not to exceed $65,000,000.

FEDERAL-AID SMALL URBAN SYSTEM

Sec. 139. (a) Subsection (a) of section 101 of title 23, United States Code, is amended as follows:

(1) After the definition of the term "Federal-aid urban system" add the following new paragraph:

"The term 'Federal-aid small urban system' means the Federal-aid highway system described in subsection (h) of section 103 of this title."

(2) After the definition of the term "urban area" add the following new paragraph:

"The term 'small urban area' means an urban area having a population of less than fifty thousand, and not within an urbanized area."

(b) Section 103 of title 23, United States Code, is amended by adding immediately after subsection (g) a new subsection (h):

"(h) The Federal-aid small urban system may be established in each small urban area at the request of local officials. The system shall consist of arterial and collector routes, exclusive of urban extensions of the Federal-aid primary and secondary systems, selected by responsible local officials in cooperation with the State highway department based upon anticipated functional usage for the year 1980. Each route of the system shall connect with another route on a Federal-aid system. The provisions of chapters 1, 3, and 5 of this title applicable to Federal-aid primary highways, other than apportionment, shall apply to the Federal-aid small urban system except as determined by the Secretary to be inconsistent with this subsection.

(c) Subsection (b) of section 104 of title 23, United States Code, is amended by adding at the end thereof the following new paragraph:

"(7) For the Federal-aid small urban system:

"In the ratio which the population in small urban areas or parts thereof, in each State bears to the total population in such small urban areas, or parts thereof, in all the States as shown by the latest available Federal census."

(d) Subsection (a) of section 120 of title 23, United States Code, is amended by striking out "the Federal-aid secondary system and the Federal-aid urban system," and inserting in lieu thereof the following: "the Federal-aid secondary system, the Federal-aid urban system, and the Federal-aid small urban system."

(e) Section 103(f) of title 23, United States Code, is amended by inserting immediately after "the Fedearl-aid urban system," the following: "the Federal-aid small urban system,".

TRAINING PROGRAMS

Sec. 140. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, and 1974".

TOLL ROAD REIMBURSEMENT PROGRAM

Sec. 141 (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 146. Toll road reimbursement program

"(a) Whenever a State has received its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, the Secretary may permit, notwithstanding the provisions of section 301 of this title, reimbursement of the Federal share of the actual cost of construction of new toll highways or improvements to existing toll highways, construction of which highways or improvement is begun after July 1, 1972, but not including the cost of toll collection and service facilities, on the same basis and in the same manner as in the construction of free highways under this chapter upon compliance with the conditions contained in this section.

"(b) The Secretary may permit reimbursement of the Federal share of the costs of construction as applicable to a project under section 120(a) of this title from funds apportioned to such State pursuant to paragraph (1) subsection (b) of section 104 of this title whenever the State enters into an agreement with the Secretary whereby it undertakes performance of the following obligations:

"(1) to provide for the construction of such highway in accordance with standards approved by the Secretary;

"(2) all tolls received from the operation of such highway, less the actual cost of such operation and maintenance, shall be applied by the State to the repayment of the actual costs of construction, except for an amount equal to the Federal share payable of such actual costs of a project; and

"(3) no tolls shall be charged for the use of such highway after the Federal share has been paid and the highway shall be maintained and operated as a free highway.

Such agreements may be entered into between the Secretary and a State upon enactment of this section. Reimbursements shall not be made until after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System.

"(c) Such highway shall be designated as a part of the Federal-aid primary system, other than the Interstate System, before the payment of any Federal funds under this section, notwithstanding the mileage limitations in subsection (b) of section 103 of this title.

"(d) The Federal share payable of such actual cost of the project shall be made in not more than fifteen equal annual installments, from the funds apportioned to the State pursuant to paragraph (1) of subsection (b) of section 104 of this title, with the first installment being made one year after the project agreement has been entered into between the Secretary and the State highway departments or one year after the State receives its final apportionment of sums authorized to be appropriated for expenditure on the Interstate System, whichever is last to occur. Such payment shall be applied against the outstanding obligations of the project."

(b) The analysis of chapter 1 of title 23, United Sates Code, is amended by adding at the end thereof the following:

"146. Toll road reimbursement program."

HIGHLAND SCENIC HIGHWAY

SEC. 142. (a) The Secretary of the Interior, in cooperation with the Secretary of Agriculture (acting through the Forest Service), is authorized to develop and construct as a parkway the Highland Scenic Highway from West Virginia State Route 39 to U.S. 250 near Barton Knob.

(b) The route from Richwood, West Virginia, to U.S. 250 near Barton Knob, via West Virginia State Route 39 and the parkway authorized by subsection (a) of this section, shall be designated as the Highland Scenic Highway.

(c) Such Secretaries are authorized to acquire rights-of-way, lands containing such rights-of-way, and interests in land, including scenic easements, necessary to carry out the purpose of a scenic highway.

(d) Funds available for parkways shall be available for signs on interstate highways, Appalachian highways and other appropriate highways at natural points of access to such geographic area, indicating the direction and distance to the Highland Scenic Highway and to Richwood as "Gateway to the Highland Scenic Highway".

(e) Funds available for parkways shall be available for upgrading that portion of West Virginia State Route 39 designated as the Highland Scenic Highway to appropriate standards for a scenic and recreational highway, including the construction of vistas and other scenic improvements.

(f) Upon construction of the Highland Scenic Highway as authorized by subsection (a) of this section, such road and all associated lands and rights-of-way shall be transferred to the Forest Service and managed as part of the Monongahela National Forest, solely for scenic and recreational use and passenger car travel.

(g) Any parkway authorized in the future to proceed southward in such area shall begin in the immediate vicinity of Richwood, West Virginia.

INCREASED FEDERAL SHARE—EFFECTIVE DATE

SEC. 143. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1970 is amended to read as follows:

"(b) The amendments made by subsection (a) of this section shall take effect with respect to all obligations incurred after June 30, 1973, except for projects on which Federal funds were obligated on or before that date."

GREAT RIVER ROAD

SEC. 144. (a) Section 14 of the Federal-Aid Highway Act of 1954, as amended (68 Stat. 70; Public Law 83–350), is amended by striking out "$500,000" and inserting in lieu thereof "$600,000".

(b) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 147. Development of a prototype of a national scenic and recreational highway program

"(a) (1) The Congress finds—

"(A) that there are significant esthetic and recreational values to be derived from making places of scenic and natural beauty and historical, archeological, or scientific interest accessible to the public;

"(B) that there is a deficiency in the number and quality of scenic roads, parkways, and highways available to the motoring public;

"(C) that with increased population, greater leisure time and higher percentage of privately owned automotive vehicles, more families than ever are seeking suitable areas in which to drive for pleasure and recreation;

"(D) that the growth of cities and large metropolitan centers has decreased the quantity of open-space and recreational areas available to the general public, especially urban dwellers; and

"(E) that substantial economic, social, cultural, educational, and psychological benefits could be gained from a nationwide system of attractive roadways making possible widespread enjoyment of natural and recreational resources.

"(2) It is therefore the purpose of this section to provide assistance to the States and to other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to develop highways throughout the Nation to satisfy such needs and to prove the actual national feasibility of such a system through direct Federal participation in the improvement and construction of the Great River Road and attendant facilities and to further provide for Federal participation in the celebration of the tricentennial of the discovery of the Mississippi River.

"(b) As soon as possible after the date of enactment of this section, the Secretary shall establish criteria for the location and construction or reconstruction of the Great River Road by the ten States bordering the Mississippi River in order to carry out the purpose of this section. Such criteria shall include requirements that—

"(1) priority be given in the location of the Great River Road near or easily accessible to the larger population centers of the State and further priority be given to the construction and improvement of the Great River Road in the proximity of the confluence of the Mississippi River and the Wisconsin River;

"(2) the Great River Road be connected with other Federal-aid highways and preferably with the Interstate System;

"(3) the Great River Road be marked with uniform identifying signs;

"(4) section 131 shall apply to the Great River Road;

"(5) the provisions of section 129(a) of this title shall not apply to any bridge or tunnel on the Great River Road and no fees shall be charged for the use of any facility constructed with assistance under this section.

"(c) For the purpose of this section the term 'construction' includes the acquisition of areas of historical, archeological, or scientific interest, necessary easements for scenic purposes, and the construction or reconstruction of roadside rest areas (including appropriate recreational facilities), scenic viewing areas, and other appropriate facilities determined by the Secretary for the purpose of this section.

"(d) Highways constructed or reconstructed pursuant to this section (except subsection (g)) shall be part of the Federal-aid primary system except with respect to such provisions of this title as the Secretary determines are not consistent with this section.

"(e) Funds appropriated for each fiscal year pursuant to subsection (h) shall be apportioned among the ten States bordering the Mississippi River on the basis of their relative needs as determined by the Secretary for payments to carry out the purpose of this section.

"(f) The Federal share of the cost of any project for any construction or reconstruction pursuant to the preceding subsections of this section shall be 80 per centum of such cost.

"(g) The Secretary is authorized to consult with the heads of other Federal departments and agencies having jurisdiction over Federal lands open to the public in order to enter into appropriate arrangements for necessary construction or reconstruction of highways on such lands to carry out the purpose of this section. To the extent applicable criteria applicable to highways constructed or reconstructed by the State pursuant to this section shall be applicable to highways constructed or reconstructed pursuant to this subsection. Funds authorized pursuant to subsection (h) shall be used to pay the entire cost of construction or reconstruction pursuant to this subsection.

"(h) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, for construction or reconstruction of roads on a Federal-aid highway system, not to exceed $20,000,000 for the fiscal year ending June 30, 1974, for allocations to the States pursuant to this section, and there is authorized to be appropriated to carry out this section out of any money in the Treasury not otherwise appropriated, not to exceed $10,000,000 for the fiscal year ending June 30, 1974, for construction and reconstruction of roads not on a Federal-aid highway system."

(c) The table of contents of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"147. Development of a prototype of a national scenic and recreational highway program.".

NATIONAL SCENIC HIGHWAY SYSTEM STUDY

SEC. 145. The Secretary of Transportation shall make a full and complete investigation and study to determine the feasibility and establishing a national system of scenic highways to link together and make more accessible to the American people recreational, historical, scientific, and other similar areas of scienic interest and importance. In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the Commission on Highway Beautification, the States and their political subdivisions, and other interested private organizations, groups, and individuals. The Secretary shall report his findings and recommendations to the Congress not later than January 1, 1975, including an estimate of the cost of implementing such a program. There is authorized to be appropriated $250,000 from the Highway Trust Fund to carry out this section.

CUMBERLAND GAP NATIONAL HISTORICAL PARK

SEC. 146. (a) Notwithstanding the definition of parkways in subsection (a) of section 101, funds available for parkways shall be available to finance the cost of reconstruction and relocation of Route 25E through the Cumberland Gap National Historical Park, including construction of a tunnel and the approaches thereto, so as to permit restoration of the Gap and provide adequate traffic capacity.

(b) Upon construction, such highway and tunnel and all associated lands and rights-of-way shall be transferred to the National Park Service and managed as part of the Cumberland Gap National Historical Park.

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1972".

HIGHWAY SAFETY

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs) by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $200,000,000 for the fiscal year ending June 30, 1974, and $360,000,000 for the fiscal year ending June 30, 1975.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $115,000,000 for the fiscal year ending June 30, 1974, and $115,000,000 for the fiscal year ending June 30, 1975.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, $35,000,000 for the fiscal year ending June 30, 1974, and $45,000,000 for the fiscal year ending June 30, 1975.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, and June 30, 1975, not to exceed $10,000,000 per fiscal year.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated for projects for the elimination of hazards of railway-highway crossings, $150,000,000 for the fiscal year ending June 30, 1974, and $225,000,000 for the fiscal year ending June 30, 1975. Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation for one year in advance of the fiscal year for which authorized and shall remain available for obligation for a period of two years after the close of the fiscal year for which authorized.

(b) Funds authorized by this section shall be available for expenditure as follows:

(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

(2) one-third for projects on highways not included on any Federal-aid system.

(c) Funds made available in accordance with paragraph (1) of subsection (b) shall be apportioned to the States in the same manner as sums authorized to be appropriated under paragraph (1) of section 105 of the Federal-Aid Highway Act of 1970. Funds made available in accordance with paragraph (2) of subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

BRIDGE RECONSTRUCTION AND REPLACEMENT

SEC. 204. (a) Subsection (b) of section 144 of title 23, United States Code, is amended by striking out "on any of the Federal-aid systems".

(b) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "$225,000,000 for the fiscal year ending June 30, 1974, and $450,000,000 for the fiscal year ending June 30, 1975,"; by striking out "out of the Highway Trust Fund," in the first sentence; and by inserting after the first sentence the following: "Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund.".

(c) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system; and

"(2) one-third for projects on highways not included on any Federal-aid system."

(d) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING PROGRAM

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 148. Special pavement marking program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a special pavement marking program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included in any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, out of the Highway Trust Fund, the sum of $100,000,000, to be available until expended. Such sums shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such funds were apportioned under this chapter. Such funds shall be apportioned on the same basis as is provided in paragraph (2) of section 104(b) of this title.

"(f) Funds apportioned to a State but not required by it for pavement-marking projects authorized by this section may be released by the Secretary to such State for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator.

"(g) Each State shall report to the Secretary in January 1975, and in each January thereafter for three years following completion within that State of the special pavement-marking program authorized by this section, with respect to the effectiveness of the payment-marking improvements accomplished since commencement of the program. The report shall include an analysis and evaluation with respect to the number, rate, and severity of accidents at improved locations, and the cost-benefit ratio of such improvements, comparing a period one year prior to completion of improvements to annual periods subsequent to completion of such improvements. The Secretary shall submit a report to Congress not later than June 30, 1975, and not later than June 30 of each year thereafter until completion of the special pavement-marking program authorized by this section, with respect to the effectiveness of the pavement-marking improvements accomplished by the several States under this section."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"148. Special pavement-marking program."

PAVEMENT-MARKING RESEARCH AND DEMONSTRATION PROGRAM

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs with respect to the effectiveness of various types of pavement markings and related delineators under inclement weather and nighttime conditions.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

Sec. 207. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

PROJECT FOR HIGH HAZARD LOCATIONS (SPOT IMPROVEMENTS)

Sec. 208. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof (after the section added by section 2 of this Act) the following new section:

"§ 149. Projects for high hazard locations

"(a) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, the sum of $100,000,000, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation for one year in advance of the fiscal year for which authorized and shall remain available for obligation for a period of two years after the close of the fiscal year for which authorized.

"(b) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(c) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 percentum of the cost thereof."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"149. Projects for high hazard locations.".

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

Sec. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 150. Program for the elimination of roadside obstacles

"(a) Each State shall conduct a survey of all expressways, major streets and highways, and through streets to identify roadside obstacles which may constitute a hazard to vehicles, and assign priorities and establish a schedule of projects for their correction. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, to the extent necessary, on all new construction or reconstruction of highways.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, the sum of $75,000,000, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation for one year in advance of the fiscal year for which authorized and shall remain available for obligation for a period of two years after the close of the fiscal year for which authorized.

"(c) Funds authorized by this section shall be available for expenditures as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Commencing in 1974, the Secretary of Transportation shall report to Congress the progress made by the several States during the preceding calendar year in implementing improvements for the elimination of roadside obstacles. His report shall analyze and evaluate each State program, identify any State found not to be in substantial compliance with the schedule of improvements required by subsection (a), and contain recommendations for future implementation of the program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"150. Program for the elimination of roadside obstacles."

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

Sec. 210. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media and other techniques for informing the public of means and methods for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by January 1, 1974.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation shall develop highway safety pilot television messages of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of $4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

Sec. 211. (a) The Secretary of Transportation, in cooperation with State and local traffic safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on the traffic enforcement process, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by January 1, 1974.

(b) For the purposes of carrying out this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

Sec. 212. (a) The Secretary of Transportation shall make a thorough study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein. The Secretary shall report to the Congress his findings and recommendations not later than June 30, 1974.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of $5,000,000 out of the Highway Trust Fund.

UNDERPASS DEMONSTRATION PROJECT

Sec. 213. (a) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $3,000,000 to carry out this section.

DEMONSTRATION PROJECT—RAIL-HIGHWAY CROSSINGS

Sec. 214. (a) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $36,000,000 to carry out subsections (a) and (b) of this section.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in Lincoln, Nebraska, for the relocation of railroad lines from the central area of the city in conformance with the methodology developed under proposal numbered DOT-FR-20037. The city shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads and multicivic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(e) Federal grants or payments for the purpose of subsection (d) of this section shall cover 70 per centum of the costs involved.

(f) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to subsection (d) of this section.

(g) For the purpose of carrying out subsections (d), (e), and (f) of this section, there is hereby authorized to be appropriated the sum of $2,500,000 out of the Highway Trust Fund, and not to exceed $9,500,000 out of any money in the Treasury not otherwise appropriated.

(h) There is authorized to be appropriated not to exceed $1,000,000 in the case of Lincoln, Nebraska, and $1,400,000 in the case of Elko, Nevada, from the Highway Trust Fund, and not to exceed $2,000,000 in the case of Lincoln, Nebraska, and $2,800,000 in the case of Elko, Nevada, from money in the Treasury not otherwise appropriated, for carrying out the provisions of this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

SEC. 215. (a) The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after "approved in accordance with subsection (a)," the following: "including the development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom such funds."

PUBLIC ROAD MILEAGE

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 217. Subsection (c) of section 402 is amended by striking "one-third of 1 per centum" in the fifth sentence thereof as amended, and inserting "one-half of 1 per centum."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY STANDARDS

SEC. 218. Section 402 of title 23 of the United States Code is amended by adding a new subsection (i), as follows:

"(i) (1) The Secretary shall award, in addition to other grants pursuant to this section, $10,000,000 in grants in each fiscal year to States which he determines, in accordance with criteria which he shall establish and publish, to have attained above average results in carrying out and achieving the purposes of this chapter. Such grants shall be used by recipient States only to further the purposes of this chapter. The amount appropriated in each fiscal year for the purpose of carrying out this paragraph shall be apportioned among the States eligible for grants pursuant to this paragraph in the ratio which the total apportionments to each State pursuant to section 104(b) (1) and (2) for such year bears to the total such apportionments to all such eligible States for such year.

"(2) The Secretary may also award, in addition to other grants pursuant to this section, $10,000,000 in grants in each fiscal year to States which he determines, in accordance with criteria which he shall establish and publish, to have made the most significant improvements in carrying out and achieving the purposes of this chapter. Such grants shall be used by recipient States only to further the purposes of this chapter. No State shall receive in excess of $500,000 in any fiscal year pursuant to the provisions of this paragraph.".

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 219. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this subsection, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which are deemed by the Secretary to be necessary to carry out the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel."

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 220. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section."

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

SEC. 221. Subsection (a)(1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

SEC. 222. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

TITLE III

URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4 (a) of the Urban Mass Transportation Act of 1964 is amended to read as follows: "The Federal grant for any such project to be assisted under section 3 (other than a project for payment of operating expenses) shall be in an amount equal to 80 per centum of the net project cost."

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1972.

(c) (1) Section 3 of such Act is amended—

(A) by striking out "No" in the fifth sentence of subsection (a) and inserting in lieu thereof "Except as provided in subsection (f), no"; and

(B) by adding at the end thereof a new subsection as follows:

"(f) The Secretary is also authorized, on such terms and conditions as he may prescribe, to make grants or loans to any State or local public body to enable it to assist any mass transportation system which maintains mass transportation service in an urban area to pay operating expenses incurred as a result of providing such service. No financial assistance shall be provided under this subsection unless (1) the Secretary determines that the mass transportation services provided by the system involved are needed to carry out a program referred to in section 4(a), and (2) the applicant State or public body has submitted to the Secretary a comprehensive mass transportation service improvement plan which is approved by him and which sets forth a program, meeting criteria established by the Secretary, for capital or service improvements to be undertaken for the purpose of providing more efficient, economical, and convenient mass transportation service in an urban area, and for placing the mass transportation operations of such system on a sound financial basis, and (3) the Secretary determines that the mass transportation services provided by each system involved is being provided by an efficient operation of such system in accordance with regulations promulgated by the Secretary. The amount of any grant under this subsection to a State or local public body to enable it to assist any mass transportation system to pay operating expenses shall not exceed twice the amount of financial assistance provided from State or local sources for that purpose. The Secretary shall issue such regulations as he deems necessary to administer this subsection in an equitable manner. Such regulations shall include appropriate definitions of (A) operating expenses, and (B) the sources or types of State or local financial assistance which may be considered in computing the maximum allowable Federal grant."

(2) The fourth sentence of section 4(a) of such Act is amended by striking out "section 3" and inserting in lieu thereof "section 3 (other than subsection (f))".

(3) Section 12(c) is amended—

(A) by striking out "and" at the end of paragraph (4);

(B) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and";

(C) by adding after paragraph (5) a new paragraph as follows:

"(6) the term 'mass transportation system' means any private company or public authority or agency providing mass transportation service."

(c) Section 4(c) of such Act is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "sections 3, 7(b), and 9" and inserting in lieu thereof "section 3 (except subsection (f)), and sections 7(b) and 9";

(3) by striking out "this subsection" wherever it appears and inserting in lieu thereof "this paragraph"; and

(4) by adding at the end thereof a new paragraph as follows:

"(2) To finance grants and loans under section 3(f) of this Act, the Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements or otherwise in amounts aggregating not to exceed $400,000,000. This amount shall become available for obligation upon the date of enactment of this paragraph and shall remain available until obligated. There are authorized to be appropriated for liquidation of the obligations incurred under this paragraph not to exceed $100,000,000 prior to July 1, 1973, which amount may be increased to not to exceed an aggregate of $400,000,000 prior to July 1, 1974. Sums so appropriated shall remain available until expended."

(d) Section 4(c) of such Act is amended by striking out "$3,100,000,000" in the first and third sentences and inserting in lieu thereof "$6,100,000,000".

TITLE IV

PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

SEC. 401. (a) Chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 323. Prohibition of discrimination on the basis of sex.

"No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(b) The analysis of chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Discrimination on the basis of sex prohibited."

And the House agree to the same.

John C. Kluczynski,
Jim Wright,
Harold T. Johnson,
James J. Howard,
Don H. Clausen,
Managers on the Part of the House.

Jennings Randolph,
Joseph M. Montoya,
Mike Gravel,
Lloyd Bentsen,
John S. Cooper,
Howard Baker,
H. A. Williams,
Managers on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

With respect to the amendment of the House, the Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below except for minor technical and clarifying changes made necessary by reason of the conference agreement.

PROVISIONS OF THE BILL

Section 101 of the Senate bill would provide that title I may be cited as the "Federal-Aid Highway Act of 1972".

Section 102 of the Senate bill would provide authorizations for the Interstate Highway program through the fiscal year 1980. $3.25 billion would be authorized for each fiscal year from 1974 through 1979 and $257 million for fiscal year 1980.

Section 103 of the Senate bill would approve the use of apportionment factors contained in table 5 in the 1972 Interstate Cost Estimate (House Document 29, 92d Congress) for the apportionment of Interstate funds authorized to be appropriated for fiscal years 1974 and 1975.

Section 104 of the Senate bill would extend the time for completion of the Interstate System until June 30, 1980. It would further direct the Secretary to submit to Congress a revised Interstate System cost estimate in January of 1974, January of 1976 and January of 1978 for apportionment of Interstate funds for fiscal years 1976 and 1977, 1978 and 1979, and 1980 respectively.

Section 105 of the Senate bill would authorize funds for the Federal-Aid and Federal domain roads programs for the fiscal years 1974 and 1975.

The bill changes prior patterns of authorization by eliminating the specific authorization of funds for urban extensions of the primary and secondary systems.

The bill would authorize $950 million for each of the fiscal years 1974 and 1975 for the primary system and its urban extensions with the requirement that $300 million be expended for elimination of roadway dangers as defined in new Section 148 of Title 23, with special emphasis on railroad grade crossing elimination.

Five hundred million dollars would be authorized for each of the fiscal years 1974 and 1975 for the secondary system and its urban extensions with the requirement that at least $50 million for each of those years be expended for public transportation under the provisions of Section 142 of Title 23.

Appropriations for the urban system authorized for fiscal years 1974 and 1975 would be $800 million per year.

The small urban system, which would be established by the bill, would be authorized at $50 million for fiscal 1974 and for $100 million for fiscal 1975.

In addition to the authorizations for the regular Federal-Aid system, the bill also continues at increased levels funds for the Federal domain road program, with funds for parkways and Indian reservation roads and bridges being authorized to be appropriated from the trust fund for the first time. Funds for forest highways and public lands highways will be available from the trust fund in accordance with the practice established in the 1970 Federal-Aid Highway Act. The authorizations for these highways are as follows:

[In millions]

Category:	*1974*	*1975*
Forest highways	$50	$50
Public lands highways	25	25
Forest development roads and trails	170	170
Public lands development roads and trails	20	20
Park roads and trails	50	50
Parkways	75	100
Indian reservation roads and bridges	75	100

This section also authorizes $75 million for fiscal 1974 and fiscal 1975 for landscaping and scenic enhancement: $1.5 million for each of those years for the administrative expenses of the beautification program; and continues the territorial highway program established in the 1970 act with authorization to the territories in the following amounts:

[In millions]

Category:	*1974*	*1975*
Virgin Islands	$2.5	$2.5
Guam	2.0	2.0
American Samoa	.5	.5

For fiscal years 1974 and 1975, each State would receive at least ½ of 1% of total apportionments for the Interstate System. Whenever such amount exceeds the cost of completing the system in any State, the excess amount would be added to primary, secondary, urban and small urban apportionments for such States in the ratio which the respective amounts bear to each other.

In addition, each State would receive at least ½ of 1% of apportionments for the Federal-aid urban system and for the Federal-aid small urban system. Similar authority exists with respect to the apportionment of primary and secondary funds.

This section would amend Section 101 to include traffic operation improvement programs (TOPICS) under the definition of "construction."

The definition of "Indian roads and bridges" would be modified so that Alaska native villages would be eligible for funding under Chapter 2 of title 23.

The definition of "urbanized area" would be changed to allow the Secretary, in cooperation with local officials, to fix the urbanized area boundary.

Section 107 of the Senate bill would permit the establishment of a new Federal-aid small urban system in each urban area of 5,000 to 50,000 population. The system would consist of arterial and collector streets, exclusive of urban extensions of the Federal-aid primary and secondary systems, selected by responsible local officials in cooperation with the State highway department. The Secretary could delegate authority to the State highway department to approve designation of the system. Guidelines for carrying out this section and other applicable provisions of law would be issued by the Secretary no later than March 30, 1973. The apportionment of funds authorized to be appropriated for the system would be made on the basis of population in small urban areas. The Federal share of the cost of projects would be 70 percent, the same as for the primary, secondary and urban programs.

Section 108 of the Senate bill would declare it to be in the national interest and the intent of Congress that the Secretary should administer the Federal-aid highway program in such a manner as to give the highest priority in all instances to highway safety and to the saving of human lives.

Section 109 of the Senate bill would require the realignment by June 30, 1975 of the Federal-aid primary, secondary and urban systems, based upon anticipated functional usage for the year 1980. The primary system would consist of rural arterial routes and their extensions into or through urban areas; the secondary system would consist of rural major collector routes; and the urban system would consist of urban arterial and collector routes, exclusive or extensions of rural arterial routes through urban areas.

Section 110 of the Senate bill would expand the urban system as presently designated to include collector streets. This section would also amend section 103 of Title 23 to allow area-wide governmental organizations acting for local officials to select the urban system.

Section 111 of the Senate bill would amend subsection (e) of section 103 of title 23 to provide that, at the joint request of a State Governor and the local government concerned, the Secretary could withdraw his approval of any controversial Interstate segment. After the Secretary withdraws his approval of any controversial Interstate segment within a State, dollar-for-dollar substitution of Interstate mileage for any substitute essential connection would be permitted.

The cost of withdrawn Interstate mileage for each project would be the maximum Federal cost of any substitute project. If no substitute essential connection is necessary or if the cost of substitute mileage is less than the cost of the original route, the total amount or difference in amount would be available for use only in the urbanized area from which the controversial route was withdrawn, for use on the urban system or for local public transportation purposes under section 142 of title 23, United States Code. Any costs incurred by reason of the development of the project withdrawn would be deducted from such amounts. Any mileage from a route or portion thereof which is withdrawn from designation and not replaced may be redesignated elsewhere as part of the Interstate System.

Costs would be that as of the date of withdrawal. In approving substitute mileage, the Secretary would be required to "assure", rather than "give due regard to", connectivity of Interstate routes and extensions of routes which terminate within municipalities served by a single Interstate route, so as to provide traffic service entirely through such municipalities.

For alternate segments previously designated under existing law, the Cramer-Howard amendment to the Federal-Aid Highway Act of 1968, subsection (e)(2) of section 103, would be modified to provide that costs to the United States of substitute mileage in any State must not exceed the cost of original mileage removed from designation in such State. For the purposes of substitution, costs would be determined as of the date of withdrawal of the original segment.

Section 112 of the Senate bill would require the States to notify the Secretary by July 1, 1973, of their intent to build any remaining Interstate segments; otherwise, such segments would be removed from Interstate designation. By July 1, 1974, States would be required to submit a schedule for completing for the system (including alternate segments). For routes added to the Interstate System after December 1, 1968, the above submission of plans, specifications and estimates would be eliminated.

Section 113 of the Senate bill would make no separate authorizations for extensions of the Federal-aid primary and secondary systems in urban areas, but instead would provide for such highways under the normal primary and secondary authorizations. Each State would make its own determination as to the amount of funds that would be made available out of its primary and secondary apportionments for urban extensions. The method of apportionment for urban extensions would be revised to reflect this change.

Section 114 of the Senate bill would make available to metropolitan transportation agencies qualifying under section 123 of this bill ½ of 1% of funds apportioned for the Federal-aid systems for the purpose of carrying out section 134 of title 23, relating to transportation planning. Funds would be apportioned to the States on the basis of population and further apportioned to metropolitan agencies in accordance with a formula developed by each State and approved by the Secretary. Funds would be matched in accordance with section 120 of title 23 unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

Section 115 of the Senate bill would amend section 105 of title 23, United States Code, to give the Governor of each State, rather than the highway department, the ultimate responsibility for overall transportatation plans in that State.

Section 116 of the Senate bill would extend from 7 years to 10 years the allowable time period within which actual highway construction should begin following the advance purchase of right of way.

Section 117 of the Senate bill would prohibit the initiation of any highway program or the construction of any highway project under title 23 unless it is in conformity with guidelines promulgated by the Secretary to assure attainment of ambient air quality standards under the Clean Air Act, as amended.

Section 118 of the Senate bill would prohibit any informational signs, other than official traffic control devices, from being erected on any projects where actual construction is in progress.

Section 119 of the Senate bill would authorize in the case of the Interstate System, repayment to the States of an amount equal to the principal and interest of bonds whose proceeds are used to construct projects on Federal-aid primary or Interstate Systems, or extensions of any of the Federal-aid highway systems in urban areas.

Section 120 of the Senate bill would require that, when plans are submitted for a Federal-aid project, the State highway department must provide assurance that it has taken steps to ensure and foster public participation in the development of such project before and after the required public hearings.

Section 121(a) of the Senate bill would apply to any toll road designated as part of the Interstate System on or before June 30, 1968, and which becomes toll free prior to July 1, 1976. In such situations, funds apportioned for the Interstate System could be expended for the construction, reconstruction or improvement of that road to bring it up to proper standards.

Section 121(b) of the Senate bill would allow expenditure of Interstate funds for reconstruction of any interchange between three or more Interstate routes and a toll road where improvements to such toll road have resulted in serious impairment of the capacity of the interchange and Interstate routes.

Section 122 of the Senate bill would make a number of changes in the Highway Beautification Act which have been suggested by the Highway Beautification Commission.

First, the present 660 foot limit on the control of signs along the Interstate and primary systems would be eliminated. After January 1, 1973, the 10% penalty could be imposed on States which do not remove signs beyond 660 feet away which are "visible from the main traveled way" and are "erected with the purpose of their message being read from such main traveled way."

Second, since the present 660 foot limitation would be removed, the authority of erecting aproved signs in areas zoned industrial and commercial (now valid within the 660 foot zone) would be extended for the sake of consistency to areas beyond 660 feet.

Third, unless determined otherwise by the Secretary, signs that are not in conformity with State law would have to be removed no later than five years after they became nonconforming. The original act provided that any signs which were lawfully in existence on September 1, 1965, but were not in conformity with Federal law, could not be required to be removed before July 1, 1970, and other lawfully erected signs that were non-conforming could not be required to be removed for five years.

Fourth, the present authority of the Secretary to provide standards for the erection along the Interstate System of signs providing specific information for the traveling public would be expanded to include the same authority with respect to other Federal-aid highway systems.

Fifth, just compensation would be paid for the removal of all outdoor advertising signs which have been lawfully erected under State law. This provision would help remove an ambiguity in the original act.

Not to exceed $50,000,000 would be authorized to be appropriated from the Highway Trust Fund for each of the 1974 and 1975 fiscal years for purposes of outdoor advertising control.

Finally, the Secretary could not require any State to remove any directional signs lawfully in existence on June 1, 1972, until December 31, 1974, or until the State assures the Secretary that the directional information would reasonably be available to motorists by some alternate means.

Section 123 of the Senate bill would amend section 134 of title 23 to (1) require the States take reasonable measures to permit, encourage and assist public participation in the urban transportation planning process and (2) require the Secretary to develop minimum guidelines for such participation. These guidelines must include annual public hearings to review the planning process, plans and programs and opportunity provided for consideration of alternative modes of transportation at such hearings. Noncompliance with these provisions by any urbanized area would result in the Secretary's disapproval of all Federal-aid highway projects within such urbanized area.

Section 124 of the Senate bill would allow urban system funds to any urbanized area within the State on the basis of population, and would be available for expenditure in another urbanized area within such State only where the responsible public officials in both such urbanized areas would agree to such a transfer.

This section would allow urban system funds to be passed through to urbanized areas where local jurisdictions agree to combine together under State law to create a metropolitan transportation agency (or where the State creates a metropolitan transportation agency) with sufficient authority to develop and implement a plan for expenditure of funds allocated to such urbanized area for the urban system and related highway public transportation purposes. Plans would be developed in accordance with the comprehensive coordinated and continuing transportation planning process required by section 134 of title 23.

For purposes of this section, a metropolitan transportation agency would have to meet the following criteria: (1) represent at least 75% of the total urbanized area population, including the central city; (2) be suitably empowered, equipped and organized to carry out projects on the urban system. Projects could be implemented through delegation of authority to participating local governments.

Section 125 of the Senate bill would provide that just compensation would be paid for removing, relocating, or disposing of junkyards which were lawful on the effective date of State compliance legislation.

$15,000,000 would be authorized out of the Highway Trust Fund for purposes of junkyard control for each of the 1974 and 1975 fiscal years.

Section 126 of the Senate bill would amend section 137 of title 23 to allow the imposition of parking fee rates (for fringe parking facilities) necessary to finance the liquidation of bonds or other obligations incurred in financing the local share of constructing such facility, as well as financing the costs of maintenance and operation, which are now authorized by law.

Section 127 of the Senate bill would amend section 138, title 23, regarding parkland preservation to also protect publicly-owned water recreation areas and historic water areas of national, state or local significance, as well as public lands.

Section 128 of the Senate bill would extend authorizations for the highway construction training program for two years through fiscal year 1975. $5 million would be provided for each of the fiscal years 1974 and 1975.

Section 129 of the Senate bill would permit the use of sums apportioned in accordance with section 104(6)(b) of title I of the bill (highway trust fund) to finance the Federal share of the cost of construction of and acquisition of facilities and equipment for public mass transportation projects, which shall be deemed highway projects for the purposes of title 23 of the United States Code:

Section 130 of the Senate bill would provide authorizations for economic growth center development highways through fiscal year 1975. $50 million from the Highway Trust Fund would be authorized for fiscal year 1974 and $100 million for fiscal year 1975. Section 143 of Title 23 would be expanded to allow the designation of Federal-aid secondary roads as development highways as well as Federal-aid primary roads as now provided by law. Subsection (e) of this section would be amended to provide that the Federal share of the cost of construction of any development highway would be increased by not to exceed an additional 10% of the project cost, except that in no case could the Federal share exceed 95%.

Section 131 of the Senate bill would provide that sums apportioned for the Federal-aid highway systems would be made available for the development and improvement of bicycle transportation, equestrian trails and pedestrian walkways located on or in conjunction with highway rights-of-way.

Funds could be used to finance the Federal share of the cost of constructing separate or preferential bicycle lanes or paths, bicycle traffic control devices, bicycle shelters and parking facilities, pedestrian walkways, and equestrian trails. Projects to be authorized under this program would have to be located and designed according to an overall plan providing for safety and for contiguous routes.

An additional $10 million for each of the fiscal years 1974 and 1975 would be authorized for carrying out the provisions of this section. Such funds would be apportioned to the States in accordance with the apportionment formula for the Federal-aid primary system, except that no State would receive less than 1% of such apportionments.

Funds authorized and appropriated for forest highways, forest development roads and trails, parkways. Indian reservation roads and bridges and public lands highways would also be available for carrying out the provisions of this section at the discretion of the Department charged with the administration of such programs.

No motorized vehicle would be permitted on trails and walkways authorized under this section except for maintenance purposes.

Section 132 would authorize the Secretary to reimburse States after they have received their final apportionment on the Interstate System, for 70% of the construction cost for new toll roads and improvements to existing toll roads. The Federal share would be drawn from funds apportioned to the State for its Federal-aid primary system.

Toll roads built under this program would have to comply with standards approved by the Secretary and would be subject to the same regulations now applicable to other Federal-aid systems. Except for costs of operation and maintenance, all tolls collected from users of these roads would be devoted to retiring obligations incurred by the State for its 30% share.

The Federal 70% share of the cost of toll roads would be payable in not more than 15 equal annual installments from funds apportioned to the State for its Federal-aid primary system. After the Federal share has been fully paid, the highway would be maintained and operated as a free highway as a part of the primary system (or the Interstate System in the case of certain improved toll highways).

Section 133 of the Senate bill would authorize $100 million for each of the fiscal years 1974 and 1975 for the construction of special highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Federal share for any project under this section could not exceed 90% of the cost of construction.

The Secretary would develop guidelines for designation of routes and allocation of funds to include several criteria. Routes selected could be no more than 10 miles long, would have to serve areas of concentrated population and heavy traffic congestion and meet the urgent needs of commercial, industrial or national defense installations, and would have to connect with existing routes on the Interstate System. Any route selected would have to be approved through the section 134 planning process and could be designated only if the Secretary determines that no other feasible or practicable alternative mode of transportation would be available. Designation of routes would have to comply with section 138 of title 23 regarding parkland preservation and no route could be approved which substantially damaged or infringed upon any residential area. The Secretary could designate no more than one route in each State and would base his designation upon the recommendation of State and responsible local officials.

Section 134 of the Senate bill would authorize $15,000,000 for each of the fiscal years ending June 30, 1974, and June 30, 1975, for the construction of access highways to public recreation areas on Federal lakes.

Section 135 of the Senate bill would make available to the States an alternative to Chapter 1, Title 23, procedures whereby the planning, design and construction of certain types of Federal-aid highways by State highway departments might be facilitated. This alternative procedure would be designed to eliminate project-by-project review by the Federal Highway Administration of Federal-aid primary, secondary, urban and small urban system projects, on the condition that the State meet certain specified conditions outlined in Chapter 1–A.

The State would not be required to submit for Federal review and approval the plans, specifications and estimates for each such project. However, the Secretary would still be responsible for complying with government-wide requirements stipulated by such laws as the National Environmental Protection Act, the Civil Rights Acts, and the Uniform Relocation Assistance and Land Acquisition Policies Act.

Section 136 of the Senate bill would provide that funds authorized for forest highways and park roads and trails would be made available by this section for the purchase of buses as well as for the construction of passenger loading facilities and parking areas, in order to provide interpretive and shuttle transportation services in national parks and forests as an alternative to private automobile transportation.

Section 137 of the Senate bill would amend section 207 of title 23 to permit the acquisition of rights-of-way and related scenic easements from funds available for parkways. Parkways constructed after December 31, 1972, would be deemed to be on the Federal-aid secondary system. The provisions of section 106(a) of title 23 relating to the obligation of funds would apply to funds available for parkways.

Section 138 of the Senate bill would provide for the construction of the Highland Scenic Highway from West Virginia State Route 39 to U.S. 250 near Barton Knob, West Virginia, as a parkway.

Section 139 of the Senate bill would provide for the relocation of Route 25E through a tunnel to be constructed in the Cumberland Gap National Historical Park so as to restore and preserve the Gap as a National Historical Site.

Section 140 of the Senate bill would authorize $58,670,000 for reconstructing the Alaska Highway from the Alaskan border to Haines Junction in Canada, and reconstructing the Haines Cutoff Highway from Haines Junction to the south Alaskan border.

Section 141 of the Senate bill would permit the financing of local public bus transportation planning in addition to the other planning and research purposes indicated in section 307(c)(1) of this title.

Section 142 of the Senate bill would provide increased authorization of $8.5 million to finance the construction of two bridges on Federal dams located in the vicinities of Fort Smith, Arkansas and Chattanooga, Tennessee.

Section 143 of the Senate bill would make several technical amendments to update language and correct typographical errors.

Section 144 of the Senate bill would amend the special Alaskan Highway authorization in the Federal-aid Highway Act of 1966 by providing $20 million from the Highway Trust Fund for each of the fiscal years 1974 and 1975. These funds are limited to Federal-aid highway projects.

Section 145 of the Senate bill would increase Federal share payable on account of any non-Interstate project from 50% to 70% with respect to all obligations incurred after June 30, 1973, except for projects for which Federal funds were obligated on or before that date.

Section 146 of the Senate bill would extend until December 31, 1973, the time period for submission of final recommendations by the Highway Beautification Commission to the President and Congress and would authorize an additional $250,000 as necessary to carry out the provisions of section 123 of the Federal-aid Highway Act of 1970.

Section 147 of the Senate bill would require feasibility studies for including four proposed highways in the Interstate System: (1) A route from Brunswick, Georgia, to Kansas City, Missouri; (2) extension of Interstate 70 from Cove Fort, Utah, in a westerly direction; (3) a route from Amarillo, Texas, to Las Cruces, New Mexico; (4) a route from Kansas City, Missouri, to Baton Rouge, Louisiana; a route from Waterloo, Iowa, to Rockford, Illinois; and a route from Kansas City, Missouri, to Chicago, Illinois.

Section 148 of the Senate bill would require the Secretary to undertake a study of existing laws and regulations governing toll bridges over navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide.

Section 149 of the Senate bill would terminate the San Antonio North Expressway as a Federal-aid project and provides for the return of any Federal funds transferred to the State of Texas for that project.

Section 150 of the Senate bill would authorize $3 million to carry out a demonstration project in Lincoln, Nebraska, and $4.2 million to carry out a demonstration project in Elko, Nevada, for the relocation of railroad lines from the central city to eliminate a substantial number of railway-road grade crossings within the city.

Section 201 of the Senate bill provides that this title may be cited as the "Highway Safety Act of 1972."

Section 202 of the Senate bill would broaden and strengthen the authority of the Secretary to review the planning, administration and evaluation of State highway safety programs.

Section 203 of the Senate bill would provide that States would be required by future highway safety standards to prohibit persons from operating motor vehicles while under the influence of intoxicating liquors, narcotics or drugs, to provide effective enforcement of such restrictions, and to provide penalties that would constitute a meaningful deterrent.

Section 204 of the Senate bill would authorize funds appropriated to States for their highway safety programs to be used for the development and implementation of manpower training and demonstration programs which the Secretary determines might help reduce accidents.

Section 205 of the Senate bill would provide that, for purposes of apportioning funds for highway safety among the States, the public road mileage in each State would be determined at the end of each calendar year.

Section 206 of the Senate bill would provide that the discretionary authority of the Secretary to suspend application of the 10 percent reduction in the apportionment of Federal-aid Highway funds for those States not implementing a highway safety program would be eliminated with respect to the highway safety standard on alcohol. In effect, the 10 percent penalty would be made mandatory for States not in compliance with this standard.

Whenever the Secretary exercises his authority to suspend application of the 10 percent penalty in Federal aid for those States not in compliance with safety standards, he would be required to report his reasons for such suspension within ten days to appropriate committees of Congress, to publish the report in the Federal Register, and to notify the States involved.

Section 207 of the Senate bill would provide that the minimum amount available to any State for highway safety programs would be increased from one-third of one percent to one-half of one percent.

Section 208 of the Senate bill would authorize the Secretary to award each year, $10,000,000 in incentive grants to States which have achieved "above average results" and $10,000,000 to States which have made the "most significant improvement" in carrying out their highway safety programs.

Section 209 of the Senate bill would provide that Indian reservations would be made eligible for highway safety grants under Section 402. Funds normally apportioned to the States for this purpose would instead be apportioned to the Secretary of the Interior. The Secretary would also be authorized to increase the Federal share if necessary to assist an Indian tribe in meeting the non-Federal share of the cost of reservation safety programs.

Section 210 of the Senate bill would provide that the Secretary would be authorized to carry out research on the relationship between the consumption of drugs and highway safety and to promulgate, as soon as practicable, a highway safety program standard on drug use and highway safety.

The Secretary would be authorized to conduct research for making grants or contracts on the effectiveness of administrative adjudication systems in promoting highway safety and in reducing recidivism rates of traffic law offenders by appropriate punishment, training, and rehabilitation.

Section 211 of the Senate bill would modify section 403 of title 23, United States Code in order to make it clear that research funds could be used for grants to or contracts with public agencies, institutions and individuals for all five types of programs listed. The Secretary would assure that no fees are charged for training and education of highway safety personnel.

Section 212 of the Senate bill would authorize the Secretary to transfer to State and local agencies the title to equipment purchased with research funds for demonstration projects.

Section 213 of the Senate bill would add the National Highway Traffic Safety Administrator as an ex officio member of the National Highway Safety Advisory Committee.

Section 214 of the Senate bill would provide that the date on which the Secretary is to make an annual report to Congress on the administration of the Highway Safety Act would be changed from March 1 to July 1.

Section 215 of the Senate bill would authorize grants to States not exceeding $100,000 to provide 70 percent of the share of development of comprehensive plans for emergency medical care for highway accident victims. For fiscal year 1975, $25 million would be authorized to make grants to States for 70 percent of the cost of implementing approved emergency medical care plans.

To be approved, any State plan would have to comply with the highway safety program standard on emergency medical care and also with regulations established by the Secretary on equipment and personnel.

Section 216 of the Senate bill would make available funds apportioned for the Federal-aid systems, except the Interstate System, for the elimination or reduction of hazards at specific locations or sections of highways and at railroad-highway grade crossings, which have high accident experiences or high accident potentials.

Section 217 of the Senate bill would authorize $10 million for each of the fiscal years 1974 and 1975 for the conduct of research and demonstration programs with respect to the effectiveness of various types of pavement markings under inclement weather and nighttime conditions.

Section 218 of the Senate bill would authorize the following amounts from the Highway Trust Fund:

1. For assistance to the States in carrying out highway safety programs under section 402—$300 million for each of the 1974 and 1975 fiscal years, provided that $25 million of such funds would be available to the States exclusively for the purchase of pavement equipment marking.

2. For highway safety research and development—$125 million for each of the 1974 and 1975 fiscal years.

3. For emergency medical care programs—$5 million for 1974 and $25 million for 1975 fiscal years.

4. For special bridge replacement—$250 million for each of the 1974 and 1975 fiscal years.

Section 301 of the Senate bill would amend the Urban Mass Transportation Act of 1964 to increase the level of participation in projects by the Federal Government. The Secretary is authorized to incur obligations on behalf of the United States in order to make grants or loans to mass transportation systems to pay the operating costs of such systems where such assistance is needed to carry out a program under section 4 of the 1964 Act.

PROVISIONS OF THE HOUSE AMENDMENT

Section 101 of the House amendment would provide that title I may be cited as the "Federal-Aid Highway Act of 1972".

Section 102 would authorize the appropriation of an additional $8 billion for completion of the Interstate System.

Section 103 of the House ammendment approves the use of the apportionment factors contained in revised table 5 of the 1972 Interstate System Cost Estimate (House Works Committee Print No. 92–29) for the apportionment of Interstate funds authorized to be appropriated for fiscal years 1973 and 1975.

Section 104 of the House amendment would authorize the appropriation, out of the Highway Trust Fund, of the following sums for each of the fiscal years 1974 and 1975:

For the Federal-aid primary system in rural areas, $700,000,000; for the Federal-aid urban system, $700,000,000; for the Federal-aid secondary system in rural areas, $400,000,000; for the extensions of the Federal-aid primary and secondary systems in urban areas, $400,000,000; for economic growth center development highways, $150,000,000; for forest highways, $33,000,000; and for public lands highways, $16,000,000.

It would also provide authorizations of $49,000,000 for each of the fiscal years 1974 and 1975 in addition to all other authorizations for the Interstate System, be apportioned to each of the States which otherwise would receive less than one-half of one percent of the Interstate apportionment for fiscal year 1974 or 1975 so long as such State has not completed Federal funding of the Interstate System within its boundaries.

Use of any funds authorized by this section for highway beautification (sections 131, 136 and 319(b)) or Chapter 4 of title 23, United States Code, would be prohibited.

Authorizations would be provided for the Territorial Highway Program for each of the fiscal years 1974 and 1975 as follows: Virgin Islands, $4,000,000; Guam, $2,000,000; and American Samoa, $500,000.

Sums authorized for the fiscal years 1974 and 1975 for certain categories of roads administered by the Department of Transportation jointly with either the Department of the Interior or the Department of Agriculture, would be as follows:

	1972	*1973*
Forest development roads and trails	$170,000,000	$170,000,000
Public lands development roads and trails	10,000,000	10,000,000
Park roads and trails	30,000,000	30,000,000
Indian reservation roads and bridges	100,000,000	100,000,000
Parkways	20,000,000	20,000,000

Section 105 of the House amendment would require the Secretary of Transportation to forward to the Congress within 30 days of the enactment of this act those reports required under sections 105(b)(3), 121 and 144 of the Federal-aid Highway Act of 1970. Such reports would contain the Secretary's recommendations to the Director of the Office of Management and Budget unless these recommendations have already been submitted to the Congress.

Section 106 of the House amendment would provide a conforming amendment to the definition of the term "construction" to change the reference to the "Coast and Geodetic Survey" to its current name "National Oceanic and Atmospheric Administration" and by adding traffic engineering and operational improvements to the definition. The term "urban area" would be amended to require the participation of appropriate local officials in the establishment of the boundaries of an urban area. The definition of the term "Indian reservation roads and bridges" would be amended to make Alaskan native villages, groups, or communities eligible for funding under chapter 2 of title 23.

Section 107 of the House amendment would extend the time for completion of the Interstate System until June 30, 1979, and would further direct the Secretary to submit to Congress a revised Interstate System Cost Estimate in January of 1974 for making apportionments for fiscal years 1976 and 1977 and another cost estimate in January of 1976 for apportionment of interstate funds for fiscal years 1978 and 1979.

Section 108 of the House amendment would add a new paragraph to the present declaration of policy to the effect that, after the completion of the Interstate System, it shall be a national policy to increase emphasis on the acceleration of other Federal-aid systems in order to bring all such systems up to standards and to increase their safety to the maximum possible no later than the year 1990.

Section 109 of the House amendment would state the national policy, that, to the maximum extent possible, the procedures followed by the Secretary and other affected heads of Federal departments, agencies and instrumentalities shall encourage the "drastic" minimization of paperwork and interagency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government.

Section 110 would expand the Federal-aid urban system to include the collection and distribution of traffic. It would also provide that a State not having a designated urbanized area may designate routes on the Federal-aid urban system for its largest population center, based upon a continuing planning process developed cooperatively by State and local officials and the Secretary. The section also would change the date for removing from designation as part of the Interstate System of those segments for which a State has not submitted plans, specifications and estimates for approval by the Secretary from July 1, 1975 to July 1, 1977. The District of Columbia would be exempted from this provision.

Section 111 of the House amendment would amend the description of the Federal-aid urban system to make the provisions of chapters 1, 3, and 5 of title 23 that are applicable to Federal-aid primary highways application to the Federal-aid urban system unless the Secretary determines them to be inconsistent with this subsection. The provisions of title 23 relating to control of outdoor advertising, junkyard control and scenic enhancement would be, however, made specifically applicable to the Federal-aid urban system and the Secretary may not determine such sections to be inconsistent with subsection 103(d) of title 23, U.S.C.

Section 112 of the House amendment would amend the Federal-aid primary formula to substitute rural population for general population. Provision would also be made to establish a minimum of one-half of one percent for each State's apportionment of funds for the Federal-aid urban system. The section would increase the authority of the Secretary to approve the transfer of apportionments from one system to another from 20 to 30 percent. Such transfers may be made, on the one hand, between the Federal-aid primary and secondary systems under sections 104(b) (1) and (2) and, on the other hand, between extensions of the Federal-aid primary and secondary systems within urban areas and the Federal-aid urban system. Conforming amendments deleting the last sentence of section 104(c) and repealing section 104(f) would also be made.

Section 113 of the House amendment would terminate the San Antonio North Expressway as a Federal-aid project and provide for the return of any Federal funds transferred to the State of Texas for that project.

Section 114 of the House amendment would extend from 7 to 10 years the allowable time period within which highway construction must begin following the advance purchase of right-of-way.

Section 115 of the House amendment would broaden the authority of the Secretary to fund noise control projects along existing Federal-aid highways.

Section 116 of the House amendment would, after July 1, 1973, prohibit any informational signs, other than official traffic control devices, from being erected on any highway projects where atcual construction is in progress and which would be visible to highway users.

Section 117 of the House amendment would amend section 117 of title 23, United States Code, by broadening its scope to include all Fedral-aid systems except the Interstate System. Upon the request of a State, the Secretary may discharge his responsibilities under title 23 by accepting a certification of the State highway department if he finds that the State: (1) will carry out projects on such systems in accordance with State laws, regulations, directives and standards establishing requirements at least equivalent to those required under title 23: (2) the State meets the requirements of section 302 of title 23; and (3) the final decision by responsible State officials will be in the best overall public interest. The Secretary would be required to make a final inspection of such projects upon completion and require an adequate report of the estimated and actual cost of construction and such other information as he determines necessary. The acceptance of the State's certification by the Secretary may be rescinded by him at any time he determines it is necessary to do so. The procedure provided by this section is an alternative to that otherwise prescribed in title 23 and the Secretary is required to promulgate such guidelines and regulations as may be necessary to carry out the section.

This section would not affect or discharge the responsibility or obligation of the Secretary under any Federal law, including the National Environmental Policy Act of 1969, section 4(f) of the Department of Transportation Act and the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970, other than title 23.

Section 118 of the House amendment would amend 23 U.S.C. 121(a), relating to progress payments to a State for cost of construction, to permit payments to be made for materials which are not in the vicinity of the construction if the Secretary determines that because of the required fabrication at an offsite location the materials cannot be stockpiled in the vicinity of the construction.

Section 119 of the House amendment would amend section 129(b) of title 23 to provide that when a toll road which the Secretary has approved as a part of the Interstate System becomes toll free, apportioned Federal-aid Interstate highway funds may be expended for construction, reconstruction or improvement of such road to standards adopted for the improvement of projects on the Interstate System.

Section 120(a) of the House amendment would amend 23 U.S.C. 131(a) relating to the control of outdoor advertising by eliminating the present 660 foot limitation on the control of signs along the Interstate and primary system. After January 1, 1974, the 10% penalty could be imposed on States which do not remove signs beyond 660 feet away which are "visible from the main traveled way of the system" and are "erected with the purpose of their message being read from such main traveled way."

Section 120(b) of the House amendment would amend the outdoor advertising effective control provisions and clarifies the present law with respect to signs for the information of the traveling public. It would provide that on or after July 1, 1974, or after the expiration of the next regular session of State legislatures, whichever is later, effective control shall mean that signs located beyond 660 feet of the right-of-way and visible from the main traveled way of the system and erected with the purpose of their message being read from the main traveled way shall be limited to directional and official signs and notices including but not limited to signs and notices pertaining to information in the specific interest of the traveling public, such as, but not limited to, signs and notices pertaining to rest stops, camping grounds, food service, gas and automotive service, lodging, natural wonders, scenic and historic attractions. Not more than three such signs facing in the same direction of travel would be permitted per mile of Interstate primary highway.

Section 120(c) of the House amendment would amend 23 U.S.C. 131(d) relating to signs in areas zoned industrial or commercial or unzoned commercial or industrial areas. Since the present 660 feet limitation would be removed, the authority for erecting approved signs in areas zoned industrial and commercial (now valid within the 660 foot zone) would be extended for the sake of consistency to areas beyond 660 feet.

Section 120(d) of the House amendment would amend 23 U.S.C. 131(e) to provide that signs that are not in conformity with State law shall be removed not later than 5 years after they become nonconforming unless the Secretary determines otherwise.

Section 120(e) of the House amendment would amend 23 U.S.C. 131(f) to expand the present authority of the Secretary to provide standards for the erection along the Interstate System of signs providing specific information for the traveling public to include the same authority with respect to the Federal-aid primary system. A proviso is added that such signs on the Interstate and primary shall not be erected in suburban or urban areas or in lieu of signs permitted under 23 U.S.C. 131(d). Also, such signs shall not be erected where adequate information is provided by signs permitted under 23 U.S.C. 131(c).

Section 120(f) of the House amendment would amend 23 U.S.C. 131(g) to provide that just compensation be paid for the removal of all outdoor advertising signs which have been lawfully erected under State law. This provision would help remove an ambiguity in the original act.

Section 120(g) of the House amendment would amend 23 U.S.C. 131(m) to provide authorizations of $50 million for each of the fiscal years 1974 and 1975 for outdoor advertising control.

Section 120(h) of the House amendment would add two new subsections to 23 U.S.C. 131. The first provides that no directional sign, display or device lawfully in existence on June 1, 1972, which gives specific information to travelers shall be required to be removed until December 31, 1974, or until the State in which the sign, display or device is located certifies that such information advertised thereon may reasonably be available to motorists by some other method or methods, whichever shall occur first. The second provides that the United States shall pay 100 percent of the just compensation for the removal (including all relocation costs) of any sign, display or device which is removed prior to the enactment of this Act which after its removal is lawfully relocated and which is required to be removed as a result of this amendment.

Section 121 of the House amendment would repeal section 135(c) of title 23 which provides that sums authorised to carry out that section shall be apportioned in accordance with section 104(b) (3) of title 23.

Section 122 of the House amendment would provide that just compensation would be paid pursuant to this amendment of 23 U.S.C. 136(j), for removing, relocating or disposing of junkyards which were lawfully established under State law.

Subsection (b) authorizes $15 million out of the Highway Trust Fund for each of the fiscal years 1974 and 1975 for junkyard control.

Section 123 of the House amendment would authorize the use of funds apportioned to each State for the Federal-aid systems to finance the Federal share of the costs of projects for highway public transportation purposes. Included within its scope would be construction of exclusive bus lanes, traffic control devices, passenger loading areas and facilities. Where sufficient land exists within any Federal-aid rights-of-way to accommodate needed rail or nonhighway public mass transit programs without impairing automotive safety or future highway improvements, the Administrator may, if he deems it in the public interest, authorize a State to make such lands available without charge to a publicly owned mass transit authority for such purposes.

Subsection (d) of section 142 of title 23 would be repealed, thereby eliminating the requirement that exclusive bus lane projects must be less expensive and more feasible or prudent than additional automobile lanes. The Federal share of the cost for highway public transportation projects would be the same as that provided for regular Federal-aid projects.

Section 124(a) of the House amendment would expand 23 U.S.C. 143 to allow the designation of any Federal-aid system other than the Interstate System as an economic growth center development highway. Present law now restricts such development highways to Federal-aid primary roads. The economic growth center development highways program is also made a permanent program rather than a demonstration project. The provisions applicable to highways of the Federal-aid system on which such development highway is located shall be applicable to development highways and to funds authorized for such highways except those which the Secretary determines are inconsistent with section 143.

Section 124(b) of the House amendment would amend 23 U.S.C. 143(e) to provide that the Federal share of the cost of construction of any development highway shall be the same as that provided for any other project on the Federal-aid system, on which such development highway is located.

Section 124(c) of the House amendment would make a technical amendment to 23 U.S.C. 143(a) by eliminating language which states that the economic growth center development highway program is a demonstration project.

Section 125 of the House amendment would add a new section to chapter I of title 23 which declares that the authorization of Federal funds or their applicability for expenditure under such chapter shall not infringe on the sovereign rights of the States to determine the projects to be federally financed, and that provisions of chapter I provide for a federally-assisted State program.

Section 126 of the House amendment would authorize projects for the construction of bike lanes and paths, where motor vehicle traffic would be prohibited, in connection with forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and Federal, State and local parks.

Section 127 of the House amendment would add a new section to chapter 1 of title 23 which would authorize $100 million for each of the fiscal years 1974 and 1975 for the special highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Federal share for any project under this section would not exceed 90 percent of the cost of construction.

The Secretary would develop guidelines for designation of routes and allocation of funds to include several criteria. Routes selected would be no more than 10 miles long, would have to serve areas of concentrated population and heavy traffic congestion and meet the urgent needs of commercial, industrial or national defense installations, and would have to connect with existing routes on the Interstate System. Any route selected would have to be approved through the section 134 planning process and could be designated only if the Secretary determines that no other feasible or practicable alternative mode of transportation would be available. Designation of routes would have to comply with section 138 of title 23 regarding parkland preservation and no route would be approved which substantially damaged or infringed upon any residential area. The Secretary would designate no more than one route in each State and would base his designation upon the recommendation of State and responsible local officials.

Section 128 of the House amendment would add a new section to chapter 1 of title 23 to provide for the selection of not more than 10,000 miles of high traffic sections of highway which are on the Federal-aid primary system and connect to the Interstate System. Such sections would be selected for priority of improvement as supplementary routes to extend and supplement the Interstate System by furnishing needed traffic collector and distributor facilities as well as extensions. Such primary routes would be selected in consultation with appropriate local officials and subject to the Secretary's approval and would be improved to Interstate geometric and construction standards or such standards as may be developed cooperatively by the Secretary and the State highway departments. The Federal share of such projects would be the same as the Federal share on other primary routes as provided in 23 U.S.C. 120(a) and the provisions of title 23 which are applicable to the Federal-aid primary system would be applicable to the priority primary routes. Funds authorized or such routes would be deemed to be apportioned on January 1 next preceding the commencement of the fiscal year for which authorized. A report to Congress on selection of routes and their estimated costs would be made on or before January 1, 1974. Three hundred million dollars would be authorized out of the Highway Trust Fund for each of the fiscal years 1974 and 1975 for carrying out the priority primary route program.

Section 129 of the House amendment would add a new section to chapter 2 of title 23 to authorize $58,670,000 for reconstructing the Alaska Highway from the Alaskan border to Haines Junction in Canada, and reconstructing the Haines Cutoff Highway from Haines Junction to the south Alaskan border.

Section 130 of the House amendment would provide an increased authorization of $8.5 million to finance the construction of two bridges on Federal dams located in the vicinity of Forth Smith, Arkansas, and Chattanooga, Tennessee.

Section 131 of the House amendment would provide construction funds of $20 million for each of the fiscal years 1974 and 1975 out of the Highway Trust Fund to be matched on an 80% federal and 20% state ratio. These funds would be applied on those portions of the route on federal-aid highways.

An additional $10 million for each of the fiscal years 1974 and 1975 would be authorized out of the General Fund for those sections on Federal lands and will be 100% Federal funds.

The funds would be apportioned to the ten states bordering the Mississippi on a needs basis.

Section 132 of the House amendment would amend the special Alaskan highway authorization in the Federal-Aid Highway Act of 1956 by providing $20 million from the Highway Trust Fund for each of the fiscal years 1974 and 1975. These funds would be limited to Federal-aid highway projects.

Section 133 of the House amendment would extend until December 31, 1973, the time period for submission of final recommendations by the Highway Beautification Commission to the President and the Congress and would authorize an additional $250,000 as necessary to carry out the provisions of section 123 of the Federal-Aid Highway Act of 1970 (P.L. 91-605).

Section 134 of the House amendment would authorize the city of Clinton, Iowa and the Clinton Bridge Commission to convey its bridge structure and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, by the State Highway Commission of the State of Iowa. The Highway Commission of the State of Iowa would be allowed to assume complete responsibility for operating and maintaining the existing bridge, completing construction of the new structure, removing the old bridge, and operating the two remaining crossings as toll facilities until all outstanding obligations have been paid or a fund sufficient for retiring outstanding obligations has been established. Thereafter the bridges would be operated as toll free facilities and would be maintained under agreements to be reached by the States of Iowa and Illinois. The Clinton Bridge Commission would cease to exist upon conveyance of the bridge structure, property and assets to the Highway Commission of the State of Iowa.

Section 135 of the House amendment would permit the State of New Hampshire to repay all Federal-aid highway funds paid on account of certain sections of Route 101 in the State of New Hampshire prior to the collection of any tolls on such sections. Upon such repayment, the Federal-aid projects for which such funds have been repaid and any other Federal-aid project located on the sections of the toll road involved and programed for expenditure on any such project, would be credited to the unprogramed balance of Federal-aid highway funds of the same class which were last apportioned to the State of New Hampshire. Such amount would be in addition to all other funds apportioned to the State and would be available for expenditure in accordance with title 23. Upon repayment of Federal-aid highway funds and cancellation and withdrawal from the Federal-aid highway program of the projects on Route 101, such sections of such route shall become free of any and all restrictions contained in title 23 or in any regulations thereunder with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

Section 136 of the House amendment would permit States which have constructed or acquired any interstate toll bridge on the Federal-aid primary system (other than the Interstate System) including approaches, before January 1, 1974, and which before that date has caused the bridge to be made free, to use funds apportioned to it for the primary system and for extensions of the primary system within urban areas to pay the Federal share of a project of (1) such amount as the Secretary determines to be the reasonable value of the bridge after deducting the portion of such value attributable to any previous grant or Federal contribution in connection with its construction or acquisition, exclusive of rights-of-way, or (2) the amount by which the principal amount of outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of funds accumulated or provided for their amortization on the date the bridge is made free, whichever is the lesser amount.

Section 137 of the House amendment would require the Secretary to undertake a study of existing laws and regulations governing toll bridges over navigable waters of the United States for the purpose of determining what action can and should be taken to assure just and reasonable tolls nationwide. A report to Congress would be required by February 1, 1974.

Section 138 of the House amendment would direct the Secretary to make a full and complete investigation and study to determine the feasibility of establishing a national system of scenic highways to link together and make more accessible recreational, historical, scientific and other similar areas of scenic interest and importance. In such investigation and study, the Secretary would cooperate and consult with other agencies of the Federal Government, the Commission on Highway Beautification, the States and their political subdivisions and other interested private organizations, groups, and individuals. The Secretary would report his findings and recommendations to the Congress by January 1, 1975, including an estimate of the cost of such program. This section would authorize $250,000 from the Highway Trust Fund to carry out this program.

Section 139 of the House amendment would require the Secretary of Transportation to take such action as he deems necessary to facilitate broad participation by States in TOPICS programs and fringe and corridor parking facility projects.

Section 140 of the House amendment would prohibit any court from issuing any order or taking any action to impede delay or halt construction of the Three Sisters Bridge between Washington, D.C., and Virginia. It would further prohibit any approval authorization, finding, determination, or similar action taken or omitted by the Secretary, the head of any other Federal agency, the Government of the District of Columbia, or any other agency of Government relating to the Three Sisters Bridge from being reviewed in any court.

Section 141 of the House amendment would exempt any segment of the Interstate System within the District of Columbia from the coverage of an 1893 Act (27 Stat. 532), as amended, relating to highways in the District of Columbia.

Section 142 of the House amendment would require the Secretary of Transportation to withhold any further action on Interstate Route I-287 between Montville and Mahwah, New Jersey, and on the Corporation Freeway in Winston-Salem, North Carolina, until new corridor hearings are held.

Section 143 of the House amendment would amend paragraph (2) of section 103(e) of title 23, United States Codes, as follows:

(1) The 200-mile limitation on additions to the Interstate System contained in the Cramer-Howard amendment would be eliminated. The mileage would be left open-ended as necessary for making modifications to the System.

(2) The Cramer-Howard amendment would be further amended to provide that the costs to the United States of the aggregate of all substitute mileage and mileage for modifications would not exceed the cost of the aggregate of all mileage which is not to be constructed and is withdrawn as nonessential, as such cost is reflected in the 1972 Interstate System cost estimate rather than the 1968 estimate.

(3) The Cramer-Howard amendment would be amended to require the Secretary in considering substitute routes and modifications to give "preference, along with due regard for interstate highway type needs on a nationwide basis," to routes in States in which other routes were or hereafter are withdrawn and extensions of routes which terminate within cities served by a single interstate route, so as to provide traffic service entirely through such cities.

Section 144 of the House amendment would authorize $75 million out of the General Fund to evaluate the public mass transportation portion of the 1972 National Transportation Reports submitted by the Secretary. The evaluation would be submitted to the Congress not later than January 31, 1974 by the Secretary and would be conducted in cooperation with the governors and appropriate local officials. Items to be included in the evaluation are listed in the section.

Section 145 of the House amendment would allow ferries from Alaska to travel in international water to reach the State of Washington.

Section 146 of the House amendment would authorize $65 million to the Secretary of Transportation to make payments to the Washington Metropolitan Area Transit Authority to finance the cost of providing necessary facilities to make the subway and transit system being constructed in Washington, D.C. and environs accessible to the handicapped through the implementation of Public Laws 90–480 and 91–240.

Section 201 of the House amendment would provide that title II may be cited as the Highway Safety Act of 1972."

Section 202 of the House amendment would authorize the appropriation out of the Highway Trust Fund of $200 million for fiscal year 1974 and $360 million for fiscal year 1975 for carrying out section 402 of title 23 and $115 million for each of fiscal year 1974 and 1975 for carrying out section 403 by the National Highway Traffic Safety Administration.

It would further authorize the appropriation out of the Highway Trust Fund of $35 million for carrying out section 402 of title 23 for fiscal year 1974 and $45 million for fiscal year 1975 and $10 million for each of fiscal years 1974 and 1975 for carrying out section 307(a) and 403 of title 23 by the Federal Highway Administration.

Section 203 of the House amendment would authorize $150 million for fiscal year 1974 and $225 million for fiscal year 1975 for elimination of hazards of rail-highway crossings in addition to funds available to carry out section 130 of title 23, United States Code. Two-thirds of these funds in any fiscal year would be appropriated out of the Highway Trust Fund. Funds authorized would be available for expenditure: (1) two-thirds for projects on any Federal-aid system (other than the Interstate System) apportioned in the same manner as sums authorized to be appropriated under section 105 of the Federal-Aid Highway Act of 1970, and (2) one-third for projects on highways not included on any Federal-aid system apportioned in the same manner as provided in 23 U.S.C. 402(c).

The Federal share payable on account of any such project would not exceed 90 percent of the cost.

Section 204 of the House amendment would authorize the appropriation out of the Highway Trust Fund of $225 million for fiscal year 1974 and $450 million for fiscal year 1975 to carry out the bridge replacement program established pursuant to 23 U.S.C. 144. Two thirds of the funds authorized and expended under the program would be from the Highway Trust Fund for projects on the Federal aid systems. One third would be from the General Fund for projects not included on any Federal aid system.

Section 205 of the House amendment would establish a special pavement marking program. The Secretary would be authorized to approve pavement marking projects on any rural highway other than the Interstate System, in order to bring such highway up to marking standards issued or endorsed by the Federal Highway Administrator. Priority would be given to projects located in rural areas. This section would authorize the appropriation out of the Highway Trust Fund, of $100 million for each of fiscal years 1974 and 1975, to be available until expended. Funds not required in a State for pavement-marking projects could be used for the elimination or reduction of high hazard locations. The Secretary would submit a report to Congress which includes an analysis and evaluation of the number, rate, and severity of accidents at improved locations—beginning January 1975 and each January thereafter for three years following completion of a special pavement marking program within each State.

Section 206 of the House amendment would authorize the appropriation out of the Highway Trust Fund, of $15 million for fiscal year 1974 and $25 million for fiscal year 1975 to conduct research and demonstration programs with respect to the effectiveness of various types of pavement markings under inclement weather and nighttime conditions.

Section 207 of the House amendment would authorize the Secretary to carry out research on (1) the relationship between the consumption of drugs and highway safety, (2) driver behavior, including the characteristics and physical abilities to perform driving tasks, and (3) the relationship of the frequency of driver accident involvement to highway safety. This research would be conducted through grants and contracts with public and private agencies, institutions, and individuals. To carry out this research by the National Highway Traffic Safety Administration there would be authorized to be appropriated out of the Highway Trust Fund, $15 million for the fiscal year 1974 and $25 million for the fiscal year 1975.

Section 208 of the House amendment would provide for the elimination or reduction of hazards at specific locations or sections of highways which have high accident experiences or high accident potentials by the Federal Highway Administration. To carry out this section, there would be authorized to be appropriated for each of the fiscal years 1974 and 1975 $100 million to be available until expended, except that two-thirds of all funds expended under the authority of this section in any fiscal year would be appropriated out of the Highway Trust Fund. Two-thirds of the funds authorized by this section would be available for expenditure on any Federal-aid system other than the Interstate System and one-third for projects on highways not on any Federal-aid system.

Section 209 of the House amendment would authorize a comprehensive program by the Federal Highway Administration for the elimination of roadside hazards both on and off Federal-aid highway systems. It would require each state to: (1) conduct a survey of all expressways, major streets and highways, and through streets for the identification of roadside obstacles which may constitute a hazard to vehicles; (2) assign priorities and establish and implement a schedule for their correction.

Beginning in 1974, the Secretary would report to Congress on the progress of the program. The report would analyze and assess each state program, identify those not in compliance with improvement schedules and the Secretary's recommendations for future implementation of the program.

To carry out this section, there would be authorized to be appropriated for each of the fiscal years 1974 and 1975, $75 million, except that two-thirds of all funds expended under the authority of this section in any fiscal year would be appropriated out of the Highway Trust Fund.

Section 210(a) of the House amendment would authorize the Secretary of Transportation to conduct investigations and studies into the use of mass media and other techniques for informing the public of the means and methods for reducing the number and severity of highway accidents. The study would include ways and means for: (1) encouraging participation and cooperation of television and radio station licensees, (2) measuring audience reaction to current educational programs, (3) evaluating the effectiveness of such programs, and (4) developing new programs for the promotion of highway safety. The Secretary would report to the Congress his findings and recommendations by January 1, 1974.

Section 210(b) of the House amendment would authorize the appropriation out of the Highway Trust Fund of $1 million for the purposes of carrying out section 210(a).

Section 210(c) of the House amendment would authorize the Secretary to develop highway safety pilot television messages of not more than five minutes for use in accordance with the provisions of the Communications Act of 1934.

Section 210(d) of the House amendment would authorize the appropriation out of the Highway Trust Fund of $4 million for the purposes of carrying out section 210(c).

Section 211 of the House amendment would authorize the Secretary to investigate the means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on the traffic enforcement process, including the creation of citizen adjuncts to assist professional traffic enforcement agencies in the performance of their duties. The Secretary would report to Congress his finding and recommendations by January 1, 1974. To carry out this section there would be authorized to be appropriated out of the Highway Trust Fund $1 million.

Section 212 of the House amendment would direct the Secretary to make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. The study would include an estimate of the cost of establishing and maintaining such a center including the means for acquiring the accident information to be stored therein. The Secretary would report to the Congress his findings and recommendations not later than June 30, 1974. To carry out this section there is authorized to be appropriated out of the Highway Trust Fund $5 million.

Section 213 of the House amendment would direct the Secretary to carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the 7th Avenue and County Road 7 railroad-highway grade crossing. The Secretary must report to the President and Congress with respect to his activities authorized by this section. To carry out this demonstration project there would be authorized to be appropriated $3 million.

Section 214 of the House amendment would authorize the Secretary to carry out two demonstration projects. The first would be for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois. The Secretary would be required to report to the President and Congress with respect to his activities authorized by this section. To carry out this demonstration project there would be authorized to be appropriated $36 million. The second project would provide for the relocation of railroad lines from the central area of the city of Lincoln, Nebraska in conformance with an approved methodology and plan. The Federal share of such relocation project would be 70%. The Secretary would submit annual reports to the President and the Congress with respect to activities authorized by this section. To carry out this demonstration project, $2.5 million would be authorized out of the Highway Trust Fund and $9.5 million out of the General Fund.

Section 301. Prohibition of Discrimination on the Basis of Sex

This section prohibits discrimination on the ground of sex on any program or activity receiving Federal assistance or carried on under title 23.

PROVISIONS OF THE CONFERENCE SUBSTITUTE

Section 101 of the conference substitute is the same as section 101 of the Senate engrossed bill and section 101 of the House amendment.

Section 102 of the conference substitute is the same as section 102 of the House amendment.

Section 103 of the conference substitute is the same as section 103 of the House amendment, except that no apportionment is authorized for the fiscal year ending June 30, 1975.

Section 104(a) of the conference substitute is the same as section 104(a) of the House amendment, except that in paragraph (1) $725,000 is substituted for $700,000 for the primary system in rural areas, $425,000 is substituted for $400,000 for the secondary system in rural areas, and no authorization is made for fiscal 1975; and in paragraphs (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14), no authorizations are made for fiscal 1975.

Section 104(b) of the conference substitute is the same as section 104(b) of the House amendment, except that all references to fiscal 1975 are stricken.

Section 105 of the conference substitute is the same as section 105 of the House amendment.

Section 106 of the conference substitute is substantially the same as section 106 of the House amendment.

The definition of "Indian roads and bridges" is modified so that Alaska Native Villages would be eligible for funding under chapter 2 of title 23. This section makes Federal-aid funds available for Indian reservation roads and bridges, including pedestrian walkways. For example, in certain sections of the State of Alaska, village streets become quagmires during the Spring thaw, and boardwalks must be built if the pedestrian is to escape the mud. During this period of time, the roads are either impassable or passable only with great difficulty, and walks are the primary means of movement about and through the village. Since they actually function as a surrogate for Federal-aid roads, the Committee believes that boardwalks should be eligible in such cases for funding under this section. Similarly unusual or adverse circumstances in other parts of the country may also warrant availability of funds for this purpose.

Section 107 of the conference substitute is the same as section 107 of the House amendment.

Section 108 of the conference substitute is the same as section 109 of the House amendment.

Section 109 of the conference substitute is the same as section 110 of the House amendment.

Section 110 of the conference substitute is the same as section 112 of the House amendment.

Section 111 of the conference substitute is the same as section 113 of the House amendment.

Section 112 of the conference substitute is the same as section 114 of the House amendment.

Section 113 of the conference substitute is the same as section 115 of the House amendment.

Section 114 of the conference substitute is the same as section 116 of the House amendment.

Section 115 of the conference substitute is the same as section 117 of the House amendment.

Section 116 of the conference substitute is the same as section 118 of the House amendment.

Section 117 of the conference substitute is the same as section 119 of the House amendment.

Section 118(a) of the conference substitute is the same as section 120(a) of the House amendment except that "1973" is substituted for "1974".

Sections 118(b), (c), (d), (e), and (f) of the conference substitute are the same as sections 122(b), (c), (d), (e), and (f) of the Senate engrossed bill, except that in subsection (b) "other" is eliminated where it appears before "official signs and notices".

Section 118(g) of the conference substitute is the same as section 122(g) of the Senate engrossed bill; except that with respect to the authorization for the fiscal year ending June 30, 1973, the limiting language: "out of the Highway Trust Fund" is removed.

Section 118(g) of the conference substitute is the same as section 120(g) of the House amendment, except for the addition of "by the Secretary" immediately after "shall be required" the first time it appears in section 120(g); a purely technical stylistic change regarding the form of the proviso in the House amendment; and the substitution of "directional" for "nonconforming" the first time it appears in that proviso.

Section 119 of the conference substitute is the same as section 121 of the House amendment.

Section 120 of the conference substitute is the same as section 122 of the House amendment, except that no authorization is made for fiscal 1975.

Section 121 of the conference substitute is the same as section 123 of the House amendment.

Section 122 of the conference substitute is the same as section 124 of the House amendment.

Section 123 of the conference substitute is the same as section 127 of the House amendment, except that the new section added to title 23 of the United States Code is numbered 145 instead of 146, and no authorization is made for fiscal 1975.

Section 124 of the conference substitute (relating to priority primary routes) does not correspond to any provision in either the Senate engrossed bill or the House amendment, but states the intent of the Congress to establish priority primary routes in each State and directs the Secretary of Transportation, in cooperation with the State highway departments, to develop such routes and criteria for their designation and to submit a report to the Congress not later than June 30, 1973.

Section 125 of the conference substitute is the same as section 129 of the House amendment.

Section 126 of the conference substitute is the same as section 130 of the House amendment.

Section 127 of the conference substitute is the same as section 132 of the House amendment, except that "June 30, 1975" is not included in the list of dates which is to be substituted.

Section 128 of the conference substitute is the same as section 133 of the House amendment.

Section 129 of the conference substitute is the same as section 134 of the House amendment.

Section 130 of the conference substitute is the same as section 135 of the House amendment.

Section 131 of the conference substitute is the same as section 136 of the House amendment.

Section 132 of the conference substitute is the same as section 137 of the House amendment.

Section 133 of the conference substitute is the same as section 139 of the House amendment.

Section 134 of the conference substitute is the same as section 141 of the House amendment.

Section 135 of the conference substitute is the same as section 142 of the House amendment.

Section 136 of the conference substitute is the same as section 143 of the House amendment.

Section 137 of the conference subtitute is the same as section 145 of the House amendment.

Section 138 of the conference substitute is the same as section 146 of the House amendment.

Section 139(a) of the conference substitute is the same as section 107(a) of the Senate engrossed bill, except that the definition of "small urban area" is changed to be "an urban area having a population of less than fifty thousand, and not within an urbanized area."

Section 139(b) of the conference substitute is substantially the same as section 107(b) of the Senate engrossed bill, except that the third to last and last sentences are deleted.

Section 139(c) of the conference substitute is the same as section 107(c) of the Senate engrossed bill.

Section 139(d) of the conference substitute is the same as section 107(d) of the Senate engrossed bill.

Section 139(e) of the conference substitute does not correspond to any provision in either the Senate engrossed bill or the House amendment, but provides that "the Federal-aid small urban system," will be added to section 103(f) of title 23 of the U.S. Code, after, "the Federal-aid urban system,".

Section 140 of the conference substitute is the same as section 128 of the Senate engrossed bill, except that 1975 is eliminated.

Section 141 of the conference substitute is the same as section 132 of the Senate engrossed bill except for conforming amendments and except that subsection (c) provides for the designation of the highway as a part of the Federal-aid primary system.

Section 142 of the conference substitute is the same as section 138 of the Senate engrossed bill.

Section 143 of the conference substitute is the same as section 145 of the Senate engrossed bill.

Section 144 of the conference substitute is the same as section 131 of the House amendment, except that the new section will be designated as 147; paragraph (4) of subsection (b) of that new section will provide that section 131 shall apply to the Great River Road; and no authorizations are made for fiscal 1975.

Section 145 of the conference substitute is the same as section 138 of the House amendment.

Section 146 of the conference substitute is the same as section 139 of the Senate engrossed bill.

Section 201 of the conference substitute is the same as section 201 of the House amendment.

Section 202 of the conference substitute is the same as section 202 of the House amendment.

Section 203 of the conference substitute is the same as section 203 of the House amendment.

Section 204 of the conference substitute is the same as section 204 of the House amendment.

Section 205 of the conference substitute is the same as section 205 of the House amendment.

Section 206 of the conference substitute is the same as section 206 of the House amendment.

Section 207 of the conference substitute is the same as section 207 of the House amendment.

Section 208 of the conference substitute is the same as section 208 of the House amendment.

Section 209 of the conference substitute is the same as section 209 of the House amendment.

Section 210 of the conference substitute is the same as section 210 of the House amendment.

Section 211 of the conference substitute is the same as section 211 of the House amendment.

Section 212 of the conference substitute is the same as section 212 of the House amendment.

Section 213 of the conference substitute is the same as section 213 of the House amendment.

Section 214 of the conference substitute is the same as section 214 of the House amendment, except that a new subsection was added at the end thereof from the Senate engrossed bill regarding the authorization of appropriations from the Highway Trust Fund in the case of Lincoln and Elko, Nebraska.

Section 215 of the conference substitute is the same as section 204 of the Senate engrossed bill.

Section 216 of the conference substitute is the same as section 205 of the Senate engrossed bill.

Section 217 of the conference substitute is the same as section 207 of the Senate engrossed bill.

Section 218 of the conference substitute is the same as section 208 of the Senate engrossed bill.

Section 219 of the conference substitute is the same as section 211 of the Senate engrossed bill.

Section 220 of the conference substitute is the same as section 212 of the Senate engrossed bill.

Section 221 of the conference substitute is the same as section 213 of the Senate engrossed bill.

Section 222 of the conference substitute is the same as section 214 of the Senate engrossed bill.

Section 301 of the conference substitute is the same as section 702 of the Senate engrossed bill except the Secretary is given direction to determine that mass transportation services are being provided by an efficient operation of the system in accordance with his regulations. The conferees further agreed that the Secretary could incur obligations on behalf of the United States to finance grants not exceeding $400,000,000. Finally, the conferees authorize not to exceed $100,000,000 for liquidation of such obligations incurred prior to July 1, 1973, and provided such amount may be increased not to exceed an aggregate of $400,000,000 prior to July 1, 1974.

Section 401 of the conference substitute is the same as section 301 of the House Amendment with a technical amendment.

John C. Kluczynski,
Jim Wright,
Harold T. Johnson,
James J. Howard,
Don H. Clausen,
Managers on the Part of the House.

Jennings Randolph,
Joseph M. Montoya,
Mike Gravel,
Lloyd Bentsen,
John Sherman Cooper,
Howard H. Baker,
Harrison Williams,
Managers on the Part of the Senate.

Mr. WRIGHT. Mr. Speaker, I call up the conference report on the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

Mr. WRIGHT (during the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BRINKLEY. Mr. Speaker, reserving the right to object, and I reserve only to ask the gentleman from Texas a question, I would like to ask if the gentleman will explain in some detail the study which is to be made of the 10,000 miles of the Federal primary system next year which is, I believe, to be by September.

Mr. WRIGHT. I will be glad to explain that at this point or later.

Mr. BRINKLEY. Later will be fine.

Mr. WRIGHT. I will explain it in connection with the conference report.

Mr. BRINKLEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, the conferees bring to the House an agreement on the highway bill. It is not a perfect bill. The House conferees yielded on a number of vital points. The Senate conferees yielded on some. We commend it to the Members as the best that could be achieved in the present climate. We think it preserves intact the best and most necessary features of the highway program for at least 1 year. It presents a situation in which the House and Senate will have to come again next year and attempt to resolve some of the more highly controversial features that were eliminated from both bills.

At the outset I should like to say all conferees worked with great diligence and extreme care. In particular I should like to commend the gentleman from Ohio (Mr. Harsha), the ranking minority member among the House conferees. He was not only diligent and knowledgeable and understanding and fair almost to the point of fault, but also it was through his innovations on several occasions that roadblocks were ended and logjams were dislodged and we were able ultimately this afternoon to come to a resolution of the problems.

Essentially the bill we bring before the House in the conference report, Mr. Speaker, contains a 1-year extension of the authorization for the Interstate System and a 1-year extension of the authorization for the other systems, including the small urban systems.

It contains $3 billion in authorization for mass transit out of the general fund, not out of the highway trust fund, and that $3 billion commits the Government to an 80-percent Federal matching share. Additionally, we would authorize a total of $400 million, $100 million for the present fiscal year and $300 million for the succeeding year, to be available for operating subsidies.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my distinguished friend the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, could the gentleman clarify for me, is this $3 billion for urban mass transit in contract authority or does it require action by the Committee on Appropriations?

Mr. WRIGHT. It requires action by the Committee on Appropriations and that money, save for these amounts I have mentioned in operating systems, would be available only for construction purposes.

Mr. GERALD R. FORD. For what fiscal years?

Mr. WRIGHT. For fiscal years 1973 and 1974, with regard to operating subsidies.

Mr. GERALD R. FORD. How much each year?

Mr. WRIGHT. It is $100 million for fiscal year 1973 and $300 million for fiscal year 1974.

Mr. GERALD R. FORD. Those are operating subsidies?

Mr. WRIGHT. That is exactly correct.

Mr. GERALD R. FORD. Now on the $3 billion that the gentleman mentioned for urban mass transit, how will that money be made available?

Mr. WRIGHT. That money would be made available out of the general revenues through appropriations passed by the Congress of the United States.

Mr. GERALD R. FORD. Let me get one further clarification. Is it contract authority?

Mr. WRIGHT. It does include contract authority to be exercised by the Secretary.

Mr. GERALD R. FORD. It is contract authority, which means that a contract is made, and then when it goes through the appropriation process, the Committee on Appropriations has only the alternative of paying the bill, is that correct?

Mr. WRIGHT. I think the gentleman is essentially correct.

Mr. GERALD R. FORD. And that would take effect when?

Mr. WRIGHT. After 1975, and not before 1975.

Mr. GERALD R. FORD. How soon could the contract authority be utilized? The commitments could be made in fiscal year 1973, could they not?

Mr. WRIGHT. No, the construction grant commitments authorized in this bill would not be made before fiscal 1975, for fiscal 1976.

Let me suggest one or two other points that are contained in the conference report.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield further for a question?

Mr. WRIGHT. I am delighted to yield.

Mr. ANDERSON of Illinois. Perhaps it is the late hour of the evening and the very crowded schedule of other legislation which we have had to enact, but I am certainly still not clear in my own mind on the explanation that has just been offered as to this $3 billion that the conference report would authorize for mass transit.

Do I understand the gentleman to say that this $3 billion has to be appropriated? In other words, the Appropriations Committee has to act before that $3 billion is made available?

Mr. WRIGHT. All that is done is to amend Public Law 91-453 of the last Congress, the 91st Congress, which was an act to provide long-term financing for expanded urban mass transportation purposes.

We provide no new language except that we add to the existing authorizations for mass transit an additional $3 billion to be available after July 1, 1975.

Mr. ANDERSON of Illinois. Will the gentleman yield further?

Mr. WRIGHT. Yes.

Mr. ANDERSON of Illinois. As I recollect it, we first set up the mass transit authorization back in 1964. If my memory served me correctly, and I think we went over these figures in the debate we had recently here in the House on the federal aid to highways bill, it was not until 1972—it was not until 8 years later that this Congress had actually appropriated $1 billion for mass transit.

Now, what assurance do we have, to those of us who are interested in providing additional Federal money for mass transit, that we are going to see anything near the sum of $3 billion made available in fiscal 1973, 1974 or 1975 for mass transit?

Mr. WRIGHT. I would say to the gentleman that the only thing the legislative committee can do is to authorize. We do not have the power to appropriate.

In response to the gentleman's question as to what assurance he may have that those moneys will actually be appropriated, I would simply say that he might rely upon the assurance of the growing demand and clamor for something meaningful to be done for mass transit.

The gentleman might wish to rely upon the good faith of the Secretary of Transportation who has repeatedly expressed his commitment to the needs of mass transit.

The gentleman may rely upon the inclusion in the present bill of authorizations for operating subsidies for existing mass transit, for the very first time in the history of the Congress, for the existing fiscal year and the upcoming fiscal year.

He might rely upon the fact that Senator WILLIAMS, who was the moving force in the Senate for something meaningful for mass transit, wanted this title included, is satisfied with what was done and believes it is the best that could be done.

I believe the gentleman might be satisfied with the fact that everything we have mentioned in this colloquy with respect to mass transit is something new and is in addition to that which was contained in the House bill as passed initially by this body.

Beyond those assurances I know of none I could give to my friend except the growing need and the growing recognition of the need for something effective to be done to assist those communities afflicted with needs for mass transit.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my distinguished colleague from Texas.

Mr. MAHON. I should like to ask if there is anything different in this authorization for additional mass transit except as to dollars, insofar as the language is concerned, from what existing law provides.

Mr. WRIGHT. So far as the language is concerned, I would respond to my friend that there is no difference with respect to the authorization for construction of mass transit as it was contained in the initial law. We merely add $3 billion to be available after July 1, 1975. This is what those in the Senate desired.

Beyond that, however, I must say to my friend that there is contained in this bill, as I explained earlier, for the first time a provision authorizing $100 million for the current fiscal year and an additional $300 million for the succeeding fiscal year for operating subsidies for existing mass transit facilities.

Mr. MAHON. How will the operating subsidies be financed; by backdoor spending or appropriations?

Mr. WRIGHT. Out of the general fund, by appropriations.

Mr. MAHON. By appropriations or by contract authorization?

Mr. WRIGHT. By contract authority.

Mr. MAHON. I believe under the present procedures as to contract authority contracts can be entered into for mass transit and the Congress, through its Appropriations Committee process, can only pick up the check and appropriate the money to pay the bill after the fact; but I do not believe that the administrative expenses have to be appropriated for directly. It has been possible, I believe, to hook onto these administrative expenses appropriations provisos that not to exceed certain sums of money can be contracted for within a given period of time for contract authority. So Congress does retain substantial control.

I should like to know for sure if I am correct in that assumption.

Mr. WRIGHT. I believe the gentleman is correct in the assumption that under existing law contract authority may be entered into. We do not change that law. We simply add $3 billion to be available after 1975.

We did not feel it within the purview of our committee to alter or change the basic thrust and concept of that law. As the gentleman from Texas knows, that act was not within the jurisdiction of our legislative committee. We did not have anything of that type included in the bill as we presented it to the House. It was contained in the Senate bill, and it was one of those points on which we yielded in an effort to achieve a meaningful and workable highway bill.

Mr. MAHON. I thank my friend from Texas. I commend him and the committee for working out the best conference report that was possible under the circumstances.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. This is nothing more than we have done since 1916 in providing authorizations for the Highway Act. As the gentleman from Texas (Mr. WRIGHT) explained, all we do is continue the same authorization process, contract obligations, that we have had all these years.

Mr. WRIGHT. Mr. Speaker, I should like to add in response to the question which was earlier presented by the gentleman from Georgia (Mr. BRINKLEY) that this bill establishes the intent of Congress to create a priority primary system of not to exceed 10,000 miles, to take up some of the glaring gaps that have developed in the past few years in our highway program. It calls upon the Secretary of Transportation to present to the Congress by not later than September 30 of next year an inclusive report advising us as to his recommendations for criteria to be employed for the designation of the routes to be included in that system.

Beyond that, I should like to add briefly that I believe the most significant and innovative thing contained in this bill is the inclusion of the House provisions in title II in their entirety. Those provisions will make available $1.1 billion over the next few years for measures expressly designed to make the highways safer.

We lost 55,000 Americans through highway fatalities last year. This is more than the entire number of Americans who have lost their lives in all the years of the Vietnam war.

We have tried very assiduously to isolate and identify the most prominent causes of highway fatalities, insofar as they relate to deficiencies in highway design and operation.

Mr. Speaker, we believe that this is truly landmark legislation, and if there is anything we in the House can take pride in, concerning the agreements reached in this conference report, it would be the entirety of title II as it was contained in the House bill for highway safety.

Mr. BARRETT. Mr. Speaker, I rise in support of the conference report on the bill S. 3939, amendments to the Federal Highway Act. I am delighted that the conferees were able to come to an agreement on this last day of the 92d Congress. This bill goes a long way toward meeting our transportation needs not just for highways, but more importantly for urban mass transportation.

In our housing bill, H.R. 16704, which failed to obtain a rule from the House Rules Committee, we had a very important title of the bill, title VII, which had a number of important changes in our urban mass transportation program. We provided, for the first time, for Federal funds for operating assistance to our urban transit companies around the country; an increased Federal grant ratio from the existing two-thirds Federal—one-third local contribution to a flat 80 percent Federal—20 percent local share; and an additional $3 billion in capital grant authority for the existing capital grant program under the Urban Mass Transportation Act.

Since it is of utmost importance that we enact these urban mass transportation provisions, I sought the assistance of the distinguished members of the House Public Works Committee to see if they could agree to accept our urban mass transit provisions in conference with the Senate. I deeply appreciate their cooperation on this matter, in particular the distinguished chairman of the Subcommittee on Roads, my colleague from Illinois (Mr. Kluczynski) and the distinguished ranking minority member of the Public Works Committee, the gentleman from Illinois (Mr. Harsha) and the very able assistance of the chief counsel of the committee, Richard Sullivan.

The Senate-passed highway bill contained our urban mass transportation provisions, and therefore was a matter up before the conferees for consideration as I have already stated, and I am delighted that the conferees were able to agree on these urban mass transit provisions. Enactment of these provisions will help numerous public and private companies around the country from going bankrupt, and thereby ceasing to provide the needed transportation of our people by buses and subways.

I would also like to commend the conferees on a very workable compromise that was also worked out on the Cooper-Muskie amendment. Again, this compromise will provide vital assistance for our transportation systems in our large and small cities.

Mr. Speaker, I strongly urge the adoption of this conference report.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Mr. Speaker, I will now yield to my friend from Mississippi.

Mr. WHITTEN. Mr. Speaker, I would like to compliment my friend from Texas (Mr. Wright), as well as the other members of the committee, for their work on this legislation, and their efforts to add 10,000 miles, and for all the other work they have done in connection with this bill.

Mr. Speaker, I think it has been held—although I do not think it will ever be used in connection with this bill, but the point raised by my chairman, the chairman of the Committee on Appropriations, has a long history which may be very important in connection with the clean water bill, and numerous others, and the Commodity Credit Corporation Act, the gentleman who is speaking, the gentleman from Texas (Mr. Wright), has held under the earlier precedent that the Congress can put restrictions on the use of emergency funds and control the contract not only of a Government agency but of a Government corporation over a 10-year period.

There is a set number of precedents that the Congress can, by limiting administrative funds, tie strings on what those in charge of a corporation can do. I do not think that will arise in this instance, but I do call the attention of the Members to it here so that that point might be made clear.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California, a member of our committee.

Mr. ANDERSON of California. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, I want to express a little concern about one of the items there, and that is on the authorization of $3 billion from the general fund.

If I follow this, that means that after we have authorized $3 billion from the general fund, and then if we follow with an appropriation of $3 billion at some future date from the general fund for mass transit, this would mean an increased cost of $3 billion in those items that would have to be raised by additional taxes, would it not? Whereas a few weeks ago or a few days ago some of us had suggested that instead of taking this money out of the general fund, we should take it out of the trust fund, where there is ample money, and we were only suggesting that that money be spent if those local people who were in charge of the local States and communities would spend it.

I think we are introducing a wrong principle and a wrong area. I would like to have the gentleman develop it as to why you would rather take the $3 billion out of the general fund where it would mean, if we appropriated it, additional taxes being levied instead of taking it out of the trust fund where it is already and where there is ample money for this purpose and where it would not cost additional money.

Mr. WRIGHT. I will say very briefly in response to the gentleman's question that this was debated rather fully on the floor of the House. The reasons why we want to preserve intact the Highway Trust Fund are these: First, we have a good faith obligation to the American motorist who pays the road user taxes, and we promised to use that fund to develop useful and safe highways. Second, we need every penny in that highway trust fund if we are to keep that obligation.

Mr. ANDERSON of California. Will the gentleman yield?

Mr. WRIGHT. Not at this point. I am still answering the gentleman's previous question.

Third, we have done everything we think we can reasonably do and offered on the part of the House conferees to do even more.

In the conference we offered to assist mass transit immediately. We offered to agree, I will say to the gentleman, with every basic premise of the so-called Cooper-Muskie or, we might say, Anderson amendment to permit the cities to have flexibility to make a decision, if they wanted to, within their own incorporated limits and to substitute rail for highways, and to give them that money through immediate obligational authority but take it out of general revenues instead of the trust fund. The Senators are the ones who would not agree to that.

We feel we have an obligation to the House to uphold its position insofar as possible. We feel we have yielded very greatly so far and have done everything we reasonably could to be conciliatory and ameliatory and get a bill.

I recommend to you the passage of this bill.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 726. Concurrent resolution providing for adjournment sine die.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2280) entitled "An act to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under certain circumstances.".

The message also announced that the Senate agrees to the House amendment with an amendment to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee on further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) entitled "An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973."

CONVEYANCE OF ASSETS TO STATE OF IOWA

Mr. CULVER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3822) authorizing the City of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know whether or not this has been cleared with our House committee having jurisdiction over such authorization of construction.

Mr. CULVER. Will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. CULVER. I have cleared it with Mr. Harsha, the ranking minority member on the House Committee on Public Works, as well as the gentleman from Iowa (Mr. Schwengel) a member of the committee.

Mr. HALL. I know that well. My question was not whether or not he had cleared it with the minority leadership but whether he had cleared it with the committee.

Mr. CULVER. Yes. The answer to your question is affirmative. We have cleared it with the full Committee on Public Works and with the chairman.

Mr. HALL. Mr. Speaker, I understand the necessity for this unusual procedure of interrupting the consideration of another bill, in the event this bill does not pass in these twilight hours of the 92d Congress.

Will there be any cost to the Federal Government, may I ask the gentleman?

Mr. CULVER. No. There will be no cost to the Federal Government at all.

Mr. HALL. I have been advised, also, that the Member from the gentleman's own side of the aisle on the other side of the Mississippi River has objected, and he is a member of the Committee on Public Works. Does the gentleman know if that gentleman's objections or reservations have been relieved or not?

Mr. CULVER. Yes. The answer is the gentleman's reservations have been relieved. I spoke to the gentleman from Illinois (Mr. GRAY) today, and he authorized me to assure the gentleman that he has no reservation to this legislation.

Mr. DON H. CLAUSEN. Will the gentleman yield?

Mr. HALL. I am glad to yield to the ranking minority member of the committee.

Mr. DON H. CLAUSEN. Let me say that I am authorized to say that I spoke to Mr. HARSHA, who is the ranking member. During the conversation I had with him he indicated no objection to this legislation. This is a provision of the bill now pending before the committee.

Mr. CULVER. I appreciate that statement.

Mr. HALL. It would be redundant if they were both to pass, but the gentleman's concern is we might not be in a position to operate, and if there are no objections to the bill, I have no objection to it. But I have carried it around in my litle hot hand for over a week now with many importunings and with many backings and fillings and actual information that has not officially appeared before the Committee on Public Works.

Mr. CULVER. Mr. Speaker, I thank the gentleman very much.

Mr. DON H. CLAUSEN. Mr. Speaker, the matter was discussed between the committee members and was incorporated into the bill. We were advised at one time that the gentleman from Illinois, Mr. GRAY, was opposed to this, but it is my understanding that this opposition was to another piece of legislation.

Mr. CULVER. That is entirely correct.

Mr. DON H. CLAUSEN. So, if the gentleman will yield further, we are simply attempting to satisfy the people who are concerned about the Clinton Bridge.

Mr. CULVER. That is correct.

The Clinton Bridge Commission is a Federal bridge commission created December 21, 1944, by Public Law 526-78 which authorized the Bridge Commission to construct, maintain, and operate bridges for vehicular traffic across the Mississippi River at or near the cities of Clinton, Iowa, and Fulton, Ill. The Bridge Commission presently owns and operates at this location two toll bridges commonly referred to as the Gateway Bridge and the Old North Bridge. Because the latter is substandard and has been deteriorating rapidly, a replacement bridge is in the process of being constructed. Unfortunately, however, the Bridge Commission has been unable to secure funds necessary to complete the new structure.

Three factors apparently account for the failure to secure necessary funds: First, limitations on bridge revenues; second, a legally fixed 6 percent rate of interest on bonds issued by the Bridge Commission; and third, a ruling by the Internal Revenue Service that the interest on bonds issued by the Bridge Commission are subject to Federal taxation.

After the bridge commission undertook construction on the new bridge, it discovered that it was unable to market bonds to support its entire cost. A loan to complete the substructure of the bridge was obtained with the intent of borrowing additional amounts for other sections of the bridge after the first obligation has been paid. Construction has been halted for several years, however, and the bridge commission has made little progress in securing essential financing. In the meantime, structural safety of the Old North Bridge continues to be of growing concern.

The bridge commission has been unable to devise a workable plan to proceed with the project under its interest rate and revenue limitations. This bill would allow the highway commission of the State of Iowa to assume complete responsibility for operating and maintaining the existing bridges, completing construction on the new structure, removing the old bridge, and operating the two remaining crossings as toll facilities until all outstanding obligations have been paid or a sinking fund sufficient for retiring outstanding obligations has been established. Thereafter, the bridges would be operated as toll free facilities and would be maintained under agreements to be reached by the States of Iowa and Illinois. The Clinton Bridge Commission would cease upon conveyance of bridge structures, property, and assets to the Highway Commission of the State of Iowa.

Legislation passed during the 64th General Assembly of the State of Iowa authorized the Iowa Highway Commission to assume responsibility for completing this project. The committee believes that this would be a feasible undertaking. Since the interest on bonds issued by the highway commission would not be subject to Federal taxation, they could be sold at lower cost.

The Clinton situation appears to be unique; existing Federal statutes do not contemplate either the acquisition of existing bridge structures by the State of Iowa or the completion of the partially built structure. Passage of this bill would help solve a critical financing problem and provide the required consent of Congress for completing an interstate bridge over navigable waters.

Mr. Speaker, there is in addition one other section in the conference report on the 1972 Federal Highway Act, that is of importance to Iowa and to all the Mississippi Valley. That legislation is funding for improvement of the Great River Road.

I urge the House to approve the conference report and the Great River Road language it contains. The $60 million in funds provided in the report will be used to improve the road surfaces of the Great River Road and provide permanent scenic and environmental protection through development of roadside parks and scenic viewing points and through acquisition of land and scenic easements. This legislation is an example of environmental protection and protective development going hand-in-hand.

I also wish to express my deep appreciation and admiration to the distinguished chairman of the House Public Works Committee, Congressman JOHN BLATNIK, of Minnesota. His cosponsorship of the original Great River Road bill, his support of it in committee and on the floor of the House have proven invaluable in seeing that legislation advance as far as it has.

My gratitude also goes to the distinguished chairman of the Highway Subcommittee, Congressman KLUCZYNSKI, of Illinois, the members of the full committee and committee staff. Their cooperation and advice were invaluable in my efforts to secure passage of this legislation. I again urge passage of the pending report and the Great River Road.

Mr. HALL. Mr. Speaker, I have no further objection, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3822

An act authorizing the City of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce by expediting the completion of interstate bridge facilities across the Mississippi River in the vicinity of the city of Clinton, Iowa, the City of Clinton Bridge Commission (hereafter referred to as the "commission"), created and operating under the Act approved December 21, 1944, as revised, amended, and reenacted, is hereby authorized to sell, convey, and transfer to the State of Iowa all of its real and personal property, books, records, money, and other assets, including all existing bridges for vehicular traffic crossing the Mississippi River at or near the city of Clinton, Iowa, and the substructure constituting the partially constructed new bridge which has been designed to replace the older of the two existing vehicular bridges, together with all easements, approaches, and approach highways appurtenant to said bridge structures, and to enter into such agreements with the State Highway Commission of the State of Iowa (hereafter referred to as the "highway commission"), and the Department of Transportation of the State of Illinois as may be necessary to accomplish the foregoing: *Provided, however*, That at or before the time of delivery of the deeds and other instruments of conveyance, all outstanding indebtedness or other liabilities of said commission must either have been paid in full as to both principal and interest or sufficient funds must have been set aside in a special fund pledged to retire said outstanding indebtedness or other liabilities and interest thereon at or prior to maturity, together with any premium which may be required to be paid in the event of payment of the indebtedness prior to maturity. The cost to the highway commission of acquiring the existing bridge structures by the State of Iowa shall include all engineering, legal, financing, architectural, traffic surveying, and other expenses as may be necessary to accomplish the conveyance and transfer of the properties, together with such amount as may be necessary to provide for the payment of the outstanding indebtedness or other liabilities of the commission as hereinbefore referred to, and permit the dissolution of the commission as hereinafter provided, less the amount of cash on hand which is turned over to the highway commission by the commission.

SEC. 2. The highway commission is hereby authorized to accept the conveyance and transfer of the above-mentioned bridge structures, property and assets of the City of Clinton Bridge Commission on behalf of the State of Iowa, to complete the construction of the new replacement bridge, to repair, reconstruct, maintain, and operate as toll bridges the existing bridges so acquired until the new replacement bridge has been completed, to dismantle the older of the two existing bridges upon completion of the new replacement bridge, and to thereafter repair, reconstruct, maintain, and operate the two remaining bridges as toll bridges. There is hereby conferred upon the highway commission the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such privately owned real estate and other property in the State of Iowa and the State of Illinois as may be needed for the location, construction, reconstruction, or completion of any such bridges and for the operation and maintenance of any bridge and the approaches, upon making just compensation therefor to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes by said State. The highway commission is further authorized to enter into agreements with the State of Illinois and any agency or subdivision thereof, and with any agency or subdivision of the State of Iowa, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

The cost of acquiring the existing bridge structures, of completing the replacement bridge and of dismantling the bridge to be replaced and paying expenses incidental thereto as referred to in section 1 of this Act may be provided by the highway commission though the issuance of its revenue bonds pursuant to legislation enacted by the General Assembly of the State of Iowa, or through the use of any other funds available for the purpose, or both. The above described toll bridge structures shall be repaired, reconstructed, maintained, and operated by the highway commission in accordance with the provisions of the General Bridge Act of 1946, approved August 2, 1946, and the location and plans for the replacement bridge shall be approved by the Secretary of Transportation in accordance with the provisions of said Act, as well as by the Department of Transportation of the State of Illinois. The rates and schedule of tolls for said bridges shall be charged and collected in accordance with said General Bridge Act of 1946 and applicable Iowa legislation and shall be continuously adjusted and maintained so as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridges and approaches under economical management, to provide a fund sufficient to pay the principal of and interest on such bonds as may be issued by the highway commission as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity, and to repay any money borrowed by any other means in connection with the acquisition, construction, reconstruction, completion, repair, operation, or maintenance of any of said bridge structures. All tolls and other revenues from said bridges are hereby pledged to such uses. No toll shall be charged officials or employees of the highway commission, nor shall toll be charged officials of the Government of the United States while in the discharge of duties to their office or employment, nor shall toll be charged members of the fire department or peace officers when engaged in the performance of their official duties. No obligation created pursuant to any provision of this Act shall constitute an indebtedness of the United States.

SEC. 3. After all bonds or other obligations issued or indebtedness incurred by the highway commission or loans of funds for the account of said bridges and interest and premium, if any, have been paid, or after a sinking fund sufficient for such payment shall have been provided and shall be held solely for that purpose, the State of Iowa shall deliver deeds or other suitable instruments of conveyance of the interest of the State of Iowa in and to those parts lying within Illinois of said bridges to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same, and thereafter the bridges shall be properly repaired, reconstructed, maintained, and operated, free of tolls by the State of Iowa and by the State of Illinois, or any municipality or agency thereof, as may be agreed upon.

SEC. 4. The interstate bridge or bridges purchased, constructed, or completed under the authority of this Act and the income derived therefrom shall, on and after the effective date of this Act, be exempt from all Federal, State, municipal, and local property and income taxation.

SEC. 5. After all of the property, books, records, money, and other assets of the City of Clinton Bridge Commission have been conveyed and transferred to the State of Iowa as contemplated by this Act, such commission shall cease to exist, without the necessity for any hearing, order, or other official action.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL-AID HIGHWAY AUTHORIZATION

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, I appreciate the gentleman from Texas yielding to me.

Mr. Speaker, I am delighted the committee has taken some action with regard to mass transit. I am disappointed that the mass transit problem is not one that will be answered through the use of the highway trust funds, but I am not going to belabor that point, because it is a dead horse, and this House has spoken with respect to taxing the highway fund for mass transportation, and I recognize the fact that transportation and mass transit for the large cities of this country is an absolute necessity if these cities are to survive in the future.

But I do want to make the position clear with respect to precisely what we are doing here.

As I understand it, the committee has agreed—or the conferees, rather—have agreed to a $3 billion authorization for mass transit, capital grants and operating subsidies starting in 1975, but at the same time you have $100 million for operating subsidies in fiscal 1973, and $300 million in the conference report for operating subsidies for fiscal year 1974. The result is that the total tab is $3.4 billion, $100 million for operating subsidies in 1973 and $300 million for operating subsidies in 1974, or a total of $400 million for operating subsidies. I think the Members of this House ought to know that this is the first time that the Congress has authorized any payments for operating subsidies under the mass transit program. I agree with them, and I have no objection to that.

Mr. WRIGHT. The gentleman is correct.

Mr. BOLAND. And the Mass Transit Act of 1970 provided $3 billion over a 5-year period, as I understand, with the result that the conferees have placed in this conference report $3 billion to start in 1975, so that the total authorization for mass transit for 1970 through 1975, and beyond, will be $6 billion, and that amount can be used for operating subsidies and for capital grants, as I understand it.

Mr. WRIGHT. I would correct the gentleman's conclusion only in one respect. Only the amounts to which we have earlier referred—a total of $400 million for 2 years—would be available for operating subsidies. The other amounts are available only for capital grants.

Mr. BOLAND. And as I understand it, all of this, the $3 billion, is authorized for contract authority so in effect in 1975 the Urban Mass Transit Administrator could contract for the whole $3 billion if he saw fit.

He could have done that under the 1970 act, but there were limitations placed on his activities by the Committee on Appropriations. That opportunity will be granted to us again and we will have that authority in 1975 to do precisely what we have done in the Mass Transit Act of 1970; is that correct?

Mr. WRIGHT. The gentleman is absolutely correct.

Mr. BOLAND. I also want to compliment the conference and this committee for what has been done with respect to mass transit. I think it meets the problem and at least it is a step in the right direction. I understand, as I think you do, that there will be a lot more than $6 billion spent in mass transit in the years to come in this Nation of ours.

Mr. CORMAN. Can you tell us—can you buy buses under capital expenditures?

Mr. WRIGHT. Yes, you can.

I would simply say to the Members that while this is not a perfect bill, it is the best bill that your conferees could get. We believe it is infinitely preferable to no bill at all. The highway departments of every State in the Nation depend upon it. They are looking to us to pass this conference committee report tonight. I very earnestly urge all of my colleagues to vote "aye" on the conference report.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield to the distinguished gentleman from Illinois (Mr. Anderson).

Mr. ANDERSON of Illinois. Mr. Speaker, I appreciate the sincerity and the conviction of the gentleman from Texas (Mr. Wright). I respect as well the distinguished gentleman from California (Mr. Don H. Clausen) and the efforts that they and others have made to bring us this particular conference report.

But I must painfully conclude that I cannot agree with those who have just expressed the feeling that somehow in this conference report we have done a great thing for the cause of mass transit in this country.

I am not going to take the time of the House at this late hour, anxious as we all are to return to our homes, to reiterate all of the arguments that I and others have made on the floor of this body just a few days ago about the criticality of the need. I think we demonstrated and we were not contradicted in our assertion that we are spending today literally $30 for highways for every dollar being spent on mass transit.

But somehow threading through the debate this evening there has been the notion that we have accomplished by this conference report an immediate answer to the critical, instant, here and now need of mass transit systems in our urban areas.

I simply, after listening to this explanation, can only come to the conclusion that far from meeting the problem, we are putting it on the backburner.

You say that in fiscal year 1975 you are going to make available $3 billion in authorizations for contract financing.

The very modest proposal on which we sought to have this House vote a few days ago was to provide $700 million now out of existing funds—out of money that is there in the highway trust fund—for the needs of mass transit systems. It would merely provide an option to local authorities to buy buses and to build mass transit systems in those cities and communities where the needs are so great.

So how can you now try to sell us on the proposition that we are meeting the problem of mass transit by deferring this, by putting it on the backburner until the fiscal year 1975, which does not begin as we all know until July 1, 1974. It simply defies my comprehension. It is not a satisfactory answer to a critical problem.

We have just concluded in this House over the past several days a very long and sometimes stormy debate on the fiscal crisis confronting our country. What has been the reason? We have all agreed on that whether Democratic or Republican—that it was because we could not establish clearly the most urgent national priorities and still live within our budget and spend the money where it is needed most. That is why we have come to the point where we have tried in one way or another to put a ceiling on Federal spending.

Yet, when I look at this particular conference report, I come to the regrettable conclusion that if we adopt it in its present form, that once again this Congress will have been utterly derelict—utterly derelict—in its duty to try to establish some clear national priorities, and give the cities, to which urban systems highway money would go, the simple option of using that money for other modes of transportation. That would be establishing priorities. It would allow local governments to decide where the need is greatest. Given the infinite demands that are placed on the Federal budget today and the fact that there are only finite resources with which to meet those demands, we simply must try to meet an urgent problem by assigning the right to choose between different modes of transportation. Instead this conference report offers illusory promises of something down the road, when there are funds available here and now by permitting local authorities the option of resorting to the funds available to them now under their allotments for urban highway systems. Much as I respect the gentlemen on this committee, I must of necessity at this late hour take this position that they have come up with a satisfactory solution to the problem.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Massachusetts (Mr. O'Neill).

Mr. O'NEILL. Mr. Speaker, I have to concur with some of the remarks made by the gentleman from Illinois, particularly on the need for mass transportation in urban areas. We in the Massachusetts area have a terrific plight in the whole suburban area. We need mass transportation badly. The gentleman has been talking about going on the back burner. I join with the gentleman in wanting the Highway Trust Fund broken. There were two problems. Will we get mass transportation money? We are getting some out of this—on the highway fund being broken, no.

Another thing has been proven, I believe, in the last week, and that is that the mass transportation fund, the highway trust fund, is not a sacred cow. If we do not get the money as the gentleman anticipates we are not, I know and feel that the membership of this House is going to be back in here with special legislation to break that highway fund. I think we ought to accept what we have tonight.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I thank the gentleman for yielding.

I yield to the gentleman from Pennsylvania (Mr. Coughlin).

Mr. COUGHLIN. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, let me say in conclusion I can agree in part with what the distinguished acting majority leader says, but since the Federal highway legislation does not expire, the authorization does not expire, until June 30, 1973, I suggest that the better part of wisdom would be to come back in the 93d Congress. I have the same confidence that he has that, given the attention that is now being called to this critical problem, we do have the capacity early in that first session of the next Congress to get out the kind of a bill that would provide funds in the proper manner, rather than waiting for contract financing authority until fiscal 1975.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield to the gentleman from Arkansas (Mr. Hammerschmidt), a member of the committee.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of this conference report, not because I wholeheartedly agree with its provisions but I do feel that it is the only compromise that our conferees could bring back to the House and hopefully save this legislation for enactment during the 92d Congress. This is vitally important to at least 36 States whose highway programs would be in desperate straits by early next calendar year if existing authorization is not extended.

I am pleased that this conference report does not open up the highway trust fund and break faith with those users who have paid and continue to pay into it for the construction and betterment of roads. Yet $3 billion up to 80 percent grant contract authority, and operating subsidy of $100 million for fiscal year 1973 and $300 million for fiscal year 1974 is a steep price to pay out of the general treasury fund to effect a compromise acceptable to the conferees of the other body. I think every Member of this House recognizes the great need existing for a solution to urban mass-transit needs. The House version approached it in a practical way by allocating $75 million to properly evaluate this need—something that has not yet been done on a nationwide basis. We don't know if the need is $3 billion, $30 billion, or $300 billion. We know that it is a very, very expensive program and it is becoming urgent.

Let us hope that the $3 billion will be a start to tackling the need but that in the next Congress we address ourselves to a solution that will not encroach on the highway trust fund. Road needs have been established through hearings and development of knowledgeable, highly technical engineering and fiscal experts in 50 State highway departments as well as the Department of Transportation. The critical needs for the Nation have been established at $300 billion and total need projections reach a figure of $600 billion by 1990. Considering the long delay in project starts that date is not as far away as it might at first seem.

I suppose my biggest disappointment with the conference report is the failure to implement the 10,000 miles priorty primary road system. While no one has had an opportunity to see a written conference report it is my understanding that it is congressional intent to establish such a system and that the Secretary will be instructed to develop a plan including criteria to develop such a system and report back to the Congress by June 30, 1973. This is recognition that the plan is valid, the need is there and the program should move forward.

Speaking from my own State's standpoint I can again assure my colleagues that the need is there for continuing authority. We are one of those 36 States that will be hurt early next year if this bill fails. I can also assure you that the priority primary system is needed in the Arkansas road program.

Another matter of importance still in this conference report of interest to the people of my district is bridge authorization for crossing lock and dam No. 13 on the Arkansas River at Barling near Fort Smith. There are also two other items of concern to the citizens of Arkansas; both are authorizations in the urban extension section to allow possible extensions of the Interstate Highway System to the Little Rock Airport and the Port of Little Rock. I appreciate my distinguished colleague, Mr. Mills' leadership in making these important needs known to our committee.

But more important than these provincial needs I feel that the overall interest of our Nation would best be served by the acceptance of this conference report. I urge its adoption.

Mr. DON H. CLAUSEN. Mr. Speaker, I yield such time as he may desire to the distinguished gentleman from Michigan (Mr. Gerald R. Ford).

Mr. GERALD R. FORD. Mr. Speaker, I believe that the conferees came back with the best conference report they could get under the circumstances, and I applaud their effort. I certainly do not condemn them for the result.

Let me say this, Mr. Speaker. I oppose this conference report for a variety of reasons. I will mention two. No. 1, I do not like the idea of contract authority to the extent that is provided for in this conference report.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I do not like the contract procedures, but we have established that. It is operating very well. There is no change in the law with respect to the contract authority, so I would hope that we would not oppose this bill because of the contract authority. I do not oppose it. I think the bill is the best that can be done now, and I was hopeful that the gentleman from Michigan had risen to speak in behalf of the conference report, because under the circumstances I think we ought to pass this legislation.

Mr. GERALD R. FORD. I am sorry that I disagree with my friend, the gentleman from Texas, but I have strong feelings on the contract authority proposal, particularly at this late hour under these circumstances.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Speaker, as the gentleman from Texas has suggested, there is nothing controversial or new in the authorization. We had contract authority in highway bills ever since 1960, so why are we talking about the innovation or some impossibility of financing? We must remember that under these contract authorities the State has to put up a certain amount of money, and, consequently, if they put up that money, they must have the Federal funds from the Central Government to accommodate what they put up.

So there is just nothing new in here. The contract authority has been used time and time again where there is a requirement for the local people to put up money.

Mr. GERALD R. FORD. Mr. Speaker, I understand what the gentleman from Alabama is saying. I am not as convinced as he is that it has worked as well as he has indicated, but let me say in addition we have $400 million authorized in this bill for operating subsidies of mass transit lines. I am totally, unequivocally, unreservedly opposed to that proposition. I do not see why on this occasion at this late hour we should inaugurate a program of this potential magnitude. I think it is the wrong program at the wrong time.

As far as I am concerned, when the time comes to vote, I am going to vote against it on this point as well as on one other.

Title III in this conference report was never considered by the House of Representatives. It would not have been germane to our highway bill. Title III was a proposal that came out of the Senate Banking and Currency Committee. Title III was in the House housing bill coming out of the Committee on Banking and Currency. Title III would not have been germane to this bill when it was considered by the House. Title III was attached to the Senate version of the highway bill, and in conference the title III comes back to us and we are going to consider it and possibly approve it with 1 hour's debate with no opportunity for the House to work its will.

I do not think that is the right way to operate. In my opinion, for that reason among all others, I am going to oppose the bill. It is my opinion that this is the wrong way at the wrong time to consider the highway bill.

Mr. WRIGHT. Will my distinguished friend, the gentleman from Michigan, yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I think it is very significant of the problems we confronted at the conference which seemed at times almost incapable of resolution, that the chairman of the gentleman's party conferees, those on his side, the distinguished gentleman from Illinois (Mr. Anderson), is opposing this conference report on the ground that it does not do enough for mass transit and he wants the money out of the trust fund, while the distinguished minority leader is opposing it on the ground that it does too much and he wants to protect the trust fund, but he is not willing to go to the contract authority.

So we are caught in this uncomfortable position of having done more than some wanted and less than others wanted.

But I do believe the gentleman from Michigan, as he himself acknowledged, will agree that we brought the best solution of the problems, the best compromise, hammered out on the anvils of mutual sacrifice, that we could possibly achieve.

The gentleman is aware, is he not, of the desperate straits into which 36 of our States will be placed if there is no highway bill?

Mr. GERALD R. FORD. I am sure the gentleman from Texas knows my friend, the gentleman from Illinois, and I, both in our leadership, had different viewpoints when this legislation was on the floor and considered by the House. He maintains his position and I maintain my position. During the consideration of this bill the gentleman from Texas and I fought shoulder to shoulder to maintain the integrity of the highway trust fund, and I am not changing my positon and I do not think he will change his position, but I do not think we have to move in, in this conference report, $3.4 billion of provisions which would not have been germane at the time the House considered the highway legislation. That is a poor way to legislate.

I am not condemning the gentleman from Texas nor the conferees. I think they faced an impossible situation in a bad circumstance, but I happen to have the conviction that this is the wrong way to operate. I do have it and I regret to differ with my friend, the gentleman from Texas.

Mr. KLUCZYNSKI. Mr. Speaker, I am extremely gratified by the final success of a most complex and difficult House-Senate conference on the Federal-Aid Highway Act of 1972, which has produced workable legislation encompassing the Nation's needs for both highways and mass transit.

Because of the urgent need for extension of our essential highway program and the pressure for adjournment of the Congress, the conferees agreed to a 1-year program, with the understanding that a thorough review of the highway-mass transit legislation would be undertaken early in the 93d Congress. In the course of that review, we shall consider whether an entirely separate fund should be established to provide the mass transit our major metropolitan centers must have.

I believe we need more mass transit facilities to relieve the traffic congestion that is paralyzing our major metropolitan centers, congestion such as we experience daily in Chicago.

I believe also that we must continue our highway programs and extend them into areas of the Nation that have been largely neglected in the past, particularly in rural sections where economic development and job opportunity have been shortchanged for lack of good highway communications.

The compromise legislation which we have arrived at includes these major provisions:

Authorization of $3.5 billion for fiscal year 1974 for continued work on the Interstate Highway System.

An urban system authorization of $700 million, an urban extensions amount of $400 million and a small urban system of $50 million for fiscal year 1974, and the same total amounts for rural primary and secondary roads. This results in an even split of $1.15 billion for rural projects and $1.15 billion for urban projects.

A $1.1 billion authorization for highway safety programs in fiscal year 1974.

Most importantly to my fellow-citizens in the Chicago area, as well as to the many millions of Americans living in other metropolitan centers, this bill provides contract obligation authority of $3 billion for grants to cities for mass transit facilities, with an 80-percent Federal participation.

Further, this legislation establishes a mass transit operating subsidy of $100 million for fiscal year 1973 and $300 million for 1974.

These mass transit aids will come from the general fund.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise to support and announce my intention to vote for this conference report of the House and Senate on the Federal-aid Highway Act of 1972.

In doing so, I want to state, very emphatically, that I do not agree with all of the provisions of the report and have so stated to my fellow conferees.

For a period of time, I hesitated to sign the conference report and the statement of managers, because of my displeasure over some of its provisions.

The strongest point of disagreement is the 1-year extension of the Interstate System apportionments and the other existing highway programs, instead of the 2-year authorization that was contained in both the Senate and House version.

This should not have been the subject of discussion in the conference, because we were not, I repeat not, in disagreement, but to my deep chagrin, the Senate would not budge from their position of a 1-year extension on the ABCD systems. We repeatedly told them that to vacate the 2-year authorization contained in both bills would place the bill in jeopardy, because it would be subject to a point of order, under House rules.

However, due to their insistence, on 1 year and recognizing the fact that State and local government, highway departments, the construction industry, the construction workers, and the communities of America, were all in need of a continuing authorization that would keep the program moving forward, we consented to accept the 1-year authorization.

In turn, I ask the House, at this late hour, to agree with and accept this position.

I do not agree with all of the provisions of the beautification sections. At one point in the conference, we offered to delete the controversial sections and asked for a simple extension of the Beautification Commission, so that they might complete their report and present specific recommendations. This was not accepted by the Senate conferees.

My deepest concern is over the procedural manner in which the Senate brought the controversial operating subsidies for mass transit and title III into what was to have been a routine highway public works conference.

As a result, the Senate had nine conferees from the Public Works Committee and three from the Senate Banking and Currency Committee, thus having the net effect of introducing title III of the Senate bill containing mass transportation at a time when we had neither jurisdiction over nor hearings on, the subject of mass transportation before the House Public Works Committee.

In the House version, at the request of many interested Members, we had the 10,000-mile "priority primary" section and the announced policy of accelerating the construction timetable on all primary and secondary roads in the country, upgrading them to make them safer, replace dangerous outdated bridges, provide major safety program suggestions in title II, railroad crossing improvements, economic growth center development highways, a small urban highway improvement system for communities under 50,000 population, and so forth. These are the major innovative and I believe, constructive provisions that would greatly enhance the safety of our highways and cut down on the over 55,000 traffic deaths that occur each year.

It is regrettable that the House bill was not accepted solely on the basis of its highway provisions.

It is our desire to maintain the integrity of the highway trust fund by maintaining our entrusted fiduciary responsibilities, just as we should uphold the purpose and interest of the airport-airways trust fund.

As to mass transportation, I am pleased to report one thing, that I believe to be very constructive that came out of the discussions in conference. I am of course, referring to something I have been advocating for a long time—the establishment of a third trust fund to handle the operating expenses of mass transit and hopefully, provide the same positive method of finance for that mode of transportation that the Congress, in their wisdom, saw fit to provide for highway and air transportation systems.

There was more argument expressed by more Senators and House Members on the third trust fund concept than I have ever heard, including Mr. MILLS, and other members of the Ways and Means Committee and Senator WILLIAMS of the Senate Banking and Currency Committee and other Senate and House conferees.

As a matter of fact, the House offered, as part of their many proposals, the desirability of advancing the "Priority Primary" and third trust fund for mass transit as a package for immediate consideration next year.

Without belaboring the point, I simply ask my colleagues to support the conference, even with its weaknesses for the reasons stated previously. Then let us come back next year, maintain the cooperation and momentum and move toward developing the best coordinated integrated and balanced transportation systems that modern and future technology can provide.

Mr. KOCH. Mr. Speaker, the conference reported Federal aid-highway bill provides both needed assistance for mass transit and an opportunity to reconsider the Nation's total transportation needs next year by limiting the extension for the highway program to 1 year. Its major deficiency, however, is that it lacks the provision adopted in the Senate opening the funds in the Federal aid urban system to mass transit expenditures. This provision, known as the "Cooper-Muskie Amendment," did not mandate mass transit construction in any localities nor alter the distribution of funds to urban areas. It simply gave metropolitan areas the option to use their funds for mass transit, as well as highway projects. It is time that localities had this flexibility in Federal transportation dollars. During the House's consideration of the highway bill, I joined with our colleague from California (Mr. ANDERSON) in sponsoring an amendment like the Cooper-Muskie provision and shared his distress that the House was never allowed to vote on it.

To its credit, the bill agreed to by the House and Senate conference will provide $400 million in urgently needed funds to assist mass transit systems that are plagued by mounting deficits and deteriorating service. Today, we are suffering the toll of years of neglect of our transit systems: Inefficient service and continual equipment breakdowns. Too many systems have no alternative but to operate with equipment that is 30 to 40 years old and too many have simply been forced to go out of business, leaving without transportation those who depend on public transportation, primarily the elderly and the poor. Presently, States and localities are having to subsidize local transit operators. It is time that the Federal Government did its share.

In this country we have a $4 billion agricultural subsidy program, we subsidize air travel, and we give aid to the maritime industry. Surely, the proposal in today's bill that $400 million be spent in transit operating subsidies over the next 2 years is a modest as well as necessary one.

Important, too, in this bill is the authorization of an additional $3 billion for mass transit's capital program. This money, to be added to the existing $3.1 billion authorized in the 1970 Urban Mass Transportation Act for the first half of this decade, will be important in both initiating and implementing much needed capital improvement programs.

Both the $400 million operating subsidy program and the $3 billion capital authorization were first included in the Housing and Urban Development Act of 1972 reported out by the Banking and Currency Committee on September 21. It is gratifying that since this bill has not been voted on by this House these transit provisions have been included in the highway bill. Furthermore, it is my understanding that the conference committee has adopted the House's formula for the distribution of operating assistance funds—one based on revenue passengers served. This means that an allocation of Federal assistance to a locality will reflect the locality's share of the Nation's total transit passengers. I am pleased to note that this formula is one that, as a member of the Banking and Currency Committee, I first proposed in my bill H.R. 13362.

One of the components of the conference committee's bill which I take vigorous exception to is that providing for the initiation of the second generation Interstate System: a 10,000-mile system of new roads to be built to Interstate System standards. This year the Department of Transportation submitted for the first time a report on the country's total transportation needs. It would be a grave mistake to start construction of a new Interstate System before there is the opportunity to study the Department's report and develop a total transportation plan which incorporates and coordinates all forms of transportation, including any new road building programs. Furthermore, it is clear that there are much more urgent public transportation needs that should be met before new highway systems are commenced. Yet another aspect to consider is the fact that we have already paved over land equal to the combined area of Connecticut, Massachusetts, New Hampshire, Vermont, Rhode Island, and Delaware. How many more States are we going to blacktop before we turn to more efficient means for providing mobility in this country?

In conclusion, I would also note that I disagree with the special treatment the bill gives to the Brackenridge Olmos Basin Parkland segment of the San Antonio North Expressway. It is unconscionable that the Congress should legislate to circumvent in this case the requirements of the National Environmental Policy Act and section 4(f) of the Department of Transportation Act pertaining to parkland protection. This is particularly reprehensible when a decision has already been handed down by the Federal court ruling that the project does not comply with the National Environmental Policy Act. If every time a segment of the Interstate System cannot meet environmental standards this Congress acts to provide a special exemption, we simply will make a mockery out of our own environmental protection laws.

GENERAL LEAVE

Mr. DON H. CLAUSEN. Mr. Speaker, in order to save time, I am going to ask unanimous consent that all Members be permitted to revise and extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, before I offer my concluding remarks Mr. PICKLE of Texas wanted to be recognized in a similar fashion as the request which was granted to Mr. CULVER.

AMENDING SECTIONS OF FEDERAL AVIATION ACT

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2280) to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such Act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under certain circumstances, with Senate amendments to the House amendment thereto, and consider the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the first Senate amendment.

The Clerk read as follows:

Senate amendment No. 1:

Page 4, line 24, of the House engrossed amendment, after *"Aircraft,"* insert: "or if he determines that a foreign nation is used as a base of operations or training or as a sanctuary or which arms, aids, or abets in any way, terrorist organizations which knowingly use the illegal seizure of aircraft or the threat thereof as an instrument of policy,".

MOTION OFFERED BY MR. PICKLE

Mr. PICKLE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PICKLE moves to concur in Senate amendment No. 1.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 2: Page 8, at the end of the House engrossed amendment, insert:

TITLE II—AIR TRANSPORTATION SECURITY ACT OF 1972

SEC. 21. This title may be cited as the "Air Transportation Security Act of 1972".

SEC. 22. The Congress hereby finds and declares that—

(1) the United States air transportation system which is vital to the citizens of the United States is threatened by acts of criminal violence and air piracy;

(2) the United States air transportation system continues to be vulnerable to violence and air piracy because of inadequate security and a continuing failure to properly identify and arrest persons attempting to violate Federal law relating to crimes against air transportation;

(3) the United States Government has the primary responsibility to guarantee and insure safety to the millions of passengers who use air transportation and intrastate air transportation and to enforce the laws of the United States relating to air transportation security; and

(4) the United States Government must establish and maintain an air transportation security program and an air transportation security-law enforcement force under the direction of the Administrator of the Federal Aviation Administration in order to adequately assure the safety of passengers in air transportation.

SEC. 23. (a) Title III of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"SCREENING OF PASSENGERS IN AIR TRANSPORTATION

"SEC. 315. (a) The Secretary shall as soon as practicable prescribe regulations requiring that all passengers and all property intended to be carried in the aircraft cabin in air transportation or intrastate air transportation be screened by weapon-detecting devices operated by employees of the air carrier, intrastate air carrier, or foreign air carrier prior to boarding the aircraft for such transportation. One year after the effective date of such regulation the Secretary may alter or amend such regulations, requiring a continuation of such screening by weapon-detecting devices only to the extent deemed necessary to assure security against acts of criminal violence and air piracy in air transportation and intrastate air transportation. The Secretary shall submit semiannual reports to the Congress concerning the effectiveness of this screening program and shall advise the Congress of any regulations or amendmets thereto to be prescribed pursuant to this subsection at least thirty days in advance of their effective date.

"(b) The Secretary shall acquire and furnish for the use by air carriers, intrastate air carriers, and foreign air carriers at airports within the United States sufficient devices necessary for the purpose of subsection (a) of this section, which devices shall remain the property of the United States.

"(c) The Secretary may exempt, from provisions of this section, air transportation operations performed by air carriers operating pursuant to part 135, title 14 of the Code of Federal Regulations."

(b) Notwithstanding any other provision of law, there are authorized to be appropriated from the Airport and Airway Trust Fund established by the Airport and Airway Revenue Act of 1970 such amounts, not to exceed $5,500,000 to acquire the devices required by the amendment made by this section.

SEC. 24. Title III of the Federal Aviation Act of 1958 is further amended by adding at the end thereof the following additional new section:

"AIR TRANSPORTATION SECURITY FORCE

"POWERS AND RESPONSIBILITY

"SEC. 316. (a) The Secretary shall establish and maintain an air transportation security force of sufficient size to provide a law enforcement presence and capability at airports in the United States adequate to insure the safety from criminal violence and air piracy of persons traveling in air transportation or intrastate air transportation. He is directed to delegate this authority to the administrator of the Federal Aviation Administration who shall be empowered, and designate each employee of the force who shall be empowered, pursuant to this title, to—

"(1) detain and search any person aboard, or any person attempting to board, any aircraft in, or intended for operation in, air transportation or intrastate air transportation to determine whether such person is unlawfully carrying a dangerous weapon, explosive, or other destructive substance;

"(2) search or inspect any property, at any airport, which is aboard, or which is intended to be placed aboard, any aircraft in, or intended for operation in, air transportation or intrastate air transportation to determine whether such property unlawfully contains any dangerous weapon, explosive, or other destructive substance;

"(3) arrest any person whom he has reasonable cause to believe has (A) violated or has attempted to violate section 902 (i), (j), (k), (l), or (m) of the Federal Aviation Act of 1958, as amended, or (B) violated, or has attempted to violate, section 32, title 18, United States Code, relating to crimes against aircraft or aircraft facilities; and

"(4) carry firearms when deemed by the Administrator to be necessary to carry out the provisions of this section,

and, at his discretion, he may designate and deputize State and local law enforcement personnel to exercise the authority conveyed in this subsection.

"TRAINING AND ASSISTANCE

"(b) In administering the air transportation security program, the Secretary may—

"(1) provide training for State and local law enforcement personnel whose services may be made available by their employers to assist in carrying out the air transportation security program, and

"(2) utilize the air transportation security force to furnish assistance to an airport operator, or any air carrier, intrastate air carrier, or foreign air carrier engaged in air transportation or intrastate air transportation to carry out the purposes of the air transportation security program.

"OVERALL RESPONSIBILITY

"(c) Except as otherwise expressly provided by law, the responsibility for the administration of the air transportation security program, and security force functions specifically set forth in this section, shall be vested exclusively in the Secretary of Transportation who shall delegate them to the Administrator of the Federal Aviation Administration and shall not be assigned or transferred to any other department or agency."

Sec. 25. Section 1111 of the Federal Aviation Act of 1958 is amended to read as follows:

"AUTHORITY TO REFUSE TRANSPORTATION

"(a) The Administrator shall, by regulation, require any air carrier, intrastate air carrier, or foreign air carrier to refuse to transport—

"(1) any person who does not consent to a search of his person to determine whether he is unlawfully carrying a dangerous weapon, explosive, or other destructive substance, or

"(2) any property of any person who does not consent to a search or inspection of such property to determine whether it unlawfully contains a dangerous weapon, explosive, or other destructive substance;

Subject to reasonable rules and regulations prescribed by the Administrator, any such carrier may also refuse transportation of a passenger or property when, in the opinion of the carrier, such transportation would or might be inimical to safety of flight.

"(b) Any agreement for the carriage of persons or property in air transportation or intrastate air transportation by an air carrier, intrastate air carrier, or foreign air carrier for compensation or hire shall be deemed to include an agreement that such carriage shall be refused when consent to search persons or search or inspect such property for the purposes enumerated in subsection (a) of this section is not given."

Sec. 26. Section 902(1) of the Federal Aviation Act of 1958 is amended to read as follows:

"CARRYING WEAPONS ABOARD AIRCRAFT

"(l) (1) Whoever, while aboard, or while attempting to board, any aircraft in or intended for operation in air transportation or intrastate air transportation, has on or about his person or his property a concealed deadly or dangerous weapon, explosive, or other destructive substance, or has placed, attempted to place, or attempted to have placed aboard such aircraft any property containing a concealed deadly or dangerous weapon, explosive, or other destructive substance, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(2) Whoever willfully and without regard for the safety of human life or with reckless disregard for the safety of human life, while aboard, or while attempting to board, any aircraft in or intended for operation in air transportation or intrastate air transportation, has on or about his person or his property a concealed deadly or dangerous weapon, explosive, or other destructive substance, or has placed, attempted to place, or attempted to have placed aboard such aircraft any property containing a concealed deadly or dangerous weapon, explosive, or other destructive substance shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(3) This subsection shall not apply to law enforcement officers of any municipal or State government, or the Federal Government, while acting within their official capacities and who are authorized or required within their official capacities, to carry arms, or to persons who may be authorized, under regulations issued by the Administrator, to carry concealed deadly or dangerous weapons in air transportation or intrastate air transportation."

Sec. 27. To establish, administer, and maintain the air transportation security force provided in section 316 of the Federal Aviation Act of 1958, there is hereby authorized to be appropriated for fiscal year 1973 the sum of $30,000,000, and for each succeeding fiscal year such amounts, not to exceed $30,000,000, as are necessary to carry out the purpose of such section.

Sec. 28. Section 101 of the Federal Aviation Act of 1958, as amended, is amended by adding after paragraph (21) the following:

"(22) 'Intrastate air carrier' means any citizen of the United States who undertakes, whether directly or indirectly or by a lease or any other arrangement, solely to engage in intrastate air transportation.

"(23) 'Intrastate air transportation' means the carriage of persons or property as a common carrier for compensation or hire, by turbojet-powered aircraft capable of carrying thirty or more persons, wholly within the same State of the United States."

and is further amended by redesignating paragraph (22) as paragraph (24) and redesignating the remaining paragraphs accordingly.

Sec. 29. That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading.

"Title III—Organization of Agency and Powers and Duties of Administration"

is amended by adding at the end thereof the following:

"Sec. 315. Screening of passengers in air transportation.
"Sec. 316. Air transportation security force.
"(a) Powers and responsibilities.
"(b) Training and assistance.
"(c) Overall responsibility."

MOTION OFFERED BY MR. PICKLE

Mr. PICKLE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Pickle moves to disagree to Senate amendment No. two.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

PROTECTING THE TRAVEL CONSUMER

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, the failure of the House to take up legislation passed by the Senate to protect the traveling public from undesirable practices of travel agents and firms leaves a major gap in the record of the 92d Congress with regard to consumer protection.

Travel, particularly by air, is a mammoth business, and travel agents handle well over a billion dollars in air ticket sales annually. Much of that travel is by chartered airlines, and the proportion is going up. Transatlantic air charter passengers, for example, increased for 600,000 in 1966 to 2.5 million last year.

Strandings of Americans who have paid hard-earned money for charter travel have also increased greatly and have become a major consumer problem for which there is at present, all too little recourse. In June of this year, for example, some 3,000 Americans were stranded in Europe, and thousands of others suffered financial loss to one degree or another, when a major supplemental airline, Lloyd International Airways, collapsed. As the mail received by every Member of Congress would certainly verify, thousands of tourists and travelers each year pay for travel accommodations, services, and other promises which are only partially lived up to or not received at all.

Responsibility for this situation does not always or entirely lie, of course, with travel agents or travel firms. It may lie with the carrier or ultimate supplier of travel services, particularly the airlines, both scheduled and nonscheduled. The airline industry is already subject to regulation by the Civil Aeronautics Board, the Federal Aviation Agency, and certain governmental international bodies, and it is incumbent upon these regulatory groups to step up their efforts on behalf of consumers to assure that the airlines provide the services and accommodations for which the traveler is charged and which he is promised.

While travel firms, like most interstate businesses, are subject to regulation in some respects by various Federal agencies, travel agents are not directly regulated at the present time. Given the considerable extent to which travel agents may be and, on occasion, are responsible for disappointment, inconvenience, extra expense, or downright fraud to consumers, travel agents should be subject to Federal regulation through registration and licensing, and that is precisely the purpose and effect of S. 2577, which passed the Senate on June 29, 1972, but has been allowed to die for the duration of this Congress by the House.

The many reputable and responsible members of the travel industry, of course, have nothing to fear from Federal regulation, and I am pleased to note that the American Society of Travel Agents—ASTA—on behalf of its more than 10,000 members, supports this legislation to provide broad new protection for travel consumers.

Mr. Speaker, as an indication of my view that further Federal regulation of travel agents is needed to prevent and provide redress for failures to deliver adequate travel services to consumers, and particularly to call attention to the need to stop the rash of strandings that have become a major problem for travelers, I am today introducing legislation to provide Federal registration and licensing of travel agents. Action on this legislation, which is identical to that passed by the Senate, should be an immediate goal of the 93d Congress when it convenes next year, and I intend to reintroduce it and continue to work for its passage at that time.

SUMMARY OF BILLS DURING 92D CONGRESS

(Mr. SMITH of Iowa asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, I would like to further summarize some of the bills and problems acted upon by the Congress during the 92d Congress. Since hundreds of bills passed, all cannot be fully described but I am including some which I believe to be of the most interest.

COMMODITY RESERVE

In December 1971, the House of Representatives passed my bill (H.R. 1163) to establish a strategic commodity reserve—or "food bank"—for wheat and such feed grains as corn. Some grain would be purchased and insulated from the market when there is a surplus so it would be available during times of short supply. It would aid farmers by keeping grain prices from dropping when there is a surplus and protect consumers by making sure that an adequate supply of wheat and feed grains is on hand in case of an emergency. This would also help stabilize cattle and hog supplies. It also contains other features to promote U.S. exports of grain.

In my testimony in September 1972, on the Russian grain agreement, I pointed out that a drought in the Soviet Union caused them to buy massive amounts of wheat from the U.S. market. The need for these huge and sudden purchases was not revealed by the U.S. Department of Agriculture officials or the Russians until they had bought their needed grain at the low price for surpluses and showed again that a commodity reserve is needed to provide a better price while waiting for a need to appear.

The administration was strongly against my bill and managed to get it killed in the Senate, but I feel this legislation is badly needed and plan to keep working for its enactment.

RURAL DEVELOPMENT

Public Law 92–419, the Rural Development Act, contains a number of important provisions—including improved farm credit, an increase in the maximum size of farm operating loans, improved terms for real estate loans—designed to provide a better life in rural America and cut down on the migration to congested cities. The new law mostly expands existing laws that have worked well for many years including increased funding authority for the rural water and sewer program for communities of 5,500 population or less.

In 1970, I secured an amendment appropriating $100 million for this program—the maximum amount available then under the basic authorization law—but the administration has only allocated about half the amount available. As a result, many applications from communities needing basic water and sewer systems have been turned down.

WATER POLLUTION CONTROL

Congress passed the most comprehensive water pollution control bill in history. The bill includes strict antipollution standards for industries and municipal waste treatment plants, plus a program of Federal financial assistance for construction of waste treatment facilities. Existing weaker laws were expiring and without this bill water pollution control would come to a halt. The overall purpose of the bill is to make the Nation's waterways pollution free by 1985. President Nixon vetoed the bill but the Congress overrode the veto.

REVENUE SHARING

Public Law 92– establishes a 5-year program under which Federal funds will be allocated on a "revenue sharing" basis to State and local governments. The main purpose of this legislation is to assist State and local governments in providing needed services. The administration's budget reduces or eliminates some Federal funding under existing programs for States and cities on the assumption they will use the revenue sharing money instead. Only time will tell if this will occur.

Under this legislation, Iowa will receive a total of $77 million for the year beginning January 1, 1972, with $25.6 million allocated to the State government and $51.4 million to local and county governments. The city of Des Moines will be allocated about $2.2 million.

FOREIGN AID

Twice, once in 1971 and again in 1972, the Senate voted down foreign aid authorization bills. However, the foreign aid program has been kept alive, at the request of the administration, under bills continuing it on a short-term, scaled-down basis.

LAW ENFORCEMENT

Public Law 92– establishes a commission to recommend improvements in the Federal court system.

Public Law 92–381 amends and extends for 2 years the program for Federal grants to public and nonprofit agencies to control and prevent juvenile delinquency.

ANTIPOVERTY

Public Law 92–424 extends the antipoverty program for another 2 years generally as it currently exists.

Congress in 1971 passed, but the President vetoed, legislation extending the antipoverty program, establishing a new child day care center program and setting up a National Legal Services Corporation designed to insulate the administration of the current Legal Services program from outside pressures. The President vetoed the 1971 bill because he objected to the day care program.

GENERAL GOVERNMENT

Public Law 92–484 establishes an Office of Technology Assessment to aid Congress in evaluating scientific and technical proposals for legislation.

Public Law 92–463 is aimed at abolishing unnecessary advisory committees which have accumulated in the various Federal agencies. According to one estimate, there may be as many as 3,200 of these committees and their cost may be about $100 million annually.

Public Law 92– establishes a Marine Mammal Commission and contains other provisions to protect seals and other marine mammals.

MISCELLANEOUS

Public Law 92– expands the Youth Conservation Corps program, which provides summer jobs in some Federal agencies.

Public Law 92– extends and improves the Older Americans Act to assist the elderly.

Public Law 92–411 authorizes $45 million for public television broadcasting for the fiscal year starting July 1973. Earlier, the President had vetoed a bill to provide longer ranged funding for public broadcasting.

Public Law 92– authorizes control over pesticides which pose a risk to humans and the environment and provides that they be classified into a "general" category and a "restricted" category for use by qualified applicators.

Public Law 92– establishes a new independent Federal agency to protect consumers against injury or death from hazardous products. This law resulted from a study showing that some 20 million persons are injured each year in the home because of accidents involving consumer products.

Public Law 92–460 provides for a 20-percent increase in railroad retirement benefits from September 1972, through June 1973, and was passed into law over the President's veto. The increase was not extended for a longer period at this time because of a need to assure that the system is actuarially sound in the future.

Public Law 92– amends the Airport and Airway Development Act to increase the Federal share of financial support for construction and improvement of airport facilities. The law also prohibits the imposition of a "head tax" on airline passengers.

Public Law 92–32 amends the Child Nutrition Act to continue and expand the program under which the Federal Government provides financial assistance to States and local school districts for breakfasts for needy children.

Public Law 92–65 provides Federal assistance for projects designed to help rebuild the economy in "distressed" areas.

Public Law 92–41 extends the renegotiation Act for 2 years and includes a provision authorizing the Treasury Department to determine the interest rate on excessive profits by defense contractors.

Public Law 92–394 authorizes funds for the fiscal year starting July 1972, for Radio Free Europe and Radio Liberty.

GOVERNMENT REORGANIZATION

Public Law 92–305 establishes a National Institute of Arthritis, Metabolism, and Digestive Diseases to enhance the Federal Government's role in medical research.

Reorganization Plan No. 1, approved by Congress, combines the Peace Corps, VISTA—the agency for domestic antipoverty workers—and some smaller programs into ACTION, a single agency administering Government volunteer service programs.

FOREIGN FINANCIAL POLICY

Public Law 92–126 extends until June 1974, the operation of the Export-Import Bank, which guarantees and makes loans to promote foreign purchases of American products.

Public Law 92–9 extends for 2 years the interest equalization tax on the sale of foreign securities in this country. This law is designed to help deal with the balance-of-payments problem.

SOCIAL SECURITY

H.R. 1 places the administration of the program for the aged, blind, and disabled under the Federal Government; extends medicare benefits to those qualified to receive social security disability benefits; provides that widows may receive 100 percent of their husband's social security benefits at age 65; eliminates the support requirement for divorced women receiving social security benefits; increases from $1,680 to $2,100 the outside income limitations on those receiving social security; and provides for automatic enrollment in part B—insurance for physician's fees—under medicare. The Senate omitted a provision passed by the House in June 1971 for welfare reform.

SPENDING LIMITATION

Congress passed legislation (H.R. 16810) under which the President, for the fiscal year ending June 30, 1973, is authorized to reduce funding for certain specified programs when total Federal expenditures for that period exceed $250 billion.

CONGRESSMAN WILLIAM F. RYAN: A MAN OF STUBBORN INTEGRITY

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, no one can capture the essence of a man in a few words. Eulogies and memorials are very rarely anything more than ceremony, armed with sincerity but inadequate to serve as more than a recapitulation of past history.

Certainly, this is so as I speak of Bill Ryan. He was a unique Congressman. He was a unique man. And I cannot hope to adequately convey this to those who may some time in the future read these words. But, I can try to in some measure note the mark of this man, so that others will hopefully perceive the extent of our loss, and realize the magnitude of the standard which he has set.

Bill Ryan was unique because he would not compromise. He was imbued with a perpetual sense of outrage, which kept him fighting when the battle was clearly lost. He simply could not accept injustice or inequity; he could not settle for slow and meager progress.

Bill knew that he was not going to turn the Congress around overnight on the war, or on civil rights, or on civil liberties. He knew, when he annually was in the forefront of opposition to HUAC, that the votes were just not there. He knew, when he voted against the first appropriation bill for the war in 1965, that a majority, were it ever to exist, was indeed not with him then.

Yet, he insisted on going his way. More than that, he insisted on leading—in the directions of justice and fairness and peace—because he could not settle for less, and he would not let anyone else settle for less.

Perhaps, in stating these words, I make Bill sound obstinate, stubborn. He was. He clung to his course despite the counsels to go slow. He insisted on speaking out when he knew that to do so might embarrass others less willing to be equally forthright. For him there really was no other option. Misery or inequity, if not opposed, was thereby condoned.

How does one adequately convey this quality of this man? I do not know. I do know, though, that Bill Ryan stood for integrity without caveat or exception. He was guided by his conscience and his compassion, when these two confronted pragmatism, there was no question which would guide his voice and his vote.

A man who once worked for Bill wrote recently, in the September 28 issue of the Village Voice, something very close to what I, too, saw in Bill:

> For years, using a parliamentary gimmick, he single-handedly kept the House Dixiecrat establishment from passing a bill to name a VA hospital after Rankin (or was it Bilbo?) on the ground that this would dishonor black and Jewish vets. . . . It was moves like that, which could do a Member no earthly good whatever except to keep himself at peace with his conscience, that made Bill inexplicable to most of his colleagues.
>
> That was Bill Ryan, a man of stubborn principle and absolute integrity. It didn't strike me as remarkable that he should be so, at the time I was working for him. He was just my boss, human and sometimes infuriatingly single-minded. Only years later, after I'd come to know political Washington better, did I understand how rare it was that this humane and decent politician should be exactly what he professed to be, nothing more, nothing less.

This single-minded integrity is what so many people saw in Bill Ryan. Nat Hentoff, writing in the same issue of the Village Voice, said:

> His death takes the top name from that very small list of people I cite when asked by students to name someone in politics who hasn't sold part of himself along the way in order to stay in office.

Some might say that Bill Ryan's stubborn integrity limited his effectiveness. When Members junior to him were chairing subcommittees in this bastion of success-through-seniority, Bill was still a junior Member on the committees on which he served. This he owed to his years of consignment to a committee which he little desired, and years of refusal to place him on those committees on which he deeply wanted to serve. Well, Bill owed that to his unremitting devotion to his principles, that is true. And he did in fact annoy some Members of this august body by his continuing demands for the goals he espoused, notwithstanding the country's disinterest in them. This body did not treat Bill Ryan well.

Yet, I think it is Bill Ryan who graced this body by his presence. He fought the battles others talked about, but failed to enter. He insisted upon the hard course of conscience, when others sought easier paths to follow. And, despite all, Bill Ryan loved this Chamber. Bill Ryan was hopelessly in love with democracy, and he had ultimate faith in the ability of this Congress to achieve good, notwithstanding all the proof to the contrary. His life was here, and it is fitting that his death be memorialized here.

So, Bill Ryan did not sacrifice effectiveness in vain. He demonstrated an effectiveness that few can claim. He proved that integrity and the political process need not be alien. He voiced the early warning against HUAC, and today its successor, the House Internal Security Committee, is largely a shell. He stood against the war in the early days, and today this country rejects that war, notwithstanding the Congress' failure to hear the country's voice. He marched and fought for equal rights for all, and today, in the deepest part of every one of us, we know that discrimination and prejudice, no matter how justified or rationalized, are evil.

The battles Bill fought just took longer to win than most, but they were the right battles to fight, and they will be won. In some measure, the New York Times editorial of September 19 caught this sense of Bill Ryan. Entitled "Apostle of Change," the editorial began:

> In a way that few public figures have been able to do, Representative William F. Ryan took positions ahead of his time and patiently persuaded his constituency and elements of the larger society to follow him, winning the warm affection of an increasing circle of friends in the process. He was loved as an immensely sensitive and decent man.
>
> Congressman Ryan liked to be called an "apostle of change" and, as such, he achieved remarkable success. He marched in the South, at the side of the blacks burdened by discriminatory laws. He stood in the well of the House, a slight, frail figure with a broad, strong face, to oppose appropriations for the war in Vietnam. He eloquently exhorted Congress to protect both consumers and the environment. He did these things and others before they became the popular things to do.

Jack Newfield wrote, after Bill Ryan died, "Today it feels like someone has destroyed all the trees and grass on the West Side." We all are, indeed, the less for having lost Bill Ryan. So it is with heartfelt feelings that I and my wife extended our condolences to Bill's wife Priscilla, to his children, Bill, Jr., Priscilla, Virginia, and Katherine, to his parents and to his brothers.

Bill Ryan honored us all by his integrity. Hopefully, some day this Chamber can meet the standard he set.

ARTHUR J. ALTMEYER, "FATHER" OF SOCIAL SECURITY

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, I have the sad duty today to call to the attention of my colleagues the death of one of this Nation's most influential and progressive social reformers. Arthur J. Altmeyer, often called the "Father" of social security, died at age 81 in Madison, Wis., on Monday, October 16, 1972.

Mr. Altmeyer was a very close and highly valued personal friend of mine, a constituent of Wisconsin's Second Congressional District, and a man with nationally and internationally recognized ideals. For millions of our Nation's retired pepole, his efforts have meant the difference between abject poverty and a living level of support. For this alone, every American, both young and old, owes Mr. Altmeyer an everlasting debt of gratitude.

He was a native of Wisconsin, and

came to Washington at the call of President Roosevelt in 1933 to serve as Chief of the Compliance Division of the National Recovery Administration. A year later, he was made an Assistant Secretary of Labor. At the same time, Mr. Altmeyer became Chairman of the Technical Board of the President's Committee on Economic Security, the same Committee which drafted legislation setting up the social security system. Later, he became a member and then Chairman of the Social Security Board, set up to administer the income security program that was eventually to cover most of the population of this country. From his position of Chairman of the Social Security Board, he moved in 1946 to Commissioner of Social Security. Years later, when the social security system was celebrating its 33d birthday, he received the highest award offered by the U.S. Department of Health, Education, and Welfare. A new award was also established in his name.

It is customary for the news media to laud a public figure at the time of his death. But Mr. Altmeyer had the distinction of receiving profuse laudatory comment on the event of his retirement from Government service. He was publicly recognized for his extraordinary selflessness to the public service, and for his remarkable gifts of patience and wisdom and understanding of human problems. These were not hollow accolades, but well deserved praise.

Long before most public figures took up the cause of eliminating poverty from our national life, Mr. Altmeyer was assaulting the problem with concrete proposals embodied now in the social security system. Long before medicare came into being, Mr. Altmeyer was calling for a national health insurance plan. He was a man of wisdom and gifted foresight, who realized long before most people that the wars against poverty, illness, and old age was far more important and beneficial to humankind than military wars abroad. He is one of the few who lived to see his ideals and his dreams transformed into reality on a national basis. For this, we must all be thankful, and for this, we must all be saddened at his passing.

THE HONORABLE JOHN W. BYRNES

(Mr. SCHNEEBELI asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHNEEBELI. Mr. Speaker, unfortunately the House of Representatives is going to lose the service of our Republican leader on the Ways and Means Committee, John Byrnes. John has been ranking Republican for some 10 years and in this capacity, he certainly was one of the top 10 Republicans in the House of Representatives in competence and accomplishment.

John was still in his twenties when he was first elected to the Wisconsin State Senate and at the age of 30, was elected majority floor leader and chairman of the senate judiciary committee. Shortly thereafter he was elected to the 79th Congress to begin service in January 1945, and has served on the Ways and Means Committee for 26 years.

His incisive mind, broad experience, and keen insight made him the key man on the Ways and Means Committee for many years—Members on both sides of the aisle followed his direction and good judgment.

It was an education to listen to him explain the philosophy and theory of the legislation being considered, and how he arrived at the conclusions reached. When he, Chairman Mills, and Dr. Woodworth all agreed on a common position, the die was cast since their combined talents represented the best leadership of our Ways and Means Committee for many years.

John Byrnes was a prodigious worker and probably spent more time at committee hearings and executive sessions by personal attendance than any other Member. His decision to retire from Congress leaves a void that cannot easily be filled and the Nation is going to lose the services of one of the eminent tax men in the country. We shall miss him greatly for his leadership, good judgment, and comprehensive thinking.

John still has many productive years and we all wish him well in his profession and hopefully, we shall see him often here on the Hill if he remains in Washington.

THE HONORABLE JACKSON E. BETTS

(Mr. SCHNEEBELI asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHNEEBELI. Mr. Speaker, Jack Betts has been one of my closest personal friends during my time in Congress. For more than 10 years, Martha and Jack Betts have lived in the same apartment house as the Schneebeli's and we were together socially quite frequently because of so many interests which we share. My wife and I will be so much at a loss when our friends leave Washington and I know that my wife will miss the deep friendship which she has for Martha Betts, as I will miss seeing my amiable friend, Jack Betts.

Jack has been a Member of Congress since the 32d Congress in January 1951. Prior to this time he served with distinction as a member of the Ohio General Assembly for 10 years and for 2 years as speaker of the House of Representatives there. His tremendous energies and accomplishments are reflected in the fact that he has been the recipient of five honorary degrees.

Jack has been a very dependable wheelhorse on the Republican side of the Ways and Means Committee and his strength and loyalty were always depended upon by the Members on both sides of the political aisle. Everybody knew where Jack Betts stood and of his reliability and competence. This degree of confidence was recognized by the fact that he was appointed to serve as the ranking Republican on the House Committee on Standards of Official Conduct.

If there ever was a paragon of virtue and dedication to his work, it was Jack Betts and we shall all miss him for his wise counsel and reliable good judgment. Mrs. Schneebeli and I particularly will be at a loss with the departure of Martha and Jack Betts from Washington.

CHIEF JUSTICE BURGER'S LOBBYING

(Mr. ECKHARDT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ECKHARDT. Mr. Speaker, it should be with great reluctance and only after extreme provocation that one within a coordinate body should criticize the head of one of the three great branches of Government. Thus, in August 1970, when the Chief Justice noted in a nationally televised speech billed as the first "state of the judiciary" address that there had been a number of proposals for new Federal legislation in the fields of antipollution and consumer class actions which might be better left to the States, I did not take issue with him. I thought at that time that he was merely making the generalized statement that a heavier case load on the courts required an increase in the courts' manpower and tools. Such is so obvious that it goes without saying. The only question arising which could cause alarm about such an innocuous statement is: Why did the Chief Justice bother to say it? Since this seemingly innocent homily has been repeated and constantly used by the special interest lobbies, a reason begins to appear.

As the Houston Chronicle noted at the time, Chief Justice Burger's speech caught the consumer class action bill at a particularly crucial time and on a touchy point. As appeared in Bill Lee's story on August 12, 1970:

> The full commerce committee is on the verge of taking up consideration of the bill, already approved by a subcommittee, and rival consumer class action proposals also will be revived.

Also, as Lee noted, opponents of my approach had long argued it would jam the Federal courts with cases. Though, a few weeks earlier, I had modified the provision in a manner tending to lighten the load on the courts, the Chief Justice emphasized at this crucial time the Federal courts are "for a limited purpose." He said Congress should examine proposals carefully that would add to the courts' duties and added:

> People speak glibly of putting all the problems of pollution, of crowded cities, of consumer class actions and others in the federal courts. We should look more to state courts familiar with local conditions and local problems.

But State courts act upon Federal questions pursuant to Federal law. And if there is no substantive legal basis for State court action to protect the public interest in the area of problems of pollution, of crowded cities, and of consumer class actions, the people are denied the facilities of any court to protect their interests.

As I have said, all these expressions of Chief Justice Burger are mere homilies unless they are considered in context with legislative events. But if applied so as to call for a denial of any adequate remedy to consumers, such apparent generalizations are much more than the innocent truisms that they might otherwise appear to be. They are part of a subtle lobbying effort, a tampering in the legislative process that ill becomes a Chief Justice of the United States. I did not consider them to be so in 1970, because I had not yet had an opportunity to see how the Chief Justice's statements would be used; I have, now. The Chief Justice has also had that opportunity; yet he has repeated them, has continued his tampering with the legislative process. Thus, I have overcome my reluctance to find fault with the Chief Justice.

Now, again, in this term of Congress, the Chief Justice has chosen to make comments which can only be construed as unfriendly to legislation that would let average people, like consumers, use courts in the same manner that others do whose suits involve large sums. And again, the time such comments are made coincides with important activity in Congress relating to consumer legislation.

In August 1972, he gave another annual "state of the judiciary" message which included the following:

> And simply adding more judges every few years is not a solution. But there is no escape from constantly enlarging the federal judicial establishment, except to adopt new judicial methods and improve performance as we are trying to do, *and to have Congress carefully scrutinize all legislation that would create more cases.* [Emphasis added.]

He then recommended that every piece of legislation creating new cases be accompanied by a "court impact statement."

Now, this language standing alone is again innocuous, particularly in view of the Chief Justice's further amplification that he was not suggesting "that Congress reject legislation simply because it would increase litigation in the Federal courts" but that he was only suggesting that "Congress consider the needs of the courts along with the need for new legislation."

But on this second occasion when Congress was approaching its finale, the Chief Justice's pronouncements need to be considered in context with certain pieces of legislation affording people access to the courts.

Lobbyist Corcoran was quick to exploit the Burger speech for his client's, the drug industry's, advantage. On August 18, 1972, the bill was in the Rules Committee, and Chairman Staggers noted some inexplicable delay there, though the bill had met with wide approval in the Committee on Interstate and Foreign Commerce.

Perhaps this was because of Corcoran's memorandum, dated August 18, 1972, to Rules Committee members. It said, in part:

> The Chief Justice's plea applies most pertinently to H.R. 15003, the Consumer Product Safety bill, now pending before the Rules Committee.
>
> * * * * *
>
> The bill creates some unusual private rights for enforcement of product safety rules (Sec. 24) and private suits to recover personal injury damages in Federal courts regardless of existing jurisdictional requirements of Federal courts (Sec. 23).
>
> * * * * *
>
> This bill would obliterate that historical allocation of jurisdiction between Federal and State courts, and permit ordinary private tort actions to be brought in the Federal courts without any requirement of diversity of citizenship or amount in controversy.

Then on August 31, 1972, Mr. Corcoran sent a more urgent message to the Rules Committee saying:

> Chief Justice Burger recently pled with Congress not to increase the already overwhelming burdens on the Federal court system by passing legislation creating new cases for the Federal courts without regard to the impact on the Federal court system. He suggested that Congress before passing such legislation should have available to it, through its Judiciary Committees, a study and findings as to the effect on the Federal court system.
>
> The plea applies most pertinently to the Consumer Product Safety bill, H.R. 15003, on the Rules Committee agenda for its meeting on September 6th.

Much work behind the scenes must have ensued, and an amendment sharply limiting the number of suits that could be brought by persons damaged by violation of safety standards was developed and support for it solicited. For, on September 20, David Dennis of Indiana, not a member of the committee, successfully offered an amendment to deny Federal court jurisdictions in cases involving less than $10,000. This amendment is directly responsive to the following language in Mr. Corcoran's August 18 memorandum which stated:

> In our Federal jurisdictional system, jurisdiction over personal tort actions has normally been left to State courts except where Federal jurisdictional requirements of diversity of citizenship and amount in controversy ($10,000) are met.

The memorandum also attacked other consumer legislation which was asserted to be contrary to Chief Justice Burger's admonition: the consumer product warranty and Federal Trade Commission improvement bill and the Consumer Protection Agency bill. Both were ultimately killed by Republican delaying action. These, together, constituted the most important consumer legislation in Congress in this term.

But the product safety bill was so clearly desirable and had such solid support that it proved too tough to kill. The indomitable Corcoran did not, however, give up easily. He went even further to invoke Chief Justice Burger's influence. Corcoran and the Chief of the Administrative Office of the U.S. Courts, Rowland F. Kirks, visited the Speaker of the House to discuss how the product safety bill was in conflict with the principles enunciated in Chief Justice Burger's speech.

Mr. Kirks does not now deny that he accompanied the lawyer-lobbyist in an effort to persuade Representative Carl Albert, the Democratic Speaker of the House, to narrow the legal remedies in a pending product safety bill. He conceded that he went to intercede with Mr. Albert after Mr. Corcoran had pointed out that the bill would overburden the Federal courts with new cases. Corcoran was representing the drug industry which was leading the fight against the bill, and the bill was nearing enactment.

Mr. Kirks, as reported in the New York Times of October 13, 1972, said he considered the visit a routine effort to inform Congress of the impact of the bill upon the courts but insisted that Chief Justice Burger did not learn about it until it was reported in the press the next week.

The Chief Justice did not immediately disassociate himself with any lobbying against the bill though the bill was in a sensitive stage.

Actually, the story broke in Jack Anderson's column on October 5. The bill was in conference at this time, and the conference report was filed on October 12. Denial by the Chief Justice and Kirks did not occur until the next day, October 13, the same day that the House agreed to the conference report. The Senate agreed to the conference report on October 14.

Certainly Mr. Kirks was not so insensible of the congressional action as to fail to understand the significance of the timing. And it is hard to believe that the Chief Justice of the United States is so naive as to fail to understand that when he singled out specific areas of legislation and issued a warning when one of his top administrative aides had been visiting the Speaker of the House along with a lobbyist opposing such areas of Federal legislation, and when the bill was at the very time being fashioned in final form for the two Houses to agree upon—that, when all of this conjoined, he did not know that the prestige of his office was being exerted to defeat consumer legislation.

He should not have waited 8 days to disclaim interest in the legislation. Indeed, he did not deny interest; he denied charges that he mettled in consumer legislation before Congress. Then he said that he will continue to call attention to the impact new laws have on the caseload of Federal courts. The Chief Justice's letter did not deny that Burger sent Kirks to see Albert or that Kirks, at Burger's behest, had asked Corcoran to accompany him to the meeting last summer.

As I said, 2 years ago I put the best face on the matter and gave the Chief Justice the benefit of the doubt. Since then I have found that the consumer class action bill, the product warranty bill, the Consumer Agency bill, and the product safety bill have been assailed by a cleverly intermeshed program of opposition which has included the U.S. Chamber of Commerce, the drug lobby, the District of Columbia Antitrust Bar, the Justice Department, the Office of the President, and the Chief Justice of the United States.

RECORD OF THE 92D CONGRESS

(Mr. HAYS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HAYS. Mr. Speaker, I include with these remarks a report to my constituents about the record of the 92d Congress:

New Programs Help Students From Preschool to College

Young people throughout the nation will benefit from these historic education measures:

Omnibus Education Act of 1972 is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education programs and creates important new ones, including:

A new system of *Basic Educational Opportunity Grants*, entitling every college student to an annual grant of $1400, less the amount his parents can contribute;

A new program of direct institutional aid for colleges and universities;

Help for occupational and vocational education;

A *National Institute of Education* to develop better ways of teaching and learning at every level—preschool through graduate school.

Expanded Head Start Program to enable children of working families as well as the poor to participate in this voluntary day care program.

National School Lunch Act Amendments provide free and low-price meals for needy children.

Vietnam Veterans Education Assistance means a major increase in aid for education and vocational rehabilitation for returning veterans.

THIRTY-TWO PERCENT SOCIAL SECURITY INCREASE LEADS LIST OF ELDERLY BENEFITS

For older Americans, this has been one of the great Congresses in history—and the 32% Social Security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the many benefits our 20 million senior citizens will realize from Congressional initiatives:

Nutritional meals for those who need them—even shut-ins;

Low-cost transportation;

Job training and employment;

Community centers;

Pre-retirement training;

Health and education services;

Gerontological centers to study the variety of problems older Americans face;

A new National Institute of Aging to conduct research on the aging process and the special health problems of the elderly; and

Congress also overrode a Presidential veto of a 20% increase in Railroad Retirement benefits.

Note: the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

NEW ACT REFORMS CAMPAIGN SPENDING

At a time when the costs of campaigning have skyrocketed, the Congress passed the Federal Election Campaign Act of 1971.

This historic act:

Limits the amount of advertising spending in campaigns.

Requires broadcasters, newspapers and magazines to sell advertising to candidates at the lowest commercial rate.

Requires campaign committees to report contributions and expenditures of $100 or more.

Limits the amount a candidate or his family can contribute to his own campaign.

REVENUE SHARING AIDS STATE, LOCAL GOVERNMENTS

In response to pleas from hard-pressed states, counties and cities, Congress this year enacted a $30.1 billion revenue sharing bill.

State governments will receive one-third of the funds; local governments the other two-thirds. The money is expected to be spent on such high priority items as:

Public safety, environmental protection, public transportation, health, recreation, libraries, and social services for the poor and aged.

NEW CONGRESSIONAL ACTIONS ON FOREIGN, MILITARY POLICY

Among the several actions of the 92nd Congress in foreign and military policy are:

SALT Agreements To Limit Strategic Weapons: Congress approved a five-year U.S.-Soviet accord limiting offensive nuclear weapons.

ABM Treaty With Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military Draft: Congress amended the Selective Service Act to:

Extend the draft to June 1973.

Grant student deferments.

Increase military pay in order to encourage voluntary enlistments.

A GREAT CONGRESS FOR VETERANS

Many observers are calling the 92nd Congress the greatest Congress for veterans in history. In the past two years, we have passed major laws to educate our veterans, to provide them better treatment in VA hospitals, and to liberalize burial allowances for veterans.

New GI bill

This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Fulltime students will now receive:

Single students: $200 a month; married students: $261 a month; married and one child: $298 a month; and each additional dependent: $18 a month.

National cemetery bill

This law transfers to the VA responsibility for administering all national cemeteries; increases burial allowances for veterans who die from service-connected disabilities; provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA Medical School Act

To help meet the nation's medical manpower shortage—and to improve VA medical care—this pilot program authorizes the establishment of eight new medical schools in veterans' hospitals across the nation.

Veterans medical care

This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with non-service-connected medical problems can now be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive hospital care.

Disabled veterans' benefits

Provides a 10% boost in benefits for disabled veterans.

ENVIRONMENTAL PROTECTION GIVEN HIGH PRIORITY

Clean air and water, and the conservation of our resources and wildlife have been chief concerns of the 92nd Congress. This Congress has taken important action to protect the nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985.

Federal Environmental Pesticide Control Act will help protect man and our environment, while permitting farmers to use pesticides to grow food and fiber.

Wildlife Hunting from Aircraft is prohibited, protecting certain wild birds, fish and other animals.

Youth Conservation Corps—To extend and expand this pilot youth conservation program.

CONGRESS ACTS TO MEET HEALTH CARE CRISIS

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a Nation, we have slipped from 13th to 22nd place in male life expectancy, from 6th to 21st in infant mortality. Doctor bills and hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92nd Congress has taken the initiative to meet the crisis with several important measures:

Medical Personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses.

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer.

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the U.S., mostly children.

Multiple Sclerosis Research—Creates a National Advisory Commission to help find the cause of M.S. and develop cures.

Communicable Disease Control Act—Helps states and localities control the spread of communicable diseases.

National Heart, Blood Vessel, Lung and Blood Act.

Rehabilitation Act—an extension of the 50-year-old Vocational Rehabilitation Act, adding major new programs to aid the severely handicapped and other disabled persons.

Black Lung Benefits—To make it easier for coal miners, stricken by black lung disease, to receive benefits.

CONGRESS FOCUSES ON CONSUMER PROTECTION

In recent years, Congress has passed a host of measures on behalf of the American consumer. Truth-in-lending . . . wholesome meat and poultry . . . truth-in-packaging . . . auto, tire and toy safety . . . fair credit reporting . . . these are a few.

The 92d Congress has expanded this record:

Flammable Fabrics Amendments of 1971 require manufacturers to certify that their products meet stringent anti-fire requirements.

Consumer Product Safety Act of 1972 assigns the Federal government a major role in protecting the consumer from unreasonable risks of death, injury or illness caused by consumer products. A new Consumer Product Safety Agency will set mandatory safety standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transportation to fix minimum standards for bumpers to halt or reduce auto damage in low speed collisions. The bill also outlaws tampering with mileage gauges.

NEW BILLS TO FIGHT CRIME AND DRUGS

Every public opinion poll of recent years shows that crime and drug abuse are major concerns of the American people. The 92d Congress continued to face up to mounting problems in these crucial areas:

Crime

Juvenile Delinquency Prevention Act. This major law provide $150 million over two years for:

Education and counseling, health services and recreational facilities for potential juvenile delinquents and training personnel in the juvenile delinquency field.

Drug abuse

Drug Abuse Office and Treatment Act. This new law provides over $6 billion to:

Establish a National Institute on Drug Abuse; increase funds for special drug projects under the Community Mental Health Centers Act; help states develop drug abuse programs; and require federally funded health facilities to offer needed treatment to drug addicts.

Foreign Shipments of Narcotics. Gives the President power to halt foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addiction of Servicemen. Another new law requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. A third measure creates new programs to encourage the employment of rehabilitation addicts, with special preferences for veterans.

CONGRESS AIDS RURAL AREAS

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the Rural Development Act of 1972, Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing, water quality management, pollution control and farm credit.

ECONOMIC PROBLEMS TROUBLE CONGRESS

Since January 1969, unemployment in the U.S. has climbed to over 5½ percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the Accelerated Public Works Act of 1971, authorizing $2 billion to create 170,000 jobs in the public sector. (President Nixon vetoed this bill.) We then passed the Emergency Employment Act authorizing $2¼ billion for transitional public service jobs and special state employment assistance programs. We also earmarked $275 million for additional unemployment benefits and allowances.

Congress also:

Extended the President's authority to establish controls on prices, rents, wages and salaries.

Increased the personal income tax exemption per taxpayer and dependent to $675.

Came to the aid of small businesses by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the Administration's budgets, while seeking to meet the nation's genuine needs. During the past three years, Congress has cut a total of $14½ billion from the Administration's appropriations requests—and the total appropriations this year will again be below the President's budget.

NEW AMENDMENTS BROADEN RIGHTS

The 26th and 27th Amendments to the Constitution were passed by this Congress to guarantee the vote to 18-year-olds and to end discrimination based on sex.

18-year-old vote

This Amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in *all* elections. It was quickly ratified by the states and signed in July 1971. Because of it, eleven million more voters are eligible to vote in the Presidential election this year.

Equal rights for women

Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex still exist in law. For example:

Twenty-six states prohibit women from working in certain occupations.

Thirty-seven states have fair employment practice laws, but only fifteen prohibit discrimination in employment based on sex.

Some communities still have dual pay schedules for men and women public school teachers.

To end discrimination, the Equal Rights Amendment says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

Twenty-one states have already ratified the Amendment; thirty-eight are required.

WOMEN'S EDUCATION ACT

(Mrs. MINK asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, on April 18, 1972, I introduced H.R. 14451, the Women's Education Act, to redress the serious inequalities in educational opportunities for women.

My belief is that women will be unable to utilize the rights to be conferred by the equal rights amendment unless they have the education required. Accordingly, my bill provides for grants and programs to improve educational opportunities for women from preschool to the adult education or "second career" levels.

For the past several months, I have been asking interested parties for comments on the bill. The response has been a tremendous outpouring of support from men and women all across the country. There is widespread agreement that such legislation is needed.

As indication of the support received, I am including at this point in the Record a representative selection of comments. All such viewpoints will be carefully evaluated prior to reintroduction of the bill in the 93d Congress in January. After the bill in reintroduced with revisions, we will seek hearings and adoption.

The comments on the bill follow:

July 31, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: This is in response to your letter of May 12 to Dr. Florence J. Hicks, Director of the HEW Women's Action Program, requesting our comments on your proposed bill, H.R. 14451, the Women's Education Act of 1972. The Department supports the spirit of the bill and its worthy goals.

As you know from my testimony of May 10 before the Task Force on Sex Discrimination, in response to the recommendations in the January 1972 Women's Action Program Report, each of the Department's agencies is preparing an action plan to help us begin solving the problems women face both as HEW employees and as recipients of the Department's many program benefits.

As part of the preparation of its action plan, the Office of Education has established a Task Force to examine all of its present authorities and programs and to assess their strengths and weaknesses in meeting women's education needs. The Task Force expects to complete its work the beginning of September. Their in-depth study of all education programs within the Department will present a clearer and more comprehensive picture of how HEW can improve its efforts to meet the education needs of women in the United States.

Until the report is in, however, the Department would like to reserve comment on the specific provisions of your proposed legislation. We will certainly be in a better informed position to comment after the findings and recommendations of the Task Force have been submitted.

With kindest regards,
Sincerely,
Elliot Richardson,
Secretary.

U.S. Civil Service Commission,
Washington, D.C., May 31, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: Thank you for your letter of May 10, 1972, and the opportunity to comment on your proposed H.R. 14451, "The Women's Education Act of 1972."

Legislation relating to making grants for special educational programs for women is a matter under the cognizance of the Department of Health, Education and Welfare. From a personal standpoint and not necessarily an institutional position, however, I find the intent of your proposals in keeping with both Federal and non-Federal efforts to provide equal opportunities for women. Women will only be fully utilized in employment in all phases of our society when they have been afforded full opportunity to participate in all types of educational activities including vocational and community education programs, without being guided exclusively into old stereotyped occupational fields such as secretarial, clerical and home economics.

In January 1972 of this year the Women's Action Program of the Department of Health, Education and Welfare published a report on the status of women in HEW and the impact of HEW programs on women in the nation. I am enclosing a copy of this report for your information in the event you may not have seen it. Discrimination against women in vocational education and job training is discussed commencing on page 73.

The Civil Service Commission newsletter, "Women in Action," (January 1972 issue) includes a speaker's resource list of approximately 80 women and men knowledgeable on equal rights for women. We have listed their names, addresses, and areas of specialization. I have checked the names of those on this list who are especially concerned with educational opportunities for women. If you have not already contacted these individuals, you may wish to do so.

In a recent article on the Federal Women's Program in the "Public Administration Review" (March/April 1972), I touched on the impact of women's education as it relates to Federal employment and future manpower needs. You may be interested in reviewing this article. I have enclosed a copy for your convenience.

I hope this information is helpful to you. I will be happy to provide any further information concerning the Federal Women's Program or Civil Service Commission programs in general.

Sincerely,
Helene S. Markoff,
Director, Federal Women's Program.

September 25, 1972.

Hon. Patsy T. Mink,
Member of Congress,
Washington, D.C.

Dear Representative Mink: Thank you for sending me a copy of H.R. 14451, the proposed Women's Education Act of 1972, and soliciting my comments on the bill.

I think the general intent of the measure is most praiseworthy, for the Equal Rights Amendment and other laws prohibiting discrimination on account of sex may accomplish little more than the rising of false expectations of equal treatment unless they are buttressed with public action programs that provide practical ways of realizing the expectation of equal treatment. For example, the University of Hawaii School of Medicine has a strong policy prohibiting discrimination on account of sex (and has established a record of accepting a higher proportion of women applicants than men), but the School also recognizes the basic problem that not enough women apply for admission. Consequently, we are taking steps to meet that problem by the institution of an active program designed to encourage women to apply for entry into the Medical School. The program includes activities related to career counseling for high school students. For instance, attractive posters on "Women in Medicine" were sent to student groups and counseling offices in secondary schools throughout the State, and follow-up brochures directed to all high school students are now in preparation. I should think that a more elaborate program of this nature might qualify for funding under your proposed legislation.

Aside from minor typographical errors, H.R. 14451 presents to me a question and a caveat. The question is directed to the two kinds of grants authorized, one by the Secretary of HEW, with many qualifications and conditions specified (Sec. 4(b)) and the other by the Commissioner of Education, with little qualification other than the $15,000 limit (Sec. 7). Why are these kinds of grants so differentiated?

My caveat focuses on Section 4(e)(7), which, at least on my first impression, appears to be a bit of a "joker", given the pervasiveness of sex discrimination throughout institutions across the Nation. As I contemplate the kinds of applicants, be it a trade union or trade organization, an organization such as the YWCA, or a unit of the University, such as Continuing Education for Women, the School of Nursing, or the College of Engineering, I cannot think of any such applicant which does not "discriminate on the basis of sex". Perhaps the language of Section 4(e)(7) might be reworded to exclude applicants who do not have an affirmative action program to eliminate discrimination on the basis of sex.

This letter states my personal views. At the next meeting of the University Commission on the Status of Women, I shall put your proposal on the agenda for full discussion, and I shall then forward to you the findings and recommendations of the Commission.

Again, thank you for considering my comments on this matter.

Sincerely,

Patricia K. Putman,
Associate Dean, University of Hawaii School of Medicine.

American Association
of University Women,
Kaneohe, Hawaii, September 19, 1972.

Hon. Patsy T. Mink,
House of Representatives, Congress of the United States, Washington, D.C.

Dear Mrs. Mink: Thank you for sending me a copy of the Women's Education Act of 1972, which you have introduced this session. As education representative on the Hawaii State Commission on the Status of Women and as a national officer of the American Association of University Women, I am glad to have this bill in its entirety.

I agree with you completely that women must be prepared through every educational opportunity to assume their full responsibilities, as well as the rights, when the Equal Rights Amendment is effected. Your bill seems to be prepared for this fully and admirably. I am glad to see the inclusion of this provision that "Nothing in this Act shall be construed as prohibiting men from participating in any of the activities funded." We are too inclined sometimes, I believe, to see the entire equal rights movement as nothing more than equality for women, whereas it is much more importantly, it seems to me, striving for an equality in rights, opportunities, and responsibilities for all citizens.

With aloha,

Dorothy B. Shimer.

June 16, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: I wanted to thank you for sending me a copy of your bill, HR 14451, the women's education act of 1972. I found it a most comprehensive effort for dealing with the problems facing women in achieving equality of opportunity. I have passed the bill on to our legislative department for their consideration and will follow up with them as soon as they have had an opportunity to analyze it.

My personal judgement is that it is an excellent bill and I will do everything in my power to inform others and help to develop a climate of support for the bill.

With respect to the organizations that may be supporting the bill, I would assume that you have used the mailing list of the groups who had worked for the passage of the Equal Rights Amendment. I would think that Flora Crater would be an ideal contact if you have not already discussed it with her.

It is wonderful to have a woman as capable as you representing Hawaii in Congress. You are doing a marvelous job. Keep up the good work!

Sincerely yours,

Shirley McCune,
Associate Director, Center for Human Relations, National Education Association.

Association of American Colleges,
Washington, D.C., July 6, 1972.

Hon. Patsy T. Mink,
U.S. House of Representatives,
Washington, D.C.

Dear Mrs. Mink: Thank you for sending me a copy of HR 14451, The Women's Education Act of 1972. I am most impressed with the scope of the bill; apparently a good deal of thought and hard work went into the drafting of it.

As you know, I have long been involved with the problems of the education of young girls and women. The difficulties are many, ranging from biased curriculum materials and textbooks, inadequate counseling, lack of adequate programs, and outright discrimination. Women at all levels—faculty, students in high school and college, mothers of elementary school children, and others throughout the country are working in a variety of ways to remedy the difficulties faced by girls and women in our educational system. What they have accomplished has largely been in the area of sensitizing people to the problems. Now that administrators and others have begun to reevaluate educational activities and programs for their impact on girls and women, it is critical that funds are made available to help those in a position to effectuate change.

Ideas for new programs that would help develop the distaff side of our nation's resources have been rapidly growing, but at a time when the nation's schools and colleges are sorely pressed for funds.

Your bill would provide funding for a variety of much needed programs as well as give impetus to the evaluation of current programs, and the development of new ways to deal with the education of girls and women.

I was delighted to see Section 4(e)(7), which provides for the prohibition of discrimination on the basis of sex. Although already prohibited by the new Higher Education Act of 1972, it is critical that programs developed under the Act are not limited to women only. Boys and men will surely benefit as much as women from the Act.

One technical error: Section 4(f) (page 8, line 15) apparently has an omitted word. Should "prior" be inserted after the words "one year"?

If I can be of any help to you concerning this bill, please let me know. The help that the bill would give to the girls and women of this nation is tremendous.

Sincerely,

Bernice Sandler,
Executive Associate.

July 24, 1972.

Hon. Patsy T. Mink,
Member of Congress,
Washington, D.C.

Dear Mrs. Mink: Thank you for your letter of July 20 concerning HR 14451, the Women's Education Act of 1972. I am now in the process of tapping the opinion of our AAUW Committee on Standards in Higher Education regarding it and already have received some very favorable comments.

As you may know, I have been actively interested in this bill, as a member of WEAL. We were very pleased when you introduced the bill in Congress! A few persons with whom I have discussed the bill, however, have raised an anticipated question: "Why separate legislation for the education of girls and women? Aren't we or shouldn't we be concerned about equal education for all?" The answer to such an argument, I believe, is similar to that used to justify Women's Studies or Black Studies. While there is concern for equal educational opportunity for all Americans, a special Women's Education Act is needed because of the neglect of women in almost every field of study—history, psychology, sociology, literature, art. Special emphasis therefore is required to fill in major gaps in knowledge and understanding about women so that the education of women and men can become truly equal.

I have just had an opportunity to see a new film, "Career Education," developed by The U.S. Office of Education, which is an excellent example of the lack of understanding of the educational needs of young women, portraying the usual stereotyping of women's occupation. The U.S. Department of Labor's publication, "Occupational Outlook for College Graduates," is another glaring example and is a disservice to the counselor who must advise women about their career opportunities. APGA recently made a direct request to the publishers of the Strong Vocational Interest Test that its norms for women in professional occupations be examined, revised, and amplified. It is to this kind of need that the Women's Educational Act is specifically directed and why it must be passed.

You will have the support of many women's groups in pressing for action on the Women's Education Act of 1972. This letter expresses my personal opinion as a member of WEAL, and not the official position of AAUW.

Sincerely yours,

Ruth M. Oltman, Ph.D.,
Assistant Director of Program, Higher Education.

Drake University,
Center for Continuing Education,
Des Moines, Iowa, July 17, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: Thank you for the opportunity to study H.R. 14451, the Women's Education Act of 1972. My overall reaction is extremely favorable and I commend you for your recognition of the needs in this area and for your creative response to them. If possible, please send me 15 additional copies of this bill for distribution to other concerned people.

Dr. Anita Martin, Legislative Chairman of AEA/USA, sent me a copy of her letter to you which included her comments on the bill. I support her suggestions and comments.

I have also been in touch with Mrs. Joy R. Simonson of Washington, D.C., new president of the Interstate Association of Commissions on the Status of Women, suggesting that the IACSW support the bill if possible.

Congratulations on your leadership in many legislative matters, but particularly in behalf of women. It was a pleasure to meet the Vice Chairman of the Hawaii Commission on the Status of Women, Mrs. Saunders, at the second annual conference of the Interstate Association in Minneapolis last month. Best wishes to you for continued leadership and for success with H.R. 14451.

Yours very truly,

Mrs. Betty J. Durden,
Director, Women's Programs and Chairman, Iowa Governor's Commission on the Status of Women.

THE COLLEGE OF GENERAL STUDIES,
CONTINUING EDUCATION FOR WOMEN,
Washington, D.C., July 17, 1972.
Hon. PATSY MINK,
Member of Congress,
Washington, D.C.

DEAR MRS. MINK: Please pardon my delay in replying to your letter regarding HR 14451, Women's Education Act of 1972. Our staff of Continuing Education for Women applauds your efforts on behalf of women.

You are absolutely correct when you claim that ERA will provide women with the right to acquire benefits of our society but that they need the education to achieve jobs and other rights. When ERA becomes a constitutional amendment and opportunities for the education of women (as outlined in your bill) become a reality, not only will each benefit, but the synergetic effect will aid our Nation and the world.

I believe the investment in the education of veterans after World War II through the GI bill aided not only the individuals (mostly men) but also promoted the economic growth of this country. Now, the future growth of our country depends upon a comparable investment in the education of women.

During the past 8 years, more than 3,000 women (ages 18 to 64) have participated in our programs of Continuing Education for Women. Of this group, 2,500 completed Developing New Horizons for Women, a group guidance and counseling course. Their aptitude tests indicate outstanding ability. Of this group, 42% (or more than 1,000 women) have ability to achieve beyond 4 years of college. (Only 16% of the general population has this ability!) Yet only one-half of this group of New Horizons students had completed a bachelor's degree. I feel this is only a small sample of talent available in our country. To develop potential of women, we need ERA, opportunities for education, and greater awareness of cultural blocks that inhibit developing potential of women.

Without the benefit of foundation or federal funds, our program has made quite a "dent" because women attending our classes go to all parts of the United States, as well as many foreign countries. If funds become available for women's education, it would greatly aid other pioneering efforts springing up all over the country as well as our program. During the past 4 years, we have had requests for assistance from more than 300 colleges.

My only recommendation would be for Section 6. I would suggest that grants be made to colleges and universities rather than the broad classification of "public and private nonprofit agencies, organizations, and other institutions." Other agencies could work in cooperation with colleges and universities. If the bill were passed as written in Section 6, I foresee that the efforts of colleges and universities which have spearheaded women's education programs will become diluted rather than strengthened. Professional and ethical leadership is needed rather than scrambling for the money!

I would like to have the opportunity to discuss my ideas with you at your convenience any time after August 7th when I return from vacation.

Sincerely,
RUTH H. OSBORN,
Assistant Dean College of General Studies for Continuing Education for Women.

YALE UNIVERSITY, UNIVERSITY COMMITTEE ON COEDUCATION,
New Haven, Conn., July 18, 1972.
Congresswoman PATSY T. MINK,
Congress of the United States
House of Representatives
Washington, D.C.

DEAR MS. MINK: I was extremely pleased to receive your letter of June 14 and the enclosed copy of H.R. 14451. As someone who has been actively involved with the education of women at the undergraduate and graduate level, I am acutely aware of the need for a program such as the one outlined in your bill. A critical part of the effectiveness of your bill will be the Council on Women's Educational Programs. Could you include provision for consultation with appropriate women's groups in the appointment of the Council by the President? Since individuals interpret the needs of women so differently, it is essential to assure that members of such a Council have a real commitment to providing equal opportunities for men and women.

The activities which you describe on page 5 of the bill seem to me particularly well chosen, and in need of financial support. Under separate cover, I am sending you copies of reports which I have written and which strongly support some of the recommendations which are made in your bill.

Since your letter asks for "reactions, suggestions, criticisms, and ideas," I hope you will not mind if I make some minor comments on the specific wording of the bill in its present form. On page 2, line 2, the meaning might be clearer if the word "they" were changed into "women."

On the same page, lines 7–9, could the phrase "concerning women at all levels of education" be clarified so that it would not be construed to imply support for any program "concerning women," but rather support for programs designed specifically to meet needs of women. My concern here is that educational institutions should not be able to appropriate funds provided through this bill for the support of existing programs, simply because women benefit from these programs. This concern also applies to page 4, line 23, which should perhaps read "which are related to educational programs specifically designed for women."

On page 4, line 3ff, the Bill states that "the Council shall advise the Commissioner and the Secretary concerning the administration of, preparation of, general regulations for, and operations of programs assisted under this Act." Page 4, section 4, line 20, reads "The Council shall be responsible for administration of the programs authorized by this Act and the coordination of activities within the federal government which are related to women's educational programs." It is not clear to me whether the Council shall have primarily an advisory role vis á vis the Commissioner and the Secretary, or whether the Council will itself administer the programs. If both functions are anticipated, perhaps this could be made explicit.

On page 10, Section 8, should a provision be included that payment for services obtained from private agencies or institutions be authorized only if the agencies or institutions involved are non-discriminatory, analogous to page 8, line 107.

In summary, I believe this is an excellent and badly needed piece of legislation. Let me know what I can do to support its adoption. Others whose comments you may wish to solicit include:

Jacqueline Mattfeld, Dean of Academic Affairs, Brown University, Providence, Rhode Island.

Patricia Graham, Professor, Department of History, Barnard College, Columbia University, New York, New York.

Lenore Waltman, Assistant Professor of Sociology, University of California, Davis, Calif.

I assume that you are in touch with Bernice Sandler and Alice Rossi.

Sincerely yours,
ELGA WASSERMAN,
Special Assistant to the President.

MASSACHUSETTS INSTITUTE
OF TECHNOLOGY,
Cambridge, Mass., May 9, 1972.
Representative PATSY MINK,
Cannon House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MINK: As a member of the M.I.T. Task Force on Equal Opportunity, I am very interested in H.R. 14451 which you introduced, to award grants and contracts for special education programs and activities for women.

Would you please send me a copy of the bill and keep me advised of its progress. Thank you.

Sincerely yours,
MARILYN S. SWARTZ,
Community Planner.

FERRIS & CO., INC.,
Washington, D.C., August 15, 1972.
Hon. PATSY T. MINK,
U.S. House of Representatives,
Cannon Building,
Washington, D.C.

DEAR MRS. MINK: I read with great interest your bill on Women's Education, and think it represents an excellent step in the right direction. Having had some experience in this field, I feel the bill will go a long way toward solving some of the serious problems that now exist.

I have served for the past two years on the Executive Council of the Harvard Business School. My efforts to increase female participation in the School have been slow, but currently we are making progress and we hope it will continue.

My enthusiasm for your project is such that I would be quite willing, if my experience would be helpful, to serve as a volunteer on the Commission you are proposing. In this connection, I would be happy to hear from you if I could be of any assistance.

I very much admire your work on the Hill, and wish you continued success in your endeavors.

Sincerely yours,
JULIA MONTGOMERY WALSH,
Senior Vice President.

BUSINESS AND PROFESSIONAL
WOMEN'S CLUBS, INC.,
September 11, 1972.
Hon. PATSY T. MINK,
Cannon House Office Building,
Washington, D.C.

DEAR MRS. MINK: Thank you so much for sending us a copy of H.R. 14451, the Women's Education Act of 1972. We agree with you that, in spite of the Equal Rights Amendment, legislation such as this is very important.

There is a great need for a bill such as H.R. 14451 if women are to acquire the education needed to compete on an equal basis with men in the job market. There is also need to root out all traces of discrimination in education, both overt and subtle. At present, there are very few, if any, funded programs which will benefit women as a class.

At our most recent National Convention in July, delegates reaffirmed BPW's interest in education by including on our 1972–73 National Legislative Platform a plank which calls for support of legislation to accomplish equal educational opportunities for all persons. We believe that your bill will take important steps to eliminate the inequities which now exist.

Enclosed is a list of our state officers for the 1972–73 year. I am sure they will be most interested in receiving copies of your bill.

Thank you again for bringing the Women's Education Act of 1972 to our attention. We hope you plan to hold hearings on this measure. If you do, we would very much like to take part in them.

Sincerely yours,
LUCILLE H. SHRIVER,
Federation Director.

BALTIMORE CITY COUNCIL,
Baltimore, Md., July 14, 1972.
Congresswoman PATSY MINK,
House of Representatives,
Washington, D.C.

DEAR MS. MINK: I want to congratulate you and let you know of my support of the bill you introduced, H.R. 14451, that deals with a national education act for women. I am trying to deal with sexism in my local public school district. Your work has been a source of great help.

If your bill does pass the House of Representatives, it would offer great help to cities such as mine. I would like to work with you in actively supporting the bill and could enlist the support of many women from my district who are working on this very issue.

Therefore, I would like to have a copy of the bill itself and I would like to know when hearings will be held. I think that we can, from our own experience working a local school district, provide you with facts and not rhetoric and perhaps be effective with our own Maryland delegation.

To those of us who are women on local political levels, it is a source of inspiration and support to have women like you on the national level.

Please be assured of my support. If I can be of any help to you on any issue of helping advance the cause of women and ethnic groups, do not hesitate to call upon me.

Sincerely,

Barbara A. Mikulski.

Tucson Public Schools,
Tucson, Ariz., June 14, 1972.

Dear Mrs. Mink: Thank you very much for sending me a copy of H.R. 11451. I am so pleased to see that you acted so promptly and wish you success at the same time as I offer you my support for H.R. 11451.

I will write to my Representative and my very good friend, Senator Fannin.

Please let me know what else I can do. My mind immediately started working on some much needed work shops in the Tucson area. These are young mothers from minority groups that need some help so that they in turn can see how they too can contribute to our society.

I am very interested on the council, once it is established. I would like to serve as a member. Then your ideas can be expressed and they have some meaning. Please keep me informed.

Sincerely,

Mrs. Rosita Cota,
Coordinator Bilingual/Multicultural Project.

Jackson State College,
Jackson, Miss., July 8, 1972.

Hon. Patsy Mink,
House Office Building,
Washington, D.C.

Dear Congresswoman Mink: From the July 4, 1972 issue of the Newsletter of the National Coalition of American Nuns I have learned about your introducing Bill HR 14451—the Women's Education Act of 1973.

Our NCAN Declaration of Independence stands proudly beside it! I am sending you a copy of our release to the press all over the country on May 7 when we met in Chicago as a 17-member executive board of NCAN.

We do want you to know that we will stand behind you in all that you do to establish the National Council on Women's Education programs. A few of us on the NCAN board are college professors who would be willing to serve on the Council.

I am proud to share with you a note that will warm the cockles of your heart. At our last meeting of the faculty here, I, a white woman in an all Black male-oriented college, was publicly nominated to serve as senator in the newly established faculty senate by—a male! By secret ballot I was elected to the post.

I do hope that from the Director—Sister Margaret Ellen Traxler—of NCAN you are on our mailing and receiving our news release!

Keep up the good work! We need women like you!

Sincerely,

Clara L. Grechowska, Ph. D.,
Professor of MF Language.

House of Representatives,
Washington, D.C., April 14, 1972.

Dear Ms. Mink: I am delighted at your willingness to sponsor our Women's Education bill. I think it will be a good step forward.

For some time I have been interested in the education of women and the availability of library and school materials which give a realistic image of modern women. The enclosed speech gives some of the ideas and I keep collecting information. The most interesting recently is the amounts of taxpayers money spent on sports for boys in the public schools and that for girls. In Minneapolis we spend more to equip one high school's football team than we spend for all the high schools for all girls sports and physical education. I am sure that is almost typical.

If I can help on this in any way, I'll be pleased to do it. I'm president of our local Women's Equity Action League and vice-president nationally. Education is our main objective—or one of four main objectives: education, employment, legislation and taxation.

Again, thanks.

Cordially,

Arvonne S. Fraser,
Volunteer Staff Assistant.

National Women's Political Caucus,
Washington, D.C., June 9, 1972.

Hon. Patsy Mink,
Cannon House Office Building,
Washington, D.C.

Dear Ms. Mink: The National Women's Political Caucus' Policy Council appreciates your sponsorship of the Women's Education Act of 1973. A bill focusing attention on the special educational needs of women is long overdue. In a broad sense the bill provides still another issue around which women can rally and it is a possible goal for organization and political action.

As you can see in the enclosed material, the Women's Education Act has been included in our proposed Women's Plank for both national party platforms. Women's education and issues of particular concern to women are being raised by our members throughout the country in regional platform hearings. With our testimony we hope to center national attention on those aspects of political reform which are especially important to women.

Thank you for continuing to raise women's issues, not only on the floor of the House, but also as a presidential candidate in Oregon.

Sincerely,

Doris Meissner,
Director.

National Organization for Women,
Evansville, Ill., May 21, 1972.

Hon. Patsy T. Mink,
Member of Congress,
Cannon Building,
Washington, D.C.

Dear Congresswoman Mink: I was most pleased to receive your letter and the copy of your bill, HR 14451, the Women's Education Act of 1972.

I am very favorably impressed with the legislation. It is certainly vitally needed and should do much to help eliminate the effects of sex-stereotyping and discrimination. I will support its passage with enthusiasm and encourage others to do the same.

If you have not already contacted the following women, may I suggest that you send copies of the bill to them?

Dr. Ann Scott, NOW Vice President for Legislation, 50 Willowbrook, Williamsville, New York.

Wilma Scott Heide, President NOW, 96 Irene Drive, Vernon, Conn.

Gaye Crouch, NOW Universtiy Compliance Coordinator, 1531 Packard Ave. #102, Ann Arbor, Michigan.

Anne Grant West, NOW Education Coordinator, 453 Seventh St., Brooklyn, New York.

Shirley Roberts, President NOW Legal Defense and Education Fund, P.O. Box 3061, Baton Rouge, La.

With best wishes for success in your efforts, I am

Respectfully yours,

Mary Lynn Myers,
Compliance and Enforcement Coordinator.

American Civil Liberties Union,
New York, N.Y., June 5, 1972.

Hon. Patsy Mink,
U.S. House of Representatives,
Washington, D.C.

Dear Patsy: Thank you for sending me a copy of your proposed education legislation. The act seems to provide the necessary financial assistance so that new textbooks and more balanced curricula can be developed. This would be a significant step in eliminating sex-role stereotype in children's early schooling.

There is little I can add to this comprehensive proposal. My only suggestion is to specifically mention women's studies centers and courses on college campuses. Although the act as it is would probably allow funding for such programs, the establishment of these centers is essential to the education of women about women.

If we can be of any assistance in getting the bill passed by Congress please let us know.

Sincerely,

Brenda Feigen Fasteau.

Washington Opportunities for Women,
Washington, D.C., May 31, 1972.

Hon. Patsy T. Mink,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: I appreciated very much receiving a copy of your bill concerning women's education. The Women's Education Act of 1972, if passed and funded, will go a long way toward providing, at all educational levels, the educational tools women need if they are to achieve equal status.

The bill is an important piece of proposed legislation deserving the support of everyone who cares about equality of opportunity in this society.

Sincerely,

Jane P. Fleming,
President.

New York, N.Y.,
June 6, 1972.

Congresswoman Patsy Mink,
House of Representatives,
Washington, D.C.:

My reaction to your bill is nothing short of total enthusiasm. We have needed this kind of legislation for years perhaps, now, through your determination, we will get it. If I can help expedite passage in any way, please let me know.

Audrey C. Cohen,
President, College for Human Services.

Baton Rouge, La.,
June 2, 1972.

Representative Patsy T. Mink,
Congress of the United States, House of Representatives, Washington, D.C.

Dear Representative Mink: Thank you very much for the copy of H.R. 14451, and your accompanying letter asking for comments.

The need for such a program is just beginning to be felt, in my opinion, and there may be difficulties in communicating the extent to which the acculturation process has deprived women of the means to realize their full potential. Therefore, testimony by articulate experts, which I hope will receive wide publicity, is essential in my view. One such expert who comes to mind is Matina

Horner who described women's "will to * * *" so vividly. I believe other experts such as Margaret Hennig of Simmons College, who studied women executives, might also have valuable input. Another aspect which might be explored is the phenomenon of women who have worked in their homes for several years who wish to return to the labor force, but lack confidence and any "experience" cognizable by the business community.

I am sure Dr. Bernice Sandler will have more suggestions on this score, as well as being an excellent witness herself.

With kindest regards and deep appreciation for your efforts on behalf of all women, I am

Yours sincerely,

Sylvia Roberts,
Attorney at Law.

Reno, Nevada,
August 3, 1972.

Hon. Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Congresswoman Mink: As a representative of the Nevada Women's Political Caucus, I am responding to your letter to Ms. Marjorie Da Costa, Co-Chairman. Governor's Commission on the Status of Women.

We of the Nevada Womens' Political Caucus find your proposed Bill very encouraging and of paramount importance to the advancement of women. One of the major obstacles to the self-realization and professional advancement of women in general is certainly the interruption of education at an early and crucial time of life.

Everyone with whom I have discussed this bill has viewed it very favorably. There are a couple of constructive suggestions by President Millicent C. McIntosh of Barnard College, which I would like to add. They are perhaps worthy of consideration in building into a Bill on womens' education a flexibility to assist women returning to school. She says: "Colleges should accept credits from students moving from one community to another. They should be more hospitable to transfers, making it easier to complete degree requirements after long separation from school." She also proposes providing individuals with postgraduate work in off-campus suburban areas.

The Nevada Womens' Political Caucus would like to thank you for your efforts in behalf of all women, and we will be happy to support them in any way we can.

Sincerely,

Bette C. Grotegut.

Georgetown University,
Washington, D.C., June 8, 1972.

Congresswoman Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Ms. Mink: Thank you for sending me a copy of your innovative legislation. I am particularly interested in the approach you have taken because it has been my impression that we must institutionalize the questions relating to women's role in this society. No amount of pious disclaimers by the educators of this country will bring us to grips with the profound prejudice against women as thinkers and decision makers.

A Bill such as yours will serve the purpose of directing specifically and by law the attention of the academic community to the urgent necessity for examining the entire educational process as it systematically castrates women intellectually and emotionally. It is clear to me that the most important question this country in particular must answer is: Why do we have more women in college than any other country in the history of the world and an appallingly low percentage of women achievers and professionals. Why don't our American women reach for the stars? Your Bill will go far to elucidating the subtle but terrible destructions of motivation that occurs as a girl grows up.

The National Science Foundation has a study that shows that if one examines the top 10% of all high school seniors in this country it can be shown that of those who do not go on to college, 98% are females. God knows how much genius is wasted just in this pool of brains every year. Furthermore, these statistics haven't changed since 1954 when the first such study was made. I often think that if we had not systematically excluded the development of virtually all female genius in the world we might now have a cure for cancer. After all, genius is a rare and unpredictable quality in males or females and we have made it impossible for it to be identified in almost 52% of the population.

You are not only helping women with your Bill you are ultimately helping all human beings. Good luck in your uphill fight.

Sincerely yours;

Estelle Rainey.

School of Home Economics,
Baton Rouge, La., July 6, 1972.

Hon. Patsy T. Mink,
Member of Congress, Second District, Hawaii, House of Representatives, Washington, D.C.

Dear Representative Mink: I commend you for your interest and your work for the rights of women to acquire education, specifically bill H.R. 14451, the Womens' Education Act of 1972. I am in support of this bill and believe that there is a great need for its passage.

Particularly in all states and especially here in Louisiana, there is an urgent need for providing funds for research; preparation and development of curricula materials; training programs for teachers and other educational personnel; distribution of these materials; vocational education and career counseling for women; holding conferences, institutes, workshops, and seminars for assisting women to achieve equality of education in order for them to compete for jobs in the market place.

I have studied bill H.R. 14451 and agree with its contents. I would especially recommend that suggested guidelines and procedures be worked out specifically as to ways the funds would be used in the planning, developing, presenting and evaluating of these programs.

Please keep me informed concerning the progress of this bill.

Please send information to the following names of interested people at this address: Louisiana State University, School of Home Economics, Baton Rouge, La. 70843:

Dr. Carol L. Engebretson, Professor.
Dr. Harvye Lewis, Professor.
Dr. Eleanor Kelley, Professor.
Dr. Marian Jernigan, Associate Professor.
Mrs. Dee Wellan, Assistant Professor.
Mrs. Ruth Sylvest, Associate Professor.

Thank you for your letter and information.

Very truly yours,

Thelma H. Leonard, Ed. D.,
Professor and Acting Director.

Cornell University,
New York, N.Y., August 1, 1972.

Representative Patsy Mink,
House Office Building,
Washington, D.C.

Dear Representative Mink: I am very much interested in the bill which you have introduced authorizing the Secretary of Health, Education, and Welfare to make grants to develop non-sexist textbooks, nondiscriminatory vocational education, etc. Could you send me a copy of this bill, H.R. 14451? Actually, I could use about 50 copies of this, since I am calling a meeting in September of women trade union leaders and staff in the New York City area, and I believe that each of them will be most interested in this bill. However, if it is too much to ask then one copy would be helpful to us.

Thank you so much, and best wishes for your continued success.

Sincerely,

Barbara Wertheimer,
Labor Program Specialist.

State of Arkansas,
Department of Education,
Little Rock, Ark., June 26, 1972.

Hon. Patsy T. Mink,
Member of Congress,
Washington, D.C.

Dear Ms. Mink: First let me commend you for your acumen which led to the introduction of H.R. 14451, the Women's Education Act of 1972. It is vital that the means to implement the Equal Rights Amendment be sought to truly provide meaningful legislation if women are to receive the benefits intended by the RA.

After studying H.R. Bill 14451, it appears well written in terms of comprehensive coverage of provisions to help women become aware of their potential as useful and productive members of society. My major concern is not finding some indication that would insure all states an opportunity to participate. It is recognized that open applications can be made; however, it may hinder states who need financial help and are not organized yet to marshal the forces needed for writing proposals and/or making application for funds.

It is feasible to include provisions for a secretariat or similar position at the state level who would assume responsibility of statewide coordination of activities related to this legislation.

On behalf of other concerned women in Arkansas, let me say again how much we appreciate what you are doing to help women achieve a recognized status of equality.

Sincerely yours,

Mrs. Peggy Patrick,
Program Analyst.

Slippery Rock State College,
Slippery Rock, Pa., July 24, 1972.

Representative Patsy Mink,
Cannon Office Building,
Washington, D.C.

Dear Ms. Mink: I would greatly appreciate a copy of the bill you recently introduced, H.R. 14451, Women's Education Act.

My husband and I have been engaged in the study of sexism in textbooks for the past several years and are very pleased to know of your concern in this area. I am including some of the reports we have prepared which may be of interest to you. You may be interested also in knowing that the Pa. Dept. of Education has recently issued a report on sexism in education, the result of a year's study of the entire Commonwealth educational system: kindergarten through graduate school. The Sec'y of Education has accepted the findings and implementation plans of the study group and has recently issued a directive to the school supervisors and administrators to that effect.

I would be grateful if you would suggest ways in which individuals and women's groups could assist you and render support of your bill. I wonder, also, what kind of opposition you anticipate or have, perhaps, already encountered.

Finally, let me commend you on the fine work you are doing in behalf of women and men of the United States.

Sincerely,

Dolores Barracano Schmidt.

Georgia State University,
Atlanta, Ga., August 17, 1972.

Hon. Patsy T. Mink,
301 Cannon Building,
Washington, D.C.

Dear Mrs. Mink: I have carefully read H.R. 14451 and feel that the bill should prove most valuable in providing the means by which women may achieve equality in our society today.

My concern relates to the traditional three year limitation placed upon Federal support. Somehow, someway it is essential that those educational institutions who receive funds provide intention of continued support when Federal funds are no longer forthcoming. I have been increasingly distressed with the evidence or response to the profit-motive rather than the people-motive.

This summer I was fortunate enough to be chosen as a participant in one of the H.E.W. workshops in Higher Education and had the opportunity to meet Mrs. Fraser and Mrs. Sandler who spoke of your bill. I promise to solicit support for the bill as I carry out my responsibilities as program chairman for the A.P.G.A. regional convention to be held here in May of 1973. If there is any other way we can support your bill please let me know.

Sincerely,

Kathleen D. Crouch, Ed.D.,
Assistant Director, Counseling Center.

Education Study Center,
Washington, D.C., June 8, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: Thank you for giving me the opportunity to review your Bill, H.R. 14451. The Bill would be a great step forward for women. I have not had experience with legislative form and, therefore, I am not certain whether the question I am about to raise is a legitimate one. It concerns Section 4, Part *f*, lines 13–18, p. 8. If I understand the Bill, your provision indicates that an organization must be in existence for at least a year prior to being eligible to submit a proposal for funds. It appears to me that such a provision would discriminate against women, who for reasons such as discrimination in the recent past, formed their own groups to pursue their activities. Let us consider the case of women proposing to examine their own institutions with respect to, say, the training of women for administrative positions. It appears as if section *f* would prohibit the women from incorporating themselves as a private non-profit corporation and pursuing the project independently were the original organization to turn down their proposal. I am wondering, therefore, whether Provision *f* needs to be a mandatory requirement of your Bill.

Sincerely yours,

Joan C. Barate,
Project Director.

University of Missouri-
Kansas City,
Kansas City, June 5, 1972.

Patsy T. Mink,
Member of Congress, 346–348 Federal Building, Honolulu, Hawaii

Dear Representative Mink: Thank you for your consideration in sending us a copy of your HR 14451, the Women's Education Act of 1972.

Your bill reflects many of the concerns in women's education in which we have been involved. It appears that you have a very thorough and sound approach which hits some of the real issues, e.g. sensitizing pertinent education personnel to women's needs, establishing women's resource centers, and implementing community education programs. Delegating administrative control at the federal level seems particularly beneficial for the accomplishment of the objectives of the Council on Women's Higher Education.

The Continuing Education for Women programs at the University of Missouri-Kansas City has already recognized some of the needs mentioned in your proposals. We have recently established a Women's Resource Service on a modest pilot basis which is described in the enclosed brochures, as are some of our community education efforts.

We certainly hope that there will be positive action taken on your bill and that you will keep us informed of its progress. If there is anything we can do to help you in this area, please let me know.

Best regards,

Jane Berry, *Assistant Dean.*

Southern Methodist University,
Dallas, Tex., June 8, 1972.

Hon. Patsy Mink,
Congress of the United States,
Washington, D.C.

Dear Mrs. Mink: Thank you for introducing the Bill of Rights for Women's Education. I refer, of course, to H.R. 14451.

The provisions of the bill seem to me to be very well thought out, and I am confident that you have anticipated every means of making it more nearly possible for all women to have the advantage of education. For instance, child care (differentiated from *day* care) can be the factor that decides for many women, and of course the right kind of program for children can be the best thing that could happen to them.

My dear friend and tireless worker for the advancement of women, Mrs. Margaret Brand Smith, who is Chairman of the Texas Governor's Commission of Status of Women, asked my opinion of your bill. With zeal, I could say, "It's great Let's help her get it passed."

We will all follow your progress with appreciation.

Sincerely,

(Mrs.) Mary E. Miller,
Associate Dean.

University of California,
Los Angeles,
Los Angeles, Calif., June 6, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Ms. Mink: We are extremely enthusiastic about your bill and delighted that you have put into it the ingredients necessary to provide equality in and through education for women of this country. If you wish any supporting material to document your proposals, we will be pleased to provide as much as we have. Since 1966 we have developed and presented numerous programs for and about women such as: The Legal Position of Women in California, Group Counseling for Women (Opportunities in Educational, Vocational and Volunteer Activities), Paralegal Probate Specialist Training, Counseling Specialist for Adults. Although we have served approximately 10,000 women, it is only a small dent in our Los Angeles community. Our restraints have included limited staff time to develop new programs and teachers, plus the fact that we must be self-supporting and, therefore, need to charge enrollment fees to cover our expenses. With your bill, I can envision groups from all economic levels throughout the nation receiving the most relevant education.

You mention resources centers and information centers; I would hope these physical facilities would include classroom space and child care centers in order to accommodate one of the biggest needs of the young adult woman. Also, by having the child care centers properly staffed it would be possible to create an environment for both boys and girls to explore talents unrelated to stereotypic sex roles which are still taught through textbooks and attitudes of teachers in a majority of public schools.

Both the National University Extension Association and the Adult Educational Association now have women's sections. The Washington address and telephone numbers where member lists are available are:

National University Extension Association, 1 Dupont Circle, Suite 360, Washington, D.C. 20036 (202) 659–3200.

Adult Education Association, 810 18th Street, N.W., Washington, D.C. 20006 (202) 347–9574.

Again, I can only say that you have our wholehearted support and urge that the bill not be amended to exclude any of your salient points. The sections covered "appropriate geographical distribtion" and "no grant can be made to any agency or organization . . . which discriminates on the basis of sex" are particularly suitable to the goals you wish to accomplish.

Congratulations and good luck.

Cordially,

Rosalind Loring,
Director, Department of Daytime Programs and Special Projects.

The American University,
Washington, D.C., May 23, 1972.

Congresswoman Patsy T. Mink,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: I heartily approve of H.R. 14451. However, I do have my special pleading to add. I should like specific reference made to encouraging women to succeed in fields typically for men, e.g. math and science. Perhaps such an emphasis can be accomplished by the choice of Commissioners. I should be willing to testify on this point when hearings are held.

Very truly yours,

Mary W. Gray,
Professor of Mathematics, Chairman,
Association for Women in Mathematics.

Georgia Institute of Technology,
Atlanta, Ga., May 8, 1972.

Hon. Pastsy Mink,
U.S. House of Representatives,
Washington, D.C.

Dear Representative Mink: We noted with great interest a recent summary pertaining to your bill H.R. 14451 regarding special education programs and activities for women.

Within the last few years, we at Georgia Tech have placed particular emphasis on programs which would enhance the status of various minority groups. We are pleased to note our success in enhancing the status of women as shown on the attached press release describing our being the leading school in the country for graduating women engineers. We believe there are many more programs which can be initiated to increase the number of women in engineering far in excess of the mere 1% which they now represent.

We would be eager to assist in planning and assisting you in any way possible to insure that this aspect of education for women is given proper attention, should your bill be passed.

Sincerely yours,

Albert P. Sheppard,
Associate Dean of Engineering.

University of Puget Sound,
Tacoma, Wash., May 2, 1972.

Hon. Patsy T. Mink,
Cannon House Office Building,
Washington, D.C.

Dear Mrs. Mink: In a recent issue of the Congressional Record I have read of House Resolution 14451 which you have introduced, relating to the making of grants to conduct special educational programs and activities concerning women and for other related educational purposes.

I am particularly interested in your Resolution inasmuch as we have recently designed such a program which is now funded by the Office of Health, Education, and Welfare. It is titled Project Upward Mobility, and is conceived to provide for twenty women, ten in each of two years, the opportunity to be trained in the field of administration for higher education. These women will spend some time on the campus of the University of Puget Sound in classes conducted by the School of Education and the School of Business, and some time in offices of institutions of higher education located in Region X, and in the Region X office which is located in Seattle.

XUM

In order that you may know more about this Project, I am enclosing a copy of the abstract of the proposal. If I can supply other information to you, please let me know.

Sincerely yours,

Ernest J. DeRocher,
Director.

University of Nevada, Reno,
Reno, Nev., May 10, 1972.

Hon. Patsy Mink,
U.S. Representative from Hawaii, U.S. House of Representatives, Washington, D.C.

Dear Representative Mink: I am most interested in receiving a copy of the Women's Education Act, H.R. 14451, which you have introduced. Will you please inform me as to where I might obtain such a copy.

At the recent meeting of the section on Continuing Education for Women, National University Extension Association in Columbia, South Carolina, I heard about this legislation and the possibility of your being there to discuss the matter with those present. Unfortunately no one with whom I talked had the specific information I would like.

Best wishes and much appreciation to you in your endeavor to assist women in becoming fully-functioning individuals in a fully-fuctioning society.

Sincerely yours,

Miss Grace M. Donehower,
Assistant Dean.

National University
Extension Association,
September 15, 1972.

Hon. Patsy T. Mink
Member of Congress, 301 Cannon Building, Washington, D.C.

Dear Ms. Mink: Thank you very much for your letter of September 9 and the copy of your bill H.R. 14451. On behalf of the National University Extension Association and its Board of Directors, may I express our thanks and appreciation for your interest and concern in this critical area of educational need; and we will be most happy to work with you in whatever way we can in the fulfillment of your objectives.

I am asking Dr. Robert Pitchell, Executive Director of the NUEA, to respond to you directly in connection with your Bill, and to organise a selected task force of Association members which can respond substantively to its purpose and provisions. We will make every effort to respond in advance of scheduled hearings, in accordance with your request.

Again, our thanks. We will be most happy to do our best to be of whatever help and assistance we can.

Sincerely yours,

Armand L. Hunter,
President of NUEA.

University College,
Des Moines, Iowa, August 30, 1972.

Hon. Patsy T. Mink,
Congress of the United States,
House of Representatives,
Washington, D.C.

My Dear Mrs. Mink: Thank you for your letter of August 10, which arrived while I was on a short vacation. I have read with interest, H.R. 14451, the Women's Education Act of 1972.

I think you have done an outstanding job in putting this piece of legislation together. From a perspective of continuing education for women, I can find nothing wrong with the various provisions of the bill. I think it will be hailed in continuing education circles as an excellent step.

I have one serious concern, however, that has to do with the level of funding proposed for the first year. I am concerned that this amount is grossly inadequate to accomplish very much in terms of all the good intentions listed throughout the bill.

The Community Services provision (Title I) of the Higher Education Act of 1965, provided for much more in funds but was actually funded at $10 million the first year. At this level, only small projects were fundable in many locations. (Iowa's total was $168,000.) It is obvious that even four (three state and one private) universities cannot do much in a state with this amount of money in terms of solving problems or educating tinuing education for women:

As hot as this subject is currently in all areas, but especially those having governmental connections such as higher education, my opinion is that the asking is too modest. My recommendation would be $20 million the first year.

If I can be of further assistance in this or other matters, please let me know. May I suggest that you also contact the following people since all of these organizations are actively interested in and variously engaged in continuing education for women.

Dr. Ray J. Ast, President, Coalition of Adult Education Organizations, Adult Continuing Education Center, Montclair State College, Upper Montclair, New Jersey 07043.

Dr. Alfred W. Storey, President, Adult Education Association of the U.S.A., Director, Extension Service, University of Michigan, Ann Arbor, Michigan.

Dr. Armand L. Hunter, President, National University Extension Association, Continuing Education Service, Michigan State, University, 114 Kellogg Center, East Lansing, Michigan 48823.

Dr. Howell W. McGee, Executive Secretary, Association of University Evening Colleges, College for Continuing Education, University of Oklahoma, 1700 Asp Avenue, Norman, Oklahoma 73069.

Sincerely yours,

Clarence H. Thompson,
Dean.

University of Wisconsin—Green Bay,
Green Bay, Wis., August 16, 1972.

Ms. Patsy T. Mink,
Member of Congress,
House of Representatives,
Washington, D.C.

Dear Ms. Mink: I have just read your bill, H.R. 14451, the Women's Education Act of 1972. I think it is excellent. It provides for a broad range of projects and programs that are much needed. I have long been concerned that there was almost no federal money available for helping women achieve equal rights and to improve their educational level.

I will support the bill in any way that I can.

Sincerely,

(Ms.) Marge Engelman,
Director of Adult Education.

University of Wisconsin—Milwaukee,
Milwaukee, Wis., June 7, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Ms. Mink: Thank you for sending me a copy of H.R. 14451 on the Women's Education Act of 1972. On first reading, I was terribly enthusiastic and decided that I had no criticisms or suggestions. On second reading, I find that I do have some, although I'm not sure that they can be implemented. Basically, my concern is that the power implied in this bill seems to reside in a male dominated system. For instance, in Section 3A, the Council is appointed by the President, in section 3E, the Council is to advise the Commissioner of Education and the Secretary of Health, Education, and Welfare and to make recommendations to them, in Section 4B, the real power to make grants and contracts rests with the Secretary of Health, Education, and Welfare, Sections 5, 6, 7, and 8 deal specifically with the powers and duties of the Secretary of the HEW and the Commissioner of Education. I feel that the Bill should contain some checks which will ensure that the President will not stack the Council with extremely conservative, traditional women, and that the Commissioner and the Secretary rely heavily on women consultants in making administrative decisions regarding the use of these funds. Otherwise, the net result of your bill could be to promote innovative programs in "women's education," i.e., secretarial, paramedical and education. The funds could be warmed to the same professional grantsman that command a large proportion of the existing funds for education.

Please keep me informed as to the progress of your bill. Let me know when it is time to write my Congressman to support it.

Sincerely,

Lenore W. Harmon, Ph. D.,
Director and Adviser to the Chancellor on the Status of Women at UMW.

Arizona State University,
Tempe, Ariz., May 26, 1972.

Congresswoman Patsy T. Mink,
House of Representatives,
Cannon Building,
Washington, D.C.

Dear Mrs. Mink: Mrs. Jane Greenwald, Chairman, Arizona Governor's Commission has referred your letter to me as Chairman of the Commission Committee on Education and Counseling and as the person, perhaps, most involved in seminars, colloquia, and the coordination of efforts to achieve equality of educational and counseling opportunities for women at Arizona State University.

I have just been studying your very excellent bill, H.R. 14451, the Women's Education Act of 1972, and certainly wish to do everything in my power to support it and enlist the assistance of others in this effort. Of course, you are all too aware, I am sure, of the problems we have in this state as a result of both of our senators opposing the ratification of ERA. Largely as a result of their stance, a press which published primarily letters opposed to passage, and the fears of the uninformed, our efforts failed and the legislature adjourned without ever bringing the bill out of committee. It is just possible, however, that your bill may not be so threatening to some of those who opposed ERA. I would certainly hope so.

If you have specific suggestions as to whom we might write and reasons legislators might find acceptable in support of the bill, please let me know. Additional copies could be used to advantage, not only with our Counseling Department and the Governor's Commission, but with the AAUW, Delta Kappa Gamma, AWARE, the NAWDC, and numerous other organizations in which I am involved.

I have long admired your contributions to the Congress and your positions in various issues, and am delighted at the opportunity to tell you so.

I hope to hear further from you about the progress of the bill.

Sincerely,

Catherine G. Nichols,
Professor Department of Counselor Education.

San Diego City Schools,
San Diego, Calif., May 4, 1972.

Hon. Patsy Mink,
U.S. House of Representatives,
Washington, D.C.

Dear Mrs. Mink: I read with interest about the Women's Education Act of 1972 (H.R. 14451) which you have introduced.

Speaking as a Mexican-American woman who did not receive her B.A. degree until after marriage and three children, I know the struggle which women face in education.

At the present time I am director of the Career Opportunities Program in San Diego. This is a project (funded through EPDA Part D) for paraprofessionals working in the schools who are also attending college classes leading to teacher certification. Seventy-two percent of the program participants are women, many of them mature and heads of households. It is most rewarding to see these women making progress toward their educational and professional goals.

I am confident that your bill will receive the necessary approval. Statistics are published daily which attest to the infinitesimal numbers of women in administration and university positions.

When the "Council on Women's Educational Programs" at the Office of Education becomes a reality, I would like to submit my name for consideration on the council. I realize that these appointments are of a political nature, but I feel that I have first-hand experience and could make a contribution to the council.

Sincerely yours,

Mary L. Heinkel,
Supervisor, Career Opportunities Program.

Grand Rapids Junior College,
Grand Rapids, Mich.

Representative Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Representative Mink: In the recent publication of the APGA Guidepost, I was indeed interested to read the article relative to your proposed Women's Education Act of 1972 (H.R. 14451). As a woman, a professional counseling psychologist, and a counseling staff member in a community junior college, I have been well aware of the broad needs for the equality for women in education. My interest and deep concern for improving the opportunities and creating an environment in which women can attain educational equality has been brought into sharp focus by the questions, problems, frustrations, anxiety, and ego-deflating experiences which women from all age groups bring into my office.

My own personal encounters of inequality in the educational/academic environment as well as the difficulties with which a woman must cope on a job and in society in general give me a depth of understanding of the total problem. To fully understand a problem area one must have experienced it.

It is my firm belief that equality in education is a basic block upon which full equality for the American woman must be built.

At the present time, some of my women colleagues and I are involved in approaching this educational problem at our own local educational level. We are researching needs which women at various age levels, backgrounds, and experiences feel could be met by new and innovative educational programs. Such programs could range from self-identification, career investigation, self-improvement, training or retraining in specific skills, cultural enhancement, short term courses to investigate problem areas in which women lack information and/or are concerned, to preparation for entry into some type of career. New kinds of scheduling are needed and length of course time must be flexible. In fact, new curriculums need to be established for women who seek training at the paraprofessional or professional level. A whole new philosophical approach is needed.

Counseling for women needs to be readily available for women of all ages for the programs and curriculums to be designed are not restricted or limited to "normal college age women" but to all women. Special techniques and special attention need to be given to these women relative to educational planning, career planning, and self-actualization of their human potentials, so that they may actively and fully participate in our American society. Supportive counseling may often be needed in the early stages of such educational experiences. All too often women have rather intense feeling of fear, rejection, anxiety, and lack of self worth to truly benefit from whatever education program chosen, such feelings must be recognized, explored, and dealt with as they appear.

As you well realize, I'm sure, our above endeavors are in some ways the efforts of pioneers and we encounter the problems of lack of financial aids for female students, lack of funds to underwrite innovative programs, and lack of positive concrete support from our male colleagues. Nevertheless, we feel that we are making some limited progress and hope to launch some pilot courses and specific counseling opportunities which would make a small beginning to meet some needs of women in this community.

Provisions in your bill for training women's counselors and their educational personnel and for establishing women's resource centers would provide the personnel and environment by which women could secure help and direction.

To establish a Council on Women's Educational Programs within the Office of Education and to have women appointees comprising more than one-half of the membership would concretely establish the position and importance of women by the federal government.

I do hope to be present at the APGA regional convention in St. Louis and have the privilege of hearing you speak.

In whatever way my training, knowledge, experience, and energy can be used, I offer these in the efforts to obtain equality for all women in American society.

I offer the name of my colleague, Mrs. Winifred Fox who is the other female member of our seven member counseling staff. She also offers her support to the passage of your bill.

Together we wish you success and express our gratitude that we have a Congresswoman who believes and works for the rights of all women.

Sincerely yours,

Dr. Merry Ann Gregory.

Memphis State University,
Memphis, Tenn., September 28, 1972.

Congresswoman Patsy Mink,
Cannon Building,
Washington, D.C.

Dear Representative Mink: I was interested in reading about the proposed Women's Education Bill (HR 14451) as reported in the AGPA *Guidepost*. I agree that our present education programs must be revamped to meet the needs of the emerging woman in her new role. As a counselor educator, I am particularly interested in courses for counselors who are going to be working with women in public schools. These counselors have a tremendous opportunity to be "change agents."

I would like very much to have a copy of this bill as well as the ideas presented concerning the Council on Women's Educational Programs. Additionally, if you know of programs now in existence in counselor education which might serve as models for development of courses along these lines, please let me know.

Thank you.

Sincerely yours,

Pat H. Murrell, Ed. D.,
Associate Professor of Education.

The School District of Springfield,
Springfield, Mo., September 27, 1972.

Hon. Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Representative Mink: I read with much interest, in *The Guidepost*, your concern for women's rights.

I appreciate the interest of representatives of your stature and prestige in HR 14451, Women's Educational Act.

As a Coordinator of Guidance Services for a city school system, I am acutely aware of the gross inequities relating to job placement, salaries and other rights. America, beset with myriads of knotty social problems can ill afford to ignore and depreciate the creative talents and abilities of a great segment of her society—women.

You may be surprised that I'm male (not a male chauvinist, however) interested in the rights of all Americans.

Should I ever be of assistance to you in your endeavors relating to women's rights, please let me know.

Yours respectfully,

J. Tics Rollins,
President, Missouri Personnel and Guidance Association.

Applied Potential,
Highland Park, Ill., September 25, 1972.

Representative Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Representative Mink: I am most interested in learning more about your proposed legislation, HR 14451, which was recently reported in the APGA September Guidepost. Would you kindly send me a copy of the bill.

I am co-director of a counseling service for adult women who want to combine their family responsibilities with a second career. Although most of our clients have a part or full-time professional career as their goal, many realize that their first step must be a return to school, to update their skills, or become trained in an entirely new field. There are often two major stumbling blocks—the financing and the scheduling. Many colleges and junior colleges have established Continuing Education Centers which permit more flexible scheduling. However, it is still very difficult for the mature woman to find a way to get outside funding for further education. I hope your legislation will have some provision for funding the education for these "second career" women.

For your information I am enclosing a brochure describing Applied Potential. We are a relatively new counseling service—we started in December 1971. However, we hope to develop into a community resource center for women such as you envision in your proposal.

I hope we will be able to help you bring public attention to the need for legislative action on behalf on the education needs of women.

Sincerely,

Carole A. Wilk.

Villa Maria College,
Erie, Pa., September 25, 1972.

Representative Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Representative Mink: After reading of your Women's Education Bill, I wish to applaud you for your foresight in the needs of today's woman.

As an administrator of a small women's college, I see the great urgency for more career counseling—especially for the mature, middle-aged woman.

With this focus, we are planning a workshop, *Search for Fulfillment*, to help the woman over 35 to change her lifestyle of child-rearing to education, volunteering, employment, or the creative arts.

A bill such as you are proposing would help finance programs such as this. We feel that the middle-aged woman has been very much neglected as far as governmental aid. It is time that we pay attention to her!

I will be interested in receiving any information that you may have available in regard to your bill as well as any other data on help for the woman 35 and over.

Thank you for your interest in us.

Yours truly,

Mrs. Joann D. Painter,
Director of Guidance and Placement.

Newark State College,
Union, N.J., July 20, 1972.

Hon. Patsy T. Mink,
Cannon Building,
Washington, D.C.

Dear Ms. Mink: I am glad to have the opportunity to comment on your excellent bill, H.R. 14451, Women's Education Act of 1972. As Director of EVE, a vocational guidance center for women, I am very aware of the need for funds to enable women to receive training and proper guidance in order to enable them to enter fields now opening to them. I hope that Congress will support your bill.

EVE is an acronym for Education, Volunteer, Employment Opportunities for Women. It is a community service of Newark State College. The enclosed brochure and copy of our last newsletter may help to describe our program. I imagine EVE would be considered a women's resource center, as mentioned in section 2. (b) and 4. (c) (5 and 8) of your bill, our purpose being well stated in lines 16–23 of section 6.

I am glad to see that your guidelines are broad. During the course of my work, it has come to my attention how often federal money is wasted because there are people whose career seems to be devoted to watching for appropriations and then devising programs to meet the specifications and obtain the funds. Too often, those results in funds being used to support the salaries of administrators, whose work does not always serve the intended purpose.

I realize that evaluation of results is difficult, and prediction of future results doubly difficult. However, it seems to me that broad guidelines place more of the responsibility on those in the community to come up with innovative and practical proposals. Narrow, specific guidelines permit development of proposals "just to get the money."

I hope that the Council provided for in section 3. (a) might have time, or even be directed to, interview personnel involved in any proposal to be seriously considered. The success of a program largely depends on the quality and dedication of the people involved. Proposals, reports, statistics can always be made to sound good, much in the manner that "liars can figure, and figures can lie." Please do not think that the above remarks are intended to imply that all, or even most, governmental appropriations are wasted, more good work being done than bad, I'm sure.

One further comment. I question the limit in section 7 of $15,000 annually per grant. I can envision some constructive proposals which might demand the supervision of a qualified professional, whose salary alone would use up the major portion of this sum.

Finally, I would like to thank you for proposing this bill. Would it be helpful to mention it in EVE's next newsletter, due to come out in early September, asking women from our mailing list of three thousand to write appropriate officials in support of this bill? If so, to whom would it be best for them to address their letters?

Best wishes for successful passage of H.R. 14451.

Sincerely,

Betsey Brown,
Director of EVE.

Department of Education,
Trenton, N.J., July 19, 1972.

Hon. Patsy T. Mink,
Member of Congress, Congress of the United States, House of Representatives, Washington, D.C.

Dear Mrs. Mink: I have read H.R. 14451 and would like to have you consider my reactions and suggestions.

The bill would contribute towards the enhancement of the status of women. However, in its attempt to provide broad authorization, the bill does not address one of the key elements in the enhancing of the status of women; namely, aggressive upward mobility for the already underemployed female clerical force. It might well be that this effort is implied in Section 2, 9(b) and it might be that appropriate regulations would promote such educational programs. However, I would prefer to see legislation which emphasizes training and educational programs for underemployed females. I bring this to your attention because at present most of the activity regarding the status of women focuses on the academic and/or the professional women. I think this is a mistake.

The bill as written is certainly clear and directive in recognizing the need for new and improved curriculums which aid all in developing new perceptions about sex roles.

I would hope that appointments to the Council would be representative of economic and ethnic groups of women.

Sincerely,

Catherine Havrilesky,
Assistant Director, Division of Field Services.

University of Alabama,
Huntsville, Ala., June 8, 1972.

Ms. Patsy T. Mink,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

Dear Ms. Mink: Thank you for your letter of May 30, and the copy of your proposed bill, H.R. 14451, the Women's Education Act of 1972.

I have studied the bill thoroughly, and find that I am in complete agreement with both its intent and provisions. I shall inform all of my women colleagues on the faculty here, and ask their support of it also.

If you would mail each of them a copy of the bill, I think it might be helpful (list attached). We shall then write our Congressmen, individually and collectively, of our concern and support.

The week of June 18–24 I shall be attending the Institute "Challenge: Women in Higher Education" at the University of Tennessee at Knoxville, and will be able to speak for it there. I will be happy to distribute copies of the bill, if you will send me a packet (about 100).

Thank you for your concern for women. Best wishes for your continued good work in the legislature.

Sincerely yours,

Reese Danley Kilgo, Ph.D.,
Director, Office of Student Affairs, Associate Professor of Education/Assistant Professor of Sociology.

University of Nevada,
Reno, Nev., June 1, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: May I add my voice to the ranks of your supporters in reference to H.R. 14451.

Too, too long has the United States penalized women and, in the process, overlooked the truly significant pool of human resources.

Sincerely,

Robert G. Whittemore,
Dean.

Executive Chamber,
Albany, N.Y., May 25, 1972.

Dear Congresswoman Mink: Congratulations on the foresight you displayed in introducing to Congress the Women's Education Act of 1972.

The bill, if passed, would reduce the discriminatory procedure that permeate the education of women from early childhood to professional degrees of education. Coincidentally, the New York State Board of Regents recently issued a position paper on the education of women. I'm sure you'll find the report informative.

I have taken the liberty of sending copies of your letter to the National and New York State Women's Political Caucus, the National Organization for Women, the New York Civil Liberties Union and the Professional Women's Caucus.

If we can assist you in any way to ensure the passage of this bill please let me know.

Sincerely,

Virginia A. Cairns.

Executive Chamber,
Albany, N.Y., May 26, 1972.

Dear Congresswoman Mink: Thank you for sending me a copy of your proposed legislation HR 14451—the Women's Education Act of 1972.

I strongly concur with your observation that while the ERA will provide women with the rights to acquire society's benefits, it will not necessarily give them the means. Your proposed legislation is a dynamic and determined step toward practical implementation of the ERA.

The Women's Unit has long been aware of the great need for the development of comprehensive educational programs for women which would enable women to develop innate skills and talents in nontraditional women's fields such as law, medicine and the vocational sciences. We, thus, applaud your legislative proposal.

The question remains as to the most effective way of implementing the specifics of your legislation—the development of new and improved curriculum—research and evaluation of model educational programs concerning women at all levels of education—the dissemination of such materials by the mass media—training programs for teachers, youth and guidance counselors and the planning of women's resource centers. I wonder if such a Council with its far-reaching programs and intended involvement with community leaders, labor leaders, industrial and business leaders as well as government employees might be more effective as an ad hoc body outside the jurisdiction of the Office of Education but with strong ties to the office thus permitting feedback and on-going consultation and evaluation.

If such a course is not feasible, perhaps the application of financial assistance might be made to the entire Council as well as to the Commissioner of Education.

I welcome the opportunity to add my thoughts to your extensive proposal. Be assured of my continued interest in HR 14451.

Sincerely,

Evelyn Cunningham,
Director, Women's Unit.

Governor's Commission on the
Status of Women,
Little Rock, Ark., June 8, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: Thank you for your letter of May 18 enclosing a copy of your proposed Women's Education Act. I have studied its provisions and wholeheartedly endorse both the concept of this legislation and the specific mechanisms through which it would be effected.

We have discovered a widespread need for—but almost the absence of—continuing education programs for women in Arkansas, combined with knowledgeable and sympathetic career counseling for mature women. The University of Arkansas is now considering initiating such a program on a small, experimental scale—funds such as this Act would provide could be most useful here.

Since no Members of the Arkansas Congressional delegation now serve on the Education and Labor Committee, I don't know how useful our Arkansas women could be to you at this stage. I will, however, see that interested women and groups in our State are informed of HR 14451, and I am attaching a list of those to whom I would appreciate your sending copies.

When hearings are scheduled on this legislation, may I make the following suggestions for those who might make very articulate advocates?

(1) Ms. Margie Chapman, newly elected President of the Intercollegiate Association of Women Students. She is a student at the University of Arkansas, has worked closely with the Arkansas Commission on the Status of Women and is a very ardent promoter of the women's movement. In her capacity as President of the IAWS, she speaks for 200,000 young women.

(2) Ms. Blanche Cowperthwaite, Chairman of the Colorado Governor's Commission on the Status of Women. Her Commission and she personally have been especially concerned with textbook sex-stereotyping. She is extremely intelligent and articulate on this topic.

(3) Our Arkansas Commission, in an effort to measure career aspirations and counseling sources of Arkansas' young women has surveyed high school students this spring (sample questionnaire attached.) Findings are now being tabulated and analyzed. I feel sure they will effectively document the amount of damage (i.e.—stereotyping and self-limitation) that has already occurred by the teen years. Would you like to have copies of the final report?

With appreciation for your leadership in this important area.

Sincerely yours,

DIANE KINCAID,
Chairman.

OHIO BUREAU OF EMPLOYMENT SERVICES,
Columbus, Ohio, June 13, 1972.
Ms. PATSY MINK,
Member of the Congress of the United States, House of Representatives, Washington, D.C.

DEAR MS. MINK: Thank you for sending a copy of your bill, H.R. 14451, the Women's Education Act of 1972.

We have great need for assistance to women in achieving the educational tools needed to achieve equality of education in order to compete for jobs and other rights.

We will follow the progress of your bill with interest. It is through the efforts of persons such as you, that we are now beginning to move forward with women's rights and opportunities.

Best wishes.

Sincerely,

EMILY L. LEEDY,
Director, Women's Services Division.

JUNE 30, 1972.
Hon. Mrs. PATSY T. MINK,
Member of Congress,
Cannon Building,
Washington, D.C.

DEAR MRS. MINK: Congratulations to you for introducing H.R. 14451, the "Women's Education Act of 1972".

Thank you for furnishing me with a copy of the text of the Bill to which I have given careful consideration. I feel it is all inclusive and if adopted will help provide women with the educational tools they need to acquire the benefits of our change in society toward women.

When receiving information such as you provided me with, I cannot help but feel how fortunate we are to have women such as you representing us on the Hill.

May I suggest to you, if you have not already done so, that you contact Mrs. Lucille Shriver, Director, of the National Federation of Business and Professional Women in Washington, with a request that she provide you with the names and addresses of the Presidents of the 53 Federations, 50 States, District of Columbia, Puerto Rico and the Virgin Islands. If this is possible through the State Magazines the information could filter down to 170,000 members. I feel certain the list will be made available to you as the National Business WOMAN, the Federation's Magazine is subscribed to by individuals, libraries, etc.

It has been a real privilege for me as a Past State President of the New Jersey Federation to meet many women from your State and Mary Ellen Swanton in particular with whom I worked with on elections at National Convention.

Sincerely,

MRS. MILDRED MCLEAN,
Chairman, New Jersey State Commission on Women.

SEPTEMBER 21, 1972.
Hon. PATSY T. MINK,
House of Representatives.

DEAR CONGRESSWOMAN MINK: As a newly appointed commissioner on the Maryland Commission for the Status of Women, may I commend you on drafting and introducing the Women's Education Act of 1972, H.R. 14451.

I am most interested in knowing about the present status of the bill, its chances for passage and what I can do individually and what the Maryland Commission on the Status of Women can do to help pass this bill.

I am personally interested in *textbook bias toward women* and the *pro-ratalist position* that most grade school readers and even high school family living courses project.

It's my hope that the bill would support research into studying sex stereotyping and pro-ratalist bias in public school text, in addition to supporting efforts to change this slant. However, unless people know the extent of the problem, there will not be adequate action taken to change by local school boards.

Sincerely,

NANCY COX.

THE UNIVERSITY OF NEBRASKA,
Lincoln, Nebr., August 25, 1972.
Hon. PATSY T. MINK,
House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR CONGRESSWOMAN MINK: Thank you so much for your letter of August 10 in which you ask me to comment on H.R. 14451 which was sent to me by Mrs. Betty J. Durden. I feel that this bill has a great deal of merit and would do much to give women greater equality of opportunity. Education is certainly a central factor in achieving such a goal.

Although the proposed legislation would not prohibit participation by men, the main thrust is obviously to give special attention to the problem of women. A criticism might be that women should simply participate on an equal basis with men in furthering their educational goal without special legislation. In other words, there ought not to be any discrimination against women in this respect, but at the same time, there should be no "reverse" discrimination. This sort of criticism seems to me to be invalid at this point of time. Women have not been given equality of opportunity in the past and there is little to indicate that they have achieved it in the present. This legislation would help give women true equality in our society. After this has been achieved, such a bill would no longer be necessary.

As Chairman of the Great Plains States Regional Manpower Advisory Committee (Nebraska, Iowa, Missouri, and Kansas), I recently summarized the recommendations of my ten member committee on the status of women. These recommendations are found on pages four and five of the attached report.

As a person who is vitally interested in the future of Micronesia, I would like to thank you for the strong support you have given to this part of the world in legislation affecting them. I can assure you that they are most appreciative of your efforts. Your name is a household word throughout all of Micronesia.

Please let me know if I can help you in any way.

Sincerely yours,

HENRY H. ALBERS,
Chairman and Professor.

INDIANA UNIVERSITY,
Bloomington, Ind., August 24, 1972.
Representative PATSY T. MINK,
Cannon House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MINK: The bill you recently authored, HR 14451, authorizing the Secretary of Health, Education and Welfare to make grants to conduct special educational programs and activities concerning women, and for other related educational purposes is a very significant contribution to the woman's rights movement.

An accumulation of reliable knowledge and its dissemination is needed to bring the problem to a level of awareness where change is possible.

Faculty women at Indiana University have been actively engaged in developing such an awareness for several years. Needless to say, progress has been slow; expenditure of energy has been great. Resistance to equal rights is deeply rooted, compliance to the latest decrees from Washington have been token at best.

More courses on the role of women are presently being offered, however, the great majority of these courses are taught by women on a voluntary basis—no compensation and as an overload. This situation places faculty women at a disadvantage when their academic performance is compared to their male colleagues who are concentrating more on writing and researching—the reward criteria used at most universities to determine promotion and salary level.

Your proposed bill, HR 14451, will make it possible for women (as well as men) to design curriculum, to conduct research, to teach innovative courses on women with the necessary assistance of time, money and personnel.

As chairwoman of the School of Education Commission on Women's Task Force on Curriculum, I am especially interested in the progress of HR 14451 for dissemination and for promotional purposes. We anticipate designing a Program of Studies on Women at both the undergraduate and graduate levels.

Letters encouraging support of your bill will be sent to Senators Birch Bayh and Vance Hartke and to Representatives John Myers and John Brademas.

I am looking forward to receiving information of the progress of HR 14451.

Sincerely yours,

JESSIE LOVANO-KERR,
Associate Professor.

NORTHERN ILLINOIS UNIVERSITY,
De Kalb, Ill., September 29, 1972.
Hon. PATSY T. MINK,
House of Representatives,
Washington, D.C.

DEAR MS. MINK: The membership of Academic Women for Equality (A.W.E.) of Northern Illinois University is appreciative of your thoughtfulness in sending a copy of your bill, H.R. 14451, to us for examination. We applaud your initiative in constructing and introducing this important and necessary bill to Congress. Our members who have read and examined the bill support its spirit, objectives, and structure and agree that the bill on the whole effectively outlines action for its implementation.

We would, however, like to make a few suggestions in regard to the make-up of the council (Section 3, parts a and b) that is to direct the operations. We feel it desirable that the areas of representation be defined more specifically and concretely, with attention given, of course, to representatives from the university and college communities. We think it imperative that there will be representatives from those areas, public and private, directly affected by the concerns of the bill. Also, we think it desirable that a woman be head of the Council. Therefore, we suggest that the Council itself be responsible for the selection of the chairperson, thus allowing not only for a director who is agreeable to the Council, but also allowing for the stronger possibility of a woman's being selected as the Director.

We thank you again for your concern and industry and hope that the bill receives immediate passage and quick implementation.

Sincerely,

ELEANOR P. GODFREY,
Chairwoman.

COMMISSION ON THE STATUS OF WOMEN,
Harrisburg, Pa., July 5, 1972.

Hon. PATSY T. MINK,
House of Representatives,
Cannon Building,
Washington, D.C.

DEAR REPRESENTATIVE MINK: Thank you for your letter of May 18, concerning H.R. 14451, the Women's Education Act of 1972.

The Pennsylvania Commission on the Status of Women would particularly like to commend the scope of your legislation, which will make it possible for an innovative approach to be taken in community education programs as well as in formal educational curriculums.

We would, however, suggest that in making grants to, and contracts with, institutions of higher education, emphasis be placed on improving those areas in which the greatest discrimination against women has been most prevalent, such as law and medical schools.

The Commission strongly supports this legislation as an essential step toward implementing the principles embodied in the Equal Rights Amendment. If we can be of help in moving the bill along, please advise when action on our part will be most beneficial.

Sincerely yours,

ARLINE LOTMAN,
Executive Director.

DEPARTMENT OF HISTORY,
Princeton, N.J., July 12, 1972.

Hon. PATSY T. MINK,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSWOMAN MINK: I am writing in my capacity as chairman of the Committee on the Status of Women in the Historical Profession of the Organization of American Historians. I was very glad to receive a copy of your bill, H.R. 14451, and have shared its contents with my committee. We want you to know of our enthusiastic support for the proposed Women's Education Act of 1972.

Our committee is concerned primarily with the furthering of research and teaching in the field of women's history. We feel very strongly that it is important to begin exploring this long-neglected part of our past in order to give men and women of all ages a more balanced perspective on the American national experience. For too long we have assumed that history consists of what men have traditionally done—politics, war, international relations. Leaving out the women slights a large part of our population, to be sure; but it also means that we neglect large segments of our history—for instance, the history of the family, or of voluntary organizations—that we would do well to understand. It is also true, as you point out, that educational programs in the area of women's history will be an important influence in enhancing the contemporary status of women in the United States. The measures you suggest in H.R. 14451 would go a long way toward enabling us to make important progress in these areas.

Should you seek hearings on this bill, my committee would be glad to provide witnesses who are experts in the field of women's history, and who could speak convincingly of the importance of your bill. They could provide evidence of the current state of scholarship and teaching about women on the secondary as well as the college level. And they could speak in some detail about curricular materials currently available, as well as the kinds we most need.

Probably your most useful contact in terms of reaching all those currently working in women's history would be the Coordinating Committee on Women in the Historical profession. You might send a copy of your bill to the CCWHP's chairman, Professor Sandi Cooper, Richmond College—CUNY, Staten Island, New York 10301. In addition, the Rockefeller Foundation recently sponsored a small research/planning conference in women's history. The person in charge was Mr. Peter H. Wood, an assistant director at Rockefeller in New York. He would also be interested in a copy of your bill. I am sure you must know that my counterpart in the American Historical Association is Dr. Charlotte Quinn at the AHA, 400 A St. SE, Washington, D.C. 20003. In addition, if you haven't already done so, you would surely want to contact the chairmen of the women's caucuses or committees in the various other professions—e.g. the Modern Language Association, American Political Science Association, American Economic Association, etc. I am afraid that I do not have their names and addresses, but the Library of Congress ought to have some kind of directory of professional associations.

If I can be of any immediate assistance, you can reach me at the above address in Washington (phone: 363–0224) until about September 1, after which I will be back in Princeton.

Yours sincerely,

NANCY WEISS,
Assistant Professor of History.

UNIVERSITY OF MAINE,
August 8, 1972.

Hon. PATSY MINK,
Congresswoman from Hawaii,
Congressional Office Building,
Washington, D.C.

DEAR MS. MINK: I am very much interested in the Women's Education Act (H.R. 14451) which you have introduced in the House and I would like to have a copy of it.

My work as an Equal Employment Officer at this University makes me concerned with the efforts on women of inequities in their education, and with the continued unequal treatment of male and female at all levels of education.

If your office has other related material for distribution, in addition to a copy of your bill, I would appreciate receiving them.

In my limited way I am supporting efforts on behalf of passage of your bill.

Sincerely,

HELEN BATCHELOR, Ph.D.,
Coordinator.

MONTCLAIR STATE COLLEGE,
June 6, 1972.

Congresswoman PATSY T. MINK,
Member of the House of Representatives,
Second District, Hawaii,
Cannon Building, Washington, D.C.

DEAR CONGRESSWOMAN MINK: Thank you for sharing with me the copy of H.R. 14451.

In the interest of sharing with you our concerns for equality of education for women, we are endeavoring to assemble reactions, suggestions, criticisms, ideas as well as the names and addresses of others who are interested and would be likely to support your efforts for this bill.

With this leter, I would like to share with you the initial suggestions coming out of our Education for Aging Project at Montclair State College's Adult Continuing Education Center. Further materials will be developed for your office.

As past president of the Adult Education Association of the U.S.A., I have shared your interests with members of the Executive Committee (AEA–USA) and have referred it to the Association's Commission "On the Status of Women in Education." Undoubtedly you will hear from them in the very near future.

As the President Elect of the Coalition of Adult Education Organizations representing 15 national professional associations, the substance of your letter will be shared with the members of the Board of Directors at their meeting on June 15–16 for the purpose of acquainting the national associations with this women's education effort.

Looking forward to whatever assistance we can render to your efforts. Thank you for your interest and support in this much needed effort for women in our society.

Sincerely,

RAY J. AST,
Administrator.

STATE OF LOUISIANA,
Baton Rouge, La., June 8, 1972.

Hon. PATSY MINK,
Member of House of Representatives,
Washington, D.C.

DEAR HONORABLE MINK: I am interested in studying carefully the Act 14451 Women's Education Act 1972, which you introduced recently to the Congress. The thoughts I am presenting are the results of several years of experience in teaching and also my recent contacts with the employment area as chairman of the Louisiana Commission on the Status of Women.

Are we in position in American society to plan and work for the improvement of education of all people from infancy throughout adult life. There are many areas of common interests to both men and women and some of these are understanding of self and others, management of resources, understanding the principles and applications of learning in informal and formal situations. Many of the common problems in technical and professional education are applicable to our different age levels: economic, social, and ethnic and the special interest groups. Seems that many of these areas are not sex-wise. There are some professional and technical areas that may demand supplementary training for men and women. However, the scientific and technical areas in society are controlling much in the maturation of the American society which may minimize the differences including interest in education needs of the two sexes.

The present need for education research is urgent and demands studies in depth and the results made available for practices and application at an early date. The system of experience statewide Federal control and State development seem to offer a partial answer to experience and research in the areas of behavioral science including psychology, sociology, human development, and cultural anthropology.

Another need many educators have pointed out is certain centers designated for research and assessed the responsibility of experimenting and studying applications out of effective learning procedures both informal and formal. Crying need and means of evaluating and testing techniques in making recommendations to those in the education field for the use of results and application for the improvement of learning situations.

One question which has arisen many times in the education field is grouping children in the pre-school, elementary, and secondary education. The research that has been developed in the early years of a child's life points up the need for infant and toddler laboratories including parent education in these laboratories.

Growing population of community colleges and the responsibilities they are in position to assume should be appraised carefully in terms of economy and the education of youth adults and special training educational programs; should these community colleges be the chief source for continuing education of the American population.

Special study of education needs and training of administrators, counselors, and teachers of students who have special problems, we find in this area the need for teachers and administrators who understand the retarded and slow learners, children with special physical differences, such as hearing and speech programs, for the emotional health of children.

I would like to point out the special need for those individuals beginning with the school population who exhibit special abilities in the creative arts and the need for understanding their needs and their interests.

I shall continue my interest in the provisions of this Bill HR 14451 and will follow the program in the Congress.

Sincerely yours,

Dr. Clara Tucker,
Chairman, Commission on the Status of Women.

Council on Higher Education,
State of Washington, June 6, 1972.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Representative Mink: Thank you so much for sending me a copy of House of Representatives Bill No. 14451 concerning the Women's Education Act of 1972. I feel that the Washington State Women's Council can give complete support to such a bill, and will be happy to write our Congressional delegation if you will notify us as to the hearing dates and also the appropriate time for hearings in the House.

I would be very interested in knowing what you feel the reaction will be to acceptance to such a bill. It seems to me with the fight for rather close federal funds and also state funds these days, that much of the minority concerns and women's concerns are given hearing, but no funds. We are very lucky in this State to have been given an appropriation plus an Executive Director and secretarial assistance for the Women's Council. I will do as you ask in your letter and see that this bill is circulated with the other members of the Washington State Women's Council and to other organizations such as NOW, the various women's commissions at the institutions of higher education, the women's political action group, and any others that come to mind.

The only specific comments that I have regarding the bill have to do with the relationship to the Commissioner for actual distribution of funds. I sometimes feel that when women have to compete for a share of the pie they come out on the short end. Is it possible to have a direct appropriation to such an organization? $15,000 innovative grants for women's educational programs would hardly be a drop in the bucket even though I know they are supplementary to other funds that would be appropriated through the Commissioner. $15,000 would certainly be a help to many groups, however it should be increased if possible.

One other little comment that is just picayune, but something which has received great attention in our State, is that we attempt to use a more neutral term than chair*man* and have gone to talking about chairperson, or members who chair meetings, etc.

Again, I feel this is an excellent idea, and I will wholeheartedly endorse it in the State of Washington and ask for continued review. Please keep us up to date on the progress of the Bill.

Sincerely,

E. Anne Winchester,
Deputy Coordinator, Chairperson of Washington State Women's Council.

Notre Dame College,
Manchester, N.H., May 5, 1972.

Hon. Patsy Mink,
House of Representatives,
Washington, D.C.

Dear Representative Mink: Notre Dame College, a four-year liberal arts college for women, is in full support of H.R. 14451 which you introduced. Legislation such as H.R. 14451 will assist those progressive women's colleges similar to Notre Dame to develop programs which will fully explore and implement innovative educational opportunities for women.

We gratefully encourage and support your efforts.

Sincerely,

Jeannette Vezeau, CSC,
President.

Dear Ms. Mink: Thank you very much for your letter of May 10, with enclosure. I am enormously impressed with your Women's Education Act of 1972 and will, indeed, call the attention of others to its provisions. So far as I can tell from a first reading of it, it is comprehensive and very much on target. I will certainly do what I can to further this worthwhile effort.

Respectfully,

Jessie Bernard.

Texas Woman's University,
Denton, Tex., March 21, 1972.

Hon. Patsy Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: I heard you last Tuesday at Southern Methodist University's Women's Symposium and was particularly interested in your views regarding Women's Studies in colleges and universities. I am a speech professor at Texas Woman's University in Denton, Texas, and have recently been appointed to an ad hoc committee to "study the feasibility" of Women's Studies programs for our school.

It would seem that Texas Woman's University, as the largest woman's university, would be a leader in such programs, but, unfortunately, the opposite is true. The students have begun asking for these courses, but the administration has not recognized any pressing need. I have incorporated a nine week unit on speakers and organizations in the women's movement into a course in contemporary issues and speakers that I teach and a professor in the Sociology Department has done similarly, but no entire courses in Women's Studies have been accepted by the Curriculum Committee.

I would greatly appreciate your aid in getting a few courses in Women's Studies established at this, the largest, university for women. Could you please write, in a letter to me, some of the views you proposed at SMU regarding the relevance and value of courses in women's history, literature, and social movements, and perhaps—in my area of interest—a course about women speakers. I would also appreciate any related suggestions for material or sources concerning a woman's study program for TWU.

Sincerely,

Carolyn Quinn,
Professor of Speech.

Hon. Patsy T. Mink,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Ms. Mink: I appreciate your asking my opinion of your bill because it is a measure I consider long overdue. I have felt for some time a need for a welfare program for training women to be self-supporting. At this point in our society, it is those women who are old enough to have missed the type of childhood socialization we are working towards now that are suffering the most. The plight of welfare mothers is tragic; but so is that of the middle class woman who has invested all of her resources in a husband and family that dissolves. She is caught in the double bind of alimony becoming obsolete and child support responsibility shifting to both parents instead of just to the father—and she is not prepared to contribute at all.

Attached is my list of women who are very interested in ideas such as yours and who may be in a position to offer support.

Sincerely,

Ms. Ellie Goodwin,
Director, Communications Skills Institute.

HON. PAGE BELCHER

(Mr. CAMP asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CAMP. Mr. Speaker, what has risen before you is the eroded remnant of a giant of a man—one who has had the distinction and delight—yea, even the obligation—to labor well nigh a quarter of a century tete-a-tete with the incredible, peerless, formidable, lovable, cantankerous Congressman Page Belcher of Oklahoma.

Well I recall our first encounter when I loomed over him when he first came to Congress. In that very first session, when I imprudently rendered a judgment counter to his, I discovered I quickly lost 3 inches in height due to his remarkably acerbic, rapier, and scalpel-like tongue.

From that day forward I followed that old piece of doggerel in my relations with Page:

> Those who fight
> And run away
> Live to fight
> Another day.

Only by careful adherence to that doctrine have I survived to be here this evening, joining in tribute to one who has become a pillar in Congress, one who has been a mainstay of the Republican Party for all the years I have known him.

Now let us be perfectly frank about Page. After all, he would expect that of us. The simple truth is, it would probably be easier now and then to live with

Gloria Steinem than with PAGE BELCHER, when you get right down to it.

My observation has been that there are two ways to get along with PAGE. One is his way. The other is his way. There is just no other way.

And that is precisely why he is what he has come to be—"PAGE the Incredible."

I have seen this man, during my 10 years in the White House, overcome not one, not two, not five, but a whole procession of obstacles before which lesser men would have quailed. Why, PAGE, even Ezra Taft Benson at the zenith of his imperturbable inflexibility never once even approximated your doggedness, your tenacity, your automatic, absolute insistence on achieving your purpose once your mind is made up.

Now in some people that kind of an attribute is not necessarily a handsome one. You know such a fellow can come to be viewed as dogmatic, or intolerant of other's views, or just plain bullheaded.

Well, to be honest about it, my friends, there have been times that I have thought PAGE was coming just a bit close to some of those things when, no matter what I tried to say, and no matter what the President or anyone else tried to say, he went cheerily careening down the highway of his choice, forcing the rest of us to dodge away for fear of our lives.

But there is a difference here—a really noteworthy difference. Let me put it this way.

Did you ever see a lovable cocklebur? Now some of you would say you have not—but you lie in your teeth when you say that because that is precisely what is with us this evening.•

Yes, PAGE is tough and PAGE is rough, and PAGE is demanding, and he will push around the biggest people in the entire United States without the slightest hesitancy, and virtually always with complete success in what he is trying to do.

But—and here is the big difference—always we have known, we who have been so lucky as to have worked with this gifted man, that his motives always have been gold undefiled. It is party loyalty that motivates PAGE. It is loyalty to our country that motivates PAGE. It is that grand concept of the long-term interest of the American people, the avoidance of the tawdry, the expedient, the short-sighted solutions that control PAGE. And so, a soft-hearted, a good-hearted thistle—a tough man, an able man, a driving man—but, oh, such a good man—that is our PAGE.

I, for one, am so mightily proud to have been able to work with him on many of his major achievements in his congressional years, and as a fellow Oklahoman I glow like a firefly because he is a product of my State.

I guess one of the most enjoyable parts of what I am saying to you is to convey my understanding that he has decided to remain in these environs in which he has been so dominant and so constructive and so admired for so long. I frankly say Washington would be a far lesser place if he and Gladys should leave, and thank God they are staying, for their counsel, judgment and friendship will continue to be sorely needed by us all.

Let me close off with a sidebar comment—Gladys.

I have talked of PAGE being so big and so rough and tough, but, friends, everyone of us has seen him hunker down like the proverbial dog in the hailstorm when Gladys, irresistible Gladys, has turned and said, "Now PAGE." So in saluting you, PAGE, we know full well we are saluting as well your wonderful lady, who I have reason to believe has been your anchor as well as your rudder, and I rather suspect also your engine, all of these years.

I suppose I am the right one to say one thing more, in light of the way this program has shaped out—a simple parting thought.

May the sun be in your face, may the winds be to your back, may all your breezes be fair and balmy, and may the Lord's hand be on your shoulder as you move down the street a piece but carry forward your devotion to this greatest country on earth.

ACCOMPLISHMENTS OF 92D CONGRESS

(Mr. BOGGS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BOGGS. Mr. Speaker, once more it is time to express gratitude to many colleagues in this House and to take an accounting of what we have accomplished during the 92d Congress. Also, it is time to say farewell to more than 50 of our colleagues who will not be returning to these halls for the 93d Congress. There will be a bumper crop of freshmen next year.

The Democratic Party, which controls the Congress, has an outstanding legislative record to take to the people this November. In the next few minutes, I would like to note for Members the great amount of significant legislation enacted during this session. Fuller summaries are provided in a report which is appended as part of my remarks.

In addition, brief summarizing of legislation passed in the first session is noted for Members. Fuller explications are found in my report for that session printed in the CONGRESSIONAL RECORD, volume 117, part 36, page 46179.

In recent years, we passed and sent to the States a proposed Amendment to the Constitution to provide equal rights to all citizens regardless of their gender. After much debate through several years, we authorized enforcement powers to the Equal Employment Opportunity Commission—Public Law 92–261. We extended the life of the Civil Rights Commission (H.R. 12652), thus continuing our commitment to equal opportunity for all Americans regardless of race.

In the first session the House enacted legislation to establish a Consumer Protection Agency (H.R. 10835) but the Senate failed to enact a similar bill (S. 3970). We passed the Consumer Products Safety Act, to establish an independent regulatory commission charged with protecting consumers against unreasonable product hazards. We enacted the Auto Safety Act, to insure the production of safer cars which will require less costly repair work.

During this session we enacted the Education Amendments Act of 1972, authorizing additional funds for many of our Federal aid programs for education.

Mr. Speaker, we have been especially active in passing legislation to improve the environment. If there is one area in which this Congress can take a greater measure of pride than another, it lies here. The American people have awakened to the environmental dangers from abuse and neglect. We in Congress, sharing that awareness and empowered to act to protect the general welfare, have responded with an outpouring of legislation over the past few years. This session we passed the National Environmental Data System Act, to provide for pooling and sharing information on environmental research and techniques to insure a better environment. We enacted a Pesticide Control Act to regulate the production and sale of dangerous pesticides which, while controlling insects, damage human, plant, and animal life. We passed the Federal Water Pollution Control Act Amendments of 1972, to authorize massive funding of water pollution programs already on the statute books. Our waters are choked and dying from pollution. Either we are going to spend the money necessary to reclaim them or we are going to suffer the consequences. The President has threatened to veto this legislation. We passed the Noise Control Act, to supplement efforts to abate noise, which adversely affects people.

We sent to the President the Marine Mammal Protection Act, authorizing a 15-year moratorium on the killing or capturing of water mammals, some of which are threatened with extinction, and we authorized the President to seek a moratorium treaty on the killing of polar bears, also threatened with extinction. We enacted a Federal Animal Damage Control Act, to provide for more selective control of predatory animals. Some of these animals, while troublesome, are threatened with extinction. Man should not blithely upset the balance of nature. We continued to enact legislation setting aside recreational areas in the country, thus insuring for future generations places in which they can enjoy natural wilderness and beauty, or to which they can go to get away from the hubbub of city life.

Mr. Speaker, we took final action on the Federal Election Campaign Act, which regulates expenditures for political advertising and provides for full disclosure of campaign contributions and expenditures.

We have enacted legislation to insure that Americans will have adequate and quality health care available to them. During this session we enacted the National Sickle Cell Anemia Control Act to combat a disease which particularly afflicts black Americans; the National Heart, Blood Vessel, Lung, and Blood Act, to concentrate research on diseases afflicting these parts of the human body; the Communicable Diseases Control Amendment Act to continue programs aimed at controlling the spread of such diseases, including venereal disease; the National Cooley's Anemia Control Act, establishing a program to combat this killer disease which afflicts about 50,000 Americans; the National Advisory Commission on Multiple Sclerosis Act, to promote efforts at devising means for controlling this dreadful crippler and killer; the Emergency Medical Services Act, to support efforts for providing immediate medical care for persons in auto accidents, or suffering heart attacks, or struck by some other medical problem requiring immediate attention if death is not to result; and Vocational Rehabilitation Act amendments, to continue programs aiding those who are handicapped.

The President vetoed congressional efforts to provide temporary public employment for those unemployed. We did, however, receive his approval on other manpower training and regional development bills passed this session including: Continuation of the Manpower Development and Training Act; and the Rural Development Act, authorizing a comprehensive program to improve job opportunity, income, and the quality of life in rural America. The House also passed the Public Works and Economic Development Act Amendment of 1972, extending regional development programs and establishing a public works impact program to provide immediate, useful work to the unemployed and underemployed. This bill was passed by the Senate as we moved toward adjournment with no certain guarantee that it would obtain Presidential approval given the President's adamant opposition to public jobs for the unemployed. All we can say to those unemployed and wishing to work is that Congress has tried but has been met with iron resistance from the White House.

Mr. Speaker, in a historic action Congress approved a revenue-sharing bill which will provide more than $30 billion over a 5-year period to State and local governments to supplement their sorely tested budgets. The President wanted this money to be appropriated without Federal controls, a giveaway to which the Congress wisely refused to accede. For one who preaches fiscal responsibility, it is amusing to find the President requesting Congress to cough up such a large share of Federal revenue to State and local governments with no accounting to the National Government for its use. While it is true that State and local governments need financial assistance, it is not true that we should just hand the money over and show no interest in how it is spent.

We also approved three bills to raise or maintain the public debt ceiling, as the administration continues to operate at a high deficit. The most recent action engendered bitter debate in the Congress because of the President's request that we authorize him a $250 billion spending ceiling.

Some in Congress, including myself, considered this an abrogation of our power over the purse. More than any President in our history, Mr. Nixon has seen fit to ignore congressional directives and to impound funds appropriated by the Congress. His action thwarts the Congress' constitutional authority to control spending.

I would add here that during the First Session we continued the President's authority to control prices and wages. Were it not such a serious matter, his administration's implementation of this authority could provide us with some comic relief from an otherwise grim situation in our country.

The President has, of course, been credited with some spectacular firsts in the field of foreign affairs during 1972. I refer to his trips to Peking and Moscow. He returned from Moscow with an Interim Agreement Between the United States and the Soviet Union on Certain Measures with Respect to the Limitation of Strategic Offensive Arms, that is, missiles. He requested congressional approval of this agreement and we gave it, but only after extensive debate and making it clear that the United States must maintain parity with the Soviet Union in levels of intercontinental strategic forces.

During the first session, the House passed the President's proposal for reforming that welfare program which provides aid to families with dependent children. This program has proven expensive over the years and it tends to perpetuate people on welfare as well as encourage some small amount of cheating. The President's proposal would have guaranteed an adequate income to those families needing welfare and having no adult in the family able to work. On the other hand, it provides for a workfare program for those families with able-bodied adults in them who could work. The Senate declined to authorize the President's proposal and instead authorized a study of it. Conferees dropped the entire matter from the bill when they could not resolve differences.

This bill also provided for changes in social security, medicare, and medicaid programs to make them more workable, financially secure, and helpful to those benefiting from them.

Tied to that bill was a 5-percent increase in social security benefits. This increase was lifted from the bill, increased to 20 percent, and appended to a debt-ceiling increase voted June 30, 1972. The President opposed this needed increase for social security beneficiaries but then tried to grab credit for passage after reluctantly signing the measure into law. This action was typical of his practice of faulting the Congress on the one hand and then claiming credit for our good deeds on the other.

We passed legislation to aid in the development of transportation facilities in this country including: Assistance to the National Rail Passenger Corp.—Amtrak; the Federal-Aid to Highway Act, authorizing completion of the Interstate Highway System; and an anti-hijacking measure to control this business of hijacking planes.

Finally, we passed legislation to aid veterans, particularly Vietnam veterans, and that legislation is summarized in my report.

From the foregoing, it is apparent that we have tried to legislate in the interests of the people. Regrettably, the President has not always agreed with our decisions and has vetoed some significant pieces of legislation. It is no fluke that his vetoes have been directed at legislation which benefits Americans who most need assistance; those on retirement pensions, those in need of health care, those attending schools, those needing training for jobs, those unemployed and underemployed.

I think it is worth a few minutes of your time to listen to the vetoes of the President since he came to office. Members may find it instructive and illuminating. My good friends on the other side of the aisle will cry out that the President's vetoes were in the interest of fiscal responsibility. My rejoinder to that is: "But why deprive those most in need?"

In 1970, the President vetoed the following list of bills:

H.R. 13111, the Labor-HEW Appropriations Act for Fiscal 1970 (sustained), on the grounds that it contained funding which was "excessive in a period of serious inflationary pressures" and pinpointed the following increases as particularly unacceptable: impacted areas' aid, grants for vocational education, funds earmarked for poor children, college construction grants, college student loan funds, and hospital construction grants;

H.R. 11102, Medical Facilities Construction and Modernization Amendments of 1970 (overridden), with the President claiming that the bill would "significantly restrict Presidential options in managing Federal expenditures," (money for Lockheed, yes; for hospital construction, no);

H.R. 16916, Office of Education Appropriation Act for Fiscal 1971 (overridden), on the grounds that to spend for education would exacerbate inflation and that the increases voted by Congress were too excessive;

H.R. 17548, Department of Housing and Urban Development and Independent Offices Appropriations Act for Fiscal 1971 (sustained), for the same old tired reasons noted in earlier veto messages;

S. 3637, the Political Broadcast Spending Act (sustained), on the grounds that it unfairly discriminated against the broadcasting industry in an attempt to curtail campaign expenditures and because of the need to overhaul Federal election campaign regulation law (which we did in passing P.L. 92-225);

S. 3867, Federal Manpower Training and Public Service Employment Act (sustained), a congressionally initiated bill to help those unemployed to find work, on the grounds that "WPA-type jobs are not the answer" (it is more dignifying to get unemployment benefits, apparently);

S. 3418, Family Medical Practices Act (pocket veto), aimed at educating more persons to be doctors in order to relieve a shortage of general practitioners but described by the President as "unnecessary and the wrong approach";

H.R. 17809, Wage Board Pay Increase (no time to attempt to override), on the grounds that to increase wages for these Federal employees was inflationary but, it was not inflationary in an election year as the President signed a similar bill this year (P.L. 92-392);

S. 578, Federal Firefighters Retirement Benefits Act (pocket veto), on the grounds that "there is no demonstrated need for permitting Federal firefighters to retire at an earlier than normal age," but, that was in 1970 and, by 1972, an election year, the President was singing a different tune as he signed this proposal into law (P.L. 92-362);

During this Congress the President has been at it again:

S. 575, Appalachian Regional Development Act Amendments of 1971 (sustained), which again included provisions for giving work to those not employed but which the President considered an ineffective approach to job opportunity and possibly giving rise to false hope (that is, "stay in the unemployment line"; if you can still collect benefits);

H.R. 2600, Increased Retirement Benefits to Totally Disabled D.C. Firemen and Policemen (pocket veto), because it gave unwarranted special benefits to a particular group of retirees and set an unfortunate precedent (*i.e.*, no extra money for the *totally disabled*);

S. 2007, Economic Opportunity Amendments of 1971 (sustained), because it contained "provisions altogether unacceptable to this administration," and particularly because it provided for a child care program he characterized as laudable but fiscally irresponsible, administratively unworkable, and a weakener of the family structure (much talk about the work ethic but no programs to help mothers who might want to work);

H.R. 13918, Authorization of Funds for the Corporation for Public Broadcasting (no attempt to override), because he wanted only a one-year authorization (which was subsequently voted by Congress);

H.R. 15417, Labor-HEW Appropriations Act for Fiscal 1973 (sustained), again because it was purportedly inflationary;

H.R. 15927, Temporary 20 Percent Increase in Railroad Retirement Benefits (overridden), because it would jeopardise the fiscal integrity of the railroad retirement system and hasten its bankruptcy (but Congress intends to see to this problem next year).

These vetoes give us a clear picture of where the President's priorities lie and it is for each Member of the House and each American to determine whether he agrees or disagrees. For my part, I disagree.

Before concluding it is appropriate to express my gratitude to some of the many persons who have assisted in the business before this great House. I begin, of course, with you, Mr. Speaker. We have benefited from your gracious presiding over the House. Through the years it has always been a great pleasure to work with you and we look forward to additional years under your leadership.

To my counterpart on the other side of the aisle, Mr. Gerald R. Ford, my thanks again for his cooperation and pleasant opposition as leader of the minority party.

To my good friend, Thomas "Tip" O'Neill, his deputies and assistant whips, their counterparts on the Republican side, and to the officers of the House I extend a heartfelt thanks. As Members know our great Parliamentarian, Lewis Deschler, retired this year after many years of service to us all. We wish him well in his retirement, which is richly deserved.

I would also like to express my appreciation and gratitude to the following list of people:

Committee chairmen, Members and their staffs.

Donn Anderson, Charlie Melody, Bob Yesh and their staff of pages.

Jack Russ and his pages.

Gil Udell and his staff at the Document Room.

The Doormen.

The staffs of the leadership on both sides of the aisle.

The Official Reporters.

The Legislative Counsel.

The House Physician, Dr. Rufus Pearson and his staff.

Finally, unlike others I could name, I would like to thank rather than curse the members of the press who follow the Congress and report on our activities. We may not always agree with what they say but where would we and the American people be were they not here to record our work.

To all Members, and their families, good luck in the elections and let me be among the first to wish you a Merry Christmas and a Happy New Year.

REPORT ON THE ACCOMPLISHMENTS OF THE SECOND SESSION OF THE 92D CONGRESS SUBMITTED IN BEHALF OF HALE BOGGS, HOUSE MAJORITY LEADER

AGRICULTURE

Mr. Speaker, during the first session the Congress enacted 10 bills concerning the agricultural resources of this Nation.

Three of these laws are designed to improve rural living conditions by making credit available to farmers and farm organizations. Public Law 92-133 permanently extends the authority to insure loans under the Consolidated Farmers Home Administration Act of 1961. Public Law 92-173 authorized the Secretary of Agriculture to make insured emergency loans of the type previously authorized to be made as direct loans under subtitle C of the Consolidated Farmers Home Administration Act of 1961. Public Law 92-181 provided further for the farmer-owned cooperative system through which credit is made available to farmers and ranchers. It also extended the operations of the cooperative system to provide for housing loans to rural residents and for loans to others providing services upon which farming operations are dependent, in order to provide a modernized system to meet current and future rural credit needs. This act is part of a broad rural development program which aims at encouraging farm families to stay in rural areas and urban citizens to move to rural areas.

Five of the bills enacted in the first session are aimed at improving the market and establishing quotas for specific crops. Public Law 92-42 is designed to expand agricultural exports by removing the restrictions on foreign market promotion activities for domestic wine. Public Law 92-120 added California peaches to the list of commodities for which paid advertising provisions may be included in marketing orders under the Agricultural Adjustment Act.

Public Law 92-138, extended the Sugar Act of 1948 for 3 years and adjusted the production quotas for foreign and domestic producers. Public Law 92-62 amended the Agricultural Adjustment Act to set new criteria for apportionment of acreage allotments among new peanut farmers. Public Law 92-144 permitted the transfer across county lines, in the same State, of Virginia fire-cured tobacco type 21 and Virginia sun-cured tobacco type 37 allotments, which previously could be transferred only from one farm to another in the same county. Public Law 92-1 extended the time for the proclamation of marketing quotas for burley tobacco for the 3 years beginning October 1, 1971. Public Law 92-10 authorized poundage quotas in lieu of acreage allotments for burley tobacco and the lease and transfer of burley tobacco allotments within counties.

In order to protect the health of the livestock on American farms, Congress enacted Public Law 92-152, which expands the authority of the Secretary of Agriculture to cooperate with countries in the Western Hemisphere to prevent or retard all communicable diseases of animals.

The Congress also enacted Public Law 92-82, which is designed to ease the pressure on State and local law enforcement agencies and assure the safety of the millions of citizens who enjoy the resources of our national forest and recreational lands by authorizing the Secretary of Agriculture to cooperate with any State or political subdivision in the enforcement of local laws on national forest land.

Eight additional laws were enacted during the second session.

PERISHABLE AGRICULTURAL COMMODITIES ACT AMENDMENTS (S. 1838, PUBLIC LAW 92-231)

Public Law 92-231 is designed to speed the handling of reparation complaints and to reduce the cost of such actions, both to the parties involved and to the Government. It requires that an opportunity for a hearing be provided in a reparation proceeding only if the amount claimed exceeds $3,000—instead of the $1,500 limit under previous legislation—and provides for the assessment of reasonable fees and expenses incurred in connection with the hearing in favor of the prevailing party if the losing party is a commission merchant, dealer, or broker.

POTATO MARKETING ORDERS (S. 2872, PUBLIC LAW 92-233)

Public Law 92-233 amended the Agricultural Adjustment Act to make permanent an existing provision exempting all potatoes for processing from marketing orders. Because potato products are marketed nationally, the competitive disadvantages accorded processors located in order areas and subject to such orders is such as to require exemption of all potatoes for processing.

COTTON CROP REPORTS (S. 3104, PUBLIC LAW 92-331)

Public Law 92-331, amends existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports. This will enable the Department of Agriculture to include cotton in the National and State releases with other crops, rather than issuing separate reports for cotton.

COOPERATIVE FORESTRY PROGRAMS (H.R. 8817, PUBLIC LAW 92-288)

Public Law 92-288 strengthens and updates the Nation's forestry programs. It amends the Cooperative Forest Act to extend its coverage to the protection, improvement, and establishment of trees and shrubs in urban areas, communities, and open spaces, and to all wood processors—rather than "processors of primary forest products" as in the past. This amendment will enable the Department of Agriculture to extend its technical advice and services to the owners of the 317 million acres of private, nonindustrial forest land throughout the country and to urban and suburban areas trying to preserve wooded regions and green belts. The appropriation authorization for this program is increased from $5 to $20 million. It increases the appropriation authorization for sections 1, 2, and 3 of the Clark-McNary Act of June 7, 1924, from $20 to $40 million. This legislation provides for cooperation with the States in forest fire prevention and suppression, and the increased authorization will enable the Federal Government to expand its efforts to protect our valuable forest lands from the terrible destruction wrought by forest fires.

NATIONAL FOREST VOLUNTEERS (S. 1979, PUBLIC LAW 92–300)

The National Forest Volunteers Act (Public Law 92–300) authorizes the Secretary of Agriculture to establish volunteers for the national forest program similar to the already existing volunteers for the national park program. The duties of the volunteers could include providing special information services to visitors, assisting at historical and special events, increasing the availability of interpretive programs, providing special skills, writing brochures, and working on or teaching special projects. This program offers a fine opportunity to the many people who would like to spend more time in national forests, and encourage individual participation in the effort to improve the Nation's environment.

EMINENT DOMAIN POOL ALLOTMENTS (S. 1545, PUBLIC LAW 92–354)

Public Law 92–354 repeals an existing provision of law which requires that allotments established from the eminent domain pool be "comparable with allotments determined for other farms in the same area." It applies to allotments for extra-long staple cotton, peanuts, rice, and tobacco, farm base acreage allotments for upland cotton, and domestic allotments for wheat.

FEDERAL CROP INSURANCE FOR FARMERS UNDER AGE 21 (S. 1139, PUBLIC LAW 92–357)

Public Law 92–357 permits participation in the Federal crop insurance program by eligible farmers who have reached the age of 18 years. It reflects the Congress' feeling that young farmers should have the opportunity to participate in the benefits and assume the responsibilities of Federal crop insurance, particularly in light of their right to vote.

PEAR MARKETING ORDERS (H.R. 14015, PUBLIC LAW 92–466)

The purpose of H.R. 14015 is to authorize marketing orders for pears for canning and freezing; to authorize any form of marketing promotion including paid advertising for pears; to require a favorable vote of two-thirds of the growers voting or two-thirds of the volume voted in each State of the production area, for issuance of an order applicable to pears for canning or freezing; to require that processor and producer representation on any agency selected to administer such an order shall be equal; and to require that at least a majority of each State's representatives on such agency concur in any recommendation for proposed regulation. On September 25, 1972, the Senate pased this bill without amendments, and cleared it for the White House.

CIVIL RIGHTS

In the first session of the 92d Congress, on September 14, 1971, the House passed H.R. 234, a bill which repeals the Emergency Detention Act—title II of the Internal Security Act of 1950—and which prohibits detention by the Federal Government of any citizen except pursuant to an act of Congress. The Senate subsequently passed the bill without amendment, and H.R. 234 became Public Law 92–128.

Additional legislation has been enacted during the second session.

EQUAL RIGHTS AMENDMENT (H.J. RES. 208)

A proposed equal rights amendment to the U.S. Constitution passed the Congress in March 1972. The amendment provides:

> Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.
>
> The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.
>
> This amendment shall take effect two years after the date of ratification.

The measure was passed by the House of Representatives on October 12, 1971, and by the Senate on March 22, 1972. A version of the equal rights amendment had been introduced in nearly every Congress since 1923. Under the amendment, men and women would share equally, under the law, the rights and responsibilities of American citizenship. The Amendment must be ratified by three-fourths—38—of the States. To date, 21 States have ratified the equal rights amendment.

ADDITIONAL AUTHORITY FOR THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (H.R. 1746; PUBLIC LAW 92–261)

When Congress established the U.S. Equal Employment Opportunity Commission by title VII of the 1964 Civil Rights Act it authorized the EEOC to enforce nondiscrimination in employment by conciliation and persuasion alone. In the first session of the 92d Congress, on September 16, 1971, the House passed H.R. 1746, a bill which authorized the EEOC to seek enforcement of equal employment opportunity through the Federal courts. In the second session, on February 22, 1972, the Senate passed a substitute amendment to H.R. 1746 which likewise provided for judicial enforcement by the EEOC but which was in other provisions different from the House-passed bill. On March 6 the Senate agreed to the bill amended by the conference committee, and on March 8 the House agreed to the same bill. With the President's signature, H.R. 1746 became Public Law 92–261. Public Law 92–261 amends title VII in the following ways:

First, it provides that employers with 15 or more employees and labor unions with 15 or more members, instead of those with 25 employees or members as heretofore, shall be subject to title VII 1 year after enactment; it extends coverage also to State and local employees except to State and local elected officials, and to their personal staff members and policymaking appointees; and it extends coverage as well to teachers except those in religious schools.

Second, it gives the EEOC authority to prosecute a case in a Federal district court on behalf of a person who has suffered employment discrimination if it cannot correct the situation by conciliation. If the case involves a State or local government employee it is the U.S. Attorney General rather than the EEOC who must go to court.

If the EEOC dismisses his charge or does not bring about a conciliation agreement acceptable to the complainant, or if the EEOC, in the case of a State or local government employee, the Attorney General, does not take his case to court within 180 days after he filed his complaint or within 180 days after a required period of reference to a State or local fair employment practices commission, the complainant himself may file a civil action.

Third, Public Law 92–261 gives to the EEOC 2 years after enactment the right to bring an action in a Federal district court against any pattern or practice of employment discrimination. This pattern-or-practice authority was vested in the Justice Department by the 1964 Civil Rights Act.

Fourth, it authorizes the EEOC to use the same investigatory power as the NLRB.

Fifth, it establishes the Equal Employment Opportunity Coordinating Council with membership consisting of the Secretary of Labor, the Chairman of the EEOC, the Attorney General, the Chairman of the Civil Service Commission and the Chairman of the Civil Rights Commission. The purpose of the Council is to make Federal departments and agencies work toward equal employment opportunity.

Sixth, Public Law 92–261 forbids discrimination on account of race, color, religion, sex, or national origin in the Federal service and gives the Civil Service Commission overall responsibility for promoting equal opportunity among Federal employees and authority to review actions taken by departments and agencies on complaints. It gives any Federal employee the right to take his case to court within 30 days after his department or agency has made a decision regarding his complaint of discrimination or within 30 days after the Civil Service Commission has made a decision on his appeal. He may also go to court if his department or agency or the Civil Service Commission delays making a decision on his complaint or on his appeal more than 180 days.

Seventh, Public Law 92–261 forbids any Federal contracting agency to deny or terminate a contract for noncompliance with equal employment opportunity requirements without a full hearing and adjudication if the contractor has satis-

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fied Federal requirements in the same plant within the previous year.

EXTENSION OF THE CIVIL RIGHTS COMMISSION AND ADDITION TO ITS JURISDICTION (H.R. 12652)

The U.S. Civil Rights Commission has rendered invaluable service to the President and to Congress by investigating complaints of denials of civil rights, by studying widespread denials of equal protection of the laws, and by reviewing the effectiveness of laws and policies of the U.S. Government with respect to equal protection of the laws. Under its present statute the Commission is to expire on January 31, 1973. In the second session of the 92d Congress, on May 1, 1972, the House passed H.R. 12652 to extend the Commission for 5 years, until June 30, 1978. Until now the Commission's jurisdiction has covered denials of civil rights on account of race, color, religion, or national origin, or in the administration of justice. Its jurisdiction has not included discrimination because of sex. At the same time Federal law and policy seek to eliminate unfair treatment on account of sex in various areas—in employment, for example. In order to make the Commission's jurisdiction coincide with Federal efforts to insure equal protection of the laws H.R. 12652 extends the Commission's jurisdiction to cover sex discrimination. In addition, the bill provides that members of the Commission be paid at the rate for executive level IV for each day they work, that consultants to the Commission be paid on a daily basis at the highest rate for GS–15, and that witnesses before the Commission be paid the same fees and mileage as witnesses in the Federal courts. The authorized ceiling on annual appropriations for the Commission is now set at $4 million. H.R. 12652 raises this ceiling to $5.5 million for fiscal year 1973 and to $7 million for each fiscal year after that.

NONDISCRIMINATION IN FEDERAL JURY SELECTION (H.R. 2589, PUBLIC LAW 92–437)

The 90th Congress passed the Jury Selection and Service Act of 1968 to assure nondiscrimination on account of race or economic status in the selection of Federal jurors. This act left a person free to decide whether or not to give information about his race and occupation in filling out the Federal juror qualification form. The consequence of leaving this optional is that these forms may not provide the information needed to make sure that Federal juries represent a cross section of the population. Public Law 92–437, passed this Congress, requires pro futura that questions of race and occupation be answered in filling out juror forms.

COMMERCE AND INDUSTRY

Mr. Speaker, during the first session the Congress enacted Public Law 92–16 concerned with improving and expanding the service capabilities of the Small Business Administration. This legislation provided for increasing by $900 million—from $2.2 to $3.1 billion—the amount of loans, guarantees and other obligations or commitments which may be outstanding at any one time from the business loan and investment fund of the Small Business Administration.

During the second session the House reaffirmed the concern of Congress to further expand and improve the service potentials of the Small Business Administration—SBA. Several initiatives in the House resulted from the overall effort of Congress to provide greater SBA funding and improved programs related to SBA's role in aiding victims of natural disasters. The California earthquake and the flood havoc of tropical storm Agnes provided new challenges for SBA disaster relief programs and Congress responded vigorously in adding effectiveness to SBA's potential assistance to disaster victims. The House also took initiatives related to the domestic and international commercial economies.

SMALL BUSINESS ACT AMENDMENTS

(H.R. 10792, PUBLIC LAW 92–320; H.R. 15692, PUBLIC LAW 92–385)

Public Law 92–320 recognized the need for higher funding and loan ceilings in various SBA programs to meet disaster related emergencies while in approving Public Law 92–385 we continued congressional efforts to reduce the numerous bureaucratic paperwork delays often associated with disaster relief to small businessmen. Public Law 92–385, which became law in August 1972, amends the Small Business Act to provide for additional loan assistance at a reduced interest rate for disaster victims. In addition, this legislation requires the President to conduct a thorough review of disaster relief legislation and submit to Congress, not later than January 1, 1973, a report containing specific legislative proposals for the comprehensive revision of the disaster relief programs of the Federal Government. The law further prescribes that these recommendations be directed toward improving the execution of the Federal Government's disaster relief programs by eliminating unnecessary administrative procedures, reducing the number of Federal agencies involved in disaster relief, and increasing agency authority where necessary.

SMALL BUSINESS INVESTMENT ACT (S. 3337, H.R. 16732, PUBLIC LAW 92–)

The Small Business Investment Act of 1972 was approved by the Senate September 13, and by the House October 11. This legislation amends the Small Business Investment Act to give statutory recognition to new types of small business investment companies which are established for the sole purpose of assisting members of minority races and other persons whose participation in our free-enterprise economy has been hampered by social or economic disadvantages.

S. 3337 authorizes loans for small businesses owned by "disadvantaged" persons. Increased assistance is also authorized for all small business investment companies. Such assistance can help small businesses everywhere to get off the ground.

The legislation will help stimulate the private sector to invest more heavily in promising business situations where minority individuals undertake the tribulations of running a business but lack adequate access to capital to get the business successfully operating or expanded to its full potential.

COUNCIL ON INTERNATIONAL ECONOMIC POLICY (H.R. 15989, S. 3726, PUBLIC LAW 92–412)

Supporting the concern of Congress for a coordinated international economic policy in the Federal Government we passed Public Law 92–412 to create in the Executive Office of the President a Council on International Economic Policy. The Council will be responsible for assisting and advising the President in the annual preparation of a report entitled "The International Economic Report." The report is to be submitted to Congress not later than 60 days after the beginning of each regular session. The Council has a staff headed by an Executive Director appointed by the President. The Director is mandated by this legislation to keep various pertinent committees of the House and Senate "fully and currently informed regarding the activities of the Council." The legislation authorizes to be appropriated $1.4 million for fiscal 1973 for the establishment and initial operations of the Council.

CORPORATION FOR PUBLIC BROADCASTING AUTHORIZATION

(S. 3824, PUBLIC LAW 92–411)

In late June Congress sent H.R. 13918 to the President, authorizing $65 million for fiscal 1973 and $90 million for fiscal 1974 for the Corporation for Public Broadcasting—CPB. On June 30 the President vetoed H.R. 13918 because, according to his veto message, the funding authorization amounts were "unwarranted in light of the serious questions yet unanswered by our brief experience with public broadcasting."

In August the House agreed to a bill (S. 3824) providing for a 1-year—fiscal 1973—funding authorization of $65 million. The bill became law—Public Law 92–411—on August 29.

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT

(S. 3524, H.R. 14384, PUBLIC LAW 92–)

A 5-year extension of the Commercial Fisheries Research and Development Act was approved by the Senate August 11 and by the House October 11. This program, which provides Federal aid for fishery research and development projects, was due to expire June 30, 1973. The existing program has been funded for 7 years and has achieved substantial results benefiting every State in the Union. All the States and the territories have received Federal funds through this program. S. 3524 also increases the amount of funds authorized to be appropriated for fishery resources development in time of disaster.

CONSUMER AFFAIRS

Mr. Speaker, though Congress took no final action the first session, the House did pass the Consumer Protection Act of 1971 (H.R. 10835) designed to provide within the Government representation and protection of consumer interests.

Legislation has cleared Congress this session and is summarized here for the benefit of Members.

CONSUMER PRODUCT SAFETY ACT (S. 3419, H.R. 15003)

One of the most important pieces of consumer-oriented legislation to come to a vote in Congress was the Consumer

Product Act (S. 3419) designed to expand the Federal role in protecting consumers against unreasonable product hazards. It creates an independent regulatory Commission charged with protecting consumers against unreasonable product hazards; it transfers to the Commission functions under several existing product safety laws; and it vests in the Commission new, comprehensive authority to set mandatory safety standards for a full range of consumer products. The original Senate bill (S. 3419) and the amended House version were in conference until late in the session.

The Congress in 1967 established the National Commission on Product Safety to study the scope and adequacy of existing measures regulating product safety. The Commission found that existing product safety laws regulated only a small proportion of the products produced for consumers and that authority provided by these laws was scattered among approximately 30 Federal organizations. In its final report in 1970, the Commission recommended the enactment of a comprehensive product safety law covering the full range of consumer products and the creation of an independent agency to devise and enforce standards for these products.

This bill creates an independent Consumer Product Safety Commission with five members appointed for 7-year terms. It transfers to the Commission functions under three existing product safety laws—the Hazardous Substances Act; the Poison Prevention Packaging Act of 1970; and the Flammable Fabrics Act.

The Commission is authorized to collect and disseminate information on inquiries related to consumer products; to establish mandatory safety standards where necessary to prevent or reduce unreasonable product hazards or, where such standards are not feasible, to ban the product from the marketplace; to obtain equitable relief in the courts to protect the public from products which pose imminent hazards to health and safety; and to administratively order the notification and remedy of products which fail to comply with the commission's safety rules or which contain safety-related defects.

S. 3419 also provides a system of product certification and permits the Commission to compel inclusion of certain safety-related information in product labels. The Commission is given broad inspection and recordkeeping powers. Enforcement may be obtained through court injunctive process or through imposition of criminal and civil penalties. Consumer suits are permitted to compel compliance with safety rules and certain commission orders.

The commission is prohibited from regulating the following consumer products; tobacco and tobacco products; motor vehicles or motor vehicle equipment; economic poisons; drugs, devices or cosmetics; food; and articles subject to tax under section 4181 of the Internal Revenue Code. In addition, its authority does not extend to product hazards which could be prevented or reduced to sufficient extent under the Occupational Safety and Health Act of 1970, the Act of August 2, 1956, the Atomic Energy Act of 1954, or the Clean Air Act.

MOTOR VEHICLE INFORMATION AND COST SAVING ACT

(S. 976, H.R. 11627)

S. 976 cleared Congress late in the Session. It establishes a Federal policy to make automobiles safer and less costly to repair. This is to be accomplished primarily: First, by establishing new bumper standards which would reduce the damage to vehicles in low speed collisions; and second, by encouraging competition among manufacturers to produce vehicles which are more resistant to damage, safer and less costly to repair.

Title I directs the Secretary of Transportation to adopt Federal bumper standards which will substantially reduce front and/or rear end damage to vehicles in low speed collisions. This authority would supplement the Secretary's existing powers under the National Traffic and Motor Vehicle Safety Act of 1966 to establish motor vehicle safety standards. In arriving at appropriate bumper standards, the Secretary is required to take into account the cost of implementing the standard compared to benefits; considerations of health and safety; the effect of the standard on insurance costs and legal fees; and the savings in terms of consumer's time and inconvenience.

Title II directs the Secretary of Transportation to conduct a study of methods for comparing automobiles on the basis of susceptibility to damage, crash worthiness, and ease of diagnosis and repair. Upon completion of the study, the information is to be disseminated to consumers. It is assumed that if consumers can compare the true costs and risks of owning different makes of automobiles, manufacturers will compete to produce vehicles less susceptible to damage and more easily repaired.

Title III directs the Secretary to establish demonstration projects to determine the feasibility of using diagnostic procedures to test for compliance with safety and emission standards.

Title IV is the Federal odometer law, designed to curb the practice of odometer tampering. Consumers commonly rely on the odometer reading as a measure of the vehicle's condition and fair value. It has become a widespread practice for unscrupulous dealers to disconnect or reset odometers in order to deceive prospective purchasers.

CONSUMER PROTECTION ACT OF 1971

(H.R. 10835, S. 3970)

In the first session, the House passed the Consumer Protection Act of 1971 providing extensive coverage for American consumers through representation and protection for consumer interests. The Senate considered a similar measure, the Consumer Protection Organization Act of 1972 (S. 3970) but could not come to a resolution despite three cloture votes. Major differences between the two bills were that the House-passed measure would have permitted the Consumer Protection Agency to intervene only in formal agency proceedings; prohibited the Agency from intervening in State and local proceedings; and did not provide for planning and program grants to the States.

The House consumer legislation authorized programs of consumer education and information; procedures for handling consumer complaints and making those complaints available to the public; a limited amount of product testing in connection with the consumer representation and safety functions and the dissemination of test results; and studies of household product safety. All Federal agencies would have been required in taking actions within their responsibility to give consideration to the interests of consumers. H.R. 10835 contained provisions prohibiting the disclosure of trade secrets and other confidential information, and requirements for fair and equitable procedures in implementing the objectives of the measure.

Title I established within the Executive Office of the President an Office of Consumer Affairs, with a Director and Deputy Director appointed by the President and confirmed by the Senate. The Office would have been delegated the responsibility for aiding the President in coordinating Federal programs affecting consumers, assuring that consumers' interests were observed in setting policy and operating programs, making recommendations to the President and Congress on improvement in consumer programs, investigating consumer problems not being dealt with by other Federal agencies, aiding consumer education and counseling programs, aiding research on consumer matters, providing technical assistance to State and local governments on consumer matters, working with private enterprise in the promotion and protection of consumer interests and publishing a consumer register or other publication in nontechnical language.

Title II created a Consumer Protection Agency with an Administrator and a Deputy Administrator appointed by the President and confirmed by the Senate. The Agency would have been authorized to represent consumers in formal proceedings conducted by other Federal agencies and in certain court suits. It would have been empowered also to intervene as a party in or institute a court review of a proceeding by another Federal agency in which it participated. The Administrator could have requested another Federal agency to initiate a proceeding or take an action in the interest of consumers. The Agency would have been required to encourage and support testing of consumer products by other Federal or non-Federal agencies and to study a system of tagging products to inform consumers of pertinent information.

FLAMMABLE FABRICS ACT FUNDS (H.R. 5066, PUBLIC LAW 92–)

Authorizations for the Flammable Fabrics Act of 1953 were approved by the House April 28, 1971, and by the Senate June 16, and again June 19, 1972. For fiscal year 1973 a sum of $4 million was authorized. The 1953 act authorized the Secretary of Commerce to set Federal standards to reduce the flammability of fabrics for wearing apparel and certain household articles such as curtains, upholstery, and bedding. The Senate included an amendment encovering children's sleepwear under the act.

DISTRICT OF COLUMBIA

Mr. Speaker, during the first session the Congress enacted three major bills to foster or continue economic development and municipal government reform in the District of Columbia. The first of these, Public Law 92-196, the District of Columbia's revenue bill, authorized a Federal payment to the District of $173 million. This authorization represented, at that time, the most generous Federal payment to the District government's budget ever voted by the Congress, exceeding that of the preceding fiscal year by $47 million. The District of Columbia Revenue Act also authorized continued funding of Washington's Metro mass transit system. The second, Public Law 92-25, demonstrated the continued desire of Congress to provide the District of Columbia with an efficient, effective, and responsive municipal government. This law extended the operational life of the Commission on the Organization of the Government of the District of Columbia—established by the 91st Congress. The Commission's recommendations for improving the organization and operation of the District government were made available to the Congress in a special report (H. Doc. No. 92-317). The third was the much praised progressive electoral reform bill for the District of Columbia: Public Law 92-220.

During the second session the Congress continued to execute its constitutional and statutory responsibilities for the Nation's Capital. The second session we passed major bills related to the government, economic health, public safety, and general welfare of the District of Columbia.

DISTRICT OF COLUMBIA BUDGET (H.R. 12529, PUBLIC LAW 92-344)

Acting expeditiously, we approved the fiscal 1973 District of Columbia Appropriations Act (H.R. 15259). Public Law 92-344 provided for a record Federal payment of $185.5 million. This direct congressional appropriation represents over 20 percent of the revenues to be realized in the District of Columbia budget for fiscal 1973. In recent years the House has supported a trend favoring increased Federal payments to the District of Columbia budget.

WASHINGTON METRO TRANSIT BOND GUARANTEE (H.R. 15507, PUBLIC LAW 92349)

Congress also approved H.R. 15507, guaranteeing the principal and interest on bonds issued by the Washington Metropolitan Area Transit Authority. Public Law 92-349 also increases the direct congressional funding authorization for Metro from $216 to $270 million. The value of the bonds ultimately guaranteed by this law could approach $1 billion.

Public Law 92-349 insures the continued development of Washington's Metro mass rapid transit system. This action reaffirms our hope that a large part of the Metro subway system will be operating in downtown Washington in time to convey the massive influx of visitors expected in the Capital for the 1976 bicentennial celebration of the Nation's birth.

METRO BUS SYSTEM ACQUISITION ACT (S. 4062, PUBLIC LAW 92—)

In approving S. 4062 Congress continued to demonstrate concern for providing the Greater Metropolitan Washington Area with the most advanced integrated public transit system in the Nation. This legislation authorizes the Washington Metropolitan Transit Authority—Metro—to enter into negotiations to acquire various bus systems in the District of Columbia and adjacent suburbs. Final congressional action assures the residents of the Greater Washington Area, as well as the millions of annual visitors to the Nation's Capital, access to improved public transportation at reasonable fares.

DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT (H.R. 15580, PUBLIC LAW 92-410)

We passed H.R. 15580, to increase District police and firemen's salaries. Public Law 92-410 raises policemen's salaries to $10,000 for a rookie. Congress has thus assured that the District of Columbia will continue to attract experienced men of high educational attainment. The salary increases also assure the continued high levels of morale and motivation demonstrated by the Metropolitan Police and Fire Departments in recent years.

DISTRICT OF COLUMBIA TEACHERS SALARY ACT (H.R. 15965, PUBLIC LAW 92-)

Public education in the District of Columbia received continued support with approval of H.R. 15965. This legislation provides District teachers and school administrators salary increases averaging 10 percent over a 2-year period. This pay increase will enable the District of Columbia school system to attract and hold fully competent personnel.

EISENHOWER MEMORIAL BICENTENNIAL CIVIC CENTER ACT (S. 3943, H.R. 16645, PUBLIC LAW 92-)

S. 3943 (H.R. 16645) authorizes the construction in downtown Washington of the Dwight D. Eisenhower Memorial Civic Center. It authorizes $14 million in Federal funds for property acquisition and initial construction costs. The center will bring renewed vitality to Washington's faltering convention industry, contribute significantly to city revenues, and create approximately 4,000 new jobs for residents of the District of Columbia. It is to be completed in time for the bicentennial celebration in 1976.

DISTRICT OF COLUMBIA POLICE PERSONNEL RECORDS DISCLOSURE AND COUNCIL MEMBERS COMPENSATION ACT (H.R. 11773, PUBLIC LAW 92-)

The House approved and sent to the Senate H.R. 11773. This legislation helps to protect District of Columbia police officers, members and their families from potential harassment or severe acts of revenge. The act excludes from public disclosure the home address and telephone number of all District police personnel.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (H.R. 10751)

On October 14, the House passed H.R. 10751 to establish the Pennsylvania Avenue Bicentennial Development Corporation and to provide for the preparation and carrying out of a development plan for certain areas between the White House and Capitol in furtherance of the purposes for which the Pennsylvania Avenue Historic Site was designated.

H.R. 10751 creates a public corporation which would be governed by 15 member board of directors. It establishes a seven member advisory board composed of tenants and owners of real property located within the development area. The corporation will prepare a development plan for the area and submit the plan to the Secretary of the Interior. If the plan is approved, it will be transmitted to Congress for approval. Authorizations of $1 million are appropriated for plan development.

EDUCATION

The Education Amendments Act of 1972 (Public Law 92-318), passed by the House during the first session, has been described as the most significant advance in Federal support for higher education since passage of the Land Grant College Act over a century ago. This act includes new programs of direct aid to financially unstable institutions and grants to students from both low and middle income families.

The Child Nutrition Act of 1972 (H.R. 14896), amending the National School Lunch Act in order to expand and strengthen child nutrition programs extends the nonschool food programs and school breakfast programs for 3 years and puts Federal funding of the school lunch and school breakfast programs on a more stable basis.

EDUCATION AMENDMENT ACTS OF 1972 (S. 659, PUBLIC LAW 92-318)

The Education Amendments Act of 1972 authorizes $18.5 billion in Federal aid for post-secondary education over a 3-year period in extending present higher education programs and creating new ones. Included are programs to provide approximately $1 billion annually in general aid to colleges and universities and to provide basic grants to needy students. Also included is an amendment related to busing and school desegregation.

Title I provides a 3-year extension of existing student aid programs; establishes a new program which entitles each college or university student to $1,400 a year, minus what his family can be expected to contribute; and creates a National Student Loan Marketing Association to buy, sell, and warehouse guaranteed student loans, and thereby stimulate new capital for such loans.

In title X, in the area of institutional aid, the act authorizes: $1 billion annually in direct aid to public and private institutions; $40 million annually in emergency grants to institutions in severe financial distress; and grants to institutions in the amount of $300 per veteran enrolled and an additional $150 for each veteran participating in a special remedial veterans program.

The act prohibits, in title IX, sex discrimination in all federally assisted education programs, except for undergraduate admission to private institutions, public institutions with a traditional policy of admitting only students of one sex, and military academies. It authorizes the Attorney General to bring suit in sex discrimination cases and extends coverage of the Equal Pay Act to executive, administrative, and professional employees.

Title II of the Education Amendments Act of 1972 also authorizes appropriations of $850 million for a 3-year program to help the States design, establish and operate post-secondary occupational education programs. It creates, in title III, a National Institute of Education within the Department of Health, Education, and Welfare to support, conduct and disseminate the products of research at all levels of education, and authorizes appropriations of $550 million for a 3-year period. It authorizes, in title IV, appropriations of $95 million over 3 years in grants to local education agencies for programs to help meet the special educational needs of Indian children.

EQUAL EDUCATIONAL OPPORTUNITIES ACT (H.R. 13915)

On August 18, 1972, the House passed the Equal Educational Opportunities Act, H.R. 13915. This bill redirects $500 million in emergency school aid funds and places limitations and prohibitions on the use of busing and other remedies for school segregation. The Senate did not act on the bill.

CHILD NUTRITION ACT OF 1972 (H.R. 14896, PUBLIC LAW 92-433)

The Child Nutrition Act of 1972 amends the National School Lunch Act to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers. It contains other provisions for expanding and strengthening the child nutrition programs.

It extends the summer nonschool food assistance program for children through fiscal 1975, and increases the annual appropriation authorization from $32 million to "such sums as are necessary"; authorizes the use of $25 million of Section 32 funds during the period May 15, to September 15, 1972, for the summer nonschool food programs; extends the school breakfast program through fiscal year 1975; and authorizes the use of section 32 funds to reimburse schools at the rate of 8 cents per meal in each State in fiscal 1973. In addition, the act establishes new eligibility requirements, providing free lunches for all children below the Federal poverty level and making it possible for children from families with incomes up to 50 percent above the poverty level to receive reduced price lunches; authorizes $40 million for food equipment assistance for fiscal years 1973–75; recinds the statutory authority of the USDA to regulate the sale of food items in competition with programs authorized under the Child Nutrition Act and the National School Lunch Act, leaving the decision on such matters to State and local authorities; provides for Federal "performance funding" of the school breakfast programs and the school lunch program; and provides for advance payments for the school lunch and school breakfast programs. Finally, the act authorizes a special 2-year pilot program of assistance to State health agencies for special nutritional projects which would make available supplemental food to pregnant and lactating women and to infants up to age 4 who are a nutritional risk.

ENVIRONMENT AND NATURAL RESOURCES

Among the major issues facing this Nation in the years ahead is how adequately and effectively we will use our resources to meet the environmental needs of our society and of our people. The nature of environmental problems dictates that the solutions be based on scientifically determined standards. Goals for acceptable levels of air or water quality, for example, must be so expressed as to satisfy both equity and the requirement of policy in terms of health, welfare, and esthetics.

Our Nation, as an industrial leader, must take the initiative in finding ways to heal the damages to our environment from inadequate planning and protection of the past. We must devise policies that take full account of the impact of technological development on the environment, and we must continue to provide the programs and the funds necessary to eliminate environmental pollution. We have made considerable progress, but much remains to be done.

We have authorized and established standards for air and water quality and enforcement controls to assure that they are met. We have made substantial advances in the field of water quality by establishing nationwide standards for pure water and providing money to local areas to help them achieve these standards. We have required environmental impact statements to assess the effect of major Federal actions. We have authorized research programs to facilitate the recycling of solid waste and to develop efficient sources of clean energy. We have taken steps to conserve some of our most precious natural scenery and wildlife. Wilderness areas and wild and scenic rivers are being set aside for preservation in their natural states. We have restricted the use of poisons to protect the environment.

Mr. Speaker, during the first session of the 92d Congress, we enacted 12 bills of major importance to protect and preserve our environment. Public Law 92–60 authorized a continuation of the saline water conversion program, a program that has proven quite useful in converting sea water into usable water. The Interior Secretary was directed by Public Law 92–60 to continue programs of research, development, and demonstration of processes for the conversion of chemically contaminated water for beneficial use. Public Law 92–27 amended the Water Resources Planning Act by increasing the authorization ceiling on annual appropriations to $1,500,000 for the administrative expenses of the Council on Water Resources. The Council has responsibility to assess the Nation's water resources, review, and establish standards and procedures for Federal water resource development, and review comprehensive river basin plans.

Public Law 92–175, the Water Resources Research Institutes Act, increased the authorization for water resources research institutions and made a number of improvements in the act to foster more effective and efficient program administration. Public Law 92–50 extended the Federal Water Pollution Control Act through September 30, 1971. A second extension was approved by Congress in September in Public Law 92–137, which moved the date to October 30, 1971. A third extension in the first session was passed in the House in October and the Senate in November. The date this time was extended to January 31, 1972.

Public Law 92–125 established a National Advisory Committee on the Oceans and Atmosphere and authorized the Commission to develop background information and recommend water resources programs. Public Law 92–159 provided prohibitions and penalties for the hunting and shooting of animals, fish, and other wildlife from aircraft. Public Law 92–195 provided for the protection of wild horses and burros, setting penalties for anyone selling, harming, killing, or harrassing wild horses or burros.

Public Law 92–219, the Fishermen's Protective Act amendments, conserves and protects Atlantic salmon of North American origin. The President was authorized to prohibit the importation into this country of fishery products from nations not conducting their fishing operations in a manner consistent with international fishery conservation programs. Public Law 92–167, the Small Reclamation Loan Program Act amendment, removed the requirement that irrigation be the primary purpose of a reclamation project and increased the limit on the total cost of each eligible project under the act.

Both Houses passed the separate legislation calling for a temporary moratorium on the killing of all species of whale, porpoise, and dolphin. Both bills provided for a moratorium of 10 years, during which time international accord on future conservation and utilization of the world's whale population could be pursued. The House and Senate also passed separate pieces of legislation establishing a Joint Committee on the Environment, providing Congress the opportunity to assimilate, organize and offer plans for the future in the entire range of the environmental field. Although the committee would not have legislative power, it would play a vital role in furnishing information to other committees to help insure effective action on short as well as long-term environmental problems which come under their jurisdictions. Neither of these became law.

We have been most active in these areas during the second session.

ENVIRONMENTAL POLICY AND PROTECTION

NATIONAL ENVIRONMENTAL DATA SYSTEM (H.R. 56, PL 92–)

In response to the vital need for coordinated information services concerning the environment, Congress approved H.R. 56 providing for the establishment within the executive branch of the National Environmental Data System. H.R. 56 authorizes $1 million for fiscal year 1973, $2 million for fiscal year 1974, and $3 million for fiscal year 1975. The new act authorizes funds for a central facility to serve as a clearinghouse for new and existing information on environmental matters. The act specifies that this information be gathered from the Federal Government, State, and local governments, private institutions—including educational institutions, and foreign sources. Data is to be made available to Congress and to Federal, State, and local governments without charge and to private individuals and groups at a reasonable rate.

Presently, there are numerous studies, programs, and projects generating data on the environment. There is, however, the need to establish a system for collecting, assimilating, and disseminating information. Not only should the data be readily available for analysis and evaluation, but there should be means to insure that all available scientific and technical information affecting the environment be quickly located and evaluated by responsible parties.

In addition to providing for the collection and dissemination of data, the new law authorizes appointment of a National Environmental Data System Coordinator to serve full time to: First, administer and manage the operations of the data system under the guidance of the Council on Environmental Quality; second, institute a study to evaluate and monitor the methods on information technology and utilize new and improved techniques for accomplishing the purposes of the act; third, utilize knowledge developed during the study to develop criteria and guidelines to govern selection of data, including the development of predictive ecological models; and fourth, develop and publish from time to time environmental quality indicators.

State and regional environmental centers will combine and coordinate the environmentally related research and education extension capabilities of educational institutions within each State or interstate region.

FEDERAL ENVIRONMENTAL PESTICIDE CONTROL ACT (H.R. 10729)

A complete revision of the Federal Insecticide, Fungicide and Rodenticide Act was passed by the House November 9, 1971, and the Senate amended, September 26, 1972. H.R. 10729 provides for regulating the manufacture and use of pesticides such as DDT which have been of assistance to farmers and homeowners, but often a hazard to health and the environment. The act requires approval by the Environmental Protection Agency of new pesticides and empowers the agency to suspend their use if they are later found harmful. Over 60,000 different pesticide products would be divided into two categories of use, general and restricted, with highly toxic pesticides in the restricted category available only by certification.

Use of pesticides to kill harmful insects and other pests prevents crop losses estimated at $20 billion each year. However, there are also about 75,000 cases of pesticide poisoning causing about 1,000 deaths each year. In fact, a court suit brought by private environmental groups has forced the Environmental Protection Agency to conduct hearings on whether the use of DDT should be forbidden altogether. Under the bill, States would be permitted to enforce their own pesticide laws if they were tougher than Federal standards. Provision is made for the Federal Government to pay users and manufacturers for stocks on hand if a pesticide, after first being approved by the Agency, is later ordered withdrawn.

H.R. 10729 specifies that restricted pesticides may be used only under the supervision of a certified pesticide applicator or subject to other regulatory restrictions. New procedures are set for the EPA Administrator to register or suspend registration of all pesticides. A Committee on the National Academy of Science is required to advise on scientific matters. Penalties for violations of the act are set at up to $5,000 per violation. Violation by private applicators would be punishable by fines of up to $1,000. Open-ended authorizations for fiscal year 1972 through 1974 are set for the act's administration.

RELIEF FOR PERSONS ADVERSELY AFFECTED BY FEDERAL ENVIRONMENTAL ORDERS (H.R. 16071)

Provision was made in legislation passed by the House August 16, 1972, for a new title to the Public Works and Economic Development Amendments of 1972 which directly answers some of the problems due to enforcement of Federal environmental orders. The new provision provides relief for those individuals and enterprises adversely affected due to such orders. For individuals, the legislation would authorize $100 million for unemployment compensation to workers at 60 percent of their former weekly wage for a period not longer than 78 weeks, provided the person had worked 26 of the preceding 78 weeks in the plant affected. Temporary mortgage or rental payment assistance would also be available to such individuals for periods of up to 1 year, and such individuals could also receive relocation expenses if they find jobs elsewhere. A 30-year, 3-percent loan is provided to those enterprises which may be forced to close, or must reduce the number of their employees, as a result of environmental orders.

INCREASING APPROPRIATION AUTHORIZATION FOR NACOA (H.R. 5280)

In October, the House approved H.R. 15280, amending Public Law 92–125, to increase the appropriation authorization from $200,000 per year to $400,000 per year for a period of 3 years for the National Advisory Committee on Oceans and Atmosphere. The authorization increase reflects the realistic needs of the committee in carrying out its duties and responsibilities as outlined in Public Law 92–125. Funds will be used to support the special studies and analyses conducted by task forces of the committee, which has the responsibility to undertake a continuing review of the progress of marine and atmospheric science and service programs of the United States and to advise the Secretary of Commerce with respect to implementing the purposes of the National Oceanic and Atmospheric Administration.

WATER RESOURCES AND WATER POLLUTION

FEDERAL WATER POLLUTION CONTROL ACT EXTENSION (S. 3122, H.R. 12741, PUBLIC LAW 92-240)

Public Law 92–240 extended the Federal Water Pollution Control Act through June 30, 1972. Since June 30, 1971, the programs of the act have been carried out under the authority of two temporary resolutions while Congress completed action on S. 2770—see below. Public Law 92–240, in addition to extending the act, provided an additional authorization of $30 million, for the period ending June 30, 1972, for research, investigations, training and information programs. It also authorized additional funds to permit the States to continue the planning of their programs in an orderly system. Finally, authorizations were increased to $2 billion, an increase of $1.65 billion for the grant program for waste treatment facilities.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (S. 2770, H.R. 11896)

The need for adequate water and sewage facilities remains one of the most pressing problems facing this Nation's urban and rural communities. Local sources of revenue continue to be severely taxed and, although many communities are making efforts to raise needed revenues, the demand for Federal grants-in-aid increase. Communities cannot hope to attract new industries unless they provide ample water and sewer systems. The Federal Water Pollution Control Acts of 1956 and 1966 developed a foundation for water pollution control, but the appropriated funds for environment improvement have seldom been sufficient to match the required needs.

In passing S. 2770, however, we authorized massive funding for a program designed to clean the Nation's waters by 1985, authorizing $24.6 billion for this purpose.

In addition to the funding authorized in S. 2770, it sets rigid antipollution standards for industries. By July 1, 1977, industries will be required to have in use the "best practicable technologies" for controlling pollution. By January 1, 1983, the "best available technologies" must be in operation for reducing polluting activities. The overall goal is to have clean waters by 1985.

Violations could result in fines up to $25,000 per day and a year in prison for a first conviction, and up to $50,000 per day and 2 years in prison for any subsequent convictions.

Title I sets as a national goal by July 1, 1983, a quality in our waters which will protect fish, shellfish, and wildlife, and provide for recreation in and on our waters. It is also national policy: First, that the discharge of pollutants in toxic amounts be prohibited; second, that Federal financial assistance be provided to construct publicly owned waste treatment works; third, that areawide waste treatment management planning processes be developed and implemented to assure adequate control of sources of pollutants in each State; fourth, that major research and demonstration efforts be made to develop the technology to eliminate the discharge of pollutants into the navigable waters of the contiguous zone and the oceans, to recognize, preserve, and protect the primary responsibilities and rights of States and to plan the development and use of land and water resources.

The Environmental Protection Agency is instructed to draft standards of permissible discharge into streams, rivers, lakes, and the ocean for 3 miles offshore, and to impose fines for violations.

To help meet the standards which will become effective in two phases over the next 11 years, the measure authorizes $18 billion in 75 percent Federal matching funds to build municipal sewage treatment plants and $800 million for low-interest loans to industry.

Of the $18 billion earmarked for municipal plants, $5 billion is available for fiscal 1973, $6 billion for fiscal year 1974 and $7 billion for fiscal year 1975. The remaining $6.4 billion of the $24.6 billion includes $800 million for business loans and an unspecified amount to reimburse municipalities for plants already built.

Finally, utility plants which discharge heated water must conform to the 1977 and 1963 requirements. However, if the Environmental Protective Agency decides that the level of discharge is not harmful to water life it could waive these requirements. It could also order more stringent requirements on thermal polluters to bring the discharges to the point that water life is not affected. Although the President vetoed the bill, Congress overrode his veto resoundingly.

COASTAL ZONE AND ESTUARINE MANAGEMENT PROGRAMS (S. 3507, H.R. 14146, PUBLIC LAW 92-)

Recognizing the need for a national coastal zone and estuarine management program, Congress passed legislation setting forth a national policy to develop a program to assist the States in the effective management, protection, and development of the coastal zone. The Nation's coastal zone is defined as the coastal waters and adjacent shorelands, strongly influenced by each and in close proximity to the shorelines of the coastal States, including the Great Lakes area.

Under authority of the legislation, the Secretary of Commerce is authorized to make annual grants to any coastal State for the purpose of assisting in the development of a management program for the land and water resources of its coastal zone. The act provides that the management program is to include an identification of the boundaries of the coastal zone subject to the program; a definition of what shall constitute permissible land and water uses within the coastal zone which have a direct and significant impact on the coastal waters; an inventory and designation of areas of particular concern within the coastal zone; an identification of the means by which the State proposes to exert control over the land and water uses, including a listing of relevant constitutional provisions, legislative enactments, regulations, and judicial decisions; broad guidelines on priority of uses in particular areas, including specifically those uses of lowest priority; and a description of the organizational structure proposed to implement the management program, including the responsibilities and interrelationships of local, areawide, State, regional, and interstate agencies in the management process.

Management program grants are not to exceed 66⅔ percent of the costs of the program in any 1 year and no State is to be eligible to receive more than three annual grants. Federal funds received from other sources are not to be used to match grants. In order to qualify for grants, a State must reasonably demonstrate to the satisfaction of the Secretary that such grants will be used to develop a management program consistent with the requirements set forth in the act. After an initial grant has been made to a coastal State, no subsequent grant is to be made unless the Secretary finds that the State is satisfactorily developing a management program.

Management grants are to be allocated to the States based on rules and regulations promulgated by the Secretary, provided that no management program development grant under this section be made in excess of 10 percent nor less than 1 percent of the total amount appropriated. Grants not obligated by a State during the fiscal year for which they were first authorized to be obligated are to revert to the Secretary to be added by him to funds available for such grants.

The Secretary is also authorized to make annual administrative grants to any coastal State for not more than 66⅔ percent of the costs of administering the State's management program. Grants are also to be allocated to States with approved programs based on rules and regulations set by the Secretary, provided that no annual administrative grant be made in excess of 10 percent nor less than 1 percent of the total amount appropriated to carry out the act's purposes.

To receive administrative grants a State must have: First, coordinated its program with local, areawide, and interstate plans applicable to areas within the coastal zone existing on January 1 of the year in which the State's management program is submitted to the Secretary and second, established an effective mechanism for continuing consultation and coordination between the management agency designated, and with local governments, interstate agencies, regional agencies, and areawide agencies within the coastal zone to assure the full participation of such local governments and agencies in carrying out the purposes of the act.

The Secretary is authorized to establish a Coastal Zone Management Advisory Committee to advise, consult with, and make recommendations to the Secretary on matters of policy concerning the coastal zone. The Secretary is also authorized to make available to a coastal State grants of up to 50 percent of the costs of acquisition, development, and operation of estuarine sanctuaries for the purpose of creating natural field laboratories to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone. The Federal share of the cost for each such sanctuary is not to exceed $2 million.

The act authorizes to be appropriated a total of $9 million for fiscal 1973 and for fiscal years 1974 through 1977 sums as may be necessary for management program development grants; a total of $30 million for fiscal 1973 and sums as necessary for fiscal years 1974 through 1977 for administrative grants; and sums not to exceed $6 million for fiscal year 1973 for grants for costs of acquisition, development, and operation of estuarine sanctuaries. For other incidental administrative expenses, $3 million is authorized for fiscal year 1973 and for each of the four succeeding fiscal years.

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (H.R. 9727)

The House and Senate passed the Marine Protection, Research, and Sanctuaries Act of 1971 which vests the Environmental Protection Agency with final authority to regulate dumping of waste and foreign material in coastal zones. To this end, Congress gave the Administrator of the Agency, and the Secretary of the Army, the power to issue permits for ocean dumping only under specific circumstances. Penalties are provided for persons dumping material into waters without such a permit. H.R. 9727 also provides for the termination of the depositing of radiological, chemical, and biological warfare agents into the ocean, and authorizes the Secretary of State to seek effective international action and cooperation through the United Nations to insure the protection of the marine environment by all nations. The measure which was sent to conference in November 1971, was reported from conference late in the second session.

OIL POLLUTION ACT AMENDMENTS OF 1972 (H.R. 15627)

Late in the session, the House approved H.R. 15627 amending the Oil Pollution Act of 1961 in order to implement the 1969 amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, approved in 1954. This legislation, which expands the penalty provisions of the act, is necessary in order to reflect changes adopted by the Assembly of the Inter-Governmental Maritime Consultative Organization, the repository organization for the Convention.

Among the bill's provisions are those which limit the exceptions under which discharges with oil content will be permitted. Tankers are limited to distances no more than 50 miles from the nearest land. The exemption for lubricating oil having leaked from machinery is eliminated, and the exemption from the requirements of the Convention of residue arising from purification or clarification of fuel oil or lubricating oil is abolished.

PORTS AND WATERWAYS SAFETY ACT (H.R. 8140, P.L. 92-340)

An act to protect the environmental quality of ports, waterfront areas, and the navigable waters of the United States was approved this Congress. Public Law 92-340 authorizes standards and regulations to prevent oil spills and other accidents in U.S. ports and waterways, and provides the Secretary of Transportation with authority to establish comprehensive design and construction standards for vessels carrying hazardous bulk cargoes in order to protect the marine environment. In addition, the Coast Guard is authorized to establish and operate marine traffic systems in congested waterways to prevent water pollution.

Included in the legislation are provisions for standards for preventing destruction in navigable waters. The new act is meant to protect the navigable waters and their resources from environmental harm resulting from vessel or structure damage, destruction, or loss.

The Secretary of Transportation, under whom the Coast Guard operates, is authorized to establish, operate, and maintain vessel traffic services and systems needed for ports, harbors, and other waters subject to congested vessel traffic. He may also require vessels operating in an area of vessel traffic service or system to utilize or comply with that service, including the carrying or installation of electronic or other devices necessary for use of the service. This legislation also authorizes the Secretary to, first, prescribe minimum safety equipment requirements for structures to assure adequate protection from fire, explosion, natural disasters, and other serious accidents or casualties; second, control vessel traffic in areas which he determines to be especially hazardous, or under conditions of reduced visibility; third, establish procedures and standards for the handling and discharge of explosives or other dangerous substances; and fourth, establish procedures for examination to assure compliance with the minimum safety equipment requirements for structures.

A maximum civil penalty of $10,000 and a criminal penalty of not less than $5,000, nor more than $50,000, or 5 years imprisonment, or both, is established for violations of the act.

Rules and regulations are established for protection of the marine environment through the requirement that a vessel obtain a certificate of compliance, issued by the Secretary of Transportation, stating that the vessel meets the rules and regulations as prescribed for marine protection.

The main thrust of the legislation is directed to commercial vessels. Although traffic control systems will not exist in all port and harbor water areas or under all circumstances, they will be imposed in those areas where past Coast Guard statistics indicate a necessity, and in congested areas under hazardous circumstances.

The necessity of such legislation has been shown by the expansion of marine traffic and the increase in vessel size. In light of such traffic increase and numerous accidents, it was obvious that action had to be taken to improve port, harbor, and waterway safety, while at the same time assuring a method for halting the damage to the environment through oil spills resulting from coastal accidents. The new act provides the authority and means for handling adequately the serious problems of marine safety and water pollution confronting us today as never before.

SALINE WATER CONVERSION PROGRAM AUTHORIZATIONS (H.R. 12749, PUBLIC LAW 92–273)

In 1952 the Federal saline water conversion program was begun, with Congress authorizing $2 million in appropriations for a 5-year program of research for converting sea and brackish water into fresh water. Administration of the program was vested in the Secretary of the Interior, who created an Office of Saline Water within the Department. Up to and including fiscal year 1972, $239,088,000 had been authorized for this program.

Public Law 92–273, signed by the President April 17, 1972, authorizes $26,871,000 in appropriations for fiscal year 1973 for the saline water conversion program. The legislation also establishes authorized limits for reprograming, or transfers, within the total amount authorized.

While progress on saline water conversion has been slow, the program has been sustained and has produced significant improvements in process technology. As alternative sources of water supply become progressively more expensive, desalting becomes an even more viable alternative. The present program, in addition to basic research on sea and brackish water sources, also reflects a desirable emphasis in the field of converting geothermal brines.

WATER RESOURCES PLANNING ACT, AUTHORIZATION OF INCREASED APPROPRIATION (H.R. 14106, S. 3384, PUBLIC LAW 92–396)

The Water Resources Planning Amendments of 1972 authorized an additional $3,500,000 in annual appropriations for the Council on Water Resources to carry out functions assigned to the Council by the Water Resources Planning Act of 1965. Of this amount, $2,500,000 is earmarked for the program to assess water resources and needs. One national assessment has been made and the Council places a second assessment during fiscal years 1974 and 1975.

Previously, the Council was financed from appropriations for agencies which are Council members. This authorization is for fiscal year 1973 only, pending a review of the Council's activities, which the Interior Department is expected to make in the near future. The Council estimates that about two-thirds of these funds will be transferred to cooperating agencies for their assessment work. The other $1 million will be used by the Council to direct and coordinate river basin plans.

As Members know, the Water Resources Council: First, assesses national and regional water supplies and needs; second, coordinates various Federal, regional, State, and river basin water programs; third, administers a Federal grant program to assist States in water resource planning; and fourth, administers a Federal grant program to river basin commissions to pay the Federal share of the cost of operating the commission.

DAM SAFETY INSPECTION (H.R. 15951, PUBLIC LAW 92–367)

Congressional action was taken in 1972 to provide authorization to the Secretary of the Army to implement a national dam inspection program through the Army Corps of Engineers. The Secretary is directed to provide results of the dam inspection program to State Governors and to notify Governors during inspections of any hazardous conditions. By July 1, 1974, the Secretary is required to issue a report to Congress to include an inventory of all dams, a review of inspections and recommendations and a suggested national program for dam safety regulation. More than 29,000 non-Federal dams would be included in the program. The review would not include however those dams under the jurisdiction of the Bureau of Reclamation, the Tennessee Valley Authority, the International Boundary and Water Commission, or the Federal Power Commission. The estimated cost of the program is $90 million.

FEDERAL LOANS FOR LOCAL IRRIGATION SYSTEMS (H.R. 9198)

Legislation providing for a more flexible Federal funding method to assist in construction of irrigation distribution systems was passed by the House August 7. H.R. 9198 amends Public Law 84–130 of July 4, 1955, which provides that irrigation districts and other qualified borrowers may receive loans from the Federal Government with which to design and construct already authorized irrigation distribution systems on Federal reclamation projects. While Public Law 84–130 did not authorize any work, it did provide for an optional method of implementation. It was believed at that time that irrigation districts could design and construct distribution systems less expensively than could the Bureau of Reclamation. It is estimated that over $70 million worth of irrigation distribution system loans have been made under the law.

H.R. 9198 broadens the program to allow loans to be made for municipal and industrial water supply distribution systems and for drainage systems for the removal of surplus irrigation applications. This legislation also eliminates a requirement of the 1955 act that obliged borrowers to acquire and convey all right-of-way interests to the United States for the life of the loan. Experience has shown that contracts can be prepared in such a way that collateral is assured without going through the real estate conveyance and reconveyance procedure. Hence, the borrower and the United States are saved substantial sums of money by relieving the requirement for preparation of extensive legal descriptions and conveyance documents. H.R. 9198 also allows existing distribution system loan contracts to be amended to reflect changes in the programs authorized by this legislation, both with respect to the role of municipal and industrial water supply and the conveyance of right of way. On the whole, H.R. 9198 will amend the present system to simplify administration, save money, and enable broader realization of the benefits of the original legislation.

FEASIBILITY STUDIES OF CERTAIN WATER RESOURCE DEVELOPMENTS (S. 3959)

Both Houses authorized the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments by passing S. 3959. Authorization was included for six studies at Federal reclamation projects. This authority is required to permit the orderly continuation of the Bureau of Reclamation's program of investigations leading to recommendations for authorization of water resource development projects.

NOISE POLLUTION

NOISE CONTROL ACT (H.R. 11021, S. 3342)

On February 29, 1972, the House gave authority to an expanded and coordinated Federal effort to control noise, which presents a growing threat to the health and welfare of the American people. H.R. 11021 has three primary purposes. First, it authorizes the Environmental Protection Agency to coordinate existing Federal noise research and control programs, and to publish criteria and control-technology documents relating to noise. Second, it supplements existing Federal authority to regulate the noise characteristics of major sources of noise, and authorizes Federal noise-labeling requirements for them. Third, it directs all Federal agencies to administer their programs in such a manner as to minimize noise.

Other provisions authorize the Administrator of the Environmental Protection Agency to establish noise emission standards for new products in the following four categories if they have been identified as major noise sources and if noise emission standards are feasible: construction equipment; transportation equipment; motors or engines, or equipment of which motors and engines are integral parts; and electrical or electric equipment. The Administrator is directed to establish noise emission standards for other new products for which such standards are feasible and necessary.

The Administrator is to issue regulations requiring informative labeling of any product which emits noise capable of adversely affecting the public health or welfare, or which is sold wholly or in part on the basis of its effectiveness in reducing noise.

Civil penalties of not more than $25,000 are provided for each violation of any of the prohibitions relating to the sale of any product which does not conform with a noise emission standard.

H.R. 11021 authorizes the Environmental Agency Administrator to remove or render inoperative any device incorporated in any product in compliance with any standards established by him. Any violator of the act may be penalized for failure to maintain records or furnish required reports or information.

Citizen suits are authorized against any violator of a noise control requirement or against the Administrator of the Environmental Protection Agency or the Administrator of the Federal Aviation Administration for an alleged failure to perform in compliance with the act. A sum of $3 million for fiscal year 1972 is authorized. For fiscal years 1973 and 1974, $6 million and $12 million is authorized, respectively.

The Senate approved an amended version of H.R. 11021 on October 13.

CHEMICAL POLLUTION

TOXIC SUBSTANCES CONTROL ACT (S. 1478, PUBLIC LAW 92-)

The Senate in May and the House in October approved S. 1478, which restricts the distribution and use of chemicals and hazardous products found to be toxic. Passage of the Toxic Substances Control Act represents a major advance in the Nation's efforts to halt the degradation of our environment. The Council on Environmental Quality revealed in 1971 that there are about 2 million chemical compounds in existence with about 250,000 new compounds being produced each year. While many of the compounds will not be commercially produced, others will be produced for the marketplace. It is these chemicals, as well as those now in use, that the act is designed to regulate.

The legislation requires that certain chemical substances be tested for their environmental and public health effects and that the results of these tests and the intended uses of the chemical substance be furnished to the Environmental Protection Agency 90 days in advance of the commercial production of that substance. The EPA could require testing of existing substances if those substances are believed to pose unreasonable threats to human health or the environment. The Agency would also be empowered to restrict the use or distribution of a chemical substance during the premarket screening period, or at any later time, to the extent necessary to prevent unreasonable risks to human health and the environment.

District courts of the United States are empowered to restrain the uses or distribution of a chemical substance if an imminent hazard exists. Products which violate provisions of the act are liable to seizure by order of district courts. The act also requires reports by manufacturers or processors of chemical substances to aid the Administrator in carrying out his functions under the act. A Chemical Substances Board is established to advise the EPA Administrator on matters pertaining to chemical substances. The Agency is authorized to conduct research of its own on chemical substances and to monitor those substances in the environment. Finally, citizens are afforded the opportunity to bring suit to enjoin certain violations of the act and to require the Administrator to perform mandatory duties.

MINERALS AND MINING

MINING AND MINERALS POLICY ACT (S. 635, H.R. 6788, PUBLIC LAW 92-)

The need to provide for a more adequate national program of mining and minerals research, through the establishment of mining and minerals research centers, is recognized by Public Law 92- . The Mining and Minerals Policy Act provides for such a national program of mining and minerals research by establishing mining and mineral research centers to promote, encourage, and stimulate the training of mining and mineral scientists, engineers, and technicians.

First, the new act will stimulate, sponsor, provide for, and supplement present programs for the conduct of research and development in exploration, extraction experiments, processing, production and training of mineral engineers and scientists in the fields of mining, mineral resources, and technology. Appropriations are authorized for fiscal 1973, and each succeeding year thereafter, for participating States to assist in establishing and maintaining a mining and mineral resources research institute at tax-supported schools of mines and tax-supported colleges or universities conducting research in the minerals engineering field. Federal money will be matched, dollar for dollar, by non-Federal funds. Two or more States could cooperate in the designation of a single institute to serve more than one participating State. A total of $5 million is authorized for fiscal 1973, and for each of the 4 succeeding years, for the institutes to meet expenses of specific research and demonstration projects of industrywide application. Criteria is to be established for use of funds by participating States and their institutes. States must also establish planning and directive programs in addition to research and investigations. Second, the act authorizes appropriations for grants to or contracts with educational institutions, foundations, Federal, State, or local government agencies, or private foundations for research in any aspect of mining and mineral programs. Third, the Secretary of Interior is directed to cooperate with other Federal agencies, State agencies, and private institutions to eliminate duplication and to coordinate mining and minerals research programs. Additionally, the act contains a provision that any patents or processes developed as a result of grants pursuant to this act will be available to the public unless such disclosure would not be in the interest of national defense. The President is authorized to establish a clearinghouse for cataloging current and projected mineral research activities and an advisory committee.

The estimated maximum annual Federal expenditure for the program is $50,500,000 for the first year, increasing to $48,500,000 in the fifth year. In the sixth year and subsequent years, the maximum authorized expenditure would be $45,500,000 annually. The estimated cost is based upon maximum participation of all the States.

CONSERVATION OF STRIP COAL MINING AREAS (H.R. 6482)

In October, the House passed H.R. 6482, providing for the regulation and conservation of strip coal mining areas in the United States. The bill, while not abolishing strip mining, places the burden of proof on an operator to demonstrate that he can reclaim the land before he can obtain a permit from the Interior Department. The reclamation plans must describe the best land use prior to mining, and the proposed future use. It must also provide for the preservation of top soil and for both temporary and permanent vegetation after strip mining to prevent soil erosion.

The need for a strong domestic mining industry was reaffirmed by Congress when it passed the Mining and Minerals Policy Act of 1970. The critical energy situation facing the Nation and the significant role coal plays in the supply of energy has played a significant role in congressional action this year. We directed our attention to means for regulation and control of surface coal mining rather than an outright prohibition. However, the wasteful and unnecessarily destructive practices of the past can no longer be tolerated. The fact persists that there is every reason to believe

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that the percentage of surface mining will contrive to increase even as technology advances. It should be emphasized, however, that any adverse conditions of strip mining are not only intolerable, but are unnecessary.

H.R. 6482 seeks to avoid any unnecessary damage of past operations and at the same time adequately provide for the control of future surface coal mining operations. The objectives of the legislation are: first, to encourage a nationwide effort to regulate coal mining surface operations in order to present their adverse environmental effects; second, to return lands already damaged by coal mining surface operations to productive and useful purposes; third, to abate the adverse effects from previously surface mined lands; fourth, to prevent further detriment to the Nation from coal mining surface operations through the establishment of criteria and standards for coal mined lands; and fifth, to encourage a nationwide effort to abate the adverse surface environmental effects resulting from surface operations of underground coal mining. The legislation applies to all coal mining operations, the products of which enter into or affect interstate commerce. Controls and restrictions of H.R. 6482 are to be applied uniformly to all States, thereby avoiding the inequities of existing State laws.

ENERGY LEGISLATION

NATURAL GAS PIPELINE SAFETY ACT AMENDMENTS (H.R. 5066, PUBLIC LAW 92–401)

In August Congress cleared legislation extending the deadline for States to enact natural gas pipeline safety legislation and providing mandatory Federal grants-in-aid for States' safety programs. Public Law 92–401 amends the Natural Gas Pipeline Safety Act of 1968 which authorized the Secretary of Transportation to set standards for the more than a million miles of transmission, distribution and gathering pipelines in residential and commercial areas.

As cleared the new legislation not only extends the deadline for all States to enact legislation providing penalties for violation of natural gas pipline safety standards, but makes it mandatory for the Transportation Secretary to pay to the States grants-in-aid of up to 50 percent of the cost of State safety programs and up to 50 percent of the costs of State enforcement of Federal interstate pipeline safety standards.

At the present time, 41 States, the District of Columbia, and Puerto Rico have provisions substantially the same as the act of 1968. In four of the remaining States there is no chance of legislative action until 1973. This extension should provide sufficient time for these States to act. Although minimum safety standards have been established by the Department of Transportation, many of the same concerns that led to the 1968 act remain: uncertainty over the condition of the pipeline system, inadequate monitoring of compliance with standards, gaps in the regulatory pattern, expanding urban areas with attendant increasing risk of disaster, and the need for additional research into the techniques of pipeline safety.

OIL AND GAS COMPACT (SENATE JOINT RESOLUTION 72, PUBLIC LAW 92–322)

Congress passed a resolution granting extending until September 1, 1974, the interstate compact to conserve oil and gas. Public Law 92–322 requires the Attorney General to report to Congress within 2 years whether the activities of the Interstate Oil Compact Commission and the States have been limited to activities related directly to the immediate purpose of the compact, that is, to conserve oil and gas through the prevention of physical waste from any cause.

The compact preserves the rights of each State while enabling the several States, as parties to the compact, to work together on a sound program of oil and gas conservation. States are given the authority to choose to exercise police power within their own jurisdictions in furtherance of the general purpose to promote the maximum ultimate recovery from the petroleum reserves in each State. No prohibitions are imposed which the participating States do not voluntarily accept. Instead, the compact enables coordinated action. The compact was formed on February 16, 1935, and continuing consent of Congress has been granted the compact since that date. The consent of Congress was last previously given by Public Law 91–158.

AUTHORIZATION TO ATOMIC ENERGY COMMISSION TO ISSUE OPERATING LICENSES FOR NUCLEAR POWER REACTORS (H.R. 14655, S. 3543, PUBLIC LAW 92–307)

A system by which operating licenses for nuclear power service could be issued for temporary service was approved by the House and Senate this session. Public Law 92–307 adds a new section to the Atomic Energy Act of 1954 by authorizing the Atomic Energy Commission to issue the temporary operating licenses for those nuclear power reactors whose electrical energy is needed to meet energy needs in its service area, provided the Commission determines that the plant can be operated on a temporary basis safely and with adequate protection of the environment.

Under the new authority, the Commission is authorized to issue a temporary license to operate the reactor under these circumstances even though the full-term license is being contested by interested members of the public. The temporary license, however, would not deprive the parties interested of a full review of the health and safety and environmental matters which may be contested. All substantive requirements of law applying in the issuance of license must be satisfied.

Such interested parties are to be given an opportunity initially to express their views on the petition in the form of affidavits, with a hearing to be held on the petition under expedited procedures which the Commission deems appropriate.

The new law is designed to be responsive to the Commission's requests, as it is to be responsive to the concerns of interested members of the public. At the same time, we are providing a temporary means of meeting emergency situations when certain areas of the country face a low peakload reserves areas.

ATOMIC ENERGY COMMISSION AUTHORIZATIONS (S. 3607, H.R. 14990, PUBLIC LAW 92–314)

During the second session, Congress authorized appropriations of $2,403,475,000 for the Atomic Energy Commission for fiscal year 1973. For operating expenses, a total not to exceed $126,400,000 is authorized for the high energy physics program category. For plant and capital equipment, a total of $492,995,000 is authorized. The second category includes construction, acquisition, or modification of facilities, including land acquisition and acquisition and fabrication of capital equipment not related to construction.

The Atomic Energy Commission's authorization request for fiscal year 1973, as initially submitted to Congress on January 24, 1972, and amended on March 3, 1972, provided for authorizations of $2,068,430,000 for operational expenses and $656,420,000 for plant and capital equipment, making a total required authorization of $2,724,850,000. This request represented an increase of $399,663,000, or about 17 percent, above the $2,325,187,000 authorized for fiscal year 1972.

FISH AND WILDLIFE PRESERVATION

FISH AND WILDLIFE ACT, PROVIDE EFFECTIVE ENFORCEMENT AGAINST SHOOTING BIRDS, FISH, WILDLIFE FROM AIRCRAFT (H.R. 14731)

On June 5, 1972, the House passed an amendment to the Fish and Wildlife Act of 1956 providing for effective enforcement of the provision prohibiting shooting at birds, fish and any other wildlife from aircraft. During the First Session of the 92d Congress, we approved Public Law 92–159 which makes it unlawful for anyone while airborne to shoot or attempt to shoot for the purpose of capturing or killing any bird, fish, or other animal, or knowingly to participate in using an aircraft for any of these purposes. Violators of the act are subject to a $5,000 penalty or 1 year imprisonment, or both.

The need for this legislation arose from the fact that Public Law 92–159 declared a national fish and wildlife policy but contained no provision which would authorize enforcement responsibility. Where no agency is given specific enforcement authority in an act, then enforcement of that act falls upon the FBI to carry out.

It was felt, however, that enforcement of this Act should be in the Department of Interior, since it is already responsible for the enforcement of other laws concerning fish and wildlife. The Secretary of Interior is authorized to promulgate and enforce such regulation as he deems necessary to meet the intent of the legislation.

In addition, those appointed by the Secretary of Interior are authorized to arrest, without warrant, any person committing in their presence, or view, a violation of the act, and, with or without a warrant, search any place. All birds, fish, or other animals captured and all articles used contrary to the provisions of this act would be subject to forfeiture.

The enforcement provisions were passed in the Senate October 6 without amendment, thus clearing H.R. 14731 for the President's approval.

MARINE MAMMAL PROTECTION ACT

(H.R. 10420, S. 2871, PUBLIC LAW 92–)

In a landmark measure, the Congress moved to protect, conserve, and preserve marine animals by approving a 15-year moratorium on the killing or capturing of water mammals, some of which are close to becoming extinct. Among the animals to receive Federal protection are whales, sea lions, polar bears, seals, dolphins, porpoises, walrus, sea otter, and the manatee. This legislation gives the Commerce Department authority to grant exemptions, after public hearings, if such exemptions are in line with the policy of preserving and conserving the species involved.

The moratorium would not affect those mammals taken or imported under international agreements or those captured for scientific research or display in oceanariums. It also exempts native Alaskan Eskimos, Aleuts, and those Indians who use marine mammals for food, clothing, and implements. For the first 2 years, commercial fishermen will be exempt if they unintentionally take porpoises while netting tuna.

It has long been felt that a moratorium is needed to allow our scientists to determine what is really necessary for the preservation of a marine mammal. It is estimated that the harp seal has been reduced about 80 percent over the last 25 years. The population of the walrus is less than 100,000. The manatee is in danger of complete extinction. The program director of the Marine Mammal Council has stated that since 1930 the blue whale, largest and most intelligent mammal on earth other than man, has decreased by approximately 99 percent. Finback whales during the past 40 years have gone from 400,000 to 100,000. Polar bears are in imminent danger of extinction.

This legislation provides us with time to study the impact of pollution on the sea and its inhabitants, while allowing us to consider alternatives to commercial operations that strip the ocean of marine life. There is no question that we need some control of marine mammals in this country and throughout the world. After this moratorium it is hoped that scientific wildlife management techniques can be applied with those responsible for running the program authorized to issue permits for the taking of marine mammals after notice and opportunity for public hearings.

WILDLIFE CONSERVATION, USE OF REAL PROPERTIES (H.R. 10325, PUBLIC LAW 92–432)

Both Houses approved in the second session, legislation making surplus Federal land, valuable for wildlife conservation purposes, more accessible to the States. The enactment of Public Law 92–432 provides more flexibility to the General Services Administration, whose responsibility it is to dispose of Federal surplus land and to convey such property for wildlife preservation use. To encourage public participation in surplus property sales to the most feasible extent, the General Services Administration is authorized to offer surplus property at reasonable credit terms in many instances. Proceeds from the sale of surplus real property are then placed in a "land and water conservation fund" available for this purpose. The disposition of Federal real property whether by further Federal use, disposal for local use by public bodies or nonprofit institutions, or public sale, contributes to the Federal Government's financial resources as well.

LAND ACQUISITION (H.R. 10384 PUBLIC LAW 92–)

Both Houses sent to the President a measure releasing certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior.

TUNA FISHERIES DEVELOPMENT (H.R. 13207, PUBLIC LAW 92–444)

On September 29, 1972, the President signed legislation authorizing a program for the development of tuna and other latent fisheries for resources in the Central and Western Pacific Ocean. In passing the legislation, Congress authorized the Secretary of Commerce to institute a 3-year program for the development of such fisheries resources. To accomplish this purpose, the bill authorizes to be appropriated a total of $3 million. The Department of Commerce must submit a report on the program, with proposals and accomplishments, to both the President and Congress by June 30, 1976.

FEDERAL ANIMAL DAMAGE CONTROL ACT (H.R. 13152)

Legislation was passed by the House July 17, 1972, to limit abuses of predator control programs and to reduce loss of livestock and poultry, especially in the West where such damage often is costly for ranches and farmers. As the country's environmental awareness has increased during the past few years, it has become even more apparent that no longer can we use control methods that are nonselective and place in jeopardy nonoffending animals, predators, and nonpredators alike. All wildlife species have value, even those which are predators, which in the balance of nature require an appropriate level of presence.

This legislation approaches the problem of attempting to provide some degree of protection to livestock from predators by prohibiting the use of those control methods which are extremely hazardous, while permitting the use of other control methods which are selective and concentrated on the offending animal in its individual capacity. It adopts a logical and scientific basis of individual control and management of predators given the situations involved. H.R. 13152 not only restricts the use of poisons, but develops a comprehensive predator control research program.

The Secretary of Interior is authorized to establish a research program to assist in the development of predator control methods consistent with principles of wildlife management and environmental quality, to make an inventory of predatory animals, to disseminate information, and to conduct demonstration projects. Financial aid to the States is authorized in order to assist in the conduct of control programs, during which the use of poisons is to be prohibited, except in emergency situations approved by the Secretary.

Annual payments to each State are authorized up to $300,000 for the first fiscal year and up to $200,000 for succeeding fiscal years. No more than 10 percent of the State share could be derived from sale of hunting, fishing, or trapping licenses.

Existing predator control programs, which have been in existence for the last 57 years, have only shown limited value in increasing game populations. This bill provides for an expanded program through research and actual operational programs for both the conservation and control of predatory game.

Federal officials are authorized to allow emergency use of chemical toxicants, after consultation with the Secretary of the Interior, the Secretary of Health, Education, and Welfare, and the Administrator of the Environmental Protection Agency in cases where such use was essential for protection of human health or safety, preservation of species threatened with extinction, prevention of damage to natural resources, or prevention of major damage to domestic livestock.

Penalties of up to $10,000 and 1 year in prison, or both, for violations are authorized. Finally, $9.5 million is authorized in annual appropriations for fiscal 1973. Of this $1.5 million is to be allotted to research funds, $3 million to financial aid to the States, and $5 million to operational control programs. For fiscal years 1975 through 1978, a total of $8.5 million in annual appropriations is authorized.

MORATORIUM ON THE KILLING OF POLAR BEARS (H.R. RES. 1268)

On September 19, 1972, the House passed House Joint Resolution 1268 which authorizes the President to seek a treaty or other appropriate arrangement with certain countries calling for an immediate moratorium on the killing of polar bears. The composition of the treaty is to give due consideration to the recommendations of the International Union for the Conservation of Nature and Natural Resources. Countries specifically mentioned in the joint resolution are the Union of the Soviet Socialist Republics, Canada, Denmark, and Norway. The treaty, however, may be made with any other interested nation.

There is need for more effective protection of the polar bear whose population has been diminishing in recent years. Approximately 1,300 polar bears are killed each year by hunters. The world population is only between 10,000 and 20,000. Unless some effective measure is taken, such as an international treaty, to protect the polar bear, the animal is in danger of extinction.

On October 6, the Senate passed a differing version of House Joint Resolution 1268, with an amendment indicating that the treaty, rather than calling for an immediate and appropriate moratorium on the killing of polar bears, should call for immediate and appropriate action to preserve and protect these animals. The legislation was sent to the House for further action.

BALD EAGLE PROTECTION ACT (H.R. 12186)

Legislation to protect further the bald and golden eagles was passed by the House on February 7. H.R. 12186, which amends the Bald Eagle Protection Act, makes it unlawful for anyone knowingly, or with negligent disregard for the consequences of his act, to take, possess, sell, barter, transport, export, or import at any time and in any manner any bald or golden eagle alive or dead.

The bald eagle population is estimated to be between 5,000 and 10,000 birds in Alaska, with an estimated count of only 500 pairs in the mainland States. Even now these eagles are being indiscriminately killed both by hunters and by ranchers for livestock protection. Even though protected by law, both kinds of eagle are threatened with extinction.

H.R. 12186 amends the present law to provide for increased penalties, together with a requirement for less specific criminal intent, to serve as a deterrent to future violations of the act and make more effective the prosecution of alleged violators. Penalties are increased as follows: first offenders convicted of a violation under the act would be subject to a $5,000 fine or 1 year in prison, or both; second time offenders convicted under the act would be subject to a $10,000 fine or 2 years in prison, or both. The bill also provides that one-half of any criminal fine, not to exceed $2,500, would be required to be paid to the persons giving information leading to a conviction.

Under the legislation the Secretary of the Interior is authorized to assess a civil penalty of not more than $5,000 against any person who takes an eagle in violation of the act, whether knowingly or not. Any Federal agency head who has issued a lease, license, permit or other agreement authorizing the grazing of domestic livestock on Federal lands to any person who is convicted of a violation of the act will be required immediately to cancel such agreement. Finally, the Secretary of the Interior is authorized, as in the present law, to issue a permit for the taking, possession, and transportation of the bald or golden eagle for scientific or exhibition purposes and when necessary to protect wildlife, agricultural, or other interests, but only if there is a problem with golden eagles committing a depredation on livestock or wildlife. If enacted into law, there would be no additional expense to the Federal Government for fiscal year 1973 and the next succeeding fiscal years.

JELLYFISH APPROPRIATION (H.R. 16074)

H.R. 16074, passed by the House in October, extends for an additional 4 years the Federal program providing for the control, or elimination, of jellyfish and other such pests in the coastal waters of the United States. Recognizing that jellyfish cause a complex problem involving large bodies of water, with no easy solution, we passed this legislation to afford time and funds necessary to further study the complicated life history of these animals and to continue and discover a solution for effective control of problems surrounding the existence of these pests. The maximum costs to the Federal Government over the 4-year extension of the program is estimated to be $400,000 per year.

YOUTH CONSERVATION CORPS (S. 2454, H.R. 16563, PUBLIC LAW 92–)

On October 12, the Senate cleared for the President S. 2454, passed by the House October 11, extending a 3-year pilot youth conservation program and increasing annual authorizations to $150 million from $3.5 million. S. 2454 establishes a Youth Conservation Corps for U.S. residents between the ages of 15 and 19, to be administered by the Secretaries of the Departments of Interior and Agriculture. The Secretaries are authorized to establish a pilot Federal-State cost-sharing program for State administration of activities of the Corps, and they are directed to prepare an annual joint report on the program's operation.

NATIONAL PARKS

INCREASED APPROPRIATIONS CEILING ON THE NATIONAL PARK SYSTEM (S. 2601, PUBLIC LAW 92–272)

P.L. 92–272 increases the appropriations ceiling for the national park system. Title I of the act increases ceilings for land acquisition in eight areas, as recommended by the Department of Interior. Title II increases ceilings for development in three areas; and title III authorizes boundary revisions in nine areas.

For some time the Interior Department and Congress have been concerned about the means for increasing appropriation ceilings and selected kinds of boundary changes in units of the national park system. It is believed that certain criteria should be employed for future increases, or boundary changes. This act, while limited to 18 projects, is intended to apply to future similar omnibus measures. By doing so, it is hoped that individual hearings on separate projects will be eliminated and any changes combined under one act.

LAND AND WATER CONSERVATION ACT AMENDMENTS (S. 1893, H.R. 6730, PUBLIC LAW 92–347)

Final action was taken in the second session on restoration of the golden eagle program when Congress authorized a $10 annual camping permit for entrance into national parks, monuments, historic sites, and battlefields. The program had expired in December 1971. In amending the Land and Water Conservation Fund Act (Public Law 88–578) Congress provided for an indefinite extension of permits administered by the Department of the Interior and by the Department of Agriculture for national recreation areas.

The legislation further provides for the issuance of a free annual entrance permit to be known as the "golden age passport" to any person 62 years of age or older. Penalties were provided of up to $100 for violations of permit regulations, or up to $250 and 6 months in prison for false manufacture of the passports. Although in the past the program has not produced the revenue anticipated, the program has generated substantial revenue for the Federal Government in its effort to expand outdoor resources throughout the country.

ESTABLISHMENT OF A VOLUNTEER SYSTEM FOR AGRICULTURE AND FOREST PROGRAMS (S. 1379, P.L. 92–300)

Congress approved a valuable extension of the environmental education system by authorizing the Secretary of Agriculture to establish a program of volunteers in the national forests program. Volunteers are to be used in interpretive activities as needed along the historic trails and to provide their skills in the development and presentation of visitor programs in connection with interpretive trails, visitation centers, information stations, and amphitheaters. They are to assist in the youth programs operated by the Forest Service including the Youth Conservation Corps, Job Corps, and Neighborhood Youth Corps. In some cases, the volunteers may construct or refurbish special projects, for example parts of the National Trail System. Although the volunteers would work without compensation, the Secretary of Agriculture could provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence. Volunteers would not be considered Federal employees.

NATIONAL PARKS, FORESTS, AND WILDERNESS

During the first and second session of the 92d Congress, the following legislation was passed establishing or altering national parkland, national recreation areas and national recreation areas and national wilderness areas: Public Law 92–237, establishing the Buffalo National River, Ark.; Public Law 92–154, expanding boundaries of the Canyonlands National Park in Utah; Public Law 92–207, establishing the Capitol Reef Park in Utah; Public Law 92–155, establishing Arches National Park in Utah; S. 141, creating the Fossil Butte National Monument in Wyoming; Public Law 92–395, designating the Lincoln Back Country and parts of the Lewis and Clark National Forests as National Wilderness; Public Law 92–230, designating the Pine Mountain and Prescott and Tonto National Forests as National Wilderness; Public Law 92–241, designating the Sycamore Canyon and Prescott National Forest as National Wilderness; Public Law 92–260, establishing the Oregon Dunes National Recreation Area; Public Law 92–275, establishing the Gulf Island National Seashores; Public Law 92–364, designating certain lands in the Cedar Keys National Wildlife Refuge in Florida as National Wilderness; Public Law 92–400, establishing the Sawtooth National Recreation Area; Public Law 92–330, establishing the San Francisco Bay National Wildlife Refuge; Public Law 92–408, establishing the Seal Beach National Wildlife Refuge in California; S. 1852, establishing the Gateway National Seashore in New York and New Jersey; Public Law 92–465, modifying boundaries of the Santa Fe, Gila, Cebola, and Carson National Forests in New Mexico; Public Law 92–476, designating the Stratified Primitive Area as a part of the Washakie Wilderness; Public Law 92–478, authorizing the Secretary of the Interior to conduct a study to determine the most feasible means of protecting and preserving the Great Dismal Swamp and the Dismal Swamp Canal; H.R. 5838, designating certain lands in the Lava Beds National Monument in California as wilderness; Public Law 92–475, designating certain lands in the Lassen Volcanic National Park, California, as wilderness; S. 1497 authorizing certain additions to the Sitka National Monument in the State of Alaska; S. 3129, creating the Longfellow National Historic Site; H.R. 9859, establishing the Cumberland Island National Seashore in Georgia; H.R. 15597, authorizing additional funds for acquisition of interests in land within Piscataway Park in Maryland; H.R. 13067, providing for administration of the Man-A-Lago National Historic Site in Florida; H.R. 8756, establishing the Hohokam Pima National Monument in Arizona; H.R. 6446, providing for addition of the Minam River Canyon to the Eagle Cap Wilderness and Wallowa and Whitman National Forests; H.R. 11449, providing that the United States disclaim any interest in certain land in New Mexico; S. 27, establishing the Glen Canyon National Recreation Area in Arizona and Utah; and H.R. 13396, providing for land acquisition for the Delaware National Recreation Area.

S. 1928, designating a segment of the St. Croix River in Minnesota and Wisconsin as part of the national wild and scenic rivers system; H.R. 16444, establishing the Golden Gate National Recreation Area; S. 1441, designating the Flat Tops Wilderness, Routt, and White River National Forests; S. 1473, creating the Kosciusko National Historic Site; S. 1198, authorizing a review of the Indian Peaks Area in Colorado as to suitability for preservation as a wilderness.

FORESTRY PROGRAMS

COOPERATIVE FOREST PROGRAMS (H.R. 8817, PUBLIC LAW 92–288)

In passing Public Law 92–288 Congress continued to recognize the need in the years ahead for improved technical assistance to implement programs for land now planted with timber, as well as unused land potentially available for tree planting programs. Not only is technical expertise needed to encourage the application of research knowledge in the management of forests, but assistance is needed to initiate programs for improving the efficiency and economy of cultivation and the cutting of timber with a concern for environmental protection.

Public Law 92–288, signed by the President May 5, 1972, supplements existing cooperative forestry programs between the Federal Government and the States. The act broadens the present scope of the Cooperative Forest Management Act by authorizing the Secretary of Agriculture to assist the States in the protection, improvement, and planting of trees and shrubs in urban areas, communities, and open spaces. Present authority limits the program to protection of trees and forests in nonurban, forested areas. The legislation increases from $5 million to $20 million the authorization for assistance to the States for implementing the program of forestry assistance to landowners.

It increases from $20 million to $40 million the authorization for appropriations to implement cooperative forest fire protection programs. The Federal Government has cooperative agreements with all States for forest fire programs.

NATIONAL REFORESTATION PROGRAM (H.R. 13089, PUBLIC LAW 92–421)

That reforestation is needed in our national forest system is evidenced by the fact that forestry experts estimate that our country is about 5 million acres behind in tree seeding and planting. This is one of the reasons that the Congress approved in 1972 the Accelerated Reforestation of National Forests Act which establishes a Supplemental National Forest Reforestation Fund. H.R. 13089 makes available additional funds to the Forest Service for planting more trees in those areas of the national forests that are in most need of reforestation. The Supplemental National Forest Reforestation Fund will be financed from the gross duties' receipts on wood and paper and printed matter.

This legislation requires the Secretary of Agriculture to report to Congress with respect to the scope of the total national forest reforestation needs, and to submit a planned program for reforesting such lands, including a description of the extent to which funds authorized by this act are to be applied to the program. Congress, it is hoped, will then be provided with an accurate perspective on the needs for reforestation, along with a method of insuring that funds will be properly directed to and used in the reforestation program. The Secretary must submit his report within 1 year of the date of enactment and annually thereafter.

GENERAL GOVERNMENT

Mr. Speaker, each year we consider and enact legislation which affects the operation of the National Government at all its levels. Herein summarized are bills passed by the Congress, or the House, during the 92d Congress concerned with first, employees of the Federal Government, second, congressional-executive relationships, third, structure and reorganization of executive departments, fourth, the operation of Congress itself, fifth, Federal campaign and election law, sixth, the Federal judiciary, seventh, intergovernmental relations and eighth, weights' and measures' standards; to name some of the areas.

At the beginning of each part of this section of the report are summarized in brief laws enacted during the first session, followed by more detailed summaries of actions taken during the second session.

FEDERAL EMPLOYEES

Mr. Speaker, legislative matters affecting Federal employees have been of considerable import during the 92d Congress. Several public laws were enacted during the first session of the 92d. These included equality of treatment for married women employees of the Government with respect to receiving the same benefits as do married male employees (Public Law 92–187, H.R. 3628), provision for overtime pay for intermittent and part-time General Schedule employees (Public Law 92–194, H.R. 8689), and pay adjustments for Federal employees at 5.5 percent January 1, 1972, under the Economic Stabilization Act (Public Law 92–210, H.R. 10881). Final action is pending for other bills which passed the House during the first session. Among these are the repeal of employees training act reporting requirements (H.R. 134, July 19, 1971) and the liberalization of the civil service retirement system with regard to cost-of-living increases (S. 1681, amended, May 17, 1971; Senate asked for a conference April 4, 1972).

During the second session, Congress has enacted additional legislation.

PREVAILING RATE PAY SYSTEMS (H.R. 9092; PUBLIC LAW 92–392)

The House, on July 28, 1971, passed H.R. 9092, which would establish an equitable statutory system for fixing and adjusting the rates of pay for Federal prevailing-rate (blue-collar) employees.

The Senate acted on the bill during the second session and the measure was signed into law August 19, 1972—Public Law 92–392. More than 800,000 blue-collar Federal employees have had their wage rates set under a system which had been established and administered by the executive branch. We in Congress agreed with the unions that all Federal employees should have their salary systems covered by statute. Under the law the 140,000 employees of nonappropriated fund activities of the Armed Forces will be included in the prevailing rate system as they have not been in the past. President Nixon had vetoed a similar bill January 1, 1971.

RETIREMENT—ADOPTED CHILD (S. 2896; PUBLIC LAW 92–243)

It was brought to the attention of Congress that an inequity existed with regard to adopted children of civil service annuitants and their ineligibility for survivor benefits. Public Law 92–243, approved March 9, 1972 (S. 2896), provides that a child who lives with and for whom a petition of adoption is filed by an employee or member, and who is adopted by the surviving spouse of the employee after his death, be included within the definition of "child" for purposes of eligibility for a survivor benefits.

FEDERAL FIREFIGHTERS (S. 916; PUBLIC LAW 92–382)

Congress cleared, August 1, for the President a bill (S. 916) which includes Federal firefighters in the definition of "hazardous" occupations which qualified for early retirement under existing law. The President signed Public Law 92–382 August 14, 1972. President Nixon had vetoed a similar bill January 4, 1971. Public Law 92–382 authorizes heads of Federal departments and agencies to permit Government firefighters with 20 years of service to retire at age 50 or to retire after 25 years' service regardless of age. It is expected that this law will benefit approximately 9,500 Government employees.

SUPREME COURT ANNUITIES (H.R. 12101; PUBLIC LAW 92–397)

Public Law 92–397, approved August 22, 1972, was enacted by the Congress very soon after the media reported that due to inadequate survivor benefits for the Supreme Court Justices some of the widows of former Justices were in financial difficulties. In 1954 Congress granted widows of Supreme Court Justices a pension of $5,000. Under Public Law 92–397 the widows of the Justices will have an annual pension of $10,000.

FEDERAL HEALTH INSURANCE (H.R. 12202)

The House, on April 27, 1972, passed H.R. 12202 for the purpose of increasing the Government's contribution to the Federal employees health insurance plans. As passed the bill would provide that the Government's contribution amount to 75 percent of the premium payments by 1976. The House voted to include employees of the U.S. Postal Service in the bill. The Senate, on June 23, passed a bill which omitted inclusion of the postal workers and limited the Government's contribution to 50 percent. The bill was in conference when the session ended. Senate conferees argued that the Postal Reorganization Act of 1970 intended that all fringe benefits, such as health benefits, would be a negotiable item in collective bargaining and Congress should not legislate in this area for postal workers. House conferees argued that the Government's contribution to health insurance premiums should cover all Government employees, including postal workers.

CONGRESS

OFFICE OF TECHNOLOGY ASSESSMENT (H.R. 10243)

Mr. Speaker, during the second session Congress responded to the serious physical, biological, and social problems facing the Nation. Such problems result from the increasing pressures of population, the rapid consumption of natural resources, and the deterioration of the human environment—natural and social. As a means of providing legislative resources to anticipate these diverse and often conflicting pressures we passed H.R. 10243, to establish an Office of Technology Assessment.

The Office, as an agency of the legislative branch, would have two basic responsibilities; to provide an early appraisal of the probable impacts—both positive and negative—of the applications of technology; and to develop other coordinate information which may assist the Congress in determining the relative priorities of programs before it. The Office would first, identify existing or probable impacts of technology or technological programs; second, establish cause-and-effect relationships wherever possible; third, determine alternative technological methods of implementing specific programs; fourth, determine alternative programs for achieving requisite goals; fifth, make estimates and comparisons of the impacts of alternative methods and programs; sixth, present findings of completed analyses of the appropriate legislative authorities; seventh, identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described, and eighth, undertake such additional associated tasks as the appropriate authorities may direct.

The Office would be composed of a policymaking body called the Technology Assessment Board and an operational unit to be headed by a Director. The Board would have 13 members; six Senators, three from each party, appointed by the President pro tempore of the Senate; six members of the House, three from each party, appointed by the Speaker; and the Director of the Office, appointed by the Board for a 6-year term, who will not be a voting member.

Requests for assessments may be initiated by chairmen of committees, the Board, or the Director, in consultation with the Board. Assessments shall be made available to the requesting committee or other appropriate committees and be available to the public unless disclosure would violate security statutes or the Board determines that they should not be made available.

The Office is given authority to tap resources both within and outside the Government in making assessments. The act specifies the cooperation and assistance of the Congressional Research Service in the Library of Congress and the General Accounting Office. It calls for coordination with the National Science Foundation in order to remain abreast of research and development in technology. Finally, there is established an Advisory Council of 12 persons which will review and make recommendations on activities of the Office and on its assessment findings. Ten of the 12 members of the Council shall be persons eminent in either physics, biology, the social sciences, engineering or in the administration of technological activities. The Director of the Congressional Research Service and the Comptroller General are the other two members.

ELECTION LAW AND REGULATION OF CAMPAIGNS

During the first session, Mr. Speaker, we enacted two significant measures in the area of election law and the regulation of campaigns. In one action we sent to the States the 26th amendment to the Constitution, lowering the voting age to 18 for all elections in the United States. It was rapidly ratified and became part of the Constitution on July 1, 1971. Since then, we politicians have been assiduously courting the vote of this new group in the electorate—numbering around 11 million. In this presidential election, by the way, there are some 25 million voters who are eligible to cast ballots for the first time for President and Vice President. They constitute over 16 percent of the eligible electorate.

In the other action we approved a Presidential Campaign Fund Act in passing the Revenue Act of 1971—Public Law 92-178. Deferred until the election of 1976, the fund would be financed from tax revenue with the taxpayer having the right to designate to which party, if any, he would like his $1 contribution to go. Candidates could choose to finance their campaigns from public funds or from private funds.

Congress also came near to completing action on the Federal Election Campaign Act. However, final conference approval in the House occurred during the second session. I have summarized this important measure for the benefit of Members.

FEDERAL ELECTION CAMPAIGN ACT (S. 382, H.R. 11060, PUBLIC LAW 92-225)

Early in the second session the House approved the conference report on S. 382, the Federal Election Campaign Act. The President signed it into law February 7, and it became operative 2 months later on April 7. Public Law 92-225 is the first comprehensive overhaul of Federal campaign regulation law since 1925.

Under the new law candidates for Federal office and those political committees which operate in their behalf are limited to spending the greater of either $50,000, or an amount arrived at by multiplying the resident voting age population for the office in question by 10 cents for broadcast, newspaper, magazine, and billboard political advertising and for paid telephone campaigning. The law contains a cost-of-living provision, which increases the spending ceiling for candidates by the percentage increase in the Consumer Price Index for the year preceding an election over the base year, which is 1970.

The increase for 1971 was 4.3 percent. So candidates for the 1972 elections may spend the greater of $52,150, or 10.43 cents times the pertinent voting age population. As all candidates for the House are aware, with the exception of the candidates for Resident Commissioner from Puerto Rico and Delegate from the District of Columbia, they are limited in the November election to spending $52,150 for broadcast and nonbroadcast advertising. This occurs because no congressional district has a voting age population which exceeds 500,000.

The law further provides that a candidate may spend up to 60 percent of his limitation on radio and television advertising; for the 1972 elections for House candidates that is $31,290. If a candidate for the House chose to spend nothing on radio and television advertising, he could spend the full $50,000 on magazine, newspaper, or billboard advertising and for paid telephone campaigning.

The law further provides that during the 45 days preceding a primary and the 60 days preceding a general election candidates for Federal office shall be charged the lowest unit rate for the period for which they purchase time on radio and television. Because more and more candidates rely on telecommunications to get their message to the voters, coupled with the media limitations voted in Public Law 92-225, Congress concluded that it was only fair to require broadcasters to charge the lowest rates during these periods of time preceding elections.

During periods of time other than those specified, candidates are to be charged at a rate comparable to that for other users of the airwaves. The comparability charge provision applies as well to newspaper and periodical advertising and the use of billboards. This provision is designed to preclude rate gouging of candidates.

I would emphasize to each Member that he, or his agent, is responsible for keeping track of all advertising done on his behalf by political committees organized to support his campaign. The media expenditure limitation for each candidate applies to all money spent for this by him and his committees. No station may broadcast an advertisement, nor newspaper, magazine, or billboard owner print an advertisement, unless a candidate or his agent has authorized it in writing and certifies that the broadcast or printing will not violate his spending limitations.

Public Law 92-225 amended the Federal Communications Act to guarantee that candidates for Federal office shall have reasonable access to broadcast facilities. In the past this was not true and licensees could refuse to permit candidates to advertise or appear on radio or television. Under the new provision of law, willful and repeated failure to permit reasonable access can lead to loss of license for a station owner.

The law contains provision for applying media limitations to State and local elections. It a State by law provides for limitations which do not exceed Federal limitations and if it states in that law that it intends candidates for State or local office to be governed by the Federal Election Campaign Act's provisions on media spending limitations, then the Federal law is applied to those elections.

Most provisions of the Corrupt Practices Act of 1925, as amended, were repealed by Public Law 92-225. The new law amends the criminal code to prohibit the promise of employment or other benefit for political activity; to limit contributions and expenditures by candidates and their immediate families—spouse, child, parent, grandparent, brother, sister, and the spouses of such persons—to their own campaigns—$50,000 for President or Vice President; $35,000 for Senator; $25,000 for the House; to prohibit those entering or holding contracts with the Government from making, or being solicited for, campaign contributions or providing other things of value; to permit bank loans to candidates so long as those are made in accordance with applicable banking laws and regulations and in the ordinary course of business; to permit corporations and labor unions to communicate political information to their stockholders and members; to permit corporations and labor unions to engage in nonpartisan registration and get-out-the vote campaigns aimed at their stockholders and members; and to permit them to establish voluntary groups to solicit contributions from their stockholders and members but to prohibit any coercion or threat in connection with such soliciting.

Title III of Public Law 92-225 requires that all campaign contributions and expenditures in primary, general, special, or runoff elections; nominating conventions or caucuses; elections for selection of delegates to a national nominating convention; presidential preference primaries; and elections for delegates to a national constitutional convention must be reported to appropriate supervisory officers. Candidates for the House report to the Clerk of the House; those for the Senate to the Secretary of the Senate; and those for President or Vice President, or other officers, to the Comptroller General of the United States.

Committees organized in support of these candidates report to the appropriate supervisory official. Committees which expect to receive or spend in excess of $1,000 a year in support of a candidate for Federal office must register with the appropriate supervisory officer. Candidates and their committees must file periodic contributions and expenditures reports with the appropriate supervisory officers whose duty it is to make these available to the public as soon as possible and to publish an annual report detailing the sums spent and received.

Copies of periodic reports are also filed with the Secretary of State, or his equivalent, in each State. In addition, the costs of national nominating conventions must be reported to the Comptroller General.

These disclosure provisions will provide for the first time an accurate accounting of money received and spent in all elections for Federal office. Loopholes which existed in the Corrupt Practices Act have been closed. The public will now have an accounting of what it costs to run for public office in this country.

The law required the Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commission to promulgate regulations regarding the extension of credit to candidates for Federal office and each of them has issued its regulations.

Finally, the law prohibits the use of Office of Economic Opportunity funds for political activities, and prohibits paying any OEO employee who engages in such activity while on official duty.

AMENDMENT OF THE FEDERAL ELECTION CAMPAIGN ACT (H.R. 15276)

Mr. Speaker, subsequent to passage of Public Law 92-225 a misunderstanding arose regarding the intent of that provision of the act barring corporations or labor unions holding government contracts from making direct political contributions. Some people felt that this ban prevented such corporations or labor unions from establishing fund-raising groups to solicit voluntary contributions from employees or members, which right is guaranteed in another part of the act.

Congress did not intend that this should happen. Accordingly, late in the session the House passed H.R. 15276 to make it clear that corporations and labor unions holding Government contracts are not prohibited from establishing such fundraising groups. It is not fair that corporations or labor unions which do not hold Government contracts can establish such groups while those that do cannot. The Senate refused to act on this bill.

EXECUTIVE REORGANIZATION

During the first session, the Congress approved an extension, to April 1, 1973, of the President's authority under the Reorganization Act of 1949 to submit Reorganization Plans to the Congress—Public Law 92-179. In addition, the Congress approved Reorganization Plan No. 1 of 1971, which consolidated a number of volunteer programs such as Peace Corps, VISTA, and foster grandparents which were scattered among various departments and agencies, into a new independent agency called Action.

Early in the second session, the House Committee on Government Operations, which exercises jurisdictional authority over the general subject of executive reorganization, issued its 11th report, entitled "Executive Reorganization: A Summary Analysis." It discusses in general terms the need for continuing reorganization in the executive branch and the ways in which it can be accomplished, as well as, more specifically, the considerations involved in President Nixon's legislative proposals to overhaul the Cabinet structure by creating four new "super-departments." One bill, to create a Department of Community Development, was reported by the committee in May of 1972 following extensive hearings in 1971 and 1972.

FEDERAL ADVISORY COMMITTEE ACT (H.R. 4383; PL 92-463)

This legislation is the result of a concerted effort on the part of the House Government Operations Committee to exert some degree of control over Federal advisory bodies. An intensive investigation by the Special Studies Subcommittee during the 91st Congress revealed that there were as many as 3,200 interagency and other advisory committees in the Federal Government, costing millions of dollars annually. Even more significant, the subcommittee's December 1970 report "The Role and Significance of Federal Advisory Committees" documented that no one in the executive branch really knew how many such committees were extant; hence, accountability to the public and to the Congress was completely impossible.

H.R. 4383 combined the best features of a number of different bills on which hearings were held by the House Legal and Monetary Affairs Subcommittee and by the Senate Intergovernmental Relations Subcommittee. Its purpose is to regulate the proliferation of advisory committees in the Government, to insure greater accountability on the part of such bodies both to the public and to the Congress, to prescribe standard administrative and operational guidelines, and to eliminate those advisory committees which are no longer necessary.

The main features of the law are as follows: first, it would require the President to make an annual report to the Congress detailing the activities, status, and changes in the composition of advisory committees in existence during the preceding year; second, with regard to Presidential advisory committees, the law would require the President—or his delegate—to report to the Congress within 1 year after such a committee had submitted a public report stating either his proposals for action or his reasons for inaction on the committee's recommendations; third it would require the Director of the Office of Management and Budget to establish a Committee Management Secretariat to keep track of advisory committee activities and to prescribe administrative guidelines and management controls for them; and fourth, it would further require the Director of OMB immediately to institute a comprehensive review of all advisory committees in existence to determine whether they are performing a necessary function.

The new law also would require that: first, congressional committees considering legislation to establish advisory committees follow certain stated guidelines to insure that their membership is properly balanced and that such committees are adequately funded and staffed; second, heads of agencies in which advisory committees are operating keep full and complete records on such panels; third, advisory committee meetings be open to the public, with adequate notice of meeting times published in the Federal Register, unless the President or the head of the agency to which the committee reports determines that the subject matter would be exempt from disclosure by the Freedom of Information Act; fourth, a depository of committee reports and papers be maintained in the Library of Congress; and fifth, standard termination dates be met for all advisory committees.

Certainly there is no question that advisory committees perform as a very useful adjunct to Federal agencies, and that their advice in many cases has served the President and the Nation well. However, it is also clear that the utilization of this kind of information-gathering device has gotten out of control; and it is the purpose of this law to introduce some measure of standardization into the whole Federal advisory committee system.

TRANSPORTATION ACT AMENDMENT
(H.R. 15054, S. 3240, PUBLIC LAW 92–)

Amendments to the Transportation Act of 1940 were approved by the House October 11, and by the Senate August 10. The Transportation Payment Act is designed to facilitate the payment of transportation charges by improving and modernizing billing and payment practices for the transportation of persons and property for the Federal Government. The intent of the measure is to simplify and update Government payment and settlement practices and to bring them closer to commercial practices. It will allow for greater use of automation and reduce costs both on the part of the Government and on the part of the carriers.

It is estimated that the legislation will eventually save industry $750 million a year and it will save the Government millions per year in addition.

THE JUDICIARY

In the first session of the 92d Congress the House passed a bill, which the Senate declined to consider, which would facilitate the judicial process.

In order to encourage lawyers to remain in military service the House on July 19, 1971, passed H.R. 4606 which would provide for a special pay schedule for armed services lawyers during their first tour of duty, as well as a bonus for judge advocates who sign up for additional tours of duty.

During the second session five bills of interest have been considered.

ADMINISTRATIVE ASSISTANT FOR THE CHIEF JUSTICE (H.R. 8699, PUBLIC LAW 92–238)

In addition to his strictly judicial duties the Chief Justice of the United States has heavy administrative responsibilities with inadequate staff assistance. Accordingly, Congress approved Public Law 92–238 providing for an administrative assistant for the Chief Justice. The assistant is authorized a secretary and a legal assistant to aid him in serving the Chief Justice.

TEMPORARY ASSIGNMENT OF U.S. MAGISTRATE (H.R. 9180, PL 92–239)

Public Law 92–239 authorized temporary transfer of U.S. magistrates from one court district to another when there is specific need for assistance. Magistrates help carry the workload of district courts by trying lesser cases and by conducting bail hearings, pretrial conferences and post-indictment arraignments.

COMMISSION ON JUDICIAL CIRCUITS (H.R. 7378)

The caseload of our judges in the 11 Federal circuit courts of appeals has increased tremendously in the past decade. The average number of appeals filed per judge in 1961 was 54; in 1971 it was 132. The backlog of appeals pending in the circuit courts was about 3,000 in 1962; it was more than 9,000 in 1971. Certainly we need more judges. But we also need to change the boundaries of the circuits—possibly we need more circuits. Our judicial circuits presently cover vast areas in which population has increased greatly in past decades. And yet, with one exception, we have not changed the boundaries of our judicial circuits since the Court of Appeals Act of 1891.

In the second session Congress passed H.R. 7378, to establish a Commission on Revision of the Judicial Circuits. The Commission will be composed of 16 members: four members appointed by the President, four members of the Senate appointed by the President pro tempore of the Senate, four Members of the House appointed by the Speaker, and four members appointed by the Chief Justice.

The Commission will study the present geographical boundaries of our judicial circuits and recommend to the President, the Congress, and the Chief Justice whatever changes in those boundaries it considers necesary to facilitate the work of the circuit courts. The Commission is required to submit its first report with recommendations 180 days after its ninth member is appointed. A second, and final, report is required within 15 months of the date on which its ninth member is appointed. A total of $270,000 is authorized in appropriations for the work of the Commission.

LOWERING QUALIFYING AGE FOR FEDERAL JURY SERVICE TO 18 (S. 1975, PL 92–269)

After the 26th amendment lowered the voting age to 18 the minimum age required for Federal jury service was still 21. In the second session the Congress passed S. 1975—Public Law 92–269—which lowers the age for service on Federal juries to 18. S. 1975 also provides that master jury wheels shall be refilled not later than September 1, 1973 with names obtained from voter registration lists for the 1972 general election or from lists of actual voters in the 1972 general election, except in the District of Columbia, Puerto Rico, and the Canal Zone which shall refill their master jury wheels by the same date from other sources which include the names of 18-year-old citizens. S. 1975 requires that qualified jury wheels be refilled from master jury wheels within the following month, by October 1, 1973. S. 1975 further requires that master jury wheels be refilled at least every 4 years.

STATUTORY CEILING ON SALARIES OF U.S. MAGISTRATES (H.R. 7375, PL 92–428)

In the second session we passed and cleared for the President H.R. 7375. H.R. 7375 establishes a pay ceiling of $30,000 on salaries of full-time U.S. magistrates—the same as the pay ceiling on salaries of full-time referees in bankruptcy—and a pay ceiling of $15,000 on salaries of part-time magistrates. The bill provides that the salary of a full-time magistrate cannot be higher than 75 percent of the salary of a Federal district judge.

TERRITORIES

GUAM AND VIRGIN ISLANDS DELEGATES TO THE HOUSE OF REPRESENTATIVES (H.R. 8787, PL 92–271)

The final congressional approval of H.R. 8787 on March 28, 1972, and subsequent enactment of Public Law 92–271 on April 10, 1972, culminates over a decade of efforts to provide for the election of nonvoting Delegates to the House of Representatives from the unincorporated territories of Guam and the Virgin Islands.

The rapidly changing economic and social conditions in Guam and the Virgin Islands—as well as the human aspirations of these peoples—and the principles of American democracy—have extended consideration of the general welfare of these territories beyond the bounds of the Committee on Interior and Insular Affairs. The various and complex Federal programs which are responsive to the needs of these territories are now so numerous and so varied that the territories require direct representation to meet conditions in each territory. The enactment of Public Law 92–271 places the responsibility for the furtherance of the legislative objectives of these territories upon the popularly elected Delegates.

As approved, Public Law 92–271 states that the Delegate from each territory shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities are, or hereinafter may be, granted to the Resident Commissioner for Puerto Rico. The Delegate shall also be entitled to vote in committee as provided by the Rules of the House of Representatives. Clerk hire allowance of each Delegate will be 60 per centum of that allowed a Member, and transportation expenses are limited to four round trips per year.

TUNA FISHERIES DEVELOPMENT PROGRAM (H.R. 12207, PL 92–444)

Congress in passing H.R. 12207 has authorized the Secretary of Commerce to institute a 3-year, $3 million program for the development of tuna and other latent fisheries resources in the Central, Western, and South Pacific Ocean. Specifically, the bill was enacted to encourage development of a "skipjack tuna" fishing industry in the Trust Territory of the Pacific Islands, American Samoa, and Guam.

ECONOMIC DEVELOPMENT FUND FOR THE U.S. TRUST TERRITORY OF THE PACIFIC ISLANDS (MICRONESIA) (S. 860, PL 92–257)

Public Law 92–257, approved March 21, 1972, promotes the economic and social development of the Trust Territory of the Pacific Islands by authorizing an appropriation of $3.1 million to the Trust Territory economic development loan fund. This law increases the fund from $1.9 million to $5 million, and sets the conditions for making loans from the fund.

BICENTENNIAL CELEBRATION

AMERICAN REVOLUTION BICENTENNIAL COMMISSION (H.R. 13694; S. 3307)

The American Revolution Bicentennial Commission was created by joint resolution of the 89th Congress for the purpose of developing and coordinating an appropriate commemoration of the 200th anniversary of the birth of our Nation. It consisted originally of 34 members: Eight Members of Congress, nine Cabinet or executive agency heads, and 17 members appointed from private life by the President. Three Cabinet officials were added by the 90th and 91st Congresses, and Public Law 92–236 added to the Commission's roster the Secretary of the Treasury, eight public members—to be representative of youth, elderly citizens, racial and ethnic minorities, the creative arts, useful crafts, and learned professions—and four members of the Federal judiciary to be appointed by the Chief Justice of the United States. The first session of the 92d Congress also increased the authorization for appropriations for fiscal year 1971 from $373,000 to $670,000.

Public Law 92–236 authorized appropriations for fiscal year 1972 of $4,300,000, of which not to exceed $2,400,000 was to be used for grants-in-aid. This law also authorized the Commission to prepare and distribute historical and commemorative materials to contribute to public awareness of the forthcoming bicentennial; to plan for competitions and provide awards for contributions to the bicentennial effort; to provide a central clearinghouse for information on the bicentennial; and to make grants of up to $45,000 for 2 successive years to each State, the District of Columbia, and Puerto Rico to assist in the establishment or implementation of Bicentennial Commissions.

Legislation to further amend Public Law 89–491, the statute which created the Bicentennial Commission, came before the House on June 19 of this year in the form of H.R. 13694. The bill authorized appropriations of $6,712,000 for fiscal year 1973, of which not to exceed $2,400,000 was to be used for the second year of the grants-in-aid program to the States. The measure also authorized grants to nonprofit entities of up to 50 percent of total cost to encourage bicentennial programs and projects, provided that the Commission could accept donations or bequests earmarked for specific nonprofit entities for bicentennial programs and award such funds to the intended recipient on the condition that the recipient match the combined value of the grant for the program; authorized the President for the period of 1 year to waive certain existing limitations of law with regard to the making, performance, amendment, or modification of contracts, the acquisition and disposition of property, and the expenditure of grant funds; and, finally, authorized the Commission to hire 10 additional supergrade employees to carry out its functions. However, a number of Members questioned the leadership, operations, and present direction of the Commission and the bill failed of passage under suspension of the rule.

Further questions were raised about the operations of the Commission and its leadership in a series of newspaper articles in July and September 12 the chairmen of the House Judiciary Committee, Mr. CELLER, announced that he would submit an amendment to H.R. 13694 to authorize only interim funding for the Commission while his staff conducted a study of its operations and functions. Accordingly, on September 28, H.R. 13694 was amended to authorize $3,356,000 for the Commission, to remain available until February 15, 1973. The amended version of the bill also struck out the authority of the President to waive provisions of existing law with regard to making of contracts and acquisition of property, and the authorization for ten new supergrade positions.

The Senate passed a bill, S. 3307, which was similar to the original House version of H.R. 13694, on August 10. It was amended on the Senate floor to provide that future public members of the Commission be more evenly divided among the two political parties, to cut the additional supergrades authorized from 10 to five, and to require a monthly report of the Congress relative to the use of certain authorities—with regard to making contracts—granted to the Commission. In addition, two nongermane amendments relating to Federal elections were adopted on the Senate floor.

As Congress moved toward adjournment the Senate accepted the modified authorization approved by the House on September 28, clearing the measure for the President's signature.

HEALTH AND HEALTH INSURANCE

Mr. Speaker, during the first session of the 92d Congress several significant health care measures were enacted into law, among them the Health Professions Education Act—Public Law 92–157, the Nurse Training Act—Public Law 92–158, and the National Cancer Act—Public Law 92–218. The Health Professions Education Act provided a 3-year authorization for appropriations—$225,000,000 for the fiscal year ending June 30, 1972, and $250,000,000 and $275,000,000 for the next 2 succeeding fiscal years—for both the construction of health research and teaching facilities and for the training of doctors, dentists, and other health professions.

The Nurse Training Act also provided a 3-year authorization for appropriations for the construction of new facilities for collegiate, associate degree, or diploma schools of nursing and grants to assist in the replacement or rehabilitation of existing nursing facilities. The National Cancer Act authorized the National Cancer Institute of the National Institutes of Health to marshal the Nation's resources and launch an all-out attack against cancer.

Significant congressional actions during the second session include:

DRUG ABUSE OFFICE AND TREATMENT ACT OF 1972 (S. 382, PUBLIC LAW 92–225)

Mr. Speaker, the Drug Abuse Office and Treatment Act—Public Law 92–225—seeks to marshal Federal resources against a serious national problem: drug addiction. The Department of Justice recently estimated that approximately 560,000 persons—many of them young people—are heroin addicts. Authorities also tell us that about 50 percent of the violent street crimes in the United States are attributed to addicts who seek the money they need, about $50 to $75 per day, to support their habit.

What the law will do is to create a Special Action Office for Drug Abuse Prevention under a Director with broad powers over the conduct of Federal drug abuse prevention, rehabilitation, and education programs in the area of dangerous drugs. This office will also fund research efforts leading toward new methods or concepts of drug prevention and addiction treatment. In addition, the act provides for a program of formula grants for the States to assist them in planning, establishing, maintaining, coordinating, and evaluating projects to deal with drug abuse.

NATIONAL SICKLE CELL ANEMIA CONTROL ACT (S. 2676, PUBLIC LAW 92–294)

On May 16, 1972, President Richard Nixon signed into law—Public Law 92–294—the National Sickle Cell Anemia Control Act. This law will aid thousands of our citizens afflicted with this blood disease. There is no known cure for this inherited disease, which primarily affects black Americans. Approximately 1,000 black infants are born each year with sickle cell anemia, and it is estimated that between 25,000 and 50,000 individuals are today afflicted with it. These citizens often die before the age of 20; few survive beyond age 40; and most are disabled before death.

To help combat this disease this act provides for appropriation authorizations over a 3-year period of $115 million. The bill also provides a national program for screening individuals with the sickle cell trait and counseling them, particularly in regard to marriage, for in the event that people with this trait marry, the probabilities are one in four that a child born to them will have the sickle cell trait. In addition, the act provides for further research into the diagnosis, treatment, and prevention of this disease.

NATIONAL HEART, BLOOD VESSEL, LUNG, AND BLOOD ACT OF 1972 (S. 3323, PUBLIC LAW 92–423)

Mr. Speaker, diseases of the heart and blood vessels cause more than half of all deaths each year in the United States. If these diseases could be eliminated, the average Americans life span would be increased by about 11 years. Passage of Public Law 92–423 by the Senate and House will help to conquer the Nation's No. 1 killer—heart disease.

It should be noted that three types of cardiovascular disease—heart attacks, strokes, and peripheral vascular diseases—have reached epidemic proportions in this country. For example, approximately 1.2 million Americans suffer heart attacks each year; stroke kills more than 200,000 citizens every year; and peripheral vascular diseases disable more than 150,000 individuals each year.

Public Law 92–423 enlarges the authority of the National Heart and Lung Institute of the National Health Institute and establishes a 10-point program for it. Some of these programs include: First, the establishment of public and professional programs relating to all aspects of blood, heart, and lung disease; second, research into the causes and prevention of these diseases; and third, establishment of programs for study and research into these disease.

This act also authorizes heart, blood vessel, lung, and blood disease preven-

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tion and control programs and establishes 30 new centers for clinical and basic research, 15 for heart and related diseases and 15 for lung diseases. To accomplish these and other objectives of the act, $1.38 billion has been authorized.

COMMUNICABLE DISEASES CONTROL AMENDMENTS ACT (S. 3442, PUBLIC LAW 92-449)

On June 16, 1972, Mr. Speaker, the Senate passed the Communicable Disease Control Amendments Act (S. 3442) and the House followed suit on July 18, 1972. Adoption of the conference report came in mid-September. This measure extends and amends the present program of assistance to States and localities for the prevention and control of communicable diseases. Many of them, such as measles, whooping cough, and venereal disease, have been on the increase in recent years. For example, there were 624,000 reported gonorrhea cases in 1971, almost triple the number reported in 1962.

The act authorizes categorical grants to State and local communities, with specific authorizations for various categories of diseases. In addition, the Secretary of Health, Education, and Welfare is granted the authority to transfer funds from one program to another, thereby assuring him of the needed flexibility in administering such programs as tuberculosis, measles, or venereal control.

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM AND DIGESTIVE DISEASES (H.R. 13591, PUBLIC LAW 92-305)

H.R. 13591, Public Law 92–305, amends the Public Health Service Act to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases. No new authorizations for appropriations were required by this action. The Secretary of Health, Education, and Welfare did estimate, however, that it would cost about $26,000 in additional administrative expenses.

This act does not represent simply a change of name, but recognition that there is a critical need to expand research and training in the field of digestive diseases. At the present time, there are only 700 physicians in the United States who have been certified as specialists in digestive diseases, while health statistics reveal that nearly 13 million Americans suffer from chronic digestive diseases. The fourth highest death rate among Americans is caused by cancer of the digestive tract and other digestive diseases. Through the enactment of this law greater emphasis will now be placed on combating digestive diseases.

NATIONAL COOLEY'S ANEMIA CONTROL ACT (H.R. 15474, PUBLIC LAW 92-414)

Mr. Speaker, Cooley's anemia is a genetic disorder that affects children primarily. It is characterized by the imperfect formation of hemoglobin and red blood cells. Children with Cooley's anemia often have enlarged spleens and livers, and their bone growth is uneven, often leading to facial features characteristic of Mongoloids. There is no known cure for this disease, although the administration of blood transfusions lengthens the lives of the approximately 50,000 individuals afflicted with Cooley's anemia. The disease is almost always fatal, with those afflicted having an average life span of 20 years.

With the passage of H.R. 15474—Public Law 92–414—a 3-year program has been established to accomplish several major goals. First, the Secretary of Health, Education, and Welfare is authorized to establish a program of grants and contracts for screening, treating, and counseling citizens with Cooley's anemia. These programs should help minimize the possibility of children inheriting the disease from those who carry the Cooley anemia trait.

Second, H.R. 15474 authorizes grants and contracts for research in diagnosis, treatment, and prevention of the disease. Finally, Mr. Speaker, this act authorized the Secretary of Health, Education, and Welfare to develop and disseminate information on Cooley's anemia to the public and various health professions. Through these programs means can be found to control and eradicate this disease.

NATIONAL ADVISORY COMMISSION ON MULTIPLE SCLEROSIS ACT (H.R. 15475)

Mr. Speaker, on August 1, 1972, the House passed H.R. 15475, which calls for the creation of a national advisory commission to determine the most effective means of finding the causes of and cures for multiple sclerosis. This progressive disease of the nervous system, Mr. Speaker, generally strikes adults between the ages of 20 and 40. It is estimated that about 250,000 persons are afflicted with this disease. The Senate passed an amended version of this bill on September 26, 1972.

Multiple sclerosis, Mr. Speaker, attacks the brain and spinal cord and forms scars—scleroses—at the sites of the damage. This damage results in the symptoms of the disease, which may include shaking or tremor, extreme weakness, progressive paralysis, and visual disorders. Persons afflicted with this disease, for which there is no known cure, have an average life expectancy of between 13 and 25 years.

H.R. 15475, as passed by the House, provides for the establishment of a nine-man Commission to determine how this disease may be combated. Five members of the Commission shall be members of the existing advisory council to the National Institutes on Neurological Diseases and Stroke, and four members shall be selected by the Secretary of Health, Education, and Welfare from the public. The National Advisory Commission on Multiple Sclerosis is to make recommendations within one year and shall cease to exist 30 days after making its final report. Hopefully, Mr. Speaker, this Commission will provide the direction needed to find the cure for a disease that strikes down people in the prime of their life.

EMERGENCY MEDICAL SERVICES ACT (H.R. 15859)

Mr. Speaker, on October 2, 1972, the House passed H.R. 15859, the Emergency Medical Services Act. This act will help to save the lives of thousands of American citizens who suffer heart attacks, are involved in automobile accidents, or suffer other medical emergencies but die before they reach a hospital for lack of emergency medical facilities. For example, 55,000 people die every year in automobile accidents; 16,000 children die every year in accidents; and 275,000 citizens die every year from heart attacks before they reach a hospital. It has been estimated that as many as 35,000 of these deaths could be prevented by the availability of emergency medical services.

H.R. 15859 provides new authority to the Secretary of Health, Education, and Welfare to support the development and expansion of emergency medical services and training throughout the Nation. The Secretary is granted authority to let grants and contracts for: First, planning and feasibility studies; second, the establishment and initial operation of emergency medical systems; and third, their expansion and improvement. In addition, the Secretary is authorized to make grants for research and training in methods and techniques of emergency medical services.

REHABILITATION ACT OF 1972 (H.R. 8395)

The Rehabilitation Act of 1972 provides an opportunity for many physically and mentally handicapped individuals to work, to earn, and to live independently in their communities. H.R. 8395 does this by extending for 3 years the appropriation authority of the Vocational Rehabilitation Act.

In addition, this measure introduces several new programs. One provides a program to deal with severely handicapped individuals, those with little expectation of being employed. Another includes authorization to assist States in aiding individuals with serious kidney diseases. H.R. 8395 also includes authority for the Secretary of Health, Education, and Welfare to establish comprehensive centers to serve the low-achieving deaf. Authority is also included for the establishment of special centers for individuals with spinal injuries. Finally, it provides for a National Commission on Transportation and Housing for the Handicapped. Handicapped persons have special needs in regard to housing and transportation. A primary function of this Commission will be to educate the public about these problems so steps can be taken to resolve them.

EXTENSION OF COMPREHENSIVE ALCOHOL ABUSE AND ALCOHOLISM PREVENTION, TREATMENT, AND REHABILITATION ACT OF 1970 (H.R. 16675)

H.R. 16675 extends for 1 year, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970—Public Law 91-616—continuing grants to States or localities for the prevention, treatment, and rehabilitation of alcohol abuse and alcoholism.

EXTENSION OF COMMUNITY MENTAL HEALTH CENTERS ACT (H.R. 16676)

H.R. 16676 extends for 1 year the Community Mental Health Centers Act. This act stimulated the development of community-based mental health centers throughout the Nation. Under the authority of this act, the National Institute of Mental Health has funded 493 community mental health centers of which over 325 are now operational. With the 1-year extension provided by H.R. 16676, programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children will be continued.

EMERGENCY HEALTH PERSONNEL ACT OF 1972 (S. 3858, H.R. 16755)

S. 3858 (H.R. 16755), the Emergency Health Personnel Act, established within the Public Health Service a National Health Service Corps. The Secretary of Health, Education, and Welfare is authorized to designate areas of the country that have critical health manpower shortages and to then assign Corps personnel to these areas. Corps personnel will provide care and service to all persons within such areas regardless of the ability of individuals to pay for them. In addition, the bill authorizes the Secretary to conduct recruiting programs at medical and nursing schools and to offer scholarships to students who, upon the completion of their studies, will become commissioned officers of the National Health Service Corps.

HOUSING AND URBAN DEVELOPMENT

Mr. Speaker, during the first session the Congress enacted Public Law 92-213, concerning disaster loans, planning grants, and new community assistance. Public Law 92-213 extends the period for emergency implementation of the national flood insurance program to December 31, 1973, and includes church properties among those eligible for coverage. It increases the authorization for appropriations for comprehensive planning and open-space land grants and extends the deadline for communities to meet the planning requirement for water-sewer grants. In addition, Public Law 92-213 makes entities, other than State or local public bodies and agencies eligible for supplemental grants for new community assistance projects.

EXTENSION OF AUTHORITY TO ESTABLISH INTEREST RATES ON INSURED MORTGAGES (S.J. RES. 250, PL 92-335)

In July Public Law 92-335 was enacted into law, extending the authority of the Secretary of Housing and Urban Development to establish maximum interest rates on insured mortgages. This legislation also extends the authorizations for appropriations for the model cities program for water-sewer and neighborhood facilities grant programs, and for the open space land program.

HOUSING PROGRAMS EXTENSION (H.J. RES. 1301)

In October 1972 action was concluded on a joint resolution to extend existing housing and urban development programs through June 30, 1973. This extension became necessary when it became impossible to complete consideration of the Housing and Urban Development Act of 1972. The resolution extends the authority of the Secretary of Housing and Urban Development relative to insurance of loans and mortgages under the National Housing Act.

IMMIGRATION

Mr. Speaker, while neither the House nor the Senate passed a major measure affecting immigration during the First Session, the House has passed two bills during this session.

VISA AVAILABILITY (H.R. 9615)

H.R. 9615, a bill to make additional special immigrant visas available for immigrants from certain foreign countries, passed the House on March 16, 1972.

This measure is intended to remove two inequities that have developed since amendments (Public Law 89-236) to the Immigration and Nationality Act. H.R. 9615 would make additional special immigrant visas available annually to each country of the eastern hemisphere equal to 75 percent of the 1955-65 average of immigrant visas issued, less visas issued each year under the permanent provisions of the Immigration and Nationality Act, but not exceeding 7,500 visas per country per fiscal year; and reduce the backlog in visa issuance in the fifth preference category—brothers and sisters of U.S. citizens.

HIRING OF ILLEGAL ALIENS (H.R. 16188)

H.R. 16188, passed the House by voice vote on September 12, 1972, and amends the Immigration and Nationality Act. This measure has two purposes: To make it unlawful knowingly to hire aliens who have not been lawfully admitted for permanent residence or are not authorized by the Attorney General to work while in the United States, and to establish a three-step procedure for the imposition of sanctions against employees who hire illegal aliens.

This legislation aims to deter the illegal alien by eliminating his incentive for employment. The graduated three-step procedure against those hiring illegal aliens would consist of a warning for the first offense, a civil penalty of not more than $500 per alien for a second offense, and a fine of $1,000 and/or 1-year imprisonment for each alien for a third offense. The Attorney General is also required to exercise due process in administrative hearings of such cases.

INDIAN AFFAIRS

Mr. Speaker, during the first session, Congress passed two major Indian bills in addition to claims and land-rights legislation.

Public Law 92-203 (H.R. 10367), the Alaska Native Claims Settlement Act, was signed into law on December 18, 1971. This law provided for the settlement of certain land claims of Alaskan Natives. The legislation had one main purpose: To settle Native land claims by terminating all Native claims of aboriginal title in return for which the Natives were granted a certain acreage and a specific payment.

Public Law 92-189 (H.R. 5068), to establish grants for the Navajo Community College, was signed into law on December 15, 1971. The purpose of the act is to assist the Navajo Tribe in providing education to the members of the tribe. The Secretary of the Interior is authorized to make grants to the Navajos and to assist them in the construction, maintenance, and operation of the college.

During the second session, the following bill concerning Indian affairs was acted upon by Congress:

EDUCATION AMENDMENTS OF 1972 (S. 659, PUBLIC LAW 92-318)

Public Law 92-318, the Education Amendments of 1972, amended several education acts. Of relevance to Indians is title IV, "Indian Education," the provisions of which were passed by the Senate on October 8, 1971, as the Indian Education Act of 1971 (S. 2482).

Title IV provides for:

First, a revision of the impacted areas program as it relates to Indian children;

Second, special programs and projects to improve educational opportunities for Indian children;

Third, certain special programs relating to adult education for Indians;

Fourth, establishment of an Office of Indian Education within the Office of Education (HEW); and

Fifth, various miscellaneous provisions.

LABOR

Mr. Speaker, during the first session the Congress enacted two bills concerned with those who are employed by our Nation's railroads. Public Law 92-17 was emergency legislation aimed at preventing an impending nationwide strike. It directed striking railmen to return to work while providing for a 13½-percent wage increase and prohibiting future railroad strikes through October 1, 1971. Public Law 92-46 provided a 10-percent increase in retirement benefits for railroad employees to June 30, 1973, retroactive to January 1, 1971. This act also extended to June 30, 1972, the reporting date for the Commission on Railroad Retirement, created to study the railroad retirement system.

Additional congressional action has been forthcoming during the second session.

NLRA EXTENSION TO NONPROFIT HOSPITALS (H.R. 11357)

H.R. 11357, which amends the National Labor Relations Act by extending its coverage to employees of private nonprofit hospitals, passed the House on August 7, 1972, by a 285-to-95 rollcall vote.

The purpose of this measure is to restore to employees of nonprofit hospitals the rights guaranteed to most other employees by section 7 of the National Labor Relations Act:

> To self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purposes of collective bargaining or other mutual aid or protection, and the corollary right to refrain from any and all of such activities.

Employers would also be granted the rights guaranteed most other employers: to invoke the Act against unfair labor practices engaged in by unions.

LABOR-HEALTH, EDUCATION AND WELFARE APPROPRIATIONS (H.R. 15417)

On August 16, 1972, the President vetoed H.R. 15417, a bill appropriating funds for fiscal 1973 for the Department of Labor and the Department of Health, Education, and Welfare. The vetoed measure, sustained by the House, contained an amendment which prohibited funds from being used to inspect businesses employing 15 or fewer persons to determine if they were in compliance with the Occupational Safety and Health Act of 1970 (Public Law 91-596), thus exempting such businesses from the act.

The new Labor-Health, Education, and Welfare appropriation bill, H.R. 16654, contains a similar provision regulating compliance with the 1970 act. The provision in H.R. 16654 exempts businesses employing three or fewer employees.

MINIMUM WAGE (H.R. 7130)

Congress failed to resolve differences over H.R. 7130 and it died with adjournment. Earlier this year the House voted to raise the minimum wage of workers covered under the act. The measure, as passed by the House, included provisions for a minimum wage for nonagricultural workers covered prior to the 1966 amendments of $1.80 an hour during the first year and $2 thereafter: a minimum wage for nonagricultural workers covered by the 1966 and 1972 amendments of $1.70 an hour during the first year, $1.80 during the second year, and $2 thereafter. Agricultural workers would have received $1.50 an hour during the first year and $1.70 thereafter. These provisions would have become effective the first day of the second full month after the date of enactment.

The House version called for special minimum hourly wage rates and increases for employees in Puerto Rico and the Virgin Islands including hotel, motel, restaurant, government, and other nonagricultural employees, as well as agricultural workers. It retained present exemptions and exempted Canal Zone employees from hourly minimum wage rates. It extended minimum wage and overtime exemptions to employees delivering certain types of advertising material and husband and wife teams in nonprofit educational institutions who serve as resident house parents for orphans lodged and boarded.

The House version provided for the employment of youths under 18 and full-time students under 21 at wage rates not less than 80 percent of the applicable minimum or $1.60 per hour—$1.30 per hour in agriculture—whichever is higher, with such employment in accordance with applicable child labor laws and subject to standards by the Secretary of Labor to insure that opportunities for other workers are not hindered.

The Senate version extended coverage to an additional 7.5 million persons including Federal, State, and local civil service employees, but not persons serving in the armed services; to domestic household workers, but not babysitters; to certain agricultural workers, and to retail and service establishment employees working in chain stores.

The Senate version postponed the maximum minimum wage of nonagricultural workers covered prior to the 1966 amendments for an additional year and agricultural workers for an additional 2 years. The Senate voted to increase the minimum hourly wage of nonagricultural workers covered prior to the 1966 amendments to $2 an hour during the first year and $2.20 2 years later, nonagricultural workers covered by the 1966 and 1972 amendments to $1.80 an hour during the first year, $2 the second year, and $2.20 thereafter. Agricultural workers would have gotten $1.60 an hour during the first year, $1.80 during the second year, $2 during the third year, and $2.20 thereafter. These provisions were to take effect 60 days after enactment.

H.R. 7130, as passed by the Senate, also included provisions for minimum hourly wages and increases for certain employees in Puerto Rico and the Virgin Islands; extended the equal pay provisions for previously exempted executives, administrative or professional employees, and outdoor salesmen; repealed minimum wage and overtime exemptions for certain employees such as motion picture theatre employees; and repealed overtime exemptions for certain workers such as parts men and mechanics in auto, truck, and trailer dealerships, and catering food service employees.

Finally, the Senate version included provisions relating to: Tips, child labor, employment of illegal aliens, liquidated damages, age discrimination in government employment, a minimum hourly wage rate of $1.70 for Canal Zone workers covered under the act, and present provisions of the act concerning youth employment and employing students part time in educational institutions.

LONGSHOREMEN'S AND HARBOR WORKER'S COMPENSATION ACT (S. 2318, PUBLIC LAW 92-)

On October 14, the House passed S. 2318, amending the Longshoremen's and Harbor Worker's Compensation Act, to provide benefits to workers who suffer injuries on the job in certain areas of employment. The present act, enacted in 1927, generally provides a Federal compensation program for injuries or death arising from employment on the navigable waters of the United States. Because this legislation was the only Federal control over private employment in workmen compensation matters, the statute over the years has been extended to cover employees of the District of Columbia and other areas of Federal interest.

More than 200,000 longshoremen and ship repairmen are covered by the statute. In addition, another 300,000 employees of private employers within the District of Columbia are protected by the law as well as an additional 200,000 workers on defense bases in nonappropriated fund agencies such as post exchanges, and in work on the Outer Continental Shelf. The law is amended by S. 2318 specifically to provide injury compensation benefits to these other areas of employment. Benefits will now extend to workers receiving injuries while working in navigable waters beyond the U.S. limits. S. 2318 not only improves benefits and extends coverage, but improves administration.

The maximum compensation for disability is not to exceed 200 percent of the national average weekly wage to be determined annually by the Secretary of Labor. The basic purpose of the act is to insure that the injured worker receives 66⅔ percent of his average weekly wage.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE

In its first session the 92d Congress passed legislation authorizing the Secretary of the Treasury to grant relief to owners of U.S. Government securities which are lost, stolen or damaged (S. 1181; Public Law 92-19). The granting of such relief is an act of justice on the part of the Government to those who have invested their savings in their Government.

It would be difficult to overestimate the threat which drug abuse poses to the health, welfare, and public order of our country. In the first session of the 92d Congress the House passed an amendment (H.R. 8389) to the Omnibus Crime Control and Safe Streets Act of 1968 providing for treatment programs for drug abusers who are confined to, or released from, correctional institutions.

And in its first session the 92d Congress passed an amendment to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (H.R. 5674; Public Law 92-13) increasing the authorized appropriation for the Commission on Marihuana and Drug Abuse to $4 million.

Legislation to prohibit the use of the mails to send obscene matter to minors, and to protect the right of privacy of others by defining obscene matter, passed the House in July, 1971. H.R. 8805 establishes definitions of "obscene" matter that would be nonmailable to minors under the age of 17, and provides a definition of "obscene" matters for general application to distribution of matter through the U.S. mails. Finally, the bill provides mail patrons with a means not to receive unsolicited "potentially offensive sexual material." The Senate did not act on this bill.

During the 1960's, acts of violence committed by children under 18 and the rate of auto stealing increased by 85 percent. Children from 10 to 17 years old make up 16 percent of the national population, but 48 percent of all arrests for serious crime are of young people in this age group. Arrests of persons in no other age group make up such a high percentage of arrests for serious crime. The gravity of the problem of juvenile delinquency must shock us into taking measures adequate to protect our communities and to guide young people away from violence and lawlessness. The 92d Congress during its first session passed The Juvenile Delinquency Prevention and Control Act Amendments of 1971 (S. 1732; Public Law 92-31), which extended the act for 1 year, authorized funding of programs for delinquent young people, and established an interdepartmental council to coordinate all Federal juvenile delinquency programs.

JUVENILE JUSTICE INSTITUTE (H.R. 45)

In order to prepare ourselves to deal with juvenile delinquency the House, in the second session of the 92d Congress, on April 18, 1972, passed H.R. 45, a bill to establish an Institute for Continuing Studies of Juvenile Justice. Supervised by a Director appointed by the President by and with the advice and consent of the Senate for a 4-year term, the Institute would serve as an information bank on juvenile delinquency; it would publish data and distribute data and studies on juvenile delinquency; it would prepare studies on juvenile justice including comparisons and analyses of Federal and State laws and model laws together with recommendations on juvenile justice; it would devise and conduct seminars and workshops on juvenile delinquency; it would provide a short-term training program in methods for the prevention, control, and treatment of juvenile delinquency for law enforcement officers, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, family counselors, and others; it would assist State, local, and private agencies to develop training programs on juvenile delinquency; and it would recommended to Congress further legislation designed to overcome juvenile delinquency.

The Institute is authorized to seek information and assistance from Federal departments and agencies and to reimburse them for it; to utilize the cooperation of State, local, and private agencies; to contract with public or private agencies or individuals to do work pursuant to the Institute's functions; to pay for consultants at a rate up to $75 per day together with travel allowance and per diem living allowance.

H.R. 45 would establish an Advisory Commission to supervise the policy and operations of the Institute. The following would compose the Advisory Commission: the Director of the Institute who would be appointed by the President, Administrator of the Law Enforcement Assistance Administration, Administrator of the Bureau of Prisons, Administrator of the Youth Development and Delinquency Prevention Administration, Administrator of the National Institute of Mental Health, and the Administrator of the U.S. Judicial Center, plus 15 persons having training and experience in the various areas of juvenile delinquency.

On September 13, 1972, the Senate Subcommittee on Juvenile Delinquency approved H.R. 45 for consideration by the full Judiciary Committee, but the Senate did not debate the bill and it died with adjournment.

JUVENILE DELINQUENCY PREVENTION ACT (H.R. 15635, PUBLIC LAW 92-381)

Public Law 92-381, approved by the President August 14, 1972, provides assistance to elementary and secondary schools, community agencies, and other public and nonprofit private agencies, for the prevention of juvenile delinquency. This legislation authorizes grants for local preventive programs, training of personnel for these local programs, technical assistance for them, and information services. Local grants will be for the purpose of funding coordinated youth service systems. A local grantee, however, will have the responsibility for finding out those services available within its community which can assist in preventing delinquency, and to coordinate programs so that a youth in danger of becoming delinquent will have easy access to them.

Already there is a proliferation of services available to local communities such as model cities programs, neighborhood community health clinics, drug abuse centers, and legal services offices. It is the purpose of this act to create a focal point for children in trouble, or potential trouble, so that they can be helped to utilize existing facilities. The emphasis is to help a child before he or she becomes delinquent, with preventive effort directed toward attempts to identify these young people most likely to become delinquents.

The new law also requires that funds made available by Congress be concentrated in areas which have the highest rates of youth crime, youth unemployment, and school dropouts. Authority in the 1968 Juvenile Delinquency Prevention and Control Act was retained for construction grants for community based special purpose or innovative facilities, limited to 10 percent of available funds. Funding was authorized at $75 million annually for 2 years, fiscal 1973 and 1974.

NARCOTIC ADDICT REHABILITATION AMENDMENTS (H.R. 9323, PUBLIC LAW 92-420)

This session final action was taken on legislation amending the Narcotic Addict Rehabilitation Act of 1966 to permit the use of methadone in narcotic addiction treatment programs. Public Law 92-420 amends the definition of the word "treatment" contained in three titles of the 1966 act to encompass the methods of therapy which are designed to control, but not necessarily eliminate, a narcotic addict's dependence on addicting drugs. "Treatment" henceforth includes control of dependence, through the use of synthetics such as methadone, in addition to elimination of dependence. Public Law 92-420 authorizes confinement and treatment in an institution and supervised aftercare in the community, in addition to the medical, educational, social, psychological and vocational services, corrective and preventive guidance and training, and other rehabilitative services authorized in the 1966 act to protect the public and benefit the addict by eliminating his dependence on addicting drugs.

PUBLIC SAFETY OFFICERS' BENEFITS ACT OF 1972 (S. 2087, H.R. 16932, PUBLIC LAW 92-)

An amendment to the Omnibus Crime Control and Safe Streets Act of 1968, to provide benefits to survivors of public safety officers who die in the performance of duty, was cleared for the President's signature. S. 2087 directs the Law Enforcement Assistance Administration to pay a $50,000 death gratuity to survivors of certain public safety officers who die as the direct or proximate result of an injury sustained in the line of duty. An eligible public safety officer is defined to include State and local law enforcement and volunteer firemen, who at the time of their injury are engaged in certain hazardous duty. In the case of a law enforcement officer he must be engaged either in the apprehension of a suspect or a criminal, or the protection or guarding of suspects, prisoners, or material witnesses, or trying to prevent a crime. The $50,000 death benefit would not be subject to Federal income taxes.

S. 2087 is designed to meet the immediate financial needs of the officer's survivors and, at the same time, to upgrade and improve employment potential in the professions of law enforcement and firefighting. It is an important step in encouraging qualified and outstanding persons to serve as policemen or firefighters.

MANPOWER TRAINING, JOB OPPORTUNITY, AND REGIONAL AND RURAL DEVELOPMENT

Mr. Speaker, during the first session the Congress enacted into law four bills concerned with manpower training, job opportunity, and regional and rural development. These included Public Law 92-54, the Emergency Employment Act of 1971, which provided for approximately 150,000 public service jobs in recreation, education, health, housing, public safety, and environmental improvement; S. 575, the Public Works and Appalachian Regional Development Act amendments, which would have authorized funds for accelerated public works projects and regional development programs, but was vetoed by the President; Public Law 92-65, the Public Works and Economic Development Act Amendments of 1971, which authorized funds for public works, business loans, employment opportunities, and regional development; and Public Law 92-12, the Rural Telephone Bank Act, which provided for supplementary financing to meet the growing capital needs of rural telephone systems.

Three measures of importance merit our attention during this second session.

MANPOWER DEVELOPMENT AND TRAINING ACT AMENDMENTS (S. 3054, PUBLIC LAW 92-277)

In April 1972, action was completed on the Manpower Development and Training Act amendments to extend the authority and provision for funding under the original act for 1 year. Programs under the act are currently funded at about $750 million and these programs have almost 150,000 enrollees. This legislation enables contracts to be entered into assuring the continuation of such programs as skill centers, opportunities industrialization centers and institutional and on-the-job training programs through 1973.

RURAL DEVELOPMENT ACT OF 1972 (H.R. 12931) S. 3462, PUBLIC LAW 92-419)

In August 1972 Congress cleared the Rural Development Act to provide a comprehensive program to improve job opportunity, income, and the quality of life in rural America. The act includes all the major components of rural development together in one piece of legislation, including education, research, credit, and other financial assistance, planning, and environmental protection.

Title I includes major expansions and improvements of the Consolidated Farmers Home Administration Act of 1961. The Farmers Home Administration—FHA—is authorized to make loans to rural residents to acquire, establish, or operate small businesses and to make and insure rural business and industrial loans, including pollution abatement and control loans. In addition, FHA loans are authorized for community facilities such as firehouses and community centers and for enterprises connected with the 4-H Clubs or Future Farmers of America.

The FHA water and waste disposal funding ceiling is increased from $100 million to $300 million and rural water and sewer planning grant authority is increased from $15 million to $30 million annually. Top priority for rural water and sewer loans and grants is to be given to areas with populations of 5,500 or less. Title I defines "rural areas" for most purposes as communities of 10,000 or fewer inhabitants and establishes planning guidelines for FHA grants which require that proposed projects serve areas not likely to decline in population. Grants of up to $10 million annually are authorized for the preparation of comprehensive rural development plans.

Title II amends the Watershed Protection and Flood Prevention Act to include the conservation and utilization of land as well as water under the act. Title II authorizes Federal cost sharing for water quality management, land utilization, agricultural waste management, and water shortage. It also authorizes the Secretary of Agriculture to enter into agreements for a period of up to 10 years with landowners to share the cost of conservation programs within watershed projects.

Title III amends the Bankhead-Jones Farm Tenant Act to authorize the Secretary of Agriculture to promote rural community development by furnishing technical assistance and cost sharing—up to 50 percent—to public agencies and organizations carrying out plans for conservation of rural community water supplies, water quality management, control and abatement of agriculture-related pollution, disposal of solid wastes in rural areas, and storage of water for rural fire protection. It also directs the Secretary of Agriculture to carry out a land inventory and monitoring program and prepare reports on soil, water, and resource conditions.

Title IV provides for financial and technical assistance to States to aid in rural community fire protection.

Title V establishes a pilot program of rural development and small farm research and education to be administered through the land-grant colleges.

Title VI directs the heads of all Federal departments and agencies to give first priority to locating new offices and other facilities in rural areas.

The basic purpose of the Rural Development Act is to encourage economic growth and to improve the quality of life in rural America. The act, by coordinating and strengthening a wide variety of efforts, is expected to be of great significance in achieving these goals.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1972 (H.R. 16071)

On August 16 the House passed the Public Works and Economic Development Act Amendments of 1972. The original act, which was passed in 1965, provided for Federal assistance, both technical and financial, to economically distressed areas of our Nation. The purpose of the amendments is to make needed improvements in the law and to extend the programs of the act for an additional fiscal year to June 30, 1974.

The proposed amendments would establish an annual $500 million "public works impact" program to provide immediate useful work to the unemployed and underemployed. The bill would authorize 80 percent grants in areas which are rural with large population loss or which have large concentrations of low-income population, or substantial unemployment.

Four regional commissions which have undertaken extensive planning—Coastal Plains, Four Corners, Ozarks, and Upper Great Lakes—would each receive $100 million a year to carry out planned programs. Three others in earlier planning stages—New England, Old West, and Pacific Northwest—would get an annual $20 million each for planning.

To meet the problems of industries threatened with shutdown because of environmental regulations, 3 percent, 30-year loans for pollution abatement measures would be provided. In case of a shutdown displaced workers would be eligible for special unemployment compensation and other aid.

Assistance would be made available to States for preparation of overall State economic development programs and Economic Development District programs would be required to be consistent with them. Economic Development Districts also would get Federal assistance to provide staff and other nongrant technical assistance to local governments and in performing project notification and review functions under Office of Management and Budget Circular A-95 Coordination at the multistate level would be promoted through a requirement that Districts provides copies of plans to regional commissions, which would have to take them into consideration in preparing their own programs.

The population maximum of communities eligible for growth center designation and special assistance would increase from 250,000 to 500,000. In addition "special impact" public works project areas would be redefined to assure more attention to pockets of high unemployment in urban areas.

The Senate passed an amended version of the bill October 12. In one of its final actions Congress sent the measure to the White House.

MONETARY, BANKING, TAX, AND FISCAL POLICIES

Mr. Speaker, during the first session, the Congress enacted 10 major laws concerned with monetary, banking, tax, and fiscal policies. They included: Public Law 92-5, which raised the permanent debt ceiling to $400 billion, increased the temporary addition to the debt limit to $30 billion until July 1, 1972, and provided for major increases in social security benefits; Public Law 92-9, which extended until March 31, 1973, the interest equalization tax, which reduces the incentive for American citizens to purchase foreign securities, and thereby aids the balance-of-payments situation; Public Law 92-178, the Revenue Act of 1971, which struck a balance between tax reductions for individuals and tax incentives for business by providing a job development investment credit, reducing individual income taxes, repealing certain excise taxes, and providing for other changes in our tax laws, including the adoption of a tax credit or deduction for political contributions; Public Law 92-221, which broadens the authority for the Administrator of the National Credit Union Administration to supervise and grant insurance protection for Federal and State credit unions; Public Law 92-8, which extended the standby authority for regulation of interest rates, prices, wages, salaries, and rents—the Economic Stabilization Act—to June 1, 1971; Public Law 92-15, which extended the same authority to June 1, 1973; Public Law 92-210, which broadened and extended until April 30, 1973, the Economic Stabilization Act, under which President Nixon imposed the wage-price freeze August 15, 1971, and subsequently established phase two of his stabilization program; authority to control interest rates, finance charges, and corporate dividends was added to authority already given the President, as was authority to impose single industry controls, to provide for the delegation of authority to stabilization boards, commissions, and committees—the Pay Board and the Price Commission—and to establish enforcement machinery for phase two; Public Law 92-70, which created an Emergency Loan Guarantee Board to guarantee lenders against losses on loans meeting certain Federal requirements; and Public Law 92-165, which revised the Investment Company Act of 1940 to provide that mutual fund shareholders must be systematically informed of charges to be deducted from projected payments and given notice of rights of withdrawal.

During the second session, the Congress enacted additional major laws of importance to the American people.

STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972 (H.R. 14370)

In an historic action, the 92d Congress gave its final approval to the principle of Federal revenue sharing with the passage of Public Law 92- , which will provide Federal payments to localities for high-priority expenditures, encourage the States to supplement their revenue sources, and authorize Federal collection of State individual income taxes. Payments are to be made in installments, but not less often than once each quarter. Funds received by units of local government may be used only for priority expenditures, defined as first, ordinary and necessary maintenance and operating expenses for public safety, environmental protection, public transportation, health, recreation, libraries, social services for the poor or aged, and financial administration; and second, ordinary and necessary capital expenditures authorized by law.

The law creates the State and local government fiscal assistance trust fund, to remain available without fiscal year limitation. Appropriated to this trust fund, out of amounts in the general fund of the Treasury attributable to the collection of the Federal individual income taxes not otherwise appropriated, is $30,236,400,000 over a 5-year period beginning January 1, 1972, and ending December 31, 1976.

Allocations of funds to a State will be on the basis of whichever of two formulas yields the greater amount for that State for that period. One formula multiplies the population of the State by its general tax efforts, multiplies this product by the relative income of the State, and then compares the resulting product for the State with the sum of the products similarly determined for all of the States. The second formula provides a five-factor formula under which the annual rate at the start of the program is first, $3.5 billion, divided among the States, one-third on the basis of population, one-third on the basis of urbanized population, and one-third on the basis of population inversely weighted for per capita income, and second, $1.8 billion divided among the States, one-half on the basis of individual income tax collections by State governments and one-half on the basis of the general tax effort of the States and local governments. Of the amounts allocated to each State for any entitlement period, the State government is entitled to one-third, with the remaining portion allocated among the units of local government of that State.

The law also amended title XI of the Social Security Act to impose a limitation on grants for social services under public assistance programs. Federal matching for social services under programs of aid to the aged, blind, and disabled and aid to families with dependent children will be subject to a State-by-State dollar limitation, effective beginning with fiscal year 1973. Each State will be limited to its share of $2.5 billion based on its proportion of population in the United States.

PUBLIC DEBT CEILING

The second session saw three separate actions to raise or maintain the public debt ceiling.

On March 15, 1972, Public Law 92-250—H.R. 12910—raised the public debt limit from $430 to $450 billion, through June 30, 1972.

On July 1, Public Law 92-336—H.R. 15390—extended the $450 billion ceiling to October 11. This second extension also contained provisions which reflected Congress, concern over losses suffered as a result of Hurricane Agnes; the tax code was revised to allow deductions for disaster losses in the taxable year immediately preceding a taxable year in which a disaster occurs, if the losses are suffered within the first 6 months of the latter year. Public Law 92-336 also provided a 20-percent increase in old age, survivors, and disability insurance benefits under title II of the Social Security Act; in addition, social security benefits were tied to the cost-of-living index, which will automatically trigger a benefits hike whenever the cost of living rises more than 3 percent in any calendar year.

On October 10, the House approved H.R. 16810, further raising the public debt ceiling by $14 billion to $465 billion through June 30, 1973. The House bill also empowered the President to cut spending as he chooses in order to stay within a ceiling of $250 billion during the fiscal year ending June 30, 1973.

The Senate balked at giving the President carte blanche authority to cut spending where he chose. In a compromise conferees proposed that social security and other retirement payments, veterans' benefits, judges' salaries, and several other items be exempt from the President's cutting authority. His power to cut in other areas can, however, go as high as 20 percent of appropriated funds. The Senate rejected the compromise and the measure was returned to conference. As passed and sent to the President, the bill contained no provision for a spending ceiling of $250 billion.

REVALUATION OF GOLD (S. 3160, PUBLIC LAW 92-268)

Also during the second session, Congress passed legislation authorizing the Secretary of the Treasury to take steps necessary to establish the price of gold at $38 an ounce. This legislation formally implemented the dollar devaluation agreed to by the United States and put into effect in December 1971, as part of a realinement of the values of many national currencies.

NATIONAL DEFENSE AND FOREIGN AFFAIRS

Mr. Speaker, during the first session the Congress enacted five major measures concerned with the national defense and foreign affairs of the United States. They included Public Law 92-126, which amended the Export-Import Bank Act of 1945 to exclude Bank receipts and expenditures from the budget and exempt them from budget outlay limitations; to increase the Bank's guarantee and insurance authority from $3.5 billion to $10 billion and its aggregate transaction authority from $13.5 billion to $20 billion; to extend the Bank's life through June 30, 1974; to relax the ban on Bank credit transactions by applying it only to exports destined to countries engaged in armed conflict with the U.S. Armed Forces, and to any other country if the President determines the transaction to be contrary to national interest; to increase its competitiveness versus principal foreign government-related lenders; and to reaffirm the exemption of export credit transactions from the foreign direct investment control programs.

Also passed was Public Law 92-87, to include in the definition of "convention" any amendments to the Northwest Atlantic Fisheries Act which have entered, or may enter, into force for the United States; to define "person" and "vessel" to include those persons and vessels subject to the jurisdiction of the United States or to the jurisdiction of other parties to the convention with respect to international measures of control in force for such parties; to authorize the Secretary of State to assent to giving effect to a proposal of a party to the International Convention for the Northwest Atlantic Fisheries, notwithstanding any objection thereto by other parties; to empower the Secretary of the Department in which the Coast Guard is operating and the Secretary of Commerce, with the concurrence of the Secretary of State, jointly to issue the necessary regulations to implement enforcement proposals which enter into force with respect to the United States and to cooperate with officials of other parties to the convention in implementing such proposals; to provide a legislative basis for foreign enforcement officers taking action with respect to American vessels pursuant to such proposals; and to authorize American enforcement officers to take action with respect to foreign vessels pursuant to such proposals.

Also enacted during the first session of the 92d Congress was Public Law 92-129, which contains provisions extending the President's military induction authority from July 1, 1971, to July 1, 1973; granting the President discretionary authority to end undergraduate student deferments as of summer 1971, and to grant divinity students statutory deferment; providing that the alternative service requirement for conscientious objectors shall be assigned and numbered by the Director of Selective Service; providing a $2.38 billion increase in pay and allowances for military personnel; providing a 2.5 million active duty strength level for fiscal year 1972; providing for the termination of hostilities in Indochina; providing for the identification and treatment of drug and alcohol dependent persons in the Armed Forces; and providing for the appointment of certain regular, temporary, and reserve officers to be made subject to the advice and consent of the Senate.

Also passed was Public Law 92-156, which authorized appropriations for the procurement of certain weapons, for research and development in the weapons field, and to authorize personnel strength of active duty and Reserve units of the Armed Forces; and Public Law 92-145, which authorized certain construction at military installations.

During the first session of the 92d Congress the Senate ratified 14 treaties. These included an agreement providing for the reversion of the island of Okinawa to Japan; an additional protocol to the Treaty for the Prohibition of Nuclear Weapons in Latin America which expresses the understanding of the United States concerning territories and territorial claims, transit and transport privileges, nonuse of nuclear weapons, and the definition of "nuclear weapons;" a Mexican-United States boundary agreement regarding the location of the international boundary along the Rio Grande River and off both coasts; an International Wheat Agreement consisting of the Wheat Trade Convention of 1971 and the Food Aid Convention, 1971, and established to continue international cooperation in wheat trade; conventions and amendments regarding pollution of the sea, consisting of an International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, an International Convention on Civil Liability for Oil Pollution Damage, and amendments to the 1954 Oil Pollution Convention establishing more rigid control measures for oil tankers and other ships; a treaty on extradition between the United States and Spain which lists 23 extraditable offenses, including aircraft hijacking and offenses relating to narcotic drugs; action rescinding the Bryan-Chamorro Treaty of 1914 regarding a Nicaraguan canal route; an agreement with Mexico concerning traffic in stolen archeological properties; the Nice Agreement on Trademarks; a tax convention with France; a convention regarding the unlawful seizure of commercial aircraft; a double taxation convention with Japan; the Locarno Agreement on International Design Classifications; and a convention on the enlargement of the Council of the International Civil Aviation Organization.

We have passed additional legislation this session.

AZORES BASE AGREEMENT (S. RES. 214)

On March 3, 1972, the Senate voted acceptance of the Azores Base Agreement—Senate Resolution 214—which provided that new agreements between the United States and Portugal for military bases in Portugese territory or for foreign assistance from the United States would be subject to Senate approval. The measure also required the approval of both Houses of Congress for U.S. economic assistance to Portugal.

INTERNATIONAL EXECUTIVE AGREEMENTS (S. 596, H.R. 14365, PUBLIC LAW 92-403)

The House gave its approval to a bill—S. 596, H.R. 14365—on August 14 which requires the executive branch to submit to Congress the texts of all international agreements. The Senate had given its unanimous consent to the measure on

February 16 whereupon the State Department, which had until that time opposed the legislation, then told Congress that the administration would no longer oppose the bill.

WAR POWERS (S. 2956, H.J. RES. 1)

On August 14 the House also passed, in amended form, a Senate war powers bill—S. 2956—affirming the war powers of Congress and the President. The measure received Senate approval on April 13 by a 68 to 16 rollcall vote. The Senate version codified the limited circumstances under which the President, without congressional approval, might commit U.S. Armed Forces to combat or to situations where combat was likely. Troops so deployed on Presidential authority alone would have to be withdrawn after 30 days unless congressional approval was granted through legislation. The House version of the measure would require only that the President report to Congress whenever he committed troops to hostilities or ordered overseas troop buildups prior to obtaining congressional approval. A conference committee was appointed to resolve the differences between two versions of the bill but failed to reach a resolution.

Related to this legislation is a House War Powers measure—House Joint Resolution 1—which also provides that the President seek appropriate consultation with Congress prior to committing U.S. troops to conflict situations and enumerates three specific instances when the President must report to Congress the reasons for authority for and scope of the action undertaken. The measure passed the House on August 2, 1971. After Senate passage of S. 2956 on April 13, 1972, the Foreign Relations Committee reported House Joint Resolution 1 adversely a week later.

STRATEGIC ARMS LIMITATIONS RESOLUTION (H.J. RES. 1227, S.J. RES. 241; PUBLIC LAW 92-448)

On August 18 the House passed, on a 329 to 7 rollcall vote, a strategic arms limitation resolution—House Joint Resolution 1227—which, like its Senate counterpart—Senate Joint Resolution 241—approves the acceptance by the President of the interim agreement between the United States and the Soviet Union on certain measures with respect to the limitation of strategic offensive arms.

Debate was lengthy in the Senate. By a vote of 76 to 15 further debate on the resolutions was closed and subsequently an amended version of House Joint Resolution 1227 was passed by a vote of 88 to 2.

The Senate amended the administration-sponsored resolution by striking certain language and adding additional items including amendments urging the President to seek a future treaty which would not limit the United States to levels of intercontinental strategic forces inferior to limits provided the Soviet Union, modifying amendments to this proposal, and an amendment stating U.S. policy that neither the Soviet Union nor the United States should seek unilateral advantage by developing a first strike potential.

The House voted acceptance of the Senate version of the resolution on September 25 and the measure was sent to the President.

FOREIGN ASSISTANCE ACT OF 1972 (H.R. 16029, S. 3390)

On August 10 the House passed by a 221 to 172 rollcall vote the Foreign Assistance Act of 1972—H.R. 16029, S. 3390. As passed, the bill contained amendments authorizing the President to cut aid to any country refusing to prosecute or extradite skyjackers and an amendment specifying that POW's released prior to any withdrawal of American troops from Indochina. Amendments were also adopted which struck language calling for the United States to withdraw from Indochina by October 1, 1972, and and amendment striking language that restores the President's authority to regulate Rhodesian chrome imports. The measure was reported in the Senate on May 31 and when voted upon on July 24 it failed to obtain passage in a 42 to 49 rollcall vote. The measure was again reported in the Senate on September 19, adopted on the 26th and sent to conference.

STATE-USIA APPROPRIATION AUTHORIZATION (H.R. 14734, PUBLIC LAW 92-352)

On June 30 Congress completed final action on the Department of State and U.S. Information Agency appropriation authorization—H.R. 14734. The bill passed the House on May 17 and cleared the Senate on May 31. Among its provisions are one creating a Commission on the Organization of the Government for the Conduct of Foreign Policy which will study the foreign operations activities of all U.S. Government agencies; one forbidding the distribution in the United States of USIA materials, except for study by students and scholars located in Washington, D.C., and for examination but not distribution by Members of Congress; one requiring the Arms Control and Disarmament Agency to prepare a report for Congress on the international transfer of conventional arms; one abolishing the Peace Corps National Advisory Council; one permitting persons appointed to positions in foreign affairs agencies to express their own views and recommendations when requested to do so by a congressional committee; one requiring all persons designated ambassador or minister to be subject to Senate confirmation, excepting personal ranks given for special missions for the President and lasting 6 months or less; and one establishing the positions of Deputy Secretary of State and Under Secretary of State for Economic Affairs.

PROTECTION OF FOREIGN OFFICIALS (H.R. 15883)

Congress passed H.R. 15883, revising the Federal kidnaping law to make it a Federal crime to kidnap a foreign official, a foreign visitor designated an official guest of the Government, or members of their families, and to make it a Federal crime to murder them. Assault on such persons is also designated a Federal crime, as is damage to real or personal property owned by foreign governments. Intimidation or harrassment of them is made a misdemeanor. In addition, H.R. 15883 eliminates the death penalty as punishment for violating the Federal kidnaping law. This is in line with the Supreme Court's decision this year on the death penalty.

FISHERMEN'S PROTECTIVE ACT AMENDMENTS (H.R. 7117)

The House voted passage of the Fishermen's Protective Act Amendments—H.R. 7117—on August 2, 1971, but the Senate did not approve the legislation until May 25 of this year after it was adversely reported by the Senate Foreign Relations Committee. The measure would expedite the reimbursement of U.S. vessel owners for charges paid by them for the release of their ships and crews which were illegally seized by a foreign country.

HUMAN RIGHTS FOR SOVIET JEWS (H. CON. RES. 471)

On April 17 the House passed a resolution—House Concurrent Resolution 471—expressing the sense of Congress that the President take immediate steps to urge the Soviet Union to safeguard the human rights of Soviet Jews, that the Soviet Union allow its citizens to emigrate, and to raise the matter of possible transgressions of the United Nations Declaration of Human Rights by the Soviet Union before the U.N. General Assembly.

SENATE COMMITTEE ON CLASSIFICATION OF GOVERNMENT DOCUMENTS (S. RES. 299)

The Senate agreed to a resolution—Senate Resolution 299—on August 15 establishing a special, ad hoc select committee of the Senate to examine the secrecy, classification, and confidentiality of Government documents committed to the Senate or any of its Members. The committee will propose guidelines on this matter and is required to report by mid-February of next year.

NAVAL VESSEL LOAN AUTHORIZATION ACT (H.R. 9526, PUBLIC LAW 92-270)

On March 24 the Senate approved the Naval Vessel Loan Authorization Act—H.R. 9526—which the House had passed on December 6 of last year. As signed into law—Public Law 92-270—the legislation provides for the loan of certain defense vessels to Spain, Turkey, Greece, Korea, and Italy for a period not exceeding 5 years. The act requires that the Secretary of Defense keep Congress informed on all loans made under the legislation and further indicates that such loans shall not be construed as a U.S. commitment to the defense of the countries receiving such loaned vessels.

INTERNATIONAL DEVELOPMENT ASSOCIATION PARTICIPATION (S. 2010, H.R. 8750, PUBLIC LAW 92-247)

On October 20, 1971, the Senate passed legislation—S. 2010—providing for increased U.S. participation in the International Development Association. The House passed the bill—H.R. 8750—on February 1 of this year and it was, after conference, signed into law—Public Law 92-247—on March 10. Among other provisions, the act directs the President to instruct U.S. officials with the International Bank for Reconstruction and Development and the International Development Association to vote against loans or fund utilization for the benefit of any country: First, nationalizing or expropriating or seizing property owned by U.S. citizens or business interests of which not less than 50 percent is beneficially owned by U.S. citizens; second, repudiating or nullifying contracts or agreements of a U.S. citizen or business interest of which not less than 50 percent is beneficially owned by U.S. citizens; third, imposing or enforcing discriminatory taxes or other extractions against same. Provision is made for the President to determine if compensation, arbitration, or good faith negotiations have been entered into in these situations, thereby eliminating the need for such reprisal votes. The act also contains a similar directive regarding voting against a loan or fund utilization by nations failing to halt narcotic drug traffic, production, or processing.

INTER-AMERICAN DEVELOPMENT BANK APPROPRIATION AUTHORIZATION (H.R. 5014, S. 748, PUBLIC LAW 92–246)

Similar language was added in an appropriatons authorization—S. 748, H.R. 5014—to the Inter-American Development Bank Act. Passed by the Senate on October 19, 1971, and by the House on February 1, 1972, the measure contained the same directives and authority as contained in legislation concerning the International Development Association with regard to loans or funding to nations seizing U.S. property, nullifying contracts, imposing discriminatory taxes, or ignoring drug traffic, production, or processing. The amendment to the IADB was signed into law—Public Law 92–246—on March 10.

ASIAN DEVELOPMENT BANK FUNDS (H.R. 5013, S. 749, PUBLIC LAW 29–246)

The language of Public Laws 92–246 and 92–247 was also included in legislation—S. 749, H.R. 5013—authorizing contributions to the special funds of the Asian Development Bank. Passed by the House on February 1 of this year and by the Senate on October 20 of last year, the bill also provided that U.S. special resources would be used to finance specific high priority development projects with an emphasis on those in the Southeast Asia region and that these special resources would be expended only for the procurement of U.S. goods and services. The measure was signed into law—Public Law 92–245—on March 10.

POW/MIA INCOME TAX EXEMPTION (H.R. 9900, PUBLIC LAW 92–279)

Passed by the House on February 29 and by the Senate on April 13, an amendment—H.R. 9900—to the Internal Revenue Code was signed into law—Public Law 92–279—on April 26. The amendment excluded prisoners of war and personnel missing in the Vietnam conflict from the requirements of the Income Tax Code.

SPECIAL PRESIDENTIAL APPOINTMENTS TO SERVICE ACADEMIES (S. 2945, PL 92–365)

On July 17 the House passed a measure—S. 2945—approved by the Senate on December 10, 1971, which permits the President to appoint to the service academies, in addition to those he is currently empowered to name, the sons of those designated in a "missing status" in the Vietnam conflict. The measure was signed into law—Public Law 92–365—on August 7.

MILITARY PROCUREMENT AUTHORIZATION (H.R. 15495, PL 92–436)

Passed by the House on June 27 and by the Senate on August 2, the military procurement authorization (H.R. 15495) contained certain amendments added within the Senate which required a conference. These amendments, such as a prohibition on the use of funds for weather modification, a policy declaration regarding persons volunteering for experimental projects receiving Federal research funds, and a fund cutoff provision regarding armed forces in Cambodia, Laos, and Vietnam, were dropped in the conference discussions and the conference version of the bill was agreed to by a 336-to-43 House vote on September 13 and was cleared by the Senate in a 73–to-5 vote 2 days later.

FOREIGN ASSISTANCE ACT OF 1971 (H.R. 12067, PL 92–242)

The Senate completed action on the fiscal 1972 Foreign Assistance Act (H.R. 12067) on February 4, 1972, the House having adopted the measure on December 8, 1971. By the time a conference had been held and agreement to the report was obtained, some 8 months of the fiscal year had elapsed. The legislation, as signed into law—Public Law 92–242—on March 8, appropriated over $3 million but also prohibited the use of these funds for aid to Ecuador due to that country's harassment of U.S. fishing vessels, unless the President determined that such aid was important to U.S. national interests, and expressed the sense of Congress that U.S. contributions to the International Atomic Energy Agency should be reduced through negotiations with member nations to not more than 31.5 percent of the total contributions.

TREATIES ENACTED DURING THE 2D SESSION OF THE 92D CONGRESS

During the second session of the 92d Congress the Senate ratified two treaties transmitted during the previous session. These included the prohibition of nuclear weapons on the seabed, approved on February 15, 1972, and the Inter-American Convention on the Kidnaping of Diplomats, accepted on June 12, 1972.

The International Plant Protection Convention, transmitted during the 84th Congress, was approved on June 12, as well.

After passing an agreement amending article VI of the International Atomic Energy Agency statute on March 17, the Senate then ratified three treaties on June 13. These consisted of a convention on the taking of evidence abroad, a partial revision of international radio regulations, and an extradition treaty with Argentina. On the previous day, June 12, a treaty with Honduras regarding the Swan Islands was also approved.

Three treaties were given Senate confirmation on August 11 when a convention prohibiting illegal transfer of cultural property, a double taxation convention with Norway, and a convention calling for the establishment of an International Organization of Legal Metrology were ratified. A few days earlier, on August 3, the Senate approved by an 88 to 2 rollcall vote the ABM Limitation Treaty between the United States and the Soviet Union.

On September 18 the Senate, by a unanimous vote of 69 yeas, agreed to Resolution of Ratification of Protocol To Amend the Single Convention on Narcotic Drugs.

On October 3, the Senate ratified four treaties: the Convention for the Supression of Unlawful Acts Against the Safety of Civil Aviation; the Protocol to the International Convention for the Northwest Atlantic Fisheries relating to amendments to the convention; 11 amendments to the Convention for the Safety of Life at Sea; and an agreement between the United States and the Government of the Federative Republic of Brazil concerning shrimp.

On October 6, the Senate ratified the Convention on International Liability for Damage Caused by Space Objects.

SOCIAL SECURITY AND WELFARE

Mr. Speaker, during the first session of the 92d Congress, we enacted three major pieces of legislation affecting the welfare of our citizens. These were Public Law 92–40 which extended provision of the Social Security Act authorizing temporary assistance to U.S. citizens returning destitute to this country; Public Law 92–5 which provided an across-the-board 10-percent social security benefits increase, retroactive to January 1, 1971; and S. 2007 which extended programs of the Office of Economic Opportunity, created a separate Legal Services Corporation, and established a comprehensive child development program. The President, however, vetoed S. 2007, objecting to the child development provisions in the bill.

SOCIAL SECURITY AMENDMENTS—H.R. 1

H.R. 1, passed by the House during the first session, would revamp the Nation's welfare system. Among its many provisions, as passed by the House, are ones:

To provide widows and widowers a benefit equal to the amount their deceased spouses would have been entitled to;

To increase the amount a person on social security can earn without loss in benefits from $1,680 to $2,000;

To extend medicare benefits to disabled persons qualifying for social security or railroad retirement benefits after 2 years of disablement;

To tie premium increases in the supplementary medical insurance program to increases in social security or railroad retirement benefits and to otherwise preclude such increases;

To finance increases in medicare and social security benefits by raising to $10,200 the earnings on which such tax be levied;

To provide for a single national program for assistance to the blind, the aged, and the disabled and to repeal existing programs in these areas;

To establish a family assistance plan and an opportunities for families program as substitutes for present AFDC programs;

To insure States that their welfare costs will not increase due to enactment of H.R. 1;

To provide for a tax credit for the elderly.

Special mention is in order on FAP and OFP. They are the administration's proposal for revamping the most controversial of Federal welfare programs, that which assists families with dependent children where the father is absent and the mother is needed at home to care for the children. Through the years it has been found that this program tends to perpetuate certain persons on welfare, to encourage fathers to abandon their families if they cannot adequately provide for them, and to keep families in a state of near poverty. It has long been suggested that something be done about this and the House agreed in passing H.R. 1.

FAP would continue to guarantee an adequate standard of living for those families with dependent children and no adult able to work. OFP would enable and require those adults able to work to receive training, find jobs, and earn money without total loss of benefits; in short, to climb out of the poverty pit. It would encourage fathers to remain with their families rather than to abandon them out of frustration or fear. At the same time it would penalize those who bilk the public by living on welfare when they could work.

Under these programs family assistance benefits would be computed at a rate of $800 for the first two members, $400 for the next three, $300 for the next two, and $200 for a final member with the maximum available to a family of $3,600 per annum. A family of four under this proposal could receive $2,400 a year. Child-care tax deductions of $750 for one child, $1,125 for two, and $1,500 for three or more would be available to families with an adjusted gross income up to $12,000.

Senate debate on H.R. 1 commenced late in the second session and resulted in the defeat of the major welfare reform provisions for mothers with dependent children, found in the House version of the bill. However, the Senate bill, as with the House version, does provide for the Federal takeover of the basic program for the indigent, elderly, blind, and disabled.

In both the Senate and House version of H.R. 1, widow's benefits are raised from 82½ to 100 percent of a deceased husband's benefit. While the House bill raised the social security earnings limit to $2,000, the Senate provides an earnings limit without loss of benefits from $1,680 to $3,000 a year.

The House and Senate passed bill makes 1.7 million social security disability insurance recipients eligible for medicare. The Senate version reduces the waiting period for disability benefits from 6 months to 4, as compared with 5 months in the House version.

With minor financial modification, the Senate approved a House passed provision that a person who has worked for at least 30 years in employment entitling him to social security shall have a minimum benefit of $200.

Finally, the Senate approved a $2 billion welfare cost bonus to States over the next 2 years. In addition, the Senate amended H.R. 1:

First, to direct the Secretary of Health, Education and Welfare to conduct a study of the retirement test, and to report to the Congress by June 1, 1974, with recommendations as to the feasibility and desirability of eliminating such test;

Second, to provde that when there is a general increase in social security benefits there will be a corresponding increase in the standard of need under public assistance programs;

Third, to provide for elimination of duration-of-relationship requirement in certain cases involving survivor benefits;

Fourth, to extend until June 30, 1975, the period that Puerto Rico may implement the so-called freedom-of-choice provision under the medicare program;

Fifth, to provide that eyeglasses, dentures, hearing aids, and podiatric services be made available under medicare;

Sixth, to make women eligible to receive social security benefits at age 60, and in the case of widows at age 55;

Seventh, to make maintenance drugs available under medicare;

Eighth, to provide that chronic renal disease be considered to constitute disability under the medicare program;

Ninth, to incorporate in provision of the bill the work bonus programs for low-income workers;

Tenth, to limit liability to States for optional State supplementation;

Eleventh, to provide medicare benefits to miners who are receiving black lung benefits, but who are under age 65, or are not otherwise eligible for medicare;

Twelfth, to authorize $200 million for fiscal years 1973 and 1974 for the conduct of pilot tests of the so-called working plan;

Thirteenth, to include a 20-percent increase to the States for the administration of their welfare programs;

Fourteenth, to extend from December 31, 1972, until June 30, 1973, time for effectuating a new method of reimbursement under the medicare program for supervisory physicians in teaching hospitals;

Fifteenth, to provide, in paying of supplemental security income for the aged, blind, or disabled, that there be no reduction for rent when such individuals are paying their own rent;

Sixteenth, to allow a tax deduction for working mothers for ordinary and necessary expenses involving babysitter fees;

Seventeenth, to provide that the recent 20-percent increase in social security benefits cannot be taken from public housing tenants, nor can food stamp eligibility be affected by such increases;

Eighteenth, in re savings provisions regarding certain State expenditures for social services;

Nineteenth, relating to determination—for medicare purposes—of per capita income of Alaska and Hawaii;

Twentieth, to require the Secretary of Health, Education, and Welfare to study feasibility or relating social security benefits to cost-of-living differentials:

Twenty-first, to exempt from income to the aged, blind, or disabled certain stock held in trust by Alaska Natives;

Twenty-second, relating to long-term care and related nursing home problems;

Twenty-third, to find and require runaway fathers to help to support their children;

Twenty-fourth, in re rental charges for a family occupying low rental housing dwelling;

Twenty-fifth, to allow a mother not on welfare to utilize provisions in the bill to require runaway fathers to help support their children;

Twenty-sixth, to assure that Cuban refugees are eligible to receive benefits under the bill;

Twenty-seventh, to provide that social security benefits on a child shall not be taken into account in determining whether such child is receiving more than half the support from the taxpayer;

Twenty-eighth, making $800 million available for child care services to State and local governments;

Twenty-ninth, to provide supplemental service income for the aged, blind, and disabled;

Thirtieth, relating to eligibility of recipient of assistance for aged, blind, and disabled;

Thirty-first, putting limitation on spend down requirement under medicaid;

Thirty-second, to include occupational therapy under outpatient rehabilitation services;

Thirty-third, providing carryover of social service contracting of up to $15 million;

Thirty-four, to require subsequent action of the Congress prior to effectuating sections 508 and 509, relating to eligibility for food stamp program;

Thirty-fifth, to require study by Secretary of Health, Education, and Welfare of question of availability of clinical psychologists for certain programs;

Thirty-sixth, adding a new section under section 402, "State Plans for Aid to Families with Dependent Children";

Thirty-seventh, relating to alternative Federal share of assistance costs; and

Thirty-eighth, to reaffirm existing law that courts can rule only on question of eligibility of the client.

Because of the late commencement of Senate action on H.R. 1, the original social security benefits increase contained in the House version of the bill, was taken from it, increased, and attached to the temporary debt ceiling increase voted in late June. This action is summarized below.

In one of its final actions the Congress approved a conference version of H.R. 1. The welfare reform proposals of both Houses were dropped from the bill, because neither House was willing to accept the other's version. The many costly Senate amendments were also deleted leaving the bill in its final form similar to the House-passed version, but without the FAP and OFP provisions relating to the aid to families with dependent children's program.

SOCIAL SECURITY BENEFIT INCREASE—H.R. 15390, PUBLIC LAW 92–336

Inflation is most cruel to those living on a fixed income, and particularly to those dependent on social security for their existence. In passing H.R. 1 the House had provided for a 5-percent increase in social security benefits effective July 1, 1972. The Senate failed to act on H.R. 1 prior to that date. In the meantime inflation had increased to the point that a 5-percent increase would have been of limited assistance to the beneficiary of social security. Accordingly, an amendment was attached to the temporary debt ceiling increase (H.R. 15390) providing for a 20-percent increase in social security benefits, effective in September 1972.

The administration balked at this increase and tried to prevent its attachment to the debt ceiling bill. Congress was not cowed, however. Subsequently, in a highly questionable action, the Social Security Administration enclosed with the first check containing the increase a notification that implied that the President was in agreement with the increase. This is unfortunate. The practice of such an enclosure began with the administration of Lyndon Johnson, but he was always enthusiastic in his support of such increases. Under the circumstances attendant with the latest increase it would have been fairer not to have enclosed such a notice with the first checks. Be that as it may, the increase was needed and, I am certain, welcome.

In addition, the act provides for an automatic increase in future social security benefits tied to the increase in cost of living. Whenever the cost of living goes up 3 percent or more per annum, benefits will increase by that amount the following January. The first such increase can be made in January 1975. To finance the 20-percent increase the taxable wage base was raised to $10,800 for 1973 and $12,000 for 1974. Starting in 1975 the base will increase as required to pay for additional automatic increases in benefits.

RAILROAD RETIREMENT ACT BENEFITS INCREASE—H.R. 15927, PUBLIC LAW 92–460

Annuities for retired railroad workers have always paralleled the benefits provided under social security. In order to assure our retired railroad workers equitable treatment, we passed H.R. 15927, providing a temporary 20-percent increase in retired railroad workers' annuities. This increase is comparable to the increased social security benefits available September 1972, under the Social Security Benefit Increase Act (Public Law 92–336).

H.R. 15927 calls for passage in the near future of legislation to devise a sound method of financing railroad retirement in order to make permanent the temporary increases voted in this act.

The President vetoed this bill October 4, but the same day the Senate and House overwhelmingly overrode his veto thus making the act public law. The President's veto is one more example of his philosophy that those who can least afford it should suffer most the consequences of inflation.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1971—H.R. 12350, PUBLIC LAW 92–424

Congress passed H.R. 12350, to extend the programs of the Office of Economic Opportunity through fiscal 1974, and to authorize $4.75 billion over a 2-year period in antipoverty funds. Congress had passed a similar measure, S. 2007, in the first session. It was vetoed by the White House, which objected to its child development provisions among others.

The act creates a new environmental action program, requiring employees to work on projects that would not have otherwise been carried out. This provision was included so as not to displace those persons already employed.

The Economic Opportunity Amendments Act authorizes the Secretary of Health, Education, and Welfare to establish procedures to assure that not less than 10 percent of the enrollment opportunities in Project Headstart be available for handicapped children. In addition, guidelines were established, for the Secretary in setting Headstart fee schedules for children of families with annual incomes over $4,320.

This act prohibits the use of funds appropriated for the Teacher Corps or Action from being used to finance activities designed to influence the outcome of any election, voter registration project or the salary of any employee engaged in such activities. The act also provides that contracts and agreements for programs in which Federal funds were awarded must prohibit discrimination because of race, creed, national origin, sex, and political affiliation or beliefs.

Finally, this legislation authorizes the head of any agency administering a program funded under the Economic Opportunity Act to conduct an independent evaluation of the program administered by that agency. It also specifies that this evaluation not preclude the Director of OEO from conducting reviews of such programs funded under the act but administered by other Federal agencies.

BLACK LUNG BENEFITS ACT—H.R. 9212; PUBLIC LAW 92–303

A much needed liberalization of eligibility standards for benefits to coal miners stricken with black lung disease, was passed by the Congress and became Public Law 92–303 on May 19, 1972. Black lung disease, which results from the inhalation of fine coal dust particles, has been called the largest occupational killer in the world today.

Public Law 92–303 amends the Federal Coal Mine Health and Safety Act of 1969 by providing disability benefits retroactively to orphans of deceased miners, and permits dependent parents, brothers, and sisters of a deceased minor to receive benefits if no widow or child survives.

The measure also extends the Federal Government's responsibility for the payment of disability benefits for the remainder of a beneficiary's life. This responsibility was extended from January 1, 1972, until July 1, 1975, at which time the industry will assume new claims for black lung benefits.

The Black Lung Benefits Act makes the disability benefit program permanent for the individual claimant, thus guaranteeing that all existing and future claimants and beneficiaries would be entitled to lifetime benefits. It prohibits denial of a claim solely on the basis of a negative chest X-ray, and provides that miners with 15 years service, who are disabled by a respiratory disease, are to be presumed disabled by black lung disease unless proven to the contrary.

The definition of total disability was broadened under this act to include any respiratory impairment which prevented a miner from engaging in a usual mining occupation. The original legislation, the Coal Mine Health and Safety Act enacted in 1969, provided coverage only to underground miners.

Employers under this legislation are prohibited from discriminating against miners solely because they had pneumoconiosis or another respiratory ailment.

Finally, the statute authorizes the Secretary of Health, Education, and Welfare to issue grants for the construction of pneumoconiosis treatment facilities and directs him to initiate research on devices to test for the presence of black lung disease.

NATIONAL INSTITUTE FOR AGING (H.R. 14424, S. 887, PUBLIC LAW 92–)

As sent to the President, H.R. 14424 amended the Public Health Service Act—Public Law 78–410—to establish a National Institute for the Aging within the National Institutes of Health. It also amends the Community Mental Health Centers Act—Public Law 88–164—to provide a 1-year program of matching grants for construction and staffing of centers for the mental health of the aged with an authorization of $20 million for fiscal 1973. In addition to authorizing funds to carry out the purposes of the legislation, H.R. 14424 also provided for the establishment of a National Advisory Council on Aging within the National Institutes of Health.

OLDER AMERICANS ACT AMENDMENTS (H.R. 15657, S. 4044, PUBLIC LAW 92–)

Amendments to the Older American Act of 1965—Public Law 89–73—were contained in H.R. 15657 which extends and expands the program of Federal grants through fiscal 1975 for programs assisting the elderly. Existing Federal programs of assistance to State and local agencies are revised to encourage them in the improvement of services to the aged, and newly established programs are directed to the problems confronting the aged in the areas of housing, transportation, employment, education, and preretirement counseling. Local and State organizations will be encouraged to coordinate and develop comprehensive and community-based programs of assistance to the elderly. In addition, special demonstration projects are provided in transportation, housing, employment, and education. A National Advisory Council on Aging is established through this legislation to advise and assist the President on matters relating to the special needs of persons considered to be elderly. Finally, a National Information and Resource Center for the Aging is established to serve States and local communities.

TRANSPORTATION

Mr. Speaker, during the first session the Congress enacted one bill concerning transportation. This was Public Law 92–174, which amended the Airport Development and Revenue Act to clarify congressional intent on priorities for airway modernization and airport development.

During the first session the House passed H.R. 4354, which amends title 23 of the United States Code to permit operation of buses of a width of up to 102 inches on the Interstate System; the Senate refused to act on H.R. 4354.

Congress has been more active in this area during the second session.

ASSISTANCE TO THE NATIONAL RAIL PASSENGER CORPORATION (H.R. 11417, PUBLIC LAW 92–316)

On June 22, Congress completed action on legislation to amend the Rail Passenger Service Act of 1970. The amendment limits compensation to officers of the National Rail Passenger Corporation—Amtrak—to a rate not to exceed level I of the executive schedule. It requires

Amtrak directly to operate and control all aspects of its rail passenger service, and to take such steps as may be necessary to increase its revenues from the carriage of mail and express, including the acquisition or modification of equipment for that purpose.

It provides for free or reduced-rate transportation for attendants for the blind on Amtrak trains; it requires all Federal departments and agencies, including the Armed Forces, to treat travel by train on the same basis as other authorized modes of travel for their employees.

It requires monthly reports to the Congress and to the public, treating revenue, expenses, patronage and on-time performance of Amtrak trains and operations; and it requires that beginning in 1973, Amtrak must make its annual report on January 15 of each year, and that beginning in 1974 the Secretary of Transportation and the Interstate Commerce Commission must make their annual reports by March 15 of each year. In addition, the act makes Amtrak subject to the Freedom of Information Act.

The amendment goes on to alter existing law to require the Interstate Commerce Commission to act within 90 days on application by Amtrak to fix reasonable terms and conditions for the use of railroads' tracks and other facilities.

It gives Amtrak emergency authority to use the tracks and other facilities of any railroad, and it authorizes the development of experimental or expanded service beyond the basic Amtrak system. The experimental authority is limited to those experiments and expansions that are justified by marketing studies.

The amendment makes provision for the protection of employees affected by termination of discontinuance of service, related to Amtrak operations.

It authorizes an additional $225,000,000 for grants to Amtrak to assist it in carrying out the activities listed in the act, and $2,000,000 annually to aid in the establishment of international routes between the United States and Montreal, Vancouver and Nuevo Laredo. Loans made to Amtrak are guaranteed under the act, with a $50 million upper limit on the aggregate amount of loans outstanding through June 30, 1973. Thereafter the limit is $200 million.

The amendment authorizes GAO audits of any railroad with which Amtrak has a contract to perform intercity rail passenger service, limited to those audits which are necessary to facilitate an audit of Amtrak itself, and it requires the Secretary of Transportation to transmit to Congress by March 15, 1973, a report on the effectiveness of Amtrak in implementing that act, and extensive evaluations of Amtrak's services and internal operations.

ANNUAL REPORTS BY MOTOR CARRIERS
(H.R. 1004, PUBLIC LAW 92-338)

Congress enacted Public Law 92-338 which amends 49 U.S.C. 320(b) to permit motor carriers to file annual reports on the basis of a 13-period accounting year, pursuant to the Interstate Commerce Act.

HIGH-SPEED GROUND TRANSPORTATION
(S. 979, PUBLIC LAW 92-348)

Congress also enacted Public Law 92-348 which extends the act of September 30, 1965 (49 U.S.C. 1631), relating to high-speed ground transportation, by enlarging the authority of the Secretary of Transportation to undertake research, development, and demonstration projects of high-speed ground transportation systems and of door-to-door ground transportation systems in order to determine what contributions might be made to more efficient, safe, and economical intercity transportation systems.

The legislation provides that in awarding contracts in connection with research, development, and demonstration projects, the Secretary must give priority to proposals which will increase employment in labor areas with a high unemployment rate.

It further authorizes appropriations of $97 million for fiscal year 1973, $126 million for fiscal year 1974, and $92.9 million for fiscal year 1975; and it removes the termination date of the 1965 act.

The legislation goes on to provide that if the Interstate Commerce Commission undertakes to guarantee any private or public financing of transportation projects under this act, the Comptroller General may audit the financial transactions of the common carrier by railroad that is involved in such projects, and report with recommendations to the Congress.

AUTOMOBILE INFORMATION DISCLOSURE AMENDMENTS (S. 473, PUBLIC LAW 92-359)

The Congress acted on July 28 to amend the Automobile Information Disclosure Act (72 Stat. 325; 15 U.S.C. 1231) to make the provisions of the act applicable in the possessions of the United States.

CONTAINER BARGE SERVICE (H.R. 9128)

On September 26 the House passed an amendment to the Shipping Act of 1916 (46 U.S.C. 801–842) to confer exclusive jurisdiction on the Federal Maritime Commission over certain movement of containers and containerized cargo by barge in foreign commerce. The amendment vests in the Federal Maritime Commission exclusive regulation over rates and charges for barge transportation between U.S. ports when the following conditions are met:

First, the container or containerized cargo is moving between a point in a foreign country or a noncontinuous State, territory or possession, and a point in the United States;

Second, the transportation by barge between points in the United States is furnished by a terminal operator as a service substitute in lieu of a direct vessel call by a common carrier by water transporting the containers or containerized cargo;

Third, the container or containerized cargo is being transported on a through bill of lading between a point in a foreign country or a noncontinuous State, territory or possession, and a point in the United States;

Fourth, the transportation by barge between points in the United States is furnished by a terminal operator as a service substitute in lieu of a direct vessel call by a common carrier by water transporting the containers or containerized cargo;

Fifth, the terminal operator is a State, municipality, or other public body or agency subject to the jurisdiction of the Federal Maritime Commission; and

Sixth, the terminal operator is in compliance with the rules and regulations of the Federal Maritime Commission for the operation of the barge service.

NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT FUNDING (H.R. 15375, PL 92–)

Congress passed legislation amending the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973. The total amount of funds authorized is $52,714,000. The amount includes funds for implementing motor vehicle and related equipment standards, funds for assuring compliance with these standards, and funds for research and administrative expenses.

HIGHWAY ACT OF 1972 (S. 3939, H.R. 16656)

Congress failed to reach final agreement on the Federal-Aid Highway Act of 1972. The bill authorized the appropriation of an additional $8 billion for completion of the Interstate System; it authorizes the use of apportionment factors contained in the 1972 Interstate Cost Estimate for the apportionment of interstate funds authorized to be appropriated for fiscal year 1974–75. It authorized the appropriation of funds out of the Highway Trust Fund for the Federal-aid urban system, $700 million; for the Federal-aid secondary system in rural areas, $400 million; for the extension of the Federal-aid primary and secondary systems in urban areas, $400 million; for economic growth center development highways, $150 million; for forest highways, $33 million; and for public lands highways, $16 million. The bill eliminated the present single appropriation for the Federal-aid primary and secondary systems and their urban extensions within urban areas and substitutes a separate appropriation for the rural and urban portions of these systems. The bill also provided authorizations of $49 million for each of the fiscal years 1974 and 1975 in addition to all other authorizations for the Interstate System, to be apportioned to each of the Interstate apportionment for fiscal years 1974 and 1975 so long as such State has not completed Federal funding of the Interstate System within its boundaries.

Sums authorized for each of the fiscal years 1974 and 1975 for certain categories of roads administered by DOT jointly with either Interior or Agriculture were as follows; forest development roads and trails, $170 million per year; public lands development roads and trails, $10 million per year; park roads and trails $30 million; Indian reservation roads and bridges, $100 million; parkways, $20 million.

Apart from monetary authorizations the 1972 act continued the policy, initiated in the 1970 Federal-aid act, of funding and promoting innovative means of solving the transportation problems which plague metropolitan areas: congested traffic, inadequate mass transit systems, and need for alternative modes of travel. While providing funding for the building of highway systems around and into metropolitan areas, the act also authorized use of trust funds for bus lanes, traffic control devices, bus passenger loading areas, passenger shelters, parking facilities for bus passengers, bus transit lines, and development of bicycle lanes to encourage commuter bicycling.

ANTIHIJACKING LEGISLATION (S. 2880, H.R. 16191)

S. 2280, amends the Federal Aviation Act of 1958 to improve the curtailment of aircraft hijacking. It brings into force as a matter of U.S. law the security provisions of the Convention on International Civil Aviation, and it creates new sanctions through which the United States States may combat hijacking. The new sanctions are of three types.

(1) SUSPENSION OF AIR SERVICES

The President is permitted to suspend the right of any U.S. air carrier or foreign air carrier to operate to and from a foreign nation that is acting in a manner inconsistent with the Convention for Suppression of Unlawful Seizure of Aircraft; and he is permitted to suspend the operations of any foreign air carrier between the United States and the foreign nation which continues air commerce between itself and a nation which is acting inconsistently with the Convention.

(2) WITHHOLDING, REVOKING OR IMPOSING OF CONDITIONS

The Secretary of Transportation may, with the approval of the Secretary of State, withhold, evoke or impose conditions on operating authority of the airline or airlines of a nation that fails to meet the security measures at or above the minimum standards under the Convention.

(3) CIVIL PENALTIES

Civil penalties of up to $1,000 per day are applicable to violations of suspensions-imposed by the President. The Attorney General is authorized to seek judicial enforcement of suspensions.

S. 2280 also sets a penalty for air hijacking of death if certain conditions are met and at no less than 20 years under other conditions.

AIRCRAFT DEVELOPMENT ACT (S. 3755, H.R. 14847, P.L. 92-)

The Senate August 10, and the House August 18, passed S. 3755, establishing an 18 month moratorium on taxation of airline passenger tickets by State and local governments. The moratorium would give the Civil Aeronautics Board time to review the financial condition of the Nation's airports, to study and report on State and local governments finding it difficult to raise matching funds for construction of airports with an eye toward levying a tax on airline passenger tickets. Under the provisions of S. 3755, any State or one of its political subdivisions is prohibited from levying or collecting any charge on persons traveling in interstate, overseas, or foreign transportation by air for a period of 18 months after enactment of the bill.

VETERANS' AFFAIRS

During the first session the Congress enacted two major bills which reflect our continuing concern for Americans who have fought for their country. By passing H.R. 943 (P.L. 92-95) we protected home mortgages in case of their quadriplegic veterans in case of their deaths by providing Government-backed mortgage protection life insurance for such service-connected disabled veterans who purchase specifically adapted housing. In addition, in the first session, we authorized in H.R. 3344 (P.L. 92-66) the Administrator of the Veterans' Administration to make direct home loans to veterans. This program will supplement the GI loan guarantee law in counties where commercial credit is tight.

The record of the second session reflects particularly this Congress' concern with the special problems veterans of the Vietnam conflict have.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1972 (H.R. 12828, S. 2181)

This important legislation passed the House on March 6, 1972, and the Senate on August 3, 1972. Although both Houses passed H.R. 12828, the version adopted by the Senate was the substance of S. 2181, reported by the Veterans' Affairs Committee of the Senate, which was modified slightly on the floor' The existing educational assistance programs for veterans was the Veterans' Readjustment Benefits Act of 1966 (P.L. 89-358). This program was designed to pay part of the educational expenses incurred by veterans and their wives, widows, and children and was established for veterans of the Vietnam war and for those who had served in the Armed Forces after January 31, 1955. The purposes of H.R. 12828 (S. 2181) are to increase the assistance given to those whose careers have been interrupted by military service and to raise the benefits for the Vietnam era veteran to a level equal to the rate of benefits provided for World War II veterans.

Both versions provide for an increase in the basic monthly rate for educational assistance allowances. In the House version, the rate is increased from the existing $175 to $200—14 percent—while the Senate's version increases the rate to $250—43 percent. Both versions provide for advance payment of educational assistance allowance to eligible veterans. Experience has shown that under the existing law there is an inevitable delay in the veteran's receipt of his allowance at the outset of his educational program. In addition both measures extend to wives and widows the right to pursue correspondence courses, and authorize apprentice or other on-job training programs for wives, widows, and children.

In the Senate version, there are provisions directing all Federal departments and agencies and all contractors and subcontractors of the Federal Government to give employment preference to otherwise qualified disabled veterans and veterans of the Vietnam war.

As it emerged from conference, H.R. 12828 incorporated the rate increases contained in the House-passed version and included the Senate provision regarding employment preference for veterans.

VETERANS DRUG AND ALCOHOL TREATMENT AND REHABILITATION ACT (H.R. 9265 S. 2108)

During the first session on July 19, 1971, the House passed H.R. 9265 by a rollcall vote of 379 to 0. On September 7, 1972, the Senate considered and passed H.R. 9265 after substituting the language of S. 2108. These efforts reflect the growing concern over the unfortunate trend of drug abuse by members of our military forces. The Veterans' Administration has not been unaware of this problem. In fiscal year 1971 five drug dependence treatment centers were established and by the end of fiscal year 1973 that number will have grown to 44.

Both S. 2108 and H.R. 9265 aim to provide the VA with legislative authority to treat all drug dependent ex-servicemen without regard to a finding of service-connection or the nature of their discharge. A main difference between the two versions is that the House does not cover alcohol disabilities. In addition the Senate version provides for alternate treatment modalities, community-based facilities, mandatory contract services in certain circumstances, comprehensive outreach efforts, medical confidentiality, annual reports to Congress, GAO audit and expanded VA hospital care, medical services, rehabilitative services and readjustment medical counseling for certain veterans.

Another difference is that the House bill provides for VA treatment of active duty servicemen who do not voluntarily consent to VA treatment whereas the Senate substitute requires a serviceman's written consent for a certain specified time period before he can be transferred to a VA drug treatment center while on active duty. Additionally the House bill specifically authorizes VA treatment, confinement and discipline of veterans civilly or criminally committed to the VA by a U.S. district court while the Senate version does not.

Attempts were uderway late in the session to resolve these differences and to send the bill onto the President for his approval. They failed, however, and the bill died with adjournment.

SURVIVOR BENEFIT PLAN (H.R. 10670, S. 3905; PUBLIC LAW 92-425

On September 21, 1972, the President signed into law an act establishing a new survivor benefits program for retired members of the Armed Forces. Final congressional action on the bill came when the House agreed on September 12 to the amendments adopted by the Senate. On September 8, the Senate had passed H.R. 10670 after substituting the language of S. 3905.

The purpose of this legislation is to provide a survivor benefits program for military personnel equal to that of career civil service personnel. In the past military retirees could assure an income of up to 50 percent of their retirement pay for their dependents under the retired serviceman's family protection plan—RSFPP—established by Congress in 1954. The costs and complexities of this program had prevented all but 15 percent of existing retirees from enrolling. Under the new legislation, future retirees would be ineligible to join RSFPP; those presently enrolled may continue with it, or may drop RSFPP and join the new plan, or continue under the old plan and join the new one.

This new legislation would enable service personnel to provide benefits to their survivors of up to 55 percent of their retirement income. For such coverage the retiree would pay 2½ percent of the first $3,600 of his annual income plus 10 percent of the remainder. Benefits provided on death would depend upon the amount of income at retirement. The act also specifies that beginning at age 62, benefits paid to the surviving spouse would be reduced by the amount of social security benefit received as a result of the deceased's active military service. Additionally the legislation provides for the adjustment of annuities according to changes in the Consumer Price Index. The spouses of service personnel eligible for retirement who die while still on active duty would also be covered by this legislation, receiving 55 percent of what the deceased's retired pay would have been had he or she retired. The act also establishes a program to guarantee a minimum annual income of $2,100 per year to current widows of military retirees.

NATIONAL CEMETERIES ACT OF 1972 (H.R. 12674)

H.R. 12674 will alleviate the crisis which now exists with regard to the space available in national cemeteries. No additional national cemeteries have been established since 1950 and those which exist are gradually being closed because they are filled to capacity. Every veteran should have the right to be buried in a national cemetery within a reasonable distance of his home. This legislation will consolidate the administration of various Federal cemetery systems under the Veteran's Administration and orders the Administrator to make and report to Congress, within 30 days of the convening of the next session, a comprehensive study of the criteria which should govern the future of the national cemetery system. The only cemeteries which would not be transferred to the VA from the Department of the Army would be those which are located in national parks and operated by the Department of the Interior, those located at the three military academies, and those located at the U.S. Soldiers' Home in Washington, D.C., and the U.S. Naval Home located in Philadelphia.

This act would continue the American Battle Monuments Commission under the VA to administer and maintain American military cemeteries, monuments, and memorials on foreign soils. In addition the authority now exercised by the Department of the Army for furnishing headstones for unmarked graves would be transferred to the VA. The act also authorizes an allowance of $150 for the purchase of a burial plot in a private cemetery on behalf of any veteran not buried in a national cemetery. This legislation will also authorize the interment of an unknown soldier from the Vietnam war in the Arlington National Cemetery.

VA MEDICAL SCHOOL ASSISTANCE (H.J. RES. 748, PUBLIC LAW 92–)

We passed an assistance program for veterans attending medical schools. The Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972 authorizes the Administrator of the VA to provide certain assistance for establishing new medical schools and for improving existing medical schools affiliated with the Veterans' Administration. He is also authorized to develop cooperative arrangements between institutions of higher education, hospitals, and other public or nonprofit health service institutions, and the VA to develop and conduct educational and training programs for health care personnel.

House Joint Resolution 748 authorizes for each of 7 fiscal years, beginning in fiscal 1973, an appropriation of $75 million for four major programs established under the act, all stressing development of innovative health programs, greater career advancement opportunities, and development of new types of training procedures and types of health care personnel. These are: VA grants to State universities to assist in the establishment of up to eight new schools at VA hospitals; VA grants to medical schools affiliated with VA hospitals and other VA facilities for the purposes of assisting such schools to expand and improve their training capabilities; VA grants to any nonprofit and other health professions, allied health or other health personnel training institution or area health education center, which maintains a teaching affiliation with the VA Department of Medicine and Surgery, for expansion and improvement of the capacity of these institutions; and expansion of the VA's own existing facilities to provide for expanded education programs.

VETERANS' MEDICAL CARE PROGRAM (H.R. 10880, PUBLIC LAW 92–)

Both Houses approved legislation to improve veterans' medical assistance programs, calling for expenditures over 5 years of $497 million, with $85 million designated for fiscal 1973. The Veterans' Health Care Expansion Act of 1972 is designed to extend hospitalization to wives and children of totally disabled veterans and to widows and children of those killed in war and those who die of service-connected disabilities.

H.R. 10880 authorizes outpatient care for all veterans and for dependents and survivors previously mentioned when it is necessary to obviate the need for hospitalization. There are also provisions for a liberalization of VA nurse pay for overtime, night, holiday, and Sunday work.

The Administrator is required by the act to provide for no less than an average 98,500 operating VA hospital beds during each fiscal year, and an average daily patient census of not less than 85,000. Nursing home care beds to be operated by the VA are increased from 4,000 to 8,000. Per diem rates payable to State soldiers' homes are increased and grants to State homes for construction, remodeling, on alterations of existing facilities are increased from 50 to 65 percent.

AUTHORIZATIONS AND APPROPRIATIONS

Mr. Speaker, the passage of the annual authorization and appropriation acts constitutes one of the major items on the agenda of Congress each year by financing the entire spectrum of the Government's activities. These acts, together with supplemental appropriations to meet emergency needs, serve as the financial check by the people's representatives.

For the benefit of Members, this report summarizes in tabular form those authorizations and appropriations for the second session of the 92d Congress.

Concern for the economy has dominated our consideration of these measures. Congress has made a consistent effort to stem inflation by economizing on Government expenditures wherever possible. At the same time, the necessity has been recognized to fund adequately programs meeting our pressing social problems and national defense needs.

APPROPRIATION BILLS

Bill	Administration request	Amount passed by House	Amount passed by Senate	Final amount approved
FISCAL YEAR 1972				
H.R. 12067, fiscal 1972		Dec. 8, 1971	Feb. 4, 1972	Public Law 92-242, Mar. 8, 1972
Foreign assistance:				
Foreign Assistance Act	$3,085,218,000	$2,162,555,000	$1,939,221,000	$2,230,721,000
Foreign military sales	510,000,000	510,000,000	400,000,000	400,000,000
Peace Corps, int'l finance, instit., etc.	747,417,000	330,906,000	737,314,000	558,716,000
Total	4,342,635,000	3,003,461,000	3,076,535,000	3,189,437,000
		Mar. 14, 1972	Mar. 15, 1972	Public Law 92-256, Mar. 21, 1972
Fiscal 1972, supplemental: H.J. Res. 1097, urgent supplemental	957,476,059	957,476,059	957,476,059	957,476,059
		Apr. 26, 1972	May 1, 1972	Public Law 92-306, May 27, 1974
H.R. 14582, 2d supplemental	4,775,261,477	[1]4,124,453,358	5,063,517,439	[1]4,347,698,270

Footnotes at end of table.

Bill	Administration request	Amount passed by House	Amount passed by Senate	Final amount approved
FISCAL YEAR 1973				
		Mar. 23, 1972	Mar. 28, 1972	Public Law 92-342, July 10, 1972
H.R. 13955: Legislative branch	$433,627,004	$427,604,764	$514,722,880	$513,787,980
		May 18, 1972	June 15, 1972	
H.R. 14989, State, etc.:				
Department of State	569,848,000	524,825,750	570,670,169	553,621,750
Department of Justice	1,776,225,000	1,765,578,000	1,765,578,000	1,765,578,000
Department of Commerce	1,332,925,000	1,309,074,000	1,472,421,000	1,363,919,500
The Judiciary	199,531,600	186,753,600	191,499,600	188,408,600
Related agencies	825,797,000	800,873,000	820,549,000	809,400,000
Total	4,704,326,000	4,587,104,350	4,820,717,769	4,681,017,850
		May 23, 1972	June 14, 1972	Public Law 92-383, Aug. 15, 1972
H.R. 15093, Housing and Urban Development, etc.:				
Department of Housing and Urban Development	4,133,205,000	3,711,088,000	4,464,186,000	4,034,065,000
Veterans' Administration	11,822,898,000	11,877,278,000	11,906,620,000	11,903,322,000
Space Science, etc.	4,217,082,000	4,130,124,000	4,212,564,000	4,188,564,000
Total	20,173,185,000	19,718,490,000	20,583,370,000	20,125,951,000
		May 24, 1972	June 16, 1972	Public Law 92-398, Aug. 22, 1972
H.R. 15097:				
Department of Transportation and related agencies	[3] 2,909,181,095	[3] 2,791,614,095	[3] 2,906,994,095	[3] 2,867,937,095
		June 7, 1972	June 14, 1972	Public Law 92-344, July 10, 1972
H.R. 15259, District of Columbia:				
Operating expenses	722,814,000	716,124,000	714,984,300	712,331,800
Debt service	28,144,000	28,144,000	28,144,000	28,144,000
Capital outlay	149,930,000	131,394,000	81,754 100	94,281,000
Total	900,888,000	875,662,000	824,882,400	834,756,800
		June 15, 1972	June 27, 1972	Amounts totaling
H.R. 15417, Departments of Labor, Health, Education, and Welfare:				
Department of Labor	3,006,401,000	3,002,288,000	2,975,786,000	
Department of Health, Education, and Welfare	24,214,557,500	25,494,226,500	28,005,174,500	30,538,919,500
Related agencies	106,365,000	106,665,000	173,970,000	([illegible])
Total	27,327,323,500	28,603,179,500	31,354,930,500	
		June 13, 1972	June 28, 1972	Public Law 92-369, Aug. 10, 1972
H.R. 15418, Department of Interior:				
Department of Interior	1,732,112,000	1,726,716,000	1,736,082,100	1,732,761,600
Related agencies	788,228,000	802,841,700	814,840,700	816,173,700
Total	2,520,340,000	2,529,558,200	2,550,922,800	2,548,935,300
		June 22, 1972	June 23, 1972	Public Law 92-351, July 13, 1972
H.R. 15585, Postal Service, Treasury Department, etc.:				
Treasury Department	1,691,677,000	1,675,977,000	1,670,018,000	1,671,018,000
Postal Service	1,424,039,000	1,410,000,000	1,410,000,000	1,410,000,000
Executive Office of President	187,521,000	179,446,000	179,446,000	179,446,000
General Government	1,763,366,000	1,791,722,000	1,797,722,000	1,797,363,000
Total	5,066,603,000	5,057,145,000	5,057,186,000	5,057,827,000
		Sept. 25, 1972	Oct. 3, 1972	
H.R. 16754, Military construction	2,661,384,000	2,280,784,000	2,337,726,000	2,323,403,000
		June 26, 1972	June 30, 1972	Public Law 92-405, Aug. 25, 1972
H.R. 15586, Public Works—AEC:				
Water resources	2,433,476,000	2,401,167,000	2,496,301,000	2,446,854,000
Atomic Energy Commission	2,657,092,000	2,615,860,000	2,650,745,000	2,633,410,000
Related agencies	398,490,000	420,700,000	424,560,000	434,650,000
Total	5,489,058,000	5,437,727,000	5,571,696,000	5,504,914,000
		June 29, 1972	July 27, 1972	Public Law 92-399, Aug. 22, 1972
H.R. 15690, Agriculture, Environmental Protection, etc.:				
Agriculture programs	6,179,628,400	5,961,685,400	6,235,914,800	6,200,669,200
Rural Development	750,286,000	899,303,000	1,084,786,000	1,026,436,000
Environmental programs	2,934,160,000	2,944,684,000	2,984,985,000	2,951,648,000
Consumer programs	3,088,103,000	3,091,338,500	3,255,370,000	3,255,729,500
Total	12,952,177,400	12,897,010,900	13,561,055,800	13,434,032,700
		Oct. 14, 1972	Oct. 2, 1972	
H.R. 16593, Department of Defense:				
Personnel (active and retired)	28,017,243,000	27,440,505,000	27,499,584,000	27,499,584,000
Operation and maintenance	21,634,944,000	21,001,245,000	21,198,613,000	21,110,624,000
Procurement, R.D.T. & E.	29,938,597,000	26,132,398,000	25,865,038,000	25,759,368,000
Other	3,400,000	3,400,000	3,400,000	3,400,000
Total	79,594,184,000	74,577,548,000	74,571,698,000	74,372,976,000
		Sept. 19, 1972	Oct. 3, 1972	
H.R. 16654, Labor-HEW:				
Department of Labor	3,006,401,000	2,963,288,000	2,967,034,000	2,967,034,000
Department of HEW	24,214,557,500	26,488,495,500	27,417,615,500	27,417,615,500
Related agencies	106,365,000	151,665,000	154,270,000	154,270,000
Total	27,327,323,500	29,488,495,500	30,538,919,500	[4] 30,538,919,500
		May 4, 1972	May 5, 1972	Public Law 92-301, May 18, 1972
H.J. Res. 1174:				
Dollar devaluation	Open-ended	1,600,000,000	1,600,000,000	1,600,00,0000
		Sept. 21, 1972	Sept. 28 1972	
H.R. 16705, Foreign Assistance:				
Economic aid	1,412,593,000	1,197,275,000	1,217,110,000	([illegible])
Military assistance	2,151,000,000	1,932,500,000	([illegible])	
Other foreign assistance	1,599,431,000	1,065,380,000	1,606,787,000	
Total	5,163,024,000	4,195,155,000	2,823,897,000	

Footnotes at end of table.

APPROPRIATION BILLS—Continued

Bill	Administration request	Amount passed by House	Amount passed by Senate	Final amount approved
		June 30, 1972	June 30, 1972	Public Law 92-337, July 1, 1972
Fiscal 1973, supplemental:				
H.J. Res. 1238: Disaster relief	$100,000,000	$200,000,000	$200,000,000	$200,000,000
		Aug. 15, 1972	Aug. 16, 1972	Public Law 92-393, Aug. 20, 1972
H.R. 16254: Disaster relief	1,569,800,000	1,587,300,000	1,587,300,000	1,587,300,000
		Oct. 11, 1972		
H.R. 17034, 1973: Supplemental	3,573,953,325	3,565,048,825	5,266,690,610	4,933,415,610

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[1] Includes $170,000,000 in House-approved appropriations for Amtrak; these funds were not made available until authorizing legislation was signed into law.

[2] Figure does not include $131,181,000 advance fiscal year 1974 appropriation for Washington Metro Area Transit Authority.

[3] Vetoed, Aug. 16, 1972.

[4] Gives the President the authority to cut any item in the bill up to a maximum of 13 percent until the bill would not be reduced to less than $29,300,000,000.

[5] Action deferred on military assistance and Bangladesh relief until authorizing legislation completed.

[6] Final action on bill deferred and a continuing resolution (H.J. Res. 1331) passed extending spending at fiscal 1972 levels until Feb. 28, 1973.

AUTHORIZATION BILLS, FISCAL YEAR 1972

Bill	Administration request	Passed by House		Passed by Senate		Final approved		
		Date	Amount	Date	Amount	Public law	Date	Amount
[S. 3108] [H.R. 12604], H.R. 15495, Military procurement	$23,272,971,000	June 27, 1972	$21,318,788,250	Aug. 2, 1972	$20,521,671,000	92-436	Sept. 26, 1972	$20,943,847,000
H.R. 13188, Coast Guard	135,660,000	Apr. 11, 1972	141,820,000	June 1, 1972	145,880,000	92-343	July 10, 1972	[1] 158,380,000
H.R. 13324, Maritime	525,860,000	do	555,860,000	July 26, 1972	556,044,000	92-402	Aug. 22, 1972	556,044,000
H.R. 14070 [S. 3094], NASA	3,379,000,000	Apr. 20, 1972	3,428,950,000	May 11, 1972	3,444,150,000	92-304	May 19, 1972	3,444,150,000
[S. 3511], H.R. 14108, National Science Foundation	[2] 647,418,000	Apr. 25, 1972	[2] 673,800,000	June 26, 1972	[2] 720,000,000	92-372	Aug. 10, 1972	[2] 696,900,000
[S. 3526], H.R. 14734, Foreign Relations:								
State Department	563,354,000	May 17, 1972	648,354,000	May 31, 1972	648,354,000	92-352	July 13, 1972	648,354,000
USIA	200,249,000		200,249,000		200,249,000			200,249,000
Arms Control and Disarmament Agency	[3] 20,000,000		22,000,000		22,000,000			22,000,000
Peace Corps	(4)		88,027,000		93,027,000			88,027,000
Narcotics control					42,500,000			42,500,000
Total	785,603,000		848,603,000		1,006,130,000			1,001,130,000
[H.R. 14990], S. 3607, Atomic Energy Commission:								
Operating expenses	2,068,430,000	July 7, 1972	2,110,480,000	May 25, 1972	2,110,480,000	92-314	June 16, 1972	2,110,480,000
Plant and capital equipment	656,420,000		492,995,000		492,995,000			492,995,000
Total	2,724,850,000		2,603,475,000		2,603,745,000			2,603,475,000
S. 4018, Omnibus River and Harbors and Flood Control	(5)	Oct. 2, 1972	269,199,000	Sept. 27, 1972	592,922,300			[6] 291,000,000
Military Construction H.R. 15641, [S. 3448]	[7] 3,047,961,000	July 20, 1972	2,567,334,000	Aug. 4, 1972	2,539,304,000			2,549,525,000
S. 3390, H.R. 16029, Foreign Aid:								
Security assistance	2,151,000,000	Aug. 10, 1972	2,031,000,000	Sept. 26, 1972	1,722,500,000			
Economic assistance	100,000,000		100,000,000		100,000,000			
Total	2,251,000,000		2,131,000,000		1,822,500,000			

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[1] Public Law—figure for Coast Guard authorization includes $12,500,000 additional for bridge alterations (passed by House and Senate, but not reflected in their figures).

[2] Figures for H.R. 14108 does not reflect an additional $7,000,000 in foreign currencies.

[3] [H.R. 13336].

[4] Open-ended [H.R. 14149].

[5] Open-ended.

[6] This figure constitutes only the project authorization section of the bill.

[7] The administration request initially included an additional $399,400,000 for Army construction of facilities at Safeguard antiballistic missile sites. The House Armed Services Committee did not consider Safeguard construction as a part of H.R. 15641, but transferred the request to the defense procurement authorization bill, H.R. 15495.

CHARLES RAPER JONAS

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, there are few, if any, Members of this Congress who have served their constituents and the country so diligently and with such a quiet dedication as my good friend from North Carolina, CHARLES RAPER JONAS. It was my privilege to work with him on the Committee on Appropriations and since becoming minority leader I have relied on countless occasions on his knowledge and konwledge as the ranking Republican member of the Subcommittee on Housing and Urban Development, and Independent Agencies.

Aside from his legislative skills, CHARLIE JONAS is one of the best loved Members of the House and I greatly value his friendship. He will be very much missed as he voluntarily retires after two decades of devoted service in the House.

My wife Betty and I wish for CHARLIE and Annie Elliott many years of health and happiness together.

HON. WILLIAM L. SPRINGER

Mr. Speaker, in all of the 22 years that we have served together in the House no Member has been more effective or more expert in his understanding of complex legislation than the gentleman from Illinois, the Honorable WILLIAM L. SPRINGER, who is retiring at the close of this Congress.

BILL SPRINGER has been an invaluable public servant and a loyal and wise counsellor to me in his capacity as ranking minority member of the Committee on Interstate and Foreign Commerce. He has earned the respect and confidence of Members of both sides of the political aisle and it will be extremely difficult to fill his shoes. There have been no more staunch supporters of President Nixon than the gentleman from Illinois, and I find it difficult to express my sense of loss that he will not be battling by my side in future sessions.

My wife Betty and I wish for BILL and his wife Elsie, many, many years of health and happiness in the future.

HON. ALEXANDER PIRNIE

Mr. Speaker, before this Congress is finally gaveled into history, I want to say a few words of appreciation for the distinguished gentleman from New York, ALEXANDER PIRNIE, who is retiring voluntarily after 14 years of splendid service to the Congress and a lifetime of dedication to his country.

AL PIRNIE, although nearly 40 years of age, volunteered in World War II and won the rank of colonel and the Bronze Star and the Legion of Merit. His overseas experience in the European theater has served him well as an extremely able and conscientious member of the Committee on Armed Services. He has steadfastly supported a policy of adequate national defense during the administration of four Presidents.

He is much beloved and respected on both sides of the aisle and his contributions, as well as his friendly personality, will be greatly missed. My wife Betty and I wish for him and Mildred a full share of health and happiness in the future.

DURWARD G. HALL

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, a great many people have been saying the House of Representatives will be a different place when the 93d Congress convenes because two score of our Members are leaving us voluntarily even before election day. I might observe that the House will be a very different place if only because the distinguished gentleman from Missouri, DURWARD G. HALL, is retiring.

I do not know how many times I have tried to talk my good friend, Doc HALL, out of objecting or calling for a quorum, but I think I can remember the number of times I have been successful. Yet we have remained the best of friends and like everyone else in this Chamber, I hate to see him retire. There is no Member who has been more diligent in attendance and in scrutiny of legislation—large or small—or in expert attention to the rules and traditions of this great body. The rules exist to protect the rights of all Members and Doc HALL has been dedicated to the demanding task of defending those rights for all of us.

Mr. Speaker, in addition to his legendary role as a legislator and his skill as a physician, Doc HALL has a great talent for friendship. I will particularly miss him as a friend. I have never known a more considerate and amiable gentleman in personal relationships. We hope that we will continue to see him often between fishing expeditions and the other things' he has planned for the future.

I believe that without Doc HALL's vigilance and courage of conviction over the past 12 years we would have enacted many more bad laws and wasted many millions of dollars more than we have, and I salute him for this unique contribution. He will be greatly missed.

My wife Betty and I wish Doc HALL and Bettie many years of health and happiness together.

ACCOMPLISHMENTS OF THE 92D CONGRESS

(Mr. ALBERT asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. ALBERT. Mr. Speaker, we mark today the end of the 92d Congress and, if I may be excused the personal reference, of my first term as Speaker of this body. There is no honor so singular as the one I have enjoyed, no privilege ever conferred upon me for which I am more deeply grateful. The responsibilities of the office are great and sometimes burdensome, but I have been sustained by the knowledge acquired over many years, that the problems we deal with are the stuff of American life and affect millions of human beings around the world. The details of what we do here will be fleeting perhaps even in our own memories, but the statute books of this great Republic will record them for all time and the changes, the benefits which will flow from them will bring us closer to realizing the great objectives of equal opportunity, justice, and civil liberties, guaranteed to us in the Constitution and the Bill of Rights.

As I have stated previously, the 92d has been a "do-something" Congress. It has been a Congress creative in its concepts, strong in its initiatives, and insistent upon immediate and constructive action. It has not been a Congress willing to assume a subordinate position to the executive branch, nor yet fearful of coming to terms with the unprecedented and unique issues which have come before it. We have not legislated behind a curtain; many Members have cast votes out of the strong conviction of conscience, unintimidated by fear of reaction from right or left, from Pennsylvania Avenue or from the judicial branch.

The 92d Congress has operated in curious and vexing times; we have had to throw out the rule books. Not only is the political order changing, but simultaneously, the economic order, the sociological order, the systems and mores formerly used to measure and weigh are no longer valid. Given that kind of challenge we have produced much constructive and balanced legislation, albeit with great difficulty. We are better off as a Nation than we were 2 years ago. We have enacted education bills, health bills, environmental bills, social security increases, equal rights for women, the 18-year-old vote, consumer bills, pollution bills, bills to put millions back to work and bills to brace up our weakened economy. Many of these measures have had bipartisan support in both bodies. We hope the President will take an equally constructive view and join with us in this mammoth effort to act for America by signing those bills now on his desk or on their way to the White House.

Our work is the product of many hands. I recognize and am grateful for the help and cooperation of the leaders, the committee chairmen, the Members on both sides of the aisle, the minority leadership, the officers and staff members, all of whose in-put has been necessary to the end result.

The distinguished majority leader, HALE BOGGS, has my deepest gratitude. He has been my strong right arm during the past 2 years and my first term as Speaker. I have felt almost lost during his absence, so accustomed were we to working together on the complex and voluminous legislative duties of this body. Only when I served as lieutenant to former Speaker John McCormack, have I felt closer to anyone in the conduct of the business of the House. The many hours that HALE gives to Members have not been surpassed by any Member or leader. HALE's willingness to go to Alaska on behalf of a new Member of Congress—to fly over its wilds in this unpredictable season of the year—when we were in the trying days of closing of the session—are evidence of the concern which he has for his colleagues. He is always loyal to his party; he is a Democrat by conviction but above this, his service through the years has shown him to be a patriotic Member who puts his country above every other consideration.

Most of us know HALE's fine family His good wife, Lindy, is truly a leader not only among women but among people. His son, Tommy, who is one of the strongest and most decent young men I have ever known, and his two wonderful, beautiful and intelligent daughters, Barbara and Corinne are all part of a family which is outstanding for the way in which it has accommodated to the rigors of Congressional life. The BOGGS family serves as an example for all families in congressional life and in Government. They have made great contributions as individuals, they have been cooperative with each other and with the people with whom they have worked in so many important efforts over many years.

The BEGICH family, too, are much on our minds while we hopefully await word of HALE and NICK's rescue in Alaska. They are a young family—NICK's delightful wife, Peggy, is the wonderful mother of six children. There has not been a moment since I received the disturbing news that the plane carrying HALE and NICK was overdue for a meeting that I have not had their welfare in my thoughts and prayers. The need for these two men in public life in the service of their country is very great. I retain the feeling that they will be back with us next year to continue their fruitful careers.

The leadership is deeply in the debt of Majority Whip THOMAS "TIP" O'NEILL and his hard-working assistant deputy whiys, JOHN MCFALL and JOHN BRADEMAS, as well as all the assistant whips. Their organization, their personal energy and dedication provided an essential element in our operation and in the results produced.

Toward the Members of the House, both Democrats and Republicans, I feel a sense of appreciation for their great talents, their great devotion, cooperation and help which I have received on every hand and without which I simply could not have operated.

The Members of my own Party have given me great support on many issues. I have enjoyed the aid of steadfast friends of years, and the support of many new Members who have elated us both by their abilities and their loyalty.

The Republican leadership, too, have shown me many courtesies. I deeply appreciate the assistance of the distinguished minority leader, Mr. FORD, and the very able minority whip, Mr. ARENDS. Although we view legislation from a different frame of reference, they are patriotic Americans dedicated to serving their country, and have so demonstrated, particularly in their positions on national defense and foreign policy measures.

The Members of the House, its officers and employees all have bent every effort, many driving themselves hard to finish our business, by working long hours, willingly undertaking the myriad tasks which increase with every passing year. As have Speakers for more than 40 years, I have relied heavily upon the counsel of our distinguished Parliamentarian, Lew Deschler. Lew is noted for the precision and reliability of his rulings and his judgment; I have again benefitted from the accumulated expertise of his years of service and his prodigious memory.

A few weeks remain which I know Members are eager to use campaigning. Thereafter, I hope they, their staffs and all those who labor in the great Capitol complex, will get some well-earned rest and relaxation. Take with you the assurance of my deep regard and appreciation for your friendship.

I include at this point in the RECORD a

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summary of some of the legislative accomplishments of the 92d Congress.

A 32 PERCENT SOCIAL SECURITY INCREASE LEADS LIST OF ELDERLY BENEFITS

This has been one of the great Congresses in history from the point of view of older Americans—and the 32 percent social security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the benefits that our 20 million senior citizens will realize from congressional action;

Nutritional meals for those who need them;

Low-cost transportation;

Employment opportunities;

Community centers;

Preretirement training;

Health and education services;

Gerontological centers to study the variety of problems facing older persons;

A new National Institute of Aging to conduct research on the aging process and the special health problems of older persons.

It is interesting to note that the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

REVENUE SHARING LEGISLATION AIDS STATE, LOCAL GOVERNMENTS

Congress this year enacted an historic $30.1 billion revenue sharing bill, aimed at relieving the financial distress of State and local governments. The appropriation is for 5 years, with this year's total set at $5.3 billion, retroactive to last January 1.

State governments are to receive one-third of a State's total appropriation, and the other two-thirds will be distributed to local governments within the State.

In passing the revenue sharing bill, Congress included provisions to insure that the money is spent for high priority items. Expenditures are to be limited to:

Public safety—including law enforcement, fire protection, and building code enforcement;

Environmental protection—including sewage disposal, sanitation and pollution abatement;

Public transportation—including transit systems, streets and roads;

Health;

Recreation;

Libraries;

Social services for the poor and aged; and

Financial administration.

In addition, revenue-sharing funds can be used for ordinary and necessary capital expenditures authorized by law.

CONGRESS ACTS TO MEET HEALTH CARE CRISIS

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a nation, we have slipped from 13th to 22d in male life expectancy, from sixth to 21st in infant mortality. Doctor bills, hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the Nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92d Congress has taken the initiative to meet this crisis with several important measures:

Medical personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses.

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer.

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the United States, mostly children.

Multiple sclerosis research—Creates a National Advisory Commission to help find the cause of MS and develop cures.

Communicable Disease Control Act—Helps States and localities control the spread of communicable diseases.

National Heart, Blood Vessel, Lung, and Blood Act.

Rehabilitation Act—An extension of the 50-year-old Vocational Rehabilitation Act, adding major new proposals to aid the severely handicapped and other disabled persons.

NEW PROGRAMS BENEFITS STUDENTS FROM PRESCHOOL TO COLLEGE

Young people throughout the Nation will benefit from the important education measures passed by the 92d Congress:

Omnibus Education Act is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education program as well as creating many new ones, including:

A new system of basic education opportunity grants which will entitle every college student to an annual grant of $1,400, less the amount his parents can reasonably contribute;

A program of direct institutional aid for colleges and universities to use as they see fit;

Aid to occupational and vocational education;

A national institute of education to develop new and better methods of teaching at every level—preschool through graduate level;

Expanded Headstart program broadens eligibility for participation in this voluntary day care program to include children of working families as well as the poor.

National School Lunch Act amendments provides free and reduced price meals for needy children.

Vietnam veterans education assistance provides a major increase in aid for education and vocational rehabilitation to returning veterans.

1971 ELECTION CAMPAIGN ACT AIMS AT SPENDING REFORM

The Federal Election Campaign Act of 1971 was designed to control campaign spending—at a time when the costs of campaigning have skyrocketed—and to require public disclosure of campaign contributions.

The key provisions of this historic act:

Limit to 10 cents per voter—or $50,000—the amount of advertising spending for television, radio, newspapers, magazines, billboards and automatic telephone equipment. No more than 60 percent of the entire media budget can be spent for broadcasting purposes.

Require broadcasters, newspapers, magazines, and so forth, to sell advertising to candidates at the lowest going rate for the comparable time and space.

Require political committees to report income of $1,000 or more, expenditures of $100 or more, and contributions or loans in excess of $100. Names and addresses of contributors must also be reported.

Authorize supervisory officers for collection of campaign reports.

Define more strictly the roles of unions and corporations in campaigns.

Limit the amount a candidate or his family can contribute to his own campaign—$50,000 for presidential or vice presidential campaign—$35,000 for senatorial campaign—$25,000 for U.S. House campaign.

NEW AMENDMENTS BROADEN RIGHTS

The 26th and 27th amendment to the Constitution were passed by this Congress to guarantee the vote to 18- to 20-year-olds and to end discrimination based on sex.

Eighteen-year-old vote—This amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in all elections. It was quickly ratified by the States and signed in July 1971. Because of it, 11 million more voters are eligible to vote in the presidential election this year.

Equal rights for women—Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex still exist in law. For example:

Twenty-six States prohibit women from working certain occupations;

Thirty-seven States have fair employment practice laws, but only 15 prohibit discrimination in employment based on sex.

Some communities still have dual pay schedules for men and women public school teachers.

To end such discrimination, the equal rights amendment says:

> Equality of right under the law shall not be denied or abridged by the United States or by any state on account of sex.

Twenty-one States have already ratified the amendment; 38 are required.

ECONOMY, UNEMPLOYMENT, INFLATION WERE CONCERNS OF 92D CONGRESS

The 2 years of the 92d Congress saw the Nation enter the longest period of recession and unemployment since World War II. Ironically, it was a period in which prices climbed to record highs.

Unemployment climbed to nearly 6 percent. The 1969 dollar lost 12½ cents in value by 1972. The number of Americans on welfare doubled. The stock market, after dropping nearly 300 points, never reached its 1969 high. Business was off, profits were down and Government revenues dropped sharply.

And all the while, the Federal budget continued to show record deficits.

Clearly, one of the top priorities of Congress was to put people back to work. We passed the Accelerated Public Works Act of 1971, which authorized $2 billion to create an estimated 170,000 jobs in the public sector. Unfortunately, President Nixon vetoed this bill. Subsequently, we passed the Emergency Employment Act which authorized $2¼ billion to provide transitional public service jobs and special State employment assistance programs. We also earmarked $275 million for additional unemployment benefits and allowances.

In the area of the overall economy, Congress:

Granted the President authority to instruct the Federal Research Board to regulate credit—at a time when interest rates had climbed to the highest point since the Civil War.

Extended the President's authority to establish controls on prices, rents, wages, and salaries.

Raised personal income tax exemption to $675 in 1971.

Came to the aid of small business by increasing the amounts of loans and guarantees provided by the Federal Government.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the administration's budget, while seeking to meet the Nation's genuine needs. During the past 3 years, Congress has cut a total of $14.5 billion from the administration's appropriations requests and the total appropriations this year will again be under the President's budget.

A GREAT CONGRESS FOR VETERANS

Many observers are calling the 92d Congress the greatest Congress for veterans in history. In the past 2 years, we have passed major laws to educate our veterans, to provide them better treatment in VA hospitals, and to liberalize burial allowances for veterans.

New GI bill—This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Full-time students will now receive:

Single students; $220 a month;

Married students; $261 a month;

Married and one child; $298 a month;

Each additional dependent; $18 a month.

National Cemetery bill—This law:

Transfers to the VA responsibility for administering all national cemeteries.

Increases burial allowances for veterans who die from service-connected disabilities.

Provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA Medical School Act—To help meet the Nation's medical manpower shortage—and to improve VA medical care—this measure authorizes eight new medical schools in veterans' hospitals across the Nation.

Veterans' Medical Care—This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with nonservice-connected medical problems can now be treated as outpatients. Some families of permanently disabled veterans or their survivors can also now receive hospital care.

Disabled Veterans' Benefits—Provides a 10-percent boost in benefits for disabled veterans.

DRUGS, JUVENILE DELINQUENCY ARE TARGETS OF NEW LEGISLATION

Every public opinion poll taken in recent years shows that drug abuse and crime are major concerns of the American people—in every part of the Nation. The 92d Congress continued to face up to these mounting problems in several significant areas:

CRIME

The Juvenile Delinquency Prevention Act. This major bill places all responsibility for juvenile justice in the Department of Justice—and all other responsibilities and services within the Department of Health, Education and Welfare. In addition, the bill provides $150 million over 2 years to:

Provide educational services in schools and other local educational agencies.

Provide counseling, health services and recreational facilities for potential juvenile delinquents.

Provide money to educational agencies to train personnel in the juvenile delinquency field.

Provide money to counsel parents.

DRUG ABUSE

The Drug Abuse Office and Treatment Act. This bill establishes within the Executive Office of the President an office to coordinate all Federal activities related to drug abuse treatment, education, research and training. The bill also provides more than $6 billion through fiscal year 1975 to:

Establish a National Institute on Drug Abuse.

Increase funds for special projects under the Community Mental Health Centers Act.

Provide grants to states to develop new drug abuse programs.

Establish a Council for Drug Abuse Strategy.

Require federally funded health facilities to provide needed treatment for drug addicts.

Foreign Shipments of Narcotics. The Foreign Assistance Act Amendments of 1971 gives the President power to suspend foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addiction of Servicemen. The Selective Service Act Amendments of 1971 requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. The Economic Opportunity Act Amendments of 1972 authorizes special programs to encourage the employment of rehabilitated addicts and addicts in certain treatment programs, with special preference for veterans.

CONGRESS CONTINUES TO FOCUS ON CONSUMER PROTECTION LAWS

In recent years, Congress has passed a host of measures on behalf of a once-ignored segment of our society—the American consumers. Truth-in-lending—wholesale meat and poultry—truth-in-packaging—automobile safety—tire safety—toy safety—fair credit reporting—these are just a few of the laws enacted to protect every man, woman and child in the marketplace.

The 92d Congress has extended and expanded this record.

The Flammable Fabrics Amendments of 1971 requires every manufacturer to certify that his product, fabric or related material for sale meets stringent anti-flammable requirements. This law was passed in response to the fact that an estimated 3,000 to 5,000 deaths and 250,000 injuries occur every year from burns associated with flammable fabrics.

The Consumer Product Safety Act of 1972 assigns to the Federal Government a major role in protecting the consumer from unreasonable risks of death, injury or illness resulting from the use of consumer products. A new independent regulatory commission will be vested with the authority to:

Collect and disseminate information on consumer product-related injuries.

Establish mandatory safety standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transporation to set minimum standards for bumpers to eliminate or substantially reduce damage to automobiles in low-speed collisions. The bill also outlaws tampering with odometers.

PROTECTION OF THE ENVIRONMENT GIVEN HIGH PRIORITY IN CONGRESS

Clean air, water, land and the conservation of our resources and wildlife has been a chief concern of the 92d Congress. This Congress has taken important action to protect the Nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the Nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985. This bill was passed on a presidential veto.

Federal Environment Pesticide Control Act gives the Federal Government increased powers over the testing, selling and the use of pesticides. It will guarantee better protection of man and our environment, while permitting farmers to use pesticides in production of food and fiber.

Wild horses and burros will be protected, cared for, and controlled on public lands by the Government.

Wildlife hunting from aircraft is prohibited, protecting certain wild birds, fish and other animals from being shot.

CONGRESS AIDS RURAL AREAS

Passed the first Federal act which provides for Federal standards for the control and abatement of noise pollution with special emphasis on noise at airports.

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the Rural Development Act of 1972, Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing, water quality management, pollution control and farm credit.

THE 92D CONGRESS TAKES NEW FOREIGN POLICY, MILITARY ACTIONS

Among the several actions of the 92d Congress in foreign and military policy are:

SALT agreements to limit strategic weapons: Congress approved a 5-year United States-Soviet accord limiting offensive nuclear weapons.

ABM treaty with Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military draft: Congress amended the Selective Service Act to:

Extend the draft to June 1973.

Grant student deferments.

Increase military pay in order to encourage voluntary enlistments.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Rosenthal (at the request of Mr. O'Neill), for today, on account of attending a funeral.

Mr. Matsunaga (at the request of Mr. O'Neill), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Minshall, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Keating) and to revise and extend their remarks and include extraneous matter:)

Mr. McDade, today, for 10 minutes.

Mr. Gerald R. Ford, today, for 10 minutes.

Mrs. Heckler of Massachusetts, today, for 10 minutes.

Mr. Buchanan, today, for 5 minutes.

(The following Members (at the request of Mr. Mazzoli) and to revise and extend their remarks and include extraneous matter:)

Mr. Griffin, today, for 10 minutes.

Ms. Abzug, today, for 10 minutes.

Mr. Gonzalez, today, for 5 minutes.

Mr. Morgan, today, for 60 minutes.

Mr. Koch, today, for 5 minutes.

Mr. Carey of New York, today, for 5 minutes.

Mr. Fraser, today, for 10 minutes.

Mr. Brademas, today, for 5 minutes.

Mr. Flood, today, for 30 minutes.

Mr. Hungate, today, for 30 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. Mink and to include extraneous matter, notwithstanding the fact it exceeds two pages of the Record and is estimated by the Public Printer to cost $2,167.50.

Mr. Carey of New York in five instances and to revise and extend his remarks and include extraneous matter.

Mr. Madden to revise and extend his remarks and include a newspaper article in the Extensions of Remarks of the Record.

Mr. Frelinghuysen and to revise and extend his remarks and include extraneous matter.

Mr. Hungate, and to include extraneous matter on S. 2770.

Mr. Dingell, and to include extraneous matter on the veto of the Water Pollution Act just previous to the vote.

(The following Members (at the request of Mr. Keating) and to include extraneous matter:)

Mr. Myers in five instances.

Mr. Bray in three instances.

Mr. Hansen of Idaho in two instances.

Mr. Scherle in 10 instances.

Mr. Chamberlain in five instances.

Mr. Broyhill of Virginia in five instances.

Mr. Buchanan in five instances.

Mr. McCollister in three instances.

Mr. McCulloch.

Mr. Shriver in five instances.

Mr. Rhodes in five instances.

Mr. Arends in 10 instances.

Mr. Wyman.

Mr. Anderson of Illinois in 10 instances.

(The following Members (at the request of Mr. Mazzoli) and to include extraneous matter:)

Mr. Randall in 20 instances.

Mr. Matsunaga in five instances.

Mr. Minish.

Mrs. Mink in four instances.

Mr. Fisher in three instances.

Mr. Rosenthal in five instances.

Mr. Barrett.

Mrs. Chisholm in six instances.

Mr. Helstoski in five instances.

Mr. Rangel.

Mr. Patten in eight instances.

Mr. Roush.

Mr. Jacobs.

Mr. Bingham in 10 instances.

Mr. Roybal in 10 instances.

Mr. Fascell in five instances.

Mr. Daniels of New Jersey in 10 instances.

Mr. Anderson of California in five instances.

Mr. Corman in two instances.

Mr. Moss in six instances.

Mr. Dent in 10 instances.

Mr. Nix.

Mr. O'Neill in five instances

Mr. Yates in two instances.

Mr. Burke of Massachusetts in three instances.

Mr. Dulski in six instances.

Mr. Harrington.

Mr. Daniel of Virginia.

Mr. Dellums in 10 instances.

Mr. Flood in 10 instances.

Mr. Dorn in three instances.

Mr. Zablocki in four instances.

Mr. Conyers.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1467. An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, and for other purposes;

H.R. 10638. An act for the relief of John P. Woodson, his heirs, successors in interest or assigns;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes;

H.R. 11773. An act to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection.

H.R. 15475. An act to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis;

H.R. 16071. An act to amend the Public Works and Economic Development Act of 1965;

H.R. 16654. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes;

H.R. 17034. An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3858. An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On October 17, 1972:

H.R. 3786. An act to provide for the free entry of a four-octave carillon for the use of Marquette University, Milwaukee, Wis.;

H.R. 5066. An act to authorize appropriations for fiscal year 1973 to carry out the Flammable Fabrics Act;

H.R. 7093. An act to provide for the disposition of judgment funds of the Osage Tribe of Indians of Oklahoma;

H.R. 8273. An act to amend section 301 of the Immigration and Nationality Act;

H.R. 8395. An act to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes;

H.R. 10384. An act to release certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior;

H.R. 10880. An act to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery;

H.R. 11563. An act to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal employees' group life insurance purposes during a period of erroneous removal of suspension;

H.R. 11032. An act to enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia;

H.R. 12186. An act to strengthen the penalties imposed for violations of the Bald Eagle Protection Act, and for other purposes;

H.R. 12674. An act to amend title 38 of

the United States Code in order to establish a National Cemetery System within the veterans' Administration, and for other purposes;

H.R. 12807. An act to amend the Federal Property and Administration Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government;

H.R. 12828. An act to amend chapters 31, 34, and 35 of title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons; to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes;

H.R. 13156. An act to name a bridge across a portion of Oakland Harbor, Calif., the "George P. Miller-Leland W. Sweeney Bridge";

H.R. 13895. An act to amend title 5, United States Code, to revise the pay structure for nonsupervisory positions of deputy U.S. marshal, and for other purposes;

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes;

H.R. 15375. An act to amend the National Traffic and Motor Vehicles Safety Act of 1966 to authorize appropriations for fiscal year 1973:

H.R. 15461. An act to facilitate compliance with the treaty between the United States of American and the United Mexican States, signed November 23, 1970, and for other purposes;

H.R. 15597. An act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland;

H.R. 15735. An act to authorize the transfer of a vessel by the Secretary of Commerce to the Board of Education of the City of New York for educational purposes;

H.R. 15763. An act to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes;

H.R. 15657. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes;

H.R. 15965. An act to amend the District of Columbia Teachers' Salary Act of 1955 to increase salaries, to provide certain revisions in the retirement benefits of public school teachers, and for other purposes.

H.R. 16675. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 to extend for one year the programs of grants for State and local prevention, treatment, and rehabilitation programs for alcohol abuse and alcoholism;

H.R. 16804. An act to rename the Mineola Dam and Lake as the Carl L. Estes Dam and Lake.

H.R. 16883. An act relating to compensation of members of the National Commission on the Financing of Postsecondary Education;

H.R. 17038. An act designating the Oakley Reservoir on the Sangamon River at Decatur, Illinois, as the William L. Springer Lake;

H. J. Res. 733. A joint resolution granting the consent of Congress to certain boundary agreements between the States of Maryland and Virginia;

H. J. Res. 748. A joint resolution amending title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans' Administration; to develop cooperative arrangements between institutions of higher education, hospitals, and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancement opportunities; to improve and expand allied and other health manpower utilization; to afford continuing education for health manpower of the Veterans' Administration and other such manpower at Regional Medical Education Centers established at Veterans' Administration hospitals throughout the United States; and for other purposes; and

H. J. Res. 1301. A joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of land and mortgages under the National Housing Act.

On October 18, 1972:

H.R. 10638. An act for the relief of John P. Woodson, his heirs, successors in interest or assigns;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes;

H.R. 11773. An act to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection; and

H.R. 15475. An act to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

CALL OF THE HOUSE

Mr. MYERS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. One hundred twelve Members are present, not a quorum.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

PARLIAMENTARY INQUIRIES

Mr. MILLS of Arkansas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLS of Arkansas. Mr. Speaker, will the Speaker entertain a unanimous-consent request that the call of the roll be vacated.

The SPEAKER. The Speaker does not have that authority under the Constitution.

If there are any Members in the Chamber who have not answered and the Speaker can identify them, he will have them recorded. The Speaker does have that authority, but he does not know of any such Members.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 462]

Abbitt
Abernethy
Abourezk
Abzug
Adams
Addabbo
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Archer
Arends
Ashbrook
Ashley
Aspin
Badillo
Baker
Baring
Begich
Belcher
Bell
Bergland
Betts
Bevill
Biaggi
Bingham
Blackburn
Blanton
Boggs
Bolling
Bow
Brasco
Bray
Breaux
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson, Tex.
Burlison, Mo.
Burton
Byrne, Pa.
Cabell
Caffery
Carey, N.Y.
Carter
Cederberg
Celler
Chappell
Chisholm
Clancy
Clawson, Del
Clay
Cleveland
Collier
Collins, Tex.
Colmer
Conable
Conover
Cotter
Crane
Curlin
Daniels, N.J.
Danielson
Davis, S.C.
Davis, Wis.
Delaney
Dellenback
Denholm
Dennis
Derwinski
Devine
Dickinson
Diggs
Dorn
Dow
Dowdy
du Pont
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Findley
Fish
Fisher
Flowers
Flynt
Forsythe
Frenzel
Frey
Fulton
Galifianakis
Gallagher
Gettys
Giaimo
Goldwater
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Gubser
Haley
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Heinz
Hicks, Wash.
Hillis
Hogan
Holifield
Horton
Hosmer
Hungate
Hunt
Ichord
Jacobs
Jones, Tenn.
Karth
Kastenmeier
Keating
Keith
Kemp
King
Kuykendall
Kyl
Kyros
Landrum
Latta
Lennon
Lent
Link
Lloyd
Long, La.
McClory
McCloskey
McClure
McCormack
McDade
McEwen
McKay
McKevitt
McKinney
McMillan
Mailliard
Martin
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Michel
Mikva
Mills, Md.
Minish
Minshall
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nichols
Nix
Pelly
Pepper
Perkins
Pettis
Peyser
Podell
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rangel
Rees
Reid
Riegle
Robison, N.Y.
Roncalio
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Runnels
Ruppe
St Germain
Sandman
Saylor
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Staggers
Stanton, J. William
Steele
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Symington
Talcott
Teague, Calif.
Terry
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Thone
Tiernan
Udall
Van Deerlin
Vigorito
Waggonner
Waldie
Wampler
Ware
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Zwach

PARLIAMENTARY INQUIRY

Mr. O'NEILL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'NEILL. Mr. Speaker, am I correct in assuming that when the House adjourns tonight it adjourns to meet on January 3, 1973, at 12 o'clock?

The SPEAKER. That is correct.

COMMUNICATION FROM THE SECRETARY OF THE SENATE

Pursuant to the order of the House, October 18, 1972, the Clerk received the following communication from the Secretary of the Senate:

That the Senate agreed to the amendments of the House to the amendments of the amendments of the Senate numbered 2 and 3 to a bill of the House of the following title:

H.R. 4678. An act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara.

It also announced that the Senate agreed to the amendment of the House to the amendment of the Senate to a bill of the House of the following title:

H.R. 11021. An act to control the emission of noise detrimental to the human environment, and for other purposes.

ADJOURNMENT SINE DIE

Mr. O'NEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of House Concurrent Resolution 726, the Chair declares the second session of the 92d Congress adjourned sine die.

Accordingly (at 8 o'clock and 47 minutes p.m.), Wednesday, October 18, 1972, the House adjourned sine die.

SENATE ENROLLED BILLS SIGNED AFTER SINE DIE ADJOURNMENT

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1524. An act to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property;

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable; and

S. 3822. An act authorizing the City of Clinton Bridge Commission to convey its bridge structures and other assets of the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1. An act to amend the Social Security Act, and for other purposes;

H.R. 4678. An act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and for other purposes;

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes;

H.R. 11021. An act to control the emission of noise detrimental to the human environment, and for other purposes;

H.R. 13396. An act to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes;

H.R. 14628. An act to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes;

H.R. 16074. An act to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977;

H.R. 16810. An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973;

H.J. Res. 912. Joint resolution granting the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary; and

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On October 20, 1972:

H.R. 1467. An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, and for other purposes;

H.R. 4678. An act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and for other purposes;

H.R. 13396. An act to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes;

H.R. 14628. An act to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes;

H.R. 16071. An act to amend the Public Works and Economic Development Act of 1965;

H.R. 16074. An act to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977;

H.R. 16654. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 16810. An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973;

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes; and

H.R. 17034. An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

On October 25, 1972:

H.R. 1. An act to amend the Social Security Act, and for other purposes;

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes;

H.R. 11021. An act to control the emission of noise detrimental to human environment, and for other purposes;

H.J. Res. 912. Joint resolution granting the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary; and

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the House of the following titles:

On October 13, 1972:

H.R. 2895. An act to provide for the conveyance of certain real property in the District of Columbia to the National Firefighting Museum and Center for Fire Prevention, Incorporated;

H.R. 3817. An act to amend titles 10, 32, and 37, United States Code, to authorize the establishment of a National Guard for the Virgin Islands;

H.R. 5838. An act to designate certain lands in the Lava Beds National Monument in California, as wilderness;

H.R. 6318. An act to declare that certain federally owned lands shall be held by the United States in trust for the Burns Indian Colony, Oreg., and for other purposes;

H.R. 7378. An act to create a Commission of the Federal Court Appellate System of the United States;

H.R. 9198. An act to amend the act of July 4, 1955, as amended, relating to the construction of irrigation distribution systems;

H.R. 10243. An act to establish an Office of Technology Assessment for the Congress as an aid in the identification and consideration of existing and probable impacts of technological application; to amend the National Science Foundation Act of 1950; and for other purposes;

H.R. 13825. An act to extend the time for commencing actions on behalf of an Indian tribe, band, or group;

H.J. Res. 1211. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the South Pacific Commission; and

H.J. Res. 1263. Joint resolution authorizing the President to proclaim October 30, 1972, as "National Sokol Day."

On October 14, 1972:

H.R. 12652. An act to extend the life of the Commission on Civil Rights, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes;

H.R. 13533. An act to amend the District of Columbia Redevelopment Act of 1945 to provide for the reimbursement of public utilities in the District of Columbia for certain costs resulting from urban renewal; to provide for reimbursement of public utilities in the District of Columbia for certain costs resulting from Federal-Aid system programs; and to amend section 5 of the Act approved June 11, 1878 (providing a permanent government of the District of Columbia), and for other purposes; and

H.J. Res. 1257. Joint Resolution to authorize an appropriation for the annual contributions by the United States for the support of the International Agency for Research on Cancer.

On October 17, 1972:

H.R. 11948. An act to amend the joint resolution authorizing appropriations for participation by the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law.

On October 18, 1972:

H.R. 2118. An act for the relief of the estate of Amos E. Norby;

H.R. 9676. An act to authorize the conveyance of certain lands of the United States to the State of Tennessee for the use of the University of Tennessee;

H.R. 13780. An act to authorize the Administrator of Veterans' Affairs to convey certain property in Canandaigua, New York, to Sonnenberg Gardens, a nonprofit educational corporation;

H.R. 14731. An act to amend the Fish and Wildlife Act of 1956 in order to provide for the effective enforcement of the provisions therein prohibiting the shooting at birds, fish, and other animals from aircraft;

H.R. 16870. An act to amend the Sockeye Salmon or Pink Salmon Fishery Act of 1947 to authorize the restoration and extension of the sockeye and pink salmon stocks of the Fraser River system, and for other purposes; and

H.J. Res. 1301. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

On October 19, 1972:

H.R. 9756. An act to amend the Merchant Marine Act, 1936, as amended; and

H.R. 10655. An act to designate certain lands in the Lassen Volcanic National Park, Calif., as wilderness.

On October 20, 1972:

H.J. Res. 984. Joint resolution to amend the joint resolution providing for United States participation in the International Bureau for the Protection of Industrial Property.

H.R. 14370. An act to provide fiscal assistance to State and local governments, to authorize Federal collection of State individual income taxes, and for other purposes; and

On October 21, 1972:

H.R. 8756. An act to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes;

H.R. 10420. An act to protect marine mammals; to establish a Marine Mammal Commission, and for other purposes;

H.R. 10556. An act to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land in Georgia to Thomas A. Buiso, the record owner of the surface thereof;

H.R. 10638. An act for the relief of John P. Woodson, his heirs, successors in interest or assigns;

H.R. 10729. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act, and for other purposes;

H.R. 11032. An act to enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia;

H.R. 11563. An act to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal Employees' Group Life Insurance purposes during a period of erroneous removal or suspension;

H.R. 13067. An act to provide for the administration of the Mar-A-Lago National Historic Site, in Palm Beach, Fla.;

H.R. 14128. An act for the relief of Jorge Ortuzar-Varas and Maria Pabla de Ortuzar;

H.R. 15965. An act to amend the District of Columbia Teachers' Salary Act of 1955 to increase salaries, to provide certain revisions in the retirement benefits of public school teachers, and for other purposes; and

H.R. 16987. An act to amend the act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

On October 23, 1972:

H.R. 9727. An act to regulate the transportation for dumping, and the dumping, of material into ocean waters, and for other purposes;

H.R. 10384. An act to release certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior;

H.R. 12186. An act to strengthen the penalties imposed for violations of the Bald Eagle Protection Act, and for other purposes;

H.R. 13694. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended;

H.R. 15597. An act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland; and

H.R. 16883. An act relating to compensation of members of the National Commission on the Financing of Postsecondary Education.

On October 24, 1972:

H.R. 12828. An act to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and persons; to provide for advance educational assistance payments to certain veterans; to make improvements in the educational assistance programs; and for other purposes;

H.R. 15883. An act to amend title 18, United States Code, to provide for expanded protection of foreign officials, and for other purposes; and

H.J. Res. 748. Joint resolution amending title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans' Administration; to develop cooperative arrangements between institutions of higher education, hospitals, and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancement opportunities; to improve and expand allied and other health manpower utilization; to afford continuing education for health manpower of the Veterans' Administration and other such manpower at Regional Medical Education Centers established at Veterans' Administration hospitals throughout the United States; and for other purposes.

On October 25, 1972:

H.R. 5066. An act to authorize appropriations for fiscal year 1973 to carry out the Flammable Fabrics Act;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes;

H.R. 11773. An act to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection;

H.R. 14542. An act to amend the act of September 26, 1966, Public Law 89-606, to extend for 4 years the period during which the authorized numbers for the grades of major, lieutenant colonel, and colonel in the Air Force may be increased, and for other purposes;

H.R. 14989. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 15280. An act to amend the act of August 16, 1971, which established the National Advisory Committee on Oceans and Atmosphere, to increase the appropriation authorization thereunder;

H.R. 15375. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973;

H.R. 15461. An act to facilitate compliance with the treaty between the United States of America and the United Mexican States, signed November 23, 1970, and for other purposes;

H.R. 15475. An act to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis;

H.R. 15641. An act to authorize certain construction at military installations, and for other purposes;

H.R. 15735. An act to authorize the transfer of a vessel by the Secretary of Commerce to the Board of Education of the city of New York for educational purposes;

H.R. 15763. An act to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes;

H.R. 16675. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 to extend for 1 year the program of grants for State and local prevention, treatment, and rehabilitation programs for alcohol abuse and alcoholism;

H.R. 16754. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes; and

H.J. Res. 733. Joint resolution granting the consent of Congress to certain boundary agreements between the States of Maryland and Virginia.

On October 26, 1972:

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

H.R. 7117. An act to amend the Fishermen's Protective Act of 1967 to expedite the reimbursement of United States vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries, to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed and for certain other amounts, and for other purposes;

H.R. 9554. An act to change the name of the Perry's Victory and International Peace Memorial National Monument, to provide for the acquisition of certain lands, and for other purposes;

H.R. 16593. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes; and

On October 27, 1972:

H.R. 1467. An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, and for other purposes;

H.R. 3786. An act to provide for the free entry of a four octave carillon for the use of Marquette University, Milwaukee, Wis.;

H.R. 4678. An act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and for other purposes;

H.R. 7093. An act to provide for the disposition of judgment funds of the Osage Tribe of Indians of Oklahoma;

H.R. 8273. An act to amend section 301 of the Immigration and Nationality Act;

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes;

H.R. 11021. An act to control the emission of noise detrimental to the human environment, and for other purposes;

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government;

H.R. 13156. An act to name a bridge across a portion of Oakland Harbor, California, the "George P. Miller-Leland W. Sweeney Bridge";

H.R. 13396. An act to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes;

H.R. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes;

H.R. 16444. An act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes;

H.R. 16804. An act to rename the Mineola Dam and Lake as the Carl L. Estes Dam and Lake;

H.R. 16810. An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973;

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval submarine officers, authorize special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes;

H.R. 17038. An act designating the Oakley Reservoir on the Sangamon River at Decatur, Ill., as the William L. Springer Lake; and

H.J. Res. 912. Joint resolution granting the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary.

On October 30, 1972:

H.R. 1. An act to amend the Social Security Act, and for other purposes.

On October 31, 1972:

H.R. 14628. An act to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes;

H.R. 16074. An act to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977; and

H.R. 17034. An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The President announced his disapproval of the following bills with memorandums of disapproval as follows:

H.R. 56

I am withholding my approval from H.R. 56.

My objections to this bill are centered upon two of its titles which would establish a National Environmental Data System and create environmental centers in each State. While both of these titles sound desirable in theory, they would in reality lead to the duplication of information or would produce results unrelated to real needs and wasteful of talent, resources, and the taxpayers' money.

A third portion of H.R. 56 would direct the Federal Government to purchase the Klamath Indian Forest lands in Oregon. After studying this proposal carefully, I believe this purchase would be sound public policy, and if the next Congress provides the necessary funds, I shall happily approve the acquisition of these unique lands.

In the form now before me, Title I of this legislation calls for the establishment of an independent, centralized environmental data system for the acquisition, storage and dissemination of information relating to the environment. Data for the system would come from governmental, international and private sources. A Director, who would be under the guidance of the Council on Environmental Quality, would determine what data would actually be placed in the system and who would have access to the data.

I believe there are serious drawbacks to such a data system which would outweigh potential benefits. The collection of data and statistics on the supposition that some day they may be useful is in itself a highly dubious exercise. Data, taken out of the context of the questions they were specifically designed to answer, can even contribute to confusion or be misleading.

With this in mind, I believe the centralized collection of environmental data should be related to specific policies and programs. H.R. 56 fails to provide such a relationship and the question of whether this basic deficiency can be overcome, and a useful centralized system designed, is now under study by the administration. In the meantime, the Environmental Protection Agency and other agencies have consistently worked to strengthen the acquisition and exchange of such data and this effort will continue.

Title II of this legislation authorizes the establishment of environmental centers in every State to conduct research in pollution, natural resource management, and other local, State or regional problems. The centers would also train environmental professionals and carry out a comprehensive education program.

Research is a vital part of our effort to come to grips with the environmental problems we face. This administration is currently spending literally hundreds of millions of dollars through directed research efforts sponsored by the Environmental Protection Agency, the Department of the Interior, the National Oceanic and Atmospheric Administration, the Department of Agriculture, and the Department of Health, Education and Welfare—to name but a few. We will continue these programs and institute others where they are needed.

Academic talent and resources have a vital role to play in the success of our environmental research programs. As members of the academic community know, grants for research are awarded on the basis of not only the merits of the project, but also the capabilities of the institution to carry out its responsibilities. By creating research centers on a rigid State-by-State basis, and requiring that each be funded, the Congress is asking us to throw away our priorities and to fund programs regardless of their merits and in spite of the limited capabilities of some institutions. Equally important, this approach also ignores the competence and available capacity of already existing institutions and laboratories to carry out this vital research.

Further, I share the view of the Administrator of the Environmental Protection Agency that environmental problems are essentially national in scope, and that most problems, even though they may appear to be local in nature, really affect many other States and localities as well. To the extent there may be local problems, our present project-by-project approach in research can be used to marshal the best scientific talents, wherever they are located, to deal with such problems. Thus, there is clearly no justification for establishing up to 51 new environmental centers specifically charged with investigation of State and local environmental problems.

Titles III and IV of the bill direct the Secretary of Agriculture to purchase a tract of 113,000 acres in the Klamath Indian Forest in Oregon. I believe that acquisition of this forest area would mark a significant and worthwhile addition to our National Forest System while, at the same time, assuring full environmental protection to this scenic part of Oregon.

MEMORANDUM OF DISAPPROVAL

I have promised the American people that I will do everything in my power to avoid the need for a tax increase next year. Today, I take another important step in the fulfillment of that sincere pledge.

This effort really began last January, when I submitted the Federal budget for fiscal year 1973 to the Congress. As I explained at the time, that budget was carefully prepared so that all justified Federal programs could be provided without any need for higher taxes and without causing higher prices.

When it became clear that the Congress was exceeding the budget in many bills, I proposed that a spending ceiling of $250 billion be adopted as insurance against a 1973 tax increase.

The Congress rejected that spending ceiling. Instead, it approved spending far in excess of my no-new-taxes budget.

Some of these bills have presented very difficult decisions about whether to sign or to veto. A number of them have attractive features, or would serve very worthwhile purposes—and of course I have received strong advice that to veto them just a few days before the Presidential election would be politically very damaging.

However, in this memorandum are nine measures which I cannot sign without breaking my promise to the American people that I will do all in my power to avoid the necessity of a tax increase next year.

I made that promise in good faith, and I believe in keeping the promises I make—and in making only those promises that I am confident I can keep.

If I were to sign these measures into law, I would, in effect, be making promises that could not be kept—since the funds required to finance the promised services are not available, and would not be available without the higher taxes I have promised to resist.

I believe that political leaders must lay the facts on the line, to talk straight to the people and to deliver on the promises they make to the people.

Although the choices are not easy, I am withholding my approval from 9 Congressional spending programs that would breach the budget by $750 million in fiscal year 1973 and by nearly $2 billion in fiscal year 1974.

Each of these measures by itself might seem justifiable, or even highly desirable. But the hard fact is that they cannot be considered by themselves; each has to be considered in the broader context of the total budget—in terms of how that total weighs on the taxpayers, and how it affects the struggle to curb rising prices.

I am withholding my approval from the following bills:

LABOR-HEW AND RELATED AGENCIES APPROPRIATION ACT (H.R. 16654)

This is the second time I have vetoed inflated appropriations this year for the Department of Health, Education, and Welfare. This amounts to a textbook example of the seeming inability or unwillingness of the Congress to follow a prudent and responsible spending policy. In my budget for fiscal year 1973, I requested that the Congress provide an increase of $2.1 billion over fiscal 1972 funds for the HEW programs contained in this bill. On top of that generous increase—which would have provided substantial expansion while recognizing competing priorities in other program areas—the Congress amassed a budget-breaking additional increase of $1.8 billion. I vetoed this in August because it was clearly excessive and unwarranted.

The bill now before me contains the same face amount as the measure I previously vetoed. In a partial concession to that veto, however, H.R. 16654 contains authority for the overspending to be held to $535 million—a result that would still amount to pressure for higher taxes.

This administration is second to none in its demonstrated concern and clear accomplishments in health, education and manpower matters. My budget represented a balanced and rational approach to the funding of many high priority domestic programs in a time of tight budget resources, while continuing this Administration's shift of priorities and funds toward the human resources activities of the Government.

H.R. 16654 is as unwarranted as the version I vetoed last August.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1972 (H.R. 16071)

This bill would unnecessarily add vast new authorizations for Federal programs which have been shown to be ineffective in creating jobs or stimulating timely economic development. Public works projects have notoriously long lead-times—so by the time this spending became fully effective, the need for such stimulation would be passed and the stimulation would be inflationary.

The bill would stimulate increased bureaucracy in the regional commissions by using them as a funding rather than a planning and coordinating level of government.

It would also provide assistance to workers and firms affected by Federal environmental actions. These provisions would be highly inequitable and almost impossible to administer. The unemployment benefits provision would fragment and undermine our basic Federal-State unemployment insurance system and its costs would be essentially uncontrollable. The proposed pollution control facilities loan program has only vague and unspecified objectives.

AMENDMENTS TO THE MINING AND MINERAL POLICY ACT (S. 635)

This bill would authorize the Secretary of the Interior to provide matching categorical grants to establish and support a mineral research and training institute in each of the 50 States and Puerto Rico, as well as grants for related research and demonstration projects. It would fragment our research effort and destroy its priorities. Such an inflexible program would preclude us from taking advantage of the best research talents of the Nation—wherever they may be. The Federal Government's ongoing programs of similar and related kinds of research, currently funded at about $40 million annually, have provided a flexible and efficient means of meeting minerals problems of the highest national priority and can readily be adapted to continue to do so.

AIRPORT DEVELOPMENT ACCELERATION ACT (S. 3755)

This bill would increase Federal expenditures and raise percentage participation in categorical grant programs with specific and limited purposes. I believe this would be inconsistent with sound fiscal policy. Airport development funds have been almost quadrupled since 1970 under this administration.

FLOOD CONTROL ACT OF 1972 (S. 4018)

This measure would authorize Federal projects which would ultimately cost hundreds of millions of dollars. It contains projects never approved or recommended by the executive branch. In addition, it contains a number of objectionable features such as authorizing ill-defined and potentially costly new programs, and limiting my authority to establish criteria and standards to measure the feasibility of water resources projects in determining which ones to recommend for congressional authorization. However, a number of projects in this bill are in my judgment justified and I will recommend legislation to authorize their construction early in the next Congress.

UPGRADING OF DEPUTY U.S. MARSHALS (H.R. 13895)

This would raise the pay of some 1,500 deputy marshals by as much as 38 percent, through wholesale across-the-board upgrading. There is no justification for this highly preferential treatment, which discriminates against all other Government employees who perform work of comparable difficulty and responsibility and whose pay is now the same as that of deputy marshals.

NATIONAL CEMETERIES ACT OF 1972 (H.R. 12674)

This bill would block the orderly system of surplus land disposal established by general law and Executive order, by requiring an unusual Congressional approval procedure before any VA land holdings larger than 100 acres could be sold.

These property transfer restrictions would undermine the executive branch's Government-wide system of property management and surplus property disposal which is designed to assure the best and fullest use of Federal property. It would impede the Legacy of Parks program and the procedures for disposing of surplus Federal property under the Federal Property and Administrative Services Act and Executive Order 11508.

Also, the bill deals inconsistently with the serious problem of burial benefits for the Nation's veterans and war dead. It commissions a study of this problem at the same time it preempts the results of such a study by authorizing new burial benefits which would annually add $55 million to the Federal budget beginning next year. The Administrator of Veterans' Affairs already is at work on such a study, which will identify the alternatives for improving burial and cemetery benefits. In the interim, it would be unwise to commit additional Federal resources as proposed by this bill.

VETERANS HEALTH CARE EXPANSION ACT OF 1972 (H.R. 10880)

The liberalizing features of this bill would unnecessarily add hundreds of millions of dollars to the Federal budget. It would open the VA hospital system to nonveterans and would expand the type of direct medical services available from VA. By providing direct medical services to veterans' dependents, the bill runs counter to this Administration's national health strategy which would provide national financing mechanisms for health care and sharply reduce the Federal Government's role in the direct provision of services.

The bill also purports to set mandatory minimums on the number of patients treated in VA hospitals. In testimony on this bill, the Veterans' Administration strongly objected to this provision on the grounds that it was totally unnecessary and could result in inefficient medical treatment and wasteful administrative practices. The tragic result would be a lower quality of medical care to all patients.

While I strongly support the VA health care system and will continue to encourage its improvement in the future, I cannot approve a bad bill.

REHABILITATION ACT OF 1972 (H.R. 8395)

This measure would seriously jeopardize the goals of the vocational rehabilitation program and is another example of Congressional fiscal irresponsibility. Its provisions would divert this program from its basic vocational objectives into activities that have no vocational element whatsoever or are essentially medical in character. In addition, it would proliferate a host of narrow categorical programs which duplicate and overlap existing authorities and programs. Such provisions serve only to dilute the resources of the vocational rehabilitation program and impair its continued valuable achievements in restoring deserving American citizens to meaningful employment.

H.R. 8395 also would create organizational rigidities in the vocational rehabilitation program which would undermine the ability of the Secretary of HEW to manage the program effectively. The bill also would establish numerous committees and independent commissions which are unnecessary, would waste the taxpayers' dollars, and would complicate and confuse the direction of this program. Finally, the bill would authorize funding far in excess of the budget request and far beyond what can be made available and used effectively.

MEMORANDUM OF DISAPPROVAL

H.R. 1

I have announced today the signing of H.R. 1—a bill which represents a tremendous forward step in improving the income position and health services for older Americans. Two other bills concerning the elderly have also come to me for signature—the Older Americans Comprehensive Service Amendments of 1972 (H.R. 15657) and the Research on Aging Act of 1972 (H.R. 14424). Although I support some of the goals of these two bills, careful review has persuaded me that neither bill provides the best means of achieving these goals. Both authorize unbudgeted and excessive expenditures and would also require duplications or fragmentations of effort which would actually impair our efforts to serve older Americans more effectively. I have decided therefore to withhold my approval from these two pieces of legislation.

OLDER AMERICANS COMPREHENSIVE SERVICE AMENDMENTS OF 1972 (H.R. 15657)

Last March, I submitted to the Congress a plan for strengthening and expanding service delivery programs under the Older Americans Act. This program would begin the development of more comprehensive and better coordinated systems for delivering services at the local level. In addition, I submitted a proposal to broaden the highly successful Foster Grandparents Program. The Administration will continue its vigorous pursuit of both these objectives.

However, the Congress added to the bill containing these provisions a range of narrow, categorical service programs which would seriously interfere with our effort to develop coordinated services for older persons. This is particularly the case with two categorical manpower programs which were added on the floor of the Senate and were considered without regard to manpower programs already serving older persons. Furthermore, this bill would authorize new funding of more than $2 billion between now and fiscal year 1975—far beyond what can be used effectively and responsibly.

I cannot responsibly approve H.R. 15657.

RESEARCH ON AGING ACT OF 1972 (H.R. 14424)

In my special message to the Congress on older Americans last March, I also emphasized the need to develop a comprehensive, coordinated program of aging research—one which includes disciplines ranging from biomedical research to transportation systems analysis, from psychology and sociology to management science and economics. The Secretary of Health, Education, and Welfare has since appointed a new Technical Advisory Committee for Aging Research to develop a plan for bringing together all the resources available to the Federal Government in the aging research field.

H.R. 14424, however, would set up an entirely separate aging research institute that would duplicate these activities. This bill would create additional administrative costs without enhancing the conduct of biomedical research for the aging. In fact, it could even fragment existing research efforts. This bill also contains a new grant program for mental health facilities for the aging which duplicates the more general and flexible authorities contained in the Community Mental Health Centers Act.

In sum, I feel that both research and mental health programs for the aging should be carried out in the broader context of research on life-span processes and comprehensive mental health treatment programs now underway.

H.R. 14424 would not enhance and could inhibit Federal efforts to respond to the needs of the elderly, and I cannot give it my approval.

RICHARD NIXON.

THE WHITE HOUSE.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2432. A communication from the President of the United States, transmitting his determination that it is in the national interest for the Export-Import Bank of the United States to guarantee, insure, extend credit and participate in the extension of credit, in connection with the purchase or lease of any product or service by, for use in, or for sale or lease to the Union of Soviet Socialist Republics, pursuant to section 2(b) (2) of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

2433. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and Forest Service acquired lands at Dworshak Dam and Reservoir project, Idaho, pursuant to 16 U.S.C. 505a, 505b; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII; reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS of Arkansas: Committee of conference. Conference report to accompany H.R. 16810 (Rept. No. 92–1614). Ordered to be printed.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on minority small business enterprise (Rept. No. 92–1615). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLUCZYNSKI: Committee of conference. Conference report to accompany S. 1819 (Rept. No. 92–1616). Ordered to be printed.

Mr. EVINS of Tennessee: Select Committee on Small Business. A report on anticompetitive impact of oil company ownership of petroleum products pipelines (Rept. No. 92–1617). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. A report on the inadequacy of Petroleum supplies and its repercussions on small business (Rept. No. 92–1618). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLUCZYNSKI: Committee of conference. Conference report on S. 3939 (Rept. No. 92–1619). Ordered to be printed.

Mr. EVINS of Tennessee: Select Committee on Small Business. The Role of U.S. Small Business in Export Trade (Report No. 92–1620). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GIBBONS:

H.R. 17222. A bill to prohibit the importation into the United States of certain pre-Columbian monumental or architectural sculpture or murals exported contrary to the laws of the countries of origin, and for other purposes; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 17223. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H.R. 17224. A bill to amend the tax and customs laws in order to improve the U.S. position in foreign trade, to improve adjustment assistance benefits, and to provide clear labeling of foreign products; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 17225. A bill to provide for improved labor-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCLOSKEY:

H.R. 17226. A bill to establish a Joint Committee on Intelligence Information, and for other purposes; to the Committee on Rules.

By Mr. MOORHEAD:

H.R. 17227. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide benefits to survivors of public safety officers killed in the line of duty; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 17228. A bill to control the emission of noise detrimental to the human environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HENDERSON:

H.R. 17229. A bill for the relief of M. Gy. Sgt. Nelson R. Pratt, U.S. Marine Corps (retired); to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 17230. A bill to authorize the Secretary of the Interior to convey certain lands in Madera County, Calif., to Mrs. Lucille Jones, and for other purposes; to the Committee on Interior and Insular Affairs.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act. section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following registrations were submitted for the third calendar quarter 1972:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th

(Mark one square only)

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Ted E. Amick, 1616 H Street, NW, Washington, D.C. 20006.
B. The National Grange, 1616 H Street NW, Washington, D.C. 20006.

A. Howard S. Anderson, 409 Tennessee Avenue, Alexandria, Va. 22305.
B. Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.

A. Arnold & Porter, 1229 19th Street NW, Washington, D.C. 20036.
B. Montgomery County, Maryland, Lawyers Association, c/o George Ballman, Citizens Building, Kensington, Md. 20795.

A. James C. Barr, 1156 15th Street NW, Washington, D.C. 20005.
B. National Association of Federal Credit Unions, 1156 15th Street NW, Washington, D.C. 20005.

A. George T. Beemer, 901 North Washington Street, Alexandria, Va. 22314.
B. Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.

A. Arthur A. Benson II, 1020 Commerce Tower, Kansas City, Mo.
B. Save Our Soils, Pattonsburg, Mo.

A. A. Tracy Bird, Post Office Box 22476, Denver, Colo. 80222.
B. Sports Car Club of America, Post Office Box 22476, Denver, Colo. 80222.

A. Neal R. Bjornson, 30 F Street NW, Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW, Washington, D.C. 20001.

A. Richard W. Bliss, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Rodney A. Bower, 1126 16th Street NW., 200, Washington, D.C. 20036.
B. American Federation of Technical Engineers, 1126 16th Street NW, Room 200, Washington, D.C. 20036.

A. Bun B. Bray, Jr., 6628 Van Winkle Drive, Falls Church, Va. 22044.
B. National Association of Supervisors, 2300 South Ninth Street, Suite 511, Arlington, Va. 22204.

A. Brown, Vlassis & Bain, 222 North Central Avenue, Phoenix, Ariz. 85003.
B. Navajo Tribe, Window Rock, Navajo Nation (Arizona) 86515.

A. W. F. Broxterman, 1730 Rhode Island Avenue NW, Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

A. Norman D. Burch, 1775 K Street NW, Washington, D.C. 20006.
B. College of American Pathologists, 230 North Michigan Avenue, Chicago, Ill. 60601.

A. Charles S. Burns, 1620 I Street NW., Washington, D.C. 20006.
B. Phelps Dodge Corp., 300 Park Avenue, New York, N.Y. 10022.

A. Charles M. Chadwick, 5100 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Sports Car Club of America, Post Office Box 22476, Denver, Colo. 80222.

A. Coalition Against Strip Mining, 324 C Street SE., Washington, D.C. 20003.

A. Danzansky, Dickey, Tydings, Quint & Gordon, Suite 1010, Bender Building, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Charles W. Davis, One First National Plaza, Chicago, Ill. 60670.
B. United Insurance Company of America, One East Wacker Street, Chicago, Ill. 60601.

A. Charles W. Davis, One First National Plaza, Chicago, Ill. 60670.
B. Bankers Life and Casualty Co., 4444 Lawrence Avenue, Chicago, Ill. 60630.

A. DeHart & Broide, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Potters Industries, Inc., Industrial Road, Post Office Box 14, Carlstadt, N.J. 07072.

A. James A. Dorsch, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Dean W. Drulias, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

A. Bruce Dunton, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, 99 University Place, New York, N.Y. 10003.

A. Emerson Electric Co., 8100 Florissant, St. Louis, Mo. 63136.

A. Ronald C. Frankis, 1730 Rhode Island Avenue NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

A. Benjamin W. Fridge, 1900 South Eads Street, Arlington, Va. 22202.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. Susan Fridy, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

A. Arthur E. Gabler, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.
B. National Apartment Association, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. American Council of Independent Laboratories, Inc., 1026 17th Street NW., Washington, D.C. 20036.

A. James M. Hacking, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

A. John F. Heilman, 1221 Massachusetts, Avenue NW., Washington, D.C. 20005.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.

A. Barbara Heller, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20002.

A. Richard A. Hennegas, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue, Washington, D.C.

A. James A. Hourihan, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Prince Georges County Bar Association, Upper Marlboro, Md.

A. Valerie Howard, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.

A. Kennedy & Leighton, 888 17th Street NW., Washington, D.C. 20006.
B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C.

A. David Keppel III, 1209 North Taft Street, Arlington, Va. 22201.
B. Sports Car Club of America, Post Office Box 22476, Denver, Colo.

A. James D. Klink, 1200 17th Street NW., Washington, D.C. 20036.
B. National League of Insured Savings Associations, 1200 17th Street NW., Suite 500, Washington, D.C. 20036.

A. Paul R. Knapp, 1511 K Street NW., Washington, D.C.
B. Lumbermens Mutual Casualty Co., Long Grove, Ill. 60049.

A. Laurence London, 25 Broadway, Room 1012, New York, N.Y. 10004.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y. 10004.

A. Lumbermens Mutual Casualty Co., Long Grove, Ill. 60049.

A. Thomas J. Mader, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

A. John J. L. Matson, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich. 48202.

A. Charles D. Matthews, 1100 17th Street NW., Washington, D.C. 20036.
B. National Ocean Industries Association, 1100 17th Street NW., Washington, D.C. 20036.

A. Alfred R. McCauley, 1629 K Street NW., Suite 304, Washington, D.C. 20006.
B. American Institute for Imported Steel, Inc., 420 Lexington Avenue, New York, N.Y. 10017.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.
B. Alfred P. Slaner, 640 Fifth Avenue, New York, N.Y. 10019.

A. John J. McNamara, 8100 Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8100 Florissant, St. Louis, Mo. 63136.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Capital Holding Corp., Commonwealth Building, Louisville, Ky.

A. Graham T. T. Molitor, 1629 K Street NW., Suite 403, Washington, D.C. 20006.
B. General Mills, Inc., 9200 Wayzata Boulevard, Minneapolis, Minn. 55440.

A. Barbara B. Morgan, 720 West Glebe Road, Apartment 1–A, Alexandria, Va. 22305.
B. National Association of Supervisors, 2300 South 9th Street, Suite 511, Arlington, Va. 22204.

A. Charles Morgan, Jr., 410 First Street SE., Washington, D.C. 20003.
B. American Civil Liberties Union, 22 East 40th Street, New York, N.Y. 10016.

A. Morgan, Lewis & Bockius, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Walgreen Drug Stores, 4300 Peterson Avenue, Chicago, Ill. 60646.

A. National Apartment Association, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.

A. National Association of Supervisors, Federal Government Association of Federal Supervisors, 2300 South Ninth Street, Suite 511, Arlington, Va. 22204.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Cenco Inc., 2600 South Kostner Avenue, Chicago, Ill.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. ELBA Systems, Inc., 5909 East 38th Avenue, Denver, Colo.

A. Neuro-Research Foundation Inc., 35 Chestnut Place, Brookline, Mass. 02146.

A. Clara F. Northup, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.
B. National Apartment Association, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
B. Koch Refining Co., Post Office Box 3596, St. Paul, Minn. 55101.

A. Peabody, Rivlin, Gore, Cladouhos & Lambert, 1730 M Street NW., Washington, D.C. 20036.
B. National Appliance & Radio-TV Dealers Association, 318 West Randolph Street, Chicago, Ill. 60606.

A. Nathaniel Polster, 2128 Wyoming Avenue NW., Washington, D.C. 20008.
B. American Cancer Society, 219 East 42 Street, New York, N.Y. 10027.

A. Joseph L. Racine, 8100 Florissant, St. Louis, Mo. 63136.
B. Emerson Electric Co., 8100 Florissant, St. Louis, Mo. 63136.

A. Ann Roosevelt, 620 C Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

A. Stuart Philip Ross, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Prince Georges County Bar Association, Upper Marlboro, Md.

A. Rouss & O'Rourke, 1108 16th Street NW., Washington, D.C. 20036.
B. Union Nacional de Productores de Azucar, S. A. de C. V. Balderas 36, Mexico, D.F., Mexico.

A. Betty Seitz, 901 North Washington Street, Alexandria, Va. 22314.
B. Society of American Florists, 901 North Washington Street, Alexandria, Va. 22314.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Albright Title & Trust Co., 100 North Main Street, Newkirk, Okla. 74647; American Title Ins. Co., 150 SE. Third Avenue, Miami, Fla. 33131; Chelsea Title & Guaranty Co., 1300 Bacharach Boulevard, Atlantic City, N.J. 08401.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

A. Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Emerson Electric Co., 8100 Florissant, St. Louis, Mo. 63136.

A. John Silard, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Coalition on National Priorities, 100 Maryland Avenue NE., Washington, D.C. 20002.

A. Gilbert Simonetti, Jr., 2000 K Street NW., Washington, D.C. 20006.
B. American Institute of CPA's, 666 Fifth Avenue, New York, N.Y. 10019.

A. Sports Car Club of America, Box 22476, Denver, Colo. 80222.

A. David J. Steinberg, 1028 Connecticut Avenue NW., Washington, D.C. 20036.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C. 20036.

A. David J. Steinberg, 1028 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Council for a Responsible Firearms Policy, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C. 20006.
B. Estate of Margaret Solomon, c/o Franklin C. Latchman, One Post Street, San Francisco, Calif. 94104.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C. 20006.
B. Pacific Tropical Botanical Garden, 1270 Avenue of the Americas, New York, N.Y. 10020.

A. Cyrus C. Tichenor III, 8607 Queen Elizabeth Boulevard, Annandale, Va. 22003.
B. A. H. Robins Co., Inc., 1407 Cummings Drive, Richmond, Va. 23220.

A. John W. Vardaman, Jr., 839 17th Street NW., Washington, D.C. 20006.

A. Richard W. Warden, 1126 16th Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich. 48214.

A. Robert Y. Wheeler, Box 185, Tilden, Tex.
B. Ernest G. Herman, 9538 Brighton Way, Beverly Hills, Calif. 90210.

A. Thomas E. Wheeler, 1425 K Street NW., Washington, D.C. 20005.
B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Wayne W. Whiffing, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.
B. National Apartment Association, 1825 K Street NW., Suite 1120, Washington, D.C. 20006.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.

A. Williams, Connolly & Califano, 839 17th Street NW., Washington, D.C. 20006.

A. Wyatt, Saltzstein & Halliday, 1300 Wyatt Building, Washington, D.C. 20005.
B. American Business Press, Inc., 205 East 42d Street, New York, N.Y. 10017.

QUARTERLY REPORTS*

* All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the calendar quarter 1972:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

Note on Item "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) **If This Report Is for an Employer.**—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) **If This Report Is for an Agent or Employee.**—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. Receipts (Including Contributions and Loans):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)

6. $________Total for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year

8. $________Total from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________Total now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	Total

Note on Item "E."—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) **If This Report Is for an Agent or Employee.** In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. Expenditures (Including Loans) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures

9. $________Total for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year

11. $________Total from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________Total now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	Total

A. Sothoron Kirby Able, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

A. John G. Adams, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Midland Enterprises, Inc., Cincinnati, Ohio.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500.

A. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C. 20036.
D. (6) $7,463.49. E. (9) $7,463.49.

A. Gibson T. Ahlgren, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Aircraft Owners & Pilots Association, Post Office Box 5800, Washington, D.C. 20014.

A. Air Traffic Control Association, Inc., Suite 409, ARBA Building, 525 School Street SW., Washington, D.C. 20024.

A. Frederick K. Alderson, 1900 L Street NW., Suite 205, Washington, D.C. 20036.
B. National Right To Work Committee, 1900 L Street NW., Washington, D.C. 20036.
D. (6) $460. E. (9) $77.

A. George Alderson, 620 C Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.
D. (6) $2,000.

A. Alderson, Catherwood, Ondov & Leonard, 105 East Oakland Avenue, Austin, Minn. 55912.
B. The Hormel Foundation, Austin, Minn. 55912.

A. Willis W. Alexander, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500.

A. Donna Allen, 3306 Ross Place NW., Washington, D.C. 20008.
B. National Committee Against Repressive Legislation, 555 North Western Avenue, Room 2, Los Angeles, Calif. 90004.
D. (6) $1040. E. (9) $1,423.69.

A. Kenneth D. Allen, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Amalgamated Transit Union, National Capital Local Division 689, 100 Indiana Avenue NW. No. 403, Washington, D.C. 20001.

A. Amalgamated Transit Union AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Unon AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
E. (9) $6,000.

A. American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. American Cancer Society, 219 East 42 Street, New York, N.Y. 10017.
E. (9) $8,363.62.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $2,066.76. E. (9) $2,066.76.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y. 10004.
D. (6) $888.67. E. (9) $888.67.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $6,918.03. E. (9) $6,918.03.

A. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.
D. (6) $42,455. E. (9) $42,455.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
E. (9) $54,372.31.

A. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.
D. (6) $86,735.50. E. (9) $1,723.38.

A. American Hotel and Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $2,795.51. E. (9) $2,925.

A. American Humane Association, 5351 Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. American Institute of Housing Consultants, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $100. E. (9) $100.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C. 20005.
D. (6) $1,956.99. E. (9) $3,679.61.

A. American Justice Association, Inc., Defense Highway, Gambrills, Md. 21054.
E. (9) $2.

A. American Land Title Association, 1828 L Street NW., Suite 303, Washington, D.C. 20036.
E. (9) $3,109.51.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill. 60611.
E. (9) $744.20.

A. American Maritime Association, 17 Battery Place, New York, N.Y. 10004.
E. (9) $2,434.20.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
E. (9) $27,877.74.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago Ill. 60606.
E. (9) $3,220.

A. American National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80202.
E. (9) $1,340.37.

A. American Optometric Association, in care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $3,930.52. E. (9) $3,930.52.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. American Parents Committee Inc., 20 E Street NW., Washington, D.C.
D. (6) $2,231.80. E. (9) $1,928.75.

A. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $8,009. E. (9) $9,302.

A. American Physical Therapy Association, 1156 15th Street NW., Washington, D.C. 20005.
D. (6) $5,146.16. E. (9) $5,146.16.

A. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C. 20015.
E. (9) $4,978.52.

A. American Postal Workers Union AFL-CIO, 817 14th Street NW., Washington, D.C.
D. (6) $1,229,484.90. E. (9) $75,289.43.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y. 10017.

A. American Society of Consulting Planners, 1750 Old Meadow Road, McLean, Va. 22101.
E. (9) $1,249.98.

A. The American Society of Radiologic Technologists, 645 North Michigan Avenue, Suite 620, Chicago, Ill. 60611.
D. (6) $2,450.86. E. (9) $1,019.27.

A. American Surveys, Embassy Square, Suite 901, 2000 N Street NW., Washington, D.C. 20036.
B. National Customs Brokers & Forwarders Association of America, Inc., 1 World Trade Center, Suite 1109, New York, N.Y. 10048.
D. (6) $300. E. (9) $230.74.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C. 28202.
D. (6) $31,998.06. E. (9) $31,998.06.

A. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Suite 502, Washington, D.C. 20036.
D. (6) $79,288.36. E. (9) $8,659.11.

A. Ted E. Amick, 1616 H Street NW., Washington, D.C. 20006.
B. The National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $750.

A. John Anderson, 4111 Franconia Road, Alexandria, Va.
B. Medical Society of the District of Columbia, 2007 I Street NW., Washington, D.C.

A. George W. Apperson, 100 Indiana Avenue NW., No. 403, Washington, D.C. 20001.
B. Amalgamated Transit Union, National Capitol Division 689, 100 Indiana Avenue NW. No. 403, Washington, D.C.

A. Clarence A. Arata, Metropolitan Washington Board of Trade, 1129 20th Street NW., Washington, D.C. 20036.
D. (6) $12,500.

A. John C. Archer, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $500. E. (9) $300.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Suite 800, Washington, D.C. 20006.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $825. E. (9) $6.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. The Proprietary Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $250. E. (9) $5.

A. Arkansas Railroads, 1100 Boyle Building, Little Rock, Ark. 72201.
B. Class 1 railroads operating in the State of Arkansas.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.

B. Gas Supply Committee, 1725 DeSales Street NW., Suite 302, Washington, D.C. 20036.

D. (6) $900. E. (9) $262.80.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Fairchild Camera and Instrument Corp., 464 Ellis Street, Mountain View, Calif. 94040.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Floor Covering Committee Affiliated with the American Importers Association, 295 Fifth Avenue, New York, N.Y. 10016.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Montgomery County, Md., Lawyers Association, care of George Ballman, Citizens Building.

D. (6) $3,000. E. (9) $125.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Puerto Rican Government, Economic Development Administration, GPO Box 2350, San Juan, P.R. 00936.

D. (6) $150.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. Recording Industry Association of America, Inc., 1 East 57th Street, New York, N.Y. 10022.

D. (6) $12,499. E. (9) $517.25.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.

B. State Farm Mutual Insurance Co., 112 East Washington Street, Bloomington, Ill., 61701.

D. (6) $250. E. (9) $117.

A. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

E. (9) $2,350.

A. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.

D. (6) $45. E. (9) $41.25.

A. Associated Third Class Mail Users, Suite 607, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $300. E. (9) $300.

A. Association for Broadcast. Engineering Standards, Inc., 1730 M Street NW., Suite 700, Washington, D.C. 20036.

A. Association for the Advancement of Invention & Innovation, Suite 1007, Crystal Plaza I, 2001 Jefferson Davis Highway, Arlington, Va. 22202.

D. (6) $1,450. E. (9) $1,945.30.

A. Association of American Railroads, American Railroads Building, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $10,686.60. E. (9) $10,686.60.

A. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006.

E. (9) $395.

A. Association of Petroleum Re-Refiners, 1500 North Quincy Street, Box 7116, Arlington, Va. 22207.

D. (6) $900. E. (9) $900.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y. 10017.

E. (9) $1,000.

A. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

E. (9) $300.

A. Richard W. Averill, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, in care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

D. (6) $800. E. (9) $301.

A. Donald L. Badders, 910 South Michigan, Room 530, Chicago, Ill. 60605.

B. Standard Oil Co., 910 South Michigan, Chicago, Ill. 60605.

D. (6) $270.16. E. (9) $280.46.

A. Michael H. Bader, 1730 M Street NW., Washington, D.C. 20036.

B. Association for Broadcast Engineering Standards, Inc., 1730 M Street NW., Suite 700, Washington, D.C. 20036.

A. Carl E. Bagge, Coal Building, Washington, D.C. 20036.

B. National Coal Association, Coal Building, Washington, D.C. 20036.

E. (9) $419.44.

A. Charles W. Bailey, 1900 L Street NW., Suite 205, Washington, D.C. 20036.

B. National Right To Work Committee, 1900 L Street NW., Washington, D.C. 20036.

A. Geo. F. Bailey, Jr., Montgomery, Ala.

B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala. 36104.

A. James F. Bailey, 101 Constitution Avenue NW., Washington, D.C. 20001.

B. United Brotherhood of Carpenters & Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.

D. (6) $5,425. E. (9) $1,061.42.

A. Thomas F. Baker, 1101 16th Street NW., Washington, D.C. 20036.

B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.

D. (6) $91.94. E. (9) $110.

A. Donald Baldwin, Suite 906, 1625 I Street NW., Washington, D.C.

E. (9) $100.

A. Ernest L. Barcello.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.

A. Thomas H. Barksdale, Jr., 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $1,925. E. (9) $148.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

D. (6) $165.50.

A. Vincent Gerrard Barnett, Suite 400, 919 18th Street NW., Washington, D.C. 20006.

B. Committee of European Shipowners, 30-32 St. Mary Axe, London EC3A 8ET, England.

D. (6) $7,500. E. (9) $4,853.97.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood Railway Carmen of the United States and Canada, 4929 Main Street, Kansas City, Mo.

D. (6) $3,600.

A. David S. Barrows, 214 Century Building, Portland, Oreg. 97205.

B. Association of Oregon & California Land Grant Counties, Douglas County Courthouse, Roseburg, Oreg. 97470.

D. (6) $1,200. E. (9) $47.55.

A. Weldon Barton.

B. The Farmers' Educational & Co-Operative Union of America, Post Office Box 2251, Denver, Colo.

D. (6) $4,092.48. E. (9) $66.34.

A. Ross Bass Associates, 4000 Massachusetts Avenue NW., Washington, D.C. 20016.

B. Record Industry Association of America, 1 East 57th Street, New York, N.Y.

D. (6) $6,250.

A. Lucius D. Battle, 950 L'Enfant Plaza South SW., Washington, D.C. 20024.

B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C. 20024.

A. Batzell & Nunn, 1523 L Street NW., Washington, D.C. 20005.

B. Independent Terminal Operators Association, 1523 L Street NW., Washington, D.C. 20005.

A. A. David Baumhart, Post Office Box 553, Lorain, Ohio 44052.

B. Green Olive Trade Association, 82 Beaver Street, New York, N.Y. 10005.

D. (6) $150. E. (9) $14.52.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C. 20001.

B. Congress of Railway Unions, 400 First Street NW., Washington, D.C. 20001.

D. (6) $1,498.28.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C. 20036.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich. 48214.

D. (6) $1,504.48.

A. John H. Beidler, 1126 16th Street NW., Washington, D.C. 20036.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich. 48214.

D. (6) $3,013.60.

A. Thomas S. Belford, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $150.

A. Thomas P. Bennett, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. The American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $2,500. E. (9) $4,808.17.

A. Reed A. Benson, 1028 Connecticut Avenue NW., No. 1004, Washington, D.C. 20036.

B. The John Birch Society, Inc., 395 Concord Avenue, Belmont, Mass. 02178.

A. Robert L. Bevan, 1120 Connecticut Avenue N.W., Washington, D.C. 20036.

B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,000. E. (9) $360.00.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $8,748. E. (9) $310.25.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

B. Almalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Diana Washbon Bird, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $613.

A. Robert J. Bird, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.

B. Laurel Hill Cemetery Association, Clayton, Mo. 63105.

E. (9) $23.39.

A. Robert J. Bird, 1140 Connecticut Avenue, NW., Suite 412, Washington, D.C. 20036.

B. Occidental Life Insurance Co., 12th Street at Hill, Los Angeles, Calif. 90054.

E. (9) $63.31.

A. Robert J. Bird, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.

B. The Paul Revere Corp., Worcester, Mass. 01606.

E. (9) $62.62.

A. Lydia Bitter, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.

B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.

D. (6) $195. E. (9) $195.

A. Brent Blackwelder, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $127.50.

A. Richard W. Bliss, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $475.

A. Jerald Blizin, 1425 K Street NW., Suite 1000, Washington, D.C. 20005.

B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.

D. (6) $344.70. E. (9) $71.

A. Blumberg, Singer, Ross, Gottesman & Gordon, 245 Park Avenue, New York, N.Y. 10017.

B. Cigar Manufacturing Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.

D. (6) $6,875.01.

A. Becky Bogard, 2600 Virginia Avenue, NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue, NW., Washington, D.C. 20037.

D. (6) $100.

A. Frederick B. Bond III, 1730 M Street, NW., Washington, D.C. 20036.

B. American Optometric Association c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

D. (6) $30. E. (9) $27.

A. G. Stewart Boswell, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.

B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C. 28202.

D. (6) $1,916.66. E. (9) $160.42.

A. Charles G. Botsford, 1730 M Street NW., Washington, D.C. 20036.

A. Albert D. Bourland, 1660 L Street NW., Suite 814, Washington, D.C. 20036.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

D. (6) $3,000. E. (9) $2,701.03.

A. Rodney A. Bower, 1126 16th Street NW., Washington, D.C. 20036.

B. American Federation of Technical Engineers, 1126 16th Street NW., Room 200, Washington, D.C. 20036.

D. (6) $240. E. (9) $20.

A. J. Wiley Bowers, 325 Pioneer Building, Chattanooga, Tenn. 37402.

B. Tennessee Valley Public Power Association, 325 Pioneer Building, Chattanooga, Tenn. 37402.

A. Edward L. Bowley, 817 14th Street, NW., Washington, D.C.

B. American Postal Workers Union, AFL–CIO.

D. (6) $6,446.50. E. (9) $929.13.

A. Wayne W. Bradley, 1776 K Street NW., Washington, D.C. 20006.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.

D. (6) $2,443.13. E. (9) $725.84.

A. Joseph E. Brady, Room 122, Sheraton Gibson Hotel, Cincinnati, Ohio 45202.

B. National Coordinating Committee of the Beverage Industry.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C. 20006.

B. American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. Charles G. Bragg, Post Office Box 12285, Memphis, Tenn. 38112.

B. National Cotton Council of America, Post Office 12285, Memphis, Tenn. 38112.

D. (6) $1,345.15. E. (9) $400.79.

A. Charles R. Bragg, Book Hill Road, Essex, Conn.

B. Northeast Utilities Service Co., Selden Street, Berlin, Conn.

A. Edward J. Brenner, Suite 1007, Crystal Plaza I, 2001 Jefferson Davis Highway, Arlington, Va. 22202.

B. Association for the Advancement of Invention & Innovation, Suite 1007, Crystal Plaza, 2001 Jefferson Davis Highway, Arlington, Va. 22202.

A. Parks C. Brinkley, The Madison Building, 1155 15th Street NW., Washington, D.C. 20005.

B. National Agricultural Chemicals Association.

D. (6) $50. E. (9) $7.50.

A. Wally Briscoe.

B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.

D. (6) $135. E. (9) $16.50.

A. David A. Brawdy, 1640 Rhode Island Avenue NW., Washington, D.C. 20036.

B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y. 10016.

D. (6) $350.

A. Michael D. Bromberg, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.

B. Federation of American Hospitals, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.

D. (6) $4,500.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y. 10017.

B. American Pulpwood Association, 605 Third Avenue, New York, N.Y. 10017.

A. William J. Brooks, 260 Madison Avenue, New York, N.Y. 10016.

B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. Joe B. Browder, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $1,220.

A. Brown, Vlassis & Bain, 222 North Central Avenue, Phoenix, Ariz. 85004.

B. Navajo Tribe, Window Rock, Navajo Nation (Arizona) Indian Tribe, 86515.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW.

D. (6) $300.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Council of Housing Producers, 1801 Avenue of the Stars, Los Angeles, Calif. 90067.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. International Franchise Association, 1025 Connecticut Avenue NW., Washington, D.C.

A. Brownstein, Zeidman & Schomer, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Mortgage Guaranty Insurance Corp., 600 Marine Plaza, Milwaukee, Wis. 53202.

A. Bryant Associates, Inc., Suite 907, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. St. Paul Title Insurance Corp., 1650 West Big Beaver Road, Troy, Mich. 48084.

D. (6) $100. E. (9) $135.54.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn. 38112.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

A. Richard L. Bullock, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

B. National Association of Building Manufacturers, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.

B. The Hearst Corp., 959 Eighth Avenue, New York, N.Y. 10019.
D. (6) $900. E. (9) $800.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $3,000. E. (9) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Parcel Post Association, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $700.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky. 40501.
E. (9) $679.60.

A. George Burnham IV, 1625 K Street NW., Washington, D.C. 20006.
B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
D. (6) $299. E. (9) 271.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $975. E. (9) $229.26.

A. Burwell, Hansen & McCandless, 700 Federal Bar Building West, Washington, D.C. 20006.
B. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y.
D. (6) $1,500. E. (9) 43.09.

A. Monroe Butler, 1801 Avenue of the Stars, Suite 1106, Los Angeles, Calif. 90067.
B. The Superior Oil Co., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

A. Charles S. Caldwell, 1437 K Street NW., Washington, D.C. 20005.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.
D. (6) $5,550. E. (9) $544.

A. John H. Callahan, 1126 16th Street NW., Washington, D.C. 20036.
D. (6) $875. E. (9) $240.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C. 20004.
B. Securities Industry Association, 425 13th Street NW., Washington, D.C. 20004.
D. (6) $4,000. E. (9) $1,235.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y. 10005.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Carl C. Campbell, Room 610, Ring Building, 1200, 18th Street NW., Washington, D.C. 20036.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.
D. (6) $101.53.

A. Charles Argyll Campbell, 1615 H Street NW., Washington, D.C. 20006.
B. Chamber of Commerce of the USA, 1615 H Street NW., Washington, D.C. 20006.
E. (9) $270.40.

A. Charles O. Campbell, 1712 G Street NW., Washington, D.C. 20006.
B. American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. Marvin Caplan.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C.
D. (6) $2,834. E. (9) $144.55.

A. Ronald A. Capone, Room 505, The Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 30–32 St. Mary Axe, London, E.C. 3, England.
D. (6) $15,000. E. (9) $280.75.

A. Michael H. Cardozo, Suite 370, One Dupont Circle NW., Washington, D.C. 200036.
B. Association of American Law Schools, Suite 370, One Dupont Circle NW., Washington, D.C. 20036.

A. Norval E. Carey, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $375.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y. 11232.
B. Seafarers International Union.
D. (6) $2,500. E. (9) $1,268.31.

A. Charles R. Carlisle, Suite 908, 1701 K Street, NW., Washington, D.C. 20006.
B. Lead-Zinc Producers Committee.
D. (6) $2,115. E. (9) $1,701.24.

A. Carolinas Association of Mutual Insurance Agents, 706 Raleigh Building, Post Office Box 2776, Raleigh, N.C. 27602.

A. Elizabeth S. Carpenter, 1425 K Street NW., Suite 1000, Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y., 10022.
D. (6) $150. E. (9) $2.50.

A. Braxton B. Carr, 1250 Connecticut Avenue, Suite 502, Washington, D.C. 20036.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Suite 502, Washington, D.C. 20036.
D. (6) $3,125. E. (9) $160.75.

A. John R. Carson, 20 Chevy Chase Circle, Washington, D.C. 20015.
B. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
D. (6) $2,500.

A. Blue Allan Carstenson.
B. The Farmers' Educational and Co-Operative Union of America, Post Office Box 2251, Denver, Colo.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Alaska Interstate Co., 2200 Post Oak Tower, 5051 Westheimer, Houston, Tex., et al.
D. (6) $10,700.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y. 10004.
B. South African Sugar Association, Post Office Box 507, Durban, South Africa.
E. (9) $2,917.75.

A. James B. Cash, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $62.30.

A. Frank R. Cawley.
B. Harcourt Brace Jovanovich, Inc., 1625 I Street NW., Washington, D.C. 20006.

A. Frank R. Cawley, 511 Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
B. Agricultural Publishers Association, 511 Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
D. (6) $50. E. (9) $43.64.

A. Central America Cooperative Federation, Inc., Room 400, 918 16th Street NW., Washington, D.C. 20006.
E. (9) $605.

A. Justice M. Chambers, 2300 Calvert Street NW., Washington, D.C. 20008.
B. Swaziland Sugar Association, Post Office Box 445, Mbabane, Swaziland.
D. (6) $7,500. E. (9) $480.73.

A. J. M. Chambers & Co., Inc., 2300 Calvert Street NW., Washington, D.C. 20008.
B. Cordage Institute, 2300 Calvert Street NW., Washington, D.C. 20008.
D. (6) $937.50.

A. James W. Chapman.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.
D. (6) $1,411.

A. William C. Chapman, 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202
D. (6) $3,000. E. (9) $2,173.85.

A. Leslie Cheek III, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
D. (6) $1,500. E. (9) $250.

A. Lowell T. Christison, 1730 M Street NW., Washington, D.C. 20056.
B. American Optometric Association, c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $57.72. E. (9) $28.50.

A. Cigar Manufacturers Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.
D. (6) $60,798.02.

A. Richard W. Clark, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $4,500. E. (9) $182.85.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Atchison, Topeka and Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill. 60604.

A. Clay Pipe Industry Depletion Committee, Post Office Box 6, Pittsburg, Kans. 66762.

A. Jacob Clayman, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $562.90.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
E.(9) $15.30.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Interbank Card Association, Suite 3600, 110 East 59th Street, New York, N.Y. 10022.
D. (6) $1,100. E. (9) $2.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Synthetic Organic Chemical Manufacturers Association, 1075 Central Park Avenue, Suite 224, Scarsdale, N.Y. 10583.
D. (6) $500. E. (9) $3.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. American Brands, Inc., 245 Park Avenue, New York, N.Y. 10017.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Brown & Williamson Tobacco Corp., Louisville, Ky. 40201.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Liggett & Myers Inc., 630 Fifth Avenue, New York, N.Y. 10020.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Lorillard, Division of Loews Theatres, Inc., 200 East 42d Street, New York, N.Y. 10017.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Philip Morris Inc., 100 Park Avenue, New York, N.Y. 10017.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. R. J. Reynolds Industries, Inc., Winston-Salem, N.C. 27102.
E. (9) $58.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue, NW., Washington, D.C. 20006.
B. Avco Corp., 750 Third Avenue, New York, N.Y. 10017.
D. (6) $185. E. (9) $37.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue, NW., Washington, D.C. 20006.
B. National Basketball Players Association, 15 Columbus Circle, New York, N.Y. 10023.

A. Larry D. Cline, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $59.25.

A. Coalition for A National Population Policy, Suite 1010 Bender Building, 1120 Connecticut Avenue, NW, Washington, D.C. 20036.
E. (9) $7.21.

A. Coalition To Tax Pollution, 620 C Street SE., Washington, D.C. 20003.
D. (6) $2,483.50. E. (9) $2,864.13.

A. Grover C. Cobb, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $400.

A. Jeffery Cohelan.
B. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $900.

A. David Cohen, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $3,750. E. (9) $183.

A. Timothy A. Colcord, 1620 I street, NW., Suite 603, Washington, D.C. 20006.
B. National BankAmericard Inc., 555 California Street, San Francisco, Calif., 94126.
D. (6) $6,873.24. E. (9) $7,614.37.

A. Coles & Goertner, 1000 Connecticut Avenue, NW., Washington, D.C. 20036.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y. 10005.
E. (9) $773.14.

A. William J. Colley, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,355. E. (9) $1,078.64.

A. Collier, Shannon, Rill & Edwards, 1625 I Street NW., Suite 622, Washington, D.C. 20006.
B. American Footwear Industries Association, Inc., 1611 North Kent Street, Arlington, Va.
D. (6) $500. E. (9) $475.

A. Collier, Shannon, Rill & Edwards, 1625 I Street, NW., Suite 622, Washington, D.C. 20006.
B. Bicycle Manufacturers Association of America, Inc., 122 East 42d Street, New York, N.Y., 10017.
D. (6) $500. E. (9) $100.

A. Collier, Shannon, Rill & Edwards, 1625 I Street, NW., Suite 622, Washington, D.C. 20006.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.
E. (9) $200.

A. Collier, Shannon, Rill & Edwards, 1625 I Street, NW., Suite 622, Washington, D.C. 20006.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $300.

A. Collier, Shannon, Rill & Edwards, 1625 I Street, NW., Suite 622, Washington, D.C. 20006.
B. Tool and Stainless Steel Industry Committee, 1625 I Street NW., Suite 622, Washington, D.C. 20006.
D. (6) $1,250. E. (9) $525.

A. Paul G. Collins, 111 Westminster Street, Providence, R.I., 02903.
B. Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I. 02903.
D. (6) $68.75.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo., 80202.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo., 80202.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, care of Langdon P. Cook, 23 Wall Street, New York, N.Y. 10015.

A. Committee for Modern, Efficient Transportation, Suite 808–10, 910 7th Street NW., Washington, D.C. 20006.
D. (6) $8,460. E. (9) $1,099.64.

A. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $852,864.86. E. (9) $140,513.85.

A. Richard J. Congleton, 734 15th Street NW., Washington, D.C. 20005.
B. American Academy of Actuaries, 208 South LaSalle Street, Chicago, Ill. 60604.
D. (6) $900. E. (9) $174.50.

A. Richard J. Congleton, 734 15th Street NW., Washington, D.C. 20005.
B. The Equitable Life Assurance Society of the United States, 1285 Avenue of the Americas, New York, N.Y. 10019.
D. (6) $1,500. E. (9) $200.

A. Congress of Railway Unions, 400 First Street NW., Washington, D.C. 20001.
D. (6) $5,949.76. E. (9) $4,666.56.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Texaco Inc., 135 East 42d Street, New York, N.Y. 10017.
D. (6) $150. E. (9) $61.20.

A. John A. Connor, 7901 Westpark Drive, McLean, Va. 22101.
B. National Machine Tool Builders Association, 7901 Westpark Drive, McLean, Va. 22101.

A. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill. 60611.
B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $2,600.

A. Jack T. Conway, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $2,812.50.

A. Cook & Franke S. C., 660 East Mason Street, Milwaukee, Wis. 53202.
B. Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.
D. (6) $450. E. (9) $10.95.

A. Howard Lee Cook, Jr., 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,248.13. E. (9) $699.48.

A. Eileen D. Cooke, 110 Maryland Avenue NE., Suite 101, Washington, D.C. 20002.
B. American Library Association, 50 East Huron Street, Chicago, Ill. 60611.
D. (6) $99.36.

A. J. Milton Cooper, Suite 401, 1000 Vermont Avenue NW., Washington, D.C. 20005.
B. R. J. Reynolds Industries, Inc., Winston-Salem, N.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va. 22314.
B. Portsmouth-Kittery Armed Services Committee, Inc., Box 1123, Portsmouth, N.H. 03801.
D. (6) $3,750. E. (9) $755.41.

A. Mitchell J. Cooper, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Council of Forest Industries, 1025 West Hastings Street, Vancouver 1, Canada.
D. (6) $3,000. E. (9) $259.15.

A. Mitchell J. Cooper, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Footwear Division, Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y. 10022.
D. (6) $6,000. E. (9) $15.35.

A. Cooperative League of the USA, 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $2,000. E. (9) $625.

A. Darrell Coover, 1625 I Street NW., No. 812, Washington, D.C. 20006.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill. 60603.
D. (6) $2,000. E. (9) $296.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C. 20005.
B. The Committee for Broadening Commercial Bank Participation in Public Financing, c/o Langdon Cook, President, 23 Wall Street, New York, N.Y. 10015.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Suite 1120, Washington, D.C. 20005.

B. Glass Container Manufacturers Institute, 1800 K Street NW., Fourth Floor, Washington, D.C. 20006.

D (6) $450. E. (9) $60.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Suite 1120, Washington, D.C. 20005.

B. Lee, McCarthy and DeRosa, 102 Maiden Lane, New York, N.Y. 10005.

D. (6) $750. E. (9) $100.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C. 20005.

B. Northwestern Refining Co. Drawer Nine, St. Paul Park, Minn. 55071.

A. James T. Corcoran, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Motor Bus Owners, 1025 Connecticut Avenue, NW., Suite 308, Washington, D.C.

D. (6) $925. E. (9) $87.50.

A. Allan D. Cors, 1629 K Street NW., Washington, D.C. 20006.

B. Corning Glass Works, Corning, N.Y. 14380.

D. (6) $400. E. (9) $231.23.

A. Robert M. Coultas, Suite 508, 1612 K Street NW., Washington, D.C. 20006.

B. Institute for Rapid Transit, 1612 K Street NW., Washington, D.C. 20006.

A. Council of Profit Sharing Industries, 20 North Wacker Drive, Chicago, Ill. 60606.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.

D. (6) $784.69. E. (9) $784.69.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Adhesive & Sealant Council, 1410 Higgins Road, Park Ridge, Ill. 60068.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C. 20005.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Classroom Periodical Publishers Association, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Industrial Diamond Association of America, 2017 Walnut Street, Philadelphia, Pa. 19103.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Jewelers Vigilance Committee, 156 East 52d Street, New York, N.Y. 10022.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Kohler Co., Kohler, Wisc. 53044.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C. 20036.

B. Linen Supply Association of America, 975 Arthur Godfrey Road, Miami Beach, Fla. 33140.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Casualty & Surety Agents, 5225 Wisconsin Avenue NW., Washington, D.C. 20015.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Glass Dealers Association, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Optical Manufacturers Association, 30 East 42d Street, New York, N.Y. 10017.

A. Raymond L. Courage, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

B. Independent Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

D. (6) $300.

A. Paul L. Courtney, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $300.

A. Roger C. Courtney, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

D. (6) $115.44. E. (9) $127.53.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.

B. American Machine Tool Distributors Association, 1500 Massachusetts Avenue NW., Washington, D.C. 20005.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.

B. MGIC Investment Corp., 600 Marine Plaza, Milwaukee, Wis. 53201.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.

B. National Machine Tool Builders Association, 7901 Westpark Drive, McLean, Va. 22101.

A. Eugene S. Cowen, 9024 Willow Valley Drive, Potomac, Md. 20854.

B. American Broadcasting Co., 1150 17th Street NW., Washington, D.C. 20036.

D. (6) $21. E. (9) $21.

A. Cox, Langford & Brown, 21 Dupont Circle NW., Washington, D.C. 20036.

B. Association of Research Libraries, 1527 New Hampshire Avenue NW., Washington, D.C. 20036.

A. Cox, Langford & Brown, 21 Dupont Circle NW., Washington, D.C. 20036.

B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo. 64105.

D. (6) $1,260. E. (9) $88.70.

A. Roger M. Craver, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $275.

A. Robert W. Crawford, 1625 I Street NW., Washington, D.C. 20006.

B. Association of General Merchandise Chains, Inc., 1625 I Street NW., Washington, D.C. 2006.

D. (6) $9,999.99. E. (9) $1,839.67.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex. 77001.

B. Humble Oil & Refining Co. Post Office Box 2180, Houston, Tex.

A. Hubert M. Crean, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $2252. E. (9) $428.

A. H. C. Crotty.

B. Brotherhood of Maintenance of Way Employes.

A. J. A. Crowder, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.

B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.

D. (6) $1500.

A. Crowell Collier & Macmillan, Inc., 1701 North Fort Myer Drive, Arlington, Va. 22209.

E. (9) $125.80.

A. Culbertson, Pendleton & Pendleton, One Farragut Square, South, Suite 800, Washington, D.C. 20006.

B. Canned and Cooked Meat Importers' Association, c/o Deltec International, Ltd., 2801 Ponce de Leon Boulevard, Coral Gables, Fla.

D. (6) $1,245. E. (9) $234.20.

A. William E. Cumberland, 1125 15th Street NW., Washington, D.C. 20005.

B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $500. E. (9) $866.

A. Dan Curlee, 25 Louisiana Avenue NW., Washington, D.C. 20001.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.

D. (6) $5,749.98.

A. John T. Curran, 905 16th Street NW., Washington, D.C. 20006.

B. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C. 20006.

D. (6) $8,250. E. (9) $2,910.37.

A. Pamela G. Curtis, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $4,474.98. E. (9) $423.84.

A. William Kay Daines, 1156 15th Street NW., Washington, D.C. 20005.

B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $260. E. (9) $41.

A. Danzansky, Dickey, Tydings, Quint & Gordon, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006.

E. (9) $6,039.

A. Richard C. Darling, 1156 15th Street NW., Washington, D.C. 20005.

B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $300. E. (9) $521.74.

A. Jean Daugherty, 921 Washington Building, Washington, D.C. 20005.

B. National Federation of Independent Business, 921 Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005.

D. (6) $1,500.

A. Philip J. Daugherty.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.

D. (6) $2,697.75. E. (9) $34.50.

A. John B. Davenport, Jr., 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $160.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill. 60605.

B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill. 60605.

D. (6) $1,000. E. (9) $148.81.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60690.

B. Bankers Life & Casualty Co., 4444 Lawrence Avenue, Chicago, Ill. 60630.

E. (9) $47.58.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill. 60603.

E. (9) $61.20.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. The Myron Stratton Home, Post Office Box 1178, Colorado Springs, Colo. 80901.

E. (9) $326.64.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. Northwest Industries, Inc., 400 West Madison Street, Chicago, Ill. 60606.

D. (6) $131. E. (9) $61.20.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill. 60607.

E. (9) $1,248.01.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. Trans-Union Corp., 111 West Jackson Boulevard, Chicago, Ill. 60604.

E. (9) $65.20.

A. Charles W. Davis, 1 First National Plaza, No. 5200, Chicago, Ill. 60670.

B. United Insurance Co. of America, One East Wacker Drive, Chicago, Ill. 60601.

E. (9) $37.57.

A. Fred E. Davis.

B. National Association of Manufacturers, 1133 15th Street NW., Washington, D.C. 20005.

D. (6) $500. E. (9) $409.45.

A. R. Hilton Davis, 1615 H Street NW., Washington, D.C. 20006.

B. Chamber of Commerce of the USA, 1615 H Street NW., Washington, D.C. 20006.

A. Walter L. Davis, 1775 K Street NW., Washington, D.C. 20006.

B. Retail Clerks International Association, AFL-CIO, 1775 K Street NW., Washington, D.C. 20006.

D. (6) $750.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich. 48121.

D. (6) $325. E. (9) $257.

A. Tony T. Dechant.

B. The Farmers' Educational and Co-Operative Union of America, Post Office Box 2251, Denver, Colo.

D. (6) $3,000. E. (9) $94.75.

A. DeHart and Broide, Inc., 1505 22d Street, NW, Washington, D.C. 20037.

B. Kansas City Southern Industries, Inc., 114 West 11th Street, Kansas City, Mo. 64105.

D. (6) $120. E. (9) $74.85.

A. Richard A. Dell, 2000 Florida Avenue NW, Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $150.

A. Ray Denison, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.

D. (6) $5,421. E. (9) $444.82.

A. Claude J. Desautels Associates, Suite 711, RCA Building, 1725 K Street NW., Washington, D.C. 20006.

B. American Society of Composers, Authors and Publishers, 1 Lincoln Plaza New York, N.Y. 10023.

D. (6) $6,000.

A. Claude J. Desautels Associates, Suite 711, RCA Building, 1725 K Street NW., Washington, D.C. 20006.

B. New York Mercantile Exchange, 6 Harrison Street, New York, N.Y.

D. (6) $1,000.

A. R. Daniel Devlin, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Ralph B. Dewey, 1150 17th Street NW., Suite 1109, Washington, D.C. 20036.

B. Pacific Gas & Electric Co., 77 Beale Street, San Francisco, Calif. 94106.

D. (6) $2,255.

E. (9) $1,689.72.

A. George S. Dietrich, 1730 M Street NW., Suite 700, Washington, D.C. 20036.

B. Association for Broadcast Engineering, Standards, Inc., 1730 M Street NW., Suite 700, Washington, D.C. 20036.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C. 20005.

B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif. 95802.

D. (6) $3,420.95. E. (9) $260.95.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C. 20005.

B. Marysville Dam Committee, Post Office Box 1550, Marysville, Calif.

E. (9) $7.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C. 20005.

B. Sacramento Yolo Port District, Post Office Box 815, West Sacramento, Calif.

D. (6) $1,430.75. E. (9) $40.75.

A. Direct Mail Advertising Association, Inc., 968 National Press Building, Washington, D.C. 20004.

A. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky 41076.

D. (6) $41,875.47. E. (9) $41,875.47.

A. Disabled Officers Association, 1612 K Street NW., Washington, D.C. 20006.

E. (9) $3,000.

A. William H. Dodds, UAW, 1126 16th Street NW., Washington, D.C. 20036.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich. 48214.

D. (6) $1,347.15. E. (9) $292.15.

A. Steven P. Doehler, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $97.50.

A. James F. Doherty.

B. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $4,125. E. (9) $1,777.80.

A. Patrice M. Doherty, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.

B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C. 28202.

D. (6) $600. E. (9) $93.

A. Robert C. Dolan, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

D. (6) $316.25. E (9) $261.54.

A. Leo J. Donahue, 230 Southern Building, Washington, D.C. 20005.

B. American Association of Nurserymen, 230 Southern Building, Washington, D.C. 20005.

A. James C. Donald, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. The American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,200. E. (9) $4,105.81.

A. Gary W. Donnelly, 1315 16th Street NW., Washington, D.C. 20036.

B. National Limestone Institute, Inc., Washington, D.C. 20036.

E. (9) $57.75.

A. C. L. Dorson, Room 1128 Warner Building, 501 13th Street NW., Washington, D.C. 20004.

B. Retirement Federation of Civil Service Employees of the U.S. Government, Room 1128, Warner Building, 501 13th Street NW., Washington, D.C. 20004.

D. (6) $2,911.72. E. (9) $270.

A. Mitchell Dorson, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $450.

A. F. Raymond Downs, 1801 K Street NW., Suite 1104, Washington, D.C. 20006.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45202.

A. Harry J. Doyle, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank, Peoria, Ill. 61602.

D. (6) $180.30. E. (9) $143.85.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C. 20006.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.

D. (6) $3,693.05.

A. Franklin B. Dryden.

B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.

B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

D. (6) $4,004. E. (9) $2,920.02.

A. M. L. DuMars, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $60.

A. Pauline B. Dunckel, 1901 North Fort Myer Drive, Suite 900, Arlington, Va. 22209.

B. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

A. Louise C. Dunlap, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $2,400.

A. William E. Dunn, 1957 E Street NW., Washington, D.C. 20006.

B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. J. D. Durand, 1725 K Street NW., Washington, D.C. 20006.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006.
E. (9) $395.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $1,075.

A. Robert E. Early, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $1,250. E. (9) $94.11.

A. Roy W. Easley, 1735 DeSales Street NW., Washington, D.C. 20036.
B. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.

A. Eastern Meat Packers Association, Inc., 734 15th Street NW., Washington, D.C. 20005.
D. (6) $9. E. (9) $25.67.

A. Daniel J. Edelman, Inc., 1717 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Safety Belt Council, Post Office Box 467, New Rochelle, N.Y. 10802.
D. (6) $2,150. E. (9) $1,319.70.

A. Arthur B. Edgeworth, Jr., 812 Pennsylvania Building, Washington, D.C. 20004.
B. United States Savings and Loan League, 111 East Wacker Drive, Chicago, Ill.
D. (6) $437.50.

A. Hallett D. Edson, 956 North Monroe Street, Arlington, Va. 22201.
B. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.
D. (6) $1,400.

A. Macon T. Edwards, Ring Building, Room 610, 1200 18th Street NW., Washington, D.C. 20036.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.
D. (6) $607.50. E. (9) $103.03.

A. Charles Ehrhart, 1800 K Street NW., No. 924, Washington, D.C. 20006.
B. Ralston Purina Co., Food, Agriculture, Checkerboard Square, St. Louis, Mo. 63188.
D. (6) $400. E. (9) $103.

A. J. C. B. Ehringhaus, Jr., 1600 South Eads Street, Arlington, Va. 22202.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. E. Neel Edwards, Jr.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.
D. (6) $4,250. E. (9) $730.35.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md. 20784.
D. (6) $157. E. (9) $253.31.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Ruth Bowdey Elliott, 5500 Quincy Street, Hyattsville, Md. 20784.
D. (6) $2,990. E. (9) $3,406.15.

A. Roy Elson, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $4,200. E. (9) $399.77.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,625. E. (9) $2,139.

A. Richard W. Emory, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $1.46.

A. Employers Insurance of Wausau, 2000 Westwood Drive, Wausau, Wis. 54401.
E. (9) $845.75.

A. Gertrude Engel, 2450 Virginia Avenue, NW., Washington, D.C. 20037.
B. Bob Hoffman, York Barbell Co., York, Pa. 17405.
D. (6) $1,625. E. (9) $285.81.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y. 10017.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.
D. (6) $130.80.

A. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $6,782.52. E. (9) $9,397.73.

A. Alfred S. Ercolano, 1775 K Street, NW., Washington, D.C. 20006.
B. College of American Pathologists, 230 North Michigan Avenue, Chicago, Ill. 60601.
D. (6) $2,000. E. (9) $185.

A. Russell G. Ernest, 1025 Connecticut Avenue NW., No. 1014, Washington, D.C. 20036.
B. Standard Oil Co. (New Jersey), 1251 Avenue of the Americas, New York, N.Y. 10020.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C. 20002.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,575. E. (9) $25.75.

A. Robert R. Fahs, 1030 15th Street NW., Washington, D.C. 20005.
B. Cargill, Inc., 1200 Cargill Building, Minneapolis, Minn. 55402.
D. (6) $2,500. E. (9) $39.30.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,324. E. (9) $137.72.

A. Joseph A. Fanelli, 1511 K Street NW., Washington, D.C. 20005.
E. (9) $24.20.

A. The Farmers' Educational and Co-Operative Union of America, Post Office Box 2251, Denver, Colo.
D. (6) $85,055. E. (9) $29,743.01.

A. Federation of American Hospitals, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.
E. (9) $4,500.

A. Federation of American Scientists, 203 C Street NE., Washington, D.C. 20002.
D. (6) $13,663.70. E. (9) $3,369.75.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C. 20036.
B. Council of Forest Industries of British Columbia, 1500 Guinness Tower, 1055 West Hastings Street, Vancouver 1, B.C.
D. (6) $8,499. E. (9) $155.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C. 20036.
B. Joint Committee of Printing and Publishing Industries of Canada, 4th Floor, 117 Eglinton Avenue, East, Toronto 12, Canada.
D. (6) $999.99. E. (9) $46.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C.
B. American Postal Workers Union, AFL–CIO, 817 14th Street NW., Washington, D.C.
D. (6) $4,508.40.

A. Matthew P. Fink, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $35.

A. Thomas Fink, room 610, Ring Building, 1200 18th Street NW., Washington, D.C. 20036.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tennessee 38112.
D. (6) $540. E. (9) $41.

A. James W. Finley, 1015 18th Street NW., Suite 303, Washington, D.C. 20036.
B. Crown Zellerbach Corp., One Bush Street, San Francisco, Calif. 94119.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington, D.C., 20005.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.
D. (6) $6,725.63. E. (9) $133.68.

A. John F. Fochtman, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,062.50. E. (9) $874.13.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn. 55101.
B. Minnesota Railroads Association.
D. (6) $500.

A. James W. Foristel, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,343.75. E. (9) $624.71.

A. John S. Forsythe, 1701 K Street NW., Washington, D.C. 20006.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.
D. (6) $583.63. E. (9) $6.15.

A. David H. Foster.
B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $2,500. E. (9) $237.50.

A. William C. Foster, 1200 17th Street NW., Washington, D.C.
B. Alyeska Pipeline Service Co., Post Office Box 576, Bellevue, Wash. 98009.
D. (6) $750. E. (9) $284.90.

A. William C. Foster, 1200 17th Street NW., Washington, D.C.
B. Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63188.
D. (6) $300. E. (9) $63.

A. Ronald J. Foulis, 1140 Connecticut Avenue NW., Suite 1100, Washington, D.C. 20036.
B. U.S. Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.

A. John G. Fox, 2000 L Street N.W., Washington D.C. 20036; 195 Broadway, New York, N.Y. 10007.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y. 10007.

D. (6) $37.50.

A. Charles L. Frazier, 485 L'Enfant Plaza SW., Room 2250, Washington, D.C. 20024.

B. National Farmers Organization, Corning, Iowa 50841.

D. (6) $1,950. E. (9) $1564.12.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C. 20006.

B. The National Grange, 1616 H Street, NW., Washington, D.C. 20006.

D. (6) $4,750.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C. 20004.

B. U.S. Savings and Loan League, 111 East Wacker Drive, Chicago, Ill.

D. (6) $2,125.

A. Susan Fridy, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $500. E. (9) $7.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Devils Lake Sioux Tribe, Fort Totten, N. Dak.

E. (9) $11.20.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Hualapai Tribe of the Hualapai Reservation, Box 168, Peach Springs, Ariz.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Metlakatla Indian Community, Box 142, Metlakatla, Alaska.

D. (6) $500.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Mizrachi Women's Organization of America, 242 Park Avenue South, New York, N.Y. 10003.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Navajo Tribe, Window Rock, Ariz.

D. (6) $20,000. E. (9) $80.20.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Nez Perce Tribe, Lapwai, Idaho.

D. (6) $350.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Oglala Sioux Tribe, Pine Ridge, S. Dak.

E. (9) $2.50.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Pueblo of Cochiti, Box 70, Cochiti, N. Mex 87041.

D. (6) $150.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Pueblo of Laguna, Laguna, N. Mex.

D. (6) $150.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Salt River Pima-Maricopa Indian Community, Box 120, Route 1, Scottsdale, Ariz.

D. (6) $62.50.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Seneca Nation of Indians, Box 231, Salamanca, N.Y. 14779.

D. (6) $1,800.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Sisseton and Wahpeton Sioux Tribe, Sisseton, S. Dak.

E. (9) $11.20.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.

B. National Tire Dealers and Retreaders Association, Inc., 1343 L Street NW., Washington, D.C. 20005.

D. (6) $100.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $61,300. E. (9) $15,109.

A. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

D. (6) $9,300. E. (9) $9,300.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.

D. (6) $250.

A. Frosh, Lane, and Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Institute of Housing Consultants, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $100.

A. Frosh, Lane, and Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Institute for Government Assisted Housing, 1133 15th Street NW., Washington, D.C. 20005.

D. (6) $250.

A. Frosh, Lane, and Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Building Manufacturers, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,200.

A. Frosh, Lane, and Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. The Section 23 Leased Housing Association, Suite 707, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $450.

A. David C. Fullarton, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

D. (6) $295.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Committee for the Martin Report, 1700 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $3,729.68. E. (9) $372.97.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. National Council of Professional Services, 1100 Glendon Avenue, Los Angeles, Calif.

D. (6) $500. E. (9) $13.01.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Vance Sanders & Co., Inc., Boston, Mass.; Federated Investors, Inc., Pittsburgh, Pa.; Fidelity Management & Research Co., Boston, Mass.

A. James E. Gaffigan, 777 14th Street NW., Washington, D.C. 20005.

B. American Hotel & Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.

D. (6) $205.75. E. (9) $21.05.

A. Robert E. Gallamore, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $1,215.

A. Nicole Gara, 1785 Massachusetts Avenue, Washington, D.C. 20036.

B. The American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,000.

A. William B. Gardiner, 1221 Massachusetts Avenue NW., Washington, D.C., 20005.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.

D. (6) $5,934.37.

A. John W. Gardner, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

E. (9) $610.65.

A. Edward V. Garlich, 1515 Wilson Boulevard, Arlington, Va., 22209.

B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.

D. (6) $225. E. (9) $150.

A. Thomas Garrett, 620 C Street SE., Washington, D.C. 20003.

B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

D. (6) $1,950.

A. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

E. (9) $870.

A. General Aviation Manufacturers Associaton, Inc., 1025 Connecticut Avenue NW., Suite 1215, Washintgon, D.C. 20036.

E. (9) $406.50.

A. George W. Gephart, Gas & Electric Building, Baltmore, Md. 21203.

B. Baltimore Gas & Electric Co., Gas & Electric Building, Baltimore, Md. 21203.

A. Donald A. Giampaoli, 1957 E Street NW., Washington, D.C. 20006.

B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

D. (6) $1,350.

A. William T. Gibb, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

D. (6) $124.69. E. (9) $5.91.

A. Wayne Gibbens, 1800 K Street NW., Suite 620, Washington, D.C. 20006.

B. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.

D. (6) $750. E. (9) $131.44.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati Ohio 45219.

B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio 45219.

E. (9) 288.72.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio 43215.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio 43215.

A. Lawrence D. Gilson, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $300.

A. Dave Givens, 916 Nashville Trust Building, Nashville, Tenn. 37201.
B. Class I Railroads in Tennessee.

A. Henry H. Glassie, Edwin H. Pewett, Ray S. Donaldson and William B. Beebe, 1819 H Street NW., Washington, D.C. 20006.
B. Eastern Meat Packers Association, Inc., 734 15th Street NW., Washington, D.C. 20005.
D. (6) $5. E. (9) $1.33.

A. Henry H. Glassie, Edwin H. Pewett, Ray S. Donaldson and William B. Beebe, 1819 H Street NW., Washington, D.C. 20006.
B. The National Independent Meat Packers Association, 734 15th Street NW., Washington, D.C. 20005.
D. (6) $300. E. (9) $7.74.

A. Don A. Goodall, 1625 Eye Street NW., Suite 614, Washington, D.C. 20006.
B. American Cyanamid Co., Wayne, N.J. 07470.
D. (6) $253. (9) $38.65.

A. Frederick D. Goss, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
D. (6) $120.

A. Edward Gottlieb & Associates, 485 Madison Avenue, New York, N.Y. 10022.
B. Florists' Transworld Delivery Association, 900 W. Lafayette Boulevard, Detroit, Mich. 48226.

A. Government Employes Council, AFL-CIO, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $13,771.68. E. (9) $5,428.10.

A. Donald E. Graham, 1129 20th Street NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1129 20th Street NW, Washington, D.C.
D. (6) $3,809.17. E. (9) $116.50.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C. 20006.
B. American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. James A. Gray, 7901 Westpark Drive, McLean, Va. 22101.
B. National Machine Tool Builders Association, 7901 Westpark Drive, McLean, Va. 22101.
D. (6) $12,132.51. E. (9) $122.60.

A. Robert K. Gray, 1425 K Street, Washington, D.C.
B. Hill & Knowlton, Inc., 150 E. 42d Street, New York, N.Y. 10017.
D. (6) $2,100. E. (9) $211.58.

A. Virginia M. Gray, 3801 Williamsburg Lane NW., Washington, D.C. 20008.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C. 20001.
D. (6) $180. E. (9) $196.06.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho 83702.
B. Union Pacific Railroad, 1416 Dodge Street, Omaha, Nebr. 68102.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C. 20006.
B. Evaporated Milk Association, International Association of Ice Cream Manufacturers, Milk Industry Foundation, 910 17th Street NW., Washington, D.C.

A. William G. Greif, 1155 15th Street NW., Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $500.

A. John F. Griner, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $12,432.70. E. (9) $2,894.71.

A. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., Washington, D.C. 20036.
E. (9) $6,902.80.

A. James J. Gudinas, 1712 G Street NW., Washington, D.C. 20006.
B. American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. Kenneth J. Guido, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.
D. (6) $1,375.

A. R. William Habel, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $2,880. E. (9) $306.12.

A. Matthew Hale, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000. E. (9) $200.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill. 60602.

A. J. G. Hall, 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $4,500. E. (9) $3,193.92.

A. Keith Halliday, 1725 K Street NW., Washington, D.C. 20006.
B. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $300.

A. Hamel, Park, McCabe & Saunders, 888 17th Street NW., Washington, D.C. 20006.
B. Labor Law Study Committee, 888 17th Street NW., Washington, D.C. 20006.

A. Hamel, Park, McCabe & Saunders, 888 17th Street NW., Washington, D.C. 20006.
B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill. 60603.
D. (6) $100. E. (9) $12.

A. Hamel, Park, McCabe & Saunders, 888 17th Street NW., Washington, D.C. 20006.
B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y. 10022.

A. Robert N. Hampton, 1129 20th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C.
D. (6) $1,049.99. E. (9) $49.86.

A. Donald K. Hanes, 1129 20th Street NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C.
D. (6) $263.75. E (9) $8.47.

A. Robert B. Harding, 1801 K Street NW., Suite 1041, Washington, D.C. 20006.
B. Southern California Edison Co., Post Office Box 800, Rosemead, Calif. 91770.
D. (6) $150. E (9) $58.44.

A. Eugene J. Hardy.
B. National Association of Manufacturers, 1133 15th Street NW., Washington, D.C. 20005.
D. (6) $2,500. E. (9) $510.75.

A. Andrew E. Hare, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $54.50.

A. Bryce N. Harlow, 1801 K Street NW., Washington, D.C. 20006.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45202.
D. (6) $161. E. (9) $161.

A. Thomas E. Harman, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
D. (6) $1,500. E. (9) $250.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C. 20006.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $415. E. (9) $32.25.

A. L. James Harmanson, Jr., 1129 20th Street NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C.

A. John H. Harper, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
D. (6) $132. E. (9) $51.60.

A. Barbara W. Harris, 25 Louisiana Avenue NW., Washington, D.C. 20001.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.
D. (6) $1,166.60.

A. Otto R. Harrison, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $25.90.

A. William C. Hart, 1625 I Street NW., Washington, D.C. 20006.
B. Columbia Gas System Service Corp., 20 Montchanin Road, Wilmington, Del. 19807.
D. (6) $2055.16. E. (9) $3229.52.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C. 20036.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Walter A. Hasty, Jr., 1616 P Street NW., Washington, D.C. 20036.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $3,670.34. E. (9) $710.13.

A. Andrew T. Hatcher, 150 East 42d Street, New York, N.Y. 10017.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,200. E. (9) $637.

A. Robert T. Hayden, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa., 15222.
D. (6) $3,168.59. E. (9) $605.80.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $1,250.63. E. (9) $680.76.

A. Hays and Hays, Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

A. Ralph E. Heal, 250 West Jersey Street, Elizabeth, N.J. 07207.

B. National Pest Control Association, 250 West Jersey Street, Elizabeth, N.J. 07207.

D. (6) $110. E. (9) $208.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (b) $7,490.75. E. (9) $7,490.75.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $300. E. (9) $182.51.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. John F. Heilman, 1221 Massachusetts Avenue NW., Washington, D.C. 20005.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.

D. (6) $2,583.30.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C. 20036.

B. National Canners Association, 1133 Twentieth Street NW., Washington, D.C.

D. (6) $875. E. (9) $609.90.

A. Barbara Heller, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $15.

A. Ross E. Heller, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

D. (6) $410.

A. Phil D. Helmig, 1025 Connecticut Avenue, NW., Washington, D.C. 20036.

B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

D. (6) $150. E. (9) $150.

A. Leslie P. Hemry, 1701 K Street NW., Washington, D.C. 20006.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

E. (9) $268.93.

A. Richard A. Henneges, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.

D. (6) $2,933. E. (9) $73.07.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y. 10017.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

D. (6) $1,125. E. (9) $456.40.

A. Andrew I. Hickey, Jr., 1133 15th Street NW., Washington, D.C. 20005.

B. Federal National Mortgage Association, 1133 15th Street NW, Washington, D.C. 20005.

D. (6) $8,875. E. (9) $671.59.

A. J. Thomas Higginbotham, 1725 K Street NW., Washington, D.C. 20006.

B. The Consumer Bankers Association, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $2,000. E. (9) $935.50.

A. J. Eldred Hill, Jr., 720 Hotel Washington, Washington, D.C. 20004.

B. Unemployment Benefit Advisors, Inc.

D. (6) $2,000. E. (9) $2,000.

A. James J. Hill, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue N.W., Washington, D.C. 20016.

A. Harry R. Hinton, 1776 K Street NW., Washington, D.C. 20006.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.

D. (6) $1,987.50. E. (9) $801.14.

A. James D. Hittle, Sr., 1800 K Street NW., Washington, D.C. 20006.

B. Pan American World Airways, Pan Am Building, New York, N.Y. 10017.

E. (9) $128.63.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.

D. (6) $435.

A. Leo D. Hochstetter.

B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C., 20006.

A. Thomas W. Holland, 1629 K Street NW., Suite 608, Washington, D.C. 20006.

B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y., 10022.

D. (6) $923.12. E. (9) $78.20.

A. Lee B. Holmes, 1125 15th Street NW., Washington, D.C. 20005.

B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $2,5[illegible]3. E. (9) $4,333.

A. John W. Holton, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $1,750. E. (9) $38.55.

A. The Hormel Foundation, Austin, Minn., 55912.

A. C. T. Hoversten, 209 West 53d Street, Western Springs, Ill. 60558.

B. National Advertising Co., 6850 South Harlem Avenue, Bedford Park, Argo, Ill. 60501.

D. (6) $469.20.

A. Thomas Howarth, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.

B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.

D. (6) $759.43. E. (9) $759.43.

A. Harold K. Howe, 400 Walker Building, 734 15th Street NW., Washington, D.C. 20005.

A. Charles L. Huber, 1231 Massachusetts Avenue NW., Washington, D.C. 20005.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.

D. (6) $8,703.75. E. (9) $2,844.53.

A. William J. Hull, 1660 L Street NW., No. 205, Washington, D.C. 20036.

B. Ashland Oil, Inc., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1660 L Street NW., No. 205, Washington, D.C. 20036.

B. Ohio Valley Improvement Association, Inc.

A. Gregory A. Humphrey, 1012 14th Street NW., Washington, D.C. 20005.

B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C. 20005.

E. (9) $445.84.

A. David J. Humphreys, Paulson and Humphreys, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill. 60018.

D. (6) $11,250. E. (9) $221.95.

A. Richard M. Hunt, 1660 L Street NW., Washington, D.C. 20036.

B. NL Industries, Inc., 111 Broadway, New York, N.Y. 10006.

D. (6) $750.

A. James L. Huntley, 1775 K Street NW., Washington, D.C. 20006.

B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C. 20006.

D. (6) $6,145.36. E. (9) $766.82.

A. Philip A. Hutchinson, Jr., East Benning Road, Galesville, Md. 20765.

B. Committee on Federal Procurement of A/E Services; 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $500.

B. Elmer P. Hutter, Post Office Box 2255, Washington, D.C. 20013.

B. Elmer P. Hutter, lobbyist, Post Office Box 2255, Washington, D.C. 20013.

D. (6) $50.

A. Elmer P. Hutter, lobbyist, Post Office Box 2255, Washington, D.C. 20013.

B. Daniel Smith, Washington, D.C.

E. (9) $241.

A. Lester S. Hyman, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Midland Enterprises, Inc., Cincinnati, Ohio.

A. Frank N. Ikard, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.

D. (6) $7,553.70. E. (9) $7,553.70.

A. Institute for Government Assisted Housing, 1133 15th Street NW., Washington, D.C. 20005.

D. (6) $250. E. (9) $250.

A. Institute for Rapid Transit, 1612 K Street NW., Washington, D.C. 20006.

E. (9) $161.56.

A. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill. 60603.

D. (6) $9,091.17. E. (9) $640.

A. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

E. (9) $9,353.44.

A. Internation Brotherhood of Painters and Allied Trades, 1750 New York Avenue NW., Washington, D.C. 20006.

E. (9) $4,363.56.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.

E. (9) $19,612.93.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, St. Paul, Minn. 55101.

D. (6) $7,791.12. E. (9) $9,572.35.

A. Ronald A. Jacks, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Reinsurance Association of America, 1025 Connecticut Avenue NW., Washington, D.C.

A. Chas. E. Jackson, Chas. E. Jackson & Associates, 1200 18th Street NW., Suite 1112, Washington, D.C.

A. Robert C. Jackson, 1150 17th Street NW., Suite 1001, Washington, D.C. 20036.

B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.

D. (6) $2,750. E. (9) $205.67.

A. Raymond M. Jacobson, 1619 H Street NW., No. 800, Washington, D.C. 20006.

B. American Society of Consulting Planners, 1750 Old Meadow Road, McLean, Va. 22101.

D. (6) $1249.98.

A. Robert L. James, 1800 K Street NW., Suite 920, Washington, D.C. 20006.

B. Bank of America N.T. and S.A., Bank of America Plaza, San Francisco, Calif. 94137.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif. 94115.

E. (9) $500.

A. Philip F. Jehle, 300 National Press Building, Washington, D.C. 20004.

B. Smith Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa. 19101.

E. (9) $579.20.

A. Jersey Central Power & Light Co., Madison Avenue at Punch Bowl Road, Morristown, N.J. 07960.

A. H. Bradley Johnson, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $975.

A. Jess Johnson, Jr., 1700 K Street NW., Washington, D.C. 20006.

B. Shell Oil Co., 1 Shell Plaza, Post Office Box 2463, Houston, Tex. 77001.

D. (6) $500.

A. Reuben L. Johnson.

B. The Farmers' Educational and Co-Operative Union of America, Post Office Box 2251, Denver, Colo.

D. (6) $5,169.02. E. (9) $138.28.

A. Charles N. Jolly, 1775 K Street NW., Suite 315, Washington, D.C. 20006.

B. Miles Laboratories, Inc., 1127 Myrtle Street, Elkhart, Ind. 46514.

A. Charlie W. Jones, 1100 17th Street NW., Suite 310, Washington, D.C. 20036.

B. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Suite 310, Washington, D.C. 20036.

D. (6) $550. E. (9 $150.

A. H. Daniel Jones III, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.

B. American Textile Manufacturers Institute, Inc., 1501 Johnston Bldg., Charlotte, N.C. 28202.

E. (9) $38.

A. L. Dan Jones, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $13.

A. Oliver H. Jones, 1125 15th Street, NW., Washington, D.C. 20005.

B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $719. E. (9) $9,619.

A. Carl D. Jordan, 408 East Maple, Fremont, Mich. 49412.

B. Gerber Products Co., 445 State Street, Fremont, Mich. 49412.

E. (9) $160.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C. 20006.

B. Chamber of Commerce of the USA, 1615 H Street NW., Washington, D.C. 20006.

A. Mrs. Fritz R. Kahn, 9202 Ponce Place, Fairfax, Va. 22030.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill. 60611.

E. (9) $11.65.

A. Gerald M. Katz, Esquire, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $1.46.

A. Carleton R. Kear, Jr., 1625 I Street NW., Washington, D.C. 20006.

B. Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.

D. (6) $170.

A. William J. Keating, 725 15th Street NW., Room 500, Washington, D.C. 20005.

B. National Grain & Feed Association, 725 15th Street NW., Room 500.

D. (6) $100.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif. 90067.

B. The Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif. 90067.

E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

B. The Superior Oil Co., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex. 77001.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $15.20.

A. John G. Keller, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $3.30.

A. James C. Kelley, 1500 Massachusetts Avenue NW., Washington, D.C. 20005.

B. American Machine Tool Distributors Association, 1500 Massachusetts Avenue NW., Washington, D.C. 20005.

A. Francis A. Kelly, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. The American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,000.

A. Harold V. Kelly, 720 Hotel Washington, D.C. 20004.

B. Unemployment Benefit Advisors, Inc.

D. (6) $1,000. E. (9) $1,000.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C. 20005.

B. Pharmaceutical Manufacturers Association.

A. George Kelm, One First National Plaza, No. 5200, Chicago, Ill. 60670.

B. They Myron Stratton Home, Post Office Box 1178, Colorado Springs, Colo. 80901.

E. (9) $326.64.

A. R. G. Kandall, Jr., Alabama Railroad Association, Montgomery, Ala.

B. Alabama Railroad Association, Montgomery, Ala. 36104.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C. 20005.

B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C. 20005.

D. (6) $833.32.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C. 20006.

B. Marathon Oil Co., Findlay, Ohio 45840.

E. (9) $440.90.

A. Jeremiah J. Kenney, Jr., 777 14th Street NW., Washington, D.C. 20005.

B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

E. (9) $41.35.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.

B. Gulf Oil Corp., Pittsburgh, Pa. 15230.

D. (6) $875. E. (9) $150.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

D. (6) $545. E. (9) $29.

A. Mrs. Walter G. Kimmel, 1715 25th Street, Rock Island, Ill. 61201.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill. 60611.

E. (9) $475.84.

A. Charles L. King, 1701 K Street NW., Washington, D.C. 20006.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill. 60611.

D. (6) $72.

A. Joseph T. King, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Associated Equipment Distributors, 615 West 22d Street, Oak Brook, Ill. 60521.

E. (9) $368.53.

A. Gibson Kingren, 900 17th Street NW., Washington, D.C.

B. Kaiser Foundation Health Plan, Inc.

D. (6) $1,125. E. (9) $466.75.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C. 20036.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.

D. (6) $2,344.88. E. (9) $651.02.

A. Kirkland, Ellis & Rowe, 1776 K Street NW., Washington, D.C. 20006.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa. 18101.

B. Pennsylvania Power & Light Co., 901 Hamilton St., Allentown, Pa. 18101.

D. (6) $675. E. (9) $478.36.

A. James D. Kittelton, 1100 Ring Building Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $725.

A. Ralph W. Kittle.

B. International Paper Co., Room 700, 1620 I Street NW., Washington, D.C. 20006.

D. (6) $350. E. (9) $200.

A. Douglas E. Kliever, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. James F. Kmetz, 1437 K Street NW., Washington, D.C. 20005.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.
D. (6) $5,749.98. E. (9) $480.

A. Paul R. Knapp, 1511 K Street NW., Washington, D.C. 20005.
B. Lumbermens Mutual Casualty Co., Long Grove, Ill. 60049.
D. (6) $875.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $575.

A. Philip M. Knox, Jr., 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill. 60607.
D. (6) $250. E. (9) $25.

A. Joseph L. Koach, 1900 L Street NW., Washington, D.C. 20036.
B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C.

A. Bradley R. Koch, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $125.

A. Robert M. Koch, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $58.50.

A. Horace R. Kornegay, 1776 K Street NW., Suite 1200, Washington, D.C. 20006.
B. The Tobacco Institute, Inc., 1776 K Street NW., Suite 1200, Washington, D.C. 20006.

A. Paul A. Korody, Jr., 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.
E. (9) $300.

A. Kenneth S. Kovack, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa. 15222.
D. (6) $4,467.75. E. (9) $965.36.

A. Howard R. Koven and Abe Fortas, 208 South LaSalle Street, Chicago, Ill.
B. Loeb, Rhoades & Co., 42 Wall Street, New York, N.Y.

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $144.50.

A. Lawrence E. Kreider, 1015 18th Street NW., Washington, D.C. 20036.
B. Conference of State Bank Supervisors, 1015 18th Street NW., 20036.

A. Germaine Krettek, 110 Maryland Avenue NE., Suite 101, Washington, D.C. 20002.
B. American Library Association, 50 East Huron Street, Chicago, Ill. 60611.
D. (6) $750.

A. James S. Krzyminski, 1129 20th Street NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C.
D. (6) $2,049.96. E. (9) $53.38.

A. William J. Kuhfuss, 225 Toughy Avenue, Park Ridge, Ill. 60068.
B. American Farm Bureau Federation, 225 Toughy Avenue, Park Ridge, Ill. 60068.
D. (6) $975.

A. Lloyd R. Kuhn, 1725 De Sales Street NW., Washington, D.C. 20036.
B. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C. 20036.
D. (6) $6,324. E. (9) $1,215.64.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C. 20005.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $4,964. E. (9) $4,526.

A. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C. 20006.
E. (9) $13,035.27.

A. A. M. Lampley, 400 First Street NW., Suite 704, Washington, D.C. 20001.
B. United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.
E. (9) $200.

A. James J. LaPenta, Jr., 905 16th Street NW., Washington, D.C. 20006.
B. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C. 20006.
E. (9) $965.27.

A. Reed E. Larson, 1900 L Street NW., Suite 205, Washington, D.C. 20036.
B. National Right To Work Committee, 1900 L Street NW., Washington, D.C. 20036.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C. 20006.
B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C. 20006.

A. Robert B. Laurents, 7205 Reservoir Road, Springfield, Va. 22150.
B. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.
D. (6) $1,950.

A. Donald F. Lavanty, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $784.76. E. (9) $574.97.

A. George H. Lawrence, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $440. E. (9) $125.

A. Robert F. Lederer, 230 Southern Building, Washington, D.C. 20005.
B. American Association of Nurserymen, Inc., 230 Southern Building, Washington, D.C. 20005.

A. Lee, McCarthy & DeRosa, 102 Maiden Lane, New York, N.Y. 10005.
E. (9) $850.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $261. E. (9) $599.82.

A. Robert J. Leigh, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
D. (6) $40.

A. Nils A. Lennartson, 801 North Fairfax Street, Alexandria, Va. 22314.
B. Railway Progress Institute, 801 North Fairfax Street, Alexandria, Va. 22314.
D. (6) $12,374.96.

A. Donald Lerch & Co., Inc., 1101 17th Street NW., Washington, D.C. 20036.
B. Shell Chemical Co., 2401 Crow-Canyon Road, San Ramon, Calif.

A. Gilbert B. Lessenco, 2021 L Street NW., Washington, D.C. 20036.
B. Metropolitan Chapter, National Association of Social Workers, 1424 16th Street NW., Washington, D.C.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Midland Enterprise, Inc., Cincinnati, Ohio.

A. S. R. Levering, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,305.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.
B. Association of American Railroads, American Railroads Building, Washington, D.C. 20006.
D. (6) $1,000.

A. Harry LeVine, Jr., 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

A. J. Stanly Lewis, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $2,912.

A. Herbert Liebenson, 1225 19th Street NW., Washington, D.C. 20036.
B. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $4,500. E. (9) $1,200.

A. Life Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $4,868.53. E. (9) $4,868.53.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C. 20036.
B. Association of Maximum Service Telecasters, 1735 DeSales Street NW., Washington, D.C. 20036.

A. Lindsay, Nahstoll, Hart, Duncan, Dafoe & Krause, 1331 Southwest Broadway, Portland, Oreg. 97201.
B. Master Contracting Stevedore Association of the Pacific Coast, Inc., San Francisco, Calif.
D. (6) $3,250. E. (9) $591.23.

A. Lindsay, Nahstoll, Hart, Duncan, Dafoe & Krause, 1331 Southwest Broadway, Portland, Oreg. 97201.
B. National Maritime Compensation Committee, 1331 Southwest Broadway, Portland, Oreg. 97201.

A. John E. Linster, 2000 Westwood Drive, Wausau, Wis. 54401.
B. Employers Insurance of Wausau, 2000 Westwood Drive, Wausau, Wis. 54401.
D. (6) $500.

A. Robert G. Litschert, 1140 Connecticut Avenue, Suite 1010, Washington, D.C. 20036.

B. National Association of Electric Companies.

D. (6) $300. E. (9) $139.86.

A. Laurence London, 25 Broadway, Room 1012, New York, N.Y. 10004.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y. 10004.

A. Sheldon I. London, 1025 Vermont Avenue NW., Washington, D.C. 20005.

B. National Home Furnishings Association, 1150 Merchandise Mart, Chicago, Ill. 60654.

D. (6) $625.

A. Philip J. Loree, 25 Broadway, Room 1012, New York, N.Y. 10004.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y. 10004.

D. (6) $375. E. (9) $119.89.

A. James F. Lovett, 1801 K Street NW., Washington, D.C. 20006.

B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.

D. (6) $700. E. (9) $200.

A. Otto Lowe, 888 17th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,050.

A. Lumbermen's Mutual Casualty Co., Long Grove, Ill. 60049.

E. (9) $1,550.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C. 20006.

D. (6) $1,000.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.

B. Cominco American Inc., West 818 Riverside, Spokane, Wash. 99201.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.

B. Ebasco Industries, 345 Park Avenue, New York, N.Y. 10022.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.

B. Jersey Central Power & Light Co., Madison Avenue at Punch Bowl Road, Morristown, N.J. 07960.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.

B. Pacific Northwest Power Co., Public Service Building, Portland, Oreg. 97204.

E. (9) $.91.

A. Clarence T. Lundquist, 4822 Tilden Street NW., Washington, D.C. 20016.

B. Menswear Retailers of America, Room 390, National Press Building, Washington, D.C. 20004.

D. (6) $600.

A. William George Lunsford, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,512.

A. James H. Lynch, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

D. (6) $5,551.70. E. (9) $249.24.

A. LeRoy E. Lyon, Jr., 11th and L Building, Sacramento, Calif. 95814.

B. California Railroad Association, 11th and L Building, Sacramento, Calif. 95814.

A. Shane MacCarthy, 1730 North Lynn Street, Arlington, Va. 22209.

B. Printing Industries of America, 1730 North Lynn Street, Arlington, Va. 22209.

D. (6) $950. E. (9) $1,495.

A. James E. Mack, 1225 19th Street NW., Washington, D.C. 20036.

B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill., 60603.

D. (6) $6,687.50. E. (9) $1,146.72.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C. 20006.

B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Andre Maisonpierre, 666 11th Street NW., Washington, D.C. 20001.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $620.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va., 22101.

B. National Coal Association, 1130 17th Street NW., Washington, D.C. 20036.

D. (6) $6,876.01. E. (9) $110.90.

A. Mike Manatos, 1801 K Street NW., Suite 1104, Washington, D.C. 20006.

B. Procter & Gamble Manufacture Co., 301 East Sixth Street, Cincinnati, Ohio 45202.

D. (6) $110.33. E. (9) $110.33.

A. Man-made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.

E. (9) $700.

A. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C. 20009.

D. (6) $5,000. E. (9) $3,000.

A. John V. Maraney, 324 East Capitol Street, Washington, D.C. 20003.

B. National Star Route Mail Carriers' Association, 324 East Capitol Street, Washington, D.C. 20003.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich. 48121.

A. Ralph J. Marlatt, 640 Investment Building, 1511 K Street NW., Washington, D.C. 20005.

B. National Association of Mutual Insurance Agents, 640 Investment Building, 1511 K Street NW., Washington, D.C. 20005.

E. (9) $1,335.

A. William J. Marschalk, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.

D. (6) $3,500. E. (9) $105.28.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah 84101.

B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.

D. (6) $4,416.90. E. (9) $244.22.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.

B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.

D. (6) $900. E. (9) $17.76.

A. J. Paul Marshall, Suite 212, 300 New Jersey Avenue SE., Washington, D.C. 20003.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $334.32. E. (9) $356.45.

A. Richard E. Martinez, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

D. (6) $313.10. E. (9) $446.35.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $1.46.

A. Guy B. Maseritz, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

A. Paul J. Mason, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

D. (6) $156.56. E. (9) $7.44.

A. Walter J. Mason, 815 16th Street NW., Suite 603, Washington, D.C. 20006.

B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Suite 603, Washington, D.C. 20006.

D. (6) $5,499.91. E. (9) $550.

A. Charles D. Matthews, 1100 17th Street NW., Washington, D.C. 20036.

B. National Ocean Industries Association, 1100 17th Street NW., Washington, D.C. 20036.

A. P. H. Mathews, 300 New Jersey Avenue SE., Washington, D.C. 20003.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $435.34. E. (9) $436.15.

A. Charles E. Mattingly, 1600 K Street NW., Washington, D.C.

B. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $4,200. E. (9) $376.05.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 410, Washington, D.C. 20001.

B. Amalgamated Meat Cutters and Butcher Workmen of North America (AFL–CIO), 2800 North Sheridan Road, Chicago, Ill. 60657.

D. (6) $5,675. E. (9) $560.

A. Mayer, Brown & Platt, 231 South LaSalle Street, Chicago, Ill. 60604.

B. L. M. Williams and Clayton Burch Families, in care of Continental Illinois National Bank & Trust Co., Trustee, 231 South LaSalle Street, Chicago, Ill. 60604.

A. Mike M. Masaoka, 2021 L Street NW., Washington, D.C. 20036.

B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y. 10017.

D. (6) $1,000.

A. Mike M. Masaoka, 2021 L Street NW., Washington, D.C. 20036.

B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz. 85621.

D. (6) $500.

A. C. V. & R. V. Maudlin, 111 E Street NW., Washington, D.C. 20004

B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. C. V. & R. V. Maudlin, 111 E Street NW., Washington, D.C. 20004.

B. Brass & Bronze Ingot Institute, 300 West Washington Street, Chicago, Ill 60606.

D. (6) $72. E. (9) $26.50.

A. William J. McAuliffe, Jr., 1828 L Street NW., Suite 303, Washington, D.C. 20036.

B. American Land Title Association, 1828

L Street NW., Suite 303, Washington, D.C. 20036.

D. (6) $1,700. E. (9) $15.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. Government Employes Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C. 20001.

D. (6) $2,871.69.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C. 20006.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Tidewater Marine Service, Inc., 3308 Tulane Avenue, New Orleans, La. 70119.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Montgomery Coca-Cola Bottling Co., Inc., North Perry and Jefferson Streets, Montgomery, Ala. 36103.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Mobile Oil Corp., 150 East 42d Street, New York, N.Y. 10017.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. The Magnavox Co., 1700 Magnavox Way, Fort Wayne, Ind. 46804.

E. (9) $100.98.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Gulf & Western Industries, Inc., 1 Gulf & Western Plaza, New York, N.Y. 10023.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036.

B. Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga. 30301.

A. E. L. McCulloch, Room 819, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Locomotive Engineers, Engineers Building, Cleveland, Ohio 44114.

D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C. 20005.

B. American Hotel & Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.

D. (6) $488.65. E. (9) $106.

A. J. Patrick McElroy, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $57.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont. 59701.

B. Montana Power Co., Butte, Mont. 59701.

E. (9) $98.07.

A. J. Raymond McGlaughlin, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich. 48203.

D. (6) $7,080.

A. Myles F. McGrail, 1825 K Street NW., Suite 501, Washington, D.C. 20006.

B. Dow Chemical Co., Midland, Mich. 48640.

A. Marshall C. McGrath.

B. International Paper Co., Room 700, 1620 I Street NW., Washington, D.C. 20006.

D. (6) $660. E. (9) $77.30.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $5,068. E. (9) $345.25.

A. Clarence M. McIntosh Jr., 400 First Street NW., Washington, D.C. 20001.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.

D. (6) $2,067.63.

A. John A. McKenna, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $1,362.50.

A. C. A. Mack McKinney, 1200 North Courthouse Road (G4), Arlington, Va. 22201.

B. NCO Association of the U.S.A., Post Office Box 2268, San Antonio, Tex. 78298.

D. (6) $1,890. E. (9) $1,071.94.

A. C. A. Mack McKinney, 1200 North Courthouse Road, No. 626, Arlington, Va. 22201.

B. National Headquarters, Marine Corps League, 933 North Kenmore Street, Suite 317, Arlington, Va. 22201.

A. John S. McLees, 1615 H Street NW., Washington, D.C. 20006.

B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C. 20006.

D. (6) $350.

A. C. W. McMillan, Suite 1015, National Press Building, 14th and F Street, Washington, D.C. 20004.

B. American National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 90202.

D. (6) $1,200.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

D. (6) $435. E. (9) $60.29.

A. Charles R. McNeill, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,000. E. (9) $7,389.74.

A. McNutt, Dudley, Easterwood & Losch, 910 17th Street NW., Washington, D.C. 20006.

B. American Dredging Co., 12 South 12th Street, Philadelphia, Pa.; Great Lakes Dredge & Dock Co., 228 North LaSalle Street, Chicago, Ill.; Dunbar & Sullivan Dredging Co., 22720 Michigan Avenue, Dearborn, Mich.

D. (6) $5,150. E. (9) $2,992.39.

A. Harry C. McPherson, Jr., Suite 1100, 1660 L Street NW., Washington, D.C.

B. Montgomery Ward, Inc., 619 West Chicago Avenue, Chicago, Ill. 60607.

D. (6) $2,000. E. (9) $225.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y. 10017.

B. Medical-Surgical Manufacturers Association, 342 Madison Avenue, Room 737, New York, N.Y. 10017.

E. (9) $2,020.86.

A. Carl J. Megel, 1012 14th Street NW., Washington, D.C. 20005.

B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C. 20005.

E. (9) $7,550.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) 6,006. E. (9) $619.98.

A. William A. Meissner, Jr., 6200 Massachusetts Avenue NW., Washington, D.C. 20016.

B. Rudolph Wolff & Co., 80 Wall Street, New York, N.Y. 10005.

D. (6) $2,000. E. (9) $133.68.

A. R. Otto Meletzke, 1701 K Street NW., Washington, D.C. 20006.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

D. (6) $86.45. E. (9) $3.36.

A. Ellis E. Meredith, 1611 North Kent Street, Arlington, Va. 22209.

B. American Apparel Manufacturers Association, Inc., 1611 North Kent Street, Arlington, Va. 22209.

A. Lawrence C. Merthan, 1425 K Street NW., Washington, D.C.

B. Hill & Knowlton, Inc., 1425 K Street NW., Washington, D.C.

D. (6) $1,009.27. E. (9) $298.75.

A. Metropolitan Washington Board of Trade, 1129 20th Street NW., Washington, D.C. 20036.

A. George F. Meyer, Jr., 1625 Eye Street NW., Washington, D.C. 20006.

B. Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.

D. (6) $392.

A. James G. Michaux, 777 14th Street NW., Washington, D.C. 20005.

B. Federated Department Stores, Inc., 222 West Seventh Street, Cincinnati, Ohio 45202.

D. (6) $500.

A. Bruce L. Mikesell, 1025 Vermont Avenue NW., Washington, D.C. 20005.

B. National Independent Automobile Dealers Association, 1719 West End Avenue, Nashville, Tenn., 37203.

D. (6) $1,250. E. (9) $394.54.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Questor Corp., 1801 Spielbusch Avenue, Toledo, Ohio 43694.

D. (6) $295.

A. A. Stanley Miller, 1629 K Street NW., Washington, D.C. 20006.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y. 10004.

D. (6) $100.

A. Anne Miller, Suite 907, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Bryant Associates, Inc., Suite 907, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $100. E. (9) $135.54.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C. 20036.

B. Dallas, Tex., Chamber of Commerce.

D. (6) $195. E. (9) $93.38.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.

B. Gulf Intracoastal Canal Association, Houston, Tex.

D. (6) $262.50. E. (9) $30.97.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C. 20036.

B. Texas Gulf, Inc., 200 Park Avenue, New York, N.Y. 10017.

D. (6) $225. E. (9) $257.73.

A. Edwin Reid Miller, 1815 Capitol Avenue, Omaha, Nebr. 68102.

B. Nebraska Railroad Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr. 68102.

D. (6) $6,049.98. E. (9) $529.26.

A. Joe D. Miller, 535 North Dearborn Street, Chicago, Ill. 60610.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.

D. (6) $875.

A. Luman G. Miller, Suite 912, 620 Southwest Fifth Avenue Building, Portland, Oreg. 97204.

B. Oregon Railroad Association, Suite 912, 620 Southwest Fifth Avenue Building, Portland, Oreg. 97204.

A. Jack Mills, 1776 K Street NW., Washington, D.C. 20006.

A. Seymour S. Mintz, William T. Plumb, Jr., and Arnold C. Johnson.

B. Hughes Tool Co., Houston, Tex.

A. Willis C. Moffatt, Post Office Box 829, Boise, Idaho 83701.

A. John G. Mohay, 734 15th Street NW., Washington, D.C. 20005.

B. National Independent Meat Packers Association, 734 15th Street NW., Washington, D.C. 20005.

D. (6) $350.

A. Graham T. T. Molitor, 1629 K Street NW., Suite 403, Washington, D.C. 20006.

B. General Mills, Inc., 9200 Wayzata Boulevard, Minneapolis, Minn. 55440.

D. (6) $2,000. E. (9) $3,000.

A. Michael Monroney, 1701 K Street NW., Suite 1000, Washington, D.C. 20036.

B. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

D. (6) $1,200.

A. Montgomery Ward & Co., Inc., 1660 L Street NW., Suite 1001, Washington, D.C. 20036.

D. (6) $500. E. (9) $2,150.

A. G. Merrill Moody, Suite 212, 300 New Jersey Avenue SE., Washington, D.C. 20003.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $95.54. E. (9) $239.22.

A. Joseph E. Moody, 918 16th Street NW., Washington, D.C. 20006.

B. Bituminous Coal Operators Association, Inc., 918 16th Street NW., Washington, D.C. 20006.

D. (6) $500.

A. O. William Moody, Jr., 815 16th Street NW., Room 501, Washington, D.C. 20006.

B. Maritime Trades Department, AFL–CIO, 815 16th Street NW., Room 501, Washington, D.C. 20006.

D. (6) $2,500. E. (9) $1,072.18.

A. Donald L. Morgan, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C. 20005.

B. The American Humane Association, Post Office Box 1266, Denver, Colo. 80201.

D. (6) $1,500.

A. Morison, Murphy, Abrams & Haddock, Suite 900, 1776 K Street NW., Washington, D.C. 20006.

B. National Committee for Civil Airlift.

A. Morison, Murphy, Abrams & Haddock, Suite 900, 1776 K Street NW., Washington, D.C. 20006.

B. Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y. 10017.

A. James M. Morris, 1660 L Street NW., Room 804, Washington, D.C. 20036.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.

D. (6) $2,500. E. (9) $1,290.58.

A. James G. Morton, 1825 Connecticut Avenue NW., Washington, D.C. 20009.

B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C. 20009.

D. (6) $2,500. E. (9) Under $100.

A. Jack Moskowitz, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $5,250. E. (9) $191.88.

A. John J. Motley.

B. National Federation of Independent Business, 921 Washington Building, 15th and New York Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $355.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

A. Motorists United for Ecology, Inc., 3477 New Ridge Drive, Palos Verdes, Calif. 90274.

D. (6) $677. E. (9) $1,272.02.

A. William G. Mullen, 491 National Press Building, Washington, D.C. 20004.

B. National Newspaper Association, 491 National Press Building, Washington, D.C. 20004.

E. (9) $183.31.

A. John J. Murphy, 517 Shoreham Building, 806 15th Street NW., Washington, D.C. 20005.

B. National Customs Service Association.

A. Richard W. Murphy, 1200 18th Street NW., Suite 1109, Washington, D.C. 20036.

B. Merck & Co., Inc., Rahway, N.J. 07065.

D. (6) $400. E. (9) $4.

A. D. Michael Murray, 1920 L Street NW., Washington, D.C. 20036.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $436.13. E. (9) $775.13.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $185.

A. Kenneth D. Naden, 1129 20th Street NW., Washington, D.C. 20036.

B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C.

D. (6) $2,887.50. E. (9) $44.25.

A. John J. Nangle, 1625 E Street NW., Suite 812, Washington, D.C. 20006.

B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill. 60603.

D. (6) $2,000. E. (9) $586.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.

B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.

D. (6) $41.25.

A. National Air Carrier Association, 1730 M Street NW., Washington, D.C. 20006.

D. (6) $875. E. (9) $875.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $57.50. E. (9) $57.50.

A. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.

D. (6) $36,230.50. E. (9) $5,991.39.

A. National Association of Building Manufacturers, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,500. E. (9) $1,50.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

D. (6) $1,115.84. E. (9) $5,536.58.

A. National Association of Farmer Elected Committeemen, 1900 South Eads Street, Box 836, Arlington, Va. 22202.

D. (6) $232.75. E. (9) $232.75.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.

D. (6) $500. E. (9) $500.

A. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.

E. (9) $12,733.39.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.

D. (6) $781,503.51. E. (9) $72,253.07.

A. National Association of Margarine Manufacturers, 1725 K Street NW., Suite 1202, Washington, D.C. 20006.

E. (9) $30.

A. National Association of Mutual Insurance Companies, 2511 East 46th Street, Suite H, Indianapolis, Ind. 46205.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.

D. (6) $1,981.37. E. (9) $1,981.37.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.

D. (6) $4,486.11. E. (9) $4,486.11.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.

E. (9) $17,496.66.

A. NBA Players Association, 15 Columbus Circle, New York, N.Y. 10023.

D. (6) $384.69. E. (9) $384.69.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $300. E. (9) $300.

A. National Audio-Visual Associates, Inc., 3150 Spring Street, Fairfax, Va. 22030.

D. (6) $20,131.12. E. (9) $4,433.25.

A. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $665,266.59. E. (9) $4,873.07.

A. National Coal Association, Coal Building, Washington, D.C. 20036.
D. (6) $416,239.23. E. (9) $3,293.06.

A. National Committee Against Repressive Legislation, 555 North Western Avenue, Los Angeles, Calif., 90004.
D. (6) $1,423.69. E. (9) $1,423.69.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn., 38112.
D. (6) $13,010.55. E. (9) $13,010.55.

A. National Council for a Responsible Firearms Policy, 1028 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $553.50. E. (9) $282.

A. National Council of Farmer Cooperatives, 1129 20th Street, NW., Washington, D.C. 20036.
D. (6) $23,824.75. E. (9) $27,129.62.

A. National Council of Technical Service Industries, 888 17th Street NW., Suite 601, Washington, D.C. 20006.
D. (6) $568.76. E. (9) $756.88.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Cenco, Inc., 2600 South Kostner Avenue, Chicago, Ill.
D. (6) $2,475. E. (8) $138.30.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 1000 Ring Building, Washington, D.C.
D. (6) $833.33. E. (9) $74.85.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. ELBA Systems Corp., 5909 East 38th Avenue, Denver, Colo.
D. (6) $1,000. E. (9) $32.09.

A. National Cystic Fibrosis Research Foundation, 3379 Peachtree Road NE., Atlanta, Ga. 30326.
E. (9) $518.

A. National Electrical Contractors Association, Inc., 7315 Wisconsin Avenue, Washington, D.C. 20014.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y. 10017.

A. National Federation of Independent Business, Inc., 920–922 Washington Building, Washington, D.C.
D. (6) $19,920.70. E. (9) $19,920.70.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $2,898.50 E. (9) $2,935.41.

A. National Grain and Feed Association, 725 15th Street NW., Room 500, Washington, D.C.
E. (9) $300.

A. National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $142,387.72. E. (9) $11,220.

A. National Home Furnishings Association, 1150 Merchandise Mart, Chicago, Ill. 60654.
E. (6) $694.93.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Suite 632, Washington, D.C. 20036.
D. (6) $15,631.76. E. (9) $15,479.41.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $3,917.95. E. (9) $3,917.95.

A. National Independent Meat Packers Association, 734 15th Street NW., Washington, D.C. 20005.
D. (6) $774.79. E. (9) $1,986.82.

A. National Institute of Locker & Freezer Provisioners, 224 East High Street, Elizabethtown, Pa. 17022.
D. (6) $87.61. E. (9) $817.81.

A. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
D. (6) $37,187.38. E. (9) $37,187.38.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr. 68107.
D. (6) $4,264.42 E. (9) $4,264.42.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $825.

A. National Patent Council, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.
D. (6) $4,025.50. E. (19) $750.

A. National Rehabilitation Association, 1522 K Street NW., Washington, D.C. 20005.
D. (6) $1,625.46. (9) $1,391.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.

A. National Right to Work Committee, 1900 L Street NW., Washington, D.C. 20036.
D. (6) $1,964.34. E. (9) $1,964.34.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C. 20036.
D. (6) $5,000. E (9) $2,562.52.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $12,500. E. (9) $13,345.

A. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $2,531. E. (9) $5,016.09.

A. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
E. (9) $865.

A. National Tire Dealers and Retreaders, 1343 L Street NW., Washington, D.C.
D. (6) $300. E. (9) $300.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah. 84101.
D. (6) $18,405. E. (9) $5,785.57.

A. Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C. 20005.
D. (6) $6,250. E. (9) $5,380.27.

A. Alexander W. Neale, Jr., 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $1,290. E. (9) $15.80.

A. Alan M. Nedry, 1801 K Street NW., Suite 1041, Washington, D.C. 20006.
B. Southern California Edison Co., Post Office Box 800, Rosemead, Calif. 91770.
D. (6) 200. E. (9) $150.10.

A. Allen Neece, Jr., 512 Washington Building, Washington, D.C. 20005.
B. National Association of Small Business Investment Companies, 512 Washington Building, Washington, D.C. 20005.
D. (6) $300.

A. Samuel E. Neel, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

A. George Nelson, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,000. E. (9) $146.86.

A. Robert B. Neville, 1155 15th Street NW., Suite 505, Washington, D.C. 20005.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C.
D. (6) $2,250. E. (9) $303.05.

A. Louis H. Nevins, 908 Colorado Building, Washington, D.C. 20005.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.
D. (6) $1,656.25. E. (9) $186.32.

A. E. J. Newbould, 1130 17th Street NW., Washington, D.C. 20036.
B. National Clay Pipe Institute, 350 West Terra Cotta Avenue, Crystal Lake, Ill. 60014.
D. (6) $150. E. (9) $15.

A. Charles E. Nichols, 101 Constitution Avenue NW., Washington, D.C. 20001.
B. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
D. (6) $1,105. E. (9) $792.10.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. American Postal Workers Union, AFL–CIO, 817 14th Street NW., Washington, D.C.
D. (6) $6,960.62. E. (9) $796.36.

A. NL Industries, Inc., 111 Broadway, New York, N.Y. 10006.
E. (9) $1,350.

A. Stanley D. Noble, 20 North Wacker Drive, Chicago, Ill. 60606.
B. Council of Profit Sharing Industries, 20 North Wacker Drive, Chicago, Ill. 60606.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Small Business Investment Companies, 512 Washington Building, Washington, D.C. 20005.
D. (6) $1,500. E. (9) $150.29.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Seward Nyman, 20 Chevy Chase Circle, Washington, D.C. 20015.
B. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
D. (6) $650.

A. Northeast Utilities Service Co., Selden Street, Berlin, Conn.

A. Raymond D. O'Connell, 400 Madison Avenue, New York, N.Y. 10017.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C. 20006.
D. (6) $8,000.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
B. American Transit Association, 465 L'Enfant Plaza West SW., Suite 2900, Washington D.C. 20024.
D. (6) $1,500. E. (9) $143.67.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
B. Investors Diversified Services, Inc., Suite 2900, IDS Tower, Minneapolis, Minn. 55402.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
B. Koch Refining Co., Post Office Box 3596, St. Paul, Minn. 55101.
D. (6) $1,000. E. (9) $29.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Room 110, Minneapolis, Minn. 55435.
D. (6) $2,500. E. (9) $156.99.

A. Lawrence J. O'Connor, Jr., 1801 K Street NW., Suite 1021, Washington, D.C. 20006.
B. Standard Oil Co., Midland Building, Cleveland, Ohio 44115.
E. (9) $334.96.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill. 60603.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill 60603.
D. (6) $400.

A. John A. O'Donnell, 1001 Connecticut Avenue NW., No. 716, Washington, D.C. 20036.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $1,500.

A. John A. O'Donnell, 1001 Connecticut Avenue NW., No. 716, Washington, D.C. 20036.
B. Philippine Sugar Institute.
D. (6) $500. E. (9) $250.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C. 20006.
B. Amalgamated Clothing Workers of America, AFL–CIO, 15 Union Square, New York, N.Y. 10003.
D. (6) $4,269.98. E. (9) $1,626.03.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C. 20005.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill. 60601.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio 43215; Joseph S. Gill, 16 East Broad Street, Columbus, Ohio 43215.

A. Alvin E. Oliver, 725 15th Street NW., Room 500, Washington, D.C. 20005.
B. National Grain and Feed Association, 725 15th Street NW., Room 500, Washington, D.C. 20005.
D. (6) $26.60.

A. Edward W. Oliver, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Robert Oliver, 400 First Street NW., Suite 816, Washington, D.C. 20001.
B. L. T. Barringer & Co., 161 South Front Street, Memphis, Tenn.
D.(6) $2,500.

A. Roy E. Olson, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. Samuel Omasta, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $56.75.

A. Charles T. O'Neill, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,000. E. (9) $300.69.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $185.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $1,375.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C. 20004.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C. 20004.

A. Edward J. Panarello, 1775 K Street NW., Washington, D.C. 20006.
B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $5,324.32. E. (9) $694.92.

A. Carol Ames Parker, 620 C Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.
D. (6) $2,100.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $187.43.

A. Kenton H. Pattie, 3150 Spring Street, Fairfax, Va. 22030.
B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va. 22030.
D. (6) $1,302.40.

A. Patton, Boggs, Blow, Verrill, Brand & May, 1200 17th Street NW., Washington, D.C. 20036.
B. American Maritime Association, 17 Battery Place, New York, N.Y. 10004.
D. (6) $2,250.

A. Patton, Boggs, Blow, Verrill, Brand & May, 1200 17th Street NW., Washington, D.C. 20036.
B. Boating Industry Association, 401 North Michigan Avenue, Chicago, Ill. 60601. National Asociation of Engine & Boat Manufacturers, 537 Steamboat Road, Greenwich, Conn. 06830.
D. (6) $920.

A. Patton, Boggs, Blow, Verrill, Brand & Boggs, 1200 17th Street NW., Washington, D.C. 20036.
B. International Snowmobile Industry Association, 5100 Edina Industrial Boulevard, Minneapolis, Minn. 55435.
D. (6) $457.50.

A. Patton, Boggs, Blow, Verrill, Brand & May, 1200 17th Street NW., Washington, D.C. 20036.
B. Nestle Co., 100 Bloomingdale Road, White Plains, N.Y. 10605.

A. Patton, Boggs, Blow, Verrill, Brand & May, 1200 17th Street NW., Washington, D.C. 20036.
B. Reader's Digest Association, Inc., Pleasantville, N.Y. 10570.
D. (6) $2,000.

A. Jack Pearce, Suite 808–810, 910 17th Street NW., Washington, D.C. 20006.
B. Committee on Modern, Efficient Transportation.
D. (6) $8,460. E. (9) $1,009.64.

A. John J. Pecoraro, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Brotherhood of Painters and Allied Trades, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $2,204.86.

A. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

A. D. V. Pensabene, Suit 1204, 1700 K Street NW., Washington, D.C. 20006.
B. Standard Oil Co. of California, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.
D. (6) $50. E. (9) $35.

A. J. Carter Perkins, Shell Oil Co., 1700 K Street NW., Washington, D.C. 20006.
B. Shell Oil Co., 1 Shell Plaza, Houston, Tex. 77002.
D. (6) $1,000.

A. Kenneth Peterson, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,460. E. (9) $300.22.

A. Richard W. Peterson, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $500.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C. 20006.
D. (6) $400. E. (9) $375.

A. Roger J. Phauf, 1825 K Street, Washington, D.C. 20006.
B. United Air Lines, Post Office Box 66100, Chicago, Ill. 60666.
D. (6) $800. E. (9) $130.33.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washingtin, D.C. 20005.

A. John P. Philbin, 1100 Connecticut Avenue, Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,125.

A. James H. Pipkin, 1001 Connecticut Avenue, Washington, D.C. 20036.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y. 10017.
D. (6) $700. E. (9) $1,460.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex. 79401.
D. (6) $2,721.36. E. (9) $1,350.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C. 20006.
B. Investment Co. Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $19.70.

A. William J. Potts, Jr., 1730 M Street NW., Washington, D.C. 20036.
B. Association for Broadcast Engineering Standards, Inc., 1730 M Street NW., Suite 700, Washington, D.C. 20036.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C. 20005.
B. International Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C. 20005.

A. William I. Powell, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $14.30.

A. Carlton H. Power, 1918 North Parkway, Post Office Box 12285, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

D. (6) $630. E. (9) $98.59.

A. William C. Prather, 111 East Wacker Drive, Chicago, Ill. 60601.

B. United States Savings & Loan League, 111 East Wacker Drive, Chicago, Ill. 60601.

D. (6) $475.

A. William H. Press, 1629 K Street NW., Washington, D.C. 20006.

B. Acacia Mutual Life Insurance Co., Washington, D.C.

D. (6) $2,225.

A. H. P. Pressler, 1122 Southwest Tower, Houston, Tex. 77002.

B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C. 20036.

D. (6) $100. E. (9) $50.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C. 20005.

B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C. 20005.

D. (6) $296.35. E. (9) $2.

A. Louis V. Priebe, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.

B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.

D. (6) $1,500. E. (9) $250.

A. Proprietary Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $1,931.20. E. (9) $1,931.20.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Questor Corp., 1801 Spielbusch Avenue, Toledo, Ohio 43694.

E. (9) $295.

A. Joseph E. Quin, 1616 H Street NW., Washington, D.C. 20006.

B. National Grange, 1616 H Street NW., Washington, D.C. 20006.

D. (6) $720.

A. William A. Quinlan, Route 8, Box 238, Annapolis, Md. 21401.

B. Associated Retail Bakers of America, 735 West Sheridan Road, Chicago, Ill.

D. (6) $1,742. E. (9) $487.76.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.

B. Committee for Study of Revenue Bond Financing, 1200 18th Street NW., Washington, D.C. 20036.

D. (6) $1,666.50 E. (9) $268.21.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.

D. (6) $1,996.80.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.

D. (6) $337.44.

A. Raymond Raedy, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $13.43. E. (9) $2.97.

A. Railway Labor Executives' Association, Room 804, 400 First Street NW., Washington, D.C. 20001.

D. (6) $8,692. E. (9) $8,692.

A. Railway Progress Institute, 801 North Fairfax Street, Alexandria, Va. 22314.

D. (6) $1,565. E. (9) $1,565.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C. 20005.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $450.

A. D. Michael Rappoport, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $225. E. (9) $78.12.

A. Robert J. Rauch, 620 C Street SE., Washington, D.C. 20003.

B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

D. (6) $1,500.

A. G. J. Rauschenbach.

B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C. 20024.

D. (6) $500. E. (9) $685.

A. Thomas D. Ray.

B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005.

D. (6) $2,250. E. (9) $305.

A. William W. Rayner, 1701 North Fort Myer Drive, Arlington, Va. 22209.

B. Crowell Collier and Macmillan, Inc., 1701 North Fort Myer Drive, Arlington, Va. 22209.

E. (9) $113.86.

A. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill. 60018.

E. (9) $11,471.95.

A. Dwight C. Reed, 1101 16th Street NW., Washington, D.C. 20036.

B. National Soft Drink Association.

D. (6) $46.86.

A. David J. Reedy, 6S430 Huntington Circle East, Naperville, Ill. 60540.

B. National Advertising Co., 6850 South Harlem Avenue, Argo, Ill. 60510.

D. (6) $1,750.

A. Lawrence D. Reedy, 602 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

B. American Association of Advertising Agencies, 200 Park Avenue, New York, N.Y. 10017.

D. (6) $1,250. E. (9) $600.

A. Robert S. Reese, Jr., 1616 P Street NW., Washington, D.C. 20036.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Barbara Reid, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $540.

A. John A. Reilly, 59 Maiden Lane, New York, N.Y., 10038.

B. Estate of Bert N. Adams, 1461 West 16th Place, Yuma, Ariz. 85364.

E. (9) $25 est.

A. W. W. Renfroe, 101 East High Street, Lexington, Ky., 40507.

B. Kentucky Railroad Association, 101 East High Street, Lexington, Ky. 40507.

E. (9) $197.05.

A. Reserve Officers Association of United States, 1 Constitution Avenue NE., Washington, D.C.

D. (6) $1,057.97. E. (9) $430.25.

A. Retirement Federation of Civil Service Employees of the United States Government, Warner Building, Suite 1128, 13th and E Streets NW., Washington, D.C. 20004.

D. (6) $5,817.68. E. (9) $10,214.83.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.

D. (6) $5,919.

A. James J. Reynolds, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.

B. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.

D. (6) $1,875. E. (9) $363.

A. Austin T. Rhoads.

B. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.

D. (6) $550. E. (9) $42.80.

A. Maxwell E. Rich, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

D. (6) $625.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La. 70427.

B. Louisiana Railroads, 335 Austin Street, Bogalusa, La. 70427.

A. Rosalie Riechman, 120 Maryland Avenue NE., Washington, D.C. 20002.

B. Women's International League for Peace and Freedom, 1213 Race Street, Philadelphia, Pa. 19107.

D. (6) $1,575.

A. Siert F. Riepma, 1725 K Street NW., Suite 1202, Washington, D.C. 20006.

B. National Association of Margarine Manufacturers.

E. (9) $30.

A. Stark Ritchie, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C.

A. William Neale Roach, 1616 P Street NW., Washington, D.C. 20036.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.

D. (6) $3,813.34. E. (9) $329.34.

A. Kenneth Roberson, 2 Dubonnet Road, Valley Stream, N.Y. 11581.

B. Meat Importers Council of America, Inc., 708 Third Avenue, New York, N.Y. 10017.

D. (6) $13. E. (9) $2.50.

A. Kenneth A. Roberts, 1026 17th Street NW., Washington, D.C. 20006.

B. Proprietary Association, 1700 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $500.

A. William S. Roberts, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $75.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C. 20006.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.

D. (6) $1,000.

A. Thomas G. Roderick, 1101 16th Street NW., Washington, D.C. 20036.

B. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C. 20005.

B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.

D. (6) $729.20.

A. Frank W. Rogers, Suite 793, 1801 K Street NW., Washington, D.C. 20006.

B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif. 90017.

D. (6) $750.

A. Walter E. Rogers, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

B. Independent Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

D. (6) $1,000.

A. Rouss & O'Rourke, 231 East Vermijo Avenue, Colorado Springs, Colo. 80903.

B. Union Nacional de Productores de Azucar, S.A. de C.V., Balderas 36, Mexico, D.F., Mexico.

D. (6) $3,600. E. (9) $2,631.95.

A. Robert J. Routier, 1701 K Street NW., Washington, D.C. 20006.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill. 60611.

A. Royall, Koegel & Wells, 1730 K Street NW., No. 1009, Washington, D.C. 20006.

B. Associated Press, 50 Rockefeller Plaza, New York, N.Y.

D. (6) $700. E. (9) $41.

A. Royall, Koegel & Wells, 1730 K Street NW., No. 1009, Washington, D.C. 20006.

B. Deltona Corp., 3250 South West Third Avenue, Miami, Fla. 33129.

D. (6) $10,680. E. (9) $49.

A. John Forney Rudy, 1800 K Street NW., Suite 622, Washington, D.C. 20006.

B. Goodyear Tire & Rubber Co., Akron, Ohio 44316.

A. Albert R. Russell, Post Office Box 12285, Memphis, Tenn. 38112.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

D. (6) $686.15. D. (9) $80.

A. Cristine Russell, 620 C Street SE., Washington, D.C. 20003.

B. Coalition to Tax Pollution, 620 C Street SE., Washington, D.C. 20003.

D. (6) $1,710.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Washington, D.C. 20036.

B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C. 20036.

D. (6) $1,500. E. (9) $838.40.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., No. 514, Washington, D.C. 20036.

B. American College of Radiology, 20 North Wacker Drive, Chicago, Ill. 60606.

D. (6) $1,200. E. (9) $866.76.

A. E. M. Ryan, 1156 15th Street NW., Washington, D.C. 20005.

B. J. C. Penney Co, Inc, 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $125. E. (9) $24.25.

A. William H. Ryan, Machinists Building, Washington, D.C. 20036.

B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,400. E. (9) $480.

A. Francis J. Ryley, 500 Title & Trust Building, Phoenix, Ariz. 85003.

B. Standard Oil Co. of California, San Francisco; Shell Oil Co., Mobil Oil Corp., Atlantic Richfield Co., Phillips Petroleum Co., Union Oil Co., Gulf Oil Corp., all of Los Angeles; Humble Oil & Refining Co., Midland, Tex.

A. Sachs, Greenebaum & Tayler, 1620 I Street NW., Washington, D.C. 20006.

B. Ontario Corp., 1200 West Jackson, Muncie, Ind.

A. Sachs, Greenebaum & Tayler, 1620 I Street NW., Washington, D.C. 20006.

B. York Bag Co., Ltd., 3577 Dundas Street West, Toronto, Ontario, Canada.

A. Carl K. Sadler, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

D. (6) $6,698.30. E. (9) $6,657.09.

A. Eric P. Schellin, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.

B. National Patent Council, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.

D. (6) $750.

A. Jacques T. Schlenger, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $1.46.

A. Allan D. Schlosser, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $300.

A. John W. Scott, 1616 H Street NW., Washington, D.C. 20006.

B. National Grange, 1616 H Street NW., Washington, D.C. 20006.

D. (6) $5,000.

A. Raymond L. Schafer, Room 610, Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

D. (6) $1,500. E. (9) $82.61.

A. A. Cleve Schneeberger, 1211 Connecticut Avenue NW., Washington, D.C. 20036.

B. Portland Cement Association, Old Orchard Road, Skokie, Ill. 60076.

A. Donald H. Schwab, 200 Maryland Avenue NE., Washington, D.C. 20002.

B. Veterans of Foreign Wars of the U.S.

D. (6) $1,691.25. E. (9) $52.45.

A. Scribner, Hall, Thornburg & Thompson, 1200 18th Street NW., Suite 1209, Washington, D.C. 20036.

B. Jefferson Pilot Corp., Post Office Box 21008, Greensboro, N.C. 27402.

A. Scribner, Hall, Thornburg & Thompson, 1200 18th Street NW., Suite 1209, Washington, D.C. 20036.

B. Provident Life & Accident Insurance Co., Chattanooga, Tenn. 37402.

E. (9) $4.

A. Durward Seals, 777 14th Street NW., Washington, D.C. 20005.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $231.25. E. (9) $31.12.

A. Kay Sealy, 900 Southwest Tower, Houston, Tex. 77002.

B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

A. Section 23 Leased Housing Association, Suite 707, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $450. E. (9) $450.

A. Earl W. Sears, Post Office Box 12285, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

D. (6) $327.50. E. (9) $26.91.

A. Ronald C. Seeley, 1387 Nicolet Place, Detroit, Mich. 48207.

B. Estate of Bert N. Adams, 1461 West 16th Place, Yuma, Ariz. 85364.

A. Stanton P. Sender, 1211 Connecticut Avenue NW., No. 802, Washington, D.C. 20036.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill. 60607.

D. (6) $200. E. (9) $25.

A. Theodore A. Serrill, 491 National Press Building, Washington, D.C. 20004.

B. National Newspaper Association, 491 National Press Building, Washington, D.C. 20004.

E. (9) $174.38.

A. Alice Shabecoff, 1029 Vermont Avenue NW., Washington, D.C. 20005.

B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C. 20005

D. (6) $1,250.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Pfizer Inc., 235 East 42d Street, New York, N.Y. 10017.

D. (6) $680. E. (9) $360.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

B. Albright Title & Trust Co., 100 North Main Street, Newkirk, Okla. 74647.

E. (9) $1,596.75.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street, NW., Washington, D.C. 20007.

B. Children's Hospital of the District of Columbia, 2125 13th Street NW., Washington, D.C.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

B. El Paso Natural Gas Co., El Paso, Tex.

D. (6) $2,901.30. E. (9) $1,462.22.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y. 10022.

D. (6) $820. E. (9) $47.

A. Jane M. O. Sharp, 100 Maryland Avenue NE., Washington, D.C. 20002.

B. Council for a Livable World.

D. (6) $5,000.

A. Shaw, Pittman, Potts & Trowbridge, Barr Building, 910 17th Street, Washington, D.C. 20006.

B. Doubleday & Co., Inc., 277 Park Avenue, New York, N.Y. 10017.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa. 15222.

D. (6) $5,995.75. E. (9) $3,463.96.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $1,175.

A. Edward L. Shields, 666 11th Street NW., Washington, D.C. 20001.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $1,050.

A. Max Shine, 1126 16th Street NW., Room 200, Washington, D.C. 20036.

B. American Federation of Technical Engineers, 1126 16th Street NW., Room 200, Washington, D.C. 20036.

D. (6) $992.50. E. (9) $20.

A. Harvey A. Shipman, 1725 K Street NW., Suite 1103, Washington, D.C. 20006.

B. Penn Central Transportation Co., Six Penn Center Plaza, Philadelphia, Pa. 19104.

A. Lucien J. Sichel, 1730 M Street NW., Washington, D.C.

B. Abbott Laboratories, North Chicago, Ill. 60064.

D. (6) $300.

A. David Silver, 1775 K Street NW., Washington, D.C. 20006.

B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.

A. Talmage E. Simpkins, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. Labor-Management Maritime Committee.

D. (6) $825. E. (9) $50.

A. Lana H. Sims, South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C. 29201.

B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C. 29201.

D. (6) $26.61. E. (9) $87.

A. Marcus W. Sisk, Jr., 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Marcus W. Sisk, Jr., 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. William L. Slayton, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,500.

A. Stephen Sliphor, 812 Pennsylvania Building, Washington, D.C. 20004.

B. United States Savings and Loan League, 111 East Wacker Drive, Chicago, Ill.

D. (6) $3,750. E. (9) $8.

A. Smathers & Merrigan, 888 17th Street NW., Washington, D.C. 20006.

B. American Horse Council, Inc., 1776 K. Street NW., Washington, D.C.

D. (6) $6,250. E. (9) $781.17.

A. Smathers & Merrigan, 888 17th Street NW., Washington, D.C.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $15,000. E. (9) $148.85.

A. Donald E. Smiley, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Humble Oil & Refining Co., Delaware Corp., Post Office Box 2180, Houston, Tex.

E. (9) $319.29.

A. Arthur J. Smith, 1700 K Street NW., Suite 300, Washington, D.C. 20006.

B. Shell Oil Co., Post Office Box 2463, Houston, Tex. 77001.

D. (6) $500.

A. Howard H. Smith, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich. 48121.

D. (6) $270. E. (9) $217.12.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C. 20036.

B. Edward Gottlieb & Associates Ltd., 485 Madison Avenue, New York, N.Y. 10022.

E. (9) $48.

A. Robert William Smith, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich. 48121.

D. (6) $187. E. (9) $128.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.

B. National Association of Mutual Insurance Cos., 2511 East 46th Street, Suite H, Indianapolis, Ind. 46205.

D. (6) $500. E. (9) $44.35.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $2,840. E. (9) $1,399. 40.

A. Frank B. Snodgrass, 1100 17th Street NW., Suite 306, Washington, D.C. 20036.

B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky. 40501.

D. (6) $550. E. (9) $129.60.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,802.

A. J. R. Snyder, 400 First Street NW., Suite 704, Washington, D.C. 20001.

B. United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C., 20001.

E. (9) $250.

A. Society for Animal Prevention Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C. 20007.

D. (6) $7,515.04. E. (9) $6,596.08.

A. Carl A. Soderblom, 1 East First Street, Room 803, Reno, Nev. 89501.

B. Nevada Railroad Association, 1 East First Street, Room 803, Reno, Nev.

A. Charles B. Sonneborn, 1730 Pennsylvania Avenue, Suite 220, Washington, D.C. 20006.

B. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill. 60611.

D. (6) $330. E. (9) $100.

A. Jerome N. Sonosky, Gerald E. Gilbert, and Alvin Ezrin, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. American Physical Therapy Association, Washington, D.C.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C. 20001.

B. International Brotherhood Electrical Workers, O'Hare Office Building, Suite 400, 10400 West Higgins Road, Rosemont, Ill. 60018.

D. (6) $1,125.40.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex. 75225.

D. (6) $150. E. (9) $150.

A. William W. Spear, 1000 16th Street NW., Washington, D.C. 20036.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill. 60605.

D. (6) $1,399. E. (9) $4.64.

A. Frank J. Specht, 1725 DeSales Street NW., Washington, D.C. 20036.

B. Schenley Industries, Inc., 888 Seventh Avenue, New York, N.Y. 10019.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C. 20006.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C. 20006.

A. William C. Spence, Box 683, Houston, Tex. 77001.

B. Columbia Gulf Transmission Co., Box 683, Houston, Tex. 77001.

D. (6) $150.

A. Squibb Corp., 460 Park Avenue, New York, N.Y. 10022.

E. (9) $155.

A. John M. Stackhouse, Madison Building, 1155 15th Street NW., Washington, D.C. 20005.

B. National Agricultural Chemicals Association.

A. Lynn Stalbaum, 400 World Center Building, 918 16th Street NW., Washington, D.C. 20006.

B. Central America Cooperative Federation, Inc., Room 400, 918 16th Street NW., Washington, D.C. 20006.

D. (6) $525.

A. Standard Oil Co. (Ohio), 1801 K Street NW., Suite 1021, Washington, D.C. 20006.

E. (9) $334.96.

A. Melvin L. Stark, 1025 Connecticut Avenue NW., Suite 211, Blake Building, Washington, D.C. 20016.

B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 211, Blake Building, Washington, D.C. 20036.

D. (6) $3,000. E. (9) $350.

A. David J. Steinberg, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $200.

A. David J. Steinberg, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Council for a Responsible Firearms Policy, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

A. Steptoe & Johnson, 1250 Connecticut Avenue, Washington, D.C. 20036.

B. Robert College of Instanbul, Turkey, 305 East 45th Street, New York, N.Y. 10017.

A. B. H. Steuerwald, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. Wynne A. Stevens, Jr., 1901 North Fort Myer Drive, Arlington, Va. 22209.

B. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

D. (6) $870.

A. Travis B. Stewart, 1775 K Street NW., Washington, D.C. 20006.

B. Hoffmann-La Roche Inc., 340 Kingsland Street, Nutley, N.J. 07110.

D. (6) $500. E. (9) $100.

A. Edward W. Stimpson, 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

B. General Aviation Manufacturers Association, Inc., 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

D. (6) $406.50.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Footwear Group, American Importers Association, New York, N.Y.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Japan Iron & Steel Exporters' Association, Tokyo, Japan.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C. 20002.

B. Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C. 20002.

D. (6) $6,039.35. E. (9) $300.50.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C. 20009.

B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C. 20009.

D. (6) $1,000. E. (9) Under $100.

A. Harald E. Stringer, 1608 K Street NW., Washington, D.C.

B. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $5,910. E. (9) $698.97.

A. John Stringer, 686 11th Street NW., Washington, D.C. 20001.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $1,550.

A. Michael E. Strother, 1815 16th Street NW., Washington, D.C. 20036.

B. National Limestone Institute, Inc., 1815 16th Street NW., Washington, D.C. 20036.

E. (9) $57.

A. Norman Strunk, 111 East Wacker Drive, Chicago, Ill. 60601.

B. United States Savings & Loan League, 111 East Wacker Drive, Chicago, Ill. 60601.

D. (6) $2,250.

A. Walter B. Stults, 512 Washington Building, Washington, D.C. 20005.

B. National Association of Small Business Investment Companies, 512 Washington Building, Washington, D.C. 20005.

D. (6) $600.

A. G. Don Sullivan, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $575.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C. 20006.

B. Pacific Tropical Botanical Garden, 1270 Avenue of the Americas, New York, N.Y. 10020.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C. 20006.

B. Travelers Corp., One Tower Square, Hartford, Conn. 06115.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C. 20005.

B. Pharmaceutical Manufacturers Association.

A. Noble J. Swearingen, 128 C Street NE., Suite 61, Washington, D.C. 20002.

B. National Tuberculosis & Respiratory Disease Association, 1740 Broadway, New York, N.Y. 10019.

D. (6) $950. E. (9) $141.55.

A. David A. Sweeney, 25 Louisiana Avenue NW., Washington, D.C. 20001.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.

D. (6) $7,500.

A. John R. Sweeney, Solar Building, 1000 16th Street NW., Washington, D.C. 20036.

B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa. 18016.

D. (6) $400. E. (9) $279.20.

A. Russell A. Swindell, Post Office Box 2635, Raleigh, N.C. 27602.

B. North Carolina Railroad Association, Post Office Box 2635, Raleigh, N.C. 27602.

D. (6) $230.76. E. (9) $236.97.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington D.C. 20036.

A. Charles C. Talley, 100 Angus Court, Charlottesville, Va. 22901.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Richard M. Tempero, 2100 M Street NW., Washington, D.C. 20037.

B. Common Cause, 2100 M Street NW., Washington, D.C. 20037.

D. (6) $343.74.

A. L. D. Tharp, Jr., 1660 L Street NW., Suite 601, Washington, D.C. 20036.

B. Independent Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

D. (6) $300.

A. Clark W. Thompson, 402 Solar Building, 1000 16th Street NW., Washington, D.C. 20036.

B. Tenneco Inc., Post Office Box 2511, Houston, Tex. 77001.

A. Clark W. Thompson, 402 Solar Building, 1000 16th Street NW., Washington, D.C. 20036.

B. American National Insurance Co., Anico Building, Galveston, Tex. 77550.

A. William D. Thompson, 1660 L Street NW., Washington, D.C. 20036.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.

D. (6) $3,000. E. (9) $2,528.59.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C. 20006.

B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C. 20006.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $1,000. E. (9) $459.33.

A. David R. Toll, 1140 Connecticut Avenue, Washington, D.C.

B. National Association of Electrical Companies, 1140 Connecticut Avenue, Washington, D.C.

D. (6) $605. E. (9) $162.36.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C. 20036.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C. 20004.

B. U.S. Savings and Loan League, 111 East Wacker Drive, Chicago, Ill.

D. (6) $5,625. E. (9) $24.90.

A. Galen Douglas Trussell.

B. National Association of Manufacturers, 1133 15th Street NW., Washington, D.C. 20005.

D. (6) $792. E. (9) $478.54.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif. 94108.

E. (9) $108.05.

A. John D. Tyson.

B. International Paper Co., 1620 I Street NW., Room 700, Washington, D.C. 20006.

A. United Brotherhood of Carpenters & Joiners of America, 101 Constitution Avenue NW., Washingotn, D.C. 20001.

E. (9) $14,244.58.

A. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $2,169.10. E. (9) $2,169.10.

A. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.

E. (9) $25,068.57.

A. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.

E. (9) $300.13.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $619.19. E. (9) $619.19.

A. United States Savings and Loan League, 111 East Wacker Drive, Chicago, Ill.

E. (9) $43,202.95.

A. Universal Development Consultants, Inc., 425 13th Street NW., Washington, D.C. 20004.

B. Mortgage Bankers Association of America.

D. (6) $400. E. (9) $69.30.

A. David E. Ushio, 1730 Rhode Island Avenue NW., Suite 204, Washington, D.C. 20036.

B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif. 94115.

D. (6) $500.

A. John A. Vance, 1150 17th Street NW., Suite 1100, Washington, D.C. 20036.

B. Pacific Gas & Electric Co., 77 Beale Street, San Francisco, Calif. 94106.

D. (6) $2,304.75. E. (9) $1,882.13.

A. Theodore A. Vandersyde, Machinists Building, Washington, D.C. 20036.

B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,400. E. (9) $480.

A. Ted Van Dyk Associates, Inc., 1720 I Street NW., Suite 400, Washington, D.C. 20006.
B. United Air Lines, Post Office Box 66100, Chicago, Ill. 60666.
E. (9) $8.

A. Lois Van Valkenburgh, 1673 Preston Road, Alexandria, Va. 22302.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C. 20001.
D. (6) $80.

A. John W. Vardaman, Jr., 839 17th Street NW., Washington, D.C. 20006.
D. (6) $6,500. E. (9) $468.88.

A. Venable, Baetjer & Howard, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $1.46.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C. 20006.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $179. E. (9) $45.95.

A. L. T. Vice, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.
B. Standard Oil Co. of California, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.
E. (9) $165.

A. Walter D. Vinyard, Jr., 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 515, Blake Building, Washington, D.C. 20036.
D. (6) $1,500. E. (9) $250

A. Volume Footwear Retailers of America, 51 East 42d Street, New York, N.Y.
E. (9) $317.36.

A. Donn L. Waage, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Registered Bank, Holding Cos., 730 15th Street NW., Washington, D.C. 20005.
D. (6) $157.25. E. (9) $62.55.

A. E. R Wagner, 888 17th Street NW, Suite 601, Washington, D.C. 20006.
B. National Council of Technical Service Industries, 888 17th Street NW., Suite 601, Washington, D.C. 20006.
D. (6) $259.62. E. (9) $18.95.

A. Paul A. Wagner, 1126 16th Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers, 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $944.70. E. (9) $194.36.

A. Lionel L. Wallenrod, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. E. F. Waldrop, Jr., Suite 212, 300 New Jersey Avenue SE., Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $376.25.

A. Jack A. Waller, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Association of Fire Fighters, International Union, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $5,869.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C. 20036
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $1,153.20. E. (9) $322.11.

A. Charles S. Walsh.
B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $127.50. E. (9) $15.

A. William A. Walton, 800 Merchants National Bank Building, Eighth and Jackson Streets, Topeka, Kans. 66612.
B. Kansas Railroad Committee, 800 Merchants National Bank Building, Eighth and Jackson Streets, Topeka, Kans. 66612.

A. Richard W. Warden, 1126 16th Street NW., Washington, D.C. 20036.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich., 48214.
D. (6) $857.82. E. (9) $33.50.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C. 20005.
B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill. 60611.
D. (6) $900. E. (9) $850.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C. 20005.
B. American Occupational Therapy Association, 6000 Executive Boulevard, Suite 200, Rockville, Md., 20852.
D. (6) $450. E. (9) $340.

A. George B. Watts, 1155 15th Street NW., Washington, D.C. 20005.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $300.

A. Ray Wax, 1900 South Eads Street, Box 836, Arlington, Va. 22022.
B. National Association of Farmer Elected Committeemen, 1900 South Eads Street, Box 836, Arlington, Va. 22202.

A. Herman Webb, 400 First Street NW., Washington, D.C. 20001.
B. International Brotherhood of Electrical Workers, O'Hare Office Building, Suite 400, 10400 West Higgins Road, Rosemont, Ill. 60018.
D. (6) $525.

A. Clarence M. Weiner, 575 Madison Avenue, New York, N.Y. 10022.
B. Cigar Manufacturers Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.
D. (6) $9,999.99.

A. F. Paul Weiss, 1825 K Street NW., Washington, D.C. 20006.
B. United Air Lines, Post Office Box 66100, Chicago, Ill. 60666.
D. (6) $850. E. (9) $169.

A. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md. 20015.
B. Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. Paul S. Weller, 1129 20th Street NW., Washington, D.C. 20036.
B. National Council of Farmer Cooperatives, 1129 20th Street NW., Washington, D.C. 20036.
D. (6) $2,700. E. (9) $181.25.

A. Fred M. Wertheimer, 2100 M Street NW., Washington, D.C. 20037.
B. Common Cause, 2100 M Street NW., Washington, D.C., 20037.
D. (6) $6,600. E. (9) $80.

A. Terrell M. Wertz, 1608 K Street NW., Washington, D.C.
B. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,750. E. (9) $207.52.

A. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz. 85621.
E. (9) $500.

A. Clyde A. Wheeler, Jr., 1800 K Street NW., Suite 820, Washington, D.C. 20006.
B. Sun Oil Co., 240 Radnor-Chester Road, St. Davids, Pa. 19087.
D. (6) $7,000. E. (9) $1,750.

A. Wheeler, Van Sickle, Day & Anderson, 25 West Main Street, Madison, Wis. 53703.
B. Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.
D. (6) $450. E. (9) $6.83.

A. John C. White, Room 1008, 1101 17th Street NW., Washington, D.C. 20036.
B. Private Truck Council of America, Inc., Room 1008, 1101 17th Street NW., Washington, D.C. 20036.

A. John S. White, Marathon Oil Co., 420 Cafritz Building, Washington, D.C. 20006.
B. Marathon Oil Co., Findlay, Ohio 45840.
E. (9) $733.65.

A. Robert L. White, 7315 Wisconsin Avenue, Washington, D.C. 20014.
B. National Electrical Contractors Association, 7315 Wisconsin Avenue, Washington, D.C. 20014.

A. Douglas Whitlock II, 1660 L Street NW., Suite 1005, Washington, D.C. 20036.
B. Zale Corp., 1660 L Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $150.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif. 95814.
B. California Railroad Association, 11th and L Building, Sacramento, Calif. 95814.
D. (6) $2,750. E. (9) $5,212.70.

A. Joe G. Wiggs, 425 North Henry Street, Alexandria, Va. 22314.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Claude C. Wild, Jr., 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa. 15230.
D. (6) $1,000. E. (9) $250.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y. 10017.
E. (9) $482.08.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Arapahoe Tribe of Indians, Fort Washakie, Wyo.
E. (9) $93.15.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. American Association of Presidents of Independent Colleges and Universities, care

of John Howard, Rockford College, Rockford, Ill.
E. (9) $0.60.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. College Placement Council, Inc., 65 East Elizabeth Street, Bethlehem, Pa.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $389.45.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Crow Creek Sioux Tribe, Pierre Agency, Pierre, S. Dak.
E. (9) $33.31.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Dakota Association of Canada, Post Office Box 1193, Winnipeg, Manitoba, Canada.
E. (9) $118.47.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Estate of Albert W. Small, care of Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.
E. (9) $0.40.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Hoopa Valley Tribe, Post Office Box 817 Hoopa, Calif.
E. (9) $78.76.

A. Wilkinson, Cragum & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Bonneville International Corp., 136 East South Temple Street, Salt Lake City, Utah.
E. (9) $180.80.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Brigham Young University, Provo, Utah.
E. (9) $22.48.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $64.29.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C., 20006.
B. Quinaielt Tribe of Indians, Taholah, Wash.
E. (9) $46.76.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C. 20006.
B. Three Affiliated Tribes of the Fort Berthold Reservations, New Town, N. Dak.
E. (9) $97.64.

A. Williams, Connolly & Califano, 839 17th Street NW., Washington, D.C. 20006.
D. (6) $6,500. E. (9) $468.88.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.
B. National Council for Health Care Services, 407 N Street SW., Washington, D.C.
D. (6) $1,000. E. (9) $400.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.
B. International Utilities Corp., 1500 Walnut Street, Philadelphia, Pa. 19102.
D. (6) $5,000. E. (9) $400.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.
B. C. Brewer & Co., Ltd., Post Office Box 3470, Honolulu, Hawaii.
D. (6) $1,000. E. (9) $400.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.
B. Bankers Association of Puerto Rico, care of Wender, Murase & White, 350 Park Avenue, New York, N.Y. 10022.
D. (6) $1,000. E. (9) $400.

A. Francis G. Williams.
B. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.
D. (6) $100.

A. Harding de C. Williams, 1825 K Street NW., Washington, D.C. 20006.
B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif. 94119.
D. (6) $500. E. (9) $50.

A. Harry D. Williams, 1660 L Street NW., Suite 204-05, Washington, D.C. 20036.
B. Ashland Oil, Inc., Post Office Box 391, Ashland, Ky. 41101.
D. (6) $250.

A. Robert E. Williams, 1825 K Street NW., Washington, D.C. 20006.
B. United Air Lines, Post Office Box 66100, Chicago, Ill. 60666.
D. (6) $1,250. E. (9) $707.

A. John C. Williamson, 1300 Connecticut Avenue, Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.
D. (6) $8,000. E. (9) $172.85.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C. 20006.
B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.
D. (6) $3,960. E. (9) $28.55.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C. 20006.
B. Oil Investment Institute, 2500 Dunstan, Suite 605, Houston, Tex. 77005.

A. Wilmer, Cutler & Pickering, 900 17th Street NW., Washington, D.C. 20006.
B. American Airlines, Inc., 633 Third Avenue, New York, N.Y. 10017.
D. (6) $5,752.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La. 71106.
B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.
D. (6) $1,200. E. (9) $70.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex. 77002.
B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

A. Richard F. Witherall, Colorado Railroad Association, 702 Majestic Building, Denver, Colo. 80202.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo. 80202.

A. Peter L. Wolff, Suite 370, One Dupont Circle NW., Washington, D.C. 20036.
B. Association of American Law Schools, Suite 370, One Dupont Circle, NW., Washington, D.C. 20036.

A. Women's International League for Peace and Freedom, 1213 Race Street, Philadelphia, Pa. 19107.
D. (6) $3,645.76. E. (9) $6,042.53.

A. William E. Woods, 440 National Press Building, Washington, D.C. 20004.
B. National Association of Retail Druggists, One East Wacker Drive, Chicago, Ill. 60601.
D. (6) $750. E. (9) $150.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Flying Tiger Line., Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Signal Cos., Inc., 1010 Wilshire Boulevard, Los Angeles, Calif. 90017.

A. Wyman, Bautzer, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Merger Committee, National Basketball Association, 6101 16th Street NW., Washington, D.C. 20011; Merger Committee, American Basketball Association, 601 Portland Federal Building, 200 West Broadway, Louisville, Ky. 40202.
D. (6) $2,850.

A. Wyman, Bautzer, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Copyright Owners Negotiating Committee, care of Phillips, Nizer, Benjamin, Krim & Ballon, 477 Madison Avenue, New York, N.Y. 10022.

A. Wyman, Bautzer, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Embassy of the Government of the Republic of Korea, 2320 Massachusetts Avenue NW., Washington, D.C. 20008.

A. Wyman, Bautzer, Rothman, and Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Abe Pollin, 6101 16th Street NW., Washington, D.C. 20011.

A. Gerald L. Wykoff, 7315 Wisconsin Avenue, Washington, D.C. 20014.
B. National Electrical Contractors Association, 7315 Wisconsin Avenue, Washington, D.C. 20014.

A. V. T. Worthington, 1500 North Quincy Street, Box 7116, Arlington, Va. 22207.
B. Association of Petroleum Re-Refiners, 1500 No. Quincy Street, Arlington, Va. 22207.
D. (6) $375.

A. George M. Worden, Hill, and Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y. 10017.

A. Perry W. Woofter, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $252.

A. Wyman, Bautzer, Rothman & Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Alaska Federation of Natives, Inc., 1675 C Street, Anchorage, Alaska. 99501.

A. Wyman, Bautzer, Rothman, and Kuchel, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Association of Motion Picture and TV Producers 8480 Beverly Boulevard, Los Angeles, Calif. 90048; Hollywood AFL Film Council, 7715 Sunset Boulevard, Hollywood, Calif. 90046; Screen Actors Guild, 7750 Sunset Boulevard, Hollywood, Calif. 90046.

A. John H. Yingling, 905 16th Street NW., Washington, D.C. 20006.

B. First National City Bank, 399 Park Avenue, New York, N.Y. 10022.

D. (6) $200. E. (9) $131.06.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $6,331. E. (9) $404.98.

A. Albert H. Zinkand, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Getty Oil Company, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Charles O. Zuver, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $8,000. E. (9) $205.40.

* All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the second calendar quarter of 1972 were received too late to be included in the published reports for that quarter:

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. John J. Adams, Suite 550, 1819 H Street NW., Washington, D.C. 20006.
B. Vepco, Seventh and Franklin Streets, Richmond, Va.
D. (6) $150.

A. Alaska Interstate Co., Post Office Box 6554, 5051 Westheimer, Houston, Tex. 77005.

A. Frederick K. Alderson, 1900 L Street NW., Suite 205, Washington, D.C. 20036.
B. National Right to Work Committee, 1900 L Street NW., Washington, D.C. 20036.
D. (6) $740. E. (9) $306.31.

A. American Cancer Society, 219 East 42d Street, New York, N.Y. 10017.
E. (9) $2,000.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y. 10010.
D. (6) $7,497.83. E. (9) $7,497.83.

A. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.
D. (6) $16,507.08. E. (9) $2,794.96.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $6,116.84. E. (9) $6,116.84.

A. American Federation of State, County, and Municipal Employees, 1155 15th Street NW., Washington, D.C. 20005.
E. (9) $13,487.15.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $3,520.42. E. (9) $3,520.42.

A. American Humane Association, 5351 Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. American Institute of Housing Consultants, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $100. E. (9) $100.

A. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.
E. (9) $2,487.23.

A. American Nurses' Association, Inc., 2420 Pershing Road, Kansas City, Mo.
D. (6) $28,219.26. E. (9) $28,219.26.

A. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $5,203.72. E. (9) $5,203.72.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,264.58. E. (9) $1,264.58.

A. American Society of Consulting Planners, 1750 Old Meadow Road, McLean, Va. 22101.
E. (9) $1,250.

A. John Anderson, 4111 Franconia Road, Alexandria, Va.
B. Medical Society of the District of Columbia, 2007 I Street NW., Washington, D.C.

A. APCO Oil Corp., 1000 Liberty Bank Building, Oklahoma City, Okla. 73102.

A. Arkansas Railroads, 1100 Boyle Building, Little Rock, Ark. 72201.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Franklin Life Insurance Co., Franklin Square, Springfield, Ill. 62705.
E. (9) $15.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Maremont Corp., 168 North Michigan Avenue, Chicago, Ill. 60601.
D. (6) $1,735. E. (9) $35.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Powell Lumber Co., Lake Charles, La.
D. (6) $1,476.25. E. (9) $20.42.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Recording Industry Association of America, Inc., 1 East 57th Street, New York, N.Y. 10022.
D. (6) $1,249.98. E. (9) $1,046.47.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006.
E. (9) $405.

A. Richard W. Averill, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $800. E. (9) $301.

A. Bailey, Sipes, Williamson & Runyan, Inc., 1100 V and J Tower, Midland, Tex.

A. Charles W. Bailey, 1900 L Street NW., Suite 205, Washington, D.C., 20036.
B. National Right to Work Committee, 1900 L Street NW., Washington, D.C. 20036.

A. Robert B. Baldwin, Post Office Box 6554, 5051 Westheimer, Houston, Tex. 77005.
B. Alaska Interstate Co., Post Office Box 6554, Houston, Tex. 77005.

A. Peter M. Balitsaris, 1625 L Street NW., Washington, D.C. 20036.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $3,234.38. E. (9) $169.96.

A. C. Thomas Bendorf, 1620 I Street NW., Suite 205, Washington, D.C. 20006.
B. American Trial Lawyers Association.
D. (6) $1,500. E. $150.

A. Richard W. Bliss, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $475.

A. William Blum, Jr., 700 Federal Bar Building, 1815 H Street NW., Washington, D.C. 20006.
B. Committee for the Study of Revenue Bond Financing, care of William A. Geoghegan, 1000 Ring Building, Washington, D.C. 20036.
D. (6) $833.33. E. (9) $328.23.

A. Norman F. Blundell, 811 Dallas, Americana Building, Houston, Tex. 77002.
B. Gulf Interstate Engineering Co., 811 Dallas, Americana Building, Houston, Tex. 77002.

A. Frederick C. Bond III, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill.
D. (6) $79.68. E. (9) $82.65.

A. Melvin J. Boyle, 1125 15th Street NW., Washington, D.C. 20005.
B. International Brotherhood of Electrical Workers, AFL–CIO–CLC, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $5,000.

A. Cyril F. Brickfield, 1225 Conecticut Avenue NW., Washington, D.C. 20036.
B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $208.

A. Wally Briscoe.
B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $135. E. (9) $16.50.

A. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $22,090.78. E. (9) $22,090.78.

A. David Brower, 620 C Street SE., Washington, D.C. 20003.
B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.
D. (6) $1,000.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C. 20006.
B. American Institute of CPA's, 666 Fifth Avenue, New York, N.Y. 10019.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C. 20006.
B. American Institute of CPA's, 666 Fifth Avenue, New York, N.Y. 10019.

A. Philip N. Buckminster, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Chrysler Corp., 12000 Oakland Avenue, Highland Park, Mich. 48231.
D. (6) $1,000. E. (9) $248.71.

A. Richard L. Bullock, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. National Association of Building Manufacturers, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Hearst Corp., 959 Eighth Avenue, New York, N.Y. 10019.
E. (9) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $3,000. E. (9) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Parcel Post Association, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $700.

A. Burwell, Hansen & McCandless, 700 Federal Bar Building West, Washington, D.C. 20006.
B. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y.
D. (6) $3,000. E. (9) $322.42.

A. Monroe Butler, 1801 Avenue of the Stars, Suite 1106, Los Angeles, Calif. 90067.
B. The Superior Oil Co., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y. 10005.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y. 10005.

A. Canal Zone Central Labor Union-Metal Trades Council, AFL–CIO, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $1,396.37. E. (9) $1,158.81.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Alaska Interstate Co, 2200 Post Oak Tower, 5051 Westheimer, Houston, Tex. 77027; Apco Oil Corp., Liberty Bank Building, Oklahoma City, Okla. 73102; Gulf Interstate Co., American Building, Houston, Tex. 77022.

A. Casey Lane & Mittendorf, 26 Broadway, New York, N.Y. 10004.

B. South African Sugar Association, Post Office Box 507, Durban, South Africa.

D. (6) $25,000. E. (9) $2,034.04.

A. Justice M. Chambers, 2300 Calvert Street NW., Washington, D.C. 20008.

B. Swaziland Sugar Association, Post Office Box 445, Mbabane, Swaziland.

D. (6) $6,333.36. E. (9) $3,368.32.

A. J. M. Chambers & Co., Inc., 2300 Calvert Street NW., Washington, D.C. 20008.

B. Cordage Institute, 2300 Calvert Street NW., Washington, D.C. 20008.

D. (6) $937.50.

A. Hal M. Christensen, 1101 17th Street NW., Washington, D.C. 20036.

B. American Dental Association, 1101 17th Street NW., Washington, D.C. 20036.

D. (6) $2,250.

A. Lowell I. Christison, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

D. (6) $76.96. E. (9) $41.90.

A. Albert T. Church, Jr., 1625 K Street NW., Washington, D.C. 20006.

B. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.

D. (6) $52.50. E. (9) $2.91.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Suite 712, Washington, D.C. 20036.

D. (6) $5,850. E. (9) $7,325.67.

A. Clay Pipe Industry Depletion Committee, Post Office Box 6, Pittsburg, Kans., 66762.

A. Coalition Against Strip Mining, 324 C Street SE., Washington, D.C. 20003.

D. (6) $1,000. E. (9) $2,021.24.

A. Coalition for Rural America, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $8,970. E. (9) $16,676.07.

A. Carl A. S. Coan, Jr., 1625 L Street NW., Washington, D.C. 20036.

B. National Association of Home Builders of the United States, 1625 L Street, NW., Washington, D.C. 20036.

D. (6) $6,562.49. E. (9) $401.46.

A. Robert E. Cole, 1619 Massachusetts Avenue, NW., Washington, D.C. 20036.

B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich. 48202.

D. (6) $500.

A. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y. 10023.

D. (6) $23,490.97. E. (9) $19,904.70.

A. Committee for Modern, Efficient Transportation, Suite 808–10, 910 17th Street NW., Washington, D.C. 20006.

A. Robert J. Conner, Jr., 1100 Connecticut Avenue NW., Washington, D.C. 20036.

B. Chrysler Corp., 12000 Oakland Avenue, Highland Park, Mich. 48231.

D. (6) $500. E. (9) $325.

A. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill., 60611.

B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.

D. (6) $2,600.

A. Council of AFL–CIO Unions for Scientific, Professional and Cultural Employees, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $1,250. E. (9) $1,250.

A. Roger C. Courtney, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank, Peoria, Ill. 61602.

D. (6) 230.36. E. (9) $235.40.

A. John A. Couture, 1625 L Street NW., Washington, D.C. 20036.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C. 20036.

D. (6) $4,406.27. E. (9) $207.11.

A. Peter Coye, 413 East Capitol Street S.E., Washington, D.C.

B. National Student Lobby, 413 East Capitol Street SE., Washington, D.C.

D. (6) $450.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $3,046.70. E. (9) $1,057.20.

A. Culbertson, Pendleton & Pendleton, 1 Farragut Square, South Suite 800, Washington, D.C. 20006.

B. Canned Meat Importers' Association, in care of DELTEC International, Ltd., 2801 Ponce De Leon Boulevard, Coral Gables, Fla.

D. (6) $1,245. E. (9) $227.87.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Lumber Importers' Association, Tokyo, Japan.

D. (6) $1,850. E. (9) $68.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C. 20006.

B. National Office Machine Dealers Association, 2510 Dempster Street, Des Plaines, Ill. 60016.

E. (9) $185.85.

A. Richard C. Darling, 1156 15th Street NW., Washington, D.C. 20005.

B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $600. E. (9) $582.36.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C. 20005.

B. D.C. Transit Systems, Inc., Washington, D.C.

D. (6) $4,000.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C. 20005.

B. Guild of Prescription Opticians, Inc., 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C. 20005.

B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C. 20005.

B. Association of Plaintiffs Trial Attorneys of Metropolitan Washington, D.C., Inc., 910 17th Street NW., Washington, D.C. 20005.

D. (6) $1,500.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C. 20005.

B. C. I. T. Financial Corp., 650 Madison Avenue, New York, N.Y. 10022.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C. 20005.

B. United States Brewers Association, Inc., 1750 K Street NW., Washington, D.C. 20006.

A. Vincent A. Demo, 25 Broadway, New York, N.Y. 10004.

B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y. 10004.

D. (6) $6,875. E. (9) $1,830.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railway, Airline and Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

D. (6) $850. E. (9) $116.

A. Joseph E. Dillon, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.

B. The Toro Co., 8111 Lyndale Avenue South, Minneapolis, Minn. 55420.

A. Harry J. Doyle, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank, Peoria, Ill. 61602.

D. (6) $372.62. E. (9) $344.06.

A. Pauline B. Dunckel, 1901 North Fort Myer Drive, Suite 900, Arlington, Va. 22209.

B. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

A. Eastern Meat Packers Association, Inc., 734 15th Street NW., Washington, D.C. 20005.

D. (6) $105.74. E. (9) $34.01.

A. Hope Eastman, 1424 16th Street, Washington, D.C. 20036.

B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y. 10010.

D. (6) $7,497.83. E. (9) $7,497.83.

A. Daniel J. Edelman, Inc., 1717 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Safety Belt Council, Post Office Box 467, New Rochelle, N.Y. 10802.

D. (6) $2,150. E. (9) $152.20.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C. 20036.

B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C. 20036.

D. (6) $250. E. (9) $188.21.

A. D. A. Ellsworth, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

D. (6) $5,514. E. (9) $1,211.04.

A. Roy Elson, 1771 N Street NW., Washington, D.C. 20036.

B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.

D. (6) $4,200. E. (9) $503.65.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $4,480. E. (9) $4,782.35.

A. Alfred S. Ercolano, 1775 K Street NW., Washington, D.C. 20006.

B. College of American Pathologists, 230 North Michigan Avenue, Chicago, Ill. 60601.

D. (6) $1,875. E. (9) $175.

A. Federation of American Scientists, 203 C Street NE., Washington, D.C. 20002.

D. (6) $12,978.93. E. (9) $2,238.60.

A. Edward R. Fellows, Jr., 1200 17th Street NW., Suite 500, Washington, D.C. 20036.

B. National League of Insured Savings Associations, 1200 17th Street NW., Suite 500, Washington, D.C. 20036.

D. (6) $350. E. (9) $25.25.

A. Francis C. Fini, 1501 Pennsylvania Avenue SE., Washington, D.C. 20003.

B. Air Force Sergeants Association, Inc., 1501 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Forest Farmers Association, 4 Executive Park East NE., Atlanta, Ga. 30329.

D. (6) $3,050. E. (9) $798.58.

A. Charles L. Frazier, 485 L'Enfant Plaza, SW., Room 2250, Washington, D.C. 20024.

B. National Farmers Organization, Corning, Iowa 50841.

D. (6) $1,950. E. (9) $1,473.36.

A. Frosh, Lane & Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Institute of Housing Consultants, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $100.

A. Frosh, Lane & Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Institute for Government Assisted Housing, 1133 Fifteenth Street NW., Washington, D.C. 20005.

D. (6) $250.

A. Frosh, Lane & Edson, 1025 Connecticut Avenue, NW., Washington, D.C. 20036.

B. National Association of Building Manufacturers, 1619 Massachusetts Avenue, NW., Washington, D.C. 20036.

D. (6) $1,200.

A. Frosh, Lane & Edson, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. The Section 23 Leased Housing Association, Suite 707, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $450.

A. David C. Fullarton, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

D. (6) $480.

A. Marion H. Garstang, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $400. E. (9) $19.37.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C. 20036.

D. (6) $26,200. E. (9) $3,257.78.

A. Leo J. Gehrig, 1 Farragut Square South, Washington, D.C. 20006.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.

D. (6) $264.80. E. (9) $18.56.

A. General Aviation Manufacturers Association, 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

A. Louis Gerber, 1925 K Street NW., Washington, D.C. 20006.

B. Communications Workers of America, 1925 K Streets NW., Washington, D.C. 20006.

E. (9) $2,899.96.

A. John A. C. Gibson, 1155 15th Street NW., Washington, D.C. 20005.

B. American Federation of State, County, and Municipal Employees, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $3,750. E. (9) $347.39.

A. Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.

A. Jack Golodner, 1225 19th Street NW., Washington, D.C. 20036.

B. Actors' Equity Association, 165 W. 46th Street, New York, N.Y. 10036.

D. (6) $2,500. E. (9) $310.

A. Jack Golodner, 1155 15th Street NW., Washington, D.C. 20005.

B. Council of AFL-CIO Unions for Scientific, Professional and Cultural Employees, 1155 15th Street NW., Washington, D.C.

D. (6) $1,000.

A. Vance V. Goodfellow, 828 Midland Bank Building, Minneapolis, Minn. 55401.

B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn. 55401.

D. (6) $5,625. E. (9) $451.57.

A. Frederick D. Goss, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

D. (6) $315.

A. Gulf Interstate Engineering Co., 811 Dallas, Americana Building, Houston, Tex. 77002.

A. R. William Habel, 1771 N Street NW., Washington, D.C. 20036.

B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.

D. (6) $2,880. E. (9) $211.78.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. AFL-CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.

E. (9) $55.98.

A. John F. Hall, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

E. (9) $1,517.70.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill. 60602.

A. John W. Hammett, 1000 Liberty Bank Building, Oklahoma City, Okla. 73102.

B. APCO Oil Corp., 1000 Liberty Bank Building, Oklahoma City, Okla. 73102.

A. Donald L. Harlow, 310 Riley Street, Falls Church, Va., 22046.

B. Air Force Sergeants Association, Inc., 1501 Pennsylvania Avenue SE., Washington, D.C. 20003.

A. Ralph E. Heal, 250 West Jersey Street, Elizabeth, N.J. 07207.

B. National Pest Control Association, 250 West Jersey Street, Elizabeth, N.J. 07207.

D. (6) $620. E. (9) $241.65.

A. Robert B. Heiney, National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $875. E. (9) $455.66.

A. Ross E. Heller, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2110 M Street NW., Suite 700, Washington, D.C. 20037.

D. (6) $905.

A. M. F. Hicklin, 720 Bankers Trust Building, Des Moines, Iowa 50309.

B. Iowa Railway Association, 720 Bankers Trust Building, Des Moines, Iowa 50300.

A. Ralph D. Hodges, Jr., 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

B. National Forest Products Association.

A. Thomas P. Holley, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. O. Charles Honig, Post Office Box 6554, 5051 Westheimer, Houston, Tex. 77005.

B. Alaska Interstate Co., Post Office Box 6554, Houston, Tex. 77005.

A. Harold K. Howe, 400 Walker Building, 734 15th Street NW., Washington, D.C. 20005

A. Howrey, Simon, Baker & Murchison, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Power Tool Institute, 604 Davis Street, Evanston, Ill.

D. (6) $450. E. (9) $450.

A. Peter W. Hughes, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

A. Gregory A. Humphrey, 1012 14th Street NW., Washington, D.C. 20005.

B. American Federation of Teachers, AFL-CIO, 1012 14th Street NW., Washington, D.C. 20005.

E. (9) $1,008.67.

A. Philip A. Hutchinson, Jr., East Benning Road, Galesville, Md., 20765.

B. Committee on Federal Procurement A/E Services; 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $500.

A. Gerald W. Hyland, 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $936.92. E. (9) $372.15.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C. 20005.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $312.50.

A. Institute for Government Assisted Housing, 1133 15th Street NW., Washington, D.C. 20005.

D. (6) $250. E. (9) $250.

A. Glen L. Jermstad, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. Coalition for Rural America, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $600. E. (9) $334.42.

A. Francis A. Kelly, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. The American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,000.

A. Kennedy & Leighton, 868 17th Street NW., Washington, D.C. 20006.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C.

D. (6) $92.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railways, Airline and Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

D. (6) $5,294.40. E. (9) $672.

A. Peter M. Kirby, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association.
D. (6) $750. E. (9) $599.81.

A. Kominers, Fort, Schlefer & Boyer, Fifth Floor, Tower Building, Washington, D.C. 20005.
B. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.
D. (6) $2,325. E. (9) $1,729.25.

A. Laurence F. Lane, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

A. Reed E. Larson, 1900 L Street NW., Suite 205, Washington, D.C. 20036.
B. National Right to Work Committee, 1900 L Street NW., Washington, D.C. 20036.

A. Dillard B. Lasseter, Post Office Box 270, Washington, D.C. 20041.
B. American Trucking Association, 1616 P Street NW., Washington, D.C.
D. (6) $3,525.

A. Donald F. Lavanty, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $1,062.68. E. (9) $807.80.

A. League for Economic Assistance and Development, Inc., 390 Plandome Road, Manhasset, N.Y. 11030.
D. (6) $385.06. E. (9) $385.08.

A. Charles W. Lee, Room 211, Congressional Hotel, 300 New Jersey Avenue SE., Washington, D.C. 20003.
B. Full Funding of Education Programs, 300 New Jersey Avenue SE., Washington, D.C.
D. (6) $325. E. (9) $30.

A. Robert J. Leigh, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.
D. (6) $156.

A. Liberty Lobby, Inc., 130 Third Street SE., Washington, D.C. 20003.
D. (6) $2,527.02. E. (9) $17,522.84.

A. Charles B. Lipsen.
B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $10,100. E. (9) $531.

A. J. Patrick Logue, 100 935 North Van Dorn, Alexandria, Va.
B. American Nurses' Association, Inc., 2420 Pershing Road, Kansas City, Mo. 64108.
D. (6) $3,563.28.

A. Raymond W. Lucia, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Motorcycle Industry Council, Inc., 1001 Connecticut Avenue NW., Washington, D.C. 20036.

A. LeRoy E. Lyon, Jr., 11th and L Building, Sacramento, Calif. 95814.
B. California Railroad Association, 11th and L Building, Sacramento, Calif. 95814.

A. John V. Maraney, 324 East Capitol Street, Washington, D.C. 20003.
B. National Star Route Mail Carriers' Association, 324 East Capitol Street, Washington, D.C. 20003.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah. 84101.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah. 84101.
D. (6) $4,416.90. E. (9) $971.92.

A. Richard E. Martinez, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, care of Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.
D. (6) $292.90. E. (9) $474.90.

A. Guy B. Maseritz, 1701 K Street NW., Washington, D.C. 20006.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. 10017.

A. Albert E. May, 1625 K Street NW., Washington, D.C. 20006.
B. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.
D. (6) $38.50. E. (9) $2.32.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 410, Washington, D.C. 20001.
B. Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO, 2800 North Sheridan Road, Chicago, Ill. 60657.
D. (6) $5,657. E. (9) $680.

A. C. H. McCall, Post Office Box 6554, 5051 Westheimer, Houston, Tex. 77005.
B. Alaska Interstate Co., Post Office Box 6554, Houston, Tex. 77005.
A. John L. McConnell, 1660 L Street NW., Washington, D.C. 20036.
B. New York Stock Exchange, Inc., 11 Wall Street, New York, N.Y. 10005.
D. (6) $1,200. E. (9) $325.

A. Peter E. McGuire, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Railway, Airline and Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $3,054. E. (9) $752.78.

A. William F. McKenna, 1200 17th Street NW., Suite 500, Washington, D.C. 20036.
B. National League of Insured Savings Associations, 1200 17th Street NW., Suite 500, Washington, D.C. 20036.
D. (6) $1,025.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y. 10017.
E. (9) $2,593,27.

A. Carl J. Megel, 1012 14th Street NW., Washington, D.C. 20005.
B. American Federation of Teachers, AFL-CIO, 1012 14th Street NW., Washington, D.C. 20005.
E. (9) $7,580.

A. Lester F. Miller, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $254. E. (9) $15.

A. Paul J. Minarchenko, Jr., 1155 15th Street NW., Washington, D.C. 20005.
B. American Federation of State, County, and Municipal Employees, 155 15th Street NW., Washington, D.C. 20005.
D. (6) $5,000. E. (9) $649.

A. Clarence Mitchell, 422 First Street SE., Washington, D.C. 20003.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y. 10019.
D. (6) $4,000.

A. John G. Mohay, 734 15th Street NW., Washington, D.C. 20005.
B. The National Independent Meat Packers Association, 734 15th Street NW., Washington, D.C. 20005.
D. (6) $337.51.

A. Michael Monroney, 1701 K Street NW., Suite 1000, Washington, D.C. 20036.
B. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
D. (6) $950.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C. 20005.
B. The American Humane Association, Post Office Box 1266, Denver, Colo. 80201.
D. (6) $1,500.

A. John Morgan, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
E. (9) $580.65.

A. Lynn E. Mote, Northern Natural Gas Co., 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr. 68102.
D. (6) $2,000.

A. Motorists United for Ecology, Inc., 3477 New Ridge Drive, Palos Verdes, Calif. 90274.
D. (6) $828. E. (9) $280.71.

A. Richard E. Murphy, 900 17th Street NW., Washington, D.C. 20006.
B. Service Employees International Union, AFL–CIO, 900 17th Street NW., Washington, D.C. 20006.
D. (6) $1,000. E. (9) $100.

A. J. Walter Myers, Jr., 4 Executive Park East NE., Atlanta, Ga. 30329.
B. Forest Farmers Association, 4 Executive Park NE., Altanta, Ga. 30329.
D. (6) $220. E. (9) $169.22.

A. National Air Carrier Association, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $875. E. (9) $875.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $864.11 E. (9) $1,030.40.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y. 10019.
D. (6) $14,016.79. E. (9) $14,353.20.

A. National Association of Building Manufacturers, 1619 Massachsuetts Avenue NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $1,500.

A. National Association of Home, Builders of the United States, 1625 L Street NW., Washington, D.C. 20036.
D. (6) $32,679.34. E. (9) $33,035.55.

A. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.
E. (9) $12,376.74.

A. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $654,057.57. E. (9) $5,496.58.

A. National Citizens Committee for Revenue Sharing, 707 National Press Building, Washington, D.C. 20004.
E. (9) $186.82.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $3,707.68. E. (9) $4,186.14.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Suite 632, Washington, D.C. 20036.

D. (6) $15,727.61. E. (9) $23,664.

A. National Independent Meat Packers Association, 734 15th Street NW., Washington, D.C. 20005.

D. (6) $945. E. (9) $2,327.80.

A. National League of Insured Savings Associations, 1200 17th Street NW., Suite 500, Washington, D.C. 20036.

D. (6) $24,035.62. E. (9) $2,217.87.

A. National Rural Letter Carriers Asso-Street NW., Washington, D.C.

E. (9) $825.

A. National Patent Council, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.

D. (6) $985. E. (9) $750.

A. National Right to Work Committee, 1900 L Street NW., Washington, D.C. 20036.

D. (6) $2,679.30. E. (9) $2,679.30.

A. National Rural Housing Coalition, DuPont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $230. E. (9) $3,437.91.

A. National Rural Letter Carriers Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

E. (6) $3,507. E. (9) $4,469.

A. National Sharecroppers Fund, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $9,404.85. E. (9) $14,789.50.

A. National Student Lobby, 413 East Capitol Street SE., Washington, D.C.

D. (6) $900. E. (9) $1,000.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $4,161.66. E. (9) $4,585.31.

A. National Telephone Cooperative Association, 2100 M Street NW., Suite 700, Washington, D.C. 20037.

E. (9) $1,856.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.

D. (6) $16,777.60. E. (9) $6,194.06.

A. Ivan A. Nestingen, 1000 Connecticut Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wisc.

D. (6) $300. E. (9) $265.85.

A. William E. Neumeyer, Suite 900, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. GTE Service Corp., 730 Third Avenue, New York, N.Y. 10017.

D. (6) $108.

A. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y. 10004.

D. (6) $2,500. E. (9) $13,298.

A. F. Clayton Nicholson, Box 15, Route 1, Henryville, Pa. 18332.

B. Northern Helex Co., 2223 Dodge Street, Omaha, Nebr., 68102.

D. (6) $2362.50. E. (9) $209.05.

A. Julia Norrell, 1155 15th Street NW., Washington, D.C. 20005.

B. American Federation of State, County, and Municipal Employees, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $3,250. E. (9) $170.76.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C. 20006.

B. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn. 55402.

A. Claude E. Olmstead, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $254. E. (9) $18.

A. Layton Olson, 413 East Capitol Street SE., Washington, D.C.

B. National Student Lobby, 413 East Capitol Street SE., Washington, D.C.

D. (6) $450.

A. Charles T. O'Neill, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. The American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,000. E. (9) $127.94.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa. 19035.

B. Campbell Soup Co., Campbell Place, Camden, N.J. 08101.

A. Lew M. Paramore, Box 1310, Kansas City, Kans. 66117.

B. Mo-Ark Basins Flood Control & Conservation Association, Box 1310, Kansas City, Kans. 66117.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1775 K Street NW., Washington, D.C. 20006.

B. Alaska Federation of Natives, 1689 C Street, Anchorage, Alaska 99501.

A. Jack Pearce, Suite 806–10, 910 17th Street NW., Washington, D.C. 20006.

B. Committee on Modern, Efficient Transportation.

A. Pepper, Hamilton & Scheetz, 123 South Broad Street, Philadelphia, Pa.

B. Glenmede Trust Co., 1608 Walnut Street, Philadelphia, Pa.

E. (9) $896.95.

A. A. Harold Peterson, 715 Cargill Bldg., Minneapolis, Minn. 55402.

B. National REA Telephone Association, 715 Cargill Building, Minneapolis, Minn. 55402.

D. (6) $2,500. E. (9) $2,573.89.

A. James H. Pittinger, 1000 Liberty Bank Bldg., Oklahoma City, Okla. 73102.

B. APCO Oil Corp., 1000 Liberty Bank Bldg., Oklahoma City, Okla. 73102.

A. James B. Potter, Jr., 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. Motorcycle Industry Council, Inc., 1001 Connecticut Avenue NW., Washington, D.C. 20036.

A. William I. Powell, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $15.90.

A. Power Tool Institute, 604 Davis Street, Evanston, Ill. 60204.

D. (6) $450. E. (9) $450.

A. H. P. Pressler, 1122 Southwest Tower, Houston, Tex. 77002.

B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C. 20036.

D. (6) $400. E. (9) $110.

A. Pugsley, Hayes, Watkiss, Campbell, and Cowley, 400 El Paso Gas Bldg., Salt Lake City, Utah 84111.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.

B. Atkins, Kroll & Co., Ltd., 417 Montgomery Street, San Francisco, Calif.

D. (6) $1,500.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.

B. The Department of Tourism, Hamilton, Bermuda.

D. (6) $1,666. E. (9) $5.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.

B. Island Equipment Co., 3300 Northeast Yeon Avenue, Portland, Oreg.

D. (6) $1,500.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.

B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.

D. (6) $900.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

D. (6) $450.

A. Rial M. Rainwater, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $254. E. (9) $14.

A. Louis J. Rancourt, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railway, Airlines & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

A. Recording Industry Association of America, Inc., 1 East 57th Street, New York, N.Y. 10022.

D. (6) $70,388.02. E. (9) $13,940.65.

A. Recreational Vehicle Institutes, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill. 60018.

E. (9) $11,344.50.

A. John T. Raggitts, Jr., R. D. No. 2 Boonton Avenue, Boonton, N.J. 07005.

A. Reserve Officers Association of U.S., 1 Constitution Avenue NE., Washington, D.C.

D. (6) $956.30. E. (9) $618.

A. William L. Reynolds, Suite 500, 1200 17th Street NW., Washington, D.C. 20036.

B. National League of Insured Savings Associations, Suite 500, 1200 17th Street NW., Washington, D.C. 20036.

D. (6) $740. E. (9) $76.

A. James W. Richards, 910 South Michigan Avenue, Chicago, Ill. 60605.

B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill. 60605.

D. (6) $1,609.81. E. (9) $30.22.

A. Mark Richardson, 432 Madison Avenue, New York, N.Y.

B. American Footwear Industrial Association, Inc., 342 Madison Avenue, New York. N.Y.

D. (6) $270. E. (9) $250.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. The Kellogg Co., Battle Creek, Mich.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. Volume Footwear Retailers of America, 51 East 42d Street, New York, N.Y. 10013.

A. John Riley, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C. 20036.

D. (6) $665.62. E. (9) $33.95.

A. Thomas G. Roderick, 1101 16th Street NW., Washington, D.C.

B. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C. 20036.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $2,250. E. (9) $88.46.

A. John F. Rolph III, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $500.

A. Ross, Marsh & Foster, 730 15th Street NW., Washington, D.C. 20005.

A. Raymond L. Schafer, Room 610, Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn. 38112.

D. (6) $3,750. E. (9) $261.54.

A. Stuart Philip Ross, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Motorcycle Industry Council, Inc., 1001 Connecticut Avenue NW., Washington, D.C. 20036.

A. Arlie Schardt, 410 First Street SE., Washington, D.C. 20003.

B. American Civil Liberties Union, 22 East 40th Street, New York, N.Y. 10016.

D. (6) $7,497.83. E. (9) $7,497.83.

A. Eric P. Schellin, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.

B. National Patent Council, 1225 19th Street NW., Suite 409, Washington, D.C. 20036.

D. (6) $750.

A. A. Cleve Schneeberger, 1211 Connecticut Avenue NW., Washington, D.C.

B. Portland Cement Association, Old Orchard Road, Skokie, Ill. 60076.

A. Durward Seals, 777 14th Street NW., Washington, D.C. 20005.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $231.25. E. (9) $61.12.

A. Section 23 Leased Housing Association, Suite 707, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $450. E. (9) $450.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C. 20036.

D. (6) $962.50. E. (9) $88.22.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association.

D. (6) $1,479. E. (9) $297.64.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C.

B. Children's Hospital of the District of Columbia, 2125 13th Street NW., Washington, D.C.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C.

B. El Paso Natural Gas Co., El Paso, Tex.

D. (6) $7,978. E. (9) $2,673.52.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa. 15222.

D. (6) $5,862.75. E. (9) $3,478.88.

A. Norman R. Sherlock, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association.

D. (6) $865. E. (9) $520.70.

A. Lana H. Sims, 1008 Security Federal Building, Columbia, S.C. 29201.

B. South Carolina Railroad Association, 1008 Security Federal Building, Columbia, S.C. 29201.

D. (6) $17.74. E. (9) $13.

A. Julian H. Singman, 724 14th Street NW., Washington, D.C.

B. International Longshoremen's Association, AFL–CIO, 17 Battery Place, Suite 1530, New York, N.Y. 10004.

D. (6) $6,068. E. (9) 141.35.

A. Hall Sisson, 1925 K Street NW., Washington, D.C. 20006.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.

E. (9) 2,801.04.

A. William L. Slayton, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

B. American Institute of Architects, 1785 Massachusetts Avenue NW., Washington, D.C. 20036.

D. (6) $1,500.

A. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va. 22207.

B. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Suite 712, Washington, D.C. 20036.

D. (6) $2,040.10. E. (9) $2,707.93.

A. Frederick F. Spalding, Box 96, RR3, Annapolis, Md. 21403.

E. (9) $64.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex. 75225.

D. (6) $150. E. (9) $150.

A. Edward W. Stimpson, 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

B. General Aviation Manufacturers Association, Inc., 1025 Connecticut Avenue NW., Suite 1215, Wahington, D.C. 20036.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C. 20006.

B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.

E. (9) $43.21.

A. Sutton & O'Rourke, 1108 16th Street NW., Washington, D.C. 20036.

B. Union National de Productores de Azucar, S.A. de C.V., Balderas 36, Mexico, D.F., Mexico.

D. (6) $8,000. E. (9) $2,718.19.

A. Ivan Swift, 1925 K Street NW., Washington, D.C. 20006.

B. Communications Workers of America.

E. (9) $1,515.19.

A. Robert F. Sykes, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

E. (9) 125.59.

A. Evert S. Thomas, Jr., 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $1,125.94. E. (9) $258.20.

A. J. Woodrow Thomas Associates, Inc., 1730 M Street NW., Suite 609, Washington, D.C. 20036.

B. Morgan Drive Away, Inc., 2800 West Lexington Avenue, Suite 103, Elkhart, Ind. 46614.

D. (6) $2,000.

A. J. Woodrow Thomas Associates, Inc., 1730 M Street NW., Suite 609, Washington, D.C. 20036.

B. REA Express, Inc., 219 East 42d Street, New York, N.Y. 10017.

D. (6) $1,500.

A. J. Woodrow Thomas Associates, Inc., 1730 M Street NW., Suite 609, Washington, D.C. 20036.

B. R. Markey & Sons, Inc., 90 Wall Street, New York, N.Y. 10005.

D. (6) $3,750.

A. J. Woodrow Thomas Associates, Inc., 1730 M Street NW., Suite 609, Washington, D.C. 20036.

B. Wall-Away Corp., 505 West Canal Street, Wabash, Ind.

A. Tipperary Land & Exploration Corp., 500 West Illinois, Midland, Tex. 79701.

A. John P. Tracey.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C. 20036.

D. (6) $400. E. (9) $50.

A. J. P. Trainor, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

D. (6) $3,132. E. (9) $1,019.75.

A. W. M. Trevarrow, 1056 National Press Building, Washington, D.C. 20004.

B. American Motors Corp., 14250 Plymouth Road, Detroit, Mich. 48232.

D. (6) $4,250. E. (9) $165.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif. 94108.

D. (6) $15. E. (9) $201.75.

A. W. Lloyd Tupling, 324 C Street SE., Washington, D.C. 20003.

B. Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.

D. (6) $4,500. E. (9) $47.

A. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C. 20005.

D. (6) $2,090.52. E. (9) $2,090.52.

A. Ted Van Dyk Associates, Inc., 1720 Eye Street NW., Suite 400, Washington, D.C. 20006.

B. Hertz Corp., 660 Madison Avenue, New York, N.Y. 10021.

E. (6) $56.77.

A. DeMelt E. Walker, 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $682.84. E. (9) $161.

A. Charles S. Walsh.

B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C.

D. (6) $127.50. E. (9) $15.

A. Richard D. Warden, 1763 R Street NW., Washington, D.C. 20009.

B. Washington Research Project Action Council, 1763 R Street NW., Washington, D.C. 20009.

D. (6) $15,000. E. (9) $8,570.94.

A. James A. Warren, 5500 Friendship Boulevard, Chevy Chase, Md. 20015.

B. REA Express, Inc., 219 East 42d Street, New York, N.Y. 10017.

D. (6) $450. E. (9) $150.

A. Fred W. Wegner, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Association of Retired Persons/National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C. 20036.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif. 95814.

B. California Railroad Association, 11th and L Building, Sacramento, Calif., 95814.

D. (6) $2,750. E. (9) $7,101.48.

A. Augusta E. Wilson, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. Coalition for Rural America, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $7,291.65.

A. Burton C. Wood, 1625 L Street NW., Washington, D.C. 20036.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C. 20036.

D. (6) $4,968.77. E. (9) $505.57

A. William E. Woods, 440 National Press Building, Washington, D.C. 20004.

B. National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill. 60601.

D. (6) $750. E (9) $150.

A. Robert C. Zimmer, Suite 220, 1175 K Street NW., Washington, D.C. 20006.

B. Charge Account Bankers Association, Suite 220, 1775 K Street NW., Washington, D.C. 20006.

A. John L. Zorack, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association.

D. (6) $1,415. E. (9) $365.30.

SENATE—*Wednesday, October 18, 1972*

The Senate met at 12 noon and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, in whom we live and move and have our being, rule over the deliberations of this body for Thy glory and the good of these people, and to Thee shall be our praise and thanksgiving.

Now may the Lord bless you and keep you: the Lord make His face to shine upon you, and be gracious unto you: the Lord lift up His countenance upon you, and give you peace; now and evermore. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, D.C., October 18, 1972.*
>
> *To the Senate:*
>
> Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.
>
> JAMES O. EASTLAND,
> *President pro tempore.*

Mr. ALLEN thereupon took the Chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 14628) to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes, in which it requested the concurrence of the Senate.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 17, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

NATIONAL INSTITUTE OF EDUCATION

The second assistant legislative clerk read the nomination of Thomas K. Glennan, Jr., of Virginia, to be Director of the National Institute of Education.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The second assistant legislative clerk proceeded to read sundry nominations in the National Oceanic and Atmospheric Administration which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE RECORD OF THE 92D CONGRESS

Mr. MANSFIELD. Mr. President, today, hopefully, we may bring to a close the 92d Congress—a Congress which has worked hard for 2 years and produced legislation of major significance. The Senate of the 92d Congress has compiled a record of achievement which is to the credit of Senators on both sides of the aisle.

In closing out the session, the Senate has worked for weeks on end, convening at an early hour in the morning and working late into the evening. For the first time in the 20th century, Senators have gone on record on 532 rollcall votes in one session of Congress. The Senate has met a total of 162 days, worked for over 1,137 hours, and passed a total of 767 measures. We have also acted on 19 treaties, two of which—the SALT Agreement and the ABM Treaty—are of overriding importance in our foreign policy. Bear in mind, too, that for every hour of the 1,137 hours the Senate has met, Senators have spent many more hours working in committees and in House-Senate conferences to produce the bills acted on on the floor.

In the area of budgets, deficits, and surpluses, I think the record should show that during the 4 years of the present administration, which includes fiscal years 1970, 1971, 1972, and 1973, that the administration incurred a deficit, conservatively speaking, of $104.3 billion and that in those same years, the Congress reduced, I repeat reduced, the President's budget requests by the sum of $20.2 billion. These figures speak for themselves and by years they break down as follows:

Reductions by Congress below administration budget requests

[In billions]

Fiscal year 1970	$8.260
Fiscal year 1971	3.505
Fiscal year 1972	2.743
Fiscal year 1973	5.740
Total	20.2

Administration deficits over the past 4 years

[In billions]

Fiscal year 1970	$13.1
Fiscal year 1971	29.9
Fiscal year 1972	28.9
Fiscal year 1973 (administration estimate)	32.4
Total	104.3

The long list of Senate-passed measures contains a great deal of legislation of far-reaching importance to the Nation. I shall mention only the highlights.

As far as I am concerned, none is of greater significance than that which led to the adoption of the 26th amendment to the Constitution which extends the right to vote to 18-year-olds. That is a constitutional change I have sought for many years.

Also passed was a Federal Election Campaign Act which is designed both to uncover and, in some respects, to limit campaign expenditures.

An equal employment opportunities enforcement law has been enacted which provides for added enforcement authority relating to unlawful employment practices.

We also passed, at last, the equal rights for women amendment which had languished for so many years in the Congress.

In the field of education, we enacted a higher education bill which establishes major new programs of assistance for young people.

As for safeguarding the Nation's environment, the Senate has acted on well over 50 related bills. The President's legislation on water pollution control has been cleared. Already enacted into law are ports and waterways safety and rural development legislation. Other measures of significance to the environment include: Pesticide control, ocean dumping, coastal zone management, marine mammal protection, national land use policy, toxic substances control, and some 50 lesser but still important items.

Of major importance is the Revenue Sharing Act which provides the States and localities with specified portions of Federal income tax collections and the 20-percent across-the-board increase in social security benefits.

For a more detailed account of the legislation passed by the Senate this session, I refer you, Mr. President, to the report prepared by the Senate Democratic policy committee summarizing all the measures passed by the Senate with the exception of private bills. I ask unanimous consent that this report be inserted in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that my comments and the reports to which I have referred be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, in closing, I would like to note that this session was unusual in that the Senate acted on almost all of the appropriations bills by June 30. This was due in large part to the tireless efforts of the late Senator Allen J. Ellender and the distinguished ranking Republican member of the Appropriations Committee, the senior Senator from North Dakota (Mr. YOUNG), both of whom deserve much of the credit for making possible the achievements of this session and the adjournment of this Congress before the November election.

At this point, I would like to thank the assistant majority leader, Senator ROBERT C. BYRD, for his able assistance. His devotion to the job is unequaled, his dependability unquestioned, and his efforts to bring order to the Senate untiring. I also wish to thank my able colleague across the aisle, the distinguished Republican leader, the Senator from Pennsylvania (Mr. SCOTT). His cooperation throughout the session has been in the finest traditions of the Senate. Without his throughtfulness, understanding, and consideration we would not have reached this point with the kind of record which has been written in legislation. My deepest appreciation goes also to the assistant Republican leader, the Senator from Michigan (Mr. GRIFFIN), for his courtesy, understanding, and cooperation. I also extend my thanks to all Senators, Democratic and Republican alike, for their cooperation and readiness to accommodate themselves to the needs of the Senate. It has been a good year in a good Congress.

Mr. President, just to make certain, I ask unanimous consent that there be printed in the RECORD a report by the Committee on Appropriations relative to budget requests and what happened to them after they reached the Hill—and these figures are relevant to the earlier ones to which I had alluded—the legislative activity report index which in brief states what the Senate legislative activity has been as compiled by the Senate Democratic policy committee; and also a statement which I made on October 13 relative to a brief review at that time as to what Congress had done and my hopes and disappointments, because there were a number of issues which had been reported out which did not receive consideration, but which should be ready for consideration early in the next year, because reports have been written, hearings have been held, and bills have been reported.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON APPROPRIATIONS—U.S. SENATE

Bill and fiscal year (1)	President's requests for appropriations considered by House (2)	Appropriations approved by House (3)	Total of President's requests for appropriations considered by Senate (4)	Appropriations approved by Senate (5)	Enacted (6)	(+) or (−) appropriations enacted compared with President's requests for appropriations (7)
A. BILLS FOR FISCAL 1973						
1. Legislative (H.R. 13955)	$433,627,004	$427,604,764	$519,347,899	$514,722,880	$513,787,980	−$5,550,919
2. State-Justice-Commerce-Judiciary (H.R. 14989)	4,687,988,600	4,587,104,350	4,704,326,600	4,820,717,760	4,661,017,850	−23,308,750
3. HUD-Space-Science-Veterans (H.R. 15093)	20,173,185,000	19,718,490,000	20,498,183,000	20,583,370,000	[3] 20,125,951,000	−372,232,000
4. Transportation (H.R. 15097)	3,040,362,095	2,922,795,095	3,040,362,095	3,038,175,095	2,999,118,095	−41,244,000
Fiscal year 1973 amounts only	(2,909,181,095)	(2,791,614,095)	(2,909,181,095)	(2,906,994,095)	(2,867,937,095)	(−41,244,000)
5. District of Columbia (Federal funds) (H.R. 15259)	343,306,000	332,306,000	343,306,000	313,706,000	316,393,000	−26,913,000
6. Labor-HEW (H.R. 15417, Vetoed)	[27,327,323,500]	[28,603,179,500]	[28,767,633,500]	[31,354,930,500]	[30,538,919,500]	[+1,771,286,000]
7. Labor-HEW (H.R. 16654, New bill)	28,767,633,500	29,603,448,500	28,767,633,500	[5] 30,538,919,500	[7] 30,538,919,500	[7] +1,771,286,000
8. Interior (H.R. 15418)	2,520,340,000	2,529,558,200	2,527,154,000	2,550,922,800	2,548,935,300	+21,781,300
9. Treasury-Postal Service-General Government (H.R. 15585)	5,066,603,000	5,057,145,000	5,066,603,000	5,057,186,000	5,057,827,000	−8,776,000
10. Public Works—AEC (H.R. 15586)	5,489,058,000	5,437,727,000	5,489,058,000	5,571,696,000	5,504,914,000	+15,856,000
11. Agriculture-Environmental and Consumer Protection (H.R. 15690)	12,952,177,400	12,897,010,900	12,952,190,400	13,561,055,800	13,434,032,700	+481,842,300
12. Disaster Relief Supplemental, 1973 (H.R. 16254)	1,569,800,000	1,587,300,000	1,569,800,000	1,587,300,000	1,587,300,000	+17,500,000
13. Defense (H.R. 16593)	79,594,184,000	[4] 74,577,548,000	79,594,184,000	[8] 74,571,688,000	74,372,976,000	−5,221,208,000
14. Foreign Assistance (H.R. 16705)	5,163,024,000	4,010,155,000	[6] 5,163,024,000	3,494,701,000	3,652,701,000	−1,510,323,000
15. Military Construction (H.R. 16754)	2,661,384,000	2,280,784,000	2,661,384,000	2,337,726,000	2,323,403,000	−337,981,000
16. Supplemental, 1973 (H.R. 17034)	3,573,953,325	3,565,048,825	5,016,540,610	5,266,690,610	4,933,415,610	−83,125,000
Total, bills for fiscal 1973	176,036,625,924	169,719,025,634	177,913,097,104	173,137,783,454	172,590,692,035	−5,322,405,069
B. BILLS FOR FISCAL 1972						
1. Urgent Supplemental (H.J. Res. 1097)	957,476,059	957,476,059	957,476,059	957,476,059	957,476,059	
2. 2d Supplemental (H.R. 14582)	4,775,261,477	3,954,453,358	4,865,943,385	5,063,517,439	4,947,698,270	−518,246,119

COMMITTEE ON APPROPRIATIONS—UNITED STATES SENATE

Bill and fiscal year (1)	President's requests for appropriations considered by House (2)	Appropriations approved by House (3)	Total of President's requests for appropriations considered by Senate (4)	Appropriations approved by Senate (5)	Enacted (6)	(+) or (−), appropriations enacted compared with President's requests for appropriations (7)
3. Special Resolution, Gold Revaluation (H.J. Res. 1174)	1,600,000,000	1,600,000,000	1,600,000,000	1,600,000,000	1,600,000,000	
4. Supplemental, Disaster Relief (H.J. Res. 1238)	100,000,000	200,000,000	100,000,000	200,000,000	200,000,000	+100,000,000
Total, bills for fiscal 1972	7,432,737,536	6,711,929,417	7,523,419,448	7,820,993,498	7,105,174,329	−418,245,119
C. TOTAL FOR THE SESSION						
Total	183,469,363,469	176,430,956,051	185,436,516,552	180,958,776,952	179,695,866,364	−5,740,650,188

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[1] The Budget for 1973, as submitted Jan. 24, tentatively estimated total new budget authority for 1973 at $294,813,000,000 gross ($270,898,000,000 net of some $23,915,000,000 interfund and intragovernmental transactions and certain so-called proprietary receipts handled as offsets for budget summary purposes only). Of this total, an estimated $109,754,000,000 does not require current action by Congress; it involves so-called permanent appropriations such as interest, various trust funds, etc., already provided for in various basic laws. The remainder, $185,059,000,000, is for consideration at this session (mostly in the appropriation bills). About $14,394,000,000 of this $185,059,000,000 was shown in the January budget as being "for later transmittal" for new or expanded legislation, pay increases, and contingencies, and about $45,817,000,000 of the remainder requires legislative reauthorization through various annual authorization bills or where the authorization expires periodically.

[2] Includes $240,000,000 for comparability for urban community development special revenue sharing under proposed legislation. Of this sum, $200,000,000 of new obligational authority was allowed in conference for the urban renewal program and $40,000,000 for the Rehabilitation Loan Fund.

[3] New budget (obligational) authority carried in H.R. 16654, fiscal year 1973 Labor-HEW Appropriation bill, as passed by the Senate, totals $30,538,919,000. However, sec. 409, a general provision, authorizes the President to withhold from obligation such sums as he deems necessary but not to exceed $935,471,000 in new budget (obligational) authority. The President is authorized to withhold from obligation any sums that would reduce total new budget (obligational) authority to $29,603,448,500, the amount of NOA contained in the House bill, as long as no appropriation or activity within an appropriation is reduced by more than 10 percent.

[4] Does not include $640,500,000 by transfer from funds already available for obligations in fiscal year 1973.

[5] Does not include $1,315,900,000 by transfer from funds already available for obligations in fiscal year 1973.

[6] Includes budget estimates of $780,000,000 for military assistance; $844,000,000 for security supporting assistance; $527,000,000 for foreign military credit sales, and $100,000,000 for Bangladesh refugee assistance, a total of $2,251,000,000; deferred in Senate bill for lack of authorization.

[7] New budget (obligational) authority in the enacted Labor-HEW Appropriation bill totals $30,538,919,500. However, sec. 409, a general provision, authorizes the President to withhold from obligation such sums as he deems necessary but not to exceed $1,238,919,500 in new budget authority. Therefore, the President may reduce total new budget authority to $29,300,000,000 as long as no appropriation or activity within an appropriation is reduced by more than 13 percent. If total new budget authority is reduced to $29,300,000,000, the enacted bill exceeds the budget requests considered by $532,366,500.

EXHIBIT 3

LEGISLATIVE ACTIVITY REPORT INDEX

AGRICULTURE

Agricultural Adjustment Act Amendment.
Cooperative Forest Programs.
Cotton Statistical Reports.
Crop Insurance.
Eminent Domain Pool Allotments.
Forestry Incentives.
Grapefruit Marketing Orders.
Pear Marketing Orders.
Pest Control Research.
Rabbit Meat Inspection.
Rural Development Act of 1972.
Rural Telephone Bank.
Vee Horse Vaccinations.
Vegetable Gardens.
Woodsy Owl.

APPROPRIATIONS

1972:
Foreign Assistance and Related Programs.
Second Supplemental.
Supplemental—Dollar Devaluation.
Urgent Supplemental.
1973:
Agriculture-Environmental and Consumer Protection.
Continuing Appropriations.
District of Columbia.
Foreign Aid.
Housing and Urban Development—Independent Offices.
Interior and Related Agencies.
Labor, and Health, Education, and Welfare, and Related Agencies.
Legislative Branch.
Military Construction.
Public Works Supplemental Appropriations.
Supplemental Appropriations for Disaster Relief.
State-Justice-Commerce-Judiciary.
Transportation.
Treasury Department, Postal Service, and Executive Office of the President.

ATOMIC ENERGY

AEC Temporary Licensing for Nuclear Power Reactors.
Atomic Energy Commission Authorization.

CONGRESS

Adjournment of the Congress.
Capitol Security.
Congressional Record.
Congressional Representation for Guam and the Virgin Islands.
Cornelia Fasset Painting.
Equal Time Requirement and Political Broadcasting.
Federal Election Campaign Act.
International Agreements Other than Treaties.
Joint Committee on Inaugural Ceremonies of 1973.
President Pro Tempore of the Senate.
Select Committee on Secret Government Documents.
Senate Intervention in Supreme Court Proceedings.
Senate Office Building Land Acquisition and Parking Facilities Planning Act of 1972.
Technology Assessment Act of 1972.

CRIME-JUDICIARY

Administrative Assistant to the Chief Justice.
Administrative Conference Act.
Admiralty Claims.
Aircraft Piracy Amendments.
Bankruptcy Receivers and Trustees.
Bankruptcy Referees' Salaries and Expenses.
Bankruptcy Referees.
Care for Narcotic Addicts.
Claims Involving National Guard.
Commission on Bankrupty Laws Extension.
Commission on Revision of Appellate Court System.
Copyrights.
Counterfeiting and Forgery.
Court of Claims.
Court of Claims Retired Commissioners.
Federal Court Jurors.
Handgun Control Act of 1972.
Juror Qualification Forms.
Juvenile Delinquency Control.
Military Claims.
Power of Attorney for POW-MIA's.
Public Safety Officers' Benefits Act of 1972.
South Dakota Judicial District.
Suits Against the United States.
Supreme Court Justices Survivors' Benefits.
Trademark Act Amendment.
U.S. Magistrates' Salaries.
U.S. Magistrates' Temporary Assignment.
Victims of Violent Crime Act, 1972.
Yokohama Specie Bank Depositors.

DEFENSE

Air Force Officer Promotions.
Armed Forces Mailing Privileges.
Boy Scout Loans.
Civil Defense.
Claims Waiver.
Coast Guard Flag Officers.
Coast Guard Reserve.
Coast Guard Salaries.
Defense Production Act Amendments.
Disposals from National and Supplemental Stockpiles.
Hostile Fire Duty.
MIA Leave Accumulation.
Military Construction Authorization, 1973.
Military Dependency Criteria.
Military Incentive Pay.
Military Procurement Authorization, 1973.
Military Transportation Allowances.
Naval Vessel Loans.
Navy Special Pay.
Navy's Judge Advocate General's Corps.
Service Academies—Appointments.
Servicemen's Group Life Insurance for Cadets and Midshipmen.
Virgin Islands National Guard.

DISTRICT OF COLUMBIA

Bus Transit Act.
Drunken Driving Test.
Dump Truck Fees.
Educational Personnel Act.
Eisenhower Memorial Bicentennial Civic Center.
Healing Arts Practice Act Amendments.
Insurance Act.
International Center Complex.
Interstate Compact on Mental Health.
Law Enforcement and Criminal Justice Act.
Licensing Procedures.
Metropolitan Police.
Municipal Fees.
National Capital Transit Act.
National Firefighting Museum.
Pennsylvania Avenue Bicentennial Development Corporation.
Personnel Act.
Physically Disabled Persons.
Police and Firemen's Salaries.
Potomac River Reservoirs.
Public Utilities Reimbursement.
Real Property Actions.
Substitute Teachers Retirement Credit.
Tax Sheltered Annuities for Teachers.
Teachers' Salaries.

ECONOMY-FINANCING

Aircraft Loan Guarantees.

Automobile Information Disclosure.

Economic Opportunity Amendments of 1972.

Equal Export Opportunity Act and International Economic Policy Act of 1972.

Export Administration Act.

Federal Financing Bank.

Federal Reserve Bank Branch Buildings.

Federal Salary Checks.

Internal Revenue Code Amendments.

Mortgage Interest Rates.

National Securities Transfer System.

Par Value Modification Act.

Pre-Columbian Art.

Public Debt Limit.

Public Debt & Social Security Benefits Increase.

Public Debt Limit: Unemployment Compensation Benefits.

Public Works & Economic Development Act Amendments of 1972.

Rolling Stock Utilization and Financing Act of 1972.

Small Business Act Amendments.

Tariff Schedule Amendments.

Truth in Lending Act Amendments of 1972.

EDUCATION

Education Amendments.

Student Loans.

"Twin Falls" Vessel.

Uniformed Services Health Professions Revitalization Act.

GENERAL GOVERNMENT

American Revolution Bicentennial Commission.

Anti-Hijacking Act.

Architects and Engineers.

Arkansas River Basin Compact.

Bureau of Land Management.

Bureau of Mines Research Center, Utah.

Cape Canaveral.

Civil Rights Commission.

Coal Leasing Moratorium.

Comprehensive Headstart, Child Development, and Family Services Act of 1972.

Depository Libraries.

Disaster Relief Loans.

Equal Rights for Men and Women.

Federal Advisory Committee Act.

Fire Research.

Fishermen's Protective Act Amendments.

Full Opportunity and National Goals and Priorities Act.

Highway Emergency Relief.

History of Public Works.

Immigration and Nationality Act Amendments.

Inspection of Dams.

Intergovernmental Cooperation Act of 1972.

Maryland-Virginia Boundary.

Metric Conversion Act of 1972.

National Commission on Consumer Finance.

National Science Foundation Authorization Act of 1972.

National Commission on the Financing of Postsecondary Education.

National Science Policy and Priorities Act.

New Mexico Land.

North Carolina-Virginia Boundary.

Older American Community Service Employment Act.

Older Americans Services Amendments.

1976 Olympic Games.

Olympic Team.

Pacific Tropical Botanical Garden.

Passenger Vessels Sale Abroad.

Penn's Landing Development, Philadelphia, Pa.

Program Information Act.

Protection of Foreign Officials.

Public Buildings Amendments.

Runaway Youth Act.

Rural Disaster Recovery Act of 1972.

Secret Service Protection for Major Presidential and Vice-Presidential Candidates.

Small Fishing Vessels.

Social Security Special Project Grant Extension.

Star Route Mail Contracts.

State and Local Fiscal Assistance Act of 1972 (Revenue Sharing).

Surplus Personal Property.

Surplus Property.

Trust Territory of the Pacific Islands.

Uniform Relocation Assistance and Real Property Acquisition Policies Act Amendments.

Uniform Time Act Amendment.

Virgin Islands—Amendment of Revised Organic Act.

War Powers Act.

White House Conference on the Handicapped.

GOVERNMENT EMPLOYEES

Air Traffic Controllers.

Civil Service Retirement.

Civil Service Survivor Annuities.

Deputy U.S. Marshals.

Federal Employees Health Insurance.

Federal Executive Service.

Federal Firefighters Retirement.

Foreign Service Grievance Procedures.

Government Personnel Surety Bonds.

Internal Revenue Code Amendment.

Interstate Nuclear Boards' Representatives.

Life Insurance Deduction Waiver.

National Guard Technicians' Credit.

National Historical Publications Commissions.

Prevailing Rate Employees.

Retirement of Congressional Employees.

Retroactive Pay Increases for Blue-Collar Federal Employees.

HEALTH

Alcoholism Prevention.

Black Lung Benefits Act of 1972.

Child Nutrition Act of 1972.

Communicable Disease Control.

Community Mental Health Centers Extension.

Consumer Safety Act of 1972.

Drug Abuse Office and Treatment Act of 1972.

Drug Listing Act of 1972.

Flammable Fabrics.

Health Facilities, Manpower, and Community Mental Health Centers Act.

Health Maintenance Organizations.

Health Personnel.

Lead Based Paint Poisoning Amendments.

Multiple Sclerosis.

Narcotic Addict Rehabilitation Act Amendments of 1971.

National Cooley's Anemia Control Act.

National Heart, Blood Vessel, Lung, and Blood Act of 1972.

National Institute of Arthritis, Metabolism, and Digestive Diseases.

National Institute on Aging.

National Sickle Cell Anemia Act.

Nutrition Program for the Elderly.

Regulation of DES.

Sudden Infant Death Syndrome.

HOUSING

Housing and Urban Development.

Housing Programs.

National Housing Goals.

INDIANS

Assiniboine Indians of Montana Judgment Funds.

Blackfeet and Gros Ventre Tribes, Montana.

Bridgeport Indian Colony, California.

Burns Indian Colony, Oregon.

Cheyenne-Arapaho Tribes, Oklahoma.

Coeur D'Alene Indian Reservation, Idaho.

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Confederated Tribes of the Colville Reservation.

Delaware Tribe.

Fort Belknap Indian Community Trust Land.

Government Actions regarding Indian Tribes.

Havasupai Tribe.

Indian Actions.

Indian Claims Commission Act of 1946—Extension.

Indian Lands, New Mexico.

Indian Self-Determination Act.

Jicarilla Apache Tribe, New Mexico.

Kickapoo Indians of Kansas and Oklahoma.

Miami Tribes of Oklahoma and Indiana.

Minnesota Chippewa Tribe.

Mississippi Sioux Indians.

Modoc Point Unit, Oregon.

Nez Perce Indian Reservation.

Osage Indians, Oklahoma.

Payson Band, Yavapai Apache Tribe.

Pueblo de Acoma Indians.

Pueblo of Cochiti Indians.

Shoshone-Bannock Tribes.

Southern Ute Tribe.

Stockbridge-Munsee Indian Community.

Tribes of the Warm Springs Reservation.

Walker River Indian Reservation, Nevada.

Warm Springs Reservation of Oregon.

Yankton Sioux Tribe.

Yavapai Apache Tribe.

INTERNATIONAL

Agreements with Portugal and Bahrain.

American-Mexican Boundary Treaty Act of 1972.

Arctic Winter Games Authorization.

Asian Development Bank—U.S. Contributions.

Atlantic Union Delegation.

Cancer Research.

Diplomatic Privileges and Immunities to the Mission of the European Communities.

Foreign Aid Authorization.

Foreign Assistance Act of 1972.

Hague and Rome Conference.

Industrial Property Protection.

Inter-American Development Bank (IDB)—U.S. Contributions.

International Bridges.

International Coffee Agreement, 1968—Extension.

International Development Association (IDA)—U.S. Contributions.

International Standards.

Interpol Dues.

Inventors' Certificates.

North Pacific Fisheries Act.

Olympic Games.

Polar Bears.

POW–MIA's.

Radio Free Europe and Radio Liberty.

Recognition of Bangladesh.

South Pacific Commission.

Spokane Expo 1974.

State-USIA Authorizations.

Strategic Arms Limitation Interim Agreement.

Terrorists.

Treaties:

ABM (Anti-Ballistic Missile) Treaty with the Soviet Union.

Agreement with Brazil Concerning Shrimp.

Aircraft Sabotage Convention.

Amendment to Statute of International Atomic Energy Agency.

Convention Establishing an International Organization of Legal Metrology.

Convention for the Safety of Life at Sea Amendments.

Convention on International Liability for Damage Caused by Space Objects.

Convention on Taking of Evidence Abroad in Civil or Commercial Matters.

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.

Convention to Prevent and Punish Acts of Terrorism.

Extradition Treaty with Argentina.

International Plan Protection Convention.

Partial Revision of the Radio Regulations Relating to Space Telecommunications.

Protocol to Amend the Single Convention on Narcotic Drugs.
Protocol to Northwest Atlantic Fisheries Convention.
Seabed Arms Control Treaty.
Tax Convention with Norway.
Treaty with Honduras on the Swan Islands.
Universal Copyright Convention as Revised at Paris on July 24, 1971, Together with Two Related Protocols.
U.N. Fund for Environment.

LABOR

Emergency Unemployment Compensation Act of 1971.
Equal Employment Opportunities Enforcement Act.
Expanded Unemployment Compensation.
Fair Labor Standards Amendments of 1972.
Interstate Environment Compact Act of 1972.
Longshoremen's and Harbor Workers' Compensation.
Manpower Development and Training Act Amendment of 1972.
Railroad Retirement Annuities.
Rehabilitation Act.
Service Contract Act Amendments.
West Coast Dock Strike.

MEMORIALS, TRIBUTES, AND MEDALS

AHEPA.
Allen J. Ellender.
Allen J. Ellender Fellowships.
American Public Health Association.
American Revolution Bicentennial Commemorative Medals.
Arlington House.
Attempted Assassination of George C. Wallace.
Benjamin Franklin National Memorial.
Chapel of the Astronauts.
Congress of the Interallied Confederation of Reserve Officers.
Dickinson College.
Eisenhower Memorial.
Estes Dam and Lake.
Franklin D. Roosevelt Memorial.
George William Andrews Lock and Dam.
Girl Scouts of America.
Harry S. Truman.
India.
Israeli Olympians Tragedy.
J. Edgar Hoover.
J. Edgar Hoover Building.
Jim Thorpe Medals.
John D. Rockefeller, Jr., Memorial Parkway, Wyoming.
Kosciuszko National Memorial.
Law Enforcement Officers.
Miller-Sweeney Bridge.
Perry's Victory and International Memorial.
Russell and Dirksen Senate Office Buildings.
Seabees Memorial.
Springer Lake Memorial.
Thomas Jefferson University.
U.S. Frigate "Constellation" Medal.

NATURAL RESOURCES-ENVIRONMENT

Aldo Leopold Wilderness, New Mexico.
Amistad National Recreational Area, Texas.
Arkansas Land Conveyance.
Bald Eagle Protection.
Buffalo National River, Arkansas.
Cache National Forest, Utah.
Carson and Santa Fe National Forest, New Mexico.
Cedar Keys National Wildlife Refuge, Florida.
Coastal Zone Management.
Commercial Fisheries Research.
Cumberland Island National Seashore, Georgia.
Delaware Water Gap National Recreation Area.
Eagle Cap Wilderness, Oregon.
Flat Tops Wilderness, Colo.
Flood Control—Rivers and Harbors.
Fossil Butte National Monument, Wyoming.
Gateway National Recreation Area in New York and New Jersey.
Glen Canyon National Recreation Area.
Golden Eagle Passport Program.
Golden Gate National Urban Recreation Area, Calif.
Grant-Kohrs Ranch National Historic Site, Montana.
Great Dismal Swamp.
Gulf Island National Seashore, Florida and Mississippi.
Gunboat "Cairo".
Hohokam Pima National Monument, Ariz.
Honokohau National Historical Landmark.
Indian Peaks Area.
Indiana Dunes National Lakeshore.
Interstate Compact to Conserve Oil and Gas.
Irrigation Systems.
Jellyfish Control.
Kansas-Nebraska Big Blue River Compact.
Klamath Indian Forest, Oregon.
Lake Superior Chippewa Indians.
Land Use Policy and Planning Assistance Act.
Lassen Volcanic National Park, California.
Lava Beds National Monument, California.
Lincoln Back Country, Lewis and Clark and Lolo National Forests.
Lone Peak Wilderness Area, Utah.
Longfellow National Historic Site.
Mar. A. Lago National Historic Site.
Marine Mammal Protection Act of 1972.
Mining and Minerals Research Centers.
Missouri River Basin.
National Environmental Data System.
National Forest Wild Areas Act.
National Forests Volunteers.
National Park System.
National Park System Land Acquisitions.
Noise Control.
Ocean Dumping.
Ocean and Atmospheres.
Oregon Dunes National Recreation Area.
Pesticide Control Act.
Piscataway Park, Maryland.
Preservation of Historic Monuments.
Ports and Waterways Safety Act of 1972.
Puukohola Heiau National Historic Site.
Reclamation Projects.
Recreational Opportunities.
Reforestation.
Safe Drinking Water.
Saline Water Conversion Program Authorization.
San Francisco Bay National Wildlife Refuge.
Sante Fe, Gila, Cibola, and Carson National Forest Boundaries, New Mexico.
Sawtooth National Recreation Area, Idaho.
Seal Beach National Wildlife Refuge.
Shooting from Aircraft.
Sitka National Monument.
Sockeye Salmon.
Sonnenberg Gardens.
St. Croix River.
Surplus Federal Lands.
Sycamore Canyon Wilderness, Arizona.
Tinicum National Environmental Center.
Toxic Substances Control Act of 1972.
Tuna Fisheries Development Program.
Upper Colorado River Basin.
Van Buren National Historic Site.
Vermejo Ranch Acquisition.
Wasatch National Forest, Utah.
Washakie Wilderness and the Shoshone National Forest, Wyoming.
Water Pollution Control Act Amendments.
Water Pollution Control Act—Extensions.
Water Resources Planning Authorization.
Water Resources—Reclamation Feasibility Studies.
Westlands Water District.
Wild Rivers System.
Youth Conservation Corps.

NOMINATIONS—ACTION BY ROLLCALL VOTE

Creighton W. Abrams to be Chief of Staff, Army.
Richard G. Kleindienst to be Attorney General.
George P. Schultz to be Secretary of the Treasury.

PROCLAMATIONS

Clean Waters for America Week.
Farmfest U.S.A.
Father's Day.
Honor America Day.
National Arbor Day.
National Arthritis Month.
National Beta Club Week.
National Check Your Vehicle Emission Month.
National Coaches Day.
National Day of Prayer for World Peace.
National Drug Abuse Prevention Week.
National Family Week.
National Heritage Day.
National Hunting and Fishing Day.
National Inventors' Day.
National Legal Secretaries' Court Observance Week.
National Microfilm Week.
National Shut-in Day.
National Sokol Day.
National Voter Registration Month.
National Week of Concern for Prisoners of War/Missing in Action.
Women's Right Day.

SPACE

NASA Authorization Act, 1973.

TRANSPORTATION AND COMMUNICATIONS

Airport Development.
Coast Guard Authorization.
Cargo Commission Act.
Cass County, North Dakota.
Cruise Ships.
Dulles Airport Transit Line.
Federal-Aid Highway Act of 1972.
High-Speed Ground Transportation Act Extension.
International Aeronautical Exposition of 1972.
Maritime Programs Authorization.
Motor Carrier Reports.
Motor Vehicle Information and Cost Savings Act.
Motor Vehicle Safety.
Natural Gas Pipeline Safety Act Amendments.
Public Broadcasting.
Rail Passenger Service Act of 1970 Amendments.
Railroad Facilities Repairs.
Rates in Foreign Air Transportation.
Ship Mortgage Insurance.
Ship Mortgages.
Shipping Law Violations.
Supplemental Maritime Authorization, 1973.
Towing Vessel Licensing.
Transportation Charges.
Travel Agents Registration.
Uniform Motor Carrier Standards Act.
Disability and Death Pensions.
Disabled Veterans.
Military Survivors' Benefits Plan.
National Cemeteries Act of 1972.
Specially Adapted Housing for Disabled Veterans.
Veterans' Administration Medical School Assistance & Health Manpower Training Act of 1972.
Veterans' Drug and Alcohol Rehabilitation.
Veterans' Health Care Expansion Act of 1972.
Veterans' Organizations Tax-exempt Status.
Vietnam Era Veterans' Readjustment Assistance Act of 1972.
World War I Veterans.

Exhibit 1

Statement of Senator Mike Mansfield

Each year the Congress must review and act upon annual authorizations and appropriations that provide an opportunity for a continuous oversight of the many established programs so vital to our society. This process provides the opportunity for refinement and modification of these programs, an opportunity that has been used this Congress. In addition, the 92nd Congress has devised many creative and significantly innovative measures. While there have been disappointments, the 92nd Congress can well be proud of its record. Although some new programs never reached final enactment this year, the groundwork has been laid and will prove invaluable in obtaining the expeditious disposition of those measures early in the next session of Congress.

In many areas—education, health, crime control, environmental protection, consumer interests—strides have been made by the 92nd Congress toward responding to the vast problems facing this country.

In education Congress has approved an expansion of the basic student aid program, authorized new direct-aid-to-institutions grants for higher education and approved a three-year appropriation for the National Institute of Education.

In addition to expanding cancer research within the National Cancer Institute, the Congress enacted health manpower aid to nursing and medical schools, authorized funding of a program for detection and treatment of sickle cell anemia and greatly improved drug abuse control legislation which has impact upon not only the health field but upon law enforcement efforts as well.

The list of positive, creative legislation is long. It includes the Tax Revenue Act of 1971, which afforded tax cuts to middle- and low-income families;

The Wage-Price Control authority for Phase II;

The reorganization of the Post Office;

The provision for the lottery system in the draft (and provisions leading toward an all-volunteer army);

Constitutional Amendment to lower the voting age to 18;

The Equal Rights Amendment.

In the environment area, the Congress has enacted an expanded and greatly strengthened water pollution control measure. Increases in Social Security benefits, extension of expanded OEO programs and the creation of a new rural development program to improve the quality of life for Americans living in small towns and on farms were enacted during the 92nd Congress.

Reform measures have been enacted dealing with various aspects of national concerns—comprehensive rules on campaign spending and fundraising and the full disclosure of each; the hazardous products act and the insecticide control measure. Also, the Congress has approved a comprehensive Older Americans Act and the Comprehensive Manpower Training Act of 1971—both of which will offer valuable assistance to those most in need of help in our society.

In the area of crime control, in addition to the measures passed to control the flow of dangerous drugs into this country from countries which accept our foreign aid, funds have been approved to establish a National Drug Abuse Training center to conduct programs on combatting drug abuse and drug crimes. The Revenue Sharing Act of 1972 provides for the first time a source of revenue for the cities which have exhausted the local means of raising revenue to provide the basic services for their inhabitants.

There have been some disappointments in this Congress. The measures which have not been approved by both Houses and sent to the White House include some of the most conceptually exciting and vitally needed legislation to be considered for some time. All of these measures will hopefully be reported from the various Committees early in the next session of Congress and be enacted into law as rapidly as possible. This list of "must" legislation for the next session of Congress includes: comprehensive housing, Consumer Protection Agency, no-fault insurance, minimum wage, pension reform, comprehensive health insurance, health maintenance organizations, strict strip mining controls and the Omnibus Crime Victims bill. Hearings have been held on all of these measures and the people of this country are entitled to early consideration during the next Congress.

Senate Legislative Activity—92d Congress, 2d Session

(By Senate Democratic Policy Committee)

Days in Session, 162.
Hours in Session, 1,137:23.
Total Measures Passed, 767.
Public Laws, 274.
Treaties, 19.
Confirmations, 65,054.
Record Votes, 532.
Symbols: P/H—Passed House; P/S—Passed Senate.

Following is a brief summary of major Senate activity.

AGRICULTURE

Agricultural Adjustment Act amendment

Amended the Agricultural Adjustment Act of 1938, as amended, so as to exempt flue-cured tobacco acreage-poundage quotas from the requirement that leases be filed with the county committee by a fixed date no later than planting time established by the Secretary of Agriculture. H.R. 13361. Public Law 92–311.

Cooperative forest programs

Amended the Cooperative Forest Management Act to (1) extended it to cover assistance (i) in the protection, improvement and establishment of trees and shrubs in urban areas, communities and open spaces, and (ii) to all wood processors, and (2) increase the appropriation authorization to $20 million (from $5 million); and increased the appropriation authorization to $40 million (from $20 million) for section 1, 2, and 3 of the Clarke-McNary Act of June 7, 1924, which provides for cooperation with States in forest fire prevention and suppression. H.R. 8817. Public Law 92–288.

Cotton statistical reports

Changed the times at which the Secretary of Agriculture is to issue cotton crop, acreage, and ginning reports so that they can be issued simultaneously with general crop reports after the markets have closed. S. 3104. Public Law 92–331.

Crop insurance

Required Federal crop insurance to be made available to persons between 18 and 21 years of age. S. 1139. Public Law 92–357.

Eminent domain pool allotment

Repealed the existing requirement that acreage allotments established from the eminent domain pool be area. S. 1545. Public Law 92–354.

Forestry incentives

Provides a forestry incentives program for small non-industrial private lands and non-Federal public forest lands by providing for Federal payment of up to 50 percent of the cost of development and management practices on non-Federal public lands, up to 80 percent of the cost of such practices on small non-industrial private lands and up to 80 percent of the cost of equipment to be provided to carry out such practices. S. 3105. P/S 6–15–72.

Grapefruit marketing orders

Permits marketing orders for Florida Indian River grapefruit to provide for crediting a handler's direct market promotion expenditures against his assessment under the order for that purpose. S. 1058. P/S 3–7–72.

Pear marketing orders

Amended the marketing order law to authorize marketing orders for pears for canning or freezing; permitted market promotion for the canned or frozen product under an order applicable to any commodity for canning or freezing; and made it clear that paid advertising could be provided for pears for canning or freezing and the product thereof. H.R. 14015. Public Law 92–466.

Pest control research

Directs the Secretary of Agriculture to carry out pilot field research programs in integrated methods of controlling agricultural and forest pests; authorizes him to reimburse farmers for losses sustained as a result of such research being conducted on their lands, crops, or livestock; and authorizes expanded research on integrated control by the National Science Foundation. S. 1794. P/S 1–31–72.

Rabbit meat inspection

Makes rabbit meat inspection mandatory, at Federal cost, by extending the provisions of the Poultry Products Inspection Act to rabbits and rabbit products. S. 1943. P/S 4–11–72.

Rural Development Act of 1972

Expanded and established programs dealing with financial investment, credit, education, technology, and research in rural areas; extended the Consolidated Farmers Home Administration Act and created thereunder a Rural Development Insurance Fund to be used as a revolving fund for guaranteeing or insuring rural development loans; amended the Watershed and Flood Prevention Act to authorize the Secretary of Agriculture to cost-share and enter into long-term contracts with landowners and operators for watershed projects dealing with problems relating to rural development and the total environment; amended the Bankhead-Jones Farm Tenant Act to authorize the Secretary of Agriculture to pay up to 50 percent of the cost of storage of water in any reservoir constructed or modified under the act for present needs for rural community water supply and to share in the cost of installing measures for water quality management, the control and abatement of agriculture-related pollution, the disposal of solid wastes, and the storage and withdrawal of water for rural fire protection; authorized $7 million in Federal-State matching grants per year for rural community fire protection; authorized appropriations of $10, $15, and $20 million, for fiscal years 1974, 1975, and 1976, respectively, to finance programs through State land-grant universities and private educational institutions, for small farm and rural development extension programs, research, and training; and contained other provisions. H.R. 12931. Public Law 92–419.

Rural telephone bank

Permitted the Rural Telephone Bank to issue its obligations to the Secretary of the Treasury and authorized the Secretary of the Treasury to purchase these obligations. H.R. 14423. Public Law 92–324.

VEE horse vaccinations

Authorizes and directs the Department of Agriculture to reimburse owners of equines and accredited veterinarians for certain expenses incurred for the vaccination of equines against Venezuelan equine encephalomyelitis. S. 2516. P/S 8–9–72.

Vegetable gardens

Urges each American family, where practicable, to plant a vegetable garden for the purpose of fighting inflation, saving money, getting exercise, and having the fun and pleasure of family vegetable growing. S. Con. Res.

75. Senate adopted 4–19–72. House adopted 5–1–72.

Woodsy Owl

Authorizes the Secretary of Agriculture to establish and collect use of royalty fees for the manufacture, reproduction or use of the character and name, "Woodsy Owl," and the associated slogan "Give a Hoot, Don't Pollute," originated by the Forest Service, and prohibits the use of such character and slogan except as authorized by the Secretary of Agriculture. S. 3947. P/S 9–22–72.

APPROPRIATIONS—1972

Foreign assistance and related programs

Appropriated $3,180,437,000 for foreign assistance and related programs. H.R. 12067. Public Law 92–242.

Second supplemental appropriations

Appropriated $4,347,698,270 in supplemental funds. H.R. 14582. Public Law 92–306.

Supplemental-dollar devaluation

Appropriated necessary amounts not to exceed $1,600,000,000 for payments by the Secretary of the Treasury to maintain the value in terms of gold of the holdings of the United States in international financial institutions for fiscal year 1972. H.J. Res. 1174. Public Law 92–301.

Urgent supplemental appropriations

Appropriated $957,476,059 for certain urgent supplemental appropriations. H.J. Res. 1097. Public Law 92–256.

APPROPRIATIONS—1973

Agriculture-environmental and consumer protection

Appropriated $13,434,032,700 for the Agriculture-Environmental and Consumer Protection programs. H.R. 15690. Public Law 92–399.

CONTINUING APPROPRIATIONS

Made continuing appropriations for fiscal year 1973, and for other purposes. H.J. Res. 1234. Public Law 92–334.

Made further continuing appropriations for fiscal year 1973 for the period from August 18, 1972, until September 30, 1972, or the sine die adjournment of the second session of the 92nd Congress, whichever occurs first. H.J. Res. 1278. Public Law 92–390.

Made further continuing appropriations for fiscal year 1973 for the period from September 30, 1972, to October 14, 1972. H.J. Res. 1306. Public Law 92–446.

Made further continuing appropriations for fiscal year 1973, for the period from October 14, 1973, to February 28, 1973, and for other purposes. H.J. Res. 1331. Public Law 92– .

Department of Defense

Appropriated for fiscal year 1973 $74,372,976,000 for the various military departments and other activities of the Department of Defense. H.R. 16593. Public Law 92– .

District of Columbia

Appropriated $834,756,800 in District of Columbia funds and $316,393,000 in Federal funds. H.R. 15259. Public Law 92–344.

Foreign aid appropriations

Appropriates $2,823,897,000 for fiscal year 1973 for foreign assistance and related programs, including: $232.5 million for Alliance for Progress and world-wide technical assistance; $124,835,000 for U.S. voluntary contributions to international organizations; $125 million for programs relating to population growth; $42.5 million for International Narcotics Control; $565 million for Alliance for Progress and other development loans, which includes $50 million in funds for relief to the Philippines; $161 million for the Cuban refugee program and $8.5 million for other refugee assistance; $1,256,760,000 to be used for international financial institutions; and, $7,232,113 for the Export-Import Bank; eliminates the Public Safety Program (for training and equipment for foreign civilian police forces) of the Agency for International Development; and contains other provisions. (Appropriations for military assistance, security supporting assistance, foreign military credit sales and refugee relief assistance (Bangladesh) were deferred pending the conference decision on authorization levels for the Foreign Assistance Act of 1972, H.R. 16029, which passed the Senate September 26, 1972.) H.R. 16705. P/H 9–21–72. P/S amended 9–28–72. S. requested conference 9–28–72.

Housing and urban development—Independent offices

Appropriated $20,125,951,000 for the Department of Housing and Urban Development, for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices. H.R. 15093. Public Law 92–383.

Interior and related agencies

Appropriated $2,763,495,300 for the Department of the Interior and related agencies, including $214,560,000 to liquidate contract authority. H.R. 15418. Public Law 92–369.

Labor, and health, education, and welfare, and related agencies

Appropriated $30,538,919,500 for the Department of Labor, the Department of Health, Education, and Welfare, and related agencies. H.R. 15417. Vetoed by President 8/16/72. House sustained veto 8–16–72.

Appropriated $30,538,919,500 for the Department of Labor, the Department of Health, Education, and Welfare, and related agencies with a provision allowing the President to make reductions up to 13 percent on individual items and reduce the total appropriation to not less than $29.3 billion. H.R. 16654. Public Law 92– .

Legislative branch

Appropriated $513,787,980 for the Legislative Branch. H.R. 13955. Public Law 92–234.

Military construction

Appropriated $2,323,403,000 for military construction for the Department of Defense for fiscal year 1973, and contained other provisions. H.R. 16754. Public Law 92– .

Public works appropriations

Appropriated for fiscal year 1973 $5,504,914,000 for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions. H.R. 15586. Public Law 92–405.

State-Justice-Commerce-Judiciary

Appropriated for fiscal year 1973 $4,681,017,850 for the Departments of State, Justice, and Commerce, the Judiciary and related agencies. H.R. 14989. Public Law 92– .

Supplemental appropriations

Appropriated $4,933,415,610, in supplemental funds. H.R. 17034. Public Law 92– .

Supplemental appropriations for disaster relief

Appropriated $200 million in supplemental funds for disaster relief. H.J. Res. 1238. Public Law 92–337.

Appropriated $1,587,300,000 in new obligational authority for disaster relief, including $200 million for the Executive Office of the President for the President's Disaster Relief Fund; $1.3 billion for the disaster loan fund authorized by the Small Business Act; and $1.8 billion for expenses of the Farmers Home Administration due to the increased number of disaster loans. H.R. 16254. Public Law 92–393.

Transportation

Appropriated a total of $2,999,118,095 in new budget (obligational) authority for the Department of Transportation and related agencies, of which $2,867,937,000 is for fiscal year 1973 and $131,181,000 is an advance appropriation for fiscal year 1974. H.R. 15097. Public Law 92–398.

Treasury Department, Postal Service, and Executive Office of the President

Appropriated $5,057,827,000 for the Treasury Department, Postal Service, and the Executive Office of the President, and certain independent agencies. H.R. 15585. Public Law 92–351.

ATOMIC ENERGY

AEC temporary licensing for nuclear power reactors

Added a new section "Temporary Operating License" to the Atomic Energy Act, and authorized the Atomic Energy Commission (for an interim period which will end on October 30, 1973) to issue a temporary operating license for a nuclear power reactor whose electrical energy is needed to meet energy needs in its service area, provided the Commission determines that the plant can be operated on a temporary basis safely and with adequate protection of the environment. H.R. 14655. Public Law 92–307.

Atomic Energy Commission authorization

Authorized $2,110,480,000 for operating expenses and $492,995,000 for plant and capital equipment, making a total authorization of $2,603,475,000 for AEC for fiscal year 1973. S. 3607. Public Law 92–314.

CONGRESS

Adjournment of the Congress

Provided that the House of Representatives and the Senate shall not adjourn for more than 3 days or sine die until both Houses have adopted a concurrent resolution to that effect. H. Con. Res. 648. House adopted 7–25–72. Senate adopted 7–31–72.

Capitol security

Authorizes and directs the Architect of the Capitol, under the direction of the Senate Committee on Rules and Administration, and the House Committee on Administration, to procure and install security apparatus for the protection of the United States Capitol Buildings complex, and authorizes $3,000,000 for this purpose. H. Con. Res. 550. House adopted 3–16–72. Senate adopted with amendments 8–11–72. H. agreed to Senate amendments 9–19–72.

Congressional Record

Provided that copies of the Congressional Record be furnished to libraries of the U.S. courts of appeals and certain other courts on a daily basis. S. 3463. Public Law 92–373.

Congressional representation for Guam and the Virgin Islands

Provided that the organized, unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a non-voting Delegate to the House of Representatives. H.R. 8787. Public Law 92–271.

Cornelia Fasset painting

Authorizes the Architect of the Capitol, on behalf of the Congress, to loan to the Smithsonian Institution a painting, "The Electoral Commission of 1877," by Cornelia Fasset, for an exhibit by the National Portrait Gallery. S. Con. Res. 59. Senate adopted 3–24–72. House adopted 5–1–72.

Equal time requirement and political broadcasting

Repeals the equal opportunities requirement of section 315 of the Communications Act of 1934 insofar as it applies to legally qualified candidates for the office of President and Vice President in the general election campaign. S. 3178. P/S 3–23–72.

Federal Election Campaign Act

Required broadcasters to charge all candidates (Federal and State) no more than the lowest unit rate in the same period for 45 days before primaries and 60 days before general elections; provided that a person selling space in any newspaper or magazine to candidates for Federal office may not make a charge in excess of the charges made for a comparable use of such space for other purposes; imposed a limitation on expenditures for the use of communications media by candidates for Federal office of the greater of (1) 10 cents times voting age population, or (2) $50,000, but not more than 60 percent of the overall limitation can be spent for the use of broadcasting stations; provided that no candidate for Presidential nomination can spend for the use in a State of communications media, or for the use in a State of broadcast stations, on behalf of his candidacy, a total amount in excess of either the overall communications media limitation,, or the broadcast limitation, which would have been available to him had he been a candidate for the office of Senator from that State; provided that the communications media expenditure limitations shall be increased in proportion to increases in the Consumer Price Index, with the base period being calendar year 1970; provided that the States may make the broadcasting spending limit applicable to State-wide elections, and made the limitation applicable to any money spent by a candidate or on his behalf; required broadcasters selling time on behalf of a candidate to obtain a written certification that the amount to be spent will not put the candidate over the limitation, and applied the same requirement to spending for nonbroadcast media; made the provisions of the act respecting disclosure of Federal campaign funds applicable to every elective process, every candidate, and every political committee (national, state or local) which accepts contributions in a calendar year in excess of $1,000; provided that responsibility for receiving, compiling, and publishing financial statements of contributions and expenditures for candidates and political committees shall be vested in the Secretary of the Senate with respect to candidates for Senator, the Clerk of the House of Representatives with respect to candidates for Representative, and the Comptroller General in other cases; and contained other provisions. S. 382. Public Law 92-225.

International agreements other than treaties

Required that international agreements, other than treaties, hereafter entered into by the United States, be transmitted to the Congress within sixty days after the execution thereof, except where the immediate public disclosure of an agreement would, in the opinion of the President, be prejudicial to national security, the agreement shall not be so transmitted to the Congress but to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House under an appropriate injunction of secrecy to be removed only upon due notice from the President. S. 596. Public Law 92-403.

Joint Committee on Inaugural Ceremonies of 1973

Established a Joint Committee on Inaugural Ceremonies of 1973. S. Con. Res 63. Senate adopted 3-24-72. House adopted 3-27-72.

President Pro Tempore of the Senate

Provided for the election of Senator James O. Eastland of Mississippi as President Pro Tempore of the Senate. S. Res. 333. Senate adopted 7-28-72.

Select Committee on Secret Government Documents

Established a select committee of the Senate to study questions related to the secrecy, confidentiality, and classification of Government documents committed to the Senate. S. Res. 299. Senate adopted 6-15-72.

Senate intervention in Supreme Court proceedings

Authorized Senate intervention in the Supreme Court proceedings involving Senator Gravel on the issue of the scope of article 1, section 6, the so-called speech and debate clause of the Constitution. S. Res. 280. Senate adopted 3-23-72.

Senate Office Building Land Acquisition, and Parking Facilities Planning Act of 1972

Authorizes $53,500,000 for construction of an addition to the New Senate Office Building under the direction of the Architect of the Capitol with approval and review by the Senate Office Building Commission and the Senate Committee on Public Works, and authorizes the Architect of the Capitol to purchase certain adjacent property, publicly and privately owned, for the purpose of proposed parking facilities and the John W. McCormack Residential Page School. S. 3917. P/S 9-13-72.

Technology Assessment Act of 1972

Established an Office of Technology Assessment within and responsible to the Legislative Branch to aid in the identification and consideration of existing and probable impacts of technological application and to develop other coordinate information which may assist the Congress; provided for the establishment of an Advisory Council to provide for expert technical input to the Technology Assessment Board; and contains other provisions. H.R. 10243. Public Law 92-484.

CRIME-JUDICIARY

Administrative assistant to the Chief Justice

Added a new section 677 to title 38, United States Code, creating the Office of administrative assistant to the Chief Justice of the United Sates. H.R. 8699. Public Law 92-238.

Administrative Conference Act

Amends the Administrative Conference Act to authorize utilization of contractual services for studies and of volunteer services, and contains other provisions. S. 3671. Public Law 92- .

Admiralty claims

Broadened the authority of the Secretaries of the military departments to settle administratively admiralty claims which might give rise to a suit within the full range of admiralty jurisdiction now existing in the Federal courts, and contained other provisions. H.R. 8549. Public Law 92-417.

Aircraft piracy amendments

Facilitates prosecution for certain crimes and offenses committed aboard aircraft including threats to commit such acts, and contains other provisions. S. 2567. P/S 9-21-72.

Bankruptcy receivers and trustees

Amends the Bankruptcy Act to increase the maximum compensation allowable to receivers and trustees. S. 1395. P/S 2-18-72.

Bankruptcy referees' salaries and expenses

Amends the Bankruptcy Act to abolish the criteria for fixing the salaries of full-time referees and thus permit the Judicial Conference of the United States to fix the salaries of all full-time referees at the same level and to abolish the referees' salary and expense fund. S. 1394. P/S 2-18-72.

Bankruptcy referees

Amends the Bankruptcy Act to permit a full-time referee in bankruptcy to perform the duties of a U.S. magistrate. S. 1396. P/S 2-18-72.

Care for narcotic addicts

Authorized the Attorney General to provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released; and clarified the intent of Congress that release under a program of supervisory aftercare is an appropriate mode of treatment for both parolees and mandatory releasees who may have been narcotic addicts or drug dependent persons. S. 2713. Public Law 92-293.

Claims involving National Guard

Amended section 715 of title 32, United States Code, concerning claims arising from noncombat activity of the National Guard, so that local law will determine whether negligence of a claimant will bar recovery in whole or in part. H.R. 7616. Public Law 92-445.

Commission on bankruptcy laws extension

Extended the Commission on the Bankruptcy Laws from July 24, 1972, to June 30, 1973, and increased the limit on appropriations to the Commission from $600,000 to $826,000. S.J. Res. 190. Public Law 92-251.

Commission on Revision of Appellate Court System

Created a 16-member Commission on Revision of the Federal Court Appellate System to study and recommend changes in the structure and internal procedures of the Federal courts of appeal system and in the geographical boundaries of the circuits. H.R. 7378. Public Law 92-489.

Copyrights

Extended the duration of copyright protection in certain cases. S.J. Res. 247. Public Law 92——.

Counterfeiting and forgery

Corrected deficiencies in the law relating to the crimes of counterfeiting and forgery which have hampered the successful prosecution of postal money order thieves and passers. H.R. 9222. Public Law 92-430.

Court of Claims

Authorized the U.S. Court of Claims to render judgments with collateral remedies, in addition to money judgments; vested in the Court of Claims the general power to remand appropriate matters to any administrative or executive body or official with such direction as is deemed proper and just; and contained other provisions. H.R. 12392. Public Law 92-415.

Court of Claims retired commissioners

Added a new section 797 to title 28 of the United States Code to authorize the Court of Claims to recall retired commissioners of the Court of Claims to perform the duties of a commissioner for a period of time fixed by the court. H.R. 12979. Public Law 92-375.

Federal court jurors

Amended the Jury Selection and Service Act of 1969 to change from 21 years to 18 years the minimum age qualification for service on grand juries in the district courts of the United States. S. 1975. Public Law 92-269.

Handgun Control Act of 1972

Prohibits the sale and delivery by licensed importers, manufacturers, dealers, or collectors, of any handgun which does not meet the criteria established by the Secretary of the Treasury to implement the "sporting purposes" test established by the Gun Control Act of 1968 to prohibit the importation of foreign Saturday Night Special handguns. S. 2507. P/S 8-9-72.

Juror qualification forms

Amended the Federal Jury Selection Act of 1968 to require prospective jurors to whom juror qualification forms are sent to respond to questions as to their race and occupation. H.R. 2589. Public Law 92-437.

Juvenile Delinquency Control

Extends the Juvenile Delinquency Prevention and Control Act of 1968, which expires on June 30, 1972; strengthens its operation by clearly delineating the scope of activities to be undertaken by the Department of Health, Education, and Welfare in the juvenile delinquency field; provides for grants to State, county, municipal or other public or nonprofit private agencies to plan, develop, and operate coordinated youth services systems; and contains other provisions. S. 3443. P/S 6-19-72.

Extended the Juvenile Delinquency Prevention and Control Act of 1968 for two additional years (fiscal years 1973 and 1974) and strengthened its operation by clearly delineating the scope of activities to be undertaken by the Department of Health, Education, and Welfare in the juvenile delinquency field, including the funding of preventive programs which are outside the traditional juvenile justice system, and provided that juvenile delinquency efforts within the juvenile justice system are to be assisted by the Department of Justice through its administration of the Omnibus Crime Control and Safe Streets Act. H.R. 15635. Public Law 92-381.

Military claims

Amended section 2735 of title 10, United States Code, to provide that the settlement of claims under 10 U.S.C. 2734a, 2734b, and 2737, relating to (1) claims against the United States for property loss or personal injury or death in a foreign country incident to noncombat activities of civilian employees or members of the Armed Forces of the United States, (2) claims against a foreign country for property loss or personal injury or death incident to activity of members of the armed forces of foreign countries in the United States; and (3) claims for property loss or injury or death resulting from the use of property of the United States and not cognizable under other law, shall be final and conclusive. H.R. 5814. Public Law 92-413.

Power of attorney for POW-MIA's

Extends the power of attorney authority for spouses or other named relatives of all members of the Armed Forces who are prisoners of war or missing in action for the extra period of such status. S. 3203. P/S 9-30-72.

Public Safety Officers' Benefits Act of 1972

Aids public safety officers and their families by providing a gratuity of $50,000 to the dependents of public safety officers killed in the line of duty as a result of a crime, and a gratuity to an officer of $25,000 for single dismemberment and $50,000 for multiple dismemberment incurred under the same circumstances. S. 2087. P/S 9-5-72. P/H amended 10-11-72. Conference report filed 10-17-72.

South Dakota Judicial District

Amended section 122 of title 28 of the U.S. Code to revise the geographic composition of three divisions in the Judicial District of South Dakota. H.R. 6745. Public Law 92-376.

Suits against the United States

Permitted suits against the United States to adjudicate disputed land titles. S. 216. Public Law 92——.

Supreme Court Justices survivors' benefits

Amended the Judicial Survivors Annuity Act by giving Justices of the Supreme Court the option to make contributions to the Judicial Survivors Annuity Plan under which benefits are payable to their surviving widows and dependent children, and contained other provisions. S. 2854. Public Law 92-397.

Trademark Act amendment

Amends the Trademark Act to extend the time for filing oppositions to the U.S. Court of Customs and Patent Appeals; eliminates the requirement for filing reasons of appeal in the Patent Office; and contains other provisions. S. 3452. P/S 9-19-72.

U.S. Magistrates' salaries

Amended the statutory ceiling on salaries payable to United States magistrates and sets an upper limit on $15,000 on the salary of part-time magistrates. H.R. 7375. Public Law 92-428.

U.S. Magistrates temporary assignment

Added a new subsection to section 636 of title 28, United States Code, to permit the temporary assignment of U.S. magistrates from one judicial district to another in emergency situations and only the concurrence of the chief judges of the districts involved. H.R. 9180. Public Law 92-239.

Victims of Violent Crime Act, 1972

Provides Federal and State assistance to the victims of violent crime or their surviving dependents; establishes group insurance, death, and dismemberment programs for public safety officers or their surviving dependents; strengthens civil remedies available to victims of racketeerings or theft; and assists the States in offering narcotic and alcoholism treatment programs in correctional institutions. H.R. 8389. P/H 11-1-71. P/S amended 9-18-72. (As it passed the Senate, H.R. 8389 included the texts of the Senate-passed versions of the following bills: S. 2087, P/S 9-5-72, P/H amended 10-11-72; S. 16, P/S 9-5-72; S. 750, P/S 9-18-72, and S. 33, P/S 9-18-72.

Yokohama specie bank depositors

Permitted Japanese-Americans who were interned or paroled during World War II under the Alien Enemy Act (50 U.S.C. 21) to file claims with the Office of Alien Property, Department of Justice, for repayment of funds deposited by them in United States or Hawaiian branches of the Yokohama Specie Bank, Ltd., prior to December 7, 1941. H.R. 8215. Public Law 92-458.

DEFENSE

Air Force officer promotions

Extends until September 30, 1974, Public Law 89-606 which authorizes the number of Air Force field grade officers active duty service and continues the authority for 1,000 additional lieutenant colonels and 1,500 majors. H.R. 14542. P/H 7-25-72. P/S amended 10-11-72.

Armed Forces mailing privileges

Extended free mailing privileges for letters, cards, and sound-recorded personal communications to all members of the U.S. Armed Forces outside the 50 States, and to all members hospitalized as a result of disease of injury incurred while on active duty; and contained other provisions. H.R. 3808. Public Law 92-469.

Boy Scouts loans

Provided permanent authority for the Secretary of Defense to lend Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in support of their national jamborees and world jamborees. H.R. 11738. Public Law 92-249.

Civil Defense

Extended for four years the expiration date of financial assistance programs currently authorized by the Federal Civil Defense Act of 1950, and increased the per annum authorization for financial assistance for personnel and administrative expenses from $25 million to $35 million. S. 3772. Public Law 92-360.

Claims waiver

Amended title 10 and 32 of the United States Code to provide uniform authority to relieve members of the uniformed services and the National Guard of erroneous payments of pay and allowances, other than travel and transportation allowances, under certain conditions. H.R. 7614. Public Law 92-453.

Coast Guard flag officers

Established the positions of Commander, Atlantic Area, and Commander, Pacific Area, and made other changes in the flag officer structure of the Coast Guard. H.R. 13697. Public Law 92-451.

Coast Guard reserve

Authorized the Secretary of the Department in which the Coast Guard is operating to order to active duty, subject to the approval of the President, members of the Coast Guard Ready Reserve during serious natural or manmade disasters, accidents, or catastrophes, and contained other provisions. H.R. 14891. Public Law 92-479.

Coast Guard salaries

Established basic pay of the Master Chief Petty Officer of the Coast Guard comparable to the basic pay of the senior enlisted advisers of the other armed forces and provided for equality of civilian employee benefits between the Lighthouse Service Retirement System, which the Coast Guard administers, and the Civil Service Retirement System. H.R. 10486. Public Law 92-455.

Defense production act amendments

Extended the Defense Production Act of 1950 for 2 years, from the present expiration date of June 30, 1972, to June 30, 1974, and amended the Act by extending from June 30, 1975, to June 30, 1985, the time in which purchase and sales contracts may be entered into concerning materials in the Defense Production Act inventory, S. 3715, Public Law 92-325.

Disposals from national and supplemental stockpiles

Authorized disposal from the national and supplemental stockpiles of various materials, as follows:

Chromite, metalurgical grade: 1,313,600 short dry tons. P/S 3-31-72.

Lead: 496,000 short tons. S. 764. Public Law 92-356.

Nickel: 38,876 short tons. S. 3066. Public Law 92-355.

Zinc: 515,200 short tons. S. 766. Public Law 92-283.

Hostile fire duty

Amended title 10, United States Code, to extend the authority to June 30, 1973, to grant a special thirty-day leave for members of the uniformed services who voluntarily extend their hours of duty in hostile fire areas. H.R. 14537. Public Law 92-481.

MIA leave accumulation

Authorized members of the Armed Forces who are in a missing status to accumulate leave without limitation. H.R. 14911. Public Law 92- .

Military construction authorization, 1973

Provided construction and other related authority for the military departments and the Office of the Secretary of Defense, within and outside of the United States, and authority for construction of facilities for the Reserve Components, in the total amount of $2,549,525,000 and contains other provisions. H.R. 15641. Public Law 92- .

Military dependency criteria

Changes the statutory definition of a military dependent by making the spouse of a female member of the Armed Forces a presumptive dependent and thereby accord to him the same rights, benefits, and privileges which now accrue to the wife of a male member of the military services. S. 2738. P/S 9-27-72.

Military incentive pay

Permitted the award of incentive pay for hazardous duty to persons undergoing rehabilitation and hospitalization after they have been in a missing status or after having been a prisoner of war for a period of one year. H.R. 14909. Public Law 92–482.

Military procurement authorization, 1973

Authorized $20,943,847,000 for military procurement, research, and development, for fiscal year 1973; authorized construction of 218 units for family housing for the Safeguard Anti-Ballistic-Missile System at Grand Forks, North Dakota only; set the expenditure ceiling on U.S. efforts in Laos, except for air-combat operations, at $375 million and the overall authorization for Southeast Asia at $2.5 billion; authorized the personnel strength for the active duty and reserve components of the Armed Forces on the basis of end strength rather than average strength and reduced by 16,000 the active duty strength for fiscal year ending 1973; extended from September 30, 1972, to December 31, 1973, the President's authority to provide aircraft and equipment to Israel; and contained other provisions. H.R. 15495. Public Law 92–436.

Military transportation allowances

Provided the dependents of military personnel who are carried in a missing status, including prisoners of war, the movement of mobile homes or household and personal effects at Government expense during the period the serviceman is carried in a missing status. H.R. 14915. Public Law 92–477.

Naval vessel loans

Authorized the loan of a total of 16 vessels of the destroyer and submarine category of the Reserve fleet to certain foreign countries for a period of 5 years. H.R. 9526. Public Law 92–270.

Navy special pay

Continued for two additional years the special pay for nuclear-qualified submarine and surface officers, and certain nuclear-trained and qualified enlisted members in order to increase the number of nuclear-trained and qualified officers and enlisted men who volunteer to remain on active duty to serve the needs of our nuclear fleet. H.R. 16925. Public Law 92– .

Navy's Judge Advocate General's Corps

Established and authorized strength of one rear admiral of the Naval Reserve in the Judge Advocate General's Corps of the Navy by reducing the authorized rear admiral strength of the Supply Corps of the Naval Reserve by one (from eight to seven). S. 3310. Public Law 92–

Service academies—appointments

Made eligible for competitive Presidential appointment the sons of members of the Armed Forces or of civilian employees of the Federal Government who are prisoners of war in Vietnam or who are otherwise in a missing status as presently defined by law, and increased from 40 to 65 the number who can compete for such appointment. S. 2945. Public Law 92–365.

Servicemen's group life insurance for cadets and midshipmen

Amended 38 U.S.C. 765 so as to extend eligibility for Servicemen's Group Life Insurance (SGLI) to cadets and midshipmen at the United States Military Academy, United States Naval Academy, United States Air Force Academy, and United States Coast Guard Academy. H.R. 9096. Public Law 92–315.

Virgin Islands National Guard

Authorized the establishment of a National Guard unit in the Virgin Islands. H.R. 3817. Public Law 92–492.

DISTRICT OF COLUMBIA

Bus Transit Act

Granted congressional consent to the public acquisition and operation of mass transit bus facilities in the Washington metropolitan area; authorized payments by the District of Columbia government for its share of the cost of acquiring those facilities; authorized and approved capital grant assistance to the Washington Metropolitan Area Transit Authority under the provisions of the Urban Mass Transportation Act of 1964 toward the cost of acquisition of such system; and provided for a METRO station at the Arlington National Cemetery and an additional entrance from the Mall to the station serving the Smithsonian complex. S. 4062. Public Law 92——.

Drunken driving test

Provides that any person operating a motor vehicle within the District shall be deemed to have given his consent, under specified circumstances, to the taking of two chemical tests to determine alcoholic content. S. 4059. Public Law 92——.

Dump truck fees

Authorized the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain dump trucks, within the three jurisdictions, and the enforcement of traffic laws. H.R. 9580. Public Law 92–327.

Educational Personnel Act

Authorizes the Commissioner to enter into on behalf of the District of Columbia the Interstate Agreement on Qualification of Educational Personnel; authorizes the advancing of emergency leave to temporary teachers and attendance officers; allows temporary teachers in the District public school system to elect coverage under the Federal life insurance and health benefits insurance programs after completion of one school year of service; amends existing law to transfer coverage of temporary teachers in the District public school system from the Civil Service Retirement System to the system established under the District of Columbia Public School Teachers Retirement Act; and amends the existing law to allow the employment of District school teachers in congressional offices during the summer months. S. 1996. P/S 4–13–72.

Eisenhower Memorial Bicentennial Civic Center

Authorized the construction of a civic center in the District of Columbia, to be designated the Dwight D. Eisenhower Memorial Bicentennial Civic Center; authorizes appropriations therefor; and contained other provisions. S. 3943. Public Law 92– .

Healing Arts Practice Act amendments

Revises the makeup of the Commission on Licensure; provides for temporary licensure of certain physicians and osteopaths; and broadens the use of endorsement as a method of licensure, by eliminating the application of reciprocity as a barrier to the admission of competent physicians to practice in the District of Columbia. H.R. 8589. P/H 6–14–71. P/S amended 8–6–71. House requested conference 3–9–72.

Insurance Act

Increases the levels of paid-up and surplus requirements for stock life, mutual companies, and casualty insurance companies to further safeguard and protect innocent policyholders from possible losses resulting from bankrupt insurance companies; makes available greater levels of group life insurance for District residents and expressly permits the assignment of an interest in a group life insurance policy consistent with the prevailing practice in 37 states; increases the number of contractors who may do business with the District without a bond by increasing from $2,000 to $10,000 the value of a contract for which a bond is required; and contains other provisions. S. 2208. P/S 4–27–72.

International center complex

Authorizes an appropriation of $2,200,000 for improvements to the land (streets, sidewalks, water mains, etc.) which was transferred to the Department of State under the authority of Public Law 90–553, approved October 8, 1969, for use as sites for foreign chanceries. S. 4089. P/S 10–14–72.

Interstate compact on mental health

Authorized the District of Columbia to enter into the Interstate Compact on Mental Health: guaranteed that any person found to be mentally ill or mentally deficient within a party State will receive care and treatment in that State regardless of legal residence or domicile; permitted the transfer of a mentally ill patient to an institution in another State when such transfer is found to be in the best interests of the patient; provided for interstate cooperation with regard to after-care, and supervision of patients on convalescent status or conditional release; and encouraged supplementary agreements between two or more party States for the furnishing of care and treatment of patients on a cooperative basis. H.R. 10344. Public Law 92–280.

Law Enforcement and Criminal Justice Act

Defines certain credit card abuses as an offense and establishes a penalty for violations; authorizes the District government to regulate certain stores, which receive second-hand property, usually as trade-ins and which presently are not required to report the receipt of these items to the police; makes it an offense to throw missiles in the direction of any group of five or more persons if the thrower knows, or has cause to believe, that an officer of the police or fire departments is present in the group; makes it a crime to possess flash paper or water soluble paper which are both used to record illegal bets by organized gambling operations; authorizes the seizure of motor vehicles used in a narcotics violations; and contains other provisions. S. 2209. P/S 4–12–72.

Licensing procedures

Provides for the modernization and streamlining of the laws governing the various occupations, professions, businesses, and trades in the District of Columbia, in order to better meet the needs of the general public and the regulated occupations and professions alike. S. 1363. P/S 4–12–72.

Metropolitan Police

Amends section 389 of the revised statutes of the United States to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department from the records open to public inspection. H.R. 11773. Public Law 92 .

Municipal fees

Vests authority in the District of Columbia Council, after public hearing, to set a variety of municipal fees, including fees for certain licenses and permits. S. 1338. P/S 4–12–72.

National Capital Transit Act

Amended the National Capitol Transportation Act of 1969 to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority; authorized an increased contribution by the District of Columbia; and contained other provisions. H.R. 15507. Public Law 92–349.

National Firefighting Museum

Authorized and directed the Commissioner of the District of Columbia to convey certain property within the District to the National Firefighting Museum and Center for Fire Prevention. H.R. 2895. Public Law 92–491.

Pennsylvania Avenue Bicentennial Development Corporation

Established the Pennsylvania Avenue Development Corporation to insure orderly comprehensive development of Pennsylvania Avenue and the adjacent area. H.R. 10751. Public Law 92——.

Personnel Act

Authorizes designated District employees to administer oaths of office; authorizes the set-offs of annuity payments, or refunds, payable from the civil service retirement funds in order to liquidate debts owed to the District or Federal Government; authorizes the waiver by the District of claims for overpayment of pay; authorizes the District government to provide transportation for District employees working in municipal facilities outside the District of Columbia; and amends the Hatch Act to remove the exemption for the District of Columbia Recorder of Deeds. S. 1346. P/S 4–13–72.

Physically disabled persons

Provides that blind and otherwise physically disabled persons shall have the same right as the able bodied to the full and free use of the streets, sidewalks, public buildings, and facilities in the District of Columbia, and contains other provisions. H.R. 11032. Public Law 92–   .

Police and firemen's salaries

Amended the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to provide increased salaries and other benefits to officers and members of the Metropolitan Police Department, the District of Columbia Fire Department, the U.S. Park Police, and the Executive Protection Service; amended the Police and Firemen's Retirement and Disability Act; and contained other provisions. H.R. 15580. Public Law 92–410.

Potomac River reservoirs

Gave broad authorization to the D.C. Commissioner to enter into contracts to provide for payment to the United States of the District's equitable share of the non-Federal costs of any reservoir which may be authorized by Congress for construction on the Potomac River or any of its tributaries which would benefit the D.C. water supply. S. 1362. Public Law 92–263.

Public utilities reimbursement

Provided for reimbursement to privately owned public utilities in the District of Columbia of the cost of relocation, or losses from abandonment, of facilities due to urban renewal projects, or projects under the National System of Interstate and Defense Highways (Federal-aid highway projects). H.R. 13533. Public Law 92–495.

Real property actions

Provided a 10-year limitation on actions arising out of death or injury caused by defective or unsafe improvements to real property. S. 1524. Public Law 92–   .

Substitute teachers retirement credit

Made creditable for the purposes of computing civil service retirement annuity benefits certain service by substitute teachers in the D.C. school system rendered after July 1, 1955. S. 1031. Public Law 92–454.

Tax sheltered annuities for teachers

Authorized the reduction of salaries of teachers and school officials employed in the service of the public schools of the District of Columbia, by an amount which would be paid into a tax-sheltered annuity program pursuant to the provisions of section 403(b) of the Internal Revenue Code of 1954, relating to the taxability of beneficiaries of annuity plans. H.R. 9395. Public Law 92–281.

Teachers' salaries

Amended the District of Columbia Teachers' Salary Act of 1955, principally to provide increased salaries thereunder in a two-stage sequence, to amend the D.C. Teachers' Retirement Act in several respects so as to conform its provisions with those of the Civil Service Retirement Act, and to provide new revenues sufficient to meet the additional costs which will accrue as a result of the enactment of this proposed legislation. H.R. 15965. Public Law 92–   .

ECONOMY-FINANCE

Aircraft loan guarantees

Extended the expiration date of the Government Guarantee of Equipment Loans Act of 1957 for five years, from September 7, 1972, to September 7, 1977, and increased the amount of loans any one air carrier can have guaranteed at any time for the purchase of aircraft from $10 million to $30 million. S. 2741. Public Law 92–   .

Automobile information disclosure

Clarified the Congressional intent that the Automobile Information Disclosure Act of 1958, should apply to all new automobiles distributed in commerce within the United States, its territories, its possessions, and wherever else the United States exercises jurisdiction. S. 473. Public Law 92–359.

Economic Opportunity Amendments of 1972

Extended the Economic Opportunity Act for three years, through fiscal year 1974; expanded the Neighborhood Youth Corps manpower program and provided a special additional authorization of $500 million to create 100,000 additional work and training opportunities in the program; established a new program for community design and planning assistance; provided for the expansion and permanent establishment of an annual Youth Recreation and Sports Program; and contained other provisions. H.R. 12350. Public Law 92–424.

Equal Export Opportunity Act and International Economic Policy Act of 1972

Facilitated prompt removal of U.S. export controls which are not necessary to protect our national security by directing the Secretary of Commerce to study good and technology and when he thinks justifiable, remove export controls from any item now unilaterally controlled by the U.S. and not involving national security (with the exception of agricultural items—including animal hides—which must have the approval of the Secretary of Agriculture) and report to Congress on his actions within nine months after enactment; provided for the creation of industry-government technical advisory groups for each group of articles to aid the Secretary in making decisions relating to export controls; extended the provisions of the Export Administration Act (including the President's authority to control exports) until June 30, 1974; established a Council on International Economic Policy composed of: the President, the Secretaries of States, Treasury, Defense, Agriculture, Commerce and Labor, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and the Special Representative for Trade Negotiations; created the office of Executive Director of the Council on International Economic Policy to be appointed by the President; required an annual report by the President to Congress on the international economic position of the U.S.; and authorized $1.4 million for fiscal year 1973 for use by the Council. S. 3726. Public Law 92–412.

Export Administration Act

Provided a temporary extension of the Export Administration Act to August 1, 1972. S.J. Res. 218. Public Law 92–284.

Federal financing bank

Provides for a Federal Financing Bank through which the marketing of Federal and federally assisted borrowing activities can be centralized; provides for advance submission of financing plans to the Secretary of the Treasury and for Treasury approval of the method and source of financing, timing, rates of interest, maturities, and all other financing terms and conditions of issues or sales of obligations by Federal agencies; and provides for submission to the President of Federal agency budget programs for loan guarantees and for limitation by the President of such programs if overall fiscal requirements and credit demands so warrant. S. 3001. P/S 6–22–72.

Federal Reserve bank branch buildings

Increases the $60 million limitation in section 10 of the Federal Reserve Act on construction of buildings for branches of the Federal Reserve banks to $120 million. S. 3197. P/S 2–22–72.

Federal salary checks

Extended the authority of agency heads to draw salary checks of agency employees in favor of financial institutions to all other classes of recurring payments, such as social security, veterans' benefits, civil service and railroad retirement annuities. H.R. 8706. Public Law 92–366.

Internal Revenue Code Amendments

American Samoans

Provided that American Samoans may be claimed as dependents for U.S. income tax purposes; and contained other provisions relating to estate tax treatment of annuities in community property states, accrued vacation pay, and a deduction, under certain conditions of a portion of the State tax on motor vehicles. H.R. 1467. Public Law 92—.

Federal Unemployment Tax

Provides that the exclusion from the definition of the term "employment" under the Federal Unemployment Tax Act of the services of insurance agents and solicitors who are compensated on a commission basis will be applied on a calendar quarter basis rather than an annual basis or an individual pay period basis; permits withholding by the Federal Government of municipal taxes from Federal employees who are residents of the State in which the city is located, or if not, with the employee's consent; authorizes the Secretary of Health, Education, and Welfare discretionary authority to reallocate moneys not used by some States under the $2.5 billion social services limitation to other States, under certain conditions; and contains other provisions. H.R. 7577. P/H 11–17–71. P/S amended 10–16–72.

MIA Income Exclusion

Amended section 112 of the Internal Revenue Code of 1954 to provide an exclusion from gross income for compensation received (beginning on February 28, 1961, and ending at the time of the termination as designated by the President of combatant activities in Vietnam) for active service as a member of the armed forces, or for active service as a civilian governmental employee, during the period the individual is in a "missing status" (which includes a prisoner-of-war status) as a result of the Vietnam conflict. H.R. 9900. Public Law 92–279.

United States-Guam Income Taxes

Provided that passive income, such as dividends, interest, and rent, derived from Guam by U.S. corporations, is not to be subject to the special 30-percent tax withheld at source; provided that, generally, U.S. citizens are to file tax returns with the U.S. or Guam but not both, based upon their residency at the end of the year; contained other provisions dealing with the taxation of income earned by U.S. citizens or corporations residing in, or obtaining income from, Guam. H.R. 14628. Public Law 92–   .

Mortgage interest rates

Extended the authority of the Secretary of Housing and Urban Development to establish maximum interest rates on insured mortgages at levels necessary to meet the mortgage market and extended certain other laws relating to housing and urban development. S.J. Res. 250. Public Law 92–335.

National securities transfer system

Creates a system of regulation and decision-making which extends to every facet of the securities handling process; requires clearing agencies to register with and report to the Securities and Exchange Commission and empowers the Commission to review and amend the rules of such clearing agencies; directs the Commission, by the end of 1976, to take such steps as are within its power to bring about the elimination of the negotiable stock certificate as a means of settlement among brokers or dealers of transactions consummated on national securities exchanges or by means of instrumentalities of interstate commerce; prohibits the imposition of state taxes on securities or upon the transfer of securities merely because the facilities of a clearing agency are physically located in the taxing State; and contains other provisions. S. 3876. P/S 8-4-72. P/H amended 10-13-72. Senate requested conference 10-14-72. House insisted on its amendments 10-17-72.

Par Value Modification Act

Authorized and directed the Secretary of the Treasury (1) to take the steps necessary to establish a new par value of the dollar of one dollar equals one thirty-eighth of a fine troy ounce of gold, and (2) to maintain the value in terms of gold of the holdings of the United States dollars of the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the International Development Association and the Asian Development Bank to the extent provided for and required by the Articles of Agreement of these institutions; authorized the appropriation, to remain available until expended, of such amounts as may be necessary to satisfy the maintenance of value obligations, and directed that the increase in the value of the gold held by the United States resulting from the change in the par value of the dollar be covered into the Treasury as a miscellaneous receipt. S. 3160. Public Law 92-268.

Pre-Columbian Art

Prevents the importation into the United States of certain pre-Columbian archeological objects exported contrary to the laws of the country of origin; provides measures for the security and safety of such international cargo; and extends the right to judicial review of administrative countervailing duty decisions to American manufacturers, producers, and wholesalers. H.R. 9463. P/H 2-29-72. P/S amended 9-27-72. Conference report filed. Similar provisions were included in H.R. 4678, Public Law 92- .

Public debt limit

Increased from $430 billion to $450 billion the public debt limit through June 30, 1972. H.R. 12910. Public Law 92-250.

Public debt and social security benefits increase

Provided for a four-month extension of the present temporary level in the public debt limitation from June 30, 1972, to October 31, 1972, and provided for a 20 percent across-the-board increase in Social Security benefits, effective in September, 1972. H.R. 15390. Public Law 92-336.

Public debt and unemployments compensation benefits

Provided a debt limitation of $465 billion through June 30, 1973, composed of the permanent limitation of $400 billion and a temporary limitation of $65 billion (an increase of $15 billion over the present temporary limitation), and extended, under certain conditions, unemployment benefits under the Federal-State Extended Unemployment Compensation Act. H.R. 16810. Public Law 92-

Public Works and Economic Development Act Amendments of 1972

Extended the programs authorized by the Public Works and Economic Development Act of 1965 for an additional year through June 30, 1974, to maintain current Federal efforts in assisting economically distressed areas through the creation of needed public works and planning; authorized additional funds for the Title V Regional Action Planning Commissions to enable them to implement their development plans; separated short-term emergency assistance and funding from long-term economic development programs through the establishment of a separate Public Works Impact Program; authorized extended unemployment benefits to workers who suffer employment loss as a result of enforcement of Federal environmental control orders and provides loans to business to comply with such pollution control requirements; and contained other provisions. H.R. 16071. Public Law 92- .

Rolling Stock Utilization and Financing Act of 1972

Establishes a revolving Federal Railroad Equipment Obligation Insurance fund to insure obligations incurred by railroads and car-pooling companies in the acquisition of rolling stock, limited to a total of $2 billion in unpaid principal amount; establishes a Board to administer the fund composed of 7 members (the Secretaries of Transportation, and the Treasury and 5 appointed by the President to represent shippers, consumers and state regulatory agencies); provides for the establishment of a national computerized rolling stock information system; authorizes incorporation of a Rolling Stock Authority, upon an affirmative resolution by Congress within 3 years and 6 months of the date of enactment, to acquire and manage rolling stock if the Interstate Commerce Commission and the Secretary of Transportation find, respectively, that a freight car shortage continues and that substantial progress in freight car supply and utilization has not been made; and contains other provisions. S. 1729. P/S 8-4-72.

Small Business Act amendments

Amended the Small Act to increase the total amount of the ceiling on loans, guarantees, and other obligations or commitments outstanding by the Small Business Administration from $3.1 billion to $4.3 billion; increased from $450 million to $500 million the SBA's leading authority to the Small Business Investment Company under title II of the Small Business Investment Act of 1958; increased from $300 million to $350 million the SBA's lending authority under title IV of the Economic Opportunity Act of 1964 for loans to low-income individuals and for businesses located in areas of high unemployment or low income; and increased the ceiling on each individual loan from $25,000 to $50,000. S. 3166. Public Law 92-320.

Small Business Investment Act of 1972

Establishes a minority enterprise small business investment company program patterned after the existing small business investment (SBIC) program of the Small Business Administration; provides a statutory definition of these companies and permits it to be organized under either the business or non-profit corporation statutes of the several States; authorizes the SBA to acquire preferred stock in a MESBIC within certain limits; reduces the level of private capital required to qualify for third-dollar leverage from SBA, from $1 million to $500,000; provides an interest subsidy for borrowed government funds during the first five years of the loan; and permits federally regulated banks to own MESBIC's wholly or in part, within specified limits. S. 3337. P/S 9-13-72.

Tariff schedule amendments

Granted temporary relief from duty for caprolactam monomer in water solution until June 30, 1973; applied the statutory rates to tain levels of importation to close a loop-hole imports from the Virgin Islands above ceron processed wool; and provided for the free entry of a carillon for the use of the University of California at Santa Barbara. H.R. 4678. Public Law 92- .

Amended the Tariff Schedules to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins; suspends the tariff on istle fiber for another three years; and amends the Federal-State Extended Unemployment Compensation Act to permit additional payments of benefits under the act. H.R. 640. P/H 11-17-71. P/S amended 10-14-72.

Truth in Lending Act Amendments of 1972

Amends the disclosure and other provisions of the Truth in Lending Act and adds a new Credit Billing chapter under Title I (Fair Credit Billing Act) to the Truth in Lending Act, dealing with: correction of billing errors, regulation of credit reports, length of the billing period, prompt crediting of payments, crediting of excess payments, use of cash discounts, prohibition of offsetting a disputed bill from funds on deposit, relationship to State laws, and payment for undelivered goods and services; makes 10 amendments, under Title II, to the disclosure provisions of the Truth in Lending Act (unrelated to billing practices) dealing with a creditor's liability in individual and class action cases, credit card fraud, and with other items. S. 652. P/S 4-27-72.

EDUCATION

Education amendments

Revised the Higher Education Act of 1965 to constitute a single law including all continuing higher education financial assistance programs for both students and institutions of higher education and, in general, extended the authorizations for funds for programs thereunder through fiscal year 1975; established a major new program of grant assistance to which students desiring to attend postsecondary educational institutions are entitled as a matter of right, and increased assistance to institutions of higher education; amended the Vocational Education Act of 1963, and extended authorization for funds for vocational educational programs thereunder through fiscal year 1975; restructured the Federal education bureaucracy by establishing, within the Department of Health, Education, and Welfare, an Education Division headed by an Assistant Secretary of HEW, composed of the Office of Education and the National Institute of Education, and by establishing within the Office of Education a Bureau of Occupational and Adult Education, a bureau-level Office of Indian Education, and a unit for coordinating community college programs; barred discrimination by sex in higher education; contained various provisions relating to the assignment or busing of students or teachers to overcome racial imbalance, including a prohibition of use of funds for this purpose except when requested by local school officials and certain conditions regarding health and educational opportunities are met, and a section, to expire January 1, 1974, postponing the effectiveness of Federal district court orders requiring busing until the appeals process has been exhausted; authorized $2 billion for fiscal year 1973 and 1974 for an emergency school aid program to assist desegregating school districts and local educational agencies which wish to meet desegregation problems; made special provision for Indian education and authorized investigations of youth camp safety; and contained other provisions. S. 659. Public Law 92-318.

Student loans

Postponed until March 1, 1973, in regard to certain amendments made by the Education Amendments of 1972 to the interest subsidy provisions of the Guaranteed Student Loan Program. S.J. Res. 260. Public Law 92-391.

"Twin Falls" vessel

Authorized the transfer of a vessel, the ex USNS Twin Falls, by the Secretary of Commerce to the Board of Education of the City of New York for education purposes. H.R. 15735. Public Law 92– .

Uniformed Services Health Professions Revitalization Act

Authorized the establishment of a Uniformed Services University of the Health Services to be within a 25 mile radius of the District of Columbia; created an Armed Forces Health Professions Scholarship Program; and contained other provisions. H.R. 2. Public Law 92–426.

GENERAL GOVERNMENT

American Revolution Bicentennial Commission

Authorized $4.3 million for the Commission for fiscal year 1972; enlarged the Commission representation from 37 to 50 members; and contained other provisions. S. 1857. Public Law 92–236.

Authorized an appropriation of $3,356,000 for expenses of the American Revolution Bicentennial Commission until February 15, 1973, of which not to exceed $1,200,000 would be for grants for State bicentennial projects. H.R. 13694. Public Law 92– .

Antihijacking Act

Provided the necessary legislation for the United States to implement the Convention for the Suppression of Unlawful Seizure of Aircraft; empowered the President to suspend air service if he determines that a foreign nation is acting in a manner inconsistent with the convention or is used as a base of operations, training or sanctuary or, which in any way, arms, aids, or abets, any terrorist organization; established under Title II, cited as the Air Transportation Security Act of 1972, an air transportation security force under the Federal Aviation Administration, which has the power to search or detain any person aboard or attempting to board an aircraft, search or inspect any property abroad or intended to be placed aboard any aircraft, arrest any persons who there is reasonable cause to believe have violated any statute relating to crimes against aircraft or aircraft facilities, and carry firearms when deemed necessary; and contained other provisions. S. 2280. P/S 9–21–72. P/H amended 10–2–72. Conference report filed 10–13–72.

Architects and Engineers

Amended the Federal Property and Administrative Act of 1949 to establish a Federal policy for the selection of qualified architects and engineers to design and provide consultant services in carrying out Federal construction and related programs. H.R. 12807. Public Law 92– .

Arkansas River Basin compact

Grants the consent of the United States to the Arkansas River Basin compact, Arkansas-Oklahoma. S. 3316. P/S 9–25–72.

Bureau of Land Management

Authorizes an appropriation of $3 million to provide the initial capital to establish a working capital fund for the Bureau of Land Management of the Department of the Interior. S. 2743. P/S 5–2–72.

Bureau of Mines Research Center, Utah

Authorized the establishment and maintenance of a new Bureau of Mines Research center as a replacement facility for that now located and established on the campus of the University of Utah, and provided for the sale of the fixed improvements and the conveyance of certain lands to the University. S. 978. Public Law 92–287.

Cape Canaveral

Restores the name of Cape Canaveral, the oldest continously used place name on the Atlantic coast, to that geographic area off the east coast of Florida which was designated as Cape Kennedy by presidential announcement on November 29, 1963, and provides that the John F. Kennedy Space Center be maintained as the name of the NASA and Department of Defense facilities located on the cape. S.J. Res. 103. P/S 7–21–72.

Civil Rights Commission

Extended the life of the Civil Rights Commission for five years and five months, until June 30, 1978; expanded the jurisdiction of the Commission to include discrimination based on sex; provided a ceiling on appropriations for the Commission of $5.5 million for fiscal year 1973 and $7 million for the four succeeding fiscal years; and contained other provisions. H.R. 12652. Public Law 92–496.

Coal leasing moratorium

States the sense of the Senate that the Secretary of the Interior place a temporary moratorium on Federal Coal leasing in Montana. S. Res. 377. Senate adopted 10–12–72.

Comprehensive Headstart, Child Development, and Family Services Act of 1972

Provides a variety of quality child development and family services in order to assist parents who request such services in providing their children with an opportunity for a healthful and stimulating development, with priority to those preschool children and families with the greatest economic or social needs, in a manner designed to strengthen family life and to insure decisionmaking at the community level through a partnership of parents, State and local governments and the Federal Government, building upon the experience and success of Headstart and other existing programs and authorizes $150 million for fiscal year 1973 to prepare for implementation of the act, and $1.2 billion and $1.6 billion respectively for fiscal years 1974 and 1975 for programs under the act. S. 3617. P/S 6–20–72.

Depository libraries

Authorized the Public Printer to designate the library of the highest appellate court in each State as a depository library. S. 2227. Public Law 92–368.

Disaster relief loans

Amended the Small Business Administration Act to increase assistance to disaster victims; provided additional disaster loan aid for SBA declared or Presidentially declared disasters between January 1, 1971, and June 30, 1973; increased Farmers Home Administration disaster loan aid for disasters declared by the Secretary of Agriculture or the President between June 30, 1971, and July 1, 1973; and contained other provisions. H.R. 15692. Public Law 92–385.

Equal rights for men and women

Submitted to the State legislatures an amendment to the Constitution of the United States which, if ratified, would insure equal rights under the law for men and women. H.J. Res. 208. Public Law 92– .

Federal Advisory Committee Act

Strengthened the authority of Congress and the executive branch to limit the use of Federal advisory committees to those that are necessary and serve an essential purpose; provided uniform standards for the creation, operation, and management of such committees; provided that the Congress and the public are kept fully and currently informed as to the number, purposes, membership and costs of advisory committees, including their accomplishments; assured that Federal advisory committees shall be advisory only; and contained other provisions. H.R. 4383. Public Law 92–463.

Fire research

Authorized not to exceed $5 million for fiscal year 1973, not to exceed $9 million for fiscal year 1974, and not to exceed $10.5 million for fiscal year 1975 for the Department of Commerce to carry out the purposes of the Fire Research and Safety Act of 1968; authorized not to exceed $3 million for fiscal year 1973, not to exceed $4.5 million for fiscal year 1974, and not to exceed $5.5 million for fiscal year 1975 for the Department of Commerce to carry out the purposes of the Standard Reference Data Act; and amended the act which established the National Bureau of Standards to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the Bureau. H.R. 13034. Public Law 92–317.

Fishermen's Protective Act amendments

Extended until July 1, 1977, the provisions of section 7 of the Fishermen's Protective Act of 1967, which authorizes a program for reimbursement of certain losses resulting from the seizure or detention of U.S. commercial fishing vessels by a foreign country, and transferred the administration of the program from the Secretary of the Interior to the Secretary of Commerce pursuant to the provisions of Reorganization Plan No. 4. S. 3545. Public Law 92– .

Amends the Fishermen's Protective Act of 1967 in order to expedite the reimbursement of U.S. vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries; strengthens the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed; and contains other provisions. H.R. 7117. P/H 8–2–72. P/S amended 5–25–72. Conference report filed in House 10–4–72.

Full Opportunity and National Goals and Priorities Act

Declares that it is the policy and responsibility of the Federal Government to promote and encourage conditions so that every American has the opportunity to live in decency and dignity, and to provide a clear picture of whether these conditions are promoted in such areas as health, education and training, rehabilitation, housing, vocational opportunites, and the arts and humanities; establishes a Council of Social Advisers in the Executive Office of the President, composed of three members to be appointed by the President with the advice and consent of the Senate; requires an annual social report by the President to the Congress; and establishes within Congress an Office of Goals and Priorities Analysis which would review the President's social report and other material and prepare an annual report on national priorities of programs in the annual budget, containing recommendations concerning spending priorities. S. 5. P/S 7–25–72.

Highway emergency relief

Increased the authorizations for emergency highway relief as a result of recent floods and other disasters from $50 million to $200 million for fiscal year 1973 and $100 million for each fiscal year thereafter. H.R. 15950. Public Law 92–361.

History of public works

Authorizes the Library of Congress to assist the American Public Works Association in the preparation and publication of a history of public works in the United States from 1776 through 1976 (the undertaking to be the Association's official bicentennial project), and contains other provisions. S.J. Res. 204. P/S 6–23–72. P/H amended 9–20–72.

Immigration and National Act Amendments

Amended section 301(b) of the Immigration and Nationality Act, relating to the residence requirements requisite to retention of U.S. citizenship acquired by birth abroad through a U.S. citizen parent and an alien parent, and contained other provisions. H.R. 8273. Public Law 92– .

Inspection of dams

Authorized the Secretary of the Army, acting through the Chief of Engineers, to carry out a national program of inspection of dams for the purpose of protecting human life and property. H.R. 15951. Public Law 92-267.

Intergovernmental Cooperation Act of 1972

Authorizes the President to promulgate rules to simplify and unify financial reporting requirements—and other administrative requirements—of Federal assistance programs; provides for an expeditious method—using the Executive Reorganization Act approach—for congressional approval of grant consolidation; provides authorization for simplifying the administrative and technical requirements of Federal assistance programs to permit joint management and joint funding of these programs on a departmental and, to a lesser extent, on an inter-departmental basis; and establishes a more comprehensive policy of congressional and executive review of the operation of grant programs. S. 3140. P/S 9-14-72.

Maryland-Virginia Boundary

Granted the consent of Congress to contain boundary agreements between the States of Maryland and Virginia. H.J. Res. 733. Public Law 92——.

Metric Conversion Act of 1972

Provides a national program to make the international metric system the official and standard system of measurement in the United States and provides for converting to the general use of such system within 10 years after the date of enactment of this act. S. 2483. P/S 8-18-72.

National Commission on Consumer Finance

Extended for six additional months the life of the National Commission on Consumer Finance (authorized and established pursuant to title IV of the Consumer Credit Protection Act of 1968) until December 31, 1972, and authorized an additional appropriation of $500,000 to carry out the activities of the Commission for the extended period. S.J. Res. 211. Public Law 92-321.

National Commission on the Financing of Postsecondary Education

Set compensation rates and provided for travel expenses of members of the National Commission on the Financing of Postsecondary Education. H.R. 16883. Public Law 92- .

National Science Foundation Authorization Act of 1972

Authorized appropriations to the National Science Foundation for fiscal year 1973 of $696.6 million from the Treasury, and $7 million in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States. H.R. 14108. Public Law 92-372.

National Science Policy and Priorities Act of 1972

Declares as national policy that Federal funds for science grow to the degree required to achieve an annual qualitative growth in the gross national product needed to sustain a full employment economy, that Federal funds for civilian research and development must be maintained at parity with military R & D, and that Federal programs for civilian R & D must be focused on meeting national needs in priority areas; gives explicit authority to the National Science Foundation to develop national policies for applying science to national problems; establishes a Civil Science Systems Administration within the National Science Foundation; authorizes the National Science Foundation to plan and assist in the transition of scientific and technical manpower from research and engineering programs which have been terminated or significantly reduced to other civilian-oriented research and engineering activities; authorizes a total of $1.025 billion to carry out the provisions of this act; and contains other provisions. S. 32. P/S 8-17-72.

New Mexico land

Disclaimed U.S. interest in the title to about seven acres of the Antoine Leroux Spanish Land Grant along the Rio Hondo near Taos, New Mexico. S. 2674. Public Law 92- .

North Carolina-Virginia boundary

Granted the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary. H.J. Res. 912. Public Law 92- .

Older American Community Service Employment Act

Establishes an Older American Community Service employment program in the Department of Labor for the purpose of securing employment in community service activities for low income persons 55 years or older and authorizes therefor $100 million for fiscal year 1973 and $150 million for fiscal year 1974; and contains other provisions. S. 555. P/S 9-21-72.

Older Americans: Comprehensive Services Amendments

Extended and expanded the Older Americans Act of 1965 to enlarge the scope of the services provided therein; improved the organizational structure at the Federal, State, and local level of the agencies having responsibility for the delivery of such services; created new programs for the needs of older Americans; and created a Federal Council on Aging to act on the behalf of older persons with all departments and agencies of the Federal government. H.R. 15657. Public Law 92- .

1976 Olympic games

Authorizes $15.5 million in Federal assistance for the construction and design of facilities for the XII International Winter Olympic Games to be held in Denver, Colorado in 1976; requires the filing of an environmental impact statement with respect to actions authorized under this Act; applies the provisions of the Civil Rights Act of 1964 to the employment of individuals in any construction project assisted pursuant to this Act, or in connection with the Olympic Games; requires contractors and subcontractors on all construction projects assisted by this act to pay their employees wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act; provides for the creation of a National Commission on the Olympic Games for the purpose of reevaluating the American Olympic effort; and contains other provisions. S. 3531. P/S 9-15-72.

Olympic team

Commended the 1972 U.S. Olympic team for their athletic performance, and Mark Andrew Spitz in particular for his unparalleled achievement in the 1972 Olympic games. H. Con. Res. 701 H. adopted 9-21-72. S. adopted 9-27-72.

Pacific Tropical Botanical Garden

Amended the charter of the Pacific Tropical Botanical Garden (the act of August 19, 1964) to permit an increase of the total number of trustees H.R. 9135. Public Law 92-447.

Passenger vessels sale abroad

Removed the restrictions of section 503 of the Merchant Marine Act so as to authorize the sale abroad of five laid up U.S.-flag passenger vessels and to require that the net proceeds be used to construct new U.S.-flag vessels. H.R. 11589. Public Law 92-296.

Penn's landing development, Philadelphia, Pa.

Removes the navigational servitude of the United States, a cloud on title, from a portion of the Delaware River, located in downtown Philadelphia, by declaring that portion of the river to be nonnavigable, to facilitate the completion of the Penn's Landing waterfront renewal project S. 1971. Public Law 92- .

Program Information Act

Provides needed information on Federal domestic assistance program to intended beneficiaries through the publication of a catalog of Federal assistance programs. S. 718. P/S 9-22-72.

Protection of foreign officials

Provided for extended protection of foreign officials and their families by amending the United States Code (chapter 51, title 18) to include foreign guests and their families; placed any acts or crimes perpetrated against them within the territorial perimeter (including air and sea) of the United States under the official jurisdiction of the Federal government; and provided penalties for various criminal offenses. H.R. 15883. Public Law 92- .

Public buildings amendments

Authorized a purchase-contract procedure of 3-years duration in an attempt to eliminate the 8-year backlog on construction of 63 Federal buildings which have been authorized but unfunded; established a public buildings fund into which will be deposited "rents" collected from all Federal agencies using space in government-owned buildings and from which will be drawn capital to finance construction of Congressionally-authorized buildings; and provided for the transfer of the non-performing arts functions (including maintenance, security, information, interpretation, janitorial, and other services) of the John F. Kennedy Center for the Performing Arts to the National Park Service and authorized $1.5 million for fiscal year 1972 for the public costs of maintaining and operating the non-performing arts functions at the Center. S. 1736. Public Law 92-313.

Runaway Youth Act

Authorizes the Secretary of Health, Education, and Welfare to provide assistance to local groups to operate temporary shelter care programs in areas where runaways tend to congregate, such shelters to be equipped to provide field counseling for both the runaway and his family after the runaway has moved to permanent living facilities; authorizes $10 million for fiscal years 1973, 1974, and 1975 for these temporary shelters; and authorizes $500,000 to conduct research on the scope of the runaway problem in this country. S. 2829. P/S 7-31-72.

Rural Disaster Recovery Act of 1972

Amends the Consolidated Farmers Home Administration Act of 1961 to provide loans for emergency disaster relief to victims of hurricane and tropical storm Agnes and of other disasters that have been declared natural disasters by the President or the Secretary of Agriculture during the period June 30, 1971, to July 1, 1973. S. 3840. P/S 7-26-72.

Secret Service protection for major Presidential and Vice-Presidential candidates

Authorizes the United States Secret Service to furnish protection to persons determined by the advisory committee as being major presidential or vice-presidential candidates (unless the candidate has declined such protection). S.J. Res. 222. P/S 4-19-72.

Small fishing vessels

Prohibited the use in the fisheries of the United States of vessels of less than 5 net tons which were (1) constructed in a foreign country, and (2) have been used in a foreign fishery, and (3) have been subsequently prohibited by such country from continuing to engage in its fisheries. S. 3358. Public Law 92- .

Social Security Act amendments

Amended the Social Security Act in regard to old age survivors and disability insurance benefits, and among other things, provided a special minimum benefit to long-term, low-wage employees with a minimum of $170 a month per person or $225 per couple to those with 30 years of covered employment; increased benefits for delayed retirement after age 65 by 1 percent per year; increased from $1,680 to $2,100 the amount of social security recipient may earn without reduction of benefits; raised widows' and widowers' benefits from 82.5 percent of the deceased spouse's entitlement to 100 percent; contained provisions relating to Medicare, Medicaid and maternal and child health, including an extension of Medicare protection to social security disability beneficiaries, provisions for hospital insurance benefits for uninsured individuals, coverage of chiropractic costs and, in certain circumstances, payments for kidney dialysis, the establishment of doctor "peer review" groups to monitor doctor practices under Medicare, Medicaid and other Federal programs, and reimbursement of health maintenance organizations; reduce from 6 to 5 months the waiting period for disability benefits; provided for the financing of Social Security trust funds to meet the new costs by increasing the present payroll tax of 5.2 percent to 5.85 percent (payable by employer and employee) on a maximum wage base of $10,000 in 1973 and $12,000 in 1974, thus increasing the maximum individual payment into the fund from the present amount of $468 to $631.80 in 1973 and $702 in 1974; provided a new supplemental security income of at least $130 a month per individual or $195 per couple for the aged, blind, and disabled under a Federal program; and contained other provisions. H.R. 1. Public Law 92– .

Social Security special project grant extension

Amended title V of the Social Security Act to extend for 5 years—until June 30, 1977—the period within which certain special project grants (under maternal and child health services program) may be made. H.R. 9410. Public Law 92–345.

Star route mail contracts

Amended the Postal Reorganization Act of 1970 to authorize the Postal Service to renew star route contracts for the transportation of mail with subcontractors who are supplying services satisfactory to the Postal Service. S. 1989. Public Law 92–286.

State and Local Fiscal Assistance Act of 1972 (Revenue Sharing)

Established a State and Local Government Fiscal Assistance Trust Fund in the Treasury and appropriated moneys to the fund as follows: for the period January 1, 1972, through June 30, 1972, $2,652.39 billion, fiscal year beginning July 1, 1972, $5,642.28 billion, fiscal year beginning July 1, 1973, $6,054.78 billion, fiscal year beginning July 1, 1974, $6,204.78 billion, fiscal year beginning July 1, 1975, $6,354.78 billion, and July 1, 1976, through December 31, 1976 $3,327.39 billion, for a total for these periods of $30,236.40 billion; distributed the funds to State and local governments on a one-third—two-thirds basis, using whichever of two formulas yields the greater amount to the State for that period: (1) a formula based on State population multiplied by the inverse of the State relative per capita income multiplied by tax effort (State and local tax collections as a percentage of total person income in the State), or (2) a formula based on an annual amount, $3.5 billion at the start of the program, divided one-third on the basis of population, one-third on urbanized population, and one-third on population inversely weighted for per capita income, and $1.8 billion at the start of the program, divided one-half on the basis of individual income tax collections by State governments and one-half on the basis of the general tax effort of the State and local government; specified procedures for distribution to local governments, including use of the first formula, with provision for use of specified alternative formulas by State law, for distribution to county areas, municipalities, and township governments, and a formula for county governments based on the ratio of its adjusted taxes to the adjusted taxes of its local government units; placed an overall limit on Federal funding for social services under public assistance programs, with the exception of services necessary to enable AFDC (Aid to Families with Dependent Children) recipients to participate in the Work Incentive Program; and contained other provisions. H.R. 14370. Public Law 92– .

Surplus personal property

Amends the Federal Property and Administrative Services Act of 1949 to make State fish and wildlife and outdoor recreation agencies eligible to receive donations of Federal surplus personal property. S. 244. P/S 9–22–72.

Surplus property

Amends the Federal Property and Administrative Services Act of 1949 to make public museums, like public libraries, eligible to secure surplus property which is usable and necessary for purposes of education, public health, or for research for any such purpose. S. 164. P/S 9–22–72.

Trust Territory of the Pacific Islands

Authorized approximately $3.1 million in additional Federal funds to the trust territory economic development loan fund, thus bringing the total in the fund to $5 million, and contained other provisions. S. 860. Public Law 92–257.

Uniform Relocation Assistance and Real Property Acquisition Policies Act amendments

Amends the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to continue after July 1, 1972, full Federal funding for the first $25,000 in relocation payments made by State and local agencies under the act to persons displaced from their homes, businesses, or farms by federally assisted programs and projects; postpones the effective date of the act to allow States extra time to pass enabling legislation authorizing State and local agencies to comply with all the act's requirements; authorizes the head of a Federal agency to take all steps necessary to insure that all relocation payments and assistance prescribed by the act be provided to all persons displaced by a federally assisted program after the present July 1, 1972 effective date; and contains other provisions. S. 1819. P/S 4–12–72. P/H amended 8–1–72. In conference.

Uniform Time Act amendment

Permitted any State which is divided by a time zone boundary to exempt all of the State lying within one time zone from the observance of advanced or "daylight saving time." S. 904. Public Law 92–267.

Virgin Islands—Amendment of Revised Organic Act

Permitted the legislature of the Virgin Islands to reduce the age limitations for membership in the legislature. H.R. 9545. Public Law 92–389.

War Powers Act

Defines the emergency conditions, in the absence of a declaration of war by Congress, in which the Armed Forces of the United States may be introduced in hostilities, or in situations where imminent involvement in hostilities is indicated by circumstances; sets forth criteria for such emergency use and provides that use under other than the three specified emergency conditions must be pursuant to specific statutory authorization and is not to be inferred from any provision of law, including appropriations, unless such authority is explicitly provided; provides that no treaty, existing or future, may be construed as authorizing use of the armed forces without implementing legislation; provides that the use of the armed forces under any of the emergency conditions spelled out in the bill shall not be sustained beyond 30 days unless: (1) the President determines and certifies to the Congress in writing the need for their continued use under the first two emergency conditions (attack on the United States, its territories or possessions or on U.S. Armed Forces outside thereof); (2) the Congress is physically unable to meet; or (3) the Congress specifically authorizes such action; provides that this act shall take effect on the date of enactment but shall not apply to hostilities in which U.S. Armed Forces are already involved, thus exempting the current involvement in Indochina; and contains other provisions. S. 2956. P/S 4–13–72. P/H amended 8–14–72. In conference.

White House Conference on the Handicapped

Authorizes and requests the President to call a White House Conference on the Handicapped within 2 years of enactment in order to develop recommendations for further research and action in the field of the handicapped. S.J. Res. 202. P/S 8–8–72.

GOVERNMENT EMPLOYEES

Air traffic controllers

Amended title 5, United States Code, so as to improve the conditions of employment for individuals employed as air traffic controllers in the Department of Transportation by offering preferential retirement benefits, job training and improved appeal procedures for controllers removed from control work. H.R. 8083. Public Law 92–297.

Civil service retirement

Permits certain employees of the Government of the United States to voluntarily retire when the Executive agency in which they are employed is involved in a major reduction of personnel. S. 3380. P/S 5–3–72.

Civil service survivor annuities

Defined "child" for the purpose of a survivor annuity to include children living with an adoptive parent and made them eligible for a survivor benefit if the child is in the process of being adopted at the time of death of the employee or annuitant and the adoption process is later completed by the surviving spouse. S. 2896. Public Law 92–243.

Deputy U.S. marshals

Revised the pay structure for nonsupervisory positions of deputy United States marshals, and contained other provisions. H.R. 13895. Public Law 92– .

Federal employees health insurance

Increases the Government's contribution toward paying the cost of health insurance plans authorized by the Federal Employees Health Benefits Act; includes Federal employees retired prior to January 1, 1960, within the scope of the program; and raises the maximum age of children of Federal employees for coverage under the program. H.R. 12202. P/H 4–27–72. P/S amended 6–23–72. In conference.

Federal Executive Service

Establishes a Federal Executive Service, under the direction of the Civil Service Commission, to authorize supergrade positions and appoint and direct top level Federal managers, thus relaxing some of the rigid constraints that now interfere with achieving effective personnel management at the supergrade level; provides for Congressional surveillance of the Commission's activities; and contains other provisions. S. 1682. P/S 6–23–72.

Federal firefighters retirement

Permitted Federal employees who are firefighters to retire at age 50 after 20 years of service or after 25 years of service regardless of age, and to receive 2 percent of average salary for each year of service. S. 916. Public Law 92–382.

Foreign Service grievance procedures

Requires the Secretary of State to promulgate regulations providing for the consideration and resolution of grievances which do not "in any manner alter or amend the provisions for due process"; provides that informal procedures for the resolution of grievances shall be established by agreement between the Secretary of State and the organization recognized as the exclusive representative of the officers and employees of the Foreign Service; establishes a Grievance Board to be composed of independent, distinguished citizens; and contains other provisions. S. 3722. P/ 6–22–72.

Government personnel surety bonds

Provided that the Federal Government shall assume the risk of fidelity loss, thus, establishing the policy that no agency of any branch of the Federal Government shall obtain surety bonds for its civilian or military personnel who have the responsibility for substantial sums of money in connection with their official duties; repealed or amended existing law requiring Federal agencies to obtain surety bonds for these civilian and military personnel; and provided that the amount of any loss due to the fault or negligence of a Federal employee shall be charged to the agency's appropriations or other available appropriate fund. H.R. 13150. Public Law 92–310.

Interstate nuclear boards' representatives

Repealed the present limitations on compensation payable to the representative on the Southern Interstate Nuclear Board both as to rate and as to maximum amount payable in any year, and provided a new rate identically applicable to both the Southern and Western representatives who would be compensated for every day of service at the daily equivalent of the maximum rate for grades GS–18. H.R. 14974. Public Law 92–440.

Life insurance deduction waiver

Waived the collection of life insurance premiums from the back pay of a Federal employee during a period erroneous separation or suspension, and provided for payment of the proceeds of the policy in the event of a Federal employee's death or accidental dismemberment after erroneous separation or suspension. H.R. 11563. Public Law 92– .

National Guard technicians' credit

Grants 100 percent retirement credit to all former technicians serving in any Federal position covered by the Civil Service Retirement Act on or after January 1, 1969; allows eligible technicians to pay the full amount of the optioned deposit due for the pre-1969 technician service; allows former technicians in the Federal service on and after January 1, 1969, to receive service credit for their pre-1969 technician service in determining length of service for leave, Federal employees' death and disability compensation, group life and health insurance, severance pay, tenure, and status; and provides that an annuitant with pre-January 1, 1969, technician service may have his annuity recomputed to reflect 100 percent credit for his pre-January 1, 1969, service. S. 855. P/S 5–3–72.

National Historical Publications Commissions

Provided for two additional members of the National Historical Publications Commission, and contained other provisions. H.R. 15763. Public Law 92– .

Prevailing rate employees

Established a system for adjusting rates for prevailing rate employees of the Federal Government, and to include prevailing rate employees of nonappropriated fund activities of the Armed Forces within the prevailing rate pay system; and established a Federal Prevailing Rate Advisory Committee to study the prevailing rate system and to advise the Civil Service Commission thereon. H.R. 9092. Public Law 92–392.

Retirement of congressional employees

Permits an employee or Member of Congress eligible for an immediate retirement annuity after a cost-of-living increase is effective, but before the next cost-of-living increase effective date, to retire and receive an annuity not less than it would have been had he been eligible and retired before the effective date; provides that the survivor annuity of an employee or Member who dies after the cost-of-living increase date would not be less than it would have been had it commenced on or before the effective date. S. 1681. P/S 5–14–71. P/H amended 5–17–71. Senate requested conference 4–4–72.

Retroactive pay increases for blue-collar Federal employees

Authorized retroactive wage adjustments for 214,000 wage board employees whose pay increases were delayed, either by the 90-day wage-price freeze or by the administration's postponement of wage surveys, and contained other provisions. H.R. 13753. Public Law 92–298.

HEALTH

Alcoholism prevention

Provided a one-year extension of programs funded under section 301 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation programs dealing with alcohol abuse and alcoholism. H.R. 16675. Public Law 92– .

Black Lung Benefits Act of 1972

Amended the Federal Coal Mine Health and Safety Act of 1969 so as to extend and broaden benefits under title IV of the Act for disabled miners and dependents of miners who die of pneumoconiosis; extended to June 30, 1973, federal responsibility for payments under the program; and contained other provisions. H.R. 9212. Public Law 92–303.

Child Nutrition Act of 1972

Extended the special (non-school) food assistance program for children and the School Breakfast Program through June 30, 1975; required the use of Section 32 funds in such amounts as necessary to carry out the regular school lunch program under the National School Lunch Act and provides an average reimbursement rate of not less than 8 cents per meal in each State in fiscal 1973; set new guidelines for free lunches with a maximum limit on family income for determination of children's eligibility for free lunches; provided a supplemental food program for pregnant women and infants determined to be nutritional risks; and contained other provisions. H.R. 14896. Public Law 92–433.

Communicable disease control

Authorized for each of fiscal years 1973, 1974, and 1975 $11 million for grants for communicable disease programs for tuberculosis, $6 million for such programs for measles, and $23 million for each fiscal year; permitted up to ½ of the amount appropriated for any fiscal year for grants under one category of programs to be used for grants under other categories of programs; created a new section to the Public Health Service Act to provide for a special venereal disease prevention and control program for which there is authorized annually for the next three fiscal years $7.5 million on project grants for research, training, and public health programs relating to prevention and control, $25 million in formula grants to States for establishing and maintaining programs for diagnosis and treatment, and $30 million in project grants to States for prevention and control programs. S. 3442. Public Law 92–449.

Community Mental Health Centers Act extension

Extended for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for the mental health of children. H.R. 16676, P/H 10–13–72. P/S amended 10–17–72. H. disagreed to S. amendments 10–17–72.

Consumer Safety Act of 1972

Created a new, independent regulatory commission within the Federal structure which has responsibility for preventing consumers from being exposed to unsafe foods, drugs, and other consumer products; and contained other provisions. S. 3419. Public Law 92– .

Drug Abuse Office and Treatment Act of 1972

Strengthened and improved the administrative structure within the Department of Health, Education, and Welfare (HEW) through which the Secretary of HEW is responsible for delivering a broad range of coordinated drug abuse prevention, treatment, and rehabilitation services; established a Special Action Office for Drug Abuse Prevention in the Executive Office of the President; established a National Institute on Drug Abuse within the National Institute of Mental Health to be created on December 31, 1974; established a National Advisory Council for Drug Abuse Prevention; and provided for extensive new Federal assistance to promote and improve the development of State and local drug abuse prevention, treatment, and rehabilitation programs. S. 2097. Public Law 92–255.

Drug Listing Act of 1972

Provided the Secretary of Health, Education, and Welfare with a current list of each drug manufactured, prepared, propagated, compounded, or processed by a drug establishment registered under the Act, which would be revised semi-annually. H.R. 9936. Public Law 92–387.

Flammable fabrics

Authorized $4 million for fiscal year 1973 to carry out the Flammable Fabrics Act of 1953 and extended flammability standards to include children's sleepwear for sizes 7–14. H.R. 5066. Public Law 92– .

Health Facilities, Manpower, and Community Mental Health Centers Act

Provides for the extension of the Hill-Burton Act hospital construction program and authorizes for fiscal year 1973, $3.7 billion in Federal aid to assist the States in construction and modernization of public and other nonprofit health facilities to include long term care, outpatient, and rehabilitation facilities; extends for 4 years, through fiscal year 1977, the current authority to provide financial assistance for the construction of medical library facilities and related library services and projects; establishes within the Public Health Service, an officially titled National Health Service Corps to improve the delivery of health care and services to persons residing in critical health manpower shortage areas and offers financial assistance to students in the medical field in order to obtain trained physicians, dentists, nurses, and other health related specialists for the National Health Service Corps and the Public Health Service Corps; extends until June 30, 1975, the authority to improve the Health services and conditions of domestic agricultural migratory and seasonal farmworkers and their families; extends through fiscal year 1977 the traineeships program for graduate and specialized training in public health for professional personnel; and contains other provisions. S. 3716. P/S 9–20–72. (S. 3716 include the provisions of the following bills: S. 3752, P/S 8–16–72; S. 3858, P/S 8–18–72; S. 3762, P/S 8–17–72; and S. 3441, P/S 8–16–72.)

Health maintenance organizations

Authorizes $4,895,400,000 for 3 years (fiscal years 1973–75) for support for health maintenance organizations (serving large enrolled populations in urban areas with a comprehensive range of services at a single site), supplemental health maintenance organizations, health service organizations (operating primarily in rural areas), and area health education and service centers; authorizes planning grants to study the feasibility of developing or expanding health maintenance organizations, supplemental health maintenance organizations, and health service organizations, initial development grants to assist these organizations before they begin actual operation, construction grants and loans to assist them in constructing ambulatory health care facilities and meeting capital investment costs for transportation equipment (and also authorizes construction grants and loans to assist health service organizations to meet capital investment costs for communications equipment), and initial operating grants and loans to assist them in meeting operating deficits incurred during their first 3 years of operation; establishes an independent Commission on Quality Health Care Assurance to develop, establish, and encourage national systems for quality health care; establishes an arbitration program between patients and medical malpractice claims and health care providers certified by the Commission as maintaining approved internal quality control standards, and a Federal medical malpractice reinsurance program to be administered by the Commission; establishes a new Institute of Health Care Delivery within the Department of Health, Education, and Welfare to carry out a multidisciplinary research and development program to improve the delivery of health care in the United States; and contains other provisions. S. 3327. P/S 9–20–72.

Health personnel

Amended the Public Health Service Act by establishing within the Public Health Service an officially titled National Health Service Corps; required the Secretary of Health, Education, and Welfare to improve health care delivery and service in critical health manpower shortage areas; and contained other provisions. S. 3858. Public Law 92– .

Lead based paint poisoning amendments

Extends the provisions of the Lead Based Paint Poisoning Prevention Act; authorizes $100 million annually for lead poisoning programs; authorizes the Secretary of Health, Education and Welfare to implement procedures to prohibit the use of lead-based paint in construction of Federal or Federally-assisted housing and in the manufacture of certain toys, furniture, and utensils; revises standards for the lead content in paint; and contains other provisions. S. 3080. P/S 6–14–72.

Multiple sclerosis

Established a National Commission on Multiple Sclerosis to be responsible for making a thorough study and investigation of current research in the field of multiple sclerosis and related neurological diseases to determine the most productive avenues of approach toward finding causes, cures, and treatment of multiple sclerosis, and contained other provisions. H.R. 15475. Public Law 92– .

Narcotic Addict Rehabilitation Act Amendments of 1971

Amended the Narcotic Addict Rehabilitation Act of 1966 to permit persons within its purview to be enrolled in methadone maintenance programs as an additional mode of available treatment. H.R. 9323. Public Law 92–420.

National Cooley's Anemia Control Act

Established a national program for the diagnosis, prevention, and treatment of and research in Cooley's anemia together with screening, counseling, and education programs, and authorized $1 million per year for fiscal years 1973, 1974, and 1975. H.R. 15474. Public Law 92–414.

National Heart, Blood Vessel, Lung, and Blood Act of 1972

Enlarged the authorities of the National Heart and Lung Institute of the National Institutes of Health in order to advance the national attack upon diseases of the heart and blood vessels, the lungs and blood; required the Director of the Institute, with the advice of the National Heart and Lung Advisory Council, to develop a plan for a ten-point National Heart, Blood Vessel, Lung and Blood Disease Program to be coordinated with other relevant programs within the National Institutes of Health, and authorized the Director to acquire and maintain cardiovascular and pulmonary disease laboratories and other facilities necessary for the conduct of the program; authorized the Director to establish 15 research centers for cardiovascular diseases and 15 research centers for pulmonary diseases; and contained other provisions. S. 3323. Public Law 92–423.

National Institute of Arthritis, Metabolism and Digestive Diseases

Redesignated the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases; established within that Institute's presently existing advisory council a committee to advise the Director of the Institute on activities relating to digestive diseases; and provided a statutory authorization for the Director of the Institute to carry out intramural research, extramural research, and training in the diagnosis, treatment, and prevention of digestive diseases. H.R. 13591. Public Law 92–305.

National Institute on Aging

Amended title IV of the Public Health Service Act to provide for the establishment in the National Institutes of Health of a National Institute on Aging, for the conduct and support of biomedical, social, and behavioral research and training relating to the aging process and the diseases and other special problems and needs of the aged, and contained other provisions. H.R. 14424. Public Law 92– .

National Sickle Cell Anemia Act

Established a national program to control, to conduct research, and to improve procedures in the treatment of persons suffering from, sickle cell trait or sickle cell anemia; authorized grants and contracts to public and nonprofit private agencies, organizations, or institutions to assist in establishing and operating voluntary sickle cell anemia screening and counseling programs; and contained other provisions. S. 2676. Public Law 92–294.

Nutrition program for the elderly

Amended the Older Americans Act of 1965 to authorize $100 million for 1973 and $150 million for fiscal year 1974 in grants to the States for establishing and operating nutrition projects to provide low cost, nutritionally sound meals to individuals 60 years of age or older and their spouses, provided such individuals fall within certain categories. S. 1163. Public Law 92–258.

Regulation of DES

Amends the Federal Food, Drug, and Cosmetic Act to prohibit the administration of the drug diethylstilbestrol (DES) to any animal or to the feed of any animal intended for use as food, and contains other provisions. S. 2818. P/S 9–20–72.

Sudden infant death syndrome

Designates the search for a cause and cure for sudden infant death as one of the highest priorities of research activities in the National Institute of Child Health and Human Development; directs the Department of Health, Education, and Welfare to develop, publish, and distribute literature to educate the families stricken by this disease and the professionals who come in contact with it; and further directs the Secretary of HEW to work toward reliable statistical reporting of the disease throughout the nation and its inclusion in the International Classification of Disease. S.J. Res. 206. P/S 6–7–72.

HOUSING

Housing and urban development

Overhauls legislation involving the Federal Housing Administration mortgage insurance program and the low-rent public housing program; contains a new block grant program to provide Federal assistance to localities for community development; establishes a new program of Federal grants to communities to help meet operating expenses of the Nation's mass transit systems; and contains other provisions. S. 3248. P/S 3–2–72.

Housing programs

Extended the authority of the Secretary of Housing and Urban Development to insure mortgages under the mortgage insurance programs of the Federal Housing Administration, and to provide authorizations necessary to continue certain other existing programs through June 30, 1973. H.J. Res. 1301. Public Law 92– .

National housing goals

Empowers the Securities and Exchange Commission by rule, regulation, or order to authorize companies subject to the Act to construct, own, or operate Federally-assisted low and moderate income housing, either through investment in a housing subsidiary of the holding-company system or through investment in individual housing projects in which the National Housing Partnership, organized pursuant to Title IX of the Housing and Urban Development Act of 1968, participates, and contains safeguards designed to regulate the extent and nature of this investment to assure protection of housing tenants and utility consumers and investors. S. 1991. P/S 7–21–72.

INDIANS

Assiniboine Indians of Montana judgment funds

Authorized the division and disposition of judgment funds awarded to the Assiniboine Tribes residing on the Fort Peck and Fort Belknap Reservations in Montana which have been appropriated, but cannot be used by the recipients of the award until authorized by Congress. S. 3230. Public Law 92– .

Blackfeet and Gros Ventre Tribes, Montana

Authorized division and disposition of judgment funds awarded to the Blackfeet Tribes of the Blackfeet Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana. S. 671. Public Law 92–254.

Bridgeport Indian Colony, California

Declares that 20 acres of public domain in Mono County, California, are held in trust for the Bridgeport Indian Colony. S. 3113. P/S 9–19–72.

Burns Indian Colony, Oregon

Declared that 762 acres of Federal land be held in trust for the Burns Indian Colony, Oregon. H.R. 6318. Public Law 92–488.

Cheyenne-Arapaho Tribes, Oklahoma

Amended a 1967 statute which authorized the distribution and use of a judgment against the United States that was recovered in the Indian Claims Commission by the Cheyenne-Arapaho Tribes of Oklahoma to change the age of majority for the purpose of distributing the judgment from 21 to 18. H.R. 6575. Public Law 92–439.

Coeur D'Alene Indian Reservation, Idaho

Authorized the Secretary of the Interior to approve the sale, exchange, or encumbrance of tribal lands and to sell or exchange individually owned trust lands or interests therein held in multiple ownership to other Indians if the sale or exchange is authorized by the owners of at least a majority of the interest in such lands. S. 345. Public Law 92-472.

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana

Authorized disposition of judgment funds awarded to the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana. S. 602. Public Law 92-253.

Confederated Tribes of the Colville Reservation

Authorized disposition of judgment funds awarded to the Confederated Tribes of the Colville Reservation, and contained other provisions. H.R. 6291. Public Law 92-244.

Delaware Tribe

Authorized the distribution and use of a claims judgment recovered by the Delaware Tribe, to be divided between the Delaware Tribe of Indians and the Absentee Delaware Tribe of Western Oklahoma. H.R. 14267. Public Law 92-456.

Fort Belknap Indian community trust land

Conveyed to the Fort Belknap Indian Community, Montana, the beneficial interest in 5 acres of federally owned land. H.R. 10702. Public Law 92-435.

Government actions regarding Indian tribes

Amended title 28 of the United States Code to extend for 90 days the time for commencing actions on behalf of an Indian tribe, band, or group. H.R. 15869. Public Law 92-353.

Havasupai Tribe

Authorized the distribution and use of a claims judgment recovered by the Havasupai Tribe. H.R. 9032. Public Law 92-438.

Indian actions

Amended section 2415 of title 28, United States Code, to provide that actions brought by the United States in behalf of tribes, bands, or groups of American Indians, or individual Indians with land in a trust or restricted status, for money damages which accrued on July 18, 1966, will not be barred until after 11 years from that date or until 2 years from a final administrative decision, whichever is later. H.R. 13825. Public Law 92-485.

Indian Claims Commission Act of 1946—Extension

Extended the life of the Indian Claims Commission for 5 years, from April 10, 1972, to April 10, 1977, and contained other provisions. H.R. 10390. Public Law 92-265.

Indian lands, New Mexico

Granted 99-year lease authority for trust or restricted Indian land in New Mexico that is located outside the boundaries of reservations. H.R. 7701. Public Law 92-431.

Indian Self-Determination Act

Authorizes the Secretaries of the Interior and of Health, Education, and Welfare, upon the requests of the Indian tribes, to enter into contracts with tribal organizations so that they may plan, conduct, and administer projects under the Bureau of Indian Affairs and Indian Health Service, respectively; provides for grants to Indian tribal organizations for planning, training, and other activities specifically designed to make it possible for such organizations to enter into contracts; further authorizes the detail of personnel (including commissioned officers of the public Health services) from the two Departments to assist the tribal organizations to fulfill their contract or grant responsibilities; and contains other provisions. S. 3157. P/S 8-2-72.

Jicarilla Apache Tribe, New Mexico

Authorized the use of a judgment of $9,232,709 to the Jicarilla Apache Tribe in New Mexico to be used, after payment of attorney fees and litigation expenses, for any purpose requested by the tribe and approved by the Secretary of the Interior. H.R. 9019. Public Law 92-295.

Kickapoo Indians of Kansas and Oklahoma

Authorized the division of five claims judgments between the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma, and authorized the disposition of the funds after they are divided, and also the disposition of a sixth judgment recovered by the Kickapoo Tribe of Oklahoma alone. H.R. 6797. Public Law 92-467.

Miami Tribes of Oklahoma and Indiana

Authorized disposition of judgment funds awarded to the Miami Tribes of Oklahoma and Indiana. H.R. 5199. Public Law 92-309.

Minnesota Chippewa Tribe

Transfers 28,700 acres of federally owned submarginal land on the White Earth Reservation in Mahnomen and Becker Counties, Minnesota, to the Minnesota Chippewa Tribe, with the title to be held in trust by the United States; provides protection to any person who may have a vested interest in the land; and contains other provisions. S. 1217. P/S 8-1-72.

Mississippi Sioux Indians

Authorized to the Sisseton and Wahpeton Tribes of Sioux Indians the disposition of their share of judgment funds recovered by the Mississippi Sioux Indians. S. 1462. Public Law 92- .

Modoc Point Unit, Oregon

Approved an order of the Secretary of the Interior which cancels $76,302.29 in irrigation assessments against non-Indian lands in the Modoc Point Unit of the Klamath Indian Irrigation Project, plus accrued interest and penalties. H.R. 489. Public Law 92-379.

Nez Perce Indian Reservation

Limited the right to receive by devise or inheritance any interest in other trust or restricted property on the Nez Perce Reservations to persons who are enrolled members of the tribe with one-fourth degree or more blood of the tribe, such limitation not to apply however, unless the person who is precluded from inheriting is paid by the tribe the fair market value of the interest in the land. H.R. 10486. Public Law 92-443.

Osage Indians, Oklahoma

Authorized the distribution of a $13,250,000 judgment recovered by the Osage Tribe of Oklahoma. H.R. 7093. Public Law 92- .

Payson Band, Yavapai Apache Tribe

Provided for the selection of a village site, not to exceed 85 acres, in Tonto National Forest, Arizona, by the Payson Band subject to the approval of the Secretaries of Interior and Agriculture, which shall be held by the United States in trust as an Indian reservation for their use and benefit, and contained other provisions. H.R. 3337. Public Law 92-470.

Pueblo de Acoma Indians

Authorized the distribution and use of claims judgment recovered by the Indians of the Pueblo of Acoma. H.R. 10655. Public Law 92-462.

Pueblo of Cochiti Indians

Provides that all right, title, and interests of the United States in approximately 3.806 acres of federally owned land, acquired for school purposes, together with improvements thereon, will be held in trust by the United States for the Pueblo of Cochiti, subject to existing rights-of-way. S. 538. P/S 5-4-72.

Shoshone-Bannock Tribes

Provided for the disposition of judgment funds in favor of the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, as representatives of the Lemhi Tribe. S. 2478. Public Law 92-442.

Southern Ute Tribe

Authorized the Southern Ute Tribe, subject to the provisions of the tribal constitution, ordinances and resolutions adopted thereunder, to sell any land that is held by the United States in trust for the tribe or land subject to a restriction against alienation or taxation imposed by the United States, and that is not needed for Indian use. S. 1140. Public Law 92-312.

Stockbridge-Munsee Indian Community

Transferred 13,077 acres of federally owned submarginal land to the Stockbridge-Munsee Indian Community with the title to be held in trust by the United States; provided protection to any person who may have a vested interest in the land; directed the Indian Claims Commission to determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claim against the United States determined by the Commission; and reserved all mineral interests in the land to the United States. S. 722. Public Law 92-480.

Tribes of the Warm Springs Reservation

Limited the right to receive by devise or inheritance any interest in trust or restricted property on the Warm Springs Reservation to persons who are enrolled members of the Confederated Tribes, such not to apply, however, unless the person who is precluded from inheriting is paid by the tribes the fair market value of the interest in the land. H.R. 5721. Public Law 92-377.

Walker River Indian Reservation, Nev.

Amends the act of August 9, 1955, as amended, by authorizing leases on the Walker River Reservation for a period up to 99 years for public, religious, educational, recreational, residential, or business purposes and for farming purposes which require the making of substantial investment in the improvement of the land for the growing of specialized crops. S. 953. P/S 5-11-72.

Warm Springs Reservation of Oregon

Placed in trust, for the use and benefit of the Confederated Tribes of the Warm Springs Reservation of Oregon, the lands and improvements on approximately 60,660 acres of the 61,360 acres of federally owned national forest land comprising the area known as the "McQuinn Strip." S. 2969. Public Law 92-427.

Yankton Sioux Tribe

Provided for the disposition of funds to pay a judgment of $1,250,000 against the United States that was recovered by the Yankton Sioux Tribe in the Indian Claims Commission; stated that such money has been appropriated but may not be used until authorizing legislation has been enacted and contained other provisions. H.R. 7742. Public Law 92-468.

Yavapai Apache Tribe

Authorized the distribution and use of a claims judgment recovered by the Yavapai Apache Tribe. H.R. 8694. Public Law 92-461.

INTERNATIONAL

Agreements with Portugal and Bahrain

Stated the sense of the Senate that any agreement with Portugal or Bahrain for military bases or foreign assistance should be submitted as a treaty to the Senate for advice and consent. S. Res. 214. Senate adopted 3-3-72.

American-Mexican Boundary Treaty Act of 1972

Authorized the appropriation of such funds as may be necessary to carry out the United States part of the Treaty resolving boundary differences between the United States and Mexico, and contained other provisions. H.R. 15461. Public Law 92- .

Arctic winter games authorization

Authorizes the appropriation of $250,000 to the Secretary of Commerce to assist in financing the Arctic Winter Games which are scheduled to be held in Alaska in 1974 and which are hosted for the first time by the United States, and provides for the disbursement of these funds under such conditions as the Secretary deems appropriate. S. 2968. P/S 5-15-72.

Asian Development Bank—U.S. contributions

Authorized the Secretary of the Treasury, in his capacity as U.S. Governor of the Bank, to agree to a U.S. contribution of $100 million in two installments to the Bank's Consolidated Special Funds; authorized appropriations therefor of $60 million and $40 million for fiscal years 1972 and 1973, respectively; required the President to instruct the U.S. Executive Director of the Bank to vote against any loan to any country which expropriates property; and contained other provisions. S. 749. Public Law 92-245.

Atlantic Union Delegation

Creates a delegation of 18 eminent U.S. citizens authorized to organize and participate in a convention composed of similar delegations from "such North Atlantic Treaty parliamentary democracies as desire to join in the enterprise." S.J. Res. 217. P/S 10-4-72.

Cancer research

Authorized the appropriation of such sums as may be necessary for the annual payment by the United States of its share of the expenses of the International Agency for Research on Cancer, except that in no event shall this payment in any year exceed 16 percent of all contributions assessed Participating Members for that year. H.J. Res. 1257. Public Law 92-494.

Diplomatic privileges and immunities to the mission of the European communities

Authorized the President to extend or enter into an agreement extending to the mission of the Commission of the European Communities and its members the same privileges and immunities now enjoyed by diplomatic missions in Washington, D.C. S. 2700. Public Law 92- .

Foreign aid authorization

Authorized for fiscal year 1972 $1,518,000,000 for military assistance and for fiscal year 1973 $984 million for economic and humanitarian assistance; imposed a ceiling of $341 million on funds which may be obligated in or for Cambodia in fiscal year 1972 and put a ceiling of 200 on the number of American civilian and military government personnel in Cambodia; and contained other provisions. S. 2819. Public Law 92-226.

Foreign Assistance Act of 1972

Authorizes $1,822.5 million for fiscal year 1973 for military and related assistance programs under the Foreign Assistance Act of 1961, as amended, and the Foreign Military Sales Act, as amended; authorizes $685 million for security supporting assistance, of which $85 million is earmarked for Israel; $435 million for foreign military credit sales and sets an aggregate ceiling thereon of $600 million; and $600 million for grant military assistance; authorizes $100 million for refugee relief in Bangladesh; requires that future agreements with foreign governments relating to U.S. overseas military installation be submitted to the Senate for its advice and consent; imposes a $275 million ceiling for fiscal year 1973 on U.S. obligations for or on the behalf of Cambodia, excluding the cost of U.S. air operations and South Vietnamese operations in Cambodia; prohibits U.S. Government military assistance or sales to South Asian nations, except for training assistance; raises the annual ceiling on military assistance, credit sales, and ship loans to Latin America to $150 million; requires specific authorization for the financing of any foreign forces operating in Thailand; and contains other provisions. H.R. 16029. P/H 8-10-72. P/S amended 9-26-72. In conference.

Hague and Rome conferences

Eliminated the ceiling of $25,000 a year on U.S. contributions to the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law and provided in lieu thereof for an authorization of such sums as may be necessary but not to exceed, in any one year, 7 percent of all expenses of the Conference or the Institute apportioned among their respective members for that year; deleted language which authorized the payment from this sum of all other necessary expenses incident to U.S. participation in these bodies, such expenses to be funded in the future from the Department of State's regular appropriations for international conferences and contingencies. H.R. 11948. Public Law 92- .

Industrial property protection

Deleted the present $15,000 a year ceiling on U.S. contributions to the International Bureau for the Protection of Industrial Property and provides instead for the authorization of such sums as may be necessary for the U.S. contribution except that in no event shall this payment for any year exceed 4.5 percent of all the expenses of the Bureau apportioned among its members that year; and changed the name of the bureau from "International Bureau for the Protection of Industrial Property" to that of "International Bureau of Intellectual Property" in accordance with the provisions of the World Intellectual Property Convention of 1967. H.J. Res. 984. Public Law 92——.

Inter-American Development Bank (IDB)—U.S. contributions

Authorized the Secretary of the Treasury in his capacity as U.S. Governor of the IDB to pay to the Fund for Special Operations the second and third installments of $450 million each for U.S. contributions; authorized appropriations therefor; required the President to instruct the U.S. Executive Director of the Bank to vote against any loan to any country which expropriates property; and contained other provisions. S. 748. Public Law 92-246.

International bridges

Gave the consent of Congress to agreements to be made by States, or subdivisions thereof, relating to the construction of bridges over international boundaries; authorized the executive branch in appropriate cases to give final approval to such agreements; and gave advance consent to the construction of such bridges, subject to numerous conditions and approvals. H.R. 15577. Public Law 92-434.

International Coffee Agreement, 1968—Extension

Extended the authority of the President to October 1, 1973, to carry out and enforce certain provisions of the International Coffee Agreement Act of 1968. H.R. 8293. Public Law 92-262.

International Development Association (IDA)—U.S. contributions

Authorized the Secretary of the Treasury, in his capacity as the U.S. Governor of the Association, to contribute to the IDA three annual installments of $320 million each; authorized appropriations therefor; required the President to instruct the U.S. Executive Directors of the International Bank for Reconstruction and Development and the IDA to vote against a loan for any country which expropriates property; and contained other provisions. S. 2010. Public Law 92-247.

International standards

Provides some Government funding of United States participation in international engineering and industrial standardization activities; assures greater Governmental participation in the review of such activities to make certain that they are in the public interest; provides wider representation of all affected groups in the United States in the development of voluntary international standards; and encourages the use of international voluntary standards and standards assurance systems within the United States where it is in the public interest to do so. S. 1798. P/S 7-19-72.

Interpol dues

Substituted $80,000 for the present statutory ceiling of $28,500 on the total annual dues authorized to be paid for membership of the United States in the International Criminal Police Organization (Interpol) and authorized payment of $55,000 to meet the unpaid balance of dues for calendar years 1970 and 1971, which have not been paid because of the existing $28,500 ceiling. H.R. 11350. Public Law 92-380.

Inventors' certificates

Implements the provisions of the Stockholm revision of the Convention of Paris for the Protection of Industrial Property, to which the United States is a party, so that an application for an inventor's certificate filed in a foreign country where applicants have the option to apply either for a patent or for an inventor's certificate, which is later filed in this country, will be a given right of priority over other applications in the same manner as a patent application. H.R. 5237. Public Law 92- .

North Pacific Fisheries Act

Made the North Pacific Fisheries Act of 1954 complete in itself, by setting out at length certain provisions of the Northwest Atlantic Fisheries Act of 1950 now incorporated by reference; substituted references to the Secretary of Commerce for reference to the Secretary of the Interior; and contained other provisions relating to the appointment of commissioners to international fishery commissions. H.R. 9501. Public Law 92-471.

Olympic games

Extended the good wishes of the Senate to the citizens of Japan and the participants of the Eleventh Winter Olympic Games and affirmed the Senate's support for the designation of Denver as host city for the Twelfth Winter Games in 1976. S. Res. 246. Senate adopted 1-31-72.

Polar bears

Requests the President to seek to negotiate a treaty or other appropriate arrangement with the Union of the Soviet Socialist Republics, Canada, Denmark, Norway, and any other interested nations calling for immediate and appropriate action to preserve and protect the polar bear. H.J. Res. 1268. P/H 9-19-72. P/S amended 10-6-72.

POW-MIA'S

Expresses the sense of Congress that all parties to the Geneva Convention should join with the United States in exercising every appropriate action to cause the Government of North Vietnam to abide by the provisions of the Geneva Convention and to agree to an arrangement for the rapid exchange of all prisoners of war. S. Con. Res. 97. Senate adopted 9-27-72.

Radio Free Europe and Radio Liberty

Authorized $36 million for fiscal year 1972 to the Department of State for grants to Radio Free Europe and Radio Liberty. S. 18. Public Law 92-264.

Authorized $38,520,000 for fiscal year 1973 to the Department of State for grants to Radio Free Europe and Radio Liberty. S. 3645. Public Law 92-394.

Recognition of Bangladesh

Expressed the sense of the Congress that the President should recognize Bangladesh as an independent foreign country and recognize its Government. S. Con. Res. 55. Senate adopted 3-21-72.

South Pacific Commission

Replaced the dollar ceiling of $250,000 a year on U.S. contributions to the South Pacific Commission by an authorization of such sums as may be necessary to meet the U.S. share of all expenses apportioned among participating Governments, but not to exceed 20 percent of the total assessed contributions. H.J. Res. 1211. Public Law 92-490.

Spokane Expo 1974

Authorized Federal participation in the Spokane 1974 Exposition; authorized the President to appoint a Commissioner for the Federal pavilion; and authorized $11.5 million to cover the cost of U.S. participation in the Exposition. S. 4022. Public Law 92- .

State-USIA authorizations

Authorized a total of $1,001,130,000 ($648,-854,000 for the Department of State—of which $85 million is specified for use by Israel to assist in the migration of Soviet refugees; $200,249,000 for the U.S. Information Agency; $22 million for the Arms Control and Disarmament Agency; $88,027,000 for the Peace Corps; and $42.5 million for use by the President for International narcotics control); created a commission to make a long-range, in-depth study of the governmental mechanism and programs for the making and conduct of foreign policy; prohibited distribution of U.S. Information materials to the U.S. public except for the publication "Problems in Communism"; established the position of Under Secretary of State; required Senate approval of persons given the personal rank of Ambassador or Minister; encouraged more candid testimony to Congressional committees by witnesses from the foreign affairs agencies; and contained other provisions. H.R. 14734. Public Law 92-352.

Strategic Arms Limitation Interim Agreement

Authorized the President to approve an interim agreement between the United States and the Union of Soviet Socialist Republics with respect to the limitation of strategic offensive weapons; urged the President to seek a future treaty that would not limit the United States to levels of intercontinental strategic forces inferior to those provided for the Soviet Union; and contained other provisions. H.J. Res. 1227. Public Law 92-448.

Terrorists

Requests the President to consider the suspension of U.S. aid to and the imposition of economic and other sanctions against any nation which provides sanctuary for terrorists. S. Con. Res. 100. S. adopted 9-28-72.

Treaties

ABM (Anti-Ballistic Missile) Treaty With the Soviet Union

Limits the deployment of anti-ballistic missile systems to two designated areas in each country, and at a low level. Ex. L, 92d-2d. Resolution of ratification agreed to 8-3-72.

Agreement with Brazil Concerning Shrimp

Restricts the number of U.S.-flag vessels which may fish in the designated area during a single season to 325 shrimp boats; limits to 160 boats the number allowed to fish in the area at one time; requires U.S. vessels to register with a United States agency and to carry a permit to fish; provides that the U.S. give $200,000 to Brazil to aid Brazil in its enforcement responsibilities; and further provides that the U.S. compensate Brazil in the amount of $100 for each day a U.S. shrimp vessel is under the control of Brazilian enforcement authorities due to a violation of this agreement. Ex. P, 92d-2d. Resolution of ratification agreed to 10-3-72.

Aircraft Sabotage Convention

Requires the extradition or prosecution of persons who commit acts of sabotage or otherwise destroy aircraft or who endanger the safe flight of an aircraft by damaging it or destroying or damaging air navigation facilities. Ex. T, 92d-2d. Resolution of ratification agreed to. 10-3-72.

Amendment to statute of International Atomic Energy Agency

Increases the membership of the Board of Governors of the International Atomic Energy Agency from 25 to 35 or 33 members, for the purpose of achieving more equitable representation on the Board for the countries of the lesser developed regions as well as to increase the representation of countries most advanced in the technology of atomic energy. Ex. C, 92d-1st. Resolution of ratification agreed to 3-17-72.

Convention establishing an International Organization of Legal Metrology

Established an International Organization of Legal Metrology, to promote international cooperation in the field of legal metrology which deals with standards for instruments and measurement techniques involved in the legal determination of quantity and quality. Ex. I. 92d-2d. Resolution of ratification agreed to 8-11-72.

Convention for the safety of life at sea amendments

Requires that specified navigational equipment be carried aboard certain vessels; specifies conditions of operation that must be met by vessels using automatic pilots; requires that all ships subject to the Convention carry adequate and up-to-date nautical publications; and improves the requirements for firemen's outfits and personal equipment in cargo ships as well as requirements for lifebuoys, life jackets, radio installations and shipborne navigational equipment. Ex. O, 92d-1st. Resolution of ratification agreed to 10-3-72.

Convention on International Liability for Damage Caused by Space Objects

Provides reasonable assurance of the payment of fair and prompt compensation in the event that a space object of a State causes injury or damage to the citizens of another State. Ex. M, 92d-2d. Resolution of ratification agreed to October 6, 1972.

Convention on Taking of Evidence Abroad in Civil or Commercial Matters

Makes the employment of letters of request a principal means of obtaining evidence abroad; improves the means for securing evidence abroad by increasing the powers of consuls and by introducing in the civil law world, on a limited basis, the concept of commissioners; provides means for securing evidence in the form needed by the court where the action is pending; and reserves all more favorable and less restrictive practices arising from internal law, internal rules of procedure and bilateral or multilateral conventions. Ex. A, 92d-2d. Resolution of ratification agreed to 6-13-72.

Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property

Designed for the purpose of combating the increasing illegal international trade in national art treasures, which in some countries has led to wholesale pillaging. Ex. B, 92d-2d. Resolution of ratification agreed to 8-11-72.

Convention To Prevent and Punish Acts of Terrorism

Condemns crimes of violence against officials of foreign states and international organizations as common crimes regardless of the motive for which they were committed; and thus excludes such crimes, for purposes of extradition and asylum, from being treated as political offenses for which diplomatic or territorial asylum is often extended. Ex. D, 92d-1st. Resolution of ratification agreed to 6-12-72.

Extradition treaty with Argentina

Lists 30 extraditable offenses, including those relating to narcotics and aircraft hijacking; permits extradition in the case of conspiracy to commit any of the offenses mentioned; provides that if one of the parties refuses to extradite a national of the other party, then that party is obliged to undertake to try the individual requested when the offense is punishable under its own laws and it has appropriate jurisdiction; provides for judicial cooperation in criminal matters by the execution of letters rogatory; and contains other provisions. Ex. F, 92-2d. Resolution of ratification agreed to 6-13-72.

International Plant Protection Convention

Promotes international cooperation in controlling pests and diseases of plants and plant products and in preventing their introduction and spread across international boundaries. Ex. D, 84th-2d. Resolution of ratification agreed to 6-12-72.

Partial revision of the radio regulations relating to space telecommunications

Revises the Radio Regulations in regard to the use of space telecommunication techniques, radio frequency allocations, technical criteria, and administrative procedures. Ex. E, 92d-2d. Resolution of ratification agreed to 6-13-72.

Protocol to amend the single convention on narcotic drugs

Provides for a three-fold approach to the problem of preventing illicit traffic in narcotic drugs and the abuse of those drugs: (1) by strengthening the international control machinery to enable it more effectively to uncover and curb both the excess and the illicit cultivation of the opium poppy, as well as the illicit production, manufacture, and trafficking in narcotic drugs; (2) by expanding the provisions of existing bilateral extradition treaties with a view to assuring that offenders of narcotic laws will find no haven from prosecution; and (3) by establishing guidelines for avoiding drug abuse and for the treatment of individuals. Ex. J, 92d-2d. Resolution of ratification agreed to 9-18-72.

Protocol to Northwest Atlantic Fisheries Convention

Provides a more expeditious method of amending the 1949 International Convention for the Northwest Atlantic Fisheries by allowing amendments to the convention to enter into force 120 days after the approval of only three-fourths of the contracting government unless a contracting government files an objection within 90 days of the date of notification by the depository government. Ex. C, 92d-1st. Resolution of ratification agreed to 10-3-72.

Seabed Arms Control Treaty

Provides that the parties undertake not to emplant or emplace nuclear weapons or other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a "seabed zone" as defined therein. Ex. H, 92d-1st. Resolution of ratification agreed to 2-15-72.

Tax Convention with Norway

Replaces an income-tax convention with Norway of June 13, 1949, as modified and supplemented by a supplementary convention of July 10, 1958. Ex. D, 92d-2d. Resolution of ratification agreed to 8-11-72.

Treaty with Honduras on the Swan Islands

Settles long-standing differences between the United States and Honduras resulting from their conflicting claims to the Swan Islands. Ex. H, 92d-2d. Resolution of ratification agreed to 6-12-72.

Universal Copyright Convention as revised at Paris on July 24, 1971, together wtih two related protocols

Makes limited compulsory licensing systems available for the benefit of developing countries with respect to translations and reproductions in order to satisfy their practical needs for ready access to literary, scientific, and artistic works, without weakening the structure and scope of copyright protection presently offered by the developed countries under the two multilateral conventions on copyright, the Universal Copyright Convention and the Berne Convention (to which the United States is not a party). Ex. G, 92d–2d. Resolution of ratification agreed to 8–14–72.

U.N. fund for environment

Expresses the sense of the Congress that the United States delegation to the United Nations Conference on the Human Environment (June 5–16, 1972) should urge the establishment of a $100 million U.N. Voluntary Fund for the Environment. S. Con. Res. 82. S. adopted 6–12–72.

LABOR

Emergency Unemployment Compensation Act of 1971

Extended for six months the time periods during which unemployed individuals may receive the emergency unemployment compensation payable under the Emergency Unemployment Compensation Act of 1971 and provided for the financing of the payments to be made during the extended time periods through an increase in the Federal unemployment tax. H.R. 15587. Public Law 92–329.

Equal Employment Opportunities Enforcement Act

Provided the Equal Employment Opportunity Commission with a court enforcement method for enforcing the rights of workers who have been subjected to unlawful employment practices; expanded the coverage of title VII of the Civil Rights Act of 1964 from those employers and labor organizations having 25 or more employees or members to those having 15 or more one year after the date of enactment and expanded the coverage to include employees of educational institutions and most employees of State and local governments; and contained other provisions. H.R. 1746. Public Law 92–261.

Extended unemployment compensation

Amends the Federal-State Extended Unemployment Compensation Act to permit additional payment of benefits under the Act; amends the Tariff Schedules to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins; and suspends the tariff on istle fiber for another three years. H.R. 640. P/H 11–17–71. P/S amended 10–14–72. A similar unemployment compensation provision is contained in Public Law 92– , H.R. 16810, Public Debt Limitation.

Fair Labor Standards Amendments of 1972

Extends minimum wage coverage to Federal, State, and local government employees, certain farmworkers, and domestic employees in private homes, except babysitters; increases the minimum wage in steps to $2.20 an hour as follows: for nonagricultural workers covered prior to 1966, $2.00 during the first two years from the effective date of the Act, $2.20 thereafter; for nonagricultural workers covered by the 1966 and 1972 amendment, $1.80 during the first year, $2.00 the second year, $2.20 thereafter; for agricultural workers, $1.60 the first year, $1.80 the second year, $2.00 the third year, and $2.20 thereafter; provides for the gradual achievement of minimum wage parity for workers in Puerto Rico and the Virgin Islands with workers on the mainland; repeals or modifies a number of the minimum wage and overtime exemptions in present law; contains new agricultural child labor provisions, including a prohibition of the employoemnt of children under age 12 in agriculture except on their parents' farms; and contains other provisions. H.R. 7130. (S. 1861). P/H 5–11–72. P/S amended 7–20–72. H. refused to appoint conferees.

Interstate Environment Compact Act of 1972

Permits the States involved to establish with the necessary authority, including capability to incur debt and sell bonds, to implement existing and future water pollution requirements without the lengthy delay often associated with usual compact approval, and contains other provisions. S. 907. P/S 3–1–72.

Longshoremen's and harbor workers' compensation

Amended the Longshoremen's and Harbor Workers' Compensation Act in order to upgrade the benefits, extend coverage to protect additional workers, provide a specified cause of action for damages against third parties, and to promulgate necessary administrative reforms. S. 2318. Public Law 92– .

Manpower Development and Training Act Amendment of 1972

Extended the Manpower Development and Training Act for 1 year and deleted the existing provision in the Act of 1962 which prohibits the further disbursement of funds under that act after December 30, 1972 (6 months after the act's expiration date of June 30, 1972), in order to enable MDTA contracts to continue to make commitments extending over the period of a full year in accordance with past practices. S. 3054. Public Law 92–277.

Railroad retirement annuities

Provided a 20 percent temporary increase in railroad retirement annuities, with respect to annuities accruing after August, 1972, and scheduled to expire on June 30, 1973; made technical amendments to the Railroad Retirement Act of 1937; and contained other provisions. H.R. 15927. President Nixon vetoed 10–4–72. Senate, and House passed over veto 10–4–72. Public Law 92–460.

Rehabilitation Act

Continues and expands rehabilitation services to handicapped individuals; emphasizes services for the severely handicapped, and, research and development of innovative rehabilitation techniques and devices; provides a statutory basis for the Rehabilitation Services Administration; establishes an Office for the Handicapped within the Department of Health, Education, and Welfare; creates a Federal Interagency Committee on Handicapped Employees; creates an Architectural and Transportation Barriers Compliance Board, and a National Commission on Transportation and Housing; and contains other provisions. H.R. 8395. Public Law 92–.

Service Contract Act amendments

Provided assurance that employees working for service contractors under a collective bargaining agreement will have wages and fringe benefits under a new service contract no lower than those under their current agreement; required the Secretary of Labor to take into account in determining the prevailing rate, wage and fringe benefit increases provided for by prospective increases in collective bargaining agreements; required the Secretary of Labor to consider wage board rates in determining the rates for service contract employees; and contained other provisions. H.R. 15376. Public Law 92–473.

West coast dock strike

Provided a procedure for settlement of the dispute on the Pacific coast and Hawaii among certain shippers and associated employers and certain employees, by providing for the appointment of a board of arbitration to make a determination of all issues in the dispute, which will be final and binding on the parties, subject only to judicial review in the Court of Appeals for the Ninth District; and contained other provisions. S.J. Res. 197. Public Law 92–235.

MEMORIALS, TRIBUTES, AND MEDALS

AHEPA

Expressed the congratulations of the Senate to the Order of the American Hellenic Educational Progressive Association on the occasion of its fiftieth anniversary. S. Res. 331. Senate adopted 7–26–72.

Allen J. Ellender

Expresses the profound sorrow and deep regret of the Senate on the announcement of the death of the late Senator and President Pro Tempore Allen J. Ellender. S. Res. 332. Senate adopted 7–27–72.

Allen J. Ellender Fellowships

Honored the late Honorable Allen J. Ellender, by providing the opportunity for participation, in his name, by students of limited economic means and their teachers in the program supported by the Close Up Foundation of Washington, D.C., a public affairs program. S.J. Res. 265. Public Law 92– .

American Public Health Association

Extended the greetings and felicitations of the Congress to the American Public Health Association on the occasion of the one hundredth anniversary of its founding. H. Con. Res. 710. House adopted 10–12–72. Senate adopted 10–14–72.

American Revolution Bicentennial Commemorative Medals

Authorized the American Revolution Bicentennial Commission to utilize the facilities of the Bureau of the Mint on a fully reimbursable basis to strike a series of commemorative national medals, including a medal commemorating the year 1776 and its significance to American independence and a maximum of 13 separate medals commemorating historical events of great importance recognized nationally as milestones in the continuing progress of the United States. H.R. 7987. Public Law 92–228.

Arlington House

Restored to the Custis-Lee Mansion in Arlington National Cemetery its original historical name, followed by the explanatory memorial phrase, so that it shall be known as Arlington House, the Robert E. Lee Memorial. H.R. 10595. Public Law 92–333.

Attempted assassination of George C. Wallace

Deplores and condemns the attempted assassination of Governor Wallace and extends the sympathy and best wishes of all Members of Congress, the Vice-President and the President to the Wallace family. S.J. Res. 234. Public Law 92–299.

Benjamin Franklin National Memorial

Provided that the Benjamin Franklin Memorial Hall in the Franklin Institute, Philadelphia, Pennsylvania, be designated as the National Memorial in Honor of Benjamin Franklin effective upon the conclusion of an agreement between the governing body of the Franklin Institute and the Secretary of the Interior. S.J. Res. 221. Public Law 92– .

Chapel of the Astronauts

Authorized the Administrator of the National Aeronautics and Space Administration to convey for fair market value to the Chapel of the Astronauts, Inc., a nonprofit Florida corporation, not to exceed 7 acres of unimproved land at the John F. Kennedy Space Center, NASA, in Florida, for the purpose of constructing, operating, and maintaining a public facility for worship or meditation and a memorial to our Astronauts. H.R. 11487. Public Law 92–227.

Congress of the Interallied Confederation of Reserve Officers

Extended to the Interallied Confederation of Reserve Officers a cordial welcome to the United States on the occasion of the 25th meeting of that organization, which is to be held in Washington, D.C., from August 7 through August 13, 1972. S. Con. Res. 73. Senate adopted 6-30-72. House adopted 7-27-72.

Dickinson College

Extends the greetings and congratulations of the Congress to Dickinson College, Carlisle, Pennsylvania, on its 200th anniversary. S. Con. Res. 90. Senate adopted 9-21-72. H. adopted 10-4-72.

Eisenhower Memorial

Provides that 10 percent of the proceeds of the sale of minted proof dollar coins bearing the likeness of former President Dwight D. Eisenhower be granted to Eisenhower College to provide additional endowment and additional facilities and equipment for the college. S. 2067. P-S 6-8-72.

Estes Dam and Lake

Renamed the Mineola Dam and Lake as the "Carl L. Estes Dam and Lake." H.R. 16804. Public Law 92- .

Franklin D. Roosevelt Memorial

Authorized the Secretary of the Interior, upon the request of the Franklin Delano Roosevelt Memorial Commission, to participate in the planning and design of an appropriate memorial to the late President, and authorized such sums as may be necessary therefor. H.J. Res. 812. Public Law 92-332.

George William Andrews Lock and Dam

Named the Columbia lock and dam, Chattahoochee River, Alabama, in honor of the late Honorable George William Andrews. H.R. 12488. Public Law 92-229.

Girls Scouts of America

Commended the Girl Scouts of the United States, during the week of March 12 through 18, on the occasion of their 60th birthday for a progressive spirit and lasting contribution to the social welfare of this Nation. S. Res. 259. Senate adopted 2-21-72.

Harry S. Truman

Extends the greetings and warm wishes of the Congress on the occasion of former President Harry S. Truman's eighty-eighth birthday, and expresses the gratitude and appreciation of the Congress to President Truman for his many years of distinguished service to the people of the United States and of the world. S. Con. Res. 78. Senate adopted 4-19-72. House adopted 4-20-72.

India

Extends the congratulations and best wishes of the U.S. Congress to the Parliament and people of India on the occasion of India's 25th anniversary as an independent, democratic nation. S. Res. 354. Senate adopted 8-15-72.

Israeli Olympians Tragedy

Expressed profound sorrow and deep alarm over the events surrounding the killing of 11 members of the Israeli Olympic team participating in the Twentieth Olypiad at Munich and condemns such actions as inimical to the interests and aspirations of the civilized world; extended, on behalf of the Senate, its deepest sympathy to the people of Israel and the families of those killed and resolved that means be sought whereby the civilized world may cut off contact with any peoples or any nation giving sanctuary, support, sympathy, aid, or comfort to such acts of murder and barbarism. S. Res. 358. S. adopted 9-6-72.

J. Edgar Hoover

Expressed the sense of the Congress that the body of J. Edgar Hoover should lie in state in the Rotunda of the United States Capitol. H. Con. Res. 600. House adopted 5-2-72. Senate adopted 5-2-72.

J. Edgar Hoover Building

Designates the Federal Bureau of Investigation Building now under construction in Washington, D.C., the "J. Edgar Hoover Building." S. 3568. P-S 5-25-72.

Jim Thorpe Medals

Authorizes the Secretary of the Treasury to strike and furnish to the Jim Thorpe Athletic Award Committee, Yale, Okla., not more than six gold medals and not more than 50,000 duplicate medals in bronze in recognition of the outstanding achievements of Jim Thorpe as an athlete and as a great American, such medals not to be minted after December 31, 1973. S. 1973. P-S 7-18-72.

John D. Rockefeller, Jr., Memorial Parkway, Wyoming

Authorized the establishment and designation of the John D. Rockefeller, Jr., Memorial Parkway, to extend from West Thumb in Yellowstone National Park to the south entrance of Grand Teton National Park in Wyoming. S. 3159. Public Law 92-404.

Kosciuszko National Memorial

Established the Thaddeus Kosciuszko Home National memorial in the State of Pennsylvania to include the Philadelphia home of General Kosciuszko, a Polish patriot and soldier whose genius as a military engineer contributed materially to the success of the American Revolution. S. 1973. Public Law 92- .

Law enforcement officers

Requested that on Law Day, May 1, 1972, special emphasis be given in tribute to law enforcement officers. S.J. Res. 169. Public Law 92-282.

Miller-Sweeney Bridge

Named a bridge across a portion of Oakland Harbor, California, the "George P. Miller-Leland W. Sweeney Bridge", H.R. 13158. Public Law 92- .

Perry's Victory and International Memorial

Authorized the Secretary of the Interior to acquire certain needed lands at the existing memorial site commemorating the Battle of Lake Erie, and redesignated the area as Perry's Victory and International Memorial. H.R. 9554. Public Law 92- .

Russell and Dirksen Senate Office Buildings

Designated the Old Senate Office Building as the "Richard Brevard Russell Office Building" and the New Senate Office Building as the "Everett McKinley Dirksen Office Building." S. Res. 296. Senate adopted 10-11-72.

Seabees Memorial

Authorized the Seabee Memorial Association, Inc., to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy, and contained other provisions. H.J. Res. 55. Public Law 92-422.

Springer Lake

Named the Oakley Reservoir on the Sangamon River at Decatur, Illinois, the "William L. Springer Lake." H.R. 17038. Public Law 92- .

Thomas Jefferson University

Provided that the Thomas Jefferson University, Philadelphia, Pennsylvania, is recognized as the first university in the United States to bear the full name of the third President of the United States. S.J. Res. 199. Public Law 92- .

U.S. Frigate "Constellation" Medal

Authorized the Secretary of the Treasury to strike and to furnish to the Constellation Committee of the Star-Spangled Banner Flag House Association, Inc., not more than 100,000 medals in honor of the 175th anniversary of the launching of the U.S. frigate Constellation, the first ship in the U.S. Navy. S. 2499. Public Law 92-384.

NATURAL RESOURCES—ENVIRONMENT

Aldo Leopold Wilderness, N. Mex.

Designates approximately 189,000 acres of the Gila National Forest, New Mexico, as the Aldo Leopold Wilderness. S. 3256. P-S 9-19-72.

Amistad National Recreational Area, Texas

Authorizes the establishment of a 65,000-acre national recreation area in southwest Texas, comprising that portion of the Amistad Reservoir and adjacent lands on the Rio Grande, Devils, and Pecos Rivers in the United States. S. 1295. P-S 5-25-72.

Arkansas land conveyance

Authorized and directed the Secretary of Agriculture to release a condition in a conveyance of certain lands in the State of Arkansas to the Arkansas State Game and Fish Commission which requires the land to be used for public purposes. H.R. 5404. Public Law 92-319.

Bald eagle protection

Increased the protection afforded bald and golden eagles by strengthening the penalties imposed for violations of the Bald Eagle Protection Act, and contained other provisions. H.R. 12186. Public Law 92- .

Buffalo National River, Arkansas

Established the Buffalo National River in the State of Arkansas, said area to include not more than 95,730 acres. S. 7. Public Law 92-237.

Cache National Forest, Utah

Authorizes the Secretary of Agriculture to acquire certain lands in the watershed of the Middle Fork of the Ogden River in Utah to maintain and conserve the water quality, scenic beauty, wildlife habitat, and other natural environmental values of the area through multiple-use management. S. 2762. P-S 9-19-72.

Carson and Santa Fe National Forests, New Mexico

Authorized the Secretary of Agriculture to exchange approximately 1,060 acres in the Carson and Santa Fe National Forests, New Mexico, for approximately 310 acres of private land in the Piedra Lumbre Grant, New Mexico. H.R. 10657. Public Law 92-474.

Cedar Keys National Wildlife Refuge, Florida

Designated as wilderness approximately 375 acres of the Cedar Keys Wildlife Refuge in the State of Florida. H.R. 736. Public Law 92-364.

Coastal Zone Management Act of 1972

Established a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones; authorized Federal grants-in-aid to coastal states for up to 66⅔ percent of the cost of establishing and administering coastal zone management programs; authorized Federal grants to States for up to 50 percent of the cost of acquisition, development and operation of estuarine sanctuaries; and contained other provisions. S. 3507. Public Law 92- .

Commercial Fisheries Research

Extended programs under the Commercial Fisheries Research and Development Act of 1964 an additional 5 years, until June 30, 1978, and increased the authorization therefor to $1.5 million annually. S. 3524. Public Law 92- .

Cumberland Island National Seashore, Georgia

Established the Cumberland Island National Seashore off the coast of Georgia, to consist of approximately 39,500 acres but not to exceed 40,500 acres within the boundaries of the seashore; authorized the Secretary of the Interior to acquire lands and interests in lands within the boundaries of the seashore and to acquire not more than 100 acres for access to an administrative site on the mainland; authorized a Cumberland Island Parkway on the mainland; and contained other rovisions. S. 2411. Public Law 92- .

Delaware Water Gap National Recreation Area

Increases the authorization for funds for land acquisition for the Delaware National Recreation Area; waives the application of the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if property owners decide to retain possessory interests to which the act entitles them under the "Cape Cod formula;" and contains other provisions. H.R. 13896. P–H 10–13–72. P–S amended 10–14–72.

Eagle Cap Wilderness, Oregon

Provided for adding approximately 72,420 acres of the Wallowa and Whitman National Forests to the 220,000-acre Eagle Cap Wilderness, located in the northeastern section of the State of Oregon, which was established by the Wilderness Act of 1964. S. 493. Public Law 92– .

Flat Tops Wilderness, Colorado

Designates approximately 202,000 acres in the Routt and White River National Forests, in the State of Colorado, as wilderness. S. 1441. P–S 10–10–72.

Flood control—Rivers and harbors

Authorized construction of navigation, beach erosion control, flood control, multiple purpose and related projects on which favorable recommendations have been made by the Chief of Engineers. S. 4018. Public Law 92– .

Fossil Butte National Monument, Wyoming

Established the Fossil Butte National Monument in the State of Wyoming to consist of 8,200 acres. S. 141. Public Law 92– .

Gateway National Recreation Area in New York and New Jersey

Authorized the Secretary of the Interior to establish in the vicinity of Metropolitan New York City the Gateway National Recreation Area. S. 1852. Public Law 92– .

Glen Canyon National Recreation Area, Utah and Arizona

Provided for the establishment of the Glen Canyon National Recreation Area in Arizona and Utah to comprise approximately 1,285,310 acres of land and water. S. 27. Public Law 92– .

Golden Eagle Passport Program

Continued the "Golden Eagle Passport" annual permit for entrance to designated units of the national park system and to certain other national recreation areas, and contained other provisions. S. 1893. Public Law 92–347.

Golden Gate National Urban Recreation Area, California

Established the Golden Gate National Urban Recreation Area in San Francisco and Marin Counties, California, to consist of approximately 34,000 acres. H.R. 16444. Public Law 92– .

Grant-Kohrs Ranch National Historic Site, Montana

Established the Grant-Kohrs cattle ranch as the Grant-Kohrs Ranch National Historic Site, Montana, to preserve an example of a working cattle ranch commemorating the role of the cattleman in American history. S. 2166. Public Law 92–406.

Great Dismal Swamp

Authorized the Secretary of the Interior to conduct a study of the Great Dismal Swamp and the Dismal Swamp Canal in the States of Virginia and North Carolina to determine the feasibility and desirability of protecting and preserving this area. S. 2441. Public Law 92–478.

Gulf Island National Seashore, Florida and Mississippi

Amended the existing law which created the Gulf Islands National Seashore by increasing the land acquisition acreage on the Mississippi mainland from 135 to 400 acres and by increasing the amount authorized for land acquisition by $342,000; and increased the development ceiling for the seashore by $2,985,000. S. 3153. Public Law 92–275.

Gunboat "Cairo"

Provided for the display for the benefit and education of the visiting public of a partial restoration of the original gunboat in a visitor-center type construction near the National Cemetery in Vicksburg National Military Park, Mississippi. S. 1475. Public Law 92–483.

Hohokam Pima National Monument, Arizona

Established the Hohokam Pima National Monument in the vicinity of the Snaketown Archeological Site, Arizona, to protect, preserve, and interpret the nationally significant cultural remains of the ancient Hohokam Indian Community in the Gila River Indian Reservation. H.R. 8756. Public Law 92– .

Honokohau National Historical Landmark

Authorized and directed the Secretary of the Interior to study the area of the Honokohau National Historical Landmark for the purpose of determining the feasibility and desirability of establishing a unit of the national park system in the area, and contained other provisions. H.R. 11774. Public Law 92–346.

Indian Peaks Area

Authorized the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area of approximately 71,000 acres commonly known as the Indian Peaks Area in the State of Colorado west of Denver. S. 1198. Public Law 92– .

Indiana Dunes National Lakeshore

Increases from $27.9 million to $32.6 million the amount authorized to be appropriated for the acquisition of land for the Indiana Dunes National Lakeshore. S. 3811. P–S 8–16–72.

Interstate compact to conserve oil and gas

Consented to an extension and renewal of the interstate compact to conserve oil and gas. S.J. Res. 72. Public Law 92–322.

Irrigation systems

Amended the existing reclamation distribution system loan program to include irrigation drainage works and municipal and industrial water supply works within the provisions of the act and to delete the requirement for the transfer of title of lands to the United States for the duration of the loan. H.R. 9198. Public Law 92–487.

Jellyfish control

Authorized appropriations to carry out jellyfish control programs until the close of fiscal year 1977. H.R. 1604. Public Law 92– .

Kansas-Nebraska Big Blue River Compact

Gave congressional consent to a compact between Kansas and Nebraska which will divide the waters of the Big and Little Blue Rivers, promote the orderly development of these waters, and reduce pollution. H.R. 8116. Public Law 92–308.

Klamath Indian Forest, Oregon

Authorizes the Secretary of Agriculture to purchase the Klamath Indian Forest lands in the State of Oregon for $51,954,709, subject to adjustment for growth and cutting, prior to June 30, 1973, until which time the Secretary may accept or reject the first offer of sale. S. 3594. P–S 8–17–72.

Lake Superior Chippewa Indians

Conveyed to the Lac Du Flambeau Band of the Lake Superior Chippewa Indians of Wisconsin the beneficial interest in 40 acres of Federal land. H.R. 2185. Public Law 92–441.

Land Use Policy and Planning Assistance Act

Establishes a national land use policy to assist the States to more effectively exercise their constitutional responsibilities for land use planning and management through the development and implementation of State land use programs designed to achieve economically and environmentally sound land uses; establishes a grant-in-aid program to assist the States to develop and implement the State land use programs; establishes reasonable and flexible Federal requirements to give guidance to the States in developing their land use programs and to condition certain Federal assistance on the establishment and implementation of adequate State land use programs; establishes the responsibility of the Secretary of the Interior to administer the grant-in-aid program, to review the State land use programs, and to assist the coordination of Federal activities with the State land use programs; develops and maintains a national policy with respect to federally conducted and federally assisted projects having land use implications; and coordinates planning and management of Federal lands and planning and management of adjacent non-Federal lands and planning and management of adjacent non-Federal lands. S. 632. P–S 9–19–72.

Lassen Volcanic National Park, California

Provided for the creation and administration of a 78,982 acre wilderness area in the Lassen Volcanic National Park, California. H.R. 10655. Public Law 92– . (On October 2, the Senate passed an identical bill, S. 667).

Lava Beds National Monument, Calif.

Designated a 28,460 acre wilderness area in the Lava Beds National Monument, California, and provides for the administration thereof. H.R. 5838. Public Law 92–493.

Lincoln Back Country, Lewis and Clark and Lolo National Forests, Mont.

Directed the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests in Montana. S. 484. Public Law 92–395.

Lone Peak Wilderness Area, Utah

Provides for a study of 20,000 acres in the Wasatch and Uinta National Forests in Utah as a possible addition to the national wilderness preservation system. S. 3466. P–S 9–19–72.

Longfellow National Historic Site

Established the Longfellow National Historic Site in Cambridge, Mass., and authorized the Secretary of the Interior to acquire by donation the former home, together with furnishings and other property of the popular American poet of the 19th century, Henry Wadsworth Longfellow. S. 3129. Public Law 92–475.

Mar-a-Lago National Historic Site

Authorized the Secretary of the Interior to provide for the administration of the Mar-A-Lago National Historic Site in Palm Beach, Florida. H.R. 13067. Public Law 92– .

Marine Mammal Protection Act of 1972

Established a moratorium on the taking and importation of marine mammals without a permit from the Secretary of the Interior or the Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce with certain exceptions relating to international agreements already in effect (such as the agreement pertaining to Alaskan fur seals), and to commercial fishermen taking marine mammals incidental to their fishing operations during the first 2 years after enactment; created a Marine Mammal Commission composed of three members appointed by the President; and contained other provisions. H.R. 10420. Public Law 92– .

Mining and Minerals Research Centers

Amended the Mining and Mineral Policy Act to provide a more adequate national program of mining and mineral resources through the establishment of research centers throughout the United States; authorized matching grants to each participating state of $200,000 in fiscal year 1973, $300,000 in fiscal year 1974, and $400,000 for each fiscal year thereafter for the work of such centers; authorized additional funds for special mineral resource research projects; and contained other provisions. S. 635. Public Law 92- .

Missouri River Basin

Authorized $14,000,000 in appropriations to complete the program of the Bureau of Reclamation for the completion of construction of the Pick-Sloan Missouri Basin program, formerly called the Missouri River Basin project. S. 3284. Public Law 92–371.

National Environmental Data System

Created the National Environmental Data System to serve as the central national facility for the selection, storage, analysis, retrieval, and dissemination of information, knowledge, and data specifically relating to the environment. H.R. 56. Public Law 92- .

National Forest Wild Areas Act

Requires the Secretary of Agriculture to survey certain national forest lands to determine which may be suitable for designation as "wild areas," and contains other provisions. S. 3973. P-S 9–26–72.

National forests volunteers

Authorized the employment of volunteers to work without compensation in areas administered by the Forest Service; authorized the Secretary of Agriculture to provide for their incidental expense; authorized an annual appropriation of $100,000; and contained other provisions. S. 1379. Public Law 92–300.

National Park System

Increased ceilings in appropriations for land acquisition at nine areas in the national park system; increased ceilings on appropriations for development at three areas; and authorized boundary revisions at eleven areas. S. 2601. Public Law 92–272.

National Park System land acquisitions

Authorizes appropriations for the National Park System to pay additional costs and expenses for land acquisition incurred by the System under the provisions of the Uniform Relocation Assistance and Real Property Acquisition policies Act of 1970, and to pay relocation costs in connection with the omnibus park legislation. S. 2806. P-S 8–15–72.

Noise control

Required the Administrator of the Environmental Protection Agency to establish noise emission standards for newly manufactured products which are major sources of noise; required the development and publication of information concerning the effect of noise on humans and other living systems; and contained other provisions. H.R. 11021. Public Law 92- .

Ocean dumping

Regulated the dumping and transportation of waste material in those parts of oceans, coastal and other waters into the territorial sea of the United States and a defined zone contiguous thereto; directed the Secretary of Commerce to initiate a comprehensive program of research on the effects of ocean dumping and allowed the establishment of marine sanctuaries by the Secretary of Commerce. H.R. 9727. Public Law 92- .

Oceans and atmosphere

Amended Public Law 92–125, which established the National Advisory Committee on Oceans and Atmosphere, in order to increase the appropriation authorization from $200,000 per year to $400,000 per year for a period of three years for staff salaries and other necessary expenses of the Committee. H.R. 15280. Public Law 92- .

Oregon Dunes National Recreation Area

Established the Oregon Dunes National Recreation Area of 32,237 acres within and adjacent to the Siuslaw National Forest in Oregon. S. 1977. Public Law 92–260.

Pesticide Control Act

Provided that all pesticides moving in interstate or intrastate commerce be registered with the Environmental Protection Agency: EPA may deny or remove a registration upon a showing of "unreasonable" risks to the environment—including man—in registering a pesticide; EPA is authorized to classify pesticides for general use, or restricted use by qualified applicators, depending upon the hazards; EPA may cancel registrations following administrative review, and may summarily suspend registrations in the case of an imminent hazard; the Administrator may issue stop-sale, use, removal, and seizure orders with respect to any pesticide in violation of the act; and contained other provisions. H.R. 10729. Public Law 92- .

Piscataway Park, Maryland

Authorized the appropriation of additional funds for the acquisition of interest in land within the Piscataway Park, Md. to protect the area from future threats of adverse. development. H.R. 15597. Public Law 92- .

Preservation of historic monuments

Assisted State and local governments to acquire surplus Federal property for use as historic monuments by allowing the property, pursuant to explicit criteria and Federal approval, to be used for revenue purposes. S. 1152. Public Law 92–362.

Ports and Waterways Safety Act of 1972

Promoted the safety and protected the environmental quality of ports, waterfront areas, and the navigable waters of the United States. H.R. 8140. Public Law 92–340.

Puukohola Heiau National Historic Site

Established the Puukohola National Historic Site in the State of Hawaii which would provide for the stabilization and preservation of three important Hawaiian temples and the home of John Young, a prominent Englishman closely associated with the early history of the Hawaiian Kingdom. H.R. 1462. Public Law 92–388.

Reclamation projects

Authorized the construction, operation, and management of the following Federal reclamation projects: the Closed Basin Division, San Luis Valley project, a multipurpose water resource development which would salvage for beneficial use ground water which is presently wasted in the Closed Basin area of south central Colorado; the Brantley project in southeastern New Mexico to provide substantial flood protection for the Carlsbad area, irrigation water supplies, recreation, and fish and wildlife conservation; the potential Salmon Falls division of the Upper Snake River reclamation project in south-central Idaho, which would provide irrigation water and minor fish and wildlife conservation benefits; the O'Neill unit of the Pick-Sloan Missouri Basin program in northeastern Nebraska which would develop unused flows of the Niobrara River for irrigation, recreation and fish and wildlife conservation and which would provide flood control to the area; and the North Loup division of the Pick-Sloan Missouri Basin program in central Nebraska which would develop the flows of the North Loup and Calamus Rivers for irrigation, outdoor recreation, and fish and wildlife conservation. S. 520. Public Law 92- . (Included in the bill are provisions of the following additional bills: S. 50, P/S 3–30–72; S. 432, P/S 6–28–71; S. 358, P/S 9–14–72; and S. 2350. P/S 9–14–72.)

Recreational opportunities

Increased public recreational opportunities on lands adjacent to areas within the national wildlife refuge system, national fish hatcheries, and other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes. H.R. 10384. Public Law 92- .

Reforestation

Established a supplemental national reforestation fund and authorized an annual appropriation of $65 million to be transferred to that fund for the purpose of planting more trees on those areas of the national forests that are in most need of reforestation, such moneys to be available until expended, and called for the Secretary of Agriculture to submit to Congress within 1 year of the date of enactment and annually thereafter a report setting forth the scope of the total national forest reforestation needs and a planned program for reforesting such lands, including a description of the extent to which funds authorized by this act are to be applied to the program. H.R. 13089. Public Law 92–421.

Safe drinking water

Establishes a program within the Environmental Protection Agency (EPA) to establish Federal drinking water standards and provides that the States shall be primarily responsible for enforcing those standards, and contains other provisions. S. 3994. P/S 9–28–72.

Saline water conversion program authorization

Authorized an appropriation of $26,871,000 for fiscal year 1973 for the Federal saline water conversion program. H.R. 12749. Public Law 92–273.

San Francisco Bay National Wildlife Refuge

Authorized the Secretary of the Interior to estalish a wildlife refuge in the southern part of San Francisco Bay to comprise approximately 21,662 acres of land and waters; and authorized for the 5-year life of the program from July 1, 1972, to June 30, 1977, not to exceed $20.3 million, of which $9 million would be for acquisition purposes and $11.3 million for carrying out the other provisions of the legislation. H.R. 12143. Public Law 92–330.

Santa Fe, Gila, Cibola, and Carson National Forest Boundaries, New Mexico

Extended the boundaries of the Santa Fe, Gila, Cibola, and Carson National Forests, New Mexico, to include certain public and private lands. S. 447. Public Law 92–465.

Sawtooth National Recreation Area, Idaho

Established as the Sawtooth National Recreation Area some 755,000 acres of the Sawtooth, White Clouds, and Boulder Ranges and adjacent forest and high mountain valley lands located in south central Idaho, including the 201,000-acre Sawtooth Primitive Area, which would be designated as wilderness; required the Secretary of the Interior to develop a specific proposal for the creation of a national park in this area and to submit his recommendations to the Congress no later than December 31, 1974; and contained other provisions. H.R. 6957. Public Law 92–400.

Seal Beach National Wildlife Refuge

Authorized the Secretary of the Interior to designate certain lands within the U.S. Naval Weapons Station, Seal Beach, California, as a national wildlife refuge in order to protect and preserve a salt water marsh and estuarine habitat valuable for migratory waterfowl and other wildlife in the State of California. H.R. 10810. Public Law 92–408.

Shooting from aircraft

Provided the Secretary of the Interior with the necessary authority to enforce effectively the provisions of the Fish and Wildlife Act of 1956 that prohibit the shooting of birds, fish, and other animals from aircraft. H.R. 14731. Public Law 92- .

Sitka National Monument, Alaska

Authorized the Secretary of the Interior to acquire certain lands, including the Russian Mission, for addition to the Sitka National Monument, and redesignated the monument as Sitka National Historical Park. S. 1497. Public Law 92- .

Sockeye salmon

Authorizes $7 million for the U.S. share of funds required to augment programs for the enhancement of sockeye and pink salmon stocks of the Fraser River system. H.R. 10870. P/H 10-5-72. P/S 10-10-72.

Sonnenberg Gardens

Authorized the Administrator of Veterans' Affairs to convey by quitclaim deed and without consideration to Sonnenberg Gardens, Inc., a charitable, nonprofit, educational corporation approximately 45 acres (including improvements) of U.S. Government property on the grounds of the Veterans' Administration hospital at Canandaigua, N.Y., for the purpose of restoring and maintaining the Sonnenberg Estate. H.R. 13780. Public Law 92- .

St. Croix River

Designated a segment of the St. Croix River forming part of the boundary between Wisconsin and Minnesota as part of the National Wild and Scenic Rivers System. S. 1929. Public Law 92- .

Surplus Federal lands

Made more available to the States surplus Federal lands that are valuable for wildlife conservation purposes. H.R. 13025. Public Law 92-432.

Sycamore Canyon Wilderness, Arizona

Designated approximately 46,500 acres as the Sycamore Canyon Wilderness within and as a part of the Coconino, Kaibab, and Prescott National Forests, Arizona. S. 960. Public Law 92-241.

Tinicum National Environmental Center

Authorized $2,250,000 for the Secretary of Interior to acquire such lands in Tinicum Marsh, Pennsylvania, as may be necessary, not to exceed 1,200 acres, for the purpose of establishing the Tinicum National Environmental Center, and, thus preserving the last true tidal marshland in the Commonwealth of Pennsylvania. H.R. 7088. Public Law 92-326.

Toxic Substances Control Act of 1972

Requires that new chemical substances be tested by their manufacturer for their environmental and public health effects and that the results of those tests and the intended uses of the chemical substance be furnished the Environmental Protection Agency (E.P.A.) for review 90 days in advance of commercial production with a possible second 90-day extension if necessary; requires testing of existing chemical substances which E.P.A. finds reason to believe pose unreasonable threats to human health or the environment; provides a variety of tools to regulate toxic substances including the authority to restrict use and distribution, to seize chemical substances creating imminent hazards, and to order such other action as is necessary to protect man or the environment; requires manufacturers and processors of chemical substances to maintain certain records and reports to enable the Administrator of E.P.A. to properly determine hazards; affords citizens the opportunity to bring suits to enjoin certain violations of the act and to require the Administrator to perform mandatory duties; authorizes the Coast Guard to establish regulations governing the transport of chemical substances on the navigable waters at its own iniative or upon notice of E.P.A; and contains other provisions. S. 1478. P/S 5-30-72. P/H amended 10-13-72. P/S amended 10-14-72.

Tuna fisheries development program

Authorized the Secretary of Commerce to institute a 3-year program for the development of tuna and other fisheries resources in the Central, Western, and South Pacific Ocean, and authorized therefor for the period from July 1, 1973, to June 30, 1976, $3 million. H.R. 12207. Public Law 92-444.

Upper Colorado River Basin

Increased the authorization for appropriation by $610 million to complete work on storage units and projects in the Upper Colorado River Basin originally authorized by the Colorado River Storage Project Act of 1956. H.R. 13435. Public Law 92-370.

Van Buren National Historic Site

Establishes the Van Buren National Historic Site, which includes the former residence, called Lindenwald, of Martin Van Buren, eighth President of the United States, at Kinderhook, N.Y. S. 1426. P/S 3-22-72.

Vermejo Ranch acquisition

Authorizes the Secretary of Agriculture to acquire such lands, waters, and interests as he deems desirable for national forest purposes within the proposed Vermejo Ranch purchase area as shown on a map on file in the Office of the Chief of the Forest Service, such acquisitions to become a part of the Carson National Forest. S. 2699. P/S 6-15-72.

Washakie Wilderness and the Shoshone National Forest, Wyoming

Designated the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, Wyoming. S. 166. Public Law 92-476.

Wasatch National Forest, Utah

Authorizes and directs the Secretary of Agriculture to acquire non-federally owned land, not to exceed 3,000 acres, located within the boundary of the Wasatch National Forest in the watersheds of Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek, in order to protect their watershed and other environmental values under a program of multiple-use management. S. 1144. P/S 9-19-72.

Water Pollution Control Act Amendments

Established a policy that the discharge of pollutants should be eliminated by 1985, that the national chemical, physical, and biological integrity of the Nation's waters be restored and maintained, and that an interim goal of water quality providing for the protection of fish, shellfish, and wildlife and for recreation in and on the water be achieved by 1981; changed the enforcement mechanism of the Federal water pollution control program from water quality standards to effluent limits; balanced the Federal-State effort in the pollutant discharge permit system; authorized $14 billion during fiscal years 1972 through 1975 for Federal grants to communities for construction of sewage treatment facilities; and contained other provisions. S. 2770. The Senate and House passed over veto on 10-17-72. Public Law 92- .

Water Pollution Control Act—extensions

Extended authorizations for salaries and related expenses under Section 5(n) of the Federal Water Pollution Control Act in an amount of $9 million for the period November 1, 1971, to June 30, 1972 and for grants for State water pollution control programs under Section 7 in an amount of $15 million for fiscal year 1972. S. 3122. Public Law 92-240.

Extends authorizations for research, investigations, training, and information under Section 5 of the Federal Water Pollution Control Act for an additional $11 million (from $30 million for the period ending April 30, 1972 to $41 million for the period ending June 30, 1972) and for construction grants under Section 8 at the appropriated level of $2 billion for the full fiscal year 1972 (an additional $350 million to the previously authorized sum). S. 3572. P/S 5-4-72.

Water resources planning authorization

Increased by $3.5 million the fiscal year 1973 appropriations for the Water Resources Council to carry out certain functions assigned to it under the provisions of the Water Resources Planning Act of 1965. H.R. 14106. Public Law 92- .

Water resources—Reclamation feasibility studies

Authorizes the Secretary of the Interior to undertake feasibility investigations of several Federal reclamation projects leading to recommendations for authorization of water resource development projects. S. 3959. P/S 10-2-72. P/H amended 10-14-72. P/S amended 10-14-72.

Westlands Water District

Provided for deferment of construction charges against Westlands Water District for facilities to serve irrigation water to certain lands within the district which are presently in Federal ownership. H.R. 1682. Public Law 92-378.

Wild Rivers System

Amends the Wild and Scenic Rivers Act to designate for study for possible inclusion in the national wild and scenic rivers system a 36-mile segment of the Colorado River in the State of Utah. S. 2901. P/S 9-19-72.

Wildlife Restoration Fund

Placed a tax on the sale of bows and arrows for adults, and earmarked these funds in order to provide additional funds for the carrying out of wildlife restoration projects and hunter safety projects. H.R. 11091. Public Law 92- .

Youth Conservation Corps

Amended the Youth Conservation Corps Act of 1970 to expand and make permanent the Youth Conservation Corps pilot program and to provide additional employment for young people while furthering the proper development, protection and maintenance of our national resources, and $30 million for fiscal year 1973 and $60 million for fiscal year 1974 for carrying out the Act. S. 2454. Public Law 92- .

NOMINATIONS—ACTION BY ROLL CALL VOTE

Nomination of General Creighton W. Abrams, to be Chief of Staff, Army

Nomination confirmed October 12, 1972.

Nomination of Richard G. Kleindienst, of Arizona, to be Attorney General

Nomination confirmed June 8, 1972. (64-19)

Nomination of George P. Shultz, of Illinois, to be Secretary of the Treasury

Nomination confirmed June 8, 1972. (83-0)

PROCLAMATIONS

Clean Waters for America Week

Authorizes the President to issue a proclamation designating the last full calendar week in May of 1972 as "Clean Waters for America Week." S.J. Res. 210 P/S 4-11-72.

Farmfest—U.S.A.

Authorized the President to invite the States of the Union and foreign nations to participate in Farmfest—U.S.A. in September, 1972, in Blue Earth County, Minnesota. S.J. Res. 182. Public Law 92-407.

Father's Day

Authorized the President to designate the third Sunday in June of each year as Father's Day. H.J. Res. 687. Public Law 92-278.

Honor America Day

Declared July 4, 1972, as a day to honor America. S. Con. Res. 87. Senate adopted 6-28-72. House adopted 6-30-72.

National Arbor Day

Authorized the President to issue a proclamation designating the last Friday of April 1972 "National Arbor Day" and to call upon the people of the United States to observe such day with appropriate ceremonies and activities. H.J. Res. 563. Public Law 92–276.

National Arthritis Month

Authorized the President to issue a proclamation designating the month of May 1972, as "National Arthritis Month." H.J. Res. 1029. Public Law 92–289.

National Beta Club Week

Authorized and requested the President to proclaim the week which begins on the first Sunday in March, 1972, as "National Beta Club Week." S.J. Res. 153. Public Law 92–234.

Authorized and requested the President of the United States to proclaim the week which begins on the first Sunday in March, 1973, as "National Beta Club Week." S.J. Res. 251. Public Law 92– .

National Check Your Vehicle Emissions Month

Authorized the President to issue a proclamation designating the month of April 1972, as "National Check Your Vehicle Emissions Month" H.J. Res. 1095. Public Law 92–274.

National Coaches Day

Authorized and requested the President to issue a proclamation designating October 6, 1972, as "National Coaches Day." S.J. Res. 213. Public Law 92–409.

National Day of Prayer for World Peace

Declared it to be the sense of the Congress that the President designate Sunday, February 20, 1972, as a National Day of Prayer for the cause of world peace. H. Con. Res. 524. House adopted 2–16–72. Senate adopted 2–16–72.

National Drug Abuse Prevention Week

Authorized and requested the President of the United States to proclaim the week beginning October 15, 1972, as "National Drug Abuse Week." S.J. Res. 236. Public Law 92– .

National Family Week

Authorized and requested the President of the United States to issue a proclamation designating the week beginning on Sunday preceding the fourth Thursday in November of 1972 as "National Family Week." H.J. Res. 135. Public Law 92–452.

National Heritage Day

Authorized the President to proclaim October 1, 1972, as "National Heritage Day." H.J. Res. 1304. Public Law 92–450.

National Hunting and Fishing Day

Requested the President to declare the fourth Saturday of September 1972, as "National Hunting and Fishing Day." S.J. Res. 117. Public Law 92–285.

National Inventors' Day

Authorized the President of the United States to proclaim February 11, 1973, as "National Inventors' Day." H.J. Res. 1232. Public Law 92–457.

National Legal Secretaries' Court Observance Week

Authorized and requested the President of the United States to issue a proclamation designating the second full week in October 1972, as "National Legal Secretaries' Court Observance Week." H.J. Res. 807 Public Law 92–464.

National Microfilm Week

Authorized and requested the President to issue a proclamation designating the week which begins on September 24, 1972, as "National Microfilm Week." H.J. Res. 1193. Public Law 92–429.

National Shut-in Day

Authorized the President to issue a proclamation designating the third Sunday in October of 1972 as "National Shut-In Day." S.J. Res. 208. Public Law 92–363.

National Sokol Day

Authorized the President of the United States to issue a proclamation designating October 30, 1972, as "National Sokol Day." H.J. Res. 1263. Public Law 92–486.

National Voter Registration Month

Authorized the President to designate the calendar month of September 1972, as "National Voter Registration Month" and to call upon the people of the United States to observe such month with appropriate ceremonies and activities. S.J. Res. 245. Public Law 92–350.

National Week of Concern for Prisoners of War/Missing in Action

Authorized the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War/Missing in Action" and to designate March 26, 1972, as a national day of prayer for these Americans. S.J. Res. 189. Public Law 92–248.

Women's Rights Day

Authorizes the President to proclaim August 26 of each year as "Women's Rights Day" in commemoration of the anniversary of the adoption on August 26, 1920 of the nineteenth amendment to the Constitution, granting women the right to vote. S. 3490. P/S 8–16–72. P/H amended 8–18–72.

SPACE

NASA Authorization Act, 1973

Authorized appropriations totaling $3,444,150,000 to the National Aeronautics and Space Administration for fiscal year 1973 for research and development, construction of facilities, research and program management, and for other purposes. H.R. 14070. Public Law 92–304.

TRANSPORTATION AND COMMUNICATIONS

Airport development

Amended the Airport and Airway Development Act of 1970 and the Federal Aviation Act of 1958 so as to increase Federal financial assistance for airport development throughout the United States; prohibited the levying, by State and local governments, of passenger "head" taxes or use taxes on the carriage of persons in air transportation with certain exceptions; and contained other provisions. S. 3755. Public Law 92– .

Coast Guard authorizations

Authorized a total of $145,880,000 in appropriations for fiscal year 1973 for use by the Coast Guard for the procurement of vessels and aircraft and construction of shore and offshore establishment, and authorized the average annual active duty personnel strength for the Coast Guard. H.R. 13188. Public Law 92–343.

Cargo Commission Act

Provides for a coordinated national approach toward the solution of the cargo theft problem through the establishment of a Presidentially appointed Commission on security and safety of cargo to conduct an inquiry into cargo security matters and develop a program for maximum cargo safety. S. 942. P/S 9–8–71. P/H amended 10–13–72.

Cass County, N.D.

Authorized and directed the Secretary of Transportation to pay, out of money in the Highway Emergency Relief Fund, to Cass County, North Dakota, the sum of $85,000 for expenses incurred in reconstructing the Wild Rice Bridge across the Red River between Clay County, Minnesota, and Cass County, North Dakota. S. 3483. Public Law 92– .

Cruise ships

Amended Section 613 of the Merchant Marine Act of 1936, the cruise legislation section section, to authorize the cruising of passenger vessels for the entire year if the Secretary of Commerce finds that the operation of the vessel on its trade route is not required, and to permit U.S.-flag passenger vessels to carry mail and cargo between ports not on their regular service under certain conditions. H.R. 9552. Public Law 92–323.

Dulles Airport transit line

Amends the National Capital Transportation Act of 1969 to authorize the Secretary of Transportation to make payments to the Washington Metropolitan Area Transit Authority in an amount not to exceed $10 million to finance the cost of planning and designing a rapid transit line in the median of the Dulles Airport Road; provides for a feasibility study on extending a transit line to Friendship airport; and contains other provisions. S. 2952. P/S 10–4–72.

Federal-Aid Highway Act of 1972

Authorizes the appropriation of an additional $8 billion for completion of the Interstate System; authorizes $725 million for the primary system in rural areas, $425 million for the secondary system in rural areas, $700 million for the urban system, $400 million for the extensions of the primary and secondary systems in urban areas, and $50 million for the small urban system, to be appropriated for fiscal year 1974 out of the Highway Trust Fund; authorizes the use of funds apportioned to each State for the Federal-aid systems to finance the Federal share of the costs of projects for highway public transportation purposes, including construction of exclusive bus lanes, traffic control devices, passenger loading areas, and facilities; states the intent of Congress to establish priority primary routes in each State, and directs the Secretary of Transportation, in cooperation with the State highway departments, to develop such routes and criteria for their designation and to submit a report to Congress not later than June 30, 1973; and contains other provisions. P/S 9–19–72. P/H amended 10–5–72. Senate agree conference report 10–13–72.

High-speed ground transportation act extension

Authorized $97 million for fiscal year 1973, $126 million for fiscal year 1974, and $92.9 million for fiscal year 1975 to carry out the provisions of the act; authorized research and development in door-to-door ground transportation as well as high-speed ground transportation; extended from 15 to 25 years the maximum period for repayment of loans to railroads guaranteed under part V of the Interstate Commerce Act; and contained other provisions. S. 979. Public Law 92–348.

International Aeronautical Exposition of 1972

Increased from $3 million to $5 million the funds authorized for appropriation under the fiscal year 1970 Military Construction Authorization Act for the conduct of an international aeronautical exposition to be held at Dulles International Airport from May 27, 1972, through June 4, 1972. S. 3244. Public Law 92–252.

Maritime programs authorization

Authorized a total of $556,044,000 for fiscal year 1973 for certain maritime programs of the Department of Commerce including construction and operation of ships, research and development programs, and expenses of the National Defense Reserve Fleet; authorized foreign-to-foreign carriage by U.S.-flag bulk carriers; and contained other provisions. H.R. 13324. Public Law 92–402.

Motor carrier reports

Permitted motor carriers and others required to file annual reports with the Interstate Commerce Commission, to file such reports on the basis of a 13-period accounting year, rather than on a calendar year basis, if their bookkeeping is done on a 13-period basis, subject to rules and regulations prescribed by the ICC. H.R. 1074. Public Law 92–338.

Motor Vehicle Information and Cost Savings Act

Authorized the Secretary of Transportation to set bumper standards for passenger motor vehicles; required the Secretary to make an automobile consumer information study to determine the operating costs and safety characteristics of particular vehicles; established demonstration projects to test the design and feasibility of diagnostic test inspection facilities; and established a national policy against odometer tampering. S. 976. Public Law 92– .

Motor vehicle safety

Authorized the appropriation of $52.714 million for fiscal year 1973 for the implementation of the National Traffic and Motor Vehicle Safety Act of 1966. H.R. 15375. Public Law 92– .

Natural Gas Pipeline Safety Act amendments

Amended the Natural Gas Pipeline Safety Act of 1968 so as to extend the deadline by which a State must have in force legislation authorizing the State enforcement agency to impose monetary and injunctive sanctions from August 12, 1970, to August 12, 1973; authorized the Secretary of Transportation to make grants-in-aid up to 50 percent of the cost of activities of State for safety programs; authorized not to exceed $3 million for fiscal year 1972, $3.8 million for fiscal year 1973, and $5 million for fiscal year 1974 for the purpose of carrying out the provisions of the Act; and contained other provisions. H.R. 5065. Public Law 92–401.

Public broadcasting

Provides improved financing for the Corporation for Public Broadcasting with a two-year authorization under a formula matching non-Federal funds coming into all of public broadcasting, but in no event greater than $65 million in fiscal year 1973 and $90 million in fiscal year 1974; authorizes an increase of $10 million in fiscal year 1973, bringing the total authorization to $25 million, for the Educational Broadcasting Facilities Program; and contains other provisions. H.R. 13918. President Nixon vetoed June 30, 1972.

Authorized for fiscal year 1973 $45 million for the Corporation for Public Broadcasting and $25 million for grants for the construction of noncommercial educational television or radio broadcasting facilities. S. 3824. Public Law 92–411.

Rail Passenger Service Act of 1970 amendments

Authorized an additional $225 million for grants to Amtrak, plus $2 million annually for service between the U.S. and the following cities: Vancouver, Canada; Montreal, Canada; and Nuevo Laredo, Mexico; authorized an increase in loan guarantees from $100 million to $150 million through June 30, 1973, and $200 million thereafter, and limits the loan guarantee authority after enactment to expenditures for capital improvements; provided the General Accounting Office with the authority to review records of participating railroads; limited salaries of Amtrak officers to that of Cabinet officials, except for present Amtrak officers, provided that the excess thereof must be paid only from net profits of Amtrak; restored within stated guidelines, passenger train pass privileges (held prior to or on April 30, 1971) to railroad employees, retirees, and dependents; and contained other provisions. H.R. 11417. Public Law 92–316.

Railroad facilities repairs

Authorized the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June, 1972. S. 3843. Public Law 92– .

Rates in foreign air transportation

Gave the Civil Aeronautics Board discretionary authority, subject to disapproval by the President, to suspend or reject tariffs in international air transportation to and from the United States; imposed on U.S. and foreign air carriers engaged in foreign air transportation a duty to establish just and reasonable individual and joint rates and practices; maintained the present mechanism for establishing international air transportation rates through the International Air Transport Association, but gave the Board the statutory tools needed to perform its responsibility to protect the traveler, the shipper and air carriers by suspending and rejecting rates which are too high and rates which are destructively low; in essence, gave the Board the same degree of control over rates and practices of foreign air carriers operating into U.S. territory as foreign countries now have over operations of their own carriers and over operations of carriers foreign to those nations. H.R. 11416. Public Law 92–259.

Ship mortgage insurance

Amended section 509 of the Merchant Marine Act, 1936, to increase the amount of Federal ship mortgage insurance available for high-powered vessels capable of sustained speed of more than 40 knots. S. 2684. Public Law 92–374.

Ship mortgages

Amended title XI of the Merchant Marine Act, 1936, as amended, relating to vessel mortgage guarantees to expedite procedures, simplify paperwork, and better meet the current needs for investment capital necessary to revitalize the American Merchant Marine. H.R. 9756. Public Law 92– .

Shipping law violations

Enabled the Federal Maritime Commission to more effectively discharge its regulatory responsibilities by (a) changing certain penalty provisions of the Shipping Act, 1916, from criminal to civil, (b) providing a civil penalty for violations of any order, rule, or regulation made or issued by the Commission in the exercise of its powers, duties, or functions, and (c) authorizing the Commission to compromise any civil penalty provided for violations of those sections of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, as to which it has jurisdiction. H.R. 755. Public Law 92–416.

Supplemental maritime authorization, 1973

Authorized supplemental appropriations of $175 million for fiscal year 1973 for the construction subsidy program of the Maritime Administration within the Department of Commerce. H.R. 16987. Public Law 92– .

Towing vessel licensing

Promoted safe navigation by requiring that, while underway, certain towing vessels shall be under the direction and control of persons licensed under regulations prescribed by the Secretary of the Department in which the Coast Guard is operating, and required the Secretary of Transportation to conduct a study and to submit to the Congress a report thereon, together with any legislative recommendations, concerning the need for engineers on such vessels. H.R. 6479. Public Law 92–339.

Transportation charges

Amended section 322 of the Transportation Act of 1940, as amended, to permit payment for the transportation of persons or property for or on behalf of the United States to all kinds of carriers or forwarders in advance of completion of the transportation services, provided the carrier or forwarder has issued the usual ticket, receipt, bill of lading or equivalent document covering the services involved, subject to later recovery by deduction or otherwise of any payments made for any services not received as ordered. S. 3240. Public Law 92– .

Travel agents registration

Adds a new title II to the International Travel Act of 1961 to require persons operating a travel agency to secure registration certificates from the Secretary of Transportation and prohibits, after January 1, 1973, transportation carriers from entering into a contract or other arrangement with any person who is not a registered travel agent. S. 2577. P/S 6-29-72.

Uniform Motor Carrier Standards Act

Amends the Interstate Commerce act to provide that the amendments of the standards which were adopted pursuant to Public Law 89–170, which amended that act, during the initial 5-year period (December 1966 to December 1971) shall become effective at the end of such period, and that amendments thereafter adopted shall become effective at the time of promulgation or at such other time as may be determined by the NARUC (National Association of Regulatory Utility Commissioners). S. 1911. P/S 9-19-72.

VETERANS

Disability and death pensions

Increases the annual income limitations for eligible veterans and their survivors receiving pensions and provides increases in the rates of pension for an average program benefit increase of 8 percent, and contains other provisions. S. 4406. P/S 10-11-72.

Disabled veterans

Provided for a 10-percent increase in compensation rates for service-connected disabilities and a 10-percent increase in monthly dependents' allowances payable for dependents of veterans rated at least 50 percent or more disabled; authorized the granting of equitable relief by the Administrator of the Veterans' Administration in cases of loss incurred due to administrative error; and contained other provisions. S. 3338. Public Law 92–328.

Military survivors' benefits plan

Established a new system of survivor benefits for survivors of present and future military retirees and active duty members who are retirement eligible; provided maximum survivor benefits of 55 percent of retired pay; and contained other provisions. H.R. 10670. Public Law 92–425.

National Cemeteries Act of 1972

Established within the Veterans' Administration a National Cemetery System which would consist of national cemeteries transferred to the VA from the Department of the Army and cemeteries presently under the jurisdiction of the VA, with the exception of Arlington National Cemetery and those cemeteries located at the service academies; authorized a special burial plot allowance of $150 (in addition to the present VA allowance for burial and funeral expenses of $250) in any case where a veteran is not buried in a national or other Federal cemetery; authorized the burial of an unknown soldier from the Vietnam Conflict at Arlington National Cemetery; and contained other provisions. H.R. 12674. Public Law 92– .

Specially adapted housing for disabled veterans

Amended chapter 21 of title 38, United States Code, to increase the maximum amount of a grant payable by the Administrator of the Veterans' Administration to $17,500 to provide specially adapted housing for disabled veterans. S. 3343. Public Law 92–341.

Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972

Authorized the Veterans' Administration to make grants to States and VA affiliated medical schools and other health institutions to establish eight new schools at VA hospitals and improve the existing schools and institutions; authorized expansion of existing VA health training facilities; authorized a program for continuing medical education for health care staff of VA medical facilities and staff of other Federal medical facilities and members of the surrounding medical community on a reimbursable basis utilizing certain VA hospitals as "Regional Medical Education Centers", authorized for each of seven fiscal years beginning in fiscal year 1973 an appropriation of $75 million annually therefor; and contained other provisions. H.J. Res. 748. Public Law 92- .

Veterans' drug and alcohol rehabilitation

Provides that alcoholism and drug dependence are disabilities for the purpose of treatment under chapter 17 or title 38, United States Code; establishes a special medical treatment and rehabilitative services program for any veteran with alcoholism, drug dependence or alcohol or drug abuse disability; establishes a Special Rehabilitation Revolving Fund to finance a program of counseling, education, and training for post-Korean conflict veterans with discharges rendering them eligible for VA benefits; provides for reimbursement to any Vietnam era veteran for the reasonable cost of treatment and rehabilitative services provided in approved community programs; requires the VA to provide for treatment and rehabilitative services on request to eligible veterans who have been charged with or convicted of a criminal offense and are not incarcerated and are not participating in the program and to any veteran incarcerated in a local jail who was receiving treatment and rehabilitative services at the time of his confinement; requires a line item in the annual budget for all alcohol and drug abuse treatment and rehabilitation programs; establishes a strict medical confidentiality requirement with respect to release of information and records obtained during treatment of an addict under this new program; and contains other provisions. H.R. 9265. P/H 7-19-71. P/S amended 9-7-72.

Veterans' Health Care Expansion Act of 1972

Placed new emphasis upon treatment of the patient as part of a family unit; stressed home health care programs; made eligible veterans with 80 percent or more service-connected disabilities for VA outpatient care and medicines for non-service connected disabilities; made certain veterans' dependents not covered by Medicare, Medicaid, or military medical benefits programs eligible for VA hospital care; made such dependents and all veterans presently eligible for VA hospital care eligible for outpatient care when necessary to obviate hospitalization; established a sickle cell anemia screening, counseling, and medical treatment program to be administered by the VA; required the raising of the staff-to-patient ratio in VA medical facilities; directed the VA to carry out a major program for education and training of health personnel and for recruitment, training, and employment within the VA of veterans with medical military occupational specialties; and contained other provisions. H.R. 10880. Public Law 92- .

Veterans' organizations tax-exempt status

Created a tax exemption category for any veterans' organization whose membership consists of at least 75 percent of war veterans as long as a substantial number of the other members are veterans (other than war veterans), cadets, or spouses, widows, or widowers of war veterans or such other individuals; made the effective date of this bill retroactive the date of enactment of the Tax Reform Act of 1969; and contained other provisions relating to tax deductions for disaster losses. H.R. 11185. Public Law 92-418.

Vietnam Era Veterans' Readjustment Assistance Act of 1972

Provided for major increases in the basic rates for educational assistance to achieve parity with the World War II GI bill entitlement level; increased the basic rate for educational assistance for a single veteran who is a full time student by approximately 25.7 percent, to $220 per month; increased the vocational rehabilitation allowance and the allowance for dependents; provided for advance payment of the GI bill monthly assistance allowance; established a new student-veterans work-study/outreach program whereby a veteran may receive $250 advance allowance for 120 hours work performing various needed services for the Veterans' Administration; provided improved job counseling, training, and placement for Vietnam veterans; and contained other provisions. H.R. 12828. Public Law 92- .

World War I veterans

Amends title 38, United States Code, to provide for a special addition to the pensions of veterans of World War I and to the pensions of their widows and children. S. 3070. P/S 10-12-72.

Mr. AIKEN. Mr. President, after listening to the majority leader recite the work and the accomplishments of the second session of the 92d Congress, I know now why I am tired. However, it is a very impressive list of accomplishments.

I presume that it being this time of year the public will also be favored with an equally long list from the executive branch telling what the second session of the 92d Congress has not accomplished. All in all, however, both the executive branch and the Congress have outstanding accomplishments to their credit. Accomplishment which will change the course of history both at the national level and in global affairs.

ESTABLISHMENT OF PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 10751.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 10751, which was read as follows:

Resolved, That the House agree to the amendments of the Senate numbered 2 and 8 to the bill (H.R. 10751) entitled "An Act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter inserted, insert:

"(c) After the development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Commissioner of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the plan with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. The Commissioner of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission, shall hold public hearings on the plan, and shall notify the Corporation of his approval or recommended modifications: *Provided*, That in the event that the Secretary of the Interior or the Commissioner of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the plan within ninety days after the date of submission, he shall be deemed to have approved the plan.

"(d) In the event the Secretary of the Interior or the Commissioner of the District of Columbia has recommended modifications of the plan, the Corporation within one hundred and twenty days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

"If the Secretary of the Interior or the Commissioner of the District of Columbia has not approved the development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Commissioner of the District of Columbia and the views of the Corporation thereon."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter deleted by the amendment of the Senate, insert:

"(9) shall seek authority from the Congress to borrow money by issuing marketable obligations, after obtaining proposals from at least three private financial analysts on the feasibility of private versus public financing of the Corporation, which proposals shall be transmitted to the Congress with the development plan as provided in Section 5 of this Act."

Resolved, That the House disagree to the amendments of the Senate numbered 4, 7, and 9 through 17 to the aforesaid bill.

The ACTING PRESIDENT pro tempore. The Senate will proceed to the consideration of the measure.

Mr. BIBLE. Mr. President, the House of Representatives agreed to most of the amendments of the Senate to this bill, but they have modified the original provision inserted by them which allowed private financing by the Corporation. The modification of the House language, in effect, calls for a study of private versus public financing to be made by the Corporation by three different financial analysts. Before the Corporation could enter the private financial market, however, separate authority would have to be granted by the Congress to do so. On this basis, I have been assured by the administration that the amendment of the House is not objectionable and should not cause the bill to die, and I agree.

Therefore, Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 1 and 3.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. BIBLE. Mr. President, I move that the Senate recede from Senate amendments Nos. 4, 7, and 9 through 17.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

TRIBUTE TO SENATOR ANDERSON

Mr. AIKEN. Mr. President, I first knew Clint Anderson when he was an important Member of the House and I was a freshman Senator.

From the first, we had a common interest—agriculture.

Therefore, I was delighted when in June 1945, President Truman drew him out of the House and named him Secretary of Agriculture.

As Secretary, he did yeoman work for the farmers of America.

He supported better living for the people at home and scraped our elevators clean in order to get enough wheat for export.

The result, of course, was good farm prices and a bit of grumbling by consumer representatives.

It was in 1948 that Congress, cooperating with the Secretary, enacted what was supposed to be permanent farm legislation.

I was doing a lot of pinch-hitting for Senator Arthur Capper who was chairman of the Senate Committee on Agriculture at the time.

Like most permanent farm legislation, the 1948 act turned out to be very temporary and in 1949, when the Democrats had regained control of the Congress and had elected Clint Anderson as Senator from New Mexico, the permanent farm legislation was rewritten.

Clint has moved around quite a lot since those days, although I feel that at heart he is still a member of the Committee on Agriculture and Forestry.

As chairman of the Space Committee, on which I served with him for 2 years, he has explored the moon—done away with the need for spy planes, like the U-2, and made instantaneous transmission of news and pictures from any part of the world possible.

Of course, Clint did not do all of this by himself. He had plenty of competent help, but behind the scenes he was constantly keeping watch, giving directions and advice and, most importantly, getting Congress to appropriate the necessary funds.

For some years now, I have served with him on the Joint Committee on Atomic Energy, and here the story has been the same.

Yes, Clint Anderson has been a credit to the State of New Mexico and a pillar of strength to the Nation.

And, in the background, but not very far back, stands the lady who has given him much of the courage, the character and the strength with which he has carried on during his remarkable career.

I refer to Henrietta Anderson who has smoothed the way when things got rough and also sees to it that he eats his meals properly and takes care of himself generally.

We are all proud of Clint and Henrietta Anderson.

ACCOMPLISHMENTS OF COMMITTEE ON APPROPRIATIONS DURING SECOND SESSION OF THE 92D CONGRESS

Mr. McCLELLAN. Mr. President, the Senate Committee on Appropriations has considered a total of 24 measures during the second session of the 92d Congress, consisting of 16 bills relating to funds for fiscal year 1973; four bills containing funds for fiscal year 1972; and four continuing resolutions.

I have before me a tabulation which records for all of the appropriation bills for the second session of the 92d Congress the amount of the budget estimates, the amounts approved by the House of Representatives, the amounts approved by the Senate, the amounts approved in conference, together with a comparison of the final conference amounts with the budget estimates.

This tabulation covers the bills for fiscal year 1973 and also the bills for fiscal year 1972 considered in this session. It will be observed from this table that the Congress, in considering the budget estimates submitted by the President for fiscal year 1973, has effected a net reduction in the amount of $5,322,405,069. In the bills considered by the 92d Congress, second session, for fiscal year 1972, it will be observed that the Congress has effected reductions in the amount of $418,245,119. The grand total of budget estimates considered by the Senate during the second session amounted to $185,436,516,552. The Congress provided in the appropriation bills a total of $179,695,866,364, which means that a total reduction of $5,740,650,188 was effected in the budget estimates during this session of the Congress.

The largest single reduction was in the amount of $5,221,208,000 in the Department of Defense appropriation bill, and there was a reduction of $337,981,000 made in the military construction appropriation bill for a total reduction of $5,559,189,000 in the new appropriations requested for the military functions of the Department of Defense.

Because of the lack of authorization, we were not able to complete action on the foreign assistance appropriation bill. The budget requests for the appropriations included in this bill total $5,163,024,000. Based on the provisions of the continuing resolution, as amended by House Joint Resolution No. 1331, approved today, it is estimated that, on an annual basis, we have provided new obligational authority in the amount of $3,652,701,000 for the various programs and activities funded under the foreign assistance appropriation bill, which is a reduction of $1,510,323,000 in the budget requests.

The first Labor-Health, Education, and Welfare appropriation bill was also increased over the budget estimate by $1,771,286,000. However, this bill was vetoed by the President, and the House, which considered the vetoed measure first, did not override the veto. The new Labor-Health, Education, and Welfare bill also provides for appropriations that total $1,771,286,000 over the requests. However, this new bill includes a provision that permits the President to withhold $1,238,919,500 from obligation. If the President elected to exercise the full amount of this authority to withhold, the increase over the budget request will be reduced to $532,366,500.

I would also like to report to the Senate that, in the performance of its responsibilities, the Committee on Appropriations of the Senate has held 271 days of hearings with 3,717 witnesses. In volume form, these hearings consisted of a total of 43,446 pages.

Mr. President, I ask unanimous consent to include in the Record at this point the tabulation on the amounts contained in each of the appropriation bills, together with a table reflecting the number of days of hearings and number of witnesses on each of the bills.

There being no objection, the tables were ordered to be printed in the Record, as follows:

SUMMARY OF APPROPRIATION BILLS IN THE SENATE (JAN. 18 TO OCT. 18, 1972)

Hearing	Number of days of hearings	1st date of hearings	Number of witnesses	Date bill received from House and referred by Senate to committee	Date bill reported to Senate from committee	Date bill passed Senate
FISCAL YEAR 1972						
		1971				
Predator control and related problems (H.R. 9270, 1 part)	5	Dec. 14	43			
		1972		1972	1972	1972
Gold revaluation (H.J. Res. 1174)				May 5	May 5	May 5.
2d supplemental (H.R. 14582, 1 part)	20	Feb. 17	203	Apr. 27	Apr. 27	May 1.
Urgent supplemental (H.J. Res. 1097, 1 part)	3	do	23	Mar. 14	Mar. 14	Mar. 15.

Hearing	Number of days of hearings	1st date of hearings	Number of witnesses	Date bill received from House and referred by Senate to committee	Date bill reported to Senate from committee	Date bill passed Senate
FISCAL YEAR 1973						
The Budget of the United States	4	Feb. 1	48			
Agriculture (H.R. 15690, 2 parts)	18	Mar. 6	363	June 30	July 24	July 27.
Defense (H.R. 16593, 5 parts)	36	Feb. 16	228	Sept. 15	Sept. 29	Oct. 2.
District of Columbia (H.R. 15259, 2 parts)	13	Feb. 7	152	June 8	June 12	June 14.
Foreign assistance (H.R. 16705, 1 part)	10	Feb. 29	51	Sept. 22	Sept. 27	Sept. 28.
HUD, Space, Science, Veterans (H.R. 15093, 1 part)	9	Apr. 11	199	May 24	May 31	June 14.
Interior (H.R. 15418, 4 parts)	20	Feb. 23	245	June 14	June 26	June 28.
Labor-Health, Education, and Welfare, vetoed	43	Mar. 7	143	June 19	June 21	June 27.
(H.R. 15417, 7 parts) (H.R. 16654)				Sept. 20	Sept. 29	Oct. 3.
Legislative branch: (H.R. 13955, 1 part)	4	Feb. 28	52	Mar. 23	Mar. 24	Mar. 28.
Military construction: (H.R. 16754, 1 part)	8	May 22	34	Sept. 26	Sept. 30	Oct. 3.
Public works: (H.R. 15586, 7 parts)	38	Feb. 28	1,281	June 27	June 27	June 30.
State, Justice, Commerce, Judiciary: (H.R. 14989, 2 parts)	14	Mar. 7	221	May 22	May 31	June 15
Treasury, Postal Service, General Government: (H.R. 15585, 1 part)	10	Mar. 22	105	June 22	June 22	June 23.
Transportation: (H.R. 15097, 1 part)	8	Apr. 18	153	May 25	June 15	June 16.
Continuing resolutions:						
(H.J. Res. 1234)				June 27	June 28	June 30.
(H.J. Res. 1278)				Aug. 16	Aug. 16	Aug. 17.
(H.J. Res. 1306)				Sept. 27	Sept. 27	Sept. 27.
(H.J. Res. 1331)				Oct. 14	Oct. 16	Oct. 16.
Supplementals:						
(H.J. Res. 1238)				June 30	June 30	June 30.
(H.R. 16254, 1 part)	3	July 26	23	Aug. 16	Aug. 16	Aug. 16.
1st	[1] 5	June 21	[1] 150			
Total	271		3,717			

[1] Estimated.

COMMITTEE ON APPROPRIATIONS, U.S. SENATE—BUDGET ESTIMATES OF NEW BUDGET AUTHORITY CONSIDERED IN APPROPRIATION BILLS, 92D CONG., 2D SESSION, AS OF OCT. 18, 1972

[Does not include any "back-door" type budget or spending authority in legislative bills; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year (1)	Budget request considered by House (2)	Approved by House (3)	Budget requests considered by Senate (4)	Approved by Senate (5)	Enacted (6)	(+) or (−), enacted compared with budget requests (7)
A. BILLS FOR FISCAL 1973						
1. Legislative (H.R. 13955)	$433, 627, 004	$427, 604, 764	$519, 347, 899	$514, 722, 880	$513, 787, 980	−$5, 559, 919
2. State-Justice-Commerce-Judiciary (H.R. 14989)	4, 687, 988, 600	4, 587, 104, 350	4, 704, 326, 600	4, 820, 717, 769	4, 681, 017, 850	−23, 308, 750
3. HUD-Space-Science-Veterans (H.R. 15093)	20, 173, 185, 000	19, 718, 490, 000	[2] 20, 498, 183, 000	20, 583, 370, 000	[2] 20, 125, 951, 000	−372, 232, 000
4. Transportation (H.R. 15097)	3, 040, 362, 095	2, 922, 795, 095	3, 040, 362, 095	3, 038, 175, 095	2, 999, 118, 095	−41, 244, 000
Fiscal year 1973 amounts only	(2, 909, 181, 095)	(2, 791, 614, 095)	(2, 909, 181, 095)	(2, 906, 994, 095)	(2, 867, 937, 095)	(−41, 244, 000)
5. District of Columbia (Federal funds) (H.R. 15259)	343, 306, 000	332, 306, 000	343, 306, 000	313, 706, 000	316, 393, 000	−26, 913, 000
6. Labor-HEW (H.R. 15417, Vetoed)	[27, 327, 323, 500]	[28, 603, 179, 500]	[28, 767, 633, 500]	[31, 354, 930, 500]	[30, 538, 919, 500]	[+1, 771, 286, 000]
7. Labor-HEW (H.R. 16654, New bill)	28, 767, 633, 500	29, 603, 448, 500	28, 767, 633, 500	[3] 30, 538, 919, 500	[7] 30, 538, 919, 500	[7] +1, 771, 286, 000
8. Interior (H.R. 15418)	2, 520, 340, 000	2, 529, 558, 200	2, 527, 154, 000	2, 550, 922, 800	2, 548, 935, 300	+21, 781, 300
9. Treasury-Postal Service-General Government (H.R. 15585)	5, 066, 603, 000	5, 057, 145, 000	5, 066, 603, 000	5, 057, 186, 000	5, 057, 827, 000	−8, 776, 000
10. Public Works—AEC (H.R. 15586)	5, 489, 058, 000	5, 437, 727, 000	5, 489, 058, 000	5, 571, 696, 000	5, 504, 914, 000	+15, 856, 000
11. Agriculture-Environmental and Consumer Protection (H.R. 15690)	12, 952, 177, 400	12, 897, 010, 900	12, 952, 190, 400	13, 561, 055, 800	13, 434, 032, 700	+481, 842, 300
12. Disaster Relief Supplemental, 1973 (H.R. 16254)	1, 569, 800, 000	1, 587, 300, 000	1, 569, 800, 000	1, 587, 300, 000	1, 587, 300, 000	+17, 500, 000
13. Defense (H.R. 16593)	$79, 594, 184, 000	[4] $74, 577, 548, 000	$79, 594, 184, 000	[5] $74, 571, 698, 000	$74, 372, 976, 000	−$5, 221, 208, 000
14. Foreign Assistance (H.R. 16705)	5, 163, 024, 000	4, 195, 155, 000	[6] 5, 163, 024, 000	2, 823, 897, 000	[8] 3, 652, 701, 000	−1, 510, 323, 000
15. Military Construction (H.R. 16754)	2, 661, 384, 000	2, 280, 784, 000	2, 661, 384, 000	2, 337, 726, 000	2, 323, 403, 000	−337, 981, 000
16. Supplemental, 1973 (H.R. 17034)	3, 573, 953, 325	3, 565, 048, 825	5, 016, 540, 610	5, 266, 690, 610	4, 933, 415, 610	−83, 125, 000
Total, bills for fiscal 1973	176, 038, 625, 924	169, 719, 025, 634	177, 913, 097, 104	173, 137, 783, 454	172, 590, 692, 035	−5, 322, 405, 069
B. BILLS FOR FISCAL 1972						
1. Urgent Supplemental (H.J. Res. 1097)	957, 476, 059	957, 476, 059	957, 476, 059	957, 476, 059	957, 476, 059	
2. 2d Supplemental (H.R. 14582)	4, 775, 261, 477	3, 954, 453, 358	4, 865, 943, 389	5, 063, 517, 439	4, 347, 698, 270	−518, 245, 119
3. Special Resolution, Gold Revaluation (H.J. Res. 1174)	1, 600, 000, 000	1, 600, 000, 000	1, 600, 000, 000	1, 600, 000, 000	1, 600, 000, 000	
4. Supplemental, Disaster Relief (H.J. Res. 1238)	100, 000, 000	200, 000, 000	100, 000, 000	200, 000, 000	200, 000, 000	+100, 000, 000
Total, bills for fiscal 1972	7, 432, 737, 536	6, 711, 929, 417	7, 523, 419, 448	7, 820, 993, 498	7, 105, 174, 329	−418, 245, 119
C. Total for the session	183, 469, 363, 460	176, 430, 955, 051	185, 436, 516, 552	180, 958, 776, 952	179, 695, 866, 364	−5, 740, 650, 188

[1] The Budget for 1973, as submitted Jan. 24, tentatively estimated total new budget authority for 1973 at $294,813,000,000 gross ($270,898,000,000 net of some $23,915,000,000 interfund and intragovernmental transactions and certain so-called proprietary receipts handled as offsets for budget summary purposes only). Of this total, an estimated $109,754,000,000 does not require current action by Congress; it involves so-called permanent appropriations such as interest, various trust funds, etc., already provided for in various basic laws. The remainder, $185,059,000,000, is for consideration at this session (mostly in the appropriation bills). About $14,394,000,000 of this $185,059,000,000 was shown in the January budget as being "for later transmittal" for new or expended legislation, pay increases, and contingencies, and about $45,817,000,000 of the remainder requires legislative reauthorization through various annual authorization bills or where the authorization expires periodically.

[2] Includes $240,000,000 for comparability for urban community development special revenue sharing under proposed legislation. Of this sum, $200,000,000 of new obligational authority was allowed in conference for the urban renewal program and $40,000,000 for the rehabilitation loan fund.

[3] New budget (obligational) authority carried in H.R. 16654, fiscal year 1973 Labor-HEW appropriation bill, as passed by the Senate, totals $30,538,919,000. However, sec. 409, a general provision, authorizes the President to withhold from obligation such sums as he deems necessary but not to exceed $935,471,000 in new budget (obligational) authority. The President is authorized to withhold from obligation any sums that would reduce total new budget (obligational) authority to $29,603 448,500, the amount of NOA contained in the House bill, as long as no appropriation or activity within an appropriation is reduced by more than 10 percent.

[4] Does not include $649,500,000 by transfer from funds already available for obligations in fiscal year 1973.

[5] Does not include $1,315,900,000 by transfer from funds already available for obligations in fiscal year 1973.

[6] Includes budget estimates of $780,000,000 for military assistance; $844,000,000 for security supporting assistance; $527,000,000 for foreign military credit sales, and $100,000,000 for Bangladesh refugee assistance, a total of $2,251,000,000; deferred in Senate bill for lack of authorization.

[7] New budget (obligational) authority in the enacted Labor-HEW Appropriation bill totals $30,538,919,500. However, sec. 409, a general provision, authorizes the President to withhold from obligation such sums as he deems necessary but not to exceed $1,238,919,500 in new budget authority. Therefore, the President may reduce total new budget authority to $29,300,000,000 as long as no appropriation or activity within an appropriation is reduced by more than 13 percent. if total new budget authority is reduced to $29,300,000,000, the enacted bill exceeds the budget requests considered by $532,366,500.

[8] Annual rate authorized in the continuing resolution until Feb. 28, 1973.

AUTHORITY TO PRINT AS SENATE DOCUMENT TRIBUTES TO RETIRING SENATORS

Mr. FANNIN. Mr. President, I ask unanimous consent that tributes that have been made and will be made to Senator Karl Mundt be printed as a Senate document.

Mr. MANSFIELD. Mr. President, reserving the right to object, and I will not object, will the Senator please make it a blanket request for all retiring Senators?

Mr. FANNIN. Mr. President, I make the request for tributes to all retiring Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

AMENDMENT OF THE DISTRICT OF COLUMBIA CODE RELATING TO ACTIONS ARISING OUT OF DEATH OR INJURY CAUSED BY DEFECTIVE OR UNSAFE IMPROVEMENTS TO REAL PROPERTY

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1524.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to S. 1524 to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property, which was to strike out all after the enacting clause and insert the following language:

Section 1. (a) Chapter 3 of title 12 of the District of Columbia Code (relating to limitation of actions) is amended by adding at the end the following new section:

"§ 12-310. Actions arising out of death or injury caused by defective or unsafe improvements to real property

"(a)(1) Except as provided in subsection (b), any action—

"(A) to recover damages for—

"(i) personal injury,

"(ii) injury to real or personal property, or

(iii) wrongful death, resulting from the defective or unsafe condition of an improvement to real property, and

"(B) for contribution or indemnity which is brought as a result of such injury or death, shall be barred unless in the case where injury shall be barred unless in the case where injury is the basis of such actions, such injury occurs within the ten-year period beginning on the date the improvement was substantially completed, or in the case where death is the basis of such action, either such death or the injury resulting in such death occurs within such ten-year period.

"(2) For purposes of this subsection, an improvement to real property shall be considered substantially completed when—

"(A) it is first used, or

"(B) it is first available for use after having been completed in accordance with the contract or agreement covering the improvement, including any agreed changes to the contract or agreement.

whichever occurs first.

"(b) The limitation of actions prescribed in subsection (a) shall not apply to—

"(1) any action based on a contract express or implied, or

"(2) any action brought against the person who, at the time the defective or unsafe condition of the improvement to real property caused injury or death, was the owner of or in actual possession or control of such real property."

(b) The table of sections for such chapter 3 is amended by adding at the end the following new item:

"12-310. Action arising out of death or injury caused by defective or unsafe improvements to real property."

Sec. 2. The amendments made by section 1 of this Act shall apply only with respect to actions brought after the date of enactment of this Act.

Sec. 3. On and after the date of the enactment of this Act, the Chairman of the District of Columbia Council shall receive compensation at the rate of $20,000 per annum.

Mr. MANSFIELD. Mr. President, I understand this has been cleared all around. I move that the Senate concur in the House amendment.

The motion was agreed to.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. Allen) laid before the Senate the following letters, which were referred as indicated:

Report on Intention to Interchange Jurisdiction of Civil Works and Forest Service Acquired Lands

A letter from the Secretary of Health, and Secretary of Agriculture, reporting, pursuant to law, on the intention of those two Departments to interchange jurisdiction of civil works and Forest Service acquired lands at Dworshak Dam and Reservoir Project, Idaho (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Actual Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended September 30, 1972; to the Committee on Armed Services.

Donation of Locomotives

A letter from the Acting Chief of Legislative Affairs, Department of the Navy, reporting, pursuant to law, the intention of the Navy to donate three surplus steam locomotives to certain donees; to the Committee on Armed Services.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Training America's Labor Force: Potential, Progress, and Problems of Vocational Education", Department of Health, Education, and Welfare, dated October 18, 1972 (with an accompanying report); to the Committee on Government Operations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. MATHIAS:

S. 4132. A bill for the relief of Sperling and Schwartz, Incorporated. Referred to the Committee on the Judiciary.

By Mr. BEALL (for Mr. Dole):

S. 4133. A bill to authorize advance relocation of FAS Route 1343 in conection with the Onaga Lake project in Kansas. Referred to the Committee on Public Works.

By Mr. TUNNEY:

S.J. Res. 275. A joint resolution authorizing the President to proclaim the last week in June of each year as "National Autistic Children's Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEALL (for Mr. Dole):

S. 4133. A bill to authorize advance relocation of FAS Route 1343 in connection with the Onaga Lake project in Kansas. Referred to the Committee on Public Works.

BRIDGE CONSTRUCTION IN POTTAMATOMIE COUNTY, KANSAS

Mr. BEALL. Mr. President, my colleague from Kansas (Mr. Dole) is in his home State today, due to the press of previous commitments. He has asked that I submit a bill on his behalf to meet a pressing need in Kansas, and I do so at this time.

I ask unanimous consent that at this point the text of the bill be printed in the Record along with an explanatory statement by Senator Dole and four items of correspondence relating to the subject matter of the bill.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 4133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for the Kansas River, Kansas, Nebraska and Colorado, authorized by the Flood Control Act of 1962 (76 Stat. 1180, 1187) is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized to relocate the existing FAS crossing over the Vermillion Creek, as required for the Onaga Lake project, in advance of construction of such project.

Statement by Senator Dole

VERMILLION CREEK BRIDGE

Mr. President, a situation has arisen in Pottawatomie County, Kansas, as the intersection of two Federal programs has put local citizens and local government in a difficult position.

The Federal Aid Highway Act of 1968 contained a provision (section 26) calling for inspections and engineering studies to be made on all bridges in the Federal aid secondary system of roads and highways in the United States. This legislation was wise and responsive to a real need to assess the safety of these bridges many of which are quite old and have come to carry traffic loads far in excess of their original design specifications.

Throughout the country, these studies have been undertaken, and in many cases it has been shown that bridges are unsafe and should be repaired, replaced or closed. Of course the closing and repair of some bridges has imposed some hardships on the county governments responsible for maintenance on the FAS system, but it is generally recognized that safety should be a prime consideration for any transportation system.

Pottawatomie County in northeastern Kansas has complied with the bridge inspection law by contracting for a three-year, $10,000 study of its bridges, giving first consideration to those structures lying within the general area of the Onaga Lake, a multi-purpose water resources project of the corps of engineers authorized by Congress in 1962. It was felt that these structures should be studied first, because of the expected requirements for quality bridges to serve the large numbers of tourists who will be drawn to the area and because it would not be wise to expend funds for the improvement of some bridges if they are soon to be closed and flooded when impoundment begins in the lake. As it has turned out five of these bridges are unsatisfactory and should be closed. The findings of this study are not disputed, and county officials readily accept the need for this action to be taken in the interests of public safety.

But a major problem presents itself in that if all five of these bridges—which extend along 16 miles of the Vermillion Creek—are closed, a major disruption in local traffic will occur and serious inconvenience for farmers and other local residents will result.

A tantalizing element is introduced into this matter by virtue of the fact that one bridge on FAS Route 1343 approximately midway along this sixteen mile distance is near a site considered by the Corps of Engineers in its preliminary planning for the Onaga Lake to be desirable for a lake crossing. Construction of such a crossing would, therefore, provide an ideal solution for the traffic problems of Pottawatomie County. The problem, however, is that, although the lake project is well into development with $250,000 appropriated in FY 1973 for advanced engineering and design work, actual construction probably will not begin for two years.

So the county is faced with a serious need to provide a bridge to allow traffic movement across this 16-mile length of Vermillion Creek, and at the same time it sees that any money spent on improvement of one of these bridges will be wasted when the Onaga Lake is completed, both because the bridge will be inundated and because the Corps of Engineers will proceed with its road relocation plans in any event. The Corps of Engineers, as it has indicated in extensive correspondence with my office, appreciates the country's problem, but it cannot proceed with advance relocation of this FAS route on the basis of its current authority.

In view of these facts and the obvious good sense, economically and practically, of helping both the country and Corps to do their jobs in the best interests of the taxpayers, I am proposing legislation to authorize the Corps of Engineers to proceed with advance relocation of FAS 1343 over the Vermillion Creek in accordance with the requirements of the Onaga Lake project.

I believe this legislation will provide the best possible solution for the problems which have been encountered. The citizens of Pottawatomie County will be able to travel through the area without unreasonable inconvenience; the county government and its taxpayers will be spared the unnecessary expense of repairing or replacing a bridge that will be of no use in two or three years; and the Corps of Engineers will be able to complete a necessary and important segment of its project in a manner which will be entirely consistent with the project's overall goals and requirements.

Department of the Army, Office
of the Chief of Engineers,
Washington, D.C., October 18, 1972.

Senator Robert J. Dole,
U.S. Senate,
Washington, D.C.

Dear Senator Dole: This is in further reply to your 19 September 1972 letter concerning bridge and road construction in the vicinity of Onaga Lake project, Kansas.

A copy of Colonel Needham's letter to you on 5 July 1972 concerning meetings held on this subject is attached for your ready reference. Since the time of Colonel Needham's letter there have been no further developments and no solution has been reached.

The only authorities available to the Corps to accomplish advance relocation of the bridge would require non-Federal interests to share a portion of the cost. Since the state and Pottawatomie County officials have stated that such funds are not available at this time, it does not appear possible for the Corps to relocate the bridge in advance of project construction.

As per your request, I am inclosing a copy of draft proposed legislation. This legislation is submitted as a drafting service only, and does not necessarily represent the position of the Department of the Army. Under Departmental policies and regulations, views on proposed legislation are made by the Secretary of the Army in response to a request from the congressional committee having such legislation under consideration, and then only after coordination with the Office of Management and Budget.

Sincerely yours,

James M. Miller,
Lieutenant Colonel, Corps of Engineers,
Assistant Director of Civil Works for Plains Divisions.

Hon. Bob Dole,
U.S. Senate
Washington, D.C.

Dear Senator Dole: On 26 April 1972, Colonel Charles furnished you information regarding the proposed Onaga Lake project for your reply to Mr. Victor L. Fincham, County Engineer of Pottawatomie County, Kansas. The information furnished related to replacement of some county road bridges in the lake area. Colonel Charles promised you that the Kansas City District Office would contact the Pottawatomie County officials on this matter.

A tri-party meeting was arranged between Pottawatomie County officials, Kansas State Highway Commission officials, and representatives of this office to discuss bridge replacement in the Onaga Lake area. Pottawatomie County officials described the bridge inspection results and outlined the replacement considered necessary. Stress was placed on the immediate replacement need.

State Highway officials described the limited funds available for bridge replacement under the Federal-aid Secondary roads program. While recognizing the need for a replacement bridge in this area, State Highway officials pointed out locations of greater need, both within and outside of Pottawatomie County. This fact was acknowledged by the county officials.

My staff representatives outlined the Onaga Lake project schedule in Colonel Charles' letter to you. The desirability of a road relocation near the present FAS 1343 river crossing was established. My staff indicated a replacement for the FAS 1343 crossing could probably not be completed before 1978 under the lake project road relocations program. The two methods were discussed that are available to us for use in constructing roads in advance of normal relocations procedures. Each of the methods requires special fund appropriations from Congress and each requires financial participation from the local road owner.

If the anticipated funding schedule for the lake project is met, advance participation by Pottawatomie County in the bridge replacement would hasten the replacement by only two or three years. In addition, the participation required of Pottawatomie County could amount to several thousands of dollars. Because of the anticipated cost to them, the county officials preferred not to participate in advance construction.

The meeting adjourned without reaching a solution to Pottawatomie County's bridge replacement problem. We promised, through our continued project planning, to help the county under our road relocations program and as our relocations authority allows. If the county later decides to request our participation in early construction of a replacement bridge, it will have to initiate the action. This point was understood by the county.

I have made this report to you rather long in order to show the overall local, State, and Federal concern in replacing bridges found inadequate from inspections required under Section 26 of the Federal Aid Highway Act of 1968. We have received several inquiries from counties, in which flood control lake projects are located, about whether we have any way to help in bridge replacement. Unfortunately, we have no authority to help in this activity. I trust this information is adequate for your needs and if I may be of more assistance to you on this or any other matter, please let me know.

Sincerely yours,

W. R. Needham,
Colonel, Corps of Engineers
District Engineer.

Department of the Army, Office
of the Chief of Engineers,
Washington, D.C., April 28, 1972.

Hon. Bob Dole,
U.S. Senate,
Washington, D.C.

Dear Senator Dole: This is in reply to your letter of 29 February 1972 inclosing a letter from Mr. Victor L. Fincham, County Engineer, Pottawatomie County, Westmoreland, Kansas, regarding bridge and road construction in connection with Onaga Lake, Kansas.

The Onaga Lake, Kansas project was authorized by the Flood Control Act of 1962. The current estimated cost of the project is $42,800,000 and the cost of preconstruction planning is estimated to be $1,400,000. The Fiscal Year 1973 Budget contains $250,000 for continuation of preconstruction planning and at least one additional year and $266,000 will be required to complete planning. Consequently, the earliest date that the project could be considered for funds for initiation of construction in the preparation of our budget recommendations would be Fiscal Year 1975. The inclusion of funds for initiation of construction of the Onaga Lake project in any future budget would, of course, be dependent upon budgetary objectives and the needs of other worthy projects throughout the nation. Once funds are appropriated for initiation of construction of the Onaga Lake project it is anticipated that completion of the project would require about five years.

In a preliminary discussion with Pottawatomie County officials, relative to road relocations in the proposed lake area, a lake crossing near the present FAS 1343 creek crossing was considered desirable. The officials considered this crossing, in addition to some connecting roads on the east lake edge, would provide reasonable replacement for roads lost in the lake area.

The Corps of Engineers has two procedures whereby we can recommend to the Appropriations Committees of Congress advance participation when it is determined to be in the Federal interest. A representative of the Kansas City District will contact officials of Pottawatomie County and explore these procedures and report to you further on this matter.

Sincerely yours,

CARLYLE H. CHARLES,
Colonel, Corps of Engineers, Assistant Director of Civil Works for Plains Divisions.

ROAD AND BRIDGE DEPARTMENT,
POTTAWATOMIE COUNTY,
Westmoreland, Kans., February 21, 1972.

Senator ROBERT DOLE,
U.S. Senate,
Washington, D.C.

DEAR SIR: As I'm sure you are aware, Congress passed a bridge inspection law during the 1970 session which required in depth engineering study of all bridges on the Federal Aid Secondary System. This study is to be completed by 1973. This was needed and good legislation but as usual there was not funds allotted for this purpose.

Pottawatomie County signed a contract with Cook, Flatt and Strobel, a Consultant Engineering Firm from Topeka, to study the bridges over a period of three years at a cost of Ten Thousand Five Hundred Dollars. It was agreed that four bridges located within the proposed Onaga Reservoir area be studied first as these bridges have caused concern for many years. Obviously, it would be foolish to spend money on bridges and have them flooded when the Reservoir is constructed. The Corps of Engineers have been contacted several times in regard to the construction schedule.

Recently a preliminary report was received from Cook, Flatt & Strobel in regard to the inspection of the four bridges designated 1–4–5–10 on the attached map. Copies of the report are enclosed. Bridges designated 3–6–7 are similar in age, construction and condition to bridges 1–4–5–10. In other words bridges 3–4–5–6–7 will have to be closed as indicated by preliminary reports or risk lives and lawsuits. Obviously, Pottawatomie County will not be in very good position to defend itself in the event of a bridge collapse. Bridge No. 10 can be temporarily improved.

The Corps of Engineers in preliminary discussions have indicated a new bridge and road will be constructed at Location No. 5 when the Onaga Reservoir is constructed. This is indicated also by enclosed copy of an article in the Topeka-Journal of November 29, 1971. If this bridge were constructed as soon as possible it would seem to be that bridges number 3–4–5–6–7 could be closed. To close all bridges between No. 2 and No. 8 which is a distance of approximately sixteen miles will cause all kinds of repercussion.

If there is any way that the Corps of Engineers could build the bridge at location No. 5 (which is going to be built in a matter of time) we would certainly appreciate it and would cooperate in way possible.

Sincerely,

VICTOR L. FINCHAM,
County Engineer, Pottawatomie County.

By Mr. TUNNEY:

S.J. Res. 275. A joint resolution authorizing the President to proclaim the last week in June of each year as "National Autistic Children's Week." Referred to the Committee on the Judiciary.

NATIONAL AUTISTIC CHILDREN'S WEEK

Mr. TUNNEY. Mr. President, I am today offering a joint resolution to proclaim the last week in June of each year as "National Autistic Children's Week."

The plight of autistic children in this country is truly a sad one. Inadequate programs, inadequately funded, cause thousands of parents throughout the country the anguish of trying without success to provide the education and treatment which can enable these children to lead normal lives.

During the past year I have become deeply concerned about the meager efforts by both Federal and State governments to help these children.

In fact, they have been completely excluded from the one major Federal program which could offer them substantial assistance—the Developmental Disabilities Act.

During the next session of the Congress, we will have the opportunity to revise the law and to right what I consider to be a tragic exclusion. I plan to join in leading that effort because I believe we must end that needless discrimination.

I would emphasize that this effort is in no way designed to dilute the resources available for programs for the mentally retarded children with other developmental disabilities. We must increase the funding levels to assure that all of these children receive adequate programs.

In addition Senator HOLLINGS has recently introduced S. 3806, the Autistic Children Research Act, a bill to provide accelerated research and development in the care and treatment of autistic children. I support him in that effort.

Both of these bills will make important progress toward helping the autistic child. But more is needed. Last summer, I visited the Reiss Davis Child Study Center in Los Angeles.

This center provides an excellent example of what can be done to provide education and treatment for autistic children. The community support which this center has been able to muster has been most impressive. In fact, it has enabled the center to survive as one of the few which provides services for autistic children.

But the need far exceeds the limited resources of centers such as this. And for that reason I am offering this resolution to aid in increasing public awareness of the needs of these children and to build the public support needed to gain passage of an adequate revision of the Developmental Disabilities Act next year.

Through the observance of National Autistic Children's Week it is my hope that we can gain that awareness and support. One very tangible benefit might be an increase in early identification of children with autism. It might also serve to publicize existing programs and services for autistic children whose parents are as yet unaware of those services.

Observance of this week would offer new hope to thousands of parents of autistic children throughout the country and I hope this resolution can be adopted early next year.

I am introducing it today despite the fact that Congress is about to adjourn because I believe we can use the intervening time between now and next January when Congress reconvenes to gain the support needed to pass the resolution.

Mr. President, on June 23, 1972, I wrote to HEW Secretary Richardson asking him to join me in the effort to include autism in the Developmental Disabilities Act. I ask unanimous consent that that correspondence be printed at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

JUNE 23, 1972.

Hon. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

MR. SECRETARY: It is my understanding that you will shortly issue regulations implementing the Developmental Disabilities Services and Facilities Construction Act of 1970. As you know, this legislation assists States in constructing facilities for and providing services to persons affected by so called "developmental disabilities" which originate in childhood and constitute a substantial and continuing handicap to the individual.

Section 102 (a) (5) of that Act defines the term "developmental disability" for purposes of the legislation as follows:

". . . a disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the Secretary to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals. The disability must have originated before the age of eighteen and have continued or be expected to continue indefinitely and must constitute a substantial handicap to the individual in question."

It is my understanding, however, that during the two years since the enactment of this law, no "other neurological condition" has been included in the coverage of this law despite the clear intent of the language that such inclusions be made.

I am writing to you at this time to urge that you institute procedures to carry out the mandate contained in the law for inclusion of children afflicted with other developmental disabilities. The use of such procedures would enable your Department to make specific recommendations for increased resources and expansion of coverage under the Act when it is considered for renewal next year.

A specific example of the need for such expansion is childhood autism. Childhood autism is a profoundly handicapping disturbance which appears very early in life and remains a handicap throughout life. Characteristically, children come to medical attention during the second year of life with developmental retardation. Frequently, they are suspected to be deaf because of their poor social contact, lack of general developmental skills and inability to learn social skills. The prognosis for these children is very bad. For children with a low IQ and who have no speech by age 5, their future is almost certainly chronic institutionalization. For these reasons I believe childhood autism should be included under the Act so that these children may gain the benefits of the facilities and services provided by it.

At present, autistic children are being excluded from the benefits of this program despite their tremendous need for those benefits. The principal reason for their exclusion is the meager funding of the present program. The resources presently available under the Act are inadequate even for those groups, such as the mentally retarded, which are specifically included in the law. Inclusion of autistic children should, therefore, not be made at the cost of reduced effort or resources for those presently covered.

But, they can be included in a revised and expanded program which the Congress can enact next year. By including in the new regulations a process for identification of other disabilities, such as childhood autism, which merit coverage under this program and then by making appropriate recommendations to the Congress based thereon, your Department could make a major contribution toward bringing new hope to thousands of parents and children across the country.

Sincerely,

John V. Tunney,
U.S. Senator.

SENATE RESOLUTION 381—SUBMISSION OF A RESOLUTION TO REFER A BILL TO THE COURT OF CLAIMS

(Referred to the Committee on the Judiciary.)

Mr. MATHIAS submitted the following resolution:

S. Res. 381

Resolved, That the bill (S. 4132) entitled "A bill for the relief of Sperling and Schwartz, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Chief Commissioner of the United States Court of Claims; and the Chief Commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

ADDITIONAL STATEMENTS

RETIREMENT OF SENATOR MUNDT, OF SOUTH DAKOTA

Mr. FANNIN. Mr. President, for more than one-third of this century Karl Mundt has served in the Congress of the United States.

The people of South Dakota sent him here for five terms in the House of Representatives and for four terms in the Senate.

This is a great testimonial to the confidence and the respect that the people of his State have for this outstanding statesman. I commend them for their good judgment. Senator Mundt has served with dedication and honor.

He has made many contributions to our Nation over the years in many diverse fields ranging from education, farming, and business to journalism and public speaking.

Senator Mundt is a great patriot who has been a forceful spokesman for America.

It is very unfortunate that illness curtailed his legislative activity and deprived the Senate of his full participation in the past few years. I regret that he is leaving the Senate, but I know that we all pray that this retirement will give him the opportunity to fully regain his health.

SENATOR DAVID H. GAMBRELL, OF GEORGIA

Mr. TALMADGE. Mr. President, I salute my colleague, the distinguished junior Senator from Georgia, David H. Gambrell, for the outstanding service he has rendered his State and Nation in the almost 2 years that he has been in this body.

A young and brilliant attorney from Atlanta, David Gambrell was appointed to the Senate in February 1971, to fill the unexpired term of the late Senator Richard B. Russell. He immediately plunged into his duties and demonstrated a great capacity for hard work; active participation in legislative business, both in committee and on the floor of the Senate; and aggressive leadership in matters affecting the State of Georgia.

Although he was sometimes subjected to criticism for his positions, Senator Gambrell never departed from the principles he believed in or allowed his convictions to be swayed. These are the marks of a good Senator, and David Gambrell has measured up in every respect.

I have known David Gambrell since he was in college, and I have followed his career in law and other pursuits over the years with a great deal of interest and admiration. He is an extremely intelligent and thoughtful man, and as a Senator he carefully weighed each decision, and always acted in accordance with what he believed to be in the best interest of Georgia and the Nation.

It has been a pleasure serving with David Gambrell in the Senate. I offer my sincere congratulations for a job well done. I wish him every success and happiness in all of his future undertakings.

TRIBUTE TO JOHN SHERMAN COOPER

Mr. EAGLETON. Mr. President, the retirement of Senator John Sherman Cooper from this body will leave a void that will be difficult to fill. Samuel Johnson wrote that—

> Integrity without knowledge is weak and useless, and knowledge without integrity is dangerous and dreadful.

Throughout his public life, as an ambassador and a U.S. Senator, John Sherman Cooper has demonstrated that he possesses the highest degree of integrity and knowledge.

Influence and power come to a Senator in a variety of ways, but to lead by the power of unemotional logic and persuasion alone, is a gift few men possess. I have seen this body bog down in the heat of partisan rhetoric and I have seen John Cooper stand above that partisanship and, with calm logic, lead this Senate to tangible accomplishments.

Mr. President, it has been an honor for me to have served with this great statesman and Senator, and I will sorely miss his advice and counsel. Senator John Sherman Cooper will always represent the finest qualities of this body. Even in retirement he will continue to be a Senators' Senator.

RICE HARVEST IN ARKANSAS

Mr. FULBRIGHT. Mr. President, in a three-part series recently written for the Arkansas Democrat, Arthur Halliburton and Jerry Dean have surveyed the history and analyzed the potential of the rice industry in Arkansas.

Today our State leads the Nation in yield per acre and is second only to Texas in total production of rice.

I ask unanimous consent to have these articles on the rice industry in Arkansas printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Arkansas Democrat, Oct. 8, 1972]

Rice Harvest Time in Arkansas—State Leads Nation in Yield Per Acre

(By Arthur Halliburton and Jerry Dean)

Stuttgart.—It's harvest time in the rice fields of East Arkansas, and the highways are crowded with "long boy" trucks bringing grain to the mills. Rice stems, bending under the weight of grain and moisture, are being combined from sunup to sunset, before they fall to the ground and spoil.

This is good news both at home and abroad. In the world food crisis, Arkansas rice growers have a place as one of the important food suppliers where hunger is greatest—in Asia.

From the air, Arkansas' vast patterned fields are seen to extend along the whole eastern length of the state, from Gurdon to Corning, and passengers flying from Memphis to Little Rock can look down on rice fields nearly all the way. The season's harvest, now about 60 per cent stored, appears to be about 8 per cent heavier than last year's, or five or six bushels more an acre.

When rice was brought to America in 1694, farmers didn't find its growth lucrative, although some success was gained in the Carolinas and Florida. It was not until the grain was carried to Arkansas, Texas and Louisiana that it became important in the nation's agriculture.

Today, Arkansas leads the nation consistently in yield per acre and is second to Texas only in total production. In 1970, Arkansas' production exceeded that of every other state, although Texas and Louisiana had larger allotments on which the crop would be grown, as they have now.

Rice culture has had an amazing expansion in Arkansas, from the original planting of three acres in 1897 to the 443,331 acres grown in 1972. Arkansas County, whose county seat, Stuttgart, is the center of the state's rice activity, alone had 77,250 acres.

Towns, as well as fields, reflect the phenomenal growth of the rice industry. A stranger traveling across the Grand Prairie will be surprised at the sight of what at first seem to be towering office buildings, but which turn out to be mills and grain elevators of the rice processors, facilities also used in season for the processing of soybeans and wheat.

The heartland Grand Prairie is composed of large parts of Arkansas, Lonoke and Prairie Counties and a corner of Jefferson County. Nine years after the start of rice farming in Lonoke County, it was introduced into Arkansas County, and in the following year, 1907, the Stuttgart Rice Mill Co. began construction of a processing plant for the grain on the site of a flour mill that had been destroyed by fire. A mill was built at DeWitt in 1908 by the Arkansas Rice Mill and Development Co., and another in Lonoke in 1911.

A second Stuttgart mill was built in 1916, on the site of the present Producers Rice Mill.

From its modest beginning, the industry has become practically a way of life for thousands of Arkansans. The work force, methods and machines—even the product itself—all have changed dramatically. Rice varieties are hardier, more productive and more resistant to the ills that once attacked the crops.

There have been various adversities. In the recession of the early 1920s, the hard-hit rice farmers decided to pool their efforts and resources, and in 1921, organized a cooperative called the Arkansas Rice Growers Association to improve their marketing position. Millers feared the strength of the group, and some refused to mill the grain of the members, who responded by purchasing a mill of their own. Since then, another cooperative has been organized (Producers Rice Mill, chartered in 1943), and both cooperatives have expanded and diversified.

VOLUME BUSINESS

Other mills in the area remain under independent ownership. All do a volume business, co-op or otherwise. Among the Arkansas County independents are the C&I Rice Mill and the Pioneer Rice Mill at DeWitt.

Now doing business as Riceland Foods, Inc., the first cooperative has 19 subsidiary operations, mostly in eastern Arkansas, with properties including a converting (parboiling) plant, two soybean processing plants and storage buildings for over 45 million bushels of grain.

The soybean, grown more generally over the state and the state's leading cash crop, is compatible with rice growing in every way. It may be planted alternately in the same field, harvested with the same equipment, stored in the same driers and milled with the same processes as rice.

Thus, rice and soybeans are intertwined in the Arkansas rice bowl. Farmers seldom grow rice in the same field longer than three consecutive years. Otherwise, a wild variety of "red rice" results, which is just as palatable as a white variety but not as highly valued in the market place.

TOUCH AND GO

The government allotment of land, without which the gains in the technical and scientific field would cause market overloading and losses to the growers, has been accepted as a necessity. This program, which also provides subsidies for participants, is administered by the federal Agricultural Stabilization and Conservation Service (ASCS).

Hugh B. Hardwick, the Arkansas County ASCS executive director, said that the service protected many rice farmers, for whom the economic situation is "touch and go."

"Many couldn't come back the next year if they were to have a single crop failure," he said.

He pointed to the growing costs of farm machinery, maintenance and operations, which have raised the overhead on crop growing considerably.

He also said he had seen the yield of rice in Arkansas County rise from 50 to 111 bushels an acre since the opening of his office in the mid-1950s. The county's per-acre yield last year was over 5,000 pounds, equalled only by one other county in the United States, a parish in Louisiana.

"The marketing quotas are voted by the farmers themselves," Hardwick said. "If they exceed their quota, they must pay a severe penalty, so severe that no one knowingly overplants his allotment."

He said rice price supports usually were $2.50 to $2.60 a bushel, so the penalty of $2.30 to $2.40 almost would offset the support price. Currently, 77,250 acres are allotted for rice growing in Arkansas County. The state total is 443,331 acres.

Roy D. Bass of the federal Agriculture Department Crop Reporting Service office in Little Rock said that rice production nationwide "has increased 100 per cent in the past 20 years—a factor that has to be taken into consideration relative to the establishment of acreage allotments." This increase is attributable mainly to the greater productivity brought about by research, rather than to larger plantings.

NOT LIMITED

The value of rice production to the Arkansas economy, according to Dr. Carl Farler, economist of the Agricultural Extension Service at the University of Arkansas at Little Rock, is not limited to the "farm gate" value, to what the farmer himself receives.

"In 1971," he pointed out, "441,000 acres of rice was harvested from Arkansas farms. This had a farm gate value of $117,455,000. Approximately 56 per cent of this, or $65,769,200, represents realized income to rice growers.

The difference, he said, was spent by the farmer for various things he needed in rice growing.

"Many jobs in the manufacturing, transportation, communication, financing and other sectors of the U.S. economy are indirectly affected," he said.

[From the Arkansas Democrat, Oct. 9, 1972]

RICE PRODUCTION SOARS—ARKANSAS COULD OUT-PRODUCE NATION, OFFICIAL SAYS

(By Arthur Halliburton and Jerry Dean)

STUTTGART.—L. C. Carter, vice president and executive director of the Riceland Foods cooperative, doubts that the world's food production is keeping up with population growth, but he thinks he knows one way to meet the problem.

"This area (Arkansas' Grand Prairie in Arkansas, Lonoke, Prairie and a portion of Jefferson Counties) can produce more rice than the whole United States now produces," he says.

Carter favors expansion of the nationwide rice acreage allotment from 1.8 million to 2.1 million acres. That would increase Arkansas' allotment from 443,000 acres to about 508,450 acres.

"Our industry is tooled up to handle it," Carter said.

Between 1966 and 1970, rice consumption accelerated, according to the federal Agriculture Department's Economic Research Service. Notable in the increase in consumption was the demand for broken grain by breweries for use in production of beer.

In addition to new markets for the rice kernel, the emphasis on ecology has resulted on an emphasis on the use of rice by-products, formerly regarded as inevitable waste.

Dr. Alcuin F. Gremillion of the University of Arkansas Graduate Institute of Technology at Little Rock is engaged in a research program to help find profitable means of using rice hulls.

The hulls are suitable for garden mulch, he said, but there are many cheap mulches. It is also good for such uses as chicken coop litter, but there are many tons left over.

RICE GRAIN

About 20 per cent of the covered rice grain, in weight, is hull, he said, and hulls, despite much study, still are disposed of almost exclusively by burning. Yet the prospect of using them invites attention.

"Rice," said Gremillion, "has a remarkable ability to concentrate silicon (a nonmetallic element used in alloys) in its hulls, to a content of about 20 per cent as silica."

This silica, he said, could serve as the basis of the manufacture of some high-value inorganic chemicals, if it could be extracted economically. He also noted the possibility of production of valuable organic chemicals from this source, too, because of the high lignin and cellulose content.

MILLING PROCESS

The milling process is perhaps best seen at a grading station such as the one operated by Myron A. Earhart, an Agriculture Department grading specialist, at DeWitt.

A "miniature rice mill" determines the approximate market value and quality of samples taken from grain storage facilities and driers.

Initially, a device called a "dockage tester" gravity feeds raw grain through a series of vibrating filters which separate impurities (dockage) from raw grain.

A second device, the sheller, removes hulls from the kernels, leaving "brown rice" which still has the bran and polish layers on the kernel. A "miller" finally removes and sorts these two layers to leave the polished rice grain. The trick to milling is to remove the three outer layers without breaking the kernel and thus decreasing the value of the rice by about 40 per cent.

To avoid peaks in the milling operation, moisture content is reduced to about 12 per cent so that the grain may be stored until milled.

After the sample is "milled" at the grading office, the resultant individual sample is weighed to determine the amount of by-products lost.

Earhart then uses a contrasting-colored mat to examine a smaller percentage sample, grain by grain, to determine the quality of the kernels. To be considered whole grain, at least two-thirds of the kernel must remain intact after milling. Lustre and color (clear white, rather than milky) is also examined in a tedious grain-by-grain scrutiny.

Detailed charts are then used to determine the final "grade" assigned the grain sample based on its test.

Earhart explained that the same rice might grow differently in the same field depending on the elevation.

In addition to the Agriculture Department's quality checks and grading, mills also take samples, sometimes using a vacuum probe, from the rice trucks before the load is dumped onto conveyor belts.

Most Arkansas rice is now of the Star Bonnet (long grain) variety, although medium-grain Nova and Nato varieties are also widely grown. Short-grain rice is grown almost exclusively in California and is mostly exported to Asiatic countries, since, when prepared, its more cohesive characteristics are preferred by Oriental consumers.

Arkansas rice producers must compete at several levels. There is competition between independent and cooperative mills, for example, and between cooperatives as well.

Competition is strong with other nations, especially Thailand, a heavy exporter. Other American-grown crops, such as potatoes, are competitive with rice. Other states enjoy advantages in the export market because of inexpensive export transportation from Gulf and Pacific ports.

Carter indicated that the U.S. rice market "fluctuates more than that of any other nation. We would like to see the acreage allotment increased to 2.1 million acres for the next two years . . . to provide stability to the rice industry."

[From the Arkansas Democrat, Oct. 10, 1972]

REVOLUTION IN RICE FARMING—NEW-FANGLED INVENTIONS CROP UP

(By Arthur Halliburton and Jerry Dean)

STUTTGART.—Driverless tractors, timed-released herbicide capsules, ultrasonic cultivation, and laser-beam levee-surveying—these soon may be realities of advanced technology of rice-growing in Arkansas.

"Predictions of 136 bushel-per-acre yields for 1978 are too conservative," L. C. Carter, executive director of Riceland Foods, said in a recent address.

Current yield is often 100–120 bushels per acre. Carter says that yields as high as 151 bushels per acre should become commonplace within the next five or six years, and added that improvement in water management would spearhead the improvement.

Driverless tractors were mentioned by James L. Mason, Riceland's assistant manager, who said that studies are being made for underground cables that would guide tractors automatically in the rice fields.

Carter pointed out experiments with time-released capsules, which would inject needed nutrients, pesticides or weed-killing herbicides into the soil at predetermined times to provide rice with ideally balanced growing conditions.

Weather forecasting and improved irrigation regulation are expected to be other factors in improving rice production, according to Carter. He added that the open ditches and canals would soon be phased out. Increased accuracy of weather prediction will become influential in determining when planting and harvesting should begin.

More of the drying is expected to be done by machinery in the field following advances in farm equipment capabilities. "Overmilling," in which rice kernels break during harvest, is expected to be reduced, meaning more "fancy" and "head" rice and higher prices for the farmer.

Improved drying methods for rice also were predicted by Carter and Mason, with thermostatic control of the driers to be installed. Such an advance would reduce the moisture content of the rice and decrease spoilage and insect problems.

The problem of dust pollution near the mills resulting from the dumping of raw grain already has been attacked. A ventilation system installed in the grain dumps vacuums much of the dust from the grain as it is dropped onto the conveyor belt beneath the funnel-shaped pit.

Rice mills also have responded to the Environmental Protection Agency's guidelines on industrial water purification. Several settling pools formerly used to receive waste water during soybean oil extraction are now being phased out and will be eliminated. A new technique allows the oils to be reclaimed and the water recycled.

Mountains of rice hulls, once the most puzzling problem of the industry, are now being cleared. In combination with the bran obtained from rice milling, the hulls can be converted into nutritious stock feed. A new pellet plant, which Riceland plans to open in about a month, will use rice hulls in this manner.

The "polish," another byproduct, is extremely rich in fats and niacin and can be effectively used in stock feed supplements.

Hugh B. Hardwick, executive director of the Agricultural Stabilization and Conservation Service at DeWitt, said he believes Arkansas River navigability will help the rice industry in the future, but that the White and Mississippi Rivers currently were carrying the bulk of the rice river traffic.

Carter and Mason said there was some potential for use of the Arkansas River, but that railroads and trucks would continue for now to be the prime movers.

"We even use air freight in some rare instances to ship Arkansas rice," Mason said, "but the way Arkansas will best benefit from the river is not by shipping its raw materials out of the state on it, but by attracting industries which will bring raw materials from elsewhere in on it for processing."

One new characteristic of the rice culture that would have puzzled the rice growers of another age is rice's close alliance with the soybean. The soybean in Arkansas produces more than twice the dollar value of either the rice or cotton crop, and is grown much more widely over the state. A field will produce quality rice seldom more than three years before it is rotated with soybeans. Otherwise, strains of wild red rice, equally flavorful and nutritious, but less attractive to the buyer, result.

The federal Agriculture Department's Economic Research Division recently published a report, "Rice Situation," in which it said the world outlook for rice trade near 1980 is poor, due to decreasing demand in less-developed nations, which traditionally are the major users of rice. The growth of the industry in Arkansas points up a worldwide phenomenon—the picture of highly developed countries, which eat less rice, selling to less developed nations, which consider rice their staple.

Carter sees the situation much more optimistically. He gave the following reasons for improved market possibilities during the next five years;

Low level of world rice reserves.

Continued growth of world population.

Continued political instability in rice-producing nations, especially in Southeast Asia.

Industrialization of many rice-producing nations, especially Japan, and consequent reduction in their export.

Broadened marketing efforts and new uses for rice and its by-products.

"There has ben a new dimension added to the outlook with the recent sales of feed grains and soybeans to the Soviet Union," Carter said in his annual report last month.

"In the foreseeable future, there probably will be additional sales to Russia, eastern Europe and Communist China. Whether rice will be included cannot be determined at this time. It is safe to assume, however, that the direct and indirect effects of these new markets will be substantial . . ."

Several problems, however, are affecting the industry. A shortage of natural gas, essential to the grain during operation, for example, is causing some concern. Currently butane is also being used by producers, but unless the Anadarko gas reserves in western Oklahoma are tapped, butane may have to fulfill a larger portion of the fuel demands in the future.

Rice farming is done with a high level of technology in the United States. According to A. W. Woodard, extension marketing specialist with the University of Arkansas Cooperative Extension Service in Little Rock, it is still uncertain what implications the adoption of this technology in other nations may have. The so-called "green Revolution" could make many former importers of rice into viable export nations, thus reducing the export potential for U.S. surpluses.

"Perhaps it is best said that the fluctuations and gyrations of the U.S. rice situation are unique," he said. "A better understanding of the industry, of domestic and international markets, and of official and federal policies which guide the rice industry is needed."

SENATOR B. EVERETT JORDAN, OF NORTH CAROLINA

Mr. FANNIN. Mr. President, I wish to add my voice to those who have paid well-deserved tribute to my friend and colleague from North Carolina, Senator Everett Jordan.

It has been my pleasure to know and to work with him on many occasions during the past 8 years. He has visited in the State of Arizona, and we have been most honored to have him as a guest.

I have appreciated his wise counsel on the many areas of legislation in which he has expertise.

He has a long record of service to his Nation beginning with duty in the Army Tank Corps in World War I. He has been one of the leaders of his party, a successful businessman, a trustee for universities and colleges, and active in numerous public service activities, especially in the health field.

Senator Jordan is a deeply religious man who has been active at all levels in the Methodist Church.

He is a gracious southern gentleman who has served the State of North Carolina, the South, and the Nation with devotion, integrity and the utmost competence.

We will miss him.

H.R. 1 AND DEBT LIMIT

Mr. MANSFIELD. Mr. President, all of us are aware that the most complicated issues requiring legislation deal with welfare/social security and revenue matters. Once again the Senate has witnessed the profound mastery the extremely able chairman of the Senate Finance Committee, the distinguished Senator from Louisiana (Mr. Long) displayed in his handling of the highly controversial, complex and time-consuming measures dealing with welfare reform, social security and a rise in the debt ceiling. All who participated in the debates on these bills have a keen awareness of Senator Long's unexcelled grasp of the intricacies of the legislation. Under his direction the entire Finance Committee and its staff have put in many long and hard hours toward affording a forum for full debate on the various proposals pertaining to a revitalization of the whole concept of welfare in this country. The committee is to be commended for undertaking this arduous task. The expertise of Senator Long was invaluable, as well, during the debate on the knotty questions involved in the debt limit measure as it passed the House. The expeditious handling of this bill in committee afforded the time needed for the Senate to have the input it deemed necessary, and we are indebted to Senator Long and his committee for their efforts on the measure.

To be commended as well in connection with these same two measures is the ranking minority member of the Finance Committee, the distinguished and able Senator from Utah, Mr. Bennett. Through his cooperation and efforts a bipartisan approach was made to solving the questions posed by the bills. He, too, has a thorough, working knowledge which is immeasurably helpful to those of us who are not as well versed in the often bewildering technicalities of welfare/social security. The Senate is indebted to him once again for his candid views and valuable assistance.

SELF-DETERMINATION FOR PUERTO RICO

Mr. EAGLETON. Mr. President, when in August of this year, a group of United Nations member countries, led by Cuba, succeeded in placing the political status of Puerto Rico on the agenda of a special U.N. Committee on Colonialism, a long-standing debate on the status of Puerto Rico was rekindled. Should Puerto Rico be granted independence as the U.N. Special Committee would urge? Or should Puerto Rico be granted statehood so that its citizens can enjoy the full rights and prerogatives of American citizenship?

The unfortunate implication of these two questions is that the future of Puerto Rico may be determined by powers external to itself—the United States or the United Nations. Prof. Jose A. Cabranes of the Rutgers Law School has written an excellent article in the October edition of Civil Liberties, the American Civil Liberties Union Newspaper, which argues that the people of Puerto Rico and only the people of Puerto Rico, should determine the proper status of their island state.

Professor Cabranes' article analyzes the contrasting position implied by the United Nations action and the legal steps taken by the ACLU. He then makes a compelling case for self-determination, an ingredient that has apparently been misplaced by well-meaning advocates on both sides.

Mr. President, I ask unanimous consent that the article entitled "Self-Determination: What Puerto Rico Wants" be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SELF-DETERMINATION: WHAT PUERTO RICO WANTS

(By José A. Cabranes)

The degree to which Puerto Rico should be attached to the United States (if at all) remains the island's central political issue 74 years after its cession by Spain after the "splendid little war" of 1898 (as Secretary of State John Hay put it). One aspect of the issue that has dominated political debate on the island in recent years is the proposal that Puerto Rico should seek the right to vote in United States presidential elections. As the island approaches election day in November, and its quadrennial identity crisis, an interesting question has been raised: Who should resolve that identity crisis? The Congress of the United States, by unilaterally defining the "rights" of the American citizens of Puerto Rico to include voting in U.S. presidential elections? The United Nations, by prescribing compliance with resolutions proclaiming the universal "right" to national independence? The people of Puerto Rico, acting (for better or worse) pursuant to the principle of self-determination? The question, it may be said, is patently rhetorical and patently absurd. Not so, apparently, to two entities devoted to the definition and promotion of libertarian values, the Board of Directors of the American Civil Liberties Union and the Special Committee on Colonialism of the United Nations General Assembly.

CONFUSION

The anomalous status of Puerto Rico and its inhabitants within the American system makes it unusually difficult for anyone, even well-intentioned North American civil libertarians, to appreciate all of the implications of claims or "rights" asserted by political factions on the island.

The debate on political status—between advocates of national independence, commonwealth status and statehood—touches Puerto Rican society most sensitively. The politics of personal and national identity is a source of enormous confusion to the islanders themselves. Opinion on the island's political future is now so sharply divided that no clearly-defined consensus is likely to emerge for many years.

Accordingly, I long ago came to believe that it was presumptuous for those of us on the "continent," including those of us with close personal and emotional links to the island, to offer guidance to the people of Puerto Rico on how they ought to solve their identity crises. In recent years, my personal point of view has generally been shared by North American observers of Puerto Rican affairs, regardless of partisan or ideological persuasion. They have properly eschewed a role for themselves in determining Puerto Rico's status and stood firmly on the principle of self-determination: Any choice made by the people of Puerto Rico would be, *prima facie*, reasonable the worthy of serious attention.

COMMISSION'S CONCLUSION

This position is reinforced by the report of the United States-Puerto Rico Commission on the Status of Puerto Rico, which in 1966 concluded that "[t]he policy governing the relationship between the United States and Puerto Rico is and should continue to be based on the principles of mutual consent and self-determination."

The Commission's major conclusion seems unexceptionable: ". . . all three forms of political status—the Commonwealth, Statehood and Independence—are valid and confer upon the people of Puerto Rico equal dignity with equality of status and of national citizenship. Any choice among them is to be made by the people of Puerto Rico, and the economic, social, cultural, and security arrangements which would need to be made under each of the three status alternatives will require the mutual agreement and full cooperation of the Government of the United States. *A first step toward any change in political status must be taken by the Puerto Rican people acting through constitutional processes.*" (Emphasis supplied.) The Commission quite properly placed upon the Puerto Ricans themselves the responsibility for initiating future action for the development or alteration of the island's relations with the United States.

How, then, does one explain the position of the American Civil Liberties Union on the controversial proposal to secure the right of the people of Puerto Rico to vote for President and Vice President?

In March, 1971, a representative of the ACLU appeared before the Ad Hoc Advisory Group on the Presidential Vote (jointly appointed by President Nixon and Governor Ferre of Puerto Rico, a political ally of Mr. Nixon and an advocate of statehood) to argue that "the people of Puerto Rico, as citizens of the United States, should have the right which all other American citizens have, to share in the election of the President and Vice President of the United States." Moreover—and this is the truly extraordinary aspect of the ACLU position—the ACLU representative opposed the suggestion that the grant of this right be conditioned upon a referendum that demonstrated that a substantial majority of Puerto Ricans favored the presidential vote. Any such condition, it was said, "would make of the people of Puerto Rico second-class citizens." It was suggested that Congress should unilaterally give the "right" to the people.

PEOPLE'S CHOICE

Can one really doubt that participation in presidential elections is a significant step toward political integration of *some* kind, albeit not formal incorporation or statehood? Other proponents of the presidential vote for Puerto Rico (among them the Ad Hoc Advisory Group, which vigorously endorsed the idea that Puerto Rico participate in presidential elections) turned a deaf ear to the ACLU position. They have generally concluded that the presidential vote for American citizens in Puerto Rico was the sort of step in the evolution of the relationship between the United States and Puerto Rico which requires the approval of the people in accordance with Puerto Rican law and established Congressional practice.

Interestingly, the ACLU found no inconsistency between the "right" to vote in presidential elections and the principle of self-determination enunciated by successive American administrations. After all, it argued, the Puerto Ricans would still be quite free to choose their political status. As the former director of the ACLU's Washington office (whose views prevailed within the ACLU) had written a year earlier, the people of Puerto Rico "are United States citizens by birth just as if they had been born in Iowa, Kansas or any other state," and the question of the island's political status is "an entirely separate matter and really is irrelevant to the issue of the right to vote . . . *In short, the professed* [*sic*] *right of self-determination is not really in point.*" (Emphasis supplied.)

However, Puerto Rico is *not* comparable to "Iowa, Kansas or any other state." Such facile analogies are certainly well-intentioned, but they bespeak an insensitivity to complex problems of national and political identity.

UNINCORPORATED

Puerto Rico is not now, and never has been, an integral part of the "United States." At least until 1952 (when the Commonwealth of Puerto Rico came into being), the island was an "unincorporated territory of the United States"—in the words of the Supreme Court, "a territory appurtenant to and belonging to the United States but not a part of the United States. . . ." Whatever else commonwealth status may have accomplished for Puerto Rico, it did not "incorporate" the island.

The doctrine of territorial incorporation (*Downes* v. *Bidwell*, 1901 and *Balzac* v. *Porto Rico*, 1922) made it constitutionally possible for the United States to hold on to colonies indefinitely. However, it also limited the scope of the imperialism of good intentions. While confirming Congress' virtually unlimited powers over unincorporated territories like Puerto Rico, the Supreme Court recognized the cultural distinctiveness of America's colonial wards. It rejected the suggestion that military invasion and occupation and the establishment by Congress of a civil government in Puerto Rico—or even the grant of American citizenship to the Puerto Ricans—could have the automatic effect of making Puerto Rico an integral part of the United States or making its people "Americans." Having rejected the notion that the Constitution required automatic (and, perforce, coercive) assimilation of alien peoples into the American political system, the Court effectively left to the political process the destiny of the colonial territories acquired from Spain. It thus became possible, in time, for the United States to recognize the principle that the consent of the colonial peoples themselves should be the basis for any substantial political change. For those who believe in the principle of self-determination, the survival and continuing vitality of the doctrine of territorial incorporation is a proper cause of celebration.

As a result of this "unincorporated" status (which Puerto Rico shared with the Philippines, the other major territory ceded by Spain in 1898 and populated by alien people), not all provisions of the Constitution are applicable to Puerto Rico as they are in the states or as they would be in an "incorporated" territory (such as Alaska and Hawaii were before their admission to the Union). For example, the provision of the Constitution on trials by jury does not apply to Puerto Rico, and, most importantly today, neither does the requirement of uniformity in taxation.

COLONIAL CHARACTER

Since 1952 the political status debate in Puerto Rico has continued unabated, with advocates of statehood and independence in full agreement that commonwealth status had not altered the essentially "colonial" character of the island's relations with the United States. Although the island is deeply divided on the constitutional siginificance and political value of commonwealth status, no one has ever seriously suggested—until the ACLU entered the picture—that Puerto Rico is an integral part of the United States. And no one has seriously suggested that any formal steps toward the political integration of the island and the United States should be undertaken without the consent of the people of Puerto Rico.

In the months following the ACLU's decision to give the putative rights of "citizenship" precedence over the principle of self-determination, other efforts were underway to dictate the political future of Puerto Rico without concern for the freely expressed desires of its people. The successful effort by Cuba and its Socialist and Afro-Asian allies in August, 1972 to place the political status of Puerto Rico on the agenda of a United Nations special committee on colonialism is designed to embarrass the United States into pushing Puerto Rico in a direction opposite to political integration; in this case, the rallying cry of would-be friends of Puerto Rico is not "citizenship," but "independence."

The issue of Puerto Rico's political status ultimately is quite simple: Should Puerto Rico's political future be determined by the seemingly benevolent dictation of non-Puerto Ricans expounding these (or any other) infallible truths? Is it not preferable to permit the people of Puerto Rico, however confused or conflicted, to determine their own fate—a fate which, perhaps perversely, may no more lead to national independence than to political integration? As a matter of principle and practical politics, the only imperative worthy of exponents of libertarian and democratic values is the principle of self-determination—the basic idea that the Puerto Ricans, and not the Congress of the United States or the "anti-colonialist" bloc at the United Nations or even the ACLU, should solve the Puerto Rican's identity problems.

RETIREMENT OF SENATOR ANDERSON, OF NEW MEXICO

Mr. FANNIN. Mr. President, one of the pleasures of serving in the Senate has been my association with Senator CLINTON ANDERSON, of New Mexico.

He has been an outstanding member of the Finance and Interior Committees, and I know that the people of New Mexico and all the West are grateful for all that he has done.

As Secretary of Agriculture and as a Member of Congress, Senator ANDERSON has made great contributions to farming, conservation, and the development of our Western States. He also has been a most helpful friend for the Indian and Spanish-speaking people in the Southwest.

My first meeting with Senator ANDERSON was in the 1940's when he came to Phoenix to speak at a Rotary meeting. Earlier, in 1932–33, he had been president of Rotary International.

I have appreciated the privilege of working with Senator ANDERSON over the years, and we will miss his sage counsel. I wish him the very best in the future years.

CONTINUING APPROPRIATIONS

Mr. MANSFIELD. Mr. President, may I say that the distinguished chairman of the Foreign Operations Subcommittee of the Senate Appropriations Committee, the Senator from Hawaii (Mr. INOUYE), has again demonstrated the qualities of an effective legislator. He has brought the same measure of thoroughness and expertise to bear in working on measures appropriating money for foreign assistance that we came to expect and appreciate when he devoted his energies to other aspects of national concern. The Senate is indebted to him for the manner in which he represented the views of the Senate in this difficult conference. The pressure of adjournment did not in anyway diminish his complete attention to the problems posed by the stalemate reached on the foreign aid appropriations measure and we all appreciate Senator INOUYE's efforts on the continuing resolution.

The distinguished and able chairman of the Senate Foreign Relations Committee deserves recognition at this time as well for the strong and sincere arguments he raised during the discussion of the continuing appropriations for foreign aid. The points he raised are well taken and do not in anyway detract from the efforts made by the Senate conferees on this bill. As one who zealously marks every infringement upon the Senate's prerogatives—and indeed, the prerogatives of the entire Congress—Senator FULBRIGHT is an articulate and able advocate of the Senate's position. We are indebted to him for adding to the high caliber of the debate on this bill.

Coming as it did at the very end of a a very tiring day, this measure was expeditiously and thoughtfully handled and the entire Senate is to be commended.

SENATOR HATFIELD'S POSITION ON VOTES OF OCTOBER 17, 1972

Mr. FANNIN. Mr. President, the senior Senator from Oregon, Mr. HATFIELD, is in Oregon and was not here to vote last night on the measures before this body.

If present, Senator HATFIELD would have voted for the welfare conference report (H.R. 1), voted to table the continuing resolution (H.J. Res. 1331), and voted to override the veto of the water pollution bill (S. 2770).

WATER POLLUTION CONTROL

Mr. MANSFIELD. Mr. President, in overriding the veto of the President on the water pollution control measure, the Senate once again affirmed its earlier judgment and its total commitment to clear our waterways; this landmark legislation has been so ably and thoroughly managed by the chairman of the Air and Water Pollution Subcommittee, the distinguished Senator from Maine (Mr. MUSKIE). We all know of Senator MUSKIE's tireless efforts in overcoming what at times seemed insurmountable problems in resolving how best to point this country in the direction of a proper approach to controlling what to some seems an already irreversible trend toward destroying our natural water supplies. Senator MUSKIE and the committee deserve the highest praise and recognition for breaking new legislative ground in environmental law. As always, some are calling for more action and some are calling for less. The deliberate, measured approach used in the water pollution control bill affords a rational answer to a pressing dilemma. I wish to commend Senator MUSKIE, the committee, and the staff. Indeed, the entire Senate can be proud of the bipartisan effort made in the best interests of this country.

SENATOR B. EVERETT JORDAN LEAVES CONGRESS WITH A RECORD OF WORK WELL DONE

Mr. RANDOLPH. Mr. President, when Congress adjourns this week, it will mark the end of a long and distinguished career by my valued colleague and very good friend B. EVERETT JORDAN of North Carolina.

It has been my privilege to serve with Senator JORDAN on the Committee on Public Works. He has been an active member and has served with great distinction as chairman of our Subcommittee on Buildings and Grounds and our Subcommittee on Flood Control, Rivers, and Harbors. To those duties he brought an awareness of the value of public works programs to the people of the United States. He has guided the development of legislation in these areas, drawing on his experience and perception of the needs of our country.

To all of our work he has contributed a great good humor and a willing spirit to explore the issues thoroughly and to make solid decisions.

Senator JORDAN also has occupied one of the more demanding positions in the U.S. Senate, the chairmanship of the Committee on Rules and Administration. In this sensitive position, he has greatly influenced the effective operation of the Senate and has contributed to our ability to be more responsive to constituents and to carry out our duties as legislators.

I regret that EVERETT JORDAN concludes his career in the Senate. He has served the people of North Carolina well. He has been an ardent advocate of programs that would benefit not only his State, but also the whole of the American Nation. I know that he will continue to be actively involved in public affairs, for a man who has been so long in public service can never completely retire. I wish him well, and I look forward to calling on his experience and wisdom in the future.

DISTRIBUTION OF REVENUE SHARING IN MISSOURI

Mr. EAGLETON. Mr. President, I ask unanimous consent that the following excerpt from the report prepared by the Joint Committee on Internal Revenue Taxation showing distribution of revenue sharing funds in Missouri be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Revenue sharing funds for Missouri

[In dollars]

Total State grant to all locals	65,837,018
Amount returned to Missouri State government is	385,248
Adair County area	257,471
Adair County government	81,648
Total to all cities over 2,500	165,456
Total to all cities under 2,500	10,368
Total to all townships	0
Kirksville City	165,456
Andrew County area	150,590
Andrew County government	131,658
Total to all cities over 2,500	11,440

Total to all cities under 2,500	7,486
Total to all townships	0
Savannah City	11,446

Atchison County area	112,385
Atchison County government	92,970
Total to all cities over 2,500	9,048
Total to all cities under 2,500	10,367
Total to all townships	0
Tarkid City	9,048

Audrain County area	393,363
Audrain County government	143,758
Total to all cities over 2,500	221,396
Total to all cities under 2,500	28,209
Total to all townships	0
Mexico City	188,217
City of Vandalia	33,179

Barry County area	137,103
Barry County government	46,450
Total to all cities over 2,500	46,257
Total to all cities under 2,500	44,396
Total to all townships	0
Monett City (part)	46,257

Barton County area	199,241
Barton County government	67,963
Total to all cities over 2,500	29,580
Total to all cities under 2,500	14,931
Total to all townships	66,767
Lamar City	29,580

Bates County area	238,583
Bates County government	53,350
Total to all cities over 2,500	36,344
Total to all cities under 2,500	37,493
Total to all townships	111,396
Butler City	36,344

Benton County area	141,061
Benton County government	91,972
Total to all cities over 2,500	0
Total to all cities under 2,500	49,089
Total to all townships	0

Bollinger County area	115,791
Bollinger County government	87,500
Total to all cities over 2,500	0
Total to all cities under 2,500	0
Total to all townships	28,291

Boone County area	1,217,184
Boone County government	172,595
Total to all cities over 2,500	256,737
Total to all cities under 2,500	787,853
Total to all townships	0
Centralia City	35,269
Columbia City	221,467

Buchanan County area	1,626,027
Buchanan County government	410,705
Total to all cities over 2,500	901,581
Total to all cities under 2,500	313,742
Total to all townships	0
St. Joseph City	901,581

Butler County area	506,619
Butler County govt	183,500
Total to all cities over 2,500	300,000
Total to all cities under 2,500	23,119
Total to all townships	0
Poplar Bluff City	300,000

Caldwell County area	170,473
Caldwell County govt	51,751
Total to all cities over 2,500	0
Total to all cities under 2,500	54,288
Total to all townships	64,435

Callaway County area	275,521
Callaway County govt	174,191
Total to all cities over 2,500	89,409
Total to all cities under 2,500	11,921
Total to all townships	0
Fulton City	89,409

Camden County area	76,353
Camden County govt	47,243
Total to all cities over 2,500	0
Total to all cities under 2,500	29,109
Total to all townships	0

Cape Girardea County area	603,404
Cape Girardea County govt	230,784
Total to all cities over 2,500	450,236
Total to all cities under 2,500	12,474
Total to all townships	0
Cape Girardeau City	390,926
Jackson City	59,308

Carroll County area	256,495
Carroll County govt	60,579
Total to all cities over 2,500	62,565
Total to all cities under 2,500	32,386
Total to all townships	100,966
Carrollton Town	62,565

Carter County area	32,551
Carter County govt	26,235
Total to all cities over 2,500	0
Total to all cities under 2,500	6,316
Total to all townships	0

Cass County area	341,239
Cass County govt	83,015
Total to all cities over 2,500	151,088
Total to all cities under 2,500	35,923
Total to all townships	71,154
Belton City	93,515
Harrisonville City	26,733
Pleasant Hill City	30,840

Cedar County area	159,364
Cedar County government	92,000
Total to all cities over 2,500	67,364
Total to all cities under 2,500	0
Total to all townships	0
Eldorado Springs City	67,364

Chariton County area	226,263
Chariton County government	75,278
Total to all cities over 2,500	0
Total to all cities under 2,500	54,200
Total to all townships	96,786

Christian County area	105,386
Christian County government	66,450
Total to all cities over 2,500	0
Total to all cities under 2,500	38,935
Total to all townships	0

Clark County area	158,479
Clark County government	127,980
Total to all cities over 2,500	0
Total to all cities under 2,500	30,500
Total to all townships	0

Clay County area	2,101,833
Clay County govt	424,746
Total to all cities over 2500	1,546,638
Total to all cities under 2500	130,449
Total to all townships	0
Excelsior Springs City (part)	141,548
Liberty City	87,184
North Kansas City	105,803
Gladstone City	87,112
Kansas City (part)	1,124,992

Clinton County area	174,454
Clinton County govt	94,513
Total to all cities over 2500	36,132
Total to all cities under 2500	43,809
Total to all townships	0
Cameron City (part)	36,132

Cole County area	490,814
Cole County govt	71,514
Total to all cities over 2500	390,432
Total to all cities under 2500	18,367
Total to all townships	0
Jefferson City	390,432

Cooper County area	179,555
Cooper County govt	93,899
Total to all cities over 2500	66,565
Total to all cities under 2500	19,091
Total to all townships	0
Boonville City	66,565

Crawford County area	133,752
Crawford County government	91,011
Total to all cities over 2,500	7,942
Total to all cities under 2,500	34,798
Total to all townships	0
Sullivan City (part)	7,942

Dade County area	139,832
Dade County government	39,350
Total to all cities over 2,500	0
Total to all cities under 2,500	27,404
Total to all townships	73,078

Dallas County area	136,760
Dallas County government	69,000
Total to all cities over 2,500	0
Total to all cities under 2,500	67,760
Total to all townships	0

Daviess County area	142,369
Daviess County government	51,107
Total to all cities over 2,500	0
Total to all cities under 2,500	31,029
Total to all townships	60,233

De Kalb County area	147,931
De Kalb County government	46,005
Total to all cities over 2,500	5,580
Total to all cities under 2,500	39,929
Total to all townships	56,417
Cameron City (part)	5,580

Dent County area	71,069
Dent County government	49,032
Total to all cities over 2,500	22,037
Total to all cities under 2,500	0
Total to all townships	0
Salem City	22,037
Douglas County area	81,500
Douglas County government	62,500
Total to all cities over 2,500	19,000
Total to all cities under 2,500	0
Total to all townships	0
Ava City	19,000

Dunklin County area	547,585
Dunklin County government	203,000
Total to all cities over 2,500	173,247
Total to all cities under 2,500	89,499
Total to all townships	81,840
Kennett City	127,747
Malden City	45,500

Franklin County area	379,771
Franklin County government	262,301
Total to all cities over 2,500	99,578
Total to all cities under 2,500	17,802
Total to all townships	0
Pacific City	24,712
City of St. Clair	29,316
Sullivan City (part)	33,421
Union City	12,129
Washington City	0

Gasconade County area	155,566
Gasconade County government	92,846
Total to all cities over 2,500	25,771
Total to all cities under 2,500	36,950
Total to all townships	0
Hermann City	25,771
Gentry County area	153,837
Gentry County government	60,219
Total to all cities over 2,500	0
Total to all cities under 2,500	46.050
Total to all townships	47,568

Greene County area	2,301,113
Greene County government	695,991
Total to all cities over 2,500	1,537,329
Total to all cities under 2,500	67,793
Total to all townships	0
Springfield City	1,537,329

Grundy County area	289,327
Grundy County government	87,060
Total to all cities over 2,500	101,334
Total to all cities under 2,500	20,842
Total to all townships	50,092
Trenton City	101,334

Harrison County area	199, 013
Harrison County government	65, 500
Total to all cities over 2,500	24, 871
Total to all cities under 2,500	20, 416
Total to all townships	68, 225
Bethany City	24, 871
Henry County area	251, 655
Henry county government	80, 342
Total to all cities over 2,500	106, 600
Total to all cities under 2,500	22, 753
Total to all townships	39, 959
City of Clinton	64, 910
Windsor City	43, 690
Hickory County area	47, 451
Hickory County government	34, 627
Total to all cities over 2,500	0
Total to all cities under 2,500	12, 825
Total to all townships	0
Holt County area	129, 924
Holt County government	98, 134
Total to all cities over 2,500	0
Total to all cities under 2,500	31, 790
Total to all townships	0
Howard County area	215, 587
Howard County government	147, 790
Total to all cities over 2,500	33, 000
Total to all cities under 2,500	34, 797
Total to all townships	0
Fayette City	33, 000
Howell County area	218, 231
Howell County government	105, 845
Total to all cities over 2,500	74, 467
Total to all cities under 2,500	37, 919
Total to all townships	0
West Plains City	74, 467
Iron County area	194, 520
Iron County government	152, 607
Total to all cities over 2,500	0
Total to all cities under 2500	41, 913
Total to all townships	0
Jackson County area	13, 361, 809
Jackson County government	2, 421, 610
Total to all cities over 2,500	10, 920, 356
Total to all cities under 2,500	19, 842
Total to all townships	0
Blue Springs City	19, 087
Grandview City	345, 522
Independence City	1, 084, 433
Kansas City (part)	8, 992, 629
Lees Summit City	159, 733
City of Raytown	266, 694
Sugar Creek City	50, 256
Jasper County area	1, 313, 259
Jasper County government	319, 788
Total to all cities over 2,500	852, 820
Total to all cities under 2,500	140, 650
Total to all townships	0
Carthage City	160, 475
City of Joplin (part)	610, 079
Webb City	82, 266
Jefferson County area	619, 844
Jefferson County government	388, 646
Total to all cities over 2,500	213, 393
Total to all cities under 2,500	19, 805
Total to all townships	0
Crystal City	61, 092
De Soto City	92, 530
Festus City	59, 771
Johnson County area	444, 871
Johnson County government	219, 426
Total to all cities over 2,500	157, 383
Total to all cities under 2,500	68, 061
Total to all townships	0
Warrensburg City	157, 383
Knox County area	103, 279
Knox County government	71, 500
Total to all cities over 2,500	0
Total to all cities under 2,500	31, 779
Total to all townships	0
Laclede County area	244, 080
Laclede County government	89, 566
Total to all cities over 2,500	142, 598
Total to all cities under 2,500	11, 916
Total to all townships	0
Lebanon City	142, 598
Lafayette County area	288, 613
Lafayette County government	92, 693
Total to all cities over 2,500	137, 577
Total to all cities under 2,500	58, 343
Total to all townships	0
Higginsville City	35, 561
Lexington City	65, 817
Odessa City	36, 199
Lawrence County area	258, 785
Lewis County government	108, 066
Total to all cities over 2,500	105, 242
Total to all cities under 2,500	45, 477
Total to all townships	0
Aurora City	76, 405
Monett City	11, 452
Mount Vernon City	17, 385
Lewis County area	178, 728
Lewis County government	140, 134
Total to all cities over 2,500	17, 573
Total to all cities under 2,500	21, 022
Total to all townships	0
Town of Canton	17, 573
Lincoln County area	178, 478
Lincoln County government	120, 075
Total to all cities over 2,500	23, 550
Total to all cities under 2,500	34, 852
Total to all townships	0
Troy City	23, 550
Lynn County area	275, 671
Lynn County government	54, 035
Total to all cities over 2,500	127, 279
Total to all cities under 2,500	39, 864
Total to all townships	54, 493
Brookfield City	98, 191
Marceline City	29, 088
Livingston County area	173, 949
Livingston County government	57, 385
Total to all cities over 2,500	69, 358
Total to all cities under 2,500	5, 960
Total to all townships	41, 246
Chillicothe City	59, 358
McDonald County area	94, 540
McDonald County government	52, 094
Total to all cities over 2,500	0
Total to all cities under 2,500	142, 447
Total to all townships	0
Macon County area	209, 758
Macon County government	141, 660
Total to all cities over 2,500	40, 501
Total to all cities under 2,500	27, 597
Total to all townships	0
Macon City	40, 501
Madison County area	175, 394
Madison County government	122, 551
Total to all cities over 2,500	43, 613
Total to all cities under 2,500	9, 230
Total to all townships	0
Fredericktown City	43, 613
Maries County area	76, 357
Maries County government	60, 498
Total to all cities over 2,500	0
Total to all cities under 2,500	15, 859
Total to all townships	0
Marion County area	400, 724
Marion County government	141, 017
Total to all cities over 2,500	259, 707
Total to all cities under 2,500	0
Total to all townships	0
Hannibal City	224, 264
Palmyra City	35, 443
Mercer County area	100, 230
Mercer County government	80, 987
Total to all cities over 2,500	0
Total to all cities under 2,500	31, 752
Total to all townships	37, 491
Miller County area	132, 318
Miller County government	90, 718
Total to all cities over 2,500	26, 107
Total to all cities under 2,500	15, 498
Total to all townships	0
Eldon City	26, 107
Mississippi County area	320, 800
Mississippi County govt	190, 500
Total to all cities over 2,500	110, 829
Total to all cities under 2,500	19, 478
Total to all townships	0
Charleston City	77, 829
East Prairie City	33, 000
Montieau County area	130, 133
Montieau County govt	80, 000
Total to all cities over 2,500	27, 439
Total to all cities under 2,500	22, 694
Total to all townships	0
California City	27, 439
Monroe County area	172, 808
Monroe County govt	114, 825
Total to all cities under 2,500	57, 961
Total to all cities under 2,500	57,981
Total to all townships	0
Montgomery County area	167, 664
Montgomery County govt	96, 300
Total to all cities over 2,500	0
Total to all cities under 2,500	71, 365
Total to all townships	0
Morgan County area	157, 534
Morgan County govt	113, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	44, 534
Total to all townships	0
New Madrid County area	464, 959
New Madrid County govt	260, 500
Total to all cities over 2,500	92, 853
Total to all cities under 2,500	111, 606
Total to all townships	0
New Madrid City	52, 804
Sikeston City (part)	3, 549
Portageville City	36, 500
Newton County area	310, 005
Newton County govt	116, 009
Total to all cities over 2,500	121, 644
Total to all cities under 2,500	12, 352
Total to all townships	0
Neosho City	89, 647
City of Joplin (part)	31, 997
Nodaway County area	363, 315
Nodaway County govt	102, 520
Total to all cities over 2,500	97, 338
Total to all cities under 2,500	39, 355
Total to all townships	124, 103
Maryville City	97, 338
Oregon County area	121, 822
Oregon County govt	84, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	37, 822
Total to all townships	0
Osage County area	82, 408
Osage County govt	57, 327
Total to all cities over 2,500	0
Total to all cities under 2,500	25, 081
Total to all townships	0
Ozark County area	92, 424
Ozark County govt	86, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	6, 424
Total to all townships	0
Pemiscot County area	400, 558
Pemiscot County govt	172, 500
Total to all cities over 2,500	188, 676
Total to all cities under 2,500	39, 382
Total to all townships	0

Revenue sharing funds for Missouri—Con.

[In dollars]

Caruthersville City	123, 176
Hayti City	65, 500
Perry County area	172, 883
Perry County government	122, 000
Total to all cities over 2,500	44, 471
Total to all cities under 2,500	6, 193
Total to all townships	0
Perryville City	44, 471
Pettis County area	635, 953
Pettis County govt	185, 094
Total to all cities over 2,510	414, 185
Total to all cities under 2,500	36, 674
Total to all townships	0
Sedalia City	414, 185
Phelps County area	216, 718
Phelps County govt	98, 293
Total to all cities over 2,500	108, 632
Total to all cities under 2,500	9, 793
Total to all townships	0
Rolla City	90, 488
St. James City	18, 144
Pike County area	232, 217
Pike County govt	154, 676
Total to all cities over 2,500	61, 770
Total to all cities under 2,500	15, 771
Total to all townships	0
Bowling Green City	38, 927
Louisiana City	22, 843
Platte County area	309, 348
Platte County government	88, 445
Total to all cities over 2,500	104, 472
Total to all cities under 2,500	116, 430
Total to all townships	0
Kansas City (part)	104, 472
Polk County area	168, 021
Polk County government	128, 000
Total to all cities over 2,500	28, 000
Total to all cities under 2,500	12, 021
Total to all townships	0
Bolivar City	28, 000
Pulaski County area	151, 429
Pulaski County government	90, 423
Total to all cities over 2,500	23, 000
Total to all cities under 2,500	38, 006
Total to all townships	0
Waynesville City	23, 000
Putnam County area	120, 766
Putnam County government	62, 015
Total to all cities over 2,500	0
Total to all cities under 2,500	22, 848
Total to all townships	35, 903
Ralls County area	83, 978
Ralls County government	60, 245
Total to all cities over 2,500	0
Total to all cities under 2,500	23, 733
Total to all townships	0
Randolph County area	355, 733
Randolph County government	93, 636
Total to all cities over 2,500	211, 514
Total to all cities under 2,500	50, 582
Total to all townships	0
Moberly City	211, 514
Ray County area	259, 755
Ray County government	158, 165
Total to all cities over 2,500	55, 585
Total to all cities under 2,500	46, 004
Total to all townships	0
Richmond City	53, 889
Excelsior Springs City (part)	1, 696
Reynolds County area	109, 028
Reynolds County government	94, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	15, 028
Total to all townships	0
Ripley County area	156, 338
Ripley County government	101, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	55, 338
Total to all townships	0
St. Charles County area	687, 046
St. Charles County government	319, 500
Total to all cities over 2,500	356, 908
Total to all cities under 2,500	10, 631
Total to all townships	0
O'Fallon City	68, 845
St. Charles City	260, 557
Wentzville City	27, 506
St. Clair County area	163, 864
St. Clair County government	63, 505
Total to all cities over 2,500	0
Total to all cities under 2,500	40, 356
Total to all townships	0
St. Francois County area	527, 087
St. Francois County government	259, 518
Total to all cities over 2,500	196, 592
Total to all cities under 2,500	70, 977
Total to all townships	0
Bonne Terre City	59, 794
Desloge City	23, 674
Farmington City	50, 908
Flat River City	62, 216
St. Louis County area	6, 864, 526
St. Louis County government	3, 793, 486
Total to all cities over 2,500	2, 886, 393
Total to all cities under 2,500	184, 647
Total to all townships	0
Ballwin City	39, 958
Bellefontaine Neighbors	39, 383
Village of Bel Ridge	15, 658
City of Berkeley	168, 842
Breckenridge Hills Village	60, 649
Brentwood City	83, 968
Town of Bridgeton	56, 291
Clayton City	60, 571
Crestwood City	55, 298
Creve Coeur City	25, 246
Dellwood City	21, 223
Des Peres City	15, 016
Ellisville City Hall	17, 797
Ferguson City	113, 027
Florissant City	307, 740
Frontenac City	11, 037
Glendale City	19, 403
Hanley Hills Village	8, 709
Hazelwood Village	47, 784
Hillsdale Village	11, 333
Jennings City	141, 575
Kinloch City	114, 907
City of Kirkwood	100, 193
Ladue City	29, 539
City of Manchester	17, 070
Maplewood City	122, 392
City of Moline Acres	10, 480
Normandy Town	27, 215
Northwoods City	12, 983
Olivette City	26, 011
Overland City	128, 564
Pagedale City	18, 066
Pine Lawn City	29, 991
Richmond Heights City	73, 386
Riverview Village	10, 533
Rock Hill City	43, 058
St. Ann City	74, 358
St. John Village	25, 228
Shrewsbury City	26, 321
Town Country Village	7, 447
City of University City	252, 483
Valley Park City	51, 221
Vienna Park City	17, 531
Warson Woods City	7, 163
Webster Groves City	112, 904
Wellston City	143, 915
Woodson Terrace City	62, 309
Sunset Hills City	11, 617
St. Louis City County area	12, 702, 004
St. Louis City County government	12, 702, 004
Total to all cities over 2,500	0
Total to all cities under 2,500	0
Total to all townships	0
Ste. Genevieve County area	175, 757
Ste. Genevieve County government	98, 185
Total to all cities over 2,500	60, 068
Total to all cities under 2,500	0
Total to all townships	0
Ste. Genevieve City	60, 068
Saline County area	315, 413
Saline County government	128, 586
Total to all cities over 2,500	156, 331
Total to all cities under 2,500	36, 490
Total to all townships	0
Marshall City	111, 183
Slater City	39, 148
Schuyler County area	95, 229
Schuyler County government	67, 526
Total to all cities over 2,500	0
Total to all cities under 2,500	27, 703
Total to all townships	0
Scotland County area	112, 254
Scotland County government	89, 618
Total to all cities over 2,500	0
Total to all cities under 2,500	22, 636
Total to all townships	0
Scott County area	468, 588
Scott County government	151, 083
Total to all cities over 2,500	216, 247
Total to all cities under 2,500	101, 259
Total to all townships	0
Chaffee City	21, 009
Sikeston City (part)	195, 238
Shannon County area	87, 693
Shannon County government	58, 000
Total to all cities over 2,500	0
Total to all cities under 2,500	29, 693
Total to all townships	0
Shelby County area	113, 736
Shelby County govt	65, 328
Total to all cities over 2,500	0
Total to all cities under 2,500	48, 408
Total to all townships	0
Stoddard County area	483, 346
Stoddard County govt	132, 804
Total to al cities over 2,500	70, 500
Total to all cities under 2,500	82, 262
Total to all townships	117, 780
Dexter City	70, 500
Stone County area	67, 651
Stone County govt	52, 840
Total to all cities over 2,500	0
Total to all cities under 2,500	14, 811
Total to all townships	0
Sullivan County area	73, 051
Sullivan County govt	26, 890
Total to all cities over 2,500	0
Total to all cities under 2,500	12, 549
Total to all townships	33, 612
Taney County area	120, 733
Taney County govt	76, 279
Total to all cities over 2,500	0
Total to all cities under 2,500	44, 454
Total to all townships	0
Texas County area	139, 036
Texas County govt	50, 965
Total to all cities over 2,500	0
Total to all cities under 2,500	45, 600
Total to all townships	42, 471
Vernon County area	389, 183
Vernon County govt	70, 807
Total to all cities over 2,500	164, 877
Total to all cities under 2,500	31, 753
Total to all townships	421, 747
Nevada City	164, 877
Warren County area	107, 162
Warren County govt	57, 947
Total to all cities over 2,500	0
Total to all cities under 2,500	49, 215
Total to all townships	0
Washington County area	307, 958
Washington County govt	271, 513
Total to all cities over 2,500	28, 249
Total to all cities under 2,500	3, 195

Total to all townships	0
Potosi City	28, 249
Wayne County area	113, 601
Wayne County govt	71, 190
Total to all cities over 2,500	0
Total for all cities under 2,500	42, 411
Total to all townships	0
Webster County area	188, 371
Webster County govt	111, 511
Total to all cities over 2,500	40, 705
Total to all cities under 2,500	36, 155
Total to all townships	0
Marshfield City	40, 705
Worth County area	68, 569
Worth County govt	45, 585
Total to all cities over 2,500	0
Total to all cities under 2,500	22, 984
Total to all townships	0
Wright County area	203, 017
Wright County govt	73, 000
Total to all cities over 2,500	34, 000
Total to all cities under 2,500	26, 673
Total to all townships	69, 344
Mountain Grove City	34, 000

THE HONORABLE FRED HARRIS

Mr. TUNNEY. Mr. President, when the 93d Congress convenes in January the Senate will miss the presence of a great fighter for humanity—the Honorable Fred Harris. Many times I have marveled at his stirring eloquence, his compassion and concern, and his courage to do battle for what he believed was right.

Fred Harris was always in the forefront of fight for social and economic reform. His compassion for the disadvantaged and the downtrodden will never be forgotten and will always serve as an inspiration to us all.

I know that Fred Harris' zeal and vigor will continue in whatever field of endeavor he seeks to pursue.

WORKMEN'S COMPENSATION

Mr. EAGLETON. Mr. President, the legislation the Congress has just passed is a long overdue step toward reform of our workmen's compensation laws. The Longshoremen and Harbor Workers' Compensation Act, originally passed in 1927 to provide a Federal compensation program for injuries or death arising from employment on navigable waters of the United States, has been extended over the years to cover employees of the District of Columbia and other areas of Federal interest. At the present time more than 8,000,000 workers are covered by this Act, including more than 200,000 longshoremen and ship repair men, 300,000 employees of private employers within the District of Columbia and 200,000 workers in defense bases, in nonappropriated fund Federal agencies, and in work on the Outer Continental Shelf.

During hearings on this legislation, held both in Washington and in San Francisco, the committee heard testimony concerning the inadequate benefits paid under present law in one of the most hazardous types of occupation; benefits so inadequate that totally disabled workers, because of the $70 a week maximum limitation which has been in effect since 1961, receive less than 30 percent of their average weekly wage and District of Columbia workers receive less than 50 percent of their average weekly wage; benefits so inadequate that the present minimum is $18 a week.

S. 2318 substantially increases both maximum and minimum benefits under the Longshoremen and Harbor Workers' Compensation Act—maximum benefits for a disabled worker are increased from the present $70 per week maximum to two-thirds of his average weekly wage, subject to a phased-in minimum starting at 125 percent of the national average weekly wage and rising in 3 years to 200 percent of the national average weekly wage; minimum benefits are increased from the present minimum of $18 per week to not less than 50 percent of the national average weekly wage, or the average weekly wage of the disabled worker, whichever is less. Other improvements to the benefit structure include annual increases in compensation benefits based on increases in the national average weekly wage, upgrading of benefits payable for injuries occurring before the effective date of the act, elimination of the present ceiling on temporary disabilities, and expansion of survivors' benefits and the schedule of awards for disfigurements.

Significant improvements in the act are also made in the area of extended coverage, by extending coverage to injuries occurring in the contiguous dock area related to longshore and ship repair work. The bill also contains provisions for a resolution of the longstanding dispute over third-party actions by injured longshoremen, and provides for important administrative changes respecting both the worker's rights and the operations of the Department of Labor in administering this system of compensation for the over 800,000 employees who depend upon its protection.

S. 2318 also makes the workmen's compensation legislation for the District of Columbia a model of enlightened benefit.

This legislation is an attempt to implement, in the limited area covered by the Longshoremen and Harbor Workers' Compensation Act, recommendations made by the National Commission on workmen's compensation laws which was created by the Congress in 1970.

I am delighted that in its final hours the Congress has seen fit to pass this much-needed legislation.

SENATOR DAVID H. GAMBRELL, OF GEORGIA

Mr. CHILES. Mr. President, David Gambrell came to the Senate shortly after I did and we have served together for almost 2 years as Members of the "freshman class."

During this time I have come to respect greatly his integrity, dedication, and judgment. We have worked together closely in several legislative areas, especially in the area of reform, in attempts to make Congress more responsive to the needs of the people.

Because of a combination of political factors, David Gambrell's first venture into elective politics was not successful, but I feel that both the State of Georgia, which he served so well, and the Nation, as well, will be hearing from this man in the future.

My wife, Rhea, and I have thoroughly enjoyed our relationship with David Gambrell and his lovely wife, Luck. I wish them both very promising and productive future in the years ahead.

SENATOR ELAINE EDWARDS GAVE FAITHFUL ATTENTION TO LEGISLATIVE DUTIES

Mr. RANDOLPH. Mr. President, only a few months ago the Committee on Public Works benefitted by the appointment to its membership of the Senator from Louisiana (Mrs. Edwards). She will soon end her term as a Member of the Senate. During her membership, however, she has made a good mark in this body that will be remembered.

Mrs. Edwards came to Capitol Hill knowing that her term of office would not be extensive. She could have been content to use her time freed from much of the stress and strain that normally accompanies this office. She did not choose the easy way, however, but immediately assumed the full duties of a Senator with study and application to represent the people of her State.

As a member of the Committee on Public Works, she attended our meetings faithfully and made many helpful contributions to the development of legislation. She was an able and articulate advocate of the people of Louisiana and she represented them well in the Senate.

Mrs. Edwards will not be with us when the 93d Congress convenes, and I know that we will miss her presence. I commend her for the work she has done and wish her to know that she will always be welcome in these Halls.

SUMMARY REPORT OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, 92D CONGRESS

Mr. WILLIAMS. Mr. President, the Senate in the 92d Congress has been in session on 347 days. During that period, the Committee on Labor and Public Welfare has held 510 meetings. We have had 330 hearings, sometimes, of course, two or three on the same day. We have met in executive session on 96 days, and we have sat in conference with the House on 84 days. In addition, the committee has held hearings on and ordered reported the nominations of 32 Presidential appointees.

These statistics are merely one indication of the dedication, devotion to duty, and sense of purpose of the members of our committee.

Early next year, when all the results are in, I will submit to the Senate a full record of the legislative and investigative activities of the committee. As of now, I wish only to outline briefly the legislative work done by our committee and its legislative review activities during this Congress.

The committee has reported, and the Senate has passed 57 bills, most of them of major importance. Of these 28 have become law and 10 have been approved by Congress and are awaiting the President's signature. Some have been incorporated in other legislation which has become public law or is awaiting

Presidential approval. The remainder are pending before the House.

LABOR

During the second session of the 92d Congress, four labor-related bills originating in the committee were enacted into law: The Equal Employment Opportunities Amendments of 1972; the Black Lung Amendments of 1972; the Service Contracts Act, and the Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972. In addition both the Senate and House passed the Fair Labor Standards Amendments of 1972; however the House of Representatives did not agree to go to conference on this legislation.

Above and beyond the legislative activities, the Subcommittee on Labor conducted three legislative review investigations, under the Coal Mine Health and Safety Act and the Metal and Nonmetallic Safety Act, into the disasters at Buffalo Creek and Blacksville in West Virginia and the Sunshine Mine disaster in Kellogg, Idaho, and continued its investigations into the United Mine Workers election of 1969. It also held legislative review hearings in connection with the administration of the Occupational Safety and Health Act of 1970.

The Equal Employment Opportunities Amendments of 1972 (Public Law 92–303) provided the Equal Employment Opportunity Commission with the power to seek court enforcement of the laws prohibiting job discrimination on the basis of race, creed, color, national origin, and sex. The amendments expanded the scope of jurisdiction under the basic law to include employees of State and local government as well as employers and labor organizations with 15 or more employees or members. In addition, the act provides a right of action, for the first time, for Federal employees to obtain relief from job discrimination.

The Black Lung Benefits Amendments (Public Law 92–303) improved and expanded benefits for black lung victims and their survivors, including new benefits to orphans and dependent parents, sisters, and brothers, elimination of the X-ray as sole determinant of pneumoconiosis, expansion of penumoconiosis, in certain cases, to include respiratory and pulmonary impairments, a functional definition of total disability, elimination of offsetting of social security disability benefits and application to surface, as well as underground, coal miners.

The Service Contracts Act amendments (Public Law 92–473) mandate fulfillment of the original legislative intent in the 1965 act by requiring that the Department of Labor make wage determinations for all contracts where the Government contractor employs more than five employees by prohibiting the undercutting of collectively bargained wage rates and by requiring the successor contractors to be bound by such collectively bargained rates.

The Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972, awaiting the President's signature, provided major improvements in this workmen's compensation system, including an increase in the limit on weekly payments for injured workers to a high enough level to restore the opportunity for most injured workers to receive 66⅔ percent of their wages when they are incapacitated by a work injury, improved medical services and rehabilitative assistance and opportunities, expanded coverage, automatic adjustments in benefit levels to reflect cost-of-living increases, and an improved administrative structure.

Another labor-related measure—a bill providing a means for settling the lengthy west coast dock strike—was also reported out by the committee and enacted into law. However, the strike was settled voluntarily, without need for resort to the procedures set forth by the bill.

During the second session, the Senate also passed the Fair Labor Standards Amendments of 1972, which would have raised the minimum wage to $2.20 an hour over a period of years, would have provided parity in the minimum wage for all workers covered by the act, and would have expanded coverage to include approximately 8,000,000 new workers. Unfortunately, the House refused to go to conference on this legislation.

The committee's three safety investigations involved extensive field work and legislative review hearings. As a result of this legislative review activity, major defects in the implementation of the Coal Mine Health and Safety Act and Metal and Nonmetallic Mine Safety Act were disclosed, hopefully leading to significant improvements in the administration of these laws.

The committee's hearings concerning the administration of the Occupational Safety and Health Act of 1970 were primarily directed toward the problems that small businesses have encountered under the act—problems largely related to the unavailability of adequate information concerning the safety and health standards which have been issued by the Department of Labor.

The continuation of the United Mine Workers investigation disclosed numerous new questions of improprieties in the administration of the anthracite health and welfare fund. These matters have been referred to the Labor and Justice Departments for consideration of civil and/or criminal prosecutions.

PENSIONS

During the 92d Congress, the committee completed one of the most comprehensive and penetrating studies of the private pension system. Its investigative activities were designed to ascertain the problems of the pension system and whether it was, in fact, fulfilling its purpose of providing American workers with the promise of financial security and dignity in retirement.

Toward these ends, the committee conducted various studies and held extensive hearings. A statistical analysis of 1,302 private pension plans published final results in September 1972 with data relating to all aspects of coverage of the 14,179,631 employee participants. Among the earlier results published from this study were an analysis of 87 plans which established that on the average, more than 90 percent of the participants in those plans had forfeited their benefits over a 20-year period; and a 764-plan analysis which established that the median monthly pension benefit was $99, a figure which, when combined with the average social security payment, would give a retired urban couple an income below the poverty standard established by the Bureau of Labor Statistics.

Hearings in Washington and other cities gave employee participants an opportunity for the first time to describe the hardships and inequities they had suffered because of defective pension plans. Twenty-one workers out of hundreds examined testified in July 1971, while 14 large corporations confirmed the failings in these plans in October 1972. Hearings in five cities during the spring of 1972 examined the urgent problem of pension losses by thousands of workers when the 11 large employers at the hearings were sold, merged, or went out of business. In preparation for these hearings, the committee staff investigated more than 115 employers whose pension plans had been terminated and which had resulted in partial or total loss of pensions by employees.

Additionally, the committee conducted 6 days of hearings in June 1972 on the Retirement Income Security for Employees Act of 1972, S. 3598, hearing testimony from 33 witness groups, including all segments of the pension industry on the merits of this proposed legislation.

The most significant accomplishment of the committee pension study has been the development of comprehensive legislation to improve the private pension system as it now exists. Based on a careful analysis of the findings of the various studies and investigations, S. 3598 included provisions for Federal regulation of vesting, funding, insurance, and fiduciary activities of private pension plans, as well as a voluntary system of portability.

The bill was reported unanimously to the Senate on September 15, 1972, and is pending on the Senate calendar after having been referred to and reported from the Senate Finance Committee, with amendments.

THE HANDICAPPED

The Rehabilitation Act of 1972 (Public Law 92———) replaces the Vocational Rehabilitation Act and for the first time puts emphasis on serving those with the most severe handicaps. It institutes several new special programs, including establishment of National Centers for Spinal Cord Injuries, services for end-stage renal disease, mortgage insurance and interest grants for rehabilitation facilities, services to older blind individuals, and centers for deaf individuals. New emphasis is placed on research and training, and administration established by statute in the Rehabilitation Services Administration. New investigatory and enforcement bodies are created to assure full access of handicapped to public facilities and to assure fair treatment in hiring and placing handicapped individuals, and a new program is established to serve persons with no vocational goal.

The Randolph-Sheppard Act amendments (S. 2506) were adopted in the Senate as part of the Rehabilitation Act, S. 2506. They would expand work opportunities for licensed blind vending facility operators and provide them with additional legal and procedural remedies, including binding arbitration and judicial review.

Also incorporated in the Rehabilitation Act of 1972, was the Rehabilitation Services for Older Blind bill (S. 1030), a measure providing special services, including mobility and orientation training, for persons whose combination of age and blindness makes employment difficult to obtain.

Included in the Comprehensive Older Americans Services Amendments Act, was the Middle-Aged and Older Workers Training Act (S. 1307), a measure providing training for unemployed persons age 45 and older.

The Wagner-O'Day of 1938 was amended by Public Law 92-28 to extend its provisions to severely handicapped individuals who are not blind. Previous legislation provided employment in sheltered workshops for blind individuals only. It also expanded the list of items that can be produced by sheltered workshops under the act for sale to Government agencies.

EDUCATION

In the field of education, the committee brought about a number of important advances:

H.R. 11809, providing that for purposes of Public Law 874, 81st Congress, relating to aid for schools in federally impacted areas, Federal property transferred to the U.S. Postal Service shall continue to be treated as Federal property for 2 years, became law, as part of S. 3054, Public Law 92-277.

S. 659, an omnibus education bill contained all necessary action to extend for the 2-year period of the 92d Congress the following laws: The Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act—creating a National Foundation for Post Secondary Education and a National Institute of Education—and the Elementary and Secondary Education Act of 1965. It became Public Law 92-318.

Incorporated into this law were the provisions of S. 2482, to authorize financial support for improvement in Indian education, which had passed the Senate 57 to 0, and S. 1557, to provide financial assistance to local educational agencies in order to establish equal educational opportunities for all children.

Senate Joint Resolution 260, to delay the effectiveness of certain amendments related to the guaranteed student loan program became Public Law 92-391.

S. 390, to amend the Higher Education Act of 1965 in order to provide for a U.S. Foreign Service scholarship program, is pending on the Senate calendar.

As a special tribute to the late President pro tempore, the Honorable Allen J. Ellender, Senate Joint Resolution 265 was enacted providing grants for scholarships in his name. The resolution is now awaiting the President's signature.

HEALTH

The following health legislation considered by the committee in the 92d Congress was enacted into law:

Public Law 92-52—amended the Public Health Service Act to extend for 1 year the student loan and scholarship provisions.

Public Law 92-157—the Health Manpower Act—provided funds for the increased training of manpower for the health professions.

Public Law 92-158—amended the Public Health Service Act to provide for the training of an increased number of nurses.

Public Law 92-218—the National Cancer Act of 1971—amended the Public Health Service Act so as to strengthen the National Cancer Institute and the National Institutes of Health in order to more effectively carry out the national effort against cancer.

Public Law 92-294—the National Sickle Cell Anemia Control Act—amended the Public Health Service Act to map a massive program aimed at controlling sickle cell anemia.

Public Law 92-305—amended the Public Health Service Act to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases; the reorganization was designed to expand the development of research and training programs in the diagnosis, prevention, and treatment of digestive diseases.

Public Law 92-237—the Drug Listing Act of 1972, amended the Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act.

Public Law 92-414—the National Cooley's Anemia Control Act, amended the Public Health Service Act to provide assistance for programs for the diagnosis, prevention and treatment of, and research in, Cooley's anemia.

Public Law 92-423—the National Heart, Blood Vessel, Lung, and Blood Act, was designed to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against these diseases.

Public Law 92-449—the communicable disease control amendments, expanded the Nation's efforts in the area of communicable disease control.

In addition, the following health bills reported from the committee were passed by the Senate and are pending in the House.

S. 1874—the Children's Dental Health Act, is pending before the House Committee on Interstate and Foreign Commerce.

Senate Joint Resolution 75—to establish the National Advisory Commission on Health, Science, and Society is pending before the House Interstate and Foreign Commerce Committee.

S. 3716—would expand and improve the authority of the Hill-Burton program, community mental health centers, the National Center for Health Statistics, the emergency medical services, and allied health personnel, medical libraries, public health training, migrant health, and the National Health Service Corps. Several of the component parts of S. 3716 were introduced individually, passed by the Senate, and are pending in the House Interstate and Foreign Commerce Committee, as is S. 3716.

S. 3327—the Health Maintenance Organization and Resources Development Act of 1972 is currently pending before the House Interstate and Foreign Commerce Committee.

S. 2818—to regulate the use of diethylstibestrol in cattle feed is pending in the House Interstate and Foreign Commerce Committee.

S. 3419—the Consumer Product Safety Act has been approved by both Houses and is awaiting the President's signature.

Senate Joint Resolution 206—concerning sudden infant death syndrome, is currently pending in the House Commerce Committee.

S. 3080—the Lead-Based Paint Poisoning Act, is currently pending in the House Banking Committee.

H.R. 15475—to provide for the establishment of a National Advisory Commission on Multiple Sclerosis, is awaiting House action on the conference report.

EMPLOYMENT, MANPOWER, AND POVERTY

The Emergency Employment Act of 1971 (S. 31) providing jobs for unemployed persons through public service employment with State and local governments became Public Law 92-541. The legislation authorized appropriations of $1,000,000,000 for fiscal year 1972, and $1,250,000,000 for fiscal year 1973. The full amounts authorized have been appropriated and in the first year 180,000 unemployed persons were provided public service jobs.

The Economic Opportunity Amendments of 1972 (S. 2007) extending the Economic Opportunity Act of 1964 for 2 additional years was vetoed by the President who objected primarily to the child development provisions. While a majority of the Senate voted to override the veto—51 for overriding, 36 against—the vote fell short of the required two-thirds and the veto was therefore sustained.

S. 3054, a bill providing for a simple extension of the Manpower Development and Training Act of 1962 for 1 year—through fiscal year 1973—was reported to the Senate on February 10, 1972, and passed on February 15. The Senate agreed to the conference report on March 29 and the President signed the legislation on April 24, 1972 (Public Law 92-277).

The Economic Opportunity Amendments of 1972 (S. 3010), reported to the Senate on May 16, 1972, passed by a vote of 75 to 13 on June 29. The bill extended the authorization for Economic Opportunity Act programs through fiscal year 1974. The final conference agreement deleted the provisions establishing a National Legal Services Corporation. Appropriations were authorized of $2,369,300,000 for fiscal year 1973 and $2,390,000,000 for fiscal year 1974. The President signed the legislation on September 19, 1972—Public Law 92-424.

CHILDREN AND YOUTH

One of the committee's major concerns during the 92d Congress was legislation providing child development and preschool educational opportunities.

In the first session, 6 days of hearings were held on proposals to build on the successful Headstart program and provide comprehensive health, nutrition, and education services to poor children and children of working parents.

On the basis of these hearings and extensive consideration child development legislation was included as part of S. 2007, extending the Economic Opportunity Act.

This bill was vetoed by the President. An effort to override the veto, as I have mentioned, fell seven votes short of the necessary two-thirds majority required.

In the second session of the 92d Congress, the commitee resumed its efforts to enact child development legislation. Modified and revised versions of the vetoed bill were introduced by the majority and the minority.

A compromise bill (S. 3617) was agreed to which would authorize $150,000,000 for training and planning for fiscal year 1973, and for carrying out programs $1,200,000,000 for fiscal year 1974, and $1,600,000,000 for fiscal year 1975. The program would be administered in the Department of Health, Education, and Welfare. Reported to the Senate on May 16, 1972, the bill was passed by a vote of 73 to 12, June 20.

The bill is now pending in the House Education and Labor Committee.

During 1971, the committee held 3 days of oversight hearings on the White House Conference on Children and Youth, focusing specifically on follow-up of the Conference recommendations.

As noted earlier, the committee reported Senate Joint Resolution 206, sudden infant death syndrome, also known as crib death. This resolution is pending before the House of Representatives.

AGING

Public Law 92–258, the nutrition program for the elderly amended the Older Americans Act to establish a national hot meals program for persons 60 or over in conveniently located centers—such as senior citizen centers, schools, churches, and other nonprofit settings. The new law will provide approximately 250,000 nutritious meals a day for 5 days a week.

H.R. 14424, the Research on Aging Act, is awaiting the signature of the President. It establishes a National Institute on Aging at the National Institutes of Health to conduct and support biomedical, social and behavioral research and training related to the aging process.

Also awaiting the President's signature is H.R. 15657, Comprehensive Older Americans Services Amendments of 1972. This legislation raises the authorized funding level for programs under the Older Americans Act from $105 million in fiscal year 1972 to $432.25 million for fiscal 1973—including the $100 million authorization for the nutrition program for the elderly, Public Law 92–258. Among the other major provisions:

Upgrades the Administration on Aging by transferring it out of the Social and Rehabilitation Service into the Office of the Secretary of Health, Education, and Welfare.

Creates a Federal Council on the Aging to advise and assist the President on matters relating to the special needs of older Americans.

Authorizes $70 million for fiscal 1973 for model projects to focus on special problems confronting the elderly, such as housing, transportation, preretirement counseling, continuing education, and social services for the elderly handicapped.

Replaces the existing title III community grants program with new area planning and social service programs to provide coordinated and comprehensive social services for the elderly.

Authorizes Federal funding for the alteration, renovation, acquisition, or construction of multipurpose senior centers.

Establishes an Older American Community Service Employment Act—title IX—to provide new opportunities in public service employment for low-income persons 55 or older. A major purpose of this legislation is to help convert the successful pilot projects under Mainstream—such as Green Thumb and Senior Aides—into permanent, ongoing national programs.

Establishes a Middle-Aged and Older Workers Training Act—title X—to provide training, placement, recruitment, and other supportive services for unemployed or underemployed persons 45 or older.

RAILROAD RETIREMENT

The committee reported H.R. 6444 during the first session of this Congress. H.R. 6444 provided for a temporary 10 percent increase in annuities for the over 980,000 recipients of benefits under that system. The bill also provided an extension of the Commission on Railroad Retirement's reporting date to June 30, 1972. Finally, the bill contained a provision limiting the increase to those annuitants who had not received benefit increases as the result of Public Law 92–5, the 10 percent social security increase.

H.R. 15927, reported by the committee during the second session, provided for a 20 percent temporary increase in annuities, with no social security offset provision. This increase corresponded with the 20-percent increase in social security benefits resultant from Public Law 92–336. H.R. 15927 also mandated a report by the representatives of employees, retirees, and carriers as to the method of financing—on a permanent basis—the 10, 15, and 20 percent temporary increases. The bill, as amended by the Senate on September 19, 1972, was vetoed by the President on October 4, 1972. On the same day both Houses overrode the veto by votes of 353 to 29 and 76 to 5 and the bill was enacted as Public Law 92–460.

ALCOHOLISM AND NARCOTICS

In March, the Congress approved the report of the joint conference committee on S. 2097, the Drug Abuse Office and Treatment Act of 1972, Public Law 92–255. As introduced in 1971 and referred to the Committee on Government Operations, S. 2097 provided for the establishment of the Special Action Office for Drug Abuse Prevention. Following the report of that committee, the bill was referred to the Committee on Labor and Public Welfare.

Our committee reported and the Senate approved amendments of S. 2097, which provided for the creation by December 31, 1974, of a National Institute on Drug Abuse, and authorized the appropriation of substantial funds for drug abuse prevention, research, training, treatment, and rehabilitation over the next 3 years.

In May, hearings were held on S. 2840, a bill to authorize emergency assistance for States and noprofit private agencies in the establishment of centers for the maintenance, treatment, and rehabilitation of drug addicts. These hearings also afforded an opportunity to review proposed new Federal regulations designed to prevent the illegal diversion of methadone, a chemical substitute in growing use in the treatment and maintenance of heroin addicts. Although S. 2840 was not reported, authority for emergency assistance was provided in Public Law 92–255, and funds for these programs are provided in the supplemental appropriations bill approved by the Congress on October 14.

MIGRATORY LABOR

The committee throughout the 92d Congress has focused its investigation of the plight of the farmworker in the context of all that is happening in rural America.

In this regard, the committee has brought public attention to the vast changes occurring in rural America, changes especially marked by the entrance and involvement of giant corporations and conglomerates throughout the entire food chain. Together with analysis of the economic impact of these giants, national policies concerning rural America and land ownership, distribution, and use were raised by witnesses as significant issues worthy of continuing committee investigation.

As the investigation into the abovementioned matters progressed, the committee simultaneously pursued its responsibilities in the areas of legislation; legislative oversight; investigation, studies and reports; and assistance to others. The committee continued to be the primary focus of attention for farmworker problems in the Nation.

SCIENCE

The committee reported two major bills affecting the National Science Foundation. One of these became Public Law 92–286, authorizing $704 million appropriations for fiscal year 1973 for the activities of the NSF and expanding its authorities.

The other proposal, S. 32, the National Science Policy and Priorities Act, was passed by the Senate on August 17, 1972, and is pending before the House Committee on Science and Astronautics. This bill would authorize the National Science Foundation to conduct research, education, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities. It would authorize for fiscal year 1973, $150 million, for fiscal year 1974, $375 million, and for fiscal year 1975, $500 million. The bill also contains an innovative provision for the protection of pension rights of scientists and engineers.

EVALUATION AND PLANNING OF SOCIAL PROGRAMS

The committee reported S. 5, the Full Opportunity and National Goals and Priorities Act, which would establish a

Council of Social Advisers in the Executive Office of the President, require the President to submit an annual social report to the Congress, and establish a Congressional Office of Goals and Priorities Analysis. The bill passed by the Senate on July 25, 1972, and is pending before the House Rules Committee.

ACTION

Following investigation and hearings on ACTION progams, an amendment to the Office of Economic Opportunity extension legislation was approved in the committee that extended certain programs under the jurisdiction of ACTION, including VISTA.

Mr. President, every member of the Committee on Labor and Public Welfare has made invaluable contributions to the work of the committee during these long months of the 92d Congress. They are each entitled to take great pride in our accomplishments this year and last. I thank them, one and all, for their cooperation, their devotion to the public interest, and their deep and abiding concern for the well-being of our people.

THE GOLDEN GATE PARK

Mr. TUNNEY. Mr. President, as one of the original cosponsors of a Golden Gate National Recreation Area, I am especially pleased with the Senate action on H.R. 16444. Although I would have personally preferred a stronger bill, I fully supported enactment of the bill which was passed in the House to guarantee a bill before the close of the current session. I would also like to take this opportunity to commend Congressman Phillip Burton and Senator Alan Bible for their splendid efforts on this bill.

The widely heralded northern California climate makes this region ideal for year-round recreation. The warm winters and pleasant summers provide the stimulus for a wide spectrum of recreational activities ranging from boating and hiking to picnicking and sightseeing to name just a few.

The recreation area will begin in the Olema Valley, running parallel to the Point Reyes National Seashore, and will sweep southward between the coast and ridgetops, skirting the communities of Bolinas and Stinson Beach to the Golden Gate. In San Francisco the recreation area will split into two prongs, one segment following along the bayshore nearly to Fisherman's Wharf, and the other following the coast southward almost to the San Mateo County line.

Obviously, this particular location will represent a giant step toward realizing goal of parks for the people. Currently, the overwhelming majority of our national parks have been located in areas beyond the access of the Nation's less affluent members. Proposals such as the Golden Gate National Recreation Area will establish parks where we need them most: In the metropolitan areas of the country where most of our people live. The Golden Gate National Recreation Area will be more accessible to the people than any other national recreational area in the United States.

At least as important as the recreational value of this bill, however, is the guarantee of indigenous wildlife preservation which it also implies. Urban development now threatens to disrupt or destroy the natural breeding grounds of literally hundreds of unique species of fish and wildlife. The bill recognizes this growing danger and intervenes to guarantee that these crucial coastal and tidal areas will be protected in their natural state.

This bill is not perfect. I believe that certain deleted parcels of land would have been invaluable assets to the recreation area. These include the Wolfback Ridge, Duxbury Reef, the deleted half of the Fort Baker parcel and increased acreage in Presidio. I also believe that the powers of the Secretary of the Interior to veto construction on the military portions of the park should be restored. Nevertheless, I would like to reiterate that my first priority was to see a bill signed into law this year, and for that reason I strongly supported this legislation.

Seldom does the Senate have such an opportunity to preserve for the enjoyment of future generations such splendid lands as were included in this bill. And unfortunately, seldom was the need for prompt congressional action more critical than in this case.

Developers, government agencies, private residents, and others all have set their eyes on various sections of land covered by this bill. Since the Congress has acted decisively by adopting this legislation now, it can guarantee that the Golden Gate headlands and associated areas will be preserved in their natural state. Without such Federal action, now, no guarantee could have been made that the open space will be retained. It was, therefore, with the greatest enthusiasm and optimism that I supported the adoption of this bill before the termination of this session.

SENATOR DAVID GAMBRELL GAVE FINE SERVICE

Mr. RANDOLPH. Mr. President, nearly 2 years ago, David H. Gambrell became a Member of the U.S. Senate. Since that time he has excelled in representing the people of the State of Georgia, exhibiting a great awareness of his State's needs and a dedication to helping meet them.

Senator Gambrell will not be with us in the 93d Congress. I know that his departure from this body will be felt by all of us who have come to know him well as a colleague and as a dedicated legislator. Senator Gambrell will return to his home State where I am confident he will provide leadership in State affairs of the same high quality that he has exhibited during his membership in the Senate.

TRIBUTE TO SENATOR JOHN SHERMAN COOPER

Mr. MUSKIE. Mr. President, I join other Senators in paying tribute to John Sherman Cooper, our distinguished colleague and friend.

The State of Kentucky, the Senate, and the Nation have been privileged to benefit from his long and distinguished career. It has been a great personal pleasure for me to have served with him for more than a dozen years on the Public Works Committee and for 2 years on the Foreign Relations Committee. During that time, I have known Senator Cooper as a man of conscience, integrity, and superior ability.

Senator Cooper is perhaps best known for his contributions in the field of foreign affairs. His understanding and wisdom in this area are grounded in broad experience—in his work with former Secretary of State Dean Acheson at the NATO Council of Ministers in the early days of the alliance; in his exemplary representation of the United States at the United Nations; and in his service as the U.S. Ambassador to India and Nepal. He has brought all this knowledge and experience to bear during his years as a member of the Senate Foreign Relations Committee.

John Sherman Cooper has led many battles in Congress for a sound foreign and defense policy. He is best known for his contribution to arms control and his leadership against the war in Indochina. He led the fight against the antiballistic missile system and he has carefully followed the strategic arms limitation talks. He led the fight against the expansion of the Vietnam war into Cambodia and has been an eloquent spokesman of complete U.S. withdrawal from the cruel war in Indochina.

His contribution to domestic policy has also been distinguished—as a member of the Committee on Labor and Public Welfare, in which he took a special interest in educational policies; and as a member of the Agriculture Committee, in which he initiated a wide range of policies and programs designed to improve the quality of life in rural America.

It has been a pleasure and an honor for me to have worked closely with Senator Cooper on the Senate Public Works Committee. I would like to single out especially his contributions in two areas in which I have been privileged to work closely with him; on environmental matters before by Subcommittee on Air and Water Pollution, and on the issue of a sound transportation policy.

It is, indeed, timely to call the attention of the Senate to Senator Cooper's role in these areas. The Senate has just overridden the President's veto of the Water Pollution Control Act Amendments of 1972. This landmark legislation and the overwhelming support it has received in the Senate might not have been possible without Senator Cooper's own deep commitment to environmental protection—not only on this bill, but also with respect to the Clean Air Act Amendments of 1970 in which his role was equally vital.

Senator Cooper and I have also worked closely together to provide urban centers with balanced transportation systems by increasing the options for which highway trust fund moneys can be used. This year the Senate accepted this position for the first time. Senator Cooper's role was vital in causing this important breakthrough.

Mr. President, JOHN SHERMAN COOPER, in his great sweep of mind and character, represents far more than Kentucky, which has been honored by making him its spokesman in the Senate for almost 20 years. He represents all Americans. He belongs to all the Nation. And this body has been exalted by his presence and will be poorer for his absence.

Mr. President, the staff of the Public Works Committee has sent a letter to Senator COOPER on the occasion of his retirement. It reveals the deep devotion, respect, and loyalty which I am sure all Members of this body feel toward JOHN SHERMAN COOPER—a man who has served this country in many capacities, but always with courage and conviction. I ask unanimous consent that the letter be printed in the RECORD.

OCTOBER 12, 1972.

HON. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: It is not easy to put into words our thoughts regarding the role you have played on this Committee. Each of us has served, for varying periods of time, in an effective working environment which you have helped create. Each of us has viewed from varying perspectives the contribution you have made. Each of us has learned much from the way you carry out your responsibilities.

It would be enough perhaps for some to wave a hand in passing and say thank you. We feel that you deserve more. We want to thank you for making us adhere to the process, for insisting that the rules be followed, and for passing to us your commitment to make the Congress function as a creative branch of government.

Few Committees on Capitol Hill function with the degree of non-partisanship and unanimity which is the hallmark of the Committee on Public Works. A primary reason for this uniqueness is the role you have played. Few Committees are as creative or as deliberate as this Committee. We believe that this is in large part attributable to your leadership.

No chain is stronger than its weakest link and no chain joined in a circle can hold together if it is not welded properly. We believe the Committee will continue to function with that strength. You have welded it well and we, the staff who have had the privilege of serving you, thank you for this legacy.

In retirement, your access to staff will be greatly reduced. We would feel honored and privileged if you would call on any one of us at any time to assist you in any way in whatever you may seek to do.

With affection and respect,
(Signed by the individual members of the staff of the Senate Public Works Committee).

ADDRESS BY SENATOR STEVENSON ON VIETNAM

Mr. MUSKIE. Mr. President, on October 9, 1972, the Senator from Illinois (Mr. STEVENSON) delivered an address at Northwestern University on our Indochina policy. Because the Sentor's analysis is forceful, incisive, and eloquently stated, I commend it to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ADLAI E. STEVENSON III

Henry Adams once called the American presidential campaign "the dance of democracy."

He was trying, I suspect, to suggest that our quadrennial electoral ritual is not only a contest but a festival: a celebration of our freedom; a salute to the power of the citizen.

In this sense the noise and hubbub of political campaigning have their place. The bands and bunting, the shouting and parading are appropriate features of a celebration.

But, amid all the confusion, an election is a time of solemn judgment; a moment when the American citizen weighs in the balance, not only the qualities and promises of the aspiring president, but the performance and record of the incumbent.

This year, in particular, is a time to look beyond the tumult for the truth.

It is a time to hold accountable those less eager than they should be to come into the open and discuss the issues with the people. A time, in short, to ask serious questions of the men who have held the reins of political power for the past four years.

Can these men be trusted? Do they speak the truth? Are they guided by the highest principles? Does their record justify our faith for four more years?

In the case of Mr. Nixon, the answer is all too clear. For no presidential administration—at least since Harding, and perhaps since Grant—has been so hag-ridden by suspicion of deceit and scandal: From the Warner-Lambert merger to the wheat deal; from secret Mexican bank accounts to the secret $10 million political slush fund; from the ITT scandal to the charges of burglary against two men who have held positions of trust in the White House itself.

Can these men be trusted? The answer is written in their record of the past four years.

We must ask if they can manage the motive energy of our society, the economy, efficiently. The question is no idle one for academicians and mathematicians; for the answer determines whether millions of families will be able to fulfill their hopes for themselves and their children.

And here again the answer is a melancholy one. We have experienced, in the four years of Mr. Nixon's administration, the most serious economic reversals in more than a decade: Simultaneous recession and inflation; runaway unemployment; an economic strategy which seems to have been the joint inspiration of Herbert Hoover and Ebenezer Scrooge.

And through it all, the wage and price controls, a $100 million Federal deficit, the trade deficit—through all the blunders and all the empty promises of better times around the corner, one suspicion grows: That this administration, for all its energetic efforts to help its rich and powerful corporate clients, does not really know how to help the great working majority of Americans. Or care.

Can they manage the economy? The answer is written in the record of the past four years.

We should ask in this election season: Can they bring peace? Can they fulfill our deepest aspiration and the condition of human survival—peace?

Can they bring peace?

Let us not judge Mr. Nixon by too harsh a standard. Let us not saddle him with responsibility for a war he did not create. Let us simply measure him by his own yardstick by the standard he himself laid down.

For it is four years to the day since Mr. Nixon, speaking as a candidate for the presidency, uttered these words:

"Those who have had a chance for four years and could not produce peace should not be given another chance." (Richard Nixon, October 9, 1968)

Now he is asking for another chance.

It was Richard Nixon, four years ago, who campeigned up and down the length and breadth of the land on a promise to end the war in Vietnam: To bring the troops home; To achieve "a just and lasting peace."

That was four years ago; more than twenty thousand American lives ago; more than one hundred thousand wounded American soldiers ago.

That was almost four million tons of bombs ago—more bombs on the people of that tiny nation, Vietnam, in the four years than upon all the people of all the nations in World War II and the Korean war combined.

That was sixty-five billion dollars ago.

History is filled with ironies. What an irony that now, four years later, Mr. Nixon presents himself as a bringer of peace. He utters, again and again, his vague promise of a "generation of peace."

What peace, we may ask? And in what generation?

In this election year, Mr. Nixon boasts that he has brought hundreds of thousands of troops home from Vietnam. Let us give him credit for that. And let us hold him accountable for the 100,000 Air Force and Navy personnel still stationed in Vietnam—still prosecuting the war he said he had a plan to end. Let us remember that the American taxpayer still pays for this war in dollars, inflation, unbuilt schools and high taxes. The American taxpayer supports more than a million and a half men in active combat: South Vietnamese, Cambodian, Laotian, Thai, and South Korean.

We are told by Mr. Nixon that his goal, in continuing to prosecute a war that should have been ended long ago, is self-determination for the people of South Vietnam—no more, no less.

Yet the regime of General Thieu, zealously protected and supported by Mr. Nixon, has made a mockery of that claim.

Gen. Thieu's election was a sham and a deception.

His claim to legitimacy is a lie.

His rule is a dictatorship.

Three months ago President Thieu rammed a bill through the National Assembly giving him power to rule by decree. The U.S. Embassy in Saigon supported Thieu's efforts to get that power of tyranny. And he wasted no time in using it to install all the machinery of a full-blown police state.

He has transferred from civilian authorities to military authorities the power to "control food distribution," to "check private residences both at day and night-time," to "detain elements considered dangerous for the national security or public order," to prohibit strikes and "demonstrations or meetings harmful to the national security and public order."

He has transferred from civilian courts to military courts the power to try demonstrators, strikers and ordinary civilian offenders.

He has abolished hamlet elections, decreeing that officials will be appointed instead by military province chiefs under his control.

He has decreed that the public prosecutor may invade the headquarters of a political party "to protect public order and the national security."

He has instituted press censorship which makes it a crime to publish any unfavorable statement about Thieu, even if the statement is true. Ten papers have been shut down in less than two months. The editor of one was convicted of violating the press censorship decree by printing widely-known, unclassified statistics about U.S. bombing of Indochina. The penalty? A year in jail.

He has decreed that "special punitive measures will be applied against unlawful acts that seriously harm the national security and public order." The "special punitive measures" include mass arrests, imprisonment of eight-year-old children, and torture of women.

We are witnessing nothing less than a ruthless and systematic campaign to destroy, or silence, legitimate opposition in disregard of the popular will and of individual liberties.

So much for Mr. Nixon's campaign for self-determination. He bombs one totalitarian regime in the north and subsidizes another in the south.

The fact is that Mr. Nixon has sought to justify the war effort more zealously than he has sought to end it. Now, after four years, his efforts to negotiate a settlement are reaching a crescendo of frenetic activity. But we must face an unhappy fact: Whatever settlement he achieves will be bought on terms which could have been negotiated long ago, had Mr. Nixon accepted the fact that more bombs, more napalm, more invasions, more military posturing by the United States simply cannot win this war for a corrupt and autocratic regime.

We are told that Mr. Nixon's prolonged pursuit of military victory is a matter of national honor and prestige; that Vietnam is a vital pawn on a vast world chessboard; that he is fighting to save America from isolationism; that he is fighting to prevent our nation from becoming a "pitiful, helpless giant."

Does anyone yet believe that the United States has anything to gain in honor and prestige by remaining in Vietnam? Can anyone doubt that our honor and prestige by now would be far better served by scaling down the killing?

We do not need the Vietnam war to prove our strength as a world power. Indeed, each day the war goes on our prestige and power diminish.

Each day the war goes on in Vietnam, we become more isolated, not less: We isolate ourselves from the community of humane nations; we isolate ourselves from our own disapproving allies; we isolate ourselves from our own best instincts and traditions.

Each day the war goes on in Vietnam, we become more like Swift's giant, Gulliver, tied down fast by tiny enemies. And by continuing the war, and not by ending it, we become the apparition Mr. Nixon fears: A pitiful, helpless giant, brought low, not by weakness, but by its misuse of strength.

Can they bring peace? The answer is written in the four years of waste and destruction. So let us judge Mr. Nixon according to his own standard:

"Those who have had a chance for your years and could not produce peace should not be given another chance."

The greatest tragedy—greater perhaps than the tragedy of Vietnam—is that Mr. Nixon sees the world of the twentieth century through nineteenth century eyes.

He seems to believe that brokering among the great powers can bring stability to the world—and that is a nineteenth century notion.

He seems to believe the bribing, bombing and bullying made America great.

He seems to believe that power—raw military power—must be the touchstone of international policy. And that is a nineteenth century notion.

That is a notion far older than the nineteenth century—and one that has always been morally bankrupt and empty. Its repudiation gave us birth as a nation—and strength as a nation.

It is notions like these that have brought us to our present low estate—and that must be repudiated once again.

The world is not a vast chessboard; it is a fragile and unstable community. It is not a universe whose center is the White House basement; it is a multiplicity of men and nations with widely differing aspirations, conflicting hopes, colliding ambitions. It is a brotherhood of men seeking bread and hope.

Mr. Nixon's notions simply do not fit the world he faces.

So he sustains Mr. Thieu's dictatorship in South Vietnam. He makes deals with the one remaining colonial power in Africa. He abets the genocide of Yahya Khan against the innocent people of Bangladesh, all the while preaching the ideals of the American revolution. All the while making of us a pitiful, helpless giant.

It is easy to see how Mr. Nixon, with his alien perception of the world, could consider his opponent "radical."

There is nothing radical, or new, about calling America home from a reckless and destructive adventure abroad. John Quincy Adams warned America that if she sought to become the empress of the world, she could "lose dominion over her own soul."

There is nothing radical about a foreign policy which seeks to join morality and self-interest. That idea is at least as old as Lincoln who exhorted his countrymen not to ask whether God was on their side, but to ponder whether they were on God's side.

There is nothing radical about a foreign policy which seeks to export decent ideals rather than guns and bullets. We once provided the world with great ideas—ideas of liberty and equality and a decent standard of living for all men—as early as 1776.

We have come to a sad day if now it is radical to suggest that the United States should harmonize its actions in the world with its own best ideals.

We are, after all, a great and generous nation. We have given much to the world, from the Declaration of Independence to the Marshall Plan. We have stood, for the greater part of our two centuries of histories, for something better than military adventurism and power politics.

George McGovern's appeal to you and me and to our countrymen is not that we depart from our best traditions but that we return to them: That we be the greatest power on earth, and what Lincoln eloquently and truly called "the last, best hope on earth."

SENATOR FRED HARRIS DEPARTS HIS CONGRESSIONAL CAREER WITH HIGH PURPOSE

Mr. RANDOLPH. Mr. President, the senior Senator from the State of Oklahoma has, during his 8 years of service, brought to the Senate the strength and vigor that is typical of a young man from a Western State.

Fred Harris is a man who vigorously pursues the goals in which he believes. He is a champion of human rights and against those who would deny these rights. Yet, he is a practical legislator; a man who thoroughly understands the lawmaking process. He has been effective in translating his ideals into workable legislation for the benefit of the people of Oklahoma and of all Americans.

Fred Harris also exhibited his leadership as chairman of the Democratic National Committee. To this second role, he brought the same vigor and enthusiasm which has characterized his work in the Senate.

Mr. President, Fred Harris will leave us at the end of the 92d Congress. I know he will continue to exhibit his concern for public affairs and to be deeply involved in many activities whose impact will be widely felt.

RETIREMENT OF SENATOR CLINTON P. ANDERSON, OF NEW MEXICO

Mr. CHILES. Mr. President, during my 2 years of service in the Senate I have found that Clinton Anderson, of New Mexico, is one of the most highly regarded and respected Members of this body.

During his 24 years of service in the Senate, both for his State and the Nation, Senator Anderson has taken a leadership role in many of the Senate's major activities. His independent judgment has made him a man respected on both sides of the aisle, as well as with the public.

As he prepares to leave the Senate, I join with my colleagues in wishing Senator Anderson and his wife a most pleasant and productive future.

ANNOUNCEMENT OF POSITION ON A VOTE

Mr. FANNIN. Mr. President, the Senator from Florida (Mr. Gurney) was necessarily absent when the conference report on H.R. 1 was adopted yesterday.

I ask that the permanent Record show that had he been present and voting on vote No. 567 he would have voted "yea."

RESEARCH IN MASS TRANSIT

Mr. WILLIAMS. Mr. President, there is a growing recognition throughout the country of the urgent need to develop new transportation systems, particularly in our urban areas. More and more people are realizing that we can no longer sit by and watch traffic jams grow larger, while commuting time grows longer. Many companies are currently involved in developing new equipment and facilities which may help us to solve some of these transportation problems, and some of the research efforts going on in this field were described in a recent article in the General Electric Investor magazine. I think that Senators would find the article of interest. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the General Electric Investor, fall, 1972]

Rethinking Mass Transit

(By George Barlow)

(Note.—George Barlow is a freelance writer who has covered assignments in the transportation field ranging from space shuttles to snowmobiles. A part-time commuter, he admits to a personal interest in the speed, comfort and dependability of mass transit between cities and suburbs. A graduate of Stanford and the Sorbonne, he is currently based in New York, where he has ample opportunities to observe the vagaries of intercity, commuter and urban transit systems.)

"People movement" is a problem in desperate search of new solutions. General Electric's move to build complete commuter cars rather than supply components was a first step toward a thorough overhaul not just of hardware but of basic concepts about mass transit.

Arthur Hall is a junior executive in a big Wall Street brokerage firm. He commutes from his home in Stamford, Conn., first by driving his own car to the railroad station. Through morning traffic, this takes a good 20 minutes. When he finally locates a parking space at the station he is faced with a 45 minute train trip on cars that have been in hard service for as much as 40 years. When he arrives at New York's Grand Central Station, he hurries through thousands of commuters to push his way into a subway car where he will likely stand pressed tight together with his fellow travelers for 20 to 30 minutes until he arrives at the Wall Street subway station. From there he has a three block walk to reach his office, more or less ready to begin his day's work.

Sarah Stevens is a clerk in a downtown St. Louis store. She lives in an apartment about a 15 minute drive from her job—in normal traffic. But at the time Sarah has to go to and from work, the streets are jammed with other St. Louisians, doing the same thing. It has taken her as long as 45 minutes to make the trip in her own car. So she takes the bus. It's not as much of a nervous strain and frustration, but since the bus has to travel the same route she would drive, plus making stops all along the way, the time she loses each day mounts up to a remarkable 300 woman-hours a year.

Arthur and Sarah are prototypes of all of us who are the creators and victims of problems that come with the concentration of people in urban complexes and megalopolis corridors.

Finding workable solutions to these problems is a top priority assignment for our society—government, industry and individuals. A lot of things have been tried, a lot of new directions in ground transportation explored. What works in one place often doesn't work in another. Existing equipment, rights of way and roadbeds, different factors in construction costs in different areas, different conditions of distances and peak periods versus off periods, all are elements in the problem of moving more people at greater speed—elements that vary so much from one place to another that a single, simple solution is impossible.

Japan has a "bullet train" that travels at 120 miles per hour between Tokyo and Osaka. But the same train couldn't operate at that speed on most of the rougher, more tortuous trackage in this country.

The Berlin "Aerotrain" in France performs beautifully on its almost vibrationless cushion of supporting air as it whisks along propelled by a turbine-driven fan. But to extend its eight-mile test track into a national transportation system is a job whose cost gives pause even to the descendants of the Sues Canal builders.

In all the industrialized countries of the world, experiments in new modes of mass transit—moving more people at greater speeds—are being tried with varying success.

Here in the United States, the problem of ground transportation has three clear-cut divisions. One is intercity travel in short to medium distances—New York to Washington, or Chicago to St. Louis, or Los Angeles to San Diego. This service calls for modern high-speed express trains from center city to center city. The second part of the problem is getting commuters from their suburban homes to the urban centers where they work, and back again. New York City, with the greatest number of daily commuters, has the nation's biggest headache in this respect, but every large city knows the pain.

The third aspect of people-moving problems is within the urban centers. It involves shifting millions of people around a relatively small area every day. Some cities, with varying degrees of success, use underground rail systems. Others depend on surface buses, with some experimentation going on in the direction of "buses only" traffic lanes. But no matter what system is now in use, the people who have to use it in most cities feel that it badly needs modernization or, if it is new, expansion.

General Electric has moved into an important position in the new field of mass transportation on the ground.

There are several good reasons for this move. First, GE has experience and proven capabilities in the technology of transportation. For more than 70 years, GE has been building locomotives for railroads. General Electric engineers have a vast background in the problems of moving people and things in large quantities on a regular basis. But today's requirements in mass transit demand an even more sophisticated handling. So from its experience in aerospace technologies, General Electric brings a systems approach to the design and assembly of many of the different kinds of vehicles that may become part of the new ground transit complexes.

Research is another area now being called on in the development of rapid transit. GE has an outstanding record of turning basic research into practical products that answer a real need. It has established a Transportation Technology Center that is unique in the industry. The center, at GE's manufacturing complex in Erie, Pa., investigates ways to put into operation the technical data that it generates itself and coordinates from other sources.

At General Electric's Erie TTC, new research facilities have been created to study the possible solutions to some of the toughest problems of current operations, as well as to provide hard data on pilot operations of proposed new equipment.

Here, for example, GE puts "trucks"—wheel, axle and drive assemblies—to the test in studies that simulate actual pounding of current trackage. A related vehicle suspension test gathers data on a system that actively counteracts the bounce and swaying of rail cars at high speed. By applying a pneumatic reaction to this kind of movement, the system dampens uncomfortable motion at its start. The result is not only a much better ride, but the ability to take curves at higher speed without danger and a reduced maintenance because of less pounding vibration.

Nearby, the LIM, or Linear Induction Motor, undergoes tests. A center track that replaces the rotor in a conventional motor operates with a stator that is stretched out flat alongside it. This technique provides direct line propulsion ideal for tracked air cushion or magnetically suspended vehicles. For test purposes, the track is rounded into a wheel so tests can be carried on in limited space, but the principle can be assessed as thoroughly as if it were operating on a track through the countryside.

In another section of the TTC, a full-size pantograph, the Z-shaped pickup device for bringing current from overhead wires into the train, helps in studies of the most efficient ways to bring electric power abroad moving trains.

Other research projects are under way on solid state control systems, higher horsepower motors, new types of liquid and air cooling systems and advanced materials and processes for a wide range of eventual uses.

All in all, GE's TTC provides the most complete advanced private research and development center the rail transportation industry has ever had available.

In its growing participation in mass transit, General Electric has moved from being a supplier of components to a position as prime contractor with a total systems approach to designing and building modern rapid transit, commuter and intercity cars. To carry out this complicated assignment, GE has constructed a brand new $14 million plant near the TTC in Erie. This highly-organized 350,000-square-foot facility is a great, cavernous structure which has massive capabilities for moving entire cars to various positions while extremely sophisticated subsystems become part of their structure. Quality control is almost a continuous operation, with major test points located at frequent intervals along the line.

At the entry point, car shells are mounted on dummy trucks for movement through assembly stations. But before any equipment is installed in the shells, they meet their first test, the high-pressure water chamber, equivalent to an over 100-mile-an-hour rainstorm. After this super shower proves they are free from leaks, they are moved into one of the four assembly lines. Highly skilled personnel are required because of the complexity of the electronics and the interrelated systems being installed. More than half of these employees are Vietnam veterans trained by General Electric, and their thorough involvement in their work, their attention to quality, are indications of the level of excellence in their final product.

Even with all the step-by-step quality control, finished cars still undergo additional severe tests. The entire car and its systems are plugged into a computer for a final checkout under simulated conditions. Also in a temperature test, cars are periodically subjected to an environment that passes from —20° to 110° F. with all electrical systems operating under constant checking.

In another unique facility, GE has constructed a four-mile test track where prototype cars are operated under severe test conditions. The new cars being delivered to New York's Metropolitan Transportation Authority and the Connecticut Department of Transportation for service on the New Haven Division of the Penn Central, for example, were prototype tested for more than 15,000 miles before the first car was released to the railroad.

All these facilities for research, development and production combine to give GE a competitive edge in the systems approach to solving mass transit problems. They are bolstered by the Company's ability to apply its products and experience in air conditioning, lighting, communications, computer sciences and other electronic applications, and to integrate component parts produced by various Company divisions. This capability in so many directions gives GE an unusual opportunity to rethink the whole design and construction of rail cars—to create a new generation of cars planned from the start for the most efficient relationship of structure, airflow, related placement of electronic equipment, ride characteristics and interior styling.

The people involved in transportation systems are excited about future possibilities. The federal government is steadily increasing its participation in long distance and local transport systems, as evidenced by the $10 billion Mass Transportation Act of 1970 and the more than 63 transport bills now under consideration in Congress Multi-state authorities such as those in the New York-New Jersey-Connecticut complex are developing broad plans to bring longer-range solutions to commuter bottlenecks. And cities across the country—from Boston, Washington and Atlanta to San Francisco—have shown willingness to make significant investments for urban transit systems. GE's new programs and facilities are ready for the growth all these developments will bring about, indicating excellent possibilities for future orders.

For the long pull, General Electric is in a strong position as a leader in the kind of research and development that is required to make major contributions to balanced transportation systems that are the goal of both local and national planners.

The concept is proving itself in practice. At present, GE has programs in intercity travel through its participation in the upgrading of the New York-Washington Metroliners. It is involved in commuter car production with contracts for 144 cars for the New Haven Division of the Penn Central, as well as a total of 330 cars for the Harlem and Hudson Division of that railroad and the Long Island (through the New York Metropolitan Transportation Authority) and 214 cars for the Southeastern Pennsylvania Transportation Authority and the State of

New Jersey. In urban rapid transit, GE is supplying all the electrical control and propulsion for the new subway cars being ordered by the New York City Transit Authority.

RETIREMENT OF SENATOR LEN JORDAN OF IDAHO

Mr. TUNNEY. Mr. President, I wish to join Senators in paying tribute to the distinguished Senator from the State of Idaho, Len Jordan, on his retirement from the U.S. Senate.

In the few years I have had the privilege of knowing Senator Jordan, I have found him to be an extremely thoughtful and considerate Senator. His hard and diligent work made him an outstanding Member of this body. His devotion and judgment is an inspiration to all of us. His lengthy and meritorious public service embodied those virtues which have made this country great.

I have learned much from my acquaintance with the distinguished Senator. I wish to tell him how much I appreciate the privilege of serving with him. His courage and leadership will always be remembered by all of us.

Mr. President, his home State and the rest of the country will miss his service. To him and his family, I extend my fondest wishes for a happy and long life.

SENATOR PHILIP A. HART OF MICHIGAN

Mr. COOPER. Mr. President, in recent years, a number of articles have appeared in the press commenting on the outstanding legislative work of the senior Senator from Michigan (Mr. Hart). I ask unanimous consent that these articles be printed in the Record at the conclusion of my remarks.

Senator Hart is a politician who gives hope and confidence that our representative government so sorely under trial will meet the challenges of our time. Senator Hart is one of the most decent men I have ever known. The essence of his character is integrity and an intelligent compassion for the people he represents and a deep concern about the responsibilities he bears.

Senator Hart has been a champion of many causes, and because of his intelligence, compassion, and sense of duty, he has been thrust into the leadership of many important movements that have taken place in the last decade. A student of the Constitution, and through his work on the Judiciary Committee, Senator Hart has led the Senate in the progressive legislation it has enacted concerning civil liberties and civil rights, and he has done this with a sense of fairness that all in the Senate respect and admire.

I came to know Senator Hart well during the ABM debate, when the debate began in 1968. Both he and I were not experts in the questions of nuclear weaponry, but it was in large part because of Senator Hart's belief that it was necessary to fully understand the larger significance of the ABM deployment decision, his understanding of how it could affect the peace of the world, our national security, and the possibilities to better the lives of our peoples that compelled him to accept a position of leadership in the ABM debate. I am very proud of our joint 4-year effort to lay in the Senate the foundation for a new policy of restraint in nuclear weapons. This new policy was effectively begun over 4 years ago and ratified at Moscow on May 26, when the SALT ABM treaty was signed. I am confident that Senator Hart will continue to press for further limitations on nuclear weapons and to support the purposes of the ongoing SALT talks.

Senator Hart's interest in foreign policy and military affairs arose, I think it is fair to say, out of his belief that it was necessary to assure that this country's security was fully and adequately provided, but that wasteful weapons systems should not be approved so that the valuable resources saved thereby could be used for vitally needed domestic programs.

Although I am a Republican and Senator Hart is a Democrat, I know that his views and legislative actions are not based on partisanship but on the convictions of his heart and the results of hard work and study. As I leave the Senate, I think it is clear that there will be in the next few years a number of very difficult and controversial issues which will test the courage and wisdom of the Senate. Yet, I am confident that when these troublesome questions of race, personal liberties, economic justice, civil rights, national security, and health, welfare, and education of our people come before the Senate that Senator Hart will provide the Congress compassionate and just leadership needed by this body and by the country.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Toledo (Ohio) Blade, June 27, 1971]

Senator Hart Insignia: Self-Depreciation, Firm Determination

(By Frank Kane)

Washington.—"Put down that he's a very orderly man," the senator said with a smile toward the stacks of paper covering the top of his desk.

This is typical Philip Hart. It's the kind of gentle self-depreciation that you expect from the Michigan senator, who when his aids were preparing the usual "authorized" biography of him interlarded it with his own little remarks designed to remove some of the puffery.

For example, the biography claims that Senator Hart and Rep. Henry Reuss (D., Wis.) were the first to discover the potential use of the Refuse Act of 1899 as a legal weapon in the fight against water pollution.

Senator Hart inserted: "More accurately, it was Reuss' shovel that first struck the old act's coffin. I got there only in time to dust it off."

The same office biography states that all the three successful Hart campaigns for the Senate (the last was again Lenore Romney in 1970) have been conducted in a courtly, low-keyed, "issue-oriented" manner.

Senator Hart's comment was that since he had never had an ill-mannered opponent, "my sense of restraint has never been put to any serious test."

Speaking at the graduation ceremony of one of his sons from a Washington school, the senator told the seniors:

"Don't believe you are the sole possessor of truth. The mark of a really responsible person is tentativeness. Only a fool jumps up and says he knows the answer . . . Arrogance only diminishes your effectiveness."

That lack of arrogance, however, is coupled with a firm determination to do what he believes is right.

He was a leader in the long, successful battles to block the Haynsworth and Carswell nominations to the Supreme Court, to pass and later prevent from being gutted the Voting Rights Act of 1965, and to win the establishment of Sleeping Bear Dunes National Lakeshore which some day may become a tourist and recreation magnet for millions of urbanites of Michigan, Ohio, Illinois, and Indiana.

At times Senator Hart has been described as the "leader" or "spokesman" for northern Democratic liberals in the Senate, but he also has been the first to reject such a title, saying that "it means nothing; the hallmark of liberals is to march in nine different directions at the same time."

He also has won some renown as a consumer advocate through sponsorship of "truth-in-lending" and "truth-in-packaging" legislation and his conduct of Senate investigations into such areas as drug prices, gasoline prices, auto insurance, and auto repair costs.

He has not been mentioned as a potential contender for the 1972 Democratic national ticket. This not only makes him somewhat more accessible and less nervous than many of his colleagues but it also lends a greater air of sincerity to what he says.

Here are a few questions and Hart answers:

Does he have any basic personal philosophy that guides him as a senator?

Answer: "No." (This throws you a little and you wait.) Then:

"Like every other job, you thought there was a lot more in it before you got here. Your committee assignments (Judiciary on civil rights bills, judicial nominations, and anti-trust matters, and Commerce which gets into a lot of consumer fields) controls where you put in the bulk of your time.

"But in recent years the trouble is that I feel that we're busy with a lot of problems, and the people who have the real problems are very low on the list of items we're fussing with."

He talked about spending a morning in the Commerce Committee listening to financial complaints from presidents of airlines who say they are "losing their shirts financially. If you are president of an airline, you know damn well you have a problem."

But what about the "guy who doesn't even have enough money to get to the airport?" Or the malnourished child? Or the child who was born with brain damage because his mother lacked a proper diet?

The senator is pessimistic that the Senate will ever direct itself to "the men and women who have the great problems." Those "who have the means to get here, the status to get in, will be listened to, and it probably always will be that way. Only rarely is pressure heard from those who are faceless and voiceless."

This is what makes the system so vulnerable to criticism from the youths of America, he adds.

Is that why he got into such consumer fields as auto insurance and auto repair? Sure, that's part of it.

"But it would be really reaching to say that I got into it because I asked myself, 'What are you doing for the guy who isn't around here all the time to be heard?' " The committee assignments had a lot to do with it.

What does he sense about the current mood of America?

Both the Kerner Commission (on racial riots of 1967) and the Eisenhower Commission (on causes and prevention of violence) have told us what's wrong with American society, he responded.

"But we haven't done a damn thing. We know what we have to do—have people living in decency, getting enough to eat, improve the delivery of medical care, get rid of the residue of slavery . . . These would be the marching orders for my administration."

He added that he doesn't know whether "a guy could be elected president" with such a program, "but it would be great to have one try. It's altogether possible that people would respond to him."

On the other hand, you read in newspapers about the people in suburbs who get caught up in violent disputes about whether to let low and moderate-income housing come in—"that would argue that the mood is not good."

But at least it's encouraging that Vice President Spiro Agnew did not do very well with a hard-nosed approach last year, he indicated.

Does he see anyone on the horizon who would run for the presidency on the "marching orders" he mentioned?

No. I'm for Muskie but I can't imagine him campaigning that way. But as president he might do something."

Mr. Hart added that Senator Muskie will speak out against the growing danger to Americans through intrusions on their privacy by government and "that's part of the mood."

Senator Hart complained about laws authorizing wiretapping and preventive detention that Congress has passed, sometimes with very few dissenting votes, and added: "Whether the mood has actually stilled anyone's voice I don't know, but it certainly doesn't encourage unpopular speeches."

What about new civil rights laws? Legislatively, just about all that can be done has been done and some of it, such as the Voting Rights Act, has produced some very identifiable results (in the number of Negroes registered to vote, for example). Now there should be emphasis on getting funding and the right kind of people to enforce the laws.

But we ought to be able to find a way so that the more sophisticated forms of discrimination in housing, such as through zoning, are not practiced—could that be done legislatively?

"One method would be to withhold all federal funds for any purposes unless the potential recipient has a land-use plan which affirmatively provides for low and moderate-income housing. But that might be unconstitutional since it can be argued that land usage is a function of local government."

Besides, when you cut off federal aid for education, you penalize the school child, or federal aid for hospitals, the sick. The same thing applies to many federal aid programs.

Yet "how do you visualize ever busting up the ghettos unless you open the suburbs? Maybe the urgency of opening up housing would justify it (cutting off federal aid), but you'd have to be damn sure that it would have the proper effect before you did it."

A couple of subjects that we did not discuss were the senator's beard and his wife, Jane Briggs Hart, otherwise known as "Janie."

Until a few months ago the senator looked considerably younger than his age, 58. Now, with the beard, he looks considerably older.

He grew it at the suggestion of a couple of his sons, one of whom returned home from college with a beard. The idea was that if he won re-election, the whole family would take a month off at their home on Mackinac Island in November and December when nobody but a few deer-hunters might be around and he would * * *.

Instead, Congress was called into session after the election and he was forced to suffer the remarks of his colleagues during those painful early days of sprouting whiskers.

Now he says that he is not conscious of it, except when someone in an airport or other public places stares at it with obvious disapproval. But if the Washington summer turns typically steamy and he starts to sweat under it, off it will come.

As for Janie, the member of a millionaire Detroit auto parts manufacturing company family, she won some fame for being arrested in a peace demonstration at the Pentagon.

That arrest is still being appealed and now is before the federal appellate court on which sits one Judge Clement Haynsworth, Jr.

Meanwhile, Janie continues to manage affairs of the considerable Hart brood (four sons and four daughters, aged 13 to 23) and studies for a master's degree in anthropology at George Washington University.

We talked a little about auto repair and auto insurance. The senator, while unwilling to concede dropping anything from a package of bills he has introduced on the subjects, did say that he expects Congress to establish some kind of federal guidelines for establishment of "no fault" auto insurance in the states.

He also feels that authority will be given to the Department of Transportation to set standards of repairability or damageability for cars. Theoretically this should result in a reduction or at least leveling of the cost of auto insurance in future years.

But he also cautions that he doesn't really know what will happen until "we get closer to a head count" in the congressional subcommittees dealing with the subject. Typical Hart tentativeness.

[From the New York Times, May 20, 1968]

SENATE LIBERALS TURNING TO HART—MICHIGAN DEMOCRAT HELPED IN PASSING RIGHTS BILL

(By John W. Finney)

WASHINGTON, May 19.—Senate liberals, disorganized since Herbert H. Humphrey left in 1965 to go to the Vice-Presidency, appear at last to have found a leader in Senator Philip A. Hart of Michigan.

Twice this year, in an essentially conservative, economy-minded congress, Senator Hart has succeeded in organizing the liberal forces to push through the Senate legislation bearing a "liberal" stamp.

Probably more than any other Senator, he was responsible for the Senate's adoption of a broad civil rights bill including an open-housing provision.

And in the aftermath of the racial disturbances last month, it was Senator Hart who countered and perhaps "defused" the latent "backlash" sentiment in the Senate by successfully sponsoring a three-year, $96-million program aimed at providing meals to preschool children in poverty areas.

Perhaps as important as these legislative achievements, however, is the approving way members of the Senate Establishment—conservatives and liberals alike—are talking about Mr. Hart in the privacy of their offices and cloakrooms. As he approaches the end of his second term, it is apparent that by the unwritten social rules of the Senate, the Michigan Democrat has been initiated into the inner "club" of the Senate.

"Phil is a man we can respect and work with," commented one influential Southern conservative.

"When I need the liberals' votes, I now look to Phil," observed a moderate leader.

The Administration also is looking to Senator Hart for help. When it needs someone to champion one of its liberal causes, such as the civil rights bill, it has been turning more and more to Senator Hart as floor manager.

The liberal block in the Senate, numbering some 15 to 20 members, does not lack for potential leaders of the past such as Mr. Humphrey or Senator Clinton P. Anderson, Democrat of New Mexico. The powers in the Senate give approving nods to such "comers" as Edmund S. Muskie of Maine, Fred R. Harris of Oklahoma, Walter F. Mondale of Minnesota and Joseph D. Tydings of Maryland.

But none of these potential leaders has yet stepped forward at the head of the liberal bloc, either because they lack the seniority or because they have their eyes on the Senate leadership and do not want to become too closely identified with liberal causes.

It was more by default than choice that Senator Hart, 57 years old, assumed the mantle of leadership of the liberal bloc. A diffident, almost shy man who has difficulty even shaking hands with voters on the campaign trail. Senator Hart would be the last to assert that he was the leader. The most he will acknowledge is that he has become "sort of a nerve center" for the liberals.

Paradoxically, however, it is partly because of this diffidence that he has come to be respected and regarded as the liberal leader by the rest of the Senate.

"One of his great strengths," a fellow member commented, "is that he is not a steamroller but basically a thoughtful, tolerant guy whom no one dislikes in the Senate."

For the leadership post, he also has the advantage of being a champion of liberal causes but not so doctrinaire that he exasperates the moderates and the conservatives in the Senate, as do some of his fellow liberals.

His low-keyed approach to the leadership at times causes reservations among some of his fellow liberals. At the outset of the debate on the civil rights bill, for example, there were private grumblings among some of the liberals about the "indecisive" leadership being offered by Senator Hart as floor manager.

But it was Senator Hart's idea that if the bill was to be approved, "we will have to take it through the Senate in our stocking feet." For eight weeks he sat in the majority leader's chair. Patiently listening to the Southern objections, sometimes responding in low-keyed rebuttals.

All the while he kept pressing the majority leader, Mike Mansfield, for closure votes to cut off the Southern debate. It was largely out of personal respect for Senator Hart that Mr. Mansfield permitted four different attempts at closure—something that had never been done before on a single bill.

After World War II service, Mr. Hart started off as a lawyer in Bloomfield Hills, a Detroit suburb, married Jane Briggs, the daughter of a wealthy Michigan family, and was enlisted into politics by Gov. G. Mennen Williams, a law school classmate.

In his self-effacing way, he has tended to stay in the background of the Senate since being elected in 1958. As one Senate leader commented: "You have to go look in the corners to find Phil."

[From the Washington Post, May 23, 1968]

UNDERMINING DUE PROCESS

The Senate has struck a grievous blow at the Supreme Court—and through the Court at the basic idea of constitutional government. Thanks to the splendid work of Senators Hart and Tydings and the awakened consciences of other Senators, the blow was not so deeply wounding as Senator McClellan and the other proponents of Title II of the crime bill meant it to be. But in all conscience, it is bad enough. If the portions of Title II approved by the Senate on Tuesday become law, they will do much more injury to honest men than to criminals; they will curb due process much more than they will curb crime.

Constitutional government is a form of government the components of which are circumscribed in power by a fundamental charter. The restraints fixed by the United States Constitution, as Alexander Hamilton asserted in *The Federalist* nearly 200 years ago, "can be preserved in practice no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing."

Happily, the Senate shrank from endorsing Senator McClellan's malign intent to strip the Supreme Court of its power to overturn the rulings of State courts. "I do not think the United States would come to an end," Mr. Justice Holmes once wrote, "if we (the Justices of the Supreme Court) lost our power to declare an Act of Congress void. I do think the Union would be imperiled if we could not make that declaration as to the laws of the several States." And the same must be said, of course, about the rulings of State courts which have the effect of laws.

The Senate did not scruple, however, to retain in Title II other provisions designed to reverse recent Supreme Court decisions regarding the admissibility in criminal prosecutions of confessions and line-up identifications. These decisions were made by the Court to protect vital constitutional safeguards—specific guarantees of the Bill of Rights. They imposed restraints on the police in interrogating arrested persons in order to prevent arbitrary arrests on mere suspicion, in order to preserve the privilege against self-incrimination, in order to make real the right to the assistance of counsel.

These are not trivial matters. They are of the very essence of liberty. How else are they to be assured to all Americans than through a Supreme Court empowered to declare invalid any actions by inferior courts transgressing these guaranties?

What an irony it is that the men who led the Senate into acting as a super-court are the very men who have been most noisy and vociferous in asserting that the Supreme Court has acted at times as a super-legislature. And what an added irony it is that they are men who, in the main, are considered, and call themselves, conservatives. They are much more in a rage to destroy than a fervor to conserve.

In a panic about crime, they have chosen a scapegoat instead of a remedy. In place of the patient measures needed to strengthen law enforcement, they have chosen their own form of court-packing. Perhaps the country will have to look to the Executive to save the Judicial Branch of the Government from the Legislative as it once, 20 years ago, looked to the Legislature to save the Judiciary from the Executive.

[From the Flint Journal, Dec. 7, 1971]

A Look at Hart

The heat is on Phil Hart, and to the intense frustration of some of his constituency he doesn't show the slightest sign of wilting.

To hear some of them tell it, Michigan's senior member of the United States Senate has perversely taken the wrong side of every important issue that has come along in the last year or so. And now they are attempting to turn the screws on him.

The current effort to recall Hart is mainly a reaction to his positions on the highly emotional issues of busing and gun control. To some extent, this campaign represents a veiled effort to set the stage for political profit in the 1972 election (when Hart will not be on the ballot). But it represents, also, much genuine concern.

Whatever the reason for its support, however, this recall drive takes the shape of a bludgeon to be used on a man who—right or wrong—has never arrived at a position casually and who cannot be frightened by political threats into shifting gears.

We are convinced that Hart would much prefer recall to knowingly taking a course he believes detrimental to the nation and his constituents.

Anyone who believes that Hart will squirm under this new pressure and run for safety hasn't been paying attention the last 18 years. Today's Hart—enveloped in controversy because he dared touch sensitive nerves—is the same Hart who was returned to Washington in 1964 and 1970 with rousing votes of confidence.

Over the years he has proved himself one of the most thoughtful, consistent members of the Senate—one who does not play political games with important issues, one not afraid of the unpopular stand, one who does not permit the uncertain winds of public opinion to sway him from what he determines to be the right course. His present positions on vital domestic issues should surprise no one, for the signs were clear far in advance.

It is the matter of public opinion on which many apparently are basing their cases against Hart. Supposedly, he is going against the "will" of the voters.

Those who hold firmly to this position, to the point of launching and pushing recall movements, should be reminded that our nation has not yet achieved government by public opinion polling. And it is hoped that it never will, for the hazards are many.

Our legislators are chosen more for their wisdom than their ability to read the collective mind of a divided public on every controversial issue. They are extensions and magnifications of the public's power to reason rather than mirrors of its diverse and contradictory viewpoints. In the final analysis, it is judgment that counts.

If a lawmaker offends too many persons while exercising his judgment, he can be turned out when his term expires and replaced by someone else whose judgment will then be tested. That's the way the system works and, all things considered, it has not worked badly.

The Journal has on occasion differed with Hart, and almost certainly will do so again and tell him so. No public official is infallible.

In the case of Hart, disagreement does not diminish respect.

Hart and Kids From Michigan See Some Solace in ABM Vote

[From the Michigan Press, Aug. 9, 1969]

Washington.—After the ABM votes, the five kids from Michigan sat silently on the capitol steps, bathed in sadness and the warm and waning sunlight.

For six months they had worked their hearts out for the Michigan Stop ABM Committee. And on the eve of the vote they had flown to Washington on their own money to be in on the high drama.

Al Frank, a Wayne State student from Bloomfield Hills and state coordinator for the Stop ABM Committee, was the leader of the group. The others were Ed Bruley, of Mt. Clemens, an 18-year-old student at Sacred Heart; Kathy Gille, of Grosse Pointe Woods, from Our Lady Star of the Sea; Joyce Hightower, of Detroit, a Henry Ford High School student, and David Fink, 16, of Oak Park, president of the Oak Park High School student Council.

For four hours they waited in the long lines with the tourists outside the Senate gallery. Only Al and David were able to get in to watch the final, crucial votes.

What was happening on the Senate floor was confusing even for the old hands in the press gallery. But they understood. They knew in advance the votes they had; they knew that Margaret Chase Smith was sweetly playing both sides against the middle; they knew when Clinton Anderson of New Mexico and John Williams of Delaware refused to budge that they had been beaten.

But until the last moment they had hope that this one time the Senate would do the unexpected. So when it was over and they had lost and reporters and tourists and lobbyists were scurrying away from the chamber, they sat near the spot and wondered if all their work had been worth it.

South Carolina Sen. Strom Thurmond came by smiling with satisfaction. And as the kids looked at the face of a winner and recalled all the lost causes in their young lives, they had to suppress within them a small urge to violence.

"This is the stuff of which cynics are made," one of them said.

And Al thought; "when you look at who is winning these days, it doesn't reinforce your desire to work within the system."

"It seemed as if we'd always be losers," said David. "Some of us supported McCarthy. Some worked for Bobby Kennedy. Some backed Humphrey. And we all worked against the ABM. It was depressing."

When they roused themselves from their reverie in the shadow of the Capitol dome, it was late—after seven. But they wandered over to the old Senate Office Building, which in Washington is fondly called the old S.O.B.

They found the office of their hero, Michigan Sen. Phil Hart, who planned and led the campaign against the ABM. His door was locked, but they waited until he came down the high-ceilinged, marble corridor with a couple of aides and his wife, Janie.

Hart invited the kids into his office, and the senator, his wife and the kids talked of their defeat. Hart was deeply disappointed, but he smiled through it, stoical and ready for new battles against other dragons from the Pentagon.

Hart's talk softened the blow of the day for the kids. His implicit faith in the system, though it frustrates him at times, was contagious.

Despite this loss, the fact that the Senate had gathered unprecedented strength for an unprecedented challenge against a new weapons system was, for Hart, a large step forward.

David came away from his day saying: "So they'll deploy ABM, but it's not the end of the world. Maybe the close vote will mean some of the money will be cut. Certainly Congress will look closely from now on at new weapons. So something good did come of this:

"It's been hard sometimes, but I've always had faith in the system. For me its the only way things can get done, and it's the same with the rest of us.

The kids are back home now, working in some of the city races, trying at least once again to stay in the system.

[From the Detroit Free Press, Sept. 21, 1970]

War of the Words

About the only one who came out of the confrontation between Vice President Spiro Agnew and the hecklers at Saginaw last week with added sheen was Phil Hart. The Senator had the good grace not to reply in kind to the vice president, but instead to defend Mr. Agnew's right to speak without being shouted down.

The senator's defense of the First Amendment against the hecklers was not only politically astute, but was grounded on better principle than what the vice president said or the hecklers did at the airport rally.

Though we've disagreed with Sen. Hart on occasion, we scarcely think he deserves to be called a radical. The vice president should be censured for such loose talk, even under the rather free rules of a political campaign.

But it was not Mr. Agnew who did the most damage to the American political process in his Wednesday appearance, a point Sen. Hart was quick to recognize. The greater damage was done by the gaggle of hecklers who tried to drown out the vice president. Mr. Agnew was not the first public official to be shouted down in recent American history; he was at least the 913th in the past five years.

Even so, the hecklers not only offend the tradition of tolerance for even an unpopular point of view; in addition, they distort our political debate. A skillful wordsman such as the vice president can—and did—take the hecklers and wrap them around his adversaries' neck, along with all other sins since the original one.

As Mr. Agnew says, with enemies such as these, how can he lose?

We would like very much for the vice president to tone down his rhetoric. We don't think he shows "a decent respect for the opinions of mankind" with his six-syllable epithets and his antediluvian alliterations, nor does he earn respect for the administration he represents.

But with those inane shouts of "Sieg Heil," the hecklers do even more than he does to keep the debate at the gutter level. And they don't even do as much to embellish the vocabulary, to which Mr. Agnew has made more of a contribution than anyone outside the Reader's Digest.

[From the Free Press, Sept. 19, 1970]

Hart Blasts Saginaw Protesters

(By Clark Hoyt)

Democratic Sen. Philip Hart has condemned anti-war protesters who shouted obscenities Wednesday at his Republican opponent, Lenore Romney, and Vice-President Spiro T. Agnew.

"There are a few people in this country who seem to have perfected all the bad manners possible," Hart said Friday, "and many of them turned up in Saginaw the other day."

Mrs. Romney and Agnew were subjected to taunts by several hundred demonstrators at at a Saginaw airport rally in which Agnew denounced Hart as a "radical liberal" who should be ousted from the Senate.

Hart defended himself against Agnew's political attack but said the vice-president had a right to speak—and be heard.

The abusive chants that interrupted Agnew's speech several times were "insults to all of us," Hart said.

The senator added: "There is an old word, 'civility.' I think it is the mark of a gentleman and gentle lady—and I think it was certainly absent there."

In response to Agnew's political attacks Hart told reporters at a Detroit news conference: "I didn't expect him to endorse me."

Then, his voice filling with emotion, his manner growing more intense, Hart added:

"I wonder which is more radical—joining up with other Republican and Democratic senators in attempts to end a war that was never declared, or an administration which sends its army across a national boundary without even consulting Congress.

"I wonder who's the big wasteful spender—the Congress that cuts more than $6 billion out of what the President asks for, or the President who asks for $6 billion more than he got."

[From the Detroit Free Press, Aug. 9, 1969]

As We See It: ABM Battle Was Lost, But Not the Whole War

Both sides can truly claim a victory in the long and bitter Senate fight over the Safeguard ABM system.

By a vote of 50–50, with Vice President Agnew casting an unnecessary tiebreaker, the Senate defeated an amendment that would have halted the Safeguard system altogether. Then a second amendment that would have permitted research and development but not deployment of the Safeguard was rejected 49–51.

These two votes meant the system had been approved, but they were not the "high-water marks" of ABM opposition, as Sen. Mike Mansfield, the Senate majority leader, had predicted. Solace for the losers came when the Senate voted to make all major Pentagon contracts subject to independent audit by the General Accounting Office.

Thus Mr. Nixon has won precisely what he asked for, though he was forced early in the game to scale down the ABM program proposed last year by President Johnson, and he had his wrist slapped on the auditing bill.

At the same time, he suffered a strategic defeat. Here he is in the first year of the term, staking his political future on the outcome, and 14 members of his own party turned thumbs down. The sponsor of the first amendment was a Republican, Sen. Margaret Chase Smith. The co-sponsor of the second amendment, along with Sen. Phil Hart, was also a Republican, Sen. John Sherman Cooper. And the auditing bill was sponsored by Sen. Richard Schweiker, also a Republican.

Those who lost the debate and the floor votes may also have won the war. To us the most significant aspect of the vote was that for the first time since the fall of 1940, when the House voted to extend the draft by a one-vote margin, the military has been seriously challenged.

Since the ABM is purely a defensive system, it is not the lethal threat to Russia or China that more Minutemen missiles might have been or MIRVing our present missiles might provide. But it was a key test both of our domestic priorities and our foreign intentions and as such was a test of the power of the Pentagon.

From the days before Pearl Harbor until now, what the Pentagon wanted it got. The Armed Services Committee has automatically approved both proposals and money requests put forth by the Pentagon, whether for missiles that wouldn't safeguard us or airplanes that won't fly. And the American public simply because the issues are so complex and technical, has blindly and mutely stamped its okay on what the Pentagon wanted and Congress provided.

If this was a high-water mark for ABM opponents, it was probably the high-water mark of Pentagon power too. The Senate Armed Services Committee split on its recommendations which might make the Pentagon more wary in the future. Three of the four senators from South Dakota and Montana, where the Safeguards are to be installed, opposed the system, showing that bribery is no longer enough. And congressional mail showed an outpouring of public opposition, making Congress more aware of its responsibilities.

The quiet lions in the Senate, the Harts, Mansfields and Coopers, did not slaughter the Pentagon. But they did taste the blood of the military mentality, and their appetites should be whetted.

[From the Detroit Free Press, July 7, 1969]

Approaching Armageddon

The armies are forming ranks for the showdown Senate battle over President Nixon's Safeguard ABM system. The President has the edge, Saul Friedman of our Washington bureau thinks, but you can't convince Sen. Phil Hart, who commands the opponents.

The President does indeed have the political weapons. He has the military lobby on Capitol Hill, led by Sen. Stennis and Sen. Russell. He has fear going for him, which he used well by rattling Russian rockets at his recent press conference. And he has normal public apathy, which readily assumed that in such complicated matters as national defense the President must always know best.

But Sen. Hart also has his heavy artillery Sen. Symington, a former Air Force secretary, knows more than most about Soviet arms and the worth of the ABM. He has foreign affairs experts like Sens. Fulbright and Mansfield, who can talk about arms control and the cold war. He has Sen. Kennedy, who wins votes with his calls for a new war on poverty. And he has at least a full half of the nation's scientists who have now developed a new argument to go with the old one that the ABM probably wouldn't work.

The old one is still valid, of course, and the cost has now gone up from $6 billion to $11 billion. Given the Pentagon's record for cost estimates, a final figure of $20 billion might not be out of line. And nobody would still know whether the thing would work.

Even more damaging to the Safeguard plan, it seems to us, are two other arguments. Supporters say that Russia has already deployed ABMs around Moscow. But the Safeguard system is three times as big as Russia's, the scientists point out. A new ABM arms race would almost certainly be added to the MIRV race, if Congress doesn't stop that one too.

Finally, three scientists from MIT, all recognized experts in the field of ballistic warfare, have analyzed the statements of Defense Secretary Laird and come to the conclusion that the ABM is worthless.

The three said that, according to Laird's own testimony before a House committee, it would take the United States five years to build the Safeguard system, and Russia could build enough missiles to offset it completely in three months. "This," as Sen. Kennedy put it, "hardly argues that the ABM is a wise expenditure."

Meanwhile, what happens to the cities? What happens to inflation? What happens to air pollution, water pollution, education?

Sen. Hart says he doesn't expect the debate to change many minds. He is probably right. But the balance is so close in the Senate that even one or two can make the difference.

The potential ramifications of the ABM decision are so enormous that if Phil Hart isn't standing at Armageddon, he's not far from it.

[From the Louisville Courier-Journal, Mar. 22, 1969]

Makes a Timely Point on Rights

Senator Hart of Michigan gave a much-needed reminder of what the Bill of Rights means in a hearing on Capitol Hill this week. Attorney General John N. Mitchell, in testifying before a Senate subcommittee, criticized a recent Supreme Court decision on electronic bugging and wiretapping. Mr. Mitchell said the court's requirement that the government open its logs of illegal "bugging" to defendants jeopardizes the national security and in some instances "the very life of witnesses."

That is an extreme interpretation of what the decision would do, a variation on the knee-jerk complaint that court decisions protecting certain rights of defendants makes the policeman's lot more difficult.

Senator Hart challenged Mr. Mitchell's contention, saying law enforcement officials "ought to remind the public that restriction on police is the purpose of the Bill of Rights."

The Senator added: "Merely responding to a court decision by saying that it makes it more difficult (for police) doesn't add to public enlightenment."

THE HEAT OF THE ISSUE

Mr. Mitchell's testimony certainly did not add to public enlightenment. He didn't mention the primary reason for the Justice Department's concern about the ruling, and that is the fear that opening of bugging logs would reveal that many foreign embassies in Washington are being bugged, which we have never admitted doing. Thus, under the new ruling, if a defendant ever had reason to phone one of the embassies, the government would have to acknowledge the tap publicly or drop a prosecution involving any bugging or wiretap evidence.

Because of this questionable practice the Justice Department is over-reacting to the court decision, which rests on two basic tenets of law in this country. One is the adversary system, the contest between two more or less equally equipped attorneys as a device for getting at the truth. The other basic principle is that when the government takes an accused to court on a criminal charge, it must not be permitted to profit, directly or indirectly, from its own illegal conduct.

Mr. Mitchell is arguing for special departures from these traditions. His case is not persuasive, especially in view of the 1968 Crime Control Act. This makes court-authorized eavesdropping legal in some instances, and therefore presumably not subject to the full disclosure ordered in the court decision for earlier cases.

[From the Detroit Free Press, Mar. 9, 1969]

Can Michigan's Phil Hart, American Senator, Remain Pure—And Be Powerful, Too?

(By Saul Friedman)

Gibbon's Decline and Fall of the Roman Empire: "It was on the dignity of the Senate that Augustus and his successors founded their new empire . . . In the administration of their own powers, they frequently consulted the great national council, and seemed to refer to its decision, the most important concerns of peace and war . . . Augustus was sensible that mankind is governed by names; nor was he deceived in his expectation that the Senate and the people would submit to slavery, provided they were respectfully assured that they still enjoyed their ancient freedom."

Lyndon B. Johnson, a latter day Augustus, gave Phil Hart his first lesson on how to enjoy being a United States Senator.

The lesson was administered in January, 1959, just after Hart came to the Senate. Hart still recalls the incident, perhaps because it was the first of the hundreds of little initiation rites for the new boys of the Club.

"It was the evening of the first roll call, which was to be a test of the leader's strength. But I didn't know it," Hart says. "You're always supposed to vote with the leader when he wants to adjourn out of trouble. I wasn't ready to quit, so I voted against the leader's motion to adjourn."

The next day, Johnson wandered over to Hart's little desk in the back of the Senate chamber, towered over him and drawled quietly: "Senator, let me tell you a little story. When Sam Rayburn first came to Congress, the Speaker told him: 'Young man, you vote against the leadership whenever your conscience or the interests of your state require it. But don't do it very often and don't do it on anything important.' "

Hart, a little shaken, told Johnson he understood. But he didn't really get the message, because he drew himself up and added politely: "Don't count on me."

The imperious Democratic leader walked off and we can only surmise that he probably wondered whether the quiet little man from Michigan was going to be another one of those do-good-but-accomplish-little liberals, or learn another Sam Rayburn dictum Johnson was fond of quoting: "You got to go along before you can get along."

There are those in the Senate who never learned. And as majority leader, vice-president, and President, Johnson had little to do with them.

In 1957, for example, William Proxmire, a Democrat, was running in a Wisconsin special election for the Senate seat vacated by the death of Joseph R. McCarthy. Johnson was the most powerful figure in the party, then out of the White House, and he used his influence to funnel funds, some from the oil industry, into Proxmire's campaign. After Proxmire won, Johnson met him at the Washington airport, to give him a hero's welcome, and begin buttering him up.

Within a few weeks, Proxmire tried to start a rebellion against Johnson's leadership, and charged the Texan with being dictatorial, which he was. From that time on Johnson saw to it that Proxmire didn't get a thing in the Senate. He barred Proxmire from committees he wanted, even if it meant asking a senator with more seniority to move from one committee and onto the one Proxmire wanted. And Johnson always called Proxmire "Senator Pismire."

It was natural for Hart to have been a bit defiant. There was no love for Johnson among Michigan's Democrats. It may pain some of them to remember it now, but at the time they believed Johnson stood for all that was archaic and evil in the Democratic Party. But that was long ago, when they were the crusaders for what is now called New Politics.

Hart and the leaders of the party that elected him were devout liberals, and their political idols were G. Mennen Williams, Adlai Stevenson, Paul Douglas, of Illinois, and Hubert Humphrey, of Minnesota.

These were the kind of men who had guided Hart's views and his career. So it was to be expected that he should look to such liberals for leadership in the Senate.

But eventually Hart discovered, to his deep dismay, that most of these men, even a giant like Douglas, were frustrated and almost without effect in the Senate. The seniority system, the musty rules and traditions of the Senate got in their way. And the clique led by Johnson and the late Robert Kerr, of Oklahoma, was all-powerful.

What disturbed Hart most, however, was the inability of the liberals to put aside their fervent and often dogmatic idealism, and work with and within the system of the Senate—to change it, to become effective, to win even the smallest victories, and to serve their constituents.

This is what Johnson was talking about in that little lesson on the Senate floor. And although it took him a long time, he learned it.

A small incident in the fall of 1966 will illustrate how well Hart has learned the folkways and games of the Senate.

Sen. James O. Eastland, a Mississippi Democrat and an archetype of the porcine, cigar-chomping southern racist, was running for reelection. As chairman of the Senate Judiciary Committee he was also in on the kill of the civil rights bill that year, for which Hart was floor manager.

A leader of Senate civil rights forces, Hart arose in the chamber one day to denounce Eastland as an obstructionist enemy of all civil rights legislation. Hart's language was unusually harsh.

It seemed a courageous thing for Hart to do, for Eastland was his chairman and a very influential member of the Senate. One of Eastland's allies, Sen. Sam J. Ervin, a North Carolina Democrat, arose to reply to Hart and defend his colleague from Mississippi.

But as Ervin began speaking, Eastland sidled up to him and whispered loudly: "Damn it Sam, sit down and shut up. You're ruining the whole thing."

Hart's speech, it turned out, had been written by Eastland's staff. It was to be circulated in Mississippi to help Eastland win against a Republican who charged he was too soft on the Negro issue.

Eastland and Hart still chuckle over the incident. And Ervin, because he was taken in by it, gets a belly laugh out of remembering it.

It also helped give him a fondness for Hart which is reserved for no other liberal northerner.

"There are few men in the Senate with whom I disagree more, or have greater affection for," Ervin said of Hart. "Some folks around here believe that if you entertain views hostile to their own, there must also be a personal hostility. Senator Hart is unfailingly a fine gentleman."

Ten or even five years ago, Hart would have thought such a charade repugnant and dishonest. Most of his old idols would never have taken part in it. And yet it was not dishonest.

He agreed with every word in the speech. Indeed Hart could not have made it on his own without expecting some kind of retribution from Eastland. It is rare for a senator to denounce another, much less his committee chairman. Eastland would probably have been elected without the speech, but as it was, Hart's favor made Eastland slightly beholden.

Two years later, under Hart's guidance, the civil rights bill passed, with a minimum of trouble from Eastland. And with Eastland's help Hart has had little difficulty getting federal judicial appointments in Michigan through his committee.

Just before the end of the 90th Congress, when Lyndon Johnson failed to get confirmation for his appointment of Justice Abe Fortas as Chief Justice, he told Hart he could have the nomination.

But there wasn't enough time left in the session and the idea died. Although the hostility towards Fortas' liberal views was high in the Senate and the Judiciary Committee, if there had been a couple of weeks left before adjournment, Hart's nomination could have been approved.

Eastland quietly told Hart he would not oppose him. And Ervin, a constitutional conservative, said later even he might have supported Hart despite their opposite views on recent decisions of the Supreme Court.

The nomination of Hart never came about, but it would have been ironic. Johnson, who once wondered if Hart would ever become his kind of senator, was ready to elevate him to the Supreme Court, partly out of gratitude for his fight in the Senate on Fortas' behalf. And Hart, who for years was miserable in the Senate and dreamed of a Supreme Court nomination, discovered somewhat to his surprise that he didn't want to be on the court after all.

He understood his role in the Senate. He had become a member in good standing of its Establishment, the club within the club. For the first time he was happy at his work, and good at it.

Having discovered this and come to terms with himself and the "great national council" called the Senate, Hart is now reaching towards the height of his powers.

His Judiciary subcommittee on anti-trust and monopoly is one of the most important in the Senate, and Hart has become a spokesman for those who challenge corporate windmills. In separate stories in one magazine, Hart was quoted three times in a single issue as the Senate authority on the practices of big business.

Before Hart became chairman of his subcommittee, it was run by the late Estes Kefauver, of Tennessee, a flamboyant and gutsy fighter who was more suited to playing Don Quixote. He took on drug companies and crime syndicates in hand-to-hand combat that propelled him to prominence and a place on the 1956 Democratic ticket.

After Kefauver's death, his staff was so disappointed with Hart's gentle, judicial style, many called him "chicken Hart" and "faint Hart." Yet beneath Kefauver's bombast, there had not been much significant legislation. And Hart, like Kefauver, was confronted with a conservative majority on his subcommittee, which limited any liberal, trust-busting action.

Nevertheless, Hart was pushed forward with an impressive list of hearings which exposed seamy practices in big business. In the past couple of years the medical profession has begun to restrict the practice of physician-owned drug companies, because of an investigation by Hart. In an adroit maneuver, Hart took his truth-in-packaging bill out of the clutches of his hostile committee, and sent it to the more liberal Commerce Committee. It was approved and became law.

Two years ago the Louisville Courier Journal said in an editorial that Hart is "filling a void left by the death of Sen. Estes Kefauver and the defeat of Sen. Paul Douglas. He is emerging as a spokesman for the great, amorphous mass of consumers in this country, poking around in shadowy corners of the domestic scene for the enlightenment of the public . . . He is a valuable man to have in the Senate."

In the next two years, partly because he must stand for reelection in 1970, Hart is stepping up the activity of his committee, venturing into areas where few have gone and survived politically.

Hart has already begun and will continue to look into the auto insurance and auto repair industries. He will also investigate the high cost of hospital care, the stranglehold that credit bureaus often have on consumers, the favoritism granted big corporations in defense procurement, monopolies in the newspaper and broadcasting industries, and the manner in which international oil cartels manipulate government, the market, and oil prices.

Hart is also a member of the Commerce Committee, and depending on the wishes of the chairman, Sen. Warren Magnuson, he may get to run a subcommittee which will have jurisdiction over air transportation. Magnuson offered Hart the consumer subcommittee, but he turned it down because it would merely duplicate what he is now doing.

In the Senate at large, Hart is the acknowledged expert and the prime mover of civil rights legislation. And more important he has become a force behind what Sen. Edward M. Kennedy, of Massachusetts, has called "the winds of change" that are now wafting through the Senate. When Kennedy sought counsel on whether to run for the Assistant Democratic Leader's post, he called Hart first. And he took his advice.

Hart was among the early opponents of the anti-ballistic system. And he was one of the early advocates of massive action to relieve hunger and malnutrition in the nation. In both these efforts, and others, Kennedy has joined Hart.

In the relationship of the two men, Hart has displayed no personal ambition, except to reform his party and the Senate the better to deal with the issues of the day. And towards this end he has supported and encouraged Kennedy. Thus, as Kennedy's star rises, so will Hart's.

This too has a potential for irony. Hart has almost always played a supporting role in his political lifetime, and even now he would refuse a formal Senate leadership post unless it was thrust upon him. Yet the ways of life, death and politics have put Hart in a position of leadership, however informal, and great influence. And he has survived or surpassed those he once followed and worshipped.

Stevenson and Kefauver are dead. Douglas and Humphrey are over the hill. And Soapy Williams, the man to whom Hart owes all he has, will soon be looking for a new future.

To be quite accurate, Hart's first political debt is to his wife, because she is rich. Mrs. Jane Hart, whose volatile temperament is a perfect foil for her husband's calm, is the daughter of the late Walter Briggs, a Detroit industrialist. Phil Hart says candidly that he could not have indulged himself in a political career if his wife's money was not available to keep up their homes, send their eight children to school, and pay some office and campaign expenses.

Born on Dec. 10, 1912, in Bryn Mawr, Pa., Hart was the son of a moderately well-to-do banker. He went to Georgetown University, in Washington, and while there roomed with Walter Briggs, Jr., and through him went to the University of Michigan law school and met his future wife when she was still a scrawny, tomboyish teenager.

By 1943, Hart had finished law school and had become a captain in the army. And in the women's page of a Detroit newspaper it was recorded that "Society reporters have been keeping a sharp eye on the romance of Phil and Jane ever since October, 1940 when Janey appeared at a banquet in honor of the Detroit Tigers (which her father owned) escorted by her young lawyer friend."

On June 19 of that year they were married. Among the guests were former Ohio Gov. James A. Cox, the Democratic presidential nominee in 1920, and A. Mitchell Palmer, who won spurious fame as attorney general after World War I, when he ordered the nation's first "Red hunt."

On D-Day, a year after the marriage, Hart was seriously wounded by a mortar shell on Utah Beach at Normandy. He went on to fight in the Battle of the Bulge, and came home with a Purple Heart, a couple of Bronze stars, and the French Croix de Guerre.

Hart, along with many veterans, returned to Michigan when a new political era was dawning.

He had long been interested in politics. His father, a friend of Woodrow Wilson, and the Democratic chairman of his county, had taken him to the 1924 party convention. But he had no idea he would run for office. A quiet, rather reflective and introverted man, Hart never believed he was suited to politics.

Politicians often like to say they were destined for office, and like any red-blooded American boy, set their minds to it while studying Plutarch by the light of a log fire. The truth is that politicians, like most men, simply find themselves surrounded by circumstance and become its victim or its beneficiary, depending on their luck, their support, their opponent, and their ability to make the most of opportunity.

In the late 1940s in Michigan, the industrial and political power of Detroit had matured. The United Auto Workers, having joined in the war effort, was over its violent, formative period, and had become generally respectable. The strapping new, and liberal guard of the labor movement, the idealism of many a returning veteran, the changing face of Michigan, and the vision of a few, young men were the ingredients for change in the Democratic Party.

Soapy Williams became the standard bearer, and Phil Hart, one of his University of Michigan classmates, became his sword carrier. The Harts were about the only Democrats in Bloomfield Hills.

But the irrepressible Janey remembers those days with starry-eyed nostalgia as they fought losing, uphill battles against the entrenched Oakland County Republicans. Phil Hart only remembers that they lost.

"I have never yenned for the times when we were going to lose by a half million votes," he says. "Back in those days it wasn't as exciting as it is now. I suppose it was fun then, not having any responsibility, having the ability to scream."

Besides battling Republicans, the young turks among the Democrats also fought the American Federation of Labor and Teamster Control of the party, and the influence of communists in the labor movement and liberalism.

After Williams became governor, he appointed Hart Corporation and Securities Commissioner, and in that job he prepared to run for Secretary of State. He was trounced and Williams gave him work as director of the state Office of Price Stabilization. Unhappy in that job, Hart, during the last part of the Truman Administration, became U.S. District Attorney.

As part of his duties he prosecuted several Michigan communists under the Smith Act, and has regretted it ever since. When the liberals in Michigan and elsewhere, went on their own anti-communist hunt in the labor movement and other organizations, they unwittingly fed the fires of the McCarthyist monster they came to detest. Since those days, Hart has supported Supreme Court decisions knocking down those laws which he used against Communists in Michigan.

The Michigan battle against the AFL and the Teamsters came to a climax in 1954 when Hart, then legal advisor to Williams, announced he would run for lieutenant governor. Backed by the United Auto Workers, Hart ran in the primary against George Fitzgerald, attorney for the Teamsters and a former Democratic National Committeeman. It was a vicious campaign in which the Teamsters on occasion tried the use of a little muscle against Hart's supporters. But Hart won easily and went on to defeat his Republican opponent.

From then on, the political reporters referred to Hart as Williams' "heir-apparent." When Williams got tired of being governor, it was said, he would go on to bigger things and leave the statehouse to loyal ol' Phil.

Jane Hart, who never got on with Soapy's tempestuous wife, Nancy, chafed at seeing her husband wait at Williams' pleasure. But patient Phil said of Williams: "He and he alone set me on the road. He built the party. I'll wait."

Not only did he wait. He advised Williams to run for the Senate and from there make a bid to get on the national ticket in 1960 or later. But Williams was convinced that his national future would be brighter from a governor's office. He was thinking of the governors then powerful and prominent in party politics—Stevenson, for one. Someone showed Williams an analysis which concluded there was a better chance for national office as a senator than governor. But Williams thought otherwise and made the biggest mistake of his career. He chose to run again for governor and the way was clear for Hart to run for the Senate.

Hart easily defeated the incumbent, Charles Potter, and in running ahead of Soapy by 170,000 votes began leaving his old teacher behind. And like many a man who is big in his own state, as Hart headed for Washington he left naivete and political virginity behind.

On a night soon after his arrival in Washington, the Senate freshmen of the class of '58 gathered with their wives for dinner at the home of one of their number, Vance Hartke, of Indiana. He was a small town mayor who had come to the Senate looking like an overly ambitious button-hook salesman.

During the evening Hartke expansively picked up the telephone and ordered the operator to get Lyndon Johnson at the LBJ Ranch.

"I've gathered the new boys here, Mr. Leader," he said, "because I thought you might want to say a few things to them."

Jane Hart recalls the incident: "One by one, like little boys, they trooped to the phone to say 'Yes, Mr. Leader, No, Mr. Leader, Of course, Mr. Leader.' It was disgusting. I kept hoping that Phil wouldn't go to the phone. But he did. And I chewed him out all the way home."

"All I can say in my defense," said Hart, "is that I was the last to go to the phone."

"I'm sure now it would have made no difference if I hadn't gone to the phone. But politicians are human, and people don't understand this. They are subject to the same pressures as anyone else, even more. But politicians do worry about their job, their bosses, their paycheck. So they go to the phone—to be safe."

Despite Hartke's fawning over Lyndon Johnson, and perhaps because of it, he has never been admitted into the inner circles of the Senate. Nor have many senators who are conscientious, make headlines, and get reelected.

"I don't know that there is any more of a club in the senate than in a local bar association," Hart said. "Some men, by virtue of their ability, their judgment, their trustworthiness, their personality, and the work they do draw more water than others. Some men simply have power because of the positions they hold.

"When a new man comes to the Senate it's like a new boy moving in on the block. He is tested in subtle ways to see what he has, to see if he'll lend a hand when he wants something."

Hartke became a hero to liberals when he broke with President Johnson over the Vietnam War. But fellow senators, including the liberals, knew that Hartke challenged the President out of personal pique and his inability to get Johnson's help in the Senate. Therefore Hartke's opposition to the Vietnam War carried little weight with his colleagues, and his manners offend them.

Similarly, Sen. Eugene J. McCarthy, one of Hart's closest friends in the Senate, could not impress his colleagues when he made his challenge against Johnson. Although he had come to the Senate under the sponsorship of its most influential leaders, during most of McCarthy's tenure he did little work and he wasn't there when embattled liberals needed another voice and another vote.

Although both are liberals, Hartke and McCarthy are at the opposite extremes of Senate style. One, Hartke, was too tight, too openly ambitious; the other, McCarthy, too laconic and indifferent.

It is true that neither had formal position in the Senate and therefor no power to admit them into the club. But this year Russell Long, of Louisiana, chairman of the Power Finance Committee, was defeated as assistant Democratic Leader and thus drummed out of the club. And Sen. Robert Byrd, of West Virginia, an ambitious little man who is majority secretary, seems destined always to carry the bats for the players.

"The way you vote or whether or not you are invincible at home doesn't have a lot to do with where you stand in the club," Hart said. "All I can say is that how much power and influence you wield around here depends on the judgments others make of you for intangible reasons."

For equally intangible reasons, those who are in the club seem to know it. And they operate with an easy self-assurance and a tacit understanding of all the unwritten rules of their league of gentlemen.

You can look down from the galleries to the rich maroon and white carpeted Senate chamber and pick out the club members by the way they saunter easily onto the floor, well-tanned, well-tailored, chatting casually with fellow senators. There are others, with papers and assistants and nervous impatience.

The members of the club frequently cross party lines in their relationships with each other, giving and taking on legislation, favors, tickets to inaugural balls, or the choice of office suites. At the beginning of each session of Congress the leaders will hold committee assignments in abeyance until after the rules and organizational fights, so that the choice of assignments can be used to keep a stubborn Senator in line.

Some members of the club will not allow themselves to be used to help defeat a colleague of the opposite party. Sen. Jacob Javits, of New York, is a Republican but he refused to campaign in Pennsylvania against Democrat Joseph Clark (who was defeated anyway). And two years before Hart helped Eastland out, Michigan Republicans invited Republican Thurston Morton, then Senator from Kentucky, to speak to their state convention. He learned, after accepting the invitation, that he was to help whip up enthusiasm to defeat Hart.

Morton tried to withdraw but couldn't. So he cleared his speech with Hart. He told the Republicans, in effect, that if they wanted to defeat Hart they would have to find a candidate of great integrity, honesty, experience, and ability. Hart had no difficulty getting reelected.

The conviviality of the club, the horse-trading, the seeming hypocritical politeness in debate, produce what is called an area of "enlightened self-interest." And on that bit of ground law is made.

But the pace of progress is painfully slow, and it sometimes seems like retrogression. And so there are critics of the Senate who say, with the support of convincing evidence, that it has become moribund.

Eugene McCarthy, who led a formidable assault on the creeping pragmatism of the political process, believes that it may be irrelevant and unable to cope with the revolutionary crises of the times. That is one reason for his indifference and for his decision to leave the Senate next year.

Hart has spent many hours debating with friends like McCarthy and Sen. Edmund Muskie, of Maine, and himself the worthiness of the Senate process and its snail's pace accomplishments. To wit: Hart may get a favor or two from Eastland, but the people of Mississippi still have him for a Senator.

"My great question is over whether we get taken in by confusing the time and effort and abuse in getting something done, and what gets done. We equate all the work we do with what is accomplished and what is accomplished seems small.

"You can surrender and say the hell with it. But I can't. Therefore you must convince yourself that that's the way history is made—with small accomplishments and much confusion. This is the way society functions, and so does the Senate. But it sure is a drag and depressing sometimes."

When he is not depressed, Hart can recall the voting rights and fair housing bills he helped shepherd into law.

"When I'm eighty years old, a lot of towns are going to be different because of those bills," says Hart.

And the Senate, he believes, is changing rapidly and reforming because of the early battles of men like Douglas, Kefauver, and Humphrey.

"No longer does a liberal have to be an idealistic, visionary, speech-a-day fighter who has to hope that long after he's gone he will have had some effect," Hart said. "Each decade needs a different kind of man, and today we are beginning to get those things men like Douglas wanted."

Thus Hart displays the reason for his calm patience: His implicit faith in the system, the process, the institution.

The United States Senate is only the second such experiment in all of history. The first was the Senate of Rome, organized 700 years before the birth of Christ.

It reached its greatest power during the time of the Roman Republic. But eventually it became bogged in a mire of its own making, dominated by tradition and cliques, preoccupied with games, unable to grapple with really basic issues, then at last supine beneath the Caesars' imperial ambitions.

The American Senate is of course different and more modern than its Roman ancestors. It may still use spittoons, straight pens, snuffboxes, and blotting sand. But the Senators don't wear togas anymore.

SENATOR CLINTON ANDERSON LEAVES THE HILL WITH A RECORD OF GREAT SERVICE

Mr. RANDOLPH. Mr. President, the name of our distinguished colleague from New Mexico, CLINTON P. ANDERSON, is virtually synonymous with the highest ideals of public service. Senator ANDERSON has assumed many important roles in government, at both the State and Federal levels. As a man deeply involved in civic affairs, as an official of the State of New Mexico, as an administrator of important Federal programs, and as a Member of the Congress, CLINTON ANDERSON has truly exerted a substantial influence on the affairs of the United States.

He served with distinction in the House of Representatives before being appointed Secretary of Agriculture by President Truman in 1945. He provided exemplary leadership of that important department of the Federal Government until his election by the people of New Mexico to represent them in the Senate. During his four terms of service, Senator ANDERSON has been an inspiration to his colleagues and a moving force for a Senate responsive to the needs of the United States.

As chairman of the Committee on Aeronautics and Space Sciences, Senator ANDERSON has performed a critical role in the conquest of space by the United States. He led the development of legislation that furthered American efforts in this enormously complex and important field.

CLINTON ANDERSON has chosen to retire from the Senate. He well deserves a rest from his labors which have been many and productive. His colleagues in the Senate will miss him, but we wish him well in all of his future endeavors.

SENATOR ELAINE EDWARDS OF LOUISIANA

Mr. TUNNEY. Mr. President, our colleague, Senator ELAINE EDWARDS, of Louisiana, will not be with us when the Senate reconvenes in January. As one who has had the pleasure of serving with her on the Public Works Committee, I want Senators to know how much I admire the quality of representation that she gave to the State of Louisiana during her several months of service in the Senate.

She demonstrated that Governor Edwards had uncommon good sense in appointing his wife to serve the people of Louisiana following the tragic death of Senator Allen Ellender. Senator EDWARDS was hard-working, intelligent, and gracious both in committee and on the floor of the Senate. I only wish that we had had the opportunity to have her with us for a longer period of time. Her departure is the Senate's loss.

SENATOR CLINTON ANDERSON, A GREAT AMERICAN, LEAVES THE SENATE

Mr. PROXMIRE. Mr. President, this is a bittersweet day. It probably is the last day that Senator CLINTON PRESBA ANDERSON will sit in the Senate. He is retiring, leaving public service after nearly 4 decades of helping his fellow citizens of New Mexico and of the Nation.

The senior Senator from New Mexico has had careers in private and public life that few men can dream of. In his variety of pursuits he has worked and served with success, distinction, and with honor.

Newspaperman, businessman, State official, administrator, Congressman, Cabinet officer, and U.S. Senator. The list of his achievements only hints at his versatility and ability.

Born in Centerville, S. Dak., 77 years ago next Monday, CLINT ANDERSON was educated at Dakota Wesleyan University and at the University of Michigan. He returned to his native State and began newspapering for the Mitchell Republic in 1916. The following year, he was forced by illness to go to the dry climate of New Mexico. From 1919 until 1922 he worked for the Albuquerque Journal as reporter and as managing editor.

ANDERSON EXPOSED SCANDAL

While in the latter post, CLINT ANDERSON displayed the qualities of inquisitiveness and social obligation that have marked his life of service. He wondered about the sudden affluence of ranch owner Albert Fall, who was the Secretary of the Interior.

If it had not been for his sense of duty to his readers and to his country, ANDERSON would not have set in motion the events that finally uncovered the most notorious scandal in the history of this Government. Fall, it was learned, had taken bribes from oil tycoons Edward Doheny and Harry Sinclair to lease Navy oil lands at Elk Hills, Calif., and Teapot Dome, Wyo. Teapot Dome has become a generic term for official skulduggery.

From newspapering, CLINT ANDERSON turned to insurance. For nearly 30 years he operated a successful general insurance business as well as developing a number of other business enterprises.

NAMED STATE TREASURER

His first entrance into public life was in 1933 when he was appointed State treasurer of New Mexico, 2 years later, he was appointed administrator of the New Mexico Relief Administration. He became chairman and executive director of the State's Unemployment Compensation Commission the following year.

His executive abilities brought him appointment as managing director of the U.S. Coronado Exposition Commission in 1939–40.

Thirty-two years ago next month CLINT ANDERSON entered the Washington scene with his election to the House of Representatives from New Mexico. He won reelection in 1942 and 1944.

In June of 1945, as World War II was nearing its end, President Truman named CLINT ANDERSON as his Secretary of Agriculture. In that position, ANDERSON took on the difficult job of setting American farm policy for the postwar years. His work in that arduous post is generally recognized to have been of the finest caliber.

In May of 1948, ANDERSON resigned to enter the Democratic primary for the U.S. Senate. Again he was successful. He has been in the Senate ever since, being reelected three times by substantial margins because of his outstanding record.

LEADER IN ATOMIC ENERGY

Early in his second term, Senator ANDERSON became chairman of the Joint Committee on Atomic Energy. He quickly became the top congressional expert on the peaceful uses of atomic energy and its leading proponents. His leadership brought the development of the Los Alamos Meson Physics Facility that soon will be used for cancer research and treatment, and Project Sherwood, which could bring virtually unlimited and clean energy sources for the world.

In 1961 and 1962, Senator ANDERSON served as chairman of the Senate Interior Committee and has been the senior member since then. His major accomplishment in that field was the landmark Wilderness Act of 1964. He also authored legislation to create the Bureau of Outdoor Recreation, to establish a national network of saline water conversion plants, to create the Navajo Irrigation Project, and to develop many soil and water conservation programs.

It was in 1953 that Senator ANDERSON became chairman of the Senate Space Committee. His legislative leadership was crowned with man's first voyage to the moon.

SPONSOR OF MEDICARE

Since 1956, he has been a member of the Senate Finance Committee and is its ranking member. In this position, he sponsored medicare, which has brought medical services within reach of millions of this Nation's elderly.

Truly, few men who have served their country—in the House of Representatives, in the Cabinet, and in the Senate—have proven as prolific and as imaginative as Senator ANDERSON. His record is exemplary.

Mr. President, we of the Senate are saddened today that we will no longer have Senator ANDERSON with us in this body. His leadership will be missed by us and by the people of New Mexico and by the citizens of the United States.

Yet, we can all be happy that the Senator from New Mexico will be able to enjoy his retirement. We wish him and his family well.

And, Mr. President, we offer him sincere thanks for giving of himself in the true spirit of our American democracy. He is a great American.

A TRIBUTE TO KGW

Mr. PACKWOOD. Mr. President, I would like to take just a few moments today to commend KGW radio station in Portland, Oreg., for spearheading a highly successful voter registration drive.

In less than a month, from September 11, to October 7, the KGW volunteers and staff registered 17,504 Oregonians. This registration project reportedly marks the largest ever conducted by a broadcast media in our country. This certainly is a project worthy of praise.

The campaign was aimed at registering the working public that may not have had an opportunity to register at the usual locations open during the day. Covering Multnomah, Washington and Clackamas counties, the KGW drive was supported by a monthlong public service drive on the air with additional newspaper ads from KGW and participating locations. About 20,000 flyers and 10,000 posters were printed and distributed throughout the tricounty area to inform residents of the registration locations.

With more than 220 volunteers, working at 445 registration tables in 71 locations, KGW Radio gave Oregonians 1,780 hours to register to vote. Station Manager Dean Woodring, Public Affairs Director Joan Teel, and Multnomah County Elections Manager Allan Robertson headed the project. Support came from Carmen Weber and the Portland League of Women Voters, Ann Crandle, the Junior League, the East Multnomah, Wash., and Clackamas County Leagues of Women Voters, Mary Pederson, David Agan, and the Temple Beth Israel Sisterhood. The Tri-County Registrars, John Weldon, George Poppen, and Roger Thomssen cooperated in the drive by allowing the KGW volunteers to be deputized in all three counties at once.

Bruce Etlinger of the Youth Citizenship Fund along with 150 young volunteers were mainstays of the campaign. They were responsible for contacting all locations manning the tables and counting cards on a day-to-day basis. Group leaders included: Debbie Shaw, Tom Grimes, Terry Plummer, Stan Gacek, Lowell Greathouse, Mary Jo Vanzile, Fran Curtin, and Sandy Sullivan.

Cooperating in the campaign were: Fred Meyer, Safeway, McDonalds, Meier & Frank Lloyds Center and Downtown, Stevens & Son, Cedar Hills Shopping Center, Mall 205, Eastport Plaza, Gateway Rhodes and W. T. Grants, Jantzen Beach Shopping Center, and 16 Portland corporations.

YALE BOWL AWARD OF 1972 TO SENATOR SYMINGTON

Mr. COOPER. Mr. President, on March 15, the Yale University Club of Washington presented to the senior Senator from Missouri, the Honorable STUART SYMINGTON, for his distinguished service, the Yale Bowl Award of 1972.

It was my great honor, upon behalf of the Yale Club of Washington, to present the Silver Bowl to Senator SYMINGTON.

We were classmates at Yale, in the class of 1923, from September 1919, to June 1923. I knew him first in 1919. I have always admired him, and our friendship has strengthened during our service together in the Senate. He is one of the great men of the U.S. Senate and of our country.

I ask unanimous consent to have printed in the RECORD my remarks before the meeting of the Yale Club of Washington and their guests, held on March 15, 1972, in the Caucus Room of the Old Senate Office Building.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR COOPER, UPON PRESENTATION BY THE YALE CLUB OF WASHINGTON OF ITS YALE BOWL AWARD OF 1972, TO SENATOR STUART SYMINGTON

It is Senator Symington that we honor this evening, and I hope that I can be brief. I am very happy to speak for the Yale Club of Washington this evening. I have known Senator Symington longer than I have known anyone else in the Congress—since we became classmates at Yale University in 1919. Some years ago—not too long ago—in our senior year, we talked about entering politics, and I was glad that we met again in the Senate in 1953. Tonight all of us—classmates, alumni, friends, co-workers—meet to pay him deserved tribute.

Senator Symington's career of achievement is not only impressive, it is almost overwhelming. In business, in the armed service, in government, the scope of his work has encompassed American life and, in whatever cause, he has made his mark on our country.

He is one of a distinguished and scholarly family. At the age of 14 years he became an apprentice in a machine shop—so typical of the history of our country. It leads us to understand his record of support and sympathy for all those who labor—whether with hands or minds—seeking opportunity for their children and equality in the nation. It gives also an indication of his later interest in iron, steel, radio and electronic production and his ability in finding practical means to revive failing businesses during the depression of the '30s.

With this background of classical education at Yale, and as a graduate of the International Correspondence School—and just lately named as Man of the Year by his other Alma Mater, I.C.S.—he also has great practical experience. It was not surprising that in 1938, he became president of the Emerson Electric Manufacturing Company of St Louis. He found himself engaged in its success, and also in the success of the war effort of World War II. His company produced essential equipment for American aircraft, and particularly gun turrets for our quickly built fleet of bombers. Some of you will remember the top turret, the tail turret and the belly turret of the B-17s and the B-25s.

If I may be personal, I may say that again I came into remote contact with my classmate with respect to these turrets. When I entered the Army in 1942, the young 21-year old private who interviewed me, quite reasonably did not know what to do with me. He assigned me to the Air Force and shortly after to a 60-day school at Lowry Field, in Colorado, to become a turret mechanic—adjusting the mechanisms which controlled the sighting and firing of the high-powered machine guns against enemy aircraft. I found it difficult to keep up with my young classmates who swarmed over the turrets, pounding with hammers and adjusting the sights—but nevertheless I was graduated as an expert turret mechanic and operator. A day or two later, the Commanding Officer of the school called me to his office, told me that I had worked hard and had successfully completed the course. But, then he said, "I am asking that you be transferred to the Corps of Military Police. I am afraid that your turret adjustments would cause more United States aircraft to be shot down, than enemy aircraft". It was a just decision, and a fortunate one, not only for me, but for the United States Air Force and the reputation of Emerson Electric Company.

I hardly know how to begin to speak of the high and responsible positions Senator Symington has held in the Executive Branch of the government. Six times he was appointed by President Harry S. Truman for such important posts as Chairman, Surplus Property Board; Administrator, Surplus Property Administration; Assistant Secretary of War for Air; Chairman, National Security Resources Board; Administrator, Reconstruction Finance Corporation; and the first Secretary of the Air Force. Each time, he was confirmed by the Senate without a dissenting vote. In each of these positions he exhibited a determination to know the facts and the energy which is characteristic of him, and in each position he made substantial reforms. For the excellence of his service, he was awarded the Air Force Association's General H. H. Arnold Award as Aviation's Man of the Year; the Veterans of Foreign Wars' Aviation Man of the Year; the Wright Brothers Memorial Trophy; the Medal for Merit, and the Distinguished Service Medal.

With this record, it was only natural that the people of Missouri would want to elect him to the United States Senate. He was first elected in 1952—he is now serving his fourth term in the United States Senate and there appears no end in sight.

In the Senate, he is the only member, and, I believe the only member in history, who has served on three committees important to the defense and the peace of our country—Armed Services, Foreign Relations and the Joint Committee on Atomic Energy.

It is impossible in a short time to describe the initiatives he has taken to secure a balanced and rational system of defense and a strong foreign policy. As one example, I do want to call attention to his leadership in establishing in the Foreign Relations Committee, the National Commitments Subcommittee, which he has served as Chairman for the past two years. He has searched out and disclosed military and economic commitments of our country around the world which were never known in exactitude before. In this field alone, he has provided to the Senate information absolutely necessary for discharging its responsibilities in our foreign and defense policies. His intense and neverflagging interest in the limitation and control of nuclear weapons systems in our country and other nuclear nations, systems which now have the capacity of destroying most of life on this planet, may well be his greatest contribution in his long service. In our human problems—civil rights, education, health—he has fought for equal opportunity and rights.

In 1917, he enlisted in the Army as a Private at the age of 17, he became a Second Lieutenant in 1918, one of the youngest to receive a commission. And in World War II, he was at the Battle of Britain to observe the capabilities of the British Royal Air Force and the need for U.S. aircraft.

In 1960, he was a serious contender for the office of President and although I belong to the Republican Party, I will remember always, as many do, his calm and reasoned judgments about the future of our country as he spoke before the commencement of that convention.

It can be truthfully said that he has become one of the most influential members in the Congress of the United States. Looking back at this record, it is good to attempt to inquire what qualities led him through these years, what qualities have caused this long list of achievements for our country. I am sure that among them are the qualities of an inquiring mind, of ceaseless work and study, searching for facts, unquestioned integrity and, his concern and determination, as far as he can contribute, that this country shall meet its obligations to its own people and be an enduring force for good and peace in the world. These qualities mean only one thing—that his work will go on and will live.

He can relax and enjoy himself. He is a great left-handed tennis player, and almost as a good a right-handed golf player. His friends know his good humor and everyone knows his good looks. I am constantly reminded of this by my wife Lorraine when she says to me "if you only looked like Stuart Symington."

I must close, but not before saying that I am sure that he would say that Evie Symington has shared equally, if not more in this record. Daughter of a great Senator, James Wadsworth, descendant of Secretary of State John Hay, mother of a fine family including Congressman James Symington, she is in her own right a commanding figure.

It is an honor on behalf of the Yale Club of Washington to present to Senator Stuart Symington for distinguished service, the Yale Bowl Award of 1972.

THE SIGNIFICANCE OF SALT I AND THE PROSPECTS OF SALT II

Mr. COOPER. Mr. President, one of the most significant accomplishments of President Nixon's administration in foreign affairs has been the conclusion of the agreements at SALT restraining deployment of the main strategic weapons systems of the two nuclear superpowers. The treaty between the United States of America and the Union of Soviet Socialist Republics on the limitation of anti-ballistic-missile systems and the Interim Agreement between the Soviet Union and the United States on certain measures with respect to the limitation of strategic offensive arms, can mark the beginning of effective and rational control of strategic nuclear weapons of mass destruction. The two lesser agreements to reduce the risk of accidental outbreak of nuclear war and the agreement to improve the hot line between the United States and the Soviet Union, in addition to the major SALT agreements, are tangible evidence that both sides have a stake in continuing efforts to limit strategic arms. I am proud that as a Member of the Senate I was able to make a contribution to the success of those talks.

The next stage of the SALT talks which are scheduled to begin at Geneva in November, are of the greatest importance. There is every reason to believe that Ambassador Gerard Smith and his able negotiating team can continue successfully to conclude further limitations and reductions of existing nuclear weapons stocks and to conclude agreements for further rational procedures to lessen the chances of nuclear war.

Ambassador Smith has said that the ABM treaty marked the approval by the two superpowers of a policy rejecting the use of a first strike as a rational military strategy. By prohibiting the deployment of a widespread ABM defense in either nation the United States and the Soviet Union have strengthened the effectiveness and credibility of the existing nuclear deterrent. The elimination of ABM's as a threat to the survivability of the deterrent and the interim freeze on numbers of major strategic offensive weapons systems has enhanced the possibility that SALT II will result in a treaty on offensive strategic nuclear systems. The prospect is very hopeful.

I was disturbed however, at some aspects of the debate on the Interim Agreement. The debate on the Interim Agreement was a warning that both the administration and the Congress must work closely together if the success of SALT I is to continue to be supported. There are serious obstacles ahead.

The Governments of both the United States and the Soviet Union have made it clear that they are going ahead with weapons deployment programs not covered by the agreements. The President and the Secretary of Defense have stated their determination to maintain the U.S. technological lead and the Congress has approved in full programs to this end. The Soviet Union, for its part, has said it would do whatever is necessary to maintain equality with the United States. The pitfall that lies before the country in the SALT II negotiations is that arguments justifying the need for negotiating chips in order to be in a position of strength could, if successful, disastrously distort the basic purpose of these arms control negotiations which have given so much hope to the work.

The issues in SALT II to be negotiated are many. Among them are the possibilities for lower overall ceilings on land-based and sea-based ICBM launchers with freedom to choose the mix desired. Further limitation of ABM system to one site or none. An important possibility is a limitation of testing as a way of imposing a curb on the improvement of missles accuracies. It is to be hoped that other qualitative curbs can be agreed upon although to do so will be extremely difficult. The question of the limitation of forward based systems MRBM's, IRBM's, cruise missles and other lesser nuclear weapons systems is a crucial one that has to take account of the interests of the allies of both the United States and the Soviet Union. It is possible that additional signatories to the Non-Proliferation Treaty such as China would assist the aims of SALT II. These are but a few of the issues to be considered at the SALT II negotiations. The very range of possibility is a cause for hope and I am encouraged that both the leaderships of the United States and the Soviet Union have said they are open to all possibilities.

I believe that the President and the Congress will diligently pursue a course of restraint which will lead to a lessening of the danger of nuclear war. I am confident that the President and Congress will do so, but it will require vigilance on the part of Congress, constant study and oversight by its responsible committees and cooperation with the executive branch in the common purpose of achieving the control of nuclear weapons systems.

Again I praise President Nixon for his initative, progress, and success in this field of concern to our country and all peoples.

MONITOR SUMS UP INFLATION

Mr. PROXMIRE. Mr. President, today's Christian Science Monitor summarizes succinctly and correctly what the Congress has been debating for the past few weeks. The lead editorial in the Monitor wraps up in easily understood language a great lesson in economics. I commend it to the Nation.

Mr. President, I ask unanimous consent that excerpts from the editorial be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

On Inflation's Paternity

We trust that most Americans are politically sophisticated enough by this time to recognize what has really been going on in all the maneuverings in the final days of the Congress around the subject of a federal spending limit.

The President has been demanding that Congress put a lid of $250 billion on U.S. federal spending, because the demand gives the impression of an effort to keep federal spending down. The Congress is reluctant because its members know that it would become an excuse, at the expense of the Congress, for cutting back on social programs.

What we are really talking about here is blame for the inflation—past, present and future. Nobody wants the blame. The political trick is to try to pass it along to someone else.

Now it seems that Mr. Nixon wants the public to believe that any further inflation depends on whether the Congress agrees to a $250 billion spending limit. And Congress has tried to pin blame back on him.

Actually, the future of inflation depends on the White House, as it has from the moment Mr. Johnson made Vietnam the stage for the biggest little war the United States ever fought.

There is nothing in the Constitution that requires Mr. Nixon to spend all funds appropriated by the Congress. He didn't need their approval to hold spending to $250 billion. He could do it all by himself.

Sometime after Nov. 7 there will of course be the day of reckoning. Wage and price controls cannot forever hold the line against an unbalanced budget. Either the inflation will break out again, or the next President will be forced to raise taxes. We suspect it will be Mr. Nixon, and some form of a sales tax disguised under the euphemistic "value added" phrase preferred by the present White House.

RECESS UNTIL 1:30 P.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 1:30 p.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Thereupon, at 12:29 p.m., the Senate took a recess until 1:30 p.m., whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. Hart).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mills of Arkansas, Mr. Ullman, Mr. Burke of Massachusetts, Mrs. Griffiths, Mr. Byrnes of Wisconsin, Mr. Betts, and Mr. Schneebeli were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to a resolution (H. Res. 1169) appointing a committee to join a similar committee of the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 3858. An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes;

H.R. 10638. An act for the relief of John P. Woodson, his heirs, successors in interest, or assigns;

H.R. 11091. An act to provide additional funds for certain wildlife restoration projects, and for other purposes;

H.R. 11773. An act to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection; and

H.R. 15475. An act to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. Allen).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Inouye). Without objection, it is so ordered.

RECESS UNTIL 3 P.M.

Mr. MANSFIELD. Mr. President, if there is no business to be conducted by the Senate at this time, I ask unanimous consent that the Senate stand in recess until 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, at 1:32 p.m., the Senate took a recess until 3 p.m., whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. Fannin).

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATIONS FOR INSERTIONS IN THE RECORD FOLLOWING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the Record following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress. I wish to advise that the latest date for filing material for insertion in the Record has been set for November 8, 1972.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. MANSFIELD. Mr. President, with reference to the printing of committee activity reports for the first session, I state, on behalf of the chairman of the Joint Committee on Printing, that the joint committee has very properly ruled that the printing of such reports, both as committee prints and in the Record, is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the Record, since the Government Printing Office will be directed not to print them both ways.

ANTIHIJACKING ACT OF 1972—CONFERENCE REPORT

Mr. STEVENS. Mr. President, I submit a report of the committee on conference on S. 2280, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Fannin). The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2280) to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such Act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under certain circumstances, having met, after full and free conference, have been unable to agree.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the Congressional Record of October 13, 1972, at pp. 36090–36091.)

Mr. STEVENS. Mr. President, I regret to report to the Senate that after full and free conference on S. 2280 and the House amendments thereto the conferees have reported back in disagreement.

We have met on two occasions this week to consider the differences of the two Houses but have been unable to resolve fundamental differences.

Mr. President, I am presenting this on behalf of the distinguished chairman of subcommittee, the Senator from Nevada (Mr. Cannon). This legislation, the Antihijacking Act of 1972 and the Air Transportation Security Act of 1972 are of vital importance to all Americans who use air transportation and, therefore, I am proposing to call up the House version of S. 2280 for the purpose of amending it further.

The PRESIDING OFFICER. Without objection the conference report is agreed to.

Mr. STEVENS. Mr. President, I move that the Senate concur in the House amendment with amendments.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk read as follows:

(1) At page 4, in the last line on that page after the word "Aircraft", insert the following: "or if he determines that a foreign nation is used as a base of operations or training or as a sanctuary or which arms, aids, or abets in any way, terrorist organizations which knowingly use the illegal seizure of aircraft or the threat thereof as an instrument of polcy,".

(2) At page 8, at the end of the amendment, insert the following:

"TITLE II—AIR TRANSPORTATION SECURITY ACT OF 1972

"Sec. 21. This title may be cited as the "Air Transportation Security Act of 1972".

"Sec. 22. The Congress hereby finds and declares that—

"(1) the United States air transportation system which is vital to the citizens of the United States is threatened by acts of criminal violence and air piracy;

"(2) the United States air transportation system continues to be vulnerable to violence and air piracy because of inadequate security and a continuing failure to properly identify and arrest persons attempting to violate Federal law relating to crimes against air transportation;

"(3) the United States Government has the primary responsibility to guarantee and insure safety to the millions of passengers who use air transportation and intrastate air transportation and to enforce the laws of the United States relating to air transportation security; and

"(4) the United States Government must establish and maintain an air transportation security program and an air transportation security-law enforcement force under the direction of the Administrator of the Federal Aviation Administration in order to adequately assure the safety of passengers in air transportation.

"Sec. 23. (a) Title III of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"Screening of Passengers in Air Transportation

"Sec. 315. (a) The Secretary shall as soon as practicable prescribe regulations requiring that all passengers and all property intended to be carried in the aircraft cabin in air transportation or intrastate air transportation be screened by weapon-detecting devices operated by employees of the air carrier, intrastate air carrier, or foreign air carrier prior to boarding the aircraft for such transportation. One year after the effective date of such regulation the Secretary may alter or amend such regulations, requiring a continuation of such screening by weapon-detecting devices only to the extent deemed necessary to assure security against acts of criminal violence and air piracy in air transportation and intrastate air transportation. The Secretary shall submit semiannual reports to the Congress concerning the effectiveness of this screening program and shall advise the Congress of any regulations or amendments thereto to be prescribed pursuant to this subsection at least thirty days in advance of their effective date.

"(b) The Secretary shall acquire and furnish for the use by air carriers, intrastate air carriers, and foreign air carriers at airports within the United States sufficient devices necessary for the purpose of subsection (a) of this section, which devices shall remain the property of the United States.

"(c) The Secretary may exempt, from provisions of this section, air transportation operations performed by air carriers operating pursuant to part 135, title 14 of the Code of Federal Regulations."

(b) Notwithstanding any other provision of law, there are authorized to be appropriated from the Airport and Airway Trust Fund established by the Airport and Airway Revenue Act of 1970 such amounts, not to exceed $5,500,000 to acquire the devices required by the amendment made by this section.

"(2) search or inspect any property, at any airport which is aboard, or which is intended to be placed aboard, any aircraft in, or intended for operation in, air transportation or intrastate air transportation to determine whether such property unlawfully contains any dangerous weapon, explosive, or other destructive substance;

"(3) arrest any person whom he has reasonable cause to believe has (A) violated or has attempted to violate section 902 (i), (j), (k), (l), or (m) of the Federal Aviation Act of 1958, as amended, or (B) violated, or has attempted to violate, section 32 title 18, United States Code, relating to crimes against aircraft or aircraft facilities; and

"(4) carry firearms when deemed by the Administrator to be necessary to carry out the provisions of this section,

and, at his discretion, he may designate and deputize State and local law enforcement personnel to exercise the authority conveyed in this subsection.

"TRAINING AND ASSISTANCE

"(b) In administering the air transportation security program, the Secretary may—

"(1) provide training for State and local law enforcement personnel whose services may be made available by their employers to assist in carrying out the air transportation security program, and

"(2) utilize the air transportation security force to furnish assistance to an airport operator, or any air carrier, intrastate air carrier, or foreign air carrier engaged in air transportation or intrastate air transportation to carry out the purposes of the air transportation security program.

"OVERALL RESPONSIBILITY

"(c) Except as otherwise expressly provided by law, the responsibility for the administration of the air transportation security program, and security force functions specifically set forth in this section, shall be vested exclusively in the Secretary of Transportation who shall delegate them to the Administrator of the Federal Aviation Administration and shall not be assigned or transferred to any other department or agency."

Sec. 25. Section 1111 of the Federal Aviation Act of 1958 is amended to read as follows:

"AUTHORITY TO REFUSE TRANSPORTATION

"(a) The Administrator shall, by regulation, require any air carrier, intrastate air carrier, or foreign air carrier refuse to transport—

"(1) any person who does not consent to a search of his person to determine whether he is unlawfully carrying a dangerous weapon, explosive, or other destructive substance, or

"(2) any property of any person who does not consent to a search or inspection of such property to determine whether it unlawfully contains a dangerous weapon, explosive, or other destructive substance;

Subject to reasonable rules and regulations prescribed by the Administrator, any such carrier may also refuse transportation of a passenger or property when, in the opinion of the carrier, such transportation would or might be inimical to safety of flight.

"(b) Any agreement for the carriage of persons or property in air transportation or intrastate air transportation by an air carrier, intrastate air carrier, or foreign air carrier for compensation or hire shall be deemed to include an agreement that such carriage shall be refused when consent to search persons or search or inspect such property for the purposes enumerated in subsection (a) of this section is not given."

Sec. 26. Section 902(l) of the Federal Aviation Act of 1958 is amended to read as follows:

"CARRYING WEAPONS ABOARD AIRCRAFT

"(l)(1) Whoever, while aboard, or while attempting to board, any aircraft in or intended for operation in air transportation or intrastate air transportation, has on or about his person or his property a concealed deadly or dangerous weapon, explosive, or other destructive substance, or has placed, attempted to place, or attempted to have placed aboard such aircraft any property containing a concealed deadly or dangerous weapon, explosive, or other destructive substance, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"(2) Whoever willfully and without regard for the safety of human life or with reckless disregard for the safety of human life, while aboard, or while attempting to board, any aircraft in or intended for operation in air transportation or intrastate air transportation, has on or about his person or his property a concealed deadly or dangerous weapon, explosive, or other destructive substance, or has placed, attempted to place, or attempted to have placed aboard such aircraft any property containing a concealed deadly or dangerous weapon, explosive, or other destructive substance shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(3) This subsection shall not apply to law enforcement officers of any municipal or State government, or the Federal Government, while acting within their official capacities and who are authorized or required within their official capacities, to carry arms, or to persons who may be authorized, under regulations issued by the Administrator, to carry concealed deadly or dangerous weapons in air transportation or intrastate air transportation."

Sec. 27. To establish, administer, and maintain the air transportation security force provided in section 316 of the Federal Aviation Act of 1958, there is hereby authorized to be appropriated for fiscal year 1973 the sum of $30,000,000, and for each succeeding fiscal year such amounts, not to exceed $30,000,000, as are necessary to carry out the purpose of such section.

Sec. 28. Section 101 of the Federal Aviation Act of 1958, as amended, is amended by adding after paragraph (21) the following:

"(22) 'Intrastate air carrier' means any citizen of the United States who undertakes, whether directly or indirectly or by a lease or any other arrangement, solely to engage in intrastate air transportation.

"(23) 'Intrastate air transportation' means the carriage of persons or property as a common carrier for compensation or hire, by turbojet-powered aircraft capable of carrying thirty or more persons, wholly within the same State of the United States."

and is further amended by redesignating paragraph (22) as paragraph (24) and redesignating the remaining paragraphs accordingly.

Sec. 29. That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading.

"Title III—Organization of Agency and Powers and Duties of Administrator"

is amended by adding at the end thereof the following:

"Sec. 315. Screening of passengers in air transportation.
"Sec. 316. Air transportation security force.
"(a) Powers and rseponsibilities.
"(b) Training and assistance.
"(c) Overall responsibility."

Mr. STEVENS. Mr. President, I move that the Senate concur in the amendment of the House to the bill S. 2280 entitled: An act to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under certain circumstances, with the amendments I have just offered.

Mr. PROXMIRE. Mr. President, will the Senator from Alaska yield?

Mr. STEVENS. I yield.

Mr. PROXMIRE. As I understand it, this is the bill that passed the Senate unanimously, or almost unanimously. Is that correct?

Mr. STEVENS. That is correct.

Mr. President, this amendment is the same as the original Senate bill S. 2280 with several changes which I hope will make it acceptable to the House. First, the amendments delete the non-germane provisions of the Senate bill relating to airline fares.

Second, the amendment transfers the establishment of the air transportation security force from the Administrator of the Federal Aviation Administration to the Secretary of Transportation with instructions to the Secretary to delegate such authority to the Administrator.

And third, the amendment reduces the authorization for appropriations for the air transportation security force from $35 million to $30 million.

Other than that form of taking away from the Senate-passed bill, the provisions are as they passed the Senate.

Mr. PROXMIRE. I thank the Senator from Alaska.

Mr. STEVENS. Mr. President, these amendments, I believe, will make the Senate's antihijacking program more acceptable to the House and hopefully will permit them to agree to the Senate provisions which remain so that we might send a bill to the President before adjournment. This matter is too vitally important to defer or postpone and I am hopeful that by making these concessions it will be possible to enact legislation this year.

Again, Mr. President, I am offering these amendments on behalf of the conferees, led by the distinguished Senator from Nevada (Mr. Cannon) and we urge that the Senate adopt the amendment and return it to the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alaska.

The motion was agreed to.

H.R. 14628—TO AMEND THE INTERNAL REVENUE CODE OF 1954 WITH RESPECT TO THE TAX LAWS APPLICABLE TO GUAM

Mr. BURDICK. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 14628.

The PRESIDING OFFICER laid before the Senate H.R. 14628, to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes, which was read twice by its title.

Mr. BURDICK. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BURDICK. Mr. President, this is a measure that was reported unanimously by the House Interior Committee and then, since it dealt with matters relating to taxation, was referred to the Committee on Ways and Means, which also reported it favorably with amendments, and it was passed by the House of Representatives unanimously. As passed by the House, the bill has the support of the Treasury Department and the administration.

Previously the Senate Committee on Interior and Insular Affairs, which has responsibility for matters relating to our territorial areas, conducted hearings on similar legislation relating to the same problem. I am pleased that finally Congress is close to correcting a longstanding inequity in the tax code of our territory of Guam.

The purpose of H.R. 14628 is solely to correct an inequity resulting from legislative oversight when the Congress made the entire U.S. Internal Revenue Code of 1954 applicable in Guam as the Guam tax code. Since 1968, the administration of this code by Guam for its own territorial income tax purposes has resulted in U.S. mainland citizens temporarily working on Guam being taxed as nonresident aliens and U.S. corporations doing business on Guam being taxed as "foreign" companies. The effect is to impose penalty taxes on income earned on Guam by these taxpayers which are substantially in excess of the normal tax rate. The urgent need for action on H.R. 14628 during this session of Congress is to correct this inequity at the earliest possible date so that all U.S. citizens, whether located on the U.S. mainland or on Guam, will be afforded equal tax treatment.

Similar legislative proposals antedating H.R. 14628, which was introduced by Congressman Wilbur Mills on April 26, 1972, have been pending in one form or another another before the Congress of the United States since March of 1970. The present version of the bill, which is now before the Senate, is the final product of the combined drafting efforts of the Joint Committee on Internal Revenue and Taxation, the U.S. Treasury

Department, Internal Revenue Service, as well as the government of Guam.

We wish to point out that there is unanimous support for this bill, both here in the United States and on Guam, from all levels of government as well as the private sector and the business community.

Mr. President, I move the passage of H.R. 14628.

Mr. PROXMIRE. If the Senator will yield, he says this is to provide for relief, as I understand it, for individuals and corporations who are residing in Guam.

Mr. BURDICK. Yes, that is correct. It also works in the reverse, in the United States.

Mr. PROXMIRE. What is the impact on the Treasury? How much is Federal revenue reduced?

Mr. BURDICK. I have been told there is practically no revenue loss; but at the most, it would be about half a million in any case.

Mr. PROXMIRE. This is a House bill, is that right?

Mr. BURDICK. Yes.

Mr. PROXMIRE. It just came over from the House?

Mr. BURDICK. That is correct.

Mr. PROXMIRE. It has not been before the Finance Committee? There were no hearings in the Finance Committee?

Mr. BURDICK. No. It has not been before the Senate Finance Committee.

Mr. PROXMIRE. The Senator said similar legislation was originally introduced in 1970; but Ways and Means Chairman WILBUR MILLS introduced the instant bill in April 1972, as I understand. Why is this coming in on the very last day within a few hours or so of probable adjournment?

Mr. BURDICK. I do not know how or why the House acted in this late fashion. I cannot tell the Senator. All I can say, the bill has merit.

Mr. PROXMIRE. It seems to have substantial merit, and I understand from the people who have looked at it very closely that it seems to be completely meritorious. I am concerned because it does have a revenue impact. Does the Senator have a Treasury estimate that it will have a revenue impact of $500,000 or less?

Mr. BURDICK. I do not have the letter from the Treasury Department on that.

Mr. PROXMIRE. Does the Senator have a Treasury estimate that it is $500,000 or less?

Mr. BURDICK. I understand this is the Treasury estimate.

Mr. PROXMIRE. It is approved by the Treasury Department?

Mr. BURDICK. Yes.

Mr. PROXMIRE. It was passed, did the Senator say unanimously, by the House Interior and Insular Affairs Committee?

Mr. BURDICK. Yes.

Mr. PROXMIRE. And also passed with amendments by the Ways and Means Committee?

Mr. BURDICK. That is right.

Mr. PROXMIRE. Mr. President, if this bill is not amended further, I would have no objection to it.

The PRESIDING OFFICER (Mr. FANNIN). The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 14628) was ordered to a third reading, was read the third time, and passed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. FANNIN) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The messages received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that, on reconsideration, two-thirds of the House had agreed to pass the bill (S. 2770) to amend the Federal Water Pollution Control Act, which had been returned by the President of the United States to the Senate with his objections.

The message also announced that the House had agreed to the concurrent resolution (H. Con. Res. 726) calling for adjournment of the two Houses of Congress on Wednesday, October 18, 1972, sine die, in which it requests the concurrence of the Senate.

ORDER FOR CONCURRENT RESOLUTION TO BE HELD AT DESK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the House concurrent resolution (H. Con. Res. 726) be held at the desk until called up by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO 4:10 P.M. TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 4:10 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, at 3:21 p.m., the Senate took a recess until 4:10 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. FANNIN).

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MATHIAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

TRADE AGREEMENT, LEND LEASE SETTLEMENT, RECIPROCAL CREDIT ARRANGEMENTS

Mr. MATHIAS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to the distinguished Senator from Pennsylvania (Mr. SCOTT) by the Secretary of Commerce enclosing with the letter a copy of a trade agreement between the United States and the Soviet Union.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., October 18, 1972.

HON. HUGH SCOTT,
U.S. Senate,
Washington, D.C.

DEAR HUGH: I am pleased to advise you that today the U.S. and the Soviet Union have signed a trade agreement which we believe marks a major step forward in the economic relationships between our two countries.

The agreement includes a settlement of the lend lease obligation which the Soviet Union incurred during World War II. As you know, the negotiations leading to this trade agreement have been in progress since President Nixon met with Mr. Brezhnev earlier this year. The details of both the trade agreement and the lend lease settlement are contained in the attachment.

With the expected adjournment of Congress today, I recognize that more detailed briefings may not be possible at this time. I wish to assure you, however, that we intend to fully apprise the Congress of all matters contained in the agreement and we seek to do this well in advance of the time the Congress considers the various legislative actions which ultimately will be needed to consummate the agreement.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

THE WHITE HOUSE FACT SHEET

(Trade agreement, lend lease setlement, reciprocal credit arrangements, Joint United States-U.S.S.R. Commercial Commission)

The successful negotiation was completed today of a comprehensive series of agreements and arrangements between the United States and the Soviet Union covering trade matters, reciprocal trade credits, expanded business facilities and the settlement of outstanding lend lease obligations. These agreements reflect the Basic Principles of Relations Between the United States of America and the Union of Soviet Socialist Republics signed by the President and General Secretary Brezhnev at last May's Summit Meeting. The Seventh Principle provided: "The USA and the USSR regard commercial and economic ties as an important and necessary element in the strengthening of their bilateral relations and thus will actively promote the growth of such ties. They will facilitate cooperation between the relevant organizations and enterprises of the two countries and the conclusion of appropriate agreements and contracts, including long-term ones." At the Summit Meeting, the Joint US-USSR Commercial Commission was established—chaired by U.S. Secretary of Commerce Peter G. Peterson for the American side, and Minister of Foreign Trade N. S. Patolichev for the Soviet side. The full Commission met in Moscow in July of this year and again in Washington for the past week. Specific work groups of the Commission have been in specific negotiations for the past few weeks.

The President signed today the determination making the Soviet Union eligible for credits from the Export-Import Bank of the United States. Secretary Peterson and Soviet Minister Patolichev signed the Trade Agreement. Secretary William P. Rogers and Minister Patolichev signed the Lend Lease Settlement Agreement.

Trade agreement

Consistent with the U.S. objective of creating a comprehensive and clear framework within which private American firms can participate in U.S.-Soviet trade, the trade agreement spells out guidelines in specified critical areas to facilitate the flow of trade. The agreement provides for reciprocal granting of trading access equal to that granted for most of our trading partners in the free world; for protection against disruption of domestic markets; for the placement of substantial orders by the Soviet Union for U.S. machinery, plant and equipment, agricultural products, industrial products and consumer goods; for the availability of U.S. business facilities in the Soviet Union equivalent to those granted representatives of other nations; for the establishment of a U.S. Commercial Office in Moscow and a Soviet Trade Representation in Washington, and for the encouragement of third country supervised arbitration in the settlement of commercial disputes. The agreement provides an exception for each side relating to national security interests. U.S. export controls are not negotiable and were not, therefore, discussed. However, such regulations have been and will continue to be under review.

Level of trade

The trade agreement contemplates that total trade during its three-year period will at least triple over the 1969–1971 period to an aggregate amount of at least $1.5 billion. The Soviet Government states that it expects substantial orders to be placed in the United States for "machinery, plant and equipment, agricultural products, industrial products and consumer goods." For example, the Soviet Government has indicated a desire to purchase several million dollars worth of U.S. equipment to manufacture tableware. Also, U.S. firms have applied for export licenses for equipment valued at well over $1 billion in anticipation of bidding successfully on contracts associated with the huge Kama River Truck Plant construction project. It is estimated that U.S. companies could capture between $250 million and $500 million worth of the equipment contracts for this project. Substantial grain purchases are expected to continue during the period of the agreement. Machinery and equipment exports to the Soviet Union are expected to grow substantially. Currently, electrical and non-electrical machinery accounts for only $60 million (or 37 percent of our total exports to the Soviet Union in 1971). Even though total U.S. machinery exports to all countries in 1971 were $11.6 billion. Several large scale joint projects are currently under discussion or negotiation. These include industrial installations for the production of polystyrene, metal fasteners, fertilizers, metal mining, and natural gas extraction and transmission. The United States balance of trade with the Soviet Union has traditionally run heavily in favor of the United States—generally by a ratio of 3 to 1. This trend can be expected to continue over the period of the trade agreement resulting in a favorable trade balance in the probable range of at least a few hundred million dollars a year. Furthermore, U.S. exports to the Soviet Union traditionally have been much more job intensive than Soviet exports to the U.S., largely raw materials which are much less job intensive.

MFN provisions

The agreement provides that each country will reduce its tariffs with respect to the products of the other to the level generally applicable to like products of most other countries. This will require action by the U.S. Congress. The President currently plans to submit such legislation early in next year's session. It is anticipated the trade agreement will not enter into force and its three-year period will not begin to run until such legislation is enacted. Between 1935 and 1951 such tariff treatment was also accorded to the Soviet Union, but it was withdrawn by statute in 1951 during the Korean War. Yugoslavia was not affected by the 1951 statute. A subsequent amendment made possible the granting of this tariff treatment to Poland in 1960. The granting of tariff treatment, at a level generally applicable to like products of most other countries, to the Soviet Union is fully consistent with United States membership in GATT.

Market disruption provision

Through state trading monopolies, the Soviet Union controls both the importation and exportation of all goods. In the Soviet economy, costs and prices do not necessarily play the same role as they do in a market economy. Accordingly, the Soviets have agreed to a procedure under which, after consultations, they will not ship products to the United States which the United States Government has advised will "cause, threaten or contribute to disruption of its domestic market." In the event the Soviets request limitation of U.S. exports, the United States Government is obliged to make such information available to the U.S. business community.

Reciprocal trade credits

Each Government agreed to make available to the other, on a reciprocal basis, trade credit arrangements which are usual and customary in the financing of exports. The President has, therefore, determined that the Export-Import Bank of the United States may engage in transactions with the Soviet Union. The Soviets have given assurances that the facilities of the Foreign Trade Bank of the Soviet Union and the credit facilities of more than 40 Soviet foreign trade organizations will be available to American importers.

The Soviets have executed an operating agreement with Eximbank which provides that with respect to all matters—amount of credit, interest rate, repayment provisions—they will be treated in the same manner as any other country. Eximbank policies concerning private participation in credit facilitation will apply, and all credits in excess of $10 million will be subject to the usual review by the National Advisory Council.

EXPANDED BUSINESS AND COMMERCIAL FACILITIES

Commercial office

The trade agreement provides that the United States may establish a governmentally-sponsored Commercial Office in Moscow to be operated through the U.S. Embassy there. The Soviets will be permitted to establish a Trade Representation in Washington. The U.S. Commercial Office in Moscow will provide the U.S. business community with up-to-date information on Soviet markets, facilitate introductions of U.S. businessmen to the appropriate Soviet ministries, provide such facilities as bilingual stenographers and communications and provide critical expertise in advising U.S. businessmen in making their sales and purchases. Because members of the Soviet Trade Representation will have diplomatic immunity, they will not be permitted to negotiate or execute any transactions.

Business facilities in Moscow

Like all foreign firms, U.S. business firms may not establish a permanent office in Moscow with the power to hire local personnel and the right to receive office space, facilities and housing without accreditation by the Soviet Government. Until very recently, only two U.S. firms—both engaged in the travel and tourism industry—were accredited. Since negotiations were commenced, two industrial firms have been accredited, and the Soviets have agreed that they will continue to accredit U.S. firms on a basis no less favorable than that accorded firms of any third country. Any problems arising out of these accreditation procedures will be resolved through the Joint Commercial Commission. The Soviets have given written assurances that U.S. accredited companies will be authorised to employ Soviet personnel, acquire needed telephones, telex equipment and other such communications facilities promptly, import promptly needed equipment such as typewriters, calculators, dictation and copying equipment and automobiles and personal items such as furniture and appliances, have access to suitable housing and receive prompt processing of visa requests.

Large trade center complex

The Soviets also have said they will construct a large office-hotel-apartment trade center in Moscow. It is contemplated that the trade center will contain a substantial number of company offices, first class hotel rooms and apartments and related support activities. The center will be the first of its kind in the Soviet Union and is expected to be in full operation in the next few years. The Soviets will invite United States companies to make proposals and cooperate in the financing and construction of the trade center. The Soviet Government is also planning to construct a trade and economic exposition center and has offered to lease a pavilion to the United States for display of American products. The U.S. will assist the Soviets in establishing in New York a Soviet office for the purpose of purchasing American equipment for use in the Kama River truck plant.

Arbitration

For the last 40 years the Soviets have had a policy of encouraging arbitration under the auspices of the Foreign Trade Arbitration Commission in Moscow which is composed of 15 Soviet nationals. Arbitration in a third country was agreed to by the Soviet foreign trade organizations only if the Western firm demanded and was able to negotiate a third country provision in the purchase or sale contract. By contrast, the rules of the American Arbitration Association provide that where a party to an arbitration proceeding is not an American, he has a right to have the controlling arbitrator be from a third country. The trade agreement encourages settlement of commercial disputes by arbitration under the Arbitration Rules of the Economic Commission for Europe, a United Nations' agency, in a country other than the Soviet Union and the United States with arbitrators appointed by an authority in a country other than the Soviet Union and the United States. Parties to contracts, however, are free to decide on any other means of arbitration "which they mutually prefer and agree best suits their particular needs." In addition, U.S. firms are guaranteed the right to use the processes of Soviet courts and comparable Soviet organizations are assured similar access to U.S. courts.

LEND LEASE SETTLEMENT

Background

Outstanding Soviet lend lease obligations have been a deterrent to U.S.-Soviet commercial relations since World War II. Negotiations which were conducted immediately after the war, in 1951 and in 1960 all ended in failure. The lend lease statute gives the President full power to settle the obligation within very broad limits. The agreement under which lend lease aid was extended to the Soviets followed other similar agreements in providing only the most general language concerning how contributions to the war effort by each side were to be settled. Consequently, the actual 1945 settlement with the British, the principal beneficiaries of lend lease aid, provided the guidelines for the settlement with the Soviet Union which received about half as much aid as the British, but more than five times as much as any other country. The principal issues were the amount of the total settlement, whether and how much interest should be charged, the length of time for repayment, a grace period and a right to postpone annual installments under certain conditions. Negotiations were complicated by the length of time which had elapsed since World War II, the difference between current interest rates and those prevailing at the end of World War II, and the fact that Soviet products have been subject to higher tariff levels during the intervening period than have been the products of the British.

The Soviet settlement

Outstanding Soviet lend lease obligations will be settled by the payment by the Soviets to the United States of an amount at least $722 million payable over the period ending July 1, 2001. $12 million is being paid today. $24 million will be paid July 1, 1973, and $12 million on July 1, 1975. The balance will be paid in equal annual installments ($24,071,429 for each of 28 installments assuming the first such annual payment is on July 1, 1974*) ending on July 1, 2001. The exact total amount will depend upon when and how many of the four allowable annual deferments are taken by the Soviets. If the Soviets were to take their four postponements early in the period, interest on deferments could amount to as much as $37 million, making the total amount payable between now and 2001 equal to $759 million. Such deferments, if taken, will nonetheless be repaid by July 1, 2001, and will bear interest at the rate of 3 per cent per annum. The British pay 2 per cent interest on any deferments and are permitted to add a year beyond 2001 for each deferment. The median interest rate for total interest bearing public debt between 1946 and 1972 is 2.867 per cent (which is coincidently the interest rate for the year 1959). The settlement also includes remaining amounts due on the "pipeline account" for lend lease goods delivered (approximately $45 million due) to the Soviets immediately after World War II and for which they have been paying since 1954.

The Soviet settlement as compared to the British settlement

In addition, account was taken of the fact that the U.S. has carried the Soviet debt since the War at the cost of the foregone interest it would have received had the Soviets settled at the time the British settled, and has experienced a period of substantial world-wide inflation. As to prospective interest rate, it had to be recognized that the 2 percent rate charged the British was itself concessionary as against rates prevailing in 1946. The two settlements compare as follows:

Total aid extended: U.K., $21.5 billion; Soviet, $11.1 billion.

Total amount to be paid: U.K., $805 million;[1] Soviet, $921 million.[1]

Grace period: U.K., 5 years; Soviet, none.

Final due date: U.K., December 31, 2006—(could be December 31, 2008, if three additional permitted deferments taken); Soviet, July 1, 2001—no extension.

Annual deferments: U.K., 7 allowed—extends final due date; Soviet, 4 allowed—no extension.

Interest rate on deferments: U.K., 2 percent; Soviet, 3 percent (compared to British settlement in which deferments result in an extension). The 3 percent Soviet interest rate is actually comparable to a 4 percent interest rate on the British basis. The U.K. paid 2 percent.

COPYRIGHTS AND TAX TREATIES

Significant progress was made on both the copyright and tax treaty issues and work is continuing on both scores in special work groups in each of these subjects. It is expected that additional major progress on these issues will be made prior to the next Commission meeting.

Joint United States-U.S.S.R. Commercial Commission

Commercial relations between the two countries will continue to be monitored by the Joint Commercial Commission. The U.S. delegation on the Commission is chaired by Peter G. Peterson, Secretary of Commerce, and is composed of James T. Lynn, Under Secretary of Commerce as Vice Chairman; Jack F. Bennett, Deputy Under Secretary of Treasury; Willis Armstrong, Assistant Secretary of State; and Andrew E. Gibson, Assistant Secretary of Commerce, as members, James L. Mitchell as General Counsel, and Steven Lazarus as Executive Secretary.

Mr. MATHIAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1971) to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 11021) to control the emission of noise detrimental to the human environment, and for other purposes, with an amendment in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1467. An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, and for other purposes;

H.R. 16071. An act to amend the Public Works and Economic Development Act of 1965;

H.R. 16654. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes; and

H.R. 17034. An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, Wednesday, October 18, 1972, he presented to the President of the United States the following enrolled bill:

S. 3858. An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREE ENTRY OF CARILLON FOR THE USE OF THE UNIVERSITY OF CALIFORNIA AT SANTA BARBARA

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 4678.

The PRESIDING OFFICER (Mr. FANNIN) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 4678) to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. I understand this is a bill used as a vehicle for various trade amendments late last week. Is that correct?

Mr. MANSFIELD. Yes.

Mr. PROXMIRE. I understand all we would do here is send the bill back in the form which it passed the Senate, so that is simply a repetition of what we have done. There are technical reasons why this is done, but there are not substantive changes.

Mr. MANSFIELD. I move that the Senate further insist on its amendments.

The PRESIDING OFFICER. The

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*If such MFN is granted between June 1 and December 1, the first lend lease payment is due not more than thirty days thereafter. If MFN is granted from December 2 through May 31 of the following year, then the first lend lease payments is due on July 1 of that year. The earlier payment date of such annual installments is July 1, 1974.

[1] Assumes no deferments and includes payments for goods in "pipeline" at the end of World War II and delivered thereafter ($199 million have been received from Soviet Union to date.)

question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

QUORUM CALL

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC DEBT LIMITATION

Mr. BENNETT. Mr. President, I ask unanimous consent that during further consideration of the proposed debt limit legislation, Mr. John Evans of the staff of the Committee on Banking, Housing and Urban Affairs be permitted to have the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I make a similar request for Eugene Mittelman of the committee staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TUNNEY. Mr. President, I make a similar request for Tom Gallagher of my staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I make the same unanimous-consent request for Kenneth McLean of the Committee on Banking, Housing and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC DEBT LIMITATION—CONFERENCE REPORT

Mr. LONG. Mr. President, I submit a report of the committee of conference on H.R. 16810, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. FANNIN). The report will be stated by title.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 1973, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this further report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of today.)

Mr. LONG. Mr. President, the parliamentarians on both sides have worked overtime to help us to put together a conference report on which we believe the Senate and the House can agree. The House has now agreed to this proposal, and it is now a matter for the Senate to agree.

What the conference report does in its simplest terms, and it is very complicated in the way it is put together to achieve the result, is that the spending limitation, to all intents and purposes, is eliminated. In view of the fact that the $250 billion ceiling is in both the House and the Senate bills there is an amendment added at the end, as suggested by the Senate, as amendment No. 1 of the conference agreement which states:

> The provisions of this title shall cease to apply on the day after enactment of this Act, and no action taken before such day shall have any force or effect on or after such day.

That has the effect of negating any provision in the bill that has to do with a spending limitation.

In conference, the House, in effect, has agreed to the Senate amendment, but it had to add it to the report we agreed to in conference previously.

I regret we were not able to prevail upon the House conferees to expand the conference agreement to include more of the provisions that we had initially in this bill—particularly the amendment that we had brought to the conference on unemployment insurance matters. Unfortunately, the House conferees advised us that under their parliamentary rules this would not be in order, and it could not be considered even by unanimous consent. Under their rules, this is an amendment in the third degree and, therefore, they say they cannot consider it. At this point we could not persuade them to agree to it.

There is a bill before the House, H.R. 640, which we have reason to believe the House might yet either be willing to agree to or go to conference with the Senate on. It contains the Senate-passed amendment, the Magnuson amendment, which is broader than the one we have here in this conference agreement, which could be of assistance to more States than those which would be benefited by the proposal before us. Those States that could be benefited by the Magnuson amendment as agreed on between the two Houses are Alaska, Maine, Massachusetts, Michigan, Nevada, New Jersey, Puerto Rico, Rhode Island, Vermont, and Washington.

It is my hope that the House will act on H.R. 640 and agree to the Senate amendment, or ask for a conference, so that we may pursue this matter further. Then, we could provide help to some of the States that are not included in the list I have mentioned, but which are in the broader list which I hold here, and which could be favorably affected by the Magnuson amendment.

This is the best we are able to do on this piece of legislation, and on that basis I ask the Senate to agree to the conference report.

Mr. AIKEN. Mr. President, may I ask what happened to the istle amendment?

Mr. LONG. That was put in a different bill.

Mr. LONG. I believe it is on H.R. 7577, and on the House side objection has been made to taking that bill to conference. So, as it stands this moment, it is in the House, but that, as well as the other amendments there, are subject to some of the difficulties, I suppose, that we had on the legislation on this side, where one Member's objecting has a great deal of power at this stage of the proceedings.

Mr. AIKEN. I believe the House Ways and Means Committee had unanimously approved a bill which was exactly like the istle amendment. I do not think the House got around to acting on the bill itself. But I realise there are two other amendments, one relative to angostura bitters and the other, I think, had something to do with the excise tax on wines.

Mr. LONG. Yes.

Mr. AIKEN. I presume those are the ones that the House frowned upon, because the Ways and Means Committee had already approved the istle amendment as a bill.

Mr. LONG. There is no great significance to either the angostura bitters Neither of them is going to make a great deal of difference one way or the other, and I would hope that the House would be permitted to vote on them as well as the istle amendment. But as it stands at this moment, Senator, under the rules of the House, a single Member can be even more arbitrary than one can be in the Senate and stop a unanimous-consent request.

Mr. AIKEN. I would be surprised if there were a single Member in the House who would object to these amendments, because, as the chairman of the committee has said, they have no effect on income or cost of application of the law, or anything like that.

Mr. LONG. I thank the Senator. If the House will go to conference on them, I will be glad to go back and deal with them. If the Senator from Utah will remain here, we have a couple of soldiers who will go back to them, if they want to talk, and put them on H.R. 640.

I would hope the large delegations from California and New York, neither of which is benefited by the unemployment insurance proposal here, but both of which could be benefited if the House would even go to conference with regard to the measure that remains on the calendar, or at least at the Speaker's desk, would use their influence to bring this bill out of the House for a vote. We have certainly no difference. In fact, most of this conference was spent in trying to expand the unemployment insurance amendments, because the matter involved in the debt limit was easily disposed of.

Mr. AIKEN. I understand that the members of the Finance Committee have shown extraordinary patience and diligence all through the last few days of this conference, and I know that the fault does not lie with them.

Mr. LONG. Senator, I have somewhat more encouraging news. I am informed that the istle amendment on H.R. 640, which is the amendment on which we hope to have a conference with the House at this late date, will be agreed to if we are able to get to a conference with them.

Mr. AIKEN. I would expect the House conferees to agree to the istle amendment if they agree to anything.

Mr. JAVITS. Mr. President, I assume the Senator from Louisiana has relinquished the floor.

Mr. LONG. Yes.

Mr. JAVITS. Mr. President, I have heard with great interest the report of the Senator from Louisiana. The Members of the House, the conferees for the House, the conferees for the Senate, have done, I am sure, whatever they felt they could do according to their lights. They are very tenacious men. That is the way Senators should be, and we honor them for it. But as I hear the report, it offers no hope for us of any kind. It is my understanding that an effort to bring up H.R. 640 over there, unless pursued with great vigor and determination, even to take it to a vote on suspension, is likely to be fruitless.

This matter was brought before us even before anything was done about this other bill, which was the way to solve the procedural impasse. However, I have served in the House, too, and I know that procedural impasses can be solved, and I have helped to solve them, when they really need to be.

We have really debated this matter very exhaustively. It comes simply to an arbitrary selection of nine out of 25 States which have serious unemployment problems that are going to be helped, and the other 16 are going to be left waiting at the door.

This is not a conference which, as a Senator from New York, I have any right to approve. I know Senators are exhausted. They were here until a quarter after one this morning. It should be footless to continue this debate. If it is the will of the Senate, and if that is the way the Senate wishes to go, I shall record myself in opposition. I would hope that a number of Senators would rebut this report, in justice to the States which need help just as badly as other States do. It seems to me a most arbitrary and uncompromising attitude, but, if that is the only thing we can do, like other Senators, we simply have to bide our time until the next season comes around.

I really must, with the greatest strength I have, protest this really arbitrary and highhanded treatment. We passed an amendment. We insisted on it. We went back to the House. It now comes back here without a shred of recognition—simply an uncompromising, flat "no." No good reason. No reason is advanced. Indeed, the Senator from Louisiana (Mr. LONG) himself said yesterday, that he really felt that he was right, that he was going to take it back and get it done; but obviously he represents one House and the best will in the world just will not accomplish that.

So, Mr. President, it really gives us no alternative but to show our disagreement in the only way which is open to us, without materially impeding the work of the Senate. I would have hoped at least the effort would be made to deal with H.R. 640 and that this matter would be brought back to the Senate having at least done all we could and all they could on settling the matter with respect to this other bill.

I know the Senator from Louisiana (Mr. LONG) is a very experienced legislator. He has used his words very carefully. There are no commitments of any kind or character with respect to any other bill or any other action.

I must assume, and I think I am right in assuming, as I am not inexperienced either, that that is the end of it, and that once the Senate accepts this conference report we may live to fight another day, but from now until next January, February, or March those who are unemployed in my State, 170,000 strong, and whose benefits have expired, and those who are unemployed in California, 150,000 strong, whose benefits have expired, as well as those who are unemployed in the other 16 States whose benefits have expired, will have to go on welfare or find some other way of making do. They are not going to get any help from the U.S. Government.

There is one other bit of inequity, Mr. President, which I would like to point out here. The nine States which benefit—and I do not begrudge it to them at all; I simply wish my State were in the same position—benefit at the expense of all the employees of the United States, including those in my own State, and my own happen to represent a big share of the total, as do California's. We all have to pay into the pot in order to benefit a particular group of States through the application of a Federal unemployment compensation scheme. It comes out of that pool; so if the tax has to be increased or the reserves have to be reduced, all the employers of the country pay it. So we are paying to suborn an inequity and a discrimination against us.

It seems to me that this is a pretty reprehensible business, but the American system makes us one House and the other House another, and so there we are, Mr. President. I regret it very much. I deplore it. I think it is shocking, and I am sorry, but that is the way it is.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JAVITS. Of course.

Mr. LONG. May I say to the distinguished Senator that I am very sympathetic with his problem, but I have done the best one Senator can to help him with it. I would point out to him that there is only so much that each Senator can do, including the Senator from Louisiana and the Senator from New York.

The Senator represents a State which has almost 40 Representatives over there in the House of Representatives. California is similarly affected, and they have a delegation of comparable size. I do not say this to cast any reflection or add to their burden, except to point out that the House has not been sending the amendment to us. We have sent it to them on three bills, and as far as I am concerned, I am still ready to go to conference and renew this struggle to try to bring about what the Senator is seeking to achieve, but at this moment we need some help from the other side.

Mr. JAVITS. I could not agree with the Senator more, and I stood here on the floor yesterday myself and spoke in exactly the same vein. I think it is really shocking that the Representatives, according to population, of the two largest States in the Union cannot have an impact upon the body in which they serve.

Mr. LONG. I am informed further that after the sine die resolution is agreed to, it no longer requires unanimous consent to bring this matter up.

Mr. JAVITS. It no longer requires unanimous consent?

Mr. LONG. In the House of Representatives.

Mr. JAVITS. I realize that, but——

Mr. TUNNEY. Mr. President, will the Senator yield?

Mr. JAVITS. May I finish my statement? I have the floor. I suggest to the Senator, therefore, that perhaps we simply ought to take no action upon this conference report momentarily, and see what they do with H.R. 640. It seems to me that would be a fair resolution of the situation.

Mr. LONG. Mr. President, this conference report has nothing to do with the problem the Senator has. Here is the reason the Senate conferees agreed to this conference report: We are told that this amendment cannot be considered in the House of Representatives because it would then become an amendment in the third degree. They tell us that to seek to do what the Senator would like would then constitute an amendment in the fourth degree, and that an amendment in the third degree cannot be considered, much less one in the fourth degree.

But the matter can be put in conference by the House going to conference on H.R. 640, and that is what the Senator from New York should be seeking. If I were he, I would be urging the New York delegation and the California delegation to seek to move forward H.R. 640, and as I say, after the House passes its sine die resolution, they are then in a position to act without unanimous consent. So there is still a chance of moving that legislation, and we hope we will.

Incidentally, I have been informed that the Esso amendment is also on this bill.

Mr. JAVITS. I realize there is still a chance for me, but the only resource I have is here. I have no commitment of any kind or character from anyone over there, so I must seek what remedies I have here. The only remedy I have here I am informed by the desk, is to vote "yea" or "nay" on the conference report, since it no longer has an amendment in disagreement. All I can do is vote "yea" or "nay," up or down. But I can at least exercise my privilege of voting against it on the record, and try to get as many other Senators as we can to defeat it again, as we did last night.

Mr. LONG. Even if we defeat the conference report, however, we cannot achieve what the Senator desires on this bill. So I do not think it would accomplish anything if he did.

Mr. JAVITS. Mr. President, I used to have a client years ago who built up an enormous business, in the hundreds of millions of dollars. He could hardly read and write, but he had a marvelous expression. He used to say, "There is always a right way to do right," and I think there is a right way to do right in this situation, even if it is to go to conference on H.R. 640 and bring in a conference report. If the House wants to do it, it can do it. If it does not want to do it, we cannot make them do it, but we do not have to make is easy for them, either.

I yield to the Senator from California.

Mr. TUNNEY. Mr. President, I just wanted to bring up a procedural point. Someone referred to the point that a resolution to adjourn sine die over in the House of Representatives would lead to a suspension of the rules. It only leads to a suspension of the rules if the Senate also agrees to the resolution to adjourn sine die. But until the Senate agrees to the resolution to adjourn sine die, the rules of the House remain the same as they have been prior to their resolution to adjourn sine die, which means that they have to have unanimous consent.

I have had the impression that H.R. 640 is apparently dead in the House of Representatives. I ask the Senator from Louisiana, can the Senator enlighten me? Does the Senator know?

Mr. LONG. Mr. President, I am informed that the Senator is probably correct, that a sine die resolution has to be agreed to on both sides in order to obtain the suspension that the Senator seeks. And incidentally, Mr. President, I am informed that there is a conference report waiting on the highway bill.

Mr. RANDOLPH. Almost, but we are not quite ready.

Mr. LONG. I am now informed that that is not yet the case.

Mr. JAVITS. Mr. President, I shall not take the time of the Senate further. I have made my point. I hope very much to get a record vote on this conference report. I hope very much it can be turned down, as we did last night, because of the manifest unfairness that a group of States and a group of people, through no fault of their own, are being shut out arbitrarily and discriminatorily from Federal assistance, and being forced on the welfare rolls. I think they are entitled to be heard here as well as anyone, and I intend to speak for them if I can.

Mr. MAGNUSON. Mr. President, I merely want to say this: I am sure that the Senator from California and the Senator from New York know that no one has been more insistent or worked harder with Senators on this unemployment matter—may I have the attention of the Senate?—than the Senator from Washington. Actually, no one is shut out. If you have a certain percentage of unemployment, you are in. I wish I did not have to stand here and admit we are in. I wish we were shut out in my State. Would that not be fine? If we went down from 10½ to 5½ percent we would be. I wish we were out, but we are not.

There are certain States that are on the borderline, including New York, I agree with the Senator from New York that these people who are going to walk the streets, out of work, do not know the difference between germaneness and nongermaneness or between third- and fourth-degree amendments, or the parliamentary dickering we are having in the Senate. They are out of work. If that happens to us, let us not shut out those who have a chance to get it under the House provisions. I do not know what happened in the House. I know one Representative who has been almost insistent in this matter—the Senator from New York knows who I mean—in the Ways and Means Committee.

So I am hopeful that S. 640 will pass, too. I suggested that today. No one has been more cooperative with us in this matter than the Senator from Utah and the Senator from Louisiana. I hope we will not get to a point here where everybody is going to be out.

There is a practical matter here, too. All the State legislatures have to approve of this. None of them will meet until January of next year. I suppose it would be February before the legislatures would approve, because the State has to come up with one-half.

So I am hopeful that we can work this matter out. I have been here the last two sessions until the dying moments on this unemployment business, and it is becoming difficult for me to understand why we cannot have a simple bill taking care of the unemployed of this country and vote it up or down. We have it in three bills—this one and two more. Last year, we bounced around on this matter like ping-pong balls.

I will do anything I can to get these States back in. The truth of the matter is that we had better be thinking about some kind of permanent law by which these trigger features will happen automatically.

I am sorry that somebody is out, but I wish I were out. I would be very happy. I would have gone home Friday night, if I were out. But we are not out. We are still at a percentage of 10½, as are some of the other States. I do not know how we can do this. We might have to wait until January, because it will not happen anyway until January. The Legislature of the State of California will not meet. Perhaps they will have a special session, if unemployment is severe enough.

So it is not all bad that somebody is completely out. It is just that they had to have a breaking point. The House, in my opinion, decided the wrong breaking point. It happens that my State has the worst situation of any State in the Union; therefore, whatever breaking point they had, my State was in. If they made it 10 percent, my State would have been in. I have just as many people worried about it, too.

Another thing: I cannot understand any objection to the payment of Federal funds into this at the rate of one-half, because if 500,000 or 600,000 people are unemployed and they have to go on welfare, it is going to cost just as much as the payments, or more.

So I am hopeful that we will work this matter out. I surely do not blame the Senator from New York and the Senator from California for trying to do everything they can think of, but do not leave me out alone, either—or the other States. If their States get higher, they will trigger in, too. I hope they do not, but they might.

Mr. JAVITS. No one has been more loyal to us, including the author of the original amendment, than Senator Magnuson. I said that I certainly do not want to intrude upon the good fortune of those States which continue in, and I will do my best in that regard. But I think the Senator will appreciate, when he sees the figures, how many people are involved in our problems. Washington, tragically, has 42,000 unemployed in this category. Between New York and California, we have 320,000 in this category. When you take the whole country, it is approximately 800,000, and the number of people being helped is about 200,000.

So we have a perfect right to protest. The Senator is correct when he says that the legislatures have to meet, and so forth; but not a crumb of comfort is being given to us in any way, not even any assurance that anything in particular is going to be done.

I am not talking about Senator Long—he is completely in good faith in this matter—or Senator Bennett. But in the other body we get no shred of comfort whatever. Procedurally, they cannot do it. So what? There are many ways to do it, if they want to do it. But there is no assurance of any kind about anything, and I do not think that is fair.

Mr. LONG. Mr. President, in view of the Senator's statement, and in the effort to be helpful to him in this matter, I ask unanimous consent that the conference report be laid aside temporarily.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Tunney). Without objection, it is so ordered.

TRIBUTE TO SENATOR CLINTON P. ANDERSON OF NEW MEXICO ON HIS RETIREMENT

Mr. PASTORE. Mr. President, as this session comes to a close, I want to pay tribute to Clinton Anderson, one of our most distinguished and valued Members. Clinton is retiring at the end of this session, after a distinguished career in public life which spans almost four decades. His career is extraordinary because he has served at the highest levels in both the executive and legislative branches of this great democracy.

He was elected to the House of Representatives in 1940 and served until he was appointed by President Truman as Secretary of Agriculture. He left that post in 1948 when he ran successfully for the Senate, where he has been a strong and effective Member for more than two decades—and if this was not enough, he was also a successful businessman.

During his outstanding career he has been a man of broad scope and vision—a man dedicated to strengthening our Nation, not only in terms of national defense, but also in making America a better place to live. He has worked in these Chambers unceasingly to provide better medical care for our people. He has worked to develop the peaceful uses of atomic energy. In 1956, as chairman of the Joint Committee on Atomic Energy, he established the panel to appraise the impact of peaceful applications of atomic energy on the American way of life, our economy, our industry and our natural resources. This panel, under the direction and guidance of Clint Anderson, composed of leading citizens of the country from industry and labor, laid the basis for developing the U.S. civilian nuclear power program.

As chairman of the Joint Committee in the 84th and 86th Congress, Clinton Anderson worked effectively to bring a new source of energy to America and the world. He was the coauthor of the Price-Anderson indemnity legislation, which provides for governmental assumption of liability over and above private insurance coverage for reactor hazards. He strongly urged Congress to develop a legislative program for the expansion and acceleration of atomic energy to assure the U.S. leadership in this developing field.

In strengthening our national defense he led the fight to support a Navy captain who had an idea that the United States could be the first to develop nuclear-powered submarines, and with the backing of the Joint Committee, that captain, now known worldwide—Admiral Rickover—succeeded.

Clinton Anderson felt very strongly that the principal role of the Joint Committee was to serve as a "watchdog" over the Atomic Energy Commission, and other agencies of the Executive Department responsible for atomic matters. It was his leadership, particularly in the early days of the civilian atom, that he developed the basis for the peaceful atomic energy program that we have today.

Clint went on to be chairman of the Committee on Aeronautical and Space Sciences, and again he used his great abilities to insure that the United States was first in putting men on the moon.

In his long and distinguished career he has had many accomplishments and many blessings. Without question the most important has been his wonderful family—his wife Henrietta, his two children, and his grandchildren. In his career he has been successful because he is a man of great ability, strong will, and a sense of vision. It is this sense of vision that we will miss so much. The vision that saw the need for an atomic energy program to provide energy for the world. The vision which saw the need to keep our defense "second to none." His insight, his ability, his effectiveness throughout the years has always moved America forward. It is a rare tribute to him that he has been honored in his own time by having a nuclear facility dedicated to his name at the Los Alamos Scientific Laboratory. We will all miss his leadership and we will always remember his accomplishments. We are all sorry to see him go, but it is by his choice. And we wish him many years of good health.

PARTICIPATION OF INDIANS IN FREE ENTERPRISE SYSTEM

Mr. FANNIN. Mr. President, with adjournment imminent, it appears that it is now impossible for the Congress to complete action on legislation authorizing a program for loans and grants to assist Indians in establishing Indian-owned businesses, as requested by the President in his July 8, 1970 message on Indian matters.

There was a glimmer of hope when the House of Representatives passed H.R. 8063 on October 13, 1972. However, that hope has waned as adjournment draws near.

The Senate Interior and Insular Affairs Committee held hearings on companion legislation, S. 2036 and S. 2237, on August 1, 1972. This legislation was scheduled for executive consideration on August 9, on September 6, and again on September 28, 1972. Unfortunately, the committee was unable to consider it.

The House combined the elements of the two measures and reported them as a single bill, H.R. 8063. This was acceptable to the administration. I might say, Mr. President, that it is my understanding that the administration considers Indian financing legislation as a very high priority item in providing help to Indians.

Mr. President, I ask unanimous consent that a letter, dated October 17, 1972, from Assistant Secretary Loesch to Senator Allott be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Washington, D.C., October 17, 1972.

Hon. Gordon Allott,
U.S. Senate,
Washington, D.C.

Dear Senator Allott: Mr. Forrest Gerard of the Committee Staff requested that we provide our views on H.R. 8063, the "Indian Financing Act of 1972", as passed by the House of Representatives on October 13, 1972.

H.R. 8063 as passed by the House incorporates the substance of two Administration proposals, S. 2036, a bill "To provide for financing and economic development of Indians and Indian organizations, and for other purposes", and S. 2237, a bill "To establish within the Department of the Interior the Indian Business Development Program to stimulate Indian entrepreneurship and employment, and for other purposes."

The differences between H.R. 8036 and the Administration's proposals are relatively minor. We believe the House inadvertently omitted a requirement we had proposed to the grant program (S. 2237) that enterprises receiving grants be "on or near the reservation". Since the program is discretionary, we would administer it in accordance with our recommendation so that its benefits accrue to reservation Indians.

This bill would materially assist our efforts to promote the economic development of Indians and Indian organizations. We, therefore, urge its speedy enactment.

The Office of Management and Budget has advised that there is no objection to the presentation of this letter from the standpoint of the Administration's program.

Sincerely yours,

Harrison Loesch,
Assistant Secretary of the Interior.

Mr. FANNIN. Mr. President, it is my sincere hope that the committee will be able to act on this important legislation at an early date, so that Indians across the Nation can participate in and become a part of our great free enterprise system.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Jordan of North Carolina). Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and at 5:46 p.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 6:22 p.m., when called to order by the Presiding Officer (Mr. Fannin).

FEDERAL-AID HIGHWAY ACT OF 1972—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on S. 3939, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3939) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of today.)

Mr. MANSFIELD. Mr. President, this matter is being called up at this time because the leadership has been informed it has been cleared on all sides, and this is the result of lengthy meetings between House and Senate conferees.

I ask unanimous consent that there be a time limitation of 10 minutes on the pending conference report, the time to be equally divided between the distinguished Senator from Kentucky (Mr. Cooper) and the distinguished manager of the bill (Mr. Randolph).

The PRESIDING OFFICER. Is there objection?

Mr. PACKWOOD. I object.

Mr. MANSFIELD. I withdraw the request.

Mr. PACKWOOD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, again, with the understanding that it is agreeable to all sides as far as the leadership is concerned, I ask unanimous consent that there be a time limitation of 10 minutes to be equally divided between the Senator from Kentucky (Mr. COOPER) and the manager of the bill, the Senator from West Virginia (Mr. RANDOLPH).

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Who yields time?

Mr. RANDOLPH. Mr. President, I yield myself 2 minutes. Let us have order in the Chamber, please.

The PRESIDING OFFICER. The Senate will be in order.

Mr. RANDOLPH. Mr. President, for approximately 40 hours the House and Senate conferees on S. 3939 have been working to bring the Federal-Aid Highway Act of 1972 to our respective bodies for final passage. Late this afternoon the conferees agreed upon a measure. Eleven of the 12 Senate conferees gave approval to the conference report and the Senator from Massachusetts (Mr. BROOKE) abstained from voting. There was complete agreement of all conferees of the House. This is not to say that any conferees were satisfied 100 percent with the outcome of the conference. We recognize the importance of this legislation and we recognize the complexity of this measure. It is the composite thinking of men of understanding and purpose who were attempting to bring to fruition legislation that can be signed into law by the President to continue the highway program. We have also given dimension to other forms of transportation which have not only the approval of the American people but also the demand of the American people that we meet some of the unmet needs that have accumulated.

Mr. President, this bill will enable the Federal-aid highway program to continue without interruption. Authorizations for the interstate, primary, secondary, and urban highway systems are extended for 1 year. The 1-year authorization is a departure from our traditional practice. It was agreed on after extensive discussion to assure that the Senate and House of Representatives would address themselves to the highway program early next year. It is the desire of the conferees to consider highway matters in 1973 so that both Houses of the Congress can review several provisions of the Senate and House bills that were of great controversy in the conference. Operating under the time constraints of a Congress preparing to adjourn for the year, we were unable to agree on these items, and we were unable to give them the deliberation needed to reach an accord.

The conference report is, however, more than just a simple extension of the existing highway program. Provisions of the two bills that were identical or substantively alike were included, as were those on which there was no disagreement. The result is a bill that makes important improvements in our highway and mass transit programs.

Authorizations for primary, secondary, and urban highways are substantially increased, reflecting the recognition by both Houses of the urgent need to accelerate the development and rebuilding of these vital traffic arteries. The highway safety program is modified to make it more effective in reducing the deaths and injuries on our roads, and increased funding is authorized. The bill continues and refines the highway beautification program designed to remove blight from our roadsides.

A major feature of this bill is the inclusion of greatly expanded authorizations for urban mass transit construction grants and for operating subsidies badly needed by many of our country's financially pressed transportation systems. These authorizations are from general fund appropriations and were adopted virtually as they passed the Senate.

One of the principal items of controversy on which we could not agree was the concept of funding any type of urban public transportation activities through the Highway Trust Fund. This concept was embodied in the Cooper-Muskie amendment adopted by the Senate which would have given urban areas the choice of using urban highway funds for either highways or public transportation. Such an approach was totally unacceptable to the House conferees. At the same time, Senate conferees were opposed to the inclusion of a House provision to create a new highway system known as the priority primary system, a 10,000-mile network of express roads which we had not considered and on which we had no information.

These were the major items on which the conferees could not concur, and they are sure to be among those which will receive searching inquiry during the first session of the 93d Congress.

Mr. President, this conference was a difficult one, but it was carried out by men dedicated to the improvement of transportation of all types. It was carried out by men who are aware of their responsibilities and are determined to meet them. It appeared last Saturday that we would fail to produce a bill. But after considering the situation and recognizing that the highway program could not be allowed to come to a halt, I reconvened the conference this morning. I am glad to report that on this occasion we succeeded.

Mr. MUSKIE. Mr. President, will the Senator yield to me for two questions? I know time is limited, and I shall not be long. But on two issues that concern me, we might clarify the record. One is with respect to the Cooper-Muskie amendment. We were unable to persuade the House conferees to accept the Senate provision.

Mr. RANDOLPH. Yes.

Mr. MUSKIE. We undertook, therefore, to extend the ABCD system just 1 year so that we could have another crack at this provision next year.

The House was adamant on two matters for much of the conference. Finally, today, we were able to get the House to agree to the 1-year extension, which gives us a crack at this issue next year. Is that correct?

Mr. RANDOLPH. The Senator is correct.

Mr. MUSKIE. The next question is this: With respect to the priority primary system the language of the conference report, I think, indicates that it is the intent of the conferees to establish this system. From my point of view, what is indicated is not an authorization of this system, but simply an intent that the Congress take it under consideration next year, and that the system cannot be established without action by the Congress. Is that correct?

Mr. RANDOLPH. That is correct: a study, then action.

Mr. MUSKIE. I thank the Senator.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Wisconsin.

Mr. NELSON. The Senate-passed bill, S. 3939, the Federal Highway Act of 1972, had language which included section 112, which would change the first qualifying deadline for interstate finance programing from July 1, 1973, to July 1, 1974. There is a particular problem in the State of Wisconsin about meeting the qualifying date of July 1, 1973, and section 112 extended the deadline to July 1, 1974, and I assume it may apply to other places in the United States.

Under the conference agreement, that section was dropped. The act is extended for 1 year.

My question is, Would it be the intention of the chairman of the committee to address itself to that particular question of extending that deadline for qualifying to July 1, 1974, as the distinguished chairman of the committee had it in the bill as it passed the Senate?

Mr. RANDOLPH. That is correct. On the 10th of October I received a letter from the Senator from Wisconsin in reference to this matter. As the Senator has indicated, it was in the Senate bill. It has been dropped in conference. I pledge to the Senator from Wisconsin and others who may be interested that early next year this matter will be addressed by the Senate Committee on Public Works. I feel there will be no difficulty in taking care of the Senator's State and other States.

Mr. NELSON. I appreciate that statement, because I-57 involves a particular problem in Milwaukee, which I discussed in the letter which I sent to the Senator from West Virginia as chairman. There is no way they can give the proper statutory assurances, under the law of Wisconsin, prior to July 1, 1974.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask unanimous consent that my letter to the chairman of the committee (Mr. RANDOLPH) be printed at this stage in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. Senate,
Washington, D.C., October 10, 1972.
Hon. Jennings Randolph,
Chairman, Public Works Committee, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: When the Senate passed S. 3939, the Federal-Aid Highway Act of 1972 on September 19, 1972, by a vote of 77–0, language was included in Sec. 112 of the bill which would change the first qualifying deadline for Interstate finance programming from the present July 1, 1973 to July 1, 1974 for those projects authorised under the last 1,500 mile addition to the Interstate program. This change in deadline directly applies to a unique situation in the State of Wisconsin and was added in the Public Works Committee at my request.

Our particular problem in Wisconsin has to do with the Milwaukee end of the I–57 project. At this time no one is in any position to make a firm finding about that segment of the I–57 project south of the Saukville Interchange. There are many pros and cons as to desirability of locating it over the route of the proposed Stadium Freeway north. The major considerations in favor of this are the possibility of security 90% financing for developing a high level highway which will serve the ingress and egress of the Milwaukee area from the northwest, and contribute toward closing the freeway gap on Fond du Lac Avenue (U.S. 41) as well as serving as the southern leg of I–57.

However, the ability of the State, as well as the City and County of Milwaukee, to make a positive finding and demonstrate clear intent and capability by next July 1, 1973 is impossible. This is due to a July 28, 1972 agreement between the Governor of Wisconsin, the Executive of Milwaukee County and the Mayor of Milwaukee which conditions this project as well as some others on a show of substantial progress in offsetting the housing deficit in Milwaukee resulting from past construction of all kinds.

To meet this housing requirement and thus proceed to a firm decision on the intent to construct this segment of I–57, the State of Wisconsin has passed legislation authorising the establishment of the Wisconsin Housing Authority. Because of a possible conflict with the State Constitution, however, this legislation faces a court test before the WHA will be in business. Regardless of the outcome of the court test of the constitutionality of the WHA legislation, this delay will prevent the State of Wisconsin from making any positive finding and demonstrating to the Secretary of the Department of Transportation by July 1, 1973 a clear intent and capability to construct the final segment of I–57.

The Secretary of the Department of Transportation of the State of Wisconsin has stated that another year is vitally necessary for the State to be able to meet the first deadline required by law. The final sentence of Sec. 112 of the Senate passed version of S. 3939 would accomplish this purpose and extend the first deadline to July 1, 1974. This provision was not included in S. 3939 when the House passed their version of this legislation on October 6, 1972. It is my hope that this explanation of the unique situation in Wisconsin which is directly affected by this provision in the Senate bill will merit the attention of the conferees on the Federal-Aid Highway Act of 1972 and will be retained in the Conference Report on this legislation.

Sincerely yours,
Gaylord Nelson, *U.S. Senator.*

The PRESIDING OFFICER. Who yields time?

The Senator from Kentucky (Mr. Cooper) has 5 minutes.

Mr. COOPER. Mr. President, I agree with the statements made by the Senator from West Virginia (Mr. Randolph). The House conferees would not agree to the Cooper-Muskie provision. We fought against the establishment of a 10,000-mile "priority primary" system. No hearings were held on that in either House. The established minimum cost was $10 billion. We do not believe that should be done when the Interstate System is only 81 percent complete, and also it is not proper to add such a burden on the highway trust fund without proper consideration.

I agree with what the Senator from West Virginia (Mr. Randolph) stated in response to the question by the Senator from Maine (Mr. Muskie). The Secretary will report by June 30, after consultation with the States, his views on this system, and then Congress would have the opportunity, if it wanted, to consider and adopt them.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. PROXMIRE. If the Senator will permit me, I was a conferee. I am concerned about this bill. I am deeply concerned about any headlong commitments to thousands of miles and billions of dollars of additional Interstate Highway building. I am concerned about environmental matters. I am very unhappy about the fact that there are no moneys for mass transit. Both I am especially concerned about the point raised by the Senator from Kentucky and the Senator from Maine, and I would like to ask a few questions:

Does the conference report authorize funding for the so-called 10,000-mile priority primary system?

Mr. COOPER. No.

Mr. PROXMIRE. What are the cost estimates for that system?

Mr. COOPER. Department of Transportation Secretary Volpe wrote me that their estimate would be $10 billion at a minimum.

Mr. PROXMIRE. $10 billion?

Mr. COOPER. $10 billion.

Mr. PROXMIRE. Are we committed by the conference report to going ahead on this system?

Mr. COOPER. No.

Mr. PROXMIRE. One more question, finally: Is the Secretary required by the conference report to draw up detailed plans for the 10,000-mile system, or is he merely required to report to Congress on the need for and feasibility of such a system, together with cost estimates for such a system?

Mr. COOPER. The latter; not detailed plans for such a system. As I just said, he must submit a report on the matter, as suggested in the second clause of the question, by June 30. Then any action thereafter would have to be taken by Congress.

Mr. PROXMIRE. May I ask the Senator from West Virginia if he agrees with that response?

Mr. RANDOLPH. I agree fully with the Senator from Kentucky. We had very much in mind the concerns expressed by the Senator from Wisconsin. We are glad to answer the questions in the report.

Mr. COOPER. There is an unfortunate word in that bill, but that does not control it, because this must come back to Congress.

I would like to say the significant issue in the conference report is this: Prior to this year there was a biennial authorization; Congress authorized the Federal-aid highway programs every 2 years. Our amendment, which has been accepted, provides for a 1-year authorization. It is understood that it will be for 1 year. Every highway program will stop after that 1 year unless Congress enacts legislation. This gives the Senate and the House the opportunity to hold hearings, receive testimony, consider these issues, and to vote again. There is a necessity for voting again on all those questions.

I wish we had more time to thoroughly debate all these matters, but this, in my view, is the most significant point. It protects the Congress. It protects the viewpoint that the Senator and I have had over environmental questions, beautification, and all the rest.

Mr. PROXMIRE. May I say to the Senator from Kentucky that if it were not for the extension of 1 year, I would be vigorously opposed to the conference report and would do my best to stop it. However, under the circumstances, this being a 1-year extension, I will not oppose it.

The PRESIDING OFFICER. All time on the conference report has expired.

The question is on agreeing to the conference report.

The report was agreed to.

Mr. LONG. Mr. President, I move to reconsider the vote by which the conference report was adopted.

Mr. MAGNUSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, permit me to congratulate the distinguished chairman of the Committee on Public Works and all the conferees for the magnificent job they have done in advancing the national interests and working out one of the most difficult problems this Congress had to confront in trying to solve the needs of the urban areas as well as the sparsely populated areas, and all the States of the Nation, each one of which wanted to have its particular problems considered.

May I especially extend to the Senator my gratitude for the fact that the conference report and the bill as finally developed permits the State of Louisiana to do what we think we need to do, and that is to meet our most immediate, pressing needs and erect a modern road, with the understanding that as funds become available under the primary system, our share can be used to help amortize the road we built. That was a provision I introduced earlier. The chairman was most thoughtful in considering that problem. I have no doubt that, without his sympathetic consideration, the probabilities are that it could not have prevailed.

The Senator from Louisiana, and I am sure he speaks for all Senators, congratulates the Senator for his work on that matter as well as all other matters in the bill.

Mr. RANDOLPH. I thank my colleague, and I simply say that this was the work of the conference.

NOISE CONTROL ACT OF 1972

Mr. TUNNEY. Mr. President, I ask that the pending business be temporarily laid aside so that I may ask the Chair to lay before the Senate the message from the House of Representatives on H.R. 11021.

The PRESIDING OFFICER (Mr. FANNIN) laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H.R. 11021) to control the emission of noise detrimental to the human environment, and for other purposes, which was in lieu of the matter proposed to be inserted by the Senate amendment, insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Noise Control Act of 1972".

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds—

(1) that inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas;

(2) that the major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce; and

(3) that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce control of which require national uniformity of treatment.

(b) The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare. To that end, it is the purpose of this Act to establish a means for effective coordination of Federal research and activities in noise control, to authorize the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products.

DEFINITIONS

SEC. 3. For purposes of this Act:

(1) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) The term "person" means an individual, corporation, partnership, or association, and (except as provided in sections 11(e) and 12(a)) includes any officer, employee, department, agency, or instrumentality of the United States, a State, or any political subdivision of a State.

(3) The term "product" means any manufactured article or goods or component thereof; except that such term does not include—

(A) any aircraft, aircraft engine, propeller, or appliance, as such terms are defined in section 101 of the Federal Aviation Act of 1958; or

(B)(i) any military weapons or equipment which are designed for combat use; (ii) any rockets or equipment which are designed for research, experimental, or developmental work to be performed by the National Aeronautics and Space Administration; or (iii) to the extent provided by regulations of the Administrator, any other machinery or equipment designed for use in experimental work done by or for the Federal Government.

(4) The term "ultimate purchaser" means the first person who in good faith purchases a product for purposes other than resale.

(5) The term "new product" means (A) a product the equitable or legal title of which has never been transferred to an ultimate purchaser, or (B) a product which is imported or offered for importation into the United States and which is manufactured after the effective date of a regulation under section 6 or section 8 which would have been applicable to such product had it been manufactured in the United States.

(6) The term "manufacturer" means any person engaged in the manufacturing or assembling of new products, or the importing of new products for resale, or who acts for, and is controlled by, any such person in connection with the distribution of such products.

(7) the term "commerce" means trade, traffic, commerce, or transportation—

(A) between a place in a State and any place outside thereof, or

(B) which affects trade, traffic, commerce, or transportation described in subparagraph (A).

(8) The term "distribute in commerce" means sell in, offer for sale in, or introduce or deliver for introduction into, commerce.

(9) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

(10) The term "Federal agency" means an executive agency (as defined in section 105 of title 5, United States Code) and includes the United States Service.

(11) The term "environmental noise" means the intensity, duration, and the character of sounds from all sources.

FEDERAL PROGRAMS

SEC. 4. (a) The Congress authorizes and directs that Federal agencies shall, to the fullest extent consistent with their authority under Federal laws administered by them, carry out the programs within their control in such a manner as to further the policy declared in section 2(b).

(b) Each department agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government—

(1) having jurisdiction over any property or facility, or

(2) engaged in any activity resulting, or which may result, in the emission of noise, shall comply with Federal, State, interstate, and local requirements respecting control and abatement of environmental noise to the same extent that any person is subject to such requirements. The President may exempt any single activity or facility, including noise emission sources or classes thereof, of any department, agency, or instrumentality in the executive branch from compliance with any such requirement if he determines it to be in the paramount interest of the United States to do so; except that no exemption, other than for those products referred to in section 3(3)(B) of this Act, may be granted from the requirements of sections 6, 17, and 18 of this Act. No such exemption shall be granted due to lack of appropriation unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation. Any exemption shall be for a period not in excess of one year, but additional exemptions may be granted for periods of not to exceed one year upon the President's making a new determination. The President shall report each January to the Congress all exemptions from the requirements of this section granted during the preceding calendar year, together with his reason for granting such exemption.

(c)(1) The Administrator shall coordinate the programs of all Federal agencies relating to noise research and noise control. Each Federal agency shall, upon request, furnish to the Administrator such information as he may reasonably require to determine the nature, scope, and results of the noise-research and noise-control programs of the agency.

(2) Each Federal agency shall consult with the Administrator in prescribing standards or regulations respecting noise. If at any time the Administrator has reason to believe that a standard or regulation, or any proposed standard or regulation, of any Federal agency respecting noise does not protect the public health and welfare to the extent he believes to be required and feasible, he may request such agency to review and report to him on the advisability of revising such standard or regulation to provide such protection. Any such request may be published in the Federal Register and shall be accompanied by a detailed statement of the information on which it is based. Such agency shall complete the requested review and report to the Administrator within such time as the Administrator specifies in the request, but such time specified may not be less than ninety days from the date the request was made. The report shall be published in the Federal Register and shall be accompanied by a detailed statement of the findings and conclusions of the agency respecting the revision of its standard or regulation. With respect to the Federal Aviation Administration, section 611 of the Federal Aviation Act of 1958 (as amended by section 7 of this Act) shall apply in lieu of this paragraph.

(3) On the basis of regular consultation with appropriate Federal agencies, the Administrator shall compile and publish, from time to time, a report on the status and progress of Federal activities relating to noise research and noise control. This report shall describe the noise-control programs of each Federal agency and assess the contributions of those programs to the Federal Government's overall efforts to control noise.

IDENTIFICATION OF MAJOR NOISE SOURCES; NOISE CRITERIA AND CONTROL TECHNOLOGY

SEC. 5. (a)(1) The Administrator shall, after consultation with appropriate Federal agencies and within nine months of the date of the enactment of this Act, develop and publish criteria with respect to noise. Such criteria shall reflect the scientific knowledge most useful in indicating the kind and extent of all identifiable effects on the public health or welfare which may be expected from differing quantities and qualities of noise.

(2) The Administrator shall, after consultation with appropriate Federal agencies and within twelve months of the date of the enactment of this Act, publish information on the levels of environmental noise the attainment and maintenance of which in defined areas under various conditions are requisite to protect the public health and welfare with an adequate margin of safety.

(b) The Administrator shall, after consultation with appropriate Federal agencies, compile and publish a report or series of reports (1) identifying products (or classes of products) which in his judgment are major sources of noise, and (2) giving information on techniques for control of noise from such products, including available data on the technology, costs, and alternative methods of noise control. The first such report shall be published not later than eighteen months after the date of enactment of this Act.

(c) The Administrator shall from time to time review and, as appropriate, revise or supplement any criteria or reports, published under this section.

(d) Any report (or revision thereof) under subsection (b)(1) identifying major noise sources shall be published in the Federal Register. The publication or revision under this section of any criteria or information on control techniques shall be announced in the Federal Register, and copies shall be made available to the general public.

NOISE EMISSION STANDARDS FOR PRODUCTS DISTRIBUTED IN COMMERCE

SEC. 6. (a)(1) The Administrator shall publish proposed regulations, meeting the requirements of subsection (c), for each product—

(A) which is identified (or is part of a class identified) in any report published under section 5(b)(1) as a major source of noise,

(B) for which, in his judgment, noise emission standards are feasible, and

(C) which falls in one of the following categories:

(i) Construction equipment.

(ii) Transportation equipment (including recreational vehicles and related equipment).

(iii) Any motor or engine (including any equipment of which an engine or motor is an integral part).

(iv) Electrical or electronic equipment.

(2)(A) Initial proposed regulations under paragraph (1) shall be published not later than eighteen months after the date of enactment of this Act, and shall apply to any product described in paragraph (1) which is identified (or is a part of a class identified) as a major source of noise in any report published under section 5(b)(1) on or before the date of publication of such initial proposed regulations.

(B) In the case of any product described in paragraph (1) which is identified (or is part of a class identified) as a major source of noise in a report published under section 5(b)(1) after publication of the initial proposed regulations under subparagraph (A) of this paragraph, regulations under paragraph (1) for such product shall be proposed and published by the Administrator not later than eighteen months after such report is published.

(3) After proposed regulations respecting a product have been published under paragraph (2), the Administrator shall, unless in his judgment noise emission standards are not feasible for such product, prescribe regulations, meeting the requirements of subsection (c), for such product—

(A) not earlier than six months after publication of such proposed regulations, and

(B) not later than—

(i) twenty-four months after the date of enactment of this Act, in the case of a product subject to proposed regulations published under paragraph (2)(A), or

(ii) in the case of any other product, twenty-four months after the publication of the report under section 5(b)(1) identifying it (or a class of products of which it is a part) as a major source of noise.

(b) The Administrator may publish proposed regulations, meeting the requirements of subsection (c), for any product for which he is not required by subsection (a) to prescribe regulations but for which, in his judgment, noise emission standards are feasible and are requisite to protect the public health and welfare. Not earlier than six months after the date of publication of such proposed regulations respecting such product, he may prescribe regulations, meeting the requirements of subsection (c), for such product.

(c)(1) Any regulation prescribed under subsection (a) or (b) of this section (and any revision thereof) respecting a product shall include a noise emission standard which shall set limits on noise emissions from such product and shall be a standard which in the Administrator's judgment, based on criteria published under section 5, is requisite to protect the public health and welfare, taking into account the magnitude and conditions of use of such product (alone or in combination with other noise sources), the degree of noise reduction achievable through the application of the best available technology, and the cost of compliance. In establishing such a standard for any product, the Administrator shall give appropriate consideration to standards under other laws designed to safeguard the health and welfare of persons, including any standards under the National Traffic and Motor Vehicle Safety Act of 1966, the Clean Air Act, and the Federal Water Pollution Control Act. Any such noise emission standards shall be a performance standard. In addition, any regulation under subsection (a) or (b) (and any revision thereof) may contain testing procedures necessary to assure compliance with the emission standard in such regulation, and may contain provisions respecting instructions of the manufacturer for the maintenance, use, or repair of the product.

(2) After publication of any proposed regulations under this section, the Administrator shall allow interested persons an opportunity to participate in rulemaking in accordance with the first sentence of section 553(c) of title 5, United States Code.

(3) The Administrator may revise any regulation prescribed by him under this section by (A) publication of proposed revised regulations, and (B) the promulgation, not earlier than six months after the date of such publication, of regulations making the revision; except that a revision which makes only technical or clerical corrections in a regulation under this section may be promulgated earlier than six months after such date if the Administrator finds that such earlier promulgation is in the public interest.

(d)(1) On and after the effective date of any regulation prescribed under subsection (a) or (b) of this section, the manufacturer of each new product to which such regulation applies shall warrant to the ultimate purchaser and each subsequent purchaser that such product is designed, built, and equipped so as to conform at the time of sale with such regulation.

(2) Any cost obligation of any dealer incurred as a result of any requirement imposed by paragraph (1) of this subsection shall be borne by the manufacturer. The transfer of any such cost obligation from a manufacturer to any dealer through franchise or other agreement is prohibited.

(3) If a manufacturer includes in any advertisement a statement respecting the cost or value of noise emission control devices or systems, such manufacturer shall set forth in such statement the cost or value attributed to such devices or systems by the Secretary of Labor (through the Bureau of Labor Statistics). The Secretary of Labor, and his representatives, shall have the same access for this purpose to the books, documents, papers, and records of a manufacturer as the Comptroller General has to those of a recipient of assistance for purposes of section 311 of the Clean Air Act.

(e)(1) No State or political subdivision thereof may adopt or enforce—

(A) with respect to any new product for which a regulation has been prescribed by the Administrator under this section, any law or regulation which sets a limit on noise emissions from such new product and which is not identical to such regulation of the Administrator; or

(B) with respect to any component incorporated into such new product by the manufacturer of such product, any law or regulation setting a limit on noise emissions from such component when so incorporated.

(2) Subject to sections 17 and 18, nothing in this section precludes or denies the right of any State or political subdivision thereof to establish and enforce controls on environmental noise (or one or more sources thereof) through the licensing, regulation, or restriction of the use, operation, or movement of any product or combination of products.

AIRCRAFT NOISE STANDARDS

SEC. 7. (a) The Administrator, after consultation with appropriate Federal, State, and local agencies and interested persons, shall conduct a study of the (1) adequacy of Federal Aviation Administration flight and operational noise controls; (2) adequacy of noise emission standards on new and existing aircraft, together with recommendations on the retrofitting and phaseout of existing aircraft; (3) implications of identifying and achieving levels of cumulative noise exposure around airports; and (4) additional measures available to airport operators and local governments to control aircraft noise. He shall report on such study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committees on Commerce and Public Works of the Senate within nine months after the date of the enactment of this Act.

(b) Section 611 of the Federal Aviation Act of 1958 (49 U.S.C. 1431) is amended to read as follows:

"CONTROL AND ABATEMENT OF AIRCRAFT NOISE AND SONIC BOOM

"SEC. 611. (a) For purposes of this section:

"(1) The term 'FAA' means Administrator of the Federal Aviation Administration.

"(2) The term 'EPA' means the Administrator of the Environmental protection Agency.

"(b)(1) In order to afford present and future relief and protection to the public health and welfare from aircraft noise and sonic boom, the FAA, after consultation with the Secretary of Transportation and with EPA, shall prescribe and amend standards for the measurement of aircraft noise and sonic boom and shall prescribe and amend such regulations as the FAA may find necessary to provide for the control and abatement of aircraft noise and sonic boom, including the application of such standards and regulations in the issuance, amendment modification, suspension, or revocation of any certificate authorized by this title. No exemption with respect to any standard or regulation under this section may be granted under any provision of this Act unless the FAA shall have consulted with EPA before such exemption is granted, except that if the FAA determines that safety in air commerce or air transportation requires that such an exemption be granted before EPA can be consulted, the FAA shall consult with EPA as soon as practicable after the exemption is granted.

"(2) The FAA shall not issue an original type certificate under section 603(a) of this Act for any aircraft for which substantial noise abatement can be achieved by prescribing standards and regulations in accordance with this section, unless he shall have prescribed standards and regulations in accordance with this section which apply to such aircraft and which protect the public from aircraft noise and sonic boom, consistent with the considerations listed in subsection (d).

"(c)(1) Not earlier than the date of submission of the report regained by section 7 (a) of the Noise Control Act of 1972, EPA shall submit to the FAA proposed regulations to provide such control and abatement of aircraft noise and sonic boom (including control and abatement through the exercise of any of the FAA's regulatory authority over air commerce or transportation or over aircraft or airport operations) as EPA determines is necessary to protect the public health and welfare. The FAA shall consider such proposed regulations submitted by EPA under this paragraph and shall, within thirty days of the date of its submission to the FAA, which publish the proposed regulations in a notice of proposed rulemaking. Within sixty days after such publication, the FAA shall commence a hearing at which interested persons shall be afforded an opportunity for oral (as well as written) presentations of data, views, and arguments. Within a reasonable time after the conclusion of such hearing and after consultation with EPA, the FAA shall—

"(A) in accordance with subsection (b), prescribe regulations (i) substanitally as they were submitted by EPA, or (ii) which are a modification of the proposed regulations submitted by EPA, or

"(B) publish in the Federal Register a notice that it is not prescribing any regulation in response to EPA's submission of proposed regulations, together with a detailed explanation providing reasons for the decision not to prescribe such regulations.

"(2) If EPA has reason to believe that the FAA's action with respect to a regulation proposed by EPA under paragraph (1)(A)(ii) or (1)(B) of this subsection does not protect the public health and welfare from aircraft noise or sonic boom, consistent with the considerations listed in subsection (d) of this section, EPA shall consult with the FAA and may request the FAA to review, and report to EPA on, the advisability of prescribing the regulation originally proposed by EPA. Any such request shall be published in the Federal Register and shall include a detailed statement of the information on which it is based. The FAA shall complete the review requested and shall report to EPA within such time as EPA specifies in the request, but such time specified may not be less than ninety days from the date the request was made. The FAA's report shall be accompanied by a detailed statement of the FAA's findings and the reasons for the FAA's conclusions; shall identify any statement filed pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 with respect to such action of the FAA under paragraph (1) of this subsection; and shall specify whether (and where) such statements are available for public inspection. The FAA's report shall be published in the Federal Register, except in a case in which EPA's request proposed specific action to be taken by the FAA, and the FAA's report indicates such action will be taken.

"(3) If, in the case of a matter described in paragraph (2) of this subsection with respect to which no statement is required to be filed under such section 102(2)(C), the report of the FAA indicates that the proposed regulation originally submitted by EPA should not be made, then EPA may request the FAA to file a supplemental report, which shall be published in the Federal Register within such a period as EPA may specify (but such time specified shall not be less than ninety days from the date the request was made), and which shall contain a comparison of (A) the environmental effects (including those which cannot be avoided) of the action actually taken by the FAA in response to EPA's proposed regulations, and (B) EPA's proposed regulations.

"(d) In prescribing and amending standards and regulations under this section, the FAA shall—

"(1) consider relevant available data relating to aircraft noise and sonic boom, including the results of research, development, testing, and evaluation activities conducted pursuant to this Act and the Department of Transportation Act;

"(2) consult with such Federal, State, and interstate agencies as he deems appropriate;

"(3) consider whether any proposed standard or regulation is consistent with the highest degree of safety in air commerce or air transportation in the public interest;

"(4) consider whether any proposed standard or regulation is economically reasonable, technologically practicable, and appropriate for the particular type of aircraft, aircraft engine, appliance, or certificate to which it will apply; and

"(5) consider the extent to which such standard or regulation will contribute to carrying out the purposes of this section.

"(e) In any action to amend, modify, suspend, or revoke a certificate in which violation of aircraft noise or sonic boom standards or regulations is at issue, the certificate holder shall have the same notice and appeal rights as are contained in section 609, and in any appeal to the National Transportation Safety Board, the Board may amend, modify, or reverse the order of the FAA if it finds that control or abatement of aircraft noise or sonic boom and the public health and welfare do not require the affirmation of such order, or that such order is not consistent with safety in air commerce or air transportation."

(c) All—

(1) standards, rules, and regulations prescribed under section 611 of the Federal Aviation Act of 1958, and

(2) exemptions, granted under any provision of the Federal Aviation Act of 1958, with respect to such standards, rules, and regulations,

which are in effect on the date of the enactment of this Act, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Administrator of the Federal Aviation Administration in the exercise of any authority vested in him, by a court of competent jurisdiction, or by operation of law.

LABELING

Sec. 8. (a) The Administrator shall by regulation designate any product (or class thereof)—

(1) which emits noise capable of adversely affecting the public health or welfare; or

(2) which is sold wholly or in part on the basis of its effectiveness in reducing noise

(b) For each product (or class thereof) designated under subsection (a) the Administrator shall by regulation require that notice be given to the prospective user of the level of the noise the product emits, or of its effectiveness in reducing noise, as the case may be. Such regulations shall specify (1) whether such notice shall be affixed to the product or to the outside of its container, or to both, at the time of its sale to the ultimate purchaser or whether such notice shall be given to the prospective user in some other manner, (2) the form of the notice, and (3) the methods and units of measurement to be used. Sections 6(c)(2) shall apply to the prescribing of any regulation under this section.

(c) This section does not prevent any State or political subdivision thereof from regulating product labeling or information respecting products in any way not in conflict with regulations prescribed by the Administrator under this section.

IMPORTS

Sec. 9. The Secretary of the Treasury shall, in consultation with the Administrator, issue regulations to carry out the provisions of this Act with respect to new products imported or offered for importation.

PROHIBITED ACTS

Sec. 10. (a) Except as otherwise provided in subsection (b), the following acts or the causing thereof are prohibited:

(1) In the case of a manufacturer, to distribute in commerce any new product manufactured after the effective date of a regulation prescribed under section 6 which is applicable to such product, except in conformity with such regulation.

(2)(A) The removal or rendering inoperative by any person, other than for purposes of maintenance, repair, or replacement, of any device or element of design incorporated into any product in compliance with regulations under section 6, prior to its sale or delivery to the ultimate purchaser or while it is in use, or (B) the use of a product after such device or element of design has been removed or rendered inoperative by any person.

(3) In the case of a manufacturer, to distribute in commerce any new product manufactured after the effective date of a regulation prescribed under section 8(b) (requiring information respecting noise) which is applicable to such product, except in conformity with such regulation.

(4) The removal by any person of any notice affixed to a product or container pursuant to regulations prescribed under section 8(b), prior to sale of the product to the ultimate purchaser.

(5) The importation into the United States by any person of any new product in violation of a regulation prescribed under section 9 which is applicable to such product.

(6) The failure or refusal by any person to comply with any requirement of section 11(d) or 13(a) or regulations prescribed under section 13(a), 17, or 18.

(b)(1) For the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security, the Administrator may exempt for a specified period of time any product, or class thereof, from paragraphs (1), (2), (3), and (5) of subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare.

(2) Paragraphs (1), (2), (3), and (4) of subsection (a) shall not apply with respect to any product which is manufactured solely for use outside any State and which (and the container of which) is labeled or otherwise marked to show that it is manufactured solely for use outside any State; except that such paragraphs shall apply to such product if it is in fact distributed in commerce for use in any State.

Sec. 11. (a) Any person who willfully or knowingly violates paragraph (1), (3), (5), or (6) of subsection (a) of section 10 of this Act shall be punished by a fine of not more than $25,000 per day of violation, or by imprisonment for not more than one year, or by both. If the conviction is for a violation committed after a first conviction of such person under this subsection, punishment shall be by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two years, or by both.

(b) For the purpose of this section, each day of violation of any paragraph of section 10(a) shall constitute a separate violation of that section.

(c) The district courts of the United States shall have jurisdiction of actions brought by and in the name of the United States to restrain any violations of section 10(a) of this Act.

(d)(1) Whenever any person is in violation of section 10(a) of this Act, the Administrator may issue an order specifying such relief as he determines is necessary to protect the public health and welfare.

(2) Any order under this subsection shall be issued only after notice and opportunity for a hearing in accordance with section 554 of title 5 of the United States Code.

(e) The term "person", as used in this section, does not include a department, agency, or instrumentality of the United States.

CITIZENS SUITS

Sec. 12. (a) Except as provided in subsection (b), any person (other than the United States) may commence a civil action on his own behalf—

(1) against a ny person (including (A) the United States, and (B) any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of any noise control requirement (as defined in subsection (e)), or

(2) against—

(A) the Administrator of the Environmental Protection Agency where there is alleged a failure of such Administrator to perform any act or duty under this Act which is not discretionary with such Administrator, or

(B) the Administrator of the Federal Aviation Administration where there is alleged a failure of such Administrator to perform any act or duty under section 611 of the Federal Aviation Act of 1958 which is not discretionary with such Administrator. The district courts of the United States shall have jurisdiction, without regard to the amount in controversy, to restrain such person from violating such noise control requirement or to order such Administrator to perform such act or duty, as the case may be.

(b) No action may be commenced—

(1) under subsection (a) (1)—

(A) prior to sixty days after the plaintiff has given notice of the violation (i) to the Administrator of the Environmental Protection Agency (and to the Federal Aviation Administrator in the case of a violation of a noise control requirement under such section 611) and (ii) to any alleged violator of such requirement, or

(B) if an Administrator has commenced and is diligently prosecuting a civil action to require compliance with the noise control requirement, but in any such action in a court of the United States any person may intervene as a matter of right, or (2) under subsection (a) (2) prior to sixty days after the plaintiff has given notice to the defendant that he will commence such action.

Notice under this subsection shall be given in such manner as the Administrator of the Environmental Protection Agency shall prescribe by regulation.

(c) In an action under this section, the Administrator of the Environmental Protection Agency, if not a party, may intervene as a matter of right. In an action under this section respecting a noise control requirement under section 611 of the Federal Aviation Act of 1958, the Administrator of the Federal Aviation Administration, if not a party, may also intervene as a matter of right.

(d) The court, in issuing any final order in any action brought pursuant to subsection (a) of this section, may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such an award is appropriate.

(e) Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any noise control requirement or to seek any other relief (including relief against an Administrator).

(f) For purposes of this section, the term "noise control requirement" means paragraph (1), (2), (3), (4), or (5) of section 10(a), or a standard, rule, or regulation issued under section 17 or 18 of this Act or under section 611 of the Federal Aviation Act of 1958.

RECORDS, REPORTS, AND INFORMATION

SEC. 13. (a) Each manufacturer of a product to which regulations under section 6 or section 8 apply shall—

(1) establish and maintain such records, make such reports, provide such information, and make such tests, as the Administrator may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this Act,

(2) upon request of an officer or employee duly designated by the Administrator, permit such officer or employee at reasonable times to have access to such information and the results of such tests and to copy such records, and

(3) to the extent required by regulations of the Administrator, make products coming off the assembly line or otherwise in the hands of the manufacturer available for testing by the Administrator.

(b) (1) All information obtained by the Administrator or his representatives pursuant to subsection (a) of this section, which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of that section, except that such information may be disclosed to other Federal officers or employees, in whose possession it shall remain confidential, or when relevant to the matter in controversy in any proceeding under this Act.

(2) Nothing in this subsection shall authorize the withholding of information by the Administrator, or by any officers or employees under his control, from the duly authorized committees of the Congress.

(c) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Act, shall upon conviction be punished by a fine of not more than $10,000, or by imprisonment for not more than six months, or by both.

RESEARCH, TECHNICAL ASSISTANCE, AND PUBLIC INFORMATION

SEC. 14. In furtherance of his responsibilities under this Act and to complement, as necessary, the noise-research programs of other Federal agencies, the Administrator is authorized to:

(1) Conduct research, and finance research by contract with any person, on the effects, measurement, and control of noise, including but not limited to—

(A) investigation of the psychological and physiological effects of noise on humans and the effects of noise on domestic animals, wildlife, and property, and determination of acceptable levels of noise on the basis of such effects;

(B) development of improved methods and standards for measurement and monitoring of noise, in cooperation with the National Bureau of Standards, Department of Commerce; and

(C) determination of the most effective and practicable means of controlling noise emission.

(2) Provide technical assistance to State and local governments to facilitate their development and enforcement of ambient noise standards, including but not limited to—

(A) advice on training of noise-control personnel and on selection and operation of noise-abatement equipment; and

(B) preparation of model State or local legislation for noise control.

(3) Disseminate to the public information on the effects of noise, acceptable noise levels, and techniques for noise measurement and control.

DEVELOPMENT OF LOW-NOISE-EMISSION PRODUCTS

SEC. 15. (a) For the purpose of this section:

(1) The term "Committee" means the Low-Noise-Emission Product Advisory Committee.

(2) The term "Federal Government" includes the legislative, executive, and judicial branches of the Government of the United States, and the government of the District of Columbia.

(3) The term "low-noise-emission product" means any product which emits noise in amounts significantly below the levels specified in noise emission standards under regulations applicable under section 6 at the time of procurement to that type of product.

(4) The term "retail price" means (A) the maximum statutory price applicable to any type of product; or (B) in any case where there is no applicable maximum statutory price, the most recent procurement price paid for any type of product.

(b) (1) The Administrator shall determine which products qualify as low-noise-emission products in accordance with the provisions of this section.

(2) The Administrator shall certify any product—

(A) for which a certification application has been filed in accordance with paragraph (5) (A) of this subsection;

(B) which is a low-noise-emission product as determined by the Administrator; and

(C) which he determines is suitable for use as a substitute for a type of product at that time in use by agencies of the Federal Government.

(3) The Administrator may establish a Low-Noise-Emission Product Advisory Committee to assist him in determining which products qualify as low-noise-emission products for purposes of this section. The Committee shall include the Administrator or his designee, a representative of the National Bureau of Standards, and representatives of such other Federal agencies and private individuals as the Administrator may deem necessary from time to time. Any member of the Committee not employed on a full-time basis by the United States may receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule for each day such member is engaged upon work of the Committee. Each member of the Committee shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(4) Certification under this section shall be effective for a period of one year from the date of issuance.

(5) (A) Any person seeking to have a class or model of product certified under this section shall file a certification application in accordance with procedures prescribed by the Administrator.

(B) The Administrator shall publish in the Federal Register a notice of each application received.

(C) The Administrator shall make determinations for the purpose of this section in accordance with procedures prescribed by him by regulation.

(D) The Administrator shall conduct whatever investigation is necessary, including actual inspection of the product at a place designated in regulations prescribed under subparagraph (A).

(E) The Administrator shall receive and evaluate written comments and documents from interested persons in support of, or in opposition to, certification of the class or model of product under consideration.

(F) Within ninety days after the receipt of a properly filed certification application the Administrator shall determine whether such product is a low-noise-emission product for purposes of this section. If the Administrator determines that such product is a low-noise-emission product, then within one hundred and eighty days of such determination the Administrator shall reach a decision as to whether such product is a suitable substitute for any class or classes of products presently being purchased by the Federal Government for use by its agencies.

(G) Immediately upon making any determination or decision under subparagraph (F), the Administrator shall publish in the Federal Register notice of such determination or decision, including reasons therefor.

(c) (1) Certified low-noise-emission products shall be acquired by purchase or lease by the Federal Government for use by the Federal Government in lieu of other products if the Administrator of General Services determines that such certified products have procurement costs which are no more than 125 per centum of the retail price of the least expensive type of product for which they are certified substitutes.

(2) Data relied upon by the Administrator in determining that a product is a certified low-noise-emission product shall be incorporated in any contract for the procurement of such product.

(d) The procuring agency shall be required to purchase available certified low-noise-emission product shall be incorporated in any contract for the procurement of such product.

(d) The procuring agency shall be required to purchase available certified low-noise-emission products which are eligible for purchase to the extent they are available before purchasing any other products for which any low-noise-emission product is a certified substitute. In making purchasing selections between competing eligible certified low-noise-emission products, the procuring agency shall give priority to any class or model which does not require extensive periodic maintenance to retain its low-noise-emission qualities or which does not involve operating costs significantly in excess of those products for which it is a certified substitute.

(e) For the purpose of procuring certified low-noise-emission products any statutory price limitations shall be waived.

(f) The Administrator shall, from time to time as he deems appropriate, test the emissions of noise from certified low-noise-emission products purchased by the Federal Government. If at any time he finds that the noise-emission levels exceed the levels on which certification under this section was based, the Administrator shall give the supplier of such product written notice of this finding, issue public notice of it, and give the supplier an opportunity to make necessary repairs, adjustments, or replacements. If no such repairs, adjustments, or replacements are made within a period to be set by the Administrator, he may order the supplier to show cause why the product involved should be eligible for recertification.

(g) There are authorized to be appropriated for paying additional amounts for products pursuant to, and for carrying out the provisions of, this section, $1,000,000 for the fiscal year ending June 30, 1973, and $2,000,000 for each of the two succeeding fiscal years.

(h) The Administrator shall promulgate the procedures required to implement this section within one hundred and eighty days after the date of enactment of this Act.

JUDICIAL REVIEW; WITNESSES

SEC. 16. (a) A petition for review of action of the Administrator of the Environmental Protection Agency in promulgating any standard or regulation under section 6, 17, or 18 of this Act or any labeling regulation under section 8 of this Act may be filed only in the United States Court of Appeals for the District of Columbia Circuit, and a petition for review of action of the Administrator of the Federal Aviation Administration in promulgating any standard or regulation under section 611 of the Federal Aviation Act of 1958 may be filed only in such court. Any such petition shall be filed within ninety days from the date of such promulgation, or after such date if such petition is based solely on grounds arising after such ninetieth day. Action of either Administrator with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil or criminal proceedings for enforcement.

(b) If a party seeking review under this Act applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the information is material and was not available at the time of the proceeding before the Administrator of such Agency or Administration (as the case may be), the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before such Administrator, and to be adduced upon the hearing, in such manner and upon such terms and conditions as the court may deem proper. Such Administrator may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file with the court such modified or new findings, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(c) With respect to relief pending review of an action by either Administrator, no stay of an agency action may be granted unless the reviewing court determines that the party seeking such stay is (1) likely to prevail on the merits in the review proceeding and (2) will suffer irreparable harm pending such proceeding.

(d) For the purpose of obtaining information to carry out this Act, the Administrator of the Environmental Protection Agency may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In cases of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator, to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

RAILROAD NOISE EMISSION STANDARDS

SEC. 17. (a) (1) Within nine months after the date of enactment of this Act, the Administrator shall publish proposed noise emission regulations for surface carriers engaged in interstate commerce by railroad. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of the equipment and facilities of surface carriers engaged in interstate commerce by railroad which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 6 of this Act.

(2) Within ninety days after the publication of such regulations as may be proposed under paragraph (1) of this subsection, and subject to the provisions of section 16 of this Act, the Administrator shall promulgate final regulations. Such regulations may be revised, from time to time, in accordance with this subsection.

(3) Any standard or regulation, or revision thereof, proposed under this subsection shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

(4) Any regulation or revision thereof promulgated under this subsection shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

(b) The Secretary of Transportation, after consultation with the Administrator, shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Safety Appliance Acts, the Interstate Commerce Act, and the Department of Transportation Act. Regulations promulgated under this section shall be subject to the provisions of sections 10, 11, 12, and 16 of this Act.

(c) (1) Subject to paragraph (2) but notwithstanding any other provision of this Act, after the effective date of a regulation under this section applicable to noise emissions resulting from the operation of any equipment or facility of a surface carrier engaged in interstate commerce by railroad, no State or political subdivision thereof may adopt or enforce any standard applicable to noise emissions resulting from the operation of the same equipment or facility of such carrier unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section.

(2) Nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(d) The terms "carrier" and "railroad" as used in this section shall have the same meaning as such terms have under the first section of the Act of February 17, 1911 (45 U.S.C. 22).

MOTOR CARRIER NOISE EMISSION STANDARDS

SEC. 18. (a) (1) Within nine months after the date of enactment of this Act, the Administrator shall publish proposed noise emission regulations for motor carriers engaged in interstate commerce. Such proposed regulations shall include noise emission standards setting such limits on noise emissions resulting from operation of motor carriers engaged in interstate commerce which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. These regulations shall be in addition to any regulations that may be proposed under section 6 of this Act.

(2) Within ninety days after the publication of such regulations as may be proposed under paragraph (1) of this subsection, and subject to the provisions of section 16 of this Act, the Administrator shall promulgate final regulations. Such regulations may be revised from time to time, in accordance with this subsection.

(3) Any standard or regulation, or revision thereof, proposed under this subsection shall be promulgated only after consultation with the Secretary of Transportation in order to assure appropriate consideration for safety and technological availability.

(4) Any regulation or revision thereof promulgated under this subsection shall take effect after such period as the Administrator finds necessary, after consultation with the Secretary of Transportation, to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance within such period.

(b) The Secretary of Transportation, after consultation with the Administrator shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Interstate Commerce Act and the Department of Transportation Act. Regulations promulgated under this section shall be subject to the provisions of sections 10, 11, 12, and 16 of this Act.

(c)(1) Subject to paragraph (2) of this subsection but notwithstanding any other provision of this Act, after the effective date of a regulation under this section applicable to noise emissions resulting from the operation of any motor carrier engaged in interstate commerce, no State or political subdivision thereof may adopt or enforce any standard applicable to the same operation of such motor carrier, unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section.

(2) Nothing in this section shall diminish or enhance the rights of any State or political subdivision thereof to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate, or restrict the use, operation, or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under this section.

(d) For purposes of this section, the term "motor carrier" includes a common carrier by motor vehicle, a contract carrier by motor vehicle, and a private carrier of property by motor vehicle as those terms are defined by paragraphs (14), (15), and (17) of section 203(a) of the Interstate Commerce Act (49 U.S.C. 303(a)).

AUTHORIZATION OF APPROPRIATIONS

Sec. 19. There is authorized to be appropriated to carry out this Act (other than section 15) $3,000,000 for the fiscal year ending June 30, 1973; $6,000,000 for the fiscal year ending June 30, 1974; and $12,000,000 for the fiscal year ending June 30, 1975.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. TUNNEY. I yield.

Mr. MAGNUSON. Mr. President, I do not want to delay this matter. This is a bill that was nearly as difficult as the one the Senator from Louisiana has, though not quite. But I want to suggest that, between the Commerce Committee and the Public Works Committee, we finally worked out a very decent bill.

Mr. TUNNEY. That is correct.

Mr. MAGNUSON. It took a lot of work, and I rise only to compliment the staff members on both the Commerce Committee and the Public Works Committee on helping us, in these busy days, to work out what I think is a reasonable compromise.

Mr. TUNNEY. I thank the Senator from Washington for what he has said. I think that the staffs of both committees and personal staff have done an outstanding job.

Mr. MAGNUSON. Of course, we supervised them a little.

Mr. TUNNEY. I want to say that if it had not been for the Senator from Washington, we could never have gotten this bill through the Senate. I deeply appreciate the fact that he was willing to meet with me on many occasions to discuss the various provisions of the bill, and that we were able to work out this agreement, which I think will be satisfactory to the standing committees and also most beneficial to millions of Americans who desperately need this legislation in order to control the noise that comes from so many different products throughout the United States.

I also would like to say that I am appreciative to the chairman of the House Commerce Committee for the work he did in these final days when it appeared that an objection on the other side would ground this bill this year. Through the diligence and the work of the House minority leader (Mr. FORD), and through the efforts of our majority leader, the Senator from Montana (Mr. MANSFIELD), this bill is before us at this time with about as much agreement as is possible in any legislation.

Mr. President, on February 29 of this year, the House passed and sent to the Senate the Noise Control Act of 1972. After months of hearings, negotiations and extensive investigations, the Senate on Friday of last week returned its tougher version of this legislation to the House.

Time did not permit a conference between the two bodies on the disagreements in the legislation. The House has exercised its prerogative and amended the Senate version of the bill. That legislation is before the Senate.

Mr. President, the key provisions of the legislation have been retained in modified form. Both the Senate and the House were most concerned with the problem of aircraft noise and, more specifically, with the need to protect public health and welfare in the vicinity of airports from the impact of noise from aircraft and aircraft operations. The House bill provided the Federal Aviation Administration with sole responsibility for regulation of aircraft-related noise problems. The Environmental Protection Agency, an agency established with the approval of the Congress to protect the environment, was relegated to a secondary, consultative role to the Federal Aviation Administration.

Under the Senate bill, the Environmental Protection Agency had the responsibility to propose noise emission standards for aircraft. Those standards were to reflect the degree of noise reduction from aircraft required to protect the public health and welfare. However, under the Senate bill, those standards could only be applied after determination by the Federal Aviation Administration that technology is available and application of the standards would be consistent with air safety requirements.

Under the amendment as proposed by the House, which we are now asked to approve, the Environmental Protection Agency would retain the authority to initiate a regulatory process to protect public health and welfare from aircraft noise. The EPA would be required to conclude within 9 months a study on aircraft noise problems, including the implications and means of achieving levels of cumulative noise around airports and the adequacy of existing noise emission standards and operational controls and a study of the impact of aircraft noise on public health and welfare. Subsequent to that study the Administrator would be required to take the lead on the control of aircraft noise, submitting regulations to protect public health and welfare from aircraft noise and sonic boom. Such regulations would be required to include proposed means of reducing noise in airport environments through the application of emission controls on aircraft, the regulation of flight patterns and aircraft and airport operations, and modifications in the number, frequency, or scheduling of flights.

Within 30 days, the Administrator of the Federal Aviation Administration would be required to publish the EPA-proposed regulations as its notice of proposed rulemaking and, within 60 days, to hold a public hearing on the EPA proposal. On the basis of that hearing and after consultation with the EPA, the FAA must publicly accept, modify, or reject the regulations contained in the EPA proposal. The FAA Administrator would be required, as the result of the hearing process and after consultation with EPA to prescribe regulations to implement the proposed or modified recommendations.

Again, I stress that those regulations would include, but would not be limited to, the imposition of curfews on noisy airports, the imposition of flight path alterations in areas where noise was a problem, the imposition of noise emission standards on new and existing aircraft—with the expectation of a retrofit schedule to abate noise emissions from existing aircraft—the imposition of controls to increase the load factor on commercial flights, or other reductions in the joint use of airports, and such other procedures as may be determined useful and necessary to protect public health and welfare.

Mr. President, the rest of this amendment is similar to portions of the aircraft provision passed by the House. But the essence of the Senate proposal has been retained, in establishing EPA as the lead agency with respect to aircraft noise and in not relying solely on controls on noise emissions from aircraft. Under the compromise both a technological response in the form of emission standards and a regulatory procedure in the form of operational and other airport noise controls must be established.

It is not the intention of the Congress that the phrase "economic reasonableness" continue to be interpreted as it has in the past under section 611 of the Federal Aviation Act. By recasting the control of aircraft noise in a new regulatory framework, Congress intends that the reasonableness of the cost of any regulation or standard be judged in relation to the purposes of this act, which is to protect public health and welfare from aircraft noise. Costs are to be judged against that goal, not for their effect on air commerce or particular air carriers.

The key element in this proposal is protection of the public health and welfare. The key element is not, as some may believe, protection of commerce. The Federal Aviation Administration's regulatory responsibility is retained in order to assure technological availability and protect safety. However the FAA, following the lead of EPA, will be required to promulgate regulations which shall assure protection of public health and welfare in airport environments even where it is not possible to achieve necessary noise reductions through the application of specific emission controls on engines and aircraft.

The amendment offered by Senator BROOKE, requiring a study by the Secretary of Transportation of means of financing the retrofiting of existing aircraft, is deleted by the House amendment. However, the question of cost and means of financing will be a part of the study and recommendations on a retrofit program which the Environmental Protection Agency is required to conduct under section 7(a). The Congress expects that the Department of Transportation, which is conducting a study now on retrofitting of existing aircraft and means of financing such a program, will complete its study in time for the EPA to utilize the data, along with other sources, as it prepares its recommendations on retrofitting and the financing thereof.

I wish to point out that the decisions of the Administrator of the Federal Aviation Administration in accepting, modifying, or rejecting the proposals of the Environmental Protection Agency, or in promulgating regulations or standards for the control of aircraft noise, are subject to judicial review under section 16 of the bill before us. In addition, under the citizen suit provision of this bill—section 12—any individual can bring suit against the Administrator of the Federal Aviation Administration for failure to perform an act or duty which is not discretionary with him. This includes the mandate to him to establish standards for the control of aircraft noise in accordance with specific standards and policies under this act. In such a case, the test of the Administrator's action is not whether the action taken is arbitrary or capricious, but whether it is consistent with the express requirements of the act, such as the protection of the public health and welfare.

Mr. President, the House amendment does not contain the provision offered by Senator Cranston which would require supersonic transports landing at U.S. airports to meet the noise emission standards which have been established for subsonic aircraft. This provision, although it was adopted by a substantial rollcall vote in the Senate, was not acceptable to the House in the negotiations which led to the passage of the House amendment.

Members of the House insisted that hearings had not been held on this matter or on the provisions of the Senate-passed bill forbidding flights of civil aircraft over the U.S. at supersonic speeds. In addition, it was stated emphatically that acceptance of these provisions would disturb jurisdictional arrangements in the House of Representatives. Therefore, although the Senate strongly urged the inclusion of these provisions because of their importance to the total program of controlling aircraft noise, these provisions could not be offered in or accepted by the House, and the passage of noise control legislation would have been blocked.

We expect, however, that the Environmental Protection Agency, in studying and proposing noise emission standards for new aircraft and new aircraft types, and the Federal Aviation Administration in promulgating and implementing such regulations, will impose limits on noise emissions on supersonic aircraft using U.S. airports at least as stringent as are required of subsonic aircraft. It is my expectation and the Senate's clear intention that such standards be proposed and implemented for supersonic transports under the provisions of this bill before such aircraft are in commercial service. Such standards, including proposed restrictions on use of U.S. airports, should be recommended in the study under section 7(a).

The House amendment does not include three specific provisions of the Senate bill. The House has deleted the provision for grants to States and local governments for the support of environmental noise control programs. While the Senate felt it was important to assist communities and States in the development of effective regulatory programs, and it is unfortunate that the House chose to drop this provision, I believe that the Senate will have an ample opportunity following the completion of the various studies, research and reports of this legislation to add such a program. I do not, however, want to understate the importance of a Federal program to assist in the development of State and local environmental noise control agencies. Both the Federal Water Pollution Control Act and the Clean Air Act have achieved a high degree of success because of the efforts of State and local governments to regulate environmental problems. The need for and the value of this type of approach in the area of environmental noise should become more apparent after the completion of studies to develop noise criteria and control technology information, and especially, information on levels of environmental noise. Such information will establish a local basis for action on what is essentially a local problem, and identify the regulatory mechanisms which may be most appropriate to assure early achievement of acceptable levels of environmental noise.

Two additional provisions related to Federal procurement and emergency situations were deleted in the House amendment. The Senate Committee on Public Works will review the need for and the value of those provisions at the same time it considers grants to State and local governments, and if found useful and appropriate, the committee will recommend necessary amendments to the Senate.

Mr. President, in order to facilitate agreement and to avoid the difficulty of developing entirely new provisions reflecting an accommodation between the House and Senate bills, the House amendment provides for a number of amendments drawn from the Senate bill and based on the Clean Air Amendments of 1970. The use of these precedents from the Clean Air Act should be valuable not only for consistency in environmental law and ease of interpretation and implementation but to expedite approval of this legislation in both the Senate and the House.

The following provisions have been included in the House amendment in modified form in order to reflect similar provisions of the Senate bill:

A Federal facilities compliance provision identical to the Clean Air Act;

A warranty requirement similar to the Clean Air Act;

An enforcement provision similar to the Clean Air Act;

A citizen suit provision identical to the Clean Air Act;

A records and reports provision similar to the Clean Air Act;

A judicial review provision identical to the Clean Air Act.

Finally, Mr. President, the House amendment includes three provisions of the Senate bill which were not a part of the House bill and which expand the scope of the legislation in the direction approved by the Senate. The Senate bill required the Administrator to publish criteria on the levels of environmental noise at which adverse effects of public health and welfare can be avoided, with an adequate margin of safety. The House has adopted an amendment which requires the Administrator to develop and publish information identifying such levels. Information on levels of environmental noise at which adverse effects occur will be of valuable assistance to the public and to Federal, State, and local regulatory agencies in determining the degree to which noise in the environment needs to be reduced. It will be essential to the Environmental Protection Agency and to the Federal Aviation Administration and to citizens who live in the vicinity of the airports who are concerned about the levels of environmental noise. And it will be essential to those who enforce regulatory programs as a means to determine the success of their regulatory programs.

Second, the House has accepted the Senate proposal which authorizes the Environmental Protection Agency to establish regulations for control of noise from interstate carriers, including railroads, trucks and buses. The purpose of the amendment is to reduce the impact of conflicting State and local noise controls on interstate carriers.

I would stress, Mr. President, that the preemption provided in these sections only occurs in areas of regulation where adequate Federal regulations are in effect. And, equally important, Mr. President, is that Federal regulations must be stringent enough to meet the varying local conditions affected by interstate carriers. Not only must the Administrator establish regulations which protect public health and welfare from noise from these interstate carriers in the average situation but he must also design his regulations so that the public health and welfare is protected regardless of the location in which the interstate carrier is operating.

The Administrator is permitted to take into account special local considerations and waive the application of the preemption provision to assure that public health and welfare is protected. In addition, he may waive the application of preemption where local regulations are not in conflict with Federal regulations, as where local law requires lower speeds or different operating procedures, or modifications of routing.

Mr. President, both the House and the Senate bill provided authority for the Administrator of the Environmental Protection Agency to establish noise emission standards for products. In general it is assumed the Administrator will deal with products which contribute to noise in the environment, as distinguished from household products. This is not to say that the Administrator cannot regulate air conditioners. However, it is the intent of the Congress that priorities established by the Administrator would be directed toward such items as trucks, snowmobiles, motorcycles, compressors, and construction equipment, rather than blenders, electric can openers, and vacuum cleaners although standards could cover these items. The Administrator's assignment is particularly difficult. Not only must the Administrator determine the level of noise emissions from a product which will assure that such a product in use alone, under varying conditions, will not contribute to unacceptable environmental noise levels, but he must also be assured that noise emission standards for a product will be adequate to protect public health and welfare when that product is used in combination with other products or sources of noise.

Thus, the noise emission standards for snowmobiles or motorcycles will not be related solely to one snowmobile or motorcycle in an area where there are no other snowmobiles or motorcycles but should anticipate the circumstances in which many sources might be present. This will necessitate standards for an individual source of noise which are considerably more stringent than might be required if that product were always to be used alone.

Additionally, the Administrator will be required to take into consideration the technology that is available to reduce noise. The Senate established its regulatory mechanism based on what could be achieved through the application of the best available technology. The Senate bill assumed that the best technology available would probably not be adequate to assure protection of public health and welfare and thus that the levels of noise reduction which could be achieved with technology would be the minimum level of control. Under the House amendment, the application of the best available technology remains the minimum standard, by providing for the establishment of standards based on both public health and welfare and the technology available for noise reduction. The Administrator will have an opportunity to assure that the best which can be done is done, while at the same time pushing the limits of technology to achieve greater noise emission control results protective of public health and welfare.

Mr. President, the funds authorized by the House amendment for the administration of this legislation are less than those contained in the Senate bill. Agreement to this reduction was necessary. However, authorizations in later years can be increased if conditions so require.

In conclusion, Mr. President, the House amendment now before us retains the essential features of the Senate bill, and retains the strong features of the legislation overwhelmingly passed by the Senate on October 13, 1972.

Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

S. 3876

Mr. JAVITS. Mr. President, I shall not detain the Senate but a moment.

There was brought up in the Senate today the matter of S. 3876, a bill regarding certain regulations of transfer agents, securities, depositories, and credit agencies, out of the Committee on Banking and Currency, which affected both stockbrokers and stock exchanges, as well as banks. There had been quite a difference of opinion about that bill. In the course of the day, Mr. President, I believe I have worked out a way in which the banks could be accommodated in respect of their view that they should not be subject to two types of regulation, on the one hand by the Comptroller of Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation, and on the other hand by the SEC, and we have agreed on certain items with the SEC.

Mr. President, this bill has not been called up, and I understand will not be. I hope very much that the importance of it is fully recognized, and I wish to express the feeling that when it is brought up next year for consideration, the method by which the concerns of the banks may be dealt with may prove to be useful in the final resolution of this matter. As quite a large number of Senators are interested in it, I wanted the record to be clear that I had done my utmost and had worked out something to deal with the problems of the banks, which seems satisfactory, but we will deal with the matter when it comes up again.

PUBLIC DEBT LIMITATION—CONFERENCE REPORT

Mr. LONG. Mr. President, I ask that the Chair lay before the Senate the conference report on H.R. 16810.

The PRESIDING OFFICER (Mr. FANNIN) laid before the Senate and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 1973.

Mr. LONG. Mr. President, during the period that has elapsed, while other matters were transpiring, conferences have been held and the situation has been discussed with regard to unemployment insurance. I am aware of the fact that the chairman of the House Ways and Means Committee has assured the Senators from New York and California that in the event the uninsured unemployment rate in January 1973 in those States should exceed 4 percent—and I would assume the same thing would be true of other urbanized States—and this becomes a problem, the chairman of that committee would propose to offer and support legislation to bring them under the Federal extended unemployment provisions contained on this debt ceiling conference report.

The Senate position, of course, would have brought them into it under the legislation that we sent them, and as far as the Senator from Louisiana is concerned, assuming that he is appointed chairman of the committee at that time, or even if he is not and is the ranking member, he would expect to use his best efforts to see to it that if that type of eventuality should develop, and some feel that it might, those States will receive prompt consideration.

Such a resolution must originate in the House of Representatives. They must send us a bill to afford us an opportunity to act. But I want to assure the Senators from those two States that if this situation should develop, and the House should send us legislation so that we would have the opportunity to act, they would have complete cooperation from the Senator from Louisiana in seeing that it was acted upon promptly.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. JAVITS. Mr. President, I greatly appreciate that. I have every feeling that if we are in that situation, relief will be available to us.

I would bear in mind the injunction of the chairman of the Finance Committee that if such a bill comes over here, I would hope a lot of nongermane amendments are not hung on it, and we would certainly expect to cooperate with him on that, as would, I know, the majority leader. The minority leader has given the same assurance, as has the distinguished chairman of the Committee on Commerce (Mr. MAGNUSON).

May I say, too, that in discussing the matter in the House of Representatives, which Representative MILLS did publicly while the Senator from California and I were there, making, generally speaking, in his own words the same statement Representative MILLS emphasized the fact that under these circumstances, with 4 percent uninsured unemployment, he would consider the so-called 120 percent figure unduly restrictive and would look with great sympathy upon such legislation.

May I have an expression of opinion from the Senator from Louisiana about these things?

Mr. LONG. Mr. President, as far as the Senator from Louisiana is concerned, our bill so indicated. I supported our bill, and if I had had the opportunity to bring in a conference report that included New York, I would certainly have asked that this 120-percent trigger should be deleted, or at least modified so that it would not prevent benefits in the fashion it does. If the House will help to solve that problem, the Senator can be sure that, so far as the Senator from Louisiana is concerned, I will help to work it out.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. BENNETT. The Senator from Utah just wants to make the record clear that while the chairman has referred to New York and California, this will apply to any State in the Union if the system adopted should trigger the benefits for that State, and it will not be legislation intended chiefly for the big States.

Mr. LONG. Yes.

The reason why the record might appear to indicate that such a measure is intended for the good of two States is that New York and California would have the greatest number of people involved. But other States are also involved.

Mr. President, I ask unanimous consent to have printed in the RECORD a chart showing the numbers of people and the cost of the Senate bill. This is what we will look at again next year if the situation should require.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

TABLE 1.—STATES AFFECTED BY SENATE BILL

State	Number of beneficiaries	Costs (Federal and State share, in thousands)
Alaska	1,100– 1,500	$600– $800
Arkansas	2,750	1,000
California	140,000–150,000	80,000– 90,000
Hawaii [1]	1,500– 2,500	1,000– 1,500
Idaho	1,500	350– 400
Kentucky	5,000	2,000
Louisiana	6,000– 6,500	2,400– 2,700
Maine	7,000– 8,000	3,000– 3,500
Massachusetts	49,050	30,000
Michigan	71,400– 97,300	40,700– 55,400
Minnesota	11,000– 13,000	4,900– 5,500
Montana	1,700	435
Nevada	6,700	3,600
New Jersey	80,000–120,000	48,000– 72,000
New Mexico	400– 600	200– 300
New York	170,000–200,000	80,000–120,000
North Dakota	1,200	860
Ohio	12,000– 20,000	8,000– 10,000
Oregon	11,000– 14,000	4,000– 5,000
Pennsylvania [1]	22,000– 37,600	11,000– 18,800
Rhode Island	8,000– 9,000	5,000
Utah	1,900	850
Vermont [1]	3,600	2,000– 3,000
Washington	42,000	17,000
West Virginia	1,500	450
Total (about)	650,000–800,000	350,000–450,000

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[1] Currently paying (these are costs after State drops below 120%).

Note: Assumes same economic improvement between Oct. 1, 1972, and July 1, 1973, and does not take account of emergency benefits payable under Public Law 91–373. Estimates prepared in consultation with the States. Federal share of cost would be half of total shown.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MAGNUSON. What the Senator from Utah has said is correct. This whole problem has to be a piece of permanent legislation. I think that is what we are shaping up to next year, so that it will apply to any State where there is serious unemployment; because it does not make any difference what State you are in—if you are out of work, you are out of work.

I appreciate the problem, and I want to reiterate that I appreciate the problem that the members of the committee had on this matter with the House. I must say to the Senator from New York and the Senator from California that no one will be stronger in cosponsoring some legislation of this type and helping out than will the Senator from Washington next year.

Mr. JAVITS. If the Senator will yield, I appreciate that. I want to say again that, notwithstanding that the Senator from Washington was included and we were excluded, he fought very hard for us, without any reservation whatever, and that the Senator from Louisiana was willing to exclude his own State, which is going pretty far. I certainly do not think that is necessary.

Mr. President, just to complete the record, I ask unanimous consent to have printed in the RECORD a list showing the States which are covered and those which are not covered.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Oct. 1, 1972—June 30, 1973—States affected (these costs are only the costs of this amendment and do not include the costs of the EB program under Public Law 91–373 as currently operative.)

[States not included in the conference report are in parentheses]

State	Number of beneficiaries	Costs (Federal and State share) (thousands)
Alaska	1,100–1,500	$600–$800
(Arkansas)	2,750	1,000
(California)	140,000–150,000	80,000–90,000
(Hawaii) [1]	1,500–2,500	1,000–1,500
(Idaho)	1,500	350–400
(Kentucky)	5,000	2,000
(Louisiana)	6,000–6,500	2,400–2,700
Maine	7,000–8,000	3,000–3,500
Massachusetts	49,300	30,000
Michigan	71,400–97,300	40,700–55,400
(Minnesota)	11,000–13,000	4,900–5,500
(Montana)	1,700	435
Nevada	6,700	3,600
New Jersey	80,000–120,000	48,000–72,000
(New Mexico)	400–600	200–300
(New York)	170,000–200,000	80,000–120,000
(Ohio)	12,000–20,000	8,000–10,000
(Oregon)	11,000–14,000	4,000–5,000
(Pennsylvania) [1]	22,000–37,600	11,000–18,800
Puerto Rico	(2)	(2)
Rhode Island	8,000–9,000	5,000
(Utah)	1,900	850
Vermont [1]	3,600	2,000–3,000
Washington	42,000	17,000
(West Virginia)	1,500	450
(North Dakota)	1,200	860
(Connecticut)	(2)	(2)
Total	658,550–797,150	347,345–450,095

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[1] Currently paying (these are costs after State drops below 120 percent).

[2] Not available.

Note: Assumes some economic improvement between Oct. 1, 1972, and July 1, 1973. Estimates prepared in consultation with the States. Federal share of cost would be half of total shown.

Mr. JAVITS. I point out that the list of States not covered includes such sparsely populated States as Montana and Louisiana, which happen to be the States of the majority leader and the chairman, as well as Hawaii, Idaho, Arkansas, North Dakota, and so forth. I thank the Senator from Utah for making that clear. There is no exclusivity about this.

Mr. LONG. Mr. President, I ask unanimous consent to have printed in the RECORD a list of the States that would benefit under what we were able to work out with the House.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATES AFFECTED BY THE PROVISION AGREED TO BY THE CONFEREES

States	Estimated maximum number of beneficiaries	Estimated maximum total additional costs (thousands)
Alaska	1,100–1,500	$600–$800
Maine	7,000–8,000	3,000–3,500
Massachusetts	49,300	30,000
Michigan	71,400–97,300	40,700–55,400
Nevada	6,700	3,600
New Jersey	80,000–120,000	48,000–72,000
Puerto Rico	33,000–42,000	9,000–11,000
Rhode Island	8,000–9,000	5,000
Vermont	3,600	2,000–3,000
Washington	42,000	17,000
Total	300,000–380,000	160,900–202,100
Federal share		$80,000–101,000

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. LONG. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. BENNETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

HOUSE CONCURRENT RESOLUTION 726—PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE SECOND SESSION OF THE 92D CONGRESS

Mr. LONG. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 726.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House on House Concurrent Resolution 726, which the clerk will state.

The assistant legislative clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Wednesday, October 18, 1972, and that when they adjourn on said day, they stand adjourned sine die.

Mr. LONG. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORITY FOR THE PRESIDENT OF THE SENATE TO MAKE APPOINTMENTS TO COMMISSIONS AND COMMITTEES

Mr. MAGNUSON. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 382), as follows:

Resolved, That notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

A SUGGESTION FOR THE OPERATION OF CONGRESS

Mr. MAGNUSON. Mr. President, I go into this matter every time we reach this point; and it seems that I am always here until the bitter end with something—either HEW appropriations or an unemployment compensation bill. Now that we are about to adjourn sine die, and it is near the end of October again, sometimes it is Christmas; sometimes it is Thanksgiving. I have even been here on New Year's Eve, and this is not the place to be on New Year's Eve.

I hope that some time soon we will stop to consider some real reorganization of this body, along a plan that I have proposed almost every year that I have been in Congress, and that has been a long, long time. The Senator from Montana and I were the last two here the last time we adjourned, and we both decided that there must be a better way to run this body and to run Congress as a whole than we are doing now.

I think the better way is to have legislative sessions and then fiscal sessions, as every other legislative body does. That might allow us to deal more effectively with the spending question. We would not have all these arguments about debt ceilings, because we would legislate and authorize then blow the whistle and then we would know what the revenue and expenditure requirements were, and the Senate could sit down and evaluate these requests.

Second, what we have suggested many times is that we have a Government fiscal year that corresponds with the calendar year. Then we will know exactly what we are spending and we will be able to play an effective role in terms of U.S. economy.

This is always my speech every time we adjourn. I sometimes wish that I were not here until the bitter end and that I could simply have my statement inserted in the RECORD, but I am always here with something.

The Senator from Montana has endorsed my plan, but we do not have any influence—the two of us together.

Mr. MANSFIELD. Keep on trying.

Mr. MAGNUSON. Perhaps the next time we will succeed.

THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. BENNETT. Mr. President, I send a resolution to the desk and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 383) as follows:

> *Resolved*, That the thanks of the Senate are hereby tendered to the Honorable SPIRO T. AGNEW, Vice President of the United States and the President of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the second session of the ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AUTHORITY FOR THE PRESIDENT OF THE SENATE, THE PRESIDENT PRO TEMPORE, OR THE ACTING PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

Mr. AIKEN. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Con. Res. 102), as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate, the President pro tempore, or the Acting President pro tempore be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

NOTIFICATION TO THE PRESIDENT

Mr. HART. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 384), as follows:

> *Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed their business of the session and are ready to adjourn unless he has some further communication to make to them.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The PRESIDING OFFICER. The Chair appoints the Senator from Montana (Mr. MANSFIELD) and the Senator from Maine (Mrs. SMITH) as the two Senators to notify the President.

THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. MUSKIE. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 385), as follows:

> *Resolved*, That the thanks of the Senate are hereby tendered to the Honorable JAMES O. EASTLAND, President pro tempore of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the second session of the Ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. PROXMIRE. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 386), as follows:

> *Resolved*, That the thanks of the Senate are hereby tendered to the Honorable LEE METCALF, Acting President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over the deliberations during the second session of the ninety-second Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. PROXMIRE. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and at 7 p.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 7:06 p.m. when called to order by the Presiding Officer (Mr. FANNIN).

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. MANSFIELD. Mr. President, for myself and the distinguished Senator from Maine (Mrs. SMITH), from the committee appointed to notify the President of the United States that the Congress had concluded its business and was ready to adjourn unless he had further communications to make to them, I report that the committee has performed its duty, and that the President has informed us he had no further communications to make to Congress at this session.

Mrs. SMITH. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mrs. SMITH. I should like to make one comment and that is, it was a great privilege to join the distinguished majority leader in notifying the President that Congress was ready to adjourn.

The President wanted to wish us all well and said that he will see us back here in January.

Mr. MANSFIELD. Mr. President, may I say that it was a distinct personal pleasure to be with the distinguished Senator from Maine (Mrs. SMITH) on this occasion.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and at 7:07 p.m. the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 7:12 p.m. when called to order by the Presiding Officer (Mr. FANNIN).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had receded from its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 4678) to provide for the free entry of a carillon for the use of the University of California at Santa Barbara, and concurred therein; and that the House had receded from its disagreement to the amendments of the Senate numbered 2 and 3 and concurred therein, each with an amendment, in which it requests the concurrence of the Senate.

FREE ENTRY OF CARILLON FOR THE UNIVERSITY OF CALIFORNIA AT SANTA BARBARA

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 4678.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4678, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 4678) entitled "An Act to provide for the free entry of a carillon for the use of the University of California at Santa Barbara", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2 to the aforesaid bill, and concur therein with an amendment, as follows:

On page 1 of the Senate engrossed amendments, in the matter which appears below line 6, strike out "June 30, 1973" and insert: "December 31, 1972".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert:

TITLE II—REGULATION OF IMPORTATION OF PRE-COLUMBIAN MONUMENTAL OR ARCHITECTURAL SCULPTURE OR MURALS

SEC. 201. The Secretary, after consultation with the Secretary of State, by regulation shall promulgate, and thereafter when appropriate shall revise, a list of stone carvings and wall art which are pre-Columbian monumental or architectural sculpture or murals within the meaning of paragraph (3) of section 205. Such stone carvings and wall art may be listed by type or other classification deemed appropriate by the Secretary.

SEC. 202. (a) No pre-Columbian monumental or architectural sculpture or mural which is exported (whether or not such exportation is to the United States) from the country of origin after the effective date of the regulation listing such sculpture or mural pursuant to section 202 may be imported into the United States unless the government of the country of origin of such sculpture or mural issues a certificate, in a form acceptable to the Secretary, which certifies that such exportation was not in violation of the laws of that country.

(b) If the consignee of any pre-Columbian monumental or architectural sculpture or mural is unable to present to the customs officer concerned at the time of making entry of such sculpture or mural—

(1) the certificate of the government of the country or origin required under subsection (a) of this section;

(2) satisfactory evidence that such sculpture or mural was exported from the country of origin on or before the effective date of the regulation listing such sculpture or mural pursuant to section 202; or

(3) satisfactory evidence that such sculpture or mural is not covered by the list promulgated under section 202;

the customs officer concerned shall take the sculpture or mural into customs custody and send it to a bonded warehouse or public store to be held at the risk and expense of the consignee until such certificate or evidence is filed with such officer. If such certificate or evidence is not presented within the 90-day period after the date on which such sculpture or mural is taken into customs custody, or such longer period as may be allowed by the Secretary for good cause shown, the importation of such sculpture or mural into the United States is in violation of this title.

SEC. 203. (a) Any pre-Columbian monumental or architectural sculpture or mural imported into the United States in violation of this title shall be seized and subject to forfeiture under the customs laws.

(b) Any pre-Columbian monumental or architectural sculpture or mural which is forfeited to the United States shall—

(1) first be offered for return to the country of origin and shall be returned if that country bears all expenses incurred incident to such return and complies with such other requirements relating to the return as the Secretary shall prescribe; or

(2) if not returned to the country of origin, be disposed of in the manner prescribed by law for articles forfeited for violation of the customs laws.

SEC. 204. The Secretary shall prescribe such rules and regulations as are necessary and appropriate to carry out the provisions of this title.

SEC. 205. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "United States" includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term "pre-Columbian monumental or architectural sculpture or mural" means—

(A) any stone carving or wall art which—

(i) is the product of a pre-Columbian Indian culture of Mexico, Central America, South America, or the Caribbean Islands;

(ii) was an immobile monument or architectural structure or was a part of, or affixed to, any such monument or structure; and

(iii) is subject to export control by the country of origin; or

(B) any fragment or part of any stone carving or wall art described in subparagraph (A) of this paragraph.

(4) The term "country of origin", as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.

Mr. PROXMIRE. Mr. President, would it be possible to get an explanation of the House amendments?

Mr. MANSFIELD. Yes. This is a bill which passed the Senate. It has one amendment having to do with pre-Columbian art. The purpose is to protect the antiquities of foreign countries. It gives the Secretary of the Treasury the authority to cooperate with other countries which have laws to see that they are not violated.

This has been the case so often with broken figures, literally broken, of Mayan culture and civilization which find their way into curio shops or art shops in this country. They are stolen and sold for a profit and literally destroyed in the process.

The purpose is to make this more difficult by bringing about accommodation between the countries of Latin America.

Mr. PROXMIRE. I have no concern with that. What concerned me was that it was to be used to some extent as a vehicle for various tariff and trade amendments.

Mr. MANSFIELD. The Senator is correct.

Mr. PROXMIRE. My concern is whether there were any amendments added in the House that would affect custom duties or rates or something of that kind.

Mr. MANSFIELD. Some were taken off. The only one added was with respect to pre-Colombian art. It does not affect customs duties or rates. The answer is no.

Mr. PROXMIRE. The only addition is something that affects pre-Aztec art.

Mr. MANSFIELD. The Senator is correct. And the Senate already passed that particular proviso.

Mr. PROXMIRE. Mr. President, I thank the Senator. I have no objection.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendments to the Senate amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, and I hope this will not be a long recess.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, at 7:17 p.m. the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 8:41 p.m., when called to order by the Presiding Officer (Mr. FANNIN).

AUTHORITY FOR THE VICE PRESIDENT, THE PRESIDENT PRO TEMPORE, AND THE ACTING PRESIDENT PRO TEMPORE TO SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS, AND FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES, DURING THE ADJOURNMENT OF CONGRESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Vice President, the President pro tempore, and the Acting President pro tempore, be authorized to sign duly enrolled bills, and joint resolutions, and I further ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House, during the adjournment of the Congress.

The PRESIDING OFFICER (Mr. FANNIN). Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. PROXMIRE. I move that the Senate stand in recess, subject to the call of the chair.

The motion was agreed to; and at 8:44 p.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 8:48 p.m., when called to order by the Presiding Officer (Mr. FANNIN).

ADJOURNMENT SINE DIE

Mr. PROXMIRE. Mr. President, under the Constitution, the convening date for the first session of the 93d Congress is January 3, 1973.

In accordance with the provisions of House Concurrent Resolution 726, I move that the Senate adjourn sine die.

The motion was agreed to, and, at 8:49 p.m., the Senate adjourned sine die.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED BY THE VICE PRESIDENT SUBSEQUENT TO SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the Vice President, under the authority of the order of the Senate, signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives, and examined and found truly enrolled by the Speaker of the Senate:

On October 20, 1972:

H.R. 1467. An act to amend the Internal Revenue Code of 1954 with respect to personal exemptions in the case of American Samoans, and for other purposes;

S. 1524. An act to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property;

H.R. 16071. An act to amend the Public Works and Economic Development Act of 1965;

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable;

S. 3822. An act authorizing the city of Clinton Bridge Commission to convey its bridge structures and other assets of the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa;

H.R. 4678. An act to provide for the free entry for a carillon for the use of the University of California at Santa Barbara, and for other purposes;

H.R. 13396. An act to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes;

H.R. 14628. An act to amend the Internal Revenue Code of 1954 with respect to the tax laws applicable to Guam, and for other purposes;

H.R. 16074. An act to authorize appropriations to carry out jellyfish control programs until the close of fiscal year 1977; and

H.R. 16654. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 16810. An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973.

H.R. 16925. An act to amend title 37, United States Code, to extend the authority for special pay for nuclear-qualified naval surface officers, and provide special pay to certain nuclear-trained and qualified enlisted members of the naval service who agree to reenlist, and for other purposes; and

H.R. 17034. An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

On October 25, 1972:

H.R. 1. An act to amend the Social Security Act, and for other purposes;

H.R. 10751. An act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes;

H.R. 11021. An act to control the emission of noise detriment to the human environment, and for other purposes;

H.J. Res. 912. Joint resolution granting the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary; and

H.J. Res. 1331. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT SUBSEQUENT TO SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the Secretary of the Senate presented to the President of the United States the following enrolled bills:

On October 20, 1972:

S. 1524. An act to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property;

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable; and

S. 3822. An act authorizing the city of Clinton Bridge Commission to convey its bridge structures and other assets of the State of Iowa to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

APPROVAL BY PRESIDENT OF BILLS AND JOINT RESOLUTIONS SUBSEQUENT TO SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the second session of the 92d Congress, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On October 18, 1972:

S. 1497. An act to authorize certain additions to the Sitka National Monument in the State of Alaska, and for other purposes;

S. 2700. An act to extend diplomatic privileges and immunities to the mission to the United States of America of the Commission of the European Communities and to members thereof; and

S.J. Res. 199. Joint resolution to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States.

On October 19, 1972:

S.J. Res. 236. Joint resolution to authorize and request the President to proclaim the week beginning October 15, 1972, as "National Drug Abuse Prevention Week";

S.J. Res. 251. Joint resolution to designate the week which begins on the first Sunday in March 1973 as "National Beta Club Week"; and

S.J. Res. 265. Joint resolution to provide grants for Allen J. Ellender fellowships to disadvantaged secondary school students and their teachers to participate in a Washington public affairs program.

On October 20, 1972:

S. 520. An act to authorize the Secretary of the Interior to construct, operate, and maintain various Federal reclamation projects, and for other purposes; and

S. 976. An act to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes.

On October 21, 1972:

S. 493. An act to authorize and direct the Secretary of Agriculture to classify as a wilderness area the national forest lands adjacent to the Eagle Cap Wilderness Area, known as the Minam River Canyon and adjoining area, in Oregon, and for other purposes;

S. 655. An act for the relief of certain postal employees at the Elmhurst, Ill., post office;

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 1973. An act to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes;

S. 2875. An act for the relief of Wolfgang Kutter;

S. 2469. An act for the relief of Kenneth J. Wolff;

S. 2822. An act for the relief of Alberto Rodriguez;

S. 3055. An act for the relief of Maurice Marchbanks;

S. 3483. An act for the relief of Cass County, N. Dak.;

S. 3583. An act for the relief of Gerald Vincent Bull;

S. 3671. An act to amend provisions of law relating to the Administrative Conference of the United States;

S. 3943. An act to amend the Public Building Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes;

S. 4059. An act to provide that any person operating a motor vehicle within the District of Columbia shall be deemed to have given his consent to a chemical test of his blood, breath, or urine, for the purpose of determining the blood alcohol content; and

S. 4062. An act to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular operations in the National Capital area, and for other purposes.

On October 23, 1972:

S. 141. An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes; and

S. 2411. An act to establish the Cumberland Island National Seashore in the State of Georgia, and for other purposes.

On October 25, 1972:

S. 216. An act to permit suits to adjudicate certain real property quiet title actions;

S. 1462. An act to provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142, 356, 360, 361, 362, and 363, and for other purposes;

S. 1928. An act to amend the Wild and Scenic Rivers Act by designating a segment of the St. Croix River, Minn. and Wis., as a component of the national wild and scenic rivers system;

S. 2147. An act for the relief of Marie M. Ridgely;

S. 2270. An act for the relief of Magnus David Forrester;

S. 2674. An act to remove a cloud on the title to certain lands located in the State of New Mexico;

S. 2741. An act to amend the act of September 7, 1957, authorizing aircraft loan guarantees, in order to expand the program pursuant to such act;

S. 3230. An act to provide for the division and for the disposition of the funds appropriated to pay a judgment in favor of the Assiniboine Tribes of the Fort Peck and Fort Belknap Reservations, Mont.;

S. 3240. An act to amend the Transportation Act of 1940, as amended, to facilitate the payment of transportation charges;

S. 3310. An act to amend title 10, United States Code, to establish the authorized strength of the Naval Reserve in officers in the Judge Advocate General's Corps in the grade of rear admiral, and for other purposes;

S. 3822. An act authorizing the City of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa by the State Highway Commission of the State of Iowa;

S.J. Res. 204. Joint resolution to authorize the preparation of a history of public works in the United States;

S.J. Res. 221. Joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial; and

S.J. Res. 247. Joint resolution extending the duration of copyright protection in certain cases.

On October 2, 1972:

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah;

S. 909. An act for the relief of John C. Rogers;

S. 1524. An act to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property;

S. 1852. An act to establish the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes;

S. 2318. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes;

S. 2454. An act to amend the Youth Conservation Corps Act of 1970 (Public Law 91-378, 84 Stat. 794) to expand the Youth Conservation Corps pilot program and for other purposes;

S. 2714. An act for the relief of M. Sgt. William C. Harpold, U.S. Marine Corps, retired;

S. 2753. An act for the relief of John C. Mayoros;

S. 3257. An act for the relief of Gary Wentworth, of Staples, Minn.;

S. 3326. An act for the relief of the Appalachian Regional Hospitals, Inc.;

S. 3337. An act to amend the Small Business Investment Act of 1958, and for other purposes;

S. 3358. An act to prohibit the use of certain small vessels in U.S. fisheries;

S. 3419. An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes;

S. 3507. An act to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes;

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended;

S. 3545. An act to amend section 7 of the Fishermen's Protective Act of 1967;

S. 3843. An act to authorize the Secretary of Transportation to make loans to certain railroads in order to restore or replace essential facilities and equipment damaged or destroyed as a result of natural disasters during the month of June 1972;

S. 3858. An act to amend the Public Health Service Act to improve the program of medical assistance to areas with health manpower shortages, and for other purposes;

S. 3959. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resources developments; and

S. 4022. An act to provide for the participation of the United States in the International Exposition on the Environment to be held in Spokane, Wash., in 1974, and for other purposes.

On October 31, 1972:

S. 1971. An act to declare a portion of the Delaware River in Philadelphia County, Pa., nonnavigable.

COMMUNICATION FROM THE PRESIDENT RECEIVED SUBSEQENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate, on October 18, 1972, received the following communication from the President of the United States, which, with an accompanying paper, was referred to the Committee on Banking, Housing and Urban Affairs:

A communication relating to the reporting of transactions by the Export-Import Bank of the United States.

NOMINATIONS

Executive nominations received by the Senate October 18, 1972:

In the Coast Guard

The following officers of the U.S. Coast Guard for promotion to the grade of captain:

William D. Harvey
Robert Russell
Claude W. Jenkins
Edmond Janczyk
Peter J. Delaat Jr.
Robert C. Branham
Raymond H. Baetsen Jr.
Robert S. Lucas
John F. Lobkovich
David J. Linde
Robert B. Sims
Gilbert P. Sherburne
Richard B. Brooks
James R. Kelly
William S. Black
Robert T. Platt Jr.
John H. Byrd Jr.
Kenneth G. Wiman
John D. Steinbacher
David F. McIntosh Jr.
Robert V. Hackney
Robert G. Moore
Melvin W. Hallock
Edward J. Ard
Herbert G. Lyons
Patrick M. Jacobsen
Howard H. Istock
Robert J. Hanson
Edwin H. Daniels
Keith B. Schumacher
Ralph C. Hill
Charles E. Mathieu
Glenn F. Young
James E. Grabb
Edward C. Farmer Jr.
Albert G. Stirling
Ernest E. Rowland Jr.
David G. Howland
William D. Markle Jr.
Donald C. Hintze
Bernard A. Hoyland
William E. Lehr Jr.
Joseph M. Kelly
Hal F. Olson
Roger L. Madson
Walter W. Kohl Jr.
James C. Irwin
William P. Kozlovsky
Edwin L. Parker
Milton Y. Suzich
Clyde T. Lusk Jr,
Bobby F. Hollingsworth

The following Reserve officer to be a permanent commissioned officer in the regular Coast Guard in the grade of lieutenant:

William M. Jacobs

In the Navy

Capt. Robin L. C. Quigley, U.S. Navy, for appointment to the grade of captain in the Navy while serving as commanding officer, Service School Command, San Diego, Calif., in accordance with article II, section 2, clause 2 of the Constitution.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 18, 1972:

National Institute of Education

Thomas K. Glennan, Jr., of Virgina, to be Director, National Institute of Education.

In the National Oceanic and Atmospheric Administration

National Oceanic and Atmospheric Administration nominations beginning Robert D. Hopkins, to be lieutenant, and ending William E. George, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on October 14, 1972.

EXTENSIONS OF REMARKS

ROLLING WITH THE PUNCHES

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. McDONALD of Michigan. Mr. Speaker, during my years here in the Congress, I have grown to know and admire Joseph V. Machugh, who is no stranger to the Members of the House. I was most impressed with the contents of his most recent article and believe it to have a message for each of us. At this point I insert Joe's thoughts for the benefit of my colleagues and the general public:

ROLLING WITH THE PUNCHES

Were life itself for the most part to consist of smooth sailing, happy landings and striking success of personal pursuits—'twould indeed be an Idyllic existence. However, under such improbable circumstances, beneficiaries of that Utopia might suggest "plight of the poor, little rich boy" reared inside the walled mansion and grounds of the family home—and whose parents had spared the rod and spoiled the child—giving him free and untrammeled reign for his every desire. Inevitably, sooner or later that life would begin to pall and—as in the instance of our "first parents"—he would look for some new and untried source of stimulation without bonds of discipline—that indispensable ingredient for success of all human conduct—universally resented by millions of the short-sighted but, like other Laws of Nature—imperatively-lasting and inflexible as the force of gravity within the orbit of the Earth's surface.

Everyone has read accounts of infants who have fallen from fairly great heights or of accidental dropping of professional acrobats—none of whom sustained any ill-effects from their respective falls. Explanation of such occurrences: a baby cannot reason and is totally unaware of fact of falling and/or inherent danger to him therefrom. The acrobat has learned not to stiffen his body in resistance to the movement of dropping. So, both "roll with the punches" in relative relaxation and thereby fail to emerge as statistics in the area of news reporting.

Isn't there a potent lesson—parable like—in cases of the child and the acrobat? We all agree that life rarely proceeds without ripples or torrents of disturbance. Our innermost and ardently-desired plans oft do go awry, even as our autos break down on most inopportune occasions, i.e., start of vacation or en route to distant destinations. When those exasperating developments occur—the least admirable of our emotions spring into immediate action. Temper, anger and irritability and naturally *seeking to blame someone else* for the distress. And hate rises, too, from those ashes of discontent like Phoenix and in the throes of the victim's displeasure he will be far from remembering a treasured wisdom: "Hate always hurts the hater much more than the hated!"

To profit from the parable—why not emulate the tot and the tumbler in connection with the punches of life's encounters? If, instead of getting angry—he devotes energy and attention to what can be done to remedy the situation, he may find roots of the trouble and perhaps he himself may be able to make necessary, *temporary* adjustments at the scene and lo, they could be "off and away in a jiffy!"

So, too, in connection with vastly more important incidents of the complicated existence in the sophisticated and shrinking World of today. If we would place a brake on our own explosiveness, take time to analyze the situations and seek to evolve corrective approaches—would we not be rolling with those punches? We can be as certain that such obstacles *will* arrive—as we are of death and taxes. Hence, why not promise ourselves *in advance* to be prepared and waste no valuable time in blowing off steam or in allowing it to fester inside to create internal pressures which could be even more harmful to ourselves than a short burst of emotional anger.

Few if any situations, domestic, international—or in between those poles—would not lend themselves readily to application of this simple counsel of wisdom: "Think it through first—and then try to smile back in the face of adversity." Moreover, there are those who have advocated an Eleventh Commandment: "Always preserve a Sense of Proportion—irrespective of what happens!"

In Lives of The Saints we can read about one of them who, after having been spat upon—responded to that shameful insult merely by saying: "Just how important will be this incident in the light of Eternity?" That Saint had wasted none of his emotions in anger; he had done himself no harm; and on the contrary he had strengthened his character immeasurably. Now, place that incident alongside its antithetical opposite: "An eye for an eye—and a tooth for a tooth!"

For, if the Pen is mightier than the Sword—and Restraint rewards those who practice it—why not start to inculcate in minds of our rising and magnificently adroit youngsters of today—this cardinal Rule of Conduct:

"LET'S ROLL WITH THE PUNCHES OF LIFE!"

Whenever they rear their ugly heads—as we may be sure they will do. And then the future World can be at least a wee bit better place in which to live—for having taken time by the forelock and prepared in advance for those repeatedly inevitable adversities.

JOSEPH V. MACHUGH.

WASHINGTON, D.C., *September 16, 1972.*

INSERTS OWN REMARKS ON BUS TAKEOVER

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. McMILLAN. Mr. Speaker, I would like to have inserted in the CONGRESSIONAL RECORD my own remarks concerning the bus takeover bill which we passed last Saturday evening.

I would like to state that this bill would still be in the subcommittee if I had not called it up to the full committee since the subcommittee chairman could not get a quorum. The full committee had to meet three times before a quorum was present. This statement, which follows, also applies to the teachers pay raise bill:

OCTOBER 10, 1972.

In the Senate Report on S. 4062 under the heading "Condemnation Procedure" on page 6, comment is made, "Nothing in this Act shall be construed as granting to the Transit Authority the power to, and the Transit Authority shall not, assume or otherwise acquire any of the liabilities, either contingent or actual, of D.C. Transit System, Inc."

Without qualification this restriction would hamstring the negotiation of a contract between the Transit Authority and D.C. Transit which has been proceeding to near completion these past few months. It is necessary that the Transit Authority be permitted to assume certain operating liabilities which are normal in these situations. This is necessary *providing, however,* that in assuming such liabilities provision is made for *compensation* to the Transit Authority by the D.C. Transit System.

The Conference Report should, therefore, clarify the above comment in the Senate Report so that it should read, "Nothing in this Act shall be construed as granting to the Transit Authority the power to, and the Transit Authority shall not, assume or otherwise acquire any of the liabilities, either contingent or actual, of D.C. Transit System, Inc., *unless compensation is paid therefor by D.C. Transit System, Inc. to the Transit Authority.*" (*Italic added.*)

A CITIZEN'S ROLE IN CRIME CONTROL—LOUIS SCHWEITZER

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, October 17, 1972

Mr. JAVITS. Mr. President, in 1967, the National Crime Commission documented the archaic and inefficient processes which govern the operation of our criminal justice system. Since then we have embarked upon substantial efforts to modernize our law enforcement agencies, our courts, and our correctional institutions.

We have done so knowing the enormity of the task. We have done so knowing that the vitality and strength of our constitutional guarantees are relevant so long as they accommodate the vicissitude of changing conditions and the stress of changing times.

In an age when in the face of such pervasive public problems, made to appear to many that there is little that any individual man can do, one concerned citizen has left his mark on the cause of criminal justice reform.

That man was Louis Schweitzer. He was devoted to the ideals of American civil liberties and was passionately committed to making them work for those without resources, sometimes even of hope. The founder of the Vera Institute of Justice in New York City, Mr. Schweitzer made a singular contribution in the effort to make the criminal justice system in the United States more humane and more efficient.

Although he died last year, the Vera Institute continues to bring competence, expertise, and commitment to the extraordinarily complex problems of criminal justice. Mr. President, a brief article recently appeared in the World magazine, written by Hallowell Bowser concerning this work of Mr. Schweitzer. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT CAN ONE MAN DO? LOUIS SCHWEITZER: MAGNIFICENT LAYMAN

(By Hallowell Bowser)

Louis Schweitzer was an ebullient American millionaire who had a rollicking good time with his money. Yet before he died last year he also managed, almost single-handedly, to set in motion some long-needed, still-ongoing changes in our system of justice.

Schweitzer's feelings against injustice were not rooted in any personal history of poverty: his father had emigrated to the U.S. from Russia in 1903, when Schweitzer was four, and had soon made good as a manufacturer of cigarette paper. Young Schweitzer was reared in comfortable circumstances and got an engineering degree from the University of Maine. When his father died, Louis and his two brothers took over the family firm and prospered mightily.

From the first, he was an easy touch for anyone who gave him a legitimate pitch for help, and his charities very much included himself. When his wife, an actress, complained that it was hard to find taxis in Manhattan after her nighttime performances, Schweitzer reacted impulsively; he bought a Mercedes-Benz taxicab and a $17,000 New York City taxi medallion, then actually found a hackie named Louis Schweitzer (no relation) to drive the cab. The arrangement was that they would split the profits—so long as the taxi was available whenever the Schweitzers needed to be driven somewhere.

In the same spirit, Schweitzer bought out his favorite barbershop, in Manhattan's Chrysler building, because it closed too early in the evening. He then gave the deed to the shop's head barber, on condition that he stay open later, and share the shop's income with him.

Similarly, when he had trouble flagging down gondolas during the busy season in Venice, he hit on a characteristic solution. He asked a gondoliere, "Wouldn't you like to have your own boat?" In broken English, the oarsman (a voluble type named Bruno) said sure—but a gondola cost a lot more money than he had.

"No problem," Schweitzer said, "I'm going to buy the gondola you operate, give it to you, and split the profits between us." Bruno, ecstatic, cried that he would not only reserve the gondola for the Schweitzers when they were in Venice, but would also give free rides to all their American friends. At this, Schweitzer feigned heavy displeasure. "In that case," he grumped, "I take back my offer. The deal is off!" Shattered, Bruno begged Schweitzer to explain his change of mind. "It's simple," Schweitzer said. "The deal is off unless you promise to charge my American friends double. They can afford it!"

The gondoliers' guild at first opposed the Bruno-Louis partnership: no foreigner, they huffed, had ever owned a Venetian gondola. Charm and money smoothed the way, however. Bruno got his gondola (named for Schweitzer's wife Lucille), and the passenger compartment of Schweitzer's Manhattan-based taxicab soon displayed this sign: WHEN IN VENICE, BE SURE TO ASK FOR BRUNO'S GONDOLA.

Though he broke even on the gondola, many of Schweitzer's whims cost him hard cash. Once, while on an ocean trip, he learned that an evening of boxing matches between the liner's crewmen had been arranged for the bored passengers. Schweitzer sought out the purser privately. "Listen," he said, "I want you to pass the word that I'll give a hundred dollars to every fighter who loses." "Don't you mean to the one who wins?" the purser asked. "No," Schweitzer said, "I mean the loser takes it all."

There followed some of the god-awfullest boxing matches seen since the heyday of the canvasback prizefighter called Fainting Phil Scott. Even the weakest missed punch would cause a heavily muscled stoker to pitch forward onto the canvas, where he would lie doggo till counted out. The passengers were mystified by these curious doings—all of them, that is, except the poker-faced, inwardly chuckling Schweitzer.

But Schweitzer was no mere playboy-idler. He worked hard at his business and just as hard at dispensing grants and handouts to deserving persons. One day in the early Sixties, a friend mentioned to him that each year about 50,000 persons had to stay cooped up in New York City's crowded jails for at least a month—sometimes much longer—because they could not afford the fifty or a hundred dollars needed to obtain release on bail, pending trial. This revelation deeply disturbed Schweitzer. It seemed to him that a man with strong family, church, and job ties would hardly be likely to skip town if a magistrate released him on recognizance—that is, without payment of bail.

It was then that Schweitzer set up the Vera Foundation (named after his mother). With the help of its young director, Herbert Sturz, and a few law-student volunteers, Vera began running quick checks on the backgrounds and general reliability of men being held for trial on minor charges. Soon forward-looking judges—notably Justice Bernard Botein—began releasing prisoners on recommendation of the Manhattan Bail Project, as the Vera group was called. Of the first 3500 men released, only 1.6 percent later failed to show up for trial. The usual bail-jumping rate is upwards of 3 percent. The Bail Project idea was soon taken over by the City of New York, and eventually spread to cities cross the country. Many of its features are embodied in the federal Bail Reform Act of 1966.

Later the Foundation, renamed the Vera Institute of Justice, pioneered a Summons Project, under which many people charged with minor offenses are taken direct to police precinct houses, are told when to appear in court, and are then set free. This process gets around the red tape and human misery too often attendant on formal arraignment and pretrial detention.

Going from strength to strength, Schweitzer and his institute still later set up a highly effective program that gives Skid Row derelicts medical and other help. Vera also introduced the idea, eventually taken over by New York City, of holding off on prosecution of first and petty offenders so long as they do well in various job programs.

With Schweitzer gone (he died last September at 73) his institute is developing new projects—e.g., heroin-maintenance programs—in line with his ideals of freedom and justice. His true monument, however, is the many thousands of obscure people who don't even know his name, but whose lives have been touched, in some cases transformed, by the revolution he so courageously began.

HON. CHARLES H. GRIFFIN

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FLOOD. Mr. Speaker, my colleague and distinguished House Member, CHARLES GRIFFIN of Mississippi is about to retire from this House.

I join with his numerous colleagues in paying respect to this dedicated public servant.

For the past 4 years the residents of the Third District of Mississippi have had this capable and dedicated American represent them in the House, and it is unfortunate that they will no longer have him as their spokesman in Washington.

I wish my colleague, Mr. GRIFFIN, good luck and good health in the years ahead.

SENATOR CHARLES PERCY—DEVELOPING MINORITY BUSINESS

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SPRINGER. Mr. Speaker, the distinguished Senator in the other body, Mr. PERCY, has long been interested in developing minority business and in assisting black Americans.

His record in this field is well known, not only among blacks but among people generally in Illinois. I attach herewith an article from the Tuesday magazine of October 1972, in a supplement to the Washington Sunday Star, by John Farmer, entitled "Senator Charles Percy—Developing Minority Business." I am sure my colleagues in both Houses will want to read this very interesting article:

SENATOR CHARLES PERCY—DEVELOPING MINORITY BUSINESS

(By John Farmer)

Of all the minorities in this nation of minorities, perhaps the least visible in the rarified air of Capitol Hill in Washington is the Black businessman.

He is too frequently short on cash and shorter still on credit. With notable exceptions, he is short on the technical skills and experience required in the increasingly specialized world of Big Business and, ironically, he finds it hard to acquire that experience precisely because he lacks those skills.

In the same ironic vein, he often can't get the credit needed to launch his own business because he is short of, yes, cash and experience.

To cap his cup of frustration, the Black businessman—or aspiring businessman—has surprisingly little political clout in a Congress that has earned a reputation for catering more carefully to the needs of business than to those of any other interest group in the country.

This, in capsule form, is how the problem of the Black entrepreneur—or would-be entrepreneur—is seen by Senator Charles H. Percy of Illinois, who came to the Senate six years ago promising to carry the fight for greatly increased Black ownership of businesses and of homes.

Percy, who is standing for re-election this November, remains optimistic about the situation. "There has been steady progress under this Administration," he said in an interview in Washington, D.C. And he sees hope for improvement with the appointment of Peter Peterson to succeed Maurice Stans as Secretary of Commerce.

Black businessmen, said Percy, just couldn't have a more sympathetic or understanding person to work with than Pete Peterson." Implicit in Percy's praise of Peterson, there appears to be criticism of Stans.

"Let's just say I don't think it [development of Black business ownership] was a matter of high priority with Maurice Stans."

Percy, however, believes that even with Peterson in charge it would be unwise to look for immediate or dramatic new initiatives from Washington to spur Black business ownership.

"I don't see any big breakthroughs coming or any new big projects," he said. "It's a matter now of building on the start we've made and making steady progress."

As a reflection of the mood in Congress on the question of Black entrepreneurship, there is much about Percy that is untypical. He is untypical in that his background—he was the boy wonder of American business two decades ago as president of Bell & Howell at age 29—singularly equips him to understand business viewpoints and needs and how one climbs the slippery corporate pole.

He is untypical, too, in that Percy knew impoverishment as a child during the depression. His family was on relief in Chicago for a time and during his high school years Percy held as many as four jobs at one time.

The work ethic is deeply engrained in Percy. By his senior year at the University of Chicago, Percy was "the richest boy who ever worked his way through college," according to Robert Hutchins, former chancellor of the university. Twelve years after graduation, Percy was a trustee of the University and president of Bell & Howell.

"His life sounds like a soap opera, doesn't it?" his wife, Loraine, once told authors David Broder and Stephen Hess.

But Percy freely concedes that such a spectacular rise in the corporate world would be almost impossible even today for an equally energetic Black.

Black commercial development, he also says, has been stunted by the years of discrimination. It's an old story. But the Black businessman also shares with his White counterpart a special liability of small business in this day of growing industrial and commercial concentration.

"The mortality rate is very high in all small business," said ex-businessman Percy. "It's a fact of life. Interest rates are high—eight or nine per cent—and how many small businesses in this country make that kind of profit?"

Couple this with the relatively small pool of business experience in the Black community, and you get a stiff resistance among bankers to loan small business start-up money to Blacks, he explains. Percy says he is encouraged by the growth of Black-owned banks, even though he is aware that Andrew Brimmer, a Black member of the Federal Reserve Board, has recently stated that Black bankers are, if anything, even more reluctant than some White bankers to loan money in the ghetto.

"Bankers will act like bankers," said Percy, philosophically. "White or Black."

With this in mind, Percy in 1970 sponsored legislation providing a federal interest subsidy grant to new small businesses or those in operation less than five years. But the bill died in the House, further evidence of the waning interest there in the once "fashionable" inner-city issues.

With this high-risk history, one might question the wisdom of the small business road for the aspiring Black business mogul, Would he be better advised to follow the more traditional route through the big corporation?"

"No," said Percy. "I'd like to see more Blacks step out and take the risk and really participate in the free enterprise system."

However, big business also has an obligation, Percy says, to open its ranks to qualified Blacks. And, reaching for ideas again, he talks speculatively of what American business colleges could do to help close the business know-how gap plaguing American Blacks.

But he emphasizes that there is a rising level of wealth and income in the inner cities of the nation that offer a new potential for enterprising Blacks. The development of franchise business, he maintains, is especially hopeful.

Local franchises for gas stations, bottling companies and fast-food restaurants offer Blacks the chance for ownership and business experience, with the expertise and business assistance of large, White-run corporations for support, he says.

The Black community, in short, could be a gold mine for Black businessmen.

Yet Percy is fully aware that the "national mood," as reflected in Congress, seems to have assigned the growth of Black entrepreneurship to the back-burner for the present. Possibly because of the scant likelihood of mustering support for programs aimed in this direction, Percy's own efforts seem less dynamic and do reflect the congressional mood.

This present course is also, in part, the product of Percy's own development both in the Senate and as a potential contender for leadership of the liberal wing of the Republican Party. When first elected, he lobbied eagerly and successfully for appointment to the Banking and Currency Committee, with jurisdiction over many minority business and housing programs, particularly his National Home Ownership Foundation, a plan for promoting home ownership as opposed to public housing rentals in the inner city.

But with increased seniority and the prospect of national horizons ahead, Percy has also found it necessary to occupy himself with foreign affairs, the national economy and Republican Party matters. These are the concerns of the larger national constituency he may someday seek.

Today, Percy's major committees are Appropriations and Government Operations and the Joint Senate-House Economic Committee. He has given up his seat on Banking and Currency. The war, his growing list of speaking engagements, the economy and, as much as anything, the Republican succession in the post-Nixon years—these interests have drained time and energy from the heavy preoccupation Percy gave to minority ownership of businesses and homes in his earlier Senate years and in his successful campaign for election.

Two years earlier, in 1964, "the Goldwater years," Percy had suffered the fate of most Republicans in that campaign—defeat. Always a man who could learn from hard facts and cold statistics, Percy was impressed with his loss of 89 per cent of the Black vote in Illinois.

A month after the election he told the Republican governors that their party would "never be known as the party of opportunity until we make it unmistakably clear where we stand as a party on civil rights." The following May he told the Illinois press association he had been wrong when he earlier had opposed a state open housing law. And when the state failed to act, Percy subsequently backed such a federal law.

Percy's new policy was rewarded. In 1966, his vote for Senator in th Black wards of Chicago was up six per cent over 1964, a larger increase than he enjoyed in those areas of the city where Republican strength is traditionally found.

Percy carried this zeal for the minority cause into the Senate. By April of his first year on Capitol Hill, Percy had persuaded every other Republican Senator to co-sponsor his national Home Ownership Foundation plan and sold it successfully to 109 of the 187 House GOP members. Few freshman have ever won such instant endorsement of any legislative proposal.

But that was 1967, and Republicans seemed on their way to building an urban image—John Lindsay in New York, Edward Brooke in Massachusetts, Mark Hatfield in Oregon. And Percy was in the forefront.

It was a time when the urban problem had a special urgency. And Republicans, seeing a chance for a political breakthrough in the disarray of the old, city Democratic machines, sought new answers to the burning urban questions.

Percy's home ownership plan was designed to provide a Republican alternative (a private, non-profit corporation operating with low-interest, government guaranteed bonds) to the old Democratic solution—public housing.

Similarly, his push for Black capitalism, Black business ownership, was designed to lure investment capital and know-how into the Black community with a singularly free enterprise appeal.

In December of 1969, the Senate Small Business Subcommittee, of which Percy was a member, held hearings on the special dilemma of the small businessman, especially the Black small businessman. And Percy, in a statement to the Senate, portrayed help for the Black businessman as "probably the most effective alternative" to separatism. "It comes," Percy said, "not as a replacement to ['Black power'] . . . but as an extension. It is 'green power'—money power."

The recurring theme of the hearings, Percy said, was "the repeated call for a national commitment to the interests of minority enterprise . . . Congress likewise must assume a commitment toward minority enterprise, thereby setting the pace for the rest of the nation."

But the urgency the issue enjoyed in those days has faded. And Percy is well aware of this change.

"Sure, there's a lessening of interest in urban affairs and civil rights on Capitol Hill," Percy acknowledged. "That's why Romney [Secretary of HUD, George Romney] is so disturbed."

It extends especially into the related field of civil rights, Percy declares. The days of the great struggles over civil rights legislation are probably gone, he says, and in the area of education, dominated now by the busing dispute, "there are signs of regression."

What if the cities were to explode into violence once more? "Congress would be right back into the problem," Percy speculated. "But that's all over."

Instead, Percy believes that Blacks in the inner city—much like students on college campuses—have concluded there is no lasting gain from violent protest. But this creates a challenge to the system, he said, "to reward and encourage those who would operate through that system."

What more can government do?

"It could do more to make known the whole idea that Blacks can get into business for themselves," he said, especially through better coordination with the advertising industry.

Percy also suggests that Blacks, because of certain lingering, self-defeating attitudes are, to a limited degree, also responsible for the slow growth of Black entrepreneurship.

"Too many Blacks just don't believe it is possible to make it on their own. I'd like to flush out the talent that's in the Black community," he said. As an example of aggressive Black economic leadership—based on a recognition of what is needed and serving that need—he cited the Rev. Jesse Jackson and his former Operation Breadbasket and present PUSH projects in Chicago.

Percy, the model for success in the modern business world, inevitably returns in his conversation to the pleasures of ownership and individual achievement.

"I remember we used to live over a German delicatessen," he said. "It was run by a man named Schultz, and I used to go in there and see him working at all hours. And

I said to him once, "You're always working. Don't you ever have any fun?'

"And I remember he said, 'This is fun because it's mine.' "

CONGRESSMAN ALBERT W. JOHNSON'S QUESTIONNAIRE RESULTS

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. JOHNSON of Pennsylvania. Mr. Speaker, as my usual custom, I recently sent out my semiannual questionnaire seeking the views of the citizens of the 23d Congressional District of Pennsylvania.

I am pleased with the tremendous return and the high interest shown by the residents of the 23d District.

Today, I am reporting the results of this questionnaire for the information of all Members of Congress:

QUESTIONNAIRE RESULTS

1. Would you favor voting to sustain a Presidential veto on bills which substantially exceed the Federal budget?

Yes, 79.5%; no, 15.2%; no answer, 5.3%.

2. With respect to Wage and Price Controls, do you favor:

a. immediately terminating controls, 9.0%.

b. continuing controls until inflation is ended, 54.4%.

c. continuing controls indefinitely, 14.4%.

d. going to a fully controlled economy including an OPA type local office and enforcement, 12.1%.

No answer, 10.1%.

3. Do you favor a continued effort to achieve voluntary prayer and Bible reading in our schools?

Yes, 86.3%; no, 12.3%; no answer, 1.4%.

4. There is a bill in Congress which would grant nationwide collective bargaining for teachers with the right to strike. Would you vote for this proposal?

Yes, 20.6%; no, 76.4%; no answer, 3.0%.

5. Do you favor making the interest on bonds of municipalities subject to the Federal income tax?

Yes, 48.4%; no, 46.5%; no answer, 5.1%.

6. There is a bill in Congress which would permit Federal employees to retire at age 50 after 30 years of service. Do you favor this proposal?

Yes 40.0%; No 56.5%; no answer 3.5%.

7. Do you favor an income tax credit to parents who have students in private elementary and secondary schools?

Yes 35.3%; No 63.0%; no answer 1.7%.

8. Do you favor eliminating the interest paid on a home mortgage as an income tax deduction?

Yes 22.5%; No 75.6%; no answer 1.9%.

9. Do you favor cuts in defense spending?

Yes 49.2%; No 44.4%; no answer 6.4%.

10. Do you favor Federal financing of public broadcasting on a long range (five year) basis?

Yes 15.8%; No 75.3%; no answer 8.9%.

11. Do you feel that we should expand agricultural and non-strategic trade with the Communist nations?

Yes 68.8%; No 26.0%; no answer 5.2%.

12. Do you feel that busing is a legitimate means to achieve racial balance in the public schools?

Yes 9.0%; No 89.3%; no answer 1.7%.

13. Do you favor diverting some of the highway user taxes now used to build roads to help finance urban mass transit systems?

Yes 37.6%; No 58.8%; no answer 3.6%.

14. Would you be willing to pay more for products and services if their manufacture and use could be made virtually pollution free?

Yes 62.7%; No 29.8%; no answer 7.5%.

NEW CONCEPTS IN SITING OF NUCLEAR POWER PLANTS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. EVINS of Tennessee. Mr. Speaker, because of the interest and concern about the siting of nuclear power plants, I enclose a perceptive speech by Commissioner James T. Ramey of the Atomic Energy Commission entitled "New Concepts in the Planning and Siting of Nuclear Power Plants.

This address was recently delivered in Asheville, N.C., and merits wide circulation.

I request that this speech be reprinted in the RECORD.

The speech follows:

NEW CONCEPTS IN THE PLANNING AND SITING OF NUCLEAR POWER PLANTS

(By James T. Ramey, Commissioner, U.S. Atomic Energy Commission)

I am glad to be here today and to share with you the beauty and climate of western Carolina.

I was pleased to see that your program focuses on the role of planning—both short and long term—in electric power and related fields. I am happy that the concept of planning is finally becoming established and respectable. I can remember that some years ago the word planning had an unfavorable connotation—so much so that at an organization on the other side of the mountains where I worked even the use of the word "planning" was taboo—however various "studies" and "forecasts" were permitted and sometimes encouraged!

ENERGY CRISIS

When we gaze out over the scenic beauty that surrounds us here we are apt to forget the many problems that will be facing vast regions of the United States, such as the development of needed new electric power sources compatible with the environment and the many new sites for power generation that must be provided. Two years ago, the power difficulties experienced in the Northeastern and Middle Atlantic States and the shortages of fuel oil and coal ushered in the era of energy concern.

I am certain that this audience today needs no convincing that our modern society is completely dependent upon energy, and that in the years ahead, this country will need to tap in the most efficient manner possible all of our available resources—coal, oil, gas, hydro and nuclear—if our needs and goals are to be met.

Fortunately, the serious nature of our energy problems is being recognized, and many people are becoming aware of the fact that we can no longer take our energy supply for granted. Energy, indeed, may be becoming so fashionable a subject that it may rival the Environment or even *Women's Lib'* on various symposia schedules.

Between now and the end of the century, the U.S. is projected to require more energy than it has consumed in its entire history. While a slowing of population growth might result in a lessening of the rate of increase in the amount of energy needed, nevertheless, large additional amounts of energy will be essential.

As our needs for energy have grown, public concern over possible adverse environmental effects has led to increased difficulties in obtaining approval of various sites considered for nuclear plants, as well as for other types of electric generating stations. Growing competition for available land and water resources by other segments of our society has only tended to increase this already difficult situation.

To help resolve this critical problem, there will have to be longer range planning of utility expansions extending ten years or more in advance of construction, new and innovative siting concepts will have to be evaluated and developed, and new siting policies will have to be realized.

In my talk today, I expect to discuss some new concepts in the planning of power plants in terms of advances in nuclear technology, as well as new concepts more specially related to the siting of nuclear plants. I also hope to cover advances in technology of energy fuels outside the nuclear field. But first, I would like to summarize briefly the roule of nuclear power in the current scene.

STATUS OF NUCLEAR POWER

Present electrical generating capacity of U.S. utilities is about 380 million kilowatts. To meet the growing demand for electric energy, the Federal Power Commission, in its 1970 National Power Survey Report [1], projects that the generating capacity in the 50 states will rise to about 670 million kilowatts in 1980 and approximately 1,260 million in 1990. Today, operable nuclear power plants account for only 3½ percent of the country's generating capacity, but by 1990 the Federal Power Commission projects [2] that they will be producing 49 percent of the total generation with 38 percent of the total capacity. Fossil steam-electric plants will generate in 1990 about 44 percent of the total output with 44 percent of the capacity. Approximately 6 percent of total generation will be in hydroelectric stations representing 12 percent of the national capacity.

Looking at the status of nuclear power today, there are 28 operable nuclear power plants with a total capacity of about 13,300,000 kilowatts. An additional 116 nuclear plants are on order of which 51 are under construction and 65 are in planning and design stages. By the end of this decade, over 130 nuclear plants are scheduled to be on line, representing about one-fifth of the total U.S. electrical generating capacity.

The National Power Survey Report [3] indicates that of the various U.S. regions, the Southeast Region will require the most new capacity and nuclear power installations are projected to be 34,000,000 kilowatts in the 1970s and 60,000,000 kilowatts in the 1980s, or 49 and 44 percent, respectively of total additions in this region.

Since the beginning of 1969, about 35 percent of all the nuclear power capacity purchased in the U.S. was ordered by utilities in the Southeast Region,[4] although the population of this region is less than 20 percent of the national total. A very large area is covered, ranging from the Surry plant in eastern Virginia, to Browns Ferry in western Alabama, to Turkey Point at the southern tip of Florida.

Why is the U.S. turning to nuclear power? A major reason is that it has because economically competitive in a number of areas of the country. This has occurred even though the capital costs of nuclear plants have generally gone up faster than those of fossil plants. Secondly, despite some of our detractors, it is an environmentally cleaner type of energy. But beyond this, unless nuclear power is developed and used we will be fast approaching a point where the demand for energy may outstrip our ability to make that energy available.

Footnotes at end of article.

If the rapid rate of consumers' substitution of electric power for the direct use of fuels continues, about half of the gross energy supply in the year 2000 will be used to generate electricity. With an increasing dependence on electrical energy, the development of more advanced nuclear technologies will be crucial. Present day light water type nuclear reactors—while they have many advantageous characteristics—only extract about one percent of the energy available from their nuclear fuel. Fortunately, nature has arranged things so we can take advantage of the breeder reactor which has the ability to produce more fissionable nuclear fuel material than it consumes. Because of the breeder's more efficient use of nuclear fuels, our potential energy supply would be practically inexhaustible, and limitations on the use of energy could be virtually eliminated.

Based on its potential economics, the interest of the reactor manufacturers and electric utilities, and the base of technology already available, the liquid metal cooled fast breeder reactor (LMFBR) has been selected as the highest priority reactor concept for achieving the breeder objective. This program has received outstanding support from the Administration, Congress and industry.

On August 7 of this year, the AEC announced the signing of the Memorandum of Understanding providing for the construction and operation of the Nation's first liquid metal fast breeder reactor demonstration plant to be located on the Tennessee Valley Authority system near Oak Ridge, Tennessee. The plant will be designed to produce about 400,000 kilowatts of power while demonstrating breeder reactor technology.

I was most pleased to participate in the signing ceremonies with Chairman Schlesinger and officials of the two principal utilities participating with AEC in the project—Thomas Ayers, President, Commonwealth Edison Company of Chicago, and Chairman A. J. Wagner of the Tennessee Valley Authority—as well as representatives of the Breeder Reactor Corporation and the Project Management Corporation, two special corporations formed to carry out the project.

The Edison Electric Institute, with the very able leadership of Shearon Harris and his associates has been conducting a voluntary fund raising campaign for the first demonstration plant and it already has received pledges for support of the project amounting to approximately $200 million from investor-owned utilities. Pledges of approximately $40 million have also been obtained from the publicly-owned utilities.

In addition to the LMFBR, we are continuing support of several other reactor types including the High Temperature Gas Reactor (HTGR), which operates on the thorium-uranium cycle. A 330,000 electric kilowatt prototype of this concept at the Fort St. Vrain station outside Denver, Colorado, is presently undergoing initial testing. Six large commercial plants of the HTGR concept have already been ordered by U.S. utilities.

NUCLEAR DESALTING

The energy picture is so complex that the development of new energy sources cannot solve all the problems that lie ahead without other major thrusts being taken. During recent years several new concepts have evolved where more effective use of energy and/or sites could be achieved. One of the earliest disciplined efforts to make better use of energy was that of dual purpose nuclear plants, initially for electric power and desalting. Under this approach, prime energy would be used to generate electricity and then exhausted at low temperature process conditions to desalt saline waters, thus reducing the amount of reject heat from that which would have resulted from the two operations being conducted independently.

By combining the production of electric power and the desalting of water in a single, large dual purpose plant, inherent economies can also be obtained in relation to the individual production of either of these two vital commodities. Of equal importance, with nuclear energy as a power source, the vast energy resources of the atom would be joined with the unlimited waters of the sea to provide a long-term solution to two of man's most fundamental needs—energy and water.

During the past several years some progress has been made, not only in improving the fundamental technology of both the nuclear energy source and of the water desalting processes, but also in the understanding of the technical, economic and even administrative factors which affect the prospects for the application of large-scale nuclear desalting.

Nuclear desalting will be an important development to many sections of the world, and to many areas of the United States, including the West, large metropolitan areas such as New York City, and even our Gulf states. People in the Southwest already are feeling the economic pinch of water shortages (where the diversion of water is not always the happiest solution) and it was not too many years ago that the Northeast felt the effects of a severe drought.

ENERGY CENTERS

Paralleling technology development, various studies have been conducted to evaluate the potential role that large-scale dual purpose nuclear plants might play in the future. In the process, a new concept—that of the energy center or agro-industrial complex—has emerged as an extension of the previous concept for large-scale nuclear desalting. In the paper, Nuclear Power for Desalination and Agro-Industrial Complexes,[5] which I presented last year at the Fourth International Conference on the Peaceful Uses of Atomic Energy in Geneva, the details of this new concept were discussed.

In general terms, an energy center means an integrated complex in which the large scale production of energy is effectively combined with consuming industries at a single site or contiguous area. Such complexes would enable the production of power at lower real costs than otherwise might be achievable, both because of the scale involved and the reduction or elimination of transmission and distribution costs. While energy centers have evolved in the past, particularly where sources of low cost hydro-electric power were available, the availability of nuclear power adds a new dimension to the concept by allowing the creation of an energy center without regard to the local availability of conventional energy sources.

In principle, energy centers may involve the production of a wide spectrum of energy intensive products ranging from completely industrial to completely agricultural. We conducted an industrial study with Dow Chemical and the Puerto Rican Government which emphasized petro-chemicals derived from sea water.[6] Much of the attention in the United States studies, however, has been focused on what we call the agro-industrial complex. In the agro-industrial complex, desalted water is itself a principal product and much of the concurrent production of electric energy is devoted to manufacture of agricultural chemicals which directly support the efficient application of the desalted water.[7]

NEW CITIES CONCEPT

An outgrowth of our thinking on energy centers has been the possibility that such centers might in the future form the nucleus of whole new cities.

Most urban areas are served by extensive electrical networks so that the energy center concept, in its full sense of an integrated complex of both energy producing and consuming facilities, may appear to be unnecessary. Despite this, the growing problems of many large metropolitan areas have stimulated examination of the application of energy centers to the urban industrial situation. You have already heard in these meetings that between now and the year 2000, the world population is projected to reach about six billion.[8] Much of the growth will be in urban areas. With the existing metropolitan areas in many parts of the world reaching their limit in terms of environmental impact and livability, it is obvious that much of this vast populaton growth will be settled in essentially new cities.

For long-range planning, the energy center concept offers an attractive way to provide an industrial nucleus for new cities. Here again, the fact that nuclear power plants can be placed without regard to the location of conventional energy sources makes it possible to locate these new centers and their surrounding cities in areas chosen primarily from the standpoint of environmental suitability. The establishment of entire new cities offers opportunities to introduce advantageous features which would probably be impractical to install in existing urban locations.[9]

For example, process steam or heated water from the nuclear power plant serving a new city might be used for space heating and cooling, for water renovation, and to support industrial processes. Such uses would reduce the total quantity of heat which would otherwise need to be discharged or wasted to the environment.

OFFSHORE SITING

As you are aware, there are limitations today to the siting of nuclear plants close to highly populated urban centers and this has stimulated thinking on the nearer term possibilities of locating large nuclear plants and even some selected industrial activities on artificial islands. The proposed Bolsa Island nuclear desalting project[10] which was to be constructed on a 40 acre man-made island approximately one-half mile off the coast of Southern California below Long Beach, was an example of this approach. Today, there may be a number of locations along the Atlantic and Gulf coasts where this siting concept could be used. The Great Lakes also hold some potential for this siting approach.

A further development of the island siting concept is the construction of nuclear power plants on large barges or other floating structures, which are then located several miles out to sea along the coast. Among the advantages of this concept are the ability to obtain unlimited supplies of cooling water without thermal effects on rivers or other confined waterways, and the potential of reducing seismic problems which might exist on adjacent land areas. Moreover, plants located on islands or barges ultimately might well be located in closer proximity to large urban load centers than would be possible in the case of a land-based plant under present criteria of population density.

The possibility of offshore siting is now being actively considered in the United States, both by interested utilities and equipment manufacturers. Public Service Electric and Gas Company of New Jersey[11] is proceding with its plans to place the first large barge-mounted nuclear power plant in operation by 1980. The site for this project will be about three miles off the New Jersey coast, slightly north of Atlantic City. The floating power plant will be in water approximately 40 feet in depth and surrounded by a massive breakwater that will offer protection against storms and ship collision.

The barge-mounted concept will extend the siting options available to the utilities and offers a number of other potential advantages. Since the entire plant can be fabricated at a manufacturing facility, greater standardization can be achieved (with pos-

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Footnotes at end of article.

sible shortening of licensing times) and a stable and highly trained work force can be assured. In addition, this concept will enable quality assurance practices to be more readily implemented throughout the entire project. These projects will, of course, be subject to detailed safety and environmental review by the AEC in connection with its licensing proceedings.

POWER PLANT PARKS

Another siting concept that has been receiving increased attention recently is that of power plant parks. Such parks would consist of large blocks of generating capacity located at a single site with perhaps 10,000,000 kilowatts of installed capacity, or even 20-30,000,000 kilowatts, depending on the time frame.[12] Already there are sites where over 3,000,000 kilowatts of capacity have been installed and, other locations exist where their expansion could reach 6,000,000 to 9,000,000 kilowatts. In this particular region, the Carolina Power and Light Company announced plans over a year ago for the installation of four nuclear generating units of 4,000,000 kilowatts capacity at its Shearon Harris Station,[13] 20 miles south of Raleigh. Also, the Virginia Electric and Power Company[14] has made commitments for four nuclear units, totalling almost 4,000,000 kilowatts, at the North Anna Power Station, 30 miles east of Charlottesville, Virginia.

Power plant parks could result in conservation of needed land and reduce the number of sites needed, complement industrial development, enhance regional development, permit more extensive sharing of common facilities, reduce the number of required regulatory actions, and offer other advantages in construction and operation. Nuclear parks could also include onsite fuel reprocessing and fabrication facilities and thus reduce the problems of offsite shipments of spent fuels.

One of the major concerns about the power park concept is the large concentration of power capacity and investment at a single site. And, the waste heat rejection problems could be of special concern, as well as the increased government involvement that may be required.

An important aspect of siting is the need for adequate cooling. In the past, sites have been limited to those with adequate supplies of cooling water. Recent developments in nonevaporative or dry cooling systems, promise opportunities for much greater siting flexibility.[15] Dry cooling will permit expansion of existing sites where water availability might not otherwise be adequate, and will enable utilities to consider new sites that may be closer to the load centers or to transmission rights-of-way. The AEC is conducting an engineering development program for dry cooling systems with emphasis on lowering costs and assuring their suitability for large central station power plant use.

Dry cooling also offers environmental benefits as compared with other evaporative cooling concepts. It will be particularly useful for mine-mouth plants where very low fuel costs are available, but where water supplies are generally nonexistent. A 330,000 kilowatt plant at a mine-mouth site using dry towers has already been initiated for operation at Wyodak, Wyoming. This will be one of the largest such units in the world when it goes into operation in early 1977. Many utilities are following the progress of this project and the developments which will adapt dry towers to the large central station plants that are now being planned to meet future generating needs.

NEW ENERGY TECHNOLOGIES

In my remarks today I should say a few words about some of the more advanced energy concepts which have recently, apparently, captured the public's fancy.

In the future, fusion power may be an important alternative within the nuclear field. This process involves the fusing of light atoms at high temperatures and pressures, and is similar to the processes occurring in the sun and in the hydrogen bomb. The prospect of unlocking the virtually unlimited energy available from heavy hydrogen in the oceans is indeed an exciting vision. However, the first proof of the feasibility of fusion power is yet to be provided. With additional research and development support, we hope to prove feasibility in this decade. I can assure you that when we succeed in establishing the technical feasibility of fusion, we will then proceed aggressively with the engineering development needed to bring this concept into industrial use. I might note that funds for the nuclear fusion program have been significantly increased over the past few years, but the task ahead will not be easy.

There are a number of other, more novel, potential sources of electric power. These include, for example, solar energy, geothermal energy, tidal power and harnessing the Gulf Stream. In August 1971, Congress modified the Atomic Energy Act of 1954 to authorize the AEC to undertake research and development efforts on "the preservation and enhancement of a viable environment by developing more efficient methods to meet the Nation's energy needs." The potential of more novel energy sources will be assessed, and, where appropriate, additional research and development may be undertaken to search for practical means for exploiting these sources. As a Nation dependent on energy, however, we cannot afford to wait for unproven technologies if we are to meet our more immediate needs and goals. So that leaves us with fossil fuels and nuclear fission power for the next 30 years or more.

One of our oldest energy sources, coal, has fallen on difficult ways. Severe ambient and emission standards for sulfur discharge from coal-fired power plant stacks, which will come into effect during the seventies, will require either stack clean-up or reduced sulfur in the fuel. The former has been vigorously pursued but with only limited success. The latter may turn out to be the better approach with further development.

If Eastern coal cannot be treated for sulfur removal, low-sulfur Western coal may need to be imported in large quantities for the Eastern power market. Some Mid-Western utilities are currently paying approximately $6 per ton shipping charges to import Western coal for blending with local coal for sulfur control. Higher power costs will be inevitable. And, simple substitution of low-sulfur fluid feels such as fuel oil or natural gas can only contribute to our increasing dependence on foreign imports.

Synthetic fuel production from high-sulfur Eastern coal, which also removes sulfur, is a possible solution to this dilemma. Large governmental support of such a program appears necessary, and the AEC, itself a large consumer of electric power based on Eastern coals for its diffusion plants, will be quite interested in the development programs that evolve and their results.

Over a longer period (perhaps within 50 years) fossil fuels will probably be more important as sources of chemicals than heat. Given an abundant supply of nuclear power (fission and fusion), liquid and gaseous fuels can be prepared from inorganic sources with no real limit on supply. CO_2 from the air or from calcium carbonate, and hydrogen from water can be combined to produce viable hydrocarbon fuels. Hydrogen itself could be used for transportation, space heat, and the generation of small blocks of electricity. Our Oak Ridge National Laboratory has been actively studying some of these options.

In closing, I hope that my brief review of some of the new concepts in nuclear power use and siting has stimulated your interest and outlook for the future. You can be assured, that these and other innovative approaches will have to be developed and applied if we are to meet our energy needs in the challenging years ahead.

FOOTNOTES

[1] The 1970 National Power Survey, Federal Power Commission, Part I, December 1971.

[2] Statement of John N. Nassikas, Chairman, Federal Power Commission, Hearings Before the Joint Committee on Defense Production, Congress of the United States, September 23, 1971.

[3] The 1970 National Power Survey, Federal Power Commission, Part II, Electric Power in the Southeast, 1970–1980–1990, April 1969.

[4] Status of Central Station Nuclear Power Reactors, Significant Milestones, WASH–1208 (6–72), June 1, 1972.

[5] "Nuclear Power for Desalination and Agro-Industrial Complexes," paper by James T. Ramey, Commissioner, U.S. Atomic Energy Commission and R. Philip Hammond, Oak Ridge National Laboratory, Geneva, Switzerland, September 1971.

[6] Puerto Rico Energy Center Study, TID-25603, July 1970.

[7] Nuclear Energy Centers—Industrial and Agro-Industrial Complexes, ORNL–4290, November 1968.

[8] Resources and Man—A Study and Recommendations by the Committee on Resources and Man of the Division of Earth Sciences, National Academy of Sciences—National Research Council, July 20, 1968.

[9] Use of Steam-Electric Power Plants to Provide Thermal Energy to Urban Areas, ORNL–HUD–14, January 1971.

[10] Historical Report on Bolsa Island Nuclear Power and Desalting Plant, The Metropolitan Water District of Southern California, MWD No. 885, March 1972.

[11] Press Release, Public Service Electric and Gas Company, March 16, 1972.

[12] "Demographic Policy and Power Plant Siting," testimony submitted by Alvin M. Weinberg to the Senate Internal and Insular Affairs Committee for the Symposium on Energy Policy and National Goals, Washington, D.C., October 20, 1971.

[13] Press Release, Carolina Power and Light Company, April 30, 1971.

[14] Press Release, Virginia Electric and Power Company, April 21, 1971.

[15] Cost Comparison of Dry-Type and Conventional Cooling Systems for Representative Nuclear Generating Plants, TID–26007, March 1972.

AN AFTERNOON OF MUSIC

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MURPHY of New York. Mr. Speaker, I would like to inform my colleagues and constituents that I had the privilege of attending An Afternoon of Music, a splendid choral and musical program which was held on Saturday, October 7, 1972. This recital was sponsored by Theodore Charles Stone, president of the National Association of Negro Musicians, Inc., and the proceeds of that event go to the scholarship fund of the association. For around 2 hours the audience heard the powerful baritone voice of Raymond Frith, accompanied by Raymond Henry, and the wide ranging Willowbrook Orchestra and Choral Group under the professional direction of Joseph Lombardi, the music director.

After an invocation by the host minister, the Reverend Fred Diekman, the music filled the Reformed Church on Staten Island.

The committee chairman, Mrs. Emma J. Wilson, and her vice chairman, Miss

Lillian Pinckney and Miss Josephine Clutts are to be congratulated for arranging a delightful and interesting program.

CAMPAIGNING WITH BUTZ

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BELCHER. Mr. Speaker, I would like to take this opportunity to insert in the Record an article which appeared in the Packer on September 30, 1972:

Campaigning With Butz

(By Ken Scheibel)

Once in a blue moon a politician comes down the road that farmers really like.

He's no hero to housewives but Earl Butz on the campaign trail looks like a winner for President Nixon with farmers.

"I make no bones about the fact that I am a political Secretary of Agriculture!", Butz shouted at a Des Moines breakfast meeting with farmers. Farmers roared their approval.

President Nixon apparently knew what he was doing when he dispatched Secretary Butz to the farm belt to plug Republicans in the 1972 elections. Butz can put an audience in his pocket almost any time he wants. Being human he can tire. When he does he loses some of his punch.

Butz is a practical man. He knows that politics aside, farmers want money—more of it. He quickly describes himself as "your hired hand in Washington." He pledges to raise prices, income—and fatten farmers' pocketbooks. Judging from farmer reaction a reporter on a tour with Butz concludes that the formula clicks.

To a Burlington, Ia., group lunching on smoked pork chops, applesauce and beans, Butz avowed, "we want to export $10 billion in farm products every year. I think we are going to make it. Let's let farmers produce!" With the prospect that idle Iowa acres may be moving back into production—of farm income—applause rocked the jam-packed hall.

As an old hand in the farm belt the former Purdue university Dean touches on the sensitivities of farmers. With well-spoken fervor and some emotion Butz implores them to be proud citizens and shed any hangday shame about being "just farmers." The inspirational-message strikes home. Butz reads farmers like the back of his hand.

The Secretary of Agriculture is a superb speaker. He developed his skill in debate at an early age. He has been sharpening and polishing it ever since. Butz figuratively can cut an opponent to ribbons.

Today as he jets from one part of the country to another his prime target is Sen. George McGovern, the Democratic presidential candidate. During a typical day's campaigning Butz will call McGovern a "bald faced liar," a "perpetrator of falsehoods," a "wild-eyed" dreamer, and a witch hunter "making smear charges and innuendoes."

"Ten months ago Sen. McGovern said my confirmation as Secretary of Agriculture would be a national calamity," Butz cracked to a Minnesota audience. "Well, today I am here to tell you I feel exactly the same way about Sen. McGovern!"

Butz does not shout his message of Republicanism to farm audiences just to hear himself talk. Each speech has its set message. But the standard speech is not delivered until Butz has "warmed up" his audience. Often Butz tells jokes on himself, mentioning some names housewives call him on the food price issue. Farmers eat it up. After the warmup, the audience belongs to him.

Never does Butz talk down to a farmer audience. He has been too close to them for years to do other than preach a message of love and affection. Farmers and their wives sense this and respond to him warmly.

Indiana native Butz isn't a smash hit with everyone. Some farmers mock, scorn and disdain him, remaining stony faced throughout. A few go to sleep. But it is rare when Butz finishes a speech that he does not get a standing ovation.

A Butz speech is usually a mixture of dull facts and statistics, a bit of evangelistic oratory, self-praise GOP style, a plug for a local candidate, expression of hope for the future, and a generous dash of criticism of Democrats—notably McGovern. He tops this off by wrapping the flag around the Republican party and praise for the red, white and blue. "These colors don't run!" he shouted in Iowa. Farmers clapped their hands and whistled.

Butz shrewdly admits that although farm prices, income, exports and other economic indicators are rising, "this isn't good enough."

He says, "We won't be satisfied until the income of farm people at least equals the pay of non-farm people. That's what you want, isn't it?" The responsive roar indicates that it is, indeed.

"McGovern says he will appoint a working farmer as his Secretary of Agriculture," Butz scoffed. "Perhaps he considers Cesar Chavez to be a farmer."

One heckler asked Butz, "Who pays your salary while you are campaigning?"

"The same people who paid Sen. McGovern, Sen. Humphrey and Sen. Muskie the past few years," replied Butz quickly.

At the end of a long day of jet touring in the farm belt, Butz spoke before the National Plowing Contest at Vernon Center, Minn., plugging the free enterprise system and defending the wheat deal with Russia.

"Profit is not a four-letter word," he cried. "That is what this system is all about." Farmers nodded their agreement.

It is no wonder that today President Nixon is leaving the campaigning to Butz.

HON. JOHN McMILLAN

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. FUQUA. Mr. Speaker, the House of Representatives, the citizens of the Sixth Congressional District of South Carolina, and the country at large will miss the presence of a true statesman when we convene the 93d Congress.

John McMillan, known to his friends as "Mr. Mac" brought a capacity for leadership with him when he first came to this body in 1939. He demonstrated that leadership capability during his many years of service and I have had the distinct pleasure of serving under him on the House District Committee and being able to count him among my friends.

Mr. Mac, as chairman of the House Committee on the District of Columbia, was often confronted with unpleasant and controversial issues. That he was able to rise above this turmoil and bring reason and order to the affairs of the District of Columbia gives tribute to his leadership abilities.

The Sixth District of South Carolina is dependent in large part on tobacco. John McMillan was ever knowledgeable about the needs of his constituents and was most successful in furthering their interests. The people of this country received the benefits of his efforts as surely as did the people who sent him to the House time after time. His stature as a man and as a national leader prepared him well to undertake his responsibilities in Washington and we will long miss him in this body.

Mr. Mac's concern about the little man and the need for economic growth in the rural areas impressed me when I first came to the House, for the needs of his congressional district are very similar to those of mine.

His leadership and courage were most welcome in guiding legislation through the House that would benefit rural Americans.

I regret that Mr. Mac will not be back with us next January and I wish for him and his wonderful family every happiness in the years to come.

DRUGS IN SCHOOLS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WINN. Mr. Speaker, the Select Committee on Crime recently conducted 2 days of important hearings on the problem of drug abuse by students in the Kansas City metropolitan area.

These hearings received considerable notice in the community and have resulted in an overdue look at the drug problem in the Kansas City schools. While not as severe a problem as in other cities where the Select Committee on Crime has held hearings on drugs in schools, the concern is reflected in stories written by the Kansas City Kansan and the Kansas City Star-Times, which I am placing in the Congressional Record.

We were particularly grateful to television station KBMA, Channel 41, and to WDAF-Radio for the considerable coverage they gave to the hearings which enabled thousands of people to become acquainted with the drug abuse problem in the schools.

Related news clippings follow:

[From the Kansas City Kansan, Oct. 6, 1972]

Wheeler Crime Report Tells of Abused Drugs

(By John Sharp)

Barbiturates, amphetamines and now veterinary tranquilizers currently are the most abused drugs in the Kansas City area, according to testimony today by Kansas City, Mo., Mayor Charles B. Wheeler, MD.

Testifying in the Federal building here before the U.S. Home Select Committee on Crime, Wheeler said many of such drugs are obviously being made in bootleg chemical plants and are very dangerous.

Wheeler said the high levels of addiction to hard narcotics now being experienced in New York City could be reached in the Kansas City area in 10 years unless good preventive medicine is practiced now.

The committee, chaired by U.S. Rep. Claude Pepper, D-Fla., opened two days of hearings here today on drug abuse in area schools. The local hearings were requested by U.S. Rep. Larry Winn, Jr., R-3rd Dist., a member of the committee.

In an opening statement, Pepper said on the basis of preliminary evaluations it can be concluded that drug abuse in area schools is extremely serious, widespread and growing worse.

He said narcotics arrests in the metropolitan area have skyrocketed more than 425 per cent in the last three years. More than 72 per cent of those arrested, he said, were between the ages of 16 and 24.

Pepper explained during preparations for the hearings here that a number of young drug users advised the committee staff that any type of drug is readily available in practically every high school in this area.

He said in the last two years the deaths of more than seven Kansas City teen-agers have been caused by drugs.

"It is no longer unusual in this area," he said, "to have a 17-year-old boy or girl die of an overdose of narcotics."

Pepper said the hearings are designed to determine the extent to which drugs are bought, sold and abused by students and to inquire into the "abject failure" of schools and other governmental institutions to attack the problem.

He said a recent survey by Columbia University shows that 34 per cent of high school students have used marijuana, 18 per cent have used barbiturates (downers), 16 per cent have used amphetamines (uppers), 14 per cent have used methadrine (speed), 8 per cent have used cocaine and 5 per cent have used heroin.

"Regrettably," Pepper said, "the policy of most school boards seems to be one of turning away from the problem by refusing to acknowledge the extent to which it exists at the local school level."

Today's hearings were attended by four Congressmen on the 11-member committee. These were Pepper, Winn, Rep. James R. Mann, D-S.C., and Rep. Sam Steiger, R-Ariz.

In his opening statement, Winn said drug abuse is one of the problems that doesn't stop at the state line. He noted cooperative efforts are needed to solve it.

Wheeler testified that the age of students involved in drug abuse is becoming consistently younger in the community. He said the fact that there are 17 different school districts in Kansas City, Mo., alone is one of the problems in developing a unified drug control program in the schools.

Wheeler said it is unfortunate that two area drug treatment projects—Renaissance West, a drug-free therapeutic community, and Phoenix Center, a prevention oriented street level program in Kansas City, Mo.,—apparently will not be refunded.

U.S. Rep. William Randall, D-Mo., testified briefly today, noting the important effect drug addiction has on crime because addicts must have money to pay for their addiction.

John Ivan, an assistant to Gov. Robert Docking, testified on behalf of the governor that the state has been actively fighting drug abuse for more than four years.

He credited Kansas Atty. Gen. Vern Miller with vigorously prosecuting drug violators, noting state drug arrests had risen from 418 in 1970 to 2,543 in 1971 due to Miller's actions.

In testimony submitted on his behalf, U.S. Sen. James B. Pearson, R-Kan., said the source of the drug problem is in the demand for narcotics in the U.S. and its schools.

He said the primary burden of combatting the drug problem falls on parents, school administrators, educators, law enforcement agencies, drug treatment centers and children themselves.

"At home and abroad, the federal government can aid us in this fight. But the struggle will be won or lost right here in the homes and schools of Kansas City and thousands of places like it across the nation," he said.

[From the Wichita (Kans.) Beacon, Oct. 6, 1972]

House Talks Kansas City Drug Cases

Kansas City, Kans.—The House Select Committee on Crime opens two days of hearings today on the "drug crisis in the Kansas City area schools."

Joseph A. Phillips, the committee's chief counsel, said Thursday drug abuse in the metropolitan area's schools has "exploded."

"In the last three years, narcotics arrests have skyrocketed more than 425 per cent," Phillips said. "Over 72 per cent of these arrested are between the ages of 16 and 24 years."

Phillips also noted drug-related deaths of seven Kansas City teen-agers in the last two years.

The committee, he said will examine the failure of government institutions, especially schools, to attack the problems.

[From the Kansas City (Mo.) Star Oct. 6, 1972]

Mayor Opens U.S. Probe on Area Drug Problem

(By John Hall)

Members of the U.S. House Select Committee on Crime today opened two days of public hearings on drug abuse. The sessions are in Kansas City, Kansas.

Mayor Charles B. Wheeler, in testifying before the group said that unless the federal government provides the money to combat the problem, amphetamines and barbiturates in greater Kansas City soon will become a heroin problem.

Wheeler was the first witness before the House Committee. The chairman is Rep. Claude Pepper (D-Fla.) and it includes Rep. Larry Winn, Jr. (R-Kan.). The committee will hear testimony from area law enforcement and school officials as well as drug users. The hearings are held in the east courtroom of the Federal Building in Kansas City, Kansas.

"Our schools are relatively unfunded by the taxpayers," Wheeler said, referring to the six elections in which taxpayers have voted down proposed school levy increases. "Our schools are deteriorating," Wheeler said. He called the schools "sources of hopelessness" in drug education. Wheeler said because of the lack of funds drug programs by the schools and city are unable to function.

"Children are looking to their peers." Wheeler said. He said the schools must be funded to fight drugs because children no longer listen to parents who are unaware of the drug situation.

In an interview before the hearing today, Michael Blommer, associate chief counsel for the House committee and an investigator who has worked in this area for several weeks, said the crisis is one of awareness. "On the coasts kids are dying (because of drugs)," Blommer said. "When the kids start dying here the people will wake up to the drug problem."

Blommer said his investigators discovered an alarming failure on the part of parents and school officials to realize just how serious the drug problem is. Blommer said what began here about five years ago as drug abuse among a select few who were looking for a "special experience" has not infiltrated every school. Blommer said drugs aren't expensive. "Kids use their school money to buy drugs," Blommer said.

A primary function of the hearings, Blommer said, is to call attention to the growing drug problem which is working its way into middle America. The myth of people using drugs only in the black or hip communities is not true, Blommer said. "Now they score at school," Blommer said.

Wheeler told House committee members that because no money was available, two of Kansas City's drug programs, Renaissance West and Phoenix Center, will be shut down at the end of this year.

Winn told Wheeler that federal money totaling $1 million was on its way to Kansas City. Winn said he has requested an equal amount of money for Kansas metropolitan cities.

Dr. William O'Connor, director of D.I.G. in Johnson County, leveled a charge at the house committee during his testimony. In a prepared statement, O'Connor charged that because of politics and administrative bureaucratic obstacles, the D.I.G. program also would die.

O'Connor accused the Kansas Governor's Commission on Criminal Administration, which has been critical of the D.I.G. program, as being a major reason why the D.I.G. program will die. O'Connor said he wants no part of any further drug programs until they are funded so they can function correctly.

The D.I.G. program, which originally was called Drug Intervention Groups, will close at the end of this year, O'Connor said, because of a lack of federal funds; most of his staff has quit and many of the young workers have lost interest.

"The hard drug users (in our program) are back on the streets," O'Connor told the committee. He laid the blame on the government's refusal to spend the money necessary to effectively combat what he sees as a growing drug problem.

O'Connor told the committee that if Renaissance West, Phoenix Center and the D.I.G. program are allowed to close, the area would have only one treatment facility, the methadone maintenance program for heroin addicts at the University of Kansas Medical Center. Dr. William V. McKnelly, Jr., director of that program, was scheduled to speak to the committee later today.

Joining Winn and Pepper for the hearings today were Rep. James R. Mann, (D-S.C.) and Rep. Sam Steiger (R-Ariz.). The hearings are scheduled to continue through today and resume tomorrow until all witnesses are heard.

[From the Kansas City Times, Oct. 7, 1972]

Drug Use in Schools at 50 Percent, Students Say

(By De M. Miller)

Drug usage has reached more than the 50 per cent level in Kansas City area schools, members of the U.S. House Select Committee on Crime were told repeatedly yesterday by witnesses in Kansas City, Kansas.

Witnesses testified in the east courtroom of the federal building at the first day of a 2-day hearing on the drug crisis in Kansas City area schools.

One of five Shawnee-Mission school students who testified before the committee said many types of drugs were readily available in or out of school.

Identified only as Marcia, 18 years old, a girl said 50 per cent or more of the students are using drugs and the number is increasing.

Another student, Kelly, 21, said while a student at the University of Kansas in Lawrence, he and a fraternity president operated a drug selling business funded by the fraternity's treasury. Kelly told the committee he spent most of a semester traveling across the country buying drugs and returning them to Kansas.

Kelly said his fraternity drug business specialized in the sale of drugs at businessmen's conventions here.

He said he bought and sold drugs to doctors and teachers. He said he started dealing in drugs when he was in high school.

Rep. Sam Steiger (R–Ariz.), a member of the committee, asked Kelly how much he made at selling drugs.

"On concert nights a $75 investment would bring a $300 profit in front of Municipal Auditorium in Kansas City," Kelly said. He also said a $500 investment in marijuana would easily bring four to five times that amount on the campus in Lawrence.

Kelly also told the committee in his years of involvement in drug traffic he had never been arrested.

Martin, a 15-year old, said he took drugs to "relieve my mind and help me in school." Martin said he found he did better in classes when he was "stoned."

The students were generally critical of drug education programs attempted in their schools. They told the committee that scare tactics and uninformed drug educators such as police officers and school officials were not believed by the students.

"It's pretty hard for a student sitting in a high school auditorium to relate to a 45-year-old heroin addict who has spent 15 years in prison," Kelly said.

He told the committee members that films showing youths who were "stoned" were not believable when the youths sitting in the auditorium were stoned and that they were not acting like those in the films.

The students were five of 16 witnesses who appeared before the committee yesterday. A staff of investigators for the committee has been in the Kansas City area several weeks conducting interviews with area teachers, principals, students, police and court officials and health and medical authorities.

The first witness to appear before the committee was Mayor Charles B. Wheeler, who told the members that unless the federal government provides the money, the amphetamine and barbiturate problem in Greater Kansas City will soon become a heroin problem.

"Children are looking to their peers," Wheeler said. He told the committee the schools must be funded to participate in the fight against drugs since children no longer listen to parents who are unaware of the drug situation.

Also agreeing with the 50 per cent usage figure was Dr. William O'Connor, director of the DIG program in Johnson County, who followed the students in testimony.

The problem is growing, O'Connor said, but the schools are afraid to be progressive. O'Connor estimated about 50,000 persons in the metropolitan area need treatment but facilities for only about 1,100 were available.

"We are currently faced with the reality that drug abuse efforts are deteriorating and may be virtually nonexistent by the end of this year," O'Connor said in a statement presented to the committee.

"Renaissance West, the only drug free residential center available in this region, is in the process of closing. Phoenix Center, which operates the only prevention program on the Missouri side of the line, has received major funding through the Renaissance project and appears to be in jeopardy. The D.I.G. program is also in the process of closing.

"Within a few months, the only program available to youth in this area will be the methadone maintenance program," O'Connor said.

Dr. William V. McKnelly, Jr., director of the methadone maintenance clinic at the University of Kansas Medical Center, said the average age of the patients has decreased since the program started.

McKnelly was critical of the public for not allowing school boards to effectively attack the drug problem in the schools. He said the school boards have never had a chance to initiate effective programs because of public pressure and therefore "have come out with wishy-washy programs."

Rep. Larry Winn, Jr., (R-Kan.) expressed shock at information from Sgt. Fred Tush, head of the narcotics bureau of the Johnson County sheriff's office, concerning deaths attributed to drugs.

Tush said since 1968 20 to 25 deaths in Johnson County have been attributed to drugs. He also said he personally believed the actual figure to be much higher.

Winn asked why the public has not been made aware of the drug related deaths.

Tush said most times the death is attributed to other factors or kept quiet by the family. Tush said his office has 20,000 names identified as persons being connected with drugs in his county.

Steve Philips, an undercover agent for the Kansas City Police Department, said he conducted a survey of high school students and found 52 per cent to be involved in drugs. Mervin Purdy, director of the narcotics division of the Kansas Bureau of Investigation, said of the more than 2,500 arrests in Kansas last year, about 75 per cent was from 16 to 22 years old.

The hearings will resume at 10 a.m. today. Chairman of the committee is Rep. Claude Pepper (D-Fla.). Others participating in the questioning yesterday were Rep. James R. Mann (D-S.C.), Rep. Sam Steiger (R-Ariz.), and Joseph A. Phillips, Michael W. Blommer and Chris Nolde, counsels for the committee.

Dr. Arzell Ball, superintendent of Shawnee Mission Schools, said last night he was amazed at the 50 per cent figure given by witnesses at the hearings yesterday. Dr. Ball is to testify before the committee this morning.

"I think that's greatly exaggerated," Ball said. "I just don't see it. If I were having to give a figure I would say 1 to 5 per cent, of course we have to determine what type of drugs we are talking about too."

Ball admitted he was not in the schools every day and a more accurate figure could be given by those in the schools. However he said he was sure the figure was not 50 per cent.

[From the Kansas City Star, Oct. 10, 1972]

Congressional Connection on Local Drug Abuse

If the purpose of the hearings in Kansas City, Kansas, of the House Select Committee on Crime was to acquaint the public with the seriousness of the drug problem among young people, then the visit must be recognized as a success.

But we hope, too, that the members of the committee were listening when the director of D.I.G. (formerly Drug Intervention Groups) in Johnson County said that his operation and two other prevention centers are in danger of closing for lack of money. The primary reason for any congressional hearing is to gather information upon which to base legislation—including appropriations for various programs.

Some of the figures tossed about in the hearing were truly alarming, and we hope there was no distortion of the real situation or exaggeration of a condition that already is bad enough. The fact is, drug abuse is one of those ailments of society that cannot really be pinned down statistically unless you are talking about specific arrests, convictions or records of treatment.

To say that "50 per cent," or more, of all high school students are involved in drugs is a staggering proposition. If it is true, then the great wonder is that the schools can operate at all. Or to say that from 20 to 25 deaths have been caused in Johnson County by drugs over the last few years without definite information seems to be no great service. The spread between 20 and 25 is a rather large 25 per cent itself—hardly a precise estimate.

Student testimony to the effect that youthful pushers had sold drugs at "businessmen's conventions" and to doctors and teachers may have been in the nature of an amused put-on to discomfit the adult establishment. A doctor who wants drugs doesn't need to go to a college student body for a supply.

Committee members who seemed to hold the schools responsible for the waste and tragedy of narcotics addiction, and who said that students were allowed "too many breaks" thus letting them meet pushers, hardly were reacting with much logic. A member of Congress who tells a superintendent that he is giving the students too much freedom really is acting outside his competence although some of his more excitable constituents may like hearing it. But it is an unwarranted intrusion. The community is fortunate that sex education didn't come up.

The spread of dope addiction among young Americans is one of the sorrowful developments of this age. It is destructive and ruinous of lives. It deserves serious and urgent attention by the men and women who make laws. But no great purpose is served in carping criticism of school administrators or the petty assignment of blame. There is enough blame to go around for all—parents, law enforcement, the courts, religion, medicine, the social agencies and even the federal apparatus that includes Congress. And in the long run, exaggeration of an already deadly condition will backfire and cause indifference.

[From the Kansas City Star, Oct. 10, 1972]

Drug Use Study Planned

Dr. Arzell Ball, superintendent of Shawnee Mission schools, said today he would make a comprehensive report Nov. 20 on the district's drug problem and what is being done about it.

Ball, critical of findings by the U.S. House Select Committee on Crime which ended two days of public hearings Saturday in Kansas City, Kansas, said the drug problem report would be presented to the district's advisory boards and the Board of Education.

Testimony during the hearings indicated that drug abuse is a widespread problem in greater Kansas City including Johnson and Wyandotte counties.

"I think it was a little unfair that we were being judged on the basis of what we were doing (in drug education) two years ago," Ball said referring to testimony before the House Committee. "We weren't very sophisticated then," Ball said.

Dr. Ball said he was considering whether to survey about 400 students to determine the extent of the problem.

Students testifying before the House Committee said drugs are a big problem in the Shawnee Mission schools. Ball criticized the student testimony saying many of the youths who testified had not attended Shawnee Mission schools for more than a year.

The committee has been criticized by others since the hearings for its selection of witnesses and data that indicated a high rate of drug usage in the metropolitan area.

Richard Bond, administrative assistant to U.S. Rep. Larry Winn, (R-Kan.) a member of the committee, said the committee used many statistics on drug abuse.

Bond said that in addition to the purported Chicago statistics, the committee used information from local law enforcement agencies and estimates by educators and students.

Bond related that one Johnson County law officer testified that since 1968 there were between 20 and 25 drug related deaths in that county.

Bond said that Rep. Claude Pepper, (D-Fla.) chairman of the committee, is reviewing the transcripts of the 2-day hearing and may make a statement about the alleged transposition of Chicago statistics to this area.

Bond said that the crime committee staff made all arrangements for witnesses and testimony and that neither he nor Winn participated in the procedure.

"The entire matter was handled by the committee staff," Bond said.

Ball said the survey of drug abuse in Shawnee-Mission schools would include student evaluations of the district's drug education program. A panel of students told the House committee that drug education programs in the Shawnee Mission schools were not believable.

The district's drug education program, Ball said, drew praise from Michael W. Blommer, associate chief counsel for the House committee. But no school systems in the nation were found by the committee to have valid statistics on how many students use drugs, Ball said.

DR. LLOYD E. CHURCH: A DISTINGUISHED AMERICAN AND OUTSTANDING SHRINER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ASPINALL. Mr. Speaker, in this day of worldwide concern for all humanity, it is indeed heartwarming to witness the daily efforts of a group of men dedicated to a better future for man, whatever their differences and divisions. I refer to the 5,000-member organization known as Almas Temple, one of the finest in the Ancient Arabic Order of the Nobles of the Mystic Shrine of North America.

I particularly wish to relate to you my personal feelings and profound esteem for the highly competent, gracious, and articulate leader of this great group in the Nation's Capital, Dr. Lloyd E. Church, a prominent oral surgeon who lives in nearby Bethesda, Md., and a man who truly believes in the goodness of mankind:

Dr. Lloyd E. Church, Illustrious Potentate

Dr. Lloyd E. Church, the newly elected Illustrious Potentate of Almas Temple, was elevated to the high office on Friday, January 21, in special ceremonies at the Washington, D.C. headquarters.

The prominent Bethesda, Md., oral surgeon was born in Littleton, West Virginia, on September 25, 1919, and attended elementary and high schools in Moundsville, West Virginia, where his father, Dr. Howard Church, was engaged in dental practice.

The new Potentate received his B.A. degree from West Virginia University where he played in the University band, local jazz bands, and also worked on a survey crew of the West Virginia State Roads Commission along the Ohio Valley.

In 1944, he received his dental degree from the University of Maryland, helping defray expenses by working as a member of the Pinkerton Detective Agency at Baltimore, Maryland. Following graduation, he interned at Bellevue Hospital in New York City. The young intern utilized his musical talents and played with various bands to supplement the meager stipend he received while in training.

He completed a residency in oral surgery at the Medical College of Virginia Hospitals in Richmond, Va., and simultaneously he received a faculty appointment as instructor in oral surgery, anesthesia, and X-ray diagnosis in the dental school.

Dr. Church served as a captain in the U.S. Army Dental Corps in Texas, California, Japan, and China. He was assigned to the 361st Station Hospital in Japan and served on special duty at Sugama Prison in Tokyo during the Far East war crimes trials. He was the dental officer responsible for all the judges, prisoners of war, including Hedeiki Tojo, Iwani Matusi, and all the other military and civilian personnel associated with the tribunal. Capt. Church was in daily contact with all of the Japanese who were defendants in the trials and he acquired considerable knowledge concerning the Japanese war leaders and their philosophies concerning World War II.

On more than one occasion, his discussions with the Japanese prisoners led him to be nicknamed "The Razor," because of his comprehensive knowledge of their actions which led to the start of WWII with the bombing of Pearl Harbor.

The Bethesda surgeon was interviewed by the author of *Tora, Tora, Tora*, the movie which recounted the Pacific war, for vignettes dealing with his intimate knowledge of the Japanese war criminals and his experiences at Sugama prison.

While at the prison dental section, Capt. Church also served as Administrative Officer, as liaison with the Japanese civilians in the area, and directed the Officers' Club. Realizing that most of the Japanese civilian dentists had lost their supplies and equipment during the war, he volunteered his off-duty hours to help regain the needed material. In addition, he served as instructor in the oral surgery and anatomy departments of a nearby dental school.

Japanese instructors at a judo school nearby, learned of Capt. Church's charitable activities, and in turn, volunteered to teach him judo. He was a proficient student, and earned the prized Black Belt. His later military service took him to Shanghai, Nanking, and Peking in China.

Following his discharge from the Army in 1948, Dr. Church returned to Bethesda, Md., where he joined his father in practice and enrolled in George Washington University as a graduate student and as an instructor in the Department of Anatomy.

He received his Masters and Ph. D. degrees in anatomy from George Washington University and has served continuously as a member of the faculty in the Department of Anatomy and Surgery.

Dr. Church was appointed to the faculty of the University of Maryland School of Medicine as Assistant Professor of Anatomy. His graduate studies were related to the study of bone growth, development, and bone diseases. It was during this research, plus his own childhood experiences with illness, that led him to take a keen interest in the Shriner's Crippled Children's Hospitals. He serves as an Almas Temple representative to the Philadelphia Hospital.

His doctoral studies were conducted at Beltsville Experimental Station and in the Department of Orthopedic Pathology at the Armed Forces Institute of Pathology at the Walter Reed Army Medical Center. While there, he received additional special training in Forensic and General Pathology, Oral Pathology, and experimental research methods.

Professional activities have taken Dr. Church to most of the United States and around the world. He is a founder and life member of the International Association of Oral Surgeons and has served as chairman of the first research committee of the American Society of Oral Surgeons.

The Maryland oral surgeon is a member of over 40 professional societies and has been elected to fellowship in the American College of Dentists, International College of Dentists, Royal Microscopic Society of Great Britain, Royal Society of Health of Great Britain, American Association for the Advancement of Science and Washington Academy of Science.

He is a member of the Cosmos Club, Philosophical Society of Washington, the Academy of Medicine of Washington, serves on numerous committees in local, state, and American Dental Association, and represents his local society in the Metropolitan Washington Regional Medical Program.

Dr. Church has published and presented more than 200 professional papers in this country and elsewhere in the world. He is on the staff of eight area hospitals. He served as consultant to the Food and Drug Administration and American Association for the Advancement of Science.

He is listed in 10 different Who's Who publications and has been elected to membership in Sigma Xi and Omicron Kappa Upsilon scientific and scholastic fraternities.

Parallel with his active professional activities, the Bethesda oral surgeon and new Illustrious Potentate assumes a full schedule of service to his community and fellow Nobles. He is an active member of the Bethesda-Chevy Chase and Montgomery County Chambers of Commerce and plays an active role as chairman of the M. C. Crime and Drug Abuse Committee.

He is an active member of the Bethesda-Chevy Chase Kiwanis Club (his father was one of the founders), the Y.M.C.A., and he has served on every committee, local and statewide, of the American Cancer Society. He has, for the past 12 years, served as a member of the board of directors of the Montgomery County Unit, Maryland Division. Dr. Church's intense interest in the fight against cancer began when he underwent surgery on three separate occasions for cancer.

The busy Marylander is currently serving as a member of the Region IV Governor's Committee on Law Enforcement Planning Board and as a member of the Washington Hearing Society board of directors.

Parallel to his success in all these professional, social, military and charitable endeavors, the Masonic career of Dr. Church is of considerable interest. He was initiated into Brock Lodge #154 at Moundsville, W. Va., passed and raised in Pythagoes Lodge #123 in Baltimore, in April, 1944, while still a dental student.

One of his most rewarding experiences while in Japan was to become one of the 13 charter members of the Allied Masonic Club in Tokyo, Japan, the forerunner of the first post-war Masonic Lodge in Japan in 1947. Among his prized possessions is a Masonic Bible autographed by General Douglas MacArthur.

Dr. Church demitted from his lodge in West Virginia in 1961 and was unanimously elected to membership in Bethesda Lodge #204 in Bethesda where he still holds membership. In December 1959, he received his 32nd degree in Albert Pike Consistory, Washington, D.C. Dr. Church was Exalted in the Royal Arch Degree in 1965, Greeted in Washington Council #1 Royal and Selected Masters and Knighted in Washington Commandery #1 Knights Templar. He was invested with the Knight Commander of the Court of Honour Washington, D.C., on November 20, 1971. In 1965, he was appointed to the Divan of Almas Temple, Washington, D.C., as Assistant Outer Guard by Potentate Bernard D. Cooper.

In January, 1972, he was elected Potentate of Almas Temple in Washington.

In allied organizations, his affiliations include The Philalethes Society, National Sojourners, serving as President of Washington Chapter #3 in 1961. In 1962, Dr. Church was awarded the Certificate of Commendation for especially meritorious and outstanding service, and was named delegate to the national convention; Tokyo Chapter #267 Heroes of '76, served as commander, George Washington Camp #3; Royal Order of Scotland; Advisory Council Order of DeMolay; Bethesda Chapter, Military Order of World Wars, in which he served as Chapter Commander and Department of Maryland Commander and delegate to the convention.

He was instrumental, while Department

Commander, in planning the reenactment of General George Washington resigning his commission at the original site in the State House in Annapolis, Md., in the presence of the Governor and other dignitaries of the Departments of the Army, Navy, and state government.

Dr. Church is a member of Phi Delta Theta undergraduate fraternity and Psi Omega Dental fraternity.

He is an active member in the Bethesda United Methodist Church and he served as president of the Men's Club. He serves as usher, member of the board of stewards, and of the administrative board.

On April 1, 1964, he married Hildegard Cascio, a model and buyer at Best and Company in New York City and at Jordan Marsh in Miami Beach, Florida. Dr. and Mrs. Church and their daughter, Pamela Gail, reside at 7005 Glenbrook Road, Bethesda, Md.

FEDERAL DISTRICT JUDGE IN MISSOURI, IN DECISION, HOLDS THAT IMPOUNDMENT OF FUNDS BY OMB ILLEGAL—ISSUES WRIT OF MANDAMUS AND DECLARATORY JUDGMENT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. EVINS of Tennessee. Mr. Speaker, we are all concerned about the withholding, freezing, and impoundment of funds by the Office of Management and Budget after Congress has made specific appropriations.

The arbitrary action of OMB in this area has become notorious and widespread. In this connection, Mr. Speaker, it is interesting to note that Chief Judge William H. Becker for the Western District of Missouri has recently issued a decree, holding that the impoundment of funds by the OMB, specifically moneys from the highway trust fund, is illegal.

The case was brought by the Missouri Highway Commission against John A. Volpe, Secretary of Transportation, and Casper W. Weinberger, Director of the Office of Management and Budget, alleging that the withholding of funds in this case was illegal. A writ of mandamus be issued, as well as a declaratory judgment by the Federal court against impoundments.

I believe my colleagues and others will be greatly interested in this decision and, for this reason, I ask that the opinion of Chief Judge William H. Becker be reprinted in the appendix of the RECORD.

The opinion and formal judgment follows:

[In the U.S. District Court for the Western District of Missouri, Central Division]

FORMAL JUDGMENT CONFIRMING JUDGMENT FOR PLAINTIFF ORALLY RENDERED AND ENTERED JUNE 19, 1972, ISSUING WRIT OF MANDAMUS, INJUNCTION AND FOR DECLARATORY JUDGMENT

The State Highway Commission of Missouri, Plaintiff, v. John A. Volpe, Secretary of Transportation of the United States, and Casper W. Weinberger, Director of the Office of Management and Budget of the United States, Defendants. Civil Action: No. 1616.

Now on this 19th day of June 1972, this civil action was called for trial on the amended complaint pursuant to notice and order setting the action for trial. The plaintiff appeared by its counsel, Robert L. Hyder, Esquire, and Michael McCabe, Esquire. The defendants appeared by their counsel, Stuart E. Schiffer, Esquire, and Kenneth Cranston, Esquire.

Counsel for the defendants suggested the succession of Casper W. Weinberger to the original defendant George Shultz as Director of the Office of Management and Budget of the United States. Thereupon on motion of counsel for defendants, it was ordered pursuant to Rule 25(d), F.R.Civ.P., that Casper W. Weinberger be, and he was, in his official capacity, substituted as party defendant for the original defendant George Shultz.

The second, third and fourth defenses of the answer of defendants were taken up, submitted and denied. In this connection it was concluded that (1) the plaintiff does not lack standing to maintain this action, (2) the Court does not lack jurisdiction over the subject matter of the action and (3) the complaint does not fail to state a claim upon which relief can be granted.

On the initiative of the Court the unnumbered last paragraph of the first defense of the answer was stricken as redundant, surplusage, and an impermissible form of qualified general denial in the context of the pleadings in this case.

With approval of the Court the parties stipulated that the record of the evidentiary hearing and arguments of June 24, 1971, in this cause be considered as part of the argument and evidence offered this day on the amended complaint without prejudice to any objection, motion, argument, legal contention and factual contention therein made, so that it should not be necessary for any party to reoffer at the trial any evidence offered on June 24, 1971.

Then this action was called for trial by the Court, without a jury. Plaintiff and defendants answered ready for trial. Opening statements were made by counsel for the plaintiff and defendants. Evidence in chief of the plaintiff was offered and received. The plaintiff rested. Then the defendants moved for dismissal under Rule 41(b) F.R.Civ.P., on the ground that on the facts and the law plaintiff is not entitled to relief, which motion was denied. The defendants offered evidence in chief and rested. The plaintiff rested without offering evidence in rebuttal. The issues were thereupon submitted by the parties for decision. Thereupon the following findings of fact and conclusions of law were made by the Court:

JURISDICTION

On the subject of jurisdiction it was found and concluded that the Court has jurisdiction to hear and determine the issues under each of the following statutes independently:

(1) Section 1361, Title 28, U.S.C.A., relating to actions in the nature of mandamus to compel an officer of the United States to perform a duty owed to the plaintiff.

(2) Chapter 7, Title 5, U.S.C.A., judicial review of administrative agencies, including Sections 702, 703, 704, 705 and 706.

VENUE

On the subject of venue it is found that venue of this action is properly laid in this district and that the defendants do not claim lack of venue.

REMEDIES AVAILABLE

The remedies available under Section 1361, Title 28, U.S.C.A., include mandamus, prohibitory injunction, mandatory injunction and declaratory judgment in the nature of mandamus.

The remedies available under Chapter 7, Title 5, U.S.C.A., include (1) holding unlawful and setting aside of agency action that is arbitrary, an abuse of discretion, or otherwise not in accordance with law or in excess of statutory jurisdiction, authority, limitations or short of statutory right (§ 706) and (2) any form of legal action including declaratory judgment and writs of prohibitory or mandatory injunction (§ 703). Cf. *Citizens to Preserve Overton Park v. Volpe,* 401 U.S. 402, 28 L.Ed. 2d 136, 91 S.Ct. 814.

On the question of finality of the agency action under review, and exhaustion of administrative remedies, it is found and concluded that the agency action under review is final and that no unexhausted administrative remedies exist. Cf. § 704, Title 5, U.S.C.A.

On the question of adequacy of other remedies at law, it is found and concluded that plaintiff has no remedies in court at law or otherwise except those available in this action.

STANDING TO MAINTAIN THIS ACTION

Under federal law, the Constitution of Missouri and the statutes of Missouri, the plaintiff has standing to maintain this action as the state agency invested with exclusive and plenary powers and duties on behalf of the State of Missouri to receive and administer all federal highway funds and apportionments. Sections 226.010 to 226.190 R.S. Mo.; inclusive, particularly Sections 226.020, 226.150, 226.190 R.S. Mo.; Sections 29, 30(a) and 30(b), Article 4, Constitution of 1945; Section 101, Title 23, U.S.C.A., defining "State highway department."

DECISION ON THE MERITS

In order to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways ("System" hereinafter) and to provide for the prompt and early completion of the entire System simultaneously, the Congress of the United States enacted, and has from time to time amended, Title 23, United States Code, a comprehensive Federal-Aid Highway Act ("Act" hereinafter). Title 23, U.S.C.A.

To insure continuing adequate federal-aid moneys for completion of the System, Congress created the Highway Trust Fund ("Fund" hereinafter). Historical Note, § 120, Title 23, U.S.C.A. The defendant Secretary of Transportation of the United States ("Secretary" hereinafter) has been given the functions, powers and duties to administer the Fund in accordance with the Act, which provides a comprehensive plan and precise standards for apportioning the Fund annually, and for obligation of the Fund by state highway commissions in accordance with the Act. Sections 101 to 215 inclusive, Title 23, U.S.C.A.

Anticipating the possibility of executive or administrative impoundment or withholding of the apportioned Fund for legally impermissible reasons, Congress undertook to avoid such unauthorized action by making its intent, clear and unambiguous in paragraph (c) of § 101, Title 23, U.S.C.A., which reads as follows:

> (c) It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this title shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee in the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the Highway Trust Fund to defray the expenditures which will be required to be made from such fund.

Paragraph (c) is now a part of the Act, Title 23, U.S.C.A., and is to be read and construed in the context of the comprehensive plan for administration of the Fund and the Act. Even if paragraph (c) were absent, the intent of the Act would be the same.

The record establishes without controversy that the Secretary with the approval of his co-defendant has from time to time by administrative action effectively withheld from the plaintiff, The State Highway Commission of Missouri ("Missouri" hereinafter), the obligation of sums lawfully apportioned to the State of Missouri from the Fund. Presently Missouri is forbidden by administrative action of the Secretary from obligating over $80,000,000 of the apportionment for the fiscal year 1973 (Apportioned funds for a coming fiscal year may be obligated in the preceding fiscal year under the Act.) The practice of ordering the withholding of obligation of parts of the apportionments has continued for a number of years, without reference to any fixed period of time. Often the withholding was done on a quarterly basis. Presently the withholding is fixed on an annual basis.

The effect of this practice, and of the current withholding of obligation by Missouri of prior apportionments and a large part of its apportionment from the Fund for the fiscal year 1973, has caused great and incalculable injury to Missouri because of continuing inflation of highway costs, and interruption of efficient obligation of the funds apportioned to Missouri. Missouri has provided proof of this injury beyond the customary burden of proof by a preponderance of the evidence.

As a part of this proof, Missouri has established that it is and has been able, ready and willing, and desires and has desired, to obligate its apportionment from the Fund but is and has been prevented from doing so by the defendant Secretary, with the approval of his co-defendant Director. In this connection Missouri has proven that presently and in the past it has developed plans and projects which would be approved under the Act, and regulations made pursuant thereto, except for the withholding of the obligational authority by the Secretary. Therefore Missouri is entitled to relief if the action of the Secretary in withholding from obligation is unauthorized, without his discretion, arbitrary or otherwise illegal.

The Secretary claims that the law invests in him discretion to withhold from time to time authority for Missouri to obligate its unexpended apportionments. The Secretary concedes that the apportionments can readily be paid by the Fund from the ample moneys presently therein. If the Secretary lawfully possessed the discretion he claims Missouri should be given no relief. It has been concluded, however, that the current, as well as the past and possible future, withholding of obligational authority for the reasons relied on by the Secretary has been, is and will be, unauthorized, and without the lawful discretion of the Secretary.

The reasons advanced by the Secretary for the current and past withholding of obligational authority are foreign to the standards and purposes of the Act and the Fund. The reasons relied on are related to the prevention of inflation of wages and prices in the national economy. These reasons are impermissible reasons for action which frustrates the purposes and standards of the Act, including but not limited to those in Section 109, Title 23, U.S.C.A. Therefore it is not within the discretion of the Secretary to withhold obligational authority from Missouri, and judicial relief should be granted to Missouri. *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402, 28 L.Ed. 2d 136, 91 S.Ct. 814, § 706, Title 5, U.S.C.A.

The appropriate relief to which Missouri is entitled includes prohibitory or mandatory injunction, and declaratory judgment. § 703, Title 5, U.S.C.A. It also includes mandamus. § 1361, Title 28, U.S.C.A. Missouri has no other adequate judicial or administrative remedy except this action. Therefore judgment will be entered granting an injunction, a writ of mandamus and a declaratory judgment.

JUDGMENT GRANTING INJUNCTION

It is therefore,

Ordered and adjudged that the defendants and each of them and their subordinates be, and they are hereby, enjoined and restrained now and in the future from withholding from Missouri, directly or indirectly, any authority to obligate its apportionment of Highway Trust Funds, for the fiscal year 1973 for any reason or reasons relating to the prevention or control of inflation in the national, regional or local economies, or in wages or prices in the nation, or any region or locality therein, or any combination of such reasons.

JUDGMENT GRANTING WRIT OF MANDAMUS

For the foregoing reasons, in addition and independently, it is hereby further

Ordered and adjudged that the defendant John A. Volpe, and his subordinates, be and they are hereby, commanded to annul and revoke by official act in writing the current announcements, orders, directives, limitations, regulations and other official written and printed documents and evidences of withholding of authority of Missouri to obligate its apportionment from the Highway Trust Fund for the fiscal year 1973.

DECLARATORY JUDGMENT

For the foregoing reasons, it is hereby further,

Declared and adjudged that the currently effective, and past official actions of the Secretary of Transportation, and his subordinates, in withholding authority from Missouri to obligate any apportionment from the Highway Trust Fund for reasons related to the prevention or control of inflation in the national, regional or local economies, or in wages and prices in the nation, or any region or locality therein, is unauthorized by law, illegal, in excess of lawful discretion and in violation of the Federal-Aid Highway Act.

RETENTION OF JURISDICTION

It is further,

Ordered that this Court retain jurisdiction of this action for the purpose of making and entering such further orders and judgments and taking other judicial action necessary, or desirable, to implement and enforce the judgments herein, and any one or more of them.

ORDER ON COSTS

It is,

Ordered that each party bear its or his own costs in this Court.

William H. Becker,
Chief Judge.

Kansas City, Mo., *August 7, 1972.*

WILLIAM MEYERS COLMER

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JOHNSON. Mr. Speaker, it is a pleasure to join my colleagues in paying tribute to the Honorable William Meyers Colmer, the dean of the delegation from the great State of Mississippi. Mr. Colmer has served his district, his State and his Nation with distinction since the 73d Congress and in recent Congress has served as chairman of the important Committee on Rules.

As he leaves, after so many years of loyal, dedicated service, he can be very proud of his achievements, and I want to thank him for his cooperation and assistance in the Rules Committee, as well as on the floor of the House. He will be missed by all of us who have been privileged to serve with him.

Mrs. Johnson joins me in wishing him a long, health and happy retirement.

HON. WILLIAM M. COLMER

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DORN. Mr. Speaker, Bill Colmer's long and illustrious career in this body has been a great, continuing battle for constitutional government. His approach to legislation has been based on liberty and freedom, individual rights and dignity, freedom of the press, freedom of religion, and preservation of free enterprise. Bill Colmer remains a firm believer in the rights of the States. Countless times during debates on the House floor we have heard him refer to the 10th amendment to the Constitution and the rights reserved therein to the States.

Bill Colmer believes that the Constitution is the greatest document ever conceived by man, and this constant standard has guided his consideration of legislation for 40 years. No doubt this brilliant defense of the Constitution has been viewed by some as a rearguard action, a fight against the tides of the sea. But I believe his great battle has not been in vain. Bill Colmer has courageously pointed the way. Time and again he was almost alone. But the pendulum will again swing and he will be vindicated in upholding those great principles that made this Nation the hope of the free world.

Mr. Speaker, Bill Colmer has been a great chairman of the House Rules Committee, through which all legislation must flow before it can reach the floor of the House. He has fulfilled this tremendously important position with great dignity, patience, and skill. In regulating which bills can be cleared for House consideration, he has exhibited faultless tact and understanding in dealing with the other chairmen of the various legislative committees of the House. All of these other chairmen have on many occasions requested his committee to clear their respective bills.

Chairman Colmer has skillfully worked with the House leadership in scheduling legislation. In his position on the Rules Committee, Bill Colmer has worked well with representatives of all philosophical and political viewpoints. All of the many problems of society that compete for national priority attention have at various times been thrown in his lap. He has handled these many delicate problems with great fairness, understanding, and wit. Friends in the House have been proud of Bill Colmer.

Mr. Speaker, Bill Colmer has truly risen to the highest level of responsibility and prestige here in the House. Through it all he has been loyal to the great ideals and principles of the Southland. He has been known for his courtly manner and his respect for womanhood.

Legislation Bill Colmer has sponsored has done much to aid the impoverished areas of the South and of the entire Nation. He has been a leader in the development of the commerce and trade facilities of the South, and his home city of Pascagoula on the beautiful gulf coast boasts one of the most modern ports and shipyards in the Nation.

Bill Colmer is known by all his colleagues as a man of uncompromising truth and unquestioned integrity. Through all the crucial legislative activity revolving around his committee, never have I seen him lose his temper. Never have we heard him speak in anger or become unduly excited and emotional. Bill Colmer has always been polite and affable, the very personification of the true gentleman he is.

My wife Millie first came to Washington as a reporter for U.S. News & World Report and she very soon came to admire and respect Mr. Colmer. Mr. Speaker, my entire family and my constitutents join me wishing for Bill Colmer continued success and every happiness as he returns to his beloved Mississippi.

VIETNAM WAR VETERAN'S POEM

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. CARTER. Mr. Speaker, I wish to include for reflection of the Members a poem by Lt. Col. Eric H. Wieler.

This poem shows the feelings of men who have fought for their country and who, when thousands of miles away, longed so intensely for the homes which they left. After having fought for the United States in South Vietnam, many have returned to an unfriendly home.

Historically, people who have worn the uniform of the United States in battle have been treated with respect and honor, but our returning veterans have had all manner of evil said against them. Our returning veterans should be treated with the same respect accorded those from previous wars, and all of us should unite to build a brave new America.

The poem follows:

My American Dream

(By Lt. Col. Eric H. Wieler, USMC)

In RVN across the sea,
'tween battles when we pause,
We hear and read, in news from home,
The protests 'gainst our cause.

We're told of violence in the streets,
Of smog that fills the air,
Of strikes and riots, hate and fear—
Confusion everywhere.

"What's happened?" cried a few at first.
Their numbers now have grown.
"Where will it end?" you hear them ask.
The answers are not known.

"I had a dream . . . a man once said,
It may have cost his life,
But now I too would dream a dream,
Amidst this distant strife.

I dream of getting on a plane,
On my rotation date,
And waking in a promised land
Beyond "the Golden Gate."

I see a land where flowers grow
Beside each road and street,
Where trash is placed in litter cans,
To keep our country neat.

Where river water's crystal clear,
And so's the sky above.
Where neighbors all can coexist
With naught but thoughts of love.

Where those who fly the flag each day
Will not be ostracized.
Where strangers smile, and say, "Hello"—
A greeting highly prized.

Where servicemen in uniform
Are greeted with respect
By all their grateful countrymen,
Whose freedoms they protect.

Where prejudice is known no more,
Where love prevails, not hate.
Where all are treated just the same.
Let's pray it's not too late.

Where Negro and Caucasian walk
With Gentile and with Jew,
With Protestant and Catholic
As brothers tried and true.

Where honesty in government's
Accepted practice, and
The people all respect the laws
Laid down throughout the land.

Where people walk the streets at night
With ne'er a thought or fear
That they might not get home again
Because some danger's near.

Where, if a danger should appear,
Reaction would be fast,
And cries for help are heeded by
The strangers going past.

Where children learn while they are young
To listen and obey,
For knowledge gained in grammar school
Will guide them on their way.

Where college men, and women too,
Use all their time to learn
The many things they'll need to know
To lead us in their turn.

Instead of wasting so much time,
In protest sitting in,
While precious time is passing by.
To waste it is a sin.

Where men have opportunities
To earn a decent wage
At work that gives them pride in self,
To last them through old age.

Where every man is free to vote
Without a tax or test
To see if he is smart enough
To choose the one that's best.

Where churches fill on Sunday morn,
And grateful people pray
To thank their God, in their own way,
For what is theirs today.

Then I wake up and realize
That it was just a dream,
But I am curious and I ask
Myself, "What does it mean?"

The answer's there—that you and I
Must reap what we have sown.
We have ourselves, and no one else,
To blame for what we own.

We owe it to our ancestors,
Who gave their very best,
And to our children, after us,
To straighten up our mess.

And so I say to those of you
Who love the USA,
To those who want to stand with pride,
To see a better day,

Let's start right now, with honest toil,
Together! I'm with you.
With faith in God, we'll overcome,
And make this dream come true."

EDITOR LOUIE WADSWORTH

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FUQUA. Mr. Speaker, in the Times-Journal magazine of the Florida Times Union and Journal of Jacksonville, Fla., on October 15, 1972, appeared a very excellent and indepth story about a very dear friend of mine, Louie Wadsworth.

The writer of this story, Dick Hagood, is also a good friend and I think he really captured the true man, Louie Wadsworth, in this article.

I would like to share this with my colleagues because of the outstanding contributions Louie Wadsworth has made to his Nation and to his State.

The article is as follows:

Editor Louie Wadsworth

Driving into Live Oak from Mayo, you approach a handsome white brick home straddling a corner at 11th and Pine streets, nestled serenely in a landscape of oaks and shrubs.

To many an oldtimer, it symbolizes stubborn persistence toward the common good, a willingness to wait for results that often were slow in coming. To some others, it was the home of a man who just tried to change things.

The house belongs to Louie and Clara Wadsworth. Until last November he drove home his concepts of what's best for Live Oak and Suwannee County as the unrelenting, though kindly, editor and publisher of the weekly Suwannee Democrat. Also until then, Mrs. Wadsworth reigned over the women's pages from time to time.

Today, after 41 years on the job, the general—he's a retired brigadier general of the Florida National Guard—still maintains a keen eye on the local situation and a willingness to fight the battles from another vantage point, though he freely admits that his stamina is not what it once was.

The black overstuffed lounge chair in the big recreation room is headquarters now, and he garners much of the news from The Florida Times-Union and the Tallahassee Democrat, plus the special Wednesday delivery of the Suwannee Democrat. He recently sold the Democrat to Danny McCrimon, a son-in-law, and to Walter Olive, who follow many of the precepts that elevated the weekly to the winners circle among state association judges.

"You can't give up on a project," the 66-year-old Wadsworth declared, emphasizing the point as he recalled some of the old battles. "You have to be satisfied with gradually seeing the people coming over to your side."

Such a case was zoning. "We worked on zoning for Live Oak for seven years before people were ready to adopt it," he declared with the obvious satisfaction of having achieved victory.

His greatest satisfaction came in the rerouting of U.S. Highway 90 straight through the center of town, bringing travellers into the shopping section rather than over circuitous border streets. That took a 10-year selling job that eventually involved some dealing at the state level.

"I told Charley Johns that if he would

straighten the road through Live Oak, I would support him for governor." The Bradford County candidate subsequently moved into the governor's chair and the project became a reality.

There also were the bonds to be approved back in the 60s after the poor quality of the county schools at the time cost them their accreditation. Today the schools are back on the list with facilities that could well serve as a state model.

There were other battles, some won and some lost, as he waded into the issues. But, according to Wadsworth, "It's not enough just to write an editorial. You've got to get out and support it."

Being a native of Suwannee County has some advantages, too, when you're trying to determine popular views and trends. "I didn't have to do research," he continued with the confidence born of long experience.

Joining clubs and organizations also can have its advantages when you need to know a lot of people, and the retired publisher played this game to the hilt. 'I've often told the people I belong to everything but the Baptist Church and the Ku Klux Klan," he laughed.

While a good story is to be treasured, Wadsworth takes the view that telling it may not always be in the best interest. And if that is so, it should not be printed. For that reason, the Suwannee Democrat has never published suicides, though there have been "accidental deaths."

The messy domestic affairs also missed the pages of the Democrat on the grounds that people wanting to find out the details could resort to the court files. The paper wouldn't hurt people unnecessarily," he explained.

This include the Ruby McCollum case, which author William Bradford Huie blew into national prominence with his book version of North Florida justice. The McCollum woman had been charged with the pistol slaying of Dr. C. L. Adams, a prominent physician, and there had been innuendoes, abetted by Huie, concerning their relationship. She was subsequently committed to the state mental hospital at Chattahoochee.

"I didn't cover the case," Wadsworth said. "I had a feeling for the Adams family."

Besides, "Huie was just out of touch with our area of the country. He didn't think like we did. He lived in a different world."

Throughout the years, since he was graduated from Davidson College and signed on as a writer for C. P. Helfenstein, a Pennsylvania native and Yale graduate who bought the Democrat in 1929, Wadsworth maintains that he has found it easy to keep abreast of local events. "I never had any difficulty in Suwannee County in attending a meeting or getting information 1 asked for," he declared.

And when he bought the Democrat in 1946 and called his own shots, the news sources apparently opened up to him even more, including the courthouse. Without reservation he credits the sheriff's office as being the prime contact.

In the early days it was Sheriff W. H. Lyle, one of the old breed of county law enforcement officers who generally had command of the situation. "When I started out," Wadsworth continued, "he knew exactly what was going on in the county and he would tell you."

The retired publisher paid his due to the strength of the sheriff when it comes to conducting county affairs. "The sheriff is the most powerful man you've got in the county," he declared. "He actually has more raw power than any other man in the courthouse."

Besides Lyle, he ticked off former Suwannee Sheriff Hugh Lewis as another example of a man who knew how to wield control over a county. He also pointed to the late Ralph Witt of Columbia County, Willis McCall of Lake County and Simmie Moore of Madison as exemplars of the firm hand.

"Through the years the sheriff was the one you got the news from, including the personal items," according to Wadsworth in noting a transition from one era to the next. New Florida administrations and closer links with state and federal law enforcement officials have imposed a new direction in the course of county affairs, and the role of the sheriff is more likely to be what the state statutes say it is.

"It's more law enforcement now. It's not the high sheriff. It's a change of times. I don't think the people are going to put up with a dictator of any kind now."

Wadsworth didn't write editorials as such, but voiced his often pungent observations and beliefs through "Thinking Out Loud," an avidly read column that got down to the fundamentals. On the matter of zoning, he supported a straw vote on the subject and he declared on April 13, 1956:

"I think the time has come for us to face this question and I believe the majority of our people would like to see Live Oak move forward with measures that will consider what the Live Oak of years to come will look like."

On May 9, 1956, 1,124 citizens participated in the straw vote, with 830 in favor and 294 against. On Jan. 24, 1958, after a series of hearings, the city council approved a zoning ordinance for Live Oak.

That same year, in which he was named "Suwannee County Man of the Year," he observed after 10 years as owner of the Democrat:

"I well know in those years I have taken stands that did not meet universal approval, but I have tried to direct the Democrat along a course that will build up our county. I believe most will agree that progress has been made in the county and city during the 10-year period. I do not claim credit for this progress for those who have guided our governments through the years have been responsible."

At other times, the column devoted itself to human interest observations of the approximately 15,000 citizens who populate the county. Wadsworth drew on that ritual of the morning coffee conversations at the Big Dixie Grill and on a constant parade of visitors who dropped by the Democrat offices on Conner Street. There also were those relationships with the state and national hierarchy, including many such as former U.S. Sen. Spessard Holland and U.S. Rep. Don Fuqua who sought out his counsel regarding North Florida attitudes.

On election years, the course of the newspaper has generally remained clear-cut. "The Democrat normally endorsed state and national candidates," he said. "As for local candidates, The Democrat has opened its columns to all candidates."

He has had his successes and failures on the states scene, and he ruefully recalled one case he just couldn't sell. "I never could get 'em to vote against Jerry Carter. He told 'em he was the chief politician in Chicago and I agreed with him."

Furthermore, Wadsworth continued, "he was too old and Florida was a more modern state." The philosophy of the former public service commissioner just didn't mesh with that of the publisher.

Wadsworth marks his own politics down as "moderate," and his columns reflect this approach. A few years back when the U.S. Supreme Court ordered an end to racial segregation in the schools, he counseled compliance with the orders since there appeared to be no legal alternative.

The decision of the school board to consolidate the Suwannee County schools appears to have been correct in that it avoided many of the legal proceedings subsequently faced by many of the neighboring counties, which eventually did the same thing. There was no unanimous satisfaction, but on the other hand there was none of the strife predicted earlier from some quarters.

"I've always considered myself a moderate," according to Wadsworth. "I'm neither a Goldwater type nor a McGovern type. I'm not opposed to change although I don't like long hair."

And regarding the role of the newspaper in the community, he declared. "The community doesn't owe the newspaper anything. The newspaper owes the community for the opportunity of serving it. The publisher should serve the community so well that the merchants support it."

As such, Wadsworth has left an indelible mark on his native county and on his state and nation.

OUR NATION SALUTES CATHOLIC CATHEDRAL UPON THE CELEBRATION OF ITS 50TH ANNIVERSARY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ROE. Mr. Speaker, I was deeply honored and privileged to participate in the golden anniversary celebration of the Most Holy Name of Jesus Slovak National Catholic Cathedral on Sunday, October 15, and throughout the entire program was warmly comforted and inspired by the wealth and vibrancy of the cultural and spiritual achievements that this historic landmark church of God has contributed to the members of our community, State, and Nation over these past 50 years.

As the Reverend John Anthony Rencewicz, the present pastor of the church, conducted the services and with the greatest humility and deepest admiration and respect, in benediction, dedicated the anniversary celebration to all of those men and women who by their faith, courage, and sacrifice had achieved the establishment of the church, I could not help but reflect that the theme of the program, "A Living Tradition Passed On and On," was manifested throughout the program and the achievements of the distinguished members of the clergy who had gone before Father Rencewicz in service at this magnificent cathedral was indeed embodied in the quality of leadership, sincerity of purpose, and the richness of the wisdom of Father Rencewicz.

The Most Holy Name of Jesus Slovak National Catholic Cathedral was established on August 20, 1922, by pious folks of modest income, peaceful law-abiding citizens, whose community life revolved around the Polish church which they had built and generously supported with a deep concern for reviving the work of their patron saints, Cyril and Methodius, and organizing a new parish where the priest who had won their hearts as a model curate full of warmth and selfless devotion could continue to serve God and enrich their spiritual development with the love and understanding of a grateful religious community. The late Reverend Emery A. Jecusko was the first pastor and organizer of this Slovak National Catholic Church of Passaic, N.J., who served with honor and distinction until his death at the age of 50 on July 23, 1938.

Mr. Speaker, I ask you and my colleagues here in the Congress to join with me in this national recognition to be forever recorded in the historic journal of Congress of the following most prestigious religious leaders of the Polish National Catholic Church who made major contributions to the establishment, preservation, and enhancement of the Most Holy Name of Jesus Slovak National Catholic Cathedral in the city of Passaic, State of New Jersey:

The late Reverend Emery A. Jecusko, first pastor and organizer, Most Holy Name of Jesus Slovak National Catholic Church.

The late Right Reverend Eugene W. Magyar, Bishop, the Most Holy Name of Jesus Slovak National Catholic Cathedral.

The late Right Reverend Francis Hodur, Prime Bishop, Polish National Catholic Church.

The late Right Reverend Leon Grochowski, Prime Bishop, Polish National Catholic Church.

The Most Reverend Thaddeus F. Zielinski, presently serving as prime bishop, Polish National Catholic Church.

Rev. John Anthony Rencewicz, presently serving as pastor, the Most Holy Name of Jesus Slovak National Catholic Cathedral.

Mr. Speaker, the preamble of the statement prepared by Mr. Andrew Yurga, president of the cathedral and chairman of the 50th Anniversary Committee describes most eloquently the excellence of the foundation on which this cathedral has aspired for these past 50 years and I would like to share it with you. It reads as follows:

> The Most Holy Names of Jesus Cathedral of the Slovak National Catholic Church is a monument to faith, love and sacrifice but it is more; it is a living tradition gratefully received from one generation and reverently passed on to another.
>
> Our church and this its cathedral parish are an integral part of the renaissance of the Slovak nation which began with the cultural Revival of the nineteenth century.
>
> To appreciate the present; we must be acquainted with the past. For a thousand years Slovakia was under the harsh rule of foreigners who held our people in disdain and treated them badly.
>
> The Slovak nation was converted to Christianity by the Greek missionary brothers Saints Cyril and Methodius. It is an incontestable historical fact that they established a free and independent national church whose divine services were conducted in the language of the people. The erosion of political sovereignty brought with it the absorption of this church by outsiders who were less than sympathetic to the needs and aspirations of our ancestors.
>
> Fifty years ago a group of deeply religious Slovak Catholics left the Roman Church to establish this parish. What began a half century ago as a revolt against a strong, well established institution has survived the test of time and can now be seen for what in essence it really is—a restoration of a legitimate part of our heritage that had been denied to us for centuries.

Mr. Speaker, I respectfully request that you join with me in saluting Father Rencewicz and the following list of officers of the cathedral as we commemorate the 50th anniversary of the Most Holy Name of Jesus Slovak National Catholic Cathedral, Passaic, N.J.:

OFFICERS FOR 1972

Andrew Yurga, President.
Steven Mathias, Sr., Honorary President.
George Elgar, Vice President.
William Gaydos, Recording Secretary.
Richard Svetz, Financial Secretary.
Ann Elgar, Assistant Financial Secretary.
Joyce Pastor, Treasurer.
William Zuka, Assistant Treasurer.
Carol Krupa, Publicity.
Mary Gawronski, Organist.

TRUSTEES

John Vrablik.
Michael Veliky.
William Gaydos.
Joseph Novak.
Michael Divak.
Clarence Krupa.
Emery Tursick.
Rudolph Blazo, Sr.
Anthony Pieshala.
George Hirkala.
Joseph Gaydos.
John Kmetz, Sr.
Josept Matusek.
Walter Byra.
Andrew Pribula.
Edgar Lippincott.
Edward Vanyo.
Joseph Bonpietro.
Sebastian Di Fillippi.
Albert Ruth.
Lew Goran.
John Rusnak.
Joseph Ships, Sr.
Stephen Rozic.
Ludwik Gawronski.
Mrs. John (Rose) Vrablik.
Mrs. Steven (Mae) Mathias.
Mrs. Joseph (Sally) Matusek.
Mrs. Edward (Jean) Vanyo.
Mrs. Clarence (Ann) Krupa.
Mrs. Margaret Mokray.
John Kozusko.
Paul Vaxmonsky, Jr.
Paul Vaxmonsky, Sr.
Mrs. (Betty) Dickson.
Victor Csirip, Jr.
Stanley Mikolajczyk.

Heartiest congratulations and best wishes for continued success and happiness to all of the parishioners who are also part of our Nation's salute on this golden anniversary celebration.

HON. JOHN L. McMILLAN

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. STUCKEY. Mr. Speaker, it is a distinct personal privilege for me to pay tribute to a distinguished Member of Congress, JOHN L. McMILLAN of South Carolina.

Mr. McMILLAN served as chairman of the House District Committee for 24 of his 34 years in Congress. As a member of that committee and a subcommittee chairman, I have been given a unique opportunity to serve the Nation and I am grateful to the chairman for his tutelage, guidance and confidence in committee endeavors.

The chairman is a man of strong conviction and firm resolution. There is never any ambiguity of opinion or wavering of viewpoint. You know by his consistent course of action and decision where he stands on any given issue. He defends his position with veracity, sincerity and nononsense decisiveness.

It has been a pleasure to associate with a gentleman of the stature of JOHN L. McMILLAN—a distinguished alloy of strength and courage mixed with compassion.

CONGRESSMAN CULVER REPORTS TO IOWA'S SECOND CONGRESSIONAL DISTRICT

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. CULVER. Mr. Speaker, as is my custom, I am making an annual report to the citizens of the Second District on the accomplishments of the current session. The report follows:

THE 92D CONGRESS: A RECORD OF ACHIEVEMENT

NEW PROGRAMS HELP STUDENTS FROM PRESCHOOL TO COLLEGE

Young people throughout the nation will benefit from these historic education measures:

Omnibus Education Act of 1972 is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education programs and creates important new ones, including:

A new system of Basic Educational Opportunity Grants, entitling every college student to an annual grant of $1400, less the amount his parents can contribute;

A new program of direct institutional aid for colleges and universities;

Help for occupational and vocational education;

A National Institute of Education to develop better ways of teaching and learning at every level—preschool through graduate school.

Expanded Head Start Program to enable children of working families as well as the poor to participate in this voluntary day care program.

National School Lunch Act Amendments provide free and low price meals for needy children.

Vietnam Veterans Education Assistance means a major increase in aid for education and vocational rehabilitation for returning veterans.

THIRTY-TWO PERCENT SOCIAL SECURITY INCREASE LEADS LIST OF ELDERLY BENEFITS

For older Americans, this has been one of the great Congresses in history—and the 32% Social Security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the many benefits our 20 million senior citizens will realize from Congressional initiatives:

Nutritional meals for those who need them—even shut-ins;

Low-cost transportation;

Job training and employment;

Community centers;

Pre-retirement training;

Health and education services;

Gerontological centers to study the variety of problems older Americans face;

A new *National Insitute of Aging* to conduct research on the aging process and the special health problems of the elderly;

Congress also overrode a Presidential veto of a 20% increase in *Railroad Retirement benefits.*

NOTE.—The major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

NEW ACT REFORMS CAMPAIGN SPENDING

At a time when the costs of campaigning have skyrocketed, the Congress passed the Federal Election Campaign Act of 1971.

This historic act:

Limits the amount of advertising spending in campaigns.

Requires broadcasters, newspapers and magazines to sell advertising to candidates at the lowest commercial rate.

Requires campaign committees to report contributions and expenditures of $100 or more.

Limits the amount a candidate or his family can contribute to his own campaign.

REVENUE SHARING AIDS STATE, LOCAL GOVERNMENTS

In response to pleas from hard-pressed states, counties and cities, Congress this year enacted a $30.1 billion revenue sharing bill.

State governments will receive one-third of the funds; local governments the other two-thirds. The money is expected to be spent on such high priority items as:

Public safety;
Environmental protection;
Public transportation;
Health;
Recreation;
Libraries; and
Social services for the poor and aged.

NEW CONGRESSIONAL ACTIONS ON FOREIGN, MILITARY POLICY

Among the several actions of the 92nd Congress in foreign and military policy are:

SALT Agreements To Limit Strategic Weapons: Congress approved a five-year U.S.-Soviet accord limiting offensive nuclear weapons.

ABM Treaty With Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military Draft: Congress amended the Selective Service Act to:

Extend the draft to June 1973.

Grant student deferments.

Increase military pay in order to encourage voluntary enlistments.

A GREAT CONGRESS FOR VETERANS

Many observers are calling the 92nd Congress the greatest Congress for veterans in history. In the past two years, we have passed major laws to educate our veterans, to provide them better treatment in VA hospitals, and to liberalize burial allowances for veterans.

New GI bill

This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Fulltime students will now receive:

Single students: $220 a month;
Married students: $261 a month;
Married and one child: $298 a month; and
Each additional dependent: $18 a month.

National Cemetery bill

This law:

Transfers to the VA responsibility for administering all national cemeteries.

Increases burial allowances for veterans who die from service-connected disabilities.

Provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA Medical School Act

To help meet the nation's medical manpower shortage—and to improve VA medical care—this pilot program authorizes the establishment of eight new medical schools in veterans' hospitals across the nation.

Veterans medical care

This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with non-service-connected medical problems can now be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive hospital care.

Disabled veterans' benefits

Provides a 10% boost in benefits for disabled veterans.

ENVIRONMENTAL PROTECTION GIVE HIGH PRIORITY

Clean air and water, and the conservation of our resources and wildlife have been chief concerns of the 92nd Congress. This Congress has taken important action to protect the nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985.

Federal Environmental Pesticide Control Act will help protect man and our environment, while permitting farmers to use pesticides to grow food and fiber.

Wildlife Hunting from Aircraft is prohibited, protecting certain wild birds, fish and other animals.

Youth Conservation Corps—To extend and expand this pilot youth conservation program.

CONGRESS ACTS TO MEET HEALTH CARE CRISIS

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a nation, we have slipped from 13th to 22nd place in male life expectancy, from 6th to 21st in infant mortality. Doctor bills and hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92nd Congress has taken the initiative to meet the crisis with several important measures:

Medical Personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses.

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer.

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the U.S., mostly children.

Multiple Sclerosis Research—Creates a National Advisory Commission to help find the cause of M.S. and develop cures.

Communicable Disease Control Act—Helps states and localities control the spread of communicable diseases.

National Heart, Blood Vessel, Lung and Blood Act.

Rehabilitation Act—An extension of the 50-year-old Vocational Rehabilitation Act, adding major new programs to aid the severely handicapped and other disabled persons.

Black Lung Benefits—To make it easier for coal miners, stricken by black lung disease, to receive benefits.

CONGRESS FOCUSES ON CONSUMER PROTECTION

In recent years, Congress has passed a host of measures on behalf of the American consumer. Truth-in-lending . . . . wholesome meat and poultry . . . truth-in-packaging . . . auto, tire and toy safety . . . fair credit reporting . . . these are a few.

The 92nd Congress has expanded this record:

Flammable Fabrics Amendments of 1971 require manufacturers to certify that their products meet stringent anti-fire requirements.

Consumer Product Safety Act of 1972 assigns the Federal government a major role in protecting the consumer from unreasonable risks of death, injury or illness caused by consumer products. A new Consumer Product Safety Agency will set mandatory safety standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transportation to fix minimum standards for bumpers to halt or reduce auto damage in low-speed collisions. The bill also outlaws tampering with mileage gauges.

NEW BILLS TO FIGHT CRIME AND DRUGS

Every public opinion poll of recent years shows that crime and drug abuse are major concerns of the American people. The 92nd Congress continued to face up to mounting problems in these crucial areas:

Crime

Juvenile Delinquency Prevention Act. This major law provides $150 million over two years for:

Education and counseling, health services and recreational facilities for potential juvenile delinquents.

Training personnel in the juvenile delinquency field.

Drug abuse

Drug Abuse Office and Treatment Act. This new law provides over $6 billion to:

Establish a National Institute on Drug Abuse;

Increase funds for special drug projects under the Community Mental Health Centers Act;

Help states develop drug abuse programs;

Require federally funded health facilities to offer needed treatment to drug addicts.

Foreign Shipments of Narcotics. Gives the President power to halt foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addiction of Servicemen. Another new law requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. A third measure creates new programs to encourage the employment of rehabilitated addicts, with special preference for veterans.

CONGRESS AIDS RURAL AREAS

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the *Rural Development Act of 1972*, Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing, water quality management, pollution control and farm credit.

NEW AMENDMENTS BROADEN RIGHTS

The 26th and 27th Amendments to the Constitution were passed by this Congress to guarantee the vote to 18-year-olds and to end discrimination based on sex.

18-Year-old vote

This Amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in *all* elections. It was quickly ratified by the states and signed in July 1971. Because of it, eleven million more voters are eligible to vote in the Presidential election this year.

Equal rights for women

Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex still exist in law. For example:

Twenty-six states prohibit women from working in certain occupations.

Thirty-seven states have fair employment practice laws, but only fifteen prohibit discrimination in employment based on sex.

Some communities still have dual pay schedules for men and women public school teachers.

To end discrimination, the Equal Rights Amendment says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

Twenty-one states have already ratified the Amendment; thirty-eight are required.

ECONOMIC PROBLEMS TROUBLE CONGRESS

Since January 1969, unemployment in the U.S. has climbed to over 5½ percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the *Accelerated Public Works Act of 1971*, authorizing $2 billion to create 170,000 jobs in the public sector. (President Nixon vetoed this bill.) We then passed the *Emergency Employment Act* authorizing $2¼ billion for transitional public service jobs and special state employment assistance programs. We also earmarked $275 million for additional *unemployment benefits and allowances*.

Congress also:

Extended the President's authority to establish controls on prices, rents, wages and salaries.

Increased the personal income tax exemption per taxpayer and dependent to $675.

Came to the aid of small businesses by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the Administration's budgets, while seeking to meet the nation's genuine needs. During the past three years, Congress has cut a total of $14½ billion from the Administration's appropriations requests—and the total appropriations this year will again be below the President's budget.

A FAITHFUL EMPLOYEE RETIRES

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DE LA GARZA. Mr. Speaker, a faithful and dedicated employee of my office staff, Mrs. Michael Sullivan, has retired after 21 years of service to the 15th Congressional District of Texas.

Mrs. Sullivan—known as Nina to all of us in my office—was an expert in her area. She knew the Federal agencies and departments. She knew how to get service for my constituents. She was an invaluable aide, popular with her fellow workers, able to accomplish a vast amount of work without flurry or bustle.

Nina was thoroughly familiar with the special problems of south Texas. Before coming to Washington, she worked in Brownsville, in the 15th District, during World War II. Her knowledge of the district I proudly represent was comprehensive and thorough.

I feel sometimes that we may be inclined to take too much for granted the efforts of such loyal public servants as Nina Sullivan. Every Member owes much to his office staff and I think it is fitting that the debt should be acknowledged.

In my office, we miss Nina. I wish her well, and I hope that in her well-earned retirement she may choose to turn her talents, which include the ability to express herself in the written word, to setting down the story of her long service to the people of the 15th District of Texas.

VETERANS: FORGOTTEN AMERICANS?

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FISH. Mr. Speaker, the following is informational material I am sending to my constituents in my Congressional District. I thought the subject would be of interest to my colleagues:

VETERANS: FORGOTTEN AMERICANS?

Due to the unpopularity of the Vietnam War, to inflation's rapid erosion of veterans benefits, and to the basic unpreparedness by our government to meet the needs of 5 million young Americans returning from the Vietnam struggle, when I first came to Congress in 1969 I found that our veterans were rapidly becoming forgotten Americans.

Though no one Member of Congress can single-handedly reverse a trend, fortunately a majority of my colleagues also recognized the need. Over the past four years, marked progress has been made in an effort to correct the prior neglect of our VA hospitals, our G.I. Education and Training programs, our G.I. loan programs and other veterans services.

Over the past four years, Congress has raised pension benefits by 17 percent, upped education benefits from $100 to $175 a month, nearly doubled annual expenditures on our VA hospitals, and earmarked $155 million for new hospital construction in 1973 alone, the largest such expenditure in 20 years.

But good as this record is, much remains to be done. For example—although G.I. education benefits have risen, compared to the escalating costs of higher education, benefits for today's veteran are not on a par with those earned by veterans of World War II, by means of which so many of us received our college educations.

Because of this I sponsored legislation calling for a monthly allotment of $200. This successfully passed the House. In the Senate this amount was raised to an even more realistic $250, and it is my hope that the Conference Committee will approve the higher figure.

I use this as only one example. When one realizes that 6 million veterans and their families rely for their survival in whole or in part on VA compensation or pension checks, one also realizes these programs must keep up with spiraling inflation. Jobless veterans must be furnished job training and employment. We owe them no less.

The priorities of the Congress in meeting the needs of veterans must be to insure the best hospital and medical care, to secure adequate and realistic pension benefits for all veterans, to strengthen the G.I. Education and Training Bill, and to offer better vocational assistance to returning veterans.

I intend to continue working toward these goals in Congress. Veterans will not be forgotten.

HAM FISH ACTS FOR VETERANS

The 91st Congress

[Bill No., Description, and Status]

H.R. 13196. Second Flag for deceased veterans survivors, Public Law 91-39.

H.R. 17009, Increase outside earnings allowance veterans' beneficiaries, Public Law 91-588.

H. Con. Res. 383, Call for humane treatment and safe return of POW's, Passed House and Senate.

H. Res. 626, Support for the President's Vietnam Policy, In Committee.

H.J. Res. 1380, To make November 11 a National Day in support of POW's, In Committee.

The 92d Congress

H.R. 4451, Voluntary Army, In Committee (passed Senate).

H.R. 6942, Maternity benefits for wives of recently discharged servicemen, In Committee.

H.R. 7834, Increased unemployment compensation for Vietnam veterans, In Committee.

H.R. 8121, Tax credits for employers who hire Vietnam veterans, In Committee.

H.R. 10048, Expand educational assistance under the GI Bill, Passed House and Senate.

H.R. 11400, To make a college which has changed its location eligible under the VA education benefits program, Passed House and Senate.

H.R. 12521, POW tax exemption, Public Law 92-279.

H.R. 15542, Readjustment Assistance Act of 1972 (additional job counseling money), Passed House and Senate.

H.R. 16202, To prevent the loss of Veterans Compensation due to the increase in Social Security, In Committee.

H. Con. Res. 112, Calling for humane treatment and release of American POW's, Passed House.

H. Con. Res. 622, Expressing the sense of Congress with respect to the withdrawal of all American forces from Vietnam, In Committee.

H. J. Res. 609, Vietnam Unknown Soldier, Passed House.

H. J. Res. 964, Re-designate Nov. 11 as Veterans Day, In Committee.

H. J. Res. 1269, Vietnam Veterans Day, In Committee.

NEW LAWS ALLOW USE OF INSURANCE DIVIDENDS TO PURCHASE INSURANCE

As a result of recent Congressional action, Public Law 92-188, veterans with "V"-prefixed World War II National Service Life Insurance policies will be eligible to purchase paid-up insurance with their dividends.

Another new law, P.L. 92-193 makes it possible for older veterans with term policies to convert to a modified life plan at age 70. Premiums will remain at a level amount but insurance face value will be reduced 50 percent. Previous modified-life plans had a face value reduction of 50 percent on the insured's 65th birthday. Conversion to a modified plan would result in premiums remaining constant; term policy premiums increase periodically.

Notification of the availability of these two new plans is presently being sent out to all policy holders. Should you not receive a notice, please feel free to contact my office for further information.

VIETNAM VETERAN TO BE HONORED AT ARLINGTON

I have always held that, whether a war is popular or not, in America there can be no second class veteran. All have served and each deserves honor for that service.

Shortly after taking office in 1969, it became apparent to me that Vietnam veterans were in a particularly difficult position due to the unpopularity of the war in which they served.

In a bid to correct this situation, not only have I been in a four year battle to bring up G.I. benefits to a reasonable level, but in an effort to have this nation properly honor those who served in Vietnam, I introduced legislation to have the remains of an Unknown Vietnam Veteran enshrined at the Tomb of the Unknown Soldier at Arlington National Cemetery.

I am pleased to report that my bill (H.J. Res. 609) was incorporated by the House Veterans Committee with an omnibus National Cemeteries bill (H.R. 12674), and it is now assured that an Unknown Soldier of the Vietnam conflict will rest in a rightful place of honor at the Tomb of the Unknown Soldier.

I might note that this bill was of certain historic interest to me, as it was my father, when he was in Congress, who introduced the first legislation creating the Tomb of the Unknown Soldier following World War I. My bill was the first Congressional Act relating to burial at the Tomb since that time, as the unknown dead from World War II and Korea honored at the site were placed there by Executive Order.

HELP IN CORRECTING MILITARY RECORDS

In my four years in Congress, I have received numerous requests from veterans regarding correction of military records and review of discharge or separation proceedings. Often my office has been able to provide assistance in filing form DD149 (for the Correction of Military Records) and DD293 (for Review of Discharge or Separation). These forms are very important and complex, and should be completed with great care.

I would urge any veteran considering such applications to contact his local Veterans' Agent, or one of the national veterans' organizations, such as the Veterans of Foreign Wars, Disabled American Veterans or the American Legion.

I would be pleased to supply any interested veteran with all necessary forms to initiate these actions, and information with respect to obtaining assistance in completing the application.

Veterans may also apply for an Exemplary Rehabilitation Certificate from the Department of Labor, if three years have passed since their discharge. The Certificate does not affect the grade of discharge or level of veterans benefits, but it may assist in securing employment. The Secretary of Labor is authorized to issue such a certificate to any veteran who has received: 1) a general discharge, or 2) a discharge other than honorable if the veteran has met the conditions of rehabilitation under which this certificate is granted.

I would be pleased to provide any interested veteran with further information on this process upon request, or if I can help in any other way, please contact me either in Washington or through one of my District offices.

LAW CHANGED FOR HYDE PARK SCHOOL

When the famous Culinary Institute of America purchased St. Andrews on the Hudson in Hyde Park, they found under existing law that veterans would be unable to attend with G.I. Bill assistance.

This was because the move from New Haven was 90 miles, while the law specifically stated that any school which moved further than 30 miles would be ineligible for G.I. benefit certification until they had been in business in the new location for two full years. This mileage limitation was instituted to prevent fly-by-night operators from moving from place to place to take advantage of veterans as happened following World War II.

When Jacob Rosenthal, President of the Culinary Institute, contacted me, I introduced an amendment (HR 11400) to permit immediate G.I. certification if the school retains the same faculty, curriculum and student body. This amendment passed the House on March 6, passed the Senate, and will become law shortly.

Therefore, it gives me particular pleasure to welcome the Culinary Institute of America to our District, and I am sure many of our veterans will be attending this fine school.

VETERANS BENEFITS CHECKLIST AND TIMETABLE

You have the following eligibility period after separation, benefits, and where to apply:

8 years—GI Education: The VA will pay you while you complete high school, go to college, learn a trade—either on the job or in an apprenticeship program. Maximum is 36 months. You must begin your course in time to finish in 8 years. Any VA office.

No time limit—GI Loans: The VA will guarantee your loan for the purchase of a house, farm, mobile home, or condominium. Any VA office.

No time limit—Disability Compensation: The VA pays compensation for disabilities incurred in or aggravated by military service. Payments are made from date of separation if claim is filed within 1 year. Any VA office.

No time limit—Medical Care: The VA provides complete hospital care covering the full range of medical services. Outpatient treatment is available for all service-connected conditions. Drug treatment is available for veterans in need of help for drug dependence. Any VA office or hospital.

1 year—Dental Treatment: The VA provides complete dental care. The time limit does not apply for veterans with dental disabilities resulting from combat wounds or service injuries. Any VA office or hospital.

1 year (from date of notice of VA disability rating)—GI Insurance: Low cost life insurance (up to $10,000) is available for veterans with service-connected disabilities. Veterans who are totally disabled may apply for a waiver of premiums on these policies. Any VA office.

120 days or up to 1 year if totally disabled—Life Insurance: SGLI may be converted to an individual policy with a participating insurance company. Any approved life insurance company.

No time limit—Employment: Assistance is available in finding employment in private industry, in Federal service and in local government. Local or State Employment Service, U.S. Civil Service Commission. Any VA office.

HON. THOMAS ABERNETHY

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FUQUA. Mr. Speaker, Washington's loss is Okolona's gain. Certainly this sentiment must be shared by the many friends of my colleague, THOMAS ABERNETHY.

TOM ABERNETHY has spent 30 fruitful and valuable years in the House and represented very well the interests of the citizens of the First Congressional District of Mississippi.

It was my privilege to serve with TOM on the House Committee on the District of Columbia and benefit from his leadership and knowledge of District matters.

While TOM was called upon to help guide the affairs of the District of Columbia, he was ever cognizant of the concerns of his constituents in Mississippi. There have been few men who better represented the people who sent him to Congress and I know that the citizens of Mississippi will be pleased that TOM will be able to spend all of his time in that great State.

I wish for TOM and his fine family every happiness in the coming years. I know he will continue to provide valuable service to the people of Okolona and Jackson, Miss., through the practice of law and my best wishes go with him in these pursuits.

HOUSE PASSES STRONG ANTI-BUSING BILL—SENATE DEFEATED BUSING BILL

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. EVINS of Tennessee. Mr. Speaker, as the Congress approaches adjournment, it should be noted that the House has taken positive action to end busing to achieve racial balance.

The House bill was a strong bill, permitting local districts to delay compliance on busing orders until all appeals in the lower courts have been exhausted. The House bill also prohibits the busing of any student further than the school closest or next closest to his place of residence and bars the expenditure of Federal funds for crosstown busing, among several other strong provisions of the House act.

The other body in a preadjournment filibuster, defeated the busing bill; and the country and those concerned will be interested in these developments.

In this connection, Mr. Speaker, I enclose a copy of my own newsletter Capital Comments concerning the House action to end undesirable busing, and an editorial from the Evening Star of Monday, October 16, entitled "Death of a Busing Bill," for reprint in the RECORD.

The newsletter and editorial follow:

HOUSE TAKES POSITIVE ACTION TO END BUSING

A majority of the Members of the House—including your Representative—are deeply concerned over the continued forced busing of students to achieve racial balance—and positive action has been taken in the Congress to limit, curtail or halt such busing in the public interest.

The House recently passed legislation which, if approved by the Senate and signed by the President, will prohibit both the Executive Branch and the Federal Courts from busing any student further "than the school closest or next closest to his place of residence"—to use the language incorporated in the Act.

This bill would also provide that pending court cases involving busing can be "reopened and modified to comply with the provisions of this Act."

This bill further provides that—

The lack of a racial balance in a school does not constitute a denial of educational opportunity.

Assignment of students to neighborhood schools does not constitute a denial of equal educational opportunity.

Population shifts would not provide a reason for implementing or changing desegregation plans.

Court orders requiring desegregation are to be terminated if the court finds the school involved is not excluding any person because of race, creed or color.

In its efforts to end busing and return the Nation to the traditional neighborhood school concept, the House in an earlier education bill last year had approved three amendments to curb busing.

These amendments—which are now law—are as follows:

The Ashbrook Amendment bars the expenditure of Federal funds—appropriations—for cross-town busing.

The Broomfield Amendment permits local school districts to delay compliance with busing orders by lower courts until all appeals have been exhausted.

The Green Amendment prohibits the Federal Government from requiring school districts to spend state or local money to finance busing.

Federal courts have skirted these amendments in recent rulings, contending that the language is imprecise. The bill just passed by the House appears to be precise and explicit in its prohibitions against busing.

In addition, along with 167 other Members of the House, your Representative has signed a discharge petition to bring out of the Committee on the Judiciary a proposed constitutional amendment prohibiting busing to achieve racial balance. The amendment provides the following language:

"No public school student shall, because of his race, creed or color, be assigned to or required to attend a particular school."

A constitutional amendment requires a two-thirds majority of both Houses of Congress and three-fourths of the State Legislatures before its adoption into the Constitution.

The House has thus taken affirmative and significant action to prohibit busing in the public interest.

. Certainly we are hopeful that the Senate and the President will concur in these most recent legislative actions and move forward to implement the will of the people.

DEATH OF A BUSING BILL

Senate Minority Leader Scott, who has been around long enough to detect subtle political wind shifts, said a month ago of the anti-busing controversy: "My hunch is that both sides would rather have an issue than legislation."

His observation was apt, and we suspect the truth in it prevailed until the stiff anti-busing bill he was talking about finally arrived on the Senate floor and then bogged down in filibuster and a series of losing votes to invoke cloture. The legislation is dead, at least until next year, although that won't stop the politicians from hammering away at the issue in the three weeks remaining before election day.

The bill, unveiled by the administration in March, was a defensible one. In devising safeguards against excessive school busing, the President's strategists carefully thought through what would have to be done if the bill were to stand up as constitutional. One vital distinction they drew was to request much tougher restrictions on the cross-town busing of elementary school children than on the busing of older children in areas where outright segregation persisted. This was in line with court pronouncements that age is a legitimate consideration in ordering what amount of busing is necessary.

In late August the House passed the bill, but in much tougher form. It erased the vital age distinction, applying the busing-distance restrictions to children in all grades. Worse than that, its provision to permit the reopening of long-settled desegregation suits threatened an explosive collision between the legislative and judicial branches. The bill was simply too hard-line to survive, and not even the administration pushed it very hard after that.

It would be a mistake to expect the busing controversy to fade away completely once the election is over. For it is inseparable from the very big questions of school quality and racial concentration in the schools, questions that the federal government must inevitably begin to answer.

At the same time, there is consolation in the knowledge that the shaping of busing legislation will lie over until next year. By the time the 93rd Congress gets to it, the Supreme Court may well have clarified the dimensions of the issue with decisions on pivotal desegregation suits involving Detroit, Denver and Richmond. And as Senator Javits noted in last week's debate, there is likely to be "a much more rational atmosphere" on the busing scene after the election than before it.

FIRST AMENDMENT FREEDOMS LIMITED BY THE JUDICIARY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RARICK. Mr. Speaker, the constitutional prohibition in the first amendment safeguarding freedom of press should apply equally to all.

Unfortunately, Federal judges have now ruled that Congress can infringe on the first amendment right. The Nation's right-to-know machinery is able to use the first amendment provision to shield its efforts aimed at destroying the American way of life, yet the Supreme Court has now ruled that a newspaper cannot print real estate advertisements which "express a racial preference," relying on an act of Congress as its authority.

In other words, the Federal judges have held that the first amendment guarantee makes it possible for a newspaper to denounce or attempt to destroy the American system, but it cannot print material indicating an individual's preference.

In effect, then, the judges are aiding the press in maintaining its freedom, but are denying the individual the right to use the press to make his preferences known.

Free press and free speech are both rights protected by the first amendment. The courts latest ruling should be recognized for the threat it is in limiting first amendment freedoms.

A related news clipping follows my remarks:

[From the Washington Post, Oct. 16, 1972]

WELFARE RULING UPHELD

The Supreme Court today upheld a ruling that Maryland cannot deny welfare payments to persons on strike and rejected a challenge by a Prince George County publisher to the legality of the ban against printing real estate advertisements which give a racial preference.

The court also turned aside a challenge by a Prince Georges County publisher to the constitutionality of the federal ban against printing real estate advertisements that express a racial preference.

The ban was approved by Congress as part of the Civil Rights Act of 1968.

The challenge was brought by Bill R. Hunter, the publisher and editor of "The Courier," a Prince Georges weekly newspaper with a circulation of about 29,000.

The Justice Department, invoking the 1968 act against a newspaper for the first time, filed suit against Hunter in July 1970, charging that two ads in the Jan. 8, 1970 issue of his paper contained illegal racial preferences.

One of the ads was for the rental of a basement apartment in a "private white home." The other was also for an apartment this one simply in a "white home."

ENVIRONMENT: THE BATTLE JOINED

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FISH. Mr. Speaker, the following is informational material I am sending to my constituents in my congressional district. I thought the subject matter would be of interest to my colleagues:

ENVIRONMENT: THE BATTLE JOINED

In looking back over the four years I have been in Congress, it is impossible to say that the legislative fight to clean up our environment has been won. But I think it fair to state that during those four years the battle, which we must win if we are to survive, has at least been fairly joined for the first time in our nation's history.

When I came to Congress in 1969, one of the first pieces of legislation which I co-sponsored and strongly backed was the National Environmental Policy Act of 1969, which took effect January 1, 1970.

For the first time, this legislation enunciated it as national policy that the condition of our human environment was a major concern of our government. Although imperfect in many ways and in need of strengthening, I believe in the future, we will look back on the National Environmental Policy Act as the Magna Carta of environmental protection in this country.

Among other things, this Act sets it as policy that, as a government, we intend to do all within our power to "assure all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings." It also sets as a goal the attainment of the "widest range of beneficial uses of the environment without degradation, risk to health or safety or other undesirable consequences" through governmental action.

Under this legislation, the Council on Environmental Quality was established, which, among other responsibilities reviews and polices the detailed environmental impact studies required under the law on every Federal project which could in any way change or endanger our environment.

From Court interpretations of this Act have come such landmark environmental decisions as the Calvert Cliffs-AEC decision, the Astoria 6 ruling, and the Greene County vs. Federal Power Commission decision in which I was personally involved.

Important as this Act is, though, like most legislation, it is far from perfect. As we go forward in the fight to clean up our air and water, dispose of our wastes, and control land use, Congress will have to move to strengthen and improve this basic piece of legislation.

An example of this need is reflected in an amendment to the Environmental Policy Act which I have introduced. This amendment would require circulation of impact statements to relevant Committees of Congress. This increase in information is needed as Congress authorizes and funds projects at the present time with no knowledge of the potential damage to the environment which may result, as such impact statements at the present time are only circulated within the Federal agencies.

But, with the National Environmental Policy Act, I believe the pioneer step to save and enhance our human environment was taken. To meet the needs of our people, Congress must move resolutely down this road, now fairly well charted.

It will not be an easy job, but I, for one, intend to continue to work toward the goal of a better, more healthful environment for all our people.

FISH ACTS TO SAVE OUR ENVIRONMENT

The 92d Congress

(Bill, No., description, and status)

H.R. 4359—To regulate Ocean Dumping. In Conference (Passed House and Senate).

H.R. 5076—Citizen suits to protect the environment. In Conference (Passed House and Senate).

H.R. 5223—Detergent Pollution Control Act. In Committee.

H.R. 5690—Water Pollution Control Act of 1972. In Conference (Passed House and Senate).

H.R. 5964—Additional Funds for Waste Treatment Facilities. In Conference (Passed House and Senate).

H.R. 5969—Upgrade Federal Water Quality Standards. In Conference (Passed House and Senate).

H.R. 6482—Regulation of Strip Mining. In Committee.

H.R. 6560—To require Congressional approval of Alaska Pipeline. In Committee.

H.R. 8151—To establish a National System of Solid Waste Management. In Committee.

H.R. 9680—Increase civil penalties under 1899 Refuse Act. In Committee.

H.R. 10045—Commission on Fuels and Energy Needs. In Committee.

H.R. 11288—Increase Congressional knowledge on environmental impact of protects. In Committee.

H.R. 13724—Reimbursement to New York State for Waste Treatment Plant Construction. In Conference (Passed House and Senate).

H.R. 14014—To require public hearings on Federally funded Airport Development. In Committee.

H.R. 14654—Additional Wilderness and Conservation lands. Passed House.

H. Res. 64—To create a standing Congressional Committee on Environment.—Passed House.

CLEAN WATER ACTION NEAR

After five months' work, House and Senate Conferees have agreed on most major provisions of the $24 billion program to clean up our nation's waters by 1985, including fines of up to $25,000 a day for polluters.

While it was encouraging to receive congratulatory letters for my work in behalf of the Water Pollution Control Act when it was voted on in the House from such environmental leaders as Michael McCloskey, Executive Director of the Sierra Club and Thomas L. Kimball, Executive Vice President of the National Wildlife Federation, it is far more heartening to know we may at last have a meaningful water clean up program on our statute books.

The bulk of the $24 billion authorization would be for Federal matching grants to municipalities to construct sewage treatment plants. Under the formula, the Federal share can go as high as 75 percent, if the state puts up 15 percent of the project costs. This would mean that the 40 percent local share which prevailed under the 1965 Act would be reduced to only 10 percent—a major saving for local taxpayers.

The balance, $5.7 billion would be for reimbursement of states which pre-paid Federal costs under the 1965 program. This would mean that New York would receive in the neighborhood of $1.3 billion in repayment.

Up to $800 million of the $5.7 billion would be for 3 percent interest loans to help industries meet the new water quality standards.

A measure I opposed in the House still remains in the bill. This would instruct the Environmental Protection Agency to set new standards under which the government would permit limited discharge of industrial municipal wastes into rivers, streams and inland waters.

This measure would also allow individual citizens or groups to bring suit to force the EPA to carry out the law or to seek injunctions against pollution if the citizen or group could prove direct interest in the case.

Although the bill cannot be called the perfect law, it represents the best effort yet in our nation's history, both in standards and level of financial commitment, to clean up our waters.

SOLID WASTE: A GROWING PROBLEM

Nobody wants garbage, but everyone produces it.

Yet, as a nation, we are producing garbage at such a rate that getting rid of it has become our third highest municipal cost, topped only by highways and schools.

Although no exact figures are available, it has been estimated that we create 3.5 billion tons of solid waste each year, while the disposal of this mountain of garbage is costing the American taxpayer $4.5 billion, and this figure is expected to triple by 1980.

This 3.5 billion ton garbage pile is made up of an estimated 250 million tons of household wastes, 110 million tons of industrial refuse, and 6.5 million tons of construction and demolition debris. Add to this an estimated 1.5 billion tons of animal waste and 1.1 billion tons of mineral industry waste and the dimensions of the problem come into sharp focus.

Disposal of this mountain of waste is now handled by more than 10,000 individual cities, towns and villages. A few hundred have incinerators, nearly all of which pollute the air. The rest use dumps which pollute the land and water. In addition, these methods waste basic natural resources.

Yet, we already have the techniques to recycle most of our wastes. The problem is that these methods are only practical if applied on a large scale.

For this reason, I have introduced the Solid Waste Management Act, the thrust of which would make each person responsible for the cost of disposal of his or her own trash, by the imposition of a disposal tax on each manufactured item.

Revenue from this disposal tax would go into a trust fund which would be used to establish regional recycling centers and to finance studies on better disposal and reclamation methods than now exist.

My plan, endorsed by the New York Pure Waters Authority and by the Environmental Action Coalition, is presently before the Ways and Means Committee. It is admittedly revolutionary in concept. But, if we are to successfully cope with our mounting mountains of garbage, it is clear methods other than those traditionally used must be found.

STRIP MINING CONTROL NEEDED

The development of super-sized earth moving equipment, coupled with the growing demand for cheap electrical power, have joined to create massive strip mining operations, one of the gravest long-term environmental threats faced by our nation today.

With vast areas of Kentucky, West Virginia, Pennsylvania, Ohio and Illinois already wasted and left for dead, coal companies are moving West, attracted by the abundant coal deposits in those regions, made profitable to exploit by the rising power demand to serve increasing population.

On site, strip mining means scalped hillsides, jumbled mounds of debris, pools of stagnant water, and land that will never be usable again. But because of the exposure minerals and acids always associated with coal deposits to the weather, leaching action soon can befoul an entire water shed to carry the environmental cost of this mining method to areas miles from the mining sites.

Yet, despite this widespread environmental damage, such operations at the present time are only controlled by weak state laws, when such controls exist at all.

Because of this, I have joined in co-sponsoring legislation (H.R. 6482) to regulate strip mining operations from the Federal level. In my view, such control is absolutely necessary if we are to prevent the gradual destruction of the face of America in the years ahead.

FISH STATEMENTS ON THE ENVIRONMENT

Over the years I have made a number of statements in the House of Representatives and before governmental regulatory boards on the environment, as well as statements on environmental legislation I have introduced. If you would like copies of these statements listed below, just write me at my Washington office, indicating which of the statements are of particular interest to you. I will be more than happy to send you copies.

"No" to the SST.

How Much Longer Can We Burn or Bury?

The Big Boys Against Prink Hill.

Marine Mammal Protection.

Statement before FPC during Power Line Hearing.

Stewart Air Force Base Expansion.

Statement before Atomic Safety and Licensing Board on Indian Point No. 2 Plant.

TRIBUTE TO HON. EMANUEL CELLER, DEAN OF THE HOUSE

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. CAREY of New York. Mr. Speaker, I am happy to join with my distinguished colleague, the gentleman from New York (Mr. ROONEY), in paying tribute to the beloved dean of our delegation and of this House, Congressman EMANUEL CELLER.

For the past 50 years, Chairman CELLER—or "MANNIE" as many of us affectionately call him—has served in this body, a length of service exceeded only by Representative Carl Vinson of Georgia, who retired in 1955 after 50 years and 2 months in office.

As chairman of the House Judiciary Committee for 22 years, he has fought bravely in the defense of free expression, free press, free assembly, and for all civil liberties. His name appears on the last four constitutional amendments—permitting District of Columbia residents to vote for Presidents, abolishing the poll tax in Federal elections, providing for the disability of the President, and lowering the voting age to 18—and on nearly 400 bills that became law, including every major civil rights bill since 1960.

William S. White once termed Chairman CELLER "a sturdy foe of can't," and this he certainly has been. No one phrase better sums up MANNIE's character than a sentence taken from a note he made after returning from the Democratic National Convention in 1952:

> I have no room in my heart for any temperance toward the degradation or despoiling of human dignity.

This eloquent statement can serve as a keynote to Chairman CELLER's public life.

On this occasion, I want to offer to "MANNIE" my sincerest wishes for his continued good health. I know that his wise counsel, rich experience, and helpful guidance will be missed.

I might note, Mr. Speaker, that this body recently voted to change the name of the building in which my district office is located from the Federal Building to the Emanuel Celler Building.

"DOPED" VERSUS DRUGS

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. McEWEN. Mr. Speaker, I would like to take this opportunity to call to the attention of my colleagues a very fine voluntary effort by the people of a small community to do something about drug and alcohol abuse.

Two Georgia-Pacific employees, James Duquette and Peter Poissant of Chazy, N.Y., were so concerned with the drug problem in the small community that, together with New York State employee, Joan Neverett, they launched Operation DOPED—Drive Out Pushers and Eliminate Drugs.

I feel the program is excellent and one with which many other communities might have success. I am pround of the fact that my constituents were dedicated enough to the cure of this problem to devote their time and energy to help solve it.

I have included a description of the program.

GEORGIA-PACIFIC "DOPES" DRUGS

Most of America knows that small towns, as well as large cities, must face the current drug problem. No exception is Chazy, New York (population approximately 3,400) where two local residents employed at a Georgia-Pacific Corporation paper mill in nearby Plattsburgh joined a state employee to launch Operation DOPED to meet the drug problem head on.

The initials stand for "Drive Out Pushers and Eliminate Drugs." Since its start in April, it has grown into an integral part of the community.

The two G-P employees are James Duquette, 26, assistant personnel manager, and Peter Poissant, 45, core machine operator. The third initiator is Joan Neverett, employed by the New York State Department of Labor.

Duquette, who had previously worked for the State Narcotic Addiction Control Commission, had experience in the field and was recommended to Pete by Frank Stefanick, G-P's personnel manager at Plattsburgh.

Poissant conceived the idea for DOPED early this year because, he says, "I knew the problem was there and I have four kids of my own to protect. The idea is that we like the kids. The problem kids are not bad apples, but they are doing a bad thing (drugs and alcohol). We wanted to help, yet stay friends with them."

Though Pete admits the local problem was relative to the small size of the town, he says they "wanted to do something constructive and to aid law enforcement. The high school has about 1,000 students and real pride in its experimental curriculum. We don't want anything getting in the way."

Many big cities might learn from little Chazy. This is how the program works:

DOPED offers rewards for information which will lead to the arrest and conviction of drug pushers or distributors of alcohol to minors. Tips are held in confidence and rewards are to be distributed in a manner to prevent identification.

Money for rewards comes from public donation under guidance of a local steering committee and with the cooperation of the State Police area commander. So far the $1,850 raised includes the 25¢ allowance of an eight-year-old boy, $25 from an older lady pleased at being remembered in the drive, and $2 from a Connecticut traveler who said he appreciated seeing a community "digging in to do something about your problems."

Their budget required only $1,500.

Operation DOPED has had a number of good effects thus far. The fund raising involved the total community, engaged the help of young people, showed the youngsters the community cares, discouraged minors' use of drugs and alcohol because group pressure was lessened, and put a new deterrent in the way of pushers.

It also quieted those "loudest supporters of drug abuse," brought queries from other communities in outlying areas who like the idea, and helped the police.

Says Sgt. Richard Trombley of the Plattsburgh, New York, State Police office: "Because of DOPED, the drug people have ceased to operate openly. We don't believe the traffic has dried up, but they know the community isn't going to tolerate them."

He added: "Jim (Duquette) and Pete (Poissant) are both great guys. I've known Pete all my life. Chazy is my home town."

Surprising to many is the fact that results have come almost entirely from the fund drive itself rather than payment of rewards. The evidence of community togetherness against drug and alcohol abuse appears to be the secret of success.

Not one reward has been paid yet. The one anonymous phone call so far reported a cocaine party but asked no money in return. Police response was immediate.

If the time ever comes to streamline the name of Operation DOPED, the three founders can merely combine the first letters of their last names—N.P.D. (Never Push Drugs).

SALUTE TO HON. EMANUEL CELLER

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. MINISH. Mr. Speaker, after a generation of service in the House and after more than 20 years as chairman of the House Judiciary Committee, EMANUEL CELLER is retiring.

For many of us who have served with him, it is hard to believe he will not be with us next session. In the 10 years I have had the honor of serving in Congress, I have always looked to "MANNY" CELLER to epitomize fair-mindedness and gallantry. He has always lived up to his word, and would only give it when it was appropriate. Many of CELLER's juniors admired his sound judgment and well-considered opinions. He was not only a judicious leader of the Judiciary Committee, but was a leading spokesman for many who were unfairly deprived of their constitutional rights.

MANNY's contributions to the body of Federal law is immeasurable. His impact will be as strong as ever despite his absence in the House.

To my good friend and associate MANNY CELLER, I should like to extend my best wishes for a lively and interesting time at his new endeavors. I know that I and my colleagues shall miss him.

DEFENSE OF THE AUTOMOBILE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BARING. Mr. Speaker, we hear much criticism these days of American business. The critics claim to base their criticism on such problems as overpopulation, environmental concern, and consumer representation. A spirited defense of American business, particularly the automobile and tire businesses, was given recently by Charles A. Eaves, Jr., executive vice president of the Goodyear Tire & Rubber Co. In an address to a recent convention of the National Tire Dealers & Retreaders Association in Las Vegas, Nev., Mr. Eaves said that—

> All of us in business have too long accepted what initially appears to be the easy way out when faced with unfair bureaucratic criticism or legislation.

And he urged his listeners:

> To speak out strongly while there is still time.

Saying that he thinks our Nation can accommodate quite a few more cars, roads, and people without resorting to a path of "zero growth or transportation and economic regression," Mr. Eaves reminds us that—

> With 80 per cent of our population living on just 2 per cent of our land, we don't have over-population of cars or people—we have over-concentration.

And he suggests that the reasonable solution "is not to eliminate people or cars, but to disperse them through realistic but positive planning of highway systems and mass transportation." I commend Mr. Eaves' address to my colleagues and include it at this point in my remarks:

IN DEFENSE OF THE AUTOMOBILE

Recently, I was reviewing some of the present day complications in selling a product like a tire that—despite many changes and improvements over the years—still is round and basic black, just as it was at the turn of the century.

Then, I happened to pick up the September 16 issue of Business Week magazine and read an article about a man named Frank Perdue, who is making a fortune out of—not tires—but chickens.

Now when you think you have problems in sales, gross profits or merchandising while dealing in tires, just consider the chicken:

It's among the cheapest and least glamorous of meats,

In bygone years, it was a plucked prop for the lowest form of entertainment in vaudeville and slapstick,

It is sometimes a synonym for lack of courage,

And a chicken is hardly ever an object, at first glance, for innovation or romanticizing.

But Perdue, a meat processor from Salisbury, Md., didn't see the chicken that way.

Instead, he envisioned the chicken as a quality commodity, an object of beauty in the meatcase and on the serving tray, a treat for both eye and palate.

So he carried his enthusiasm into vigorous advertising in print and on television in the East, and set out to create a brand identity for *his* broilers.

His advertising tells how his chickens get their healthy yellow color and delicious taste from nutritious foods—including an exotic mash made from *marigold* petals.

Face to face on television, Perdue tells you that, "It Takes a Tough Man to Make a Tender Chicken," and how proud he is to put his name on his product.

In retail outlets, tags of different colors help the customer select packages of legs, thighs or other parts, and promise "Quality Guaranteed or Your Money Back."

All of this, in a market where a processor's profit runs between a quarter cent and a half a cent a pound.

In four good years, Perdue has doubled the sales of his brand and has become the country's biggest producer of branded broilers.

The public is paying as much as 25 per cent more at the retail point of sale for the name and the guarantee of value Perdue has brought to the chicken business.

Now what does all this have to do with tires?

Frankly, after reading that article, the possibilities for progress in the tire business look better than ever to me.

Frank Perdue found merchandising benefits in legs, thighs, necks and gizzards.

And here we are, taking a fresh look at our product that today can feature exotic new rubbers, fabrics unheard of just a few years ago, steel cord, low-slung racy shapes, eye-catching sidewalls, and tread designs that really contribute to traction;

A product that can carry you over our highways at an exhilarating pace and help give you access to the most remote sections of our land—and all of this in ever-increasing safety.

Frank Perdue made it an honor to sell a chicken.

His story helps me come to you with enthusiasm about the privilege it is for me to be on this platform . . . confident that none of us will lay an egg by continuing with our eggs in the tire business basket.

However, like Frank Perdue, we must learn to speak out! Let's tell the story of our business, its good points, its benefits, its values.

And so, today I would like to speak out in defense of the automobile, the wheel and the tire that goes on it; of hard work, competition and free enterprise—all of the things so quickly suspect to many who expect simple explanations and simple solutions for all of the nation's ills.

I will plead with you to raise the voice of reason to those who would throw away the whole car . . . without even checking to see what's wrong when it sputters . . . without a thought as to alternatives or consequences.

Or to those who would put a governor on the car by excessive regulation, handicap it against competition, and still expect it to make top speed while carrying a very substantial part of the load of the U.S. economy.

I will ask you to speak out when you leave here, loudly and clearly, to make the voice of reason heard, so that the jury of public opinion can achieve balance in its deliberations.

And since we're serving as our own court and counsel at this 52nd annual convention of the National Tire Dealers and Retreaders Association, let's make a point of order that no useful purpose can be served by a lengthy review of the history of automobile America.

Let us explore instead the consequences of any hasty, expedient measures proposed as cure-alls for problems caused by a growing population, a narrowing of the technology gap between us and other nations, and the inability of the U.S.A. to indefinitely absorb every demand on its largesse without someone ultimately paying both principal and interest.

As the old saying goes, "There's no free lunch."

All of us here today are familiar with some of the effects of the panacea approach to problems that have been generations in formation.

For example, safety experts attribute a major part of the appalling accident and death rate on the nation's highways to outmoded roads, driver negligence, and poor vehicle maintenance.

Yet, consumer champions and designated segments of government concentrate on criticism of the engineering of the automobile and the performance of its tires.

They show much less concern over the fact that only 32 states have mandatory vehicle inspection laws, and only 32 states mandate that tires must be removed from a car as unsafe when worn to the treadwear indicators. And even many of these states are less than adequate in their enforcement.

Nor do they seem forcefully concerned enough over present lack of progress in keeping the drunk or incapable driver off the road . . . despite evidence that 50 per cent of the drivers involved in accidents have been drinking.

Instead, they attack the motor vehicle itself, on many grounds:

That it is inefficient, taking too much space and fuel to transport an average of 1.9 people,

That it kills and maims too many people—according to them—all by itself,

That it causes the countryside to be paved over with highways,

Pollutes the air,

And takes too much tax money for roads and streets.

Some of these critics offer what they consider to be solutions.

Unfortunately, even though we now are a nation of more than 200-million souls, many of these alleged solutions would move transportation back to the age when our population of horses about equalled that of our people.

One such solution advocates siphoning off money from the Highway Trust Fund. Revenues for this fund come from special taxes on motor vehicle owners and operators. Some forces now propose using this money for mass transit systems like railroads.

In fact, last month the Senate approved an amendment by Senator Cooper of Kentucky that would permit up to $800-million to be diverted from the Highway Trust Fund for purchase of rail or bus transit equipment. House action still is pending.

Another group calls for cars that are not only safer, but smaller and fewer.

Fewer and smaller cars, they reason, would result in fewer accidents, reduce pollution, remedy traffic congestion, and force people to the use of mass transportation.

That this approach also would reduce employment and wages, and close down thousands of small businesses, not to mention posing somewhat of a transportation problem while we wait for the necessary mass transport systems to materialize, doesn't seem to concern them.

I sometimes suspect there may be an organization newly interested in horse breeding among the supporters of the fewer-car theory.

If the required number of horses, pulling rubber-tired vehicles, prevail over the motor car some time in the future, I'm sure another government agency will have to be formed to study a new pollution problem.

Personally, I think this nation can accommodate quite a few more cars, roads—and people—without resorting to a path of zero growth or transportation and economic regression.

In the year 1916, we had a population of 102-million people who owned 3.6-million motor vehicles.

Today, our people population has doubled while our vehicle population has increased 30 times.

Yet, our mileage of roads and streets has increased by less than a fourth since 1916.

One sometimes wonders whether the anti-car, anti-highway people know—or ignore—the fact that all of the streets and roads in the United States today occupy less than one per cent of the land.

Or that despite ever increasing total mileage driven, vehicle accidents per mile have declined steadily over the last 50 years through improvements in cars and highways.

Along those lines, it was very encouraging recently to see the Department of Transportation propose to strengthen Highway Safety Program standards.

The proposal would move all of our states toward such steps as periodic motor vehicle inspection, stiffer screening in driver licensing, mandatory use of seatbelts, improved driver education, tougher laws on drunk driving, and uniform traffic regulations.

That is the kind of positive approach that really gets to the heart of reducing the accident rate.

As for jams of cars or people, it's really not a problem of total numbers.

We don't have over-*population* of cars or people in the United States—we have over-*concentration*.

Eighty per cent of our population lives on just two per cent of our land.

Thus, the reasonable solution is not to *eliminate* people or cars, but to *disperse* them.

To give them the means and freedom to spread themselves around.

The logical approach is through further improvements in roads and the use of those much maligned commodities—the automobile, the truck and the motor bus.

The relatively fixed routes of other forms of mass transit, like rail systems, certainly have a place. But they tend to foster concentration of people, not relieve it.

We need planning—realistic but positive planning—to remedy concentration and congestion of people and vehicles.

It is neither realistic nor positive to let access to our cities get congested and unpleasant, merely on the theory that people eventually will find some other way to get there.

As tire men, you can appreciate the disruption that can be caused by negative, unrealistic approaches to the transportation challenges ahead.

But don't be complacent in your knowledge. Raise your voices so that others will know, too.

Regression need not necessarily come by dramatic measures like banning cars and trucks, or restricting the construction of needed highways.

It can tiptoe in quietly and strangle us slowly through discriminatory taxation or regulation.

Often it comes in the guise of a "cure-all" for a problem, with no real confrontation of the issues involved.

For example, in recent years, as the technology of foreign nations improved, U.S. manufacturing began to fall behind in percentage of productivity increase.

Thus, understandably, goods produced by foreign manufacturers are making serious dents in our U.S. markets. Shoes are one example. Others include autos, radios, television sets and, yes, tires.

One way to reverse this trend would be to encourage productivity in relation to the boosts in wages over the last several years through elimination of feather-bedding and other restrictive work practices.

However, so far, many labor leaders have opted instead to wage a campaign against American multinational companies, accusing them of exporting jobs to beat wage costs here and of contributing to the trade deficit.

Legislation such as the labor-backed Burke-Hartke bill would impose double taxation on American firms with plants abroad and have the effect of slowing—if not stopping, their overseas operations while reducing our export trade even more.

In our own industry, the output of overseas plants is primarily dedicated to the serving of overseas markets. Our plants in America have no way to compete effectively abroad under present conditions of foreign tariff walls and lower labor costs.

U.S. jobs actually would be lost, not gained, under such a move to economic isolationism.

Yet, beset by an import situation which lack of productivity helped create, labor leaders make American businessmen the goats. Whatever the cost to the country, that's easier than telling their union members that they must increase productivity and face up to needed labor reforms.

As tire men and businessmen, you have seen many examples of the strangulating effect discriminatory taxation and regulation can have on a business, an industry, the economy and eventually the very people the action was supposed to help.

Bill Marsh told me before the meeting today that five tire dealers went out of business in the past six months because they felt it too difficult to cope with the demands of the federal government.

Many of you attending this convention, like myself, are wondering what proposed government standards will mean to the retread business.

Now I'm not going to rehash all the elements of that question.

But along with your organization and the Rubber Manufacturers Association, we at Goodyear have spent days and months in preparing facts and suggestions for the Department of Transportation, and many hours in presenting them.

Our hope, like yours, is that the final standard will permit quality retreading to survive and prosper.

We'll continue to work toward that end.

But you'll have to speak out as individuals in every way you know how. Don't leave it all up to your supplier, or the NTDRA or one day you'll find yourself writing off your retreading investment, as will Goodyear.

I have no idea what the final retreading outcome will be. It may be that we'll have to tell our customers not to drive over 60 miles per hour on our retreaded tires, or they may wind up in jail.

I hope not. I believe that our retreading is better than that.

I do believe, though, that in pursuit of retread quality, there is more weeding out ahead in the garden of retreading.

And I can't be very optimistic about the future of any retreaders who may plan to operate with no real quality control behind their products.

Bill Marsh also advised me that many of you have some concern about another area of our business:

About the question of what radial tires will do to the tire market.

Bill says some of you even are wondering whether the tire industry is about to improve itself and its dealers right of the replacement business.

It seems to me I've heard that song before.

Remember a few years ago when someone talked about a 100,000-mile tire? Just the thought of such a tire struck panic deep in the hearts of some tire dealers.

More recently, there was talk that the bias-belted tire would shrink the market with its long treadware expectancy.

And what has happened?

Tire sales have continued to rise, right along with increases in total mileage driven each year and the rise in the average safe driving speeds on our still improving highway system.

I don't know of one dealer who lost ground in his business, due to the long-wearing performance of bias-belted tires.

In fact, most of you who adjusted to new marketing and buying trends have prospered as never before.

But now it's radials to be concerned about.

Perhaps I can reassure you on that point by citing some statistics from Western Europe:

In 1965, Western Europe had a total of 25-million auto registrations and radial tires occupied 28 per cent of the total replacement tire market.

By 1971, auto registrations had increased to 39-million, and the radial's share of the replacement tire market had risen to more than 65 per cent.

Now during that same period—1965 to 1971 total replacement tire sales in Western Europe rose from 28½-million units to nearly 53-million units.

But more importantly, despite the huge increase in the radial share of that Western Europe replacement market, sales of replacement tire units per car increased all the way from 1.14 to 1.37.

Here's another thought for you:

One of the interests of the Department of Transportation these days is in establishing levels of tire traction in a quality grading system.

As you know, when it comes to just the tread rubber of a tire, improvements in traction usually can be gained only at a sacrifice in wear.

However, belted tires, by reducing the scrubbing action of the tread, provided longer tire mileage without going to harder tread compounds.

It may well be that in the future we will be asked to trade off some of the long wear inherent in belted tires for a tread that will deliver very high traction.

So far as Goodyear is concerned, our position on radials is the same one we've had for many years on all tire constructions and materials. And that is this:

"As new products and markets emerge we will be in the forefront of development so that we can meet our customer demands, as we have done in the past, and will continue to do in the future."

We have been making radial tires in 20 countries, including the United States, and we manufacture and sell more radial tires worldwide than any other U.S. manufacturer.

We are increasing our capacity rapidly for radials in this country, including steel-belted radials.

And we are doing this in an orderly fashion, in keeping with the actual pace of the demand for radials, so that we can give you and your customers the kind of product and quality you want and deserve.

Whatever the mix in constructions, there are exciting and profitable years ahead for all of us.

Our projections indicate the renewal auto tire market will grow from an anticipated 148-million units this year to a figure approaching 200-million units by 1980.

I would caution you, however, not to concentrate on radials to the detriment of the rest of the auto tire construction mix.

If you concentrate too heavily on radials, someone else is going to make a lot of money serving those big markets for bias-ply and bias-belted tires. And you will be losing a great opportunity for sales and profit.

If you want still more inspiration, consider the market in truck tire sales:

Last year, renewal sales totaled 19.7-million units. This year, they're expected to reach more than 21.1-million. And by 1980, we expect them to reach 29-million units.

Some of that will come from the big trucks and commercial trailers, required to move the increasing output of American industry in general.

But a lot will come from the owners of small trucks, being used increasingly for both personal driving and for recreational purposes.

And from recreational vehicles themselves—motor homes, campers, boat trailers, all the equipment that has come along with the Age of Travel and Recreation.

This kind of vehicle represents the new land of opportunity in the tire business.

True, there are some problems to handle in setting up to obtain this kind of business:

Inventory of tires and wheels, education on the relatively high inflations required by some of the tires and on picking the proper size for the load and service—just to name the major ones.

But it can be handled. Currently, most of the camper and pickup business is going to outlets like tire company stores and mass merchandisers who have taken on the necessary service and accessories.

But our success shows it can be handled, and profitably. My suggestion to you is to get on board, and ride the crest with us. Don't cop out on this profit opportunity.

So, whether tires are wearing longer these days (and they are), whether it takes some effort to get in on the new markets like recreation tires, or what have you, please be positive and enthusiastic about the future of the tire business.

Prophesying doom without foundation or thought has just one drawback:

Do it too loud and too often and someone may believe you.

I urge you not to join the "Prophets of Doom" in an attitude toward a great business that shows every sign of continuing the growth it has enjoyed since its inception.

We all should be directing our concern instead toward creating and maintaining a favorable climate for our business . . . for all business.

American business and industry is being made the goat for far too many things:

For air and water pollution, lags in civil rights, equal opportunity, education, and housing for minorities and the underprivileged.

And even for the quality of American culture, whatever's lacking in that.

As the indigestion victim says in the television commercial, "It's hard to believe we did the whoooole thing!"

Nevertheless, businessmen such as you and companies such as the one I work for have shouldered a heavy burden in trying to pull our share of the load in such matters.

Heavy expenditures are being made to correct plants and processes that contribute to pollution. Auto engines are being redesigned.

Training programs have been instituted to qualify the underprivileged for jobs.

Additional taxes have been assumed to pay for the many ways in which the government is trying to bring a better life to all the people.

And at the same time, we continue to strive for the profits that will permit the economy to grow as well as prosper.

It isn't easy.

Henry Ford II, chairman of the Ford Motor Company, with a record of social responsibility, stressed recently that companies "must be profitable in order to survive and to serve any function whatsoever in society."

He said corporations are not "all-purpose mechanisms" and are not well-equipped—in terms of their experience, skills and basic motivations—to serve social needs that are unrelated to their business operations.

The socially responsible industrial corporation, he said, "Isn't a general-purpose public service institution. It is a profit-making business which carries out traditional business functions in a socially responsible manner."

What Mr. Ford was saying, in effect, is that business can't do the whole social responsibility thing, all by itself, and continue to provide jobs and wages and all of those mundane, material items necessary to existence.

There *are* great problems facing the nation; problems calling for steps more progressive than any ever undertaken in our history.

But these steps must be taken together—by government, by business, by labor, by all of the people, including those who sit in our great Halls of Learning and tell us what we're doing wrong, but not how to do it right.

It's one thing to worry about probable future fuel and power shortages and another to look seriously for alternatives. It's one thing to fret and fume about such shortages, and another to unequivocally oppose development of nuclear reactors for power, and assume the majority doesn't want or doesn't need it.

Do you feel some of these issues are beyond your area of concern, responsibility or ability to do anything about them?

No so. All of them are your concern, as well as mine and your association's. All of them ultimately can affect your business, and your way of life, one way or another.

The move that saps the productivity and profitability of the tire manufacturer is the move that makes the tires you sell less competitive against imports—because we *must* have capital investment to get us even or better so we can provide jobs to make competitive products.

The jobs that are lost to any industry represent a loss of purchasing power that will be felt in your business.

Believe it or not, government still is willing to respond to the will of the people, or to what it *believes* to be the will of the people.

But if only the voices of the extremists are heard, who is to blame if the government responds with extremist measures?

Perhaps if we had raised our voices a little louder in the mid-sixties, we would not now be shouldered with some of the costly, time-consuming features of tire standards and tire registration, with little apparent consumer interest or benefit.

I think all of us in business have too long accepted what initially appears to be the easy way out when faced with unfair bureaucratic criticism or legislation. And I'll concede that your suppliers, when they look at the legal costs to fight, have sometimes failed to stand behind their convictions.

Regardless of the possible good intentions of those whose efforts could hamstring business, there can be only one verdict as to the course we must take.

And that course is one of positive action—with our customers, in our communities, and to our representatives in government.

Milk spilt is usually spilled forever.

History shows that it takes far longer to amend and temper crippling legislation than it does to enact it.

That controls, regulations and restrictions tend to proliferate and grow, not abate and shrivel.

We know from personal experience, those of us in the tire business, that the people who raise their voices against us seldom bother themselves with all the facts, consideration of consequences, or even a retraction when proven to be in error.

We know that businessmen generally are reluctant to speak out in their own defense.

But it's time to speak out!

So I urge you to speak out strongly in defense of the automobile as a sound and practical means of transportation, to speak out in defense of the wheel and the tire that goes on it, to speak out in favor of hard work, competition and free enterprise—while there is still time.

See your congressman. Tell your senator. Write your newspaper. Put your opinions in Bill Marsh's hands, too. Remember, the business you save may be your very own.

CHECKING ON THE INTER-AMERICAN DEVELOPMENT BANK

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ASHBROOK. Mr. Speaker, in December 1959, 19 Latin American countries and the United States agreed to the establishment of the Inter-American development Bank—IDB—the purpose of which was to promote the economic development of its member countries, individually and collectively. An article in the present issue of Barron's, the national business and financial weekly, by Shirley Scheibla, that publication's alert investigative reporter, points out that the IDB's operations have been somewhat less than responsible.

Citing a report by the General Accounting Office, the financial watchdog for Congress, Mrs. Scheibla details various areas and describes the GAO review as "one of the most devastating critiques of a financial institution ever made." It is not surprising to learn that Uncle Sam is, as usual, left holding the bag as we furnish 95 percent of its hard currency. Fortunately, committees in the House are looking into IDB's operations, and it is hoped that a firm position by Congress will result in much neded corrective action.

At this point I insert the Scheibla's article as it appeared in the October 16 issue of Barron's:

IN THE BORROWER'S INTEREST—THAT'S HOW THE INTER-AMERICAN DEVELOPMENT BANK IS RUN

(By Shirley Scheibla)

As Congress rushed toward adjournment last week, the House and Senate still had not agreed on an appropriation for the Inter-American Development Bank (IDB). The Administration asked for $837 million to add to the $3.5 billion the U.S. already has contributed. The Senate approved the full amount, while the House cut it to $418 million. If the two chambers do not reach a compromise before adjournment, they are expected to authorize a continuing resolution giving IDB either the lower House figure or the 1972 appropriation of $211 million. But even if the final 1973 appropriation comes to $837 million, the Administration would have to seek half a billion dollars more for fiscal 1974 to fulfill its pledge for IDB replenishment.

Since large sums are involved and the U.S. provides 95% of IDB's hard currency, Congress would like to know how the money is spent. Accordingly, its investigative arm, the General Accounting Office, set about to determine the effectiveness of U.S. participation in the IDB. The result is one of the most devastating critiques of a financial institution ever made. Indeed, the U.S. Treasury, officially charged with overseeing U.S. participation, was so concerned that it had parts of the report classified "Confidential."

FACE-SAVING MOVE

There is considerable disagreement regarding the classification within both Congress and the GAO—some officials pointedly suggest that its primary purpose is to spare the Treasury embarrassment. One can readily understand why. For the report shows that IDB loans are made on political grounds without economic criteria. In some cases loans have been made also to developed countries well able to obtain private market financing and to institutions that did not even exist. GAO found that the emphasis has been on a steady flow of aid, with scant heed paid to performance. The report concludes that the bank is run by and for the recipients of its largesse, with the main source of it, the U.S., failing to use the leverage which it commands.

Congress has been notably ill-informed regarding what goes on in the Bank. The U.S. Treasury refused to furnish the GAO minutes of the meeting of the IDB's executive directors, quarterly reports on problem loans and a consultant's study of the bank, all of which are available to the Department. When asked for its file of correspondence with the U.S. director, the Treasury produced only two documents later than 1962. Nevertheless, from other sources like the National Security Council and the State Department, the GAO was able to compile a remarkable amount of information.

One of the main reasons for the report's "Confidential" classification is its discussion of IDB operations in Paraguay. According to GAO, the Bank's own Group of Controllers for Evaluation & Review found that, "In IDB's eagerness to develop institutions (in Paraguay), loans and grants were made to institutions that did not physically exist at the time, and, in some cases, had no defined programs or specific projects on which the money could be spent. Some of the institutions that did exist still do not have the capacity to undertake new responsibilities. In most cases in which lagging disbursements were a problem, the borrowers did not have the technical or administrative capacity to meet the deadline set for project implementation."

GAO said the Group also found "an implied intention" by IDB management to mislead its board of executive directors regarding the cost of the Acaray hydroelectric project in Paraguay. The cost estimate was revised from $30 million to $24 million to win the board's approval. Now, however, the cost has mounted to $36.6 million.

PERMISSIVE ATTITUDE

Regarding IDB's general operations, the U.S. executive director wrote an official of the National Security Council: "There are too many cases where originally planned projects are substantially modified in the course of implementation and disbursements made without reference to initially established conditions. This situation is in part a reflection of less than adequate advance planning, but it also reflects a rather permissive attitude on the part of bank management and staff in the interest of avoiding loan cancellations."

On April 20, 1970, IDB formally authorized $26.4 million "to assist in financing the final design and reconstruction and paving of the Villa Hayes-Filadelfia section of the Trans-Chaco Highway in Paraguay." An IDB feasibility study found that the project would cost $24.5 million and would benefit half the Chaco region, with a population of 56,539. However, on a visit to the U.S. Embassy in Paraguay, the GAO learned that the population totaled only 8,000. Moreover, an official of the U.S. Agency for International Development (AID) estimated the cost at $45 million, and representatives of the International Bank for Reconstruction & Development (World Bank) put it at $40 million. In the end, IDB accepted an estimated cost of $33 million, with the difference between that and the loan to be made up of local currency supplied by the government of Paraguay.

The Inter-American Committee on the Alliance for Progress (CIAP), which is supposed to evaluate such projects, had a spirited discussion on the Paraguayan loan. The World Bank opposed it, primarily because a fiscal crisis was looming in Paraguay and the project would yield little benefit. However, according to a memorandum from an AID official published in the GAO report, "The IDB representative indicated that he felt that the priorities for loans and projects were a matter for the Paraguayan government, that President Stroessner has identified this project as his No. 1 priority, and that the IDB will respect this government of Paraguay priority selection since 'it is a technically sound project.' "

INDEFINITELY POSTPONED

In an oblique reference to Paraguay's aforementioned fiscal crisis, GAO said, "We understand that the government of Paraguay did not pass income tax measures until May 1971 and that the measures would not become effective until January 1972. A law passed in late December 1971 postponed implementation of these measures indefinitely."

Another controversial IDB loan analyzed in the GAO report concerns $10.5 million to Argentina for a program aimed at eradication of hoof and mouth disease. The U.S. Embassy found that it would only marginally contribute to its purpose and would be a poor use of limited resources. Various U.S. officials and technicians questioned whether the institution designated to carry out the program had the capacity to do so.

The National Advisory Council on International Monetary & Financial Policies discussed all these questions, and then approved the loan without answering them. It serves as staff for the Treasury in participating in IDB and other international financial institutions.

According to GAO, the U.S. Treasury has informally opposed but never voted against loans to countries which have expropriated U.S. property; as a result, several have been approved. These include five loans totaling $91.1 million to Peru and two loans for $25 million to Bolivia.

In March of 1972, Congress amended the IDB Act to require the U.S. executive director to vote against a loan to any country which has expropriated U.S. property. According to the GAO, however, this can block only a loan from the bank's Fund for Special Operations (FSO), the only fund to which the U.S. contributes the majority of capital and commands a majority vote.

GAO RECOMMENDATION

GAO recommended that the U.S. "actively promote an enforceable set of criteria on IDB lending to countries involved in expropriation to extend the intent of the Congress to lending from ordinary capital."

Page 25 of the GAO report had this to say: "U.S. officials initially sought a 1971 replenishment contribution of $600 million for FSO from the 22 Latin American members to match a proposed U.S. contribution of $900 million. The rationale for seeking the increased level of contributions from Latin American members included demonstrating for the benefit of the U.S. Congress a progressive Latin American interest in self-help. . . .

"However, the Latin American members refused the U.S. proposal and seemed willing to hold the replenishment of FSO to the 1967 level if the executive branch were willing to retain the previous replenishment ratio of U.S. to Latin American contributions at 3 to 1. In the interest of reducing this ratio to 2 to 1, the executive branch agreed to increase the U.S. contributions to $1 billion in return for a Latin American contribution of $500 million. It should be recalled that the Latin American contributions to FSO are in local currencies and that those of the United States are in dollars. Confidential.

"We did not see much evidence in the way of IDB reforms that would be undertaken in return for the U.S. commitment other than the fact that loans made from FSO were supposed to become repayable in the currency borrowed beginning with this replenishment. In fact, the question of whether the U.S. contribution should be made contingent under desired changes with IDB was raised during debates within the executive branch of the replenishment. Confidential.

AVOID HANG-UPS

"However, emphasis seemed to be on avoiding any 'hang-ups' with the Latin American members that would upset the Congressional timetable for approving the necessary legislation for the U.S. contribution. The prevailing decision was to draw attention to the changes needed but not to make the U.S. contribution contingent upon their implementation. Confidential."

GAO also maintained that the last U.S. contribution to IDB could have been delayed if funds to develop countries had been limited. It said the executive branch is concerned over unrestricted access to FSO's soft loans by developed countries, but has done little about it.

Back in 1967, Congress passed the Selden Amendment, which called for the U.S. director of IDB to propose independent audits of IDB by an international group. The GAO challenges the independence of the Group of Controllers for Evaluation & Review which was established in response the following year. Its three members—from the U.S., Brazil and Panama—all work under the guidance of and report to IDB's board.

The Selden Amendment also calls for the Comptroller General to analyse the reports for Congress. GAO found the Group's first three reports generally incompetent. While it has not yet finished studying the fourth report, on education, GAO said it "seems to represent a thorough analysis of existing conditions, and its conclusions are supported by examples." But the Treasury rejected the GAO suggestion that it advise the Comptroller General of its view of the recommendations of the Group and any IDB actions based on them. The Treasury argued that this would place the Congressional investigative arm in an improper supervisory role.

ADVICE IGNORED

The Group noted that after more than 10 years of activity, IDB still has no manuals of operations to guide its staff on matters of technical assistance, loan processing, loan administration, reporting requirements or project evaluation. That seems to leave a great deal to the judgment of technicians. But, according to GAO, their advice is often ignored or over-ridden.

Now the Administration is trying to attack other donor members to the Bank, believing this to be the key to more stringent performance criteria. GAO indicates that such a move "will place buffer states between the Latin American members and the U.S. to avoid confrontations."

Canada became a member on May 3, 1972, and, according to Joaquin E. Meyer, IDB information director, Germany and Japan have shown an interest in joining. During the last week of September, he said a special committee of the board of governors, representing all member countries, held executive sessions in Washington on questions regarding admittance of other donor members. But Mr. Meyer expects no decisions for six months to a year. Matters in contention include whether new donor members should be given the right to appoint governors and how many executive directors should represent them.

Venezuela, Argentina and Uruguay have suggested changing the bank's charter to permit it to move its headquarters to Latin America.

"HARD WAY TO OPERATE"

GAO's startling report has not gone unnoticed by Congress; despite its "Confidential" classification, all members are entitled to see it. The 107-page document is labeled "confidential" or "unclassified," paragraph by paragraph, thus requiring the confidential classification for the entire document because it contains confidential passages. On September 21, the Inter-American Affairs Subcommittee of the House Foreign Affairs Committee, held an open hearing on the unclassified parts of the report. Subcommittee Chairman Dante B. Fascell (D., Fla.) commented during the hearing, "I can't see what's so sensitive about who did or didn't get money and the conditions under which they got it. If Mr. Passman keeps chopping away, sooner or later we'll probably get information, but it seems a hard way to operate."

Rep. Fascell was referring to sections 504 of the pending appropriations bill authorized by Rep. Otto E. Passman (D., La.), chairman of the Foreign Operations Subcommittee of the House Appropriations Committee. It stipulates that none of the funds appropriated for any international financial institution shall be available unless subject to an audit by the Comptroller General of the U.S. Opponents say such an audit would eliminate the most attractive feature of the multinational approach, which separates economic aid and politics. The GAO report established, however, that this aim has not been achieved at the IDB.

At the end of its report, GAO said: "The Congress may wish to consider: 'whether the executive branch's low-profile approach in dealing with IDB and its members is compatible with the magnitude of financial support the Congress is asked to approve for contributions to IDB.

"Whether the executive agencies' decision to withhold certain information from us and the Congress concerning IDB activities is compatible with such level of support.' "

TRIBUTE TO THOMAS G. ABERNETHY

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. McMILLAN. Mr. Speaker, I want to join my colleagues in honoring the honorable THOMAS ABERNETHY who is retiring from Congress this year. I consider Congressman ABERNETHY one of the ablest Congressmen on Capitol Hill and certainly one of the most outstanding lawyers in the Congress. I have sat next to Congressman ABERNETHY on the Agriculture Committee during the past 28 years and have also served with him on the House District Committee since he became a member of that committee. Mr. ABERNETHY is one of our outstanding presiding officers and I doubt if there is any Congressman who can do a better job of presiding over bills in the Congress.

It has been a real pleasure to know Congressman ABERNETHY's wife and children. They are a credit to the State of Mississippi and our country.

The Congress and our Nation have suffered a great loss in TOM's decision not to be a candidate again.

HON. JIM KEE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, I rise to take this opportunity to salute Congressman Jim Kee of West Virginia—my friend and a man I admire greatly.

Jim and I served together on both our committee assignments of Public Works and Interior and Insular Affairs. It is a pleasure to have had the privilege of serving with him in the Congress and his loss will be sorely felt in the committees and in the House. His West Virginia constituents will miss his effective and innovative leadership.

Even though we are of different political parties, Jim and I have developed a close and very fruitful working and personal relationship during his years in the Congress and I truly regret the fact that he will not be among us when the Congress reconvenes in January.

We have shared many goals and accomplishments over the years through the time of our service together, and I can assure my distinguished friend that I shall never forget his friendship. Knowing him as I do I am sure we can count on his continuing interest and involvement in public affairs. I only ask that I can count on having his continuing advice and counsel from time to time because he is a veritable "walking encyclopedia" due to his many years of service on Capitol Hill as a Congressman, a staff member, the son of a wonderful mother and father, who like Jim, also had very distinguished records of service in this House of Representatives.

As I have accompanied Jim Kee on many committee trips, primarily associated with floods or other natural disasters throughout the entire United States, I grew to appreciate the very warm and compassionate characteristics of this man's personality. He constantly demonstrated deep concern for the disaster victim, the downtrodden, the little guy and, as we say, the average men and women in our society.

I was extended the very great privilege of being invited to speak, by the great Senator Jennings Randolph of West Virginia, at a luncheon in "Jim Kee Country," honoring a famous aviation pioneer. Also in attendance that day was Jim's lovely mother, Mrs. Kee.

At that time I remarked to both Jim and his mother that "these folks are my kind of people"—the same is true of Congressman Jim Kee. He's my kind of people.

How does one adequately describe a tried and true friend? I can only attempt to partially convey, in words, my feelings and description of him.

The Jim Kee I know and will remember is a courageous, concerned, considerate and compassionate man that really loved his family, his people and his country—he is truly a "card-carrying American."

In conclusion, I will attempt to write a couple of phrases that I believe "fit Jim Kee to a tee."

Be kind, for everyone you meet is fighting a hard battle.

One cannot find any rule of conduct to excel "simplicity" and "sincerity."

Thank you for your friendship and may the Good Lord be kindly to you, Jim.

THE 92D CONGRESS AND MONTANA

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SHOUP. Mr. Speaker, it is my feeling that during our activities as representatives of our various constituencies, we very often do not fully comprehend the long range over-view of each Congressman's philosophy and his legislative interests which reflect the views of his constituency. I insert the following remarks of mine, pertaining to my western Montana constituency, in the Congressional Record so that my fellow Representatives may examine a capsulized cross section of the areas of interest predominant in my district, and examine my basic method of personalizing my representation of western Montana:

MY PHILOSOPHY

My philosophy as Representative from the First Congressional District of Montana has been to be the representative for Montana, not from Montana. I believe that representation is best when it's closest to the people. I have represented the individual Montanan rather than having been a captive of any one organization.

Recognizing the heavy tax burden on Montanans, I have consistently voted against unwarranted federal spending.

I have been particularly active in handling constituent requests and solving problems for individuals, groups and city-county-state governments. To be sure that Montanans have ready access to myself and my staff, I have operated full-time District offices in Helena and Missoula, Montana. I have kept my Washington, D.C. office open on Saturdays and invited Montanans to call me collect, anytime.

To be sure that I am properly representing Montanans views, I return to Montana at least once every month, while maintaining a better than 90% attendance and voting record. Public listening sessions have been held in every corner of the district.

I have answered a weekly average of 500 letters and telegrams, and 250 telephone calls. I have mailed each constituent a newsletter every two months, sent papers of interest to individuals and groups, provided Federal government publications, taped a weekly radio program on current topics, and asked for Montanans views on issues and problems through questionnaire surveys.

Never before has a First District of Montana Congressman brought representation so close to his constituents.

In reflecting Montanans views, I have taken the following stands, which I think, serve to illustrate and emphasize the concern of Western Montana residents for the problems facing this nation.

I voted against massive foreign aid, which is, in reality, a subsidy for low-cost foreign labor; against using education funds for school busing solely to obtain racial balance, in that education funds must be used to improve quality of education. I supported quotas, tariffs and surcharges protecting American labor against unfair foreign competition; introduced legislation requiring rigid inspection of foreign meat slaughtered for importation to the U.S., inspection done with no cost to the U.S. taxpayer and I supported U.S. withdrawal and deescalation of the Vietnam War. I voted for Emergency Public Service Employment Funds to relieve unemployment caused by the deescalation of the war and voted to increase Social Security Benefits for the aged. I voted for welfare reform, requiring able-bodied men and women to work for welfare payments. I voted for reduction in income taxes, increased work-study funds, against the S.S.T., against the Lockheed loan. I acquired funds to correct air pollution and environmental problems in the Townsend, Montana area, introduced a bill to punish dope pushers, introduced a bill to impose severe penalties on those who use guns to commit crimes and I supported using foreign import tariffs to reforest public lands, I voted to end corruption in political campaigns by requiring reporting procedures identifying illegal contributions and expenditures, and I voted for federal funds to combat water pollution.

Mr. Speaker, I believe that through cooperative efforts, public and private, cures for diseases can be found. Rising medical costs dictate new approaches to health insurance, and in the continuation of adequately staffed local community health facilities. I supported the following list of health legislation designed to meet those needs:

H.R. 14185—Provides increased penalties for heroin pushers.

H.R. 12596—establishes a Special Action Office on Drug abuse to marshal forces to combat the drug problem.

H.R. Con. Res. 363—Supports international efforts to restrict narcotics traffic.

H.R. 3659 (PL 92-218)—Conquest of Cancer Act implements a national drive to defeat cancer.

H.R. 15375—improves national traffic and motor vehicle safety.

H.R. 8630 (PL 92-158)—Nurses' Training Act to provide grants to assist trainees in the nursing profession and to construct facilities to accomplish this training.

H.R. 8629 (PL 92-157)—Doctors' Training, similar to the Nurses' Training Act, provides funding for better facilities and training of Doctors.

H.R. 9212 (PL 92-303)—Improves and broadens benefits to survivors of coal miners who succumb to "Black Lung" (Pneumoconiosis).

H.R. 15475—Establishes National Advisory Committee on Multiple Sclerosis.

H.R. 1406 and 6956—Provides for thorough inspection of import meats and labels them as such from producer to consumer.

Mr. Speaker, I believe that one of the most important issues facing us is that of the environment. Through sound resource management practices Montana can protect its environment and, at the same time, maintain a healthy economy. The multiple use, or best use principle of land management is the key.

While Federal regulations are necessary, the prime responsibility for pollution control lies with local and State governments, however. I have reflected the feelings of Montanans in my support of the following list of environmental legislation:

H.R. 11896—Federal Water Pollution Control Act, the most comprehensive measure ever enacted to combat water pollution.

H.R. 396 & 9747—Designates as wilderness the Lincoln Back Country and Spanish areas.

H.R. 15416—Provides additional funding for improved forest management.

H.R. 5241—Encourages state and local governments to develop programs for disposing of junk cars.

H.R. 5060, 12186 & 4360—Prohibits shooting of animals from aircraft, added protection for eagles and establishment of marine sanctuaries.

H.R. 9594—To designate the Grant-Kohrs Ranch as an Historic site.

H.J. Res. 350—Establishes a joint Senate-House Committee on the environment.

H.R. 10446—Requires Federal contractors to observe sound environmental practices.

I also secured funding for dust abatement and wildlife sanctuaries in the vicinity of Canyon Ferry Dam.

Mr. Speaker, the progress we enjoy today is the result of the sweat and toil of prior generations. It is our responsibility to assure the senior citizen a life of dignity and we should utilize their experience and abilities. I supported or sponsored the following list of legislation designed to do just that:

H.R. 1—Ties Social Security benefits to cost-of-living rise.

H.R. 5861—Provides a full exemption for those 65 and older from Social Security payments.

H.R. 12306—Establishes a National Institute on Aging.

H.R. 12325—Provides homemaking and consumer education assistance for the elderly.

H.R. 13128—Updates pensions for World War I Veterans & widows.

H.R. 14977—Provides for voluntary employment programs for older Americans.

H. Res. 124—Establishes a Select Committee on the Aging to study problems and needs of the elderly.

S. 1163—Provides increases in the field of nutrition, education, and low-cost meals for the aged.

I also supported funding of the Green Thumb program and the creation and building of Senior Citizen centers.

Mr. Speaker, I believe that young adults must be respected as individuals, and must share equally as citizens, the privileges and responsibilities of our society. All Montana youth should have the chance to better themselves through Vo-Tech or college training. The future of Montana, and of the United States, lies in creating job opportunities for our youth. I have sponsored or supported the following list of legislation aimed at improving the world of the young adult:

H.R. 6531—Provides incentives for building a volunteer Army, thereby eliminating a need for the draft.

H.R. Res. 223—Amends the U.S. Constitution to lower the voting age to 18 years.

H.R. 12596—Coordinates all of the Federal agencies connected with the drug abuse problem into a Special Office for Prevention of Drug Abuse.

H. Res. 739—Expands Federal Student Intern Program for interns for employment during the summer months.

H.R. 7352—Establishes an Institute for collecting information on and training officials for the treatment and control of juvenile offenders.

H.R. 11112—Provides individual income tax deductions for Vo-Tech and other higher education costs.

H.R. 14552—Allows single individuals same tax benefits as married persons.

Mr. Speaker, we as Representatives of the people of the United States must, as a matter of necessity and expediency, improve the exchange of our own internal congressional communications so we can better understand the feelings and issues of importance facing the diverse segments of our population. I hope that this capsulized over-view of my reflection of the views of Western Montanans helps to serve that end.

MAKE THE U.S. PAY AND PAY DEARLY FOR ITS SUPPORT OF ISRAEL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RARICK. Mr. Speaker, according to reports, Eygptian President Sadat has said that he hopes to promote relations with China, to patch up his quarrel with the Soviet Union and to make the United States "pay and pay dearly" for its support of Israel.

Exactly what the Eygptian President meant by this remark is not clear. We can reasonably assume several possibilities—such as continued and/or increased terrorism, or, perhaps, even an all-out war against Israel.

The later possibility is perhaps most frightening—because it would make our national politicians put up or shut up on their pledges to aid Israel at all costs.

The Communists realize the inroads which they have made on the American people through the Vietnam War. It is certainly reasonable to assume that the American people do not want and would not support another Korea or Vietnam in the Middle East.

One thing is certain President Sadat's threat against the United States should make our politicians reflect on what is most important in their election—promises of support for Israel in return for campaign funds or promises to mothers and dads to keep us out of another war in return for reelection.

I insert a related news story following my remarks:

[From the Washington Post, Oct. 16, 1972]

ISRAEL RAIDS GUERRILLA BASES DESPITE QUIET ON BORDERS

Israeli warplanes struck yesterday at five Palestinian guerrilla bases in Lebanon and Syria.

* * * * *

Israeli Prime Minister Golda Meir said that the raid came "in order to make the terrorists conscious that Jewish blood cannot be spilled without any reaction."

She said that Lebanon and Syria were hit because in those countries terrorists planned the Munich killings, the Tel Aviv airport massacre and the wave of letter-bombs mailed to Jews.

Yesterday's raid was the first action against Arab guerrillas in Lebanon and Syria since Israel's sweep into southern Lebanon, Sept 16–17. The Israeli spokesman listed the targets in Lebanon as Sinik, near Sidon; Dakifa and Dier el Ashayer, and a guerrilla naval base at Ras el Naba, south of the Litani River Delta.

Israel's northern border has remained quiet since last month's ground incursions into 16 guerrilla bases in Lebanon.

* * * * *

"This is stupid, crazy, it makes no sense," said one Lebanese.

The response stemmed from the belief that the Lebanese government had clamped down as stiffly as is politically possible on the Palestine guerrillas here after last month's Israeli assault.

Less than 48 hours before the Israeli air bombardment of Palestinian camps near Sidon and Tyre, fighting broke out in the Arquob region of Lebanon between moderate and extremist elements of the Palestinian guerrilla movement, with losses to those guerrillas seeking a more active role against Israel.

The Lebanese army within the past week has again engaged the guerrillas in unannounced firefights to control their movements near the Israeli border. Residents of Lebanon have found a great increase in the number of army roadblocks set up to check guerrilla movements.

Foreign travelers in the border area report that the army * * * from the Israeli border.

Only Saturday, it was announced that the principal Palestinian guerrilla organizations were considering shifting their headquarters from Lebanon to Syria.

It was widely accepted by the Lebanese public that the Israeli attacks in September were a response to the Munich tragedy. But today's assault was regarded as unprovoked, uncalled for in the face of the Lebanese governments strong efforts to control the fedayeen, and likely to arouse public sympathy for the guerrillas for the first time recently.

Meanwhile, in Cairo Egyptian President Sadat said that he hoped to promote relations with China, to patch up his quarrel with the Soviet Union and to make the United States "pay and pay dearly" for its support of Israel.

The speech came on the eve of the departure of Egyptian Premier Aziz Sidki for Moscow to plead for a renewal of ties between Moscow and Cairo.

Sidki's mission could lead to a renewal of some Soviet arms supplies to Egypt.

Sadat said that he values highly the close relationship between the Soviets and the Egyptians and has no faith in American efforts to promote a Middle East peace agreement.

Sidki will be accompanied by virtually the same high-level team which traveled with him to Moscow in July to deliver Sadat's ultimatum—supply us with advanced offensive weapons or pull out the Soviet military presence.

Egyptian Defense Minister Gen. Mohamed Sadek, was quoted recently by a diplomat as saying that his troops have only enough ammunition to fight a ten-day war. The Soviet withdrawal apparently went far beyond what Sadat wanted, leaving his armed forces in disarray. This, in the assessment of diplomats in Cairo, has forced him to mend his fences with the Soviets.

CONGRESSMAN CHARLES H. GRIFFIN

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MURPHY of New York. Mr. Speaker, I join in with the rest of my colleagues to bid a fond farewell to a fellow Democrat and committeeman, Congressman CHARLES H. GRIFFIN.

While serving on the Merchant Marine and Fisheries Committee with the gentleman from Mississippi, I have learned to respect his judgment and am well aware of his perceptive views. The House of Representatives has lost a dedicated man who was a true representative of his district and the State of Mississippi.

I regret that many of us are going to lose a gracious individual whom we were privileged to know as a friend rather than just as a colleague in the legislative branch.

OCCUPATIONAL SAFETY AND HEALTH ACT CONSULTATION AMENDMENT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, as you know, I have tried to keep my colleagues informed of developments regarding the Occupational Safety and Health Act of 1970. I take this opportunity to draw attention to the present status of H.R. 17021, to provide onsite consultation to small employers.

Weeks of hearings before the House Select Labor Subcommittee and the Small Business Subcommittee all focused on consultation as the primary need of small businessmen who seek to comply with complex and technical OSHA standards. The bill provided that an employer with 25 or fewer employees could request the Department of Labor to come to the plant and interpret the standards for him. No citations could be issued and, with the limited exceptions of imminent danger and serious violation situations, no enforcement procedures would be triggered.

In spite of many efforts to bring H.R. 17021 to the House floor under suspension, the bill was not brought up. Only emergency and procedural matters were permitted during the last days of the session. Although the Senate passed the bill as an amendment to the Public Works and Economic Development Amendments of 1972, it was dropped in conference as nongermane.

The bill received the endorsement of the National Safety Council, the administration, the AFL–CIO, bipartisan cosponsorship, and perhaps most importantly, the wholehearted support of the National Small Business Association and the National Federation of Independent Business.

On October 12, I inserted for the RECORD the endorsement of the NSBA. I would like to share with my colleagues at this time the further endorsements of the NFIB and the National Safety Council.

The items follow:

[Telegrams]

CHICAGO, ILL.,
October 11, 1972.

Hon. WILLIAM A. STEIGER,
House of Representatives, Longworth House Office Building, Washington, D.C.:

The National Safety Council wishes you well in and supports your efforts to obtain House approval for H.R. 17020. On-site consultative assistance to small employers will help improve their occupational safety and health performance. It will also enhance voluntary cooperation and compliance by eliminating a climate of apprehension now present in much of the business community. However, we are seriously concerned that the inadequacy of authorizations in section 2 (B) (3) will prevent full effectiveness of the bill and hope that these amounts can be substantially increased.

HOWARD PYLE,
President, National Safety Council.

WASHINGTON, D.C.
October 12, 1972.

Hon. WILLIAM A. STEIGER,
House of Representatives,
Washington, D.C.:

On behalf of our 316,000 small business member firms, I strongly support your efforts to amend the Occupational Safety and Health Act through H.R. 17021.

I hope this will be a successful first step toward making the administration of OSHA fair for all businesses.

WILSON S. JOHNSON,
President, National Federation of Independent Business.

DR. DURWARD HALL

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SKUBITZ. Mr. Speaker, this is a sad period for some of us as we bid fond adieus to so many of our colleagues on both sides of the aisle who will not return in the next Congress. Parting is, as the poet once said, such sweet sorrow that for purely personal reasons I have eschewed joining in the many ecomiums that have been and are being paid on this floor.

This is not because I think any the less of those who are leaving but rather that my poor remarks undoubtedly would be eclipsed by the fluent rhetoric of my more eloquent colleagues.

Nevertheless, I simply cannot allow one of my colleagues to depart without making some little obesiance in his direction. I refer, of course, to the esteemed and noble gentleman from Missouri, Dr. DURWARD HALL, who has chosen not to stand again for election.

In my judgment, Dr. HALL is perhaps the most conscientious man and legislator it has ever been my good fortune to know. He has, to my knowledge, spent more time on this floor than any of us, following carefully the debates to make certain that he has heard and weighed not both sides but all sides of an argument. Dr. HALL is one of those rare individuals who relies more on his ears than on his mouth—he listens well.

Dr. HALL gave up a successful and lucrative practice in surgery in the belief that he could serve his fellow man more fruitfully as a Member of this body. A graduate of a great medical college, chief surgeon in an important clinic, 7 years in the Army as chief of personnel in the office of the Surgeon General, a Legion of Honor winner, honored by his peers as a fellow in the American College of Surgeons and a diplomat in the American Board of Surgery, these and many other honors, he has worn lightly and moestly.

Dr. HALL will have served 12 years in this estimable body at the end of this year. They were years of hard work and patient and tireless devotion to his constituents in the Seventh Congressional District of Missouri and to the welfare of this Nation, which he loves so well.

I only wish that I were able to say what is in my heart for this fine citizen and man. I wish for him and his devoted wife years of unblemished health and happiness.

CONGRESSMAN WILLIAM COLMER

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SLACK. Mr. Speaker, with the end of this session of the 92d Congress we will lose the leadership, force of example, and stimulation provided by our outstanding chairman of the Rules Committee, Hon. WILLIAM COLMER of Mississippi.

If you glance at the Congressional Directory you will note that his biography is capsuled in just five lines of type. Just think of that. Only five lines to summarize an active career in Congress over a period of 40 years. From first election during the threatening days of 1932, through depression, war, peace, inflation, and through all of the complex patterns of problems they brought to a self-governing nation, it can fairly be said that he has seen it, heard it all, and never failed to bear his full share of the controversies developed and the decisions finally taken.

During my service in the Congress I have admired him for many qualities, not limited to his often-demonstrated skills and the range of his experience. I have admired the way in which he has weathered the force of repeated storms, held to his convictions, and still retained a fine and judicious fairness along with a sense of humor that would have long ago eroded under pressure in a lesser man, made of less durable fibers.

I join all those who extend congratulations on his magnificent career and best wishes for many years at home in Mississippi where he can enjoy our future efforts with spectator interest and appropriate comments, as always.

HON. JOHN L. McMILLAN

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ROYBAL. Mr. Speaker, I join with my colleagues in saluting Congressman JOHN L. McMILLAN.

His long and distinguished career in the House of Representatives, which spans over three decades, has been one of dedicated service to his district and to the State of South Carolina, and he can certainly reflect with great personal satisfaction on his many achievements during this time.

I extend to him my sincere best wishes for every success in his forthcoming pursuits.

COSTS OF H.R. 1

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BYRNES of Wisconsin. Mr. Speaker, it may be helpful for the Members to make additional cost information relative to the conference version of H.R. 1 available. I am therefore inserting in the RECORD the following tables prepared by the Department of Health, Education, and Welfare:

Outgo over present law calendar 1974 (conference agreement)

[In billions of dollars]

Trust Funds	
Social Security Cash Benefits	2.3
Hospital Insurance	1.6
Supplementary Medical Insurance	.1
Total	4.0
General Revenues	
Supplemental Security Income	1.8
Food Stamp Cash-Out	—.3
Foster Care	.2
Medicaid	—.8
Supplementary Medical Insurance	.4
Total	1.3
Grand total	5.3

ADDITIONAL SOCIAL SECURITY PAYMENTS RESULTING THE SOCIAL SECURITY AMENDMENTS OF 1972

[In millions]

Provision	Additional payments in calendar year 1973	Additional payments in calendar year 1974
CASH BENEFITS		
Total	$1,842	$2,347
Increased benefits for widows and widowers up to 100 percent of PIA at age 65 (limited to OAIB)	977	1,109
Retirement test changes:		
$2,100 exempt amount; $1 for $2 above $2,100	556	842
Earnings in year of attainment of age 72	10	14
Special minimum PIA up to $170	18	20
Credit for future delayed retirement	10	27
Noncontributory credits for military service after 1956	41	46
Eliminate support requirement for divorced wives and surviving divorced wives	20	23
Student child benefits payable after age 22 to end of semester	17	19
Age 62 computation point for men	2	14
Reduce disability waiting period to 5 months	108	128
Liberalized disability insured status for blind workers	32	38
Liberalized workmen's compensation offset (80 percent of high 1 year)	17	22
Children disabled at age 18 to 21	16	17
Increased allowance for vocational rehabilitation expenditures	18	28
MEDICARE		
Total, pt. A	773	1,634
Coverage of disabled	624	1,412
Liberalize ECF benefits	88	110
Waiver of beneficiary liability	30	35
Coverage of chronic kidney disease	31	77
Total, pt. B	72	476
Coverage of disabled	98	465
Increase in deductible	—64	—115
Coverage of speech pathology	8	18
Coverage of chiropractors	7	35
Eliminate SMI coinsurance for home health	12	15
Coverage of chronic kidney disease patients	11	58

COMPARISON OF CONTRIBUTION RATES (EMPLOYERS AND EMPLOYEES, EACH)

[In percent]

	OASDI	HI [2]	Total
Present law [1] calendar year:			
1973 to 1977	4.60	0.90	5.50
1978 to 1985	4.50	1.00	5.50
1986 to 1992	4.50	1.10	5.60
1993 to 1997	4.50	1.20	5.70
1998 to 2010	4.50	(1.20)	(5.70)
2011 plus	5.35	(1.20)	(6.55)
Conference committee bill [1] calendar year:			
1973 to 1977	4.85	1.00	5.85
1978 to 1980	4.80	1.25	6.05
1981 to 1985	4.80	1.35	6.15
1986 to 1987	4.80	1.45	6.25
1988 to 2010	4.80	(1.45)	(6.25)
2011 plus	5.85	(1.45)	(7.30)

[1] $10,800 base in 1973, $12,000 base in 1974, automatic thereafter.

[2] Cost estimates for hospital insurance are made for a 25-year period only.

DOLLAR AMOUNT OF EMPLOYEE SOCIAL SECURITY CONTRIBUTIONS FOR CALENDAR YEARS 1973 AND 1974 FOR SELECTED LEVELS OF ANNUAL EARNINGS (CONFERENCE AGREEMENT)

	Contribution rate (percent)	Maximum covered earnings	Median earnings (male) ($7,433 for 1973; $7,804 for 1974)	Minimum wage earner $3,328 earnings
1973:				
Present law ($10,800)	5.5	$594	$408.82	$183.04
Conference bill ($10,800)	5.85	631	434.83	194.69
1974:				
Present law ($12,000)	5.5	$660	$429.22	$183.04
Conference bill ($12,000)	5.85	702	456.53	194.69

COST IMPACT ON MEDICARE OF H.R. 1 (CONFERENCE VERSION)

[In millions of dollars]

	Fiscal year 1973	Fiscal year 1974
Section:		
201. Disabled under medicare		+$1,310
213. Waiver of beneficiary liability	+$15	+32
247. Liberalized ECF	+33	+89
299. Renal dialysis		+67
Total, part A	+48	+1,500
Section:		
201. Disabled under medicare	+$24	+$300
204. Increase in part B deductible	—32	—79
283. Speech pathology	+2	+14
273. Chiropractors		+20
280K. Termination of home health coinsurance	+5	+14
299I. Renal dialysis		+35
Total, part B	—1	+314

COST IMPACT ON MEDICAID OF H.R. 1 (CONFERENCE VERSION)—Continued

[Dollar amounts in millions]

Section and Title	Effective date	Fiscal year 1973	Fiscal year 1974
201. Disabled under medicare	July 1973		−$67
204. Change in deductible	January 1973	+$3	+8
207. Incentives for utilization review	July 1973		−152
208. Cost-sharing under medicaid	January 1973	−44	−89
209. Determination of payments for families under medicaid	January 1974		+15
225. Limits on SNH/ICF payments	January 1973	−11	−22
231. Maintenance of effort	Enacted	−540	−600
235. Management information system	January 1972	+10	+10
247. Level of care requirements	January 1973	−6	−14
249B. 100 percent reimbursement SNH inspectors.	October 1972	+14	+20
249E. Title XIX eligibility for recipients of social security benefit increase.	do	+39	+10
271. Increased matching, Puerto Rico and the Virgin Islands.	July 1971	+10	+10
299B. Coverage of mentally ill children	January 1973	+40	+110
299E. 90 percent funding of family planning services.	October 1972	+15	+32
299I. Coverage of renal disease	July 1973		−17
Total fiscal impact		−470	−746

	Fiscal year 1973	Fiscal year 1974
Current Program Costs [1]	5,236	6,092
Savings	470	746
Costs Under H.R. 1	4,766	5,346

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[1] Includes administration.

	Calendar year— 1973	1974
Current program costs [1]	$5,655	$6,559
Savings	601	790
Costs under H.R. 1	5,054	5,769

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[1] Includes administration.

Section and title	Effective date	Calendar year— 1973	1974
201. Disabled under medicare	July 1973	−$30	−$70
204. Change in SMI deductible	January 1973	+7	+8
207. Incentives for utilization review	July 1973	−74	−162
208. Cost-sharing under medicaid	January 1973	−89	−89
209. Determination of payments for families under medicaid	January 1974		+33
225. Limits on SNH/ICF payments	January 1973	−22	−22
231. Maintenance of effort	Enacted	−570	−640
235. Management information system	January 1972	+10	+10
247. Level of care requirements	January 1973	−13	−14
249B. 100 percent reimbursement SNH inspectors.	October 1972	+19	[1] +10
249E. Title XIX eligibility for recipients of social security benefit increase.	do	+30	(2)
271. Increased matching, Puerto Rico and the Virgin Islands.	January 1972	+10	+10
299B. Coverage of mentally ill children	January 1973	+104	+120
299E. 90 percent funding of family planning services.	October 1972	+30	+36
299I. Coverage of renal disease	July 1973	−13	−20
Total fiscal impact		−601	−790

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[1] 249B lapses June 30, 1974.
[2] 249E lapses Sept. 30, 1973.

Section and title	Calendar year 1973	1974
201. Disabled under medicare	+$624	+$1,412
213. Waiver of beneficiary liability	+30	+35
247. Liberalized ECF	+88	+110
299. Chronic kidney disease patients	+31	+77
Total part A	+$773	+1,634
201. Disabled under medicare	+98	+465
204. Increase in part B deductible	−64	−115
283. Speech Pathology	+8	+18
273. Chiropractors	+7	+35
299K. Termination of home health coinsurance	+12	+15
299I. Chronic kidney disease patients	+11	+58
Total part B	+72	+476

THANK YOU, JOHN BYRNES

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, the voluntary retirement of the Honorable JOHN BYRNES will leave a vast and painful void in our State's delegation to the 93d Congress.

JOHN BYRNES has served 32 years in public life. An able lawyer, he was the Republican floor leader of the Wisconsin Senate before election to this body 28 years ago.

Any fair account of his career and contributions in this House—if it could be drawn—probably would become too lengthy to suit the discerning taste of a man with his passion for economy. Let it be said, simply, that few have served with the compassion, the dignity, and sheer ability which have characterized the service of JOHN BYRNES.

As a neighbor who has been privileged to follow his career throughout most of my lifetime, I want to share one brief vignette, to illustrate the respect he has earned throughout our State of Wisconsin.

This impression came, not surprisingly, from a University of Wisconsin political science professor and his class of 20 students who were visiting Washington. After they had spent 2 weeks in meetings with officials around this city, and with the members of four State's delegation. I asked the group: "What has impressed you the most about your stay in Washington?"

There was not a moment's hesitation. This was the reply:

If you really want to learn, talk with JOHN BYRNES.

That is a true story. And—like the students who nodded in agreement—his colleagues in the House will long remember, and cherish, the counsel we have come to expect on the most complicated questions; the genial wisdom and patience we take for granted; and most of all the opportunity we have to just "talk with JOHN BYRNES."

THOMAS G. ABERNETHY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DORN. Mr. Speaker, the distinguished service of TOM ABERNETHY in this body spans 30 years of the most dramatic and challenging era in our Nation's history. When TOM came to the Congress, cotton was king in his great State of Mississippi and throughout much of the Southland. Times change, and the voluntary retirement of TOM ABERNETHY is a great loss to the Congress and to the Nation. We will miss his service here and his wise counsel.

TOM has always been able in debate in the traditions of Mississippi and the South. He is devoted to and has fought for constitutional government and a Nation ruled by law rather than by men.

As a senior member of the Committee on Agriculture, TOM had a guiding hand in every piece of legislation affecting rural America, which forms the stability and the foundation of our representative democracy. He quickly recognized the need to diversify the economy of rural America, and has taken the lead in rural renewal.

TOM has been greatly concerned too for the problems facing urban America and the Nation's Capital, and has worked far beyond the call of duty on the District of Columbia Committee, a committee that does not directly affect his own district. He has attempted to make it possible for the District to fulfill the role envisioned by the Founding Fathers as one of the world's greatest cities.

Genial and affable, admired and respected on the House floor and in committee, a defender of the House of Representatives' position as the greatest deliberative body and closest to the people, TOM ABERNETHY has been a Congressman's Congressman. His lovely wife Alice Margaret has been an outstanding helpmate through political campaigns and service in Washington.

Millie joins me in wishing for Tom and his wonderful family continued success and every happiness in the future.

THE STRUGGLE AGAINST THE U.N.O. TO PRESERVE U.S. SOVEREIGNTY CONTINUES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RARICK. Mr. Speaker, this Congress has seen much debate and controversy over the continued role of the United States in the United Nations.

Some might point with pride to the congressional action cutting the U.S. contribution to the U.N. to $25 billion as a first step toward placing the U.N. in its proper perspective.

Unfortunately, this is not enough. The U.N. still exists; the United States is still a member of that body, and the internationalists—or one-worlders—continue to pirate the taxpayer's treasury and use the U.N. to subvert the sovereignty of the United States, thus threatening the lives of American citizens by destroying their ability to control their own destiny.

Two recent incidents emphasize the continued danger to the United States from the United Nations and U.N. regional organizations. First, the Atlantic Union Resolution passed the Senate of the United States by voice vote; this legislation was reported out of the House Committee on Foreign Affairs and was the subject of a hearing before the Rules Committee. Fortunately, the Rules Committee refused to grant this legislation a rule, thus blocking it for this session.

The Atlantic Union Resolution proposed to set up a delegation to explore U.S. entry into a Federal union with the 14 other members of the North Atlantic Treaty Organization—a regional branch of the United Nations.

Such a membership would reduce the United States to the pre-Revolutionary War status of a European state—if not a colony—in a confederation under the one word auspices of the United Nations. In fact, the resolution by its provision would attempt "to create an Atlantic Union within the framework of the United Nations" to "reduce the cost of the common defense, provide a stable currency for world trade, facilitate commerce of all kinds, enhance the welfare of the people of the member nations, and increase their capacity to aid the people of developing nations."

The other recent incident indicating that the internationalists continue to use the United Nations to subvert the sovereignty of the U.S. Government was the attempt to bring up the Genocide Treaty in the Senate under unanimous consent. Fortunately the distinguished Senator from North Carolina (Mr. Ervin) objected, thus blocking this threat to the constitutionally secured liberties of the American people.

In my remarks of October 4, 1972—Congressional Record, page 33814—I pointed out that the crime of genocide—which is not adequately defined by the treaty—will be supranational and thus will transcend our Constitution. A person charged with the crime of genocide, if he is a U.S. citizen, would not be protected by our precious Bill of Rights of the U.S. Constitution.

Furthermore, ratification of the Genocide Treaty would clearly annul the existing Connally reservation—which is the last remaining bulwark of protection of the individual American citizen from the collective actions of the United Nations and its related agencies

Finally, the treaty is explicit in saying that the final arbiter of the applicability of the provisions of the treaty will not be the Supreme Court of the United States, but will be the International Court of Justice in Geneva. It goes on to provide for mandatory extradition upon serving of a writ against an individual.

In essence, then, Mr. Speaker, the so-called Genocide Treaty is antagonistic to our constitutional system of government and our personal liberties.

The American people can be thankful that the Congress did not approve the Atlantic Union Resolution and that the Senate did not ratify the Genocide Treaty. But the people cannot rest; the internationalists will certainly attempt to get these measures approved in the next Congress.

The Atlantic Union Resolution was first introduced in 1951—President Nixon, then a Senator, was one of the original co-sponsors.

The Genocide Treaty has been pending in the Senate since 1950. There is every reason to suspect that efforts will be made to ratify this Treaty during the next session. The chairman of the Senate Foreign Relations Committee has gone on record—Congressional Record, p. 36296—asking his colleagues to "support early action on the Genocide Convention in the next Congress."

And so, Mr. Speaker, the battle to protect our constitutional system of government goes on. It is appropriate, then, to consider the remarks of the Senator from North Dakota, Mr. Langer, during the Senate debates on the ratification of the U.N. Charter. Senator Langer was one of two Senators to vote against ratification of this Charter. Certainly his prophecies have been fulfilled.

I include his remarks at this point in the Record:

[From the Congressional Record, July 28, 1945]

The President pro tempore. The question is, will the Senate advise and consent to the ratification of Executive F, the United Nations Charter?

Mr. Langer. Mr. President, during my service in the Senate in behalf of the common people, I have never sold the truth to serve the hour. I have no quarrel with the vote of any honest Senator upon this floor. Each one took the same oath that I took, namely, to defend and uphold the Constitution of the United States of America.

Practically all Members of this body have indicated that they will vote for the charter. Under my oath, Mr. President, and under my conscience, I cannot so vote. If I did I would feel that I was betraying the hundreds of thousands who have died in this war for the United States, and the hundreds of thousands who have sacrificed their loved ones and their treasure. I would be willing to vote for the appropriation of the last dollar in the United States Treasury, and the last dollar that we could borrow if, by spending that money, we could eliminate war, which we all abhor and hate. I would unhesitantly vote for the Charter if I felt that it offered even the tiniest hope of a permanent peace. But, in spite of that, Mr. President, I feel from the bottom of my heart that the adoption of the Charter—and, make sure, we are going to implement it—will mean perpetuating war. I feel that it will mean the enslavement of millions of people from Poland to India, from Korea to Java, as well as people in many other places on this earth.

Mr. President, I feel that the adoption of the Charter will be one step more toward compulsory and military conscription, and all that which goes with war.

In my opinion, the charter is not at all similar to the Constitution of the United States which was adopted by the Original Colonies. I may say at this point that I agree with what the distinguished Senator from New Hampshire [Mr. Bridges] said earlier in the day, when he stated:

"Most important of all, the American Constitution went to great length to guarantee genuine equality to States entering into the Union. Neither Ben Franklin nor the other members of the Constitutional Convention would have tolerated a constitution by which two or three or five of the States were given a veto power over all of the rest."

Mr. President, I say to you and to the other Members of the Senate that, in my judgment, if the Charter had been in effect when the American Revolution took place, France and all other countries who came to help us would not have been able to come, and today we would still be a colony under the rule of England.

Mr. President, in my campaign for the senatorship 5 years ago I pledged to the fathers and mothers of North Dakota that I would never vote to send our boys away to be slaughtered upon the battlefields of Europe. I kept that pledge on this floor. I promised in that campaign to vote in the Senate to expend the last dollar, if necessary, in order to defend the Western Hemisphere. Again I say, Mr. President, that I kept that pledge to the people of North Dakota.

Having so pledged myself, and having been elected to my senatorship upon such pledge, and having been elected to create an organization to which we would give a promise, either express or implied, that it would have authority to send our boys all over the earth, I cannot support the Charter. I believe it is fraught with danger to the American people, and to American institutions. I further believe that when a candidate for office pledges himself by specific promises, those promises should be honored, regardless of the political consequences which may follow to the candidate who made them.

Furthermore, Mr. President, I reiterate that we ought not to vote on this Charter in the absence of our 11,000,000 fighting men and women. They are now away, and we do not know what their attitude will be upon their return, after having been to the four corners of the earth and after having fought upon the seven seas. We sit here, Mr. President, in our fine offices and upon this senatorial floor, blissfully ignorant of what those 11,000,000 veterans may be thinking. After all, they constitute the backbone of the common people of America. Certainly there is no reason for such a hurry to pass this Charter that some steps could not have been taken to have referred the matter to the people of the country, including the men and women in the armed forces, before the final vote was taken upon it. As their representative here in the Senate, I cannot, I will not, God helping me, vote for a measure which I believe to be unlawful under our Constitution, a measure which, in my opinion, betrays the very people who sent us to the Senate as their representatives.

MILTON JOWERS: A LEGENDARY COACH

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. PICKLE. Mr. Speaker, one of the fastest growing universities in the State of Texas is southwest Texas State University located in San Marcos in my district.

Last Saturday, the many friends of Milton Jowers paused to honor their coach who has compiled a 35-year coaching record capped with a 587–146–3 win/lose skien, and more devoted friends and admirers than most people accomplish in two lifetimes.

Quoting from an article by George Breazeale published in the Austin American Statesman, the following seems to best describe the man:

The Jowers mystique came full circle, revealing two things about the man: His steadfast policy of treating every player alike, and his uncompromising, unflinching honesty.

Mr. Speaker, I am very proud of the record of Milton Jowers, as I am very proud of what he has meant to so many young people over the years. I insert the following article by Mr. Breazeale:

SWT HONORS COACH—NO SOLITUDE FOR JOWERS

(By George Breazeale)

"This man sitting here," said the speaker, "kicked more tails, said more ugly things and deprived more people of their individual rights than just about anybody you could name."

That track record might have most people sitting alone, very much alone, in an old rocking chair. But Milton Jowers, about whom these words were spoken, had no solitude Saturday.

From far and near former high school and college athletes some calling Milton Jowers "coach" for more than 35 years, converged on San Marcos to convey their esteem to a remarkable man indeed.

They were present, almost 200 strong, as part of Coach Jowers Appreciation Day activities at Southwest Texas State, where the legend of the man blossomed to full flower. But links from a fabulous victory chain (587–146–3 lifetime coaching record in football and basketball) were all there.

Athletes who had played basketball for Jowers at Shiner High School, his basketball and football warriors at San Marcos High School in the years just before World War II, basketballers who toiled for him at Southwest Texas from 1946 through 1951 and SWTS footballers of two eras, 1951 through 1953 and 1961 through 1964, were all there, populating 10 tables at a Saturday noon barbecue.

Spokesmen from each era called up memories, humorous now in retrospect, but each one a revealing facet of a coaching personality whose genius perhaps lay in securing maximum effort and disciplined performance from the athletes who played for him.

And, as each tale unfolded, the Jowers mystique came full circle revealing two things about the man: his steadfast policy of treating every player alike, and his uncompromising, unflinching honesty.

When Milton Jowers arose to respond to the tributes, his boys learned quickly that almost a decade away from active coaching has changed him not a bit.

"If all of you came here today expecting me to tell you I'm sorry for all the times I chewed you out, you're going to be disappointed."

"But," he added, "I never once chewed any of you out that I didn't love. Now, if I chewed some of you out more than I did others it wasn't because I loved you more . . . it was because you fouled up more.

"But I do want you to know this. I appreciate your being here today much more than I can ever say."

Long ago, while his troops were still doing battle in football and basketball—and one ex-player said Saturday that a typical Jowers pre-game pep talk went, "you lose this one and I'll have your hide"—he presented his philosophy of the coach-athlete relationship.

"I had rather a player of mine respect me as a man and as a coach than like me personally, although I would hope I could get that same respect and be liked."

Saturday, his boys, many of them now coaches, gathered for the noon barbecue and again that night when Southwest Texas' footballers came from behind in the final minute for a 24–20 win over Stephen F. Austin, displayed their feelings about the coach-athlete bond.

His coaching record indicates Jowers' policy of "constructive criticism"—or "chewing out," if one foregoes euphemisms—rarely failed. And even when he returned to football coaching in 1961 after an eight-year layoff, he espoused his theories succinctly:

"The football player who gets out and hits and blocks and tackles has always won—and I don't think the atomic age is going to change that. As long as the boys I have will hit a lick, we'll get along."

They coexisted famously. By 1963, SWTS had a 10–0 record, the school's first unbeaten season in four decades, and had the Bobcats been invited to participate in the NAIA playoffs, might well have given Jowers a national small college football championship to accompany the NAIA basketball title won by his 1960 team.

Jowers coached Little All-Americans in both sports during his hitches at Southwest Texas—but one personnel theme was noted again and again: his ability to hone and polish diamond-in-the-rough prospects from small high schools into towering talents. Basketballers J. C. (Spider) Maze and Charles Sharp and footballer Jerry Cole were prime examples of athletes, perhaps not overly sophisticated when they came to Southwest Texas, who responded to this technique.

And indeed Jowers was not unaware that the player who realizes his talents are not fully developed is eminently coachable.

"He had me pretty well under control from the time I came to Southwest Texas because he knew where I was from," said Dale Johanson, who played his high school football at a tiny Class B way-station.

Jowers taught them honesty, too—as a hilarious story told Saturday indicated.

Some enterprising individual in the athletic dorm secured a 10-gallon metal drum of ice cream and was dispensing the nectar to the warriors—when in walked Jowers.

"Who brought this up here?" Jowers demanded.

"I did," one individual responded, reluctantly.

"Where did you get it?"

"Downtown."

"I mean where downtown?"

Jowers bored in.

"I found it."

"Where did you find it?"

A long pause.

"In the back of an ice cream truck," was the long delayed response.

That brought gales of laughter Saturday—but a man familiar with the story added the not-surprising postscript.

"He marched them downtown to where it came from and made them face up to the people. Anyone who knows him wouldn't expect him to do anything else," the man said.

Those who honored him Saturday know him well. And they would have been disappointed only if they had found his indomitable spirit diminished.

A LOOK AT THE RECORD

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. MILLER of Ohio. Mr. Speaker, as is my regular custom, I am sending the constituents of Ohio's 10th Congressional District an end-of-the-session newsletter reviewing the activities of the Congress and their congressional office. I take this opportunity to insert this report in the RECORD:

THE 92D CONGRESS: "A LOOK AT THE RECORD"

CONGRESSMAN MILLER HIGHLIGHTS HOUSE ACTION

The 92d Congress gets a mixed report card. While it attempted to address a broad range of domestic and international issues, it failed to deal substantively with many of the Administration's major proposals.

During the First Session of the 92d Congress, which met from January 21 to December 16, 1971, the Congress gave its approval to the President's economic stabilization program including a 3-year $15.7 billion tax reduction, terminated the SST program, created a 2-year public service jobs program, extended the draft to June, 1973, expanded the authority of the farm credit system, approved and sent to the states a constitutional amendment lowering the voting age to eighteen, expanded federal assistance to nursing and medical schools, and required adult welfare recipients to sign up for work or lose part of their benefits.

Shortly after reconvening on January 18 of this year, the Congress gave final approval to the Federal Election Campaign Act, a comprehensive measure designed to place limits on political campaign expenditures and require the disclosure of campaign contributors. Acting to marshal federal resources to combat the nation's drug problem, the Congress also voted to create a Special Action Office on Drug Abuse Prevention to coordinate all federal drug abuse programs and initiate new ones.

Forty years after it was first proposed, a Constitutional amendment guaranteeing equal rights for men and women was approved and sent to the states for ratification. In June, the Congress completed action on a massive higher education bill that extends all major aid-to-higher education programs, creates a new basic student financial aid grant program, and sets up direct financial assistance to colleges and universities.

Three years after President Nixon proposed his revenue sharing plan, the Congress cleared a five year, $30 billion program of direct aid to states and local governments for use in broad, high priority projects. In addition to the new monies available under revenue sharing, future growth and development in Southeastern Ohio will be greatly enhanced by the Rural Development Act which provides for a more comprehensive and coordinated federal effort to improve the economy and living conditions in rural areas.

In respect to arms control, the Senate gave its approval to the ABM treaty between the U.S. and the Soviet Union freezing antiballistic missile system deployments, and both Houses cleared the President's interim agreement with the Soviets limiting offensive nuclear weapons.

The most significant environmental legislation which passed the Congress was a $24 billion water pollution control measure to help communities clean up our waters and restrict the discharge of industrial pollutants.

The second session will close with no action being taken on consumer warranties, welfare reform, pension plan protection, national health insurance, government reorganization, and legislation to limit the use of busing.

In summary, it was a busy two years; through September 30, 1972, 24,882 measures were introduced, 562 bills were enacted into law, 599 recorded votes were taken in the House and the proceedings of the Congress filled 60,051 pages in the Congressional Record.

DISTRICT DEVELOPMENTS

The economic outlook of Southeastern Ohio is considerably brighter as construction continues on the new $488 million Gavin Power Plant complex in Gallia and Meigs Counties. Essential to the anticipated growth of the area is an adequate water system. Last month approval was announced of a $2,370,000 grant from the Economic Development Administration (EDA) to the Leading Creek Conservancy District, for construction of a water distribution system for industrial, public and residential use. The EDA grant follows an earlier loan approval of $1 million from the Farmers Home Administration (FHA) and precedes an anticipated $1,121,000 subsequent FHA loan. Additional water system development was evidenced in Jackson County as local officials were advised of the approval of a $1,078,000 rural water loan from FHA.

In June, the Department of Health, Education and Welfare (HEW) and the Appalachian Regional Commission (ARC) jointly announced the awarding of over $2 million in funds to the Ohio Valley Health Services Foundation, Athens, for establishment of a regionalized seven county emergency ambulance service pilot project. The health demonstration project—one of only five in the country—is designed to help alleviate the severe shortage of emergency ambulance service in rural areas.

Other health and medical projects in the news include: a $200,000 grant to Marietta Memorial Hospital for assistance in the construction of additional long-term care facilities; an $80,665 National Institutes of Health grant to Rio Grande College for a Medical Laboratory Technician Program; a $395,000 ARC grant to assist in the construction of a satellite out-patient facility of Zanesville's Bethesda Hospital in Morgan County; and a $445,631 ARC grant for construction of a comprehensive Health Training Institute at Hocking Technical College, Nelsonville.

MILLER VOTING RECORD

Some of the important issues acted upon during the second session of the 92nd Congress are indicated below along with my vote on each bill:

S. 382—Election Campaign Reform—to set limitations on the amount of money candidates may spend in campaigns for federal office.—Yes.

H.R. 12089—To establish a Special Action Office for Drug Abuse prevention to coordinate federal drug abuse prevention programs.—Yes.

H.R. 12910—To increase the national debt limit to $450 billion through June 30, 1972.—No.

H.R. 12067—To appropriate $3.189 billion for foreign aid in fiscal year 1972.—No.

H.R. 11021—Noise Control Act—to require federal noise emission standards for various commercial products.—Yes.

H.R. 12828—To raise the educational, vocational rehabilitation and special training allowances for veterans.—Yes.

H.R. 11624—To increase from $3 million to $5 million the authorization for TRANSPO—an international transportation exposition.—No.

H.R. 8395—To expand and extend programs to rehabilitate the physically and mentally disabled.—Yes.

H.R. 11896—Water Pollution Control Act—to set up an accelerated federal water pollution control program and build local waste treatment plants.—Yes.

H.R. 14070—To authorize $3.4 billion for the space program in fiscal year 1973.—No.

H.R. 13089—Providing for acceleration of tree planting programs on national forest lands in need of reforestation.—Yes.

H.R. 9212—To ease restrictions for ex-miners to qualify for black lung benefits and extend benefits to more dependents of deceased victims.—Yes.

H.R. 11627—To provide federal standards requiring auto bumpers to withstand low speed collisions and set up a consumer information program on auto repair costs.—Yes.

S. 659—To extend and expand federal aid to higher education programs and student financial aid programs.—Yes.

H.R. 14370—Revenue sharing—authorizing direct federal payments to states and local governments for high priority projects.—Yes.

H.R. 15657—To amend and extend programs to provide health and social services for older Americans.—Yes.

H.R. 15390—To provide for a 20 percent across-the-board increase in social security benefits.—Yes.

H.R. 12931—Rural Development Act—to provide for improving the economy and living conditions in rural America.—Yes.

S. 748—To authorize a $900 million payment as the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank.—No.

H.R. 13915—Amendment to the Equal Education Oportunities Act barring the busing of a student to any school except the one nearest the student's home.—Yes.

H. J. Res. 1227—Resolution authorizing the President to approve the interim SALT agreement, limiting offensive nuclear weapons between the U.S. and the Soviet Union.—Yes.

H.R. 14896—To expand and strengthen child nutrition programs.—Yes.

H.R. 15003—To create a new, independent commission to regulate consumer products in order to reduce or prevent product-related injuries.—Yes.

WATER POLLUTION CONTROL

Congressman Miller played a key legislative role in gaining approval of perhaps the most complex and far-reaching environmental measure ever considered by the Congress. The bill—the Federal Water Pollution Control Act Amendments of 1972—authorizes more than $24 billion to help states and local communities clean up the nation's waterways, requires the application of advanced municipal waste disposal methods, and establishes a two-phase clean-up program with increasingly more stringent restrictions on industrial pollution. The Tenth District lawmaker was one of nine House members assigned to meet with their Senate counterparts in a joint conference committee to resolve the differences between the House and Senate passed measures.

MILLER BILLS INTRODUCED

Streambank Erosion

H.R. 14661—To authorize the Secretary of the Army to investigate, plan and construct projects for the control of steambank erosion.

Economic Development

H.R. 16040—To provide federal assistance to economically distressed areas in developing long-lasting economic improvement.

Holiday Observance

H.R. 13456—To restore November 11th as Veterans Day and May 30th as Memorial Day.

Highway Safety

H.R. 13538—Authorizes an $850 million annual program for highway safety improvements, education, and research. Major components of this bill have been incorporated into the Federal-Aid Highway Act of 1972.

Dam Inspection

H.R. 15977—To authorize the Secretary of the Army to undertake a national program of inspection of publicly and privately owned dams.

Budget Reform

H.R. 15500—To reestablish the Congressional role in developing budget priorities and modernizing the mechanics of Congress to deal with fiscal policies in a systematic and analytical manner.

Federal Spending

H.R. 16805—To place a $250 billion ceiling on expenditures in FY 1973.

Cancer Conquest

H.R. 10600—To establish a Conquest of Cancer Agency within the National Institutes of Health to carry out an expanded, intensified, and coordinated cancer research program.

DISTRICT ACTIVITIES

Highlight of our fair display was a public opinion poll on current issues of national interest. Results of the poll have been released to the news media on a county-by-county basis. Here is a compilation of results of the poll based on answers from the 12 Fairs held to date. We would like to take this opportunity to thank the approximately 6,000 persons who took the time to provide us with their views.

(answers in percent)

Do you favor a no-fault automobile insurance program? Yes, 75; no, 25.

Should the sale or transfer of handguns other than those suitable for sporting purposes be prohibited? Yes, 41; no, 59.

Would you favor a national tax in the form of a "value added tax" to relieve the burden of local property taxes? Yes, 40; no, 51.

Should the Federal Government intervene in prolonged strikes which adversely affect the public interest? Yes, 73; no, 27.

Should the U.S. Foreign Aid Program be: Increased, 5; decreased, 81; remain the same, 14.

Do you approve of the recent agreements between the U.S. and the Soviet Union to limit offensive and defensive weapons? Yes, 71; no, 29.

TRIBUTE TO CONGRESSMAN WILLIAM M. COLMER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MURPHY of New York. Mr. Speaker, it is with great sorrow that I offer these few farewell words to a great Congressman and chairman of the Rules Committee. His legislative record clearly reveals him to have been a gifted congressional leader who expended every ounce of his extraordinary talents and diligence in honorably serving his country and constituents.

Mr. COLMER has commanded my utmost respect and has set an example which I have strived to emulate. He possesses integrity, personal independence, and a strong desire to help others and has always demonstrated professional competence in every endeavor he has undertaken. His work deserves the plaudits of the Nation and we in the House express our appreciation for his untiring efforts in every field.

A TRIBUTE TO MR. EDMOND McGOWAN, JR.

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STEELE. Mr. Speaker, last week, National Fire Prevention Week, was a week to work to prevent fires and to honor those who protect us from fire.

As a legislator from a rural district, I am especially aware of the self-sacrifice and dedication of volunteer firefighters who exemplify community service and spirit.

Recently, two residents of North Stonington, Conn., wrote to tell me of the efforts of one young volunteer in their local fire department. At age 18, Edmond McGowan, Jr., has contributed more to his community than many people do in a lifetime.

When he was 16 he recognized the urgent need for an emergency ambulance service for his town. He began an intense campaign to organize and finance the service and is recognized today as the person responsible for the founding of the North Stonington Ambulance Service.

I am inserting into the Record, the two letters explaining his effort and wish to join in the praise of Ed McGowan, Jr., for his work in Stonington:

Dear Mr. Steele: Edmond McGowan, Jr., is as public spirited a young man as any parent could ever hope to have, and of which any town could be proud.

For a number of years he has personally been a tremendous help to me while I was the Fire Chief of the North Stonington Volunteer Fire Co., Inc. (1956 thru 1970).

At the age of 13 he would come to the Fire Station looking for things to do. I would give him the tasks of sweeping floors, washing and waxing floors, mowing and trimming the grass, which he would do without question and always with the greatest enthusiasm.

As he got older, more meaningful jobs were in order, such as polishing the fire and rescue trucks, small repair and paint jobs around the station, and always looking forward to the day when he would be 16 and could become a Jr. member of the Department.

On his 16th birthday he joined the department, which I know was a proud day in his life and went about being a real active member. The unit men bought him a full dress uniform so he could attend parades and musters. Still always willing to do anything to make it a better "outfit."

One of his pet expressions throughout the years, and still is today, is "we have a sharp looking outfit Chief."

Edmond and I talked many times throughout the years about an ambulance for the Town of North Stonington, as we were working around the station. At the age of 16 the urge was so intense that he began a campaign to start an ambulance unit for the town. People were approached, meetings started, money raised, and this dream became a reality. Today he is named the "Founder."

Even today, though I feel his first love is the ambulance unit, he still finds time to be an active fireman, responding to alarms, and helping the present Chief in any way he can.

His devotion to any task is always 100% until it is complete, and at the age of 18, he has given more time, more effort, to more endeavors, than any young man I have ever known.

Respectfully,
Richard H. Senior, *Past Chief.*

Dear Mr. Steele: While working with the Rescue Unit of the Fire Company, Edmond McGowan, Jr., saw how much the town needed an ambulance service. He went door to door asking people of the town to help him start an ambulance service. So, at the age of sixteen, Edmond was named Founder of the North Stonington Ambulance Service. He served as Vice President for one year. Again he put many hours in collecting funds, purchasing an ambulance and training people for this service. He has made about 90% of the emergency calls with the ambulance.

One year ago he was one of the instructors in the Corporation, in which now he serves as Captain to the unit. Also he is a First Aid Instructor and volunteers many hours in teaching this not only in North Stonington but in neighhboring towns. Edmond will always help whenever called upon.

Signed Roy S. Lee.

HON. ELIZABETH ANDREWS

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DICKINSON. Mr. Speaker, I want to join my colleagues in paying tribute to the lovely and gracious lady from Alabama, Elizabeth Andrews, as the 92d Congress draws near a close. I am sorry I could not be present on the floor of the House to deliver my remarks personally.

In the short period she has served as a Member of this body—completing the term of her late husband and our distinguished former colleague and friend, George Andrews—she has served with dignity and distinction and has continued the record of service to Alabama begun by her late husband 28 years ago.

Mr. Speaker, the gentlewoman from Alabama radiates a quiet dignity in this Chamber. We will miss having her in the Congress next year to represent our State, but I trust all of her future endeavors will be fruitful. I am sure my comments echo the sentiments of all Members of the House.

SENIOR CITIZENS: NOT FORGOTTEN

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. FISH. Mr. Speaker, the following is informational material I am sending to my constituents in my congressional district. I thought the subject matter would be of interest to my colleagues:

Senior Citizens: Not Forgotten

On October 1, 1972, Senior Citizens in our District will receive their first Social Security benefit checks reflecting the 20 percent increase passed by Congress and signed into law by the President.

The law which authorized this 20 percent increase, and which I sponsored and strongly supported, also places future benefit increases on an automatic cost of living basis, which will mean that for the first time our Senior Citizens will not have their benefits lag behind inflationary increases as they wait for Congress to act.

With the October 1st, 20 percent increase, I am pleased to note that since 1969, Social Security benefits have risen a full 51 percent. I am also pleased that during my four years in Congress I have been deeply involved in the fight to move our older citizens from the position of forgotten Americans to their rightful place of respect and independence.

Although from the time I first took office it was clear that the basic problem facing our 25 million Senior Citizens was one of income, it was also clear that the problems of aging did not stop there. It is for this reason that I sponsored legislation to implement the Older Americans Act of 1965 to provide one hot meal a day for citizens in need who are 60 or over. I am happy to report that this legislation passed both the House and Senate and has now been signed into law. It will be implemented as soon as funds for the program have been appropriated.

Another area of deep concern to me has been the cost of drugs to our Senior Citizens. As so many of our older Americans depend on maintenance drugs for life and health, I introduced legislation which would place the majority of this drug cost under Medicare insurance. Under this plan, a Senior Citizen needing drugs would pay $1.00 per prescription with Medicare paying the remainder. Although this legislation is pending in Committee in the House, I am pleased to report that a similar proposal has been approved by the Senate Finance Committee, so that we can expect positive action on the cost of prescription drugs for the elderly in the near future.

These positive steps do not mean that the fight for decency and equality for our older citizens has been won. It does mean though, that they are no longer forgotten.

In a bid to more accurately focus Congressional and national attention on the problems peculiar to aging, I am pushing for passage of my bill (H. Res. 158) to create a Select Committee on the Aging in the House of Representatives to handle all legislation dealing with Senior Citizens.

Fish Acts for Older Americans

91ST CONGRESS

Bill No.—Description—Status

H.R. 11246, to provide automatic cost of living increases in Social Security benefits; Passed House in 91st (became law in 92nd).

H.R. 12222, to extend the Food Stamp Act of 1964; Public Law 91–671.

H.R. 14239, to increase Social Security benefits by 15 percent; Public Law 91–172.

92D CONGRESS

H.R. 4244, to extend Medicare coverage to out-of-hospital prescription drugs; In Committee.

H.R. 5971, to liberalize widows' benefits under Social Security; Passed House (in Senate).

H.R. 7579, to provide automatic cost of living increases in Social Security benefits; Public Law 92–336.

H.R. 7580, to increase amount of allowable earnings before loss of Social Security benefits from $1,680 to $2,400; Compromise of $2,000 passed House (in Senate).

H.R. 8079, to provide tax deductions for expenditures on home repairs; In Committee.

H.R. 12186, to provide real property tax credit for Senior Citizens; In Committee.

H.R. 12719, to amend and extend Older Americans Act of 1965, providing hot meals for the elderly; Public Law 92-258.

H.R. 14607, to establish an Older Americans Conservation Corps, providing work and income for the elderly; In Committee.

H.R. 15366, to provide a 20-percent Social Security benefits increase; Public Law 92-336.

H.R. 15894, to provide a 20-percent Railroad Retirement increase to match the Social Security increase; Passed House (in Senate).

H.R. 16206, to prevent loss of Veterans compensation and pension benefits as result of 20 percent Social Security increase; In Committee.

House Res. 158, to create a Select Committee on Aging in House of Representatives; In Committee.

House Res. 1033, to authorize a Senior Citizens intern program by House of Representatives; In Committee.

Congress Acts To Provide Hot Meals

When Congress this year enacted legislation authorizing $100 million in Fiscal Year 1973 and $150 million in FY 1974 to provide one hot meal a day for older Americans over 60, it was the first meaningful implementation of the right of every resident to adequate nutrition, as specified in the Older Americans Act of 1965.

Although this positive program is now law, it has not yet been implemented pending appropriation of the funds by Congress. I anticipate this funding will occur later this fall, with the program in full swing by early next year.

Although these 5 day a week free hot meals will be targeted primarily toward those of 60 and over who are living below the poverty level, income is not the only criterion for eligibility under the program.

Other elderly who will be eligible are 1) those who lack the skills to select and prepare nourishing and well balanced meals, 2) those with limited mobility which impairs their capacity to shop and cook for themselves, and 3) those with feelings of rejection and loneliness which rob them of the incentive to prepare and eat meals alone.

To implement this program New York State will receive $9.3 million the first year and $13.6 million the second. The amount of these funds is based upon the percentage of persons over 60 living within the state.

The program will be administered by the New York Office of Aging, which is already gearing up to handle this new program, so that they will be able to implement it rapidly when funding is provided.

According to the State Office of Aging, it is believed school cafeterias will be used for preparation of meals in certain instances. This has been made possible through a law passed by the state legislature in 1972.

Although no definite plans have been developed at this time on how Senior Citizens will be directly informed when the program is implemented, it is believed that Social Security mailings may be used to reach the elderly, as was recently done for operation FIND.

To implement the program, full use will be made of the Department of Agriculture's Food and Nutrition Service, to insure that meals will be nourishing. Although centers will be created where Senior Citizens can gather for their meal, some meals will be home delivered and for those Senior Citizens living too far from the central sites to walk, transportation will be provided.

This is a good program, and is one of the most important steps taken to date to implement the Older Americans Act declaration that every Senior Citizen receive an adequate and wholesome diet. I am proud to have been a sponsor of this important piece of legislation, and to have worked hard for its passage.

In the Future

In July the House passed a bill to amend and expand the Older Americans Act which is now under consideration in the Senate, and stands an excellent possibility of becoming law. This legislation provides some important features for Senior Citizens.

Among other things it: 1) extends and expands federal grants for programs to assist the elderly authorized under the Older Americans Act of 1965; 2) creates a National Advisory Council on Aging; 3) seeks to encourage state agencies on aging through federal grant programs to develop comprehensive, coordinated, community based services for the elderly; and 4) provides for special demonstration projects in transportation, housing employment, pre-retirement guidance and continuing education for the elderly.

Perhaps We Can Help

Because of the growing complexity of our lives, every day I receive dozens of letters from constituents asking for help in dealing with some Federal agency. Many of these, some from Senior Citizens who have found, through no fault of their own, that there has been some mix up or other difficulty with their Social Security records

For example, a constituent had a claim for disability benefits under Social Security which was not being moved. After intervention on his behalf by my office, he received a check from the Social Security Administration in the amount of $1,700.

In another instance a recently retired worker felt an error had been made in computation of his Social Security benefits payments. After a review of his files which I requested, it was found he was correct and his monthly check was raised from $152.70 to $177.40 less Medicare payments.

If you feel at any time that I can be of similar assistance to you, please write me in Washington and I will take up the problem in your behalf. To assist me in this I have an expert staff and we are all anxious to be of assistance when and if it is needed.

Food and Housing Help for Elderly

Older citizens who live in rural areas may be eligible for a loan to build or buy an adequate but modest home. The Farmers Home Administration has programs which can lower interest rates to as low as 1 percent.

The Farmers Home Administration also has a loan program designed for low-income rural families who own their homes to make repairs to remove hazards to health and safety. The loans can be used to fix a roof, make the house weathertight, provide safe adequate water and waste disposal systems, install a bath or make other improvements. These loans also bear an interest rate of 1 percent.

Many individuals over 65 do not know about the Food Stamp Program which enables low-income households to buy more food of greater variety to improve their diets, at a lower price. Here's a short guide that tells who can get food stamps.

	With monthly income below	You pay	For food stamps worth
1 person	$178	$26	$36
2 persons	233	44	64
3 persons	307	74	92

People with income above these limits also may be eligible for food stamps if they have unusual expenses such as big medical or hospital bills, high rent payments, or other financial hardships.

The Department of Housing and Urban Development also has a program to assist Senior Citizens on fixed incomes who wish to own their own homes by paying part of the interest cost, thereby lowering the monthly mortgage payments. I am introducing legislation to expand and liberalize this program.

LEGISLATIVE REPORT FOR FIREFIGHTERS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. HELSTOSKI. Mr. Speaker, during the 92d Congress I introduced a comprehensive series of bills designed to halt the steady increase in annual death and property losses caused by fire in America. This omnibus fire legislation will provide our country's fire service with urgently needed financial assistance, and provide improved equipment and expanded educational and training opportunities for the men who risk their lives daily to protect the public from the devastating effects of fire.

This year, for the first time, the Presidential proclamation for Fire Prevention Week noted the "need for improved public information, for early detection and alarm, and for better protective equipment for firefighters."

The bills which I have introduced have been endorsed by individuals and organizations from across the Nation as a practical and urgently needed step toward reducing our country's grave fire problem which endangers every man, woman and child. The 157,000-member International Association of Fire Fighters, the AFL–CIO, as well as individual volunteer fire companies support this legislative program. It has been cited by the President's Commission on Fire Prevention and Control and, most recently, Chief Kenney, as president of the International Association of Fire Chiefs, spoke in favor on the legislation.

Fire knows no social or geographical boundaries, but has intruded on the lives of countless individuals in every State, county, and district. In fact, the United States experiences a per capita death rate from fire that is twice that of Canada, four times that of Great Britain, and six and a half times that of Japan.

Following is a list of my bills:

List of Bills

H.R. 16856. Amends the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce.

H.R. 16857. Amends the Flammable Fabrics Act to extend the provisions of that Act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards.

H.R. 16858. Provides financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus.

H.R. 16859. Establishes a National Fire Data and Information Clearinghouse.

H.R. 16860. Extends for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs.

H.R. 16861. Provides for the creation of the National Fire Academy.

H.R. 16862. Provides the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the costs of training programs for firemen.

H.R. 16863. Provides financial aid to local fire departments in the purchase of advanced firefighting equipment.

H.R. 16864. Provides the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay up to one-half of the costs of fire science programs.

SENATOR B. EVERETT JORDAN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DORN. Mr. Speaker, Senator EVERETT JORDAN of North Carolina has for the past 14 years been a friend and colleague you could depend on. We have worked with him closely in the effort to preserve jobs in the American textile industry, an area of tremendous concern to the Senator. In conference with the Senate Public Works Committee, the Senator was extremely effective in advancing the Senate position; but he always maintained the patience and tact that made it a pleasure to work with him.

Senator JORDAN is a true gentleman, in the highest traditions of our Southland, and man of unquestioned integrity and honesty. He has the affection and admiration of people all over South Carolina. Mrs. Dorn, herself a Tarheel, joins me in wishing for Senator JORDAN continued success, every happiness and the best always.

COLUMBIAN FOUNDATION HONORS FORTUNE POPE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RODINO. Mr. Speaker, I would like to take this opportunity to offer my warmest congratulations to my close friend Fortune R. Pope upon his receipt of the 1972 Columbian Foundation Man of the Year Award. In selecting Mr. Pope this year, the Columbian Foundation chose a man whose feelings and actions have carried forth his strong commitment and deep conviction that one should cherish and protect the rights of all men.

In an age characterized by an over abundance of specialization and personal encapsulation, it is indeed refreshing to find a man who truly personifies the eclectic philosophy: An industrialist, publisher, academician, and philanthropist, Fortune has crossed philosophical as well as national boundaries in his endeavors to bring meaningful change within the human community.

Among his multifarious positions, Mr. Pope is editor and publisher of the largest Italo-American newspaper in the Nation, Il Progresso. He is the president of Colonial Sand Co., Inc., as well as president of radio station WHOM and WHOM-FM. In education he has supervised the distribution of more than $1 million in scholarships to needy and deserving high school seniors in both public and parochial schools in the New York Metropolitan area. He serves, too, as a trustee of Saint Peter's College in Jersey City.

In honoring Mr. Pope on October 6, it was noted that he "has shown particular concern for those who have been victims of capricious fate, in the form of natural disasters." Fortune has led various successful campaigns to aid the people of Italy struck by the Po Valley floods, the Calabria-Salerno and Florence floods, and the earthquake which jolted Sicily. He has also lent his support to the extensive efforts to help the flood victims in Puerto Rico. In the United States, the Pope Foundation has contributed millions of dollars to such fields as education, health, welfare, and religion.

For those of us who have known Fortune Pope as a leader and a friend, his unending accomplishments are no surprise. He typifies and embodies the characteristics of a socratic humility and a herculean strength. He is content with the personal satisfaction that he has helped his fellow man, but I am pleased to have this opportunity to share his achievements and deeds with you at this time. His recognition as "Man of the Year" is certainly well deserved, and our gratitude and commendations are long overdue.

On the evening of October 6, 1972, remarks were made by many of Fortune Pope's friends expressing their sentiments on the appropriateness of bestowing this honor to Mr. Pope. Speaking that evening and presenting the award for the Columbian Foundation was its president, Frank R. Galante. Introducing Fortune Pope and depicting the feelings of his many friends was Frank A. Langella, member of the board of trustees of the Columbian Foundation. At this point I would like to insert in the RECORD the comments that Mr. Langella made that evening:

REMARKS HONORING FORTUNE R. POPE

(By Frank A. Langella)

Ladies and gentlemen, tonight, perhaps more than any other night, I think it's fair to say that "The children of Columbus are still building America."

And when you consider the total man who is Fortune R. Pope, I believe you will have to agree, Fortune *is one* of "The children of Columbus who is still building America."

I know many of you are aware of this, but let me just say for the record that the Pope family, in our estimation, is one of the leading, and most respected, Italian-American families in this Nation. And yet, they are very modest . . . or, as a friend said, they're embarrassed by too much fanfare. It's true. They are more interested in making things happen.

Take Fortune's father, Generoso, for example . . . and the story of how he bought Il Progresso. He had heard that the paper was bankrupt, and up for sale at an auction. He also found out that a group of investors was planning to buy it. Generoso rushed downtown . . . not because he was excited about getting involved in a bankrupt newspaper, but because he did not want the other group to take control of it. And without having the time to inspect the plant that he was going to try and buy, he went to the auction and got into a bidding contest.

The bidding went back and forth, higher and higher, and finally reached two million dollars. At that point Generoso decided to get it over with, so he yelled out "two-million five."

The other bidder shrugged his shoulders, and Generoso won. But when he went up to sign the papers, he found out that the auctioneer had written in two million *five thousand* dollars. So when Generoso got home that night, he said to the family . . . "Guess what? Today I saved four hundred and ninety-five thousand dollars!" Buying that newspaper was probably the greatest thing he could've done as far as Fortune is concerned.

They tell me that Fortune has ink in his veins. And that he knows the newspaper operation inside and out, down to the last detail. It must be good for business. Today, under Fortune's leadership, as editor and publisher, Il Progresso is the largest and most influential Italian-American newspaper in the country. As I said before, the children of Columbus are still building America.

This tremendous interest in knowing every detail is a deep characteristic of the Pope family. They're executives, but you'll never see them glued to a desk chair. They're always on the move . . . staying close to all their enterprises. Take Colonial Sand and Stone Company, for example. Fortune or his brother Tony is up at six a.m. with the drivers every morning checking things over. . . . knowing every detail of what's going on. And with six-hundred trucks in three states, that's quite a trick. But they have a good system for staying on top of everything. Every car, every major office, every truck, tugboat, barge and every helicopter in the organization is equipped with a mobile radio unit. And if you go into Fortune's office, you'll hear the radio network going all the time . . . so Fortune hears everything that's going on—the office orders, the drivers on the road, everything. Colonial is an enterprise that Fortune and his brother Anthony expanded into New Jersey in 1950 . . . and today it is the biggest sand and stone company in the country.

May I say again, that the children of Columbus are still building America.

Believe me, it was not easy for this New York outfit to get started in New Jersey, but they finally did break the ice, and to this day they have been loyal to the contractor who gave Colonial its first job in New Jersey. Once, in fact, this contractor couldn't get sand fast enough to complete a huge job. He was in trouble.

The only sand available was way up in Sussex County. So the Pope family pulled their trucks in from jobs in Connecticut and New York and kept a steady convoy going back and forth, day and night, until the job was done. And they charged him as if they had gotten the sand locally.

By the way, none of this information about the Pope family came from Fortune. Trying to get a story or personal information out of him is as easy as pulling out your own wisdom tooth.

Fortune is a very loyal man. There is no doubt about it. And he expects loyalty in return. Boy, does he expect loyalty!

I remember one time when he was organizing a committee to help flood victims in

Italy. He wanted some participation from New Jersey, so he invited me over to New York for the first meeting.

Unfortunately, I was sick that particular evening. Fortune called me on the phone and said, "What are you doing home, Frank, I need you for this committee meeting tonight. I said, "I'm in bed with a temperature and an attack of the Gout."

He said, "So, call Doctor Eddie Albano and get a shot or something, and I'll send a driver over to pick you up." I said, "O.K., but my temperature is up to 104 degrees." And he said, "Oh, for Pete's sake, why didn't you say so—in that case we'll have you picked up in an ambulance."

This feeling of civic responsibility is a very strong characteristic in Fortune. And he has also been very quick to respond to help victims of natural disasters, both here and abroad.

The Pope Foundation itself has contributed several million dollars to institutions in the field of education, health, religion, and welfare. And, especially important, there is no ethnic, racial, or religious limitation.

I know that much of this information is in your program, but let me just cite a few interesting facts. As president and owner of radio station W.H.O.M., Fortune has been a leader in campaigns for Spanish-speaking people. These campaigns have included aid to flood victims in Puerto Rico and the distribution of toys at Christmastime.

W.H.O.M. is also well known for broadcasting the most beautiful music this side of heaven, especially on Sunday mornings, at 93.3 on your F.M. dial. As publisher and owner of Il Progresso, he's also been a leader in fund raising campaigns in Italy. Campaigns that now total well over a million dollars.

The Government of Italy will never forget what he has done. In fact, the highest of Italian honors has been conferred upon him by presidents, prime ministers, and cardinals alike.

Eighteen years ago, Fortune and the Columbus civic committee began a scholarship program for needy and deserving high school students in the New York Metropolitan area. And while he was president, the committee awarded 1.1 million dollars in scholarships to 4,800 students.

I could go on and on about Fortune Pope. But I think you will all understand now why the Columbian Foundation chose him for its annual achievement award in 1972.

Ladies and gentlemen, I am very proud to present one of the children of Columbus who is still building America . . . Mr. Fortune R. Pope.

"DOC" HALL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RARICK. Mr. Speaker, it is with great sadness that I join our colleagues in paying tribute to the distinguished gentleman from Missouri, Dr. DURWARD HALL—the watchdog of the House.

I know of no more capable legislator, no one better informed about legislation that has come before the House. Too often—in the press of day-to-day business—we fall into the habit of relying on others for facts about bills under debate. This was never the case with "Doc" HALL; he always knew what was in the bill and never failed to object to provisions in the legislation which he felt were detrimental to the best interests of the American people.

It is fitting that we should pause here in the rush to adjourn and to consider the accomplishments of this man from Missouri. He was never one to yield to the pressures of expediency and always insisted on reason and deliberate speed. He took his job seriously and expected other Members to do likewise.

Words cannot express my gratitude for the honor of this friendship and for the privilege of having served with him. The Nation's debt to him is great. His character and attitude toward his job—everything about him—reflect what is truly great about America. It is the Nation's loss that he has chosen not to seek reelection at the end of this Congress. "Doc" has performed a yeoman's job for his people and our country.

Mrs. Rarick and I join with the people of the Sixth District of Louisiana in wishing "Doc" HALL the best of health and happiness during his every future endeavor.

HON. BILL RYAN

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ROSENTHAL. Mr. Speaker, when the 93d Congress convenes next year, the New York delegation will be absent one of its most distinguished and beloved Members, Bill Ryan, who was lost to us through an untimely death at the peak of his career. Those of us who were privileged to know Bill had been enriched by his friendship. Millions of Americans who did not know him have benefited from his legislative accomplishments and his example of political and personal courage.

William Fitts Ryan's death was a tragedy not only for his family, but for those of us who knew him. Bill was a good friend and a trusted colleague, and his passing was a deep personal loss to me. But his courage, foresight, and vision of America were also an example and an inspiration for me.

For the 12 years he was a Member of the House, Bill Ryan was a politician who championed good causes long before they were popular causes. Bill's political opponents in the Congress sometimes doubted the validity of his positions, but they never doubted the sincerity of his convictions and the deep sense of morality which formed the basis for his concerns. Working with him created the greatest respect for the warmth, intelligence, and thoughtfulness of the man.

If ever there was a model Congressman, Bill Ryan was that person. He combined great courage of convictions with great foresight. Long before it was popular, he spoke of admitting the People's Republic of China to the United Nations; he voiced opposition to the tragic, senseless war in Vietnam and opposed the expensive arms race that saw the Defense Department stockpiling nuclear armaments far beyond reason or necessity. Throughout his career he fought against racism and for individual rights. Men of his caliber are rare and we should cherish them when they pass our way. It may be a long time before another as competent, as courageous, and as dedicated as Bill Ryan will grace this House.

Bill is gone—but his memory and his good works will remain to remind each of us of our solemn responsibilities and the things which are as yet undone.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

THOMAS G. ABERNETHY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. JOHNSON of California. Mr. Speaker, it is a pleasure to join my colleagues in paying tribute to the Honorable THOMAS G. ABERNETHY, from the great State of Mississippi, who is retiring after serving with distinction in the House of Representatives since his election in 1942.

Representative ABERNETHY served on the committees on the District of Columbia and Agriculture, where he played a major role in the enactment of legislation so vital to the welfare of his State, the District of Columbia, and the Nation.

I want to thank Mr. ABERNETHY for his cooperation and assistance, and to commend him on a job well done. He will be missed by all of us who have been privileged to serve with him.

Mrs. Johnson joins me in wishing him a long, healthy, and happy retirement.

B. EVERETT JORDAN

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. TAYLOR. Mr. Speaker, one of the finest gentlemen I have ever known, B.

EVERETT JORDAN, will be leaving the Senate this year, proudly concluding almost 15 years of dedicated service to the people of North Carolina and the Nation.

Senator JORDAN's warm unassuming manner, his compassion for others, his smile, his hand always extended in friendship, his willingness to listen and go to bat for you, his wit, his Christian principles, his great love for his country, his State and his family, his honesty and his sense of fair play are qualities well known to those whose lives have been touched by this strong, remarkable man.

For more than 12 years, Mrs. Taylor and I have lived in the same Washington apartment building as the Jordans. EVERETT and his gracious wife Katherine have been among our closest personal friends. We have shared many experiences, joys, and disappointments. As Senator JORDAN leaves the Congress, the State of North Carolina will be losing the services of an able and conscientious legislator. Many of us will miss the day-to-day associations with a highly respected colleague.

Mrs. Taylor and I wish for EVERETT and Katherine continued good health, happiness, and much success during the years ahead. We shall always hold many pleasant memories of the two of them.

STATEMENT ON H.R. 16732

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. J. WILLIAM STANTON. Mr. Speaker, a famous Greek philosopher has written:

"Small opportunities are often the beginning of great enterprises.

I believe that quote really sums up the hopes and aspirations that many of us have for the limited SBIC program for it is the seed capital provided by a limited SBIC that provides a small enterprise a chance to survive and grow.

The limited SBIC program is an excellent example of what people working together can do to help others get a start, preserving at the same time the fundaments of the American free enterprise system. Private ownership and management and private initiative and risk are its foundation.

The Nation's business corporations, foundations, church groups, and other private investment sources must now help the limited SBICs meet the challenge of the 1970's by increasing their commitment—both in dollars and assistance. The promise of a good beginning must not be allowed to waste.

A recent study coordinated by Rutgers University Graduate School of Business found that 36 limited SBICs reporting results had:

First, evaluated some 10,000 business proposals, financing 422 disadvantaged business;

Second, under active consideration 300 proposals for limited SBICs investment of $9 million and investment from the other sources of $24 million;

Third, invested $7.6 million and generated $36-million in additional investment in minority businesses; and

Fourth, financed business owned by blacks, Spanish-speaking, Indians, Orientals, and disadvantaged whites which employ 5,500 persons—or a full time equivalent of 4,400 persons—and gross annual sales of $82 million.

These are deals that might otherwise have been lost. The results reflect what businessmen—minority and majority—accomplish working together.

Mr. Speaker, I wholeheartedly endorse H.R. 16732 and urge its adoption.

TRIBUTE TO CONGRESSMAN EDWARD A. GARMATZ

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. MURPHY of New York. Mr. Speaker, it is with great sorrow that I bid a fond farewell to a dedicated public servant and outstanding chairman of the Merchant Marine and Fisheries Committee, EDWARD A. GARMATZ. He contributed much to the maritime and fisheries industries and to the national welfare. He was instrumental in steering the landmark Merchant Marine Act of 1970 which guarantees a future for the American flag on the high seas of a troubled and competitive world through the Merchant Marine and Fisheries Committee and the House of Representatives.

His concern for our Nation's ecology has left a legacy to the Congress of the United States and to the people of Maryland which will never be forgotten. He is a gentleman of the highest caliber—a credit to his people in Maryland, and to his country. He has been a loyal Democrat who has given outstanding service to his party and his country for as long as I can remember and he deserves the warm praise and admiration of his fellow Americans.

Mr. Speaker, I join, along with my colleagues, in expressing farewell to a great American.

HON. JOHN H. TERRY

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. VEYSEY. Mr. Speaker, I rise to express my regret at the departure of our colleague and friend JACK TERRY.

The great State of New York has a well deserved reputation for legislative excellence based on the caliber of the men and women she sends to Congress. But even in this distinguished company JACK TERRY has stood out. The people of New York's 34th District have been fortunate to have this effective and experienced legislator represent them in the 92d congress.

I wish he were not leaving, but since he has decided to retire, Mrs. Veysey and I wish him Godspeed and the best of luck as he returns to the private practice of law.

TENTH BIENNIAL CONVENTION OF THE BYELORUSSIANS OF NORTH AMERICA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RODINO. Mr. Speaker, America itself is an excellent example of the importance the contributions of people of diverse cultural backgrounds can make to a nation. In recognition of this fact, and to once again express my concern and support for the ideal of freedom everywhere, I would like to bring to the attention of the House the recently held 10th biennial convention of Byelorussians of North America.

The Byelorussian-American Association along with its Canadian counterpart, the Byelorussian Canadian Alliance, convened this past September in Toronto, Canada. At this gathering it was resolved by all in attendance:

> To encourage in Soviet Byelorussia manifest trends toward liberalization, extension of civil rights, and cultural freedom. . . . To preserve in our own midst, along with Canadian and American values, our Byelorussian heritage—language, history, traditions, and the concern for the well-being of the entire Byelorussian nation.

These, I suggest, are truly worthwhile concerns and I applaud the endeavors of this brave and courageous people.

Byelorussians everywhere have good cause to be proud of their heritage. For it is one which dates back a thousand years and has long been respected for its high level of civilization—a civilization which successfull synthesized Byzantine and Western European cultural and political influences. These Americans and Canadians of Byelorussian ancestory are justifiably concerned for the preservation of this rich heritage. At this time, Mr. Speaker, I would like to add my voice to theirs in expressing a continuing concern for justice and freedom.

"EMANUEL CELLER—THE DEAN OF THE HOUSE"

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ROSENTHAL. Mr. Speaker, as the 92d Congress passes into history, the legislative career of one of our most distinguished Members comes to a close. After 50 years of historic service to his constituents and to his country, MANNY CELLER is retiring from public office.

His career in Congress has been historic not only in terms of its length, but in terms of its achievements, as well. For half a century, MANNY CELLER has been one of Congress' and the Nation's most vigorous champions of equal justice and human rights. As chairman of the Judiciary, he has been a creative and prolific legislator—the author of hundreds of pieces of progressive legislation, including four constitutional amendments.

During moments of reflection, the typical Congressman wonders whether his or her efforts will advance, even negligibly, the public well-being. MANNY's only concern is whether history will properly acknowledge his role as the most accomplished legislator of his time.

I have been privileged to know MANNY for the past 10 years and to work closely with him on matters of interest to our New York constituencies. His knowledge of urban problems and the vigor with which he pursues even the most minor project, were often of great assistance to me in dealing with district matters.

I will miss this man who has been a friend to his colleagues and an adviser to Presidents. But mostly, the Nation will miss his dedication and leadership.

TV NEWS DEMAGOGUERY BY CBS AND GEORGE HERMAN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ASHBROOK. Mr. Speaker, I was watching the Cronkite CBS evening news tonight when a typical example of news reporting demagoguery blurted out of my desk set. Having grown accustomed to the subtle innuendo, I was shocked, even hardened as I have become to their managed news, to hear their welfare program assessment.

Their news team studied the defeat of the so-called welfare reform bill. Various participants—John Erlichman, Senators RIBICOFF and LONG and the President himself—were shown in news clips. In summary, George Herman stated that in the next session, Mr. Nixon would probably turn his back on the liberals and woe the conservatives with an even more repressive program.

Note that closely. Mr. Herman is one of the worst hatchet men on television. Some time ago I inserted in the RECORD the entire interview of Senator GEORGE McGOVERN by Mr. Herman and his panel. It was sickening. They were sycophants at best in interviewing Senator McGOVERN, dishonest at worst.

This is the way these types brainwash the American people. Mr. Herman is guilty of the worst kind of political demagoguery in injecting such a fantastic slur on conservatives. He paints the picture that the liberals want to help and the conservatives want, as he puts it, repressive welfare reform.

The American people want welfare reform. What the reasonable person might call tightening up, Mr. Herman obviously calls repressive. At least it should be known that he is at work, plying his trade on the unsuspecting television viewer. Mr. Cronkite does not fit in the Herman mold but, sadly enough, it was on his program that this atrocious political slander occurred.

TRIBUTE TO CHAIRMAN JOHN BLATNIK

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. KEE. Mr. Speaker, as the 92d Congress draws to a close, I want to express my respect and admiration for one of the truly great Americans serving in the U.S. House of Representatives, Representative JOHN BLATNIK, chairman of the Committee on Public Works.

It was my good fortune to meet Representative BLATNIK 26 years ago when he first came to Congress. As a matter of fact, I had the pleasure of introducing Representative BLATNIK for the first speech he made in Washington just a few weeks after he assumed the sacred obligation as a Member of this body.

I admired Chairman BLATNIK and I am fortunate to consider him a true and loyal friend. Upon my election to the 89th Congress, I specifically requested to be assigned to the Committee on Public Works, at which time he was the No. 2 ranking majority member.

Over the years, I have thoroughly enjoyed the privilege and responsibility of serving on various subcommittees he has headed and, of course, the full committee on which he serves as chairman. He paid me the high honor of appointing me chairman of the Subcommittee on Conservation and Watershed Development, an assignment which I dearly cherish.

I will always be grateful to my very dear friend for assigning me to this position of trust.

As I have stated, I am grateful to be a Member of this body, following the dedicated service of my late father and mother. These past 8 years have been memorable as a result of working with our beloved chairman. He is an outstanding leader, a great organizer, and he has effectively demonstrated his dedication to the building of America.

Long a leader in the antipollution fight which he started 26 years ago, he was in fact a lone voice in the wilderness. He gave freely of himself to go that extra step, and his mission to alert the Nation to its water pollution problems has resulted in bill after bill being enacted into law. These bills have contributed significantly to help the residents of America fight this menace of water pollution.

Chairman BLATNIK's effective leadership excels in both Houses of Congress. His positive stature inspires those of us who serve on his committee to do our part in helping him fight his vital legislative battles.

In conclusion, our Nation should be grateful to have such an able leader protecting our interests in the legislative branch of our Government.

BERTIE COUNTY, N.C., CELEBRATES 250TH ANNIVERSARY

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GALIFIANAKIS. Mr. Speaker, today I would like to pay special tribute to Bertie County, N.C., celebrating its 250th anniversary this month.

Bertie County just completed a special 2-week celebration of this milestone. Mr. Harry L. Thompson was chairman of the anniversary planning commission, and he, along with the hundreds of involved citizens in Bertie County, worked hard to make the celebration the success it was. I commend the Bertie County citizens for their appreciation of history and their interest in preserving their priceless heritage.

Bertie County was first established at a "General Biennial Assembly, held at Edenton, in Chowan Precinct, the Second Day of October, One Thousand Seven Hundred and Twenty-two and continued by several adjournments, the Nineteenth Day of the same Month. An Act appointing that part of Albemarle County lying on the West Side of Chowan River, to be a Precinct, by the name of Bertie Precinct." Bertie's history goes even further back, however.

Probably the first Europeans to explore the shoreline of Bertie were Englishmen, members of Sir Walter Raleigh's expedition which had come to Roanoke Island in 1585. And there were Indians present in Bertie even then who had dwelt there for centuries.

Within this county's boundaries was the home of the first permanent white settler, Nathaniel Batts. His home was built as early as 1655, for a price of 1,382 pounds of tobacco.

During the last 2 weeks, Bertie County's nine incorporated towns each had a day in which to celebrate with various events—including an art show, gospel and country and western music, a display of prehistoric Indian relics, special train trips, and the culmination of a 7½-year dream—the opening of Gov. David Stone's house—1808–10—completely restored.

Mr. John Tyler was chairman of the restoration project and commented:

> What has been so unique about this restoration is the fact it has had such wonderful support, not only locally but statewide, and so many people have been involved. I really feel it belongs to the people—it has been a grass roots restoration, but at the same time it has attracted so much interest from foundations and from the state.

I think the people of Bertie County deserve special credit for drawing attention to this priceless estate and seeing to it that neither time decaying it nor "progress" destroying it would defeat them in their efforts to preserve it.

My congratulations to the citizens of Bertie County. Bertie County's past is the sturdy foundation upon which her future will be built, and I would say the folks in Bertie have quite a successful future in store for them.

HON. ALEXANDER PIRNIE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DERWINSKI. Mr. Speaker, among the many Members who are retiring, there is one who has been particularly close to me for many years. I refer to my good friend and respected colleague from New York, ALEXANDER PIRNIE.

AL embodies all the qualities and talents that are essential to the makeup of an effective legislator. He has been an effective and responsive member of the House Armed Services Committee. At all times he has been devoted to the public interest, serving his district, State, and country well and faithfully.

However, I feel that AL should be especially commended for his services to the Interparliamentary Union Conference. He served as chairman of the IPU from 1965 to 1968 and was eminently well qualified to serve in this position. I can attest to the years of hardwork and leadership that he provided to the IPU, as well as being an active and effective spokesman for that organization.

I join the Members of the House who wish AL well in his retirement, and I am looking forward to continuing our friendship.

WHY 18-YEAR-OLDS SHOULD VOTE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mrs. HECKLER of Massachusetts. Mr. Speaker, there is a great deal of discussion these days about the extension of the franchise to 18-year-old Americans. An essay entered by Wendy Beale of Waterford, N.Y., in the national contest of the Italian American War Veterans is one of the best analyses of the question that I have seen. I herewith share it with my colleagues:

WHY 18-YEAR-OLDS SHOULD VOTE

(By Wendy Beale)

"A life spent worthily should be measured by nobler lines—by deeds, not years."—Sheridan.

As soon as I read this statement, I realized how accurately it expressed my attitude concerning lowering the voting age to eighteen. Granted, time reaps from us a certain amount of maturity from the harvest of experience and age, but utilizing age as a yard stick as an estimate of maturity is a deceiving and specious situation.

It is generally accepted that today's youth are better educated than their predecessors. As a result of the abundance and availability of the mass media which efficiently covers the current happenings in the world, we have an exceptionally well informed generation. Television alone delivers to millions of doorsteps the crucial events and issues of the day. Many of our youth between the ages of eighteen and twenty-one are college students who are in contact with intellectual study and observations daily. What better equipped citizen exists than one who is involved in the stimulating and inspirational pursuit of knowledge?

Numerous adults appear to be less than interested in the world, and are more anxious about their next car payment or mortgage. My purpose here is not to disparage adults, but denote that where adults are often concerned about their families or acquaintances, young people can afford to care about mankind as a whole. Although youth may be somewhat inexperienced, their idealism and resilience are a definite advantage. They are rarely apathetic.

Another important aspect of this situation is frustration. The source of campus demonstrations and riots seems to be disconcerted frustration. These young adults need a role in electing our leaders who formulate the policies which shape their lives. By granting them the right to participate in determining their future, we are offering them the opportunity to seek reform and improvement within our existing democratic system.

The idealism, energy, and vitality of our youth are sorely needed in our political system. I am confident that democracy is unsurpassed by any other political system, and I am convinced that the eighteen to twenty-one year olds can contribute to it with their knowledge and responsibility this amazing era has bestowed upon them. Sincere idealism and a fervent capacity to get involved are integral ingredients in the recipe for a future democracy more resplendent and effective than we have ever known.

POLAND COMES A LONG WAY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ZABLOCKI. Mr. Speaker, the story of Poland's resurrection out of the ashes of World War II is a moving account of a brave and determined people.

Unfortunately, that story is too little known—or appreciated. It was, therefore, gratifying to read in the Washington Evening Star-Daily News of October 15 the excellent and stirring report of Mr. Jack Schnedler.

As Mr. Schnedler says so well, after reading this story no one should ever again laugh at so-called Polish jokes.

The article follows:

FROM ASHES OF 1945: POLAND COMES A LONG WAY

(By Jack Schnedler)

OSWIECIM, POLAND.—In Germany, this was Auschwitz, where the Nazis exterminated 4 million human beings. The two prolific death camps of Auschwitz and Birkenau here are now museums, in which it is possible to see an entire roomful of hair shorn from victims and another laden with clothing of small children who were sent to the gas chambers.

Auschwitz is a truly terrible place to visit, but is part of a remarkable story that the traveler in Poland finds himself piecing together with wonderment.

The Poles have rebuilt their country from the ashes of 1945 in a way that is one of the most inspiring sagas an American will come across in Europe. Marcia and I spent nine days camping in Warsaw and Cracow and the Tatra Mountains, and we left vowing never again to laugh at a Polish joke.

Most of the story of Poland's rebirth can be seen in the capital city of Warsaw. Two-thirds of Warsaw's prewar population of 1.2 million died under the Nazis, and only 200 of its 500,000 Jews survived the holocaust. The city was 85 percent destroyed and its historic sections were entirely flattened. A moving film of the systematic destruction, made by the Nazis themselves in 1944, is shown at the Warsaw History Museum on the old town Market Square.

The winding streets and centuries architecture of the old town section have been faithfully restored, along with virtually every other building of historic value. Warsaw's population is back to its 1939 level, and the evidence of Nazi devastation is almost gone. The largest remaining reconstruction project, on the magnificent old royal castle near the entrance to the old town, is under way and expected to be completed by 1976.

Poland remains a Communist country, and the foreign visitor still must obtain a visa in advance and prepay some expenses ($3 a day for camping). But after five weeks in the Soviet Union, Warsaw seemed to us practically a den of capitalist consumerism.

There were stylishly dressed women, supermarkets of sorts and—glory of glories—Coca-Cola. There were Western newspapers, too, although they were not for sale; they could be read only on the premises in a special lounge at the Europejski Hotel.

We ran across not a single other American camping at Warsaw or our other Polish stops. Perhaps the thicket of regulations promulgated Orbis, the official tourist agency, discourage many people. But we found that it was easy to keep a wide berth of Orbis, and the average Pole we met was quite friendly and helpful, even though there was a dearth of English spoken. Marcia's broken German turned out to be useful.

Along with its other assets, Poland is dirt-cheap for the foreign visitor. We had a full dinner for two with beer one evening at a commendable resturant in Cracow for a total of $2.40 including tip.

Cracow is 200 miles south of Warsaw and preceded it as the Polish capital. Hans Frank, the German governor-general, ruled occupied Poland from Cracow's beautiful Wawel Castle, former seat of the Polish kings. The city escaped the systematic destruction planned by the Nazis in 1945 because of the rapid arrival of the Red armies, so Cracow today presents an even purer picture of Poland's past glories than does Warsaw. We rank its main Market Square with the Grand Place of Brussels for sheer magnificence.

There is one lonely part of Cracow, the Jewish quarter called Kazaimerz. Hitler's final solution left few Jews to return to Cracow or any of the Polish cities after the war, but a scattering of Judaic monuments has been preserved in Makimierz.

And there is Auschwitz-Birkenau,, an hour's drive west of Cracow. The town of Oswiecim is now the site of the largest chemical works in Poland, but the two death camps on the outskirts have been preserved as they were in 1945.

Auschwitz is a bustling tourist center complete with hotel and restaurant and postcards. The mocking sign in German still hangs over the main entrance: "Arbeit macht frei" (Work brings freedom).

The substantial red brick buildings in the compound could pass for a housing development, but inside are the horrible displays; the hair, the clothing, the piles of suitcases with owners' names and birth dates painted on the sides, the spectacles, the artificial limbs. And lining the walls by the thousand, the photographs of the victims; men, women, children.

Birkenau, the sister camp where the majority of the 4 million actually were killed, lies 2 miles down the road from Auschwitz. It is less visited by tourists and therefore more pristine in its horrors.

The huge crematoria built by the Germans is now a tumble of concrete ruins. Many of the wooden barracks have been dismantled, leaving only the rows of little brick chimneys in neat patterns across the field.

It is a long way from this to the prospering Warsaw of 1972, and it is a remarkable people who have made the journey back.

DEL MONTE ALSO THE CONSUMER'S FRIEND

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. LEGGETT. Mr. Speaker, the current discussion surrounding the consumer movement and proposed consumer legislation frequently stresses the negative aspects of business and often implies that the business community is indifferent to the interests of the consumer. I am pleased to note two examples of positive corporate response to consumer proposals.

The first is a recent announcement that the Del Monte Corp. has become the first U.S. canner to initiate a nutritional labeling program. On October 10, 1972, Mr. Richard G. Landis, president of Del Monte, announced that beginning with the 1973 packing season the majority of Del Monte brand foods will contain a new information panel listing calories, fat, protein, carbohydrates, and percentage of a standard recommended daily allowance of 10 basic nutrients contained in a 1-cup portion. These labels will be appearing on the grocery shelves next summer.

The second item is a compendium recently published by the Senate Committee on Commerce setting forth the responses of the 300 largest U.S. corporations providing them with opportunity to outline their activities in the field of corporate responsibility toward the consumer. The Del Monte Corp. was among those responding and I insert their reply which outlines this company's actions in a number of areas of interest to consumers:

DEL MONTE ALSO THE CONSUMERS' FRIEND

FOOD SAFETY

Programs to assure the safety and wholesomeness of canned foods represent a prime example of voluntary actions through industry-government cooperation. They also are among food industry practices which most often are taken for granted.

Predecessor companies of Del Monte Corporation took the leading role in the founding in 1907 of the National Canners Association, whose first official act was adoption of a pure food guaranty. Del Monte also was a pioneer in the establishment of scientifically developed safety standards for the cooking of low-acid foods. In the early 1920's, the Company was a leading force in the adoption by the State of California of a program for state regulation and inspection of canneries. Industry-government cooperation is illustrated by the fact that a major part of this ongoing program is carried out in the Berkeley laboratories of NCA. Time-and-temperature schedules for cooking are established by NCA personnel. Cost of this model program is met 60 per cent by industry and 40 per cent by the state.

A similar safety program at the national level has been advocated by Del Monte since the late 1950's. Efforts reached fruition in 1971 when the NCA, with the strong support of Del Monte, asked the Food and Drug Administration to adopt uniform processing standards for food canneries. This voluntary Better Process Control Program will require government registration of canneries, uniform processing guidelines, automatic recording of processing data, new training programs for retort supervisory personnel, and other procedures to assure the complete safety and wholesomeness of canned foods.

Del Monte pioneered the use of a simple but effective device for confirming that low-acid canned foods have passed through the cooking process. The method involves applying to each can a blue, heat-sensitive paint that turns white when subjected to the high temperatures of processing. Del Monte began using this system in the late 1950's as one of several voluntary steps to assure food safety.

Thanks to these and other safety programs—and to the extreme care in food preparation exercised by our industry—the incidence of botulism poisoning, which occasionally occurs in home-cooked foods, is less than one in *100 billion* in commercially canned foods. The programs mentioned above are designed to reduce or eliminate even this infinitesimal incidence rate.

Del Monte gave early support to an industry-wide survey of food additives conducted in 1971 by the National Academy of Sciences. Findings will provide the Food and Drug Administration with information for monitoring and controlling use of additives. Of 680 chemicals listed by FDA as generally recognized as safe (GRAS), Del Monte uses only 23.

The food industry, with Del Monte an active participant, also is working toward the establishment of international food standards under the auspices of the United Nations. The program, known as Codex Alimentarius, seeks the protection of consumer interests and the promotion of honest and fair dealing in world markets. More than 70 nations are participating.

LID SAFETY

Del Monte began marketing single-serving products in easy-opening aluminum pull-top cans in California in January, 1970, and nationally in January, 1971. By October, 1970, the Company was aware of customer complaints that raised the question of the lid's safety. Acting on its own, Del Monte subsequently investigated virtually every potential safety device put forward by the can manufacturing industry. As an interim remedy, the Company plans by June 1, 1972, to begin converting to a "guard bead" lid which greatly reduces the chance of cuts from licking. For the long-term, Del Monte is investigating a promising "triple fold" lid that eliminates the raw edge. If mass production of "triple fold" proves feasible, the Company hopes to being a changeover in early 1973. Can labels also carry a warning.

PESTICIDES

More than a decade ago Del Monte developed a model program for controlled use of pesticides and turned it over to the canning industry. The initial phase, a pesticide usage control program, was made available in 1960 through the National Canners Association.

In 1962 Del Monte prepared a second document—a Pesticide Safety Manual. It was used by NCA in the preparation of a safety manual distributed to canner members. In addition, Del Monte has made a limited distribution—based on legitimate request—to non-canning companies, public health agencies, and federal agencies, such as the Department of Agriculture.

Del Monte also prepared a Pesticide Information Manual for Physicians in 1963 and has made it available to physicians in areas where Del Monte crops are grown.

Chemicals serve as the basic weapon against pests because they are the most effective in the greatest number of situations, most notably when insects have already attacked a growing crop. But non-chemical methods also are effective in certain situations, and Del Monte employs several of them: cultural control (cultivating and growing crops when and where pests are not present); physical controls, such as the flooding of fields and the use of barriers; insect-resistant plants; and biological controls.

Pesticides are applied to Del Monte crops when the presence of pests or the imminent threat of disease pose a problem that cannot be controlled by less costly non-chemical measures. The fact that pesticides are expensive is in itself an incentive to use them only when other measures will not do an effective job.

LABELING

The label represents one of a canner's most useful tools in communicating with its customers. With this in mind, Del Monte has used descriptive labeling since 1936. Types of information found on its labels have varied over the years, depending on consumer needs and interests. But descriptive labeling was intended primarily to assist housewives in selecting exactly the size of can and style of pack best suited to their needs. Del Monte also has supported descriptive labeling programs promoted by the National Canners Association.

In the 1970's, increasingly sophisticated consumers are looking to food labels for even more information. Beginning with the 1972 pack, a full list of ingredients will be found on all Del Monte canned foods; the practice of listing them on non-standardized foods is being extended to those for which federal standards of identity have been established. The Company's 1972 labels also will advise consumers that information on nutrients contained in a Del Monte product may be obtained from the Company upon request. To answer these requests, Del Monte has produced a Nutrition Guide listing nutritional and caloric values of a broad range of canned and processed fruits and vegetables; a table showing the recommended daily amounts of various nutrients according to age, sex, weight and height; and other factors; a summary of the major functions of nutrients and calories and in which foods they are found; and a presentation of the "Basic Four Food Group" as a simple guide to planning nutritious meals.

Industry and government officials have been working together to devise a practical method of providing nutrition information on labels. Del Monte supports the concept, provided the nutrition information is understandable and helpful to the average consumer. We believe the interests of the consumer are not served by inundating her with information that could confuse or inadvertently mislead; hence, our efforts to *educate* as well as inform the consumer; to teach her how to use the nutrition information to which she is entitled.

The Food and Drug Administration is currently gathering information on how nutritional labeling can be made effective. One source is a series of experiments being conducted by the Consumer Research Institute, of which Del Monte is a member.

CONSUMER EDUCATION

Del Monte long has been active in nutrition education. As early as the 1930's its national magazine advertisements stressed the importance of vitamins in the daily diet. In addition, the Company maintains an active correspondence with consumers and educators. More than 90 per cent of letters are answered the week they are received.

Requests for teaching aids and other nutrition information have more than doubled in the past three years, and they account for a bulk of the more than 15,000 letters on nutrition matters answered annually. Letters come from students, teachers, consumers, health departments, physicians, dietitians, youth groups, and others. In the past five years, Del Monte has supplied schools with nearly 5 million pieces of teaching materials for home economics classes.

In 1970, as consumers developed greater interest in nutrition, Del Monte created wall charts and cards that explain the Basic Four Food Groups, a simple guide to good nutrition. The materials were printed in English and Spanish, and more than 1.2 million have been distributed to schools, health departments, universities, and other groups. Mrs. Virginia Knauer, director of the White House Consumer Affairs Office, has endorsed the educational effort. About 220,000 of the Spanish language materials were distributed in California, Texas, New Mexico, Florida, New York, Puerto Rico, Trinidad and other areas.

Del Monte economists participated in production of a consumer education film by the University of California Extension Service. The 60-second public service film was distributed to television stations throughout the nation and carried the message that juices, fruits and vegetables make the most nutritious snacks. Plans are being made to produce three additional public service films in 1972 in cooperation with the university.

CONSUMER AND ENVIRONMENTAL PROTECTION

The quality of Del Monte food products is intimately connected with the quality of the environment in which they are produced. In recognition of this fact, the Company's ongoing activities in consumer and environmental protection were consolidated in 1971. The inseparable functions are being administered by the newly created Consumer and Environmental Protection Department.

In its continuing search for environmental controls, Del Monte is experimenting with a new method of peeling Cling Peaches that would lessen waste disposal problems and reduce water use by as much as 90 per cent. As in conventional methods, dry caustic peeling requires the application of a caustic solution to loosen skins. However, whereas peels are washed off by jets of water in conventional practice, they are rubbed off in the new method as the peaches pass over a bed of spinning, soft-rubber discs. By completely separating peels from the water, the new method reduces treatment requirements for liquid wastes. Del Monte tested dry caustic peeling last year at its San Jose, California, cannery and will do further experimenting there in 1972 to determine commercial feasibility of the method.

Responding to growing consumer concern about solid waste disposal, Del Monte last year began including recycling symbols on many of its labels. The symbols serve as a reminder that steel and aluminum cans are recyclable and that paper fiber used in other types of containers was made from recycled or recyclable materials. Symbols will be appearing on more and more Del Monte labels to encourage recycling activities.

The Company pioneered the development of lagooning and aerating systems for treating liquid plant effluents in the 1930's, and has developed several ingenious methods of converting solid waste such as corn-cobs, peach pits, and pineapple husks to useful by-products.

CONTAINER SIMPLIFICATION

Del Monte participated in National Canners Association efforts to develop can-size standards with the Department of Commerce. NCA's Committee on Simplification of Containers proposed 16 container standards, but the program was abandoned in 1971 because of budget cuts in Commerce. Further, Commerce's Bureau of Standards took the position that the agency should not be in a position of judging can sizes in adopting a voluntary program. It is the policy of Commerce to limit its involvement in voluntary standards to those cases where a real need is not being met effectively by private groups.

CORPORATE CITIZENSHIP

Del Monte is playing a role of public leadership through activities of its senior management. The Del Monte Chairman Alfred W. Eames, Jr. chairs the California Chamber of Commerce Consumer Affairs Committee which is sponsoring the first national Solid Waste Management Conference. He also has served as a member of the National Industrial Polution Control Council. Del Monte Vice Chairman Ross B. Yerby serves as Western regional fund-raising chairman for the Nutrition Foundation and The Council for Better Business Bureaus. Del Monte President Richard G. Landis is a member of the California Cannery Inspection Board. Del Monte's director of public affairs, Joseph Barish, was elected chairman of the California Governor's Advisory Council on Consumer Affairs, whose statutory membership includes representatives of business, government, labor, and consumers. Time devoted to this public service by top management personnel represents a significant contribution of corporate creative resources.

Del Monte was a prime mover in the founding of The Nutrition Foundation, a nonprofit organization which, since 1941, has channeled more than $9.5 million in research funds into basic studies of food value, nutrition and health. In so doing, the Foundation has played a major role in developing some of our fundamental knowledge of nutrition. The Company recently moved to substantially increase its support of the Foundation.

Del Monte also is giving strong support to a new approach to self-regulation of the marketplace—the programs of the Council of Better Business Bureaus. Formed in 1970, CBBB was chosen by large and small businesses across the nation as the focal point for a newly demonstrated concern for the customer. Del Monte is critically evaluating the effectiveness of a pilot project in which the San Francisco BBB opened storefront offices in five low-income minority neighborhoods.

In recognition of the need for fostering communication between environmental groups and the business community, Del Monte was the major factor in the business community in establishing in 1972 an Environmental Information Clearinghouse for the San Francisco Bay Area. The Clearinghouse is a joint program of services administered by leaders of both business and ecology groups. No similar organization performs this function in the Bay Area, and the Clearinghouse may become a model for future projects in other regions.

Certain expertise is shared by Del Monte as a matter of conscience. Last year the Company initiated nutrition counseling to the San Francisco Bay Area Alcoholism Program, a rehabilitation program for adult male Native Americans. Del Monte nutritionists designed a low-cost menu, recommended economics in the Program's purchasing procedures, assisted in planning efficient use of storage facilities, and helped design efficient food preparation methods. The counseling format is being analyzed as a possible model program for use in other areas of the nation.

On the international level, Del Monte expertise in the fields of nutrition and marketing was shared with the government of Kenya. Under contract with the U.S. Agency for International Development, Del Monte dispatched two experts to Kenya in 1968 to conduct nutritional food habits and marketing investigations. A report on how that government could promote better nutrition was issued in 1969.

Del Monte played a significant role in the broadening of the National School Lunch Program in 1970 to permit the private sector to supply the program for the first time. The Company created an awareness in the Executive and Legislative Branches as to the benefits to child nutrition that would result if the private sector were enlisted to participate in feeding operations. Buffalo, New York, was one of the first inner-city school districts to take advantage of the expanded program and awarded a contract to Service Systems Corporation, a Del Monte subsidiary, for 12,000 hot lunches daily.

In recent years Del Monte has increased its dialogue with students. Last year, for example, the Company helped underwrite at the University of California what was understood to be the first undergraduate course devoted to consumer issues. Del Monte was the subject of a case history on nutrition labeling released for national distribution through Harvard Clearinghouse. And the Company last year cooperated with the Stanford University Student Committee for Corporate Responsibility in attempts to construct a model for measuring the level of corporate social responsibility. Del Monte intends to encourage similar student dialogue in the future.

Recent television commercials and magazine advertisements highlighting the way Del Monte judges quality of fresh fruits and vegetables—and how growers achieve that quality—have been acclaimed by consumer groups for balancing educational value with brand identity.

JIM KEE SPEAKS ON WATER RESOURCES

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WRIGHT. Mr. Speaker, our able colleague JIM KEE of West Virginia spoke on October 12 to the annual meeting of the Ohio Valley Improvement Association meeting in Cincinnati.

As all of us know, the gentleman from West Virginia has devoted much of his lifetime to the care and preservation of this Nation's natural wealth, notably including our priceless and irreplaceable water resources. For the past 2 years, he has served actively and effectively as chairman of the Public Works Subcommittee on Conservation and Watersheds.

Because of the valuable insights provided in this report, I submit it for printing in the RECORD and commend it to the reading of the membership:

STATEMENT OF HONORABLE JAMES KEE

Mr. Mack, distinguished guests and members of the Ohio Valley Improvement Association—first, I want to thank you for the thrill of returning again this year, at your invitation, to be with you today. As a West Virginian, I feel at home here. It's just a neighborly visit—and we have been neighbors for a long time! It was so gracious of you to invite Pat Spence, staff member of the House Committees on Public Works, and myself to participate during your 77th annual meeting.

As a Member of Congress, and legislation is my business, I am going to talk about just that—this is a legislative report to you.

I also want to commend the Ohio Valley Improvement Association for the very fine work you are doing to develop and upgrade the great Ohio Valley.

When a group such as this bands together as a closely-knit team reaching out for the fullest development of its community's natural and human resources—this is indeed what I would term "creative citizenship" of the highest order. Not only will the Ohio Valley benefit from your accomplishments—but all America will benefit—particularly

Ohio, West Virginia, Pennsylvania, Kentucky and other States.

As you well know, Ohio has sent to Washington some very able and dedicated Representatives. You sent them there to represent you. Therefore, they need your continued help in order to do their job more effectively. I am not talking about campaign donations now—though I am sure they need those too—but I am talking here about your getting to know your Representatives, visiting with them and making your needs and wishes known to them. When they are in the process of hammering out legislative measures which affect you, let your voices be heard, give them your support and encouragement. It lends muscle to their efforts.

In the time allotted me—I cannot discuss all of the tremendous legislation that has come out of the 92nd Congress. I would—however—like to highlight for you some of the key bills—spelled *key* that is—that have come out of our committee on public works and are of immediate and specific interest to each of you.

The fact is unquestioned that the 92nd Congress has been active and productive—in spite of what Ralph Nader says.

First—we have the omnibus rivers and harbors and flood control bill. This important legislation contains an authorization for bank protection works along the Ohio River from upstream New Matamoras to Cincinnati—and local flood protection works at Chillicothe prior to the beginning of construction of the Mill Creek Reservoir.

Then there is the Federal Water Pollution Control Act amendments of 1972.

This far-reaching and long-ranged piece of legislation has been before both Houses of Congress since early in the 92nd Congress. It passed the Senate last November with an 86 to zero vote: and it passed the House last March with a vote of 378 to 14. Then long and fruitful sessions were held by a conference committee of both Houses to reconcile the differences in the bills under consideration. We in the House feel that the end product of these meetings made possible a workable and realistic bill. Coupled with the legislation already on the books—we feel that it will go far in reducing and eliminating pollution to our rivers and streams.

We hear so much about pollution these days that it sounds at times like a "new idea"—a brainchild of the "new breed."

Chairman John Blatnik of the House Committee on Public Works began warning the American people of the coming crisis of water pollution 26 years ago. For too long—he was "a lone voice crying in the wilderness." But—finally—people started to awaken to the tragic truth—that pollution was indeed a threat to our nation. The wheels of progress started turning and we started trying to do something.

The great spotlight fell upon our enormous pollution problems.

Then came something of an hysterical reaction that so typifies man's sudden awareness of something. Just overnight there sprung up tens of thousands of self-styled environmentalists—ecologists and conservationists. And I say "self-styled" to distinguish those who would bring to a screeching halt all progress and stop all construction in the name of ecology separated from the highly skilled—deeply motivated and dedicated groups that are working "within the system" to bring about changes that are not only desirable but mandatory if we are to survive.

Speaking of the "new idea" or "new cause"—one famous entertainer who was recruited to the "new cause" was asked—when he recommended that all big dams should go—what about the hundreds of thousands of people who would perish or be harmed by such a program—answered—"we have too many people as it is." He is a "self-styled" environmentalist with a rather "to hell with them attitude" that seems to be contrary to their missionary zeal about conservation. I wonder if this type of thinking had been prevalent 200 years ago—if we'd be across the Appalachian mountains yet.

The National Environmental Protection Act of 1969 is a great piece of legislation. Its purposes as enunciated by Congress: "To declare a national policy which will encourage productive and enjoyable harmony between man and his environment to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man: to enrich the understanding of the ecological systems and natural resources important to the Nation—and to establish a council on environmental quality."

What happened? Since the passage of that great piece of legislation—the courts have been deluged with citizens suits seeking declaratory judgments and injunctions against the Atomic Energy Commission—the Corps of Engineers—the Department of Transportation—Housing and Urban Development—National Environmental Protection Agency—Forest Service—Department of Interior—Soil Conservation Service—and so on. Up to May 1972—there had been 49 such cases in the district courts—and 12 appeals.

Now—the injunction process of our common law is a priceless and needed heritage that should never be abandoned. Nor should it be unduly restrictive. However—for those who would stop progress anytime such progress is deemed by a certain individual or group of individuals as un-needed—the injunction is an effective weapon and it can throw a devastating wrench in the wheels of progress—to the delay—expense—and detriment of all others.

It became a matter of the courts interpreting the National Environmental Protection Act.

In many of the cases we reviewed—the citizen or citizen group was found to have standing—and injunctive relief was granted. But finally—in the case of Sierra Club v. Morton—Secretary of the Interior—et al.—the Supreme Court handed down a decision on April 19, 1972.

In that case—the petitioner—a membership corporation with a "special interest in the conservation and sound maintenance of the national parks—game refuges—and forests of the country" brought this suit for a declaratory judgment and an injunctive restraining federal officials from approving an extensive skiing development in the mineral king valley and the Sequoia National Forest in California. I might note here that the Sierra Club has had *at least ten* suits in the District Court for the District of Columbia alone. The petitioner relied on section 10 of the Administrator Procedure Act—which accords judicial review to a "person suffering legal wrong because of agency action—or adversely affected or aggrieved by agency action within the meaning of a relevant statute."

On the theory that this was a "public" action involving questions as to the use of natural resources—petitioner did not allege that the challenged development would affect the club or its members in their activities—or that they used Mineral King—but it maintained that "the project would adversely change the area's aesthetics and ecology."

The district court granted a preliminary injunction and determined that the hearing raised questions "concerning possible excess statutory authority." The court of appeals reversed—holding that the club lacked standing—and had not shown irreparable injury.

The court held: "A person has standing *only* if he can show that *he himself* has suffered or will suffer injury—whether economic or otherwise." So—without the element of individualized harm to itself or its members—the Sierra Club lacked standing to maintain the action.

This finding was affirmed by the Supreme Court on April 19, 1972.

I am sure this is music to the ears of all here who are interested in the development of the great Ohio Valley. At least it assures you that Congress did not intend—nor will the courts allow—Joe Doaks from the State of elsewhere to come to Ohio and dictate how you develop your valley.

However—you've still got problems—from yet another source! The Office of Management and Budget—formerly the Bureau of the Budget—has approved a proposal by the Water Resources Council which—if allowed to stand—would bring to a halt most—if not all—public works in the Nation.

The proposal would make the interest rate to be used in evaluating the benefit-cost ratio 7 percent. Immediately rising to 10 percent within 3 to 5 years. At the current rate of 5⅜ percent—half of the proposed public works projects fall by the wayside since the B/C ratio fails to meet the minimum 1.1.1 requirement. Furthermore—any project not started with 5 years would be de-authorized. And—even worse—those projects already approved and not started would be re-computed under the new formula. These proposals probably pose a bigger threat to national improvements than the efforts of those previously mentioned.

Accordingly— I have co-sponsored a bill—H.R. 16941 which would stop these grossly unfair changes in the ground rules. This bill will be reintroduced in the 93rd Congress. But I will not burden you with reading it for you. This act may be cited as the "Water and Related Land Resources Policy Act of 1972."

Another bill I sponsored this year would attack the problem of non-point source pollution from agricultural—rural and developing areas. It is estimated that these sources of pollution are 700 times greater than all others. We held extensive hearings throughout the Nation studying the problem—drafted the bill and held hearings. We propose $5 billion be put into this fight. Due to the coming end of the 92nd Congress—a new version of that legislation will be introduced next year.

We are truly living in great and exciting times. They are troubled times to be sure—but one of the world's greatest historians—having devoted a lifetime to studying and recording history from the beginning of civilization was asked: "What was the most important thing you learned in your life's study of all significant historical events?"

He promptly replied, "When it gets darkest—the stars come out."

America has had darkness before—and the stars came out. We can see them now on a field of blue in the flag of the United States of America—"One Nation, under God, indivisible, with liberty and justice for all."

May the Good Lord, our Maker, bless each and every one of you—and help you in your endeavors.

TRIBUTE TO THOMAS G. ABERNETHY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. MURPHY of New York. Mr. Speaker, it is with deep regret that I must bid a farewell to one of the most dedicated men in Congress, THOMAS G. ABERNETHY. His work as one of the senior members on the House Agriculture Committee was recognized by all as being exceptional and outstanding. He was one

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of the most influential Members of Congress during his 30 years on Capitol Hill. During his time in Congress we relied on his valuable and sound judgment.

Mr. Abernethy is truly a great American and gave much unselfish time to his constituents, and they benefited greatly from his long years of service. He is a man with great courage and ability and we who remain shall miss him in the years to come.

NORTH CAROLINA JAYCEES SPONSOR ENVIRONMENTAL CONFERENCE

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GALIFIANAKIS. Mr. Speaker, the North Carolina Jaycees are on the move. In a joint effort with the University of North Carolina's outstanding School of Public Health, the North Carolina Jaycees are sponsoring an Environmental Conference between November 30 and December 3 in Chapel Hill.

This conference is much more than a one-time 4-day seminar on the environment. This conference will provide a launching pad for a 2-year, community based, environmental program throughout the entire State of North Carolina. Joining with the Jaycees in this important mission will be government and business leaders, college faculty, students, and local officials.

Concern for the environment is not new within the Jaycee organization, but now they are involving others with this concern. They are wisely broadening the base of support for environmental efforts, for it is going to take all of us, working together, to preserve mankind and Mother Earth for the 21st century.

Jaycees are going to lead the way into the 21st century, for I know from my own personal experience as a Jaycee what valuable training our young men are receiving as citizens and community leaders. As an American citizen, I am already deeply grateful for the contributions these outstanding young men have made. And I still deeply espouse the Jaycee credo that community service is the quality that builds the individual and that the quality of society is as good as the individuals who comprise it.

In tackling the vexing, complex, sometimes frightening environmental problems we have today, the Jaycees have proven once again that they are moving with the times and have their eyes on the future.

We are a populous nation, a nation of affluence, and therefore the demands we place on our environment are heavy. As Pogo, the comic-strip philosopher said:

> We have met the enemy, and they are us.

Difficult decisions and compromises must continue to be made about where we are heading, and what we value most for our future.

The solutions, I think, must lie somewhere between the prophets of total doom with predictions of the end of mankind, and the smug complacency of those who think someone else is taking care of it, or that our technology, which got us into this dilemma, will magically extricate us from it.

It is men like the N.C. Jaycees who will disprove Albert Schweitzer's warning that:

> Man has lost the capacity to foresee and to forestall. He will end by destroying the earth.

Today's men of vision in the Jaycee organization are laying the groundwork to rebuild, revitalize and preserve our precious natural resources.

Jaycees know that the real solution to the problems which confront our communities today is having people who are big enough to shoulder the responsibilities of leadership. Big governments can lay great plans, but only big people—like the Jaycees and the people like Jaycees—can build them into realities.

I know my distinguished colleagues will join with me in wishing the North Carolina Jaycees and the U.N.C. School of Public Health much success with their upcoming conference.

EULOGY OF HON. KARL LeCOMPTE

HON. FRED SCHWENGEL

OF IOWA

Saturday, October 14, 1972

IN THE HOUSE OF REPRESENTATIVES

Mr. SCHWENGEL. Mr. Speaker, it is with high personal regard for a good friend and former colleague that I join today in praising the name and accomplishments of the late Hon. Karl LeCompte, who served in this Chamber from 1939 to 1959 as Representative from the Iowa Fourth and Fifth Districts.

Although it was my pleasure to serve alongside this distinguished Member for only 4 years, I came to regard him with the greatest fondness and the greatest respect. He was a man of consummate ability and the broadest comprehension. And he was perhaps, the most helpful veteran Member of the Congress that any freshman Congressman could ever hope to meet.

The Republican Party of Iowa has a long and distinguished history, and Karl LeCompte was identified with much of it in one way or another, dating back almost to the Civil War. His father, Charles F. LeCompte, had come to Iowa in 1865, settling at Corydon, and was instrumental in establishing the Corydon Times-Republican, in Wayne County. When Charles LeCompte retired from journalism in 1910, control of the Times-Republican passed to his son Karl, who served as editor and publisher for 30 years, and did his father proud. I believe I am correct in saying that the Times-Republican is the oldest newspaper in Wayne County, Iowa.

The approach of American entrance into World War I brought Karl LeCompte into politics, as a successful candidate for the State senate in 1916. He was the youngest member elected to that body as of that time. In the First World War, he served as a private in the medical detachment of U.S. General Hospital No. 26, and when the war was over, returned to the publishing business and his place in the State senate.

Called upon to enter the national political arena during the tumultuous days of the second Roosevelt administration, Karl LeCompte agreed to run for Congress in 1938, and was elected in this first attempt. He would remain in Congress, through 10 consecutive terms, establishing a record of the brightest, most productive kind. As a member of the Committee on House Administration, he rose to the position of ranking minority member and, in the 80th and 83d Congresses, acceded to the chairmanship.

During his tenure in the House of Representatives, he also was engaged for many years as a member of the Committee on Foreign Affairs. He represented the Iowa Republican Members of the House on the important Committee on Committees, and served for a time with the Republican Policy Committee.

My association with Karl LeCompte was always stimulating, and his courtesy, friendliness, and kindness of heart endeared him to everyone who had the pleasure of his association.

He was one of the greatest of our kind, and is deserving this day of our praise and adulation.

CONGRESSMAN ROBERT McCLORY REVIEWS THE 92D CONGRESS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. McCLORY. Mr. Speaker, as the 92d Congress draws to a close, I take this opportunity to inform my constituents of the results of the legislative branch's efforts during the last 2 years.

THE ENVIRONMENT

Congressional concern about the Nation's environment was displayed in many bills which cleared both the House and the Senate, and have now gone to the President for his signature. Most important was a comprehensive Water Pollution Control Act, which creates a program designed to clean up waterways, eliminate pollutant discharges, and build new municipal waste treatment plants. I supported this bill—as well as several amendments which strengthened further this measure. Also, I urged unsuccessfully adoption of an amendment which would have included ground waters within the purview of the program.

The Congress passed other measures aimed at controlling pesticides, toxic substances, and ocean dumping—as well as bills creating the first two major national parks in urban areas. We failed to take action, however, on a bill to establish a national land-use management policy—intended to provide a prudent use of our natural resources in the future.

EDUCATION

The 92d Congress enacted a major higher education bill which provides for aid to both students and institutions of higher learning, creates a national institute of education, and establishes several innovative educational programs. The House Ways and Means Committee announced its intention to report a bill which would create income tax credits for nonpublic school tuition, and this proposal should receive considerable attention in the next Congress.

SOCIAL SERVICES

In the last 2 years, we increased both social security and railroad retirement benefits by 30 percent. We improved the vocational rehabilitation and older Americans programs. But we did not act on the President's proposal for a retirement benefits program for self-employed individuals. In addition, the Congress thoroughly frustrated the President's high-priority welfare reform plan, thus doing nothing to stem the rising welfare caseloads and budgets across the country. Mr. Nixon's plan, with its work incentives and work requirements, would have made a vital beginning at reversing the welfare rolls.

CRIME

The 92d Congress passed legislation which should give additional protection to foreign officials within our borders. It enacted a tough antihijacking bill designed to crack down on aircraft piracy. It also took action toward combating the problem of dangerous drugs in our society—something of great significance to me as a member of the important Judiciary Committee. A Special Action Office for Drug Abuse Prevention was established within the Executive Office of the President to provide central direction for drug programs throughout the Government, and legislation was passed to improve and further implement the Narcotic Addict Rehabilitation Act.

GUN CONTROL

Following the attempted assassination of Gov. George Wallace, extensive efforts were made to outlaw certain cheap handguns assembled in this country from parts manufactured abroad. Legislation was passed in the Senate but failed to emerge from the House Judiciary Committee, notwithstanding active efforts to present some meaningful gun control legislation to the House floor, including increased penalties for criminals who commit felonies with the use of firearms.

VETERANS

Both Houses of Congress passed and sent to the President a bill which would provide increased education and training benefits for veterans of the Armed Forces. A pay bill which would have stimulated further the development of an all-volunteer military—a goal for which I have worked—passed the House, but died in the other body.

CONSTITUTIONAL AMENDMENTS

During the past 2 years, the Congress passed two proposed constitutional amendments and sent them to the States, where approval by three-fourths of the State legislatures is necessary for these amendments to become part of the Constitution. One amendment which grants to citizens 18 years of age and older the right to vote has become the 26th amendment. The other proposed amendment, which grants equal rights to men and women, is still being considered by various State legislatures. I am proud to have supported both of these amendments, in the Judiciary Committee and on the floor of the House, and am particularly pleased to have been the leading Republican proponent of the equal rights measure.

CIVIL RIGHTS

The Congress took positive steps to protect the rights of minority group citizens. I sponsored and successfully managed a jury reform measure to assure the elimination of discrimination on Federal court juries. Congress granted the Equal Employment Opportunity Commission additional authority to prohibit discrimination in hiring and strengthened the Small Business Administration's authority to create corporations for the purpose of making loans to enterprises started by minority group members. However, neither House took action on a large number of bills proposed by the administration to aid American Indians, including an Indian business development program.

REVENUE SHARING

President Nixon proposed revenue-sharing measures intended to provide States and localities with additional funds to use in solving problems which are best approached at levels of government closer to the people than the Federal Government in Washington. While the Congress did approve a general revenue-sharing plan, the measure, as passed, is unfortunately one which treats Kane, Lake, and McHenry Counties harshly in comparison with the House-passed bill. However, the Congress did not consider the specialized programs to share funds in any of the following areas: rural community development, law enforcement, manpower training, and transportation.

GOVERNMENT REORGANIZATION

The government reorganization proposals which the President put forward were intended to make the Federal Government itself more efficient and more responsive to the needs of the citizenry. Mr. Nixon's hope to transform seven present departments into new Departments of Human Resources, Community Development, Natural Resources, and Economic Affairs were ignored by the 92d Congress.

In summary, the 92d was a productive Congress, but left much important business undone. There will be excellent opportunities for moving ahead with these legislative proposals next year in the new 93d Congress.

HON. THOMAS G. ABERNETHY

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. FLOOD. Mr. Speaker, I join in the tributes to my long time friend and colleague, Thomas G. Abernethy, as he prepares to retire from this Congress.

For 30 years he has been in the forefront in the Congress, as he fought for what he believed in, and practiced what he preached.

Thomas Abernethy, if I may paraphrase an old expression Mr. Speaker comes from "a cut of cloth" that has so typically characterized the distinguished delegation from Mississippi, in both Houses, the House of Representatives and the Senate. From a State that has sent great men to this Congress, comes one Thomas Abernethy.

We have been fortunate in having him with us, and the people of Mississippi have been fortunate in having him as their Representative in Congress.

CHARLES H. GRIFFIN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DORN. Mr. Speaker, soon after I came to the Congress I met Charlie Griffin, able assistant to then Congressman John Bell Williams. The people of the Mississippi Third District made an excellent choice in sending Charlie to Congress when Mr. Williams was elected Governor. A man of unquestioned character and the highest integrity, Charlie Griffin added greatly to the deliberations of this body. In his service here he has put country first; he has not been a sectional representative. Charlie leaves this body voluntarily at the prime of his career, and we predict for him many years of public service. We wish for Charlie and his lovely wife continued success, every happiness, and the best always.

HON. EDWARD A. GARMATZ

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mrs. HECKLER of Massachusetts. Mr. Speaker, these are, in a very real sense, days of great sadness in this body. With so many of our esteemed colleagues taking their leave of us, it is like being witness to our own depreciation.

The departure of the distinguished gentleman from Maryland (Mr. Garmatz) is especially distressing because it will leave us without his good sense, reasonableness, fairness, and dedication to the best interests of this country.

His 25 years of service in this body constitute a great contribution to the American maritime and fishing industries and hence to the Nation itself, to the State of Maryland, and to the people of the Third Congressional District.

We shall miss Mr. Garmatz, for we are in his debt.

I wish him well.

HON. JOHN McMILLAN

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. TAYLOR. Mr. Speaker, after I was first elected to Congress in 1960, I had the good fortune to be assigned an office directly across the hall from Congressman JOHN McMILLAN of South Carolina.

"Mr. MACK," as we soon came to affectionately regard him, and his excellent staff took us under their wing and in their gracious South Carolina manner, shepherded us through those first confusing days when a freshman Congressman needs a friend.

That friendship has continued through the years, during which my admiration of JOHN McMILLAN has steadily increased.

Congressman McMILLAN has demonstrated unshakable integrity and has made a lasting contribution to solid constitutional government. The people of South Carolina are losing the services of a dedicated and effective Congressman and committee chairman and those of us who have come to regard "Mr. MACK" with such personal esteem will miss him.

A HALF CENTURY OF SERVICE BY CONGRESSMAN CELLER

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. BADILLO. Mr. Speaker, I am pleased and honored to join with our colleagues in paying a well-deserved tribute to the very able and distinguished dean of the House, the Honorable EMANUEL CELLER of Brooklyn.

As the Washington Post so very aptly noted editorially this morning:

> Very few members of the House make such an imprint on the nation's laws and on the Congress itself that their departure may fairly be termed the end of an era.

It is not trite to say that Chairman CELLER has truly become a legend in his own time.

At the end of the 92d Congress, Mr. CELLER will have completed 50 years of dedicated and productive service in the House. He has served under nine Presidents and has chaired the Judiciary Committee for a record 22 years. As chairman of this important committee, Congressman CELLER guided four constitutional amendments through the House, secured the enactment of every major civil rights bill of the 20th century and was successful in having other significant legislation passed, such as the abolition of the discriminatory national-origins quota in the immigration law and the monumental Celler-Kefauver antitrust act. He has authored some 400 laws during his congressional career—an outstanding achievement I am confident has not been duplicated in the history of the Republic.

In addition to chairing the Judiciary Committee, MANNY CELLER has also served as dean of the New York congressional delegation. In this capacity he has been energetic and tireless in striving to improve conditions in numerous sectors for the people of the State of New York and New York City. He has striven to insure that New York City and New York State participate equitably in Federal domestic programs and that they receive just and fair treatment by Federal departments and agencies.

Mr. Speaker, I feel honored to have had the opportunity to serve in the Congress with Chairman CELLER and, at times, to have benefited from his advice and counsel. His energy and wisdom will be greatly missed and I wish him continued good health and Godspeed as he returns to private life after having spent almost his entire adult life in public service.

MIKE BERNSTEIN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, Mike Bernstein retired this month as minority counsel for labor of the House Education and Labor Committee. He has received well-deserved praise for his unchallenged professional competence, from the President of the United States, Members of the U.S. Senate, and the House of Representatives from both sides of the aisle, and a great many others.

I fully subscribe to these testimonials to Mike. I have relied heavily on his counsel throughout 6 years in Congress. In addition, it can be stressed that above all, Mike Bernstein is a fine human being. His grasp of history and literature as well as his wonderful sense of humor have gained him warm and lasting friendships. On that basis, Mr. Speaker, I add this small tribute to an esteemed friend.

HON. WAYNE ASPINALL

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WHITTEN. Mr. Speaker, as this Congress adjourns, we lose many fine Members of Congress. When the 93d Congress convenes in January my good friend, WAYNE ASPINALL, of Colorado, will not be with us, and we will all miss him. He has served his district, State, and Nation well for the last 24 years, and he has been an outstanding chairman of the Interior and Insular Affairs Committee.

WAYNE ASPINALL and I have many close ties. Belonging to the same college fraternity we have enjoyed many happy occasions together. Certainly I shall miss him as will many of our group, but more important, the Congress and the Nation will lose the service in Congress of one of the outstanding Members of Congress of all time. Always informed, always fair, and always courageous.

It has been said that we in this Congress are losing a larger percentage of our able Members than ever before. As I realize we lose WAYNE ASPINALL and the three Members from my own State, BILL COLMER, TOM ABERNETHY, and CHARLIE GRIFFIN, it is easy to believe the statement.

WAYNE, to you and Mrs. Aspinall we wish many happy and busy years.

U.S. BICENTENNIAL

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mrs. GRASSO. Mr. Speaker, as this Nation continues on the road to its bicentennial, we will dedicate memorials to those people who contributed to the cause of American independence.

It is appropriate, therefore, that the Congress has approved H.R. 256, a bill authorizing the establishment of the Thaddeus Kosciuszko Home National Historic Site. The bill directs the Secretary of the Interior to acquire a home associated with the Polish-American hero and soldier, Gen. Thaddeus Kosciuszko, and turn it into a national memorial in his honor. As a sponsor of a comparable bill, I applaud the overwhelming support given to this bill in both this House and the other body.

During the Revolutionary War, many people crossed the Atlantic and cast their lot with the struggling colonists. Among these was the son of Polish gentry, Thaddeus Kosciuszko, Skilled in artillery and engineering, Kosciuszko learned of the American movement in 1776 and offered his services to the American cause.

Kosciuszko quickly showed his mettle and engineering skill. His work on fortifications along the Delaware River earned him a commission in the Continental Army. The refusal of the Americans to follow his tactical advice might have led to the loss of Fort Ticonderoga on Lake Champlain. His brilliant choice of battlefields and erection of fortifications contributed significantly to the great victory at Saratoga and earned him the praise of his commander, Gen. Horatio Gates. Later, his fortifications at West Point guarded the Hudson River and helped prevent a split of the infant nation by the British. In recognition of his meritorious service, the Continental Congress gave Kosciuszko a commission as brigadier general in October 1783 and granted him American citizenship.

However, rather than remain in the peaceful atmosphere of the new United States, this stanch lover of freedom heard the plaintive call of liberty and returned to his native Poland. Once partitioned, and threatened again by powerful neighbors, Poland sought to maintain its sovereignty. Kosciuszko threw himself into this struggle with the same vigor that he had exhibited in America. However, he was wounded and captured by the Russians in 1794 and imprisoned for 2 years.

Upon his release, Kosciuszko briefly returned to America where he took up residence in Philadelphia at a modest boarding house. The purpose of H.R. 256 is to preserve the house as a lasting memorial to this great patriot.

Mr. Speaker, history has graciously acknowledged the selfless contributions of Kosciuszko to the American War of Independence. He served his adopted country with honor and distinction. Yet, this country has not provided an adequate memorial to this hero of both our fight for freedom and the struggle for freedom of his native Poland.

The National Parks Advisory Board noted that—

> Thaddeus Kosciuszko was a figure of such significance in American history as to merit appropriate memorialization.

I firmly believe that the establishment of this Kosciuszko Home National Historic Site will finally provide a fitting tribute to a great soldier and patriot.

Since Jamestown, over 360 years ago, Polish immigrants have toiled to build this country, and their contributions to all walks of American life have enriched and strengthened our heritage. This Historic Site will honor not only Kosciuszko, but it will also serve as a reminder of the contributions of the sons and daughters of Poland to the achievements of this Nation. This recognition is long-awaited and well-deserved.

BREAD, A "CORONARY" FIGHTER

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. SEBELIUS. Mr. Speaker, recently, those of us who are vitally interested in agriculture have been keenly aware of such issues as farm income, the Soviet-United States wheat purchase, consumer affairs, high food costs, rural migration, and so forth.

As this session of Congress comes to a close, I would like to leave one additional thought with my colleagues, with consumer advocates, and especially with citizens interested in good nutrition and diet.

I have the privilege of representing the largest wheat producing district in the Nation. As I have pointed out to my colleagues before, consumption of wheat and wheat products is important to all citizens in regard to health and a balanced diet.

Despite the fact we spend billions of dollars each year for medical care, the United States now ranks 40th for male life expectancy and 23d for women. Part of this problem stems from heart disease, high blood pressure, and a "national diet" too high in calories and exceedingly high in saturated fat.

The answer to this problem, at least in part, is simple. Contrary to popular belief on the part of the amply endowed seeking to become less so, bread is not fattening. Bread is a major food, very low in fat, does not contain sugar, and is relatively low in salt. Let us clear up this misconception about bread being a fattening food.

In the October 10 issue of the Milling and Baking News, there is an article regarding the address given by famed nutritionist, Dr. Jean Mayer, at the Day of Bread ceremonies in Omaha, October 9. What Dr. Mayer has to say regarding the nutritional value of bread should be of interest to all diet- and health-conscious Americans. In recommending this article to my colleagues, I do so with some unsolicited but sincere advice. As we go back to our respective districts to solicit the advice and counsel of those we are privileged to represent, there is no better way to achieve understanding and common agreement than by breaking bread together.

Traveling from one meeting to another, from a coffee, a barbecue, a chicken dinner, a reception to an ice cream social, there is real danger of exceeding your own diet limit and putting yourself into a high blood pressure situation. To avoid this, I recommend breaking bread with your constituents. Who is there among us that has a harsh word for his fellow man who eating a delicious and nutritious hot roll?

Mr. Speaker, I commend the article, "Bread, A Coronary Fighter," to the attention of my calorie and health conscious colleagues:

MAYER: BREAD A "CORONARY" FIGHTER

OMAHA, October 9.—Bread offers "one great hope" in the battle to curtail the current "explosion of mortality from heart diseases," asserted Dr. Jean Mayer at Day of Bread luncheon sponsored in Omaha Oct. 3. "Heart disease is the paramount problem of our time," he said.

About 140 invited guests—home economists and members of the press included—attended the "Day" luncheon, at the Raddison-Blackstone hotel. The luncheon and Dr. Mayer's appearance were sponsored by Con-Agra, Inc.

"The basic medical fact of our time," declared Dr. Mayer, noted nutritionist and professor of nutrition at the School of Public Health at Harvard, "is that we are doing extremely badly in the United States in regard to life expectancy of adults, particularly males."

Among all nations, he said, the United States now ranks 40th for male life expectancy and 23rd for women—this despite a massive expenditure of $70 billion a year for medical care and research. The explosion in heart diseases, he said, has gobbled up all advances in care and research.

HEALTH RELATED TO DIET

A primary problem, as Dr. Mayer saw it, is hypertension, high blood pressure. Some 20 million persons in this nation knowingly or unknowingly suffer from it, he said. It is related to a diet too high in calories and "exceedingly high in fat, particularly saturated fat," and too little exercise.

"Where does bread come into this?" he asked. "In a very simple way, bread is a major food which is very low in fat, not containing sugar and relatively low in salt. As bread consumption has receded, it has been replaced by a variety of foods, all high in fat, by some snack foods which are either extremely high in fat and salt or extremely high in sugar . . .

"The one way I can see to knock down that saturated fat content of the diet is to bring back the consumption of calories as bread," Dr. Mayer told a press conference before the luncheon.

CALORIE CONCERN, SWITCH TO MEATS

Two reasons for the decline in per capita consumption of bread, he declared at the luncheon, are blatant misconceptions about nutrition and the move with affluence to higher priced protein, meat. "People have somehow accepted the idea that bread is high in calories," he said. "People who are on reducing diets won't touch it."

Yet, he said, a slice of bread contains about 70 calories while a slice of roast beef, high in fat, contains from 200 to 300 calories. Protein from fats and carbohydrates do not differ significantly, he said, each at 4 calories per gram.

"Generally, I find the misconception about what is fattening and what isn't, and the concept that only carbohydrates are fattening, is one major reason bread consumption has gone down. As it goes down, all too often what goes up is intake of a lot of saturated fat . . ."

TOO MANY CALORIES FROM FAT

"At the beginning of this century, American people ate only about 30% of their calories as fat. We are now at 43% and in some groups vulnerable to heart diseases, more than 50% of the calories in the diet are derived from fat.

"The only way to get back to reasonable balance is to have people again get a substantial portion of their calories from bread and bread-type foods."

Why have critics attacked bread? Dr. Mayer offered one palpable reason. It is that bread symbolizes all food. For people who don't like the food supply in general and for people who don't like the way society evolved, bread simply became a handy target.

BETTER THAN MOST BREADS

"The general myth is that those breads surrounded by plastic wrappers that you buy in those sort of inhuman, gleaming supermarkets, really can't be very good," he said. But it is every bit as good, or better, from a nutritional viewpoint, as any other bread in the world, he added.

Admitting that his next statement might "alienate his baking friends for all time," Dr. Mayer said: "I don't like the taste of that company bread in the plastic material. But nutritionally, it's perfectly all right. The problem of taste and the problem of nutrition are two different things."

He prefers the long French loaf he enjoyed during his boyhood in Paris, he said, "but from a nutritional standpoint, the standard loaf of white enriched bread in the United States is a much better bread than that picturesque and better-tasting bread sold in French bakery shops."

NO "SINISTER PLOT" AFOOT

Later, he added: "It is my fond hope that we will develop more breads which are both nutritious and taste as good as we can make it. It is absurd to suggest, as some of the literature says, that there is a sinister plot on the part of the nation's bakers to impose that white bread on an unwilling American public. For better or for worse, that [white bread] is what people want."

The history of whole wheat bread, he said, has been "fairly dismal" in this country. These loaves have been available all along. People are voting with their purchases, he said, and they're not choosing whole wheat loaves.

MEAT EQUALS PROTEIN, NO CALORIES

The other major reason for a swing away from bread in the diet has been a certain mystique that has grown up about the role of meat, Dr. Mayer stated. "People like to believe that steak is all protein and no calories," he said, while most persons—

women, mostly—believe that bread is calorie-laden.

"Meat makes an important contribution to protein and trace minerals in the diet," he said, "but the grading system used here emphasizes marbilization of meat that is high in saturated fat." Eggs, too, he said, are good foods, but high in cholesterol. While eggs are good food for children and young women, he said, "it happens not to be a good food for middle aged men."

100 POUNDS OF SUGAR A YEAR

Other aspects of the diet, too, "must give us pause," Dr. Mayer said. The average American eats about 100 lbs of sugar annually, he said. "That's an awful lot of sugar." The total amount of sugar in the diet has remained the same in recent years, he stated, even though over-all consumption of all food has declined.

Dr. Mayer also noted a trend to salty snacks, mainly among youth. Too much salt consumption, he said, is a significant factor in hypertension.

All these aspects—too many calories altogether, too many calories from fat intake, too much sugar and salt—when tied to the sedentary lifestyle of Americans, he said, pose serious problems leading to the upswing of cardio-vascular diseases in the United States.

"What can we do about it?" he asked. "From a practical viewpoint, I think that two groups of foods that ought to be emphasized in the American diet are bread and fruits and vegetables." Too often, he noted, fruits and especially vegetables are viewed as foods that children, not adults, should eat. In this way it is frequently sidetracked as part of the adult diet. But they do not carry unfavorable connotations.

"Bread presents another problem," Dr. Mayer noted, elaborating on its image of a high calorie food and as a symbol of what is wrong with society. "Bread has become a scapegoat," he said.

As a symbol, bread can have no defenses, he said. But its image of high calories, coupled with unfair allegations of scant nutritional value, are defensible.

Improving its taste, he said, and offering more varieties, also would enhance its chances in the marketplace. Dr. Mayer was encouraged by "an increasing number of variety breads" on the market in the past couple years. But he remained convinced that standard enriched white bread would continue to be the mainstay of the baker's line:

"There is not, so far as I can determine," Dr. Mayer noted wryly, "any sort of dark conspiracy to force everybody to buy white bread.

"In fact, the profit margins seem to be somewhat better on darker variety breads than on white bread. Therefore, if people would buy these, the bakers would probably welcome it.

But since the Middle Ages, white flour is what people like . . . Under these conditions, to reproach the bakers for manufacturing and advertising white bread is unrealistic."

But things are changing in the bread tastes, Dr. Mayer opined. "Spontaneously we are seeing an increase in specialty breads, an increased consumption of breads which are made from less refined flour and additional ingredients." Dr. Mayer cautioned his audience not to expect too much out of bread, however, especially high-priced loaves made from a great many things.

"I shudder a bit when I see people selling breads under fancy names at a dollar a loaf, loaded with molasses and butter and all kinds of other ingredients which tend to double the calorie content per slice and enormously raise the price without any additional nutritional benefit."

Dr. Mayer predicted that people will continue to become more interested in bread and hoped that they would "savor it for the taste alone" instead of "using it—as someone has called it—as an edible napkin." (Dr. Mayer was that "someone" who attached that label to white bread in an earlier presentation to bakers.)

Returning to his theme of bread as "one great hope" to lessening the cardio-vascular disease, he stated:

"Including bread as an important part of the meal, in fact will knock down the high saturated fat content and high sugar intake which has been characteristic of our diet."

Dr. Mayer yearned for a return to the simple diet. Breads, cheeses, a variety of fruits and vegetables, he said, make up a fairly simple, but nutritionally sound and balanced diet.

In conclusion, Dr. Mayer said: "I think bread is a good thing, and there ought to be more of it."

RINGSIDE SEATS AT THE BEST SHOW ON EARTH

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Mrs. HECKLER of Massachusetts. Mr. Speaker, one of the stormiest marriages in Washington is the match between members of the press and those of us in elected or appointed positions.

But it endures. Mostly, I think, because of an underlying mutual respect and realization that the task of neither partner in the relationship is easy. Beyond that, there is the basic understanding that both sides are somehow necessary for the constructive conduct of the Nation's business.

One of the brighter, more resourceful reporters in Washington in my experience is Susan Schiffer, correspondent for Westinghouse television stations across the country. She fulfills her role completely and in the process serves the highest calling of her profession.

Recently, during a Women's Liberation Weekend at her alma mater, Wheaton College in Norton, Mass., Susan discussed Washington as it looks from her ringside seat.

I herewith submit her remarks on that occasion:

WASHINGTON CORRESPONDENTS: RINGSIDE SEATS AT THE BEST SHOW ON EARTH

One of America's most respected journalists, James Reston, asserts that:

"The 19th century was the era of the novelist; the 20th the era of the journalist, a distracted people, busy with the fierce competitions of modern life, must be addressed while they are paying attention, which is usually at the moment of some great international event."

By a gigantic leap, Americans crossed the gulf from the daguerreotype to color television in less than a century.

The nation's newsmaking profession attained dignity as well as a menacing power. In 1828, Macaulay called the gallery where reporters sat in the English parliament a "fourth estate of the realm". But Macaulay could not have imagined the almost constitutional—even supra constitutional powers of Washington's press corps.

Since the rise of the modern Presidential Press conference in 1933, capital correspondents have had the power to question the chief executive face-to-face, to needle him, to embarrass him, to force him into positions or into public refusal to take a position. A President may find it inconvenient to meet with a group of dissident senators or congressmen; he seldom dares refuse the press. If he does, that refusal, itself, becomes news. It is only very recently, and as a result of increasing pressures by reporters, that the phrase "no comment" has become a way of saying something important.

Even before 1950, Washington had about 1,500 correspondents (only about 300 of whom were political reporters while the rest worked for various trade publications) and about 3,000 government information officials prepared to serve them. (Despite the fact that except on rare occasions and only for special reasons, does a self-respecting correspondent consult PR men; a good reporter will always go, or try to go, straight to the main source of the story.)

Yet, in 1969, the federal government spent more than four hundred million dollars on public relations and public information. The executive branch spends more on publicity, news, views, publications and special pleadings than is spent to operate the entirety of the legislative and judicial branches. All together, federal expenditures on telling and showing the tax payers are more than double the combined costs of news gathering by the two major American wire services, the three major television networks, and the ten largest newspapers.

Obviously, the positive is accentuated and the negative avoided. Officials tend to be accessible only when the news is good. Yet the correspondent who criticizes the practices of powerful bureaucrats destroys his own value as a reporter. Indignant officials exclude him from press conferences and delete his name from mailing lists. The reporter completely loses personal touch with the government about which he or she is supposed to report and it becomes hard to compete with journalists who present "favorable" news.

This attempted control of the press is nothing new. If anything is clear about press-government relationships throughout our history, it is this: in theory, America's leaders have wanted a free and independent press as a check upon government; in practice, they wanted no such thing.

According to theory, by carefully refraining from setting up an official information branch within the government, and by granting freedom to the press under the first amendment, the country's founders asserted their belief that an independent information system is central to democracy. But the gap between theory and practice was apparent from the beginning. The constitutional convention of 1787 was held in secret and from then on, secrecy in government became standard practice.

Abraham Lincoln, who knew the extent of political power and the great editors of the mid 19th century, pointed out:

"In this and like communities, public sentiment is everything. With public sentiment, nothing can fail, without it, nothing can succeed. Consequently, he who moulds public sentiment goes deeper than he who enacts statutes or pronounces decisions."

All politicians and presidents try to manage the news. It would be dangerous, though, if they were ever able to systematically close down the channels of information from their offices and administrations, so that decisions could be made without public debate and controversy. After the disastrous Bay of Pigs Invasion, which the *New York Times* had not warned us about to avoid jeopardizing national security, President Kennedy said that he wished that hints of the invasion had been published which would have caused it to have been reappraised.

According to Reston,

"There are really three ways to deal with the press. The best way is to tell them everything; this keeps them busy and eventually exhausts and bores them. The next best way is to tell them nothing, which at least excites the cop in them and gives them the excitement of a mystery. The worst way, which is Mr. Nixon's way and also Mr. Johnson's way is to try to manipulate them, to pretend to be candid in private conversation, but to use every trick in the book to get them to fill the headlines and front pages with calculated trash!"

Contrary to what some witnesses and most government officials think, the Washington press corps cannot take the role of sweetheart. The necessity for a challenging journalism does not spring from the fact that officials lie, although they do. Far more often, the public is misled because well-meaning officials or politicians really believe in their policies and programs. Believing as devoutly as they do, the public interest is approached through a narrow channel and from a narrow perspective. Men with narrow perspectives cannot be expected to really serve the public interest unless they are called to account by an independent press.

This is why most Washington reporters are adversaries. In other words, no matter how friendly they are with a politician or official, there is usually a degree of tension in the relationship when serving in their professional roles. As one of President Johnson's press officers said, "the official views public communications in terms of help or hindrance towards a common goal; the reporter views communications in terms of what he regards as reality." The divergence is inevitable.

To stimulate awareness, the Washington journalists challenge and probe—to move vital issues into the public arena before a decision become concrete.

A proper adversary relationship is a delicate balance of tact and antagonism, cooperation and conflict.

One of the strictest problems of being an adversary in Washington is defining the proper stance towards your sources and at the same time be independent of them. Occasionally a reporter digs up information that, if announced, would run counter to public interest. Some highly placed source usually asks that it be kept secret. Whether it is or not depends on the reporters' judgment of the public interest and how persuasively the source argues.

Basically there are two kinds of reporters—the "ins" and the "outs." The "ins" are those who play along with the news sources, handle in their way, tend to overlook minor indiscretions, and, in general, protect their sources. The "outs," in contrast, fight their sources, or at least needle them. They get their news by insisting on their right to it by sheer perseverence—and let the source know they intend to play it straight. Their news is obtained the hard way, running the risk of being ostracized not only by the sources but also by the reporters who are "ins." Only a very few reporters are able to work both ways, and it depends on the circumstances.

Although the relationship of the Washington Press Corps with the government is its key one, its relationship with each other is also important—much more so than most outsiders realize. Taking into consideration that there are some strays and non-conformists, most of the Washington press corps tends to travel in a pack. One columnist, Stewart Alsop, has even compared us to a pack of beagles.

"There is a physical resemblance: not all reporters have stumpy legs and prominent tails (though some do), but almost all develop in time the anxious, preoccupied, self-important air of beagles. The resemblance, however, is more spiritual than physical. The beagle is a highly competitive dog; but he is always ready to follow uncritically any other beagle who claims to have smelled a rabbit. When one beagle gives tongue, all others instantly join in, and off the whole pack screams, each yelping like mad in order to convince the onlookers that he was really the first to pick up the scent. Sometimes the scent is actually that of a rabbit, but quite often the beagles, as they chase each other around in circles, giving tongue lustily, are simply smelling each other."

In the same way, when one Washington correspondent reports something which is—or which seems to be—new or important, most of the press corps immediately begins to follow the same story. This herd instinct, which creates fashions in the news, has its dangers. After the commitment of American combat troops in 1965, the war in Viet Nam became the dominant foreign news story. The result being that the Middle East Crisis in the spring of 1967 came as a sudden shock to most citizens—and to most reporters as well. This same tendency to over-report one subject and under-report others also affects domestic news coverage, for instance over-emphasis on the South's integration problems at the expense of the North's.

Although events themselves—war, a crisis, or an election—are the basic factors in determining what the Washington press corps reports; more than ever before correspondents are concerning themselves with what events mean. Why has been added to the who—what—when—where formula of news writing. This condition is partly caused by the increasing complexity of the news and partly because the whys can lead to a syndicated column or a top job with a TV network.

One cannot discuss the Washington Press without mentioning, however briefly, one of the legitimate criticisms of the corps. It is an article of faith on the Republican Right that virtually the entire Washington Press corps is the willing handmaiden of the "Liberal Establishment." They do have a point. Journalists who make their living mainly by their written words are often quasi intellectuals and until recently, the Democratic Party has been the party of the intellectuals. The system is solidified by political candidates who are convinced that most publishers are Republicans. Many Republican candidates try to avoid the reporters who actually cover the news, while basking in the warm glow of approval on the editorial pages. For precisely the same reason, the Democratic candidates with an instinct for survival, tend to cultivate the working press, and in the process, to provide them with news.

Television news has greater impact than any of the other forms of media: (The latest Elmer Roper survey shows that the majority of Americans, 67%, chose television as their primary news source), yet the medium has built in handicaps.

A half hour newscast usually only contains seventeen minutes of news or the same number of words which appear in only two columns of the front page of the *New York Times*. While a "production piece" (which usually means silent film which the reporter voices over and an interview) can last two or three minutes, a "talking head" or standard interview, is usually to be kept under one and a half minutes. So after spending all day at a Congressional hearing or background session, a reporter or editor must chose only a segment of what was said. When the choice is between a diffuse idea and a more sensational phrase, the headline often wins out.

Being a woman member of the Washington Press Corps has both its own built-in handicaps and rewards. Our male colleagues feel that we should act like ladies, look like girls, think like men, and work like dogs. The tools of the trade include stamina, flexibility, binoculars, track shoes and an affinity for phone booths. The bane of our existence is the politician who prefers to unburden his troubles rather than news, but since men naturally like to explain things to women, most politicans and reporters are usually quite helpful if we are prepared to smile, listen, and nod at the appropriate occasion.

Despite the handicaps, the power of the Washington Press Corps continues. Facts do influence events and supposedly have more impact than what journalists say about what happened. Although news is what matters most, it is reporters and editors who determine what is news and what other correspondents say about the news influences this decision.

The influence of the Washington Press Corps is the greater because of its continuing presence. The press shares one characteristic with the upper bureaucracy of the permanent government establishment, it survives elections.

Presidents may come and Presidents may go, but a James Reston or a Eric Severeid remain. The opportunity of having been part of political Washington while several presidents have come and gone, imparts to a successful correspondent a certain status and authority—and in some occasions, a certain pomposity as well.

Ed Lahey expressed Washington's dangers quite well:

"It's very easy for a reporter to be beaten to death by Lady Fingers. Once you get softened up by rubbing elbows with the lords of creation at cocktail parties on Embassy Row, you never want to go back to your roots. The impact of Washington can turn a simple bumpkin into a self-important statesman, or a pedestrian news reporter into a pretentious journalist."

The power of political journalism is dangerous, but it is also necessary. The mess in Viet Nam is an example of what happens when journalism fails. In 1961, well before the United States became deeply committed, only a few hundred advisors were in Viet Nam. Then quite secretly, President Kennedy and his lieutenants decided to increase the American presence to 15,000. But they said publicly that only a modest increase was contemplated, and the press dutifully reported the statement. Had reporters discovered and published the details of the secret meeting at which the decision was made, the disaster that Viet Nam has become might never have occurred.

If the reporting of government affairs were left solely to government officials, we could expect an endless series of secret decisions on controversial issues and reports in the form of peaceful pictures, uneasy optimism and heartening statistics. The impulses of political preservation are always strong.

Despite public outcry, the reputation of Washington correspondents depends on their ability to ask hard questions, and to occasionally put "Politicians and officials on the spot while also maintaining their collaboration." Although occasionally angering the public for what we expose, the role of the adversary necessitates our seeking out the abuse and power. We walk the tightrope between tact and antagonism, cooperation and conflict and need your understanding.

TRIBUTE TO "CHUCK" YEAGER

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. HECHLER of West Virginia. Mr. Speaker, a number of colleagues and I paid tribute last Thursday on the floor of the House to West Virginia's Brig. Gen. Charles E. "Chuck" Yeager of Hamlin on the silver anniversary of his historic flight, October 14, 1947, marking the first time man had ever flown faster than the speed of sound. The tributes may be found on pages 35563–66 and 35586 of the October 12, 1972 RECORD.

A more personal view of Chuck Yeager and what he means to West Virginia and his boyhood in Hamlin were warmly described in a column written by Mrs. Oneita Hilbert Adkins, a Hamlin native, which appeared in the October 12 edition of the St. Albans, W. Va., Advertiser and which follows:

SILVER ANNIVERSARY OF "CHUCK" YEAGER'S FLIGHT THROUGH SOUND BARRIER

(By Oneita Hilbert Adkins)

October 14 1972, will mark the twenty-fifth anniversary of the world shattering flight, traveling faster than the speed of sound, by Brigadier General Charles Yeager, Hamlin native, on the desert sands of California, near the Edwards Air Force Base, although this event was not made public for some months later.

Folks in the Lincoln County community were not too surprised upon learning that their native son was now a personality of world renown, because, he, perhaps more than any other person instilled an awareness of the frightful rigors of war so far removed from this sleepy little town, as "Chuck" Yeager with his daring swoops over Hamlin came without warning, ofttimes signaling his arrival at the Charleston Airport for some member of his family to pick him up for the trip to Hamlin which sometimes took as long as his plane trip from California or other points unknown.

Charles, as he is better known to me, grew up in Hamlin, my hometown, in much the same way as any ordinary boy, maybe a little more daring. The Yeager family were farmers before moving to Hamlin from Myra when Charles was a mere lad, his father then became associated in the gas-well drilling business until his death a few years ago. Charles did chores about the place, which included gardening and mowing the lawn, occasionally slipping away to fish in the Mud River. Most of all he liked the hills where he could walk alone or hunt, he said "he had hunted as long as he could remember". Charles was considered an average student, believed you weren't supposed to excel in everything, although he usually made good marks in math. Like all boys he enjoyed sports, football and basketball. He was a member of the Lincoln County band and was considered "no slouch" on the trombone and marching was his special "cup of tea".

After his graduation from high-school in the summer of 1941 there was not much to offer in the way of jobs in the small residential community, although his father wanted him to attend college, he had no taste for it.

A returning friend, an Army pilot, encouraged Charles to enlist, although he was only eighteen he had spent two summers at Ft. Benjamin Harrison with the Citizens Military Camp, he was not a novice by any standard in how to wear a uniform and drill.

In September, 1941, he enlisted in the Army Air Corp as a private. Thereafter most of his life has been one exciting exploit after the other from his historic plunge through the dreaded sonic barrier, his prowess in World War II, which was "something else" and each ensuing sequence has drawn worldwide acclaim, more like the experiences one would see in the movies.

All the accomplishments of his life, coupled with a modest versatile personality, have joined to make "Chuck Yeager" a household word and truly a great man. From his early days at Hamlin High School to the conference tables of diplomacy.

Memorials are usually reserved for those who have gone on, but Brig. Gen. Yeager, a bridge was built spanning the Kanawha River just east of Charleston, W. Va. on I–64 as a memorial of his historic flight that so befittingly characterizes his feat in bridging the airways of the World. In 1970, another memorial was erected near the east side of St. Albans, W. Va. by the Explorer Post No. 376, whose leader was Jack Dawson of that city. They requested a plane, perhaps one the flyer himself had piloted, but received a 7,000 pound "Honest John" rocket instead, which reposes on a giant slab of concrete along side of U.S. Rt. 60, and the tranquil waters of the mighty Kanawha River. Still another is to come later this year by the National Air Space Museum of the Smithsonian Institution with a stamp commemorating the flight a quarter of a century ago.

Charles doesn't get home as much as he probably would like, being a father of four adult children and his busy life has curtailed these homecoming somewhat. When he does visit his mother and family it is usually without fanfare, although in the early days he could be seen mingling with friends on the streets of Hamlin wearing a sport shirt and a big smile. He is still fond of the food of his boyhood days and especially if he happens to come home during molasses making time where cane mills were abundant only a few years ago. And Charles was not averse to stashing away a gallon jug of "sorghum molasses" for his return home.

A special salute goes to Brigadier General Charles Yeager on this historic date, for truly he is a son of a heritage where men tilled the soil and timbered the forests that espoused a son to the World whose contribution to aviation will live throughout the annals of time.

DRUG ABUSE PREVENTION WEEK

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. RODINO. Mr. Speaker, approximately 1 year ago, I, as one of the U.S. delegates to the North Atlantic Assembly and as vice chairman of the Scientific and Technical Committee of that great body, was in the midst of preparing an urgent address on the serious threat of the narcotics problem to all people of all nations. At that time, I stated:

> To date, international control of narcotic drugs has been ineffective and international organizations have been falling further and further behind in their efforts to deal with the narcotics problem. In particular, almost all the illegal heroin in the United States comes from foreign countries with significant sources of illegal narcotics located in the NATO area.

Many months have passed since I delivered this statement; some progress has been made. My proposal to impose economic sanctions on all foreign governments which fail to take adequate steps to curtail the illegal production, processing, and export of heroin has been adopted as an amendment to the 1971 Foreign Assistance Act. After constant pressing, the administration reversed its previous stand and came forth to clearly support this vital legislation. Thus, on the international level, the awareness of the world community of the strength and firmness of the U.S. position on this crucial issue has taken a strong step forward.

But, what of the progress within our own country? How successful have our efforts been to combat this crucial plague which has so extensively afflicted our youth. This week, as we all know, is National Drug Abuse Prevention Week. As the very first Member of Congress to introduce legislation in this sensitive area, I am particularly pleased that the administration has made this declaration. For pervasiveness of this epidemic has drastically intensified; it has spread from ghetto to suburb, from city street to children's elementary school, and the need for every single citizen of this Nation to learn to understand and to deal effectively with this horrid disease, grows ever more important with each passing day.

On October 5, testifying before Subcommittee No. 4 of the House Judiciary Committee, I called directly on the President to make available the full resources and facilities of our Federal Government to both assist in the treatment of addicts and to aid in cracking down on drug pushers. The situation has become increasingly complex. A combination of prevention, of education, of treatment and of great foresight is called for. From contacting the mayors of all cities within my constituency informing them of my plans, to encouraging educational programs on drug abuse prevention for all our children, to continually urging suggestions, new approaches and innovative ideas to handle this situation, I feel, that although we have made some accomplishments, we have, in no way, met the crux of this issue.

On November 17, I have the honor once again, of joining a number of my colleagues in representing the United States at this year's NATO Assembly. As part of my visit, I am chairman of a working group on the control of narcotics. A year has passed, and on all levels, local, State, national, and international, we have much to accomplish and a long road to travel.

I sincerely hope that in the near future, we will have no need to call for a week in dedication of drug abuse prevention, that in the near future, our people will not of the cruelty and injustice of this disease. Until that time, however, we must all join hands to work increasingly to reach this goal.

A NATIONAL MONUMENT TO LAW ENFORCEMENT OFFICERS

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GROVER. Mr. Speaker, inspired by the dedication of our Nation's police officers generally, and the courage and zeal of the officers of my county's outstanding police force in particular, and at the recommendation of Patrolman Tom Dwen, PBA president, I have this day introduced legislation to establish a National Law Enforcement Heroes Monument in our Nation's Capital.

Since the session is nearing a close, there is no possibility of positive action on this bill this year. It will be my purpose to campaign actively for heavy cosponsorship and enactment in the 93d Congress at an early date in the new year.

I will urge all Members at that time to join me in this deserving tribute to men in blue everywhere.

PRESIDENTIAL CANDIDATE SCHMITZ' ECONOMIC VIEWS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. HALL. Mr. Speaker, I include the views on the domestic and international economy of our colleague from California. They are forthright, succinct, and I feel stimulating to all:

[From Business Week, Oct. 14, 1972]

CANDIDATE SCHMITZ' ECONOMIC VIEWS

A funny thing happened to John G. Schmitz in his bid for a second term in Congress from the California district where President Nixon has his San Clemente home. The 42-year-old ultraconservative, who loves a good joke, was beaten in the Republican primary but wound up with the American Party's nomination for the Presidency.

Now, Schmitz is campaigning hard to equal the 10-million-vote showing made in 1968 by his American Party predecessor, George C. Wallace. Sounding much the same themes, the former philosophy instructor at Santa Ana Community College is also pitching chiefly for Governor Wallace's old constituency. In a Business Week interview last week, Schmitz detailed his staunchly free-enterprise views on government spending, welfare, taxes, and other economic matters.

Q. Is it true that the White House helped defeat you in that primary?

SCHMITZ. Jack Anderson said Nixon sent his henchmen out to California to get me, and just because Anderson said it, doesn't mean it's not true?

Q. Is this really why you lost?

A. I lost because the White House switched 180 degrees, and I wouldn't switch with them. I stumped the country telling what Richard Nixon was doing. In 1968, he said that if we had to become like the Democrats to get elected, there was no reason for the GOP to exist. Then he became exactly like the Democrats. Richard Nixon has destroyed the Republican Party as a conservative entity.

Q. In what way has Nixon become exactly like the Democrats?

A. When I was a Republican, we used to rail against the Keynesian economics of the Democrats. Now, in just four years, Nixon has run up one-fourth of the entire national debt. And he submits an unbalanced budget and calls it a full-employment budget.

I'll tell you, business is never going to be the same unless we stop Richard Nixon. I sincerely believe that he is totalitarianizing this country. If you want to have the corporate state, as in Nazi Germany, then businessmen could operate in it. But they're not going to operate in a manner they would like. A lot of them are already getting on the bandwagon—Lockheed, Amtrak, all getting in on government welfare. Businessmen seem to have the knack of accepting the lesser of two evils. I want to give them an alternative.

Q. Do you have George Wallace's support?

A. He says I'm one of his favorite people in politics.

Q. Isn't Wallace willing to accept more government intervention in the economy, say, in aid to the states?

A. During his campaign, he had a rather cute answer when asked about accepting a lot of federal aid in Alabama. He said, "Well, at least we spent it on Americans." I'd rather do what he did than pour the money down foreign ratholes. But the American Party does want Washington to get out of welfare and education. We don't feel there are any problems in either field that cannot be solved at the state or local level.

Q. That sounds like the Nixon Administration's stand on revenue sharing.

A. No. Their position is phony, just rhetoric. Nixon's plan just siphons the money through the federal government. If he really wanted to return control to the local areas, he would let local governments have the revenue sources and finance themselves.

The federal government getting into education builds up the federal bureaucracy, federal controls, federal totalitarianism, federal money waste, and the federal brokerage fee. In 10 years, the human resources cut of the budget pie has gone from 20% to 40% while defense has been halved to 30%.

Q. What would you do about this?

A. I'd put that human resources money into defense. We've been reordering priorities for 15 years by robbing defense Peter to pay socialist Paul. We now find ourselves No. 2 militarily to a system that can't even build its own trucks. I agree with George Washington that the surest way to guarantee peace is to let it be known you're always prepared for war.

Q. Are you suggesting that Nixon's peace moves toward Russian and China . . .

A. I'm not suggesting it, I'm saying it. They're more apt to lead to war than to peace. As John Jay put it, I wouldn't give a farthing for parchment security. For 50 years, the Soviet Union has been almost completely dependent on the U.S. for its technology. Now, recently Nixon was in the Soviet Union talking of bringing the Russians advanced computer technology. What goes through my mind as a Marine reserve aviator? Such technology, in the form of SAM missiles in North Vietnam, is going to make it easier for them to turn U.S. fliers into POWs.

Q. Would you sever all trade with the Communists? What about the grain deal with the Soviet Union?

A. I would cut off all trade with the enemy as long as they were killing our troops. But I might take a second look at the grain deal. I might bend a bit if I thought our need for gold was crucial and I could make a deal for it.

Q. Why is gold so crucial?

A. Because of the U.S. gold losses, we are losing any vestige of financial independence. Last week, the International Monetary Fund met in Washington. I just don't like the idea of a few people getting together and deciding how the international money system should work. You could call that planning. I might call it conspiracy. The IMF is going to run the system. Can't you then logically say that it's going to be running nations?

Q. How else could you coordinate a monetary system involving 124 nations?

A. Well, the way economist Ludwig von Mises says. There are certain natural laws and laws of economics that are far better than any man can devise. You just foul things up by intervening.

Q. Is one of those laws the gold standard, to which you want to return?

A. Yes. I'm author of a bill to allow people to own gold. Why can't you own gold now? Because it makes you independent of a controlled money system.

Q. But the world doesn't have enough gold to go around, and a great deal of it is in the Soviet Union.

A. There's also gold in South Africa and in California. It's just not feasible to mine it in California at $38 an ounce. The ideal price is whatever the free market will bear.

Q. Doesn't this leave a lot of room for speculators to fatten up on the impoverishment of the U.S. dollar?

A. You don't think that the dollar has been impoverished by speculation, do you? It's been impoverished by the imbalance of payments. We've been debauching our own currency by spending more abroad than we're taking in.

Q. Where, by the way, do you get your economic ideas? Von Mises?

A. I read his books. Von Mises probably would not go along with our anti-monopoly plank, although he is not as libertarian as some of his disciples.

Q. Is it true that you would also abolish the Federal Reserve System?

A. Yes. This is old populist George Wallace's view, too. In 1913, there was this big William Jennings Bryan reaction against the financial rule of a few men. So they met on Jeckyll Island, Ga., to solve the problem. And what they did was to institutionalize the problem by creating the Fed.

Q. You've sounded a bit like a populist, too—a bit like Senator McGovern—on tax reform, talking about closing loopholes for the superrich.

A. Yeah, well . . . I may call for it, but he sure gets the fat-cat money. We're the thin-cat party. Our biggest contribution to date is $6,000 from a North Dakota farmer. That party of the crusade of the young, the poor, and the nonwhite is mighty well-oiled. I've been in public office eight years and never seen a tax-reform package that wasn't just a cover-up for tax hikes.

Q. What are your reform proposals?

A. The basic reform I would inaugurate is not to spend more than you take in. This may sound like major surgery, but we are dying of cancer. We are going down the tube.

Either we are going bankrupt or there's a guy in charge of the government who's kidding us. Back in 1968, Nixon said we were going to go bankrupt if we didn't cut $10 billion off Lyndon Johnson's $170 billion budget. Now he is talking of holding the line at $250 billion.

Q. How serious is inflation now?

A. You know what Phase III is? That's the election. Nixon himself said using wage and price controls to halt inflation is like holding down the lid on a boiling kettle, and you had to turn down the heat and cut deficit spending. When the kettle blows, it's going to blow hard. All he cares about is that it not happen until after Nov. 7.

Q. How do you back off drastically from deficit spending without causing a recession and more unemployment?

A. When you cut spending in the government sector, that money goes into private spending. For every job the government creates with a small businessman's tax money, that businessman could have created two or three.

Q. You've referred to the Lockheed bailout. What would you have done?

A. I'd say to Lockheed: That's the occupational hazard, you should have dealt with an American company rather than Rolls-Royce. I don't think the American taxpayer should have had to bail out Rolls-Royce on that one. We could have let Lockheed, without legislation, renegotiate the contracts on, say, the Cheyenne helicopter if it got into financial trouble because of government foul-ups. And if Lockheed had to go under on civilian deals, you could have salvaged the defense aspects through government resale.

Q. Getting back to tax reform, are you concerned over the charge that many people do not pay their fair share?

A. Our income tax forms are so complicated that no one can understand them. Even in the middle-income range, those who are able to afford a tax attorney can make but a lot better. You could probably find some violation in everyone's return, and this allows for selective, tyrannical enforcement. So I would simplify the tax system.

Q. What about so-called loopholes for oil depletion and capital gains?

A. The oil depletion allowance can be justified as an incentive to developing domestic oil fields. But the big tax-exempt foundations are something else. Whether it's Republican Rockefellers on one side or Democratic Harrimans on the other, it's the same kitchen serving two restaurants. The foundations are used for political leverage. People think that because someone is wealthy, he must be conservative and a free-enterpriser. No, when a person has all the money he needs, his goal becomes power.

Q. Do you then favor income or wealth redistribution?

A. No, that not what I'm saying. If these fat cats are really concerned about us thin cats and are really so charitable, they could redistribute their wealth by their own decision. But now they give it away, through foundations, by using government to exact more taxes from the already over-burdened middle class.

Q. Who do you see as your constituency—small businessmen, Wallace people?

A. Yes, them, but anyone willing to work for a living, the vast majority of Americans who have been taken for granted by the other two parties. I think we'll hold those blue-collar Democrats who went for Wallace on such issues as busing and opposition to amnesty. Being Milwaukee-born, and a former Blatz brewery vat cleaner as I worked my way through college, I think I'll be able to hold that vote in the North. I wasn't born with a silver spoon in my mouth.

INDUSTRY/OSHA COOPERATION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, during the oversight hearings on the Occupational Safety and Health Act of 1970 in September, the Select Subcommittee on Labor of the Education and Labor Committee was privileged to hear testimony from the American Pulpwood Association. The statement is a good example of the constructive relationship that can be established by cooperation between industry and the Department of Labor.

The statement follows:

STATEMENT OF THE AMERICAN PULPWOOD ASSOCIATION

(By K. S. Rolston, manager, technical program, American Pulpwood Association)

The American Pulpwood Association is supported by producers and consumers of pulpwood, raw material for the nation's paper industry. Our programs are primarily education, training and extension activities aimed at improving the technical aspects and management practices of many thousands of small pulpwood logging establishments located in rural areas throughout the nation. These logging operations are within the OSHA target industry category "Lumber and Wood Products" and are receiving much more OSHA attention than many other businesses.

The American Pulpwood Association has been very active in safety training activities for the past twenty years and we feel that, among trade associations supported by the forest industry, we are in a position of leadership. During the past six years, we have received five annual association safety awards from the National Safety Council. This is a highly coveted award and we feel that we have earned it.

Our experience with the administration of the Occupational Safety and Health Act leads us to believe that it is a powerful tool for improving the accident control situation in the pulpwood logging business. We believe that the Act is just and worthy and that it has been well administered to date.

Inclusion in one of the five target industry categories was no surprise. Pulpwood loggers are subject to many very unusual hazards and virtually all logging operations are quite small businesses without benefit of professional safety staff.

SMALL BUSINESSES CAN BE INFORMED

Shortly after being informed of our target industry status our association held more than 300 meetings in forested areas to inform pulpwood logging operators of their responsibilities under the act. We directly reached more than 8,000 employers and thru publications reached an additional 30,000. The educational program was successful largely because of cooperation among our members, but the OSHA staff was extremely helpful, providing us with information on the law and the standards and reviewing our visual aid program and printed materials. Our members know what OSHA requires—and thousands of non-member loggers who were invited to attend our local area meetings know about OSHA too.

APA didn't have to carry out this information program alone. State associations such as the Wisconsin-Michigan Timber Producers Association, Georgia Forestry Association, Florida Forestry Association, Pennsylvania Logging Safety Council, Maine Forest Forum, and Minnesota Timber Producers Association really pitched in to help out.

I would suggest that it is the role of an effective trade association to inform their members about issues that affect them. If it wasn't the role of trade associations to keep their members informed, interpret government rules and regulations, and participate in standards making activities, we wouldn't need may trade associations.

LOGGERS CAN COMPLY WITH MOST OSHA REQUIREMENTS

Almost without exception pulpwood logging operators find no quarrel with OSHA requirements or the safety standards that apply to their operations. Sure, there were problems, loggers don't have offices and we still haven't figured out whether to tack up the OSHA employee information poster on a tree or on the side of a log truck. We definitely support the OSHA proposal to relieve small businessmen with less than 8 employees of the rather complex recordkeeping provisions. The important point that I would like to make is that during our 300 meetings with 8,000 loggers there were virtually no complaints about the economic impact of the safety standards. In fact, time and again we heard comments to the effect that "these safety standards are just telling us to do what we should have already been doing."

We haven't heard any adverse comments about the level of OSHA penalties assessed our members either. One pulpwood logging operator who received a relatively high penalty ($600.00) in circumstances surrounding a fatality on his job said that the penalty was minor in comparison with the terrible cost of losing a valued employee.

OSHA COMPLIANCE OFFICERS HAVE BEEN REASONABLE

Our Association has an OSHA inspection reporting service and we get information back from the field about logging operations that have been inspected. We have received no complaints regarding OSHA administration and as far as we know no pulpwood logging operator has filed a contest before the Review Commission.

We got reports about the conduct of OSHA compliance officers—and, with one exception, they have been reasonable and fair—even friendly. One employer said thac, although he had to pay a penalty, he'd learned a lot of other things that needed doing—and he felt that the penalty had been cheap in comparison with the safety consulting service he'd received. I could give you several other stories like this.

We understand that some employer groups feel the need for government consultation on-site without risk of penalty and we respect their position. The logging business is not as complicated as some others and we feel that we can, and are, communicating the OSHA requirements, and how to comply with them. We would have to be shown how consultation on-site would help our members before we got excited about it.

Complaints about improper action or attitude on the part of the OSHA people are just not compatible with our experience. If there are problems of this nature, can't they be handled in the same way one might call attention to improper behavior by an F.B.I. agent or a postal carrier?

OSHA STANDARDS

Pulpwood logging operations are covered under a specific section of the OSHA standards package derived from an American National Standards Institute safety standard.[1] Our association sponsored this standard. Work began in 1967. Twenty-seven organizations representing employers, unions, equipment manufacturers, insurance, and government participated in the development of four review drafts, and all approved the final ballot draft. We made it and can live with it because it's for safety and it sets achievable standards.

Complaints from some groups center around the substance of other portions of the OSHA standards package—and it is true that some of these standards are trivial. We have faith that government, industry, and labor can work together to correct these problems. The act provides the appropriate machinery to get the job done.

We are already involved in revision work to further improve the ANSI standards that apply to logging and have formed ANSI committees to develop additional standards in related areas. We suggest that other trade associations may find this actively beneficial to their membership.

THE HIGH COST OF INJURIES OR THE HIGH COST OF OSHA?

How expensive has it been for pulpwood logging operators to get their logging operation into compliance? I can't give you exact figures. I do know that we haven't received any complaints about the cost of hard hats, guards, or other safety equipment and we certainly haven't heard of anyone going out of business because of the high cost of OSHA.

The humane motivation for accident prevention is the major concern for all of us, but we also must assess the economic demands required to achieve humane goals. A major economic concern for pulpwood logging operations is the high cost of Workmen's Compensation Insurance, currently in some states more than $20.00 per hundred dollars a payroll. If the leverage provided by the Occupational Safety and Health Act can improve the injury experience on these logging operations, the cost savings potential from reduction of Workmen's Compensation Insurance rates is far more important than the cost of compliance with OSHA.

In addition to the potential for reducing direct costs of injuries such as Workmen's Compensation and medical costs, there is a greater potential for savings through reduction of the indirect costs of injuries such as lost production, work interruption and damage to equipment which are always associated with high injury rates. These indirect costs can be four times higher than the direct costs. Accident control measures taken to reduce direct cost of injuries automatically reduce indirect costs.

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[1] Safety Requirements for Pulpwood Logging, ONSI 03.1–1971.

SMALL EMPLOYERS AND LARGE EMPLOYERS

Many studies have shown that employers of small business establishments suffer higher injury rates. Most logging operations employ less than 15 men—and are in the target industry category.

We are very concerned that Congress proposes to exempt small businesses from the Act. Is it fair to a worker to assure him safe and healthful working conditions on jobs employing more than 15 and leave a worker on a smaller crew in jeopardy? Who's going to explain this to the worker left without protection and how can a worker so deprived be expected to have respect for this government? Perhaps there are acceptable answers to these questions and if there are—we would like to hear them.

We urge the Congress to reconsider withdrawing the protection of OSHA from workers employed in small businesses. If this were to happen a real opportunity to improve logging safety will be lost. In the long run these small employers are certain to accrue material benefits from compliance with the Act as their cost from injuries decline.

CONCLUSION

The administration of this very important legislation is in its infancy. Yet already we are certain that it has had a constructive impact on our industry. More logging workers are wearing personal protective equipment than ever before, more safety practices are being followed, some of the more hazardous aspects of logging machinery have been improved, and logging equipment manufacturers are improving the safety and health aspects of their machinery. OSHA has created a vital new interest in safety at all levels in our industry. If the majority of employers are exempted from enforcement, even if only for a year, we're going to lose the needed momentum.

Other industries may genuinely need legislative or administrative action to serve the best needs for employee safety and health and the requests we are aware of would not adversely affect the pulpwood logging industry. Our industry does need the full coverage of the Act if we are ever going to move out of the OSHA target industry status.

BYELORUSSIA

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. PATTEN. Mr. Speaker, I would like to take this opportunity to place in the record a resolution recently passed by the 10th Convention of Byelorussians of North America.

I certainly support their resolution, and I want to take this time to say that I will continue my efforts to be of help to them and to their friends and families who are still living under Soviet oppression in Byelorussia.

The resolution is as follows:

RESOLUTION

(The 10th Biennial Convention of Byelorussians of North America held in Toronto, Canada, on September 2-3, 1972)

Whereas Russian rule over Byelorussia—first forcibly annexed by Muscovy in 1772 and 1793—was re-established by force of Bolshevik arms through destruction of the Byelorussian Democratic Republic, which had been proclaimed independent on March 25, 1918;

Whereas the Soviet Byelorussian government, including its spokesmen in the United Nations, does not represent the will of the Byelorussian people, but constitutes a docile instrument of Russian imperialism and propaganda;

Whereas the wealth of the Byelorussian land is being siphoned off by the central Soviet government to finance Russian expansionist schemes throughout the world (with Byelorussian territories partitioned by Moscow in a political game between herself and Byelorussia's neighbors);

Whereas the Communist Party in Byelorussia, under the subterfuge of the so-called merging of nations, conducts an intensive campaign of Russification and discrimination against Byelorussian culture;

Whereas many Byelorussian patriots in Byelorussia, especially among the young and the intelligentsia, do their utmost to defend and develop Byelorussian national interests.

Therefore we the Byelorussians of Canada and the United States of America, gathered at the 10th biennial Convention of Byelorussians of North America in the great city of Toronto, Canada, on September 2-3, 1972, to commemorate the 90th birthday of two of the foremost Byelorussian poets and national leaders, Janka Kupala, murdered in Moscow in 1942) and Jakub Kolas (d. 1956), as well as to mark the 450th anniversary of printing in Byelorussia, do unanimously resolve

To continue the struggle for re-establishment of a free and independent Byelorussian Democratic Republic;

To encourage in Soviet Byelorussia manifest trends toward liberalization, extension of civil rights, and cultural freedom;

To expose economic exploitation and Russification of Byelorussia, now being continued under the smoke screen of the 50th anniversary of Soviet federation;

To preserve in our own midst, along with Canadian and American values, our Byelorussian heritage—language, history, traditions, and the concern for the well-being of the entire Byelorussian nation;

To support any resistance among the Byelorussian people in the Soviet Union directed toward the restitution of Byelorussia's territorial integrity and free development of material and cultural values.

Byelorussian Canadian Alliance, 524 St. Clarens Ave., Toronto, Ont., Canada.

Byelorrusian-American Association, Inc., 166-34 Gothic Drive, Jamaica, N.Y., U.S.A.

GOVERNMENT PUBLICATIONS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HELSTOSKI. Mr. Speaker, I have found that the public has a high degree of interest in the publications of the Federal Government. The research, the information and the compilation of material made by the various agencies of our Government provide in these publications a method of informing our citizens not only of the nature of our Federal Government but also the answers to many questions our constituents have regarding specific topics. In an effort to be of assistance to my constituents of the Ninth Congressional District, I am making available the following publications:

PUBLICATIONS AVAILABLE FOR CONSTITUENTS:

A facsimile of the Declaration of Independence on parchment.

"Our Flag," a booklet carrying the history of the American flag, color photographs of the flags that have been used by our nation and of the 50 State flags.

Document containing Vietnam and Asian Continent maps. It also includes indexes and economic and topographic maps.

"Arthritis—The Basic Facts," a publication of the Arthritis Foundation made available to Members of Congress for distribution to interested constituents.

FIVE CHILD CARE BOOKLETS

Prenatal Care.

Infant Care.

Your Child From One to Six.

Your Child From Six to Twelve.

The Adolescent in Your Family.

Those desiring one or more of the above-named publications should indicate by check marks in the appropriate boxes which ones they want send this form to Representative Henry Helstoski, 326 Cannon House Office Building, Washington, D.C. 20515.

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REPORTS ON A PREVIOUSLY OVERLOOKED MINORITY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WALDIE. Mr. Speaker, the approximately 6 million Americans of Mexican descent constitute the Nation's second largest minority group—and, with the exception of the American Indian, its poorest. I think the problems of the Mexican American has been seriously overlooked by the American public as a whole. Mexican Americans suffer severe education handicaps—50 percent have completed less than 8 years of schooling—and are employed primarily as manual laborers. The problems that face the Mexican American population in the United States have complex historical roots. That is why at this time I would like to enter into the CONGRESSIONAL RECORD a book review by Mr. Ragnar Lange who is an economist who specializes in Latin American affairs. The books that he reviews are "Aztlan" by Luis Valdez and Stan Steiner and "The Chicanos" by Matt S. Meier and Feliciano Rivera. This review appeared in the Sunday Star and Daily News on September 17, 1972.

The article follows:

REPORTS ON A PREVIOUSLY OVERLOOKED MINORITY

(By Ragnar Lange)

The approximately six million Americans of Mexican descent constitute the nation's second largest minority group—and, with the exception of the American Indian, its poorest.

Demographically concentrated in the Southwest, Mexican Americans represent 28 percent of the population in New Mexico, 15 percent in Arizona and Texas, and 9 percent in California and Colorado. Today Mexican Americans are 80 percent urbanized and approximately one-fifth have left the Southwest to settle in such midwestern and eastern metropolises as Chicago, Detroit and Washington, D.C. Although the urbanization of a given ethnic group is usually accompanied by a decline in its birth rate, the birth rate of Mexican Americans continues to be extremely high and is currently double that of the population at large.

Mexican Americans suffer severe educational handicaps—50 percent have completed less than eight years of schooling—and are employed primarily as manual laborers. They consequently bear the brunt of job displacement due to mechanization and automation and depend heavily on public assistance. Their welfare receipts far exceed their numerical proportion in the population; in Denver, for example, they receive more than 67 percent of the general welfare payments.

In many areas of the country, Mexican Americans are victims of racial prejudice and injustice. The U.S. Commission on Civil Rights reported in 1970: "There is evidence of widespread patterns of police misconduct against Mexican Americans in the Southwest." In Texas, Mexican American children were forced to attend segregated schools until a 1948 court decision declared such segregation unconstitutional. The practice of paying Mexican American workers a "differential wage"—from 20 to 40 percent less than the going rate—persists in many places despite the continuing efforts of labor unions and the federal government to put an end to it.

The deep problems afflicting the Mexican American minority have complex historical roots. Years before the founding of Jamestown, the Spanish had established Santa Fe and built a string of missions along the California coast. Unlike their British counterparts, the Spanish settlers intermarried freely wth Indian women and this mingling of bloods produced a new ethnic group known as "Mestizos." Their descendents, who today make up more than 87 percent of Mexico's population, are referred to collectively as "La Raza."

After Mexico won its independence from Spain, the Mexican government encouraged Anglo-American settlers to migrate to the northern states of Tejas, Nuevo Mejico, Sonora and Alta California. Anglos were given generous land grants and warmly welcomed by the Mexicans who taught them the techniques of desert agriculture. However, when political trouble began brewing in Mexico, the Anglos were quick to seize the opportunity to agitate for Texan independence. The fall of the Alamo in March, 1836, was a setback for the separationists, but Houston's victory over Santa Anna at Jacinto a few weeks signaled the end of Mexican rule. By 1840, Texas' independence was recognized by the U.S., France and Great Britain.

It then remained only for the U.S. to fulfill its "manifest destiny" by extending its borders to the Pacific. To this end, U.S. officials forced Mexico into a war described by Gen. Ulysses S. Grant as the "most unjust ever waged by a stronger against a weaker nation." According to Gen. Winfield S. Scott, who commanded the expedition, U.S. troops "committed atrocities to make heaven weep and every American of Christian morals blush for his country." When it was all over, Mexico had lost more than half of her national territory and the U.S. had gained New Mexico, Arizona, California, Utah, and most of Colorado.

Before signing the Treaty of Guadalupe Hidalgo, the Mexican government requested and received guarantees from the U.S. concerning the civil, religious and property rights of the 80,000 Mexicans living in the area to be ceded. The Mexican government also offered resettlement and land grants to any of its citizens who wished to relocate within the national borders. Nonetheless, the overwhelming majority—more than 78,000 individuals—elected to become American citizens. It is an ironic twist of fate that many of the 2,000 Mexicans who did accept relocation in order to avoid U.S. rule settled in an area which was later transferred to the U.S. through the Gadsden Purchase.

The years from 1850 to 1875 were marked by outbreaks of guerrilla warfare in the Southwest as Mexicans resisted the Anglo advance. Joaquin Murieta, relentless is his determination to avenge the rape-murder of his wife by a band of 13 Anglos, terrorized California; and in Texas, Juan Cortina led commando-type raids against the English-speaking settlers whom he described as "malicious and crafty monsters."

Still, by the turn of the century a degree of acculturation had occurred in many areas and it seemed possible that the Mexican American minority might eventually be absorbed into the Anglo culture. This was the closest La Raza ever came to being assimilated, however, because within a few years the turmoil of the Mexican Revolution of 1910 caused hundreds of thousands of Mexicans to flee to the U.S. These new arrivals reinforced Mexican Americans' cultural consciousness while at the same time increasing Anglo hostility toward them.

The economic results of this massive infusion of unskilled laborers proved disastrous for Mexican Americans. Wages in the Southwest soon fell to subsistence levels and family units were broken up as husbands and fathers were forced to go north in search of employment. As their economic situation became increasingly desperate, the Mexican Americans retreated into deeper social and cultural isolation.

However, World War II was to have a dramatic impact on Mexican American attitudes. Mexican Americans served in all branches of the Armed Forces and fought with exceptional valor. Seventeen of them were awarded the Medal of Honor. These veterans returned home with new skills, a new pride and increased expectations. When they found their ambitions blocked by prejudice and discrimination, they began to form political action groups such as the G.I. Forum for the purpose of obtaining recognition of their full rights as U.S. citizens. These organizations were the precursors of what is today the Chicano movement.

The task of defining Chicanismo is rendered extremely difficult by the fact that many of the numerous Chicano organizations have divergent goals. In brief, the movement's ideology is based on the concept of self-determination for Mexican Americans. While to some groups self-determination means the right of Mexican Americans to secede from the United States and re-establish the legendary Aztec nation of Aztlan, most are seeking to increase Chicano participation in the democratic process through voter registration drives and political education. Recent Chicano election victories in southern Texas have convinced many militants that political power can come from the ballot box as effectively as from the barrel of a gun.

The publication of two outstanding books about Mexican Americans should do much to increase public understanding of both their culture and their problems. "Aztlan" is a superb collection of poems, myths, stories, speeches and essays spanning the centuries from Mayan times to the present. The selections include the account of the creation of the earth from the Mayan Popol Vuh, Cortes' description of overturning the blood-soaked idols in the shrines of Tenochtitlan, Santa Anna's report on the Mexican victory at the Alamo, and Joaquin Murieta's declaration of guerrilla war. The only disappointment in the "Aztlan" anthology is the introduction by Luis Valdez which contains an overdose of racial insult and vernacular obscenities.

In contrast, "The Chicanos" by Matt Meier and Feliciano Rivera is a scholarly attempt to place the Mexican American minority in historical perspective. The chapters about pre-Columbian Mexico, U.S. expansionism and the conflict of cultures are especially rewarding, and the Chicano movement is discussed at length. My only reservation concerns the author's failure to explore the social and economic conditions prevailing in Mexico which have caused millions of Mexican citizens to migrate to the U.S. in spite of the difficulties they face here. Nonetheless, its historical insights make "The Chicanos" a valuable book and an excellent companion volume to "Aztlan."

AMERICANS OF POLISH HERITAGE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PATTEN. Mr. Speaker, one of the reasons America is a strong and respected Nation is its human wealth—and Americans of Polish heritage have made vital contributions to that wealth.

One of my constituents—New Jersey Assemblyman at Large Edwin A. Kolodziej, of Sayreville—cited this in a moving speech he made in honor of New Jersey Polish American Day. I insert that speech with pride and with the hope that my colleagues—like myself—will be reminded of the great patriotism and contributions of Americans of Polish heritage.

The speech follows:

SPEECH OF EDWIN A. KOLODZIEJ

As we approach the bicentennial of our country, it is appropriate that we pause to take stock of ourselves as a nation and as a people. I do not recall who said that there are three dimensions to every man: One as he sees himself; the second as others see him; and the third, the most elusive and most difficult to grasp, as the person really is.

Certainly, this rule applies to collective human groups or nations. Indeed, it does in the sense that the essential image of a nation is the result of forces one of which is the way the people see themselves. Similarly, what kind of a nation we will be in the future will hinge largely on how we see ourselves today and what inferences we make from what we perceive for the future.

That many Americans sense something is wrong in the land could suggest grave consequences for the future. Many feel alienated from their society, and their government and its institutions. They are not unlike Skawinski, the lighthouse keeper in Sienkiwicz's *Letters From America*, who feels he has lost all contact with his native land; all interest in fact, in his home and country; a man who feels uprooted, spiritless and lost. Like Skawinski, the American people believe their nation is in trouble.

But I say to you that Americans of Polish heritage should not be unaccustomed or unmindful of challenging and troubled times. Violence and tumultuous events have characterized the course of Polish history.

Poles were among the first settlers in America. Polish pioneers such as Anthony Sadowski were hard workers who braved the dangers of the new world. They built shelters, dug wells, cleared the land, and paved the way for the growth of a young nation. Many idealistic Poles, such as Thaddeus Kosciuszko and Casimir Pulaski joined troubled Americans in the fight for independence.

The first large group of Polish immigrants who arrived in Cleveland in 1835 were Polish Patriots who had been engaged in the quest for independence and freedom and who had been forced to leave their country. The tens of thousands of Polish immigrants who came to America during and after World War II, many of whom are before me now, were products of a long register of war-inflicted miseries. Most were born, raised and educated in an Independent Poland between the two world wars. They possess a highly developed social consciousness, strong patriotic feelings and a keen awareness of common bonds and common experiences. They exemplified the Polish dedication to freedom and justice which has shone throughout the Polish heritage. We should be ever grateful to those Poles who gave their lives, so that all Americans might live in freedom.

However, as individuals of Polish heritage, we should also be grateful to America. Many Polish war refugees found refuge in the United States. America provided many Poles with opportunities to return from the battlefields to continue their education, and to build families and careers. America has provided Polish-Americans with opportunities for enriching as well as enjoying the land of their adoption.

Now America is troubled. America gave you a hand—Now give a hand to America. While we should treasure and nurture an understanding of our heritage, as Americans we should heed the words of Bernard Baruch, that "While we didn't all come over on the same ship, we are all in the same boat". The present anxiety over the state of the nation focuses particularly on tensions and divisions among its citizens. We as Polish-Americans should open our minds and hearts and accept the motto: "Intolerance only of intolerance."

We are now perhaps in the most difficult period for this country and for the world. After passing through an extended period of social upheaval and a divisive and misguided war, we are in the situation of a man who has undergone a major operation and is suffering anguish until the post-operative wound is healed. No doctor can alleviate the patient's suffering right after surgery. He can only shorten the period of recuperation by attentive care.

I say to you that we must give America a hand and provide this attentive care. I would say that the next decades will see the people come to a fuller realization of the fact that the sense of life lies in participation, in a more active participation in developing the country and in promoting human welfare. Then, they will perceive as clearly the road leading up to this goal. I believe the words of Thomas Wolfe, "that the true discovery of America is before us; that the true fulfillment of our mighty and immortal land is yet to come.

Any sense of apartness, of selfish unwillingness to share the concerns of our fellows, or even to listen to them, simply must be ended. Our country is facing challenges greater than any which it has ever faced. I say to you this is no time for idle cynicism. This is no time to abandon the drive, the principles and the imaginative creativity which have characterized the Poles since this country's birth. This is a time for spirit and energy. This is a time for stouthearted men who can turn dreams into reality.

I summon you as individuals to heed the words of my creed "I am only one man, but I am one man. I can't do everything, but I can do something. And what I can do, by the grace of God, I will do." If you will do something, make my creed your creed:

Polonia are only one people, but they are one people.

Polonia can't do everything, but they can do something.

And what Polonia can do by the Grace of God they will do!

REVIEW OF THE 92D CONGRESS

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SCHWEIKER. Mr. President, my senior colleague from Pennsylvania (Mr. SCOTT) and I recently devoted our biweekly radio and television report to Pennsylvania to an end-of-the-session summary of the second session of the 92d Congress. As Republican leader, Senator SCOTT is uniquely qualified to comment on the accomplishments and nonaccomplishments of Congress.

In the hope that our discussion may be of interest to our colleagues and constituents, I ask unanimous consent that a transcript of the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

RADIO AND TELEVISION REPORT

Following is the text of "Your Senators Report", a program done by Senator Richard S. Schweiker (R-Pa.) for broadcast on television and radio stations in Pennsylvania.

Guest: U.S. Senator Hugh Scott (R-Pa.) Senate Minority Leader.

SCHWEIKER. This is Senator Dick Schweiker. Today as my guest Senator Scott and I are going to talk about the accomplishments and non-accomplishments of the second session of the 92nd Congress.

ANNOUNCER. From Washington, we present "Your Senators Report", a report to Pennsylvania from the United States Senate by Senator Richard S. Schweiker and Senator Hugh Scott. Now, here is Senator Schweiker.

SCHWEIKER. I am very pleased today to change our pace a litle bit, and, in essence, invite Senator Scott to our show. As many of you viewers and listeners know, Senator Scott and I have been alternating turns in this show, but we did promise that every once in a while that we would get back together when it was of interest to the people of Pennsylvania, particularly when we could talk about Congress, per se. I have asked that Senator Scott, our Republican Leader, be here with me today to go over some of the accomplishments and some of the non-accomplishments of this Congress. Hugh, I am delighted to have you back on our show again.

SCOTT. I am happy to be here, Dick, and I am glad that you are carrying the show because usually on my own half I have had to think up all the questions. This time it is up to you.

SCHWEIKER. I will start out, Hugh, by saying as Republican Leader you are in a particularly important position to tell us what you feel some of the real important major accomplishments were this session of the Congress.

SCOTT. As you know, Dick, we have had a mixed bag. We passed the campaign spending reform bill, we ended the draft—that was the biggest news to the most number of people, I guess. Probably the most important legislation was revenue sharing; $5 billion. Later I may come back to it, a little bit later on. Then we had some Constitutional amendments. As you know, we extended the right to vote from 18 to 21. We had the equal rights amendment. The 18-year-old vote, of course, is now in the Constitution. The equal rights amendment is waiting for the states to ratify it. We passed a 20 percent social security increase, now law, and we have sent an important water pollution control bill to the President, which will have been disposed of by the time this program appears. We will have, of course, many other less important matters, but nevertheless major matters, to discuss. But in addition to that we did a lot for Pennsylvania.

SCHWEIKER. We certainly did, Hugh. I just want to second the motion and say that I certainly agree with your analysis of the major programs. I believe the 18-year-old vote is going to have an explicit impact on the long-range political process, and I believe the equal rights amendment for women is long-range and going to mean a lot.

I think immediately, the one that I am most delighted with which I think President Nixon deserved a lot of credit for, is ending the draft. I think that without his effort, without his leadership, without his help, and of course our support in Congress, it would not have been possible. I believe that when they announced a few weeks ago that they had every intention of meeting that deadline, and that next year when it expires—and they mean it—we are well on our way to it. As a member of the Senate Armed Services Committee, we are gearing up in other areas to make sure that we do get it, so I am delighted.

Now, Hugh, you raised a question about Pennsylvania. When I think of the four years that I have been in the Senate, we have probably a longer list of things this year that have been done for Pennsylvania than any time in the 12 years that I have been in Washington.

SCOTT. All the laundry that we sent in has come back nicely cleaned and pressed.

SCHWEIKER. With a Pennsylvania trademark on it. There is no doubt that a lot of this, of course, is caused by your efforts as Republican Leader. I am also pleased with the fact that because of the fine working relationship that you and I have, we have never differed, or we have never really had any misunderstandings at all about Pennsylvania's interest. They have always been first, last and always, and I think that is one of the reasons that this list is pretty long, too.

SCOTT. I think so. And I think you might want to enumerate some of them. People up in Erie have a special interest in one bill and Philadelphia in Penn's Landing. Perhaps we will spread it all over the state this time.

SCHWEIKER. I think we are delighted to see that we did get money to save Presque Isle, the beach erosion project in Erie, for $3.5 million, which has been authorized and gone through Congress; the Agnes Relief Act, where you, the President, and all of us, played a major role—probably the largest single thing that we could point to. I joined you in your amendment to open the school aid programs to the private and public schools, so that they could get back on their feet instantaneously. And a lot of them have done that. I had another amendment to help small businessmen use money for working capital, so that they could open their doors immediately and serve their people, keep jobs. I guess that would have to go down as the most broad-scaled impact on Pennsylvania.

SCOTT. It certainly was. We promised action. We got more than $2 billion for that flood. And then we realized that we hadn't taken care of the rights-of-way of rail lines and rollingstock, and we put in a bill together for $48 million so that we can get our rail system operating again. We passed it in the Senate as a joint bill and then at the very last minute, last weekend, we were able to squeeze it through the House on a suspension of the rules only today—and we are doing this program before you see it—the only bill on the calendar was to provide that certain parts of the Delaware River be made non-navigable. That sounds technical, but what we are doing is to permit the waterfront development at Penn's Landing. Now the Presque Isle Bill was your bill. Tamaqua Project—have you mentioned what you did in Tamaqua?

Schweiker. We got $2.3 million for the Tamaqua flood tunnel to make sure that the special situation that floods up there very readily will be by-passed by a flood tunnel. We are delighted that that went through, which you were a co-sponsor of, too. In addition, the Tioga-Hammond and Cowanesque dams for Susquehanna flood control also became law. I believe these are important things.

Probably the biggest thing that came through my committee was the black lung benefit bill—updating in benefits to broaden the category. A lot of people in the anthracite area—Scranton and Wilkes Barre—and the soft-coal areas of southwestern Pennsylvania are going to benefit because of the broader, more liberal interpretations to compensate the black lung victims.

Scott. That is real initiative there. And that is interesting because the President told me the other day that his father-in-law died of miner's disease, which is black lung.

Schweiker. The same thing, just an older name for it, really.

Scott. In Philadelphia, people are delighted that we had the Kosciuszko home made a government historic site. And the Ben Franklin Memorial——

Schweiker. That was your bill.

Scott. The Franklin Institute will be known as the official memorial to Franklin. In Pittsburgh, we hope it is still Pittsburgh . . . The other is your bill, the ethnic heritage bill. If that important program is awarded to Pittsburgh, as we hope it will, it will bring a cultural addition to the city. More than that, it will bring employment and we are doing our best to get that. Those are some of the things that we have been working on.

Another of them is the Court Surplus Disposal Act, which is an interesting one because it would transfer the old Philadelphia Court House to the city government for local law enforcement and court use. I think that is useful. Then as a memorial to our late colleague Jim Fulton, the Chartiers Creek section was designated as the James B. Fulton Flood Control Project. The Justice Department appropriated $10 million for the new juvenile correctional center in Philadelphia. Then there was something that we did with the AEC. Do you remember what that was, Dick?

Schweiker. Yes. We got research continued in the matter of heart pacemakers. My mother has a pacemaker. I am sure that it has prolonged her life and I am sure that it has prolonged other peoples lives, but there is a problem of changing batteries. If we can get a nuclear one that will last indefinitely, people in this category will not have to undergo serious operations periodically to renew their energy source. We continued research in the area of pacemaker nuclear supplies in Pennsylvania.

Scott. I remember we showed what a pacemaker is like on the Senate floor—an atomic energy pacemaker. We rarely bring live exhibits on the Senate floor. I didn't bring any Pandas back when I went to China.

Schweiker. My children would have appreciated that. Another area, too, that benefits Pennsylvania as part of the major package is the revenue sharing bill, which will give about $413 million to Pennsylvania, something around $60 million plus dollars to Philadelphia, and $12 or $14 million to Pittsburgh and a number of areas throughout the state that get a breakdown on that.

Scott. You had a great deal to do because one of your committees is Labor and Public Welfare. And that is the health bills. I wonder if you want to. . . .

Schweiker. Yes. I think one of the major health accomplishments this year . . . First of all the cancer bill, and following the cancer bill, the heart bill. Two amendments of mine were in that. One was to set up an Office of Education within the National Institutes of Health. We know now how to stop heart disease. We know that smoking affects it, we know that obesity affects it, we know that high blood pressure affects it, we know that a number of different things affect it. If we educate our people to watch out for these things, we can solve half the problems.

Another bill, of course, is sickle cell anemia. We have had a lot of work among the Black people in Philadelphia. The Yancy Durham Foundation there—with Joe Frazier—has been one of the leaders there. And in Pittsburgh, the Black Athletes Foundation with Willy Stargell. We have set up a bill so that these groups can get help and support for solving this dread disease among our Black citizens?

Scott. What about the lead paint bill?

Schweiker. The lead paint bill is in the process of going from one body to the other. So whether we will be able to get it out of the House before we adjourn, we won't know, since we are taping this program several days ahead of adjournment. But we are still trying.

Scott. What is the standing of the flammable fabrics bill? I am really asking questions about matters which are primarily within your jurisdiction.

Schweiker. There, Hugh, we tightened up our procedures for trying to protect our young children, particularly those under six, from having nightgowns and sleepwear that go up in flames if the child would lean on an electric stove or sweep over some kind of an open flame. One amendment, particularly, that I was concerned about, would now extend this protection up to age 14. A lot of children above six get around an open flame or electric stove that might set off their clothing. The way that clothing is these days, it will go up in smoke in a matter of a few minutes. This will be part of the new products safety bill that is just coming out. They will set that up in a form of a regulation for next year.

Scott. We passed the Tinicum Marsh bill. I am interested in that bill, and the Piscataway project. Congressman John Saylor is very much interested in it. We enacted into law the Equal Employment Opportunities Commission extension.

We haven't mentioned foreign policy. I think we ought to mention major accomplishments such as our treaty with Russia on defensive weapons and the interim agreement of the SALT agreement on offensive weapons. I think it will have a lot to do with the future survival—

Schweiker. I think we did forget those from the major categories. We were looking more internally. But certainly in terms of long-range impact, this may do more hopefully to avert a clash between us and the Soviet Union than anything else we have done. It may also in the long run end up saving the taxpayers a lot of money if we can complete another agreement, SALT II, as we call it, on some of the offensive missiles, which we didn't get into this time. We can really begin to save a lot of armament costs, slow down the armament race. These have major impact on taxes and the well-being and preservation of our whole way of life.

Scott. A very small matter, but of interest to a lot of doctors, is the fact that we sent a resolution down for the President's signature to finalize that the Thomas Jefferson University, formerly Jefferson Medical College, is the first college or university in the nation to bear the full name of the third President. So the matters at times are small, and at times very large. This has been a busy session. We have had 14- and 17-hour day sessions.

Schweiker. We certainly have. We have set a new record on votes, you know. When I first was in the House of Representatives, before I got to the Senate, we would average about 250 votes a year. Now in the Senate I guess we are more prolific because we have amendments that require votes. It jumped immediately to about 400 roll call votes a year. Now this year we set a new record—over 500 roll call votes in a year. So, Hugh, nobody can say that they don't know where we stand on these things. We have voted 500 times as a matter of record, if they want to look into it.

Scott. I have a pretty good record for attendance, even though I was in China. But yours is better. It must be around 99 percent. Mine is 98 percent, which is pretty good for a party leader, who has to go other places.

Schweiker. I would have gone to China, too, if I had had the chance. I don't blame you. I think it helps to understand the world problems, the world relationships. I think one of the other areas too, that we might just mention a minute is higher education. You know we have made a federal commitment to colleges to help pull them out of some of the doldrums and economic tailspins they have been in. Two-thirds of colleges today, according to the Carnegie Foundation, are headed or in financial trouble. We are going to, in essence, help the colleges; recognize their high priority on our list.

Scott. The bill to help the private schools and colleges that you mentioned, under the Agnes Recovery Act, is a first. Congress has never done anything like that. With all the fights in the Supreme Court over what you can do for private educational institutions, we have broken through that with something that you can do. That is construction aid, repair, rehabilitation. That $4 million check that President Nixon gave to Wilkes College is very symbolic.

Schweiker. I think that was a very significant breakthrough. I have been a supporter, of course, of aid to some of our private schools. We haven't gotten legislation through yet. I suspect next year it will be on the agenda, but this could be a very important precedent, in my judgment.

I might interrupt just a minute, Hugh. To those viewers and listeners who turned in late, this is Senator Schweiker, and I am here with my senior colleague, Senator Hugh Scott, doing our bi-weekly show. We are reviewing the accomplishments and non-accomplishments of the second session of the 92nd Congress.

Schweiker. That will wake everybody up. Now lets turn—and not tune, Hugh—to some of the non-accomplishments. Maybe you want to comment, particularly as Leader, because you have the frustrations of trying to move a sometimes unwieldy body forward. Maybe you want to comment a little about some of our procedures.

Scott. Well, as you said, we have 100 more votes than ever before, certainly since 1880. Even with 530 votes, that doesn't mean that they were all good. Some of them were unnecessary and some of them were bad and some of them were delaying votes and quite a few of them were taken because somebody had a bill he wanted a record vote on to show folks back home how well he did and some were noncontroversial. But when you got rid of all that, there was still a tremendous amount of grist to be ground.

Some things that were not done ought to be mentioned without being a carping critic. The quality and quantity of votes, as I said, don't necessarily mean the same thing. These are some of the things that I view that ought to be done. Welfare reform, which was pretty well shot to pieces by the Senate action, and was in many ways needlessly delayed, I think, in the House. It took them 15 months to get it over here. I understand that Wilbur Mills, Chairman of the Ways and Means Committee—no matter what compromise comes out before we quit this week on welfare reform—has agreed that since we have abolished Title IV—and that is no real reform this year, except in social security areas—he's promised that the House, as soon as it organizes next year, will meet and send over what we call a "Bobtail" bill—an incomplete bill on welfare. This time he is going to say to the Senate: you took so long we couldn't work one out; this time you start early and you write the welfare bill, then we will chew it up. Now we hope that out of that will come, first, early action and, second, something far better than what we were presented with this year when we had a breakdown on it.

There was a filibuster on the Consumer Protection Agency Bill. You and I have both done our best to get a workable, effective consumer bill. Mrs. Knauer came out strongly for it, Virginia Knauer. The President wanted a good bill and we just couldn't get one. There was a big filibuster on in the education bill and that goes over until next year, presumably. Among some of the things that were not done at all, and we both regret that, was a veto of a child care bill, although there are millions of dollars in the pipeline and in legislation for child care. It would be wrong to say there isn't, but we want to come back to a further child care bill next year.

Schweiker. We were able, I might mention, Hugh, to get in the Office of Economic Opportunity bill that passed a reduced, modified program, a modest program that keeps the thing going and also was acceptable to the President. So we made a little bit of an end run around that, which the President agreed to okay.

Scott. He did not get any part of his governmental reorganization, which would be one good way to save money, one good way to have a streamlined government to get rid of some of the waste that is going on. We ought to have pension reform. One of the things that disturbs me more than anything else is the absolute failure to do anything about people's pensions. A man has a pension. He worked 18 years for a company. The company goes out of busines, and the pension isn't there. He ought to be able to take his pension with him.

Schweiker. Yes, unfortunately our Labor Committee passed a good bill, and then, because of jurisdictional reasons, it was referred to the Finance Committee. They gutted it, and that unfortunately had the effect of killing it this session. But I agree with you that it ought to be the No. 1 priority next year. The minimum wage bill also got caught in a cross fire between the House and Senate. Mainly, the House could not agree on who their conferees should be. So that died this year. It probably will be brought up next year.

Scott. Well it will have to be brought up next year, I think. And then we had a limitation on the President's war powers, which I am sure both of us supported. I know I voted for it in the committee and on the floor. Yet that got stalled in the House because of some disagreements, and we had alternating cemeteries working around here for a while.

Schweiker. That is right. I think the purpose of that war powers bill, of course, is to prevent the kind of situations that developed in Vietnam so that we all know what we are getting into, what the procedures are, and what the war making responsibility is. I think it is a very important bill and I hope that we can bring it up again next year.

Scott. The dilemma that I think maybe a lot of people don't understand is that the Constitution says Congress shall have the power to declare war. The Constitution also says the President shall have the powers of the Commander-in-Chief. That left a fuzzy area in between, particularly about undeclared wars, police actions, entry into other countries territories, and all the rest. This bill seeks to set up some guidelines so that any President, any future President, for that matter, will know just what Congress regards as its part of the function and what it regards as the President's part. I think it is a desirable thing. I may have shocked them downtown a little when I voted for it, but it is simply a way to set out the rules in the future. It is too late to set them out for this war.

There are some remedies, I think, for these things. Take congressional reform. What do you think about that? What can we do in that area?

Schweiker. I think that we certainly have to come to grips with the filibuster problem. I think that really stalls us. While both sides of the fence now use the filibuster, I hate to see it become an ongoing way of life. I think that we ought to take a harder look at that. I think another, of course, is the number of roll calls. I think, as you mentioned, they have gotten out of hand. There is no sense in having a roll call if we all agree. Now we don't always all agree, but the roll call where we do all agree seems to me rather after the fact.

I think also we need to streamline our whole appropriations spending budget system, and probably have a congressional budget of some kind so that we can have a positive, constructive position, and the President can, too. Then we work it our during the course of the year, instead of as we are now—caught up at the tail end of the session with it. We should have been forthright and come to grips with it in the early part of the year.

Scott. Well, we need a number of things. We need better computerization. We are probably the only corporation of this size, which is a good many times bigger than General Motors, without proper data retrieval computerization. We can't push any bottons up here and find out exactly what we did in 1939, for example, on a bill; what needs to be done because of the things we didn't do in 1947. Computers would help with that. We ought to have joint hearings of the House and Senate appropriations committees to save the witnesses downtown. The cabinet officers ought not to have to come up here four times—twice for the appropriations committees and twice for the two authorization committees, like Foreign Affairs and Foreign Relations. We could use better cooperation between the parties, although I have seen many instances where it has expedited matters. You and three other Senators some time ago put in some very good reforms that have not been too often noted. One of them was to cut out that lengthy speech making in the morning.

Schweiker. That is right. We got the Senate hour-long speeches down to 15 minutes. That is a pleasant relief, I might say.

Scott. Yes. Unless you get special permission a day before to talk for 15 minutes, you can only talk three minutes in the morning so that we get through the bills. Senator Pastore put in something that is technical but it says, in effect, that for the first three hours of debate on a bill you have got to talk about the bill. You can't talk about something else. Before that, you used to bring up a bill that had to do with a weapon system in the Pentagon, and people would be talking about sheep grazing in a western state, or something. We have the Pastore rule of germaneness. Other reforms have been recommended over the years. I would like to see a reform that Senator Packwood has interested himself in. On certain regular days each month we would agree not to meet so that Senators can go home and report to the folks back there as to what went on.

Schweiker. Yes, this was part of our original package. But it got shelved in the give and take that occurred. It would give us some idea of how to schedule. You know I had to cancel a number of speaking engagements back home, which I felt I had to do because the Senate was voting. I'm sure some of the people didn't like it. But if we knew ahead of time exactly what days were coming, we could schedule trips home so we can keep up with our constituents. It is just as much part of our job to know our state—know their problems, talk to them, meet them—as it is to be here. Although being here and voting is the important thing, we ought to balance it so we can do both.

Scott. Well, I have been here every night but one this week, and so have you. If we have to be here tomorrow night, I will cancel speeches in Ohio. If we have to be here the day after that, I cancel speeches in Illinois. Then I have speeches in Pennsylvania the week afterwards. As it is now, we can't plan. But speaking of planning, I would sort of like to make a guess on what is going to happen next year.

Schweiker. All right. Why don't you look ahead. We don't have much time. Look ahead briefly to what you see the President doing next, if he is re-elected.

Scott. Well, I think that there will be some kind of spending ceiling to give the President a chance to do something that Congress doesn't do. The Congress passes all these bills, and then can't add. They don't realize that everything they put together is more than the budget will stand. It is like a housewife at the supermarket. She may buy in so many departments of the store that when she comes up to pay the bill, she hasn't got enough money. She says: I will have to owe you $5 until next Thursday.

Well, we want the President to be able to straighten that out and look at the whole lump sum and correct some of the totals. But the way to do it is a mater of great disagreement. He will try again next year, I think. He is going to come in with much tougher series of welfare proposals, I believe, next year. And no doubt I suspect he will propose special revenue sharing—transportation, urban renewal development, education, crime, including drugs. We have got to have pension reform. We have got to have comprehensive health care. Those are just a few of the things under. . . .

Schweiker. I want to say, too, Hugh, that I predict that you are going to be re-elected as the Republican Leader. And very hopefully you are also going to be our Senate Majority Leader next year.

Scott. I am so glad I gave you time to get that in.

Schweiker. We had to work that in towards the end of the show. Well, I want to say, Hugh, that I enjoyed having you on the guest list today of our show to wind up the accomplishments and nonaccomplishments of the 92d Congress. We have enjoyed working together during the year. I think we have had a very good year for Pennsylvania, and hopefully a good year for the country. Thanks a lot for joining me.

Scott. Glad to be here. Next year you and I separately will also have a number of interesting guests.

Schweiker. Right, Tune in.

EDITOR AND PUBLISHER COMMENT ON EUGENE C. PULLIAM EDITORIAL

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BRAY. Mr. Speaker, the following, from Editor and Publisher of October 7, 1972, comments on the prominent publisher Mr. Eugene C. Pulliam's recent editoral on Federal restriction of television broadcasting:

ARE NEWSPAPERS FAR BEHIND?

The appeal of Publisher Eugene C. Pulliam for newspaper support in the fight against government restrictions of television broadcasting, particularly by the bureaucratic regulations of the Federal Communications Commission without the consent of Congress, deserves serious consideration. Pulliam has no financial interest directly or indirectly in television or radio. The essence of his message is that if free television succumbs to bureaucratic controls the written press cannot be far behind.

With few exceptions, newspapers have not jumped to the defense of broadcasters in their many battles with FCC over challenges to station renewals, exercise of the fairness doctrine, the philosophy of free counter-advertising, proposals for regulated free time and program controls, etc.

Some publishers, who have broadcast interests of their own, might feel that it would appear to be self-serving to speak out in print on these issues. Some others have the mistaken idea that any misfortune that befalls their major advertising competitor will be good for newspapers.

We feel, as does Pulliam, that all media are in this fight together, whether they want it or not. It is all very well to say that broadcasting is already under government control because of licensing, but it is another thing to admit that licensing of broadcast channels gives government the right to regulate stations as to what they can or cannot, or must, air in free or paid time.

Proposals have already been made that because television advertising is regulated (the ban against cigarette ads, for instance, and counter-advertising) newspaper advertising should be subject to the same rules. Proposals are on the table to force television to provide a certain amount of free time for broadcasts of special interest. That is control of editorial content. And, you can bet your bottom dollar that if it is made to stick in one medium, broadcasting, an attempt will be made to extend the philosophy to all media, especially newspapers.

It is sheer complacency to relax and state that it would be unconstitutional. Under creeping bureaucratic control and broadening court decisions, "unconstitutional" could become the least valuable word in our lexicon. Let's not permit it to become a hindsight word.

AID TO NONPUBLIC SCHOOLS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Ms. ABZUG. Mr. Speaker, I have recently received a number of communications regarding title II of H.R. 16141, which would allow a tax credit—up to a maximum of $200 per year—for tuition paid to send a child to a private nonprofit elementary or secondary school.

While in Congress, I have been an ardent supporter of Federal aid to education, and played a significant role in the adoption of the Quality Education Amendment which added $364 million to the funding for educational purposes for 1972–73. Our schools must have adequate funding if they are to train our children to fulfill the great promise of our Nation.

However, I have sworn to uphold the Constitution of the United States, and I believe that the system set forth in H.R. 16141 would violate the first amendment's requirement of separation of church and state. In order to meet the requirements of the Constitution in this regard, a program must: first, have a secular purpose, second, have a primarily secular effect, and third, not foster "an excessive governmental entanglement with religion." Only a few days ago, the Supreme Court decided that an Ohio program involving tuition reimbursement to the parents of children attending nonpublic schools, including parochial schools, was unconstitutional.

I do believe that some sort of aid is necessary. In accord with this belief, I have joined with a number of other Members of Congress in introducing a children's allowance bill (H.R. 17196). This measure would pay a family $600 a year for each child under 18. These funds could be used for the child's necessities, including school tuition, food, and clothing. This bill recognizes the need for additional money for the care and training of our children. Because it gives the parent a wide range of choice as to where he will spend the grant, and cannot be said to either advance religion or foster an "excessive governmental entanglement" with religion, it is, in my opinion, a constitutional bill, and I shall press for favorable action on it when the 93d Congress convenes in January.

HON. EMANUEL CELLER

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. O'NEILL. Mr. Speaker, Emanuel Celler has had a distinguished tenure in this House, spanning nine presidencies, six decades, and perhaps more importantly, tremendous changes in the life and politics of this Nation. It is difficult to chronicle the achievements of a man, who as chairman of the Judiciary Committee, has been in the vanguard of every major fight for human rights and justice that has occurred in America since the 1920's. Emanuel Celler is a statesman in the highest meaning of the word. He has faithfully and tirelessly devoted his life to the service of the people whom he represents, and in fact the entire Nation. As every Member of the Chamber knows well, the Judiciary Committee is responsible for matters of great importance to the legal and social fiber of the Nation. Emanuel Celler, a great legal scholar and student of government, brought with him to the Judiciary Committee a respect and reverence for the laws and Constitution of our Nation which has served him well. He has authored more constitutional amendments than any other previous chairman of the Judiciary Committee. In so doing he has demonstrated his grasp of the American legal system, and his acute reasoning has more than once persuaded Members of this House that a particular course of action was more reasonable and prudent than another. Forceful and confident in his manner, yet conciliatory and cautious in his actions, he has brought to this Chamber an expertise and an instinctive ability to sort out the issues which has seldom been rivaled. I salute this remarkable servant of the people, and of the laws of our land. Emanuel Celler has carved for himself not only a place in the minds of every Member of Congress, but in the history books and ledgers of American political history. I extend to the chairman my best wishes for the future and my deep and sincere appreciation for the opportunity of sharing so many memorable experiences with him, both personal and legislative over the years.

WAYNE N. ASPINALL

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WHALLEY. Mr. Speaker, if one is lucky in his lifetime, he will run across someone who has devoted his entire life to public service—to serving the people at any cost, sacrificing his own time for the benefit of others. Such a man is Representative Wayne N. Aspinall of Colorado.

It has been nearly 24 years since the good people of the Rocky Mountain State first sent Wayne Aspinall to Washington. At that time, Wayne already had an illustrious career in public service, serving as president of the local school board in 1920–22, and also in the Colorado House of Delegates and State Senate, in leadership capacities in both houses

Congressman Aspinall also had a meritorious military career, spanning both world wars.

He was certainly well-qualified to represent his constituents in the U.S. Congress, and he did so with valor and integrity. Everything that Wayne Aspinall did reflected honor on himself and his constituents.

Wayne will not be returning to Capitol Hill for the 93d Congress. His services will be sadly missed.

Wayne's dedication to the principles by which he lived, his prudence in governmental affairs, and his keen insight into the issues before us, will long be remembered by those of us privileged to serve alongside him. And his courageous and untiring leadership will not be forgotten by the House Interior and Insular Affairs Committee, which he chaired; nor the Committee on Standards of Official Conduct and the Joint Committee on Atomic Energy, on which he was a ranking Member.

Wayne Aspinall has earned for himself a reputation for which he can hold his head high. His qualities of courage, diligence and tenacity are well-known and well-founded. He has served his people with honor and distinction.

Mr. Speaker, I rise at this time to call attention to the outstanding career of Congressman Wayne Aspinall, to congratulate him on his devotion and dedication to the cause of humanity throughout his lifetime, and to wish for him every happiness in the years ahead. He has left his mark on the U.S. Congress, and it shall not be left in vain.

THE BICENTENNIAL IS COMING

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HELSTOSKI. Mr. Speaker, I am proud that the State of New Jersey, which was one of the Thirteen Original Colonies, will play an important role in the 1976 bicentennial celebration.

New Jersey in general, and Bergen County in particular, is replete with historical facts and figures during our Revolutionary War era.

I should like to place in the CONGRESSIONAL RECORD a very interesting story written by David Corcoran of the Bergen Record newspaper which places into proper perspective the historicity of New Jersey and its role in the upcoming bicentennial celebration.

Mr. Speaker, the article follows:

[From the Bergen County (N.J.) Record, July 3, 1972]

THE BICENTENNIAL IS COMING!

(By David Corcoran)

The Republic's first months were somber and desperate. The Continental Army lost Manhattan Island, then as now the gateway to the nation, in two swift, decisive battles in the fall of 1776. From a bluff atop the Palisades in Fort Lee, George Washington's soldiers could see British troopships cruising up the Hudson toward Closter Dock and Sneden's Landing. The only thing to do was get away. When Gen. Cornwallis arrived in the deserted American encampment at Fort Lee the cold, rainy afternoon of Nov. 20, the breakfast kettles were still boiling. Washington's troops were on their way to Pennsylvania.

To the west of [Fort Lee] Cornwallis, heavy of figure and awkward of gait, stood with his staff and his guides at the brow of the precipitous hill looking out over 20 miles of Dutch farmlands, laid out like a map below him. At his left, with the gray, cold rain clouds scudding overhead, was the wide sweep of the Hackensack marshes, stretching from the base of the hill to the southwest as far as the eye could see, cut by the winding Hackensack River . . .

He could see, through the rain, a low ridge of land—the settlements of Old Hackensack, Teaneck, and Schraalenburgh—running parallel to Overpeck Creek. Between that and the next ridge, his guides told him, the Hackensack River flowed . . . To the north and west, out of sight in the gray haze, were the foothills of the mountains, the First Mountains, the Ramapos, and the Hudson Highlands.

One could almost see, in the mind's eye, the whole of America from these conquered heights.—Adrian C. Leiby, "The Revolutionary War in the Hackensack Valley."

One hundred and ninety-six years have passed since Gen. Cornwallis stood at the crest of that hill, which now forms part of the boundary between Englewood and Fort Lee. Before the 200th anniversary of the capture of Fort Lee four years from now, a high-rise luxury apartment building probably will stand on the spot. Just this March bulldozers hired by the same developer obliterated the last traces of the American encampment at Fort Lee—stone ovens believed to have been used by the soldiers. They stood in the way of another high-rise.

"Bergen County is a historical hotbox," says Daniel J. Sheer, who as director of community affairs is for the moment in charge of Bergen County's celebration of the bicentenial. He's right, even though most of the history is forgotten and most of the sites have vanished. This is the story of how Bergen County and the State of New Jersey plan to make use of what's left.

TIME IS OF THE ESSENCE

You may wonder, four years before the event, why anyone is even thinking about the bicentennial celebration. Four years is a long time. Why, we'll be electing another President in 1976. The war in Vietnam may even have ended by then. Bob Dylan will be 35 years old.

Bernard Bush, the youthful-looking, 43-year-old executive director of the New Jersey-Historical Commission, would urge you to think again.

"Four years is no time," he said in a recent interview. "Think of this; any decent-sized museum exhibit takes 18 months to prepare, and we're talking about putting exhibits on tour. Any publication or comprehensive bibliography takes time. So does road building, or any physical facility. We're planning a visitors' center in Trenton, and we'd like it ready by 1975.

"And it is always takes people longer to accomplish something than they think it will. I could have told you all this even two years ago."

THE BERGEN COUNTY CULTURAL AND HERITAGE COMMISSION

The State Legislature, in measures enacted chosen freeholders of the state's 21 counties to establish and fund commissions that would plan and promote exhibits, displays, programs, and—if they could scratch up the funds—restoration of historic sites. Naturally these commissions were to plan and coordinate county bicentennial observances.

Four years from the bicentennial, 16 counties in New Jersey have a cultural and heritage commission. Bergen County does not, although a measure to create one and name eight members to it is now pending before the freeholders.

Freeholder June Clark, chairman of the committee that supervises Sheer's department, says the board's objections have been more or less cleared up—she didn't elaborate—and that she hopes for action later this month.

If so, the cultural and heritage commission will be off the ground—or, as Sheer puts it, off the road—a little less than four years before the bicentennial, four years after the enabling legislation was enacted.

THE PHILADELPHIA STORY

About Philadelphia, Pa., the less said the better. It is, after many headlines and much wasted effort, not going to be the site of a world's fair in 1976. Indeed, the United States is not going to be the site of a world's fair in 1976.

Philadelphia—where the Declaration of Independence was signed, where one of the most successful world's fairs in history celebrated the centennial—seemed, at one time, the natural spot for an international bicentennial exposition.

Aware almost 15 years ago that it could stage a civic display that would bring it millions of dollars in tourist and tax revenues and a chance to revive its sagging municipal fortunes, Philadelphia behaved almost suicidally. After spending $3.5 million on salaries and consulting fees, the city found that the only site acceptable to all its feuding interests was a marshy 650-acre tract right next to, among other things, the airport and a big sewage treatment plant. Not only that, but Philadelphia would need $1.5 billion or so in federal funds to stage the world's fair on this unpromising piece of property.

The American Revolutionary Bicentennial Commission, the official national bicentennial agency, was horrified. It voted overwhelmingly this May not to endorse Philadelphia's plan; President Nixon, the final arbiter, ratified that decision shortly afterward.

Now, according to the ARBC's communications director, a 37-year-old Pennsylvanian named Daniel J. Buser, it is up to Philadelphia to come up with a plan for its own bicentennial celebration. It may receive federal aid, Buser said, but vastly less than it had in mind. It certainly won't be the site of any world's fair, and Buser said, "This commission must now come up with an alternate plan to involve international participation in the bicentennial."

OF VACUUM CLEANER HOUSING

Pennsylvania wasn't the only loser in the Philadelphia debacle. A good part of the business—and, under one plan, many of the buildings—from the world's fair involved the area in and around Camden. As late as last October it appeared that New Jersey would have most of the facilities, which would have been a tourist windfall to the state. That has now fallen through, of course, but the ARBC has developed plans that would reach all 50 states.

One of them was unveiled to the nation last Washington's Birthday and is now undergoing what Buser describes as an intensive cost and feasibility study by government experts.

It calls for a nationwide network of parks built with federal funds on 100- to 500-acre sites and donated by the federal government to most or all of the 50 states. Under the present timetable, the parks would be open to the public on April 1, 1976. The projected price is $1.2 billion—an appropriation that would, of course, have to be approved by Congress—and the states would be expected to maintain the parks after they are built.

New Jersey's probable contribution to this network is a 450-acre tract of state- and city-owned land right behind the Statue of Liberty in Jersey City. It was the site of the old Jersey Central yard, so it's now nearly vacant except for a jungle of unused railroad tracks.

From northern New Jersey's point of view, a bicentennial park in Jersey City (tentatively known as Liberty Park) would be ideal. For one thing, development of a park would clean up a major eyesore, and Jersey City needs all the help it can get in that direction. For another, its location a stone's throw from Miss Liberty makes it a natural tourist attraction. And it is immediately south of what was Paulus Hook, the site of a particularly surprising and encouraging American victory in the summer of 1779.

At the moment it is all you can do to get the state to admit it is maybe thinking about asking the ARBC to declare the Jersey City site a bicentennial park. That isn't necessarily bad news, however. State and Jersey City officials, who had planned to develop a park there anyway if they could ever scrape the funds together, say the ARBC has expressed initial interest in the site. They are now waiting with somewhat bated breath for word from Gov. Cahill, who also has other matters to think about.

If the Governor's response is positive, then the ARBC would have to reaffirm formally its initial interest; and its own nationwide plans would have to be accepted by Congress. If all that happens—we should all know more before the end of 1972, since the ARBC hopes Congress will act by Nov. 1—then Liberty Park would become a reality.

By contrast with the nightmarish Philadelphia experience, the ARBC plan for a network of bicentennial parks has been received warmly and seems to be moving right along.

Another good sign is the favorable response from the news media. Although the bicentennial park model on display at the National Governors' Conference last February was dominated by a huge webbed structure that resembled the housing of a vacuum cleaner, it received a generally cordial review from the critics.

The ARBC prospectus says that every park would maintain its natural topological and ecological character—whoever wrote that obviously didn't have Liberty Park in mind.

OUR OWN REGISTER OF HISTORIC SITES

Most of Revolutionary War Bergen County has vanished, of course—the ovens in Fort Lee are only the most recent example—but a number of sites remain. George Washington really did sleep here, too—in the Van Allen House in Oakland, to name one that is still standing (barely: the Oakland Historical Society is urgently seeking funds to restore it).

No one is prepared to say exactly what will be done in 1976 with Revolutionary War sites here. One plan that does seem more than tentative is the Palisades Interstate Park Commission's proposed reconstruction of the American gun batteries at Bluff Point in Fort Lee, just south of George Washington Bridge.

Here are a few—by no means all—of the existing Revolutionary War sites in Bergen County. The first two are on the National Register of Historic Sites, a designation that protects them against all kinds of government encroachment but not against private encroachment. The third is on a similar list compiled by the state.

The Hermitage in Ho-Ho-Kus, a decaying gothic mansion built in 1845 on the ruins of an 18th Century inn. George Washington and Aaron Burr were a couple of the historical figures who stayed at the inn.

The Von Steuben House in River Edge, now the headquarters of the Bergen County Historical Society. Right next to New Bridge, a main avenue for both British and American troops during the Revolution, this house belonged to a noted Tory named John Zabriskie Jr. It was later given to Baron Friedrich Wilhelm von Steuben in return for his service to the Americans during the war.

The Von Horn House on Ramapo Valley Road in Mahwah, now the home of Ramapo College President George Potter. It goes back to 1748, and Washington is said to have stayed there.

The Baylor Massacre. On Sept. 29, 1776, British troops surprised a regiment of American dragoons sleeping at the Haring Farm in River Vale. Between 40 and 80 of the dragoons, many in their teens, were killed; their grave was discovered on a weed-covered two-acre tract near the farm in 1967, and it's now being turned into a small county park. It's near the intersection of Red Oak and Rivervale roads.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

CONTINUING RESOLUTION FOR FISCAL YEAR 1973

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAHON. Mr. Speaker, in accordance with my unanimous consent request of Saturday, October 14, 1972, to revise and extend my remarks and to include certain matters in connection with the continuing resolution, I am inserting a copy of the committee report on this continuing resolution with the intent that this report should be considered a part of the legislative history of House Joint Resolution 1331. Due to the time element involved, this report was unable to be filed before consideration of the joint resolution on the House floor. The report follows:

REPORT: FURTHER CONTINUING APPROPRIATIONS, 1973

The Committee on Appropriations, to whom was referred House Joint Resolution 1331, making further continuing appropriations for the fiscal year 1973, and for other purposes, report the same to the House without amendment and with the recommendation that the joint resolution be passed.

Extension of the existing continuing resolution (Public Law 92–334), which expires October 14, 1972, is required to provide further continuing appropriations for the activities covered by the pending Foreign Assistance and Related Programs Appropriation Act. It now appears that the required authorization bill will not be passed before the sine die adjournment of the current session, necessitating deferral of final action on the appropriation bill until the 93d Congress convenes next January. The resolution extends the date of the current resolution until February 28, 1973, to permit an adequate opportunity to finalize action on both the authorization and the appropriation bills.

To date the continuing appropriations for fiscal year 1973 for activities for which provision was made in the Foreign Assistance and Related Programs Appropriation Act, 1972, have been subject to the provisions of section 101(b) of the continuing resolution which provides a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower and under the more restrictive authority. However, to be more responsive to the most current actions to date by the Congress, a new section 108 has been added to the existing continuing resolution providing that obligations may not exceed the rate for operations, except as outlined below, provided for in the pending Foreign Assistance and Related Programs appropriation bill, 1973 (H.R. 16705), which has been passed by both Houses. Whenever the rate for operations as passed by the Senate is different from that contained in the House bill, the rate shall not exceed the lower rate.

In reference to certain programs pending authorization not included in the Senate version of H.R. 16705, including refugee relief assistance (Bangladesh), security supporting assistance, military assistance, regional naval training, and foreign military credit sales, the new section 108 provides that the interim rate for operation shall not exceed the rates which would be permitted under the pending authorization bill (H.R. 16029) as passed by the Senate. By referring to the rate for operations authorized by the Senate under H.R. 16029, the resolution does not incorporate the restrictive provisions (including earmarkings) set forth in that bill.

Section 108 also provides that restrictive provisions which are included in H.R. 16705 but which were not included in the 1972 Appropriations Act shall not be applicable unless included in identical form in H.R. 16705 as passed by both Houses. Any provision which is included in H.R. 16705 as passed by one House shall be applicable if it was included in the 1972 Appropriation Act.

By including these provisions in section 108, the committee intends to make available the same authority to obligate funds, and the same sources of funds, for all purposes including computation of rates for operation, as were available under the applicable Appropriation Act for fiscal year 1972, subject to the restrictions and limitations set forth in such act for fiscal year 1972.

COMPLIANCE WITH RULE XIII—CLAUSE 3

The following is submitted in compliance with clause 3 of Rule XIII:

The accompanying House Joint Resolution would amend Section 102 of Public Law 92–334 by striking out (per brackets) and inserting (per italicised matter), as follows:

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable Appropriation Act by both Houses without any provision for such project or activity, or (c) [October 14, 1972] *February 28, 1973*, whichever first occurs.

"Sec. 108. Notwithstanding any other provision of this joint resolution, and section 10 of Public Law 91–672 and section 655(c) of the Foreign Assistance Act of 1961, as amended, obligations may be incurred hereunder for activities provided for in the Foreign Assistance and Related Programs Appropriations Act, 1973, (H.R. 16705) as passed during the second session, Ninety-second Congress, at not to exceed the rate for operations provided for in such Act, but whenever the rate for operations for such activities in such Act as passed the Senate is different from that contained under such Act as passed by the House, the rate for operations shall not exceed the lower rate: Provided, That no restrictive provision which is included in such Act but which was not included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to any appropriation fund or authority provided for in this section unless such provision shall have been included in identical form in such Act as passed by both the House and the Senate: Provided further, That any provision which is included in such Act as passed by one House and was included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to the appropriations, funds or authorities provided in this section: Provided further, Notwithstanding the rates discussed above, the rate for obligations for refugee relief assistance (Bangladesh), security supporting assistance, military assistance, regional naval training, and foreign military credit sales may equal but shall not exceed the rate provided in the authorization bill for such assistance, training and sales for fiscal year 1973 as passed by the Senate during the second session, Ninety-second Congress."

HON. CHARLES H. GRIFFIN

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ROYBAL. Mr. Speaker, I join with my colleagues in saluting Congressman CHARLES H. GRIFFIN.

During his career in Congress, CHARLIE

Griffin has displayed an avid interest in his work and a great dedication to the interests of the people in his district. It is with regret that we see him return to his beloved Mississippi at the end of this session, but he leaves with the proud knowledge of a "job well done" and I am sure that he will continue to contribute significantly to the well-being of the country.

I extend to him my sincere best wishes as he prepares to return to private life.

STAFF STUDY OF THE ECONOMIC IMPACT OF THE McGOVERN DEFENSE BUDGET

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RHODES. Mr. Speaker, from publicly available unclassified information, members of the staff of the House Republican Policy Committee in cooperation with minority staff members of the House Appropriations Committee have completed a State-by-State analysis of the economic impact of the McGovern defense budget.

The analysis is based upon the alternative defense budget proposed by Senator McGovern in January of 1972 and the subsequent analysis of that defense budget prepared by the Department of Defense on July 5, 1972, in response to requests of Secretary of Defense Melvin R. Laird by Senator William Proxmire and Congressman John Rhodes.

Certain assumptions were necessarily made with respect to this staff analysis. In each instance where Senator McGovern's alternate defense budget proposes a specific cut and where the impact of that cut is clearly identifiable, it is so noted in the study. For example, Senator McGovern has specifically said he would eliminate the B-1 bomber program. The direct result of that would be felt in defense procurement dollars and in those defense plants currently engaged in developing the B-1 bomber. That information—based upon an unequivocal pledge of Senator McGovern—is of course reported in this study as a certain cut. Elimination of the B-1, however, would have additional ripple effects on subcontractors, service industries and on support establishments, and would additionally have a program impact into the future in reductions of military personnel and bases. None of these effects have been included in the study, however, since they would require assumptions that could not necessarily be established with certainty.

It is not possible to report with precision the drastic impact of Senator McGovern's proposal to slash our carrier strength from 16 to six. Similarly, his proposal to reduce by 60 percent our strategic bomber forces has not been spelled out. Senator McGovern has not yet revealed how this miniaturized deterrent force would be deployed. It is clear, however, that the carrier reductions and the bomber reductions will force the closing of, or massive reductions in a number of, bases throughout the country. The summary, therefore, reflects these reductions accordingly.

The impact of the McGovern defense budget projected in the study on a State-by-State basis would be very severe. The certain cuts identified in the study have been determined by the most conservative guidelines; only in those instances in which Senator McGovern has named a specific cut and where that cut can be directly traceable to a defense contract or military installation does this report label the program impact as certain. In all others, the cuts are deemed to be only possible.

The alternate McGovern defense budget has proposed specific reductions; it has also projected percentage reductions in identifiable classes of defense expenditures. Where it has not been possible with certainty to determine a specific closing, the percentage cut proposed by Senator McGovern for the categories involved has been applied to the class of installations in question. Percentage cuts have been applied across the board to all installations relating to programs for which Senator McGovern has proposed a reduction. The percentages are based upon the same percentages proposed by McGovern for program reductions. For example, a percentage reduction has been applied to all tactical aircraft bases across the country. In reality, the actual cuts would probably not be made in that fashion. It would be more logical to assume that Senator McGovern's budgeteers would cut certain bases entirely, other bases very heavily and perhaps some bases only slightly. The equal across-the-board cut has been applied in fairness to Senator McGovern's proposals and because one cannot hypothesize which bases would be the most likely to close. If Senator McGovern will specify the bases to be cut in full, then of course this data can be revised to reflect the actual closings and what would be necessary to accomplish the total percentage reductions consistent with his budget.

Further, the assumption was made that all cuts would apply with approximately equal impact nationwide. Absent more specific information from Senator McGovern, there would be no way to reliably forecast the heavy impact in one region or State as opposed to another. It is apparent, however, from Senator McGovern's foreign policy pronouncements that the west coast impact would be much more severe than the impact on the east coast. Hence, it can be assumed that the data contained in the study for California is very conservative. In short, the staff hasn't tried to superimpose over the data in the attached the clearly stated intentions of the McGovern foreign policy doctrines. Illustrative of this is the fact that Senator McGovern has called for a virtual abandonment of the U.S. commitment to Asia while he has called for only a 60 percent troop cut in Europe. Clearly west coast military support operations would be drastically reduced and east coast support operations reduced to a lesser degree. Once again, no attempt has been made to hypothesize in this statistical analysis Senator McGovern's foreign policy intentions.

Hence, there would be regional variations for his proposed defense budget cuts if they are carried out in full and in many areas of the country the impact would be much more severe than reported; in a few areas of the country would the impact be less severe.

Perhaps in the remaining days of the campaign Senator McGovern will wish to clarify his specific intentions with respect to the major defense installations in this country. It is our view that he owes it to the American people to make clear not only what he would cut from the defense budget, but how he would cut it and what the full effect of those cuts could mean both to protecting the security of the United States and maintaining the economy of the regions of the country. Such a calamitous upheaval as that proposed by Senator McGovern warrants very careful examination.

The State-by-State analysis must be read in the context of the alternate McGovern defense budget of January 1972 and the Department of Defense letters of July 5 to Senator Proxmire and to me. I would note in passing that Senator Proxmire has in the past and in a book published today repudiated the more than $30 billion cut Senator McGovern proposes. In fact, Senator Proxmire in his book calls for a defense level of $70 billion, which is $15 billion higher than that proposed by Senator McGovern.

The study follows:

McGovern's Stated "Alternate Program" Fiscal Year 1975 Actions

1. 26% Reduction in military manpower: Army from 841,000 to 648,000 (23%).

Greatest reduction is overseas—Europe, SE Asia and Korea.

Navy from 602,000 to 471 000 (22%).

Greatest reduction is in carrier force and associated air wings and escort vessels.

Air Force from 717,000 to 476,000 (33%).

Drastic reductions in SAC.

Marines from 196,000 to 140,000 (29%).

Primarily elimination of forces in Japan (incl. Okinawa).

Reduction in training bases.

Reduced procurement of supplies.

2. Reduce civilian employment from 1,036,000 to 761,000 or 26%.

Impact in all localities at level in proportion to FY 72 employment.

Major impact would be at industrial activities—depots, shipyards and aircraft rework plants.

3. Reduce total procurement of equipment supplies and services from $40.1B (FY 75 dollars) to $20.9B or 48%.

Impact on all Defense supplies at least in proportion to FY 72 levels.

Special impact on weapons systems suppliers.

4. Reduce training and support forces and installations.

Base closures and consolidations.

Heaviest impact on industrial activities—forced closures.

Absence of funding for supplies and services.

5. Reduce air defense missile batteries from 21 to 8.

Closure of numerous small activities, many in areas with little other military presence.

6. Reduction of Naval Forces:

Reduce carrier force from 16 to 6 with 2 Atlantic and 4 Pacific.

Continuous deployment requiring overseas homeporting.

Reduce escort ships from 207 to 130.

Reduce amphibious ships from 66 to 56 and concentrate in Pacific.

Close out Atlantic amphibious force.

Closure of several Naval Shipyards.

Reduce work in private shipyards.

Closure of some homeport sites.

7. Reduce Navy attack wings from 13 to 6.

Closure of Naval Air Stations.

Reductions or closures of Air Rework Facilities.

Reduced procurement of aircraft and spares.

8. Reduce strategic bombers from 511 to 200.

Closure of SAC bases.

Closure of AF repair depots.

Reduced business for supporting contractors.

9. Reduce Air Force tactical wings from 21 to 18 and air defense squadrons from 7 to 5.

Close TAC bases.

Reduction or closure of repair depots.

Reduced business for supporting construction.

10. Cancel Safeguard.

Stop action at North Dakota site.

No national capital site.

Terminate weapons contracts.

11. Retire Titan:

Base reductions or closures.

Terminate supporting contractors.

12. Halt Minuteman hardening and upgrade.

Terminate construction contracts at sites.

Terminate hardware contracts.

13. Cancel F-15 program.

Prime contractor employment.

Sub-contractor employment.

14. Cancel F-14 program.

Prime contractor employment.

Sub-contractor employment.

15. Cancel Patrol Frigate (PF).

Potential contractors impacted.

16. Cancel CVAN-70.

Potential contractors impacted.

17. Cancel B-1 bomber program.

Prime contractor impact.

Sub-contractor impact.

18. Halt Poseidon conversions.

Shipyards.

Weapon contractor and sub-contractors.

19. Cancel MIRV.

R & D contractor.

Hardware contractors.

PROGRAM ANALYSIS ASSUMPTIONS

1. In the absence of a special consideration, "certain" impact reflects pro rata reductions as follows: Army, 23%; Navy, 22%; Air Force, 33%; Marine Corps, 29%; Civilian, 26%.

2. Special considerations:

SAC Bases: "certain" is 61% reduction in military and 26% reduction in civilians.

TAC Bases: "certain" is 14% reduction in military and 26% reduction in civilians.

Navy Air Bases: "certain" is 54% reduction in military and 26% reduction in civilians.

Depots: "certain" is 26% reduction reflecting they are primarily civilian operations.

3. The "possible" column is restricted to comment on the most likely closures/consolidations/realignments.

Mr. Speaker, as the completed State-by-State analysis of the economic impact of the McGovern defense budget is, indeed, a voluminous document, being some 70 pages, I have elected not to ask that it be reprinted in the CONGRESSIONAL RECORD at the consequent cost to the taxpayer of $1,785. May I suggest, however, that copies may be obtained by contacting the House Republican Policy Committee, 1616 Longworth House Office Building, Washington, D.C. 20515; or 202/225-6168.

ONE MAN'S OLYMPIC VIEW

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PATTEN. Mr. Speaker, the recent showing of the U.S. Olympic team in Munich fell far short of the expectations of many American people. This may have come as a surprise to a great many, but not to Dr. Max M. Novich, M.D., an orthopedic surgeon who practices in Perth Amboy, N.J. Since 1964, Dr. Novich has been a physician with the International Amateur Boxing Federation, and has been in attendance at the last three Olympic games. In addition, he has assisted in numerous international boxing contests.

His candid, and frank observations about the U.S. Olympic team and international sports in general prove to be very enlightening and informative. To those of my colleagues who are genuinely interested in the future of the United States in international sports, I commend the reading of this article:

PART 2: ONE MAN'S OLYMPIC VIEW: U.S. AMATEUR BOXERS LEARNING, BUT—

(By Charles J. Read, Jr.)

The staccato sound of Howard Cosell hammered away, lecturing millions of television viewers that this was the finest showing of the United States of America Olympic boxers. It did appear that way for the first few days, but at the end the U.S. had one gold medal and three bronze.

In the 1968 Games the U.S. won two golds (seven medals in all). In 1964 one gold. The one in '64 was by Joe Frazier. One in '68 was by George Foreman. Both heavyweights. In this sprawling country, bigness is goodness. In the 1972 Olympics only heavyweight Duane Bobick was given a chance for U.S. victory. He was soundly beaten and received no medal.

Where does the United States stand in international boxing? Will this country ever show the power of the Soviet Union, Hungary, Cuba?

"The Olympics brought out something I've known for quite a while, Europeans are more serious about their sports than we are. Our great athletes are gobbled up by the pros."

Dr. Max Novich was talking, a veteran of three Olympic Games from ringside, plus international boxing tours through Germany, England, Italy, Russia, the Pan American Games and one of this country's real amateur boxing experts.

Despite a lack of American medals and despite peculiar judging which eliminated some U.S. boxers, sports fans who kept their eyes glued to the TV for over 60 hours were impressed and excited by amateur boxing. The same sports fans who would not pay a nickel to watch the present professional pugilists.

"Yes, amateur boxing is much faster, more exciting," said Dr. Novich. "I've always felt the pomp and ceremony of international boxing far exceeds anything professional boxing offers.

"We have to do more about it, but it costs a lot of money to bring a foreign team over here. Madison Square Garden tried it two years ago with the Italians and it flopped. That was due to glaring promotional defects. Last summer the Irish came to New York City and it was packed with several thousand people turned away. It had been played up every day beforehand, especially in the Daily News."

One area which has dropped the U.S. into the lower echelon of amateur boxing is the lack of college boxing programs.

"But now there are boxing clubs again at Lehigh, West Chester State, West Point and Annapolis. There are four universities on the west coast with boxing teams. This is a new thrust in amateur boxing," said Dr. Max.

And even though there was disappointment in Munich, U.S. boxers displayed far more familiarity with international rules and ability to score under Olympic methods than in past years.

"Yes, exactly," said Dr. Novich. "We have been working very hard with our boxers in America since the 1964 Games in Tokyo, where it was obvious our boys just didn't know how to conduct themselves under international rules."

The man behind this step forward is Col. Don Hull, executive director of the AAU, along with Dr. Ben Becker, chairman of the AAU boxing committee.

"A whole array of coaches, trainers and officials throughout the country held clinics to teach international rules. As a result we didn't have as much fouling as we used to. Our athletes have to know the rules or get thrown out.

"When I went on our European trip in 1968," said Dr. Novich, "George Foreman was disqualified in two fights. He was roughing up his opponents, looping punches and doing things they don't go for. He learned that European referees don't fool around and went on to win the Olympic title.

"The Russian, Cuban and European fighters have stand-up styles. We have the busy fighters and they don't particularly care for that in Europe.

"The Cubans are trained by a Russian. At the Pan-Am he was in the Cubans' corner. He had a gold tooth and was waving a towel between rounds—typically Russian. People began to say, 'Look, that's a Russian coach.' So he disappeared. He showed up again in Munich, but they also had a Cuban in the corner."

It was noticed that American boxers in the Olympics were very regimented. They would bow to each side of the ring following the bout and bow to the referee on a break.

"You must act like a gentleman at all times," Dr. Max explained. "The International Amateur Boxing Association considers boxing a sport where the boxers are sportsmen and it's all a part of the game to show you are a civilized boxer. You must have no animosity towards your opponent.

"It's part of our teaching program. We've gone overboard on this because we've been criticized for lack of rules before. It's not a bad thing for discipline. Of course many of our boys are in the Army and Air Force and are used to being disciplined.

"I like it. It shows we are dealing with athletes, not animalistic fighters."

Those working directly with the U.S. boxers were Sgt. Gene Cooper of the Air Force and Bobby Lewis. Each boxer had either Cooper or Lewis as his adviser and coach, "and they make a good team," Dr. Novich added.

On individual boxers, Dr. Novich had these comments.

"I felt Marvin Johnson (165-pounder from Indianapolis) was the best we had. No question about it. He has everything."

But the 18-year-old southpaw lost in the semifinals. Dr. Max said, "and he had beaten that guy in Russia. There's no doubt the Europeans train longer and are able to stand up under the Olympic schedule of five or six bouts in 11 days.

"Bobick was the biggest disappointment because he was so highly touted," the doctor said of the U.S. heavyweight. "Duane is a real gentleman, a fine young man. I think he was a little overwhelmed and read the press too much.

"I expected a bit more from Tim Dement (112 pounds from Bossier City, La.) but he didn't have the ruggedness you have to have in the Olympics.

"Jesse Valdes (147-pounder from the Air Force) was not in the same class as Johnson, but a fine fighter and a very nice young man."

Concerning the only U.S. gold medal winner, 139-pound Ray Seales of Tacoma, Wash., Dr. Max said, "I certainly didn't think he was the best we had. He was fortunate on a couple of decisions, and he won, so he must have been doing something right."

Some improvement. Some hope. But still the U.S. is not in the same class as the Europeans.

"Russia particularly. On my trip to Europe I saw how they develop their super athletes," Dr. Novich said.

"The first time a boy shows aptitude for a sport he's advised to go to a sports complex. There are 10,000 such complexes in Russia with facilities for every sport except golf. Facilities both indoors and outdoors for swimming, track, tennis, boxing—you name it. A boy goes to the complex three times a week after school. He's assigned to a coach that takes care of four or five boys.

"All the coaches are master sportsmen who have won their spurs internationally; not coaches who've read it from books. They've been through it.

"The sports complexes all have hotels where an athlete can bring his family when preparing for the Olympics. You live your regular life, get paid your salary and you're training. So in effect they are professional athletes.

"In contrast, we have utter dislocation. An athlete has to leave his home, his family and pay his own way.

"The Olympic teams are not developed by the Olympic Committee in this country. They are developed by the AAU, by the NCAA and the military services. The Olympic Committee gives very little of its time or money to the actual development of teams. They take the athletes five or six weeks before the Games.

"There should be more money coming out of the Olympic development clinics for all sports, all over. The AAU goes broke training our athletes. The AAU gives its time and services free, does the real spade work to develop our athletes and is not given sufficient credit.

"The Olympic Committee gets plenty from the population because of the magic name 'Olympics.' Their coffers are filled but they don't spend it on development programs."

The big former amateur boxer shakes his head and says:

"America, you'd better wake up, because these Europeans are getting stronger and stronger."

RETIREMENT OF "MANNY" CELLER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. MOORHEAD. Mr. Speaker, shortly the curtain will fall on one of the finest careers of congressional achievement these halls have ever witnessed.

The most common adjectives fall short of truly describing the standard of excellence established by EMANUEL CELLER during his 50 years in the House.

I do not think it is being trite to say that when "MANNY" CELLER retires we will have lost a giant of a man whose record will be congressional legend.

This is the man who, as chairman of the House Judiciary Committee, shaped and guided the great civil rights bills through Congress during the 1950's and 1960's. He was responsible for four amendments to the Constitution. And he gave direction and leadership to hundreds of other bills as they wended their way through the intricacies of passage.

He is a brilliant lawyer, an eloquent speaker, and in the biblical sense, a great rabbi or teacher.

As day follows night, MANNY CELLER will be succeeded. But he will never be replaced.

I hope that his future endeavors are happy and successful ones.

MANNY CELLER—his career is one to envy, his record one to emulate.

TRIBUTE TO HON. WAYNE N. ASPINALL

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. PRICE of Illinois. Mr. Speaker, to read the biography of WAYNE NORVIEL ASPINALL, starting from birth in the year that William McKinley won the Presidency over William Jennings Bryan, up to his election to this body in the year that Harry Truman defeated Thomas Dewey, one is compelled to conclude that his training and experience perforce destined him to be one of the great legislators of all time.

Indeed, that biography reads like the ideal curriculum of a preparatory school for leaders of the House of Representatives. Public schools, university, law school, teaching, private industry, law practice, school board, municipal government, State house of representatives, whip, floor leader, Speaker, enlisted serviceman in World War I, commissioned combat service in World War II, and membership in and service to more organizations than one could enumerate.

But this occasion is more to commend how that experience was translated into the work of the House of Representatives. No Member of this body in recent years has failed to appreciate the almost dogged thoroughness with which the legislation his committee reported was prepared. It has been long and well known that he was "unreachable" whenever any of his subcommittees were meeting, as he was attending that meeting, preparing for managing whatever the business might be on the floor later. I doubt seriously that any single Member of this body has ever accomplished more legislatively than WAYNE ASPINALL has.

In 1967, when the House created the Committee on Standards of Official Conduct and honored me to Chair it, the House also chose WAYNE ASPINALL to be among those who would shape and guide it. Working with him on this committee has provided me with even greater respect for his fairness, candor, incisiveness, and fortitude. His presence will be sorely missed by the 93d Congress, but he will not go unremembered. His tenure has been a legislative monument, and his legacy is one for all to seek to emulate.

THE DRUG PROBLEM STILL GROWS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. RANGEL. Mr. Speaker, the failure of this country to stop or even slow the soaring rate of drug addiction has left it at the mercy of this cancerous habit which knows no mercy.

Heroin addiction is the greatest single cause of crime, and that problem too is worsening—up 33 percent in recent years. Heroin addicts spend more than $5 billion a year on their habit, making criminal narcotics traffic one of America's largest industries. That $5 billion is paid by the victims of the millions of burglaries, robberies and thefts committed by heroin addicts each year. It amounts to a "heroin tax" of $100 a year for every American family of four.

Heroin addiction is no longer isolated in the urban ghetto. It has spread to all parts of society. Nor is heroin addiction an isolated problem of the addicts. It is a serious problem that affects everyone who is a victim of their crime.

Heroin addiction has spread to epidemic proportions. In late 1969, the Bureau of Narcotics and Dangerous Drugs estimated the number of heroin users in the United States to be 315,000. At the end of 1971, the estimate was 560,000.

A year ago the BNDD estimated that 5 to 6 tons of heroin were being smuggled into the United States each year. Today their estimate is 6½ to 10 tons.

A major reason for the failure of the war on drugs has been the Nation's failure to prevent Southeast Asia from emerging as a major source of heroin. One quarter to one third of the heroin entering the United States comes from Southeast Asia. If present trends continue, Southeast Asia will replace Turkey as the major source for heroin entering this country.

The reason that this Nation has been unable to prevent this is that our allies in Laos, Thailand, and South Vietnam are involved in the narcotics trade. The United States does not crack down on them because officials have placed the need for airbases in Thailand, Lao mercenaries and Vietnamese soldiers over the safety of this Nation's population from the drug invasion.

While a law that I authored enables aid to be cut off to countries that refuse to stop contributing to our drug problem, columnist Jack Anderson, in a column which appeared in the New York Post on Friday, October 13, points out that classified CIA documents give evidence that Southeast Asian leaders are either protecting drug smugglers, or are, themselves, participating in the traffic in illegal drugs to America.

More than $200 million in military aid annually goes to the Souvanna Phouma government in Laos. Yet one CIA document quoted by Anderson said:

> A broad spectrum of Lao society is involved in the narcotics business, including generals, princes, high-level bureaucrats and province governors.

Laotian generals, it seems, are providing the transportation for drug smugglers. Ironically, according to the reports in Anderson's possession, the planes and trucks to transport the America-bound narcotics are paid for by the U.S. military programs which Congress has said should be cut off in just this kind of situation.

This secret report goes on to say, according to Anderson, that the difficulty of cutting off aid is great since "the risk of jeopardizing some part of the military is high."

Our $240 million aid to Cambodia goes to help support one of the major shipment points for Southeast Asian heroin and the unstable corrupt government that protects this operation.

Anderson goes on to quote from the report:

> If U.S. aid were withdrawn, the government's ability to withstand Communist aggression would be weakened to the point of collapse.

Are we to believe that the prospect of the collapse of a tiny corrupt government on the other side of the world is more important than the deaths of hundreds of our young people, black and white, because of heroin?

The story is no better in South Vietnam. While the Thieu regime has mouthed promises to stem the flow of heroin from its mountainous areas, Anderson quotes this report as saying, "the corruption among government, civilian, military and police officials, some of whom have been participating in the narcotics traffic themselves" makes the prospects of stopping South Vietnamese heroin traffic without drastic action very dim.

As for these drastic actions, the report is further quoted to say:

> It is not in the U.S. interests to implement an air cut-off, even to punish Vietnam for failure to control drugs.

Thailand and much of South America repeat this same depressing story. Obviously, the war on drugs has become the victim of the war in Southeast Asia.

Up to 100,000 American GI's sent to fight in Vietnam since 1969 became addicted to heroin produced and marketed by our Southeast Asian allies. This same heroin is now taking its toll in our own country.

Claims of impressive seizures, important arrests, and international cooperation can simply not hide the failures. Ridding America of the heroin plague should be a seriously pursued national goal. When we spend $60 billion to fight North Vietnam and less than $1 billion to fight drug addiction, the priorities are anything but correct.

In September 1970, a leading Federal narcotics officer said:

> Every time one addict is cured, more take his place because of the ever-increasing amounts of heroin available.

A year ago, the American people were told that opium production was being phased out in Turkey—which had in the past accounted for 80 percent of the heroin being smuggled into the United States.

For Americans today, this elicits several questions which should be asked.

If opium production in Turkey is being phased out, how can heroin importation—and addiction—be increasing?

And why is the overall problem worse than ever after all the calls for special action?

The answer, again, lies in the region known as the Golden Triangle where the borders of Thailand, Burma, and Laos converge. One year's crop of 700 to 1,000 tons can be refined into enough heroin to supply America's addicts for 10 years. More and more of this heroin is reaching the American market.

Southeast Asia has been a major producer of opium and has had opium addiction problems of its own for some time. But only in 1969 did the white pure No. 4 heroin prized by American addicts begin to be produced in Southeast Asia.

When it appeared, it appeared in earnest. John Ingersoll, Director of BNDD, said:

> Our first indication of the presence of (No. 4) heroin in Southeast Asia came in December of 1969. In 1970, the trickle turned into a stream, and in 1971, the stream turned into a torrent of heroin pouring out of the "Golden Triangle."

Since there was no indigenous demand for No. 4 heroin anywhere in Southeast Asia, its appearance signified an intention to supply the U.S. market. The first victims were our soldiers in Vietnam.

Now that many of our GI's have come home and the market for No. 4 has diminished in Southeast Asia, Southeast Asian heroin is being marketed in America.

The United States has always tolerated corruption on the part of our allies in the war in Southeast Asia as long as they fight at least part of the war and follow at least some of our policies. Black marketeering, stealing U.S. aid, currency manipulation and smuggling are tolerated and all are rampant. Narcotics trafficking has not been treated any differently.

A vast military and political apparatus was built up in Indochina by the United States. We ignored the fact that virtually every link in that apparatus was simultaneously becoming part of a vast opium producing, refining, and smuggling apparatus which today is well on the way to replacing Turkey as the major source of heroin entering the United States.

The basics of the development of the Southeast Asian opium and heroin trade are these:

In Laos, opium is grown by the Meo tribesmen we organized into General Van Pao's "secret army." In fact, once the United States began providing them with liberal food supplies to assure their allegiance, many of them were able to switch to opium as virtually their only crop.

In Burma, opium is grown by the Shan rebels, the biggest opium growers in the world. They are armed with American weapons provided by the CIA or which were acquired by trading opium with government officials in Laos and Thailand for guns supplied by—and stolen from—the U.S. military aid program.

Opium is also grown by hill tribesmen in Thailand.

Opium from Burma is transported into Thailand by remnants of the Nationalist Chinese—KMT—forces driven out of China in 1949. These forces are armed with U.S. weapons and have been supported by the CIA. The Thai Government now uses them to patrol its rugged northern frontier with Burma and to help suppress the growing insurgency in northern Thailand.

Opium is transported by the Royal Laotian Air Force and the South Vietnamese Air Force, which have been organized, financed, and supplied by the United States, and on local commercial flights as well.

Opium and morphine-base—which is transformed into opium—are transported from Thai ports in fishing trawlers to clandestine laboratories in Hong Kong. This could not happen without government complicity.

Heroin is refined in laboratories in Thailand, Laos, Burma, and Hong Kong. In the quantity and quality of its output, Hong Kong now rivals the refining capacity of Marseilles.

From Southeast Asia, heroin has been smuggled to the United States via many routes. There have been seizures of heroin sent to the United States from Southeast Asia via the military postal system. Southeast Asian heroin is reaching the United States by way of Latin America, as well as France.

A courier ring was uncovered smuggling Southeast Asian heroin to the United States via the Philippines. Another ring was uncovered this year operating through Bangkok. Seamen from Hong Kong are also increasingly participating in the smuggling.

We ignored the drug problem in Southeast Asia until 1971, when heroin use reached epidemic proportions among our GI's in Southeast Asia. By then, it was too late. Our allies in Southeast Asia had developed a vast opium network while the United States, with its great power in Southeast Asia, patrolled the air, land, and sea, organized armies, created and destroyed governments, promoted intrigue, but ignored the opium trade.

Important members of the armed forces and governments of South Vietnam, Laos, and Thailand are raking in big profits from the drug trade. They are not about to forgo these profits, at least not of their own accord.

The U.S. Army provost marshal in South Vietnam, in a 1971 report, stated that the opium trade in South Vietnam is controlled by a four-tiered pyramid. At the top are "the powers behind the scenes who can manipulate, foster, protect and promote the illicit traffic in drugs." The people comprising this group, the report stated, "may be high-level, influential political figures, Government leaders, or moneyed Chinese members of the criminal syndicates now flourishing in the Cholon section of the city of Saigon."

The provost marshal identified Tran Thien Khoi, chief of the South Vietnamese customs fraud repression division and brother of Prime Minister Tran Thien Kheim, as a "principal" in the opium traffic.

General Ngo Dzu, II Corps commander in South Vietnam and a stanch supporter of President Thieu, was identified last year as a major narcotics trafficker. Thieu promoted him after a whitewash investigation.

Gen. Ouane Rattikone controlled the largest heroin laboratory in Southeast Asia during his tenure as chief of staff of the Royal Laotian Army—the only army other than that of the United States that is completely financed by the U.S. taxpayer. This laboratory was the major supplier of heroin for U.S. forces in South Vietnam at the peak of the heroin epidemic.

NBC News reported on July 15, 1971, that both President Thieu and Vice President Ky were financing their election campaigns from the narcotics traffic and labeled President Thieu's chief intelligence officer "the biggest pusher in South Vietnam." Quang's involvement in the heroin trade has been confirmed by other sources.

The Filipino courier ring broken up by BNDD in 1970 had smuggled approximately 1,000 kilograms of Southeast Asian heroin into the United States in the previous year. That was enough to supply 15 to 20 percent of the estimated U.S. consumption at the time.

On April 5, 1971, 7.7 kilos of Double U–O Globe brand Laotian heroin—the same brand produced in Gen. Ouane Rattikone's laboratories—were seized in Fort Monmouth, N.J.

On November 11, 1971, 15.5 kilos of the same brand of Laotian heroin were seized in New York City.

The new Laotian Ambassador to France was caught in April 1971 when he arrived in Paris with 60 kilograms of heroin in his suitcase. That is enough to supply 5,000 addicts for a full year.

In January 1972, U.S. customs inspectors in Honolulu broke up a smuggling ring and arrested three couriers body-carrying heroin from Bangkok to buyers in San Francisco and New York.

On April 5, 1972, a seaman was arrested in Miami with 10 kilos of Double U–O Globe brand Laotian heroin and on April 11, another seaman was arrested in New York with another 5 kilos of Southeast Asian heroin.

And on August 23, 1972, the BNDD announced the seizure of 9 kilograms of Southeast Asian heroin in New York City and the uncovering of a smuggling ring. The BNDD noted that there had been another seizure of Southeast Asian heroin in the same area the month before.

These seizures are only the tip of the iceberg. John Ingersoll of BNDD told the Senate Foreign Relations Committee on June 27 that—

> We have reason to believe that certain ethnic Chinese criminal elements in America have geared up an operation to take advantage of the heroin availability in Southeast Asia . . . The evidence points to the establishment of a new pattern which affects places never previously of any significance to the drug traffic. As the result of actual seizures and our intelligence, we believe these shipments have come in through such diverse seaports as Norfolk, Charleston, Miami, New Orleans, Seattle, Vancouver, New York, and the Great Lakes port of Chicago.

As one Republican Congressman has said:

> Vietnam is truly coming home to haunt us. No matter what they say, . . . the first wave of this material is already on its way to our children in high school.

It is impossible to be sure just how much Southeast Asian heroin is now entering this country. NBC's estimate in a recent special broadcast was that one-third of heroin entering this country now comes from Southeast Asia. A recent report by the Strategic Intelligence Office of BNDD stated:

> More of the heroin reaching the U.S. is from this area than conventional knowledge has recognized. A recent study by BNDD chemists, involving 109 traceable heroin samples, revealed 28 (or 25.7 percent) to be of Southeast Asian origin.

The percentage of heroin entering this country that comes from Southeast Asia is increasing; the Golden Triangle region of Laos, Burma, and Thailand clearly has the potential of replacing Turkey as this country's major heroin supplier. Whether that potential is realized will depend on how the United States responds to the problem. So far, the United States has met this challenge with half measures and coverups.

Optimism in this area was counterbalanced by a Cabinet-level report dated February 21, 1972, prepared by officials from the CIA, the State Department, and the Department of Defense. According to the New York Times of July 24, the report stated that "there is no prospect under any conditions that can realistically be projected" for stemming the smuggling of narcotics in Southeast Asia.

The Cabinet level report stated:

> The governments in the region are unable and, in some cases, unwilling, to do those things that would have to be done by them if a truly effective effort were to be made. . . . The most basic problem, and the one that unfortunately appears least likely of any early solution, is the corruption, collusion, and indifference at some places in some governments, particularly Thailand and South Vietnam, that precludes more effective suppression of traffic by the governments on whose territory it takes place.

Nelson Gross, of the State Department insisted that there were only "unsubstantiated allegations" implicating Gen. Ouane Rattikone in the drug trade. However, General Rattikone has acknowledged his complicity, and John Warner, chief of the Intelligence Office of BNDD, has since confirmed Rattikone's complicity.

In July 1971 a congressional committee was told that—

> U.S. military authorities have provided Ambassador Bunker with hard intelligence that one of the chief traffickers is General Ngo Dzu, the commander of II Corps.

The U.S. Embassy permitted the late John Paul Vann, the senior U.S. adviser for II Corps, to respond:

> There is no information available to me that in any shape, manner or fashion would substantiate the charges.

He also indicated that General Abrams had no such information. General Dzu was then promoted. The Washington Post later obtained the secret documents whose existence had been denied and published them in June 1972.

Nelson Gross denied there was a serious problem. In a letter to the Senate committee he said: "Southeast Asia is not a major source of heroin on our market" and that "only 5 percent" and "certainly no more than 10 percent" of heroin used in the United States comes from Southeast Asia. But it was pointed out above that a survey of 109 seizures of heroin in this country by BNDD found that 26 percent came from Southeast Asia.

The Washington Evening Star-Daily News on August 19, 1972, reported on secret intelligence summaries compiled by CIA and BNDD that contain some of the facts that the administration will not acknowledge in public. The summaries stated that—

> Officials of the Royal Thai Army and Customs at the several checkpoints along the road to Bangkok are usually bribed and "protection" fees prepaid by the smuggling syndicates or by the driver at the checkpoints.

The summaries also clearly explain why the United States has been unable to deal effectively with the Southeast Asia drug trade. They state:

> Priorities related to requirements of the Vietnam war may limit pressures that can be applied.

The "war on drugs" has become a casualty of the war in Indochina.

Our political and military commitments to the governments of Southeast Asia have prevented any effective action to stop the narcotics traffic. These commitments are the result of our determination to fight the war in Indochina. We have allied ourselves with corrupt governments that are complicit in the drug trade and this fact is coming home to haunt us.

Ending the war in Vietnam will free us to make the narcotics traffic our number one priority in the region.

Heroin addiction in our country has brought living death to hundreds of thousands of Americans. It is a major force behind our intolerable crime rates. It is fueling the activities of organized crime.

We can no longer tolerate the narcotics traffic and we can no longer support the corrupt governments of Southeast Asia that profit from it.

In the following ways, Congress' determination to continue the war in Vietnam has prevented us from being able to crack down on the Southeast Asian heroin trade.

First. We cannot cope with the situation without admitting the depth of corruption of our allies in Laos, Thailand, and South Vietnam who are supplying heroin to the U.S. market. If these facts are admitted, support for the war would dry up immediately. Many members of Congress, and much of the rest of the Nation, have chosen, therefore, to ignore this part of the heroin problem.

Second. Congress has voted money to prop up these weak corrupt Southeast Asian governments. Exposing the scandals would threaten their fragile existence and lessen their ability to fight the war.

Third. We can never bring the necessary pressures to bear on these governments as long as we need Vietnamese soldiers, Lao mercenaries, and Thai air bases to fight this war.

The best case in point is Thailand. As a major opium grower and the conduit through which Burmese opium is smuggled, Thailand is increasingly the key to controlling the Southeast Asian drug trade.

At the same time, as we increase our reliance on air power, shift troops from South Vietnam to Thailand, and reopen air bases in Thailand, this nation becomes crucial to our warmaking effort. The war is also dependent on Thai mercenaries in Laos and South Vietnam.

As long as the United States is relying on mercenaries and air bases that are available only with the approval of the Thai Government, obviously there is a limit to how much pressure we can bring to bear on them. The war gives the corrupt Thai Government a veto power over American policy. As long as the war continues, we will never be able to pressure the Thai leaders to give up the enormous profits that they are making from the opium trade.

In the following ways, ending the war will facilitate controlling the Southeast Asian heroin trade:

First. The end of the war will free us to make a crackdown on narcotics the top priority of our relations with the nations of this area.

Second. Political settlements at the end of the war are likely to lead to the emergence of new governments in Laos and South Vietnam that would be less likely to support the opium trade. The people and governments of Laos and South Vietnam are likely to realize that, if they are serious about rebuilding their countries, they will have to root out corruption and curb the growing drug problems that are ravaging their societies; and

Third. The end of the war would completely turn the tables in Thailand. We would no longer be dependent on the Thai Government for the war effort; instead, they would be dependent on our economic aid to bolster their top heavy economy. A threat to cut off aid would, then, give us tremendous leverage.

The Thai Government could seal off the Thai-Burmese border, if they were determined to do so. Virtually all of the Burmese opium passes through Thailand. Most of it carried in large mule caravans by the KMT. Some is carried by the Burmese Shan rebels, but the KMT units tightly control the border and tax every pound of opium that crosses into Thailand. This shows that the border can be controlled. If the opium is taxed, it can be stopped. But it will require a vigorous effort by the Thai Government. The United States must pressure the Thai Government to make that effort.

The Government of Burma is unable to stop the opium traffic because the opium growing areas are controlled by rebel bands armed with American weapons—they obtain those weapons by selling opium to corrupt Thai and Laotian officials. When the war ends and the United States stops sending arms into the area, the flow of arms to the rebels will be disrupted. If corruption in Laos and Thailand were controlled and if the borders were sealed, the Burmese rebels would find it difficult to market their opium or to obtain weapons. With a shortage of weapons and money, the rebels would be weakened and it would be easier for the Burmese Government to regain control of the opium growing areas. In the past, the Burmese Government has cracked down on opium traffic when it has been able to.

In addition, ending the Vietnam war, and reorienting our foreign policy may improve our relations with Burma and make cooperative efforts more likely.

These points must be placed in the context of a full program to stem the international narcotics trade. Such an effort must include four components. There is nothing mysterious about these recommendations. Some are official administration policy and all have been discussed and advocated for a long time. But these recommendations are meaningless as long as the war continues and the Southeast Asia narcotics trade continues unchecked.

First. Direct diplomatic pressure. The United States should exert maximum pressure on other governments to crack down on the illicit production and smuggling of opium. This effort must be placed at the top of the agenda of our foreign relations. Every possible diplomatic lever, including possible reduction or cessation of foreign aid, must be brought to bear.

In this effort, the United States must use the carrot as well as the stick. Other countries, too, have an interest in halting the drug trade. They have their own opium and heroin problems. If given a realistic alternative to involvement in the drug trade, foreign countries may well find it in their interest to cooperate in international control efforts.

Unfortunately, the opium trade is an important source of income to hundreds of thousands of farmers around the world, and, in some cases, to entire national economies. Consequently, the United States must be prepared to assist in making sure that realistic alternative sources of income are available. This should include price support payments and, in the long term, investments in the areas affected to help create alternative sources of income.

Second. International cooperation. U.S. action is needed at once, but the proposed U.S. actions would be more effective if taken by an international organization. The U.S. should attempt to organize the international community to pressure offending nations to clamp down on the narcotics trade. The International Narcotics Control Board should have authority to investigate alleged noncompliance with international obligations in any nation that is a party to the Single Convention on Narcotic Drugs. Economic sanctions, including the withholding international development funds, and possible trade restrictions, should be available as a tool of last resort in the event of persistent failure by any nation to cooperate. An effective program of economic assistance to opium producing areas converting to other crops should be developed under international auspices. So far only a tiny step has been taken in this direction.

Third. U.S. agencies. We should strengthen the U.S. agencies that are responsible for controlling the international narcotics trade. An additional $40 million should be appropriated for the Customs Bureau and the Bureau of Narcotics and Dangerous Drugs for hiring and training specialists in drug law enforcement.

A conflict of jurisdictions between BNDD and the Customs Bureau has undermined the effectiveness of Federal control efforts. We cannot expect other nations to take us seriously when we urge cooperation if we are unable to coordinate our own efforts. Yet we have been unable to gain control over this conflict between two Federal agencies, and the conflict has repeatedly jeopardized important cases. BNDD should be assigned primary responsibility in controlling the international trade.

Fourth. Finally, increased research efforts can contribute to improving our ability to control the illicit narcotics traffic. The development of cheap, nonaddictive synthetic pain killers could make it possible to completely outlaw opium production throughout the world. If legal crops for medicinal purposes can be marked with practical tracer elements, this would make it much easier to detect opium diverted into the illegal market. And there are even indications that remote sensor devices can be developed that would permit direct detection of heroin shipments. All of these possibilities should be vigorously pursued.

The international law enforcement strategy is clearly not the total solution to the drug addiction problem. A two-pronged approach is needed—rehabilitation of those who are now addicted and law enforcement and education to prevent the spread of heroin addiction. Here are some of the elements of a total approach to drug addiction:

REHABILITATION OF ADDICTS

Any serious assault on the drug addiction problem must include an extensive rehabilitation program. A broad range of treatment facilities excluding heroin maintenance, must be available; we must seek to guarantee that any addict seeking treatment can gain access to a suitable modality of treatment. Vocational training and counseling and other supportive services must be available and we must attempt to eliminate unfair job discrimination against ex-addicts. Today there are waiting lists in our methadone programs; methadone is frequently the only treatment available—although, for many addicts, such as young veterans who have been addicted only a short time, methadone may not be suitable—and supportive services are frequently absent. Even if it were possible to suddenly stop the flow of heroin into this country and prevent more people from becoming addicted, there are already more than a half million heroin addicts in our country who need treatment.

DOMESTIC LAW ENFORCEMENT

Domestic law enforcement efforts must be pursued as an adjunct to the international control effort, to make it as difficult as possible for the heroin traffickers to operate. Law enforcement efforts should be directed not at the street level pushers who are usually addicts themselves but at those who organize, promote, and profiteer from the spread of heroin addiction.

Even if the domestic and international control efforts cannot eliminate the heroin traffic, it is reasonable to hope that they can reduce heroin availability on the street and curtail experimentation and thus help stop the spread of addiction— although confirmed addicts will still do whatever is necessary to obtain the drug.

DRUG EDUCATION

Like the law enforcement effort, drug education programs that frankly and openly present the facts about various drugs can help discourage experimentation with heroin among youths.

We have heard that drug education is the highest priority of this government. Yet the drug education budget for fiscal 1972 in the Office of Education was $13 million—one fourth the cost of one C-5A transport.

OTHER DRUGS

International enforcement efforts must not be limited to heroin. Other drugs, including cocaine, methadone, and barbiturates, must be included; they are problems now and could become more serious if heroin becomes scarce. Synthetic drugs equivalent to heroin may also become available. Control efforts must be pursued now before these problems grow.

UNDERLYING SOCIAL PROBLEMS

Solving basic problems of poverty, alienation, and lack of opportunity will be the key to a long range solution of our drug problems. Until the underlying social causes of drug abuse can be cured, drug abuse cannot be completely eliminated. As long as the belief persists that it is possible to solve problems by taking drugs, it will always be possible that a new drug problem could emerge.

These considerations, however, should not discourage us from making an immediate effort, pursuing every possible avenue, to cure the heroin plague. Heroin overshadows all other drugs in its disastrous impact on our lives. Heroin is responsible for much of the crime, violence, and insecurity that haunt urban life; heroin addiction has destroyed the lives of hundreds of thouands of addicts; and heroin trafficking has fueled the growth of organized crime. Heroin is our worst drug problem and solving it would immensely contribute to improving the quality of our lives.

The effort to solve the heroin problem must cease to be fragmented and haphazard. We must pursue it with the same determination and seriousness of purpose that we invested in the Manhattan project and the space race.

CONCLUSION

The difficulties in attempting to control the international narcotics trade are obvious. Opium is grown in many countries and total U.S. consumption is small compared to worldwide production. The intention in this presentation is not to propose panaceas or to paper over problems but rather to clarify some of the reasons for past failures and to point the way toward a more realistic effort. International enforcement efforts are not the full answer to the drug problem nor is Southeast Asia the only opium-growing area that could replace Turkey in supplying the U.S. market. But our failure to face up to the problem in Southeast Asia has been on major reason for the failure of the "total war" that was declared on heroin. The Nation must face up squarely to the fact that Southeast Asia is fast becoming this Nation's major heroin supplier.

It would be wrong to see only the problems that beset the international control effort. There are also some important facts which indicate that an international control strategy will have some reasonable prospect of success. The poppy has a long growing period and is easily detected from the air or by satellite. Poppy cultivation is possible only in certain fairly restricted climates. Cultivating the poppy is exceptionally demanding: few who are not accustomed to that life would be willing to adopt it. Consequently, the international syndicates will not easily be able to persuade farmers elsewhere to cultivate the poppy, if they lose their source of supply in the Golden Triangle.

In the 1950's Iran was able to gain control over remote hill tribes and halt opium production. Indian and China have had considerable success in controlling the ilicit production of opium and preventing diversion into illegal channels. Turkey's recent agreement to terminate opium production—culminate a decade of negotiation and pressure—illustrates what can be achieved, when narcotics control is made a top priority. It is now time to place cracking down on the heroin trade at the top of the agenda in our relations will all of the nations involved. No objective we are pursuing in Vietnam is so important as to justify jeopardizing our efforts to control the heroin trade.

JOHN McMILLAN

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. WHITTEN. Mr. Speaker, it is with genuine regret that I realize that our good friend and colleague from South Carolina John McMillan, will not be with us in the new Congress. Through the years I know of no public servant who has rendered more conscientious service, who has been a better spokesman for his district and for his Nation, than has John.

He has never been too busy to deal with the problems of his constituents before committees, on the floor, and elsewhere. Through that period of time he has carried lots of extra work here in the Congress and, truly, we all are indebted to him for many of the good things that have happened in our Nation; and I say, too, that a number of those things with which many of us are not too pleased have come over his objection and over his opposition.

Mr. Speaker, it seems we are losing a far greater percentage of our solid, reliable, and dependable Members than during any Congress I recall. Certainly, John McMillan is to be listed in that group.

His wife, Margaret, is deserving of real recognition for the part she has played, not only in John's career, but in service to his district. To both John and Margaret we extend our very best wishes for many active and happy years.

THE ANTIHIJACKING ACT OF 1972

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. COLLIER. Mr. Speaker, I voted for H.R. 16191, the Antihijacking Act of 1972, and I believe this legislation ought to be enacted into law as soon as possible. Aircraft piracy must be stopped and the criminals who engage in it must be brought to justice.

Ever since the hijacking of aircraft began, I have felt that stronger laws and stiffer penalties would be necessary if we were going to put a halt to this crime. The problem was complicated by the fact that seizures of aircraft owned and operated by American airlines and the consequent danger to American citizens could occur while the planes were flying over foreign countries or over the oceans, thus being beyond the jurisdiction of the United States. In an attempt to deal with the problem, I cosponsored H.R. 16342, the provisions of which were embodied in H.R. 16191, the bill that passed this body by the nearly unanimous vote of 354 to 2 on October 2.

Besides incorporating the security provisions of the Convention on International Civil Aviation into the legal code of the United States, the House bill would, if it becomes law, strengthen domestic statutes on the subject of air piracy. The President will have the power to suspend the right of any domestic or foreign air carrier to operate to and from a foreign country that is acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft. He will also have the power to suspend the operations of any foreign air carrier between the United States and a foreign country which continues air commerce between itself and a country which is acting inconsistently with that convention.

Under the bill passed by the House, the Secretary of Transportation will, if he secures the approval of the Secretary of State, have power to withhold, revoke, or impose conditions on operating authority of the airlines of a nation that fails to meet the security measures at or above the minimum standards of that convention. This power, like the power given to the President, is permissive.

The House measure also provides civil penalties up to $1,000 per day for violations of suspensions imposed by the President and authorizes the Attorney General to seek judicial enforcement of such suspensions.

The bill passed by the other body contains a second title that is not included in the House version of the legislation. Title II, the Air Transportation Security Act of 1972, which appears only in the Senate measure, provides for the screening of passengers in air transportation and for an air transportation security force, besides dealing with such matters as authority to refuse transportation—to those who refuse consent to searches of their persons or property—and carrying weapons aboard aircraft.

Mr. Speaker, I am convinced that the legislation which was passed by this body would have been improved and strengthened by the inclusion of the provisions added by the Senate bill. A stronger law is imperative if we are going to prevent more and worse crimes in the air and I deeply regret that the House and Senate conferees could not agree on a final bill. I sincerely hope that prompt action will be taken when the 93d Congress convenes.

RICHARD BRADEE'S LESSONS IN SILENCING YOUR CONGRESSMAN

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. REUSS. Mr. Speaker, Richard Bradee, Washington reporter for the Milwaukee Sentinel, had some handy suggestions in Monday's paper for his readers who may not quite know how to bring a conversation with their Congressman to a close. Unfortunately, in observance of parliamentary rules, I must delete—some of the more delightful parts of his witty item:

CONGRESSMEN CAN BE SILENCED

(By Richard Bradee)

WASHINGTON, D.C.—Since congressmen probably will be heading for home this week, chances are that you will see your man in Washington at a coffee hour, union meeting, political rally or plant gate in your district soon.

To cope with one of the problems that plagues all these encounters—how to end them—we've collected some questions that are likely to be greeted with stony silence in conversations with congressmen.

Try this, for example, if your man is a Republican:

"How about those two pandas that Red China gave us in exchange for Taiwan—how are they doing?"

If your man is a Democrat:

"How come the Committee to Re-elect the President gives away free tapes of Sargent Shriver's speeches?"

Some questions are bipartisan. If you see your man on Monday or Tuesday, you could ask:

"What are you doing here? I thought Congress was still in session."

Set up some questions with sweet talk.

"Congressman, I sure appreciate your sending me that US Department of Agriculture yearbook every year. If I had to buy it, it would cost $3.50. This year, though, I'd like a book that only costs $1. Could you give me the profile on you by the Ralph Nader Congress Project?"

"Your campaign is running like clockwork. Who pays the salary of that fellow you sent out here from Washington to get things in order?"

"Those shoes you're wearing must have cost $45. I can remember when you did your shopping at the Salvation Army store. By the way, what's your net worth?"

"You're right on target when you talk about all those special interests getting their way in Washington while we pay for it at the grocery store. Why, I heard that the price of milk is going up because the federal government raised milk support prices. How'd you stand on that?"

"You fellows sure were busy the last few days. Didn't anything happen the first nine months of the year?"

Some questions will require some homework. Looking up a congressman's voting record, for example, is time consuming and, if you are interested in some of the legislative clinkers that dropped through the grates in the final days of the session, virtually impossible.

Here's an example. In the middle of the night on Oct. 6, the House passed the highway bill that, among other things, would have called for more billboards than there are now and would have banned the use of highway funds for mass transit. The vote was 263 to 30.

Of the Wisconsin congressmen, only Democrats Henry S. Reuss and Les Aspin voted "no."

The question, "Why do you want more billboards?" might get an answer about how you have to take the good with the bad. If so, try again by asking why no record was made of the 46 to 18 vote (about 370 not voting) on an amendment to take out the blessing for billboards.

If your congressman is Reuss, try this:

"... ?"

And, for Aspin:

"... ?"

Sometimes, you can halt a congressional conversation by asking a question that will make him wonder how much you know. You might ask Rep. Vernon W. Thomson (R-Wis.), for example:

"... ?"

Or Rep. Glenn R. Davis (R-Wis.):

"... ?"

You could try this on Rep. Alvin E. O'Konski (R-Wis):

"... ?"

For Rep. William A. Steiger (R-Wis.):

"... ?"

Members of Congress pride themselves on keeping in touch with the people who send them to Washington. They say they will be glad to take the pulse of their public.

Sen. William Proxmire (D-Wis.) wrote in his book, "Uncle Sam, The Last of The Big-time Spenders," that:

"Unlike most senators, I don't go home to speak to my constituents—except when the speaking engagements are unavoidable. They feel they hear too much of me on television anyway. I go home to hear them, to listen to them."

Most people can think of their own hard questions to ask Proxmire. You might try to think of something he is not often asked, like:

"... ?"

BUSING ISSUE STILL ALIVE: HOUSE RESPONDED TO AMERICAN PEOPLE BUT SENATE DID NOT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BRAY. Mr. Speaker, thanks to the U.S. Senate, the 92d Congress is closing with no substantive legislative action taken on banning busing of schoolchildren for racial reasons.

It is generally admitted this topic has been more controversial and divisive and wracking than any domestic issue in the last 100 years. I have spoken in the past in the House of Representatives, registering my strong and unyielding opposition to busing. The first major speech was on July 30, 1969, entitled "Education or Social Experimentation?" and the second came on October 7, 1970, called "Classroom for Chessboard: Pupils for Pawns."

My 1971 public opinion poll did not ask the question, but I was amazed at the tremendous number who wrote either in letters or on the poll cards concerning their opposition. In fact, I could say it was unanimous. On October 19, 1971, I summarized the poll returns and gave the balance of the remarks over to the issue of busing.

In 1972 I did include it on the poll. The returns were, in percentages of those responding to that question, 96–4 in opposition.

In the poll return for 1972, I briefly sketched the legislative history of busing legislation for 1972. In the summer of 1972 a bill dealing with higher education had some good, strong antibusing amendments attached to it in the House. I had voted "yes" on these amendments. It must be noted that in some other respects pertaining to education itself the bill also left much to be desired and had the strong opposition of many university and college presidents.

The House's antibusing amendments were badly weakened in a House-Senate conference committee to the point where one Capitol Hill expert called it a probusing bill. I voted against the conference version on final passage.

On Thursday, August 17, 1972, the Equal Education Opportunities Act came before the House. It was a good bill, banning long-distance busing through the sixth grade. Courts were forbidden from ordering any busing for such students beyond the closest, or next closest, school to their home. For students beyond the sixth grade, busing was to be only a last resort. The White House, which had asked for antibusing measures, found the bill went even beyond what they had requested, but they did support it. Amendments to this measure forbade courts from ordering long-distance busing for high school and elementary students both. It also allowed reopening of previously decided court cases where busing had been ordered. I voted "Yes" on both amendments, and "Yes" on the final passage.

Yet another amendment that failed—stronger than the other two—would have banned all court-ordered busing for anything resembling racial purposes. This would have meant the closest school for pupils; nothing else. It failed 211 to 174; I voted "Yes" on this amendment.

I said at the time, and I quote:

> What we have here, in these actions by the House, is a symbol of democracy in action. A large majority of the American people, both black and white, have made it absolutely clear that they want an end to busing, for once and for all. Congress must and did act in response to and in accordance

with the wishes of the people. It is now up to the Senate to follow the example of the House.

The Senate did not. The bill died in the Senate on October 12, 1972. Pressure from the President, and a mandate expressed in the House, was ignored. The bill's supporters knew if the bill came to a vote, it would pass. It was literally talked to death, in a Senate filibuster. Senate rules allow unlimited debate. However, cloture may be invoked to cut off debate and to bring the bill to a vote, if two-thirds of those present and voting so indicate.

There were three attempts at cloture. The first, on October 10 was 45 to 37—10 short of the necessary two-thirds—on October 11, it was 49 to 39—10 short—and on October 12, 49 to 38—nine short. It is certainly unfortunate that the Senate so disregarded the clear mandate of the people in this most important matter.

In a legislative sense, then, antibusing legislation is dead for the 92d Congress. However, as was noted often during Senate debate, it will certainly come up again in the 93d Congress, 1973–74.

A good summation of the issue was contained in a lead editorial in the Wall Street Journal of October 11, 1972. The Journal editorial was not exactly in favor of the bill as it stood; yet, and I quote:

> The worrisome thing, rather, is the spreading tendency to set quotas, to rule that all schools or most schools must conform to the racial distributions of the district, or the metropolitan area, or whatever strikes the fancy of a particular district judge.
>
> As we hope is becoming clear in the ongoing debate over hiring practices, legally enforced quotas have no place in the American tradition. We are not trying to create a society where an individual is judged on the basis of whether he fills a given percentage. We are trying to create a society where an individual is judged as an individual, regardless of membership in any racial or ethnic group.
>
> This is no small matter, and eventually it may have to be dealt with through constitutional amendment. Amendments have been proposed to specify that no child shall be assigned to any school on the basis of race, creed or national origin. That is something far more worthy of extended Senate debate than anything like the next-nearest rule. . . .

I concur with these sentiments 100 percent. It is insulting and degrading to both blacks and whites to treat them as anything but what they are: individual human beings. It is equally insulting and degrading to insist that only through some weird formula of racial mix will individuals—children or adults—of either race be able to realize their full potential.

I sponsored a constitutional amendment, such as that referred to, in the 92d Congress. It never came to the floor of the House for a vote, having been held in committee.

The issue is not dead, that is for certain. It will be revived again in the 93d Congress. Those in opposition to busing for racial purposes must, once again, through contacting their Congressman Senators, make their wishes known.

The House responded this past year; the Senate did not. But the question will come up again and again until the will of the majority of the American people is acknowledged in the Halls of Congress, and the matter is resolved.

REPORTS TO INDIANA CONSTITUENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the Record, I include reports of special interest to the residents of the Ninth District of Indiana. It is my intention to distribute the following items to constituents following adjournment:

Report to Indiana Constituents

SMALL BUSINESSMEN

Dear Friend: Several pieces of legislation of interest to small businessmen have been enacted by the 92nd Congress.

Among the measures considered were these:

1. Two bills to substantially increase the SBA and SBS lending authority.

2. A bill which:

Re-establishes the 7-percent investment tax credit and expands its applicability to used property, and

Speeds up tax deductions for capital investment in machinery and equipment.

3. A bill authorizing loans to small businesses in order to help them meet pollution control standards.

4. An exemption from the new occupational health and safety standards for firms with three or fewer employees.

I will continue to support legislation to help small businessmen, and I would welcome your advice and comment.

RURAL RESIDENTS

Dear Friend: While 1972 has not been a major year for farm bills in the Congress, 1973 will be.

With the expiration on December 31, 1973, of the omnibus farm act, the Congress will be debating the future shape of federal farm programs.

The Congress has, however, enacted this year several pieces of legislation of special interest to farmers. The measures will:

Make available federal crop insurance to persons between 18 and 21 years of age;

Expand the size and coverage of the Farmers Home Administration loan authority for individuals and businesses in rural areas;

Expand federal flood control efforts, and

Regulate the manufacture, distribution and use of pesticides.

Another important measure which has my support, but which will not see final action this year, would enable farmer-elected marketing committees to bargain and negotiate with processors and other buyers on a commodity-by-commodity basis.

I will continue to support legislation to help farmers, and I would welcome your advice and comment.

FEDERAL EMPLOYEES

Dear Friend: The second session of the 92nd Congress has taken several steps to help federal employees, but much more needs to be done.

Legislation has been enacted to establish a revised system for adjusting and increasing pay rates for prevailing rate federal workers.

Other important measures still pending in Congress, which have my support but which are not likely to see final action this year, are:

A bill to gradually increase the federal government contribution to the cost of health benefits for federal employees to 75 percent;

A bill to insure protection for employees from invasion of privacy by federal officials, and

Legislation providing that an employee who leaves federal service after attaining an age and years of service totaling at least 80 is entitled to an annuity.

Because of the many complaints about the activities of the Postal Service and the Civil Service Commission, the House Post Office and Civil Service Committee has begun a study of the activities of these organizations.

In addition, under the provisions of a recent Congressional act, the President will recommend a federal employees' pay raise effective January 1, 1973.

I appreciate the work you do for the federal government and would appreciate your views on legislation of interest to you.

CITIZEN CONSERVATIONISTS

Dear Friend: Several important pieces of environmental legislation have been enacted by the 92nd Congress.

Chief among them are bills to:

Require greatly improved water quality and increase Federal assistance in the construction of waste treatment plants.

Curtail and tightly regulate ocean dumping.

Improve the protection of marine mammals and prohibit the importation of endangered species.

Strictly regulate the manufacture, distribution and use of pesticides.

Other important bills were not enacted this year, but I hope will be approved in 1973, including bills to:

Establish a new Congressional Joint Committee on the Environment, and

Strengthen and coordinate Federal efforts to control noise pollution.

I will continue to support legislation to protect and conserve our environment. I appreciate your concern for the environment and I welcome your comments.

VETERANS

Dear Friend: Several important pieces of legislation of interest to veterans have been enacted by the Congress in 1972.

Chief among them were bills to:

Increase by 10 percent the rates of compensation for disabled veterans.

Increase veterans' appropriations by $1 billion over last year, including $400 million more for medical care.

Raise the monthly allowance under the GI bill by approximately 25 percent.

Provide for the training of additional personnel for the V.A. medical system.

Extend V.A. hospital and medical benefits to dependents and survivors of veterans totally disabled or who have died because of a service-connected disability. This bill also expands the V.A. outpatient hospital care program.

Provide an additional $250 plot allowance for veterans buried in private cemeteries, create a new National Cemetery system, and direct the V.A. to conduct a study of the entire national cemetery system.

Other important bills were not enacted this year, but I hope will be approved in 1973, including bills to:

Extend life insurance coverage for veterans after separation from the service, and

Increase the availability of drug treatment and rehabilitation programs for veterans.

I will continue to work for the passage of legislation of interest to our nation's veterans. I appreciate your concern for the veterans and I welcome your comments.

EDUCATORS

Dear Friend: The second session of the 92nd Congress has enacted important legislation to improve the quality of education.

Amendments to the Higher Education Act of 1965 will:

Extend the authorization for higher education financial assistance through 1975, and establish a major new program of direct federal assistance to needy students and institutions of higher education,

Extend the authorization for vocational education programs until 1975,

Create a National Institute of Education to promote educational reform and experimentation, and

Authorize $2 billion in emergency school aid for school desegregation.

Other legislation will:

Increase education appropriations by $600 million over last year,

Extend Medicare coverage to teachers not presently covered,

Liberalize the tax code concerning the treatment of retired teachers.

I will continue to work to improve our nation's educational system. I appreciate your interest in education and I would welcome your comments.

THE ELDERLY

Dear Friend: The Congress has taken several significant steps to help older adults in 1972.

Chief among them were bills to:

1. Increase social security benefits by 20 percent, effective in September, 1972, and provide for an automatic cost of living increase in the future.

2. Increase to $2,100 the amount a social security beneficiary under 72 may earn in a year and still receive full benefits.

3. Increase widows' benefits to 100 percent of their deceased husbands' benefits.

4. Extend Medicare protection to those now receiving disability benefits under social security and railroad retirement programs.

5. Establish a daily nutrition program for needy older Americans.

6. Create a federal institute to conduct research into the diagnosis, prevention and treatment of arthritis and metabolic diseases.

7. Improve the scope and coverage of community services, including transportation and health, for older Americans.

I will continue to support legislation to help older adults. I appreciate your concern for their problems and I welcome your comments.

LOW-INCOME RESIDENTS

Dear Friend: Several pieces of legislation of interest to low-income individuals have been enacted by the Congress in 1972.

Chief among them were bills to:

Extend for three years present programs administered by the Office of Economic Opportunity, as well as programs for manpower training and project Headstart. New programs for rural housing and community development were also created.

Continue and expand programs of federal aid to colleges and to needy students, and for vocational education.

Extend and improve child nutrition efforts, such as the school breakfast and lunch programs.

Strengthen the powers of the federal government to prevent discrimination in hiring.

Other important bills were not enacted this year, but I hope will be approved in 1973, including measures to:

Reform the federal welfare system and establish an assistance "floor" for needy families.

Establish federal programs of day care for the children of working mothers.

Increase the minimum wage.

Much more needs to be done. I appreciate your concern for low-income individuals, and I would welcome your comments.

HIGHWAY BILL DELAY

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MADDEN. Mr. Speaker, last week, the conference committee endeavoring to adjust the differences between the other body and the House bill allowed the highway trust fund dispute to postpone the much needed highway legislation until the next session of the Congress.

When the people of this country realize that this unnecessary delay was caused by a fund accumulated of almost $4 billion, the Senate and House conferees can be greatly condemned for their action in delaying highway construction including funds for mass transit.

Mr. Speaker, I am including with my remarks an editorial from the Hammond, Ind., Times of last Friday, October 13, criticizing the delay of highway legislation.

The editorial follows:

HIGHWAY TRUST FUND SHOULDN'T BE SACRED

If the federal Highway Trust Fund were hurting for money, House refusal to let it be tapped for financing sorely needed mass transit facilities in metropolitan areas would make some sense.

But the fund is bursting at the seams with cash. Last year it showed a $3.6 billion surplus. By 1977 it is expected to show a $10 billion surplus.

Yet the highway lobby and its camp followers utter cries of anguish when a congressional move is afoot to divert the fund's resources. Their claim is that the money is required for road construction. But is so huge a surplus necessary to assure such projects?

If most of the country's population were spread out, preserving the fund inviolate to mass transit use might make sense. But 70 per cent of the people live in urban areas. Moreover, they live on only 10 per cent of the nation's land. More and more concrete can hardly benefit them where they need it most—getting to and from work, getting about their urban confinements.

Mass transit can provide that benefit. Building more expressways only means destruction of more property and a decline in tax revenues. Besides additional expressways don't offer insurance of permanent adequacy.

Much of Chicago's expressway system is near, at or exceeding capacity. Because of this, the rush hour driver is slowed to a crawl at a time when he needs to move quickly and without interruption. All the billions in the Highway Trust Fund can't possibly help him. He's not getting his fair share of the federal gasoline tax he pays, or of the other automotive related levies he pays.

Because the day-to-day expressway-user isn't getting his money's worth, he logically should favor one of two things: Opening the Highway Trust Fund to mass transit use or decreasing the taxes he pays into the fund.

The latter choice is the more logical until the highway lobby is reduced in influence with Congress. It's this special interest plus the average driver's mistaken belief that gasoline taxes should be preserved entirely for highway purposes that have kept the Highway Trust Fund intact.

Meanwhile, the best alternative in the long run will be the creation of a single fund from which to draw federal aid for all forms of public transportation. Whether by car, truck, bus, rail or plane, all transportation is inter-related. There is no sound reason why one should profit at the expense of the other.

EPA CHIEF URGES NIXON SIGN WATER BILL

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HUNGATE. Mr. Speaker, the importance and urgency of cleaning up our streams and water supply, and providing adequate waste disposal treatment is recognized by virtually everyone. The following article from the October 17, 1972, Washington Post outlines the support for this measure given by President Nixon's Administrator of the Environmental Protection Agency, William D. Ruckelshaus.

When presidential advisers such as John D. Ehrlichman take to the television airwaves to say that those who will criticize the President for refusing to sign this needed clean water bill are unfair or guilty of demagoguery it simply highlights a lack of understanding of the content and need for this legislation. And, if urging the President to sign the clean water bill is demagoguery, Mr. Ehrlichman could find some of it without leaving the President's Cabinet room. The article follows:

EPA CHIEF URGES NIXON SIGN WATER BILL

(By Elsie Carper)

The Nixon administration's chief environmental enforcer has urged the President to sign the $24.6 billion water pollution bill although it exceeds the amount that Mr. Nixon requested to clean up the nation's waterways.

The President's fiscal advisers have described the bill as "inflationary" and have hinted that the President may veto it. The deadline for the President to act is midnight tonight, 10 days (excluding Sundays) after he received it from Congress.

William D. Ruckelshaus, administrator of the Environmental Protection Agency, said in a recent press conference in Atlanta that he had advised the President to sign the bill.

Ruckelshaus reportedly also has written a letter to Caspar Weinberger, director of the President's Office of Management and Budget, urging that the bill be signed and noting that the President need not commit all of the money provided by the legislation.

The letter also warns that the administration could be "embarrassed" if there is no water pollution bill this year, pointing out that the present program to control industrial wastes initiated by the President has been brought to a standstill by a court decision.

The water bill is one of three environmental measures whose fates may depend on just when Congress adjourns. The others are bills to control noise and to prevent highly toxic substances from entering the environment.

The noise and toxic substances bills are caught up in House-Senate disagreements.

In the case of the water legislation, the President must act by midnight to veto the bill if Congress is in session. Otherwise it becomes law. If Congress has adjourned, the President can "pocket veto" it.

A copy of the Ruckelshaus "executive communication" to Weinberger is circulating on Capitol Hill.

It notes that the White House has the authority to impound funds in the bill for grants to localities to build waste treatment plants.

The bill authorizes the EPA to enter into contracts totaling $18 billion over the next three years for construction of the plants. The federal government would pay 75 per cent of the cost of the projects.

The administration had sought $6 billion with the federal share at 50 per cent of the cost.

There would be "no appreciable" increase outlays in the current fiscal year above what is in the President's budget and outlays next year could be held to $33 million, the communication concludes.

The major increase would occur in the latter half of this decade and into the 1980s.

It warned that unless the bill becomes law, the President's program for requiring permits for industrial wastes "probably will be destroyed." Issuance of permits under the 1899 Refuse Act was suspended by a court ruling nearly a year ago—shortly after it was started.

"The administration will be embarrassed for having initiated a highly publicized and initially controversial program which ended up in total failure and we will in effect simply throw away over 20,000 permit applications prepared at great expense and effort by industry," the communication said.

COMMUNITY MENTAL HEALTH CENTERS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PATTEN. Mr. Speaker, I well remember when President Kennedy asked us to pass the Community Mental Health Centers Act in 1963. At Rutgers University in Piscataway, N.J., we have just opened a Community Mental Health Center which this Congress made possible by its commitment to our mentally ill.

I know we have acquired some wonderful people from all over to staff this center, and I want to wish them the very best of luck in the years to come as they serve over 250,000 persons in the area. On this site we will also build a $45 million hospital which has just been approved by the State of New Jersey. Our people should know that we always have about 25,000 of our fellow citizens confined in State mental hospitals.

The new facility will carry on research, and it is my hope that the result will be a decrease in the number of individuals we need to confine in our State institutions. We are told here in Washington that some progress is already being made as a result of the centers.

I would like to take this opportunity to place in the CONGRESSIONAL RECORD an article on the functions of a community mental health center. It was written by Dr. Herbert Boehm, the very able director of neuropsychiatry at Perth Amboy General Hospital in New Jersey who also serves as associate attending neuropsychiatrist at Goldwater Memorial Hospital, University Division, in New York. He certainly speaks with authority, and I commend his article to all who would learn more about the role of these centers in our communities.

FUNCTIONS OF A COMMUNITY MENTAL HEALTH CENTER

(By Dr. Herbert Boehm)

In 1945, Robert Felix, the Director of National Mental Health, introduced a bill to Congress which became known as the National Health Act. Passed in 1946, it provided aid for research relating to causes, diagnosis and treatment of neuropsychiatric disorders. It also provided funds for the training of professional personnel. In 1949, it was replaced by the National Institute of Mental Health. Various community mental health service bills were passed in New York, California, Minnesota, New Jersey and Vermont.

In 1963, Congress passed the Community Mental Health Center Act which also included research and treatment facilities for the mentally retarded. This Act became operative in 1964.

Community psychiatry includes responsibility for prevention, treatment and rehabilitation of mental disorders in a population living in the locality. The community psychiatrist, as a member of a group of community agents, fulfills his responsibilities. The group of community agents also includes psychologists, social workers, psychiatric and mental health nurses, health educators, clergymen, policemen and public health nurses. The community psychiatrist must be a competent clinician. He has to accept some measure of responsibility for the Community Mental Health Center. This may also include discovering and arranging clinical treatment for as many as possible of those who are judged to have mental disorders.

He must anticipate with other professional and non-professional community workers in helping those who deviate from normal behavior, such as drug addicts, alcoholics, psychiatric, neurotic and childhood and adolescent problems. He will collaborate with other workers in helping people to cope with the crises of everyday life, this in the framework under the community services auspices. The psychiatrist will have the traditional responsibility for his own patients. If he handles deviants, he will collaborate with lawyers, teachers, policemen, nurses and general practitioners. He will try to improve the adjustment of his patients by improving living conditions, through city planning.

The Community Mental Health Center psychiatrist will be called upon by community leaders to play a part in helping to solve community problems referring to mental illnesses. The psychiatrist of the Community Mental Health Center must play an active role in the community, with his professional knowledge, and with the help of the community leaders, in order to alleviate and improve the sufferings of the mentally inflicted.

In treating disturbed children, parents may be interviewed at the Center and receive counseling. It is of utmost importance to investigate the child-parents relationship. Many times, parents may be urged to obtain individual therapy in order to help understand the child.

The essential elements of a comprehensive mental health service for an individual community include:

Emergency services day and night; Consultation and education services available to community agencies and professional personnel; Partial hospitalization service, which may include day hospital, out and in-patient service. Referral and direct service are to some extent discouraged. Workers are taught techniques of crisis intervention and counseling. The Center will face a shortage of personnel to deal with intensive in-patient care. State hospitals will have to improve custodial facilities and establish satellite clinics or convert them into Community Mental Health Centers.

The community and society must be helpful in developing Community Health Centers and see that through their success, the patients will receive the best possible care in their community. The programs of some later Centers offer all elements of service under one administrative sponsorship, but most funded programs are provided by at least two agencies, usually a general hospital and a mental health clinic.

The combining of two or more autonomous agencies, each with its own special interest, can of course produce problems. In the North West area, in 38 community agencies, both governmental and voluntary groups formed a special corporation that contracted for service with a local voluntary hospital and the mental health out-patient clinic of the health department.

The hospital applied independently for a construction grant, which is made to the property owner, but the staffing grant was made to the corporation. It is important that the organizational structure of a center must support the objectives of the program and at the same time be compatible with the needs of the several agencies involved in the Center.

Bringing together several separate and autonomous organizations into one coordinated program can be only effective if the parties involved feel that it is of benefit to each agency and its patients.

PSYCHIATRIC SERVICES IN NEIGHBORHOOD HEALTH CENTER

Experience has led to the conclusion that psychiatric services can be incorporated into a comprehensive medical care program. Although it was first felt that the family health worker could be of unique help in assisting patients, it is shown that the non-psychiatric staff could be of value in this regard. The family health worker looks to the nurse for the supervision, and the nurse looks to the physician for leadership and direction. Non-professional workers may be of value in mental health programs. The training of a non-professional therapist may take months, and the departure to use non-professional workers for psychotherapeutic treatments is a partial solution of our manpower crisis.

In the prevention of mental illness, organic illness, such as general paresis and Pellagra, can be treated and prevented. In these diseases, the causative factor has been found and can be eliminated. In recent years, information has been slowly accumulating about hereditary defects especially in the field of mental retardation.

Here, too, preventive measures in the form of consultation to prospective parents can be effective. We have only limited knowledge about schizophrenia and the affective psychoses, which are major psychiatric problems in terms of incidence, incapacitation and chronicity. In the past two decades, we were able to move from custodial care of these patients affected to an active rehabilitation program.

This was connected with great expense for the facilities involved, especially for the individual and group therapy programs, the somatic and drug therapies which in other words form the concept of a therapeutic community. The enlistment of large numbers of professional and non-professional workers, as well as community support, have been carried out with dedication and determination.

The primary aim of the Community Mental Health Center must be to render treatment to all mentally ill patients who are in need of treatment, day and night. Here is where crisis intervention steps in. The Center staff should be prepared for a variety of treatment approaches to meet the needs of all classes of patients involved. Long-term psychotherapy, or short-term and group therapy may be effective. Long-term individual therapy should be used only in selected patients.

An attempt has been made to describe the primary objective to provide much needed clinical care of patients in the Medical Health Center. This is followed by a natural development of consultative and educational community programs.

The development of clinical and consultative programs depends to a large extent on the population in the catchment area and its peculiar problems in resources.

REFERENCES

Bellak, L. and Barton, H. H. Progress in Community Health. Grune & Stratton, 1969.

Bindman, A. J. and Spiegel, A. D. editors. Perspectives in Community Mental Health. Aldine, 1969.

Brand, C. W. National Mental Health Act of 1946. Hist. Med. 331, 1965.

Caplan, G. Principles of Preventive Psychiatry. Basic Books, New York, 1964.

Deutsch, A. The Mentally Ill in America. Columbia Press. New York, 1945.

Dimensions of Community Psychiatry. GAP Report No. 60 (Vol. 6) Group for the Advancement of Psychiatry. April, 1968.

Fairweather, G. W. and others. Community Life for the Mentally Ill: An Alternative to Institutional Care.

Gottesfeld, H., Rhee, C. and Parker, G. A Study of the role of para professionals in community mental health. Community Mental Health J. 6: 285–291, 1970.

Hutcheson, B. R. and Krause, E. A. Systems analysis and mental health services. Community Mental Health J. 5: 29–45, 1969.

Joint Commissions on Mental Illness and Health. Basic Books, New York, 1961.

Leeds, A. A. and others. Planning for Mental Health. Community Mental Health J. 5: 206–214, 1969.

Meyers. The Collected Papers of Adolph Meyers. Vol. 4, p. 30. Baltimore, 1952.

Roberts, L. M., Halleck, S. L. and Loeb, M. B. editors. Community Psychiatry. University of Wisconsin Press, 1966.

Shore, M. F. and Mannino, F. V. Mental Health and the Community: Problems, Programs and Strategies.

Williams, R. H. and Ozarim, L. D. Community Mental Health. An International Perspective. Jossey-Bass, 1967.

Zusman, J. Design of catchment areas for community health services. Arch. Gen. Psychiatry. 21: 568–576, 1969.

IMPACT OF DRUG ADDICTION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HELSTOSKI. Mr. Speaker, the real impact of drug addiction on our young people can be noted by a statement of Dr. David J. Myerson, director of the Boston State Hospital Drug Rehabilitation Center, when he said:

> The average addict we treat started at 13 or 14 and dropped out of school by the 10th grade—that is the real tragedy of the drug scene today.

KEY ECONOMIC ISSUES—1972 CAMPAIGN

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, the House Republican Conference was recently privileged to hear remarks by a distinguished economist, Dr. Pierre A. Rinfret. Dr. Rinfret is serving on an unpaid volunteer basis as Special Economic Adviser to the President. He is the principal economic spokesman for the campaign. Dr. Rinfret's analysis of the key economic issues in this election year is in my opinion worthy of consideration. The text of his remarks are as follows:

ECONOMIC PRESENTATION TO MEMBERS OF THE HOUSE REPUBLICAN CONFERENCE

(By Dr. Pierre A. Rinfret)

To put it very simply, here are the four key economic issues in the 1972 campaign.

Number One. McGovern's economic program is a socialist economic program, socialist in concept, socialist in execution.

Number Two. It is an inflationary economic program—substantially inflationary.

Number Three. It will produce either stagnation or a serious recession in the United States, starting practically from the moment it's implemented, and as a result will produce unemployment.

Number Four. It will bring down on the United States all the negative aspects the stagnant English economy has developed during the past 25 years.

When President Nixon says there is a clear-cut choice, that applies directly to the economic field. There is indeed a very clear-cut choice between President Nixon's goal of continuing expansion in the American economy under a system of free enterprise while driving for full employment without inflation, or Senator McGovern's objective of a stagnant system of economic enterprise which is socialist in character, Government-dominated and egalitarian in income distribution.

Let me try, very briefly, to give you some background on where we are and how we got to where we are. We have problems in this country today, some very serious economic problems. But let's see where they came from.

From 1946 to 1965, our country had the best inflation record of any country in the postwar period—consumer prices in the U.S. went up by only 1½ to 2 percent a year. No major industrial country in the world could match that record. In Europe it was normal to have a compound rate of growth of inflation of 4, 5 and 6 percent a year. When did our inflation start? Inflation began to spiral in this country in the fourth quarter of 1965, and it kept spiraling as the war effort escalated. The war and inflation were tied together.

When Mr. Nixon went on the campaign trail in 1966, his major economic issue was inflation. And the voters agreed that inflation was the key issue, because they sent a number of Republicans to Congress that year. When the President took office in 1969, this country's rate of inflation had risen from a low of 1½ to 2 percent a year to the 6-to-7 percent level; in fact it was getting close to 8 percent. We had the highest level of interest rates in the history of the United States—in 1970, money rates hit the undreamed-of peak of 9½ percent. The President then used fiscal and monetary restraints to try to solve the inflation problem. Let me remind you of one fact: in 1969 and 1970, practically no one of any repute in economics or finance, Republican or Democrat, disagreed with that policy. I disagreed, but I didn't hear Walter Heller, Arthur Okun, Otto Eckstein or any other economist in the Democratic camp—except John Kenneth Galbraith—say one word against the use of fiscal and monetary controls to stop inflation. On the contrary, their criticism was that the controls weren't tight enough. There were a few in Congress who spoke out. But in general the President was reinforced by a consensus which said that the way you stop inflation is to slow down Government spending, minimize the deficit, and slam on the monetary controls.

But by the Fall of 1970 the President realized that he had a major unemployment problem on his hands. Let me remind you about that one too. I don't know of any Democratic economist who, in 1970, pointed to the unemployment problem as serious. In fact, we Republicans were the first to point it out as a serious, developing problem. Go read the newspapers, look at the record. Nobody spotted that problem except us. That's why the President developed the full-employment budget in the Fall of 1970.

Now let's look at what he did in August 1971. Again, let me remind you of something. Where does the 7 percent investment tax credit come from—this great "loophole" and giveaway that McGovern is attacking today? Who invented it? Walter Heller and Arthur Okun, Democratic economists and advisors. President John F. Kennedy then advocated the investment tax credit and it was passed into law by Congress in 1962. Who advocated enactment of personal and corporate income tax cuts to stimulate economic expansion? President Johnson in 1964. If you look at the record, you will see that there were precedents for President Nixon's moves in August 1971—precedents that had previously been advocated by the Democrats. In the summer of 1971, who was the foremost public advocate of reestablishing the investment tax credit? Congressman Wilbur Mills. Who was the foremost public advocate of raising the personal income tax base? Congressman Wilbur Mills. Who advocated closing the gold window? Congressman Henry Reuss. Who advocated enactment of the border tax? Congressman Wilbur Mills. Who advocated wage and price controls? Everybody I know of—but particularly the Democrats, Senator Proxmire, economist Galbraith and all the rest. So the President proposed an economic program that was largely Democratic in origin. But the moment his proposals were enacted, and the moment they began to work, every Democrat turned critical.

Has the President's economic program worked? Very simply—yes, like a charm. In the second quarter of 1972 this country's gross national product increased at a real rate of growth of 9 percent. In July 1972, we had 3 million more people at work—in new jobs—than we had a year ago. In June, when the unemployment rate dropped to 5.5 percent, the Democrats said that was a statistical fluke—it would go up in July. As we know now, it didn't go up. In fact, between July 1971 and July 1972 we had put more people to work in new jobs than in any 12-month period in the postwar history of our country. Most of this gain was in the private sector—2.7 million new jobs in the private sector, the rest in the public sector.

The economic program is working, inflation is coming down. Where are those new high rates that we were supposed to get? We haven't got them. As you may have noted, today there was another cut in the prime rate. So we've got an expanding economy with substantially reduced inflation, relatively low interest rates, ready availability of credit, and we are creating new jobs to the tune of 3 million a year. Is the program working? Like a dream.

Now let's look at some McGovern economics. Let's look at a few very basic principles. And let me cite something from the work of Joseph Schumpeter, an economic historian formerly on the faculty of Harvard University. Schumpeter was a student of comparative economic systems, so I looked up what he had to say about socialism, communism, capitalism, etc. How does he describe socialism? According to this eminent scholar, socialism is the use of redistributive taxation to redistribute income in order to arrive at an egalitarian society. Now if that doesn't describe McGovern's economic proposals, I don't know what does. Redistributive taxation—take it away from one part of the population, give it to another, make everyone's income as equal as you conceivably can to everyone else's. Let me make one philosophical point to you: when you do that, you destroy the whole concept of individual initiative, individual freedom, individual drive, individual incentive—because what's the point of it? If you can't keep what you're going to make, who cares? McGovern is also advocating elimination of the right of inheritance, elimination of the right to pass on to future generations what earlier generations have worked to build up for them. If that's not socialism, I don't know what is.

So, *first*, the McGovern philosophy is a socialist economic philosophy, it has no place in a free enterprise economy. It is totally alien to our economic system.

Second, the McGovern program will lead to recession. Why? For one thing, he says he's going to raise corporate taxes by $17 billion. Now I'm not uncritical of the corporations. I think some of them are selfish, they grab—and some of labor does the same thing. But the corporations perform a vital function—they invest money. What do the corporations do with the money they earn and keep? According to some people, corporations just pocket that money. Well, they don't—they make capital investments. And capital investment is the major driving force in economic expansion. If you raise corporate taxes by $17 billion, as Senator McGovern proposes, one thing will happen—capital investment will collapse.

Where is our unemployment concentrated? Where was it in 1970 and 1971? Why did the President go for the investment tax credit? Because he knew one fact. Unemployment was concentrated in the capital goods-producing cities—Bridgeport, Cleveland, Cincinnati, etc. If you want to reduce unemployment, you must have capital goods expansion.

Now we've just asked American industrialists a very simple question: What will you do in 1973 if Senator McGovern is elected, and if he implements his economic proposals—if he eliminates the investment tax credit, accelerated depreciation, and depletion allowances? We've got the first statistical answer to McGovern's economic proposals, and the answers are strikingly clear: American industry says it will reduce its capital investment in 1973 by 5½ percent—down $5 billion, which means down 11 percent in volume.

This would be the second-largest capital spending decline in 25 years. And we've never had a decline in capital spending without a recession—*never*. In 1970 we had a recession, and capital spending was up 2 percent in dollars—but down 4 percent in volume. If capital spending goes down 5½ percent in dollars and down 11 percent in volume, we are going to have a recession in this country.

You may not be aware of the fact that the U.S. has the lowest ratio of capital investment to total production of private industry of any industrial nation in the world—we have the lowest percentage of private capital expenditures to GNP of any industrial country in the world. From 1962 to 1966, when we had a capital spending boom in this country, we were investing 6.6 percent of real GNP. Do you know what the Japanese were investing? Twenty-nine percent! That is why productivity is soaring in the rest of the world but not here. If you want to know why they are making the progress we should be making, it's because we haven't stimulated capital investment sufficiently. Now, capital investment has moved forward since the President's August 15, 1971 program, and it has been a main force in our economic expansion. But what is going to happen when you take the stimuli away? Capital investment is going to go down. And when that happens, we're going to have a recession—and new unemployment.

Third, McGovern's program is inflationary. Why is it inflationary? Let me ask you a very simple question. If you increase corporate taxes by $17 billion, what do you think corporations are going to do? Well, they can do many things, but I'll tell you one thing they're going to do—they're going to raise prices. They are going to try to make up for the tax increase and the resulting loss of revenue by means of price increases. If you increase taxes on individuals by $72 billion, what is labor going to do? Do you think labor is going to say, "We're willing to pay another $72 billion in taxes no matter what that does to our take-home pay"? No, sir! Labor is going to drive for wage increases of 14, 18, 20 percent a year. No matter how you look at it, McGovern's increased tax burden will ultimately show up in the price structure. You will see both industry and labor driving to offset his tax increases by means of price and wage increases.

So, when the President says there is a clear-cut choice, that's absolutely true. There *is* a clear-cut choice between continuing the dynamic, vigorous expansion we're getting under President Nixon and our free enterprise system—or risking McGovern's socialist, inflationary, recessionary, stagnant economic set of proposals.

We now have an economy that is moving forward and creating new jobs. In May and June 1972, the American worker achieved the highest level of real take-home pay in the entire history of the United States—he went home with more buying power than he's ever had before. If McGovern gets elected, people should get their money out of this country, because we're in for four years of stagnation. If President Nixon is reelected, people should do everything they can in order to participate in the economic prosperity that is coming.

That's the clear-cut choice.

TRIBUTE TO HON. JOHN L. McMILLAN

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ASPINALL. Mr. Speaker, it is my happy privilege to join with my colleagues and pay tribute to one of the outstanding Members and committee chairmen of the House of Representatives. Chairman McMILLAN was a Member of the House when I came to Washington and it has been my privilege since that time to call him my friend.

His has been one of the most difficult tasks of a committee chairman that there has been in Congress during my membership. With all of the criticism, harping, and unpleasant situations resulting from people with a great lack of understanding, he went quietly his way and discharged his responsibilities as he honestly considered them.

His friendly personality, commitment to duty and courtly manners have endeared him to all of us. I personally wish him and his loved ones well in the days ahead. His district, the District of Columbia, and the Nation generally are his debtors.

AFTER THE WAR—WHAT THEN?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FRASER. Mr. Speaker, although a foreign aid bill was not passed in this session of Congress, I would like to call attention to two amendments appearing in both the House and Senate bills. One amendment would have provided funds for the Center for Plastic and Rehabilitative Surgery in Saigon—a hospital for burn victims. The second amendment would have provided care for orphaned and abandoned children. It would have also provided for the expeditious handling of adoption.

These amendments are directed to the heartrending matters raised by Victor Zorza in his Washington Post October 18 column which follows:

AFTER THE WAR—WHAT THEN?

(By Victor Zorza)

Sometimes a column really touches the reader—when it tells him, for instance, that the war in Vietnam is virtually over, as this column has been saying. The war has been with us so long that many people find it difficult to adjust to the idea that it might soon be finished.

"But suppose you are right," they say, "what do you think will happen next?" And they expect some profound truth about the cease-fire terms, or the domino theory, or the international balance of power.

But this is where the commentator's instant wisdom leaves him and despair takes over. Their questions—your questions—show how the war has perverted us all, how the politics of the war has hardened our hearts and closed our minds to the things that really matter.

What is going to happen next? Americans are not used to dealing with the aftermath of war in their own homes. They fight other peoples' wars, in other peoples' homes, they make sure that the powers of light triumph over the powers of darkness—as in World War I, in World War II, as in Vietnam, maybe—and they go back to America.

What is going to happen next in Vietnam? Each of us has his own secret dread, a shameful recollection, his own troubled conscience. The GIs who came back from the war in Europe, and those now coming back from Vietnam, had to kill people—and no one ever forgets an experience like this.

My experience in World War II was different. I found myself in Europe, as a boy of 14, driven back and forth by the tides of war, fighting desperately to stay alive in the mass of humanity that was being ground to dust. I learned to lie, and to cheat, and to steal, not from the rich and the mighty, but from poor unfortunates like myself who were also lying, cheating, and stealing from me so that they might survive.

It wasn't pretty.

This is what the war did to children, and what it is doing to them today in Vietnam, and will go on doing to them long after the fighting is over. Orphaned children, abandoned children, lost children. Refugee children. The children of Mylai after the GIs have done shooting, the children of Hue after the VC have done shooting. Bombed out children, maimed children, blinded children. Broken children—broken in spirit.

It isn't pretty.

There will be swarms of children—outcasts, rejected, unwanted, uncared for. The war will end, life will begin to return to normal. The beggar children, the urchins, the thieves, will see other children leading normal lives, with parents going to school, playing childrens' games, eating their fill—yes, eating without apparently worrying where the next meal is going to come from.

You don't know how important food can be, and a place of your own at school, and a clean shirt. No, not a change of shirt every day, just once a week. You don't know how important it is to have some one say a friendly word to you, perhaps smile, treat you as a human being.

How can one convey the depths of misery to people who have never known it? How can one tell what it's like to be hungry to a man who has never been hungry? How can one explain what pain is to some one who has never felt pain?

But it is in your power, in the power of every one who reads this and stops to think about it, to do something to mitigate the misery, to feed and clothe the hungry child to give it an education of sorts, to help it unlearn the lying and the stealing and the cheating that has become part of so many childrens' lives in Vietnam.

The task of reconstruction and rehabilitation in Vietnam is huge. Many governmental and international agencies will devote themselves to it. But there will not be enough money to do all that is necessary. There never is.

Giving money to mitigate the misery which will engulf many thousands, perhaps millions, of children in the aftermath of the war will never eliminate the pain and the suffering. It is not conscience money, unless you are looking for an easy way out. But it could help.

HAP MILLER

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HANSEN of Idaho. Mr. Speaker, October 10 marked the end of an era for Idahoans, and for thousands of people throughout the United States who have had the privilege over the past 40-plus years to enjoy the toe-tapping music of Hap Miller in the Duchin Room at Sun Valley, Idaho. It is hard to imagine what the place will be without him, for Hap is the Duchin Room. Let us hope that affection and nostalgia will bring him back often. Following is an article by Pat Thornton about Hap which appeared in the Sun Valley Sun September 30, 1972:

HAP MILLER

(By Pat Thornton)

Hap Miller is trading his baton for a golf club and fishing pole. His last night in the Duchin Room Lounge will be Tuesday, Oct. 10, when he calls it quits after working 48 years as a professional musician.

Shocked? Yes, everyone is, including Miller. "I woke up the other night," he says, "and thought 'my gosh, what did I do'?"

Actually, he and his wife, Arvilla, have been considering the move for quite some time. "The main thing about retiring," he says, "is that Arv and I have been married 37 years and during that time she has sat at home and I've been in the glamorous spots.

"She wouldn't let me retire if that were the only reason. But I can't fight the calendar forever and I don't want to switch a piano bench for a wheelchair."

Hap and Arv bought a home at Willow Valley, Ariz., on the Colorado River about 10 miles north of Needles, Calif., where they plan to spend the winter. "I want to take up sports and do a little traveling," he says. "I play golf five days a week now, and I want to make it seven!"

Miller is a native of Massillon, Ohio, and is one of nine children. The entire family liked music, but Hap is the only musician. He started playing at five years of age. When the family returned from church, he would pick out the hymns on the piano.

Because his parents were afraid lessons would spoil his ear, he had no formal training for another seven years. Then, at age 12, Hap knew music would be his career and that it was necessary to be able to read music.

Hap Miller started playing professionally when he turned 16 and was still in school. He was graduated from high school in 1931 and joined Harl Smith's traveling society-hotel dance band when it was playing in Kansas City. Miller recalls his trip from Ohio as the first time he had been away from home. He also remembers that Eddie Duchin's band was playing nearby and that Duchin and Smith and all of the musicians were good friends.

In 1936, Averell Harriman wanted Duchin to open Sun Valley. The pianist declined because he was booked into the Persian Room at New York City's Plaza Hotel, but recommended Smith's band in his stead.

"We were booked into the Dunes at Palm Springs for the winter," Miller says, "but Eddie's manager finally convinced Harl we should open Sun Valley. I remember finding a map and looking for Idaho. Of course, Sun Valley wasn't shown and the closest point we could find was Shoshone. We were all looking forward to Palm Springs and the sunshine and we ended up in the snowy mountains of Idaho that winter. But it was the best move we ever made."

So Harl Smith's Band, with Hap Miller at the piano, did open Sun Valley at Christmas time, 1936, and played in the Duchin Room until the resort closed the next April. And Eddie Duchin and his band never did play Sun Valley. The room was named, incidentally, not for Eddie, but rather for his first wife, Marge, a relative of Harriman who did the interior decorating for the lounge.

For the first few years, Sun Valley was open winters only. The year 1939 was the first year the resort was open in summer, and Smith's band played on the Terrace and in the Duchin Room, thus beginning a two-season cycle that continued until Smith retired in 1952. The band became Hap Miller's Orchestra, and continued the cycle.

Miller, who has done all of the orchestra's arrangements since joining Smith, says he has added 15 to 20 new songs a year to the group's repertoire, that includes a lot of the old standards that have been around for many years. "We try to keep the band at the same style. We add to, not change," he says.

Hap says he would like to say he has a favorite song, "but I just don't. But I will tell you the most requested—'It Happened in Sun Valley'—without a doubt. There have been some great hits the past 10 or 12 years, but year-after-year, night-after-night we have two or three requests to play 'It Happened in Sun Valley." The melody and lyrics for that song were done by Harry Warren and Mack Gordon, who wintered at the Valley to get the feeling of the resort for the film "Sun Valley Serenade."

Down through its history, Sun Valley has drawn some of the world's famous people, and Miller has met most of them. "I feel fortunate," he says, "because we played for people from all over the world. Lots of very famous people. And also, we've met a lot of people whose names you may not recognize. But they're all wonderful. It's been an adventure."

Some of the incidents he recalls involve the antics of probably the funniest foursome ever to hit the Sun Valley Golf Course—Jack Benny, Phil Harris, Pro Huck Florence and Hap Miller.

He also recalls the night Bing Crosby, who usually refuses to sing "offstage," was dancing in the Duchin Room and, as Hap says, "we tricked him into his first song. But then he sang for an hour."

The Shah of Iran and his then wife, Princess Saroya, visited the Valley twice during Miller's tenure and wouldn't go anywhere without the Miller Orchestra. "I remember one night," Hap says, "he had a party at the Roundhouse and all the fellows had to carry their instruments up on the ski lift. We didn't have a piano up there, but he wanted me there anyway. It was fun.

"The shah said he was going to build a ski lift in Iran and open it with a Sun Valley party. He wanted to fly us over to play at the opening, but it never materialized because of a revolution."

Miller says he was a skier, and doesn't know why he quit. But he has been a starter and race official for 17 years. He has also been the organist and pianist at the Presbyterian Church in Ketchum for 20 years and served on the Presbyterian Church Session 18 years. He is the first and only president of the 100-member Sun Valley Musicians Association, affiliated with the American Federation of Musicians, since its founding 24 years ago; and has been president of the Sun Valley Credit Union for eight years.

Forty-eight years is a long time to do just one thing, but Miller says his job has never been dull. "Every night is different. In the trade we call it 'reading the room.' We watch the dancing the first few minutes and most of the time you get a feel for what they want. During the evening we try to play at least one or two things everyone likes. That's what you strive for . . . trying to squeeze all these things in so everyone hears something he likes.

"You know you've succeeded the last four or five minutes when you start playing the 'good night songs.' The men who have been dancing with all the women in the room dance with their wives and they dance a little closer. It makes everything right."

So Oct. 10, Hap Miller will play those 'good night songs' for the last time before he and his high school sweetheart head for Arizona for the winter.

A tear starts to glisten in Hap Miller's eye. He shakes his head slightly and says, "You know, the last night is going to be just as exciting as the first."

And he means it.

TRIBUTE TO HON. CHARLES H. GRIFFIN

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. BLACKBURN. Mr. Speaker, it has been a great honor and a privilege for me to serve on the Banking and Currency Committee with CHARLIE GRIFFIN since his entry into the Congress. CHARLIE GRIFFIN has made a genuine contribution to our country during his service in the Congress, and he will be sorely missed by me and other members of the Banking and Currency Committee.

During his service in the Congress, my wife, Mary, and I have come to know CHARLIE and his charming and attractive wife, Angie, as personal friends, and I take this opportunity to wish them well as they reenter private life.

NAILING OUR COLORS TO THE MAST

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROUSH. Mr. Speaker, I rise today to reiterate my support for passage of the Federal Water Pollution Control Act Amendments of 1972. I voted for passage of the original bill. Today I supported repassage of this bill over a Presidential veto.

The President's veto of this legislation is both shocking and inconsistent with his stated commitment to environmental quality.

In President Nixon's first state of the Union message on January 22, 1970, he stressed pollution control and pledged to submit to Congress "the most comprehensive and costly program in America's history." And when he signed the bill creating the National Environmental Policy Act of 1969 the President said:

> The 1970's absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters and our living environment. It is literally now or never....

I applauded those statements. I agreed with them. I still do. Yet today we were faced with a Presidential veto of a bill that sets a goal of eliminating all pollutant discharges into U.S. waters by 1985. Why has the President abandoned this cause?

He tells us it is too costly and therefore inflationary. But evidently it is not inflationary when we are asked to support a 1-year package of economic and military aid for other countries with a price tag of $4.20 billion. Why not? For 12 years I have talked against, and voted against, this massive pouring of tax dollars down the drain. And it is beyond me to understand why and how the administration can support this nebulous and highly questionable spending of the taxpayer's dollar in a time of inflation, and yet reject spending those same dollars for the construction of badly needed sewage treatment plants and sewer systems here at home.

The President's veto of the water pollution bill supports my conclusion of last week to vote against handing over to the Executive the power to cut congressional appropriations whenever and wherever the administration pleases. The President's priorities, any President's priorities, are not always my priorities. In view of this veto and the administration support for foreign aid I must conclude that domestic needs take second place to foreign requests.

In this veto the President has also overridden the recommendations of his own chief adviser on environmental quality, Mr. William Ruckelshaus, Administrator of the Environmental Protection Agency.

I wish to congratulate Mr. Ruckelshaus on his continuing support for water pollution control. I agree with him that the water pollution control bill need not have a significant impact on Federal spending until fiscal 1975 when the Government would start paying off the contracts. I also agree with his argument that the Appropriations Committee of the Congress can control the actual spending and outlays even after passage of the bill. Moreover, as Mr. Ruckelshaus pointed out the bill was written so as to allow the President flexibility on spending. The authorizations for obligational authority are "not exceed" $18 billion over the next 3 years. Also, "all" sums authorized to be obligated need not be committed, though they must be allocated. These two provisions were suggested to give the administration some flexibility concerning the obligation of construction grant funds.

It is ironic to me that this Congress has been asked to spend on numerous programs aimed at adequately celebrating the 200th anniversary of this Nation's birth in 1976. I cannot think of a program more fitting to that celebration than the one embodied in the water pollution control bill, a bill endeavoring to salvage what can be saved to our water quality before it is too late. Our ancestors bequeathed pure lakes and rivers to us. Should we not pass on some of this heritage to those who come after us?

Personally I cannot equivocate on this issue. I cannot promise to do all that I can to eliminate air and water pollution and then refuse the funds necessary to accomplish this aim. I have said time and again that cleaning up our environment would be costly. But that the losses we suffer if we do not act now are irreparable. We cannot replace our physical environment. I have said and I say again that we will have to pay for the necessary antipollution measures. But I believe the taxpayers would rather pay for this, with results they can measure and enjoy, than for questionable military and economic aid programs abroad.

On one point in his veto remarks I thoroughly agree with the President. I too have "nailed my colors to the mast on this issue." And like the President I am willing that "the political winds can blow where they may." I had hoped that the President would be with us on this issue. With us or not I must support water pollution control.

A RECORD OF ACHIEVEMENT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EILBERG. Mr. Speaker, the 92d Congress has an outstanding record. Much of the legislation it has passed, despite the opposition of the Nixon administration, has meant immediate benefits for a great many of our people.

At this time I enter into the RECORD a newsletter I am sending to my constituents about the work of this Congress:

THE 92D CONGRESS A RECORD OF ACHIEVEMENT

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C. October 1972.

DEAR FRIEND: The 92d Congress has come to a close. I want to report to you on its work during 1971 and 1972.

This Congress has compiled a record of outstanding achievements.

Seasoned observers have described the 92d Congress as productive, constructive and hardworking.

A look at the record makes it easy to agree with this judgment.

We made major advances in the fields of education, health, crime control, programs for older Americans, environmental protection and campaign reform. And we passed several measures aimed at coping with the continuing problems of high unemployment and soaring inflation.

This report reviews only the highlights of the legislative achievements of the 92nd Congress.

When the 93rd Congress convenes in January, the problems facing our nation will still be with us, for there are no instant solutions or overnight cures. But we will be building on a solid foundation laid down during the past two years.

I pledge you my continuing effort to work for the goals all Americans share: a strong and free, a just and prosperous nation in a world of peace.

Sincerely,

JOSHUA EILBERG,
Member of Congress.

NEW PROGRAMS HELP STUDENTS FROM PRESCHOOL TO COLLEGE

Young people throughout the nation will benefit from these historic education measures:

Omnibus Education Act of 1972 is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education programs and creates important new ones, including:

A new system of *Basic Educational Opportunity Grants*, entitling every college student to an annual grant of $1400, less the amount his parents can contribute;

A new program of direct institutional aid for colleges and universities;

Help for occupational and vocational education;

A *National Institute of Education* to develop better ways of teaching and learning at every level—preschool through graduate school.

Expanded Head Start Program to enable children of working families as well as the poor to participate in this voluntary day care program.

National School Lunch Act Amendments provide free and low price meals for needy children.

Vietnam Veterans Education Assistance means a major increase in aid for education and vocational rehabilitation for returning veterans.

A 32-PERCENT SOCIAL SECURITY INCREASE LEADS LIST OF ELDERLY BENEFITS

For older Americans, this has been one of the great Congresses in history—and the 32% Social Security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the many benefits our

20 million senior citizens will realize from Congressional initiatives:

Nutritional meals for those who need them—even shut-ins.

Low-cost transportation.

Job training and employment

Community centers.

Pre-retirement training.

Health and education services.

Gerontological centers to study the variety of problems older Americans face.

A new *National Institute of Aging* to conduct research on the aging process and the special health problems of the elderly.

Congress also overrode a Presidential veto of a 20% increase in *Railroad Retirement benefits.*

Note: the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

NEW ACT REFORMS CAMPAIGN SPENDING

At a time when the costs of campaigning have skyrocketed, the Congress passed the Federal Election Campaign Act of 1971.

This historic act:

Limits the amount of advertising spending in campaigns.

Requires broadcasters, newspapers and magazines to sell advertising to candidates at the lowest commercial rate.

Requires campaign committees to report contributions and expenditures of $100 or more.

Limits the amount a candidate or his family can contribute to his own campaign.

REVENUE SHARING AIDS STATE, LOCAL GOVERNMENTS

In response to pleas from hard-pressed states, counties and cities, Congress this year enacted a $30.1 billion revenue sharing bill.

State governments will receive one-third of the funds; local governments the other two-thirds. The money is expected to be spent on such high priority items as:

Public safety
Environmental protection
Public transportation
Health
Recreation
Libraries
Social services for the poor and aged

NEW CONGRESSIONAL ACTIONS ON FOREIGN, MILITARY POLICY

Among the several actions of the 92nd Congress in foreign and military policy are:

SALT Agreements To Limit Strategic Weapons: Congress approved a five-year U.S.-Soviet accord limiting offensive nuclear weapons.

ABM Treaty With Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military Draft: Congress amended the Selective Service Act to:

Extend the draft to June 1973.

Grant student deferments.

Increase military pay in order to encourage voluntary enlistments.

A GREAT CONGRESS FOR VETERANS

Many observers are calling the 92nd Congress the greatest Congress for veterans in history. In the past two years, we have passed major laws to educate our veterans, to provide them better treatment in VA hospitals, and to liberalize burial allowances for veterans.

New GI bill

This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Fulltime students will now receive:

Single students: $220 a month.
Married students: $261 a month.
Married and one child: $298 a month.
Each additional dependent: $18 a month.

National cemetery bill

This law—

Transfers to the VA responsibility for administering all national cemeteries.

Increases burial allowances for veterans who die from service-connected disabilities, and

Provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA Medical School Act

To help meet the nation's medical manpower shortage—and to improve VA medical care—this pilot program authorizes the establishment of eight new medical schools in veterans' hospitals across the nation.

Veterans medical care

This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with nonservice-connected medical problems can now be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive hospital care.

Disabled veterans' benefits

Provides a 10% boost in benefits for disabled veterans.

ENVIRONMENTAL PROTECTION GIVEN HIGH PRIORITY

Clean air and water, and the conservation of our resources and wildlife have been chief concerns of the 92nd Congress. This Congress has taken important action to protect the nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985.

Federal Environmental Pesticide Control Act will help protect man and our environment, while permitting farmers to use pesticides to grow food and fiber.

Wildlife Hunting from Aircraft is prohibited, protecting certain wild birds, fish and other animals.

Youth Conservation Corps—To extend and expand this pilot youth conservation program.

CONGRESS ACTS TO MEET HEALTH CARE CRISIS

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a nation, we have slipped from 13th to 22nd place in male life expectancy, from 6th to 21st in infant mortality. Doctor bils and hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92nd Congress has taken the initiative to meet the crisis with several important measures:

Medical Personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses.

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer.

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the U.S., mostly children.

Multiple Sclerosis Research—Creates a National Advisory Commission to help find the cause of M.S. and develop cures.

Communicable Disease Control Act—Helps states and localities control the spread of communicable diseases.

National Heart, Blood Vessel, Lung and Blood Act.

Rehabilitation Act—An extension of the 50-year-old Vocational Rehabilitation Act, adding major new programs to aid the severely handicapped and other disabled persons.

Black Lung Benefits—To make it easier for coal miners, stricken by black lung disease, to receive benefits.

CONGRESS FOCUSES ON CONSUMER PROTECTION

In recent years, Congress has passed a host of measures on behalf of the American consumer. Truth-in-lending . . . wholesome meat and poultry . . . truth-in-packaging . . . auto, tire and toy safety . . . fair credit reporting . . . these are a few.

The 92nd Congress has expanded this record:

Flammable Fabrics Amendments of 1971 require manufacturers to certify that their products meet stringent anti-fire requirements.

Consumer Product Safety Act of 1972 assigns the Federal government a major role in protecting the consumer from unreasonable risks of death, injury or illness caused by consumer products. A new Consumer Product Safety Agency will set mandatory safety standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transportation to fix minimum standards for bumpers to halt or reduce auto damage in low-speed collisions. The bill also outlaws tampering with mileage gauges.

NEW BILLS TO FIGHT CRIME AND DRUGS

Every public opinion poll of recent years shows that crime and drug abuse are major concerns of the American people. The 92nd Congress continued to face up to mounting problems in these crucial areas:

Crime

Juvenile Delinquency Prevention Act. This major law provides $150 million over two years for—

Education and counseling health services and recreational facilities for potential juvenile delinquents, and

Training personnel in the juvenile delinquency field.

Drug abuse

Drug Abuse Office and Treatment Act. This new law provides over $6 billion to—

Establish a National Institute on Drug Abuse;

Increase funds for special drug projects under the Community Mental Health Centers Act;

Help states develop drug abuse program; and

Require federally funded health facilities to offer needed treatment to drug addicts.

Foreign Shipments of Narcotics. Gives the President power to halt foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addiction of Servicemen. Another new law requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. A third measure creates new programs to encourage the employment of rehabilitated addicts, with special preference for veterans.

CONGRESS AIDS RURAL AREAS

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the *Rural Development Act of 1972,* Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing water quality management, pollution control and farm credit.

NEW AMENDMENTS BROADEN RIGHTS

The 26th and 27th Amendments to the Constitution were passed by this Congress to guarantee the vote to 18-year-olds and to end discrimination based on sex.

18-year-old vote—This Amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in all elections. It was quickly ratified by the states and signed in July 1971. Because of it, eleven million more voters are eligible to vote in the Presidential election this year.

Equal rights for women—Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex still exist in law. For example:

Twenty-six states prohibit women from working in certain occupations.

Thirty-seven states have fair employment practice laws, but only fifteen prohibit discrimination in employment based on sex.

Some communities still have dual pay schedules for men and women public school teachers.

To end discrimination, the Equal Rights Amendments says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

Twenty-one states have already ratified the amendment; thirty-eight are required.

ECONOMIC PROBLEMS TROUBLE CONGRESS

Since January 1969, unemployment in the U.S. has climbed to over 5½ percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the *Accelerated Public Works Act of 1971*, authorizing $2 billion to create 170,000 jobs in the public sector. (President Nixon vetoed this bill.) We then passed the *Emergency Employment Act* authorizing $2 billion for transitional public service jobs and special state employment assistance programs. We also earmarked $275 million for additional *unemployment benefits and allowances.*

Congress also—

Extended the President's authority to establish controls on prices, rents, wages and salaries;

Increased the personal income tax exemption per taxpayer and dependent to $675; and

Came to the aid of small business by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the Administration's budgets, while seeking to meet the nation's genuine needs. During the past three years, Congress has cut a total of $14½ billion from the Administrations requests—and the total appropriations this year will again be below the President's budget.

HON. SEYMOUR HALPERN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, we will miss Sy Halpern here in the Congress. His office is just down the hall from ours, and we will miss his friendly greeting as he passed on his way to the House floor. Sy has served as a dedicated member of the great Committee on Foreign Affairs. He sponsored an annual "Congressional Bike-In" to promote the idea of bicycling as a means of non-polluting commuting and as a wonderful form of recreation. Sy has countless friends and admirers on both sides of the aisle.

Mr. Speaker, the entire Congress admired his courageous recovery from a serious accident. Mrs. Dorn joins me in wishing for Sy Halpern and his lovely wife continued success, every happiness and the best always.

CAPITAL PUNISHMENT ABOLISHED IN MARYLAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, the latest twist on abolition of capital punishment came with the report from nearby Maryland that a murder trial would not be held because the county lacked funds.

Many will agree with the Maryland county fathers. There is little to be accomplished in a murder trial investment under the recent Supreme Court decision except to confine a convicted murderer at further expense to the taxpayers.

But, at least this is the newest wrinkle on abolition of capital punishment, that is, the public pleads poverty.

A related newspaper clipping follows:

[From the Washington Post, Oct. 18, 1972]

COUNTY TOO POOR FOR MURDER TRIAL

PRINCESS ANNE, MD., October 17.—Officials in this rural Eastern Shore area of Maryland say they have no funds to spare for the trial of a Virginia man charged with murder in the slaying of a Florida woman.

Major crimes are rare or nonexistent in Somerset County, an area of farms and seafood harbors, County Commissioners contend. They say they are not prepared to fund the estimated $25,000 or more it might cost to prosecute the "sleeping bag murder case" if it requires extended proceedings.

The homicide case came under the jurisdiction of the county's state attorney, Robert D. Horsey, when Ina Stephanie Weiner was found murdered in a sleeping bag near a roadside rest area near here Sept. 8.

The 20-year-old woman had been reported missing from her Miami home Sept. 1, reportedly headed for Montreal in a van owned by her mother.

Last week, state police from Maryland arrested a Cheapeake, Va., man, Henry L. King, 23, on the homicide charge after he had been found driving the van in Indiana. He is being held without bond in Somerset County jail until grand jury proceedings are held. The next regular session of that panel is not until February.

Horsey says the prosecution will require witnesses from several states and possibly Canada and additional investigation in Florida and elsewhere. So far, he has been allotted $500 for the task.

County commissioners say they have little more funding to give him.

"A case like this could very easily cost $25,000 and might well cost $100,000," said R. C. (Biggy) Long, a county commissioner. "It's impossible to meet expenses now."

The county, which has one of the lowest tax bases in Maryland, has checked with Maryland State Police for funding of their investigating work but has been told that the state absorbs only minor expenses for day trips but no major funding for plane fares, overnight expenses and extensive investigations.

Horsey has taken his problem to the Maryland attorney general's office. It has not yet issued a final decision on the request but, unofficially, a spokesman for the office said, "There aren't any funds for this sort of thing as far as is known."

THE HONORABLE WAYNE NORVIEL ASPINALL

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. STAGGERS. Mr. Speaker, Shakespeare said:

> I do desire that we may be better strangers.

The U.S. House of Representatives is a fraternity of strangers, a brotherhood of diverse, often antagonistic, interests. Its problem is to gain a consensus on a given issue. It can do so only because of the innate character of some, if not all, its Members. Those who are successful possess in high degree those traits which enable them to transmute strangers into fraternity brothers.

This accounts for the career of our highly respected and well-loved brother, the Honorable Wayne N. Aspinall. "Born for success he was," of pioneer parents in the remote—from Washington, that is—valleys of Colorado. First a businessman, he chose law as an outlet for his pioneer energies. Soon he was a member of the Colorado Legislature, where he attained the rank and the dignity of Speaker. Next we find him in the Colorado Senate, and in the great Democratic upheaval of 1948 it was only natural that his people should send him to Washington.

Success in Washington depends upon the possession of the requisite talents, as has been stated. A legislator rises to positions of prominence and influence because he is a successful legislator. What is commonly called power is not the ability to enforce conformity to his will, but the ability to take positions which seem just, reasonable and in line with what most people recognize as good judgment.

In leaving Washington, Wayne Aspinall leaves behind him a remarkable record of achievement. As guardian of the public domain, it was his task and his opportunity to choose what part of that domain might be developed for its economic importance, and what might be left as a heritage of the past for coming generations. The future will judge that he chose wisely and well. His work will long remain as a monument to his ability, his integrity, and his love of his native land.

Wrote Carlyle:

> Nothing that was worthy in the past departs; no truth or goodness realised by man ever dies, or can die; but is all still here, and, recognised or not, lives and works through countless changes.

Such shall it be with our friend and brother, Wayne Aspinall.

Maybe the many years which we trust lie ahead be filled with the sunshine of happiness and satisfaction for him and for all whom he holds dear, and may the Angel of God watch over him in all his endeavors.

NORTHERN IRELAND

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, Mr. Fred O'Brien is currently working on materials for publication concerning the situation in Northern Ireland. He has done considerable research on the subject and has several times visited Northern Ireland within recent months to observe the development of events in that troubled sector of the world. Fred O'Brien is also a citizen of the Irish Republic, which provides him with a unique access to the people involved in the present conflict. I am submitting for the RECORD part of the material assembled by Fred O'Brien chronicling selected events in the recent troubles in Northern Ireland, representing his views on the causes and possible resolution of the problem.

The material follows:

NORTHERN IRELAND

The Government of the Republic of Ireland believed that the situation in Northern Ireland was deteriorating at the start of 1971 despite claims to the contrary by the British Government. Gun battles broke out in Belfast, the North's capital city, on February 5, 1971 and prompted Mr. John Lynch, the Irish Prime Minister, to give a periodic appraisement of the Northern crisis as more violence was anticipated. Lynch claimed the responsibility for the deterioration was due to political mistakes and tactical errors on the part of the Provincial Stormont Government in Belfast. His major areas of concern are as follows:

1. The decision by the Northern Government to permit the formation of rifle clubs whose membership was secured by the inclusion of ex- B Specials (Protestant Armed Militia used against the Catholic Minority) at a time when every effort needs to be made to eliminate arms in the North.

2. The insensitivity in dealing with the Minority and the failure to provide for reasonable consultation between the security authorities and local community leaders in order to diminish tension and eliminate tactical errors (tactical errors included killing people in the Minority by mistake).

3. The failure to be non-discriminatory in carrying out arms searches. (Searches were directed only at Catholics)

4. The persistent demand for law and order by action against the Minority who still await equal treatment as guaranteed by the Downing Street Declaration. (Britain passed reforms to guarantee equality after the terrible sectarian riots of 1969 which brought world attention to the problems in Northern Ireland.)

5. The affront showed the Minority politicians for conducting constructive debates for their issues and the blame for disruption of Northern society placed entirely on the Minority community.

Prime Minister Lynch, always on the political tightrope, tried to give objective criticism where he felt it was necessary and still maintain reasonable relations with the United Kingdom. The objections Lynch had towards the policies of Britain in regard to the North are legitimate, but he attempts impartiality in one sense by stating that he cannot condone violent methods in obtaining political objectives. This is a direct reference to the IRA (Irish Republican Army). He would rather not mention them specifically because they are held in high esteem by the Majority of The Irish Republic and to desecrate Irish Freedom Fighters, as they are looked upon by many, could mean political disaster for Lynch if he blatantly persecuted them. The Prime Minister has to speak out against injustice in the North as it is the assumed duty of every Irish Government to see reunification of the whole nation. This pursuit is a built in part of the foreign and domestic policy of any person holding power in Dublin. The pursuit of this goal and the degree the Government will extend itself is another matter. It is always an election weapon for the out power in Dublin. The one political party whose existence is basically the reunification of all Ireland is SINN FEIN (the political wing of the IRA). They would have the Irish Republic invade the North and take back what is rightfully theirs by destiny. Most political parties would utilize peaceful means to accomplish this goal, but unfortunately only violence has worked in Irish history.

YOUNG CONSTITUENTS OF RICHMOND, VA.

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DANIEL of Virginia. Mr. Speaker, when the House of Representatives concludes its legislative business today, and we depart for our districts, we will all have one thought in common: When we return in January and are joined by our new colleagues, each will represent a district in greater or lesser degree different from that we now have the honor to represent.

I count myself fortunate in that the Fifth District has had added to it some of the fine people who have been ably represented by the Honorable Richard H. Poff, the Honorable WATKINS M. ABBITT, and the Honorable DAVID E. SATTERFIELD III. Among those represented by the latter gentleman is the family of Mr. and Mrs. Richard James Frank, Jr., of 801 Ewell Road, Richmond, Va.

Mr. and Mrs. Frank are the proud parents of two young sons—Richard James, Jr., who is 8 years old and known to his friends as "Chip," and Todd Christopher, who is 2 years old.

From what I know of the Franks, they are the stuff of which great nations are made, and I am especially proud of Chip who, in addition to pursuing his studies at Crestwood Elementary School, maintains an active interest in Indian Guides, football, hiking, and putt-putt.

Right now, it is a little early to predict Todd's interests, but I suspect he will follow in his big brother's footsteps.

In any event, I am delighted to represent these two young men in the Congress.

RACIAL CONFRONTATIONS WREAK HAVOC WITH MILITARY CAPABILITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, the public opinion-molding machinery continues to attack defense spending and our national defense programs while the internal sabotage which daily erodes discipline, morale, and the fighting capabilities of our front line of defense as well as endangering the personal safety of our fighting men receives little, if any, exposure in the news. I refer to confrontations in our military establishments caused by forced intermixing of the races, equal employment interference, and racial percentage allocations.

The first 3 weeks of this month have already resulted in at least three serious racial confrontations with injuries to our military personnel and irrepairable damage to the effectiveness of their missions.

On October 1, the *Newport News*, the largest U.S. cruiser afloat was compelled to abandon the Vietnam war zone because 19 sailors were killed in the explosion of an 8-inch gun turret. While the Navy has termed the explosion accidental, an investigation is underway.

On October 13, the aircraft carrier *Kitty Hawk* interrupted its mission in the Tonkin Gulf because of a fight aboard involving black and white sailors which left 33 men injured, two so seriously they needed to be evacuated to shore hospitals.

On October 17, a racial battle occurred aboard the *Hassayamea* while in port at Subic Bay in the Philippines. Reportedly, four white crewmen were injured.

Thus, the total American casualties from known racial confrontations aboard U.S. vessels in the first 3 weeks of October are reported to be 50, which competes with the number of combat casualties sustained in the war in Vietnam.

It would seem by now that some of our military leaders would have become aware that the pressure from below—the infiltration and racial agitation—is as detrimental to our Military Establishment as the pressure from above by the constant bombardment of attacks against military spending and the military industrial complex.

Some military commander might even reserve the power or right to select his men if he is to perform the responsibility of carrying out his mission with the greatest esprit de corps and safety.

Some military leader might even report to the Chief of Naval Operations that the humbug of racial percentages is not working and that if the Navy is desirious of maintaining a combat-readiness and efficiency, they should provide for segregated crews.

Who ever heard of racial disturbances aboard the vessels of John Paul Jones or during World War I or World War II?

The question is, Are the taxpayers and the citizens, through their military investment to be given a first rate fighting force or are conventional defensive military units to be exploited as sociological experimental training laboratories to satisfy the personal whims of a handful of ideologists and egalitarians?

The stain on the honor of the U.S. Navy grows greater, not because the racial programs have not worked, but because the naval leadership has allowed itself to be so used.

There are more ways than one to destroy a military force.

I insert the related newsclippings:

[From the Washington Post, Oct. 14, 1972]

RACIAL CLASH INJURES 33 ON CARRIER

HONOLULU, Oct. 13.—A fight involving black and white sailors aboard the attack aircraft carrier Kitty Hawk off Vietnam Thursday left 33 men injured, three seriously, the Pacific Fleet Command reported today.

Two of the injured were flown to shore hospitals for treatment and another was scheduled to be flown ashore, a Navy spokesman said.

The remainder were treated for minor injuries aboard the ship and returned to duty, he said.

The Navy said "order has been fully restored" aboard the carrier and that it is "continuing to perform its mission at Yankee Station" in the Tonkin Gulf.

The Kitty Hawk's commanding officer, Capt. Marlin W. Townsend Jr. of Washington, D.C., and the executive officer, Cdr. Benjamin W. Cloud of El Cajon, Calif., have talked to the crewmen about the incident in hopes of learning what caused it and to prevent a recurrence, the spokesman said.

Other Navy officials are also investigating. Further details on the incident were not immediately available, the spokesman said.

[From the Washington Post, Oct. 18, 1972]

RACE FIGHTS INJURE 50 ON U.S. SHIPS

HONOLULU, Oct. 17.—A bloody racial battle has erupted on a second Navy vessel in the Pacific, it was reported today.

A spokesman for the commander-in-chief of the Pacific fleet said four white crewmen aboard the oiler Hassayampa were injured Monday at Subic Bay in the Philippines while the 665-foot ship was in port.

Eleven blacks "have been placed in the base correctional center at Subic for legal processing," he said in a prepared statement.

Some 100 men aboard the aircraft carrier Kitty Hawk engaged in hit-run race fights while the ship conducted air strikes against targets in North Vietnam a week ago. Forty-six men were injured.

The Navy said the fighting on the Hassayampa occurred while it was at Subic Bay for a "routine visit." Afterwards, it departed on its regular mission.

The oiler left Pearl Harbor, its home port, on April 27 for a normal rotational tour of duty in the Western Pacific.

The Navy said the outbreaks of violence aboard the Hassayampa and Kitty Hawk were the first and there had been no prior inkling of racial trouble aboard them.

[From the Evening Star and Daily News, Oct. 12, 1972]

SHIP BLAST LIFTS WEEK'S CASUALTIES

SAIGON.—The gun explosion aboard the heavy cruiser Newport News pushed U.S. combat casualties in Vietnam last week to their highest total in more than a year, the U.S. Command announced today.

The Command said 19 of the 21 Americans killed in action last week and 37 of the 53 wounded were on the cruiser when a shell exploded in one of the big guns.

Although the Navy labeled the Oct. 1 explosion an accident, a spokesman for the command said the casualties were listed as combat losses because the ship was firing on enemy positions in Quang Tri Province. The reporting week runs Sunday through Saturday.

The combat toll was the highest since the week of Sept. 26–Oct. 2, 1971, when 21 GIs were killed in action and 117 were wounded. A month ago the U.S. Command announced the lowest weekly casualty total since such records were started in January 1965, 7 American wounded and 4 missing or captured.

Last week's casualties also included one death from nonhostile causes. Eight more American airmen were listed as missing or captured.

The South Vietnamese command reported 406 of its troops were killed and 1,707 wounded last week. A South Vietnamese communique claimed 2,043 North Vietnamese and Viet Cong were killed.

A POLICEMAN SPEAKS OUT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday October 18, 1972

Mr. BRAY. Mr. Speaker, the following letter was received by me not long ago, from Mr. Paul Fagin, of Indianapolis, a reserve deputy with the Marion County Sheriff's Department.

His simple yet eloquent words tell it as a policeman sees it. I commend it heartily:

DEAR MR. BRAY: I am not a writer, nor am I an expert on criminal justice but I do feel the need to express my feelings on a few items. I believe most people and all my colleagues will agree that a drastic change needs to be made in our criminal justice system.

In the last couple of years, I have seen many, many cases go through our courts. One observation I have made is the fact that if a man has the money to obtain a good lawyer, he will nearly always leave the court with a lesser sentence than the poor man who has a lawyer appointed for him by the state. Therefore, two men with charges of exactly the same crime will not be punished equally which I feel they should be.

I get sick to my stomach when I see a man who is charged with a serious crime be let go out on the streets because a good lawyer pleaded "temporary insanity." I have no facts to support me but I would bet 9 out of 10 are as sane as you or me.

I definitely do not feel the death sentence should be abolished. If for no other reason as a thought in the back of a would be murderers mind. I have heard of arrests that have been made where the accused person just laughs at the arresting officer and says so what, I'll be out in a few months. What really hurts is that in truth, they probably will be!

What else can be said for the man who puts his life on the line for $7,200.00 a year. I have been to several funerals of fellow policemen who died in the line of duty for so small, small a sum. Most police have to work several jobs just so they can live a reasonably comfortable life. I also have seen good policemen that we needed quit their jobs because a factory pays more. Police have to be more educated and higher paid in the next few years because most criminals are not ignorant in any sense and they are getting more intelligent as the years pass. The dumb cop is gone forever.

Well, as you can tell, I get carried away with the subject so thank you for listening.

PITTSTON, PA.

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FLOOD. Mr. Speaker, for nearly a quarter century it has been my pleasure to represent the city of Pittston, Pa., in this House.

The story of Pittston from World War II until today, can be almost summed up as one of "rags to riches." At the end of the war, the coal mining industry which kept many towns in my district alive for over a half century, was beginning to die. Pittston was no exception. But it refused to die.

Concerned and dedicated officials, centering around the chamber of commerce, set out to carve a new future, and hold down the diminishing population figures, declining because its residents were forced to move to other States where there was an abundance of employment. Pittston survived its "depressed area" tag which it wore for so long during the 1950's, and today its economy and work force are a model example of how the chamber of commerce, cooperating with the various forces that go into making up a healthy community economy, can be successful in picking a town up by its boot straps, actually bringing it back to life.

The Pittston Chamber of Commerce leaders built up a great diversified economy, and made certain that the demise of a mother industry would never again cause near economic collapse. The Pittston chamber was the first such organization to build and finance a "shell" plant, and turn it over to a new industry locating within its economic confines. This project set the pace as a model for other chambers throughout the country.

Mr. Speaker, I could not mention here the names of all the concerned community leaders responsible for this great success story. I would be remiss, however, if I did not note the contribution of Roy Stauffer, a car dealer who dedicated three decades of his life to Pittston's rebirth, along with Walter Margie, organizer and president of the Pittston Area Industrial Development Fund—PAID—which raised thousands of dollars for financing of new industries. There were others over the years who played a great part in making the Pittston area a greater place to live, including the late Attorney Thomas Burke, and the organization's dynamic past president, Paul Cadden. Floyd Evans, the current chamber president, is continuing with Mr. Cadden's leadership traits.

If I had to cite one individual, Mr. Speaker, who perhaps more than any other was responsible for what has happened in Pittston, it would be Vincent O'Hara, the Pittston chamber executive director.

Vince O'Hara has been many things to the Pittston chamber, and many things to the Pittston area economy. He has been the prime mover, the innovator, the inspiring force and chief technician as he led the committee of people who helped create this economic success story.

Mr. Speaker, Nation's Business, the official chamber of commerce publication, in a recent edition paid tribute to the Pittston story. It cited Pittston as one of the three cities in the country which "refused to die," and Nation's

Business put it in the "big leagues," with Houston and Milwaukee.

Mr. Speaker, I present the "Pittston Story" from Nation's Business:

THE PITTSTON STORY

If you happen to be driving on Suscon Road a few miles east of Pittston, Pa., in the rolling countryside leading to the Pocono Mountains, you'll come to the home of Chester J. Gall at the foot of a hill.

If you stop about even with Mr. Gall's mailbox, put your transmission in neutral and take your foot off the brake, your car seems to be rolling uphill.

Greater Pittston, residents say, presents a picture just the opposite of this famous local optical illusion.

Its economy should be racing downhill—but actually it's really climbing.

Few areas have faced greater odds against making the grade.

For a hundred years, piles of black slate refuse from anthracite coal mining—culm piles, they're called—were Greater Pittston landmarks.

When the anthracite industry was at its peak in the early '20s, it provided 17,890 jobs in the 87-square-mile area, with only another 800 jobs in a handful of small industrial plants.

The culm piles made the city of Pittston and 12 surrounding boroughs and townships midway between Scranton and Wilkes-Barre in the Susquehanna River's Wyoming Valley look like a potential training ground for moonbound astronauts.

Then anthracite—the area's once-rich deposits were already dwindling, anyway—gave way to petroleum and gas.

By all rights, says Greater Pittston Chamber of Commerce President Paul Cadden, Pittston and its smaller neighbors should have become ghost towns in the late '40s.

NO EULOGIES

However, as Vincent T. O'Hara, the Chamber's executive vice president for 25 years, puts it: "These towns refused to die."

It wasn't the first time that people were ready to say eulogies for the area.

In 1778, the Battle of Wyoming took the lives of 226 settlers from Connecticut, who either were slain during the fighting or massacred by British-led Seneca Indians after surrendering.

The Wyoming Valley emptied. But settlers returned, and made the valley an enclave of New England amidst the Pennsylvania Dutch. Later came waves of Irish, German, Italian, Polish and Russian immigrants to work the rich lodes of hard coal.

In 1940, the area's population was about 71,000. But the anthracite's day was done, and thousands who left for defense jobs during World War II did not come back.

At the close of the war in 1945, a group of businessmen led by the Chamber of Commerce and sparked by Chevrolet dealer Roy Stauffer, decided to try to pump life into the economy by attracting new industries.

The Chamber that year sold 4 per cent debentures to raise $175,000, and constructed a 30,000-square foot shell building in West Pittston, leasing the property to a canvas-making firm. The building has since been expanded several times.

Although neighboring Scranton is often given credit for pioneering the concept of community-financed industrial development, Pittston boosters firmly lay claim to getting there first. Mr. Stauffer suggested to the Scranton Chamber of Commerce in 1946 that it might want to try what had been done in West Pittston.

The Greater Pittston Chamber made two more bond offerings following the 1945 bond sale, and provided more space for industry, but the big breakthrough in financing came in the fall of 1966 when the Pennsylvania Power and Light Co. loaned the Chamber $600,000—interest-free.

That financing enabled the Chamber to become the area's largest landowner. It purchased 700 acres suitable for industrial development, and leased another 600 acres with options to buy.

POSTERITY AND THE PRESENT

"With 1,300 acres, we're set," says Mr. Cadden. "We can take care of posterity."

Meantime, the present is being taken care of. Industry after industry has come in. The population—55,800 in the last census—is no longer declining, Mr. O'Hara says.

Even the "bad case of visual pollution" that Mr. O'Hara says the culm piles gave the area is being cured. The piles are being leveled to make way for shopping centers, residential areas and factories. Only a few of the unsightly black heaps remain (there's talk of keeping one as a reminder of the past, but that's not likely—the piles rise over prime industrial land).

Undoubtedly, the industrial influx has been partly spurred by a 1966 study for the Commerce Department which concluded that when the Interstate Highway system is completed, four major arteries would intersect in the Greater Scranton and Wilkes-Barre region.

They would, noted the consultants who conducted the study, provide "hitherto-unavailable high-speed road access to all the large metropolitan centers on the East Coast."

The recommended Yatesville, in the Greater Pittston area, as a regional distribution center.

Today there are some 110 manufacturers in the area, turning out TV picture tubes, telescope lenses, bubble gum, comic books, toilet tissue, dump truck bodies, vinyl wall covering, acoustical tile, furniture, chains and sprockets, Easter egg baskets, artificial flowers, trailers, mobile homes, rubber products, cigars, fabric, battery cables, and men's, women's and children's apparel.

There's no coal being mined today in the Greater Pittston area," Mr. O'Hara points out. "And since we don't have any defense-related industries the recent cutbacks in that activity didn't affect us."

Nor, particularly, did the recent general recession. Only one plant closed in highly diversified Greater Pittston, resulting in the loss of 180 jobs—temporarily.

SLAPPED BY AGNES

Even the area's most recent test—Hurricane Agnes—had far less effect than an outsider might have expected. Though the rain-swollen Susquehanna spilled over its banks as it raced through the area, flooding some business districts and residential areas, only one industrial plant was under water. Nearly all the industrial sites are high enough to be immune from river flooding.

Companies have come to the Pittston area from far and wide. Recently, Bridon-American Corp., a British manufacturer of wire cable, announced plans to move into the lone plant that shut down during the recession, and eventually to employ some 200 Pittstonians.

Bridon will be the second foreign firm to settle in the area. In 1969, Germany's Schott Optical Glass Corp. chose Pittston for a plant site to produce glass for camera lenses, telescopes and other uses.

Hans Moeller, executive vice president of Schott's Pittston operation, says "a good piece of property was available at a reasonable rate and we felt we could find the labor we needed here because the availability of labor is the best on the East Coast."

Mr. Cadden, who is manager of the local office of the Pennsylvania Bureau of Employment Security, as well as Chamber president, notes: "We've been able to staff all industries that have come to the area."

Says James O. Brown, a frozen-food broker who moved to the area seven years ago, has expanded his facility each year and also has become a private industrial park developer: "The people of Pittston have a reputation for hard work and want to work more than people in other areas."

For the future, Greater Pittston is aiming for more diversification and setting its sights on becoming the distribution center of the Northeast Corridor.

Samuel L. Valenti, president of MarVal Industries, a lustily growing manufacturer of custom nonresidential trailers, sees the area as a natural for mobile home and trailer makers. "Pittston is the hub of the East Coast, a fantastic place for the trucking business," he says.

You only have to look at the mammoth cloverleaves where the busy Interstate interchanges uncoil to see the big diesels moving the inventories of commerce.

"Over there on Suscon Road," says Mr. O'Hara, "you're really going downhill when it looks like you're going uphill. But that's the only place in the area where it's like that. Everywhere else in Greater Pittston it looks like we're going uphill. And we really are."

THE NEED FOR HIRING STANDARDS AT GAO

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DELLUMS. Mr. Speaker, as chairman of recent Congressional Black Caucus hearings on governmental lawlessness, I was dismayed to hear case after case about inequitable personnel policies rampant throughout the Federal bureaucracy.

The following study of the GAO continues the research initiated by those hearings, and I ask permission to have it inserted into the RECORD at this point.

EXCERPTS FROM GAO STUDY

In order to achieve a realistic goal of 10% minorities and 10% women in all professional grades within the next year, the agency would have to significantly increase upgrading of present minorities and women into higher professional slots. To do this, career ladders have to be established to move nonprofessionals into professional positions. Also, special effort must be made to recruit minorities and women for high positions in the agency as there are no black or female division directors or regional directors within the GAO.

Special attention should be given to GAO's non-action program for its regional offices. The fact that GAO does not apply the same requirements to its regional offices as it does to its headquarters implies that it condones violations of equal employment opportunity in those regions, in spite of the fact that they are federal offices covered by the same laws which apply to Washington agencies. Regional Offices should be required to adhere to the same schedule developed for GAO Headquarters. Regionalization and decentralization of federal agencies can not be used as an avenue for bypassing equal protection of the law.

OBJECTIVE III—"DEVELOP AND CONDUCT AN EVALUATION PROGRAM COVERING EMPLOYMENT ACTIVITIES OF PERSONNEL WHO SUCCESSFULLY COMPLETE OFFICE CAREER DEVELOPMENT TRAINING PROGRAMS IN THE SUPPORT SERVICES AREA."

The GAO career development program (which only covers a few sections of GAO

Headquarters) is a failure and has embittered employee participants. "Career ladders" result in one-grade increases into dead-end jobs. Employees participating in the job-rotation portion of the career development program say they have no greater chance of being promoted than if they had remained in their permanently assigned positions. A number of employees have informed us that the job-rotation system actually hinders their advancement, because they lose 270 days of experience in their own sections, while rotating to other assignments, and other non-rotated employees reach their level of job knowledge during their absence. Employees feel they are forced to participate in the career development program because they have been informed they have no opportunity for promotion unless they participate, yet there is no guarantee for advancement even after rotation.

Some employees resent the fact that such "training categories" as "business English" or "English style practices" are required as part of the career development program, especially when these employees are American citizens, have been in the agency for ten years or more, and speak perfectly good English. In fact, employees have become so frustrated and humiliated by the program many are now refusing to participate in it.

The present career development program should be abandoned and replaced by a program which is developed with the assistance of employee groups and the EEO Advisory Council. The program should offer true career ladders at all levels and in all divisions of the agency and the regional offices. The Advisory Council should continually review and evaluate the new program to determine that it is not simply another "showpiece" which offers no promise for advancement. It ought to be possible for any employee of the GAO to do what former Comptroller General Frank Weitzel did—rise from the lowest position in the agency to the top. Today, race and sex discrimination makes that opportunity not open to every GAO employee.

OBJECTIVE IV—INCREASE BOTH THE USE AND EFFECTIVENESS OF EEO COUNSELORS

This is another important objective, and the 1973 Plan should summarize any progress made in this area. However, the action plan for this section is extremely weak and does not intend to correct major deficiencies in the use and effectiveness of EEO counselors. For example, it does no good to facilitate the ready availability of Counselors or to encourage employees to consult Counselors if the employees have no faith in the abilities or understanding of the Counselors.

Counselors should be elected by the employees or at least selected with the approval of the EEO Advisory Council. In addition, the counselors selected should logically come from minority groups and women within the agency and should not be predominantly white males. Employees having complaints should be given the opportunity to select the counselor they prefer to handle their complaints.

The counselors within GAO have never participated in an EEO training program, nor have they ever met together to discuss EEO matters (as called for in the 1972 Plan). Even sympathetic counselors can do little to assist the aggrieved employees, since the counselors themselves do not know what action to take on a complaint. Written records are not kept by the counselors on individual complaints, an omission which is harmful to employees if they wish to appeal agency actions or decisions and which violates GAO's own manual of EEO regulations. Actions to remedy this situation must be included in the 1973 plan and implemented immediately by the agency.

OBJECTIVE V—"INCREASE THE PARTICIPATION OF EEO OFFICERS IN EEO MATTERS"

GAO presently has a part-time Acting EEO Director who also serves as Deputy General Counsel of the Agency. The Advisory Council has requested that a *full-time* EEO Director be named who is preferably Black and who is not presently on the GAO staff. The EEO Director should be selected with the approval of the Advisory Council and should be given authority to effect changes needed to implement an effective EEO program within GAO. Beyond this there is need for a general shakeup in the Office of Personnel Management to assure that the work of the EEO Director is not thwarted by old-line personnel administrators.

OBJECTIVE VI—"INCREASE AWARENESS IN THE FIELD OF THE HIGH PRIORITY WHICH THE OFFICE ACCORDS ITS EEO PROGRAM"

Simple platitudes of "reaffirming" to regional employees GAO's "commitment" to equal employment opportunity serve no useful purpose, and indeed appear to condone the blatant race and sex discrimination practices within the regions. A "non-action" program such as this has no place in an EEO Plan and should be interpreted for what it is—a statement which authorizes each regional office to do or not do what it pleases in the area of civil rights enforcement. Instead of increasing "awareness of EEO." why doesn't someone increase enforcement of EEO in the regional offices? The Civil Service Commission should review carefully the EEO Plan submitted by each of the 15 regional GAO offices. The same EEO standards and timetables must be applied to the regions as are applied to the GAO Headquarters.

OBJECTIVE VII—"REDUCE THE POTENTIAL FOR ALLEGATIONS BY EMPLOYEES AND THIRD PARTIES THAT EQUAL EMPLOYMENT OPPORTUNITY IS BEING DENIED IN CERTAIN VULNERABLE AREAS OF PERSONNEL MANAGEMENT"

Certain portions of the "Action Program" under this objective are cause for grave concern. The program appears to be developed for the benefit of GAO management rather than for the benefit of employees and in reality amounts to an EEO repression plan. It should be noted that GAO continually has covered-up allegations that equal employment opportunity is being denied employees within the agency. It has accomplished this by failing to require counselors to write down employee complaints, by failing to keep promises to employees that remedial action will be taken if no complaint is filed, and by reclassifying written complaints received as "grievances." Thus, the number of EEO complaints reported to the CSC by GAO have been reduced to a token one or two a year, although the EEO Coordinator alone receives approximately 20 verbal complaints daily!

Section B of the Action Program permits the EEO Director to recommend the transfer of an employee who has complied with the "informal counseling process *upon the request of management*" (emphasis ours) or upon petition of the employee. Such a recommendation will be made for the transfer of an employee to another division or subunit within the Office "when the Director, EEO, determines that it would serve the best interests of both the Office and the individual employee . . ."

Comment: This type of action does nothing to remedy the problems within the division or sub-division in which the complaint occurred. Furthermore, it undoubtedly will discourage employees from participating in the "informal counseling process" if an employee does not wish to transfer or to be transferred into a dead-end job. Many employees justifiably interpret this section as a device for punishing individuals who seek assistance from EEO counselors, and as a thinly disguised threat that he who complains may actually be the most inconvenienced by the "remedy."

Section C of the Action Program permits the EEO Director to be present when rating supervisor and employee meet to discuss an effectiveness appraisal having a rating which "might reasonably provoke subsequent allegations of discriminatory practices."

The section states, "The EEO Director's attendance at such a meeting would be solely for the purpose of gaining insight into the underlying situation involved and not for the purpose of questioning the judgment of any of the parties."

Comment: In the past, GAO employees have viewed the effectiveness appraisal as a key vehicle of discrimination within the agency. Frequently, minority and female employees have received ratings which prevent them from achieving placement on promotion lists by a mere one of two points. Many feel that this is no coincidence. The appraisal form permits a supervisor to rate an employee "excellent" in all categories but not "outstanding"—i.e. sufficient for promotion, thereby subtly masking discrimination without appearing to downgrade the employee. Although this makes it difficult to prove that supervisors are deliberately rating some employees in a manner which would prevent their promotion, there are steps which could be taken to help alleviate this situation:

The CSC should require the GAO to advise each employee of his or her anticipated appraisal at least 30 days before the appraisal is to be accomplished.

Each employee should be given the opportunity to meet with the rating supervisor along with the EEO Director *and* a representative for the employee who has been selected by the employee to discuss the rating.

The employee should be given the opportunity to appeal any rating which he or she determines to be unfair or discriminatory; and provisions for such an appeal process should be spelled out in the plan.

Section E of the Action Program states that persons in management and supervisory positions who are indicated as being repeatedly the subjects of employee complaints of discrimination shall be required to participate in "appropriate counseling or training as necessary." If it is determined that these persons have not benefited from such counseling or training, they shall be considered for reassignment to a position "with a less demanding EEO environment" (one of the all-white regional office perhaps?)

Comment: The transfer of a supervisor who continually discriminates against minority employees or women does little to rectify the problems of discrimination within GAO. The Plan does not consider the problems employees will encounter in the division to which an offending supervisor will be transferred. *Disciplinary action—fines, suspensions, demotion, or firing—should and must be taken against supervisors who continually violate the mandates of the EEO Act of 1972.* Not to do so is to condone the action of those officials who practice discrimination.

OBJECTIVE VIII—"INCREASE SERVICES SUPPORT STAFF BY CREATING NEW SUPPORT JOB CLASSIFICATIONS."

The fact that this objective and the subsequent action program are included in the EEO Plan indicates that some employees are performing tasks which should be performed by lower grade-level personnel. Conversely, a number of minority and women employees are performing tasks generally assigned to individuals several grades above their own level. Frequently we have noted that minority and female employees have been assigned the tasks of training their own supervisors!

The GAO should be required to identify divisions in which this situation has arisen and to take immediate action to remedy such inequities.

Care must also be taken by the EEO Advisory Council to make sure that the creation of new "support service" jobs is not used to prevent a more basic EEO objective: to open up new professional jobs for blacks and women by establishing "bridges" from non-professional career ladders into professional career ladders. GAO ought to be formulating ways to facilitate entry of minorities and women into professional series jobs through agency-sponsored training courses or through agency-financed outside training programs.

OBJECTIVE IX—"ESTABLISH AN ANNUAL EQUAL EMPLOYMENT OPPORTUNITY AWARD."

Such a superficial objective has no place in any serious EEO Plan. However, if the GAO wishes to proceed with this public relations gimmick, it should at least permit the Advisory Council to approve the recipient. Equal publicity should be given annually to the official(s) who do the most to hinder effective enforcement of EEO, that they might also be identified clearly—this could be called the "GAO Annual Employment Discrimination Award."

OBJECTIVE X—"ESTABLISH AN EFFECTIVE MEANS OF REGULARLY INFORMING ALL EMPLOYEES OF INTERNAL EEO MATTERS AND RELATED OUTSIDE DEVELOPMENT."

The Action Program under this objective calls for the inclusion of EEO matters in existing publications or the publishing of an independent EEO newsletter. The EEO Director will be "the sole editor of the material to be published."

If such material is to be published, it should be accompanied with the assistance and the approval of the EEO Advisory Council. Minutes of EEO Advisory meetings and Steering Committee meetings should be published within a week after each meeting—this has been prevented in the past by the EEO Director or Director of OPM.

OBJECTIVE XI—"INCREASE EMPLOYEE CONFIDENCE IN THE OFFICE MERIT PROMOTION PROGRAM."

The Action Program states that GAO will "Establish a plan for prominently posting announcements for filling all clerical, administrative and technical vacancies in grades GS-2 through GS-14 which are subject to competitive promotion action." In addition, the Program states that "Advice will be obtained from the EEO Advisory Council with respect to various elements of the plan."

The Advisory Council has offered suggestions for improving elements of this Plan, but these suggestions have not been acknowledged or acted upon by GAO management. The Council has recommended that announcements be posted in prominent locations (as called for in the plan), rather than in such poor locations as the freight elevator area, and that the announcements be placed in glass cases to prevent them from being ripped down.

It should be noted that the EEO Advisory Council is mentioned only twice in the entire GAO 12-point action program (the other reference to the Council is made in Objective IX—the EEO Award—permitting the Council to submit five nominations to the EEO Director for his consideration in making his recommendations to the Committee on Staff Development and Awards). The fact that the advice of the EEO Advisory Council was not considered in the manner of posting promotion announcements indicates that GAO is unwilling to involve the Council even to the minor extent that such involvement is spelled out in the 1972 Plan.

OBJECTIVE XII—"IMPROVE THE PHYSICAL ENVIRONMENT OF CERTAIN WORK AREAS HAVING A SUBSTANTIAL CONCENTRATION OF MINORITY GROUP EMPLOYEES"

Sections of the GAO Transportation and Claims Divisions are so bad physically that they approach sweat-shop proportions. The GAO has been acutely aware of these conditions for several years, but has done nothing to relieve the crowded and hazardous working conditions of these sections, which have a heavy concentration of minority and female employees. Many of GAO's older employees work in the "Snakepit" section of the Transportation Division, yet the floor covering of a main corridor leading through the section has cracked and chipped off, forcing employees to block off a section in order to prevent accidents. Employees inform us that this one hazard has existed for more than two months, and they have received no indication that GAO management intends to repair it in the near future.

The GAO must be required to renovate and partition working areas of the Transportation and Claims Divisions immediately. Repair of hazardous areas such as the flooring in the Snakepit" should be given top priority. Renovations of other floors of GAO Headquarters should not be undertaken until conditions have been substantially improved on the 5th floor. To wait until 1974 to accomplish these goals as outlined in the Plan is to permit the continuation of unbearable and unsafe working conditions for hundreds of minority and female employees. Employees tell us that improvements have been made in one area of the 5th floor, with the result that a new group of predominately white higher GS level employees were brought into the renovated are from another floor!

NIX STATEMENT ON LATEST NADER FIASCO

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. NIX. Mr. Speaker, I herewith place the following statement in the RECORD:

Congressman Robert N.C. Nix of Philadelphia said today that "Nader's School for Scandal now expects to be the only organization in America making wholesale profits from this years national political campaigns."

Their graduation ceremonies are, I understand being held today when a 20 page diatribes will be published attacking incumbent Congressmen. They are selling at $1.00 a set, with cut rate prices for those who wish to distribute such material on a door to door basis."

"I expect particular attention from this summer school for scandal because I refused to answer their 600 questions." I also embraced their attacks on Congressional Redress of Grievances for constituents by stating I spent twice the time on congressional casework than other Congressmen they criticized.

"I am sure", Nix continued, "that treating this paste up scrapbook of old political charges by Nader with less dignity than that accorded pulitizer prize winners has infuriated him and those vacationing snobs from exclusive schools who glued together their imaginary scoops".

In conclusion, "I can only say that I hope my detractors are foolish enough to purchase large quantities of this material at a dollar a copy". It is trash and demeans the job done by old opponents in attacking me over the years, since Nader's work is so badly done."

INFORMATION ON DRUGS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. JACOBS. Mr. Speaker, the following information provided for my office by Mr. Ross A. Deardorff of the Century Pharmaceuticals, Inc. merits the perusal of every Member of Congress:

PRESENTATION TO REPRESENTATIVE JACOBS
CENTURY PHARMACEUTICALS, INC.,
Indianapolis, Ind.

F.D.A. is taking upon itself to impose The 1962 Drug Law upon pre-1962 drugs to require proof of efficacy. A great unnecessary expense and financial burden would be and is placed upon large and small companies to prove a mute question. Also, the general public suffers from possible alternatives: a.) Additional research proves efficacy—the consumer pays the ultimate cost through higher prices; b.) Company discontinues product due to uneconomical return for research—consumer loses because the product is not available; c.) Assume the product is not effective—it would not have stood the test of time in the market place (no consumer repeats a purchase of a worthless product).

I would request legislation exempting "grandfather" drugs from "effective" requirement of the 1962 Drug Law. The 1962 Drug Law doesn't require proof of efficacy for previous drugs, this is a court interpretation following F.D.A. proposals. Reason for exempting: Methodology is non-conclusive and scientific evidence, or man power, is readily available to prove beyond a shadow of a doubt the true efficacy of a particular drug. Please note that many of today's studies by latest scientific methods yield non-duplicative answers.

The pre-1962 drugs are deemed "guilty" (or not effective) until they are proven "innocent" (by efficacy studies), instead of innocent until proven guilty by studies showing lack of efficacy. This is clearly not the American Way. Again, this obviously is a very expensive and unnecessary expense which I would object to as being poor usage of my tax dollar, and consumer dollar.

F.D.A.'s policy will not accept mathematical statistics (mass usage of a drug) not private or clinical practical (actual firing line) usage of the drugs in question as evidence of effectiveness.

F.D.A. misused the National Academy of Science—National Research Council, Drug Efficacy Study Group Evaluations of examined limited data of many drugs. One panel member stated that their evaluations would have been quite different had they known the application that F.D.A. would be making of their findings.

Assuming a perfect expensive scientific study proves a drug has a 70% effectiveness in fulfilling a drug claim (say, headache relief), is this drug effective? By whose judgment and compared to what? Can it be marketed? Shouldn't anything that works to a greater degree than a placebo be marketed? Can a 50% effective rate product be marketed? (Maybe 30% of the people who didn't respond to the 70% effective drug do respond in the 50% effective drug group.) Isn't honesty the real issue? If a drug works 70% of the time—fine!—use it with a 70% expectancy relief rate. Use a 20% rate drug with a 20% expectancy rate, etc. Why shouldn't they both be marketed and the educated practitioner exercise his desires. (Maybe a cancer drug with a cure rate of 10% is the best available today, fine—10% is better than Zero!

What decision should be made concerning a drug where proof of efficaciousness is contradictive among experts in the field and proof is not conclusive? Should a drug be banned even if proven safe? Flouride in prenatal vitamins is an example—there are two schools of thought by experts. Proof is very expensive, requires long periods of time, and so many human variables practically eliminate a study without unknowns of direct cause and effect relationships. Meanwhile, the same flouride is added to most major public water systems in the U.S. and, therefore, supplied to young and old and pregnant in unlimited, and unlabeled amounts. (Since about 1965, Flouride has been prohibited in a prenatal tablet.)

Another problem before the small drug company is the method which F.D.A. uses in controlling the sale of a drug by a small company which is more effective than the patent. This is the method of making a drug a "new drug". Although by definition a "new drug" is any drug not generally recognized—among experts (qualified by scientific training and experience to evaluate the safety and effectiveness of drugs)—as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling. In addition, a drug that has been recognized as safe and effective for use under certain conditions as a result of clinical investigations, but that has not been used to material extent or for a material time under such conditions, will still be regarded as a "new drug". Combinations of approved drugs or of old drugs may be regarded as new drugs even though the individual components are not new drugs.

Drugs, such as meprobamate and chloropromazine, are popular, well-known drugs—hence, do not fit the definition of a "new drug". Chloropromazine has been a "new drug" for the 17 years of its patent, and remains a "new drug today, thereby restricting its marketing by both large and small companies. One year has passed since F.D.A. caused several manufacturers to withdraw chloropromazine which was marketed under U.S.P. standards. (If we need new standards, then insist upon publication in black and white so that any trained pharmaceutical entity can manufacture and market these items according to a published standard.) This time has been spent satisfying F.D.A. requirements. Meanwhile, the consumer is forced to pay prices of from two to seven times the prices charged by the generic manufacturers compared to the company patent-holder of chloropromazine.

F.D.A. has, in recent years, reclassified many "old" drugs to the "new drug" status. (Vitamin B-12, as well as other injectible vitamins, the simple, well-known antihistamine, chlorpheniramine, are examples.) The decisions to make "new drugs" or old ones are arbitrary and not based upon any new scientific knowledge or any new side effect or previously unknown adverse effect—which should rightfully be cause to reclassify, or control, or remove a drug from the market. F.D.A. has made the procedure to market some "new drugs" somewhat easier and less expensive—but, it still takes time and expense—unnecessarily—by allowing "Abbreviated New Drug Applications". (This does not require animal or clinical proof that a particular drug works—since this information has already been available to F.D.A.). It does, however, require in many cases a blood or urine level comparison, which is most expensive for a small manufacturer.

I wish to point out that if a problem has arisen on a particular product, all companies, large and small, would be interested in correcting this problem, running any and all tests or developing pertinent tests to overcome the problem. However, these test and restrictive requirements are being placed upon drug after drug, company after company, one by one without any specific causative problem.

A current problem, needing immediate attention, is the F.D.A. attitude on combination drugs, which is not backed by any law. Combination drugs are on the "chopping block" by F.D.A. F.D.A. is declaring many combination drugs as "not effective" and in the same breath declaring the very same ingredients given separately as "effective". The criticism is placed on the combination because it is a fixed ratio. The fact that a combination is a fixed ratio doesn't prohibit a prescribing doctor from giving the very same drugs separately in any ratio he may wish. But on the other hand, if the consumer and physician wished to save money, save confusion, lessen misunderstandings, have convenience, and use a fixed ratio combination, he would be prohibited from doing so if F.D.A. policy prohibiting combination drugs is permitted. The fact that 40-50% of all drugs marketed at this time are in combination very vividly shows the popularity, usefulness and desirability of these products. No individual is forced into a combination drug. However, elimination of combination drugs would force use of individual drugs upon those 40-50% of drug users who prefer combinations. Again the consumer would lose due to increased cost. (Drug reactions are cited as problems of combinations, however, multiple single drugs contain the identical side effect problems.) F.D.A. has set up rules to look at drug evidence to determine if a hearing is allowable concerning a drug action. This, of course, precludes "due process" and gives a prejudiced opinion.

Objection is raised to the "Voluntary Drug Inventory" and proposed compulsory "inventory law" to be imposed upon industry. This is a very time consuming and unnecessary request and proposed requirement. The actual drug information is already in F.D.A. possession via catalogs, labels, etc. of marketed products. There is much more information requested which doesn't relate to the safety or efficacy of the marketed drug which is burdensome upon the drug industry to fulfill and infringing upon company trade secrets.

In reality the Food and Drug Administration writes, administers, enforces and judges the drug laws in the United States. The F.D.A., being "expertise" in the drug field, is consulted and promotes laws affecting "their field-drugs". Although congress actually passes the law, F.D.A. has had a very large influence in formulating the law. By law, the F.D.A. is charged with administering and enforcing these very laws they have requested to be passed. The F.D.A. also judges which violators and/or violations are acted upon and to what degree. The highest degree, of course, is by court action. Here again, the F.D.A. wields a great deal of influence in the judgment of an accused violator or regulation, and/or law. The judge (and jury), not being scientifically trained or having scientific background, is reluctant to make scientific or technical judgments and, therefore, rely heavily upon the F.D.A. (as the governmental protector of the people).

Batch Certification of every single batch of drugs is also being proposed by law. If this law is passed, additional and unnecessary cost will be imposed upon drug manufacturers—without releasing them from liability or the need to test their own drugs. The huge cost of time delay to receive test results would be another unjustified cost passed on to the consumer.

Individual code numbers stamped upon each and every tablet and capsule, for identification, is an additional proposal which would cause unnecessary additional cost to the consumer. Products are at present identified in their containers. (Manufacturers bottles as well as retail prescription in the hands of the consumer.) Anyone wishing to destroy the identification of a "stamped" or "decal" number on a tablet illegally in his possession may do so simply with a little fingernail effort.

In conclusion, a fairer interpretation of present laws is urgently needed. The limited resources of the American people placed in the hands of F.D.A. should be applied in the real problem areas—where problems manifest themselves. Many question newer effectiveness requirements for newer drugs since 1962, but products on the market prior to 1962 which have shown no toxicity, or health problems should remain free of the new laws. If this takes a new law to protect the pre-1962 drugs, I urgently request it. The free enterprise system is being unnecessarily challenged, and burdened with excess state control.

I have briefly brought to light many problems and would be happy to provide documentation and greater depth of discussion on any one or all of these problems.

Respectfully submitted,
ROSS A. DEARDORFF,
President.

GREECE OF THE JOURNALISTS: A REVIEW OF TWO BOOKS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. MINK. Mr. Speaker, Dr. George Anastaplo, a distinguished scholar who is both a lecturer in liberal arts at the University of Chicago and a professor of political science at Rosary College, has written an article which I would like to share with my colleagues.

Dr. Anastaplo's article first appeared in the Saturday Review in February, 1972, as a book review and as an analysis of the political turmoil of Greece in 1967.

The article follows:

(NOTE.—The review was published, in a somewhat edited form, in the *Saturday Review,* February 12, 1972, pp. 79-80.

(The reviewer, George Anastaplo, who was born in St. Louis and now lives in Chicago, is Lecturer in the Liberal Arts, The University of Chicago, and Professor of Political Science, Rosary College. He is the author of *The Constitutionalist: Notes on the First Amendment,* published in 1971 by the Southern Methodist University Press.

(Dr. Anastaplo has been declared *persona non grata* by the Greek government because of his articles about American policy in Greece. Citations to those articles may be found in the *Congressional Record,* vol. 117, pt. 16, pp. 20709-20713. See, also, *Congressional Record,* vol. 118, p. 889 (Jan. 24, 1972), p. 24990 (July 24, 1972.)

GREECE OF THE JOURNALISTS: A REVIEW OF TWO BOOKS

(By George Anastaplo)

The two books reviewed on this occasion are John A. Katrie's *Eyewitness in Greece: The Colonels Come to Power* (St. Louis: E. P. Dutton Co., 1971; 317 pages, $9.95), and Bayard Stockton's *Phoenix With a Bayonet: A Journalist's Interim Report on the Greek*

Revolution (Ann Arbor, Mich.: Georgetown Publications, 1971; 306 pages, $7.95).

Both of these excessively partisan books can be useful for the discerning American reader. Bayard Stockton, an American freelance journalist living in Greece, attempts to make a case for the Greek colonels who seized power in Athens in April 1967. John A. Katris, a Greek journalist with a very good reputation (who now lives in Minneapolis), states the case against the United States which will probably be accepted some day by most Greeks, a case which sees the colonels as little more than American agents. Perhaps, indeed, that day has already come.

The Stockton book, despite its effort to say all that can be said for the colonels—and, even more significant, despite its willingness to ignore much of what can be said against them—has not been received altogether enthusiastically in Athens. Mr. Stockton remains enough of a journalist to reveal here and there (often almost inadvertently) marked deficiencies in the regime he defends. In addition, one can deduce the colonels' shortcomings by noticing the subject skirted by their apologist.

Most revealing may be the manner in which the longstanding torture charges are handled by Mr. Stockton. He will not say outright that there has not been widespread deliberate recourse to torture as official government policy. Rather, he argues that such charges cannot be "totally proved or disproved" and then proceeds to treat them as frivolous, if not even fraudulent. P. 144. The colonels themselves have been obliged to admit, both by the vituperative denials they issue and by the reprehensible deeds they conceal, that neither their program nor their country's plight has justified reliance on the torture which is alleged by their critics.

Had Mr. Stockton been willing, in assessing the torture charges, to apply the standards and accept the kind of evidence he relies upon to condemn the misdeeds of the colonels' predecessors, he would have been obliged to recognize the existence since 1967 of systematic torture unknown in any West European country today and unprecedented in peacetime Greece.

Had he been willing to conduct the inquiries which *foreign* journalists can still make in Greece, he could easily have confirmed dozens (if not hundreds) of cases of savage torture, cases which have been documented in even greater number in James Becket's *Barbarism in Greece* (New York: Walker and Co., 1970) and in the thousand-page report (issued in 1970) of the Commission on Human Rights of the Council of Europe. For anyone to attempt by equivocation and sophistry to dismiss so much available evidence is to raise serious doubts about his reliability. The reader should be reminded of the kind of perverse self-deception, if not even dishonesty, which permitted intelligent men to ignore for so many years Stalin's barbarities.

Recourse has been had to torture and to continued repression because the colonels have not been able, in their five years in power, to secure more than the sullen acquiescence of the Greek people. The United States has been gulled into its unseemly support of the regime by repeated assurances of a speedy return to constitutional government and free elections.

It should be evident that the colonels have neither the intention of ever giving up power voluntarily nor the ability to retain it constitutionally. Certainly, one does not need much personal exposure to these unfaithful army officers to realize they are crude opportunists who are ruthless, self-righteous and dangerous. "We have all learnt, we all know," George Seferis (the Nobel Laureate poet) observed in Athens in March 1969, "that in dictatorial regimes the beginning may seem easy, yet tragedy waits at the end, inescapably. . . . The longer this abnormal situation lasts, the greater the evil."

The colonels were able to seize power in 1967 because of the imprudent and irresponsible feuding among the recognized politicians in Greece during the preceding decade. This feuding, which was magnified with the aid of an excitable press into a prolonged constitutional crisis in 1965, is exhibited in the Katris book. Mr. Katris's disregard of the practical consequences of what he writes is an instructive sample of the public folly in which Greek politicians and journalists indulged before the colonels struck. His intemperate denunciations of the Greek monarchy can only impede the forging of an effective alliance among the many honorable men, royalists and republicans alike, who now find themselves in opposition to the colonels.

How unrealistic his program is may be seen in the conditions he lays down for the replacement of the colonels by an acceptable regime: there is about such pronouncements considerable fantasy, as if the colonels' opponents are now able to decide who will govern Greece. It does not seem to be realized, that is, that the colonels are likely to remain in power for a generation, barring chance developments or a serious international crisis.

Mr. Katris's insistence that the American C.I.A. is really behind the colonels does not recognize that such control need not be posited in order for one to understand what happened in Greece in April 1967. To insist upon the C.I.A. as decisive is to underestimate the shortcomings of Greeks of all parties. It is to be a prisoner of that taste for the conspiratorial and the dramatic (with its depreciation of the role of chance in human affairs) which can make Greeks both so engaging and so exasperating. It ignores, furthermore, the growing realization among Greeks of all persuasions (at least among those who have remained in Greece) that something was seriously wrong with the old way of doing things, that leaders of all parties contributed to the suicidal irresponsibility and posturing which permitted barbarians in khaki to install themselves as the saviours of their troubled country.

The most obvious feature of the Stockton book for Americans should be its display of how barbarians can be prettied up as patient, well-meaning and determined protectors of law and order. It is to the credit of Greek politicians and journalists that no one of stature among them can be recruited by the dictatorship to serve as its apologist. Thus, however irresponsibly passionate they have been, they do retain the sense of honor which often accompanied such passion. Would a similar regime among us remain unable for five years to attract any serious support from established leaders and writers?

The colonels and their associates, usually the most disreputable elements in the army and out, realize they face imprisonment or execution if they should surrender power. That is, they realize that propaganda barrages have not secured for them genuine popular support.

It is significant, for instance, that the newspapers which are described by Mr. Stockton as most closely identified with the colonels are found (elsewhere in his book) at the bottom of the list of circulation figures for Athens the concern of the colonels themselves that their regime not be identified publicly with executions. There would be much more violent resistance to the colonels among disaffected Greeks today but for the tacit agreement on all sides that the ferocious vendettas of the 1940s should not be revived.

The only prospect for dislodging the colonels, once entrenched, depended upon judicious support by the United States of the Greek people in their desire to rid themselves of their tyrants. But the influence of the United States has been fading, and with this the colonels have dared become more open in their contempt for the free world, its institutions and its concerns. I have, since 1967, seen at close range all the principal Greek political figures who are alive today as well as all the principal members of the colonels' conspiracy.

I myself would much prefer to have any one of the former (e.g., King Constantine, P. Kanellopoulos, C. Karamanlis, G. Mavros, C. Mitsotakis, A. Papandreou, G. Rallis, O. Vidalis, H. Vlachou) as my governor than any or all of the colonels. The best known opponents to the colonels seem to me, as an American, to have much more in common (such as a genuine respect for civilization) than any of them have in common with the colonels now in power.

Who is really responsible for the emergence of these colonels? Mr. Stockton virtually ignores the notorious role of the United States in the making and unmaking of Greek governments since the Second World War. He recognizes that virtually all the leading men in Greek political life between 1965 and 1967 (including the King) refused to do the sensible thing, which would have been to publicly compromise their constitutional differences.

Mr. Katris's emphasis, on the other hand, is upon the failings of the Right and upon the decisive interventions of the United States. He does not appreciate the extent to which frequent street demonstrations and public-service strikes in 1965, and 1967 (for which the Center and the Left were largely responsible and of which he now writes with nostalgic approval) also helped prepare the way for the colonels. Many apprehensive Greeks, albeit mistakenly, saw these disturbances as harbingers of a breakdown of civil order and of a return to the civil war of a generation before. Mr. Katris virtually ignores that war and its traumatic effect upon contemporary Greece, an effect which may be seen both in the reluctance of the King to permit blood to be shed in resisting the colonels and in newspapers. P. 164.

Even he recognizes (almost as an aside), "The danger to the future of Greece lies in the fostering of apathy and sterility in a citizenry no longer used to the flexibility of free thought. If the Revolution prevails, its drive for conformity could produce a generation too sheltered to be fully responsible." P. 223. (That which the colonels call a "revolution" is called by their opponents a "military takeover" or a "hijacking.")

The colonels do not, and indeed cannot, solve any of the serious problems of their country. Instead, chronic ailments are concealed; bombast and deception are substituted for much-needed reforms; and the future is casually mortgaged to the desperate efforts of opportunists to do what they can to perpetuate themselves in power. Shameless apologists for the colonels should be reminded of the military regime in Pakistan which was long extolled as a competent government but which was eventually revealed as having merely postponed (and hence made even more difficult) responsible treatment of problems of longstanding seriousness.

One need not assume, in order to anticipate that Americans will be discredited for a long time to come in Greece, that the United States covertly engineered the colonels' coup. Our public conduct since April 1967, in supplying the colonels arms and other testimonials of legitimacy and even of approval, suffices to earn for us a legacy of potentially explosive bitterness of which Mr. Katris's book is but a warning.

Greek conservatives and royalists will dispute Mr. Katris's explanation of what happened in Athens before 1967; but they will not want to challenge his denunciations of what the United States has and has not done since the colonels seized power. The most prudent course for the United States in the years ahead, in an area so important to the interests of the free world, may be to encourage Greece to insulate itself against further American bungling by moving into closer political and economic association with Western Europe. Perhaps such an association can help supply that constitutional moderation which a faction-ridden Greece has all too often lacked. *Federalist No. 10* comes to mind.

THADDEUS KOSCIUSZKO NATIONAL HOME

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HELSTOSKI. Mr. Speaker, I am extremely pleased that the Congress has taken affirmative action to establish the Kosciuszko home as a historic site.

The passage of this legislation to designate Kosciuszko's home at 301 Pine Street, Philadelphia, Pa., is the culmination of combined efforts of several dozen Members of Congress to honor a great Pole.

Almost every American student who studied American history knows the story of this great Polish patriot who came to our shores to fight for America's freedom during the Revolutionary War. Kosciuszko was a hero of the Revolutionary War battles of New York and Yorktown and was made an American citizen by a grateful Congress for his war deeds.

The Congress, in its wisdom, rejected the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments that the Kosciuszko home was not qualified for designation as a national historic landmark. The primary reason for rejection seemed that General Kosciuszko lived in the house some time after the Revolutionary War and only for a period of about 6 months. Also, that the house had been altered since the time of Kosciuszko's residence there.

I could not accept the theory that Kosciuszko's short stay in the home at 301 Pine Street disqualified it from being considered as a historic site and so stated in my letter to the Department of Interior written March 9, 1972.

I was pleased to testify in support of this legislation before the House Committee on Interior and Insular Affairs. At that time I pointed out that the Polish-American citizens in general were vitally interested in the preservation of the only dwelling in America associated with Gen. Thaddeus Kosciuszko.

Mr. Speaker, this building was saved from the demolition crews so that all Americans, including Americans of Polish descent, could honor this great man. The residence is fortunately located near the Philadelphia Society Hill project, where many other colonial homes are being restored for posterity. The inclusion of Kosciuszko's residence as a national historic site in this project will be a magnificent and totally appropriate addition.

In paying tribute to General Kosciuszko in this way we are doing more than honoring one of the military geniuses of the American Revolution. We are doing more than officially recognizing the contributions of a beloved son of Poland. We are honoring a man whose entire life was a testimony to the freedom for which he fought both in America and in his native Poland.

The passage of this legislation is a great victory for Mr. Edward J. Piszek, the present owner of the Kosciuszko House, who backed the move to declare this building a national shrine in memory of the Polish engineer who fought side by side with General Washington in the American Revolution.

It is my hope that this Kosciuszko House will be restored completely to its original state so that it can be a focal point during the Nation's celebration of its 200th anniversary in 1976.

CHRISTOPHER COLUMBUS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BIAGGI. Mr. Speaker, it was on this day nearly five centuries ago that a bright and shining New World unfolded before that great Italian explorer and adventurer Christopher Columbus. For, as any schoolchild can tell you, it was on October 12, 1492, that he and his crew of hardy pioneers from the ships the *Niña*, the *Pinta*, and the *Santa Maria* first set foot on what Columbus had then thought was a new trade route to bridge Western Europe with the eastern Orient but which was in fact an entirely new hemisphere—indeed, a New World.

But in honoring Columbus for the successful completion of this voyage of tremendous discovery, we even more importantly honor a concrete testimonial to that perpetual and persistent yearning in man's spirit throughout the ages which continually would have us all seek to try the difficult and tear away at the unknown and in so doing expand the knowledge which can come to the human race as a whole. Indeed, like his modern-day counterpart, astronaut Neil Armstrong, Columbus too could have said on that October day so long ago that, "This is one small step for a man and one giant leap for mankind."

We have—in so many ways—come a long way since Columbus' discovery. How truly stupendous, for example, has been the flood—in sheer numbers—of the countless people from all of the world's countries that have come to America since that first Italian immigrant reached our shores. How tremendous, too, has been the expansion of first our agricultural and natural resources and then our industry and technology that have also occurred.

And with the intricate and delicately balanced Government that we have since devised to help harness and channel all of these resources, the total accomplishment in prosperity and influence that have since then accrued to us would, no doubt, truly astound our discoverer if he were alive today.

Italian-Americans, of course, can take particular pride in Columbus' great accomplishment—especially since this second annual national commemoration of his feat is most special. For there is, in fact, only one other person—George Washington, the father of our country—who is specifically honored in some way on our national list of holidays.

And, fittingly enough too, since we should never forget that it was Columbus—and men like Columbus—that helped blaze the trail for all of the rest of us.

AIR FORCE EDUCATION AND TRAINING CONTRIBUTIONS TO THE CIVILIAN ENVIRONMENT

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HANSEN of Idaho. Mr. Speaker, during recent weeks I have had an opportunity to review some of the significant contributions to the improvement of education being made by our Armed Forces. In many instances, the military services have provided important leadership in the development of new education concepts and techniques that have resulted in direct and substantial benefits to civilian educational institutions.

I would like to share with my colleagues a summary I have prepared outlining the results of my findings with respect to the Air Force contribution to education.

INDIVIDUALIZED INSTRUCTION AND THE SYSTEMS APPROACH TO EDUCATION

Starting in the early 1950's, the Air Force conducted extensive research that significantly advanced the technology for specifying the precise content of training courses. Pioneering research and development efforts were conducted in the areas of individualized instruction, self-instructional techniques, teaching machines, and automated instruction.

As this research progressed, it led to the systems approach to training. Ideas and techniques were developed, demonstrated and promoted by the Air Force that have been adopted by many researchers, technicians, and practitioners in the civilian sector. Air Force efforts have been widely cited in the technical literature, and Air Force procedures have been used directly by industry, educational institutions, and government agencies. Examples of specific reference to Air Force contributions are:

First. Galanter, E. (editor). "Automatic Teaching: The State of the Art." New York: Wiley & Sons, 1959.

Second. Taber, J. I. Glaser, R. & Schefer, H. H. "Learning and Programmed Instruction." Reading, Massachusetts: Addison-Wesley, 1965.

Third. Lumsdaine, A. A. & Glaser, R. B. (Editor). "Teaching Machines and Programmed Learning." A Source Book. National Education Association, 1960.

Fourth. Glaser, R. B. (editor). "Teaching Machines and Programmed Learning: Data and Directions." National Education Association, 1965.

DRIVER TRAINING

The Air Force developed training devices that served as examples for those who developed the devices to give young people practice in the essential skills required in driving an automobile. Also, the Air Force testing and use of such devices contributed to the development and use of such trainers by many driver training programs in the public schools.

AUTOMATED INSTRUCTION AND TEACHING MACHINES

The Air Force conducted the first major demonstration and evaluation of automated teaching devices. The Air Force showed that such devices could be used to teach vocational and technical subjects such as electronics. The knowledge gained by the Air Force has been transferred and used by the vocational and technical educational institutions in the United States and in some NATO countries.

COMPUTER ASSISTED INSTRUCTION

In 1958, the Air Force initiated one of the first studies exploring the economic feasibility of using computers to teach the intellectual, cognitive, academic skills. In 1966, the Air Force initiated pioneering efforts to have computers interact with students in relatively unconstrained natural English. That is, ways of having computers interact with students similar to that used by a tutor. Although the ultimate benefits of this computerized skill are perhaps 5 to 10 years away, the Air Force efforts have generated productive efforts by many individuals and educational researchers.

EVALUATION OF VOCATIONAL TRAINEES

In 1968 the Air Force assessed the state of the art in evaluating trainees in technical and vocational courses. The assessment has been of significant use by the vocational education departments of several States.

Mr. Speaker, the Air Force objective to obtain maximum performance from each individual is in complete harmony with current national attitudes and priorities. Efforts toward this objective are aimed at the reduction of the numbers of people in training at one time and direct costs while significantly increasing total military effectiveness and efficiency. Advances in Air Force instructional technology have resulted in progress toward the achievement of this objective and have benefited the Nation.

Programed, automated, and individualized instruction were pioneered and developed in the services. This technology has reduced costs of many Air Force courses and has been adopted by industry and civilian educational institutions. Air Force computer-based simulation of flight and missile operations found wide use in civilian airlines and other critical industries.

The Air Force formally implemented programed learning by a policy letter from Headquarters U.S. Air Force to all major Air Force elements on October 30, 1961, and shortly thereafter established a special assistant for training methods—Col. Gabriel D. Ofiesh. Colonel Ofiesh, now retired, is a prominent leader in educational technology nationally and internationally. Through cooperative efforts of the Air Training Command, the Training Research Division of the Human Resources Laboratory and various other operational elements of the Air Force, experimental demonstrations and evaluations were conducted. In one typical course—administrative specialists—the uses of programed learning materials reduced the course from 11 weeks to 7 weeks.

The cost to develop the materials was $100,000. The savings per year were $1 million. Programed learning in the Air Force has evolved into a systems approach to training and education—AFM 50–2, Instructional Systems Development. The difference is significant. The latter concept is based on real world performance requirements and incorporates effective use of a wider range of techniques. These systems continue to offer direct savings in the order of 10 to 30 percent.

The Air Force contribution to this technology has spin-off benefits beyond their programs. The initial stimulus, guidance and development of this technology has benefited industry, educational institutions and other Government agencies. Upon request the Air Force has always shared its expertise, methods, media and instructional materials with other Government agencies and public school systems. To assure this continued cooperation against a backdrop of reduced manpower and material resources, the Air Force has cooperated with the Aerospace Education Foundation, an affiliate of the Air Force Association, to provide materials for a systematic review of Air Force instructional systems which can be used in civilian vocational and technical education. As a result of this project funded by the Office of Education, a system has been developed for a nonprofit collection, reproduction, preview and dissemination of these materials.

This project represents the culmination of 5 years of Air Force/Aerospace Education Foundation cooperation to make this vast instructional resource available to the public school systems. More than 26,000 hours of validated Air Force courses have been identified as applicable to public education. The Aerospace Education Foundation can make these available—after mastering costs of about $40 per hour—at an average cost of $6 per hour which is about one-tenth the cost of developing 1 hour of new curriculum.

In addition to this systematic review of all Air Force courses for public school relevance, the Air Force maintains a Training and Education Activities Clearing House—TEACH—to assure that its organizations are kept apprised of the latest instructional innovations within the Air Force, the services and the public sector. This activity is responsive to about 400 inquiries for information, guidance or assistance per year. In a typical year the source of these requests were:

Sources and numbers of requests

Non DOD government agencies	126
Nonprofit organizations	77
Schools and universities	68
Major commands	60
Individuals	46
Air staff	25
Congressional	8

Air Force personnel are currently participating as members of the Civil Service Commission Inter-Agency Group No. 294 Conference Committee task force to plan and implement a workshop for all Government agencies to professionally upgrade the training and educational functions.

Air Force personnel have played and are continuing to play a leadership role in the National Security Industrial Association ACT—Applications of Computers to Training—committee. The purpose of this special committee is to identify the various applications for which computers could be utilized in training; develop a means to disseminate information on this subject; establish communications with the Defense Department, industry, and the educational community; and to identify and specify the role of hardware and software in the training process.

The Air Force hosted the Third National Security Industrial Association Seminar on the application of computers to training at Keesler Technical Training Center during the second week of February 1972. The theme of the conference was "Technical Training Systems of the Future." There was a hand-on demonstration of the computer depicted training system which allows Air Force personnel specialists trainees to learn on the job through a Computer Assisted Instruction—CAI—program which uses the terminal at one job location and the computer which supports the personnel data requirements. This application of CAI will save the Air Force about $2 million and serves as a prototype for other applications.

With considerable and well-justified pride, the Air Force can claim a major role in conceiving and developing programed learning, automated instruction, the systems approach to training and an "advanced instructional system" now under development at Lowry Air Force Base, Colo. The spinoff benefits of these developments to the public sector are immeasurable.

We searched for examples of Air Force training where we prepare people for certain jobs whose skills are used or are in demand in the civilian environment. We contacted the Department of Labor and the Air Force Project Transition personnel to see if they had information on the number of prior Air Force people currently working in civilian occupations using their military skills. Neither agency had such information.

The only information found on this subject was in a speech given by the Secretary of the Air Force to the Air Force Association, Boston Chapter, April 23, 1971. It was stated that over 90 percent of the young men and women in the Air Force learn a skill that has some direct civilian utility. Moreover, while training these people, a great deal is learned about the process of teaching that can be transferred to civilian education.

Further, the Air Force is looking for even more ways to adapt training to civilian employment needs. For instance, the Air Force is paying particular attention to the shortage of trained men and women in the civilian health occupations. The Air Force Medical Service School at Sheppard Air Force Base, Texas, produces about 5,000 graduates each year in specialties such as X-ray technicians, medical lab technicians, diet specialists, medical corpsmen and pharmacy specialists.

The Air Force is contributing to the civilian economy through its educational and training programs. Skills taught to Air Force men and women are being used in civilian jobs, and instructional methods and materials developed for Air Force training and education are also being used in civilian education and the foundation and the Government of playing a vital role as a national resource in this Nation's growth and development.

AMERICAN IRISH FOUNDATION

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FLOOD. Mr. Speaker when my late friend, our great President John F. Kennedy made his celebrated journey to Ireland, the land of his ancestors, shortly before his death, he met several times with that dear and beloved man, Ireland's President Eamon de Valera. In the course of their conversation at the President's home in Phoenix Park, Dublin, the leaders of both nation's decided that an effective coordinating force should be forged, to carry on the great tradition of the relationship between both nations, and the great feeling of mutual respect and admiration that peoples of both countries held for each other.

Out of these discussions grew the American Irish Foundation, which is headed today by its president, Mr. John P. Cosgrove of Washington. Mr. Cosgrove, many Members of this House know him well, is a past president of the National Press Club, distinguished newsman and former publishing executive. He is a native of Pittston, a great community in north Luzerne County, Pa., which I have been privileged to represent in the House for a quarter century.

The American Irish Foundation has made great strides in recent years, and this is due in no small measure to its distinguished president, who seems to lend the "Midas Touch" to his undertakings, all of which have earned a good measure of success. Mr. Cosgrove, I might add, is executive director of the Honor America Day Committee, which has brought greater meaning and significance to our Nation's birthday, July 4.

During the past summer, Mr. Cosgrove, together with American Irish Foundation officials, along with our Ambassador in Ireland, Mr. Moore, and their American Ambassador, Mr. Warnock, led a distinguished group of Foundation members for a 2-week visit to Ireland, where the working relationship between the foundation and the Government of Ireland was greatly fortified.

It is my pleasure to submit herewith the foundation's report:

REPORT OF AMERICAN IRISH FOUNDATION

AN HISTORIC RETURN

The first meeting of the American Irish Foundation held in Ireland was attended by 160 American business, professional and cultural leaders. The group left New York City on May 26, 1972, and returned June 7; these two weeks were extraordinary not only because of the promise they hold for the fulfillment of the Foundation goals, but also for providing an Irish experience of rare and warm memory.

County Clare

The first gathering at Dromoland Castle was welcomed by Foundation President John P. Cosgrove, Host John A. Mulcahy, the United States Ambassador to Ireland, Hon. John D. J. Moore, and the Irish Ambassador to the United States, Hon. William Warnock, all members of the Foundation board.

The Chief Justice of Ireland, Hon. Cearbhall O'Dalaigh, spoke eloquently of the relationship which has bound Ireland and the United States through the past two centuries.

At Dromoland, too, the nightly tradition of a hoolie was inaugurated by the internationally acclaimed Shannon Castle Entertainers and by Balladier Terry Wilson. Bob Hope, who with Mrs. Hope joined the party at Dromoland, provided a special American dimension to the celebration.

At Kilfrush House, where President Nixon had planted a California Sequoia when he was the guest of Mr. Mulcahy, all were enchanted by County Clare's young dancers.

County Kerry

Amid Killarney's Lakes the guests heard Dr. Patrick Hillery, Minister of Foreign Affairs, speak of the new Ireland and the potential which its membership in the European Economic Community holds for that country. Also, a tour of Muckross House was led by Foundation Director A. W. B. Vincent, whose family gave the House and the Bourn Vincent National Park to Ireland.

Waterville

The Foundation group participated in another and most pleasurable first: they were the initial guests of Mr. Mulcahy at the new Waterville Lake Hotel, the first to golf on its championship course, and enjoy the cuisine of the Hotel.

Columnist Bob Considine, arriving from Moscow, recounted to fellow guests his experiences during President Nixon's trip to Russia. Mr. George Colley, Minister for Finance and the Gaeltacht, discussed Ireland's position as a base for United States industrial products with a European market horizon. Two other governmental leaders, Mr. Michael Killean, of the Irish Industrial Development Authority, and Mr. Thomas Garvey, of the Export Board, further described the aspirations and the spirit of the new Ireland.

Here, too, the richness of Ireland's cultural past and present was recognized by the presentation of the first American Irish Foundation Literary Award to Austin Clarke.

All were able to come to know and never forget Kerry, its peace and beauty.

Dublin

Foundation guests had the special privilege of a visit with President Eamon de Valera at Arus an Uachtarain in Phoenix Park. He spoke warmly of his own American and Irish heritagie and of his hopes for the Foundation and its promise for strengthening the ties between the two countries.

The final dinner in the Gresham Hotel was addressed by Mr. Erskine Childers, Tanaiste and Minister for Health, who suggested many projects of great importance to the people of Ireland which the Foundation could foster.

Grants in Ireland

$60,000—The Central Remedial Clinic, which offers a broad range of services to children and adults suffering from severe physical handicaps.

$3,000—Kilarney Bach Festival, a second grant to provide support for this program which won praise of audiences and critics.

$6,000—The National Gallery for acquisitions of works for the American Wing.

$1,500—Extern Training Grant to assist two Irish extern students to improve medical skills in institutions in the United States.

The Board of Directors also visited schools in Shannon and Limerick to which teaching equipment had been given last year, and the Royal Irish Academy in Dublin, which had received a grant of $25,000 for its undertaking to provide an authoritative history of Ireland.

In addition to this, two important medical fellowships were established for Irish physicians. Dr. Howard Rusk, Director of the Institute of Rehabilitation Medicine, New York University Medical Center, announced that the Institute would provide a two-year fellowship in rehabilitation medicine. Mr. Patrick Frawley provided a fellowship in alcoholic rehabilitation education.

President Cosgrove also announced that $70,000 in gifts had been received to support future projects of the Foundation.

New directors

Three directors were elected to the Board of the Foundation at its meeting in Ireland. They are Admiral John J. Bergen, New York City, Mr. William T. Brady, Beverly Hills, California, and Mr. Wallace E. Carroll, Lake Forest, Illinois. All are members of a number of corporate and civic boards. Adm. Bergen is the honorary Chairman of Madison Square Garden Corporation, New York City; Mr. Brady is the honorary Chairman of the Board of CPC International, Englewood Cliffs, New Jersey; and Mr. Carroll is Chairman of the Board of Katy Industries, Elgin, Illinois.

Foundation President Cosgrove joined with Ambassador Moore and Ambassador Warnock in welcoming these three respected leaders to the Board.

Foundation goals

It is the continuing goal of the Foundation to reflect the concern and the appreciation of Americans of Irish descent for the land of their forefathers and to provide a national organization for all Americans who wish to share in strengthening the Irish heritage. It was founded in 1963 at the time of the historic visit of President John F. Kennedy to Ireland in response to stated hopes of President de Valera. The two Presidents served as the Foundation's first honorary co-chairmen. Both the U.S. Ambassador to Ireland and the Irish Ambassador to the United States are members of the present Board of Directors. The Foundation endorses and supports a broad program of cultural, educational, and scientific activities.

Following are excerpts from William Shannon's Presentation Speech on June 3, 1972, at Waterville, County Kerry:

In your travels this last week, you have seen many different aspects of this country. You have seen scenic Ireland with its incomparable beauty. You have fished and golfed in sporting Ireland. You have listened to musical Ireland. In the address of the Chief Justice, you have heard about Ireland's place in history. In the address of Dr. Hillery, the Foreign Minister, you have heard about the determination of Irish Statesmen to lead this country into a United Europe and to find in a wise and responsible way a peaceful solution to the crisis in the North. In the industrial development and handsome new housing around Shannon Airport, you have caught a glimpse of a booming, go-ahead country with a rapid economic growth rate. In short, you have seen an Ireland in rapid transition from a rural past to a dynamic and creative present and future. In the last half century, and particularly in the last 20 years, Ireland has shaken off the crippling effects of military defeats and centuries of colonial bondage. A moment's reflection makes clear that there is intrinsically no good reason why Irish people, who have shown themselves in the United States of America to be keen businessmen and highly talented professionals in law, medicine, banking and other fields, could not put the same abilities to use in this country if only they had been given the opportunity.

Now that opportunity is theirs and they are making good use of it. The last generation and the younger generation of today are changing the face and spirit of Ireland.

But tragic though Ireland's history has been for several hundred years, there is also much in that heritage worth preserving and remembering—the music, the literature, the good talk, the traditions of neighborliness and hospitality which can make a visit to Ireland such a warm experience. No nation can cut itself off completely from its deepest roots and hope to flower.

The American Irish Foundation is dedicated to a two-fold task. We assist the new Ireland that is rapidly emerging. We have donated the teaching machines to Irish schools and helped finance pioneering programs in medical research and physical rehabilitation which Dr. Howard Rusk praised in our meeting at Dromoland Castle. The other half of our task is to rescue the usable past and to nurture Irish culture. That is why we have financed the publication of the first comprehensive, scholarly history of the nation, a vast scholarly enterprise now well advanced. That is why we support cultural projects like the Killarney Bach Festival. These scholarly and artistic undertakings are rarely, if ever, financially self-supporting. If there is not a foundation to subsidize them, they wither and die.

Ireland is famous for its literature. But in any country, the best writing often sells slowly in a writer's own lifetime. Yet literature is the indispensable memory of a people. To help the always hazardous enterprise of literature, the Foundation established the annual American Irish Foundation Literary Award.

Mr. Speaker, I present herewith the names of the directors of this distinguished foundation:

President John P. Cosgrove, 943 National Press Building, Washington, D.C.

Vice President & Secretary Edward A. McDermott, Hogan & Hartson, 815 Connecticut Avenue, N.W., Washington, D.C.

Treasurer T. Kevin Mallen, Sutro & Company, 460 Montgomery Street, San Francisco, California.

Hon. John D. J. Moore, United States Ambassador to Ireland, 42 Elgin Road, Dublin, Ireland.

Hon. William Warnock, Ambassador of Ireland to the United States, 2234 Massachusetts Avenue, N.W., Washington, D.C.

Rear Adm. John J. Bergen, USNR (Ret.) Honorary Chairman, Madison Square Garden Corp., Two Pennsylvania Plaza, New York, New York.

William T. Brady, Honorary Chairman, CPC International, 430 Trousdale Place, Beverly Hills, California.

Wallace E. Carroll, Chairman of the Board, Katy Industries, Inc., 853 Dundee Avenue, Elgin, Illinois.

Joseph Gannon, 77 Franklin Street, Boston, Massachusetts.

H. Thomas Hallowell, Jr., Chairman of the Board, Standard Pressed Steel Co., 916 Benson East, Jenkintown, Pennsylvania.

Charles Lucey, Route 2, Thurmont, Maryland.

John A. Mulcahy, Quigley Company, Inc., 235 East 42nd Street, New York, New York.

Donald O'Toole, President, Financial Management Associates, Inc., 2400 95th Street, Evergreen Park, Illinois.

William V. Shannon, Editorial Board, The New York Times, 1920 L Street, N.W., Washington, D.C.

James Johnson Sweeney, 120 East End Avenue, New York, New York.

A. W. B. Vincent, 155 Montgomery Street, San Francisco, California.

Executive Secretary Thomas F. Jordan, 81 Shore View Avenue, San Francisco, California.

STATISTICS ON GAO MINORITY EMPLOYEES

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DELLUMS. Mr. Speaker, a current analysis of General Accounting Office personnel policies clearly indicates the degree of inequity in hiring by this important agency.

As an indication of this bias, I now insert into the RECORD some charts which clearly show the personnel hiring patterns of GAO:

GAO MINORITY REPORT—FULL TIME CIVILIAN EMPLOYMENT, FIELD OPERATIONS DIVISION

[Issued May 31, 1972]

Region	Total all employees	Black	Spanish surnamed	American Indian	Oriental	None of these
Headquarters	8	0	0	0	0	8
Atlanta	125	0	0	0	0	125
Boston	104	0	0	0	0	104
Chicago	109	3	0	0	0	106
Cincinnati	125	6	1	0	0	118
Dallas [1]	156	0	6	0	0	150
Denver	120	3	3	0	0	114
Detroit	127	6	0	0	0	121
Kansas City	130	0	2	0	0	128
Los Angeles	117	4	5	0	2	106
New York [2]	101	4	0	0	0	97
Norfolk	73	0	0	0	0	73
Philadelphia	131	1	0	0	0	130
San Francisco	116	3	2	0	8	103
Seattle [3]	102	2	0	0	1	99
Washington, D.C. [4]	164	7	0	0	1	156
Total, field operations division	1,808	39	19	0	12	1,739

[1] The Dallas region covers the States of Mississippi, Louisiana, Kansas, and Texas.

[2] The New York regional office has only 1 black professional on its staff.

[3] The 2 black employees in the Seattle regional office are a GS–1 and a GS–2.

[4] The Washington, D.C., regional office is located in Falls Church, Va.

U.S. GENERAL ACCOUNTING OFFICE—OFFICE OF PERSONNEL MANAGEMENT

DISTRIBUTION OF FEMALE EMPLOYEES—FIELD OPERATIONS DIVISION, BY GRADE AS OF JUNE 30, 1970

	Regional offices																		Military branches						Total all
Grade	Hqs.	Atl.	Bos.	Chi.	Cin.	Dal.	Den.	Det.	K.C.	L.A.	N.O.	N.Y.	Nor.	Phl.	S.F.	Sea.	F.C.	Total	AF	Army	Navy	M.C.	F.C.	Total	FOD
GS–01																1		1							1
GS–02							1											1		4				4	5
GS–03				1		1	2		1	4	2	1	1	2	2	1	3	21	3	2				5	26
GS–04		4	2	3	4	2	2	4	2	1	1	1	2	2	2	4	5	41	1	3	1			5	46
Total, 1–4		4	2	4	4	3	5	4	3	5	3	2	3	4	4	6	8	64	4	9	1			14	78
GS–05	1	2	3	3	1	2		3	2	1	1	2		2	2	1	3	29	2	1	2			5	34
GS–06		1	1		1	1	1			1		1	1	1	2	1	1	13							13
GS–07	1	2	3	1	3	2	4	4	2	1	2	2	1		1	2	5	36					6	6	42
GS–08	1																	1	8	4	9		1	22	23
Total, 5–8	3	6	7	4	5	5	5	7	4	3	3	5	2	3	5	4	9	79	10	5	11		7	33	112
GS–09		1	1	1	1	1	1	2	3	3	1	4	3	2	1	1	6	32							32
GS–10																			1				1	2	2
GS–11							2	2		1		3	1		1	3	3	16						1	17
Total, 9–11		1	1	1	1	1	3	4	3	4	1	7	4	2	2	4	9	48	1		1		1	3	57

Grade	Regional offices																		Military branches						Total all FOD
	Hqs.	Atl.	Bos.	Chi.	Cin.	Dal.	Den.	Det.	K.C.	L.A.	N.O.	N.Y.	Nor.	Phi.	S.F.	Sea.	F.C.	Total	AF	Army	Navy	M.C.	F.C.	Total	
GS-12																	2	2							2
GS-13																									
Total, 12-13																	2	2							2
GS-14																									
GS-15																									
Total, 14-15																									
GS-16																									
GS-17																									
GS-18																									
Total, 16-18																									
Total, all grades	3	10	10	9	10	9	13	15	10	12	7	14	9	9	11	14	28	193	15	14	13	......	8	50	243

H.R. 1: SOCIAL SECURITY, MEDICAL ASSISTANCE, AND OTHER AMENDMENTS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Ms. ABZUG. Mr. Speaker, the passage of H.R. 1 by Congress this week will make many changes in the social security, medicare, medicaid, and other federally assisted programs. A number of these enact into law provisions which I have introduced as individual bills.

First, increase in widow's and widower's social security benefits from 82½ to 100 percent of the spouse's entitlement;

Second, increase in the earnings permitted a social security beneficiary without penalty from $1,600 to $2,100, with a benefit reduction of 50 cents for each dollar earned over $2,100—I wanted to increase to $9,000;

Third, elimination of the support requirements for divorced women receiving social security benefits;

Fourth, reduction of the duration-of-relationship requirements for social security eligibility;

Fifth, automatic enrollment in part B of medicare unless the enrollee expressly turns it down and total repeal of the arbitrary 3-year limitation on part B enrollment; and,

Sixth, provision that no one be rendered ineligible for medicaid by virtue of the 20-percent social security increase taking effect October 3, 1972, and provision that the first $4 per month of that increase not be subtracted from old age assistance—I fought, together with Congressman JONATHAN BINGHAM and New York State Assemblyman Al Blumenthal, to require that all of the 20-percent increase be disregarded in computing old age benefits, food stamp eligibility, eligibility for surplus agricultural commodities, rents in public housing, and subsidies of mortgages and rents under title II of the National Housing Act.

There follows a detailed memorandum covering a number of the significant changes wrought by H.R. 1:

SUMMARY OF MAJOR POINTS OF H.R. 1, THE "SOCIAL SECURITY AMENDMENTS OF 1972" AS APPROVED BY THE CONGRESS

I. SOCIAL SECURITY CASH BENEFIT PROVISIONS

1. Special minimum cash benefits

The bill would provide a special minimum benefit of $8.50 multiplied by the number of years in covered employment up to 30 years, producing a benefit of at least $170 a month for a worker who has been employed for 30 years under social security coverage. This benefit would be paid as an alternative to the regular benefits in cases where a higher benefit would result.

Under this provision, the new higher minimum benefit would become payable to people with 20 or more years of employment; at that point, the special minimum benefit would be more than the regular minimum—$85 as compared to the regular minimum benefit of $84.50 payable under present law. A worker with 25 years of employment under social security would thus be guaranteed a benefit of at least $127.50; while one with 30 years would receive at least $170 a month. Minimum payments to a couple would be one and one-half times these amounts.

Years of covered employment:	Special minimum
19 or less	(1)
20	$85.00
21	93.50
22	102.00
23	110.50
24	119.00
25	127.50
26	136.00
27	144.50
28	153.00
29	161.50
30 or more	170.00

[1] Regular $84.50 minimum applies.

Effective date.—January 1973.

2. Increase in widow's and widower's insurance benefits

Under present law, when benefits begin at or after age 62 the benefit for a widow (or dependent widower) is equal to 82½ percent of the amount the deceased worker would have received if his benefit had started when he was age 65. A widow can get a benefit at age 60 reduced to take account of the additional 2 years in which she would be getting benefits.

The bill would provide benefits for a widow equal to the benefit her deceased husband would have received if he were still living. Under the bill, a widow whose benefits start at age 65 or after would receive either 100 percent of her deceased husband's primary insurance amount (the amount he would have been entitled to receive if he began his retirement at age 65) or, if his benefits began before age 65, an amount equal to the reduced benefit he would have been receiving if he were alive.

Under the bill, the benefit for a widow (or widower) who comes on the rolls between 60 and 65, would be reduced (in a way similar to the way in which widows' benefits are reduced under present law when they begin drawing benefits between ages 60 and 62) to take account of the longer period over which the benefit would be paid.

Effective date.—January 1973.

3. Increased benefits for those who delay retirement beyond age 65

The bill includes a provision which would provide for an increase in social security benefits of 1 percent for each year after age 65 that the individual delays his retirement.

Effective date.—For computation and recomputation after 1973 based on earnings after 1972.

4. Age 62 computation point for men

Under present law, the method of computing benefits for men and women differs in that years up to age 65 must be taken into account in determining average earnings for men, while for women only years up to age 62 must be taken into account. Also, benefit eligibility is figured up to age 65 for men, but only up to age 62 for women. Under the bill, these differences, which provide special advantages for women, would be eliminated by applying the same rules to men as now apply to women.

Effective date.—The new provision would become effective, starting January 1973 and become fully effective in January 1975.

5. Liberalization of the retirement test

The amount that a beneficiary under age 72 may earn in a year and still be paid full social security benefits for the year would be increased from the present $1,600 to $2,100. Under present law, benefits are reduced by $1 for each $2 of earnings between $1,680 and $2,880 and for each $1 of earnings above $2,880. The committee bill would provide for a $1 reduction for each $2 of all earnings above $2,100, there would be no $1-for-$1 reduction as under present law. Also, in the year in which a person attains age 72 his earnings in and after the month in which he attains age 72 would not be included, as they are under present law, in determining his total earnings for the year.

Future increases in the amount of exempt earnings would be automatic as average earnings rise.

Effective date.—January 1973.

6. Dependent widower's benefits at age 60

Aged dependent widowers under age 62 could be paid reduced benefits (on the same basis as widows under present law) starting as early as age 60.

Effective date.—January 1973.

7. Childhood disability benefits

Childhood disability benefits would be paid to the disabled child of an insured retired, deceased, or disabled worker, if the disability began before age 22, rather than before 18 as under present law. In addition, a person who was entitled to childhood disability benefits could become re-entitled if he again becomes disabled within 7 years after his prior entitlement to such benefits was terminated.

Effective date.—January 1973.

8. Eligibility of a child adopted by an old-age or disability insurance beneficiary

The provisions of present law relating to eligibility requirements for child's benefits in the case of adoption by old-age and disability insurance beneficiaries would be modified to make the requirements uniform in both cases. A child adopted after a retired or disabled worker becomes entitled to benefits would be eligible for child's benefits based on the worker's earnings if the child is the natural child or stepchild of the worker or if (1) the adoption was decreed by a court of competent jurisdiction within the United States, (2) the child lived with the worker in the United States for the year before the worker became disabled or entitled to an old-age or disability insurance benefit, (3) the child received at least one-half of his support from the worker for that year, and (4) the child was under age 18 at the time he began living with the worker.

Effective date.—January 1973.

9. Nontermination of child's benefits by reason of adoption

Under the present law, a child's entitlement to benefits ends if he is adopted unless he is adopted by (1) his natural parent, (2) his natural parent's spouse jointly with the natural parent, (3) the worker (e.g., a stepparent) on whose earnings the child is getting benefits, or (4) a stepparent, grandparent, aunt, uncle, brother, or sister after the death of the worker on whose earnings the child is getting benefits.

Under the bill, a child's benefits would no longer stop when the child is adopted, regardless of who adpots him.

10. Elimination of the support requirements for divorced women

Under present law, benefits are payable to a divorced wife age 62 or older and a divorced widow age 60 or older if her marriage lasted 20 years before the divorce, and to a surviving divorced mother. In order to qualify for any of these benefits a divorced woman is required to show that: (1) she was receiving at least one-half of her support from her former husband, (2) she was receiving substantial contributions from her former husband pursuant to a written agreement, or (3) there was a court order in effect providing for substantial contributions to her support by her former husband. The bill would eliminate these support requirements for divorced wives, divorced widows, and surviving divorced mothers.

Effective date.—January 1973.

11. Waiver of duration-of-marriage requirement in case of remarriage

The duration-of-marriage requirement in present law for entitlement to benefits as a worker's widow, widower, or stepchild—that is, the period of not less than 9 months immediately prior to the day on which the worker died that is now required (except where death was accidental or in the line of duty in the uniformed service in which case the period is 3 months)—would be waived in cases where the worker and his spouse were previously married, divorced, and remarried, if they were married at the time of the worker's death and if the duration-of-marriage requirement would have been met at the time of the divorce had the worker died then.

Effective date.—January 1973.

12. Reduction in waiting period for disability benefits

Under the bill, the present 6-month period throughout which a person must be disabled before he can be paid disability benefits would be reduced by 1 month (to 5 months).

Effective date.—January 1973.

13. Disability benefits affected by the receipt of workmen's compensation

Under present law, social security disability benefits must be reduced when workmen's compensation is also payable if the combined payments exceed 80 percent of the worker's average current earnings before disablement. Average current earnings for this purpose can be computed on two different bases and the larger amount will be used. This bill adds a third alternative base, under which a worker's average current earnings can be based on the 1 year of his highest earnings in a period consisting of the year of disablement and the 5 preceding years.

Effective date.—January 1973.

14. Duration-of-relationship requirements

Amends the provision of present law which reduces from 9 months to 3 months the duration-of-relationship requirement when death is accidental or in line of duty in the Armed Forces so that there would be no duration-of-relationship requirement in cases of an accidental death if it is reasonable to expect that in a period consisting of the year of disablement and the 5 preceding years.

Effective date.—January 1973.

II. MEDICARE-MEDICAID AMENDMENTS

1. Medicare coverage for the disabled

Effective July 1, 1973, a social security disability beneficiary would be covered under medicare after he had been entitled to disability benefits for not less than 24 consecutive months. Those covered would include disabled workers at any age; disabled widows and disabled dependent widowers between the ages of 50 and 65; beneficiaries age 18 or older who receive benefits because of disability prior to reaching age 22; and disabled qualified railroad retirement annuitants. An estimated 1.7 million disabled beneficiaries would be eligible initially.

2. Hospital insurance for the uninsured

The bill will permit persons age 65 or over who are ineligible for part A of medicare to voluntarily enroll for hospital insurance coverage by paying the full cost of coverage (initially estimated at $33 monthly and to be recalculated annually). Where the Secretary of HEW finds it administratively feasible, those State and other public employee groups which have, in the past, voluntarily elected *not* to participate in the Social Security program could opt for and pay the part A premium costs for their retired or active employees age 65 or over. Enrollment in part B of medicare would be required as a condition of buying into the part A program.

Effective date: July 1, 1973.

3. Part B premium increases

The bill will limit part B premium increases for fiscal years 1974 and thereafter to not more than the percentage by which the Social Security cash benefits had been generally increased since the last part B premium adjustment. Costs above those met by such premium payments would be paid out of general revenues in addition to the regular general revenue matching.

Effective date: July 1, 1973.

4. Part B deductible

Beginning with calendar year 1973, the bill increases the annual part B deductible from $50 to $60.

5. Automatic enrollment in part B

Effective July 1, 1973, the bill provides (except for residents of Puerto Rico and foreign countries) for automatic enrollment under part B for the elderly and the disabled as they become eligible for part A hospital insurance coverage. Persons eligible for automatic enrollment must also be fully informed as to the procedure and given an opportunity to decline the coverage.

6. Cost sharing under medicaid

The bill made the following changes with respect to premiums, copayments, and deductibles under medicaid.

1. It requires States which cover the medically indigent to impose monthly premium charges. The premium would be graduated by income in accordance with standards prescribed by the Secretary.

2. States could, at their option, require payment by the medically indigent of nominal deductibles and nominal co-payment amounts which would not have to vary by level of income.

3. With respect to cash assistance recipients, nominal deductible and co-payment requirements, while prohibited for the six mandatory services required under Federal law (inpatient hospital services; outpatient hospital services; other X-ray and laboratory services; skilled nursing home services; physicians' services; and home health services), would be permitted with respect to optional medicaid services such as prescribed drugs, hearing aids, etc.

Effective date: January 1973.

7. Protection against loss of medicaid because of increased earnings

An individual or member of a family eligible for cash public assistance and medicaid who would otherwise lose eligibility for medicaid as a result of increased earnings from employment would be continued on medicaid for a period of 4 months from the date where medicaid eligibility would otherwise terminate.

8. Optometrists under medicaid

The bill requires States, which had previously covered optometric services under medicaid and which, in their State plans, specifically provided for coverage for eye care under "physicians' services," which an optometrist is licensed to provide, to reimburse for such care whether provided by a physician or an optometrist.

Effective date: Enactment.

9. Beneficiary liability under medicare

The bill would, with respect to claims for services provided after the date of enactment, relieve beneficiaries from liability in certain * * *.

10. Limits on payments to skilled nursing facilities and intermediate care facilities under medicaid

Effective January 1, 1973, Federal financial participation in reimbursement for skilled nursing facility care and intermediate care per diem costs would not be available to the extent such costs exceed 105 percent of prior year levels of payment under the provision (except for those costs attributable to any additional required services). The provision would except increased payment resulting from increases in the Federal minimum wage or other new Federal laws.

Payments to health maintenance organizations

Authorizes medicare to make a single combined Part A and B payment, on a capitation basis to a "Health Maintenance Organization," which would agree to provide care to a group not more than one-half of whom are medicare beneficiaries who freely choose this arrangement. Such payments may not exceed 100 percent of present Part A and B per capita costs in a given geographic area, and the exact amount of the payment would be dependent on the efficiency of the HMO.

The Secretary could make these arrangements with existing prepaid groups and foundations, and with new organizations which eventually meet the broadly defined term "Health Maintenance Organization."

Effective date: July 1973.

12. Termination of payment to suppliers of service

Under the bill the Secretary would be authorized to suspend or terminate medicare payments to a provider found to have abused the program. Further, there would be no Federal participation in medicaid payments which might be made subsequently to this provider. Program review teams would be established in each State to furnish the Secretary with professional advice in discharging this authority.

Effective date: January 1973.

13. Elimination of requirement that States move toward comprehensive medicaid program

The bill repeals Section 1903(e) which required each State to show that it was making efforts in the direction of broadening the scope of services in its medicaid program and liberalizing eligibility requirements for medical assistance.

14. Elimination of medicaid maintenance of effort

The bill repeals Section 1902(d). Under Section 1902(d) a State could not reduce its aggregate expenditures for the State share of its medicaid program from one year to the next.

Effective date: Enactment.

15. Customary charges less than reasonable costs under medicare

Effective for accounting periods beginning after December 31, 1972, the bill provides that reimbursement for services under medicaid and medicare cannot exceed the lesser of reasonable costs determined under medicare, or the customary charges to the general public. The provisions would not apply to services furnished by public providers free of charge or at a nominal fee. In such cases reimbursement would be based on those items included in the reasonable cost determination which would result in fair compensation.

Effective date: January 1973.

16. Prohibition against reassignment of claims for benefits

Effective January 1, 1973, the bill prohibits payment to anyone other than the physician or other person who provided the service, unless such person is required as a condition of his employment to turn his fees over to his employer.

17. Notification of unnecessary hospital and skilled nursing facility admissions

The bill requires notification to patient and physician and a payment cut-off after 3 days, in those cases where unnecessary utilization is discovered during a sample review of admissions to medicare hospitals or skilled nursing facilities.

18. Penalty for fraudulent acts and false reporting

The bill establishes penalties for soliciting, offering or accepting bribes or kickbacks, or for concealing events affecting a person's rights to benefit with intent to defraud, and for converting benefit payments to improper use, of up to one year's imprisonment and a $10,000 fine or both. Additionally, the bill establishes false reporting of a material fact as to conditons or operations of a health care facility as a misdemeanor subject to up to 6 months' imprisonment, a fine of $2,000, or both.

19–22. Skilled nursing facilities under medicare and medicaid

19. Conforming standards for extended care and skilled nursing home facilities.—The bill would establish a single definition and set of standards for extended care facilities under medicare and skilled nursing homes under medicaid. The provision creates a single category of "skilled nursing facilities" which would be eligible to participate in both health care programs. A "skilled nursing facility" would be defined as an institution meeting the present definition of an extended care facility and which also satisfies certain other medicaid requirements set forth in the Social Security Act.

Effective date: July 1973.

20. "Skilled care" definition for medicare and medicaid.—The bill would change the definition of care requirements with respect to entitlement for extended care benefits under medicare and with respect to skilled nursing care under medicaid. Present law would be amended to authorize skilled care benefits for individuals in need of "skilled nursing care and/or skilled rehabilitation services on a daily basis in a skilled nursing facility which it is practical to provide only on an inpatient basis." Coverage would also be continued during short-term periods (e.g. a day or two) when no skilled services were actually provided but when discharge from a skilled facility for such brief period was neither desirable nor practical.

Effective date: January 1973.

21. 14-Day transfer requirement for extended care benefits.—Under existing law, medicare beneficiaries are entitled to extended care benefits only if they are transferred to an extended care facility within 14 days following discharge from a hospital. Under the bill an interval of more than 14 days would be authorized for patients whose conditions did not permit immediate provision of skilled services within the 14-day limitation. An extension not to exceed 2 weeks beyond the 14 days would also be authorized in those instances where an admission to an ECF is prevented because of the non-availability of appropriate bed space in facilities ordinarily utilized by patients in a geographic area. *Effective date:* Enactment.

22. Reimbursement rates for care in skilled nursing facilities.—The bill amends title 19 to require States, by July 1, 1976, to reimburse skilled nursing and intermediate care facilities on a reasonably cost-related basis, using acceptable cost-finding techniques and methods approved and validated by the Secretary of HEW. Cost reimbursement methods which the Secretary found to be acceptable for a State's medicaid program could be adapted, with appropriate adjustments, for purposes of medicare skilled nursing facility reimbursements in that State.

23. Federal financing of nursing home inspections

The bill authorizes 100% Federal reimbursement for the survey and inspection costs of skilled nursing facilities and intermediate care facilities under medicaid, from October 1, 1972, through July 1, 1974.

24. Prohibition against institutional medical care payments under cash welfare programs

The bill precludes Federal matching for that portion of any money payment which is related to institutional medical or remedial care.

25. Determining eligibility for medicaid for certain individuals

Individuals eligible for medicaid in September 1972 could not lose their eligibility because of the recent 20% social security benefit increase until October 1973.

26. Physical therapy services and other services under medicare

Effective July 1973, the bill would include as covered services under part B, physical therapy provided in the therapist's office pursuant to a physician's written plan of treatment.

It also authorizes a hospital or extended care facility to provide outpatient physical therapy services to its inpatients, so that an inpatient could conveniently receive his part B benefits after his inpatient benefits have expired.

Benefit payments in one year for services by an independent practitioner in his office or the patient's home could not exceed $100. Effective January 1973, reimbursement for services provided by physical and other therapists would generally be limited to a reasonable salary-related basis rather than fee-for-service basis.

27. Coverage of supplies related to colostomies

The bill provides for medicare coverage of the costs of supplies directly related to the care of a colostomy.

28. Coverage prior to application for medicaid

The bill requires, effective July 1, 1973, all States to provide medicaid coverage for care and services furnished in or after the third month prior to application to those individuals who were otherwise eligible when the services were received. Included as eligible under the three-months retroactive coverage requirement would be deceased individuals whose fatal condition prevented them from applying for medicaid coverage but who would have been eligible if application had been made.

States are expected to modify their provider agreements where applicable so as to permit the application of appropriate utilization control procedures retroactively in these cases to assure that appropriate and necessary care was delivered.

29. Hospital admissions for dental services under medicare

The bill authorizes the dentist who is caring for a medicare patient to make the certification of the necessity for inpatient hospital admission for noncovered dental services under the above circumstances without requiring a corroborating certification by a physician.

This provision would be effective with respect to admissions occurring after the second month following enactment of the bill.

30. Extension of grace period for termination of supplementary medical insurance coverage where failure to pay premiums is due to good cause

The bill extends the 90-day grace period for an additional 90 days where the Secretary finds that there was good cause for failure to pay the premium before the expiration of the initial 90-day grace period.

This provision would apply to such cases of nonpayment of premiums due within the 90-day period preceding the date of enactment.

31. Extension of time for filing claim for supplementary medical insurance benefits where delay is due to administrative error

The bill provides that where a claim under supplementary medical insurance is not filed timely due to error of the Government or one of its agencies, the claim may nevertheless be honored if filed as soon as possible after the facts in the case have been established.

This amendment would apply with respect to bills submitted and requests for payment made after March 1968.

32. Waiver of enrollment period requirements where individual's rights were prejudiced by administrative error or inaction

The bill authorizes the Secretary to provide such equitable relief as may be necessary to correct or eliminate the effects of these situations, including (but not limited to) the establishment of a special initial or subsequent enrollment period, with a coverage period determined on the basis thereof and with appropriate adjustments of premiums.

This provision would apply to all cases which have arisen since the beginning of the program.

33. Elimination of provision preventing enrollment in supplementary medical insurance program more than 3 years after first opportunity

The bill eliminates the 3-year limit with respect to both initial enrollment and reenrollment after an initial termination. Enrollment periods would remain as presently defined and the restriction limiting individuals who terminate enrollment to reenroll only once would be retained.

This provision would apply to all those who are ineligible to enroll because of the 3-year limit in effect under present law.

34. Waiver of recovery of incorrect medicare payments from survivor who is without fault

The bill permits any individual who is liable for repayment of a medicare overpayment to qualify for waiver of recovery of the overpaid amount if he is without fault and if such recovery would defeat the purpose of title II or would be against equity and good conscience.

35. Requirement of minimum amount of claim to establish entitlement to hearing under supplementary medical insurance program

The bill requires that a minimum amount of $100 be at issue before an enrollee in the supplementary medical insurance program will be granted a fair hearing by the carrier.

The provision would be effective with respect to hearings requested after the enactment of the bill.

36. Provide that services of optometrists in furnishing prosthetic lenses not require a physician's order

The bill would recognize the ability of an optometrist to attest to a beneficiary's need for prosthetic lenses by amending the definition of the term "physician" in title XVIII to include a doctor of optometry authorized to practice optometry by the State in which he furnishes services. An optometrist would be recognized as a "physician" only for the purpose of attesting to the patient's need for prosthetic lenses. (Of course, neither the physician nor the optometrist would be paid by medicare for refractive services when the beneficiary has been given a prescription by a physician for the necessary prosthetic lenses.) This change would not provide for coverage of services performed by optometrists other than those covered under present law, nor would it permit an optometrist to serve as a "physician" on a professional standards review organization.

37. Exemption of Christirn Science sanatoriums from certain nursing home requirements under medicaid

The bill exempts Christian Science sanatoriums from the requirements for a licensed nursing home administrator, requirements for medical review, and other inappropriate requirements of the medicaid program.

Such sanatoriums will be expected to continue to meet all applicable safety standards.

38. Coverage of chiropractic services under part B of medicare

The bill broadens the definition of the term "physician" in title XVIII to include a licensed chiropractor who also meets uniform minimum standards to be promulgated by the Secretary.

The services furnished by chiropractors would be covered under the program as "physicians' services," but only with respect to treatment of the spine by means of manual manipulation which the chiropractor is legally authorized to perform. Claims for such treatment must be verifiable with a satisfactory X-ray indicating the existence of a subluxation of the spine.

The amendment would become effective with respect to services provided on or after July 1, 1973.

39. Chiropractors' services under medicaid

The bill conforms the coverage of chiropractic under medicaid with the provision conditioning eligibility of such services included in the amendment adding chiropractic coverage to Part B of medicare except for the requirement that an X-ray show the existence of a subluxation.

40. Direct laboratory billing of patients

The bill provides that, with respect to diagnostic laboratory tests for which payment is to be made to a laboratory, the Secretary would be authorized to negotiate a payment rate with the laboratory which would be considered the full charge for such tests, and for which reimbursement would be made at 100% of such negotiated rate. Such negotiated rate would be limited to an amount not to exceed the total payment that would have been made in the absence of such rate.

41. Clarification of meaning of "physicians' services" under title XIX

The bill defines a physician, under Title XIX, for purposes of the mandatory provision of physicians' services as being a duly licensed doctor of medicine or osteopathy.

42. Limitation on adjustment or recovery of incorrect payments under the medicare program

The bill would limit medicare's right of recovery of overpayments to a 3-year period (or a 1-year period) from the date or payment where the beneficiary acted in good faith; would permit the Secretary to set a time between 1 and 3 years within which claims for underpayment would have to be made.

43. Speech pathology services under medicare

The bill would cover under medicare the costs of speech pathology services where such services are provided in clinics participating in the program as providers of covered physical therapy services.

44. Repeal of section 1903(b)(1)

The bill deletes the requirement that States spend at least as much for care of individuals who are 65 or over in mental hospitals as in fiscal year 1965.

45. Coverage under medicaid of intermediate care furnished in mental and tuberculosis institutions

The bill provides that intermediate care can be covered for individuals age 65 or older in mental institutions if such individuals could also be covered when in mental hospitals for hospital or skilled nursing facility care. *Effective date*: Services furnished after December 31, 1972.

46. Treatment in mental hospitals for medicaid eligibles under age 21

The bill authorizes coverage of inpatient care (under specific conditions) in mental institutions for medicaid eligibles under age 21. *Effective date:* January 1973.

47. Public disclosure of information concerning survey reports of an institution

The bill requires the Secretary to make reports of an institution's significant deficiencies or the absence thereof (such as in the areas of staffing, fire safety, and sanitation) a matter of public record readily and generally available. Such information would be available for inspection within 90 days of completion of the survey.

48. Family planning services mandatory under medicaid

(1) The bill authorizes 90% Federal funding for the costs of family planning services under medicaid and title IV.

(2) Provision requires States to make available on a voluntary and confidential basis such counseling, services and supplies, directly and/or on a contract basis with family planning organizations throughout the State, to present, former, or likely recipients who are of child-bearing age and who express a desire for such services.

(3) The Federal share of AFDC funds would be reduced by 1%, beginning in fiscal 1974, if a State in the prior year fails to inform the adults in AFDC families of the availability of family planning services or if the State fails to actually provide or arrange for such services for persons desiring to receive them who are applicants or recipients of cash assistance.

49. Penalty for failure to provide child health screening services under medicaid

The bill would reduce the Federal share of AFDC matching funds by 1%, beginning in fiscal 1975, if a State—

(a) fails to inform the adults in FDC families of the availability of child health screening services;

(b) fails to actually provide or arrange for such services; or

(c) fails to arrange for or refer to appropriate corrective treatment children disclosed by such screening as suffering illness or impairment.

50. Home health coinsurance

Effective January 1973, the bill eliminates requirement of coinsurance payment under Part B of medicare for home health services.

51. Medicare appeals

The bill clarifies present law that there is no authorization for an appeal to the Secretary or for judicial review on matters solely involving amounts of benefits under part B, and that insofar as part A amounts are concerned, appeal is authorized only if the amount in controversy is $100 or more and judicial review only if the amount in controversy is $1,000 or more.

52. Medicare: Coverage of persons needing kidney transplantation or dialysis

The bill provides that fully or currently insured workers under social security and their dependents with chronic renal disease would be deemed disabled for purposes of coverage under parts A and B of medicare. Coverage would begin 3 months after a course of renal dialysis is begun.

III. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

The bill would replace the present State programs of aid to the aged, blind, and disabled, effective January 1, 1974, with a new wholly Federal program of supplemental security income.

National supplemental security income; disregard of social security or other income

Under the bill, aged, blind, and disabled persons with no other income would be guaranteed a monthly income of at least $130 for an individual or $195 for a couple. In addition the bill would provide that the first $20 of social security or any other income would not cause any reduction in supplemental security income payments.

As a result, aged, blind, and disabled persons who also have monthly income from social security or other sources (which are not need-related) of at least $20 (would, be assured total monthly income of at least $150 for individual or $215 for a couple.

Earned income disregard

In addition to a monthly disregard of $20 of social security or other income, there would be an additional disregard of $65 of earned income plus one-half of any earnings above $65. This will enable those aged, blind and disabled individuals who are able to do some work to do so and in the process give them a higher income in addition to supplemental security income.

In addition, as under present law, any income necessary for the fulfillment of a plan for achieving self-support would be disregarded for persons qualifying on the basis of blindness. A savings clause would assure that blind persons would not receive any reduction in benefits due to these provisions.

Definitions of blindness and disability

Under present law each State is free to prescribe its own definition of blindness and disability for purposes of eligibility for aid to the blind and aid to the permanently and totally disabled.

Under the new supplemental security income program, there would be a uniform Federal definition of "disability" and "blindness."

The term "disability" would be defined as "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months." This definition is the same as that now used in the Social Security disability insurance program.

The term "blindness" would be defined as central visual acuity of 20/200 or less in the better eye with the use of correcting lens. Also included in this definition is the particular sight limitation which is referred to as "tunnel vision."

A blind or disabled person who was on the rolls in December 1973 and met the State definition for blindness, disability as defined in the State plan in effect October 1972 would be considered blind or disabled for purposes of this title so long as he continues to be blind or disabled.

No disabled person would be eligible if the disability is medically determined to be due solely to drug addiction or alcoholism unless such individual is undergoing appropriate treatment, if available. Payments for addicts or alcoholics would only be made to third parties as protective payments.

Other Federal eligibility standards

Eligibility for supplemental security income would be open to an aged, blind or disabled individual if his resources were less than $1500 (or $2250 for a couple). In determining the amount of his resources, the value of the home (including land surrounding home), household goods, personal effects, including an automobile, and property needed for self support would, if found to be reasonable, be excluded. Life insurance policies would not be counted if the face value of all policies was less than $1,500. (Current recipients under State programs with higher resources limits would retain their eligibility.)

State supplementation

States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplemental security income payment would be free to do so. The bill would permit States to enter into agreements for Federal administration of State supplemental benefits. Under these agreements supplemental payments would have to be made to all persons eligible for Federal supplemental security income payments except that a State could require a period of residence in the State as a condition of eligibility.

Ineligibility for food stamps

Individuals in the Supplemental Security Income program would not be eligible for food stamps or surplus commodities.

Medicaid coverage

Under present law, the States are required to cover all cash assistance recipients under the medicaid program. The bill would exempt from this requirement newly eligible recipients who qualify because of the new provision for a $130 minimum benefit with a disregard of $20 of social security or other income.

Social services

States would be authorized to continue programs providing social services to aged, blind, and disabled persons. These services are currently provided under the welfare programs for the aged, blind, and disabled which would be replaced by the new Federal supplemental security income program. There would be 75 percent Federal matching for the services provided, subject to the overall limitations established by the State and Local Fiscal Assistance Act.

Amendments to present law for aid to aged, blind, and disabled persons (effective until January 1, 1974):

Separation of social services not required

Separation of social services and eligibility determination is specifically not required.

Cost for providing manuals

At its option, the State may require a charge for reasonable cost of providing manuals and other policy issuances.

Appeals process

The bill provides that the decision of the local agency on the matter considered at an evidentiary hearing may be implemented immediately.

Absence from State for 90 days

The bill provides that the State may make any person ineligible for money payments who has been absent from the State over 90 consecutive days until such person has been present in the State for 30 consecutive days in the case of an individual who has maintained his residence in the State during such period or 90 days in the case of any other individual.

Rent payments for public housing

Permits the States, if they elect to do so, to make rent payments directly to a public housing agency on behalf of a recipient or a group or groups of recipients.

Safeguarding information

The bill permits the use or disclosure of information concerning applicants or recipients to public officials who require such information in connection with their official duties.

Passalong of social security increases

Present law requires State programs of aid to the aged, blind, and disabled to assure that the total income of recipients who also get social security are at least $4 higher as a result of the 1969 social security benefit increase. The bill would add an additional $4 "passalong" related to this year's 20 percent social security increase and would make both "passalong" provisions applicable until January 1974.

IV. CHILD WELFARE SERVICES AND SOCIAL SERVICES

Grants to States for child welfare services (including foster care and adoptions)

The committee adopted an amendment increasing the annual authorization for Federal grants to the States for child welfare services to $196 million in fiscal year 1973, rising to $266 million in 1977 and thereafter. For fiscal year 1973, this is $150 million more than the $46 million which has been appropriated every year since 1967. It is anticipated that a substantial part of any increased appropriation under this higher authorization will go toward meeting the costs of providing foster care which now represents the largest single item of child welfare expenditure on the county level. The bill, however, avoided earmarking amounts specifically for foster care so that wherever possible the State and counties could use the additional funds to expand preventive child welfare services with the aim of helping families stay together and thus avoiding the need for foster care. The additional funds can also be used for adoption services, including action to increase adoptions of hard-to-place children.

Social services

Provides a saving provision to the limitation on expenditures for social services contained in the State and Local Assistance Act of 1972 so that States for the first quarter of fiscal 1973 will be reimbursed as they would have been under previous laws. This saving provision would be applicable only to the extent that the resultant Federal funding for this quarter does not exceed $50 million.

HON. WILLIAM M. COLMER

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ROYBAL. Mr. Speaker, I would like to offer my best wishes to one of the longtime Members of this body, the Honorable William M. Colmer, who will be retiring at the end of this session.

Aside from his able chairmanship of the Rules Committee and his many legislative achievements, Bill's career in the House of Representatives spans four decades and that of itself is quite an accomplishment as well as an indication of the very high esteem in which he is held by the residents of his district.

It is my understanding that Bill's constituents have planned a testimonial in his honor next week to give public recognition to his long and devoted service. Without a doubt, the gratitude and appreciation that prompted this tribute is well-deserved.

SCHOOLING FOR AUTISTIC CHILDREN

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HARRINGTON. Mr. Speaker, there is no panacea for mental illness. Mental illness, like physical disease, takes many forms; its causes as varied as its symptoms. Perhaps one of the most tragic forms of mental illness is childhood autism. Youngsters who retreat from, or who are unable to cope with reality, are known as autistic.

The autistic child, like all children, needs affection, a sense of security, and a feeling of personal significance. He also needs the chance to learn and to become aware of the world around him.

The following article, "Schooling for Autistic Children," which appeared in the booklet "Autism," by Lorna Wing, describes educational opportunities presently available for autistic children. Although there are many programs designed to help the autistic child, there is an urgent need to establish more educational facilities and to provide the necessary funds for adequate care and treatment for autistic children.

The article follows:

SCHOOLING FOR AUTISTIC CHILDREN

With most autistic children it is obvious, even before they are 5, that education is going to present problems. If they are brought to the attention of the local authority they may be "assessed" to see if they are suitable for education. The decision is based on the results of a statutory medical examination and psychological tests, plus whatever information can be obtained from other professional workers (e.g. doctors, teachers, educational psychologists, psychiatric social workers, speech therapists, etc.) who may have had dealings with the child. The full medical examination is the only essential part of the assessment process, Information from other sources can be, and usually is, taken into account, but this is not a legal necessity.

The parent has a legal right to be present during the statutory medical examination, and during psychological (intelligence) tests *if* they are given by the examining medical officer as part of the medical examination. However, if an educational psychologist gives the intelligence tests, this is not regarded as part of the medical examination, and the parent is not legally entitled to be present.

If the child is found to be 'unsuitable for education' he becomes the responsibility of the local health authority. He may then attend a training centre or a special care unit, but would not be able to receive education of any kind from the education authority (e.g. at school, home tuition, or tuition from the education authority in association with any other treatment provided at a hospital). Parents may appeal against the decision within twenty-one days and at yearly intervals afterwards. Appeals should be sent to the Secretary of State for Education and Science, who took over the functions of the Minister of Education in April 1964.

The system of assessment of suitability for education was originally devised to overcome the problems of providing for children who were severely mentally handicapped. At that time, education was considered to be mainly a matter of the three Rs, leading on to further academic work, and it was felt that children below a certain Intelligence Quotient (IQ) were quite unable to benefit from this approach.

Recently, however, ideas have changed considerably. Firstly, many workers now doubt the value of IQ tests for predicting the future development of any child, and especially one who is autistic. Secondly, the concept of education has been widened to include the development of social skills, as well as more conventional subjects.

At the same time, interest in the education of the handicapped child has grown rapidly. Teachers who are trained in this work have found that with the right approach even children with very difficult behaviour problems can eventually be integrated into a class with other children. Education cannot cure a mental or physical handicap. It cannot dissolve away the basic causes of, for example, autistic behaviour, just as it cannot regenerate wasted muscles or restore hearing. What it can do is make the best use of faculties which are intact, develop latent skills, and in doing this make the child concerned happier, interested in life and much easier to live with.

Experiments in the education of all kinds of handicapped children are being carried out in many different types of schools, by teachers with a variety of different approaches. The results are encouraging enough to suggest that the provisions for severely subnormal children and autistic children should be re-examined. It seems a pity that that the Royal Commission on the Law Relating to Mental Illness and Mental Deficiency did not recommend a change in the law, at least to bring England and Wales into line with Scotland, where training centres are under the local Education Authorities. However, the present intense interest in the importance of education gives hope for the future. Schools suitable for children with all degrees of handicap would be needed, but the first steps towards this are already being made by teachers, with the backing of doctors and educational psychologists.

Assuming that an autistic child is called suitable for education the next thing is to find the right school. Teachers in different kinds of schools are becoming interested in the problem, and may in some cases be willing to include one or two in a class with other children. Parents must make inquiries about the policies of the schools in their areas.

The following are the kinds of school which have taken these children—they may be state or private, day or residential.

1. Schools for normal children. (There are some private schools with small classes who take normal children who are rather slow in learning. Some children with mild autistic symptoms fit well into this kind of environment.)

2. Special schools for delicate children and physically handicapped children.

3. Special schools for children who are educationally subnormal.

4. Special schools for maladjusted children.

5. Special schools for children with speech defects.

6. Special schools for children suffering from more than one handicap (one of these accepts children who are maladjusted and who have difficulties in communication.)

7. Hospital special schools.

8. Specialized private schools—for example, those of the Rudolf Steiner organisation, who will accept children with many different kinds of handicaps.

In a number of schools scattered throughout the country, specialised classes for various types of handicapped children have been started. These may be found attached to any of the first four kinds of schools mentioned above, and some of them are suitable for autistic children.

In addition, there are also units or classes taking handicapped children, loosely referred to as schools, but which do not (at least at present) come within the definition of a school as used by the education authorities. These include:

1. A few small groups, run by teachers, which specialise in autistic children, and those with allied disorders. Most of these have been started by the National Society for Autistic Children.

2. Teaching units attached to children's psychiatric hospitals.

3. Teaching units attached to mental subnormality hospitals—a few of these will take daily attenders living at home.

4. Some education authorities have "remedial classes" for children with special problems. Children can attend part time (the rest of the time being spent at normal school) or full time if necessary. At least one unit of this kind is doing excellent work with autistic children.

Finally, it should be mentioned that in some cases local education authorities have provided home teachers for autistic children, to help them prepare for school attendance.

For the future, it is to be hoped that more schools at all levels will take autistic children. They need much individual attention, especially at first, plus special teaching geared to their individual handicaps. They also need to mix with children who communicate and play, to improve their social relationships. Special small groups inside schools catering for other kinds of children would achieve all these aims.

RETIREMENT OF ED GARMATZ

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. MOORHEAD. Mr. Speaker, this Chamber soon will lose one of its best-liked and hardest working Members when Eddie Garmatz retires.

The strong-willed Marylander has much to be proud of in his 25 years of service to his constituents and the Nation.

His wisdom and efforts have been a shot in the arm to the Nation's merchant marine and fishing industries. In turn, the entire country has profited from the boost in water transport and fishing activities.

His work as chairman of the Merchant Marine and Fisheries Committee is a record of achievement and success. Yet he has never shirked his other responsibilities despite the overwhelming demands of a full committee chairmanship.

I know Eddie as a faithful and able member of the Government Operations Committee.

I only hope that his next 25 years are as productive and satisfying as the past 25 he put in as a Member of Congress. And I wish him the best of luck in whatever he pursues.

PRESIDENT NIXON SHOULD ADVISE THE SOVIET GOVERNMENT OF AMERICAN CONCERN OVER REPRESSIVE SOVIET EMIGRATION PRACTICES AGAINST SOVIET JEWS

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. YATES. Mr. Speaker, on September 28, 1972, I inserted into the Congressional Record a letter I wrote President Nixon urging him to request the Soviet authorities to rescind their outrageous ransom demands imposed upon their Jewish citizens for visas to leave the Soviet Union.

The reply I received from the White House was almost a total dismissal of my request. There was no explanation of the White House position or any affirmation that the President had ever taken the matter up with the Soviet Government.

Meanwhile, the outrageous Soviet visa practices continue to lay a heavy hand upon Soviet Jews who want to leave the Soviet Union. Each day the visa requirements become more onerous and repressive. It is perfectly clear that the Soviet authorities are paying little attention to any representations that this administration may have made on the subject.

The answer, Mr. Speaker, is not to forget the matter or to dismiss it as this administration seems to have done. That would be exactly what the Soviet Government would want. Rather, the answer is to pursue the issue with determination so that the Soviet Government cannot mistake the fact that the U.S. Government is interested in the plight of the Soviet Jews, and that our Government is noting carefully the restrictions imposed by Soviet authorities in denying visas to its citizens.

Mr. Speaker, that is what I have requested President Nixon to do in a second letter I have written to him. I hope and trust it will move him to take the steps which will persuade the Soviet Government that this administration is concerned with the continued and mounting violations of human rights perpetrated by the Soviet Union upon its citizens of Jewish faith.

Mr. Speaker, I attach to my remarks copies of my correspondence with the President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1972.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Reference is made to my letter to you of September 28, 1972, in which I respectfully suggested that you raise your voice in protest to the shocking ransom demands being imposed by the Soviet Government upon its Jewish citizens who had applied for visas to leave the Soviet Union. I said that "silence by you at this time would be taken by the Soviet Government as acquiescence in its latest moves."

I must say, in all frankness, that the reply I received from the White House, dated October 5, 1972, and signed by Richard K. Cook, Deputy Assistant to the President, a copy of which I am enclosing, exhibits a demeaning and disdainful treatment of a Member of Congress and amounts to little less than an outright dismissal of a most urgent matter. You have only to look at the reply to note its almost total inappropriateness.

The plight of Soviet Jewry is even more desperate now than when I last wrote to you. Gavril Shapiro, whose case is well known to you, and 20 other applicants for visas have lost their jobs and have been approached by the Soviet militia with the demand that they find employment or face trial as economic parasites. Within the last seven days new and more onerous requirements have been heaped upon prospective emigrants, which are calculated to confuse and shame them.

For example, applicants, no matter what their age, even adults, are now required to obtain the permission of their parents in connection with their application for a visa. As a part of the documents supporting the application, the parents must obtain from their employers an acknowledgement that the employer has been told by the parents that their child wants to leave the Soviet Union, a procedure obviously calculated to hold them up to ridicule and embarrassment, not only by the employer but by the parents' fellow employees.

Thus, it becomes more and more apparent that the Soviet Government has not been impressed by any representation that has been made to them on the subject by this Administration, for it is proceeding as though none was made. If the matter was discussed with Soviet Foreign Minister Gromyko on the occasion of his recent visit, and words of assurance he may have uttered are certainly not being observed or followed by the Soviet authorities.

Again, I respectfully suggest that your silence at this time, in the face of continued and increasing harassment by the Soviet authorities of visa applicants will be taken by them to be acquiescence in their actions.

I would respectfully urge that you make known to the Soviet Government that its desire for favored nation treatment in its trading relations with the U.S. may stand in jeopardy as long as the Soviet Government insists upon maintaining its outrageous visa demands. You will be sustained in this position, knowing it has very substantial support in the Congress, as is indicated by the fact that there are now 76 co-sponsors of the so-called Jackson Amendment in the Senate and 131 co-sponsors of a companion measure in the House.

Mr. President, I respectfully suggest that such action taken by you at this time will give hope and courage not only to the Jews of the Soviet Union, but to oppressed peoples everywhere.

I would appreciate your response to the suggestions I have made.

Respectfully yours,
SIDNEY R. YATES,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., October 5, 1972.

Hon. SIDNEY R. YATES,
House of Representatives,
Washington, D.C.

DEAR MR. YATES: I wish to acknowledge and thank you for your September 25 letter to the President with which you forwarded Mr. Leonard W. Schroeter's report from Jewish Leadership in the Soviet Union.

I note that a copy of this report has been previously delivered to Mr. Leonard Garment and I will be pleased to express to him your interest in it. You may be assured your views will be fully reviewed.

With cordial regards,
Sincerely,
RICHARD K. COOK,
Deputy Assistant to the President.

HON. MARGARET HECKLER

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, our colleague, MARGARET HECKLER, has recently been the subject of a story in McCall's magazine concerning women in politics. The article examines the way in which women in public life combine their many roles in order to answer the needs of both their families and constituencies.

Certainly, the gentlewoman from Massachusetts (Mrs. HECKLER) exemplifies the best image of a woman committed to public service. She has served the needs of the Nation in her advocacy of day care centers, better housing, and improved assistance for senior citizens. She has served the needs of her district by her constant presence and her willingness to fight for her constituents. In addition to all this, she is a devoted wife and mother and makes extra sacrifices to insure that she has time with her family.

I commend the article to the attention of my colleagues as a fine tribute to Congresswoman MARGARET HECKLER:

MARGARET HECKLER: A TINY DYNAMO WHO SPEAKS UP TO PRESIDENTS

As a vote getter, Congresswoman Margaret Heckler, 41, has a remarkable track record. She is a Republican in a district that is predominantly Democratic. Her first time out, in 1966, she attracted national attention by beating former Speaker of the House Joe Martin in the Republican primary. She not only won the election, but has become so firmly established that this year she is running unopposed. Her noncampaign schedule, however, is just as full of meetings, lunches, press conferences and visits with constituents as it would be if she had an opponent. "I love to meet people," she says, "and I feel I can learn as much from a factory worker as from the company's president. Personally, I find politics very satisfying."

Margaret Heckler's district includes the bedroom suburb of Wellesley, as well as the industrial cities of Fall River, Taunton and Attleboro, and her constituents range from Harvard professors to lobstermen. She likes to keep up what she calls a "continuing dialogue" with the people of her district, and sends out questionnaires regularly, asking their opinions on a variety of issues. She maintains three offices in her home district, where constituents come in with suggestions, complaints and even with personal and family problems.

Margaret finds herself involved with the interests of a wide variety of groups, from senior citizens to unemployed veterans. She's concerned with consumer problems, with the shortage of housing in her district and with the improvement of Fall River's harbor facilities. And she has an uncanny knack for putting federal monies where her mouth is: In three terms she has brought her district approximately $60,000,000 in government funds.

Getting adequate day-care facilities is another major concern. She was, in fact, cosponsor of the day-care bill that President Nixon vetoed, but she hasn't given up on the issue. "There are those who think that day care will destroy the family," she says. "Realistically, it can save the family." She points out that 70 percent of the workers in Fall River's garment industry are women, and most of them have to work in order to keep the family income about the poverty line. "And day care can give children, particularly underprivileged children, a valuable education experience." While she's a staunch Nixon supporter, she's disappointed with his stand on this issue. "It's your job, Margaret," her friends tell her, "to set the President straight on that one." Which she may do: She has spoken up to Presidents before.

During her first term she turned down five consecutive invitations to Congressional receptions at the White House. Finally President Johnson said, "Margaret, how come you never visit me?" "Because," she said, "you never invite me to anything good." The next invitation was to a State Dinner.

John Heckler, Margaret's husband, is an investment counselor, and they have three children—Belinda, 15, Allison, 13, and John, 12. The Hecklers maintain two houses—one in Wellesley and one in McLean, Virginia—and they spend a great deal of time in airplanes. They're a well-matched pair, both dynamic, outgoing personalities. John, who is also Margaret's campaign manager, thoroughly enjoys political life.

UNITED NATIONS

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FRELINGHUYSEN. Mr. Speaker, we have been aware in recent years of the growing disenchantment felt by many people with the work of the United Nations. Especially within the United States increasing questions have been raised about the efficacy and usefulness of the world organization.

Despite its disappointments and shortcomings, however, I am convinced that the United Nations is indispensable. There is literally no alternative if we are to meet successfully the diverse economic, social and political problems which confront all nations of the world. It is essential to have the institutional foundation for a durable structure for peace.

Two articles which recently appeared in the Christian Science Monitor point out the importance of the organization to both developed and developing countries. They depict the strong commitment of the Secretary-General of the United Nations, Kurt Waldheim, to the principles and objectives of the world body.

A dynamic individual, Secretary-General Waldheim is seeking to restore confidence worldwide in the United Nations ability to resolve problems. Convinced that multilateral cooperation and assistance are essential in a world which grows closer each year, Mr. Waldheim has dedicated his efforts to strengthening the role of the United Nations.

I personally believe there is a real need for a more active and effective world body in the years ahead, and I commend these articles to the attention of my colleagues.

U.N. Effectiveness Under Question

(By David Winder)

The strong winds that frequently rattle against the tall exposed United Nations building on the East River, whipping its flagpoles, and swirling around the beautifully simple free-form Barbara Hepworth sculpture are symbolic of political winds buffeting the UN these days.

The world body's effectiveness has never been challenged as it is today—following its inability last year to stop the India-Pakistan war.

UN prestige is at stake. And the Secretary-General's public remarks about restoring international credibility in the UN show that the problem is acknowledged.

Those at UN headquarters hope the lack of credibility is only a passing phenomenon. Reassuring them is the hope that the world is entering a new era in which the UN must play an enlarged role.

Exploration of the moon, protection of ocean resources, control of environmental degradation—all these point to the need for a global organization that can formulate an international code of behavior.

PRISONER ON PLANET

As Ambassador Christopher Phillips, the United States' No. 2 man here, says, "The notion that the astronauts brought back of a planetary society is absolutely relevant to us. We are increasingly prisoners on this small planet."

For the moment, though, disenchantment with the United Nations runs deep in Western Europe, and even deeper in the United States.

Gallup Polls indicate how far the UN has fallen in its appeal to Americans. The U.S. public overwhelmingly supported the world body in 1945, but only 35 percent of the population believed the UN was doing a good job in 1971.

Several factors account for Americans' disenchantment:

A. Initial overselling of the United Nations as an organization that could wave a magic wand over world problems and summarily remove them.

B. The evolution of the UN from a small and fairly homogeneous group of nations with built-in, pro-Western bias to a much larger organization in which the U.S. can no longer push through decisions.

C. The U.S. experience in Vietnam which has resulted in Americans looking inward toward themselves and their problems at home.

But a purely West European or American assessment of the UN is necessarily a one-sided view. It doesn't take into account the fact that for countless millions of Latin Americans, Africans, Asians, and Middle Easterners, the UN is a necessity.

For these countries, the United Nations is the international forum where they can prick rich nation's consciences. It is their means of winning trade concessions and getting aid, economic assistance, and emergency relief. In the UN they can make big powers more responsive to the problems of disarmament and racial discrimination. Above all, for the small and weak the UN is a safety valve.

As one delegate of a prominent third-world country puts it: "We have no napalm. No tanks. No platform. The UN is the only place where we can talk about our problems to reach agreement."

UN CALLED INDISPENSABLE

For an ambassador from a small African nation the UN is indispensable: "They talk about downgrading the UN, but we wouldn't know what to do without it."

Is the UN, then, vital only to the underdeveloped world, and irrelevant or of limited value for big-power nations?

That question was underscored by one American who said she could sum up U.S. reaction in the UN thus: "I am bored with the UN. It's all right for that half of the world that is underdeveloped and illiterate. But what's in it for me?"

Andrew W. Cordier, an executive assistant to two former secretaries-general and an American himself, believes the value of the UN to the U.S. is very clear cut.

For him, whenever tensions in the world are alleviated at the UN through worldwide discussions—to that extent is the U.S. saved from military and diplomatic involvement that could lead to further aid and expenditure.

Secondly, says Dr. Cordier, "We gain as people in the broader fields of improving standards of living of the peoples of the world. We cannot forever expect as a rich nation to live in a world of splendid isolation while the rest live in poverty."

ECONOMIC FREEDOM NEEDED

On this economic and social front, the UN has scored outstanding successes that are not generally appreciated by the public.

Says Ambassador Mooki Molapo of Lesotho, "We are heavily dependent on the UN. Its assistance is vital and indispensable to the government's development policies."

The point UN officials make is that political independence for emerging countries is worthless unless accompanied by economic independence.

Beyond these economic benefits are larger questions of international security not necessarily expressed in political conflicts between nations.

Without the preparatory work that went into UN disarmament debates, it is doubted here whether there would have been such accomplishments as the 1963 Partial Test Ban Treaty or the progress recorded in previous SALT talks.

Despite all these gains a certain exasperation exists at UN headquarters because the public—as UN officials see it—overestimates the power of the organization.

True, the UN has some of the attributes of a world government in embryo. But it has no prime minister, cannot levy taxes, and cannot raise an army without its members volunteering the troops.

In a word, the UN has no executive powers—it has only moral authority.

Very often problems come to the UN precisely because all other efforts at mediation have been exhausted.

As Sir Colin Crowe, Britain's permanent representative to the UN points out, "We've got stuck with all the horrors—Middle East, Korea, and Cyprus—the ones that defy bilateral settlement."

This is not to suggest that the UN is free of imperfections. Far from it.

Critics feel that the UN gives itself a bad name by responding sluggishly or by not responding at all to gross violations of human rights—either for reasons of political expediency, or because members find it convenient to hide behind Article 2.7 of the UN Charter which upholds national sovereignty.

Reformers would like to see the UN place more stress on peacemaking rather than peacekeeping; on establishing research centers throughout the world that could quickly pinpoint trouble and find ways of resolving it; and on establishing within the Security Council small conciliation groups that could work out solutions for major world problems, out of the harsh glare of the public eye.

The UN, it is said, can go only as far as its members will let it—consensus not majority decisions being the rule.

Until countries can subordinate selfish national interests for international good, the UN will be stuck with its obvious limitations. But, say observers here, to declare it irrelevant or of minimal worth is not only unfair, but also a distortion of its record.

Kurt Waldheim's Surprising Diplomatic Activism

An innovative, active, outspoken international civil servant does not make, in the eyes of the big powers, a good secretary-general. Too much risk of rocking the diplomatic boat.

When the big powers set about selecting a new secretary-general late last year the tall Austrian diplomat with polished manners and Savile Row-style suits seemed a safe enough choice. Kurt Waldheim was seen variously as bland, colorless, passive and, coming from a neutral country, probably indecisive.

"When they found out he was not a noodle, but a man with a backbone, they became furious," says one UN official. "They also thought Hammarskjold was just a clerk, and U Thant a schoolteacher."

All of this might suggest that either the big powers seriously underestimated the man they chose for "the most difficult job on earth," or that the man himself grew to fill those very large secretary-general shoes.

Whatever the reason, Mr. Waldheim has dispelled the myths about him.

HURTLES AROUND GLOBE

Since taking office nine months ago, he has become an express train of activist diplomacy, hurtling around the globe in record time and visiting more than 25 countries—sometimes temporarily lost in dark political tunnels only to emerge in the case of Cyprus of South-West Africa with modest but significant successes.

Mr. Waldheim's visit to Cyprus helped spark the resumption of lapsed inter-communal talks. His trip to Namibia, as the UN calls South-West Africa, resulted in the mutually agreed upon decision to appoint a UN representative to work with the Pretoria government on moving the vast desert land toward independence.

At home the Secretary-General has pruned administrative deadwood, frozen staff hiring, saved $6 million, and thus brought smiles to the budget-minded Americans.

A fast-running world traveler who seldom leaves his 38th floor UN office before 9 p.m., Mr. Waldheim's activisim is breathless.

That he could have been seen as anything less than dynamic surprises him.

Those who know him, he says, know "I am full of dynamism and I am a hard-working man. I am definitely not an easy man who just accepts what others say. I have my own views and I have very outspoken opinions. And if I am convinced that I am right, I go through with it whether others like it or not."

Working associates say the Secretary-General is like a terrier scrapping with a bone, and that it is this determination and perseverance, rather than any great intellectual capacity, that stamps Kurt Waldheim's character.

AWARE OF LIMITATIONS

Despite such activism and determination, Mr. Waldheim has no illusions about his job. He is acutely aware of his limitations under the UN Charter.

Mr. Waldheim's dilemma, then, is how to act and when to act when working with 132 member states.

The answer to that dilemma apparently is found in a German word—"Fingerspitzengefuhl"—finger-tip sensitivity that tells when a solution seems right. Diplomatic training and experience—Mr. Waldheim was formerly Austrian Foreign Minister—are not excluded from his decisionmaking process.

The Secretary-General's critics suggest that some of his "Fingerspitzengefuhl" was lacking when he warned of the dangers of possible U.S. dike bombings in North Vietnam.

Washington erupted, to Dr. Waldheim's surprise. He had thought his remarks were sprinkled with sufficient qualifications to fall short of direct accusation. But the White House view was less charitable. The Nixon administration thought Mr. Waldheim was badly misinformed and badly advised.

With time, it is thought, the storm will blow over and Mr. Waldheim will continue with his main preoccupation: restoring the confidence of the world in the political capability of the UN to solve problems.

His optimism in that direction is boundless.

"I am confident that the UN has a future because there is no alternative. Believe me. Even with all the bilateral diplomacy, which is quite in order—and I have certainly nothing against it—this alone is not enough in this age. You need multilateral cooperation and the best forum for this is the UN."

ADDRESS BY CONGRESSMAN BYRNE AT THE DEDICATION OF ST. JOSEPH'S GARDENS

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BARRETT. Mr. Speaker, this past summer St. Joseph's Gardens in front of Old St. Joseph's Church, the oldest Catholic church in Philadelphia, was dedicated. At this great memorable occasion, the Honorable JAMES A. BYRNE, Member of Congress, a close devoted friend to the church, gave the main address. The master of ceremonies was the Honorable Michael Bradley, a former Member of this body.

The address by our dear friend and colleague, JIMMY BYRNE, deals with the early efforts toward tolerance and the principle of religious freedom in America and I commend it to my colleagues. I include it at this point in the RECORD.

ADDRESS BY HON. JAMES A. BYRNE

This is a very welcome day and it gives recognition to a very historic edifice, whose history has been closely related to our Country's history since the earliest days. Old St. Joseph's Church was founded in 1733 by the Reverend Joseph Greaton, a Jesuit Father.

It was here that the principle of religious freedom in America was first definitely established. In 1734, Patrick Gordon, the Colonial Governor of the Pennsylvania Colony, endeavored to apply the discriminatory laws of Great Britain existing at that time in order to prevent public religious services at Old St. Joseph's. However, the Provincial Council of Pennsylvania, which was dominated by the Quakers, refused his demand to prohibit these services and it was because of the courageous, charitable, and tolerant action of the members of the Society of Friends that freedom of religion was maintained in the Pennsylvania Colony and this inspired and developed support for this doctrine throughout the thirteen original Colonies and resulted in this principle being embodied in the Constitution of the United States.

Many men, prominent in the struggle for our independence, worshipped here, among whom were Commodore John Barry, father of our Navy, Major General Stephen Moylan, who was also aide-de-camp to George Washington, Thomas Fitzsimmons, signer of the Constitution and who, as a member of Congress was the author of the first Tariff Act. Archbishop John Carroll, a close associate of Benjamin Franklin, and also founder of Georgetown University in Washington, D.C., once lived in the present St. Joseph's rectory. John Adams, when he was in Philadelphia, was a frequent visitor to the Church.

I was very happy, acting at the request of former Congressman Michael J. Bradley, to introduce the legislation which authorized and secured the appropriation for the purchase of the ground for this garden by the National Park Service. There were many obstacles to overcome to secure the passage of my Bill and many parliamentary maneuvers were necessary. But it was finally enacted into law in September of 1959. This garden is now a part of the Independence National Historical Park. In these turbulent days when respect for religious and moral values has diminished, when materialism seems to have permeated into every facet of our lives, it is well for us to recall the reliance which the Fathers of our Country placed upon spiritual values.

It is well also to single out the places associated with our early history and to put them in their proper perspective in relation to the events, the circumstances and the sacrifices which insured our freedom and brought about our origin as an independent Nation.

This garden is a fitting adjunct to Old Saint Joseph's Church, which has also been designated as a National Shrine. It will be a continued recognition of the right to religious freedom and it will serve to inspire all people who visit here to support and defend all of our American institutions and our democratic way of life.

SOUTH KOREA—ANOTHER FREE WORLD CASUALTY OF NIXON'S DISENGAGEMENT POLICIES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, with the report that the government of South Korea has now suspended constitutional government and proclaimed martial law, the list of free world casualties under President Nixon's new American Revolution continues. Abdication of our free world leadership to embrace the international Communist movement must be considered as the direct and overriding cause of the unprecedented actions by constitutional leaders to protect their country from Communist subversion within.

Today, South Korea has joined an ever-lengthening list. Before Korea, it was the Philippines, Uruguay, Nationalist China, Turkey, and even our neighboring friends of Canada under the leadership of their New York City puppet, Mr. Trudeau.

The price free people are being forced to pay for the new international politics of the Nixon administration will not look good in history and is a disgrace to the honor of the American people. What other former ally will next join the list? How long before we of the United States experience internal insurgency as a result of our political financiers courting communism for profit?

I ask that a related newsclipping follows:

[From the Washington Post, Oct. 18, 1972]

SOUTH KOREA CHIEF SETS MARTIAL LAW

SEOUL, October 17—President Chung Hee Park proclaimed martial law in South Korea today, asserting that political parties could not be trusted to push unification talks with North Korea.

In a surprising move, the former four-star general dissolved the National Assembly, suspended parts of the 1962 constitution and imposed domestic press censorship. He also closed all colleges and universities "for the time being."

Park promised to restore constitutional rule by the end of the year, "at the latest." It was the third time he has proclaimed martial law since he took power in a bloodless military coup 11 years ago.

In Washington, State Department spokesman Charles Bray made clear U.S. unhappiness with Park's move. He said that the United States, which has 43,000 troops in Korea and a massive aid program "was notified only very shortly before the announcement was made. We were not consulted about the decision and quite obviously we were not associated with it."

At another point, Bray said, "It is not easy to draw any satisfaction from this situation as a philosophical question."

Park, addressing his nation by radio, said he would propose constitutional changes by Oct. 27 and submit them to a referendum a month later. The changes, he said, would permit South Korea to face the transition from years of cold war to the present atmosphere of detente, which includes moves toward reunification with North Korea.

Park said if his constitutional changes are rejected in the referendum, he will take this as an expression of the will of the people against the North-South dialogue and will make a different approach to national reunification. He did not elaborate.

Park said his measures would bring South Korea into line with present-day realities and "would be best suited for backing up the active pursuit of the South-North dialogue and for coping successfully with the rapidly changing situation surrounding us."

He accused the nation's political parties of being "obsessed with factional strife and discord" and responsible for disorder and inefficiency.

"The irresponsible political parties already have lost the sense of national mission." Park said. "Also referring to the National Assembly, he said: "What would we really expect from these political parties and from the representative institution? Could they be entrusted with the national task of peaceful unification?"

Immediately after the proclamation, armed troops and armored vehicles moved into position around the Parliament building. The one-house National Assembly was in recess and no lawmakers, were inside.

Park's references to South Korea's "changing situation" apparently includes recent moves toward rapprochement with China by the United States and Japan.

After a quarter-century of hostility, the North and South Korean governments announced agreement in July to seek peaceful reunification and avoid tensions on the Korean peninsula. The agreement followed secret contacts between the two governments.

Red Cross talks aimed at reuniting families separated by the 27-year-old partition of Korea have been under way for some time.

Park said his reforms would "pave the way for peaceful reunification and prosperity, adding: "I am also doing so to back up the South-North dialogue on the basis of a strong and viable democratic institution."

South Korea has already been under a state of national emergency, since Dec. 5, to cope with what Park called "a grave situation faced by the nation as a result of changes in the international situation and North Korea's aggressive designs." The emergency declaration was made under Parks' responsibility for national security and fell just short of imposing martial law.

Earlier this year, North and South Korea began preliminary contacts between their Red Cross representatives at the neutral truce village of Pammunjom to alleviate the plight of an estimated 10 million families separated since 1945.

Park, meanwhile, sent Lee Hu Rac, director of South Korea's Central Intelligence Agency, to the North in May. Lee's secret mission led to a joint communique July 4 in which North and South pledged to work peacefully for national reunification.

The major opposition party, the New Democratic Party, which had 89 seats in the 203-member assembly, was critical of the president's conduct of the North-South dialogue, without directly opposing it. The party maintained that the dialogue should be pursued on a nonpartisan basis. The opposition wanted a voice in the contacts.

South Korea is the second Asian ally of the United States to declare martial law in less than a month. President Ferdinand Marcos of the Philippines suspended 26 years of democratic government in his nation Sept. 30 following widespread rioting and guerrilla fighting.

Washington Post staff writer Stanley Karnow reported the following reaction and interpretation among U.S. officials in Washington:

Beyond their expressions of "considerable chagrin and dismay" at Park's action, U.S. officials here speculated that the South Korean president's decision to declare martial law stemmed essentially from his desire to tighten his authority over the country.

According to these officials, Park apparently believes that he must consolidate his power for the possibility that the North-South talks may eventually edge toward more plausible proposals for the unification of Korea.

Park faced some dissidence from students and domestic political rivals shortly before his declaration of a state of national emergency last December.

Some sources in Washington suggest that Park may also be concerned about the possibility of a U.S. force reduction in South Korea although there are no plans to withdraw any of the 43,000 American troops from the country in the coming year.

Park warned yesterday that "we must guard ourselves against the possibility that . . . smaller countries might be sacrificed for the relaxation of tension between big powers," but U.S. and Korean sources in Washington tend to discount the role that international developments played in his decision.

It is nevertheless believed that Park was worried by the establishment of diplomatic relations between Japan and China after the detente between Washington and Peking.

WAYNE ASPINALL

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. BENNETT. Mr. Speaker, I rise in warm admiration and respect for our beloved colleague Chairman ASPINALL. All over the face of our beloved country there are fine national parks and wildlife preserves which would not be there except for this able man and his leadership here in the House of Representatives. I feel deeply grateful for his help to me in everything that I have ever contacted him about. All of our Nation should have a great sense of gratitude for the splendid works that he has accomplished for this generation, and generations yet unborn.

HON. HENRY HELSTOSKI'S RECORD OF ACHIEVEMENT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, over the years I have gotten to know and respect my friend and colleague, Congressman HENRY HELSTOSKI. Indeed, he is the best Representative the Ninth Congressional District has had in Congress over the years.

Through redistricting, I lost three of my towns, but I am more than pleased that these towns were put in Congressman HELSTOSKI's district because I know that he will continue to represent the people in a sensitive and effective manner.

I and many of my colleagues have come to know through the years that when we needed support on legislation which was of benefit to the people, we could always count on HENRY HELSTOSKI.

Through his former positions as superintendent of schools and mayor of a south Bergen community, Congressman HELSTOSKI brought to Congress a keen insight into the needs of the people in all walks of life. In his unassuming pedagogical manner, he has listened to the problems of the young and old, the blacks and whites, the Cuban refugees, and other Spanish-speaking people, the working man and the businessman, the municipal, county, and State officials, and a host of other people, and in an equally strong and effective manner, he went to work solving those problems.

We all know that Congressman HELSTOSKI has the highest rating on environmental issues and he has worked hard on curbing water and air pollution and solving other ecological and environmental problems. He has been rated 100 percent by labor groups and by consumer groups for his voting record. He is consistently on the side of the people on the issues before Congress.

I am proud that many of the bills which I initiated and saw enacted into law over the years had the strong endorsement and support of HENRY HELSTOSKI. I am glad that in many cases he has initiated important legislation. Some of the significant bills which have moved through the Congress and which Congressman HELSTOSKI initiated and supported are:

The Cuban refugee education program, which provides Federal funds to aid the children of Cuban refugees in schools which have had to absorb these children, particularly in Union City and West New York; the bilingual education program, which provides Federal funds to hire and train English-speaking teachers to speak Spanish; the North Hudson community action program, which provides for a Neighborhood Youth Corps program, provides community service programs working on concentrated unemployment problems, particularly for high school students and dropouts; the Construction Safety Act which provides safety requirements on Federal construction; the Youth Conservation Corps which provides jobs for young people between the ages of 15 and 18 to work in the national park system, our national forests, wildlife refuges, and other public land and water areas.

Congressman HELSTOSKI has worked in seeking passage of the Older Americans Act Amendments of 1967 which provides assistance for senior citizen programs; enacting legislation to set up the White House Conference on Aging; the Vocational Rehabilitation Amendments of 1967 and 1968, which required an extension of services for the handicapped regardless of residence, liberalized services and expanded construction facilities for these people; the Handicapped Children's Assistance Act of 1968 provided for 70 to 100 model educational centers to aid the handicapped. Congressman HELSTOSKI supported the Library Services Amendments of 1967 which continued the Federal share of funds for State libraries and provided library services for the physically handicapped.

HENRY HELSTOSKI has always supported measures which benefit our civil service employees such as the Annuity Adjustment Act, which increased annuities for civil service employees and accelerated the automatic cost-of-living adjustment to a more sensitive price index indicator. He supported the Improved Retirement and Health Benefits Act, which allows optional retirement of civil service employees on full annuity at age 55 with 30 years of service, voluntary retirement at age 60 after 20 years of service, and survival annuities for students and children up to age 22.

He supported measures to increase by 10 percent a spouse's annuity, and an increase in the Federal Government's share of health insurance premiums. He also supported an increase in the amount of life and accident insurance which the Government would help Federal employees finance, and raising the legal maximum on the amount of insurance available; also, placing the life insurance program on a sound actuary basis and establishing new optional life insurance program for employees who desire to purchase additional protection out of their own funds.

In the 91st Congress, Mr. HELSTOSKI

supported the retirement financing bill, which completely revamps the retirement financing system of the civil service, which protects not only present pensions but future pensions by putting the retirement system on a sound financial basis. Also during this Congress he supported the Health Benefits Act, which increased the Federal Government's contribution for health insurance to 40 percent and liberalized the program as to the number of people who are eligible, and the Survival Benefits Act which corrected the inequities by an increase in the number of women who could file claims and receive benefits under the survival benefits program.

He supported the important Emergency Unemployment Compensation Act and the accelerated public works program to provide more jobs.

HELSTOSKI was a strong supporter of the Occupational Safety and Health Act, which provided for safer working conditions for the millions of working men and women throughout the United States. He was a strong supporter of an expanded minimum wage bill and has initiated legislation to provide for pension reform so that millions of Americans would have the protection and the guarantee of a pension for which they have paid. Just recently his help assured passage of the important Longshoreman's and Harbor Workman's Compensation Act amendments.

On these and various other measures which HENRY HELSTOSKI has initiated and supported which benefit the young and old, the veterans, the schools and teachers, the poor and handicapped, the working men and women as well as professionals, and local and State officials, we can, indeed, be proud that the people of the Ninth District continue to send to Congress a man like HELSTOSKI, who has a solid record of achievement, and who will continue to build upon that record as a Representative of all the people.

Indeed, without the highly active work, tireless effort and support of HENRY HELSTOSKI, many important bills may not have seen the light of day. It is this type of loyal and dedicated servant which makes a Member of the House of Representatives a person who is closest to the people. He is a man of the people who works for the people.

Mr. Speaker, in the last few months many constituents as well as members of the press have requested information from me concerning labor legislation in which I have been interested and taken an active part. I am therefor inserting in the RECORD a summary of some of the major legislation in which I have been interested and in which I played a substantial role in passing. The summary follows:

MAJOR LEGISLATION DEVELOPED BY THE SELECT SUBCOMMITTEE ON EDUCATION AND THE SELECT SUBCOMMITTEE ON LABOR, DOMINICK V. DANIELS, CHAIRMAN *

OLDER AMERICANS ACT AMENDMENTS OF 1967

Became Law on July 1, 1967.

Introduced by Mr. Daniels, the bill passed the House unanimously under suspension of the rules.

The amendments extended many grants and authorized funds for state grants. They gave continued support for many current projects and additional funds for 240 to 300 new ones. Money for the administration of state plans was increased and general appropriations were extended for three more years.

WHITE HOUSE CONFERENCE ON AGING

Became Law on September 28, 1968.

A Daniels bill that passed the House unanimously.

This law ordered the Secretary of HEW to conduct a conference on the problems of the aging in 1971. Technical advisory committees and state conferences were also formed, and $1.9 million was provided.

The Conference was held last winter and many recommendations for improvements in and expansion of programs for the aging were transmitted to the President and Congress. As a result, appropriations by Congress for older Americans are at a new high and nutritional programs were recently enacted.

VOCATIONAL REHABILITATION ACT AMENDMENTS OF 1967

Became Law on October 3, 1967.

Daniels' Subcommittee held hearings and he introduced legislation that passed the House unanimously.

The changes extended and made improvements in provisions giving assistance for services to handicapped persons. An additional year of appropriations were added along with: a National Center for Deaf-Blind Youths and Adults; extended vocational rehabilitation services to handicapped migratory agricultural workers and members of their families; and required extension of services without regard to the residence of a handicapped individual.

VOCATIONAL REHABILITATION ACT AMENDMENTS OF 1968

Became Law on July 7, 1968.

Daniels introduced his own bill and held hearings on it. Later reported from the Full Committee amended, it then passed the House unanimously.

This law liberalized the definition of those to be served and greatly expanded construction of facilities, innovative programs, and staff training. The federal share of funds to the States was also increased.

A major part of the law established new support for the disadvantaged and for mentally and physically handicapped persons.

HANDICAPPED CHILDREN'S ASSISTANCE ACT

Became Law on September 30, 1968.

Daniels introduced and held hearings on his own bill which later passed the House unanimously.

The law will provide 70 to 100 model educational centers to aid the handicapped. Only 2 million of the 5.5 million disabled children could reach special education programs.

LIBRARY SERVICES AMENDMENTS OF 1967

Became Law on November 24, 1967

Daniels held hearings in the Select Education Subcommittee.

Instead of reducing the Federal share in new State Library Programs, as contemplated in the 1966 amendments, this law continued the share as 100 percent, for one more year. Special library services for the physically handicapped persons were included.

MINERS' COMPENSATION

Became Law on December 30, 1969

Daniels wrote the House bill after holding hearings in his Subcommittee, reported it to the Full Committee amended. Congress passed it and incorporated it into the Coal Mine Health and Safety Act.

Since there are a significant number of coal miners who have experienced death or disability due to pneumoconiosis, few states provide benefits for miners or their survivors. The Secretary of Labor has now promulgated standards for determining presence of the disease. The Social Security Administration is administering the receipt of applications for benefits which are currently at $170-180 per month plus 50 percent of that in addition for one dependent child, 75% in addition for 2 dependent children, or 100% in addition for 3 or more dependent children.

Eventually the states and the coal operators will have to change their laws and assume the cost of benefits. These provisions have been incorporated as title IV of the Coal Mine Health and Safety Act.

New Jersey residents have filed the largest number of claims for benefits other than the coal mining states.

YOUTH CONSERVATION CORPS

Became Law on August 13, 1970

Daniels held hearings in his Labor Subcommittee and co-sponsored the final version with Congressman Meeds.

The Corps is administered jointly by the Department of Agriculture and Interior as a three-year pilot project for youths aged 15 to 18 to work in the National Park System, National Forest System, Wildlife Refuge System, and other public land and water areas for 90 days during the summer months. It is funded at $3.5 million annually. Enrollees receive transportation, lodging and a salary. The Corps is open to both sexes and to all races and economic groups.

The objectives of the program are to: provide summer jobs to a group often left wandering the streets during the summer; help correct the manpower shortage needed to maintain our rapidly deteriorating public lands and recreation areas, and instill a sense of appreciation for natural resources and an attitude of conservation toward them.

Daniels held hearings this month on the possibility of expanding the Corps. Both Agriculture and Interior Departments have lavishly praised the program. Last year over 25,000 applications were received for only 2,200 positions.

EMERGENCY EMPLOYMENT ACT

Became Law on July 12, 1971

Daniels introduced the House bill which contained the Special Employment Assistance funds for aid to pockets of chronic unemployment that exist in an area with a low employment rate. This bill was reported to the Full Committee opposed by Republicans who attempted to substitute manpower revenue-sharing instead. Daniels managed the Floor fight and again defeated attempts to substitute revenue sharing bill.

The Emergency Employment Act created a 2-year public employment program in states and local government to give jobs to some of the unemployed. The program is triggered on when the national unemployment rate reaches 4.5 percent or higher for 3 consecutive months.

Also, with the current economic crisis, many local governments are facing a cutback in community services when more are needed. This manpower addition helped ease these shortages in services. Approximately 150,000 persons were put to work nationally. Jersey City and the rest of Hudson County have been given for fiscal '72, 1074 jobs and about $6.5 million has been provided for them.

OCCUPATIONAL SAFETY AND HEALTH

Became Law on December 29, 1970

Daniels held 16 days of hearings in Washington, D.C. and San Francisco, California. He wrote a bill that was reported strictly on a partisan basis from the Subcommittee after Republican attempts to boycott committee meetings failed to prevent the bill being reported.

The bill was amended with minor attachments in the Full Committee and voted out on a partisan basis. His bill was defeated on the House floor by a Republican substitute. The Senate took the Daniels' bill and based Senator Williams' version on it. The final law was the draft of Daniels' bill and

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* Chairman, 1965-1968.

was passed in the Conference committee of which Daniels was a member.

The Occupational Safety and Health Act is the first and only comprehensive safety law covering all workers engaged in interstate commerce except those who are, in a patchwork fashion, covered by other federal safety laws. About 4 million workplaces and 57 million persons fall under its coverage. The law is unique in that it makes the safety and health of a worker expressed national policy and details a large number of rights for workers to insure implementation of this policy on a day-to-day basis.

The Act requires the Secretary of Labor to promulgate interim, permanent and temporary emergency safety and health standards with the help of advisory committees and under an informal rule-making procedure. Interested persons are allowed to participate in the process. The Secretary also has the option of granting variations or exemptions to certain employers.

The Secretary shall also require inspections of workplaces to determine compliance and the keeping of records of accidents and deaths of workers. Penalties can be assessed for certain violations. An independent review commission hears contests of citations that have been issued against employers.

Provisions of the law also include: option for a state to take over its own plan for safety and health with federal assistance to up to 50 percent of the operating costs; development of safe exposure criteria for harmful industrial agents; a commission to study and recommend improvements in state workmen's compensation laws; and the establishment of the National Institute of Occupational Health in the National Institutes of Health to do research on occupational diseases.

CONSTRUCTION SAFETY

Became Law in August 9, 1969.

Daniels sponsored the House bill that was reported from his Subcommittee, passed without opposition, co-sponsored by 31 of the 35 members of the Full Committee, and reported from there with no objection. The bill was amended only slightly on the House Floor and then passed unanimously, with Daniels as manager. The Senate accepted Daniels bill with only slight technical amendments.

Every year workers in construction suffer the highest death rate of any industry in the United States. Their accident rate is twice as high as workers in manufacturing. This is reflected in the cost of workmen's compensation premiums paid by construction companies—it is three times that paid by manufacturing firms.

The Construction Safety Act (amends the Contract Work Hours Standards Act) was intended to lower accident and death rates and ease the economic burden of lost wages, high insurance costs and lost days. The Secretary of Labor is required to formulate and enforce safety and health standards for working conditions. As advisory Committee of workers and employers must consult with the Secretary in setting standards. The Secretary may go into the District Court to gain compliance and the abatement of a dangerous condition. After repeated negligence of the employer the Secretary may have a contractor or subcontractor blacklisted with government agencies. The Act applies to all contractors and subcontractors in all federal and federally-financed or federally assisted construction projects and covers about 4 million construction workers. The Occupational Safety and Health Act later covered work done on all private projects.

MANPOWER PROGRAMS IN HUDSON COUNTY, N.J., FISCAL YEAR 1972

Federal manpower legislation authorizing the following programs in Hudson County, New Jersey, is under the jurisdiction of the House Select Subcommittee on Labor, *Dominick V. Daniels, Chairman.*

1. Neighborhood Youth Corps Out-of-School Program, Jersey City. $430,850—serves 110 people.

2. North Hudson CAP—Neighborhood Youth Corps Out-of-School Program—West New York. $105,560—serves 30 people.

3. Neighborhood Youth Corps In-School Program, West New York. $15,617—serves 111 people.

4. Neighborhood Youth Corps In-School Program, Jersey City. $96,850—serves 130 people.

5. Neighborhood Youth Corps In-School Program Bayonne. $41,720—serves 56 people.

6. Neighborhood Youth Corps In-School Program, Hoboken. $26,820—serves 36 people.

7. Operation Mainstream—Jersey City. $102,400—serves 39 people over age 55.

8. Concentrated Employment Program (CEP), Hoboken. $1,700,000—serves 1,000 people.

9. CAMPS—Jersey City. $58,470—planning.

10. WIN—located in Jersey City, serves all of Hudson County. $281,568—serves 500 people.

11. MDTA Multi-Skill Center, Jersey City. $1,088,430—serves 310 people.

12. Emergency Employment Act (authored by Dominick v. Daniels), Section 5, Jersey City. $1,897,500—serves 310 people.

13. Emergency Employment Act, Section 5, Hudson County. $2,224,200—serves 395 people.

14. Emergency Employment Act, Section 6, Jersey City. $987,000—190 people.

15. Emergency Employment Act, Section 6, Hudson County. $1,247,868—serves 179 people.

16. JOBS Program, Hudson County, New Jersey:

$230,163—serves 153 people.
$270,291—serves 84 people.
$70,463—serves 36 people.
$43,799—serves 15 people.
$29,970—serves 11 people.
$51,280—serves 20 people.
$432,809—serves 150 people.
$523,565—serves 155 people.
$95,988—serves 48 people.
$66,478—serves 26 people.

17. JOBS Program (Jobs Options), Hudson County:

$93,750—serves 125 people.
$100,000—serves 100 people.
$8,160—serves 16 people.
$8,400—serves 15 people.

MAJOR LEGISLATION DEVELOPED BY THE SUBCOMMITTEE ON RETIREMENT, INSURANCE, AND HEALTH BENEFITS UNDER THE CHAIRMANSHIP OF THE HONORABLE DOMINICK V. DANIELS

THE 89TH CONGRESS

Annuity adjustments—P.L. 89–205

The Daniels Act of 1965 granted annuity increases ranging from 6.1% to 15%, with the larger increase given to those having the smallest annuities. The bill also accelerated the automatic cost-of-living adjustment feature of the retirement law to a more sensitive price index indicator.

Improved retirement and health benefits—Public Law 89–504

The Subcommittee joined with the Subcommittee on Compensation in the public hearings and executive sessions on general salary and fringe benefits legislation. Among the benefits of this law are provisions to allow optional retirement of employees on full annuity at age 55 after 30 years' service; voluntary retirement on full annuity at age 60 after 20 years' service; payment of survivor annuities of student-children to age 22; retirement, life insurance, and health benefits coverage for certain employee-organization officers on leave without pay; continuance of payment of spouses' benefits upon remarriage after attaining age 60 and resumption of payment upon termination of a remarriage entered into prior to age 60; a 10% increase in the spouses' annuities that were based upon the death or retirement of an employee prior to October 11, 1962; and an increase in the Government's share of the subscription charges for health benefits from an average of 28 percent to 38 percent of the total costs.

THE 90TH CONGRESS

Life insurance—Title IV of Public Law 90–206

This legislation increased the amounts of life insurance and accidental death and dismemberment insurance which the Government will help its employees to finance, raises the legal maximum on the amount of insurance made available, places the life insurance program on a sound actuarial basis, and establishes a new optional life insurance program for employees who desire to purchase additional protection with their own funds.

All employees are given entitlement to minimum life insurance and accidental death and dismemberment insurance of $10,000 up to a maximum of $32,000. Employees earning more than $8,000 annually are entitled to a flat $2,000 additional insurance. All employees are given the option to purchase $10,000 additional insurance for which they will pay the entire premium. The new optional insurance will depreciate by 2% for each month after age 65 or retirement, whichever is later, in the same manner as does the regular insurance.

The title repeals the present 25 cents and 12.5 cents employee and Government contribution rates, established by law when the program was instituted, and requires that the combined employee-Government contribution equal an amount necessary to cover the full costs of the insurance. The Civil Service Commission is authorized to adjust contribution rates as required to accomplish this purpose with the present 2-to-1 cost-sharing ratio preserved.

91ST CONGRESS

Retirement financing—Public Law 91–93

The Daniels Act of 1969 represents the most positive plan of action ever developed during its history to improve the financial condition of the Civil Service Retirement System.

Title I authorizes annual payments directly from the Treasury to the civil service retirement and disability fund equal to the "lost interest" on the existing unfunded liability of the fund created by the Government's failure in the past to contribute sufficient amounts, the gradual increase in liability caused by past increased retirement benefits and salary increases; and authorizes transfer from the Treasury annually of funds sufficient to pay the cost of annuity payments based on military service.

Title I also provides that unfunded liabilities resulting from future benefit increases and future salary increases be paid for by amortizing the cost in equal installments over a 30-year period. This will authorize appropriations by the Congress, not direct transfer of money.

Title I also increases both employee and agency contributions from 6½% of payroll to 7% of payroll, effective January 1, 1970. Contributions by employees of the Congress are increased to 7½%, and contributions by Members of Congress are increased to 8%. These rates will cover the normal cost of present benefits.

Title II increases benefits under the Retirement Act:

1. Uses "high 3" years of average pay instead of "high 5" for computing civil service annuities;

2. Permits adding sick leave accumulated at time of retirement or death to the computation of annuity;

3. Adds 1% to cost-of-living increases for annuitants;

4. Makes the remarriage provisions of the 1966 act partly retroactive;

5. Improves survivor benefits of spouses of employees who die in service or after disability retirement, and all surviving children's benefits; and

6. Permits an employee of the Congress to receive 2½% credit for all years of congressional employment rather than limiting such 2½% credit to 15 years, and limits creditable military service under this formula to 5 years.

Health benefits—Public Law 91-418

The Daniels Act of 1970 requires the Government contribution to be 40% of the average of the high-option premiums charged by six of the largest plans for the type of enrollment—self-only or family—but not more than 50% of the premium charged for the particular enrollment. New contribution is effective in January 1971.

Other provisions:

The survivor-annuitant of an employee who dies after September 25 with as little as 18 months of service may retain the employee's health insurance coverage, if he had a family enrollment.

Federal employees in the Panama Canal Zone who are not U.S. citizens are now eligible for coverage under both the Federal Employees Health Benefits program and the Federal Employees Group Life Insurance Program.

Beginning January 1, 1971, certain retirees who retired before July 1, 1960, will be eligible for a Government contribution toward the premium cost of Part B (medical insurance) of medicare.

Survivor benefits—Public Law 91-658

The Daniels-McGee Act of January 8, 1971, was directed to the inequities faced by an ever-increasing proportion of women—mostly widows—and the policies that perpetuate them required the consideration of legislation to alleviate the economic difficulties thus encountered. This legislation:

1. Extends to a spouse acquired after retirement the survivorship protection the retiree accorded the spouse to whom married at time of retirement, provided the post-retirement spouse is married to the retiree for at least 2 years or is the parent of a child born of the marriage;

2. Permits a retiree who was unmarried at time of retirement to subsequently elect a reduced annuity upon marriage and, thus, provide a survivor annuity for a spouse acquired after retirement;

3. Permits an unmarried retiree who elected a reduced annuity with benefit for a person with an insurable interest to substitute a spouse acquired subsequent to retirement as the survivor-annuitant;

4. Allows the use of supplemental annuity earned by re-employment to increase the potential survivor's rate of benefit;

5. Removes the dependency requirements heretofore applicable to surviving widowers of female employees, thus according them the same treatment accorded widows of deceased male employees;

6. Allows retirement service credit for periods of separation during which an employee received compensation benefits as a result of a work-related injury or illness.

92D CONGRESS

Air traffic controllers—H.R. 8083—Public Law 92-297

As a result of Congressman Daniels' efforts in the 91st Congress, the Full Committee on Post Office and Civil Service developed legislation to establish a career program for air traffic controllers in the Department of Transportation. This legislation contains the following provisions:

1. Training program for air traffic controllers who have at least 5 years of air traffic controller service, and who are determined by the Secretary of Transportation to be unable to effectively continue their job responsibilities.

2. Involuntary separation for retirement of air traffic controllers is allowed the Secretary of Transportation, if the air traffic controller is eligible for immediate retirement and the Secretary of Transportation determines the separation is in the best interest of the service and the air traffic controller

3. An impartial board is established to review and make a final decision on any determination of the Secretary of Transportation.

4. Mandatory separation of air traffic controllers at age 56. However, the Secretary of Transportation is granted the authority to exempt a controller until age 61, if the controller is deemed to possess exceptional skills and experience.

5. Immediate entitlement to an annuity is accorded any person after completing 25 years of service as an air traffic controller, or after becoming age 50 and completing 20 years of such service, with a minimum 50 percent basic benefit. There is no reduction in the annuity for air traffic controllers under age 55.

HON. JOHN W. BYRNES

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, I wish to take this opportunity to say goodby to my friend Johnny Byrnes and to express my regret that this body is losing one of its most qualified Members, the very distinguished gentleman from Wisconsin.

I had the very fortunate personal experience of being able to work closely with John Byrnes during my first term and the early months of my second term when the issue of the creation of a medicare program was one of the most important before the Congress.

Even though I was a comparatively junior Member of the House, John Byrnes was willing to take the time to listen to my ideas and suggestions on this vital subject. He was most receptive and the result of his efforts on medicare was the so-called Byrnes bill which contained a broader base of benefits and a better financing mechanism than the bill which was enacted.

In many ways, I believe the members of the Ways and Means Committee have learned now that they should have followed Mr. Byrnes' advice. Had they done so they would have avoided the very serious problem of escalating medical costs which could have been prevented or kept in check.

Those of us who were involved in the Byrnes effort are eventually going to prevail since the program of national health insurance will be built upon the foundation we developed back in 1965. This is going to be a forthcoming tribute to John Byrnes to match the many others he has received during his service in the Congress on the basis of his many legislative accomplishments.

Often others get the credit but those of us who have been close to the legislative process are fully aware of the Byrnes impact on every major piece of legislation that comes from the Ways and Means Committee.

I have enjoyed working with John through the years on major issues such as the airport and airways trust fund, continuing improvements to the highway trust fund and enhancement of the social security program.

When John Byrnes takes the floor of the House in debate every Member present pays attention. John Byrnes has something to say. He is going to be missed but I want to take this opportunity to wish him a fruitful and rewarding retirement. I trust he will make his expertise available to us from time to time.

DR. ROBISON D. HARLEY AND THE FIGHT FOR SIGHT

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BARRETT. Mr. Speaker, we have been endowed by our creator with six senses which we take for granted and use without particular thought. Undoubtedly the one that is most precious and most sensitive is that of sight. Think what it would be like not to be able to see the beauty of spring flowers or autumn leaves; to look upon your loved ones and behold joy. Such is the plight of those who are blind.

Fortunately, there are those who are concerned with this plight and its causes. One of the leaders in this effort is Dr. Robison D. Harley, of Germantown, Pa.

Dr. Robison, director of the Children's Eye Clinic and the Pediatrics and Motility Department of Wills Eye Hospital, will receive the Fifth Annual Dora Bornstein Memorial Award at the 1972-73 Campaign Kick-Off Luncheon of Fight for Sight of Greater Philadelphia, on Wednesday, October 25 at the Warwick Hotel, it was announced by Harold Landesberg, campaign chairman.

Dr. Harley will also serve as the keynote speaker for the afternoon.

Fight for Sight is dedicated to raising funds for research into the causes and cures of blinding eye disease and for the Fight for Sight Children's Eye Clinic at Wills Eye Hospital.

The luncheon will also host 7-year-old Jacquelin Murtagh, the 1972-73 Fight for Sight Child, and a fashion show, coordinated by Fran Kramer, will be presented.

In addition to his position at Wills Eye Hospital, Dr. Harley is professor and chairman of the department of ophthalmology at Temple University Medical Center. He is an attending surgeon at Wills Eye Hospital, Temple University Hospital, and Saint Christopher's Hospital for Children.

Dr. Harley is on the faculty of the American Academy of Ophthalmology for post graduate medical education and he serves as associate secretary for Continuing Education in Ophthalmology for the Academy.

He is a three-time recipient of the Scientific Achievement Award presented by the Atlantic Hospital, and named Physician of the Year by the Atlantic County Medical Society of which he is a past president.

The author of 65 publications in ophthalmic journals and books, Dr. Harley is a Fellow in the American Academy of Ophthalmology and Otolaryngology, as well as the past president of the New Jersey Ophthalmological Society.

It is most fitting that Dr. Harley be thus honored for he has given the only true gift one can give to another and that is a portion of one's self.

We offer our congratulations and thanks to Dr. Harley for his service.

DISCRIMINATION AT THE GAO

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. CHISHOLM. Mr. Speaker, there has been a great deal of talk lately about quota systems and promotion based on "merit." But with all the talk scoring quota systems and advocating promotion based on merit, several points seem to be overlooked.

First, contrary to the popular notion that blacks have never had it so good and that you have to be a woman or a minority member to be accepted at school, secure a job or a promotion, the facts indicate that discrimination is alive and well. While a few blacks, Puerto Ricans, Mexican Americans, Indians, and women have been promoted and put in the show window the vast majority of all of these groups are right where they have always been, unemployed, in low-paying dead-end jobs, or working at jobs that are not commensurate with their training and abilities.

I have noticed that in the discussions of promotions based on "merit" the implication is that minority members are being given preference in jobs over whites with superior capabilities. In fact the opposite has been the case. Minority employees with training, experience, and seniority—all of the ingredients for a merit promotion—are passed over.

Recently the Citizens Advocate Center offered testimony at a hearing sponsored by my fellow Black Caucus member, Delegate WALTER E. FAUNTROY, concerning the phenomenon of discrimination within the GAO.

I am asking that a portion of a letter to the Civil Service Commission summarizing this testimony be placed in the RECORD today because while Members of Congress are quick to criticize the executive branch we frequently are not as critical of our own operations.

The GAO is responsible to Congress and the record is clear that their affirmative action program leaves much to be desired.

For example, the Citizens Advocate Center study indicated that in spite of an increase in the number of employees at the GAO there had been a reduction in the number of black employees, and a decrease in the percentage of minorities and women in professional level grades.

It was also noted that the GAO has a marked tendency to force women and blacks into the lowest level jobs. For example, although the percentage of minorities and women has decreased since 1969, the percentage of those employees in the lowest grade levels—GS–1 to 4—has increased. The most recent figures indicate that 78 percent of all employees in GS–1 to 4 positions are black and 81 percent of all employees in GS–1 to 4 positions are women.

I shall not quote anymore statistics because you can review the summary report yourselves. However, it is clear that the Members of this body have a responsibility to review this evidence and to see to it that we have an effective affirmative action program instituted at the GAO immediately.

The article follows:

CITIZENS ADVOCATE CENTER,
Washington, D.C., October 6, 1972.

HON. ROBERT HAMPTON,
Chairman, U.S. Civil Service Commission:

The purpose of this letter is to call to your immediate attention the deplorable conditions of race and sex discrimination at the General Accounting Office. The Citizens Advocate Center has monitored GAO's minority employment statistics over a five year period and has conducted an intensive review of the entire agency over the past two years. Our findings, based on GAO's own statistics, our interviews with employees and top agency officials and our visits to various divisions of the agency, were presented in testimony September 20, 1972, before Delegate Walter Fauntroy's Ad Hoc Hearings on Federal Employment Discrimination.

This letter presents a brief summary of our testimony before Delegate Fauntroy's committee (a copy of which is attached) and reviews the GAO Equal Employment Opportunity Plan submitted to the Civil Service Commission on May 31, 1972. We feel that a comprehensive study of deficiencies in the 1972 EEO Plan is essential, since it undoubtedly will serve as the foundation of GAO's 1973 EEO Plan. You should be aware, then, of the fact that the 1972 Plan does not propose to correct major deficiencies in the GAO EEO program. Portions of the Plan would actually have a *negative* impact on equal employment opportunity within the agency. Here are a few of our observations:

The Plan violates equal protection standards of employment by presenting a *double standard* of enforcement—one for GAO Headquarters, another for Regional Offices (see Objectives II and VI). Regional Offices could fail to place minorities on their staffs and still be in technical compliance with the Plan!

One section of the Plan (Objective VII, Section B) outlines a procedure which could actually *punish* employees who seek relief from employment discrimination by transferring them to other agency divisions. This type of discriminatory action has been widely practiced by government agencies in the past, but never before have we seen it blatantly outlined in an EEO Action Plan!

The Plan ignores the EEO Advisory Council, which was established to "provide assurance that the voice of the rank and file employee is heard," and fails to include provisions for open elections to the Advisory Council.

The Plan does not propose to correct some of the most serious conditions which have fostered employment discrimination within the agency—recruitment at predominantly white colleges and universities, discriminatory practices by supervisors in submitting "effectiveness appraisals" on employees, promulgation of a "Career Development Program" which actually hinders employee's advancement, failure to establish career ladders from non-professional to professional positions, and the promulgation of an EEO complaint procedure which even the EEO Counselors and Officers do not understand.

Finally, it is possible for GAO to meet all of the provisions of the Plan and *still continue its backsliding of minority and female employment*. By promulgating percentage targets for recruitment of minorities and women but remaining silent on percentages of minorities and women in each professional grade level, it is possible that the percentage of minorities and women in professional grades could *decrease* rather than increase.

Our findings presented before Delegate Fauntroy's committee confirmed the deeply disturbing facts of race and sex discrimination in the General Accounting Office. A small portion of our statistical data is presented below:

Since 1969, the percentage of minority and women employees in GAO actually has decreased. Moreover, in the past year the total number of black and women employees at GAO has decreased.

While the perentage of minorities and women has decreased since 1969, the percentage of those employees in the lowest grade levels (GS 1–4) has increased. Our most recent figures indicate that 78% of all employees in GS 1–4 positions are black and 81% of all empolyees in GS 1–4 positions are women.

Although the number of positions in grades 9 through 11 increased 11% over 1971, there has been a net reduction in the percentage of blacks in these positions, from 4.57% in 1971 to 4.30% this year.

The number of female professional employees at GAO actually decreased during the most recent year, for which figures are available. As of October 31, 1971, there are 128 female professionals at GAO compared with 2,898 male professionals.

We presently are conducting a statistical review of minority and female employment in the various divisions of GAO Headquarters and in each of the 15 regional offices. Our preliminary findings are even more shocking than our statistical data for the agency as a whole. For example, the Atlanta, Boston, Dallas, Norfolk and Kansas City regional offices, have no blacks—professional or non-professional—on their staffs. Regional office breakdowns are attached Appendix 1.

In addition to our statistical findings, we have noted the following conditions at GAO which help perpetuate the climate of race and sex bias:

The physical working environment in some divisions of GAO having large numbers of minority employees approaches sweat-shop conditions. Sections of the Transportation Division are so bad that employees refer to them as "The Snakepit" and "Resurrection City." A portion of the "Snakepit" was renovated, partitioned and carpented last year—and then was turned over to a predominantly white division for its use.

Following protests by 150 black employees of the Transportation Division in March 1971, the GAO established a "Career Development Program" for that division. Employees now are calling for the abolition of the program, stating that it is both humiliating and ineffective in helping them secure promotions.

The GAO "EEO Program" is totally ineffective. The "elected" Advisory Council has no voice and is denied pertinent information; the EEO "counselors" have received no training and are generally distrusted by employees; the EEO Director (who is white and who has an all-white staff) also serves as Deputy Director of the GAO General Counsel's Office; the EEO Coordinator (who is black and who has no staff) has no policy-making responsibilities and is often excluded from high-level meetings on EEO matters.

Important "action" designs in the GAO EEO Plan submitted to CSC in 1970 have not been implemented.

The 1970 Plan was transmitted to the regions on September 1, 1970 but has clearly not been enforced or followed up at the regional level.

GAO submitted no EEO Plan to CSC in 1971.

GAO's 1972 EEO Plan (which was not submitted to CSC until May 31, 1972) delays implementation of action plans until 1973 for some categories stated for "immediate action" in the 1970 Plan. It also omits important categories set forth in the 1970 Plan.

It is clear that the Civil Service Commission has been lax both in requiring timely submissions of affirmative action plans and in reviewing statistics submitted periodically by the GAO which reflect a shocking pattern of back-sliding on minority hiring and promotion. Our recommendation to Delegate Fautroy's Committee called for immediate and corrective action by the Civil Service Commission:

"1. That GAO Equal Employment Action Plans be given careful scrutiny by the Civil Service Commission as to timeliness of submission, adequacy of past performance, and conformance with CSC requirements for specificity in promises, of future action and timetables for such action, and that the appropriate Committees of Congress exercise diligent oversight of CSC's own enforcement of EEO statutes as they affect GAO.

"2. That the CSC open now an immediate investigation into personnel practices in the General Accounting Office, including but not limited to administration of the EEO Program, on the basis of what appears to be a serious collapse of affirmative action toward equal employment opportunity within the GAO."

We strongly recommend that such an investigation of GAO by the Civil Service Commission be initiated prior to the November 1, 1972 deadline for submission of GAO's 1973 EEO Plan to CSC. It is important that CSC be fully informed of the extent of the problems both at the GAO Headquarters and in the GAO regional offices before completing its review of the 1973 Plan. In conducting its investigation, CSC should seek out rank and file GAO personnel rather than having GAO managment steer the investigators to certain "dependable" employees who are fearful of losing their status by exposing the most serious conditions. Employees who have submitted complaints and grievances to EEO counselors should be contacted as well as members of the EEO Advisory Council, the Black Caucus, and the two employee unions. Investigators should tour the "Snakepit" and sections of the Claims Division. Regional Offices must also be inspected by Civil Service investigators.

Strong enforcement of the Equal Employment Opportunity Act of 1972 and CSC requirements for implementation of this act can have a significant impact on civil rights within the GAO. No longer can GAO claim "congressional agency" exemption from the EEO requirements of the civil service; no longer can GAO's EEO Plans be expressed in vague generalities; no longer can employees be ignored in the promulgation and review of such Plans. According to the new requirements, adequate staff and financing must be provided for the agency's EEO program.

The 1973 EEO Plan submitted by GAO probably will build upon the 1972 Plan which the agency filed with CSC on May 31st of this year. We have revieved the 1972 Plan in detail, and have discovered that portions of the Plan would actually have a *negative* effect on GAO's EEO Program. Objectives set forth in the Plan which could have a positive effect, if implemented, lack strong affirmative action plans. Timetables for action are set in the distant future, although many of these objectives were previously stated in the 1970 EEO Plan.

In its review of GAO's 1973 EEO Plan, the Civil Service Commission should pay particular attention to the inclusion of "affirmative action plans" similar to those submitted by the GAO in past years. The 12 "objectives" listed in the 1972 Plan and "action plans" for their implementation have done nothing to enhance equal employment opportunity within the GAO, and in some cases have even discouraged employees at the lower levels from participating in Career-Development Programs. Our study of the May 31, 1972 Plan reveals major deficiencies in each of the 12 objectives:

Objective I—calls for the recruitment of minorities and women at colleges, private businesses, and government institutions.

This is an important objective, yet GAO's Action Program is worded to ensure that the goal of recruiting a significant number of minorities and women is never realized. Section C of the Action Program states that GAO will "Develop a program for aggressive recruiting of minority and female members *at institutions presently in the recruiting schedule*" (emphasis ours). The Civil Service Commission should obtain a list of colleges and universities presently on the recruiting schedule.

In the past, these lists have included only institutions whose curricula placed heavy emphasis on accounting and business administration. These institutions Rarely include significant numbers of minority and women students on their student bodies, since the field of accounting has been closed to minorities until recently and is still virtually closed to women. (See Journal of Accounting, Oct. 1969 "The Black Minority in the CPA Profession," by Bert Mitchell). Institutions having large minority and female student bodies have to be included on the recruiting schedule. Since the GAO itself has indicated it is making an active effort to recruit professionals from disciplines other than just accounting, there is simply no excuse for the omission of such institutions at this late date.

The Action Program states that GAO will evaluate and redesign its recruiting materials to make them more effetcive for recruiting minorities and women. It does not specify what changes are to be made. Although the plan states that minorities and women will be consulted on recommendations for changes in the recruiting materials, there is no mention of any participation by the EEO Advisory Council. The Advisory Council must have an active role in the design of these new materials.

Timetables for action on this objective are not geared to reach the 1973 graduating classes. The deadline for producing and distributing new recruiting materials is May 31, 1973; the deadline for developing a program for the recruitment of minorities and women is September 30, 1973. Any benefits which might result from the new recruiting program thus could not be realized until June, 1974!

Objective II—"Achieve an annual goal of obtaining at least 10% of professional recruits from among minority group members and at least 10% from among female members. These goals will apply to each organizational element of the Office on a Division basis except for the Field Operations Division which will strive to meet the goals on a Regional Office basis" (emphasis ours).

These goals are totally inadequate for any federal agency situated in Washington, D.C., and particularly for GAO, which falls far below the government norm for minority and female employment in professional grade levels. Furthermore, it is quite possible that *GAO could meet these modest goals and still continue its back-sliding on overall employment of minorities and women in professional positions.* Consider the following factors:

Even if these goals were met, more than 80% of the *newly recruited* Headquarters professional staff could be white males, and this figure could reach 90% if all minority professionals recruited were also women. The goals permit Regional Offices to maintain professional staffs of 100% white males.

Coupled with the number of promotions within the agency, the percentages of minorities and women in each professional grade slot could actually decrease under this objective. For example, suppose the percentage of minorities in GS-9 professional grades is 8%. The following year, 50 additional slots are created at the GS-9 professional level. Twenty new employees are recruited from outside the agency (two of whom are minorities to meet the 10% minority recruitment goal) and 30 employees are promoted to GS-9 levels within the agency (only one of whom is non-white). Thus, 3 or 6% of the 50 employees in these new slots are minorities, decreasing the total percent of minority employees in the GS-9 professional category to less than 8%.

Most new recruits will be concentrated in the entry-level positions for professionals (GS 7-9). The percentages of minorities and women in the GS-11 and above categories could remain stagnant or even decrease under this plan.

The GAO should be required to make a concentrated and continued effort to increase the percentages of minorities and women in *each professional grade level.* Goals should be set not only for the percentages of minorities and women *recruited,* but also for the percentages of minorities and women attained *at each grade level* in each agency division of GAO Headquarters and Regional Offices. Long-range goals (3-5 years) should also be specified in order to ensure an ascending rate (relative increases as well as absolute increases) of minority and female employment at professional levels, rather than merely a stable rate or even a descending rate.

HON. CLIFFARD CARLSON

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, I rise to take a few moments to pay tribute to a fellow Illinoian who has served both his state and his country well during his brief tenure as a Member of this body.

When the Honorable Charlotte Reid was appointed to the Federal Communications Commission, her departure left a vacancy in the ranks of the Illinois delegation. CLIFFARD CARLSON came to Washington to fill the breach. My distinguished colleague grasped the complexities and intricacies of the legislative process and quickly proved his ability to ably represent his constituency.

During his service on the Education and Labor Committee, Congressman CARLSON exhibited diligence and attention to duty, winning the respect of those with whom he associated. I have had many occasions over the past year to consult with him on pending legislation and have been both impressed and gratified by his response.

Coupled with Congressman CARLSON's ability, his winning personality earned him a host of lasting friends who will remember their association with fondness and respect.

I have recently been informed that you, Mr. Speaker, have appointed CLIFFORD CARLSON as congressional adviser to the U.S. delegation to the 17th general conference of the United Nations Educational, Scientific, and Cultural Organization convening this week in Paris. This appointment is certainly a fitting tribute to his distinguished service.

I am sure that I speak for my colleagues from the State of Illinois and the entire House of Representatives in thanking Congressman CARLSON for his contributions and in bidding him farewell as he continues to serve Illinois and the country in other capacities.

THE LATEST SOVIET TRADE DEAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, the new Congress of 1973 will be faced with the decision of whether or not to finance the administration's new Communist subsidy program of trading with the Soviet Union.

Included in the deal is reportedly cheap credit terms to be given the Soviets through the taxpayer subsidized Export-Import Bank which received additional funding under the continuing appropriations bill for foreign aid which passed the House Saturday, October 14.

With the President announcing the scheduled deal at this time, it is obvious that he intends to make it a political issue, not as much for his election on November 7, but for approval of the trade agreement with the new Congress in 1973.

How many Members will be independent enough to vote for the American working people and taxpayers by opposing such a bill in the face of a reelected President who can claim that his reelection constituted endorsement of trade with Russia by the U.S. voters?

I insert the related newsclipping:

[From the Evening Star, Oct. 18, 1972]

UNITED STATES AND RUSSIA AGREE ON LEND-LEASE, TRADE

(By George Sherman)

The United States and Soviet governments today signed two major agreements setting out a broad new trade relationship between the two superpowers.

The White House announced that agreement had been reached on settlement of Russia's $2.6 billion lend-lease debt owed from World War II. At the same time, an accompanying new trade pact, including new tariff treatment for Soviet imports into the United States is to be signed.

The announcement signalled the end of negotiations which began in earnest with President Nixon's summit meetings in Moscow last May. It also signalled the end of a 24-year impasse over the Soviet lend-lease debt and the first breakthrough toward normal trade with the Soviet Communist state.

White House press secretary Ronald L. Ziegler had no details about either dollar figures or the terms of the new agreement in his first announcement. He said only that Secretary of State William P. Rogers is to sign the lend-lease agreement with Soviet Foreign Trade Minister Nikolai S. Patolichev, and that Commerce Secretary Peter G. Peterson is to sign the trade pact also with Patolichev.

Patolichev, who arrived in Washington last Wednesday, was also to be at the White House later today accompanied by Soviet Ambassador Anatoly F. Dobrynin. White House aide Peter M. Flanigan also is participating.

According to informed sources, the lend-lease debt is computed on the basis of the Russians still owing $500 million to the United States. But on to that is also to be added interest payments computed over a 30-year period.

The Soviet government, it is understood, rejected spelling out how much interest was to be paid. So an overall figure is to be used including the basic $500 million plus the computed interest payments, and then divided into annual payments through the year 2001.

Under the lend-lease agreement, as previously in the settlement of the British lend-lease debt, the Russians are to be allowed a certain number of postponements of annual payments. The exact number was not immediately given, but was believed to be three.

Both the lend-lease agreement and the trade pact, Ziegler said, would need congressional approval. White House aide Henry A. Kissinger, after his trip to Moscow in September, indicated that the administration would be asking Congress for enabling legislation early in its next session.

The trade agreement is understood to call for giving the Russians so-called "most-favored-nation" treatment in their exports to the United States—that is, Soviet goods in the United States would receive the same tariff treatment as good from other countries.

Both the Nixon administration and the Soviet government have tied the lend-lease and trade agreements tightly together. Nixon has argued that Congress would not approve improved tariff treatment for the Soviet Union without a lend-lease settlement, and the Russians have argued they could not pay the debt without increasing trade to the United States.

The two agreements follow closely on the maritime agreement between the United States and Soviet Union signed last Saturday. That agreement set the framework for increasing trade, opening 40 major ports on each side to the shipping of the other.

The trade agreement now provides a comprehensive framework for conducting that trade. According to informed sources, it has three principal guarantees to American businessmen in their dealings with state enterprises of the Soviet Union.

1. That Soviet goods will not be dumped at below-market prices on the American market, disrupting the U.S. economy.

2. That a system of neutral arbitration is set up to work out disputes between American businessmen and the government-owned enterprises with which they must deal.

3. U.S. business will receive greatly expanded office and communications facilities inside major Soviet cities to conduct their trade.

Under the agreement, it also understood that the U.S. will facilitate trade and investment with the Soviet Union through cheap credit provided by the federally-owned Export-Import Bank.

The key problem has been finding products which the Soviet Union can sell to the United States. They are mainly natural resources, particularly natural gas from Siberia, but U.S. officials acknowledge that trade in these raw materials will take a huge American investment for exploitation and transportation.

HON. THOMAS ABERNETHY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ROYBAL. Mr. Speaker, I join my colleagues in saluting Congressman THOMAS ABERNETHY, who has made the decision to retire from Congress after 30 years of dedicated service as U.S. Representative from the State of Mississippi.

Since TOM came to Washington in 1942, he has witnessed many great moments in legislative history and can reflect with great personal satisfaction on his own contributions and accomplishments during that time. Although he will be missed by all who have come to know him over the years, his retirement is indeed well-earned.

My every good wish for happiness in the years ahead goes with him as he prepares to return to his beloved State.

ST. LUCAS COMMEMORATES CENTURY OF SERVICE

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ZABLOCKI. Mr. Speaker, a 6-month celebration marking a century of dedicated service was begun on Friday, October 13, by St. Lucas Evangelical Lutheran Church in my home district of Milwaukee. Guest preachers at a special commemorative service on Sunday, October 15, were Pastor Oscar Naumann, president of the Wisconsin Evangelical Lutheran Synod, and Pastor George Boldt, president of the southeastern Wisconsin District.

As noted in the article from the South Times Star which follows: St. Lucas Church was founded to serve German immigrants who settled in the Bay View area of Milwaukee. Over the years it has maintained that founding spirit of dedicated response to the needs of the people.

Now the largest congregation of the Wisconsin Synod in the Milwaukee metropolitan area, St. Lucas symbolizes the churches of America who give meaning to the claim that our country is one founded under God.

To the pastors, the Rev. Robert C. Johnston and the Rev. Carl S. Leyrer, and all the parishoners of St. Lucas go my congratulations and best wishes.

The article follows:

ST. LUCAS COMMEMORATES CENTURY OF SERVICE

A six month celebration of the 100th anniversary of St. Lucas Evangelical Lutheran church at 2605 South Kinnickinnic Ave. will begin Friday at 7 p.m., October 13, the actual centennial date, with a song festival of favorite old hymns.

On October 15, commemorative services will be held. Pastor Oscar Naumann, President of The Wisconsin Evangelical Lutheran Synod will preach at 8, 9:30, and 11 a.m. Pastor George Boldt, President of The Southeastern Wisconsin District will preach in the afternoon service starting at 2:30 p.m.

It was on October 13, 1872 when St. Lucas, the first Evangelical Lutheran church in Bay View was organized. The building was built on ground donated by the old Milwaukee Iron Company (at that time known as The Rolling Mills). Milwaukee Iron Company donated this plot of ground so that the German immigrants who settled in Bay View and worked at the mills, would have a church in their area.

The present church edifice was erected at a cost of $16,000 in 1888, which dominates the skyline of Bay View. In 1891 the congregation purchased a plot of ground on the north side of Dover Street and a four room school was built at a cost of $8,000.

The year 1910 proved to be a momentous one in the history of St. Lucas congregation. It was decided to organize a cemetery. An 11 acre plot previously known as The Mosher Farms was purchased. Woodlawn Cemetery, as it is still known at East Howard and South Pine Streets, is still owned and operated by St. Lucas congregation.

The congregation in 1901 purchased 3 bronze church bells and tower clocks. These magnificent bells still are used every Sunday for the call to worship.

The 75th anniversary in 1947 a major renovation was undertaken. Included in the project was a new church entrance, church parlors, kitchen facilities and an outside bulletin board. In 1961 the old school was razed and a new school was erected at a cost of $215,000. The new building was dedicated June 3, 1962.

For St. Lucas, "A Century at His Feet" the centennial slogan, the exterior of the church was sand blasted to clean and bring out the color of the Milwaukee Cream brick. The clocks in the church tower were electrified and the complete interior of the church was renovated, total cost $120,000.

St. Lucas is the largest congregation of the Wisconsin Synod in the Metropolitan area of Milwaukee.

The present Pastors are Robert G. Johnston and Carl S. Leyrer.

SOCIAL SECURITY IMPROVEMENTS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DORN. Mr. Speaker, it was a special pleasure for me to vote for and support the great improvements in the social security program we have just passed. This is one of the most important and historic social security improvements in history. Among other features, Mr. Speaker, the bill will increase to 100 percent the amount of their late husbands' social security that can be collected by widows. Outside earning limitations are raised for 1.2 million retirees. Medicare is extended to disabled people under age 65. The Federal Government will assume responsibility for welfare programs for the aged, blind, and the disabled.

This legislation has been long needed Mr. Speaker, to provide special assistance to older Americans who worked with such devotion and dedication in developing this Nation at a time when a dollar was still worth a dollar. Inflation has cruelly affected older Americans, and the improvements in this legislation are a great step forward in assuring that these citizens can live with dignity and respect.

Mr. Speaker, this legislation is a tribute to the great Committee on Ways and Means. Chairman MILLS and the committee time and again have fulfilled their responsibility; the House passed H.R. 1 long ago, but action was delayed by the other body. Finally, however, the other body acted and we have been able to give final approval to this bill which will mean so much to all Americans.

PLIGHT OF OLDER AMERICANS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, the plight of many older Americans today is drawing increased attention from responsible persons throughout the United States. As a direct result of the 1971 White House Conference on Aging, which the Congress in 1968 directed the administration to hold, the city of North Bergen, N.J., is now conducting a similar conference under the direction of its mayor, the Honorable Peter Mocco.

Mayor Mocco honored me with an invitation to address the North Bergen Conference on Aging. Because of the tremendous importance of this issue, I am inserting in the CONGRESSIONAL RECORD my remarks to conference delegates.

The remarks follows:

REMARKS OF THE HONORABLE DOMINICK V. DANIELS TO THE NORTH BERGEN CONFERENCE ON AGING

First let me congratulate Mayor Mocco for this Conference and for the opportunity to meet with you on the critical problems of Older Americans.

Before discussing some of the issues concerning older Americans, I would like to announce that in the next few weeks I shall issue a series of position papers on the major and critical issue we Americans will face in the coming years. Because of its primary critical importance the first of these position papers will deal with the same subject as this Conference on Aging and will offer for consideration a "Bill of Rights for Older Americans."

All of us here are aware of the needs of the elderly in American life—

Adequate retirement income

Decent health care

Sound nutrition

Recreational and community service opportunities.

Housing

Transportation

Education and employment; to cite the most obvious.

And we are aware that these problems affect a significant segment of our society. There are today some 20 million Americans aged 65 and over. During the years that the total U.S. population has tripled, the older population increased sevenfold. By 1990 the Census Bureau estimates there will be over 27 million older persons in America.

Congress recognized these problems and the fact that they would only increase in the decades ahead. We passed back in 1965, The Older Americans Act, which provided grants to New Jersey and other States to assist in developing new and improved programs to help older persons, and for an Administration on Aging in the Department of Health, Education, and Welfare.

In 1967, we realized that we needed a still more comprehensive national approach to the pressing problems of the elderly. I sponsored and Congress passed amendments to the Older Americans Act which increased the authorization for the state and community programs for the aging, and provided more money for research and development and training projects for programs for our older citizens.

While I might go on at great length describing the successful programs made possible by the Older Americans Act, you know and I know, that many problems are still crying out for solution.

In 1968 several of my colleagues joined me in introducing a Resolution ordering the President to call "The White House Conference on Aging". I stress the fact that the President *was required by the Congress* to call this conference to correct a misleading commercial by a certain political committee to re-elect a certain political person to a high national office. This marvelously successful conference developed an extremely effective dialogue between people affected by Fderal aging programs and those responsible for administering them.

As a result of monitoring that conference Congress has taken the initiative and is on the verge of completing work on major recommendations of the conference. Those recommendations not passed in this Congress will be the first order of business in the 93rd Congress.

Before I describe some of the provisions of the comprehensive Older Americans Services Amendments of 1972, let me just ask you to recall the April 1970 words of President Nixon when he told us:

"For too long we have lacked a national policy and commitment to provide adequate services for older people."

Yet, all of you in this room will be astonished to learn that when Bill Hutton, your Executive Director of the National Council of Senior Citizens testified before Congress on the plight of older Americans, particularly those living in poverty, he said:

"What has the Nixon Administration done for these unfortunate men and women since they came into office three years ago? In all honesty I want to say they have done absolutely nothing."

Now I really do not wish to appear partisan today—although you know that I am perfectly capable of being so! But the facts speak for themselves.

If only the White House paid more attention to the advice of Republican Senator Charles Percy, to my good friend in the House from Idaho, Republican Orval Hansen, and the good counsel of other distinguished Republican and Democratic Senators and Congressmen, neither Bill Hutton nor I would have to offer such criticism.

I honestly and sincerely believe that the major initiatives for Federal programs to make life better for older people of our country have in the last 4 years not generated from 1600 Pennsylvania Avenue. The initiatives have come from Senators and Congressmen—both Democrats and Republicans—working in coalition on a wide variety of key legislative measures.

The recent increases in Social Security benefits, improved nutrition services for the elderly, the outstanding work by Representative David Pryor in alerting the nation to the scandalous nursing home standards, and the White House Conference on Aging were only a few of the measures initiated and passed by Congress, often in spite of intensive adverse White House lobbying efforts.

The Comprehensive Older Americans Service Amendments I mentioned earlier will prove to be a landmark measure in providing assistance to America's older citizens.

Passed by the House in July and a similar version by the Senate this week, the measure proves the strong Congressional interest of older Americans. It was approved in the House by a vote of 351–3, and in the Senate by 89–0.

Here are only some of the key features of the Bill:

It establishes a 15 member Federal Council on the Aging within HEW to promote the interests of older Americans on matters relating to their special needs and to Federal programs affecting them.

Provides grants to states to support model projects—to expand or improve social services to older persons in:

Housing, low-cost transportation, employment, education, pre-retirement training, and improved systems of delivering services to older citizens.

Assist communities in establishing senior centers.

Extends foster grandparents program.

Establishes community service jobs for the over 55 low-income older persons.

Provides $100 million for manpower training and related services for unemployed and underemployed persons 45 years of age or older through existing programs.

These provisions are aimed at insuring that the rhetoric about the problems of our elderly citizens is translated into effective *action.*

Senator Ted Kennedy, I should tell you, in supporting these provisions told the Senate and I agree that:

What is perhaps even more of an indication of our failure to show a national sensitivity to the needs of these older workers is the recent report from the Bureau of the Census. They show that some 6.18 million persons aged 55 and older are living in poverty. 25 percent of the nation's 25.9 million poor . . . and the lack of income heightens the difficulties faced by older Americans in providing for their basic needs.

As Chairman of the House Select Subcommittee on Labor, I fully support these measures, and can assure you that these significant measures, aimed at ensuring a dignified and decent living standard for older citizens, will be a reality.

Let me conclude then, with some words of a distinguished champion of the cause of the older Americans, Adlai Stevenson. They are words which frequently come to my mind as I consider measures to improve the quality of life for all Americans:

". . . What a man knows at 50 that he did not know at 20 is, for the most part, incommunicable. The knowledge that he has acquired with age is not the knowledge of formulas or forms or words, but of people, places, action—a knowledge not gained by words but by touch, sight, sound, victories, failures, sleeplessness, devotion, love—The experience and emotions of this earth and one's self and of other men and perhaps too, a little faith and a little reverence for the things you cannot see."

The kind of reverence, the kind of knowledge, the kind of faith which characterizes the older people of our society is too scarce, too precious in this great nation of ours to be wasted, or worse, ignored.

Thank you.

JOHN H. TERRY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. O'NEILL. Mr. Speaker, while I have known JOHN TERRY for only a short time since his joining the House, I have been singularly impressed by his ability and competence. He is a man of remarkable legislative capabilities and the House will be greatly diminished by his retirement.

JOHN TERRY has chosen to return to private life, abandoning a successful political career, to spend more time with his family. This was a decision requiring tremendous courage and sacrifice. I am sure that every Member of this House commends JOHN for his actions, and wish him well in his new endeavors.

I know that his decision to leave Congress came only after the most careful consideration. But he has received the respect and admiration of Members from both sides of the aisle in deciding to place his family first. I extend my personal best wishes to JOHN and will always deeply treasure my association with him in this body.

THE AIR TRANSPORTATION SYSTEM OF TOMORROW: FLYING PLAIN OR FANCY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MILLER of California. Mr. Speaker, Mr. Edward J. Driscoll, president of the National Air Carrier Association, recently appeared before the International Aviation Club in Washington and addressed this organization on the subject of "The Air Transportation System of Tomorrow: Flying Plain or Fancy."

As a part of these remarks, I include Mr. Driscoll's speech with the knowledge that my colleagues will find it of interest.

ADDRESS BY EDWARD J. DRISCOLL

A great deal has been said lately about the state of the air transportation industry, and these four walls have heard far more than their fair share.

Why all this talk? Why all the comments, the suggestions, the filings to the Civil Aeronautics Board and the appeals and petitions to Congress and the courts?

And with it all, why do we seem to make so little progress toward solving the problems that confront us: problems such as pricing; capacity; excessive, even destructive, competition; illegal charters; widespread illegal discounting on scheduled service; and the rest.

Part of the answer, I think, is that the air transport industry is living in the past. It is still living in that golden age when air travel was such a novelty that people would pay any price for it. And it refuses to face the fact that today's consumer is too sophisticated to accept just any deal that is offered him. He wants real value for his dollar.

The scheduled industry's attitude is typified by the recent statements that what the industry needs is "more stability and less change."

I could agree with more stability, but not less change. It is my firm conviction that most of the industry's problems stem directly from the fact that it has not satisfied the consumer demand for low-cost air transportation, and that it has not lived up to the mandate laid down for it by the Congress of the United States.

However, there can be no stability within our industry unless and until we make some very basic changes in the way the air transportation business is conducted. We are only deluding ourselves if we pretend otherwise.

The demand for change exists. It is not going to go away.

As I was preparing this speech—sifting through the verbiage and counter-verbiage that the scheduled versus charter battle has produced over the years, I noted the appearance of some possible areas of agreement between the scheduled and supplemental segments of the air transportation industry. Nothing has been done, however, to focus on these and use them to solve our mutual problems.

It is as though we are all in a gigantic holding pattern, circling endlessly and bickering among ourselves and with the control tower about who should land first. Our fuel reserves are dwindling and in a little while none of it will matter, but still we fight on.

And in the meantime, our passengers are almost forgotten.

Lip service is paid to the "rights of the consumer" and the "need of the traveling public," but no real effort is made by the industry to protect those rights or meet those needs.

Oh yes, there are promotional fares, and discounting practices, and illegal charters with fares that threaten our very existence.

But we haven't really tried to provide the public with low-cost transportation on a simple, straightforward basis that meets its needs on an economic level that insures the well-being of the industry and the continued availability of its services to the public.

Quite frankly, the air transportation industry seems to have lost sight of its reason for being. What the industry sees as a fight for survival may, in fact, be a rather elaborate form of suicide.

The scheduled-versus-supplemental argument has produced many myths; among them, the following:

1. The scheduled carriers and the supplemental carriers are two separate industries.
2. The U.S. International Air Transportation Policy does not exist, or it is an empty policy pronouncement dreamed up by some bureaucratic regime without support of fact or law.
3. Only those carriers who engage in individually ticketed services serve the public need. Those engaged in bulk transportation do not serve a public need because they are under no obligation to serve the public on particular routes.

Let's examine these myths in the light of day.

MYTH NO. 1

All carriers presently certificated by the CAB are authorized to engage in charter air transportation. This is the type of service designed to provide low-cost air transportation by taking advantage of the economies of planeload traffic. Part of the industry, however, is also authorized to engage in individually-ticketed, scheduled transportation. Thus, although there are two types of authority, there is only one industry—and it's about time we accepted that fact and started working together to develop charter transportation to the fullest rather than trying to destroy it.

MYTH NO. 2

The International Air Transportation Policy has been described by one scheduled industry spokesman as a policy that does not exist. Others call it a scheme designed to destroy the scheduled industry.

Is that really so? Let's look at the declaration of policy contained in Section 102C of the Federal Aviation Act of 1938, which calls for:

"The promotion of adequate, economic, and efficient service by air carriers at reasonable charges, without unjust discrimination, undue preference or advantages, or unfair or destructive competitive practices."

In essence, ladies and gentlemen, the International Air Transportation Policy of the United States is hinged to that basic declaration: a charge to the regulators to insure that proper attention is focused on meeting those objectives.

You will note that it doesn't say scheduled carriers, or supplemental carriers—it simply says air carriers.

MYTH NO. 3

There is no requirement under the Federal Aviation Act that any level of charter service be maintained on any specific route by either segment of the industry. But then, there is no requirement that any specific level of individually-ticketed service be maintained on any particular route, either. It just says "adequate" service—and relies on competition and public demand to decide what that level is. I think history will show that the scheduled segment of air transportation industry has more than met the public need in this area.

However, had the scheduled industry adequately served the charter market, the Congress of the United States would not have found it necessary to create charter specialists to stimulate the development of this type of service to meet the public need.

These and other myths have kept the scheduled-versus-supplemental battle going for more than ten years now, and it's about time we realized that this isn't very productive. What we should be talking about is the relationship of individually-ticketed and bulk transportation. What we should be doing is finding ways to balance them in the best interests of the public.

Your speaker last month referred to "the fallacy of bulk transportation"—and then proceeded to say that it made up more than half of the scheduled airlines' traffic.

Bulk transportation is no myth, but neither is it a monster that threatens to devour the scheduled airlines. It is, quite simply, a term coined to describe transportation that relies on volume sales for its profitability—and it *does* include promotional group traffic as well as pure charter traffic.

Bulk transportation is becoming increasingly important to the scheduled carriers—as witness their increasing charter activity—and it promises to become even more important to the future of the air transportation industry as a whole.

In commenting on Travel Group Charters, last week's Airline Reports points out, "traffic that shifts or is 'diverted' to charter . . . may be lost to scheduled service but not to scheduled airlines. Their authority will be no more limited than that of supplemental airlines and, in fact, their capacity to serve a growing charter market may be far beyond that of the supplementals."

I might add that we do not expect significant diversion, but rather an expanded base of traffic.

The challenge facing us, therefore, as an industry, is to find ways to meet the growing public demand for bulk transportation and at the same time, protect essential levels of scheduled traffic on all routes.

The Civil Aeronautics Board's new Travel Group Charter rules are a step in the right direction, as are the British Government's new Advance Booking regulations covering charter flights.

It is gratifying to see that others are beginning to recognize the need for change: for example, Pan American's call to IATA for a quote "innovative and profit-oriented approach to pricing," unquote, in the North Atlantic market.

Pan Am's own economic analysis, it seems, has demonstrated something that we have been saying for some time; namely, that the quote "continued proliferation of promotional fares," and "liberalization of their condition," unquote, are self-diversionary and are major factors in the yield erosion in the North Atlantic market.

The Air Transport Association also recognizes the desirability—in part at least—of a new look at rate levels.

Significant though they are, however, these expressions of willingness to change with the times still represent what I would call a piecemeal approach to the problem. We need a total system approach to regulation that will put our industry in tune with the times.

This "total system" approach to air transport regulation is, I believe, essential to the development of a viable, balanced air transportation system—which brings me back to the Federal Aviation Act's Declaration of Policy, and the questions and the challenges that it presents us with.

What is adequate, economic, and efficient service?

What are reasonable charges?

How do we, as an industry, provide service without unjust discrimination, undue preference or advantages, or unfair or destructive competitive practices?

Let's take them one at a time.

WHAT IS ADEQUATE, ECONOMIC, AND EFFICIENT SERVICE?

As I see it, this is service which, to the maximum extent feasible, satisfies the public demand, whether it is for individually-ticketed, scheduled service, or for low-cost vacation travel—bulk service.

In other words, the levels of both individually-ticketed and bulk services must be tied to the demand for each.

Excessive capacity dilutes the airlines' yield per passenger mile just as surely as commingling too many promotional fares creates self-diversion and which, in turn, also dilutes the yield. We need to determine, on the basis of demand, what *are* adequate levels of service on individual routes and then devise ways of protecting those levels against impairment.

In our proposals to the Civil Aeronautics Board, for example, we proposed a method of protecting essential scheduled services against impairment by one-stop Inclusive Tour Charters—should they be approved. We suggested that in markets in which more than fifty ITC's per year are conducted, the CAB should establish what are "essential levels" of scheduled service and then conduct an annual review to determine the effect of the ITC's.

The Board would then be able to impose conditions in those specific markets where ITC operations could be seen to have impaired traffic.

WHAT ARE REASONABLE CHARGES?

In my view, fares, whether scheduled or charter, *must* be tied to the cost of providing the service. Destructive competition that drives fares below cost is self-defeating and is detrimental to the airlines and, in the long run, to the public.

What is desperately needed at this point in time is a structured fare system, from first class to charter, in which the value to the consumer is balanced by the cost of providing the service.

We have proposed a fare structure that would place the economy fare at 100 per cent, the first class fare at 120–125 per cent, promotional fares at 70–80 per cent, and part charters on regularly scheduled flights at 65–70 per cent.

Planeload charters, whether on scheduled or supplemental carriers, would be 45–50 per cent.

Such a structure, we believe, would give the consumer a clear choice and show him exactly what his travel dollar can buy. He can then decide whether he wants to fly plain or fancy.

If he wants fancy service with all the trimmings and can afford first class—let him have it.

If he wants individually-ticketed service with all the attendant amenities—let him have it.

But, if he wants plain, low-cost bulk transportation—let's make that available to him too, at levels that are economically sound for him and for us.

After all—and as we are all painfully aware—a sound air transportation system cannot exist unless it is conducted on a profitable basis.

In our brief, we asked the CAB to return to basic rate-making principles to guard against the kind of loss-leader promotional fares that have been playing havoc with per passenger yields in recent years. The air transportation industry must recognize that promotional fares are supposed to generate new traffic—not shift it from one class of service to another or from one part of the plane to another.

How do we, as an industry, provide service without unjust discrimination, undue preference or advantages, or unfair or destructive competitive practices?

The answer to this question is not as simple as it would appear, but there is an answer. It is:

a. Self-discipline by the industry—elimination of marginal or below-cost fares.

b. Policy direction by the Civil Aeronautics Board in international fares much the same as we have domestically.

c. Scrutiny by the Civil Aeronautics Board of all fares and rejection of below-cost or marginal fares proposed by IATA and policing of tariffs to insure that below-cost scheduled or charter fares or rates do not become effective.

d. Management of the marketing by air carriers (both supplemental and scheduled) of the air transportation product they produce. This, of course, would be through or in conjunction with reputable travel agents and tour operators.

Let me reiterate that the U.S. air transportation industry I am talking about is one INDUSTRY.

Only when we accept this as fact can we tackle the challenges that face us—domestically and internationally.

Only when we accept this as fact can we work together to implement systems that will broaden the base of air transportation and provide more Americans opportunities for low-cost vacation travel by air—on both scheduled and supplemental airlines.

Only when we accept this as fact can we deal realistically with other governments and negotiate international aviation agreements on an economic rather than a political basis. After all, aviation rights are no different from any other form of trade.

It is time, now, to look to the future: take a long, hard, realistic look at our present system. We need to define the proper and related roles of scheduled and charter services with the kind of "adequate, economic, and efficient" air transport system that the authors of the Federal Aviation Act had in mind 34 years ago, and which was reiterated in President Nixon's International Air Transport Policy statement in June, 1970.

We, as an industry, have a duty to live up to that Congressional mandate, just as the Civil Aeronautics Board has an obligation to see that we do.

BUT HOW DO WE DO THIS?

The industry has solved other major problems through cooperative efforts while still maintaining competition to the maximum extent feasible.

It may be that as bulk transportation becomes even more of a dominant part of our air transport system that a conference of charter operators or some similar type organization will be needed. Of course, any such system would have to operate within our legal and regulatory framework and, above all, would necessarily refrain from rate-making or setting practices: the latter being the province of the CAB.

We have had suggestions that our industry must maintain the "status quo." It seems totally illogical and inconsistent in today's world to even think of maintaining the "status quo." The structure of our society is changing, our culture is changing, our personal ambitions are expanding and our technology continues to progress at a rapid pace.

Our communities throughout the world are demanding the right to participate in the tourism movement. If we in the United States do not recognize the changes all about us, then other nations of the world will move into the leadership of air transportation, as they are beginning to do now, and we will become reactive to the actions of these nations rather than maintaining our role as the originators and innovators for the benefit of our own citizens and our own industry.

Now, if the industry is unable, or unwilling, to measure up to this task, then it may be that the Government will have to step in and we may end up with more regulation rather than less regulation—only this time, I am certain, the regulations will be designed to insure that low-cost air transportation is available to the public on a continuing basis.

I believe that unless positive actions are taken by the industry within the next few months to eliminate destructive competition, the U.S. Government should call for a conference of world governments with a view to taking the necessary action to protect what the CAB has described as quote "the irresistible and understandable public demand for low-cost air transportation."

TRIBUTE TO RICHARD H. POFF

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. McCULLOCH. Mr. Speaker, in the closing hours of the 92d Congress I wish to pay tribute to one whose presence is already missed, RICHARD H. POFF. For no man in this Chamber had a keener legal mind. Whenever he stood in the well to address the House, the Chamber hushed and his colleagues listened. With impenetrable logic he would cut through layers of complexities to reach his starkly clear conclusion. In legislative clashes, where he positioned his standard was critical, for his followers were legion. In a body composed mostly of lawyers, he was the lawyer that the lawyers admired, respected, and—when they disagreed—feared.

DICK POFF left his stamp on the law. But his influence has not diminished. It continues to be felt more and more as the bills he moved through the Congress find their life through implementation. And it will grow as his ideas and insights incorporated in a draft of a revision of the entire Federal criminal code, flourish in future Congresses.

He has left the Federal legislature for the State judiciary. It was evident to all of us that DICK POFF loved the law. No man who did not could know it so well. And so I have complete confidence that Mr. Justice Poff will be a bright star in his State's historic galaxy of jurists. I am sure that this lawyers' lawyer will become a judges' judge.

GENERAL ACCOUNTING OFFICE MINORITIES PROGRAM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CONYERS. Mr. Speaker, last month the Congressional Black Caucus, under the leadership of my friend, the distinguished Representatives of the District of Columbia (Mr. FAUNTROY), conducted a series of hearings on discrimination against Government employees in the Washington, D.C., area.

One agency given serious study is the General Accounting Office. I have just read a fine study of GAO practices and policies, and, for the benefit of my colleagues, I would like to have the general comments from that hearing printed in the RECORD.

The material follows:

GENERAL ACCOUNTING OFFICE MINORITIES PROGRAM

General Comments: Note that we continually have recommended that the EEO Advisory Council of GAO have a stronger voice in developing and implementing GAO's EEO Action Programs. Of equal importance is the inclusion in the 1973 Plan of a program to provide assurance that the EEO Advisory Council will indeed represent minority and female employees.

The EEO Advisory Council was created in 1971 to assist the newly formed "Personnel Relations Planning Committee" and to provide assurance that the "voice of the rank and file employee" would be heard in setting EEO policy. However, the "rank and file" voice of the employees, as heard through the EEO Advisory Council has been muted in various ways:

"Elections" are held by employees in each GAO Division to choose their representatives on the Advisory Council (15 members, 8 black, 7 white) but *then* agency management officials decide which of those so elected can actually serve on the Council!! Moreover, employees do not participate in tallying the votes cast and have no way of knowing for certain whether individuals receiving the greatest number of votes have been "elected" to serve on the Council. To say that these are true elections then is a mis-statement of fact.

The Steering Committee of the Personnel Relations Planning Committee has no representative sitting on it from "rank and file" employees—all of the members of the Steering group are top agency officials. The Steering Committee meets every two weeks.

Three of the 15 members of the Advisory Council, the "rank and file" group, are permitted to come into the Steering Committee meetings for half an hour to present their views. They are then excused, and the Steering Committee continues its deliberations without them!

The Citizens Advocate Center recommends the following procedures be presented in the 1973 Plan to provide assurance that the EEO Advisory Council meets its objective of providing "a channel for meaningful participation between employees and management in EEO matters:"

That the EEO Advisory Council continue to have one representative elected from each of the 3 employee organizations (NFFE, AFGE and the Black Caucus). Representation of the remaining Council members by division should be proportionate to the combined number of minority and female employees within each division. For example The Transportation Division (which has a sizable number of minorities and women) probably would have 2 or 3 representatives on the Council while a division having few minorities or women would be required to share a representative with another division.

That representatives of the 3 employee organizations be permitted to observe the election procedure and count the ballots.

That all persons elected to the Council serve on the Council.

That provisions be included in the Plan for representation of members of the Advisory Council on the Steering Committee.

The 1972 EEO Plan does not begin to cover all of the areas which should be included in a comprehensive EEO program. It is particularly alarming that the 1972 Plan *drops entirely* a most worthwhile goal outlined in the 1970 Report: Participation in Community Efforts to Improve Conditions which Affect Employability. *This should be in particular importance to the GAO as a government employer in the District of Columbia community.* Omitted from the 1972 Plan are the following important goals:

"1. To promote and lend support, where appropriate, to those equal housing programs at the community level in those locales where segments of our agency are situated.

"2. To provide information on available housing to job applicants in respective recruitment areas as a regular part of recruiting services and provide full assistance to applicants in obtaining fair housing rights where known barriers may exist.

"3. To encourage women and minority group students at the college and university level to pursue professional careers with the General Accounting Office through our 'Student Meeting' and 'Faculty Meeting' programs sponsored by our regional offices and by headquarters staff here in Washington. This medium of promoting the discipline and providing prerecruitment advertising for the General Accounting Office has proven productive. . .

"4. To encourage staff participation in community affairs and membership in civic organizations and societies as a viable extension and positive affirmation of our support for equal opportunity programs."

We fail to see how the relaxation of standards in the area of fair housing, whether in the Washington area or in the regional offices, can affirm equal employment opportunity. Federal agencies should play a positive role as advocates in helping government employees combat the problems of discrimination in their respective communities. The GAO could actively participate in such an effort by assigning members of the General Counsel's Office to work in this area.

Finally, the 1972 Plan makes no mention of the employee grievance procedure, which should be restructured and streamlined if it is to be effective. The existing system is complex and discourages employees from seeking relief from discriminatory practices. Few employees, counselors or EEO officers understand the entire process.

Those employees who follow the established procedures wind up in a complicated and lengthy maze which carries them from their EEO Counselor to their EEO Officer before their case is even brought to the attention of the EEO Director. In some cases, an unfortunate employee may find that the counselor or EEO officer assigned to his or her division is his or her own supervisor against whom the complaint is being brought! Whether or not this situation exists, it is often difficult for an employee to discuss a complaint with an individual from the employee's own division.

The GAO should provide an alternative for those employees who seek corrective and prompt action on a complaint and who are reluctant to request assistance from counselors and officers within their divisions. One suggested method would be to name attorneys in the General Counsels Office as EEO Officers and to permit any employee having a complaint to go directly to one of these officers and by-pass the established procedure in his or her division. The EEO Officer would have the authority to request a meeting with both the aggrieved employee and the supervisor. If no satisfactory resolution of the problem were found, the employee could then proceed to file a written complaint with the EEO Officer. At present, the EEO complaint system does not effectively provide a forum outside of the personnel administration hierarchy until a late stage in the formal complaint procedure. For this reason, the employee is effectively denied due process and fairness in presenting his or her grievance at the initial *and* critical first step to gain Equal Employment Opportunity. The GAO should be required to notify each employee within the agency of both established and alternative procedures in filing grievances and complaints. Flow charts outlining the procedures should be distributed to all employees, EEO Counselors and EEO Officers.

We have outlined in this letter only the most obvious problems in GAO's EEO program. We strongly recommend that the Civil Service Commission and the Congress seek the opinions of the EEO Advisory Council and the GAO employee organizations before conducting its review of the 1973 GAO Plan. They have first-hand experience of the problems of discrimination within the GAO and should be able to offer valuable suggestions for improvement.

We trust that the information presented herein will prompt the Civil Service Commission to conduct a thorough investigation of the General Accounting Office along the lines we have recommended.

Minority and Female Employment in the GAO Regional Offices

Discrimination against minorities and women is even more blatant in GAO Regional Offices than in GAO Headquarters Divisions.

Statistical data on minority employment in each GAO Regional Office was released by the agency on May 31, 1972. A summary of the data is presented in Attachment A of this Appendix. Here are some of the most shocking facts:

Three of the 15 Regional Offices have *no minority employees*:

Atlanta (125 employees).
Boston (104 employees).
Norfolk (73 employees).

An additional 2 Regional Offices have *no Black employees*:

Dallas (156 employees).
Kansas City (130 employees).

In addition, the Seattle Regional Office has *no minority professional employees*.

The remaining 9 Regional Offices have only token minority representation on their staffs. Consider the following:

The Philadelphia Regional Office has only 1 minority employee.

The New York Regional Office has only 1 minority *professional employee*. It has *no Spanish surnamed employees*.

There are no American Indians on *any* of the GAO Regional Office staffs.

The Washington, D.C. Regional Office (which is located in Virginia, but which covers only a small portion of Northern Virginia, portions of Maryland, and all of the District of Columbia) has only 4 Black professional employees.

There are no Black employees above the GS-12 category in *any* Regional Office, although there are 513 positions above GS-12 in the Field Operations Division!

The statistics presented above are even more significant when considering the fact that the GAO regularly monitors programs which directly effect minority groups. For example, 23 states (and portions of 5 additional states) are covered by GAO Regional Officials which have *no Black professional staff members*—this includes all of the states in the deep South. States having large Indian populations—Oklahoma, Arizona, New Mexico, California and Alaska—are covered by Regional Offices which have *no American Indian employees*. New York City, which has a large Spanish-speaking population, is covered by a Regional Office having *no Spanish surnamed employees*.

The status of women in GAO Regional Offices is, in many ways, as bad as it is for minorities. Attachment B to this Appendix gives GAO's own statistical break down in the Regional Offices. Unfortunately, the figures released by GAO on September 29, 1972, reflect female employment in the Regions *as of June 30, 1970!* This leads us to believe that GAO either does not have enough interest in female employment to update its figures or GAO is hesitant to release new data which might reveal backsliding on female employment within the regions.

The 1970 data reveals that GAO is making little or no effort to get women into all grade levels (particularly professional categories) in significant numbers:

The entire Field Operations Division (excluding military branches) had a total of only 193 women in June 1970! If compared with the present number of 1,808 Field Operation Staff members (excluding military branches), and assuming this number has not changed significantly in the past 2 years, we can conclude that the percentage of women in Regional Offices is only slightly higher than 10%!

Only *one* of the 15 Regional Offices has *any* women above the GS-9 level. (The Washington, D.C. regional office has 2 women who are GS-12's), according to the 1970 statistics.

SENATOR KARL E. MUNDT

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. President, a long and distinguished career in public service will come to an end with the retirement of the Senator from South Dakota (Mr. Mundt) at the close of the 92d Congress.

After he had four terms in the U.S. House of Representatives, South Dakota demonstrated their confidence in Karl by electing him to the Senate in 1948. When he retires, he will have completed 24 years of Senate service.

Few men who have served in this body have had such a wide range of interests. As one who had operated a farm himself, he gave close attention to agriculture problems which were of concern to his State. At the same time he maintained a lively interest in world affairs and served most efficiently for several years as a member of the Senate Foreign Relations Committee.

An eloquent speaker as befitting one who had taught college speech, Karl, as we all remember, was most forceful and persuasive in Senate debate. Until struck by illness, he was tireless in carrying out his responsibilities to his State and the Nation.

I wish to join with all his friends in wishing for him and his devoted wife, Mary, many happy retirement years.

THE GEORGE E. STRINGFELLOW CANCER EDITORIAL CONTEST

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MINISH. Mr. Speaker, I do not believe that there are many Americans today who are not aware of the country's No. 1 public enemy: cancer.

About 53 million Americans now living will eventually have cancer; one in four persons according to present rates. Cancer will strike approximately two out of three families.

These are chilling facts. They are the reason I was one of the prime sponsors of the Conquest of Cancer Act, and have worked to secure full funding of the Federal effort to combat cancer.

However, there are 1½ million Americans alive today who have been cured of cancer. Moreover, more could have been saved through early diagnosis and treatment.

That is where the American Cancer Society fills a major role. It is the aim of the society to educate the public to cancer's warning signals so that they will seek the aid of a physician immediately. The American Cancer Society also wants to impress upon the public the absolute necessity of an annual check up whether or not there is any indication of cancer.

The New Jersey Division of the American Cancer Society is one of 58 divisions in the country which have developed successful public education programs. For many years, the New Jersey Division has been in the forefront in the fight against cancer. It is an ongoing and continuous endeavor.

An essential phase of the New Jersey Division's education program is the annual George E. Stringfellow Editorial Contest, named after the division's first president. Through this contest, which has been in existence since 1947, the press of all New Jersey daily and weekly newspapers, and of all secondary high schools, are invited to submit an original editorial on the subject of cancer control.

The New Jersey Division is most grateful to the press for its continued support of the contest and proudly announces the winners of the 1972 George E. Stringfellow Editorial Contest.

In the daily category, the winner is "Cancer Control Month: Hope," written by Z. Kamin of the Daily Register, Red Bank, N.J.

In the weekly category, the winner is "Around the Bend," written by Guy Frederick of the News Leader, Netcong, N.J.

In the high school category, the winner is Marianne Castranova of the Diadem Newspaper, Holy Rosary Academy, Union City, N.J.

I am pleased to insert these editorials into the RECORD for the information of my colleagues:

[From the Red Bank (N.J.) Daily Register, Apr. 18, 1972]

Cancer Control Month: Hope

(George E. Stringfellow Editorial Contest Winner—Daily Category)

Both by presidential proclamation and congressional resolution, April is Cancer Control Month. Here in Monmouth County, Cancer Crusader volunteers are busy spreading the word of their national chairman, Joan Crawford, who confidently says: "The cancer dragon's days are numbered . . . So let's help cut down the number with a check-up and a check to the American Cancer Society."

Because we dread the disease and because we know that the American Cancer Society, through our donations, has been able to provide the research that has made vast inroads against this killer, Cancer Crusade fund drives normally are successful in the county.

We certainly hope that this year is no exception, because just as inflation has hit the household budget, so has it hurt the many charitable organizations that depend upon public support.

It takes more dollars to perform this year what they d do a year ago, and it would be a terrible blow to each of us if what appears to be a victorious battle against cancer should be stalled.

One of the positive aspects of the Cancer Crusade is that, besides soliciting contributions, it wages an educational campaign directed to young and old, and those in between.

Show business and sports personalities have endorsed the Crusade, and they lend their voice in appeals to the young not to take up cigarette smoking, and to the middle-aged to have check-ups because the earlier cancer is located, the better are the chances for cure.

The emphasis this year is on convincing all American adult women to take a simple, quick and painless cancer test. It's called the Pap test, which was developed by an immigrant Greek scientist, Dr. Papanicolaou. It can detect uterine cancer in an early stage, at a time when it can be cured. It is, as the Cancer Society says, "an unacceptable tragedy that about 13,000 American women died from uterine cancer last year."

The society estimates that the death rate from that form of cancer has been cut by more than half in the last 30 years, and it predicts that uterine cancer deaths can be wiped out if every woman takes the test in the next four years.

Not too many years ago, the toll of cancer deaths was frightening and often a cause for despair. That such need not be the case today is shown in the fact that there are 1,500,000 people in the United States who have been cured of cancer.

Statistics are still grim, however, in that it is expected that 52,000,000 Americans will develop cancer. Unless the victims have those life-saving checkups, and unless science can make some more important breakthroughs, 34,000,000 of them will die.

Cancer Control Month is a time for hope, and a time to follow Miss Crawford's advice: Get that check-up, and send that check to the American Cancer Society.

[From the Netcong (N.J.) News Leader, Apr. 13, 1972]

Around the Bend

(George E. Stringfellow Editorial Contest Winner—Weekly Category)

There was an accident around the bend from my house. It happened suddenly. Coming down the hill, the brakes of the car failed. The driver and passenger were fortunate, only shook up.

The two were lucky. The driver chose to crash before coming to the bad curve at the foot of the hill.

A neighbor and I waved a red flashlight frantically. Others were coming down the hill at a high rate of speed. Only at the last minute would anyone slow down.

While directing traffic, I asked him about his family. I had not seen them for some time.

"My wife has cancer," he said. "I have not told her. She does not know, but I cannot understand," he added. "She neither drinks or smokes. Can you tell me what causes cancer?"

Does it just crash into us as we go down hill in life? Is our body perfect one minute to be diseased the next? Is it something in the air we breathe, the water we drink, the food we eat?

Are we coming closer to a cure? We are told there are 7 signs to look for as potential danger signals in a set of human brakes.

Bleeding, a lump, a sore, a cough, indigestion, change in a wart or mole, change in discharge, any one of these indicates the brakes will fail.

Doctors and leaders in the medical world are standing in the dark, frantically waving the red light. "Slow down," the light says. "There is a wreck around the bend."

I'm in too much of a hurry, the oncoming human cries out. I'm in too much of a hurry.

The Cancer Society predicts that 100,000 of these will crash beyond the curve.

So the fast course of human travelers is strewn with human wrecks.

When the crash comes we use special diets, we operate, we use cobalt, but as yet the percentage of cures is small. A cure is considered survival for five years without the return of cancer.

Five years in the beautiful valley of time. But we must get safely to the bottom of the hill. We must slow up for the red light waving in the dark. We must give so always there will be someone to wave the light. Save for a pile of stones by the side of the road, one hour later no one knew of the wreck that had just happened.

The neighbor went back to the wreck in his own home. Two weeks later his wife was taken to the hospital. Six months later my neighbor looked into the face of his wife, but she could not speak. She had died of Cancer.

[From the Union City (N.J.) Diadem Newspaper, Holy Rosary Academy, June 14, 1972]

The Life You Save

(George E. Stringfellow Editorial Contest Winner—High School Category)

Somewhere a businessman is harshly coughing over his lunch while, 3,000 miles away, a young girl casually ignores the sore on her arm.

What do these people have in common? Nothing, except that they could be two of the thousands in the United States who will needlessly die of cancer this year.

"Needlessly die of cancer?" you might ask. "How can anyone needlessly die of cancer?" The truth is that many forms of cancer are remediable, but only if treated in time. In fact, it is estimated that 90,000 cancer mortalities could be prevented each year by early detection.

Therefore, since time is an important factor in the control of this disease, awareness of the following danger signals is pertinent: unusual bleeding or discharge; a lump or thickening in the breast or elsewhere; a sore that does not heal; a change in bowel or bladder habits; hoarseness or cough; indigestion or difficulty in swallowing; and a change in a wart or mole.

If you find that you are subject to one of these signals for more than two weeks, go to your doctor immediately, for cancer is indeed a formidable enemy to be reckoned with since it is one of the most common causes of death in this country, second only to heart diseases! And if you've got the ridiculous notion that you're too young to get cancer, don't feel so smug, for although the risk of developing this dreaded disease increases with age, cancer is often found in young people, and in the U.S. kills more children from ages of 1 to 15 than any other disease.

So remember—early detection is the best conceivable weapon against this horrible disease which has plagued man since the dawn of time. And with this weapon, the life you save—may be your own.

ST. ANTHONY CHURCH CENTENNIAL

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ZABLOCKI. Mr. Speaker, St. Anthony Church in my home district of Milwaukee, Wis., celebrated its 100th anniversary in special ceremonies on Sunday, October 8. Participating in the services which marked the anniversary were the Very Rev. William E. Cousins, Archbishop of Milwaukee, Fr. Gerard J. Clark, pastor, and Fr. Frederick Schmidt, a former pastor.

A century of dedicated service is certainly an occasion for jubilation. However, it also offers an appropriate opportunity to recall—and appreciate—what churches like St. Anthony represent in terms of our country's moral strength.

I am therefore pleased to share with my colleagues an article which appeared in the Catholic Herald which outlines the history of important contributions St. Anthony Church has made to its parishioners and the Nation down through the years.

To the priests, sisters, and all the people of St. Anthony Church go my heartiest congratulations and best wishes.

The article follows:

Archbishop Will Preside and Preach at Mass Noting St. Anthony's Centennial

MILWAUKEE.—St. Anthony parish will observe its centennial Sunday with a solemn high Mass beginning at noon.

Fr. Gerard J. Clark, pastor, will be celebrant. He will be assisted by Fr. Frederick Schmidt, a former pastor, and Fr. Earl Dionne, part time assistant, as deacons. Archbishop William E. Cousins will preside and preach.

A dinner will follow in the parish hall.

The founding of St. Anthony's is traced to 1872, a time when there was much immigration from Europe, especially Germans, Poles and Irish. They were people rich in the inheritance of their faith which they were determined to keep in the New World.

At that time old Holy Trinity parish was a large German congregation in the area but Bishop John Martin Henni realized the need for a second German parish on the south side. He chose Fr. A. J. Decker to establish St. Anthony.

Ordained in December, 1871, Father Decker served as assistant at Holy Trinity. His new assignment presented many difficulties.

Initially he was strongly opposed on the site which he chose for the new church, then Mitchell street and 4th avenue. The opposition resulted in meager response to appeals for funds to make the foundation.

Nevertheless, Father Decker's abilities and endeavors were reflected in the fact that after only a few months, on November 3, 1872, Bishop Henni dedicated a combination church-school building. It was a two-story structure, with four classrooms on the first floor. The second floor served as the parish church for the first 10 years.

The school was opened two weeks later by the School Sisters of Notre Dame, with 160 pupils enrolled.

Plans for the present church, now at S. 9th and W. Mitchell sts., were developed in 1875; and one of the highlights of the parish was the laying of the cornerstone on June 26, 1881. Work was completed and the building was dedicated November 19, 1882, by Archbishop Michael Heiss.

Later, gas lights were added, a new pulpit was installed, the present organ was erected and chimes were placed in the tower. In 1910, a large bronze bell, weighing 4,200 pounds, was installed in the tower.

Old St. Anthony school was situated on Mitchell st., between what are now 9th and 10th sts. The number of students grew rapidly and soon the school was enlarged. The first rectory was built in 1897.

Father Decker remained as pastor for 38 years. One of the highlights during his tenure occurred in 1886 when he was given an assistant because at that time the parish numbered 550 families. He died September 5, 1910, after a lingering illness.

Father Decker was succeeded by Fr. Michael J. Graettinger who served the parish during what was considered its golden years. A new school, which cost $95,000 was dedicated November 7, 1920.

The parish numbered 830 families, including 3,110 individuals. The school boasted an enrollment of 500 and there were 12 active societies. One of the greatest sources of pride for St. Anthony's was the many priestly and religious vocations that came from its ranks.

Father Graettinger remained as pastor until his unexpected death in 1926. His successor was Fr. Charles F. Keyser, who held the pastorate for the next 42 years.

During that time the ethnic complex of St. Anthony's changed considerably. Many Polish people moved into the area and became active members of the congregation.

Father Keyser was an administrator of exceptional ability. He established scholarships which still aid many many graduates of the parish school. The St. Elizabeth maternity guild financially assists mothers at the birth of their children. Also, a seminary fund continues to help young men studying for the priesthood.

In 1939 Father Keyser instituted the novena of Our Lady of Sorrows, which during its early years attracted a minimum of 2,000 to the devotions each Friday. While the number of participants has declined, a good many from all parts of the city still attend regularly.

Father Keyser was rewarded for his efforts on July 6, 1954, when Pope Pius XII named him a domestic prelate with the title of "Right Reverend Monsignor." But his career came to an untimely end 4 years later. Msgr. Keyser died July 6, 1968, of burns which he suffered from an accidental fire in the church.

Fr. Frederick Schmidt, now pastor of St. Patrick, Beaver Dam, was the fourth priest to head St. Anthony's. During his tenure the church, school, rectory and parish hall were renovated and repaired.

Father Clark was named pastor in August, 1971. He serves in an era that reflects great change. The school which once boasted 700 pupils now has 185. Many of the old families have left the area. Others retain their ties and cherish an inspiring history.

In its 100 years, St. Anthony's has seen 3,567 couples exchange marriage vows, and 13,006 infants and adults received the sacrament of baptism.

SLOVENIAN FESTIVAL DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. ANNUNZIO. Mr. Speaker, on the weekend of October 28–29 an event will take place that makes me proud to be a native of Chicago and a Representative in Congress from that great city.

October 28 has been proclaimed Slovenian Day by Hon. Richard Daley, mayor of Chicago, and Hon. Richard B. Ogilvie, Governor of Illinois; and the 54th anniversary of Slovenian Independence Day will be celebrated October 29 by the Slovenian community.

These celebrations are examples of the cultural richness of our city made possible by the creative pride and community spirit of the various ethnic groups which came to America seeking a peaceful life in freedom. Our city and Nation are immeasurably richer in spirit because of the contributions of those immigrants and their descendants.

The Slovenian Festival weekend will begin on Saturday evening, October 28, with a special program at St. Stephen's Hall, 1837 West 22d Place, Chicago. The Hencek Ensemble of Slovenia will entertain with polkas and folksongs of their homeland. Their style is typical of Slovenian village music. They play on traditional instruments including the button box accordion.

Costumed in their native garb, guests of Slovenian origin will be coming to the festival from Milwaukee, Wis., and Montreal, Canada. Dancing will follow the concert program and home-style sausage—Slovenian klobase—with Slovenian nutbread—"potica"—will be served.

Part of the festival program, emceed by Lud and Corinne Leskovar, directors of the Slovenian radio program, will be the annual Slovenian Award, given to a distinguished person of Slovenian heritage, who has excelled in service to his community.

"Gospodichna" Mary Kreslin, 3240 North Osceola, Chicago, has been selected Miss Slovenian Day. Miss Kreslin, an 18-year-old senior at Steinmetz High School, will read the Slovenian Day Proclamation in Slovenian language and will appear as the Slovenian Princess at the International Folk Fair of the city of Chicago, November 4–5.

Slovenian Day in Chicago is being celebrated this year in conjunction with the 22d anniversary of the Slovenian radio program of Chicago. The president of the Slovenian American Radio Club, Dr. Ludwig A. Leskovar, has been producing the outstanding weekly Slovenian radio program, heard on WEDC in Chicago, for 22 consecutive years.

Dr. Leskovar, a highly respected leader in the Chicago Slovenian community, is also active in many civic, educational, religious, and social endeavors in the Chicago area, and was named Man-of-the-Year by the Heart of Chicago Community Council. I congratulate him for his energetic and creative leadership over the years and wish him many more anniversaries full of accomplishment.

Mr. Speaker, at this point in the RECORD I would like to include the names of all of the able officers of the Slovenian American Radio Club. The names of the officers follow:

OFFICERS OF THE SLOVENIAN AMERICAN RADIO CLUB

Executive Officers: Dr. Ludwig A. Leskovar, President; Frank Mikec, Vice-President; Mary Foys Lauretig, Secretary; Alma Helder, Treasurer; Stephanie Osterman, Recording Secretary; Roman Possedi, Sr., Sergeant at Arms.

Auditors: Otmar Tasner, Michael Fleischhacker, Minka Grasich.

Cultural Narrator: Frank A. Schonta.

Director of Special Events: Corrine Leskovar.

Directors: John Blatnick, Joseph Osterman, Fred Orehek, Anna Tasner, Frank Karner, Frances Maxwell, Anton Skamperle, Ludvik Jelenc, Jerome Soukal, Ursula Krzisnik, John Oblak, Frank Dolenc, Mike Kores, Peter Gorenc.

Slovenian program staff: Ludwig A. Leskovar, Director; Corinne Leskovar, Announcer; Tony Gaber, Assistant Announcer.

October 29, the 54th anniversary of Slovenian independence from Hapsburg domination, is to be commemorated this year with a talk by Dr. Bogdan Novak, professor of history at Toledo University.

Slovenia, now one of the six republics of Yugoslavia, has a long and distinguished history. Through the centuries, its people have fought with distinction and valor for the preservation of their national identity and cultural traditions. Though surrounded by powerful neighbors, the Slovenian people have, by virtue of their courage and fortitude, been successful in maintaining their proud identity. This has proven to be the case regardless of where Slovenians have found themselves, and today, it is our American Nation which has benefited by their strength of character and the honorable values of their homeland.

More than 400,000 Americans of Slovenian descent reside in the United States, many of whom have won recognition because of dedicated service to their country. They have contributed with distinction to the cultural, political, and social enrichment of our country. Among these distinguished Slovenian-Americans are the Honorable JOHN A. BLATNIK, Congressman from the Eighth District of Minnesota, who is the chairman of the powerful Public Works Committee; the Honorable Ludwig J. Andolsek, able Commissioner of the U.S. Civil Service Commission; the Honorable PHILIP E. RUPPE of the 11th District of Michigan, who serves on the Interior and Insular Affairs Committee and the Merchant Marine and Fisheries Committee; the Honorable JOE SKUBITZ of the Fifth District of Kansas, who serves on the Interior and Insular Affairs Committee and the Interstate and Foreign Commerce Committee; and the Honorable Frank J. Lausche, former U.S. Senator from Ohio and five-term Governor of the State.

On this gala 22d anniversary of the Slovenian Radio Program of Chicago and the 54th anniversary of Slovenian independence, the Honorable Vito Marzullo, alderman and committeeman of the 25th ward and annual sponsor of the city of Chicago Solvenian Day Proclamation, joins me in extending warmest congratulations and best wishes to the Slovenian community in Chicago. May the Slovenian-Americans continue the wonderful traditions which have made them a valuable part of our great Nation.

HON. WILLIAM M. COLMER

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this time to express my thoughts about the Honorable WILLIAM M. COLMER, Democrat of Pascagoula, Miss., chairman of the powerful House Rules Committee who has decided not to return to the U.S. Congress. BILL COLMER as he is affectionately known by his colleagues is one of the most gracious gentlemen I have ever had the pleasure of knowing. A dedicated public official he gave unstintingly of his time during his service in the U.S. Congress for those ideals he believed in.

An articulate spokesman for views he could disagree without being disagreeable. BILL COLMER will be missed in the Halls of Congress. I can say without equivocation that his home State and congressional district was fortunate in having his services these many years. Yes, I stand here today saluting BILL COLMER and wishing him the very best in the years to come. As he embarks on another stream of life I know he will continue to have an active career in the years ahead. BILL COLMER always appeared ageless to me, young in mind, young at heart but wise beyond his years.

ABSENTEE BALLOTS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. LANDGREBE. Mr. Speaker, I wish to call to your attention and to the attention of my colleagues the following official opinion issued by the attorney general of Indiana, Theodore L. Sendak. I wish to commend Attorney General Sendak for this excellent opinion regarding the matter of whether or not to supply absentee ballots to military deserters and other fugitives from justice outside the jurisdiction of the United States.

The attorney general's response is as follows:

It is, therefore, my Official Opinion that a person is *not* entitled to obtain an absentee voters ballot in Indiana when he has voluntarily removed himself from the jurisdiction of this state and nation to Canada, or some other country outside the United States, for an indefinite period of time in order to avoid service under the Selective Service Act, or in order to avoid prosecution as a deserter from the Armed Forces of the United States, or in order to avoid prosecution under any criminal law of the State of Indiana or of the United States.

HON. WILLIAM M. COLMER

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SCHERLE. Mr. Speaker, few men in Congress exercise greater influence over the proceedings of this body than the chairman of the Rules Committee, and few men who have chaired that committee have exerted a greater influence for the good than the Honorable WILLIAM M. COLMER.

When the 93d Congress convenes in January, BILL COLMER will no longer be here to guide us on the vital issues we shall face, and the House will be the poorer for his absence. A stanch conservative and a man of strong principle, BILL is nevertheless a master of the art of reasonable compromise, and many times succeeded in reconciling opposing factions on a measure where a less tactful and experienced legislator might have failed.

We have all learned from BILL COLMER's judgment, and we shall all miss him personally. It is my hope that his successor will enjoy an equally productive and effective term as chairman of the Rules Committee.

FOREIGN POLICY ISSUES AND THE LAW OF THE SEA CONFERENCE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PELLY. Mr. Speaker, I include following my own remarks an address by the Honorable John R. Stevenson, the legal adviser to our Department of State. This address was delivered on October 11, 1972, at a meeting at the University of Washington in Seattle on the local aspects and interest in United Nations' Meetings on the International Law of the Sea. Mr. Stevenson was chairman of our U.S. delegation which last met in Geneva, Switzerland, this past summer.

Mr. Speaker, the general outline of issues and difficulties of establishing agreement on new and up-to-date international conventions is objectively presented in Mr. Stevenson's remarks and I am sure will be of interest to others as it was to those attending the Seattle conference.

Following is the text of Mr. Stevenson's speech:

FOREIGN POLICY ISSUES AND THE LAW OF THE SEA CONFERENCE

(Address by the Honorable John R. Stevenson)

It is a great pleasure to be here today to speak to you about the coming Law of the Sea Conference, and what it may mean to us as Americans.

There has been a growing awareness in the public about the importance of the oceans to our lives. But I think many here would agree that this awareness does not yet match the level of importance.

Here in the Pacific Northwest we have a major port, and a major segment of our fishing industry. Concern about marine pollution is strong. Government and private industry conduct important activities related to our national security. Both Senators from Washington are Chairmen of Committees that are deeply concerned with Federal laws and policies regarding the oceans and their resources. Congressman Pelly has a long record of interest in the oceans, and we were pleased to have him present in Geneva this summer during meetings of the U.N. Seabed Committee. The University of Washington has been a leader in contributing to the study and knowledge of the oceans, and the related scientific, economic, technological, and legal disciplines. Thus, Seattle is an especially appropriate city for a meeting of this sort, and the University of Washington a particularly suitable site.

Before addressing ocean problems specifically, let us stop for a minute and think what life would be like in this country, or this city, or even this room if people did not agree on how they should behave. What if there were no common understanding of one man's rights and another man's duties? Some of us might adhere—perhaps ardently—to one code of behavior, while others would have different inconsistent codes. Sooner or later there would be conflict. The conflict would increasingly involve matters, however important, that really could not justify the cost of the conflict in material or human terms. Whether by agreement—social contract if you will—or by force, common rules of behavior would ultimately have to be imposed on everyone in the common interest.

In this situation we have two fundamental choices—agreement or conflict. Before considering the merits of any specific proposals for the oceans, it is essential to bear in mind President Nixon's firm warning in May 1970: "If the law of the sea is not modernized multilaterally, unilateral action and international conflict are inevitable."

Let us remember that most nations border on and use the oceans, and that all nations have a vital interest in their use and preservation. Neither history, nor logic, nor law would permit us to conclude that one country, or one group, could itself decide its rights and duties in the sea with respect to the others.

Apologists for unilateralism frequently cite the success of the 1945 Truman Proclamation on the continental shelf to make their case. They omit to say that other States whose interests might have been affected did not object. They also omit to consider the wave of unilateral claims to the seas as well as the seabeds that followed, and the disputes that have resulted. They also forget that in 1945 the world was not as well equipped with institutions that could provide a multilateral alternative as it is today.

On the other hand, the principle that no nation or group can make the decisions itself is not limited to classic forms of unilateral action. We are all aware that representation in the United Nations General Assembly, and at a Law of the Sea Conference, is equal—each State has one vote. Majority or even two-thirds votes do not necessarily reflect any real accommodation of the relevant interest involved.

In short, if artificial voting majorities are resorted to, a multilateral conference becomes more than the vehicle chosen by one group of states to impose its will on another. The result will be nothing but a variant of unilateral action, no more legitimate, and no more successful; except, unhappily, that one more blow will have been struck at the idea of seeking international solutions. Those whose national interests are protected by their voting strength in international forums would do well to consider whether the perceived advantages of abusing that strength are worth the price of degrading, if not destroying, the role and influence of all such forums on matters that affect their interests.

I think it is fair to conclude that the large majority of the nations of the world, developed and developing, believe that multilateral agreement on a large regime for the oceans is desirable. This was manifest in the decision of the UN General Assembly to convene a law of the Sea Conference. It was even more manifest in the seriousness of purpose that marked this summer's meeting of the U.N. Seabed Committee, which is charged with preparing for the Conference.

However, this does not mean agreement has already been reached on the outcome. Nor does it mean that all agree the Conference should be held soon. Strong and divergent interests are involved. The real test is not whether a Conference is called: it is whether the Conference will be timely and successful. The relationship between time and success is a critical one: on the one hand, adequate preparation is needed; on the other hand, events and technology will not stand still, and may make agreement far more difficult in the future. It is, for example, much easier to make a unilateral claim than to alter it.

There seems to be a good chance that the United Nations General Assembly this fall will establish a precise schedule for further preparatory work and for the Law of the Sea Conference. The question therefore is: what are the elements of success?

It is common to answer this question with exhortations for a spirit of good will and mutual accommodation. Indeed, I suspect that the Law of the Sea Conference will need more than an ample measure of such a spirit. But, if it is to write rules that provide the answers to real problems, the Conference must be prepared to deal with those problems honestly. It is not at all reprehensible for nations to identify their interests clearly and seek solutions that accommodate them. My own view, after three years of negotiation of this subject, is that the national interests involved are not as difficult to reconcile as formal positions might indicate.

Because of the divergence of view regarding what is permitted under current international law, I think there is too great a tendency to overlook the gradual convergence of ideas on what the effect of the Law of the Sea Conference should be. In this connection, it must be emphasized that States can take a far more flexible approach to changes in the Law of the Sea effected by a widely agreed treaty than they could to unilateral changes; the danger of setting adverse precedents is minimized by the fact that the treaty itself specifies what can and cannot be done.

In some cases, there is wide agreement on a specific result. This, for example, is the case with respect to the breadth of the territorial sea. The overwhelming majority of States from all regions are supporting agreement on a 12-mile territorial sea. Of course, this support is frequently contingent on reaching agreement on an overall Law of the Sea settlement that satisfactorally resolves other issues. For example, we have made clear that, because extension of the territorial sea from three to twelve miles would affect many vital international straits that are narrower than 24 miles, there must also be agreement on free transit of straits used for international navigation.

In other cases, the broad practical objectives appear to command widespread support.

Let us take the case of resources beyond the territorial sea. Whenever the divergences in various proposals made, it is clear that all of them contemplate increased coastal State regulatory authority and preferential rights over fisheries beyond the territorial sea. No such common element existed at the 1958 and 1960 Law of the Sea Conferences. Similarly, broad coastal State management jurisdiction over seabed resources is widely contemplated. In both cases, of course, there are critical questions regarding international limitations on coastal State rights. These questions are of course the key to a successful resolution of the problem of coastal State economic jurisdiction.

However, the very broad support for a 12-mile territorial sea itself indicates that at least one of these limitations is also widely supported, namely the protection of freedom of navigation and overflight in areas beyond twelve miles where the coastal State exercises resource rights.

It is also clear that there is very widespread support for the establishment of an international regime for the seabeds in the area beyond coastal State economic jurisdiction. Once again, there are however critical questions regarding the nature of the regime, and the structure and functions of the international seabed authority to be established.

There is also a widespread belief that the Law of the Sea Conference should make an important contribution to international efforts to protect the marine environment. The Declaration of Principles regarding the seabeds beyond national jurisdiction makes clear that the international regime for this area should include such provision. The United States has proposed international standards to ensure such protection in coastal seabed areas as well. Where ships are concerned, the problem is one of reconciling the interest in free navigation on the high seas and free transit of international straits with that of assuring adequate protection of the marine environment. This can be done by seeking adequate measures of an international character, such as making IMCO traffic separation schemes mandatory, strengthening IMCO itself, and establishing certain general legal principles.

What then are the major problems to be resolved? I could give an exhaustive list, but let me discuss some of them.

First, the problem of free transit of straits used for international navigation. In the broadest sense, the United States as well as many other nations simply cannot agree that the extension of the territorial sea can subject the transit of straits used for international navigation to the discretion of the states bordering those straits. Since for geographic reasons the use of such straits is necessary for access to and from high seas areas, the right to transit straits must be regarded as an inseparable adjunct of the right to use the high seas. In more refined legal terms, this means that while we are not insisting on complete freedom of navigation and overflight in straits used for international navigation, we oppose the substitution of innocent passage for three reasons:

(1) While we are not of this view, it is apparent that certain important coastal States believe they can unilaterally determine the innocence of passage subjectively, and unilaterally determine limitations on such passage, whether for safety or pollution reasons, or for other reasons.

(2) Under the Convention on the Territorial Sea and the Contiguous Zone, to be in innocent passage, submarines must navigate on the surface.

(3) The Convention on the Territorial Sea and the Contiguous Zone does not apply the right of innocent passage to aircraft.

There are obvious reasons of national security for this position, for maritime powers and their allies, and for countries that rely on a stable balance of power to ensure their own security. However, these are not the only reasons. The movement of merchant shipping, including tankers, will be critical to international trade for the forseeable future. For many nations, exporters as well as importers, the importance of such movement is so vital as to reach the level of primary security as well as economic concern. Those who would leave interests of such magnitude to the vicissitudes of international and domestic politics around the world are inevitably inviting very serious problems.

This is not to say that the only interests involved are international. States bordering straits obviously have legitimate interests in being assured that vessels and aircraft do no more than transit their territorial sea in straits, and that their concerns with safety of navigation and pollution are met. The proposals we have made regarding international regulation of these problems, coupled with coastal State enforcement rights and strict liability, indicate that we are prepared to deal with these legitimate problems of straits States. The Soviet Union has made other proposals that I think indicate that it is prepared to do so as well.

A second set of problems concerns the nature of coastal State rights over resources beyond the territorial sea.

Under traditional approaches to the Law of the Sea, this was basically regarded as a question of limits. On one side of a line the coastal State had unlimited exclusive rights over resources; on the other side its high seas rights were essentially no different from those of all other States. The major flaw in this approach is that the coastal State is not the only State with interests on the landward side, and that the coastal state has special problems regarding resources beyond the line that may not be shared by other States.

The fundamental innovation in President Nixon's Oceans Policy Statement of May 23, 1970 is that it proposes a pragmatic balancing of coastal and international interests in the same area, as opposed to the older "all or nothing" approach. While the Continental Shelf Convention was a first step in this direction, separating resources rights from the territorial sea, it still represented an "all or nothing" approach regarding the resources. What we now propose is a harmonization of coastal and international interests in the context of coastal State resource management authority. If these interests can be harmonized, the limits question becomes far less contentious.

The interests of our Pacific Coast fishing industry provide a good example of the advantages of this approach.

The development of large, mobile and highly sophisticated foreign fishing fleets has significantly altered the practical effects of freedom of fishing on the high seas. Serious depletion of stocks can occur rapidly. Local coastal fishermen economically dependent on coastal or resident stock are not in an equal competitive position: they can be pre-empted by the distant water fleets rapidly without enjoying the same ability to move on to other areas. Understandably, these fishermen would like the United States to regulate these fisheries. For this regulation to be fully effective, it should apply to the coastal stocks wherever they may be off the coast.

The United States has important commercial and sports fisheries for Pacific salmon. The viability of these fisheries depends upon significant positive measures and restraints in the rivers and streams where they spawn. However, the salmon migrate far out to sea. If regulation is to be effective, the coastal State of origin should regulate them throughout their migratory range on the high seas.

We also have an important tuna fishing industry based on the West Coast. Tuna are highly migratory species that must be regulated throughout their migratory range. Unlike salmon, spawning is not localized. Thus, adequate conservation of tuna requires international action; no coastal state could assure this on its own. Moreover, fishing boats obviously must follow the fish. In the case of tuna, this means operations over a wide area of the sea off the coasts of many countries. Thus, by and large an economically adequate tuna fishery of substantial size requires access to fish off several coasts; virtually no coastal State could develop such a fishery off its own coast alone.

Finally, although important interests in this fishery are located in other parts of the country, we should bear in mind that our shrimp industry engages in significant fishing not only off our own coast but off foreign coasts. Its problems are analogous to those of foreign fishermen who have an interest in fishing for coastal species off our coast Moreover, we should consider the conservation and economic effects on our local shrimp fisheries if all these boats were forced to return.

What all this means is that a simplistic solution cannot resolve all the relevant problems, for us or for others. In important measure, the diversity of our own interests is a fairly accurate reflection of the diversity of interests that exists in the international community in general.

How then can international limitations be coupled with coastal State authority to provide an adequate accommodation? We believe a two step analysis is needed.

First, what fisheries should be subject to coastal State authority beyond the territorial sea? For reasons I have outlined, we believe the coastal State can regulate all coastal stocks wherever they may be located off the coast, and all anadromous stocks throughout their migratory range on the high seas. This covers over three quarters of all the world's fisheries. However, because of their biological characteristics, we believe highly migratory oceanic species like tuna should be subject to international regulation.

Second, with respect to coastal and anadromous species, what should be the rights of the coastal State and what should be the obligations of the coastal State to protect the interests of other States and the international community in general? Obviously, the coastal State should be responsible for assuring conservation. Beyond this, the coastal State should have an economic preference based on its capacity to harvest these stocks. However, since fish are a renewable resource, the coastal State has no need to prevent fishing consistent with sound conservation measures for stocks it cannot itself fully utilize for the time being, and should be required to provide access to others for what it cannot itself fully utilize. Some accommodation with states that have traditionally fished in an area, and with other states in a region, is also desirable.

Finally, if States are to have the necessary confidence in the viability of such an approach, a procedure for compulsory settlement of disputes is required. This goes to the heart of the matter, because the essential ingredient is a balancing of interests, and States must be assured that the agreed balance will be subject to disinterested review.

We envisage a similar process of analysis with respect to seabed resources in coastal areas. However, the problems are different, and therefore the solutions would be different. Nevertheless, the basic premise of coastal State resource management jurisdiction subject to international treaty standards and compulsory dispute settlement remains the same.

For reasons of time, I will not develop the analysis here at great length; I have done so in other places and I am sure that many of you are aware of the considerations involved. The petroleum and gas potential of the continental margins around the world is enormous, and the need for sources of energy is growing rapidly. For important environmental, economic, and other reasons, we and other coastal nations must examine this problem for a global, as well as coastal, point of view. The international standards we contemplate with respect to seabed resources in coastal areas are indicated in the President's Oceans Policy Statement of May 23, 1970. In general, they would provide for:

Prevention of unreasonable interference with other uses of the oceans;

Protection of the ocean from pollution;

Protection of the integrity of investment;

Sharing of revenues with the international community; and

Peaceful and compulsory settlement of disputes.

While the reasons for most of these standards can be readily understood, I would like to dwell for a moment on one that can give rise to misunderstanding. It is obvious that anyone making an investment is interested in protecting its integrity. However, as energy becomes more important, the question takes on much broader international significance.

Moreover, we are witnessing a situation in which stability of investment conditions is increasing as a factor influencing not only the assessment of the risk and rate of return, but the very decision to invest in the first place. At a time when most of the world is interested in stimulating the flow of investment capital to developing countries, at the very least we should try to minimize the effect of political factors that are encouraging precisely the opposite. The investments required for offshore oil exploitation can be very substantial.

Treaty standards protecting the integrity of investment would be of great benefit to developing coastal countries that desire to attract offshore investment and maximize the potential benefit from such arrangements. It would strengthen their ability to exercise the right to decide whether, by whom, and under what conditions such investment can be made. The entire international community would benefit from the elimination of a serious potential source of conflict, and indeed would hopefully share in some of the revenues generated.

Another problem area concerns the international regime for the seabeds beyond the limits of coastal State economic jurisdiction. The basic problem here is that of reconciling the interests of States with the indigenous capacity to exploit the deep seabeds with the interests of other States in participation in the regulation and benefits of such exploitation. These are not inconsistent objectives. But they can be made to appear so if too much emphasis is placed on theoretical or ideological considerations.

There is no dispute, at least in principle, about such matters regarding the seabeds regime as the need to assure protection of the marine environment or to provide for equitable sharing of benefits. The heart of the problem resolves around three inter-related questions. What will be the system for exploring and exploiting the resources? What will be the functions and powers of the international authority? How will the interests of State be reflected in the decision-making process of the international authority?

The desire of our citizens and others for reasonable and secure investment conditions is involved in all these questions. In the first place, the opportunity for such investment must exist. An international exploitation monopoly clearly would be inconsistent with this. Second the international organization must have regulatory authority to assure that conditions remain reasonable in the light of changing conditions, but at the same time there must be a definite element of predictability for large investments to be made. Arbitrary action by the international organization clearly would be inconsistent with necessary predictability; in this connection, compulsory dispute settlement, including judicial review of administrative action, is an integral element of a solution. Finally, to the extent that the international authority has discretionary regulatory authority, the States with interests most likely to be affected must be assured of reasonable protection in the decision-making process.

A subsidiary problem relates to the concerns of those few States that produce metals on land that are likely to be found on the deep seabeds. While our own and other economic studies do not indicate that deep seabed production is likely to lead to a reduction of world prices or have other serious adverse effects, some land producers remain concerned. This is true despite the fact that some of the most interested land producers are not developing countries. One effect has been to sharpen significantly the concern over the functions and powers of the international organization. Investors and consumers are opposed to the idea of production and price controls. Moreover, the fact that some developing countries that are consumers, and that would share in the benefits of deep seabed exploitation, have made few attempts to assure a more balanced approach to this question has intensified the inherent difficulties in urging confidence in an organization that is not yet in operation.

Scientific research, particularly in areas of coastal State resource jurisdiction, presents still another problem. The United States and others have stated their strong belief that there should be maximum freedom of scientific research in the oceans because such research, is and should be, open and of benefit to all. On the other hand, certain coastal countries have questioned this conclusion, on the grounds of their ability to participate meaningfully in such research and in its benefits, to protect their interests in resources in the area, and to prevent environmental damage. A new and more vigorous approach to the problems of training, participation, and technology sharing may provide the basis for an accommodation that protects freedom of scientific research and assures that it is of maximum benefit to all, including developing countries. The draft seabed treaty we presented, and various statements we made, elaborate in detail on some of these ideas.

There are of course other problems as well. Some of them will not be easy to overcome. But I also do not think that success is impossible or even improbable. What is required is a translation of the general foreign policy considerations favoring agreement, that most countries share, into specific harmonization of interests with respect to each problem. I think the recent session of the U.N. Seabed Committee this summer gives us increased hope to believe this can be done: not only—or even primarily—because of its concrete accomplishments, but because of the seriousness of purpose and business-like approach that characterized the meeting.

Some of you doubtlessly have questions about that meeting and about other aspects of the Law of the Sea Conference. Accordingly, I will end my formal remarks here, and thank you once again for your kind invitation.

TRIBUTE TO CLINTON P. ANDERSON

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MONTOYA. Mr. President, through the passing decades many men have entered the doors of these Chambers as U.S. Senators. For some, their stay here has been brief; for others, more than a score of years have passed. For some, their impact on history is but a shadow—seen while they are here, forgotten when they are gone. For others, their records will be indelibly inscribed in the memories and annals of Congress and the country.

The words spoken here today and the history books yet to be written will bear eloquent testimony to Clinton P. Anderson's role in writing a new chapter in American life through legislative action. Were his mark to be made solely on his 24 memorable years in the Senate, he would have few peers as he walks out these doors today into retirement. But in recognizing Senator Anderson's accomplishments, we cannot start, or can we end with this Chamber.

For four decades Clinton P. Anderson has devoted his enormous energies and talents to the well-being and betterment of his State and the Nation at large. I personally find it most difficult to utter words adequate to describe his services and our loss upon his well deserved retirement.

His vision has resulted in large part in the creation and expansion of the Nation's atomic development program. Our defense depends upon it; our hopes for tomorrow count on it. Children yet unborn will reap a bountiful harvest of blessings because Clinton P. Anderson fought for the establishment of this structure which so many Americans take for granted. Those of us who have worked with him and have seen close-up what it means, know full well that it is in truth his finest legacy to the Nation.

However, it is across New Mexico that his presence in the Senate will be most keenly missed. His door has never been closed to any of our people. His efforts have never been made in behalf of any but the best causes. His courage is legendary; his ability to produce, unrivaled.

No State, particularly a small one, produces many like him. Here in this Chamber he has been a leader among leaders, sought out by many on a variety of national and international problems. In each case he has risen to the challenge with wisdom, vision, and decisiveness.

The affection and respect we have for him transcend party lines. He has truly earned the high respect of his nation and his constituency. As he walks out these doors, it is difficult not to envy him and his record here. Rather, I know you will join me in trying to emulate him; for such is greatness made.

HON. GEORGE P. MILLER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. TEAGUE of Texas. Mr. Speaker, Hon. George P. Miller of California, an outstanding and dedicated Member of Congress, will soon end 28 years of distinguished service in this body and return to his native California. Congressman Miller's departure comes as a great loss to the American people and to those of us who have had the privilege to serve with him.

George Miller, as chairman of the House Science and Astronautics Committee, demonstrated time and time again his unique insight into the needs of America's future. His essential strengths that make him a superb human being have also made him a very effective public servant.

In George Miller, Californians have sent to the Congress a man of immense wisdom and great integrity. His guidance and courage have enabled the people of this Nation to survive hard times as well as enjoy the benefits of a better life. I served with Chairman Miller from the very inception of the Science and Astronautics Committee. Our great accomplishments in space are attributed to a large extent to his tireless effort and leadership.

I join with all of my colleagues in wishing great happiness and a fulfilling retirement to George and his loved ones.

HON. WAYNE N. ASPINALL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. TEAGUE of Texas. Mr. Speaker, for several years I have had the privilege of serving in the House of Representatives with a most distinguished gentleman from Colorado, the Honorable Wayne N. Aspinall. Wayne has been a most respected Member of the House for 24 years. Wayne's accomplishments, spirit, and convictions will remain in the Halls of Congress for many years to come. His good judgment and high integrity was a credit to this country. He was the kind of leader who had the fortitude to stand up for his beliefs and the interests of his constituents. He served as chairman of the Interior and Insular Affairs Committee during a grave and critical time. After consideration in an open and objective manner of legislative matters before him, Chairman Aspinall was willing to vote his conscience. I respect a man of his stature and feel his membership will be missed by the House.

I had the honor of serving with Wayne on the Committee on Standards of Official Conduct. All these qualities I have mentioned were displayed with great dignity and prestige on this committee.

I will miss Congressman Aspinall. He is a good friend and a neighbor in the Rayburn House Office Building. The State of Colorado has lost a senior Member of Congress who did them well. As he returns to Colorado, I want him to know his service was appreciated and respected. I wish him every success in the future.

TRIBUTE TO HON. JACKSON BETTS

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WAGGONNER. Mr. Speaker, it gives me a great deal of personal satisfaction to join with the rest of the House in paying tribute to my very close friend and fellow colleague on the Ways and Means Committee, Jack Betts.

I have come to know Jack Betts well during my 11 years in the House, although Jack had been serving here 11 years before I came. Jack has remained the grand gentleman throughout his 22 years here—dedicated to his work and the people of Ohio whom he loved so much and represented so well. He is an outstanding American patriot who has always placed his love of country above all else.

The Nation and we here in the House will sorely miss Jack Betts' wisdom, leadership, and legislative abilities. My warmest personal regards to you, Jack, for the future.

FRANK FISHKIN, A DISTINGUISHED CITIZEN

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CORMAN. Mr. Speaker, on January 18, 1973, a testimonial dinner is being given for a leading San Fernando Valley citizen. We will pay tribute to a man who for over 30 years has proven himself to be a citizen of the first degree, who has used all his energies in improving the lives of those around him.

Frank Fishkin is this man. He has lived in the Los Angeles area since the age of 17, when he had his first job. Attending school at night he secured a college and legal degree. With these in hand he set out not just to be a success for himself and his family but to give of himself to his friends and neighbors just as much.

Frank has been a member of the San Fernando Valley Bar Association and in this capacity served on the original committee that worked in the creation of legal aid and lawyer reference service for San Fernando Valley. He has worked with the Valley Bar Association and the Los Angeles County Bar Association and been their delegate to the State bar association meetings on numerous occasions. In the community Frank has served as president of the Sun Valley Chamber of Commerce and president of the Valley Jewish Community Center and Temple, which has the largest congregation in the valley.

As a personal friend of Frank Fishkin's for over 20 years and his colleague in the San Fernando Valley Bar Association, I can easily testify to his consistent high integrity and willingness to use all the time required for the betterment of his community. I am sure that Frank Fishkin will continue this service, and we in the San Fernando Valley are grateful to him.

HON. WILLIAM M. COLMER

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. GERALD R. FORD. Mr. Speaker, what could be more depressing than to contemplate the next Congress without the wonderful Mississippi seafood luncheons hosted by the very distinguished and beloved chairman of the Rules Committee, the Honorable William M. Colmer. But, alas, Bill Colmer has determined to retire and I suppose that after 40 years of devoted service he is entitled to do so.

I have never known a better example of the true meaning of the words "southern gentleman" than Bill Colmer. His friendship has been one of the greatest rewards of my own service here. His devotion to the House of Representatives and to the welfare of the United States may be equaled by some but is surpassed by none.

It is simply impossible for me to say in words what a void he will leave in our ranks, or to recite his many courtesies and kindnesses to me personally. I can only wish him many years of health and happiness as we say farewell and Godspeed.

JOHN L. McMILLAN

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. BELCHER. Mr. Speaker, I would like to take this opportunity to make brief but very sincere comments on behalf of my good friend and colleague of many years, the Honorable John L. McMillan of South Carolina.

Everyone who has ever known John recognizes him to be honest, conscientious, and one of the hardest working Members of the House.

My close association with John comes from our service on the Agriculture Committee together, where John is the vice chairman. Of course, he also has had one of the hardest jobs in the Congress by serving as chairman of the House District Committee. He has received some criticism from the papers here in Washington but those who know John realize that he always has placed his country above politics. John McMillan's leadership will be missed when the 93d Congress begins, but I know that John will never stop serving his country regardless of the capacity he is in.

In short, John McMillan is a statesman and the epitome of what is referred to as a southern gentleman.

CLINTON P. ANDERSON

HON. HENRY BELLMON

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BELLMON. Mr. President, among those Members who are leaving the Senate to return to private life is a man from my neighboring State of New Mexico, whose career of public service has spanned four decades.

During this long and distinguished career, Clinton P. Anderson has served as a State and Federal official in New Mexico, as a Member of Congress, as Secretary of Agriculture, and finally as a Member of the Senate since his election in 1948.

As one of the leaders of this lawmaking body, he has earned the admiration of his colleagues through his steadfast devotion to his duties.

Having served with him as a member of the Interior and Insular Affairs Committee, I am fully aware of the singular role he has played in shaping important legislation.

I extend my best wishes to him in his retirement.

TRIBUTE TO HON. WAYNE ASPINALL

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. UDALL. Mr. Speaker, many words of tribute have been paid to Wayne Aspinall and I would like to analyze why these remarks are so accurate and so true. What sets aside Wayne Aspinall from other legislators? I think that two or three things can be picked out that make him unique.

Let me list a few qualities that characterize this very unusual and very remarkable man. One is the total mastery of the subject. We hear Congress knocked a lot, and we hear committee chairmen criticized a lot, but here is a man who knew more about Interior Committee jurisdiction than anybody in the United States—congressional staff, colleagues, people in the other body or anybody on the outside.

Second, I would list just pure hard work. If I can work half as hard as he has when I am 10 years younger, I will be very lucky. He was in his office before any of us, and worked longer and harder and put in more time, I believe, than any Member of this Congress.

The third thing I would list would be total integrity. A lobbyist approached me once and expressed his concern about Chairman Aspinall's position on some pending matter. I said I was reminded of the old story that someone once described a particular girl by saying that every woman has her price, but in her case, you have to pay the $2 to the minister. I told the lobbyist that you do not get to Wayne Aspinall with anything but logic and reason. He was sometimes accused of taking positions that favored this interest or that interest, but I can tell you that every position he ever took in this body was because he was convinced on the evidence that it was the right position for his district, for Colorado, and for the country.

The final tribute I would like to leave to him is this: You know, any damned fool can be a good winner, but it takes a real man to lose with class. I am sure this defeat he sustained must have cut and hurt pretty deeply, and some men would have run off and hidden; some men would have cursed the fates and denounced those who were responsible. Wayne Aspinall has come back here with good grace, rolled up his sleeves, and gone to work cranking out legislation, going through all of the hard work he has always put in here. We have seen how Wayne Aspinall has accepted a big disappointment, and I think that is a pretty good test of a man.

PAGE BELCHER

HON. JOHN JARMAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. JARMAN. Mr. Speaker, Page Belcher has rendered distinguished legislative service to our State and our Nation. I will miss his counsel and advice and deeply regret he has not chosen to continue his service in the House of Representatives.

After a close 22-year working and social relationship, I can say that my impression of Page is that he is a great down-to-earth guy who speaks a langauge that everyone can understand. He talks horsesense and has been well received by and very influential in the Congress. For years, he was the only Republican in our delegation and was a strong conduit to the White House during the Eisenhower years. He has been a fine representative for Oklahoma and has made a real contribution to the national legislative process.

It is with fondness that I remember Page as master of ceremonies at a dinner here in Washington in honor of Henry Bellmon who had just been elected Governor of Oklahoma. Page introduced each Member of our congressional delegation to speak to the audience and when he got to me mentioned that he and I had come to Congress together, had officed close together in the Cannon Building, had played golf together and were very good friends. Mr. Speaker, when you were introduced, you reiterated what Page had said about me and added:

> What Page could have said is that he and John Jarman not only came to Congress together but have been voting together ever since they have been here.

I will miss serving in the Congress with Page but certainly wish him the very best in his well-earned retirement.

FRANK T. BOW

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BOB WILSON. Mr. Speaker, to everyone in either House of Congress, our long-time colleague Frank Bow has been known and respected as a champion of responsible fiscal policy. He introduced legislation to limit waste in the Federal budget as far back as April of 1966, and did much to bring about House approval of the $250 billion budget ceiling asked by President Nixon this year. As ranking Republican on the House Appropriations Committee, he maneuvered many a money bill down the prickly path toward passage, avoiding floor fights with the quiet diplomatic skill of a veteran foreign service officer. Frank Bow learned diplomacy in Congress. He will serve his country well in his new post as Ambassador to Panama. All of us will miss him in the House.

IN HONOR OF HON. THOMAS G. ABERNETHY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DIGGS. Mr. Speaker, after 30 years of service to the people of the First Congressional District of Mississippi, Congressman Tom Abernethy is retiring from the U.S. House of Representatives.

His long record of achievement and dedication to his constituents includes both local and national office. As mayor, district attorney, and U.S. Congressman, he has proved his commitment to the service of the people of Mississippi and his unselfish pursuit of their welfare.

I have served with Congressman Abernethy on the District of Columbia Committee for many years. He is one of the most popular Members of Congress, respected by both friends and adversaries.

I am sure that, in his retirement from the House of Representatives, Congressman Abernethy will continue to use his talents and experience to aid the people of Mississippi.

THREE FROM MISSISSIPPI ARE RETIRING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DULSKI. Mr. Speaker, the Mississippi delegation in the House is losing three distinguished and dedicated Representatives who have served well their districts and their Nation.

The close of the 92d Congress will see the retirement of our colleagues, William M. Colmer, Thomas G. Abernethy, and Charles H. Griffin.

I appreciate this opportunity to join my colleagues in paying tribute to these three stalwarts who decided not to seek reelection this year.

William M. Colmer is completing 40 years in the House, 20 consecutive terms, most of which time has been spent on the important Committee on Rules. For the past 6 years he has been committee chairman.

I have had numerous occasions to appear before his committee—both before he became chairman and since—and if there is one single reference I could make to the role of William Colmer, I would cite his "dignity." Always in my relations with him and with his committee I found this to be his hallmark.

A quiet man with a great sense of humor, William Colmer has shown outstanding leadership and understanding on matters of national concern, while at the same time carefully attending to the needs and interests of his district. His record of achievement will be hard to match.

Thomas G. Abernethy is completing 30 years in the House, 15 consecutive terms, and has risen to the position of third ranking member of the Committee on Agriculture and second ranking member of the Committee on the District of Columbia.

During his service in the House, Thomas Abernethy has served well his district and his State. His public service began earlier when he was district attorney of the Third Judicial District of Mississippi and he also served as president of the Lower Mississippi Valley Flood Control Association. I count Thomas Abernethy as a good friend and regret his decision to terminate his membership in the House.

Charles H. Griffin is completing his third term in the House and is serving on the Committee on Banking and Currency and the Committee on Merchant Marine and Fisheries.

During his relatively short service in the House, Charles Griffin has made many friends and has made a fine mark on behalf of his constituency, his State, and his Nation.

Mr. Speaker, I want to extend my best wishes to these three fine men from Mississippi who have decided to close out their congressional careers and return to their native State.

TRIBUTES TO RETIRING STATESMEN

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MINSHALL. Mr. Speaker, it has been my privilege and pleasure over the past 14 years to serve on the Appropriations Committee with the Honorable Frank Bow, now our ranking minority Member. I have never ceased to be impressed with his ability, knowledge, and determination to keep the spending of the Government within the most reasonable limits possible. He is indeed a friend to the taxpayers, as he is to his colleagues on the committee and in the House. Frank Bow has been a Member of Congress who has met his responsibilities and fulfilled his duties with dedication and generosity. He has never failed those who put their faith in him, and he has always gone the extra mile to meet their needs. The citizens of the 16th District of Ohio have been very fortunate to have Frank as their Representative—and he has been equally devoted to the welfare of all our people. The House will miss Frank's leadership, and his colleagues will miss his warmth and friendliness.

My heartiest congratulations and every good wish go with Frank Bow as he takes up his new position as Ambassador to Panama. May he have the success and happiness which he deserves.

The Honorable William M. McCulloch leaves the House of Representatives at the end of the 92d Congress after 26 years of outstanding service to all citizens of the United States. He has represented his district—the Fourth of Ohio—during these years with loyalty and ability, and leaves a record of service which will be difficult for anyone to follow. Nationally, Bill McCulloch is recognized for his effective espousal of the cause of civil rights, which was a major factor in enacting the legislation in that field which became the law of our land in the 1960's.

The wisdom and judgment which he has shown in helping to solve the various problems which faced the House over the years will be greatly missed by his colleagues. Bill is a great legislator—but more than that, he is a fine man and a good friend. I sincerely regret his retirement, but I wish for him only happiness and health in the years ahead.

I am pleased to join my fellow colleagues in this well deserved tribute to an outstanding legislator of 22 years in the House of Representatives, the Honorable Jackson E. Betts.

We all know Jackson Betts to be a very soft-spoken gentleman, but one who possessed a nobleness of purpose and an iron will when it came to his loyalty and dedication to his country. His tenure has been distinguished by his innate qualities of fairmindedness, his ever present willingness to help others, and his natural love for people from all walks of life. These qualities are reflected in the scores of legislative bills he introduced or helped to enact for the betterment of his fellow Americans and all mankind.

The people of his State and our Nation are truly grateful to this outstanding Representative from Ohio, and I am truly grateful to Jackson Betts for the friendship we have shared throughout our years together in the House. Betty and I look forward to continuing this close personal friendship with Martha and Jackson Betts, and they have our warm best wishes for every fulfillment and happiness in the years to come.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM. J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

TRIBUTE TO DURWARD HALL

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAHON. Mr. Speaker, it is difficult to depict what Congress is going to be like without the presence of our friend, the distinguished gentleman from Missouri, DURWARD HALL. We have had our differences in the House, but agreement, not difference, has usually prevailed between us.

DURWARD HALL has been a tremendous force for good in the House of Representatives, and I want to pay tribute to him and his work as he departs the Washington scene.

DURWARD HALL has been attentive to the work of the House, giving legislative matters a high priority in the budgeting of his time. Recognizing that we need to take greater precautions to make sure that we are following the right course, he has probed into the implications of proposed programs as well as the operations of on-going programs. DURWARD HALL has made a very meaningful contribution toward more thorough consideration of legislative matters and has performed an oustanding service for the House and for the country.

DURWARD, I salute you and wish you and your loved ones a great abundance of happiness.

TO RUSSIA WITH LOVE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, the American people are now expected to thrill at the announced settlement of the Russians' $11.1 billion war debt for $722 million.

It may be another first all right—the first time the Communist leaders of Russia ever paid a dollar on their debts—but what a deal this is.

The interest on $11.1 billion at 5½ percent for 1 year is $6.10 million. To write off an $11.1 billion debt that has been carried 27 years for $722 million barely covers the interest for 1 year.

This $722 million figures out to a recovery of 6½ cents on the dollar loan with nothing for interest—and even then the Soviets want until the year 2001, or 30 years, to make the token settlement.

Consider the kind of money we are talking about—$11.1 billion. A billion dollars is one million thousand-dollar bills. A billion dollars is a thousand million dollars. Then our national leaders put on an act as though they have accomplished something great in an offer to settle the $11.1 billion debt for only $722 million.

The Soviet's offer was ridiculous to the point of being an insult—but our leaders took the bait.

If we are to use the Soviet lend-lease collection deal as a precedent, little wonder our country is in such poor financial straits. Can we not assume that our many other debtor nations will not seek to repay their foreign aid and export-import loans at a couple cents to the dollar.

This past week in Congress, the national debt ceiling was increased by $15 billion to authorize the President to borrow additional money at from 5 to 7 percent interest to run our country. Little wonder the need to continue mortgaging our country when we cancel debts like $11.1 billion for $722 million—6½ cents on the dollar.

The Russian debt was twice the annual amount involved in the revenue sharing bill.

In short, the Communist Party of the Soviet Union has offered to settle our foreign aid revenue sharing loan with 1 year's interest on the principal, provided we give them 30 years to make the payment and reassure continued credit trade with them in the meantime.

What a charade. Who talks of fiscal responsibility and efforts to stave off tax increases?

To Russia with love; what a deal.

HON. EMANUEL CELLER

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. DULSKI. Mr. Speaker, for the past half century our distinguished colleague, EMANUEL CELLER, has been a dedicated and distinguished Member of the House of Representatives. Only one other Member in our Nation's history has served longer, and that was only by a matter of 2 months.

EMANUEL CELLER has carried well his great responsibility as longtime chairman of the Committee on the Judiciary. Many matters of vital importance to our country have come before his committee and he has handled them consistently with complete fairness, giving sympathetic consideration to all sides of each question.

Indicative of the important era in which he has served is the fact that he has had a legislative role in the enactment of more constitutional amendments than anyone since the original Congress adopted the Bill of Rights.

His knowledge and understanding of the law and the judicial process is beyond question. This is quickly evident to anyone who has observed him handling legislation either in committee or on the House floor. His perception is swift and pointed.

He has been the dean of the House for a number of years and for a longer period has been dean of the New York State delegation.

He has chaired the New York delegation's steering committee, of which I am also a member, and has provided outstanding leadership in protecting and promoting matters of interest and concern to our State.

All of us are going to miss the day-to-day wise counsel of EMANUEL CELLER in the House. Although the pressures on him have been great, he always has been most helpful and considerate when individual Members have sought his guidance.

I join with all my colleagues in wishing EMANUEL CELLER continued good health as he puts aside his legislative chores. I am not the least surprised at his decision to carry on in the private practice of law and to expand this work to include a Washington office so that he will continue to have a window on the Nation's Capital to which he has devoted so much of his life.

TRIBUTE TO HON. WAYNE ASPINALL

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DIGGS. Mr. Speaker, when I first came to the Congress in 1955, I had the pleasure of serving on the House Interior and Insular Affairs Committee with Congressman WAYNE N. ASPINALL, of Colorado. During the 4 years we served together on this committee, I became aware of Congressman ASPINALL's expansive knowledge about reclamation, irrigation, Indian affairs, and problems pertaining to U.S. territorial possessions. Being associated with him during this period helped enrich my own experience in a manner I shall always remember.

I trust that his dedication to public service will continue to make such views available.

THE HONORABLE GEORGE P. MILLER

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ZABLOCKI. Mr. Speaker, as we draw to a close this 92d Congress I would be remiss if I failed to express a fond farewell and sincere best wishes to a respected colleague and good friend, the Honorable GEORGE P. MILLER of California.

With the sine die adjournment today GEORGE concludes a distinguished career in Congress that began in 1944. Prior to that he had already won respect as a military officer and as a member of the California State Assembly.

His work as chairman of the House Science and Astronautics Committee was instrumental in achieving U.S. leadership in space. As a matter of fact, those efforts merited for him the Robert H. Goddard Memorial Trophy in 1967, which, in the words of the award, was presented for "his sustained leadership in the formulation and execution of national policy contributing immeasurably to the remarkable accomplishments of the U.S. space effort."

As he now approaches a new stage in a busy and productive life my wife Blanche and I wish him and his lovely wife continued good health, happiness, and every possible fulfillment. Undoubtedly he will return to his beloved California for a well-earned rest but not retirement. We look forward to his future visits to our Nation's Capital. In the interim his wisdom and advice will be sorely missed.

HON. EDWARD A. GARMATZ

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. TEAGUE of Texas. Mr. Speaker, it gives me pleasure to rise in honor of my good friend and colleague, the Honorable EDWARD A. GARMATZ, to pay tribute to his distinguished quarter of a century in the U.S. House of Representatives.

The people of Maryland's Third District have lost a great representative. The people of this country have lost a great leader in Congress. The House Merchant Marine and Fisheries Committee has produced many laws in the past 6 years under Chairman GARMATZ which are providing benefits to the entire world. Eddie never backed away from an issue and met every challenge head on. The work and results of his committee show evidence of this attribute. He was very dedicated in his work and I know I will personally miss his presence in Congress. I wish him a very fulfilling retirement.

TRIBUTE TO RETIREES

HON. JOHN J. FLYNT, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FLYNT. Mr. Speaker, it is with sorrow that I join our colleagues in paying tribute to the three distinguished gentlemen from Ohio, JACKSON E. BETTS, FRANK T. BOW, and WILLIAM M. MCCULLOCH, who are retiring at the close of the 92d Congress.

One of the rewarding aspects of my service in the U.S. Congress has been the privilege of association and friendship with these three gentlemen. As colleagues, they have earned my highest esteem and respect, so it is only natural that their presence will be missed in the 93d Congress.

However, it does not seem appropriate for us to dwell on our regret at their departure, for each has compiled an exemplary record which he can look back upon with satisfaction and pride. Each has served his district, the State of Ohio, and America well and has always reflected credit on the highest traditions of public service.

JACKSON, in his work on the Ways and Means Committee, the Joint Committee on Internal Revenue Taxation, and the Committee on Standards of Official Conduct, FRANK, in his work on the Appropriations Committee, and BILL, in his work on the Judiciary Committee, the Joint Committee on Atomic Energy, and the National Advisory Commission on the Causes and Prevention of Violence, have performed every task with excellence. Their service to the Congress has always been marked with the dignity and dedication which is characteristic of them.

Mrs. Flynt and I join with the people of Ohio in wishing all three gentlemen every good wish for many rewarding and pleasant years ahead as they return to their homes.

TRIBUTE TO RETIREES

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SPRINGER. Mr. Speaker, the State of Ohio, from the early years of the last century, has been noted for the number and quality of its statesmen, having produced five Presidents and a host of other distinguished leaders such as the late Senator Robert Taft. The three Ohioans whom we honor today are completing their congressional careers in that great tradition.

Two of these men, FRANK BOW and JACKSON BETTS, came to Congress the same year I did. We have fought many legislative battles together over the past 22 years. As ranking minority member of the Appropriations Committee, FRANK BOW worked unceasingly, though often to no avail, I regret to say, for the principle of fiscal sanity. He has been a "Rock of Gibraltar" in the way of excessive expenditures that burden the economy and cause inflation. If we had had more like FRANK BOW around, inflation never would have reached the proportions it did in the late 1960's.

Similarly, on the Ways and Means Committee, JACK BETTS has been most diligent over the years in his efforts to keep America's financial house in order. As one of the early supporters of revenue sharing, he had a major role in shaping the bill we have just sent to the President.

To BILL MCCULLOCH, ranking minority member of our Committee on the Judiciary, must go considerable of the credit for much of the far-reaching legislation reported out of that committee in recent years, particularly in the field of civil rights. He is retiring after a quarter century of service in this body and certainly will be missed next year.

I am sure all my colleagues join me in wishing FRANK BOW, JACK BETTS and BILL MCCULLOCH many years of good health and happiness.

JOHN L. McMILLAN

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. DAVIS of Georgia. Mr. Speaker, I wish to join with my many dear friends and colleagues who have risen today to express their regret at the passing of one of our most esteemed public servants from this chamber.

JOHN MCMILLAN has served my neighboring State of South Carolina with devotion and zeal for nearly 35 years. During that time, he established himself as a knowledgeable and articulate friend of American agriculture. As chairman of the House District Committee, he distinguished himself by consistently standing up for his beliefs in the face of strong opposition.

Those of us who have been privileged to call him both colleague and friend know that JOHN MCMILLAN's true contributions to his State and country will be remembered long after philosophical disputes are forgotten. I wish for him the very best in the ensuing years, and hope that he will continue to lend us his valuable experience in the days to come.

HON. EDWARD A. GARMATZ

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. GERALD R. FORD. Mr. Speaker, the gentleman from Maryland (Mr. GARMATZ) and President Nixon first came to the House in the 80th Congress, one from the Atlantic seaboard State of Maryland, one from the Pacific coast of California.

I came along 2 years later when these two were very senior second termers, and got to know both of them as friends and colleagues.

But who would have guessed in those days that some 20 years later we would be working in close cooperation to save the American merchant marine—indeed the whole vital American maritime industry—from a slow and painful death.

The Merchant Marine Act of 1970 was

proposed by President Nixon and introduced by all the members of the Merchant Marine and Fisheries Committee, Democrats and Republicans. The committee under EDDIE GARMATZ' chairmanship moved expeditiously but carefully and 1 year after his original message to Congress, the President signed this landmark legislation into law.

At this particular season of this particular year I am certainly not the one who is going to take any credit away from President Nixon or my party for the new American maritime revival which has been launched. But I want to say with all sincerity that it never could have happened without EDDIE GARMATZ and that the historic Merchant Marine Act of 1970 is a monument to nonpartisanship for national security and a monument to the distinguished gentleman from Baltimore.

I know I speak for all of us on the Republican side of the aisle when I wish him every happiness and success that the future can bring.

HON. WILLIAM COLMER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. TEAGUE of Texas. Mr. Speaker, few committee chairmen and Members of the House of Representatives will ever match up to the Honorable WILLIAM COLMER. BILL COLMER has chosen to retire from the House as a most distinguished leader after 40 years of service to his district and Nation. As another committee chairman, I have appeared before his Rules Committee in accordance with the rules of the House and have always found him fair and equitable in judgment.

When BILL and his wife, Ruth, return to Mississippi, I know they will be welcomed with open arms. BILL served in Congress longer than any other Member in the history of Mississippi. He ranked third in seniority among the entire membership of the Senate and House of Representatives. The electorate in his district of Mississippi have truly shown their respect and love for this able gentleman.

BILL has shown insight into the lawmaking process which few men can match. He has been a most effective public servant, and I know his service as demonstrated has been ingrained in the Halls of Congress for time immeasurable. I commend BILL COLMER'S record. I wish him every happiness and a fulfilling retirement.

B. EVERETT JORDAN

HON. HENRY BELLMON

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BELLMON. Mr. President, I am pleased to join other Members of the Senate in extending best wishes to our distinguished colleague from North Carolina, B. EVERETT JORDAN, upon the completion of 15 years in the Senate.

As chairman of the Committee on Rules and Administration, he has won the respect of his fellow members for his continuing efforts to be fair and cooperative in recognizing individual members' needs.

It has been a pleasure to serve with him on the Committee on Agriculture and Forestry and the Senate Office Building Commission. It has been my good fortune to sit across the table from Senator JORDAN through the consideration of many difficult and important issues. I have come to admire his judgment and to appreciate the wisdom he has gained through his varied and colorful career. It was once my pleasure to join with him in an inspection of meat processing facilities in Poland. Based upon that experience and others, I can testify that EVERETT JORDAN is an effective advocate and ambassador for our country and its principles.

The contributions he has made as a Member of this body will be long remembered. I congratulate him upon his accomplishments and wish he and his charming wife a rich and rewarding future.

JAMES MENGER AND KURT BORCHARDT, STAFF MEMBERS, INTERSTATE AND FOREIGN COMMERCE COMMITTEE

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. STAGGERS. Mr. Speaker, as every Member knows only too well, the smooth functioning of a committee depends on the technical competency, the skill, and its devote to its job of the committee staff. The Interstate and Foreign Commerce Committee is immeasurably proud of the quantity and the quality of the legislation it has produced during the 92d Congress. Acceptance of most of this legislation on the floor of the House is evidence of its thorough preparation. For this we have our capable staff to thank, and I want to express my great appreciation of the fine work each member of the staff has done.

It is with the greatest regret that I find we shall not be able to avail ourselves of the services of two important members of this capable staff in the next Congress, Mr. James Menger and Mr. Kurt Borchardt. Mr. Menger's field has been largely health and railroad legislation. Mr. Borchardt has been responsible for much of the power and the consumer legislation that has come out of our committee. Both have been extremely useful to me and to all the members of the committee. They are men of character, thoroughly grounded in the legal and economic aspects of the subject matter they have handled. Because they knew what they were doing, we were able to offer their work to the Congress with complete confidence that it was right. Considering the fact that the legislation they helped to prepare affected practically every citizen of the Nation, it is fair to say that they have been shaping the destiny of the future. We shall find them hard to replace in the committee.

While we want to express our appreciation of their past performance, we want to add our sincere hope that whatever role they choose to assume in the future will bring them equal success and satisfaction. It is men such as these who assure progress in the Nation's affairs and convince us that our society is producing talent and integrity equal to the challenge of the future.

HON. WILLIAM M. McCULLOCH

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BIESTER. Mr. Speaker, each Congress witnesses the retirement of Members whose contributions to national policy have been noteworthy. Few men who depart the Hill leave behind as tremendous an impact on the direction and course of American life as WILLIAM McCULLOCH.

Since I was elected to Congress and joined BILL McCULLOCH on the Judiciary Committee, his dogged and courageous leadership in the area of civil rights has never ceased to impress me. His persistence in the realization of the rights of all Americans has been the conscience of the Republican Party in the true tradition of the party's inception.

The unmistakable imprint of WILLIAM M. McCULLOCH is on the landmark Voting Rights Act of 1965 and the Open Housing Act of 1968. His efforts in the reform of administrative court procedures and the selection of Federal juries have gone a long way toward helping resolve some of the serious defects in our judicial process. The penetrating incisive investigation into the root causes of many of our social problems by both the Kerner and Eisenhower Commissions was in no small part a result of BILL'S participation on these panels.

The record of accomplishment he has realized is one worthy of emulation and one of which he can justly be proud. I know I am speaking for more than myself when I say his presence and guidance will be sorely missed. As he sets upon the retirement he has so deservedly earned. I wish him the very best.

DURWARD G. HALL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BOB WILSON. Mr. Speaker, DURWARD HALL has been better known around Congress as "Doc," even though he gave up the practice of medicine when he entered the House in 1961. He never gave up his convictions as a conservative. He was not one of those who put on a different face for every audience. His conservatism was a point of pride. He had another conviction. He believed his job as a Member of Congress obliged him to know everything he could learn about Congress. He was on the floor of the House from opening to closing bell, starting from his first day as a freshman. He knew floor procedure. He made himself a deep student of the House, an expert on parliamentary rules. The long sessions on the floor meant, of course, long hours into the night catching up on office work. But work never frightened "Doc" HALL. We need more like him. I particularly will miss his wise counsel on the Committee on Armed Services where we both served for so long. I know all of us wish him many golden years of retirement.

NIXON ADMINISTRATION'S CENSORSHIP PLANNING—LINKS TO THE BUGGING OF DEMOCRATIC HEADQUARTERS IN THE WATERGATE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MOORHEAD. Mr. Speaker, bits and pieces of information about the Republican-financed bugging of the Democratic National Committee offices are being put together by many courses, inside and outside the Federal Government, and one of the apparently minor items interested me greatly. A month before the bugging caper, the Foreign Operations and Government Information Subcommittee of which I am chairman held hearings on the Office of Emergency Preparedness planning for censorship in the event of a national emergency. OEP witnesses insisted that none of their censorship plans would be put into effect in any emergency short of a war, and they implied that all of their plans were pointed toward a censorship system for use only in the event of a nuclear attack upon the United States.

When the buggers were caught in the Democratic National Committee offices, I was surprised to learn that one of the men arrested also was involved in the OEP's censorship planning, so I had further discussions with OEP officials to find out just what they—and he—were doing to plan censorship, or collect intelligence information, or carry out other duties assigned by a Presidential Executive order. I found some disturbing facts which did not come out at the subcommittee hearings and which the Members of Congress and the public should know.

James W. McCord, one of those arrested at the Democratic National Committee offices, is a former Federal Bureau of Investigation agent. Apparently, he was a Central Intelligence Agency operative in the Bay of Pigs invasion. He also was the top-ranking security specialist hired by the Republican's campaign committee and, until a few months before the bugging, was reserve lieutenant colonel assigned by the U.S. Air Force to the OEP group which is coordinating information to be collected as part of a censorship program.

The OEP group—called the Special Analysis Division—SAD—meets every month in the Executive Office Building Annex to prepare for the collection and dissemination of information gathered as part of a censorship program which will be put into effect in a national emergency. The OEP contends that the SAD system does not apply to the information media—to censorship of the newspapers, radio and television stations. The Special Analysis Division, OEP says, will help collect intelligence information from censored mail, from travellers coming into the United States and from telecommunications.

The SAD operators also are preparing what they call the National Watchlist—a list of information the censors will look for as thy open letters, monitor broadcasts and question travellers. I fear that this National Watchlist may also include the names of "questionable" individuals, such as those collected during Army surveillance activities, and also collect similar types of information about American citizens. When men like James McCord are involved in political espionage and also are responsible for the official collection of information through a censorship system, I have no doubt that the official National Watchlist will pinpoint individuals slated for political reprisal.

But the National Watchlist is not the worst part of the standby censorship program which permits a bunch of military intelligence agents to operate under the cloak of civilian censorship.

This sort of a program for censorship and citizen-watching is questionable enough if it will be used only in the event of a nuclear holocaust. Some bending and twisting of the democratic system can be excused by the fear of nuclear attack on the United States. But none of these violations of the democratic ideals are justifiable in the limited "brush fire" types of wars or in military conflicts which do not involve nuclear attacks upon the United States—wars like that in Vietnam, for instance.

Yet that is just the type of conflict the SAD system of censorship is pointed toward. As I looked behind the sworn testimony of OEP witnesses who implied that their censorship and information-collection plan would be put into effect only if there were a nuclear attack on the United States, I found they are ready to impose censorship in the United States when we become involved in a foreign conflict just like the Vietnam war. As a result of my inquiry into James McCord's involvement in the Democratic National Committee bugging, I uncovered the OEP's national censorship plan.

Section 1 of chapter 4 of the national censorship plan explains the contingencies under which the censorship system will be activated:

> The contingencies to be considered in any emergency planning within the Federal Government are many and varied. In planning for National Censorship it is necessary to consider only those contingencies, or situations, wherein the National Security may require imposition of such censorship. Generally stated these are: (a) General War; (b) Limited war, or conflicts of the "brush fire" type, in which United States forces are involved elsewhere in the world on land, sea, or in the air."

The Government's official plan permits censorship not only in a general, nuclear war but also in a limited conflict the President might involve us in anywhere in the world. And some of the details of this censorship plan were apparently worked out by a political security operative who was caught spying for the Republican Party on the inner workings of the Democratic Party.

This whole smelly mess raises many questions:

Why are military intelligence types given responsibility for censorship planning?

Why are they planning censorship for "brush fire" wars which do not involve attacks on the United States?

What sort of information, and whose names, will be put on the national watchlist?

What other facts about the censorship system have been hidden from the Congress and the public?

Since 1963 the Foreign Operations and Government Information Subcommittee has occasionally investigated the Government's censorship planning. The time has come for a full-scale study of both the plans and the practices and, as subcommittee chairman, I will initiate such a study immediately, asking formal questions of the censorship planners in preparation for full-scale hearings in the next Congress.

HON. KARL M. LeCOMPTE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. DORN. Mr. Speaker, it is an honor to join Mr. KYL in paying tribute to the late Hon. Karl M. LeCompte.

Congressman LeCompte served our Nation, and the great State of Iowa, as a State senator, a soldier, and as a U.S. Representative for 20 years. He led his constituents through troubled times, times of peace, and times of war. Yes, Mr. Speaker, Iowa has lost a great leader, and we have lost a former colleague, but his mark upon the State will serve as an inspiration to the young people, the people he loved and helped.

Mr. Speaker, Mrs. Dorn joins with me in expressing our condolences to Mrs. LeCompte and his wonderful family.

HON. FLORENCE P. DWYER

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, long before women's lib became a household word the distinguished gentlewoman from New Jersey, the Honorable FLOR-

ENCE P. DWYER, was not only working to secure equal rights for women but demonstrating that they are eminently capable as public servants.

Before coming to Congress 16 years ago, FLO served as an officer of the New Jersey Federation of Business and Professional Women's Clubs and for 6 years as a member of the New Jersey State Legislature. Her career was capped in 1965 by becoming ranking Republican member of the Committee on Government Operations and since I have been minority leader she has been a valued counselor and loyal friend.

We shall all miss FLO DWYER's great contributions and we wish her all the best as she leaves us at the close of this Congress.

HCA PRODUCES LANDMARK REDUCTION IN HOSPITAL COSTS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. LEGGETT. Mr. Speaker, it is not news that we face a massive health care crisis in this country. As the recent DSG study pointed out, one of the sources of this crisis is the high cost of medical care, especially hospital care.

Despite the general inability of existing health institutions to deal with this problem, there have been a few noteworthy exceptions. One such exception is the Miami North Shore Hospital, managed by the Hospital Corp. of America.

This hospital recently announced major reductions in room rates that will save patients a half-million dollars annually. The reductions would cut some room rates $11 per day and would reduce total room and board costs to patients by approximately 10 percent.

The method employed by HCA at North Shore in the reduction of costs was simply efficiency. Major cost savings were achieved at North Shore through improvements in food service operations, business office operation, and housekeeping, developing better cost and billing controls in several departments, and in general management of the facility which resulted in major reductions in personnel costs.

These cost savings, moreover, were employed in a manner that directly relieved the hospital patient. As Dr. Fred Gunion, president of the North Shore Board of Trustees, explained. He stated that:

> Patient room rates are the part of the hospital bill which most patients pay out of their own pockets. Most other hospital charges are fully covered by some form of insurance or other reimbursement program, so we selected room rates as the area for reduction most beneficial to the average patient.

This kind of policy is almost completely unheard of in a day when most other hospitals are seeking approval for increases rather than considering reductions in charges. The cost of health care in this country can be cut, and the North Shore Hospital stands as proof of that fact. The example set in Miami can be duplicated in other hospitals if they can succeed in running an operation as efficient as HCA's.

The Hospital Corp. of America owns and operates 47 hospitals, including Broadway Hospital in my district. It is the largest firm in its field, with more than 6,000 beds in operation in 12 States. HCA certainly disproves the often-held belief that bigness necessarily implies waste. Here is a case of a private enterprise managing hospitals effectively, reducing the rate of operating expenses, while still producing a reasonable profit margin. HCA's success in Miami should certainly be closely scrutinized by all members of the health industry.

LEGACY OF PARKS

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. WEICKER. Mr. President, it has come to my attention that President Nixon recently transferred the 200th piece of Federal property to the people of America through the legacy of parks program. I congratulate the President on reaching this landmark, and I congratulate him for the success it represents for the legacy of parks program and the Property Review Board, both of which he wisely created.

In 1969, when a total of 760 million acres of our lands were owned by the Federal Government, the President discovered that many of these lands were not being used according to priority needs. Their use was determined by which agency first obtained rights to the land. Therefore, on February 10, 1970, the President issued an Executive order establishing a Property Review Board, to implement newly outlined land management initiatives.

The legacy of parks program was inaugurated on March 1, 1971, in Nassau County, N.Y., when the Federal Government turned over 128 acres of beachfront property valued at $1.6 million. To date, a total of 25,718 acres spread over 200 properties provide American citizens with an opportunity to enjoy open air. State and local governments now control an additional $111,392,926 in market valued land within their boundaries.

Once again I commend the President on innovative steps to bring America's natural beauty to her people, and I ask unanimous consent that the recent statement by the President and the news release that accompanied it be included in the RECORD, along with a brief explanation of both programs.

There being no objection, the President's statement, the news release, and the review of the two programs were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

I am pleased to announce the transfer of the 200th Federal property to the people of this Nation through the Legacy of Parks program. Under this program, 43 State and the Commonwealth of Puerto Rico have received underutilized Federal lands for park use in the last 19 months.

As a result, 180 communities in this country can now provide their citizens with parks and recreation areas they could not enjoy four years ago.

My appreciation goes to the officials of States, cities, and other municipalities who have worked with our Federal officials to develop these parks for local use.

The goal of this Administration is to make available an increasing number of parks and recreation areas to provide for both the physical and spiritual enrichment of all Americans. Through this program we are also insuring that the most sensible use is made of our natural resources.

The establishment of 200 new parks is an accomplishment of which we can be proud. But we will not stop here. The Property Review Board will continue to work closely with Federal agencies as we carry forward our efforts to identify Federal property which can be converted to recreational uses. This Administration is determined that more Americans should be able to share more fully in the natural wealth of our Nation.

THE WHITE HOUSE

The President today announced the transfer of an additional 33 parcels of land to State and local governments for park and recreation use under the Legacy of Parks program. This program was inaugurated March 1, 1971, with the first cost-free transfer of $1.1 million worth of Federal Property to the County of Nassau, New York.

The 33 properties, located in 24 states, total 3,441 acres and have an estimated market value of $3,521,331. Today's announcement brings to 200, the number of properties turned over to local governments in 43 states and Puerto Rico under the program since its inception in 1971. These 200 properties total 25,718 acres and have an estimated market value of $111,392,926.

Included in the 33 properties are three in New Mexico and one in West Virginia, marking the first such transfers in these states under the Legacy of Parks program. Other properties are located in California (two properties), Colorado, Florida, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Missouri, New Jersey (two properties), New York (three properties), Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas (two properties), Virginia (two properties), Washington, and Wisconsin (two properties).

LEGACY OF PARKS PROGRAM AND THE PROPERTY REVIEW BOARD

Early in 1969 while walking along the shores of the Pacific beachlands which border the Western White House, President Nixon noticed the public bathing facilities nearby becoming more congested while neighboring beachlands belonging to the Camp Pendleton Marine Complex remained practically empty. President Nixon instructed his staff to look into this situation.

The Camp Pendleton beachlands in which President Nixon expressed an interest were 2,395 acres of a total of 760 million acres owned by the Federal Government. This acreage represents approximately one-third of the entire land mass of our Nation, with an estimated value of one trillion dollars. These lands are the Federal Government's largest asset.

The President's staff found that the uses to which Federally-owned properties had been put were often determined not by priority need, but by which government agency first obtained rights to the lands. These vast Federal holdings had been accumulated almost at random over many decades and Federal agencies and departments had developed a tendency to hold on to land even when it was no longer needed. Many thousands of acres of Federal real estate throughout the country were not being put to optimum use while other vast areas were unnecessarily fenced off, their enjoyment denied to the American people.

After reviewing his staff's report on utilization of Federal property, the President wrote to Congress on February 10, 1970, and emphasized that "countless properties with enormous potential as recreation areas linger on in the hands of agencies that could just-as-well-or-better locate elsewhere."

A new philosophy for the use of Federal lands was proposed by President Nixon. He asked that these properties be treated as a precious resource belonging to all the people, and that their use serve the highest possible public good. In his words, "we must do everything we can so that people will love this country and love it deeply . . . to preserve those great areas of natural beauty and environment in which our children will want to live."

On the same day, the President issued Executive Order 11508 directing all Federal agencies to initiate a review of Federally-owned properties and to identify those which are underutilized. The principal issue was to determine which method of utilization best served the public interest.

The Executive Order provided for the establishment of a Property Review Board composed of close Presidential advisers. The current members of the Board are Donald Rumsfeld, Chairman, Counsellor to the President, James Dwight, Associate Director, Office of Management and Budget; John Ehrlichman, Assistant to the President for Domestic Affairs; Herbert Stein, Chairman, Council of Ecnomic Advisers; William Timmons, Assistant to the President for Congressional Relations; Russell Train, Chairman, Council on Environmental Quality; Arthur Sampson, Acting Administrator of General Services. Darrell M. Trent, Deputy Director of the Office of Emergency Preparedness, is Executive Director of the Property Review Board. The President instructed the Board to implement his newly outlined land management initiatives. The Board effected a systematic process of identifying underutilized Federal properties.

As promising Federal tracts were identified, the Property Review Board initiated discussions with the holding agency. The General Services Administration, and the Department of Defense, executed field surveys of the properties. Through negotiations with the holding agency a determination was sought on whether the land should be retained by that agency, turned over to some other Federal agency, or declared excess.

The Board considered the merits of each case carefully and submitted its recommendations to the President. In disputed cases, the President determined whether the property was to be retained or declared excess.

State and local governments were encouraged to file applications for the excessed parcels with understanding that these tracts would be utilized as park lands and recreational areas. A special effort was made by the Property Review Board to locate land within urban areas. State and local governments have been eager and cooperative in this rapidly growing Presidential program.

The Property Review Board also recognized the need to update the policies, the organizational framework, and the administrative procedures for managing Federal properties.

The Board has initiated actions to modernize and centralize the Federal property inventory and standardize a system of control. These actions have contributed to the Administration's effort to secure much needed legislation on a wide range of general property management issues:

National Land Use Policy.

Relocation of Federal Installations.

Land and Water Conservation Fund Growth.

Park and Cultural Sites.

Gateway National Recreation Area (New York-New Jersey).

Golden Gate National Recreation Area (San Francisco Bay).

Rental Charges on Federal Office Space.

The modernization of the Federal property management system will continue for some time to come, with the Property Review Board serving as the principle advisory body to the President.

By the end of the year it is planned that all fifty states and Puerto Rico will have received benefits from the President's Legacy of Parks program. To date State and local governments have an additional 200 properties to develop into much needed park and recreation land. A total of 25,718 acres spread over these 200 properties provide American citizens with an opportunity to enjoy the open air. These state and local recipients now control an additional $111,392,926 in market valued land within their boundaries. This massive undertaking has been accomplished in little more than a year and one half since the Legacy of Parks program was inaugurated on March 1, 1971, in Sands Point when the County of Nassau, New York received 128 acres of beachfront property valued at $1.6 million.

The review program is continuing and will include all 20,650 Federal installations. From these reviews, it is expected that not only a realistic assessment of all Federal holdings will be achieved, but hundreds of thousands of acres of Federal property will be returned to the people who really own them, for their use and enjoyment.

Each day brings forecasts of ecological problems. Unless innovative steps are taken America's legacy of natural beauty could be lost to future generations. President Nixon is anxious to see the natural wonders of this Nation preserved for this and future generations. To insure this outcome, the President has seen to the establishment of this Nation's first Federal property review system.

TRIBUTES TO HON. BILL HULL AND HON. DOC. HALL

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RHODES. Mr. Speaker, it is with real regret that I see the Honorable W. R. Hull, Jr. leave the House of Representatives at the close of this session. Bill Hull has been an outstanding Member of Congress who has served his constituency, State, and Nation with devotion, ability, and loyalty. I value his friendship and will miss the pleasant relationship we have had over the years. My very best wishes go with Bill for health and happiness in the days ahead.

It is a pleasure to join in the tribute being paid to the Honorable Durward G. Hall. He is one of our most admired and respected colleagues, and his able and dedicated service will be missed by all the Members of the House. "Doc" Hall has provided strong and responsible leadership to his committees and colleagues, and loyal and devoted representation to his district.

In addition, Doc Hall, together with our mutual friend from Iowa, Hon. H. R. Gross, has been the watch-dog of the House, and its conscience. I am sure it is not possible to estimate the money that the hard work and constant attention to duty of Doc Hall and H. R. Gross has saved the taxpayers, but it is certainly a sizable sum.

In addition, Doc Hall's knowledge of the rules of the House caused him to be a most effective guardian of the rights of the minority. For this, as well as for his general excellence of performance, we will miss him.

It is with real regret that I see "Doc" leave the Congress—he takes with him the affection and admiration of those who have served with him, as well as good wishes for only the best in years ahead.

TRIBUTE TO THE HONORABLE WILLIAM McCULLOCH, THE HONORABLE FRANK BOW, AND THE HONORABLE JACKSON BETTS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MINSHALL. Mr. Speaker, the close of this Congress marks the departure, through voluntary retirement, of three of our colleagues whom we have all come to regard as virtually indispensible to Capitol Hill: Bill McCulloch, Frank Bow, and Jackson Betts.

It is very difficult to imagine the just cause of civil rights without one of its most distinguished champions, Bill McCulloch, sitting on the great Committee on the Judiciary; nor the House Committee on Appropriations without Frank Bow piloting the ship of state away from the reefs of bankruptcy, and without Jack Betts on the Ways and Means Committee, trying to bring some sense and equity into our tax laws.

I served in the Ohio Legislature with Bill McCulloch and Jack Betts, more years ago than any of us care to recall. It was Speaker McCulloch in those days in Columbus, and as young, freshmen legislators Jack and I warmly respected Bill as a wise leader and a firm friend. That friendship and mutual respect has held strong through our years together in Washington.

Frank Bow, who is one of the best friends I have ever had, has made his name synonymous with economy in government. His wisdom and wit will be sorely missed.

While I regret that Frank is leaving, I am extremely pleased and proud that the President has selected him for the important and sensitive assignment of Ambassador to Panama. No more capable or knowledgeable person could fill that post than Frank Bow. He will continue to serve his country with brilliance.

With the departure of our three friends and colleagues, we will lose also their lovely wives, Mabel McCulloch, Caroline Bow, and Martha Betts, whose friendships have meant so much to Franny and me.

It is always hard to say good-bye, but especially so in this case. This is a loss not only to the Nation, but to all of us who have admired and worked with these three distinguished Ohioans. By their long records of selfless service, of excellence in all their undertakings, and of integrity and honor, they have assured that the names of William M. McCulloch, Frank T. Bow and Jackson E. Betts will be on the honor roll of great 20th century congressional statesmen.

To these three friends, I say: Good-by, good luck, God bless you.

HON. THOMAS G. ABERNETHY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. GERALD R. FORD. Mr. Speaker, this is the last session for one our most beloved and distinguished colleagues, the gentleman from Mississippi (Mr. Abernethy), who is retiring at the close of the 92d Congress after a career that goes back to the early days of World War II. I want to join with others in saluting Tom Abernethy from both sides of the aisle for his enormous contributions to his district and State and to our country, as well as for his fine friendship.

My wife Betty and I wish Tom and Alice many years of health and happiness as they return to their beloved Mississippi. We shall miss them.

LETTER TO SENATOR McGOVERN

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, Mr. Volodymyr Y. Mayewsky, vice chairman of the Organization for the Defense of Four Freedoms for Ukraine, Inc., recently provided me with a copy of a letter he addressed on July 11, 1972, to the Democratic nominee for President of the United States in which he decried the lack of consideration given by political parties and the news media to ethnic minorities.

As I believe this letter may be of interest to all who read this Record, I insert it in full.

The letter reads as follows:

Organization for the
Defense of Four Freedoms
for Ukraine, Inc.,
Washington, D.C., July 11, 1972.

Hon. George McGovern,
U.S. Senate, Democratic National Convention, Miami Beach, Fla.

Dear Sir: In connection with the Democratic National Convention now in session at Miami Beach, I would like to make a few vital observations concerning its delegate representation and platform.

As in many other aspects of the political, economic, social and cultural life in our country, Ethnics (the forgotten minorities) are being continuously and persistently silenced, ignored, discriminated against, and treated as secondary citizens by the government, the political parties, the presidential candidates, and especially by our established news media, from "left" to "right" and from "white" to "black". The ethnic minorities, always exploited by the establishment, have been forced through a continuous and unjust pressure by the power structure to occupy the lowest political and economic level in America.

Those forgotten Ethnics are quite numerous. In accordance with the statistics of Dr. Richard J. Krickus, a consultant to the Institute for Resources Management on a project funded by the Office of Economic Opportunity, there are 40 million Ethnics in the U.S.A. (See "Our 40 Million Ethnics" in the Washington Post on August 31, 1969).

The hard-working ethnic minorities have labored with devotion and toiled for generations for America and greatly contributed toward the building of this great country. They dutifully paid their taxes and neither asked nor ever received much in return. They served with distinction in their country's armed forces during WWI, WWII, Korean and Vietnam wars and in proportionately larger numbers died for America. They have always strongly upheld and supported constitutional democracy in the United States of America. The "fault" of the ethnic minorities is that they have failed to unite and create a power block to demand and to push for their share of America's bounty.

The discriminatory policy toward the ethnic minorities is especially evident by the content of the party platform and the composition of the body of delegates to the Democratic National Convention at Miami Beach. No candidate for the presidency, the Credentials Committee, or political or editorial voice has ever indicated concern for the shameful under-representation of the ethnic minorities within the delegation to the convention. Some ethnic minorities are totally unrepresented at the convention. For example over two million Americans of Ukrainian descent have no effective delegate strength at the Democratic National Convention. Similarly, ethnic minorities are not represented in party committees and are ignored by the Platform Committee. Why is there such an obvious omission of justice?

There is plenty of loose talk about "other minorities" but really and truly nobody cares or gives a damn about the ethnic minorities, their needs and problems. The established politicians care only about their own power groups and not about all American people. Some politicians cry for more power for the youth but, somehow, the young generation of the ethnic minorities are equally discriminated against as the older people. Similar situation is with the ethnic women. The irony of the situation is that the Arrangements Committee of the Democratic National Convention gave full consideration to the demands of the group "The Poor People's Campaign" but nothing at all for the really not-so-well-to-do 40 million ethnic minorities.

It is high time for the political parties, their committees and the presidential candidates to give some attention and consideration to the most discriminated against and under-represented 20 per cent of our population.

We shall overcome!

Sincerely yours,
Volodymyr Y. Mayewsky,
Vice Chairman.

HON. JOHN L. McMILLAN

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. TEAGUE of Texas. Mr. Speaker, Congressman John L. McMillan is not returning to Congress this January. America and the Sixth District of South Carolina will miss this distinguished statesman. I served with Chairman McMillan for some 10 years on the House District Committee. Being chairman of this committee is an extremely demanding position. There is no doubt that John has always taken his duties seriously and acted in good conscience to afford the District of Columbia equitable and fair prosperity during very complex times.

I really do not have to discuss the accomplishments of Mr. McMillan in such areas as his PeeDee District in South Carolina or on the House Agriculture Committee. These document themselves. I commend John for his long record of public service which was carried out with a true sense of responsibility.

I know we all will miss this able and respected Congressman. I am sure he will return to Florence, S.C., knowing his service and loyalty has been appreciated by everyone. I wish him every happiness.

NEVER LOST A BILL

HON. JOHN KYL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. KYL. Mr. Speaker, Wayne Aspinall's committee never lost a bill on the Union Calendar. He permitted his committee to work its own will and never skipped a parliamentary step. No one ever questioned his knowledge of any subject under his jurisdiction.

He has been a great chairman.

No Member of Congress ever contributed more to his home State.

Most important to me, he is my friend and I treasure that friendship.

HERBERT C. WILSON, PUBLIC SERVANT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PICKLE. Mr. Speaker, in the near future the State of Texas will lose the services of one of its most wise and able public servants, Mr. Herbert C. Wilson.

Mr. Wilson, currently deputy commissioner of the State Welfare Department, has announced he will retire soon after 39 years of public service.

All of those 39 years have been spent in pursuit of a single profession—helping the down and out, the needy, and our less fortunate children.

Seldom has one person amassed the wealth of respect and love which is extended toward Herb Wilson for the work he has done over his 40-year career in four different State agencies. We all shall miss him greatly.

A recent article in the Austin American-Statesman tells of Mr. Wilson's career and why it has been such an important one for Texas. I would like at this time to reprint that article in the Congressional Record:

Herbert Wilson Retiring From State Welfare Post

Herbert C. Wilson, who worked for four state agencies in pursuit of a single profession, announced Saturday that he will retire after 39 years of public service with the State of Texas.

His profession is public welfare administration, and Wilson capped his career as deputy commissioner of the State Department of Public Welfare, the position from which he is retiring.

When Wilson first joined the Welfare Departmnet, it was a small agency with only a few hundred employees. It had one assistance program, Old Age Assistance, but was about to implement two new ones—Aid to the Needy Blind and Aid to Dependent Children.

Wilson helped chart the development of the department into one of the major agencies of Texas state government. He has served with four commissioners—John S. Murchison, John H. Winters, Burton G. Hackney, and the present commissioner, Raymond W. Vowell.

"Herb Wilson is respected and loved by all of the people he has worked with throughout the years. He has a great wealth of knowledge about the department and its programs, and his skills and talents will be missed," Vowell said.

Wilson started out as a caseworker in the early 1930s, after working his way through Baylor University as a shoe salesman, and a year of graduate work at Tulane University. His first caseworker jobs were with the Social Service Bureau and the Depelchin Faith Home in Houston.

He began his state welfare career in 1934 as an employee of the State Board of Control, doing administrative child care work at the Waco and Corsicana State Homes.

Two years later he became state supervisor of social services to crippled children, for the Vocational Rehabilitation and Crippled Children's Division of the old State Department of Education.

He received his master's degree from the School of Social Service Administration at the University of Chicago in 1941, doing his field work in medical social work.

This was followed by his first job with the State Department of Public Welfare, as a medical welfare consultant. He was the first person to be employed in that capacity by the department and his original assignment was to assist with the organization of the Aid to the Blind and Aid to Dependent Children programs in Texas.

In 1944 Wilson moved up as assistant executive director of the State Welfare Department. For the next decade, his duties with the Welfare Department were in an administrative capacity. He took on responsibilities as budget officer and legislative liaison representative of the department with the Legislature, along with other administrative tasks dealing with the department's programs.

At that time the welfare department operated a children's institution, Waco State Home, and it was there that Wilson moved next. He has said that in all his years in state government, he never held a job he applied for. ("Of course, I applied for some I didn't get," he said.) This time, he was "convinced" to go to Waco State Home as its superintendent by the late John H. Winters, then state welfare executive director.

He stayed there eight years—from 1955 to 1963—and now looks back on that job as one of the most challenging and rewarding of his experience. Advances were made during Wilson's years at Waco State Home, an institution for dependent and neglected boys and girls. The children started attending Waco public schools, new cottage dormitories were built, a foster family care program was developed.

Wilson had his own recipe for child care: "Give them God and a job." This, he said, would provide the child with a way of life and a way to make a living.

His Waco assignment also moved him into employment with the fourth state agency he worked for. That was when the Texas Youth Council was created and took over the Waco State Home. "I was the first state welfare employees to be legislated out of the department," Wilson said.

In 1963, Wilson was called back to Austin and the Welfare Department by Commissioner Winters. He returned as director of program administration, and shortly thereafter was made assistant commissioner. He assumed his present post as deputy commissioner in 1967.

Wilson is a member of the board of trustees of Buckner Baptist Benevolences. He is a past president of the Texas Public Employees Association and was a member of the first professional advisory committee for the University of Texas School of Social Work at Austin.

He had held part-time teaching positions with University of Texas Graduate School of Social Work at Austin and the Worden Graduate School of Social Work at San Antonio.

PERSONAL ANNOUNCEMENT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROSENTHAL. Mr. Speaker, I would like to make a personal announcement regarding my absence from the remainder of today's session of the House of Representatives.

Unfortunately, a very close personal friend of mine, Hon. Harold Tessler, a justice of the New York State Supreme Court, died yesterday, and I am attending the funeral which is being held this afternoon in New York.

Harold Tessler and I had a very warm and longstanding association that goes back over the years, and I am much grieved to learn of his passing.

He was a courageous and compassionate man, an outstanding jurist, but, above all, a valued friend who will be sorely missed by his legions of friends and associates.

He was truly dedicated to public service, and lived up to the full measure of his responsibilities. He leaves a rich legacy to all of us in public office.

My deepest sympathies go out to his devoted wife, and his family.

WILLIAM M. McCULLOCH

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BOB WILSON. Mr. Speaker, all of us who have served these many years with Bill McCulloch know him as an early and consistent fighter for civil rights which he preferred to call "human rights." He was responsible for the Civil Rights Act of 1964 and was behind many of its subsequent improvements. As the ranking Republican on the House Judiciary Committee, and an astute attorney, he became a top constitutional authority widely consulted by other Members. Bill McCulloch also contributed importantly to anticrime legislation. His retirement is a distinct loss to the House, and I am pleased to join in this special tribute to him.

TRIBUTE TO CONGRESSMAN WAYNE ASPINALL

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. WAGGONNER. Mr. Speaker, it is with, indeed, great pleasure that I am able to join with my colleagues in paying tribute to the distinguished chairman of the Interior Committee, my good friend, Wayne Aspinall, who will after 24 years of service to his district and Nation be retiring from the House at the end of this Congress.

In the 11 years that I have been in the House with Wayne, I have had the occasion to work with and know him pretty well; and there is no man who has worked harder for the people of his district and his State than Wayne Aspinall has for his. Nor has anyone worked any harder to insure the preservation of those values of American life which we all hold so dear.

Naturally, I will personally miss Wayne's expert knowledge of the legislative process and his unexcelled leadership, but even more than that I will miss our association and close friendship which I will always cherish.

HON. JACK H. McDONALD

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, it is difficult to say goodby to so many good friends among the Members who are retiring this year, and I am particularly sad to lose one of my distinguished colleagues in the Michigan delegation, Jack McDonald.

Jack has served his constituents well since he came to the House in the 90th Congress, which was an extremely able group of new Members on our side of the aisle. He has been a diligent member of the Comimttee on Public Works and the Committee on Merchant Marine and Fisheries. He has been a staunch supporter of President Nixon.

I am sure that Jack's fine contributions to his country will continue and my wife, Betty, and I wish for him and Marion all success and happiness in the future.

HOME LOAN BANK BOARD POSTPONEMENT OF VARIABLE RATE MORTGAGE PROPOSAL

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. SULLIVAN. Mr. Speaker, the Federal Home Loan Bank Board recently issued a draft of proposed regulations authorizing insured savings and loans to offer variable interest rate mortgages. Under this concept, the home buyer, instead of signing a contract for a fixed rate of interest for the life of the mortgage, would obligate himself to pay a higher rate, or would be entitled to a lower rate, according to subsequent developments in the finance market.

Anyone entering into that kind of mortgage transaction prior to 1969 would have had his mortgage of 6 percent or less raised to 9 percent or more. If he could not afford the higher payments, the alternative would be to stretch out the maturity of the debt so that he would pay the same monthly amount as before but have less of his payment applied to principal. Of course, when and if interest rates came down, he would benefit by being granted a lower rate.

The idea has some appealing aspects, but not to the home buyer when interest rates are going up. There are so many unanswered questions about this proposal, however, that seven senior members of the House Committee on Banking and Currency who serve on the Housing Subcommittee recently asked the Board to postpone the promulgation of any such regulations until the committee or the subcommittee can hold hearings on this issue and thoroughly explore the pros and cons. Chairman Wright Patman also wrote to the Board in a similar vein.

The Board has now agreed to postpone final adoption of its proposed regulations on variable rate mortgages "for a reasonable period of time" in order for the committee to schedule hearings.

Mr. Speaker, I submit as part of my remarks the letter which I sent to Chairman Preston Martin of the Home Loan Bank Board on October 4, with the concurrence of Representatives Henry S. Ruess, William A. Barrett, chairman of the Subcommittee on Housing, Henry B. Gonzalez, Joseph G. Minish, William S. Moorhead, and Fernand J. St Germain. Following that letter is the reply which arrived over the weekend from Acting Chairman Carl O. Kamp, Jr., of the Home Loan Bank Board.

The correspondence referred to is as follows:

Washington, *D.C., October 4, 1972.*

Hon. Preston Martin,
Chairman,
Federal Home Loan Bank Board,
Washington, D.C.

Dear Chairman Martin: We understand the Federal Home Loan Bank Board is ready to authorize the use of variable interest rate mortgage loans by member savings and loan associations some time this fall following the end of the period for comment, October 15.

We view the use of variable interest rates as an extremely serious change in the structure of the Nation's housing market. The question of whether such a change will benefit or hinder the homebuyers and the housing industry of the Nation has not been answered to our satisfaction or to the satisfaction of other members of the Banking and Currency Committee, especially in view of the fact that in an overall sense residential mortgage interest rates have risen sharply in the past several years.

As you know, the housing crisis of 1969–1970 produced mortgage interest rates which frequently exceeded 9 percent. Even now, despite the abundance of mortgage funds in savings and loan associations, the prevailing rate exceeds 7.5 percent and is expected to rise in the months ahead as overall credit demands increase due to an expanding economy.

Under a variable interest rate loan, many families will be forced beyond the point at which they can afford to meet mortgage payments as well as other payments essential to maintain an adequate standard of living during periods of rising credit demand. By the same token, the alternative of lengthening the term of the mortgage rather than increasing the interest rate will serve to significantly reduce the opportunity of many families to acquire equity in their homes. Under these circumstances, such families will find themselves in the position of being tenants rather than homeowners.

These are but a few of the points that concern us and other members of the Banking and Currency Committe. As senior majority members of the full Banking and Currency Committee and as members of the Housing Subcommittee, and because this proposal will have such far-reaching effects on the Nation's housing industry and achievement of the Nation's housing goals, we are asking you and the other Members of the Board to delay authorization of the use of variable interest rates until members of the Committee have had the opportunity to hear you and others on this subject during Committee hearings that will be held to thoroughly explore the issue.

Sincerely yours,

Leonor K. Sullivan,
Henry S. Reuss,
William A. Barrett,
Henry B. Gonzalez,
Joseph M. Minish,
William S. Moorhead,
Fernand J. St Germain.

Federal Home Loan Bank Board,
Washington, D.C., October 13, 1972.

Hon. Leonor K. Sullivan,
Committee on Banking and Currency, U.S. House of Representatives, Washington, D.C.

Dear Congressman Sullivan: The Federal Home Loan Bank Board appreciates the interest and concern in our variable interest rate proposal as expressed by you and several of your colleagues on the House Banking and Currency Committee. Research undertaken by our economists and several independent academic groups lend support to the concept of variable rate mortgages along the lines of our proposed regulations. Consequently, we would welcome the opportunity to further develop this subject in Committee hearings at an appropriate time.

As you know, the comment period for these proposed regulations ends October 16. In recognition of your concern, we are willing to postpone the final adoption of regulations for a reasonable period of time in order for your Committee to schedule the hearings requested.

The Board would be pleased if your Committee can give these hearings an early priority on your calendar. We look forward to your cooperation in the final resolution of this subject.

Sincerely,

Carl O. Kamp, Jr.,
Acting Chairman.

HON. WATKINS M. ABBITT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. TEAGUE of Texas. Mr. Speaker, I am honored to extend my sincere best wishes to a fellow colleague who has given 24 dedicated years of his life to his country and the State of Virginia. Hon. Watkins M. Abbitt is retiring from his 13 terms in the House of Representatives with a distinguished record of dedicated service to the House Committee on Agriculture, the Committee on House Administration and the Committee on Standards of Official Conduct. I have had the privilege of working with Watt on the Standards Committee and can attest to his commendable and respected service. I will miss this good friend and wish him well in the years to come.

FLORIDA OCEAN SCIENCES INSTITUTE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROGERS. Mr. Speaker, for more than 3 years Florida Ocean Sciences Institute—FOSI—in Deerfield Beach has been running a rehabilitation program for youths who have been in trouble with the law. Mr. Robert A. Rosof, president and inspiration behind the creation of this marine science oriented center, has fought long and tenaciously to maintain a foothold and build the institute into a valuable and productive training center for these young men.

And the results have been impressive. During the past 3 years the program has had a total of 237 participants. More than 90 percent of this group had a legal record prior to entering the program. The overall known recidivism rate for all individuals who have been involved in the program is only 12.7 percent. This in itself is a remarkable accomplishment in light of the national rate as reported by the Senate Subcommittee to Investigate Juvenile Delinquency of 74 to 85 percent.

Further proof of the success of this rehabilitation venture was demonstrated on a very human level earlier this month when two FOSI students, Bill Wade and Jeff Hurt, saved a man's life after his plane had crashed into a bridge embankment in a residential area of Deerfield Beach.

Jeff, now a graduate of the program, was teaching a seamanship class at a marina when the two spotted the plane going down. Jumping into the institute's 19 foot outboard, they took off full throttle reaching the downed plane within 45 seconds. Although the plane and the victim were engulfed in flames, the youths grabbed a fire extinguisher, doused the man's clothes and managed to pull him clear of the wreckage. A spokesman for the local fire department said there was no doubt that the youths' quick action made the difference between life and death for the crash victim.

Shortly before this incident, Bob Rosof was notified by the Department of Labor that his $80,000 manpower training grant was not going to be renewed because his program lacked priority in the scheme of things. This attitude on the part of the Department of Labor is unfortunate. A crucial aspect of the war on crime should be training and rehabilitation programs particularly for youths to enable them to learn the skills that will promote useful and productive citizens.

HON. EMANUEL CELLER

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. GERALD R. FORD. Mr. Speaker, I deeply regret that I was fulfilling a longstanding commitment in my home district on October 12 when special tributes were paid to the retiring dean of the House of Representatives, the Honorable EMANUEL CELLER of New York. Had I been present, I could not have equalled the eloquence that historic occasion demanded, because only rarely do we have occasion to honor a legislative career of such length and magnitude.

When I came to the House nearly a quarter century ago, "MANNIE" CELLER had already served longer than I have now; he has been chairman of one of the most important committees of this body longer than most of us have been Members. Yet no Member present today is keener in debate or sharper in wit, none more formidable a foe or more amiable a friend, than the gentleman from New York. He is a living legend and proof positive that you cannot measure any man by the calendar alone.

As everyone knows, MANNIE and I have often disagreed, but we have always done so in good temper and mutual respect. To say that our beloved dean is a man of his word is to be redundant, since who could have weathered the political storms of the past half century without this essential virtue.

Mr. Speaker, I will not here repeat the details of MANNIE CELLER's remarkable career or his many learned contributions to the law and to the Constitution itself. I do want to thank him for his many courtesies to me and for his profound love of this body, in which he leaves an enduring monument of admiration and affection.

JACKSON E. BETTS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BOB WILSON. Mr. Speaker, I am pleased to join in this special tribute to one of our retiring Members from Ohio. During his years in the House, JACKSON BETTS was not the kind of man who did a lot of shouting. His Ways and Means Committee colleagues rather knew him as a quiet, but highly effective, legislator who knew what he wanted and usually got it. He was a deep student of the complex and all-important issues which come before that committee. JACKSON BETTS is known to all of us as a very kind, human person with many, many friends. He will leave a gap we shall not easily fill.

NEW TECHNIQUES IN WATER POLLUTION CONTROL

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GUDE. Mr. Speaker, now that the clean water bill is a legislative reality, we can look forward to a period of innovation and progress in the field of water pollution control. New ideas will be given the encouragement and financial support that lead to the development of more effective technologies. It is conceivable that the next two decades will mark the beginning of a golden age in environmental science.

As an example of what we may expect, I would like to submit the following report for the information of my colleagues on the fine work of a Montgomery County, Md., firm in perfecting a technique for the removal of phosphates in sewage.

The report follows:

BIOSPHERICS PROCESS MEETS GREAT LAKES STANDARDS FOR PHOSPHATE REMOVAL

A new biological process developed by a Rockville, Maryland firm has successfully removed phosphorus from sewage in recently completed pilot tests in Chicago.

Biospherics Incorporated reports that its PhoStrip method reduced sewage effluent phosphorus levels to meet regulations imposed by the State of Illinois this year on the Great Lakes and the Fox River areas. Similar regulations have been adopted by Canada and the United States to curb pollution in the Great Lakes. Eight states are affected.

Tests conducted at the Northside Sewage Treatment Plant of the Metropolitan Sanitary District of Greater Chicago showed that the total phosphorus content of the pilot plant effluent averaged 0.23 mg/l (milligrams per liter) and at no time exceeded 0.50 mg/l. The regulatory limit is 1.0 mg/l of total phosphorus.

The Chicago tests, which lasted 22 days, represent the third sewage treatment plant where the Biospherics PhoStrip process was pilot tested. The others were the Washington, D.C. Water Pollution Control Plant, and the Piscataway Plant in southwestern Prince George's County, Maryland. In all three cases, 90 percent or more of the total phosphorous was removed from the sewage effluent.

The phosphorus removed from the sewage effluent was concentrated into a waste flow of approximately five percent of the total plant flow resulting in proportionately lower treatment costs. The phosphorus could be chemically removed from this relatively small volume by currently available standard methods, according to Biospherics.

The tests were conducted as a joint effort by Biospherics and the Metropolitan Sanitary District of Greater Chicago. Biospherics supplied the pilot plant, engineering guidance and daily operating staff. The District collected and analyzed the sewage samples to measure the effectiveness of the process.

Complete details of the process will be published in the October issue of the *Journal of the Water Pollution Control Federation.*

TRIBUTE TO W. R. HULL, JR.

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAHON. Mr. Speaker, it was an honor to the Committee on Appropriations when BILL HULL joined our ranks in 1964. He has been a stalwart Member through the years. He has had both feet on the ground. He has served the public interest with skill and distinction. He has wrought well for his people in Missouri, and he has stood steadfast in support of the traditions and values which have made this Nation great.

Mr. Speaker, I know that my colleagues will forgive me for being partial to the members of the Committee on Appropriations with whom I serve. We work closely together on mutual problems, and it is but natural that an attachment develops among the members of this great committee.

BILL, I do not have to tell you that you have been one of my favorite friends on the committee for a long time. I regret seeing you depart the legislative scene, but I know you will be busy serving your fellow man in the future years. My congratulations for a job well done and my very best wishes for continued health and happiness.

THE HONORABLE JAMES A. BYRNE

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ZABLOCKI. Mr. Speaker, I join with his many colleagues, friends, and admirers in extending farewell to Pennsylvania's distinguished son, Congressman JAMES A. BYRNE.

Since his election to the 83d Congress in 1952, Congressman BYRNE has served his fellow Philadelphians of Pennsylvania's Third District with distinction and honor. His work as a member of the House Armed Services and Merchant Marine and Fisheries Committees has resulted in legislation of benefit to our Nation's security.

As he now concludes 20 years of service in the House my wife, Blanche, joins me in wishing him every possible happiness and success in the years ahead.

THE NATION DEMANDS CLEAN WATER

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BLATNIK. Mr. Speaker, the time for deliberation and debate has passed. It is time for this body to act.

In President Nixon's own words, we cannot procrastinate if we are to end the polluting of our rivers and lakes and restore the waters on which our whole future depends.

The Congress has deliberated long and carefully on this issue; we have produced a landmark, bipartisan bill that can save our waters from the total disaster that threatens them.

Mr. Speaker, this undertaking is going to be costly, but the cost of inaction would be far greater, because ultimately we are going to have to do the job and the longer we delay, the worse the problem will become and the more expensive it will be.

The people of this country have told us they are ready to pay the price of action, provided they get results. And in this legislation we have created a program that will produce those results.

This legislation will not add one iota to the inflationary pressures that concern all of us. The spending will not have appreciable impact on the President's budget until at least 1975, by which time we all hope the Vietnam conflict will have long been over and we can shift our resources over to such vital peacetime purposes as the protection of our environment.

Mr. Speaker, the people of this country have given us, their elected representatives in the Congress, a mandate for prompt and effective action against the continuing pollution of our waters.

In overturning the presidential veto today, we must make it unmistakably clear that we have given the President the program and the spending authority he needs to carry out that mandate and that we expect him to do so.

This landmark legislation is a national commitment to halt and reverse the pollution of our rivers and lakes and coastal waters, and to get on with the job starting right now. We, in the Congress, have faced up to our responsibility; we have fixed deadlines for our industries and our communities to stop discharging pollutants into our waters and to make them fit to swim in by 1983. We have set as a national goal the complete elimination of all water pollution by 1985.

We are not going to back down on that commitment. The American people have let us know in unmistakable language that they are not going to back down on that commitment, that they are ready to pay the price of clean water.

But in the light of President Nixon's veto message, we cannot help but wonder whether he now intends to implement this law with all the power and all the funds at his command, or to withhold the necessary Federal spending and let this national commitment molder in the back rooms of the Office of Management and Budget.

Sixteen years ago, when the present White House occupant was Vice President of the United States, another Republican President vetoed a similar, but far more modest effort of mine to attack the water pollution problem on a national front. That President justified his veto on the grounds that water pollution was only a local problem.

What excuse does Mr. Nixon now give us? Certainly, he no longer believes it is a local problem, even if he may have agreed with his former chief back in 1956. He has told us again and again that protection of our environment is one of his top national priorities, that if we are ever going to have our waters it is now or never.

I urge the President now, with all the force at my command, to put aside partisan motivations and cooperate with the Congress so that the hopes of all our people for the restoration of their environment may be fulfilled.

The highly respected Christian Science Monitor in an editorial published on October 6, describes this legislation as:

> Realistically funded and equipped with teeth sharp enough to scare water polluters into corrective action.

The editorial goes on to say:

> The end result will be a country whose abundant assets of rivers, streams, and lakes will have been in great part cleaned up and restored to their original beauty and usability by 1985. For that result, the price tag is none too large.

And the Washington Post, on October 9, added its editorial endorsement to this legislation as a "solid, bipartisan" commitment to clean water. The Post editorial says:

> Cleansing our waterways will, of course, have a long-term budget impact of some magnitude, but this cost must be measured against the price of non-action—the tremendous national loss in filthy rivers, dying lakes, and poisoned estuaries. For instance, without this bill and the investment it contemplates, the Potomac will remain a dirty disgrace for years. Given this chance, we think the public is prepared to bear the cost of cleaning up, and will have little stomach for procrastination or false economy.

To that, I say "Amen."

Mr. Speaker, the question before the House today is of more than national concern. The peoples of the world are watching for our decision.

Ours is the richest nation on earth. We enjoy the highest standard of living on earth. We have the most advanced technology on earth. And, as the most industrialized, urbanized society on earth, we are the greatest polluters of the earth's waters.

If we who are most responsible for the earth's pollution and best equipped to deal with it cannot afford to save the environment, who on earth can?

We must decide for the environment here and now, Mr. Speaker, or confess to the peoples of the world that our planet cannot be saved.

HON. SEYMOUR HALPERN

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, the time has come to bid farewell to many colleagues who are retiring at the end of this Congress, and we do so with a heavy heart. This is especially so in the case of our friend from New York, the Honorable SEYMOUR HALPERN, whose good humor and talent for friendship have cheered all of us during the 14 years he has so ably served in the House of Representatives. I have been grateful on many occasions for his cooperation and counsel and for his diligence as a member of the Committee on Foreign Affairs.

SY's public service goes all the way back to the days when he was an aide to Mayor LaGuardia of New York City in 1937 and his achievements are legion; he has earned a rest, but we shall greatly miss him.

My wife Betty and I wish for SY and Barbara many more years of health and happiness in the future.

IN TRIBUTE TO HON. JOHN L. McMILLAN

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. DIGGS. Mr. Speaker, in his 34 years as a Member of Congress, JOHN McMILLAN has impacted the lives of countless people from Florence, S.C., to Washington, D.C., and beyond. He has had the unique experience of spanning such diverse interests as tobacco farmers in his rural district and the urban affairs of the Nation's Capital.

The period of his service, from 1938 through 1972, has made him a participant in some of the most grave decisions of our times. As he reflects upon this long tenure with deserved satisfaction, I trust that he will not only be sustained by the memories but also continue to make his experience available.

WORK ON WILCOX MANSION GETS HIGH PRAISE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DULSKI. Mr. Speaker, the 89th Congress approved legislation which I introduced to establish the Wilcox Mansion in my home city of Buffalo, N.Y., as a national historic site.

It was in the Wilcox Mansion on Delaware Avenue that Theodore Roosevelt took the oath of office as President in 1901 after the assassination of William McKinley.

Integral in this project was the requirement that the community provide a large share of the support, financial and otherwise.

Some were dubious that the renovation of the Wilcox Mansion would ever be achieved notwithstanding the obvious enthusiasm of many organizations and individuals in the Buffalo area.

A few days ago a representative of the Department of the Interior visited the Wilcox Mansion. His last previous visit was before any renovation work had been done.

He is Ellsworth R. Swift of the Interpretive Design Center of the National Park Service at Harpers Ferry, W. Va.

His observations in an interview with the press were most heart-warming to me because they reflect the views of an outsider on the tremendous progress that has been made in renovating the building as a national historic site. In the interview, he is quoted as saying:

> My last visit and look at the mansion left me with the feeling that the restoration was an impossible dream. The plaster was falling from the ceilings and the house interior was in great need of repair.
>
> It is wonderful to see the job that has been done and a good deal of credit must go to Dr. Walter S. Dunn, director of the Buffalo and Erie County Historical Society, for his accurate research work in recreating the library as it was in 1901.

To another reporter he is quoted as saying:

> Compared to what I first saw, this was a real delight.

Mr. Speaker, the accomplishments of many individuals in connection with the Wilcox Mansion are worthy of wide applause and show clearly what can be done when people take a real interest in preserving our heritage.

As part of my remarks, I include the text of a news story on Mr. Swift's visit:

[From the Buffalo (N.Y.) Courier-Express, Oct. 7, 1972]

NATIONAL PARK SERVICE AIDE HONORED AT WILCOX MANSION

Ellsworth R. Swift, a representative of the Interpretive Design Center of the National Park Service at Harpers Ferry, W. Va., attended Friday a luncheon in his honor at the Wilcox Mansion on Delaware Ave.

Frank D. Leavers, president of the area's Theodore Roosevelt Inaugural Site (TRIS) Foundation, was host at the luncheon held in the morning room of the Wilcox Mansion. Mr. Swift is in Buffalo to review the restoration work of the library at the Theodore Roosevelt Inaugural National Historic Site.

VERY PLEASED

Mr. Swift said at an interview before the luncheon that he was very pleased to see the completed work at the mansion. "My last visit and look at the mansion left me with the feeling that the restoration was an impossible dream. The plaster was falling from the ceilings and the house interior was in great need of repair. It is wonderful to see the job that has been done and a good deal of credit must go to Dr. Walter S. Dunn, director of the Buffalo and Erie County Historical Society, for his accurate research work in recreating the library as it was in 1901," he said.

Mr. Swift was in Buffalo also to discuss the recent work and research the Historical Society and Site Foundation board members are doing on the dinning room of the Wilcox Mansion.

NEED CLEARER PICTURE

Dr. Dunn remarked, "We at present have a faint and fuzzy photograph taken in the 1930s, but we are still looking for a clearer picture of the dining area to use as a guideline. Perhaps some local resident might find such a picture in an old magazine or book that will help us."

Mrs. Roger W. Brandt, a member of the foundation and chairman of the restoration and the docents at the mansion as a representative of the Junior League of Buffalo, will be closely involved with the research development of this forthcoming project.

MAIN DUTIES

Speaking about the main duties of the Interpretive Design at Harpers Ferry, Mr. Smith said, "We are interested in the audiovisual exhibits and special publications for national parks and historic sites."

He said that the Wilcox Mansion is operated on a rather unusual basis, since the foundation and the Historical Society operate this site while the National Park Service serves only as consultants.

"The token fees of 25 cents for children and 50 cents for adults visiting the Wilcox Mansion go directly to the TRIS Foundation, since it is their responsibility to operate the site," said Dr. Dunn. "This is a city, county, state and federal operation, differing from the set-up of most national historic sites where the fees go directly to the United States Treasury and are controlled by Congress."

Mr. Swift left Buffalo Friday afternoon to pay a short visit to his brother, Arby R. Swift and his wife and family before returning to Harpers Ferry. His brother lives outside Cuba, N.Y.

CONSUMER PRODUCT SAFETY COMMISSION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, as we conclude our business today, one of our finest accomplishments, in my opinion, is passage of legislation to establish a Consumer Product Commission which will be able to coordinate all of our previously fragmented, and too often ineffective, Federal efforts at providing some measure of guarantee to the American consumer that products he finds in the marketplace are safe for use in his home and his place of employment.

One organization, the Arlington Safety Council, Inc., located in Arlington, Va., in my congressional district, has been a leader for many years in an effort to provide for a centrally directed consumer protection effort. One of the safety council's board members, Col. G. B. Kidwell of Arlington, has worked since 1954, first as a private citizen and later as a member of the safety council, for enactment of legislation which would provide for greater protection for children from entrapment in household refrigerators and freezers, as well as entanglement in thin plastic sheets, such as those often used for protecting dry-cleaned clothing and too often misused a second time for covering crib mattresses with disasterous results.

On September 30, when it appeared that the legislation we have sent to the President might be lost in the last minute legislative rush, Colonel Kidwell wrote a letter to the editors of several Washington area papers expressing the Arlington Safety Council's strong support for a Consumer Product Safety Commission and documenting the council's difficulties in attempting to obtain remedies for some of the hazards it had discovered because of fragmented responsibility and lack of direction of the several Federal agencies involved to a greater or lesser degree in product safety. As I believe his letter will be of interest to all who read this RECORD, I insert it in full.

The letter reads as follows:

ARLINGTON SAFETY COUNCIL, INC.,
Arlington, Va., September 30, 1972.

LETTER TO THE EDITOR:

As a member of a civic group which has long deplored the ineffectiveness of our regulatory agencies in the field of product safety, I have been intrigued with the frequent editorials in the press forecasting limited chances for the enactment of meaningful consumer product protection legislation during the present session of Congress.

However, it now seems that the long and conscientious investigation and probing by the Congress to design a strong "consumer product protection" law is headed for fruition.

One bill under consideration would provide for a three-member agency to act as a sort of super-lawyer for consumers in court and in rule-making proceedings and other regulatory agencies. This concept might lead to unreasonable harassment of rule-making bodies during their deliberations. A thought on this type of concept might be that citizens and industry aleady have means of impact upon rule-making deliberations in the persons of their elected representatives in the Congress.

Basic to all investigation and probes has been the conviction that existing regulatory agencies have been generally ineffective. This has been forcibly expressed by Senator Percy as quoted in a recent editorial, "Too often in the past agencies established as watchdogs for public interests have become lapdogs for private interests".

In our testimony before the Senate committee in July 1971, supporting a "Commission on Product Safety Act of 1971," we suggested the ineffectiveness of regulatory agencies as possibly due to the fragmented allocation of product safety authority and responsibility within the governmental structure, and cited instances of gross neglect associated with efforts to improve child protection from entrapment and suffocation in idle household refrigerators and freezers over the past decade. The record unfolded in this testimony suggests an attitude on the part of the industry of extreme disinterest toward these efforts to reduce the needless sacrifice of young children—some of which were enthusiastically supported by such knowledgeable groups as the General Federation of Women's Clubs, and the American Academy of Pediatrics.

The thrust of our recommendation was to realign the present fragmented and ineffective government-industry product safety system to provide for centralized management, to include provision for product research and development, testing, and statistical information on which to base safety programming and legislative advice to the Congress—and overall clearinghouse capabilities.

Another bill now awaiting resolution in a joint committee provides for a five-member "Consumer Product Commission" with broad powers of rule-making and enforcement. That this commission's management should rest in a bi-partisan five-man membership instead of in a single director seems vital to the future public protection from outside pressures.

It is hoped that this carefully prepared and strongly sponsored legislation will emerge with a consumer protection quality that will discourage continued industry domination of product safety criteria, heretofore accomplished through "liaison" by a variety of councils, institutes, societies, and trade organizations largely concerned with preventing unattractive safety demands being made upon their membership of manufacturers.

GAYLORD B. KIDWELL,
Colonel, U.S. Army (retired),
Vice President.

FREEDOM OF INFORMATION ACT PRYS LOOSE REVEALING IRS STATISTICS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MOORHEAD. Mr. Speaker, last month I called attention to the Federal court decision in the freedom of information suit by Mr. and Mrs. Philip H. Long, who sued the Internal Revenue Service under the act for certain types of IRS manuals and other information. They won their case and IRS was forced by court order to make the requested data available. See RECORD, September 6, 1972, page 29625.

Information contained in such manuals dealing with regional variances of appellate settlement of individual's income tax deficiencies, corporate appellate settlement variances, and other fascinating types of statistical data heretofore kept from the public eye by the IRS has now been published in a series of articles by the courageous tax columnist, Mr. E. Edward Stephens. He states that the Longs had made available to him statistical data contained in the material which the court forced the IRS to reveal.

Mr. Speaker, I am sure that all taxpayers will be extremely interested in the data provided by Mr. Stephens in his articles in the Washington Star and News and the New York Daily News. The three articles are included at this point in the RECORD:

[From the Sunday Star and Daily News, Sept. 17, 1972]

CAT NOW OUT OF IRS BAG

(By E. Edward Stephens)

Dear Counsel: A revenue agent examined my income tax return and came up with a deficiency. I disagreed. A conferee in the Philadelphia district director's office has indicated that he'll settle for about 50 cents on the dollar. Now I must decide whether to accept or try my luck in the IRS appellate division. It would be very helpful, in making this decision, to know what the average settlement has been in the Philadelphia appellate division. Will the Internal Revenue Service give me this information?

No—but I will. In fiscal 1971, Philadelphia appellate conferees settled individual income tax deficiencies at an average of 32 cents on the dollar. So, if the strength of your case is average or better, chances are it will pay to go on to the appellate division.

IRS keeps such statistics under heavy guard. But Susan and Philip H. Long, of Bellevue, Wash., have pried the fiscal 1971 figures out of the IRS disclosure staff; and they've passed the tables along to me.

So the cat's out of the bag. For the first time, these figures can be published. In the hands of taxpayers, they reduce the tremendously unfair advantage that IRS conferees have enjoyed in settlement negotiations.

Today, I'm giving you only figures on individual income tax settlements in the IRS appellate divsion. (I'll report soon on corporations.) Don't confuse these statistics with district conferee settlement figures published previously in this column.

Here we go! Appellate conferees settled individual income tax controversies in fiscal 1971 at a nationwide average of 34 percent of deficiencies cooked up by revenue agents.

There were wide variations in settlements made at different locations. This shatters the claim that IRS administers the tax laws uniformly throughout the entire country.

In the North-Atlantic and Mid-Atlantic regions, for instance, average agreements ranged from 24 percent in Washington, to 50 percent in Newark. Here's the list:

City	Percent
Washington	24
Buffalo	25
New York City	31
Philadelphia	32
Pittsburgh	32
Boston	34
Baltimore	35
New Haven	45
Richmond	46
Newark	50

The Longs fought hard, at considerable expense, to get these figures. Then they immediately made them available to you through this column. In extending heartfelt thanks to Phil and Sue, I'm sure I express your sentiments

Rep. William S. Moorhead, D-Pa., chairman of the House foreign operations and government information subcommittee, told Congress Sept. 6 what he thinks of the Longs. He said: "I commend these outstanding Americans for their courage and perseverance."

They're fighting the battle of many millions of our fellow citizens against the "secrecy-minded bureaucrats" of the IRS and other executive agencies, Moorhead added.

There's room on the ring for all freedom-loving Americans. Your rights are worth fighting for—even against overwhelming odds.

[From the New York Daily News, Sept. 22, 1972]

COMPANIES FARED WELL IN TAX FIGHTS

(By E. Edward Stephens)

Q. You reported last week that, in fiscal 1971, individual taxpayers settled their income tax deficiencies in the IRS appellate division at a national average of 34 cents on the dollar. How did corporations fare?

A. They did even better. On a nation-wide average, corporations wriggled off the deficiency hook for 27 on the dollar.

This is revealed by IRS statistics obtained at great effort and expense by Philip H. and Susan Long, of Bellevue, Wash. For the first time, the figures now are available to U.S. taxpayers through this column.

The IRS disclosure staff, headed by Donald O. Virdin, have used every ploy, every ruse, to keep these figures secret—to bypass the 1967 Freedom of Information Act, which says bureaucrats must produce such information on request. But the Longs pursued them doggedly, and painfully extracted the tables, as dentists pull teeth.

The figures are startling. Like those published last week on individual-taxpayer settlement agreements, they prove that IRS failed to administer the tax laws uniformly throughout the country. There were wide fluctuations in the agreements that corporations were able to make at IRS appellate division offices.

In the North-Atlantic and Mid-Atlantic regions, for example, average corporation income tax settlements in 10 cities ranged from 19 to 62% of deficiencies concocted by revenue agents and tax auditors.

LINEUP BY CITIES

Here's the lineup. So that you can compare, I'm including average agreements made by individual taxpayers—the figures published here last week.

City	Individual percentage	Corporation percentage
New Haven	45	19
Boston	34	23
Richmond	46	30
Washington	24	34
New York City	31	37
Pittsburgh	32	39
Buffalo	25	42
Philadelphia	32	44
Baltimore	35	46
Newark	50	62
U.S. average	34	27

Of these 10 cities, Newark was the worst place to settle cases for both individuals and corporations. Washington conferees were most favorable to individuals, while New Haven IRS negotiators were kindest to corporations.

Nation-wide, IRS appellate conferees were easier on corporations than individuals. But this was the pattern in only three of the 10 offices of the North-Atlantic and Mid-Atlantic regions. IRS negotiators in the other seven cities favored individuals over corporations.

PENCHANT FOR SECRECY

In a Sept. 18 article discussing the activities of Phil and Sue Long, Time magazine refers to the IRS "penchant for secrecy." In defense, a Service spokesman said "detailed knowledge of our procedures would make it easier for people to get around or evade the regulations."

This is an insult to Congress and all U.S. taxpayers. It's up to our elected representatives, not IRS, to decide what information Americans can be trusted with.

Congress has told IRS and other bureaucrats to give the public this type of information. IRS officials have disobeyed. Congress, the courts, and citizens like the Longs will bring them to heel.

[From the Star and News, Oct. 1, 1972]

SCORING ON IRS APPEALS

(By Edward Stephens)

Dear Counsel: I'm the executor of my uncle's estate. I filed a federal estate tax return. IRS Form 706. An examiner at the Internal Revenue Service has figured up a deficiency which I think is wrong. I'd like to try for settlement in the IRS appellate division. How have other taxpayers done in such negotiations?

A. Exceptionally well. In fiscal 1971, taxpayers who went to the IRS appellate division were able to wash out estate tax deficiencies at a nationwide average of 34 cents on the dollar.

If your case is at least average in strength, your chances are good. But a great deal depends on which IRS appellate office you're dealing with.

For example, 1971 estate tax average settlements, made in 10 cities of the North Atlantic and Mid Atlantic regions, varied from

25 to 79 percent of deficiencies brewed by IRS estate tax examiners.

DATA KEPT SECRET

Such statistics never have been published anywhere before. Although they're compiled at public expense, IRS officials have kept them hidden from taxpayers who foot the bills. This strategy has given IRS conferees a shameful advantage over their opponents in settlement negotiations.

By refusing to release these figures, IRS disclosure staffers flagrantly violated the Freedom of Information Act. They got away with it for five years—until the whistle was blown by indignant taxpayers Susan and Philip H. Long, of Bellevue, Wash.

It was a hard, expensive fight. But Phil and Sue finally clamped a freedom-of-information hold on IRS, and squeezed the figures right out of the disclosure staff. Then, to help other frustrated taxpayers, the Longs asked me to report results in this column.

Gladly! And to further enlighten you, I'm listing comparable gift tax settlements for the same year, 1971. Each figure is the average percentage for which IRS appellate conferees settled deficiencies served up by estate and gift tax examiners.

IRS office	Estate tax percentage	Gift tax percentage
Philadelphia	25	79
Buffalo	28	29
New Haven	39	76
Pittsburgh	40	30
New York	41	35
Richmond	42	37
Boston	44	36
Newark	53	7
Baltimore	57	52
Washington	79	65
U.S. average	34	24

WASHINGTON WORST

Of the 10 offices listed, Philadelphia was the best place to settle an estate tax deficiency beef in 1971. The worst place was Washington.

North Atlantic and Mid Atlantic conferees generally were tough horse traders. In all cities listed here, except Philadelphia and Buffalo, they made taxpayers shell out more than the 34-percent average U.S. settlement.

These figures—plus the income tax settlement percentages previously published in this column—prove the IRS fails to administer the tax laws uniformly throughout the country. And they show that IRS tries to collect as much as possible from each taxpayer, although service bigwigs claim they want only the right tax, "no more, no less."

HON. HASTINGS KEITH

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, before we adjourn I would like to pay tribute to my good friend from Massachusetts, the Honorable HASTINGS KEITH, who is voluntarily retiring at the close of this Congress.

In the 14 years we have served here together I have always found him a fine friend and a diligent Representative of his district. He has served with distinction on the Committees on Interstate and Foreign Commerce and Merchant Marine and Fisheries. Above all, I have found him a staunch and courageous ally in many tough legislative battles on behalf of President Nixon's program.

I wish for HASTINGS all the best in the future, as do all of us in the House.

LATEST RESULTS OF OPINION POLL

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. McDADE. Mr. Speaker, each year it has been my custom to solicit the opinions of the people of the 10th Congressional District on the vital issues which affect our district and the Nation. It is deeply gratifying to report that by the tens of thousands the people of my constituency take time to answer the difficult questions put to them in this opinion poll. I need not say that it is of invaluable assistance to me in my efforts to represent them here in Washington.

I know, Mr. Speaker, that the Members of this House are very much interested in those opinions and I hereby include the latest results of my opinion poll for the guidance of my colleagues:

RESULTS OF MCDADE'S 10TH ANNUAL QUESTIONNAIRE

[In percentage]

1. Do you favor the President's actions in trying to establish more normal relations with China? Yes 95, no 5.

2. Would you favor a similar effort aimed at more normal relations with Cuba? Yes 55, no 45.

3. Do you favor additional efforts in such areas as arms limitation and mutual space ventures between the United States and the Soviet Union? Yes 90, no 10.

4. In the matter of Vietnam, would you favor:

a. Immediate withdrawal of all U.S. forces, negotiating for the release of the POW's afterwards? Yes 12.

b. Withdrawal of our forces only on the condition of the simultaneous release of all POW's? Yes 24.

c. Withdrawal after a cease fire is negotiated and the release of the POW's is firmly agreed upon? Yes 64.

5. In the case of young men who have left this country to evade military service, or who left while in military service, would you favor:

a. Unconditional amnesty and pardon? Yes 16.

b. No amnesty or pardon? Yes 33.

c. Amnesty or pardon if they agree to an alternative type of service for a specific period of time? Yes 51.

6. If a member of the Armed Services is killed during combat, would you favor making G.I. Bill benefits available to another member of his family? Yes 63, no 37.

7. Do you favor the present program of higher military salaries and benefits in the hope of creating an all-volunteer armed services? Yes 77, no 23.

8. Would you favor strict Federal regulation of strip-mining and surface restoration for the mining of all minerals in the United States? Yes 96, no 4.

9. Would you favor the Federal Government's sharing its tax revenues with local communities, with the communities deciding the priorities in spending within federal guidelines? Yes 75, no 25.

10. Do you support legislation to prohibit the use of busing to achieve a racial balance in school systems? Yes 73, no 27.

11. Would you favor a new form of Federal tax as a substitute for property taxes to fund elementary and secondary school education? Yes 75, no 25.

12. In the area of health insurance, would you prefer:

a. An expansion of Federal health care to cover working poor or unemployed? Yes 6.

b. Tax credits to purchase private insurance protection? Yes 19.

c. A Federal program to help pay catastrophic medical costs? Yes 24.

d. Government financed health care for everybody? Yes 33.

e. No new Federal legislation in this area? Yes 18.

13. Do you believe it should be a stated national policy to preserve the small family farm in America? Yes 72, no 28.

14. When a parity level is selected for the pricing of farm products, do you favor moving that level with the movement of the cost of living index? Yes 68, no 32.

15. Should Congressmen or Senators be removed from office for excessive unauthorized absences? Yes 92, no 8.

16. In primary elections for the Presidential nomination, would you favor:

a. The present system of many primaries on many dates? Yes 4.

b. A national presidential primary held on the same day in all states? Yes 91.

c. Many presidential primaries, but on a restricted number of dates? Yes 5.

17. Number in order the priorities each of the following should receive:

a. Education, 89%.

b. Rural problems, 20%.

c. Urban problems, 41%.

d. Space exploration, 55%.

e. Defense, 46%.

f. Environmental improvement, 72%.

g. Anti-crime measures, 79%.

h. Health, 77%.

i. Housing, 60%.

NO REVENUE TO SHARE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROGERS. Mr. Speaker, the last months of the 92d Congress were filled with debate on the issues of deficit spending, raising the ceiling on the national debt, setting a spending ceiling and, of course, revenue sharing. I have always opposed the concept of massive deficit spending and the unending increases in the ceiling for the national debt. I also supported placing a ceiling on Federal expenditures, but supporting a measure which would immediately add $5.3 billion to our already ballooning national debt seems somehow inconsistent with the philosophy of economy in government.

This proposal that the Federal Government raise the national debt in order to share revenue is rather difficult to justify especially in light of the fact that overall, State and local governments will show a budget surplus estimated as high as $4 billion during fiscal year 1973. During this same period the Federal Government is faced with a deficit estimated at $33 billion. It is obvious to me that we can no longer substitute rhetoric for action on this matter at a time when we are spending over $20 billion a year in interest on the national debt.

Mr. Speaker, I recently read an editorial from the October 12, 1972 edition of the Palm Beach Times, titled "No Revenue To Share." This editorial makes a number of important points and I would like to insert it in the RECORD at this point for the benefit of my colleagues:

[From the Palm Beach Times, Oct. 12, 1972]

NO REVENUE TO SHARE

Looking at the balance sheet, it is very hard to understand the clamor for revenue sharing that is being raised by supposedly hard-pressed state and local governments.

According to Andresen & Co., a New York investment house, the federal budget for fiscal 1973 will have a whopping $33 billion deficit. In plain language, that means the federal government is going to spend $33 billion more than it takes in.

State and local governments, however, will finish fiscal 1973 with an aggregate budget surplus of $4 billion. Obviously there will be some state and local governments in the red and some in the black; but on the whole, they'll take in $4 billion more than they spend.

Why? Because state and local governments already get a great deal of federal aid. Between 1963 and 1972, federal grants in aid to state and local governments grew from $8 billion to $41 billion. In addition, state and local tax receipts have decreased sharply in the past decade.

In spite of the fact that the federal government has no revenue to share, a joint Senate-House committee has worked out differences in the revenue sharing bill and congressional approval is virtually assured this year.

Where will the money come from? More deficit spending by the federal government. More borrowing to further increase the staggering national debt. More paper money to create more inflation.

If any individual taxpayer or business firm operated in this fashion, it would mean bankruptcy court in a very short time. But the federal government aided and abetted by a spendthrift Congress keeps shoveling out money it doesn't have as if there were no tomorrow.

And who pays for it all? You do.

HONORABLE EDGAR A. BROWN, PRESIDENT PRO TEMPORE OF THE SOUTH CAROLINA SENATE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, Senator Edgar A. Brown is retiring at the end of this year after an unsurpassed public career of more than 50 years.

Senator Brown is South Carolina's most accomplished and distinguished statesmen of this era. Since World War I, he has played a leading role in the government of our State. I believe Mr. Brown to be the greatest statesman South Carolina has produced since the days of Charles C. Pinckney, Edward Rutledge and John C. Calhoun. A thoughtful student of South Carolina history would agree that Senator Brown accomplished more to uplift South Carolina than any other leader in the State's illustrious history. Edgar Brown was elected to the State house of representatives in 1921, and became Speaker of the House in 1925. In 1929 he was elected to the South Carolina Senate and has served in that great body continuously. Mr. Speaker, for 30 years Edgar Brown has served as president pro tempore of the senate and chairman of the powerful senate finance committee.

Senator Edgar Brown led the fight for the $65 million State bond issue to build highways. When the Nation was in the grip of the worst depression in history, Edgar Brown provided jobs for thousands of the unemployed in building highways. He put idle contractors and rusting machinery to work. He provided the means in those depression years at low cost for the foundation of our present State highway system—the best in the entire World, studied by contractors and engineers the world over. It would cost more than a billion dollars today to build that foundation, and under present economic conditions it would not be possible. Through bitterly opposed, Senator Brown's leadership prevailed, and South Carolina's splendid highway system is evidence of this leadership. As a member of the roads subcommittee of the public works committee in the house, I can testify, Mr. Speaker, to the reality of Senator Brown's fantastic accomplishment.

Senator Brown guided South Carolina's fiscal affairs through depression, inflation and war, and today we are No. 1 in the Nation in financial solvency. We rank No. 1 on the bond market in New York, above any of the other States. Our AAA credit rating saves South Carolina taxpayers untold millions of dollars each year in interest charges. Just this week, South Carolina sold $48.8 million in general obligation bonds at the phenomically low interest rate of 4.25 percent, indeed a great savings to our people.

Senator Brown's constant admonition as chairman of the powerful Finance Committee was "pay as you go," a fiscal responsibility to future generations of South Carolinians. His foresight and courage in fiscal affairs could be emulated to great advantage in our National Government.

Today, South Carolinians can point with pride to the amazing progress our State has made during Senator Brown's public life. Fiscally soundness, quality education, and good highways are splendid achievements and fitting monuments to Senator Brown, all of which form the basis for the fantastic economic progress we have witnessed in our State since World War II.

With the influx of diversified industry, including the most advanced and sophisticated atomic science installations, jobs and opportunity are plentiful. We can call to mind that not too long ago South Carolina was a State of extreme poverty, windswept hillsides and burning forests. But today it is an environmental showplace, with thousands of farm ponds, and hundreds of thousands of acres of forests filtering the rain where it falls.

Mr. Speaker, South Carolina is No. 1 in the Nation in technical education, adult and vocational education. We are No. 1 in educational television. Many foreign planners and educators are studying these magnificent accomplishments. This superb progress is due in no small measure to Edgar Brown's foresight, persistence, prestige, and dedication. Senator Brown himself, born in the impoverished South in the "tragic era" following the War Between the States, did not have the opportunity of higher formal education. He nevertheless became one of the best educated and informed men I have ever known. He studied long hours on shorthand and court reporting. He mastered this art while studying law at night, becoming one of the great lawyers of our time. As an attorney he was known and respected throughout the Nation. In one well known case, he entered into the defense of a young man from my home town whose case had already twice gone up to the Supreme Court of a neighboring State. Through Senator Brown's incomparable courtroom skill and erudition, justice prevailed and the young man was acquitted of the extremely serious charge.

Senator Brown's devotion to education allowed him to lead South Carolina into a new era of educational advancement. The public school system has shown marked improvement and our institutions of higher learning are now second to none. Senator Brown is a life member and the president of the Clemson University board of trustees. He recently announced the Brown endowment fund at Clemson and made available to the university library his important papers and documents. The Senator has been honored with honorary degrees by Clemson University and by the Medical University at Charleston.

A member of the South Carolina Democratic Committee since 1914 Senator Brown was elected delegate at large from South Carolina to the Democratic National Convention of 1924. He sat with William Jennings Bryan, a renowned Democrat who was three times the Presidential nominee and standard bearer of the Democratic Party. It was at this time that Bryan commended Edgar Brown and predicted for him a great political future. Senator Brown attended every Democratic National Convention from that time until 1964 and only missed the 1968 convention because of ill health. He became a confidant and friend of not only Bryan, but Franklin Delano Roosevelt, Harry S. Truman, and John F. Kennedy. He formed a very warm and personal friendship with Jim Farley and every national Democratic leader of his time. For more than 60 years he has actively associated himself with the Democratic Party. Senator Brown never left the Democratic Party on account of someone's race, creed, or color. He never left the party because a nominee was selected who did not exactly share his political philosophy. He stayed in the party and fought within for a better platform and better national candidates. Throughout his illustrious career Senator Brown was, and remains, a Thomas Jefferson Democrat. He believes that the Democratic Party cannot perform its vital role of protecting the welfare of the Nation should it run into the ditch on the left-hand side of the road or into the ditch on the right-hand side of the road. He believes the party should include representatives of conservative and liberal positions and should move forward with equal justice and rights for all our people.

Edgar Brown kissed his mother and lovely wife good night in 1926 in the belief that he was elected U.S. Senator. He was awakened the next morning only to learn that he had lost by a narrow margin. He was defeated by one of the greatest politicians of our times. But, Mr. Speaker, I have wondered a thousand times what America and the Free World would be like today had Edgar Brown guided the U.S. Senate during the last half century.

Mr. Speaker, Edgar Brown was born on July 11, 1888, in Aiken County, S.C., a county whose people it is my great honor to represent in the Congress of the United States. He attended the common schools of Aiken County and Graniteville Academy in the famous Horse Creek Valley. Senator Brown began his long public career as a court stenographer for South Carolina's second judicial circuit. His many positions of public trust and Party leadership are far too numerous to be mentioned here, but his splendid career can be found outlined in the South Carolina legislative manual, the archives of Clemson University, and biographical reference works. In 1913 Edgar Brown married Annie Love Sitgreaves of Laurens, S.C., and since that time she has shared Senator Brown's hopes and aspirations in the true tradition of a southern lady. She has been a gracious and lovely helpmate, encouraging her distinguished husband throughout his long career of service to God and country. Senator and Mrs. Brown have a lovely, charming and vivacious daughter, Emily McBurney, who is married to Hon. R. M. Jefferies, Jr. of Barnwell. Mr. Jefferies is a son of the late Governor Dick Jefferies and is an outstanding attorney and highly respected leader in his community. The Senator is rightly and tremendously proud of his lovely grandchildren. Shortly before Senator Brown celebrated his 84th birthday, this past July 7, he announced his retirement from the South Carolina Senate to a grateful people who learned of his decision with much regret.

The South Carolina Senate will never quite be the same again, for the Halls of that great body will indeed miss the presence of the "Bishop of Barnwell." South Carolina's colorful politics, with its stump meetings and enthusiastic crowds whooping it up for their favorite candidate, also will never be the same again.

One of the most talked about, discussed, and admired political leaders has retired. An entire era has passed, but South Carolina is a greater State, and this is a better Nation, because Edgar Brown came our way. A man of tremendous dedication, unsurpassed persuasiveness, a born leader, and a great Patriot—he devoted his life to the service of others.

Mr. Speaker, my wife Millie and my family join the citizens of South Carolina in wishing for Senator Brown every continued success and much happiness always.

GESTAPO TACTICS IN POLITICAL CAMPAIGNS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, I have been utterly shocked, amazed, and saddened over the reports of unbelievable corruption in the national campaign. At first I could not believe that anyone through political sabotage and unethical practices would invade, bug, eavesdrop, and disrupt the campaign headquarters of any fellow candidate.

Now, Mr. Speaker, I am convinced much of these reports are true. While I cannot believe the President is personally involved and I recognize the necessity of maintaining the dignity and respect for this office, the time has come when the President should repudiate this political sabotage and Gestapo tactics. The very existence of our political system depends upon a standard of ethics and adherence to certain ideals and principles, or else our entire system will be destroyed. Tactics as charged of shadowing candidates and their families, using bogus literature, fake phone calls, forged letters, agents provocateurs must be renounced and repudiated. These tactics, if not repudiated and the guilty individuals promptly prosecuted, will deter honest Americans from offering for any office, much less the highest and most exhalted office of President of the United States.

A richly financed Gestapo shadowing and bugging campaign is a tactic borrowed from totalitarian governments and must not be permitted to flourish unchecked. These tactics are deplored by every decent American of all political parties.

Already the prestige of this Congress and those in political life have suffered from smear and misunderstandings. We should all pledge to conduct the cleanest campaign possible, for ethical practices in a political campaign should be no different from the ethics of everyday life. If the Gestapo tactics become the order of the day in political campaigns, it will shake the very foundations of our Republic.

CARNEGIE HERO FUND NAMES FIVE PITTSBURGHERS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MOORHEAD. Mr. Speaker, the Carnegie Hero Fund Commission annually recognizes men and women who selflessly take extraordinary risks to save the lives of other human beings.

This year five of the awardees are being given their award posthumously. These five men all were involved in a gas leak incident in Pittsburgh on November 17, 1971.

They all died while attempting to save their fellow employees.

I think the valor and courage demonstrated by these men, and by other winners of the Carnegie hero awards, is the kind of behavior that is inspiring.

My heart goes out to the families and friends of the five men and I wish to thank the Carnegie commission for their recognition of the deeds of these five Pittsburghers.

I enclose in the RECORD at this time short case summaries of the men and the actions they took, which led to their awards.

CARNEGIE HERO FUND COMMISSION CASE SUMMARIES

SUFFOCATION—FILE NO. 52874

Case of Donald R. De Vine, deceased.

Bronze Medal awarded to Donald R. De Vine, who died after helping to save John J. Ladasky, Jr. from suffocation, Pittsburgh, Pa., November 17, 1971. Ladasky, aged 30, maintenance man, who was working in a gas-line manhole with De Vine, aged 56, head regulator man, and a laborer, was affected by escaping gas and collapsed. De Vine and his fellow worker dragged Ladasky to a ladder and thrust him upward toward the ground-level opening. Other workmen lifted Ladasky out. De Vine and the laborer then also collapsed. Others entered the manhole to give aid but were themselves affected by the gas. When De Vine and the others were removed by firemen, none could be revived. Ladasky recovered after treatment at a hospital.

SUFFOCATION—FILE NO. 52875

Case of Monroe J. Coleman, deceased.

Bronze Medal awarded to Monroe J. Coleman, who died after helping to save John J. Ladasky, Jr. from suffocation, Pittsburgh, Pa., November 17, 1971. Ladasky, aged 30 maintenance man, who was working in a gas-line manhole with Coleman, aged 35, laborer, and the head regulator man, was affected by escaping gas and collapsed. Coleman and his fellow worker dragged Ladasky to a ladder and thrust him upward toward the ground level opening. Other workmen lifted Ladasky out. Coleman and the head regulator man then also collapsed. Others entered the manhole to give aid but were themselves affected by the gas. When Coleman and the others were removed by firemen, none could be revived. Ladasky recovered after treatment at a hospital.

SUFFOCATION—FILE NO. 52275

Case of Raymond J. Grundler, deceased.

Bronze Medal awarded to Raymond J. Grundler, who helped to save John J. Ladasky, Jr. and died attempting to save others from suffocation, Pittsburgh, Pa., November 17, 1971, Ladasky, aged 30, maintenance man, who was working in a gas-line manhole with two other men, was affected by escaping gas and collapsed. His fellow workers dragged Ladasky to a ladder and thrust him upward toward the ground-level opening. Grundler, aged 32, gas service man, entered the manhole and pushed Ladasky up the ladder to others, who lifted him out. When Ladasky's two fellow workers also collapsed, other workmen entered to try to remove them but were themselves affected by the gas. Grundler reentered the manhole to give aid and almost immediately was overcome. When Grundler and the others were removed by firemen, none could be revived.

Ladasky recovered after treatment at a hospital.

SUFFOCATION—FILE NO. 52272

Case of William Henry Letzkus, deceased.

Bronze Medal awarded to William Henry Letzkus, who died assisting in an attempt to save Donald R. De Vine and Monroe J. Coleman from suffocation, Pittsburgh, Pa., November 17, 1971. De Vine, aged 56, head regulator man, and Coleman, aged 35, laborer, were in a gas-line manhole when they collapsed from the effects of escaping gas. Letzkus, aged 38, regulator helper, and other workmen entered the manhole to try to remove DeVile and Coleman but were themselves affected by the gas. When Letzkus and the others were removed by firemen, none could be revived.

SUFFOCATION—FILE NO. 52274

Case of Albert R. Zeleny, deceased.

Bronze Medal awarded to Albert R. Zeleny, who died assisting in an attempt to save Donald R. De Vine and Monroe J. Coleman from suffocation, Pittsburgh, Pa., November 17, 1971. De Vine, aged 56, head regulator man, and Coleman, aged 35, laborer, were in a gas-line manhole when they collapsed from the effects of escaping gas. Zeleny, aged 52, truckdriver, and other workmen entered the manhole to try to remove De Vine and Coleman but were themselves affected by the gas. When Zeleny and the others were removed by firemen, none could be revived.

HON. J. IRVING WHALLEY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GERALD R. FORD. Mr. Speaker, it is with real sadness that we say farewell to Members who are retiring at the close of this Congress. After 14 years of working together I shall certainly miss the gentleman from Pennsylvania, the Honorable J. Irving Whalley, whose friendship and support I have greatly appreciated.

Irv Whalley has served with distinction as a senior member of the Committee on Foreign Affairs. He has been diligent in serving his Pennsylvania constituents, and those of us who have known him over the years join in wishing him every good fortune in the future.

IN HONOR OF HON. WAYNE ASPINALL

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GIAIMO. Mr. Speaker, I would like to take this opportunity to pay tribute to a man who has served the Congress and the country with distinction for several years, the Honorable Wayne N. Aspinall, U.S. Representative from the State of Colorado.

Wayne has displayed his industry and dedication continually as a hard-working member of several congressional committees, each requiring distinct and specialized talents and wide ranging knowledge. We have enjoyed the benefit of his service on the Committee on Standards of Official Conduct and on the Joint Committee on Atomic Energy. Most important, of course, has been his loyal leadership on the busy Committee on Interior and Insular Affairs, of which he was the distinguished chairman Through his able guidance, many legislative measures of crucial importance to the well-being of our environment have made their way into public law.

Wayne Aspinall has carried out in the U.S. Congress the same kind of outstanding performance which he offered throughout an equally commendable career in State government and politics back in Colorado. No doubt he will devote himself with the same kind of dedication to all his future endeavors. I would like to extend my best wishes to Wayne for a happy and successful retirement, and I offer him my sincere congratulations on a truly outstanding career in the House of Representatives.

CONGRESSMEN BOW, BETTS, AND McCULLOCH

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. JAMES V. STANTON. Mr. Speaker, I want to join in a special way in this tribute to my three retiring colleagues—Congressmen Bow, Betts, and McCulloch. What makes this special is that fact that, when my Democratic voting record is contrasted with theirs, a reasonable person might wonder why I should have any words of commendation in the first place. But reasonable as such persons might be, they are not familiar with Congress. If they were, they would realize that a Democratic freshman such as myself seeks sound advice where he can find it—and if he trusts the gentlemen on the Republican side of the aisle, he will not hesitate to search for counsel even there. The point of all this is to declare, as strongly as I can, my complete trust not only in the wisdom of Messrs. Bow, Betts, and McCulloch, who are my seniors, but also in their character. In my many discussions with them, they have never been less than truthful, and never have they failed to be helpful. I have relied on them a great deal during my first term because I know them to be men of their word—even though they are as firm in their convictions as I am mine. This clash of opinion between us, and others like us, is what has made the U.S. Congress the greatest lawmaking body in the world. When opinions clash, but when mutual trust is achieved in spite of it, those who witness this phenomenon get a glimpse of America—of dĕmocracy in action. I will sorely miss Congressmen Bow, Betts, and McCulloch, but perhaps the greatest compliment that I can extend to them at this time is to assure them that, should I become fortunate enough and worthy enough to get reelected as many times as they have, I pledge that I will be as helpful to any Republican freshman entering Congress as they have been to me. I wish them the best of luck in their retirement, Mr. Speaker.

"THE RING" IS BROKEN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, with the end of an era comes the beginning of a legend, and so it is with the history of politics in South Carolina. After the public announcement by Senator Edgar Brown that he would not seek reelection to the South Carolina State Senate, many splendid editorials were written paying tribute to this great leader and his illustrious career. Among the hundreds of articles appearing throughout the South concerning Senator Brown's retirement was one I would like to commend to the attention of my fellow colleagues, a fine column by Charles Wickenberg, public affairs editor for The State newspaper. The article follows:

"THE RING" IS BROKEN

(By Charles Wickenberg)

"The Barnwell Ring" will be no more. An era is at an end.

It ended with Sen. Edgar A. Brown of Barnwell announcing his health would not permit a race for the re-election to the State Senate, the legislative hall which he dominated for close to five generations.

Few friends or political observers were surprised at the physician's advice or the senator's decision. Infirmity of age at 83 has made it well-near impossible to meet the demands on the chairman of the Senate Finance Committee, or public life for that matter. It has been difficult the last few years and the rigors of a political campaign too much to take.

The legendary Barnwell Ring has been more myth than fact through the years. But it was one of those catchy ideas on which young and ambitious politicians could build an attack for the home folks' consumption.

"Elect me and I'll go down there in Columbia and break up that Barnwell Ring," was the way it went for years.

AS FAR BACK AS 1937

The idea of a Barnwell Ring went as far back as 1937 when Solomon Blatt of Barnwell decided to run for speaker of the house and then-Gov. Olin D. Johnston was running his own candidate.

Blatt was getting support from many quarters, including the S.C. Highway Department with which Johnston had been doing battle. And he was also supported by Lt. Gov. Emile Harley who presided over the State Senate, by Rep. Winchester Smith who was second vice chairman of the influential House Ways and Means Committee, and by Sen. Howard who'd been in the senate since 1929. He'd served before in the House, and as its speaker. All three of those prominent legislators were from Barnwell County and it was natural that Gov. Johnston lumped them into a term like the Barnwell Ring.

It wasn't generally accepted as legend or fact until Strom Thurmond ran for governor in 1946 when he used the Barnwell Ring as the main point of his political attack.

And the idea has remained, largely because Blatt has been speaker of the house for more than 30 years and Brown has been both president pro tempore and the chairman of the finance committee in the Senate. Between the two, they have been in position to wield unusual influence on legislation, especially the state's budget bills.

SEVERE DISAGREEMENTS

But it is an error to assume that Blatt and Brown—and Winchester Smith—were all of one mind and purposes at all times. Indeed the breaks and disagreements among them have been severe and in recent years it has had the aspects of "peaceful coexistence."

But now, with the Barnwell senator's retirement from the active political life of the senate, the legend can no longer carry any substance at all. It is a pity. In the hectic and often monotonous public affairs of the state, the idea of a Barnwell Ring has furnished color and conversation.

And Sen. Brown has enjoyed just about every minute of it.

There isn't much that he hasn't really enjoyed about public life, and that's probably the greatest sacrifice that the Barnwell senator will make with his voluntary retirement. While he has not been as active within the operations of the senate in recent years, his attendance has been good. He has privately confessed to friends that it is the association with the State House people, lawmakers, lobbyists, newsmen, attaches, visitors, old friends and cronies of years ago who come calling that has given him the real pleasure of the legislative day.

It isn't easy to put all of that aside after a lifetime of service and a mind full of memories enough to publish a dozen books.

"BISHOP" WILL REMAIN

The Barnwell Ring may be no more, but the "Bishop from Barnwell," an affectionate title which he cherishes, will remain as long as there is Edgar A. Brown.

That nickname was put on him by Gov. John G. Richards in 1928. W. D. Workman Jr. in his book, "The Bishop From Barnwell" tells it this way:

"(It) . . . grew out of his frequent conferences with Governor Richards who was a deeply religious man. As the two men would discuss fiscal and other problems, Senator Brown usually would wind up discussion of any given problem with the observation, 'We'll give it prayerful consideration.' By the time that expression had become a by-word between the two, the Governor was equally regular in his references to the Barnwell Senator as 'Bishop' Brown. The name stuck."

Edgar Brown has been called a lot of things in his career. V. O. Keys referred to him in his book on Southern Politics as a "prime minister." The party regulars called the longtime, National Democratic Committeeman "Mr. Democrat."

But he's proudest of the tag, "Mr. Good Government"—a handle that was put on him by Howard Carlisle during an introduction at a textile industry meeting a few years ago at Sea Island, Ga.

"It was flattery, of course, but anyhow the thing I'm most satisfied about is the whole package of sound government—the end results—in the midst of so much taxation and extravagance elsewhere in the nation. We seem to have put the right emphasis for and against good and bad government at the right times," Sen. Brown once said.

South Carolina will miss the Barnwell Ring and it will miss Edgar A. Brown. It has needed them both. There is nothing that can now fill that void.

And that's a shame because that kind of leadership is sorely needed for the future.

SENATOR KARL MUNDT

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HRUSKA. Mr. President, in the truest sense of history, an era has come to an end in this body with the retirement of KARL MUNDT.

Although his unfortunate illness has deprived us of his experience and wise counsel in recent years, he will long be remembered for his most outstanding contributions to our legislative work and to the Nation and the State of South Dakota, both of which he loved so well.

It is a great tribute to Senator MUNDT's skill and dedication that the fiercely independent people of my neighboring State chose him to represent them for more than a third of a century—for five terms in the House and four terms in the Senate.

We in this body will cherish his memory as a skilled legislator whose philosophy and actions were guided by a strong sense of history, a man who excelled in committee, a friend who never failed to exhibit patience and good humor in his dealings with others, an honorable statesman in every sense of the word.

His constituents in South Dakota will remember him as a loyal and dedicated advocate of that great State, assiduously determined to protect its welfare and role in the Federal family, exhibiting always a legislative skill and deep knowledge of the State which insured that their interests were secure in his hands.

All of us will remember him as a great patriot who dearly loved his country and who spoke so forcefully and eloquently in its behalf. There is no question it would have pained KARL MUNDT in recent years to hear its many detractors, but we may be assured that if he had enjoyed good health, he would have done battle enthusiastically with all who downgrade it.

His leaving is most regrettable, especially so under the unhappy conditions of his health. I join with all his colleagues in the hope and prayer that he will once again regain his health so that he can enjoy the retirement which he so richly deserves.

HON. WATKINS M. ABBITT

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. GERALD R. FORD. Mr. Speaker, one of the finest things about this great legislative body is that the center aisle does not divide friendship; indeed vigorous debate very often strengthens the bonds of mutual respect and affection. So it is with genuine regret that I bid farewell to one of Virginia's distinguished sons, the Honorable WATKINS M. ABBITT, who is retiring at the end of this Congress.

It is hard to believe that future rollcalls will sound off with another name, but we will all remember WATT's great contributions over nearly a quarter century.

My wife Betty and I wish for WATT and Corinne many years of health and happiness in the future.

BLUEPRINTS FOR ACTION

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CHAMBERLAIN. Mr. Speaker, President Nixon in his state of the Union message at the beginning of the first session offered one of the boldest blueprints for action and reform in the history of our country. He set six great goals for the Nation and the Congress; namely, welfare reform; a stable, prosperous economy; substantial new environmental efforts; major health care improvements; revenue sharing; and a comprehensive restructuring and consolidation of the Federal bureaucracy.

Admittedly these are not easy goals. To an uncommon degree the President's proposals go to the heart of the problems they seek to solve.

However, despite this great challenge and opportunity, the response of the 92d Congress has been exceedingly slow and sporadic, at best. In most cases, completed action has come only in the closing hours under the obvious pressure of adjournment and the coming election.

CONTROL OF CONGRESS

When the 92d Congress convened on January 21, 1971, the composition of the House was 254 Democrats and 179 Republicans, with two vacancies. The Senate lineup was 55 Democrats and 45 Republicans. This meant, of course, that just as in the preceding 16 years, the Democratic Party had full organizational power over the Congress with a heavy majority to choose the leadership, name the chairmen of all committees, and to control at every stage the flow of all legislation.

Of the President's six main legislative goals, only one, revenue sharing, received complete consideration, with only partial action on two others, environmental protection and federal spending control. The remaining three were left almost totally without definitive progress.

Certainly the 92d Congress has not been without activity. The first session ended only late in December of last year, and over the two sessions there have been 648 rollcall votes. The problem has been that for all this exercise, the majority leadership has not exerted sufficient effort to achieve completed actions. In my view, it has, then, simply failed to lead.

VOTING RECORD

At the outset, I want to point out, concerning my own participation, that my cumulative voting record over the years stands at 94 percent with my position made known on all issues of record.

ENVIRONMENTAL ACTION

The fate of the President's ecology proposals has been typical of the handling of so much of his legislative program by the majority leadership of the Congress. In three special messages in 1970, 1971, and 1972, 31 different environmental quality proposals were requested by the administration. However, until the final week of the session, only six of these had been enacted.

In order to urge action, early in the first session I joined in cosponsoring the President's requests, particularly as contained in 11 separate bills: Federal Environmental Pesticide Control Act, H.R. 6576; Toxic Substances Control Act, H.R. 6577; National Land Use Policy Act, H.R. 6578; Mined Area Protection Act, H.R. 6580; Land and Water Conservation Fund Act Amendments, H.R. 6581. Marine Protection Act, H.R. 6582; Federal Water Pollution Control Act Amendments, H.R. 6583–5; Environmental Financing Authority Act, H.R. 6586.

Of those measures finally cleared, undoubtedly the single most significant was S. 2770, the Federal Water Pollution Control Amendments of 1972. Initially passed by the Senate last November, the House approved its version on March 29, 1972. Five months later, after 34 meetings, a House-Senate conference committee finally succeeded in resolving the differences between the two bills.

As approved, with my support, the legislation sets 1985 as a goal for eliminating pollution discharges and authorizes $24.6 billion overall. Some $18 billion is allocated over the next 3 years to provide 75 percent Federal funding for the construction of waste treatment plants. At the same time, strong new enforcement authority is provided with specific deadlines: By July 1, 1977 all industries discharging into U.S. waters are required to apply the "best practical" treatment technology; by July 1983 the "best available technology" must be used. Among its other provisions the bill calls for a commission to analyze costs of meeting these deadlines as well as funds for restoring small, inland lakes such as Lake Lansing for which $300 million is authorized over the next 3 years.

CLEAN WATER GRANT

In addition, after working literally years with Michigan State University officials I was greatly encouraged last July by the approval of $1.2 million in Federal support by the U.S. Environmental Protection Agency for the university's water quality management project. The plan, made in connection with a $7,696,920 EPA grant to the city of East Lansing to upgrade sewage treatment, calls for waste water treated at the East Lansing treatment plant to be piped to a series of four lakes where the waste nutrients will be removed and used to grow aquatic and terrestrial plants for beneficial purposes, such as feeding livestock. A recreational park-like area around the 40 acres of lakes will also be developed on university property.

I am proud to have had a part in getting the Federal bureaucratic wheels to begin to turn on this most promising plan, which I personally discussed with EPA Administrator, William D. Ruckelshaus.

CEREAL LEAF BEETLE

In another environmental area, during debate on the Department of Agriculture appropriation bill, I again urged support for funds to carry on research on the control of the cereal leaf beetle and particularly to draw attention to the scientific program underway at MSU to find means to control the pest without the use of hard chemicals, thereby avoiding damage to the environment, people, and animals. For the past few years MSU has taken the leadership in this research.

Among other legislation in the environmental field which had my support were:

H.R. 9727, Marine Protection, Research and Sanctuaries Act;

H.R. 6482, to regulate strip coal mining;

H.R. 10729, Federal Environmental Pesticide Control Act;

S. 3507, National Coastal Zone Management;

S. 1478, Toxic Substances Control Act;

H.R. 11021, Noise Control Act;

S. 365, Mineral Resources Research Act;

H.R. 56, to establish a National Environmental Data System;

H.R. 5060, providing criminal penalties for shooting wildlife from aircraft;

H.R. 2587, to create a National Advisory Committee on the Oceans and Atmosphere;

H.R. 3146, to improve law enforcement in national forests;

H.R. 9093, a 5-year expansion of the Water Desalting program;

H.R. 12186, Bald Eagle Protection Act;

H.R. 13089, Reforestation of National Forests;

H.R. 14106, to extend the Water Resources Planning Act; and

H.R. 13152, the Federal Animal Damage Control Act.

INFLATION CONTROL

The future success of the President's New Economic Policy which, since it went into effect on August 15, 1971, has met its target of cutting inflation in half, continues to be jeopardized by strong pressures within the Congress to increase spending. Because I share the President's concern, I supported his request to impose an overall spending ceiling of $250 billion for fiscal 1973. Although this effort was successful in the House it touched off a tug of war with the Senate over the specific authority to be granted the President to cut spending by $7 billion necessary to meet this limit. As Congress faded away—for the lack of a quorum—one of its final failures was the rejection of any spending ceiling at all.

The President, of course, cannot spend a dollar that the Congress does not appropriate. If the majority leadership in the House and Senate were really concerned over maintaining congressional control over spending, the best way to do it would have been to act responsibly throughout this session on each of the individual spending bills so that there would not be the $7 billion problem we have today.

As for my own stand on economy in Government, I am proud to report that I have again received the Watchdog of the Treasury Award for my voting record over the past 2 years.

COMMITTEE WORK

During this Congress over 17,000 bills have been introduced and referred to the 20 standing committees of the House. More than 3,000 of these were assigned to the Committee on Ways and Means, on which I serve. This high proportion is not surprising considering the importance and scope of its jurisdiction which, in addition to originating all tax legislation, includes social security, unemployment compensation, trade, Federal debt, welfare, health care, pension reform, and revenue sharing.

REVENUE SHARING

The 92d Congress will probably be most remembered in history for inaugurating a program of sharing revenues with State and local governments. The State and Local Fiscal Assistance Act of 1972 authorizes a 5-year $30 billion program retroactive to January 1, 1972. For calendar 1972, $5.3 billion will be distributed, with the States receiving one-third of the funds and the remaining $3.5 billion going to local units. In subsequent years $150 million will be added annually so that by 1976 the total annual amount will have reached $6.6 billion. This means Michigan this year will receive $74 million for the State government and nearly $148 million for cities, counties, and townships.

Local funds may be only used for maintenance and operating expenses, for public safety, environmental protection, public transportation, health, recreation, libraries, social services for the poor or aged, and financial administration, and for capital expenditures authorized by law.

Recognizing the very real financial problems confronting all levels of local government, I have since 1967 joined in sponsoring revenue-sharing proposals. While I am satisfied this new approach holds great promise, and I supported the bill, I also realize that this concept does depart from the time-proven view that those who spend the money should also bear the responsibility for levying the taxes that provide the funds. For this reason, I believe the actual performance of this new program should be carefully watched by the Congress to insure the most efficient use of these Federal dollars.

Overall, this legislation represents a pioneering effort in Federal-State relations which, it is hoped, will tend to check the longstanding trend toward greater centralization of power in Washington.

Under the distribution formula for 1972 finally adopted, Lansing, for example, would, according to Department of Treasury estimates, receive $1,967,556; Jackson, $652,863; East Lansing, $327,274; Mason, $51,227; Williamston, $19,547; Howell, $52,702; Chelsea, $27,192; and Owosso, $216,207. Overall totals for each type of governmental unit within each county are as follows:

1972 REVENUE SHARING—6TH CONGRESSIONAL DISTRICT AREA

[Totals to all local units]

	Cities	County	Townships	Total
COUNTIES				
Clinton	99,712	202,838	69,320	371,870
Ingham	2,411,717	1,221,081	109,683	3,750,482
Jackson	728,536	868,291	129,237	1,726,063
Livingston	106,735	231,259	52,238	390,231
Washtenaw	1,208,072	920,310	172,832	2,301,214
Shiawassee	359,426	381,249	38,026	778,700

AUTO EXCISE REPEAL

From a personal point of view certainly the repeal of the discriminatory automobile excise tax, as part of the Revenue Act of 1971, ranks high on the list of accomplishments of this Congress. This has meant the realization of my very first legislative goal which I pledged to work for when first a candidate for Congress. It has taken much too long—and at times it has been discouraging, for over the years we have had few supporters. But when our economy really needed a boost, President Nixon recognized what I have been contending for years—that the automotive industry is the bellwether of the economy—and that this unfair tax imposed only on automobiles had to go. With his urging, and the help of Senator ROBERT GRIFFIN in the other body, it has now gone.

WELFARE REFORM

Ironically, one of the last acts of the 92d Congress was passage of a highly modified version of its first bill, H.R. 1, originally approved by the House on June 22, 1971, and stalled in the Senate ever since. Regrettably, unlike the House bill which included the President's "workfare" proposal, the measure as finally cleared contains no basic change in a welfare system that is urgently in need of reform.

SOCIAL SECURITY

What remains in H.R. 1, however, are over 125 improvements in social security and medicare benefits, including boosting widows' benefits from 82.5 to 100 percent of the deceased husband's entitlement; permit social security retirees to earn up to $2,100 a year without loss of benefits; give medicare benefits to 1.7 million under-65 persons who are retired on social security disability insurance; and federalize the welfare system for the aged, blind, and disabled, starting in 1974, with a $195 a month guarantee for an elderly couple without other income.

These steps are long overdue. Coupled with two previous actions raising benefits a total of some 30 percent in less than 2 years, they represent substantial progress for those who depend so much on social security. Also adopted this year is the proposal I have long urged that sets up an automatic mechanism for providing periodic cost-of-living increases in the future so that our senior citizens will not be penalized by any failure of the Congress to act promptly.

To finance these new changes, social security taxes would be raised beginning next year in two steps from the present 5.2 percent rate on the first $9,000 in earnings to 5.85 percent on a $12,000 wage base in 1974.

TAX REFORM

Items on the committee agenda for next session include national health care plans and pension reform, on which hearings were held this year; tuition tax credits to parents of nonpublic elementary and secondary school children, which the committee tentatively approved on October 3; and general tax reform.

While I helped shape the Tax Reform Act of 1969, which reduced individual income taxes by $19 billion at the same time increasing corporate taxes by $5 billion, I am convinced that still more must be done. For example, I believe there is an urgent need to provide property tax relief, and I am certain that this will be considered early next year.

FOREIGN POLICY

The very uneven performance of the legislative branch over the past 2 years stands in sharp contrast to the decisive executive action taken in the field of foreign affairs. President Nixon's historic missions to Peking and Moscow have opened a new era in East-West relations which have brought the world its best hope for peace in decades.

The resulting bilateral understandings and agreements, such as the Strategic Arms Limitation Treaty, although necessarily modest first steps, underscore the hard reality that progress towards lasting peace has come from firm, patient but persistent bargaining.

VIETNAM

The steady withdrawal of over one-half million American troops from Vietnam since President Nixon took office is another demonstration of his determination to work for solutions that hold long-term promise.

The goal is to end the war, not only U.S. participation in it, and to seek to avoid any precipitous unilateral action resulting in the creation of a dangerous power vacuum in Southeast Asia. By December 1, U.S. troop strength will have been cut 95 percent, from 543,000 to 27,000, with no American combat units or draftees any longer involved.

The success of the President's policy is further dramatically indicated by the progress made toward implementing an all volunteer army. The growing prospects that the draft will be completely ended by next July are indeed encouraging.

EDUCATION

The Education Amendments of 1972, in addition to extending virtually all existing higher education programs through fiscal 1975, breaks ground on several new forms of student assistance. As passed by the House last June with my support, a program of basic educational opportunity grants is created enabling needy students to receive up to $1,400 per year. The present educational opportunity grant program would be continued as a supplement, as well.

Other changes include increasing the amount a student may borrow each year from $1,500 to $2,400; establishing a student loan marketing association to help insure adequate funds for guaranteed student loans' and offering matching Federal grants of up to 50 percent to States that increase their appropriations for college student grant programs based on need.

Along with expanded aid to students, a $1 billion program of direct institutional assistance is authorized for the first time. New programs of support for community colleges and post secondary adult occupational education are also created.

While it will take time to implement and fund this greatly expanded effort, Public Law 318 represents a further important contribution toward enlarging the Federal commitment to greater educational opportunities, which, since President Nixon took office, has seen the U.S. education budget increase some 74 percent to well over $6 billion annually.

I fully agree that education must be given high priority, for I am convinced it offers the best hope for providing long term solutions to many of our social and economic problems.

BUSING

In August the House passed, with my support, legislation setting stringent limits on Federal court powers to order the busing of schoolchildren to achieve racial balance. Unfortunately, the bill died when repeated attempts to end a Senate filibuster were unsuccessful. This constitutes another major failure of this Congress. However, I feel that this setback should not be allowed to stand and, that another effort should be made for action early in the next Congress.

MEAT INSPECTION

Recently, three large meat packing companies took the State of Michigan to court charging that its high standards for ground meats, such as hot dogs and sausages, should be lowered to conform with Federal levels. Because I shared the concern of Michigan officials and consumers, I strongly urged, in the House Agriculture Committee and on the floor during consideration of S. 1316, the Federal Meat Inspection Act Amendments of 1972, action to preserve Michigan's better quality standards which prohibit the use of stomachs, spleens, pig snouts, pig ears, and similar animal parts. Even though this effort was successful, unfortunately the bill as a whole was defeated for other reasons, and a new effort will have to be made in the 93d Congress if the court's ruling, now being appealed, is not favorably resolved.

MAJOR ACTIONS

Other significant bills which also had my support were:

House Joint Resolution 223, amending the Constitution to lower voting to 18 years, ratified as 26th amendment;

The Federal Campaign Spending Reform Act, Public Law 92–225;

S. 2097, creating a National Drug Abuse Office to coordinate Federal programs, Public Law 92–255;

House Joint Resolution 208, amending Constitution with respect to equal rights for men and women, so far ratified by 17 of necessary 36 States;

The Equal Employment Opportunity Act Amendments, Public Law 92–261;

The Strategic Arms Limitation Agreement, Public Law 92–448;

S. 3419, Consumer Product Safety Act;

H.R. 15657, Comprehensive Older Americans Act;

The Nutrition Program for the Elderly Act, Public Law 92–258;

The National Sickle Cell Anemia Act, Public Law 92–294;

The Rural Development Act, Public Law 92–419;

The Black Lung Benefits Act, Public Law 92–303;

The Juvenile Delinquency Prevention Act, Public Law 92–381;

H.R. 12828, Vietnam Veterans' Readjustment Assistance Act;

H.R. 15927, providing a temporary 20-percent railroad retirement benefit increase; and

House Congressional Resolution 471, expressing concern for rights of Soviet Jews.

CHAMBERLAIN BILLS

In order to prompt action in many areas, I have introduced a number of bills, including the following:

House Joint Resolution 983, to amend the Constitution relating to the assignment and transportation of public school children;

H.R. 4515, to exempt persons working after 65 from payment of social security tax;

H.R. 3489, to provide tax incentives for small business development;

House Resolution 35, to require the retirement of congressional committee chairmen at age 65;

H.R. 114, to prohibit farm subsidy payments in excess of $10,000 to any one producer;

H.R. 116, to provide a deduction of up to $100 for political contributions. Similar provision enacted as Public Law 92–178;

H.R. 118, to permit a liberalized child-care deduction as a trade or business expense;

H.R. 2272, to institute a revised, coordinated national boating safety program. Similar bill enacted as Public Law 92–75;

H.R. 4711, to extend head of household benefits to single persons at age 35;

H.R. 8728, to promote an accelerated effort to conquer cancer. Similar bill enacted as Public Law 92–218;

H.R. 12848, to provide more effective means to protect public interest in national emergency disputes involving railroad and airline industries;

House Joint Resolution 1180, to amend the Constitution to provide for a National Presidential Primary; and

H.R. 4921, to establish a National Cemetery at Fort Custer.

INCOMPLETE ACTIONS

The following were among the unfinished business left by the 92d Congress:

Electoral College Reform, no action;

Consumer Protection Agency Act, S. 3970, only passed House;

Housing and Urban Development Act, H.R. 16074, never scheduled for House debate;

Hand Gun Control Act, S. 2507, only passed Senate;

War Powers Act, S. 2956, died in House-Senate Conference;

National No-Fault Motor Vehicle Insurance Act, S. 945, recommitted to Senate Judiciary Committee;

National Agricultural Bargaining Act, H.R. 8874, defeated in House Committee;

Comprehensive Headstart, Child Development and Family Services Act, S. 3617, only passed Senate;

Transportation Special Revenue Sharing, H.R. 13021, no floor action;

Education Special Revenue Sharing Act, H.R. 7796, no floor action;

Federal Aid Highway and Mass Transportation Act, H.R. 16656, died in conference;

Rural Community Development Revenue Sharing Act, H.R. 7993, no floor action;

Manpower Revenue Sharing Act, H.R. 8141, no floor action;

Law Enforcement Revenue Sharing Act, H.R. 6770, no floor action;

Urban Community Development Revenue Sharing Act, H.R. 8853, no floor action;

Health Maintenance Organizations Assistance Act, H.R. 7764, no floor action;

National Health Insurance Partnership Act, H.R. 7741, no floor action;

Federal Reorganization, H.R. 1430, H.R. 1431, H.R. 1432, H.R. 1433, no floor action;

Pension Reform, H.R. 12272, no floor action; and

National Emergency Strike Reform Act, H.R. 4116, defeated in House Committee.

HON. FRANK BOW

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GIAIMO. Mr. Speaker, Frank Bow has been a voice for fiscal responsibility and responsible legislation during his long and distinguished career in the House of Representatives. I have long been fortunate to be able to count him as a friend in Washington, in this House, and on the Appropriations Committee of which he has been an outstanding minority leader. I have enjoyed that friendship and have benefited on numerous occasions from Frank's advice and counsel, as well as from his reasoned oratory on the floor of this House.

It is with special regret, therefore, that I acknowledge the departure of this able leader from the House, and with special admiration that I salute his many legislative accomplishments over the years.

I know, however, that, while this son of Canton, Ohio, will be leaving the House of Representatives, his strong record of public service will not end. The particular distinction awaiting Frank—that of U.S. Ambassador to Panama—will be a great honor, indeed. I know that Frank will fill such a position with the same qualities he has displayed so often to his colleagues in the House—that of a gentleman, a diplomat in the best sense of that phrase, and an eminently reasonable man.

So few from the ranks of this House are able to attain the stature and effectiveness of a Frank Bow that their leaving inevitably leaves a large gap, one which will only be filled by a man with great distinction and a strong sense of responsibility. Mr. Speaker, I salute Frank T. Bow of the 16th District of Ohio, a man who has served his constituents, his colleagues, and the Nation, and whose service will be remembered in this forum as he begins work on another distinguished assignment.

HON. FRANK BOW TO RETIRE

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SIKES. Mr. Speaker, as the 92d Congress draws to a close, I want to express my respect and admiration for one of the truly great Americans serving in the U.S. House of Representatives, the Honorable Frank Bow who is retiring after 21 years of public service. I have known Frank Bow since he came to the Congress in 1951. Particularly, I have known him through his service on the Appropriations Committee where we have worked together very closely. I suppose there is no tougher assignment, subject to more pressures, and at the same time more sought after than membership on the Committee on Appropriations. His committee work has been applauded by both Democrats and Republicans and his diligence in trying to hold back on runaway spending has been a great source of strength to this Nation. In the 83d Congress he was chairman of a subcommittee that won recognition for recommending savings of $11 million as the result of an overseas investigation of State Department activities.

Congressman Bow represents the 16th District of Ohio and there is abundant record that he has represented it ably and well and with complete dedication to not only his State, but the Nation as well. He has been a foremost patriot. He has been faithful to friends, a hard-hitting but fair partisan, a dynamic and effective leader. He has been an inspiration to us all, and he will be sorely missed by this body of legislators, which he has served so well. Although I am sorry to see him leaving the Congress, I join with his many friends in wishing him success and happiness in all his future endeavors.

HON. W. R. HULL, JR.

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GARMATZ. Mr. Speaker, I join my colleagues in offering my congratulations and best wishes upon the retirement of the Honorable W. R. Hull, Jr.

Bill Hull has served in the Congress for 18 years and has proven himself a loyal and dedicated Congressman to his constituents of the Sixth Congressional District of Missouri. Bill has served diligently as a member of the House Appropriations Committee serving on its important Subcommittees on Agriculture, Environmental, and Consumer Protection and, Labor, and HEW which consistently enacts monumental legislation.

My wish for Bill is good health and the happiness he is seeking and deserves.

HON. JOHN L. McMILLAN: A GREAT SOUTHERN GENTLEMAN

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. PATMAN. Mr. Speaker, it was 34 years ago that John McMillan was first elected to the U.S. House of Representatives. He was then, as he is today, a distinguished man of noble bearing, great dignity, and solid integrity—admirable traits that reflect the rich character and proud traditions of the historic State from which he comes. After more than a third of a century of service by his side here in the House, I know that in the case of the Honorable John McMillan, the "Honorable" before his name is much more than a title automatically conferred upon Members of Congress—it is, when applied to John McMillan, a meaningful description of this strong and dedicated southern gentleman who has represented his constituents in the highest tradition of the great and legendary statesmen from the historic Palmetto State.

Mr. Speaker, it is impossible to express in these brief words the full measure of the gratitude our Nation owes to John McMillan for his long and faithful labors in the public interest. In his remarkable 24 years as chairman of the House District of Columbia Committee and as a leading members of the House Agriculture Committee, John has demonstrated an inspiring commitment to hard work and conscientious service. In all of his endeavors, he has been a tremendous source of strength to his colleagues during the trying times that have confronted the country over the past three decades. His courage and steadfastness have earned him wide respect, and all who have observed his career recognize John McMillan as a patriot of the highest order.

It has been a great privilege to have served with such a great and staunch American and to be able to call him my friend. John will be sorely missed in this Chamber, and it is my sincere hope that he and his family will have the best of everything life can offer in the years ahead. Here is a man who did all that his country asked, and then volunteered the equivalent of an additional lifetime of splendid service.

CULVER PRAISES RECORD OF ACTION FOR THE ELDERLY

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CULVER. Mr. Speaker, the 92d Congress has written a record of improving the lives of our Nation's senior citizens of which we can be proud. This Congress—together with the 74th Congress, which passed social security under Franklin Roosevelt, and the 89th Congress, which passed medicare and Older Americans Act under Lyndon Johnson—stands as one of the three great Congresses in legislation for the elderly.

However, the 92d Congress differs from the 74th and 89th Congresses in a significant way. While the landmark legislation of its two predecessors received strong White House backing, this Congress has stood alone in providing leadership for legislation to improve the lives of America's older citizens. Indeed, in writing this remarkable record of achievement, the Congress had to overcome substantial opposition from an administration apparently willing to ignore the needs of our older Americans.

The difficulty, quite simply, for our elderly, is an income level that does not keep up with expenses. Living costs increase, but incomes do not keep pace. Many Americans are forced to retire and experience an immediate and permanent loss of a major portion of their income. Meanwhile, our Nation's standard mandatory retirement age is coming down, pushing more and more older people into economic difficulties that they could not have forseen.

It is estimated that all the men and woman in human history who have lived past the age of 65, 25 percent of them are still alive today. Twenty million of those men and women live in the United States today—one of every 10 Americans. It is even more startling though, to realize that one-quarter of our senior citizens, prior to legislation passed by this Congress, lived their lives below the poverty line.

This is a particularly urgent problem in a State such as Iowa, which has the largest percentage of population over 65 of any State in the Union, other than Florida. Over 12 percent of Iowa's population is 65 and older and 14,000 people are currently receiving both social security and old-age assistance payments.

But this Democratic Congress has made a commitment to the principle that our older citizens should be able to live their lives in dignity and with peace of mind. That commitment to the elderly has been measured in real terms by the laws this Congress has passed to upgrade the lives of many older Americans. Major legislation has been enacted to provide increased income, medical care, employment and training opportunities, social services and facilities, and access to better housing at reasonable rates.

THE 92D CONGRESSIONAL ACTION FOR THE ELDERLY

Mr. Speaker, these are some of the progressive legislative actions taken by the 92d Congress to help older Americans:

Social security benefits—Social security payments were raised by 32 percent in just 2 years, and 50 percent in the last 4 years. This represents the largest increases ever voted by a single Congress, or Congresses.

Medicare, medicaid, and welfare—Legislation was passed designed to insure participation in medicare, medicaid, and welfare by the elderly, after they receive new social security increases. Up to $20 of the new increases may be kept before loss of any payments or benefits under welfare, aid to the disabled and the blind. Those disabled under 65, who are receiving social security payments, will now be eligible for medicare. This legislation, while not providing the complete pass-through of benefits contained in legislation I introduced, should remove most of the threat many older citizens felt, because of cuts in other programs caused by social security benefit increases.

Older Americans Act of 1972—This legislation, which also incorporates provisions from several Culver bills, provides increased funds for the elderly in the areas of transportation, nutrition, home delivery of meals for the disabled elderly, recreation, housing, and preretirement training. In addition, the bill increases sharply the attention given by the Federal Government to problems of the elderly. Instead of remaining submerged within the bureaucracy of the Department of Health, Education, and Welfare, the administration on aging will be attached directly to the Office of the Secretary.

The Congress, through this Older Americans Act, has coordinated and upgraded the planning, implementation, and funding for programs to assist older Americans. Next to creation of social security and the recent historic increases and improvements in that program, this $2.1 billion legislation is the most significant and far-reaching law that Congress has ever passed in behalf of older Americans. I am very pleased that I had a part to play in fashioning and passing this renewal of the Original Older Americans Act.

National Institute of Aging—A new National Institute of Aging, to be part of the National Institutes of Health, will conduct research on the aging process and on special health and social problems associated with growing old. Concentrated scientific efforts focused on these problems may someday result in a slowing of the aging process and will certainly result in improved understanding and adjustment to this process.

Mr. Speaker, this listing of legislation needed to provide our older Americans with the lives of financial independence, and dignity that is theirs by right does have a price tag. However, predictions by the administration that social security increases and other program increases will cause budget deficits and pour more fuel on the fires of inflation are refuted by leading economists. These experts believe these new benefits will help stimulate our economy and increase demand for the goods and services that American workers provide.

The extra money the elderly will be

spending will help the economy directly. It will help by putting idle machines and unemployed men and women back to work. Everybody will benefit: The businessman, the farmer, the worker, and the elderly. That type of direct economic benefit to all Americans is not inflationary. It is simply good, sound economics.

Mr. Speaker, I am sure that the months ahead will prove the wisdom, justice, and compassion represented by this record of legislative achievement for the older American. The historian, Arnold Toynbee, concluded that the quality and durability of a society were best measured by "the respect and care given its elderly citizens."

That respect and care are the inspiration of the legislation which the 92d Congress has passed on behalf of older Americans. And this record of legislation will serve as a stronger foundation on which to help build more secure and dignified lives for our older Americans.

MOOD DRUG ADVERTISING

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROGERS. Mr. Speaker, as chairman of the Subcommittee on Public Health and Environment of the Interstate and Foreign Commerce Committee, I am very much concerned with the current trends in the advertising of mood-altering drugs. During the course of a day you cannot help but hear a pitch for a readily available pill for nearly any problem. I have been working for years to try to bring about better regulation of this type of advertising and to prevent what amounts to a disservice to the American public. Recently I heard a television editorial by Mr. Bill Gordon of station WPTV, channel 5, in Palm Beach, Fla. This editorial is a clear, concise look at the whole area of mood drug advertising and I include the text of the editorial in the RECORD at this point for the benefit of my colleagues:

MOOD DRUG ADVERTISING

We caught a radio commercial in the car the other day; one of those sixty seconds dramatizations in which a couple is preparing to attend a social event. But, she's feeling tense and he's recommending a couple of aspirin.

The final pitch is for something like, only supposedly better than aspirin.

You've likely heard the same commercial, or one like it.

The air and the ads are filled with suggestions of what to take for pain, tension, sleepless nights or in order to be alert during the day. We are urged to replace coffee breaks with aspirin breaks and there are such diverse characters as police chiefs and movie stars telling us why, when we do, their sponsoring product will do the job best.

We're aware there are all kinds of pros and cons on the subject, but we tend to buy the proposition that, while such promotions probably can't be blamed as a cause of the nation's hard drug problems, they certainly do nothing to discourage it.

A youngster who sees his elders popping pills for a great many reasons other than to relieve real pain or to stimulate necessary functions; who is constantly being more on the casual than careful use of various medications can hardly be as discerning as we'd like him to be when it comes to drawing the line between those medications . . . are aren't they all really drugs . . . which can be of help and those which can cause serious harm.

We're not opposed to those kinds of pain killers, sleep aides and eye-openers that are readily available. We just take the position that we ought to put a stop to encouraging their promiscuous use and the seeming effort to find more reasons to justify their use.

We could care less who sells the most of what when it comes to these kinds of products.

We recognize that, by these comments, considering the business we're in, we might well be biting one of the hands that feeds us.

But, be that as it may, its time some effort be made to at least discourage the advertised proposition that there's a freely available pill to cope with almost every problem.

GENE HACKMAN, AL PACINO COME TO HAMTRAMCK

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. NEDZI. Mr. Speaker, my hometown of Hamtramck, Mich., is small in size, only 27,500, but its name is known in the far reaches of the world. This is largely due to its Polish flavor.

Hamtramck has had its share of difficulties in recent years. But its people are good people, and when a little glamor comes to the city, we are happy to notice it and take pride in it.

A few days ago a Hollywood troupe, led by the distinguished actors Gene Hackman and Al Pacino, visited Hamtramck for some filming. The local newspaper, The Citizen, in an article written by its editor, Leslie Ziemba, reported the event on October 19, in the following terms:

HAMTRAMCK DRAWS HOLLYWOOD TROUPE

(By Leslie Ziemba)

Way back then maybe Shakespeare would have said "Oh, star-struck Hamtramck . . ." but today he would have to say "The stars struck Hamtramck . . ."

In other words, Hamtramck donned its dark glasses, grabbed a megaphone and went Hollywood when Warner Bros. selected the two-square mile City to shoot a scene for an upcoming movie called "Scarecrow" starring Gene Hackman, academy award winner, and Al Pacino, who palyed Michael Corleone in "The Godfather."

The crew of 40 was in Hamtramck last Wednesday at the home of Julius Penzin, 11411 St. Aubin, to film what production manager Tom Shaw calls "the climaxing scene."

It's here where Pacino (Francis) finds his former wife who he has been looking for across the country. He had left her five years earlier when she was eight months pregnant. His wife, played by Penny Allen, has since married "Joey the banana king" and the baby is now five years old.

Miss Allen, wanting to retaliate because Francis had left her, told him that the baby died. With religious strains running through the picture, the audience will see Francis becoming extremely despondent because the baby wasn't baptized and he thinks is now in limbo.

Following scenes, filmed at Belle Isle and Harper Hospital, show how he is affected by the baby's presumed death.

Following the scene at the St. Aubin house, the crew also filmed a telephone conversation scene at the corner of Caniff and Lumpkin. Gene Hackman comes into the picture in Hamtramck at that point.

"Scarecrow," according to the producer, will cost a little under $2 million and is expected to be released some time in March.

Now you might be asking yourself why was Hamtramck selected? Well, trying to adopt as much realism into the picture as possible, Shaw wanted a Polish-American community since some of the persons in "Scarecrow" are of Polish descent.

"What better place is there than Hamtramck?" he asked.

The whole thing started about two months ago when Shaw and two of his associates came into The Citizen office saying that they were having a difficult time locating a two-story frame home with an exposed back porch for a film that they would be shooting here sometime in October.

Shaw said that most of the people who they approached were hesitant to let them into their home thinking that something like this couldn't be happening in Hamtramck.

So the editor, (after a call to Warner Bros. office in Detroit) was summoned to help them find "the perfect house."

Most of the people contacted in the area were more than willing to rent the use of their house. But it was Julius Penzin who had an empty upper flat which the crew thought to be just right since they could furnish it any way they wanted.

Penzin intimated that he and his family were excited that their house was selected. "We sure brought some life into Hamtramck that day," Penzin commented. "I think we had a good part of the City out at one time or another that day.

"It's a plug for the City."

THOMAS G. ABERNETHY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. O'NEILL. Mr. Speaker, I want to join my colleagues in honoring Honorable THOMAS G. ABERNETHY, who is retiring from Congress this year. For 30 years TOM has been one of the most able, dedicated and affable legislators in this body. As a senior member of the Committee on Agriculture, he has guided every piece of legislation affecting rural America. This year he was significantly instrumental in shaping the most important bill ever devised on behalf of our rural citizens—the Rural Development Act of 1972. The implementation of the provisions of this measure will be of incalculable benefit toward successful social and economic development in rural America.

Not only has TOM been in the vanguard of rural development but he has played a major role in the enactment of legislation affecting our Nation's Capitol. Since his election to the U.S. House of Representatives, he has received numerous awards, including the National Commander's Award of the Disabled American Veterans for "his long years of dedicated service in behalf of America's war disabled veterans," the Mississippi Farm Bureau Federation award for outstanding and meritorious service to agriculture and the National Civic Affairs Associates award for his record as an advocate of economic and free enterprise.

Tom will be missed by all of us who have been privileged to serve with him. Millie joins me in wishing Tom and his family continued success and a long and happy retirement.

HON. DURWARD "DOC" G. HALL

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GARMATZ. Mr. Speaker, it gives me great pleasure to join my colleagues who have expressed such fitting accolades to my colleague and friend, the Honorable Durward "Doc" G. Hall upon his retirement from the U.S. Congress.

"Doc" Hall, who serves on the important Committee on Armed Services and five of its major subcommittees is not only well versed on his committee's bills but is well respected for his vast knowledge of all legislation during debate on the House floor. His constituents of the Seventh Congressional District of Missouri should be proud of this Congressman's record.

Although we have never had the opportunity to serve on a committee together, I have always considered "Doc" a good friend because of his interest in boating and fishing which we both share.

Doc deserves the retirement he is seeking and I wish for him that his future years will be as bright as the happiest days of his past.

LEN B. JORDAN

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HRUSKA. Mr. President, the passing of this 92d Congress has a very deep implication for many of us since it also means the retirement of one of our ablest Members, the Senator from Idaho (Mr. Jordan).

Senator Jordan is most deserving of retirement. He has enjoyed a long and most distinguished career of service to the Nation, and to the people of his own great State. But, his absence will leave a void in our midst because there are many of us who leaned heavily upon this capable and dedicated statesman for support, sustenance, and leadership in trying times.

For me, Senator Jordan's retirement means the loss of a most rewarding relationship with a man who has become one of my close personal friends through the 10 years we have worked together.

There are many reasons why Senator Jordan has excelled among us. One of the primary reasons is found in the remarkable diversity of experience which he brought with him to the Senate.

He was rancher and a businessman, and successful at both pursuits. He took his experience in those basic fields to the Idaho legislature and then to the office of Governor of his State before joining this body.

He has made many contributions to our work and our progress through his tenure here. But the one which I cherish more than any of the others is the strong sense of State sovereignty which he has always brought to our deliberations.

This philosophy well befits a man who comes from the rugged individualistic background which the Senator enjoyed. His views were refined by his experience at the State level in both the legislature and the Governor's chair.

I am sorry to see him go for many reasons, not the least of which is the loss of a most fulfilling friendship. But I am primarily sorry to see him go because his departure means the loss of his strong advocacy of State sovereignty. There are not enough of his kind left.

Every Member of this body will miss Senator Jordan and his lovely wife Grace. I join with my colleagues in wishing for them many long and happy years of retirement.

TRIBUTE TO HON. FRANK T. BOW

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to take part in this tribute to Frank T. Bow, who is retiring from public life this Congress. Frank Bow is a fine Ohioan, and a legislator of the highest caliber. I count him as a friend. While I am glad for him and wish him well in his retirement, I am saddened to see him leave.

Frank has ably represented his constituency in the State of Ohio for over two decades. He has supported legislation consistent with his belief that the strengthening of America is a first priority to the strengthening of other countries.

Frank's committee assignments in this Congress afforded him an opportunity to put his personal fiscal philosophy to good use. He served as the ranking member of the House Appropriations Committee and as the ranking Republican House member on the Joint Commission on Reduction of Federal Expenditures. That personal philosophy tempered and honed by his experience as Ohio's Assistant Attorney General during the late 1920's, as general counsel to the U.S. House of Representatives Committee on Expenditures in the late 1940's, service to the Select Committee To Investigate the Federal Communications Commission in 1948, and experience in Congress has earned him the respect of his colleagues and the reputation as firm believer in Americans getting their money's worth. Frank was truly a pillar of fiscal integrity—a watchdog of our economy.

Through the years, Frank proved himself to be a humanitarian as well. His service on the House Appropriations Committee was notable and included his championing a bill denominated H.R. 21, legislation providing Federal tax incentives and assistance to provide medical care insurance for the retired in order that the twilight years of those that have served might be more secure.

I have enjoyed my association with this distinguished Member both on and off the floor of the House of Representatives. In the press of legislative business, Frank has proven to be both a formidable opponent and a valuable ally. I think I can say without fear of contradiction that there are bureaucrats in this Government of ours that wished him more an ally than an opponent, for Frank never forgot his personal credo.

I publicly wish Frank Bow and his lovely wife, Carolyn, the best of luck and happiness.

REPORT FROM WASHINGTON

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

Report From Washington

WATER POLLUTION

I was one of 247 Members of the House of Representatives who voted overwhelmingly to override President Nixon's veto of a massive water pollution control bill. New Yorkers and Staten Islanders specifically, have been plagued with chronic sewer overflows and lack of waste treatment plants. They have been depending on the successful passage of the "Federal Water Pollution Control Act." It was up to the Congress to provide money for these vitally needed services to the City and State of New York as well as the rest of the Nation, and the Congress responded. The President has repeatedly cited his commitment to clean up our nation's waterways, and I find it inconceivable that he went so far as to override this important bill. The needs and the wishes of the citizens of every district in the country were reflected by the four overwhelming votes it took the Congress to pass this legislation. In all of these votes, two in the Senate and two in the House, there was a total of only 49 votes objecting to its passage.

Now that this bill has been passed into law, New York State can apply to the Federal Environmental Protection Agency for grants up to 75% of the cost for water pollution control projects, such as the one at Oakwood Beach. It is up to the State and local municipalities to work out the funding of the remaining 25%. Grants for construction of treatment works would require the application of the best practicable waste treatment techniques. After July, 1973, no grants will be approved unless the applicant demonstrates that each sewer collection system discharging into a treatment facility is not subject to excessive infiltration. This program provides a total of $18 billion for the nation.

The "Federal Water Pollution Control Act" applies not only to municipal waste treatment, but establishes for industry a two-phase cleanup program. This program will have increasingly tightening restrictions on industrial pollution backed up by penalties of fines and imprisonment for violators. Another important provision of the law provides that citizens who have a direct interest in pollution control can institute suits against the government or a private interest for violation or failure to carry out mandatory provisions of the law.

At last New Yorkers, and especially Staten Islanders, will be provided with all of the water and sewer facilities needed, and we will no longer be victimized by terrible flooding and drainage difficulties every time it rains. And we will be able to solve the problems many of us face every day in our homes and businesses due to the lack of a proper sewer and water treatment system. The ultimate effect of this legislation will be clean waters which we can enjoy permanently for recreation without danger to our health.

Hand in hand with this Federal legislation goes the Environmental Quality Bond Act of 1972 which will be on the ballot on November 7th as Proposition Number One. With the passage of this bond issue, New York City would receive almost $260 million out of $650 million. This money would go toward the completion of the City's $2 billion water pollution control program with the goal of providing better than 80% removal of organic pollutants from the City's sewage. Projects included at this point include the Oakwood Treatment Plant in Staten Island. Other monies provided by the bond would go for air pollution and solid waste disposal.

COUNTRIES PRACTICING DISCRIMINATORY EMIGRATION

On October 17, 1972, I introduced legislation providing that "no non-market economy country shall be eligible to receive most-favored nation treatment or to participate in any program of the Government of the United States which extends credits or credit guarantees or investment guarantees" during any period in which it is determined that that country is:

1) denying its citizens the right or opportunity to emigrate;

2) imposes more than a minimal tax on emigration and the procedures involved in emigrating.

Of course this bill specifically demonstrates that the United States will not accept expanded trade with the Soviet Union so long as that Nation continues its present policies of exit visa taxes and harassment—a policy of ransom and barter in human lives aimed against minority groups within the Soviet Union.

NEW SUBWAY CARS

Also on October 17, 1972, I was able to announce a Department of Transportation grant of $40 million to the New York City Transit Authority to help purchase an additional 202 new subway cars, bringing the number of new rail transit cars recently approved for New York to 522.

The grant was made by the Department's Urban Mass Transportation Administration (UMTA), under the Urban Mass Transportation Assistance Act of 1970, which is now providing about $1 billion a year in Federal funds to help cities all across the Nation save and upgrade their public transit systems.

Today's New York City grant is in addition to a similar UMTA grant for $63,422,507 made in June to assist the Transit Authority purchase 320 new air-conditioned subway cars. The $63 million grant was the largest single urban mass transportation grant ever made by UMTA.

I have been informed by the Secretary of Transportation that the combined Federal grants will now provide $103,422,507 of the $155,133,761 needed to buy the 522 new subway cars. Local one-third funding will cover the remaining $52 million purchase costs. The Transit Authority wants to buy a total of 750 new rail transit cars, all of them in the new R-46 class designation.

These new subway cars will make travel in New York City more convenient. They will replace outdated rail cars which were purchased between 1932 and 1940.

The new subway cars will be 75 feet long and will provide attractive interior and exterior design. Dependability of service will be enhanced by the addition of the 522 new R-46 subway cars. The older R-1 through R-9 rail cars are subject to frequent breakdowns and provide an inadequate level of performance, which results in a poor level of service on lines served by those cars. The new R-46 cars will be substantially quieter, both within the car and standing in the station. They combine the latest in technical and safety features, passenger comfort and pleasant interior design.

Sincerely yours,

JOHN M. MURPHY,
Member of Congress.

SHARING BORROWED REVENUE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROGERS. Mr. Speaker, much of the rhetoric of the last weeks of the 92d Congress has centered around revenue sharing and limiting Federal expenditures. The President has now signed into law the State and Local Fiscal Assistance Act of 1972, which will add over $5 billion to the national debt this year and over $30 billion in the next 5 years. While I supported the proposal to put a ceiling on Federal spending, I question the wisdom of increasing the national debt to share revenue we do not have especially in light of the massive Federal deficit predicted for next year.

The final burden of this policy will fall on the shoulders of the already overburdened American taxpayer. He will be asked to spend his tax dollars to pay interest on this shared revenue in addition to the $20 billion-plus he is already spending in interest on the present national debt. I am not willing to ask American taxpayers to pay this additional cost.

Mr. Speaker, I recently read an editorial by Jack W. Gore in the October 15, 1972, edition of the Fort Lauderdale Sun-Sentinel. This editorial takes an interesting look at revenue sharing, and I am including it in the RECORD at this point for the benefit of my colleagues.

FEDERAL REVENUE SHARING MEANS BORROWING FUNDS FOR STATES, CITIES

Can anybody imagine anything more stupid than seeing a fellow who is already head over heels in debt rushing out to his bank to borrow another big wad of money to hand out to his debt free relatives?

Most people would say such a person ought to go running to a psychiatrist in order to find out what's wrong with his mental processes.

Yet, that is exactly the kind of stupid action the Congress took last week when it scorned all warnings of fiscal folly and overwhelmingly approved a revenue sharing bill which over the next five years will cost the federal government $30.1 billion.

The federal government is already in debt to the tune of some $437 billion, and by the end of next June it will wind up the current fiscal year in hock for at least another $25 billion.

But those figures had little impact on spend-happy House members who voted 265-110 last Thursday to begin a giant revenue sharing program which will result in all 50 states and some 28,700 towns, cities and counties being given a $5.3 billion handout from the federal Treasury during the next six months.

Since the Congress was almost certain to approve the revenue sharing bill before adjournment, the Treasury Department has already started preparing the flood of checks it plans to put in the mail just as soon as the bill clears the Congress and is signed into law by President Nixon.

Before it passed the bill last week, the House was told by Rep. John W. Byrnes, the senior Republican member of the House Ways and Means Committee, that "we ought to have our heads examined" for even considering such a bill in view of the massive size of the federal debt and the relative debt-free status of all the states and local governments which will benefit from the bill.

Byrnes warned that, in approving the bill Congress would find it had opened the government coffers to ever-growing demands by state and local governments which, collectively, now enjoy surpluses running into the billions.

If the federal government had $5.3 billion to hand out to state and local governments, neither we nor anybody else, could find any fault with this revenue sharing bill.

But the federal government doesn't have any excess revenue, and it will have to go out and borrow the $5.3 billion it will give the state and local governments. It will also have to pay interest on this money and guess whose taxes will be used to finance this added borrowing?

We'll grant the point that all 50 states and the 38,700 cities, towns and counties which will benefit from Uncle Sam's generosity can find ready use for the government checks they will soon receive. There are no restrictions on what the states can do with the money they will get, and the only restrictions on other beneficiaries are that the funds must be used within the framework of broad public service categories such as public safety, sewage disposal and similar projects.

Obviously, this money is going to generate a lot of needed public improvements in a lot of different places, which is all to the good. It might even work out that all this money will be put to better and more economical use than it would be in the hands of the federal government.

As we have said there is nothing wrong with the principle of the federal government sharing its revenue with state and local governments so long as the federal government has its own financial house in order and has some spare cash on hand.

But when our Federal Government is as broke as it is today, and with just about everybody admitting that another huge deficit this year will make a tax hike mandatory next year, it not only appears to be, but it is stupid for this same federal government to go out and borrow billions of dollars to hand out to state and local governments which aren't festooned in debt and many of which already possess surplus funds.

President Nixon, who has been one of the staunchest advocates of the federal government sharing some of its revenue with state and local governments is hopeful that revenue sharing will lead to the reduction of local property taxes.

In some instances this might happen, but if federal taxes have to be hiked to pay for revenue sharing and all the other spending excesses the federal government is belabored with these days, the whole business will add up to nothing more than taking money from one pocket to put in another with some being lost in the shuffling process.

It is also interesting to note that both the Congress and the President want this bonanms in the mails and in the hands of state and local government officials prior to election day next month. Of course there's no politics behind this, but we will wonder how this revenue sharing bill would have fared in the Congress if this just didn't happen to be an election year.

J. IRVING WHALLEY

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. COUGHLIN. Mr. Speaker, with the close of the 92d Congress we will lose the talents of our colleague J. Irving Whalley, who is retiring from this great body.

Irv Whalley, who was first elected to Congress in 1960, brought with him 30 years of business experience as a banker-businessman, 4 years as a State representative and 12 as a State senator. While in Congress he served on the House Foreign Affairs Committee and was the ranking Republican on the African Subcommittee. He was also appointed to serve on the Interparliamentary Conferences held in Canada and Mexico. Representative Whalley further distinguished himself as a Delegate to the United Nations General Assembly for the 1969 session.

I know all my colleagues will miss Irv Whalley and the example he set of hard-working dedication to his job, and wish him and Mrs. Whalley an active but perhaps less strenuous life in the years ahead.

TRIBUTE TO THREE MOST RESPECTED MEMBERS OF CONGRESS

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HARVEY. Mr. Speaker, it is with a great deal of pride that I join my colleagues in this special order to pay tribute to three of the most respected Members of Congress, Jackson Betts, Frank Bow, and Bill McCulloch. Representing a total of 69 years of service to our Nation, these men are three of the most hard-working and knowledgeable Members of the House of Representatives. Their experience and expertise will surely be missed by everyone. That they all come from Ohio is an amazing tribute to the extremely high caliber of the Republican delegation from the Buckeye State.

The example created by these three men in their many years of service has been an inspiration not only to me but also to all the younger members of our party, and the Congress. How many times during the past years has a fellow Republican Member sought the advice and counsel of Jack Betts on a tax issue or some other important subject before the Ways and Means Committee? Or, how often has Frank Bow been approached on an important appropriations matter? And what Member has not recognized the important role that Bill McCulloch has played in guarding the constitutional liberties of our citizens?

The Congress will not soon recover from the loss of these three great men. Their retirement will have a dramatic effect on the State of Ohio, as well. Becoming experts on national issues was easy for these men because they had served so long and so well the interests of their constituents back home in Ohio. Their dedication led them to understand completely the problems of their State, and they have worked tirelessly to bring about effective solutions. Two of them—Jackson Betts and Bill McCulloch—served in their State legislatures, and in fact, both served as Speaker of the Ohio House of Representatives. Few State delegations can boast of such distinguished service from their Members.

To all three retiring men, I extend my heartiest good wishes for the coming years. I have considered it a deep honor to have served in Congress with them, and their leadership will long be remembered, both in Ohio and throughout the Nation.

JAMES T. McFATE, HOST OF HANOVER INN, RETIRES

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COTTON. Mr. President, I ask unanimous consent to have inserted in the Record an article appearing in the October issue of the Dartmouth Alumni magazine, entitled "Hanover's 'Host With the Most'." The reference is to nationally known hotelman, James T. McFate, who retires this month as manager of a college and community landmark, the Hanover Inn.

There are thousands who know Jim McFate with respect, affection, and friendship. I am proud to be counted among that number. Businessman and civic leader, thoughtful and concerned citizen, genial host and raconteur, large in frame and spirit, Jim personifies the best there is in full and productive life.

Jim McFate may be leaving the inn for the enjoyments of a well-earned retirement, but his presence there can never be forgotten.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hanover's "Host With the Most"

James Thomas McFate for 19 years has prowled the lounges and lobbies, the corridors and kitchens of the Hanover Inn as its resident boniface, moving his six-foot-six frame as unobtrusively as a six-foot-six frame can be moved. His head is always slightly a-tilt (perhaps from too frequent contact with lintels?) and the eyes are always alert for any rough burr in the smooth operation of a hostelry that stands for more than mere room and board.

On November 1 the last prowl will have been made. On that date Jim McFate will step down as manager of the Hanover Inn ("the front door to Dartmouth" he calls it) and retire to his home on Lake Shore Drive at the head of Mascoma Lake in nearby Enfield, N.H.

His 19-year marriage with the Hanover Inn has been, as all honest marriages are, a mixture of querulousness and affection, with the latter far outweighing the former. One recent day, reminiscing in his nicely appointed, ground-floor office, he said this about runnning an inn in a college town that is not exactly on the beaten-path:

"It's peak and valley, a roller-coaster business. Look, bringing the Yale and Princeton football games to Hanover was the worst thing that ever happened to the Inn. There are about 35,000 Dartmouth alumni, right? Say they have 30,000 wives—that's 65,000 people. If only one per cent of them want to come to Hanover they would more than fill all the rooms in the area."

On non-football weekends Jim McFate thinks that the interstate highway system has not helped to fill up the valleys. "It's easier to get home . . . and it's easier to get beyond us."

But, he admits readily, gesturing to the awards and mementos that festoon his office walls, "I'm proud of these . . . and I'm proud that I survived 19 years with only two heart attacks."

The awards include Hotelman of the Year and the Distinguished Service Award for his stint as president of the American Hotel Association; the mementos include a picture autographed by "Dick Nixon" and a cartoon and an appreciation by Dr. Seuss (Ted Geisel '25).

"You know," he said referring to the cartoon, "I'm even in one of Dr. Seuss' poems. He needed something to rhyme with 'not too late' and he came up with 'Buck-Buck McFate.' "

Jim McFate will grouse about the unending nature of his business ("You work 168 hours a week—Christmas Eve is just another Tuesday"), but then will switch off to "it's a fun business. Dartmouth attracts a wide range of people. One minute you're meeting a well-known entertainer, then a learned scholar, and finally an inconspicuous guy from the Class of Oughty-Ought who thinks Dartmouth was heaven and always will be."

As with any hotel-keeper, Jim McFate has had his share of untoward experiences (people stuck in elevators, guests who lock themselves in their rooms for three days) and eccentric guests. He ranks as champion in the latter category an elderly lady who came, unbeknownst to the Inn management, equipped with all her own light bulbs. Big light bulbs; six or eight of the 150- to 200-watt variety. These she promptly placed in all the sockets in her rooms and just as promptly turned on. Fuses started to go off like popcorn and it was quite some time before Inn personnel solved this electrical enigma.

He rates the top incident of his years at the Inn as the time a couple of enterprising fraternity men liberated a piano from the Inn.

"They slipped it out of the Tavern," he recalls, "and started pushing it up Main Street toward Webster Avenue. It was slow work, for there were only two of them. About midway in their voyage, a campus cop stopped and asked what they were doing. The kids told him they were taking this piano to their house for a dance, and darned if he didn't help them push."

The greatest weekend of his Hanover career was the visit of President Eisenhower at Commencement 1953 to receive an honorary degree. Next to it he places the Bicentennial Commencement of 1969 when Lord and Lady Dartmouth ("my wife baby-sat her jewels") received degrees.

The white cowboy hat he owns is a memento of another special hotel experience, but not related to Hanover. Jim McFate is often taken for actor John Wayne; he has the same features and build and even sounds like him. When Jim was managing the Wolverine Hotel in Detroit, John Wayne stopped there. Word got around and autograph-seekers began waylaying Jim all over the hotel. John Wayne and McFate both had fun with this case of lookalikes, and later the movie star sent Jim a white cowboy hat which he can be persuaded to wear on a rare occasion.

Managing the Wolverine was one of five hotel assignments Jim filled before coming to Hanover in 1953. In DeLand, Florida (the location of his alma mater, Stetson University) he managed the College Arms Hotel and Golf Club, as a resort hotel and later as a U.S. Navy Rest Center, during World War II. He was associated also with the Bismarck in Chicago and the Hotel Northamption in Northampton, Mass. For 15 years before taking over the Hanover Inn he owned and managed the Wayne Hotel in Wayne, Pa. His wife Beth came from nearby Lock Haven, home town of John Sloan Dickey '29, with whom Jim has developed a close and mutually disrespectful friendship.

McFate had oversight of one of the major building changes of President Dickey's administration when the Hanover Inn's main wing, dating from 1902, was rebuilt from the ground up. Opened in early 1968, the main wing increased its rooms from 28 to 50; added a new lounge, conference rooms, and underground garage; and rehabilitated its coffee shop and bar. So Jim McFate's final years as manager have been spent in rather splendid surroundings.

Hanover itself has worked its spell on him. "When I told a friend I was coming up here to work, he said 'You'll never get old.' It's true, you know. There's so much offered here."

Jim McFate has taken the offerings and remained young. He has also done more than a little of the giving himself.

HON. WILLIAM M. McCULLOCH

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, the retirement of William McCulloch leaves this House and this Nation greatly diminished. To chronicle his personal achievements in the area of civil rights and crime prevention and control cannot fully illustrate his dedication to the cause of justice and equality for all Americans.

As the ranking minority member of the Judiciary Committee, Bill has worked in close harmony with Chairman Celler in the areas of judicial and constitutional reform. But it is in the field of civil rights legislation where his initiative and resourcefulness, his personal courage and conviction, his dedication and diligence have earned him the epithet, "Mr. Civil Rights."

Time and time again Bill McCulloch has broken with members of his own party to stand by his personal conviction that all men are created equal and deserve equal opportunities and treatment under the law. Bill won high adulation from both Presidents Kennedy and Johnson for the role he played in sponsoring in subcommittee, in guiding through full committee and in managing on the floor of the House, the Civil Rights Act of 1964.

In the forefront again in 1965, Bill was vigorously leading the fight for the Voting Rights Act. In 1970, against the wishes and judgment of his own party's administration, Bill succeeded in gaining a 5-year extension of the Voting Rights Act.

Bill McCulloch has brought to this Chamber one of the most active and brilliant legal minds of the century. His personal success and presidential accolades do not stop with civil rights legislation. As principal author of most of the crime legislation which came out of the 91st Congress. Bill singularly was responsible for the adoption of the Organized Crime Control Act of 1970. In recognition of his efforts in combating crime, he has had the distinct honor to be chosen as a member of several Presidential advisory commissions on crime and violence.

Serving first as Speaker of the Ohio House of Representatives, and since the 80th Congress, a Member of the U.S. House of Representatives, Bill McCulloch has conscientiously and diligently performed his duties as the Representative of Ohio's fourth District. Whether it was answering a rollcall on the floor of this Chamber or responding to the needs of Chairman Celler, Bill has worked for reforms in the best interest of all citizens of this Nation. He proudly merits one of the finest attendance records in this Chamber.

Bill McCulloch will return to his private law practice in Ohio. Mrs. O'Neill joins me in wishing him well in his retirement, and in his future endeavors.

CAPTAIN KANGAROO'S 5000TH BROADCAST

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. MINK. Mr. Speaker, the television program "Captain Kangaroo," which first was broadcast on October 3, 1955, will celebrate its 5,000th broadcast Friday, October 27, on the CBS Television network.

Over the years, the series and its creator and star, Mr. Bob Keeshan, have been honored with many awards. Its young audience, parents, educators, and the press have joined in acclaiming it as one of the most outstanding children's programs on network television.

As a one-time participant on the program—during one of the Captain's visits to Capitol Hill—I am delighted to share with my colleagues some background materials in connection with Captain Kangaroo's 5,000th broadcast.

I urge all of my colleagues to review this information and join with me in saluting the program and network for this accomplishment:

BOB KEESHAN LOOKS BACK ON 5,000 BROADCASTS

(By Bob Keeshan)

When "Captain Kangaroo" arrived in American homes for the first time in 1955, I felt that television had the potential to be the greatest educational medium ever devised. On Friday, October 27 the Captain will have opened the doors to his Place 5,000 times in the past 17 years, and my intimate experience over those years has convinced me that I was right.

With the exception of the home, school and church, no other institution has such an impact on the mind of the child. Surveys made of children's viewing habits often disagree, but, significantly, they usually agree on one point: Children spend a great deal of time in front of the glass screen—more than twenty hours a week, slightly less than the average child spends in school. Is the child influenced positively, negatively or not at all?

The mind of a child is "open." By nature he desires to know; he is curious, tremendously aware of those things which most adults take for granted. Since the child's mind is open and since he gives so much time to TV, there is no question that television can help to mold that mind, cultivate attitudes and develop good taste.

Knowing this, the people who write, produce and perform for children must realize a special responsibility. The program must first be entertaining. We can't educate and inform if we are not entertaining. Our audience would leave us.

Careful attention to detail is most important if we are to avoid any suggestion of a negative or malicious influence. We must remember that the child is a human being, intelligent and cloaked in dignity.

We have tried not to forget this in 5,000 hours of programming over the last 17 years. It has not always been easy. But in this complex world of business and production, we believe that the daily extra effort has been worth it. We are proud of our work.

In looking back over the years I can't detect any appreciable change from our original "Captain Kangaroo" format. The principles and the philosophy remain the same. It's true the production has become more complex, more sophisticated in technical terms, but the effect on the viewer at home is still the uncomplicated, simple approach first seen on October 3, 1955.

Our basic purpose is to entertain. That is the beginning point. How we entertain comes next. Our entertaining subject can be anything in this wide world. If we are creative people, we can inform and educate in an entertaining manner. We can have our cake and eat it too. If we trigger the imagination of a child, if we interest him in a new subject for thought, if we develop his taste, if we impress him with healthy social attitudes, if we help him to grow just one mental inch, we feel rewarded.

I often hear actors, particularly those with a background in legitimate theatre, talk of the coldness of the television medium. Nothing feeds an actor better than the reaction of real live people. Applause, laughter, gasps and screams are the natural diet of the Thespian soul. This need is much more than egocentric. Audience reaction is an integral element in the actor's environment if he is to realize his full potential in any role. The "give and take," the communication with an audience expressed in this reaction, sharpens and heightens a performance. What, then, do I do to fill this need?

Perhaps one of the best avenues of communication with an audience for a television actor is mail. If anyone tells you actors do not read their mail, don't believe it. But, despite my efforts and the efforts of "Sesame Street," my pre-school audience is not noted for literary skills. Most letters are from adult women—mothers—who express their feelings about our program. Sometimes, but only sometimes, the household pre-schooler's feelings filter through.

Often I get a better insight from older brother and sister who do write. Sometimes this mail is the most fun to read. I received a one-line letter last week:

"Dear Captain: Do you know you are talking to puppets? Your friend, Erik."

Or: "Dear Captain: I'm sick today and I'm staying home. I've never seen your show since kindergarten. I really liked it. I hope to be sick tomorrow. Your friend, Laura."

Captain Kangaroo has been around for 17 years, and there are some real fringe benefits from such longevity, the obvious ones aside. Recently there has been an increase in mail from older young people who were once our audience. One young man studying classical music at Syracuse University fondly recalled a series of shows on the symphony orchestra and pointed to this series as originally interesting him in good music.

A young lady entering Williams writes a letter of appreciation and says: "I believe that you have played a much larger role in our lives than you could imagine."

Albeit unscientific, this sort of follow-up research indicates that we have been fulfilling one of our most important programming goals, the reinforcement of incentives. I don't expect every preschooler to remember or even understand the programs on Michelangelo or space exploration or opera or American history or Wordsworth and Shakespeare. If we can weave a fabric of culture for the child so that, even years later, his attitude toward art, music, history or science is manifested in a positive way, we have performed some small service.

Specific skills are important, but how those skills are utilized is of far greater significance. As a medium, television can play an enormous role, along with the home and school, in helping a child to appreciate his world and his culture. It is most important that we in television help to develop our young people as complete human beings.

The communication we have with our audience through the U.S. Postal Service has been a significant factor in helping us fulfill our responsibility.

One last letter from a friend:

"Dear Captain: I know your show is supposed to be for kids, but I want you to know that one of your greatest fans is my cat, who watches and scratches the screen."

Meow!

MANY DISTINGUISHED AWARDS FOR "CAPTAIN KANGAROO"

"Captain Kangaroo" had been on the air little more than a year when it received the Sylvania Award, then regarded as one of the broadcasting industry's most distinguished honors. The award bore the words: "For outstanding contributions to creative TV technique."

A little more than a year later, the prestigious George Foster Peabody Award came to the program, hailing it as one "which instructs children in safety, in ethics, in health, without interrupting the serious business of entertaining them at the same time."

"Captain Kangaroo," which had its premiere October 3, 1955 on the CBS Television Network, reaches its 5,000th broadcast Friday, October 27 (8:00–9:00 AM, EDT), and still the awards come. Most recent was the 1972 Leland Powers School of Radio, Television & Theatre Award to Bob Keeshan, creator and star of the series, for "outstanding service in broadcasting, television and the theatre," with special mention of Keeshan for his "outstanding service to the youth of the world."

Following is a partial list of the awards given to "Captain Kangaroo" over the years:

Sylvania Award, December 1956, outstanding network children's program.

George Foster Peabody Award, April 1958, outstanding television youth and children's program.

National Association for Better Radio and Television: March 1959, award for children's television program; May 1960, award for children's television program; April 1961, award for outstanding pre-school and primary children's program on television for 1960; April 1962, award for children's television program for 1961.

California Federation of Women's Clubs—Junior Membership: 1959, "best children's program"; 1960, "most outstanding children's program"; 1961, "most outstanding children's show"; 1962, "Robert Keeshan—for his untiring efforts in consistently presenting an educational and entertaining production for children."

General Federation of Women's Clubs, June 1960, award for children's series.

Maryland State Society, Children of the American Revolution, February 1961, citation of merit for outstanding children's television program of 1960.

Freedoms Foundation, May 1962, "for outstanding achievement in bringing about a better understanding of the American Way of life."

United States Coast Guard, 1962, "for notable service rendered on behalf of the Coast Guard in promoting greater knowledge of the service and its activities."

Page One, March 1965, citation to Bob Keeshan "for his unfailing devotion to the minds and hearts of our children."

National Association of Television Program Executives, Inc., May 1967, Man of the Year award to Bob Keeshan.

Center for Early Education, June 1970, "for distinguished service for children and consistently high standards."

American Educational Theatre Association, Inc., 1970–1971, Children's Theatre Conference Seal of Merit "for past and continuing excellence in the television and film industry."

Leland Powers School of Radio, Television & Theatre Award, April 1972, to Bob Keeshan for "outstanding service in broadcasting, television and the theatre . . . outstanding service to the youth of the world."

OUR GOVERNMENT AND ITS LEADERS

It is never too early for a child to begin to develop an interest in our government, its leaders and our nation's heritage and culture, in the opinion of Bob Keeshan. Accordingly, program features conveying interesting information on those subjects are frequently presented on the "Captain Kangaroo" series.

"Captain Kangaroo" reaches its 5,000th broadcast Friday, October 27 (8:00–9:00 AM, EDT) on the CBS Television Network. One of its most popular and valuable projects, judging by viewer response, was a week-long series of segments filmed in Washington, D.C. So great was the reaction that these programs have been repeated twice since their original presentation.

Mrs. Bennetta B. Washington, wife of the city's mayor, led the Captain on a tour of the Washington Monument in the first of these broadcasts. Later, the Captain visited the Supreme Court Building, explaining the Court's function. The struggle that lay behind the Declaration of Independence was described by the Captain, who also told how the Constitution and Bill of Rights were created.

During a ride on the Senate subway, Senator Marlow W. Cook of Kentucky told the Captain and his audience of the duties and responsibilities of the Senate. Representative Patsy T. Mink of Hawaii similarly explained the functions of the House of Representatives.

Visits to the Capitol and its rotunda, the Lincoln Memorial and the White House grounds provided background for information about those buildings.

Why we have elections and how our voting system works was described by CBS News Correspondent Walter Cronkite in Election Day visits in national election years since 1966. He and the Captain contrasted the earliest form of voting, by depositing a marked ballot in a ballot box, with the most modern technique, in use in some states. On a tablet-like board, the voter uses a needle-like punch to make holes beside the names of his chosen candidates. The card is placed in a ballot box and tallied by computer.

On the morning after the funeral of President John F. Kennedy, Keeshan spoke briefly and sorrowfully of the tragedy, concluding: "We have all seen the grief, the sadness, brought to a nation by a single act of hate. Let us then begin today to fill our lives with acts of love. Whatever you do, wherever you go—go in kindness, go in peace, go in love."

On happier occasions, Keeshan as the Captain has described the backgrounds and achievements of various Presidents. Often, he uses a President's birthday as an occasion for such a salute. Holidays, too, are occasions to review the historical and social significance not only of our own holidays but of those of other nations—Canada's Dominion Day, France's Bastille Day, for examples; United Nations Day to review efforts at greater cooperation among nations.

The work of The U.S. Postal Service in delivering the mail from Pony Express days to the present, is but one of many similar explorations of the functions and traditions of the various branches and services of government.

State governments, too, have been discussed, as have the cultural, industrial, agricultural and other contributions of each state to the economy and general welfare of the nation.

The American heritage and the roots of its greatness are a continuing story, entertainingly told by "Captain Kangaroo."

TRIBUTE TO EMANUEL CELLER

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. MAHON. Mr. Speaker, I wish to join in paying tribute to the gentleman from New York, the distinguished chairman of the House Committee on the Judiciary and the Dean of the House, EMANUEL CELLER. Others have spoken and much more will be said and written about his legislative achievements. I would rather note here my own personal admiration and regard for this man, who has been one of the most respected and articulate Members of the House in my time here.

Able and dedicated, EMANUEL CELLER has added quality and dignity to the proceedings of this House. Perhaps his most distinguishing quality is his obvious compassion for and stalwart activity in behalf of his fellow man. For 50 years his influence has been felt in the Government councils of this Capital City. We all shall miss him.

In dealing with legislation directly affecting the District which I have the honor to represent, the gentleman from New York has been especially kind and helpful and I shall never cease to be grateful to him.

His illustrious career has grown out of devoted work in behalf of the people of his District and the Nation. I know that he will continue to be active in service to fellow man and I join with his other friends in wishing him a great abundance of happiness in his future undertakings. EMANUEL CELLER, I salute you.

THE PROPOSED UNITED NATIONS UNIVERSITY

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. MINK. Mr. Speaker, for the past 3 years, the question of establishing a United Nations University has been under consideration by the United Nations and UNESCO. The issue may reach a point of decision at the U.N. General Assembly now in progress in New York this fall.

I support the concept of a United Nations world university along the lines of this proposal and hope it will be approved and implemented. Basically it would involve a series of institutes for advanced research and training, which will focus on major world problems such as conflict resolution and relations, protection of the environment, and the interaction of science, technology, and society which will be linked by a programing and coordination center.

This concept is quite modest in its goals, and some of the limitations are described by Mr. Harold Taylor, former president of Sarah Lawrence College, in an article in "Change." Mr. Taylor has long been active in the world university movement, and I am reprinting his article in the CONGRESSIONAL RECORD because of the importance of this proposal.

I am indebted to Dr. Ward Morehouse, director of the center for international programs and comparative studies, of the University of the State of New York, for bringing the article to my attention in his newsletter.

While the U.S. Government's position is said to be not to oppose in principle the creation of a United Nations University, the State Department has expressed a number of reservations about the plan and U.S. delegates to the United Nations and its specialized agencies have voted against the proposal, both at the 89th meeting of the UNESCO Executive Board last June in Paris and at the Economic and Social Council meetings in New York on September 14. I certainly hope that the Government will change its position and support this proposal.

The article follows:

THE WORLD AS AN OPEN UNIVERSITY

(By Harold Taylor)

When U Thant said in 1969 that the time had come to give thought to organizing a United Nations University "truly international and devoted to the Charter objectives of peace and progress," he was perfectly right. The time *had* come.

Thant was in a special position to know that the United Nations as a system of power did not have enough of it to do what the Charter called for. What power it had lay in a capacity for educating the world in the true nature of its problems, in bringing its representatives together to work out what solutions were possible, pushing those solutions as far as the political realities would allow.

To recognize that the United Nations is primarily an educational institution is to look for stronger and more complete ways of using it as an educational instrument. What better recognition could there be than to create a world university with a faculty, student body and curriculum drawn from the entire world, at work for the benefit of the whole of mankind? "Working and living together in an international atmosphere . . . students from various parts of the world would be better able to understand one another," said Thant. "Even in their formative years they would be able to break down the barriers among nations and cultures. . . ."

Two and one half years later, Thant's idea has now gone through the machinery of the international establishment, through three sessions of the General Assembly, two feasibility studies, consultations with dozens of international organizations and individuals, a UNESCO working party, the UNESCO Executive Board and a UN panel of experts, with more work to be done before next fall's General Assembly when the proposal will be voted on.

What has emerged after the two and a half years is a plan for an interrelated set of research centers around the world where scholars and scientists, recruited on a world scale can work on world problems—among them war prevention, social and economic development and the preservation of the environment. The students in U Thant's original proposal have disappeared, as has his idea of a central teaching campus in a neutral country. It was said that the latter would cost too much and would duplicate present facilities, and in the case of undergraduate students, that "this kind of teaching would duplicate the work already done in the existing institutions and, moreover, to organize such teaching would raise innumerable technical, political and financial problems."

The proposal is for a modestly staffed Secretariat in a neutral country to coordinate the work of setting up the regional research centers, starting with a center in the originating country, adding more around the world in subsequent stages, making affiliations with existing universities and institutes and encouraging regional groups to develop their own teaching programs through the stimulus of the work going on in the research centers themselves.

At first sight this seems to be very little more than more of the same, except that it is to be organized by a combination of UN and UNESCO bureaucracies, at a time when what the world needs is not more research but the application of the infinite variety of what is already known to the solution of human problems. There is so much that already exists in the global library, on the desks and in the journals of the scholarly elites, so many reports sitting on the world's shelves and in its filing systems, so little of it being shared with and used by the world's people or being taught to the new generations.

But on closer examination, we are faced with the fact that at this point what is proposed by the UN is about all we can get. With the exception of Japan, Austria and a very few others, the countries with the power and the money to build an imaginative new world university system are not much interested in doing it. It is against the spirit of nationalism to democratize and denationalize the world's higher learning, to make an open university of the world with free access to everything that is known, to let people, young or old, know the reality of global truths, to use communications satellites to bring the work of the world's intellectuals and other citizens to all those who wish to know.

The countries which need and want a new international university system the most do not have the power or the money to get it. They can barely keep their own universities going. At a time when all universities are under the most severe pressure, from political repression, student dissatisfaction, financial undernourishment, archaic structures and the crucial necessities of reform, there is no organized constituency around the world in support of the international university. At a time when the United Nations is fighting for its financial life, the thought of diverting funds from existing programs or of adding any new obligations has a dampening effect on any discussion of the larger possibilities for world development.

There is also the problem of how an idea of this size and breadth of educational vision can move through the UN system from its conception to its reality. The United Nations structure is the only one we have through which full educational action on a world scale can take place, aside from the work of individuals and groups inside the world's educational community. But the UN structure was not planned as a source of fresh educational thinking. As an organization it is a reflection of the past and of the hegemony of the West and its educational and cultural system.

That system was built on a series of cultural elites which have always interlocked with the instruments of political and social control. When education is considered by the universities, it leaves the realm of egalitarian thought and enters the field of cultural hierarchies. It is assumed that universities exist for those who can do university work, and university work is done by university people. If you have not been trained to that kind of work, you have no business being in a university.

In this sense, the United Nations itself is an organization of university people, most of whom have been trained in universities whose central model is 19th-century European. When plans are made for a new international system, it is assumed that the models of the past are the basis on which new systems should be built, and the idea of inventing new models designed to serve the needs of a mass clientele on a world scale is a concept foreign to the academic mind. Yet it is this basic assumption of the elites that is put in question by the world-wide student revolt, along with the assumption that the university should act as the central agency of intellectual authority and official culture of the contemporary nation-state.

Other deterrents to fresh educational thinking come from elsewhere. Even with the best will in the world, the members of the UN Secretariat, the UNESCO planners, the UN panel of experts, the members of the delegations, the Second Committee and everyone else connected with the proposal could not keep in touch with educators and intellectuals outside the UN system, let alone incite them to active thought about new possibilities. They have had enough trouble simply keeping up with each other and trying to keep track of all the documents produced as the idea has moved through the apparatus of possible consent.

This has meant that very little is known by the public at large or in the world educational community about the proposal itself. When it is described, as it must be, as a network of research centers for dealing with global problems, it takes no firm grip on the public imagination. Since it has no students or teaching program, except for the possibility that younger scholars of established repute could be attached to the senior members, it has no constituency among students or even among the members of the world's teaching community. It presents itself as a set of additional think tanks, this time inhabited by a global elite, and the big nation-states are not burning with desire to have their thinking done for them by strangers whose ideas for changing the world might turn out to be dangerous. There might be too many cats let out of too many bags.

The more critical commentators among the UN delegations and governments ask, Why add more research agencies and budgets to the ones already operating inside the UN system? Why call the proposed network an international university at all? Why create a new international institution instead of concentrating on internationalizing the preset ones? If it is to cost $1.7 million for the first research and coordinating center, with a preliminary $700,000 annual budget, rising to a $12.5-million capital investment for a world communications and documentation center and an annual budget of $6.5 million, where is the money to come from?

There are very good answers to all these questions, but there are not as yet enough enthusiasts to make them. The amount of money is slight, except in relation to the poverty of the UN budget as a whole. A single country could easily invest in the capital cost for the first center; international financing in the public and private sector could deal with the annual expenses, as has been the case with the United Nations Institute for Training and Research; international airlines and the international communications industry could handle most of the transportation and equipment costs.

What we can have, if the world puts its mind to it, is something of very great importance. We could have an over-all structure for world higher education, supported by the UN, within which the scholars, students, teachers, poets, artists, writers, scientists and citizens of the world can pool their resources and concentrate on building new international environments for learning from each other. Once the structure is in place it can be used in countless ways.

A great deal is already happening even without the structure. In a sense, the July UN Stockholm Conference on the Environment is a functional, short-term university research center, except that the research is being done before and after the conference. The Pugwash conferences are another example. They have been going on for twenty-one years, and during the whole of this time they have brought together bodies of ideas and powerful multinational groups of scientists who care to use their talents to help advance the cause of world peace. Their work originally began outside governments and existing international structures, yet over the years it has penetrated to major government policymakers and into the entire international scientific community.

Suppose the UN research centers were in fact established, and that a coordinating center for the world's knowledge linked them all together. The most important effect would not lie in the amount of international research turned out, but in the number of new educational developments that would then become possible, even to the point of redefining the role of the universities themselves. It would mean that for the first time in world history, the scholars and universities of the world would be formally linked on a world scale, that the instruments of global collaboration would be put in their hands, including many of the instruments of communication.

In the early days of UNESCO, that is what some of us thought should be done with that organization—rather than building a centralized bureaucracy in Europe, give it a small coordinating staff in a neutral country with regional centers around the world for fully international student bodies, faculties most of the world's scientific and intellectual and curricula. We were already hoarding most of the world's scientific and intellectual manpower and equipment in the Western countries, and it seemed absurd not to spend the available international money on sharing the intellectual wealth on a world scale.

Now there can be a new beginning. It is obvious that the international communications systems—films, radio, television, transportation and mass printing—are going to continue to expand their outreach. It is equally obvious that the universities and schools will be making more and more use of all the new media in the daily tasks of teaching and learning about world society in its present and future forms. We manage to handle such problems globally when it is a matter of the Olympic games, a world's fair, or an American visit to China. It is only when we come to education that we pull in our horns.

Why is it not possible to seize this moment when the big questions of world education are up for debate and decision in the central bodies of world politics and culture, and concentrate a major share of educational energy on helping to answer the questions? In historical terms, we are just at the beginning stages of enquiry and action in the creation of global educational systems, and it would be foolish and irresponsible to leave the planning of the future entirely in the hands of appointed officials inside the international cultural establishment. Those who are now in charge of the planning have very little chance to hear from the rest of us unless we invent our own forms of communication and take the initiative in using them.

We who are Americans could start by doing something about our own government, whose attitude toward the United Nations in general and the international university in particular is just this side of scandalous. The U.S. National Commission for UNESCO could make the development of new international learning environments a major project for this year: it could call upon the American student movement to join them in creating new relations with the world student community. We are all at least honorary members of an imaginary open university of the world in which persons unknown to us are already enrolled. The least we can do is to seek them out, wherever they are, and to see what can be done to bring us all together.

THE FAMILY ASSISTANCE PLAN—HOW MUCH DOES IT COST?

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRY F. BYRD, JR. Mr. President, during consideration by the Senate of H.R. 1, the social security and welfare bill, Senator RIBICOFF, in a colloquy with me, raised the question of how much had been spent by the administration to develop and promote its welfare program—the so-called family assistance plan.

As a result of this colloquy, I addressed letters on October 2 to the Secretary of Health, Education, and Welfare and the Secretary of Labor, requesting the following information:

First. The amount of expenditures by the Federal Government in fiscal years 1970, 1971, and 1972 in support of and in anticipation of the passage of the family assistance program and the opportunities for families program;

Second. The number of employees in each of these years whose duties, in whole or in part, are in support of and in anticipation of the passage of the family assistance program and the opportunities for families program;

Third. The number of employees at this date whose duties, in whole or in part, are in support of and in anticipation of the passage of the family assistance program and the opportunities for families program, and the payroll costs of these employees on a monthly basis.

I have now received responses from both departments. The figures furnished by Labor and HEW show that these two departments spent a combined total of almost $10 million during the fiscal years 1970, 1971, and 1972 in planning for the family assistance program.

As of mid-October, 315 employees of the two departments were engaged in work on the administration welfare plan at a total payroll cost of $492,886 per month.

The number of employees involved in this work rose from 10 in fiscal 1970 to 289 in fiscal 1972. Costs of this effort were $127,000 in 1970 and climbed to more than $7.5 million in 1972.

The Senate now has rejected the administration welfare program. I think this was a correct decision by the Senate.

I opposed the administration plan for these reasons:

First. It lacks adequate work incentives.

Second. I doubt the wisdom of writing into law the principle of a guaranteed annual income.

Third. The annual cost of the program would be at least $5 billion greater than the present program.

Fourth. The number of welfare recipients would be increased from 13 million to 26 million.

Fifth. The Federal Government would need to hire an unprecedented 80,000 new employees to administer the program.

So I believe the Senate was right in rejecting the administration proposal.

I think it is most regrettable that so much in tax funds was spent by the administration in support of this welfare program, which the Senate has so justifiably turned down.

I ask unanimous consent that the text of the letters which I received from Secretary of Labor Hodgson and Acting Secretary of Health, Education, and Welfare Veneman be included in the Extensions of Remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 13, 1972.

HON. HARRY F. BYRD, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: This is in response to your request of October 2, 1972, inquiring as to the level of the Department's Welfare Reform planning effort.

In order to properly prepare the Department of Labor to assume the major responsibilities to be placed upon it by H.R. 1, a modest planning effort has been underway since April 1971.

The information you requested is provided below:

1. The total amount of expenditures including payroll plus non-personnel expenses such as equipment, travel, supplies, printing, etc., by the Welfare Reform Planning Staff for planning for the OFP program by fiscal year is as follows:

Fiscal year 1970—None.
Fiscal year 1971—$105,000.
Fiscal year 1972—$2,100,908.

2. The number of professional and clerical employees involved in planning for the OFP program by fiscal year is as follows:

Fiscal year 1970—None.
Fiscal year 1971—31.
Fiscal year 1972—71.

3. There are presently 85 professional and clerical employees involved in planning for the OFP program. The monthly payroll cost for these employees is $129,986.

Sincerely,

J. D. Hodgson,
Secretary of Labor.

The Secretary of Health,
Education, and Welfare,
Washington, D.C., October 16, 1972.

Hon. Harry F. Byrd,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: As you requested in your letter of October 2, the following information has been prepared relative to Family Assistance Program planning.

1. The total amounts of personnel expenses and other obligations incurred by the Department of Health, Education and Welfare in support of this operation were $127,000 during fiscal year 1970, $2,144,000 in fiscal year 1971, and $5,469,000 in fiscal year 1972.

2. The number of employees in each of these years whose duties were substantially in support of this program were 10 in 1970, 120 during 1971, and 218 in 1972.

3. There are presently 230 employees working in the Family Assistance Program planning operation with monthly payroll costs of $363,000.

The Department of Labor which manages the Opportunities for Families Program will send you similar information about that program in response to your recent letter to the Secretary of Labor.

Sincerely,

John Veneman, *Secretary.*

BILL McCULLOCH—A TRIBUTE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RANGEL. Mr. Speaker, I rise to join my colleagues in tribute to William McCulloch upon his retirement from the Congress. Congressman McCulloch has been in Congress since 1947, and in his 25 years of service to the people of Ohio and the Nation, he has consistently challenged this Nation to live up to the ideals it professes in the Constitution.

Mr. McCulloch, a member of the House Judiciary Committee since 1949, has worked alongside the committee's chairman Emanuel Celler as ranking Republican member to produce the great civil rights legislation of the past 15 years. His commitment to civil and human rights has been unflinching, and on these issues he has had the courage to stand fast in the face of opposition from his party leadership and, sometimes, from his own constituency.

Mr. McCulloch has a long and distinguished career. In addition to his service in the Congress he has been a member of the President's Commissions on Civil Disorders and on the Causes and Prevention of Violence. He has received the American Political Science Association's Congressional Distinguished Service Award, the Ohio State University Centennial Achievement Award, and other awards too numerous to mention. I am pleased to honor him today for these achievements, but I am especially pleased to honor him as a man who has exhibited courage, perseverance, wisdom, and above all, a deep understanding of the needs of his fellow human beings during his years of public service. I wish him as he returns to his native Ohio, many happy years of retirement which, I am sure, will include continued public service in new roles.

WILLIAM S. CONOVER II

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. COUGHLIN. Mr. Speaker, it is particularly sad when Congress loses one of its new, young, and talented Members. Such is the case of William S. Conover II who will not be returning for the 93d Congress.

Bill Conover's short term here was marked by a vigorous and inquiring approach to problems, qualities which are in relatively short supply in Congress, and his presence will be missed, I am sure, not only by his colleagues in general, but by the Pennsylvania delegation in particular.

I know all of us will join with me in wishing Bill Conover well and encouraging him to return to these Halls as soon as possible so that once again we may be the beneficiaries of his many talents.

HON. PAGE BELCHER

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. STEED. Mr. Speaker, I am proud to join in saying a few words of thanks for many years of effective service to one of Oklahoma's truly outstanding public servants, Congressman Page Belcher.

We have worked here together for 22 years since he was first elected in 1950, only 2 years after I came to the House. One of the true rewards of my time in public life has been my association during this long period with Page Belcher. He is a man of his word, quiet and unassuming but rocklike in his integrity and in his devotion to Oklahoma and its people.

Whenever the interests of our State are involved, Page Belcher has always been there to do his best. He has never placed partisan political matters above the well-being of his district or of our State.

We all respect his decision to leave the House at the end of the 92d Congress. He deserves a relative respite from the hard work he has always put in. But Oklahoma and the House of Representatives will be the poorer for his departure.

The fine working relationship among our Oklahoma House Members, five of whom have served together for 20 years, has always found Page Belcher in a key role. It proves that party division need not prevent people from cooperating on many issues with constructive results.

Page Belcher has served in the House longer than any other Republican in the history of our State. We all know his expertise in the field of farm legislation, where he has for years been the senior member of his party on the House Agriculture Committee.

Ever since he first came to public notice as a member of the University of Oklahoma football team long ago, he has been a man on whom one can rely.

Mrs. Steed joins me in expressing all good wishes for the future to our friends Page and Gladys Belcher.

TRIBUTE TO ELLIOTT HAGAN

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, I would like to take this opportunity to pay a sincere tribute to my colleague, Elliott Hagan, who is retiring after 12 years of dedicated service in the Congress and to the Nation.

Elliott Hagan's integrity and devotion are reflected in his outstanding record of service in the House and the positions of trust and responsibility he holds.

As a member of the Armed Services Committee, he has participated in shaping the continuing strength of our country's defenses. A champion of national security, he has been significantly instrumental in insuring the safety and protection of the American people.

Elliott Hagan's entire career is characterized by his faithful public service to his district, State, and Nation. He not only has been an able Representative, but he has found the time to participate in a number of eleemosynary organizations.

It has been my privilege to serve with Elliott Hagan and I wish him and his family the best of luck, health, and happiness in their richly deserved retirement as they return to their home and friends.

WANTED: AN HONORABLE, HUMANE, AND LASTING SOLUTION IN VIETNAM

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HRUSKA. Mr. President, on October 15, one of the Nation's leading and most distinguished journalists and observers of the affairs of our Republic, editorialized in his newspapers on the national telecast expressing the views of the Democratic presidential candidate on termination of America's role in the Vietnam conflict.

This editorial appeared in the Hearst newspapers nationwide.

Thoughtful reading of the editorial

discloses that Mr. William Randolph Hearst, Jr., editor in chief, gave every fair intendment to the Democratic nominee's speech of October 10. Mr. Hearst described it as "exceedingly well written," and as one which "expressed better than any previous speech or statement" the candidate's belief as to how peace may be secured.

Mr. Hearst is a student of world affairs of long standing. And of soundness of views proven by events transpiring after the event of his editorializing. This Senator has long regarded him as a true patriot struggling constantly to plumb the range and the depths of current events to ascertain their true meaning, and persistently trying to influence in his own way their direction to the country's better advantage. The patriot's motivation is ever present in his words and in his acts.

So that when Mr. Hearst refers to the Democratic candidate's answers as "too pat and simplistic," it is well to note. Equally notable is the editor's low-keyed observation that a majority of our citizens do not "want the U.S.A. to become a discredited second-rate power nor act in a cowardly manner."

Further, in an almost too restrained low-key fashion, Mr. Hearst's editorial almost painfully called attention to the fact that Mr. Nixon's opponent failed to criticize the other side and its blatant, massive aggression across the demilitarized zone last spring; and that this opponent "practically told the Communists that if he is elected—which is highly doubtful—he will settle the war on their terms."

The editorial then goes on to say:

> Yet McGovern who can weep and mourn over the North Vietnamese who have been killed by American bombs aimed at military targets, has little compassion for the South Vietnamese.

In the concluding paragraphs of his writing, Mr. Hearst says:

> Every American wants peace. But peace-at-any-price in the McGovern manner could undermine our influence throughout Asia and much of the rest of the world. It also could spark the flames of much bigger war in the future, as did England's appeasement of Hitler more than 30 years ago.

Mr. President, that my colleagues in the Senate and others may have the benefit of the full text of this well-reasoned paper, I ask unanimous consent that the editorial entitled "A Viet Solution Without Honor," by William Randolph Hearst, Jr., and appearing in the October 15 issue of the Hearst newspapers, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A VIET SOLUTION WITHOUT HONOR

(By William Randolph Hearst, Jr.)

Even those of us who disagree vehemently with George McGovern's view on Vietnam must concede that his Tuesday night television speech probably had a lot of appeal for a lot of people.

In rereading that speech, I found it exceedingly well written. It expressed better than any previous speech or statement McGovern's belief that peace can be secured by halting the bombing of North Vietnam, cutting off all military aid to South Vietnam, withdrawing all American forces from Vietnam, Laos and Cambodia, and retrieving all salvageable equipment.

To a great many Americans who have become frustrated with this war far from our shores, the McGovern prescription must sound like the sensible way to end our torture.

Therein lies the danger. McGovern's answers are too pat and too simplistic. They do not take into account our role as leader and protector of the free world nor do they explain how we, in good conscience, could live with the bloodbath that would ensue in South Vietnam once we evacuated all of our forces and all of the materials of war that might be used by Saigon to defend itself.

I don't believe that a majority of our citizens want the United States of America to become a discredited second-rate power nor act in a cowardly manner. Our relationship to many smaller nations in Asia, Europe and Latin America is similar to that of parent to child. They look to us for protection in a world where the only other super-power is Communist Russia.

George McGovern would be far more credible in offering his solutions for Vietnam if he were to acknowledge the intransigence of Hanoi at the negotiating table and the fact that the bombing and the mining of Haiphong harbor were launched by President Nixon in retaliation for North Vietnam's blatant massive aggression across the Demilitarized Zone last spring.

But McGovern does not criticize the other side. He does not even mention the treachery of the North that led President Kennedy to commit thousands of military advisers and then led President Johnson to send in our ground and air forces.

At a time when we are involved in very serious negotiations with Hanoi in Paris, McGovern practically told the Communists that if he is elected—which is highly doubtful—he will settle the war on their terms.

This is not the American way. In previous wars we have had our dissenters and protesters, but we have seen those wars through to an honorable conclusion.

I found it interesting to note that James Reston, in his syndicated column, wrote that McGovern "went so far in meeting Hanoi's war aims that he may actually have lost more support by his TV speech than he gained."

Scotty Reston is a very sound and honest journalist in my estimation, despite the fact that I occasionally disagree with some of his views. He, too, is a sharp critic of the war.

He made eminently good sense when, in discussing McGovern's proposal to withdraw all salvageable military equipment, he added:

"This is far more than a promise to withdraw all Americans from Indochina within 90 days. It is a threat to withdraw future military aid to Saigon while leaving the Soviet Union and China free to continue sending military arms to Hanoi and the Viet Cong.

"Moreover, Senator McGovern asserts that he would 'immediately' stop the bombing and all acts of force upon taking office, but he merely assumes that this would end the hostilities and 'expects' Hanoi will then turn over the prisoners and account for the missing . . ."

This is a vital point in the whole McGovern charade. Just because President Nixon sat down with Chou En-lai in Peking and with Brezhnev in Moscow does not mean that the Communists have suddenly changed their spots.

They may be willing to seek certain accommodations with us that are to their benefit. But they have not retreated from their determination to subvert non-Communist governments or to extend the tenacles of Communist aggression.

Were we to withdraw from South Vietnam all guns, tanks, planes and other materiel that might be used for self defense, the North, equipped with Chinese and Soviet arms could overwhelm the South.

The New York Daily News described this prospect quite pungently in an editorial, when it said: "It would be disgrace enough for the U.S. to abandon an ally."

But to denude South Vietnam of every means of self-defense, delivering 17 million people into the hands of a merciless enemy, would make the U.S. an accessory to the certain butchery that would follow."

Yet George McGovern, who can weep and mourn over the North Vietnamese who have been killed by American bombs aimed at military targets, has little compassion for the South Vietnamese.

This is a major flaw in his reasoning. But there are others, too.

I simply cannot accept his theory that a vote for McGovern is a vote for four years of peace while a vote for Nixon is a vote for four more years of war.

President Nixon has made every conceivable effort to end the war without selling South Vietnam down the river. He could achieve peace tomorrow if he would end the bombing, establish a pro-Communist coalition government in Saigon, pull all our forces out of Indochina and let the North Vietnamese run rampant through the South.

But even such a surrender would not guarantee that Hanoi and her allies would not soon devour Laos and Cambodia and then move on Thailand, with which we have a sound defense treaty commitment.

There is no way that McGovern can promise that the Communists will react in a certain way if the United States makes a unilateral withdrawal from Southeast Asia—and he knows it as well as I know it and you know it.

Every American wants peace. But peace-at-any-price in the McGovern manner could undermine our influence throughout Asia and much of the rest of the world. It also could spark the flames of much bigger war in the future, as did England's appeasement of Hitler more than 30 years ago.

If enough Americans are willing to sacrifice our honor and scrap our commitments, then I suppose McGovern will be elected.

But I have enough faith in the American people to believe that they will stick with President Nixon and his efforts to find an honorable solution in Vietnam.

GEORGE MILLER

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, the retirement of GEORGE MILLER will leave the 93d Congress greatly diminished. The House of Representatives and the Nation are indebted to Congressman GEORGE MILLER, whose continued leadership, encouragement, and unswerving support of our national program to explore space has brought incalculable benefits to all American citizens.

As chairman of the Science and Astronautics Committee, GEORGE MILLER has been a pioneer in fostering the advancement of science and the progressive development of technology in the field of aeronautics. No committee chairman has fulfilled his responsibilities with more diligence, dedication, or resourcefulness than GEORGE MILLER. Whether it was fighting for another Apollo flight to the moon, or advocating a space shuttle program, Chairman GEORGE MILLER has illustrated the kind of unparalleled leadership and competence which have earned him the respect and admiration of all those members who have had the good fortune to serve on his committee.

No other Member in this House possesses more knowledge or greater understanding of America's space program than GEORGE MILLER. In recognition of his personal efforts and outstanding achievements in advancing space flight programs, GEORGE MILLER was the recipient of the 1967 Goddard Award for his contribution to U.S. leadership. In 1967, GEORGE MILLER was appointed to represent the House of Representatives as special congressional adviser to the U.S. Ambassador to the United Nations for the Peaceful Uses of Outer Space. And again in 1971, Congressman MILLER was elected to honorary membership in the American Institute of Aeronautics and Astronautics. There have been only six previous honorary memberships given by this organization, which dates back to the beginning of the space program.

Since the 79th Congress, GEORGE MILLER has been a Member of the U.S. House of Representatives. Serving first in the California State Assembly and for 27 years in Congress, GEORGE has conscientiously and energetically represented the Eighth District of California.

Now, after more than a quarter of a century of public service, GEORGE MILLER will retire. Mrs. O'Neill joins me in wishing GEORGE well in all his future endeavors as he returns to life as a private citizen.

EMANUEL CELLER: A GIANT IN THE HOUSE

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. PATMAN. Mr. Speaker, it is difficult to imagine this House without the distinguished presence of our beloved and highly respected dean from the great State of New York, the Honorable EMANUEL CELLER. What can we say of this great man that will truly portray the tremendous stature and strength of such a giant among legislators? He is a lawyer's lawyer, a statesman's statesman, a scholar's scholar, and an orator's orator. Who among us can ever forget the eloquence, erudition, and good commonsense of his addresses on the House floor?

From Proverbs we are told: "Happy is the man that findeth wisdom, and the man that getteth understanding," and MANNY CELLER must be as close to that estate as it is possible for a human being to get. He has a mind that is encyclopedic in its range, with the speed and dexterity of a multicomputer, graced with an understanding and love of all God's creatures. So it is no wonder that his colleagues have long looked to him for advice and counsel on a host of complex and critical issues.

Mr. Speaker, I have been especially fortunate to have served alongside MANNY CELLER for 44 years—in fact, he is the only remaining Member who was serving in the Congress when I arrived in Washington on a wintry day in 1929. During these many eventful years, I have been privileged to witness firsthand the manifestations of MANNY'S keenness, his judgment—as sound as the solid rock that provides the basic strength and support the huge and towering buildings of his home city—his unshakable courage, fierce tenacity, omnipresent compassion, unimpeachable integrity, and total commitment to the public interest. For a full half century. EMANUEL CELLER has been widely recognized as a great advocate of and for the people, and he has been one of the most productive legislators in American history, framing hundreds of bills and four constitutional amendments. A valued ally and a fearsome adversary, EMANUEL CELLER has fought for the ultimate good of all the world's people with unfaltering efficiency and patriotic rectitude. He has earned the undying respect and gratitude of our Nation. History can now record the myriad accomplishments and contributions of Chairman CELLER, and the story of his career in the Congress will be an inspiration to Americans for generations to come.

Mr. Speaker, how do we honor such a noble figure, but to carry forward in the great tradition which he in fact created by his Herculean labors in the Congress. In so doing, we best proclaim our admiration and acknowledge our debt, that he has been our mentor in excellence. As MANNY CELLER returns to private life, our thoughts and best wishes go with him as do our prayers that he will continue to be blessed in all that he may do.

MUCH NEEDED ADDITION TO THE OMNIBUS CRIME CONTROL AND STREETS ACT OF 1968

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. QUIE. Mr. Speaker, I am happy that the House Committee on the Judiciary has approved H.R. 16932, which would provide a gratuity of $50,000 to any police or fireman killed in the line of duty.

This is a much needed addition to the Omnibus Crime Control and Safe Streets Act of 1968. I sincerely regret that the retroactivity feature was taken out of the bill. I strongly believe that the bill should be retroactive to January 1, 1967. It was in that year that a large increase in political assassination of police officers occurred. I will vote for the bill today and actively seek its amendment in the next Congress to make it retroactive to January 1, 1967.

REPORT FROM WASHINGTON

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BINGHAM. Mr. Speaker, several times each year I send a printed report to all registered voters in my congressional district in the Bronx, N.Y., and once a year I send a questionnaire dealing with a number of widely discussed public issues. These reports and the questionnaire are prepared at my expense as a service to the community in order that the public may be more fully informed of developments in the Congress affecting every citizen. The texts of my most recent Report from Washington and my 1972 questionnaire follow:

CONGRESSMAN BINGHAM REPORTS FROM WASHINGTON

MASS TRANSIT REFORM FINALLY CATCHING ON

Dear Friends and Neighbors, one of my first acts when I came to Congress in 1965 was to seek a solution to the severe transportation crisis faced by New York City and all our urban areas. The solution I came up with and proposed then, and have been pushing for at every chance since, was reform of the mammoth Highway Trust Fund, and I've just recently introduced new legislation expanding on that proposal.

Rather than being tied to using Federal Highway Trust Fund money for roads, I suggested in 1965, state governments should be given authority to use those funds for either road or mass transit construction "in whatever proportions they find appropriate to meet their problems." With then-Senator Joseph Tydings of Maryland, I introduced legislation to that effect.

That was before the public became so aware of the need to preserve our environment, and before so many miles of super highways had dissected city neighborhoods and displaced so many people. The Bingham-Tydings proposal drew little support and many yawns.

Gradually that has changed. In 1971, the National Governor's Conference passed a resolution endorsing the idea of using Highway Trust Fund moneys for mass transit. This year's Democratic Platform calls for a broad Transportation Trust Fund. Transportation Secretary Volpe is sympathetic, and the Senate has approved the idea.

My new bill would recast the Highway Trust Fund into a broad Surface Transportation Trust Fund, and would set a minimum proportion of all funds that must be devoted to mass transit based on local population densities. It would also encourage States to open up their own Highway Trust Funds for mass transit uses.

The total effect of these provisions would be to prevent the powerful Highway Lobby from continuing to monopolize transportation resources at both Federal and local levels. Substantial investment in mass transit would no longer be a matter of choice, but of necessity. In the 1960's the Federal government spent $30 on highways for every $1 on mass transit. By 1971, mostly as a result of enactment by Congress of the Urban Mass Transit Act, that ratio had dropped to about $12 to $1. By converting the Highway Trust Fund to a National Surface Transportation Trust fund as I have proposed, we could soon be devoting as much to mass transit as to highways.

While resistance to this idea remains strong in the House, particularly in the Public Works Committee, the support that has developed elsewhere and assignment of my bill to the more sympathetic House Ways and Means

Committee gives me hope for progress on this kind of transportation revolution—and for a big gain for our environment and the quality of life in our cities.

VIEW FROM SPEAKER'S CHAIR

House Speaker Carl Albert recently asked me to Chair the full House during action on two bills. As any one who's visited the House chamber knows, the Speaker cannot preside personally at all times and it is an honor to be entrusted with the gavel and to preside over the House on his behalf.

SENIOR BENEFITS THREATENED

Many of our senior citizens could be disappointed rather than relieved next month when they receive Social Security checks containing the 20% increase recently approved by the Congress.

The source of that disappointment would be that senior citizens receiving public benefits in addition to Social Security may find those other benefits reduced by as much or more than the amount of their Social Security increase. So, contrary to what Congress intended, they could end up with less income rather than more.

To head off such a development, I've introduced the first bills in the House to require that the full 20% Social Security increase be passed on to all Social Security recipients by disregarding the increase for purposes of computing such other benefits as veterans' compensation, Medicaid, Old Age Assistance, aid to the blind and disabled, and aid to dependent children. And I've appealed to the appropriate Chairmen of House committees to take action to plug this "loophole" before any Senior Citizens are deprived by any portion of their already inadequate incomes.

CARE FOR MENTALLY DISABLED

Much more is needed in the way of Federal programs to provide care for the physically and mentally ill, and health legislation is one of my major concerns in Congress. I was honored to be the subject of a "profile" in the July-August issue of the Epilepsy Foundation of America's National Spokesman, describing my recent efforts to obtain additional funds for the mentally disabled under the Developmental Disabilities Services Act (DDSA) and other health programs. It is reprinted below with permission:

From time to time, Spokesman will focus on lawmakers who have demonstrated a special interest in improving the health of our nation.

Our first profile subject is Rep. Jonathan B. Bingham (Dem), of the 23rd Congressional District, New York.

Although his work in Congress is multifaceted, in his seven years as a Congressman Jonathan P. Bingham has actively worked to help those with epilepsy, through DDSA and other programs.

He led the House fight this past April to increase funding for DDSA—a fight that has now been continued in the Senate.

Bingham has also introduced bills to provide tax relief (through a new income tax exemption and a special transportation cost tax deduction) for families of the disabled, and to increase the federal government's share of health insurance costs for federal employees.

The Bronx legislator has also co-sponsored numerous health-oriented bills, including a bill to create a national health security system and another to establish an emergency medical services administration under HEW. Bingham has also co-sponsored bills to aid the mentally retarded.

Jonathan Bingham's interest in the field of health extends back to 1959, when he served on the New York State Mental Health Council. He was president of the Bronx County Society for Mental Health in 1960-62.

LOCALLY

After far too much delay, the Golden Age Center for senior citizens in St. James Park is finally underway. Official ground-breaking ceremonies will be at noon on Oct. 17. Hope to see some of you there!

Additional street-lighting is planned to be installed in the Weeks Avenue and 167th St. area as a result of my contact with the Department of Public Works on behalf of residents there and a survey which confirmed that the lighting is now inadequate.

With many others from our community, I appealed to the Board of Estimate for continuation of express bus services from the Pelham Parkway and Co-op City areas via Fifth Avenue. Manhattan residents had complained about the buses and had raised doubts the service would continue. However, the Board responded to our need for this service in the Bronx, and renewed it.

I learned of a proposal to close the Bronx Rent Control Office by merging it with one in Manhattan. I immediately got in touch with the Mayor and city housing officials, and was later informed the plan to close the Bronx facility had been "laid aside".

A city employee whose health insurance coverage provides discounts for prescription drugs was having difficulty getting the necessary card. I contacted the welfare fund of his union. An error in their records was discovered and the employee now has his card.

The Immigration Service responded to my plea for issuance of a special alien registration card to a woman on Clay Avenue who had not received her card and needed one quickly in order to be able to leave the country temporarily to visit her severely ill father-in-law in Hungary.

A long-established store on the Concourse was being "invaded" by drug addicts who were keeping customers away. I supported the owner's request to the Mayor for police help. Arrests were made and patrols increased, and the owner tells me the situation has improved.

Several major Federal grants have come through in recent weeks for projects that will benefit our area. Among them: $501,787 from the Office of Education for a Health and Drug Education Program in School District No. 10 and $1-million from the Department of Interior to build a new swimming pool and recreation complex in Bronx Harlem River State Park at the foot of West Tremont Street.

Letter From Fort Worth Jail

The imprisonment of five Irish-Americans in Fort Worth, Texas, by Federal authorities has deeply disturbed me.

The five men—all from the New York City area—were jailed without bail for refusing to testify before a Federal Grand Jury looking into alleged gun-running from this country to Northern Ireland.

I deplore the bombing and killing that is going on in Ulster, and I support legitimate inquiry into the shipment of guns to Northern Ireland. But regardless of the guilt or innocence of these men, they should not be forced by the Justice Department to leave their jobs and families and be detained 1500 miles from home in a city where they have never before set foot.

When I learned of this situation on June 30, I immediately sent a telegram to Attorney General Kleindienst (signed by seven other New York Congressmen) urging that "these witnesses be returned to their homes and families."

Soon thereafter I met with the wives of the prisoners to get more of the story.

Such outrageous treatment has been made possible by a 1970 law (which I opposed) that permits the Federal government to offer immunity from prosecution to grand jury witnesses, and to jail them indefinitely without bail if, despite the offer of immunity, they refuse to testify. In this case, the immunity offer could not protect these men from possible prosecution, for example, by the British, so they understandably refused to accept and testify.

I strongly suspect the British government put the Administration up to this—another example of what I've frequently called our Government's "pussyfooting" when it comes to dealing with the British with respect to Northern Ireland. Britain's policy of internment in Northern Ireland should be ended, and so should this British-influenced internment of the five Irish-Americans by our government in Fort Worth.

With that in mind, I joined with other House Members in appealing to Chairman Emanuel Celler of the House Judiciary Committee to convene special hearings on how to modify the 1970 law to keep it from being misused by the Federal government to harass and silence political groups.

In response to my efforts on behalf of the civil rights of these men, I received a handwritten letter from them—signed by Kenneth Tierney, Thomas Laffey, Matthias Reilly, Paschal Morahan, and Daniel Crawford—of which I'm certainly proud.

Tarrant County Jail,
Fort Worth, Tex., August 2, 1972.

Congressman Bingham.

Dear Sir: We the five imprisoned Irish born men here at Fort Worth wish to thank you for all you are doing on our behalf.

We know you are aware of the un-American Police State tactics used to incarcerate us on behalf of the British Government. Your concern for our civil rights is deeply appreciated. We are in jail without charge or trial. The Grand Jury abused its powers through four U.S. Attorneys and a most biased Judge (Brewster). Our wives, our children, families, and friends thank you for your dedicated efforts on our behalf.

Sincerely,

Matthias Reilly,
Kenneth Tierney,
Thomas Laffey,
Daniel Crawford,
Paschal Morahan.

SOVIET JEWRY

$50-million of the $85-million in my bill for aid to Israel to help resettle Soviet Jewish refugees has now been appropriated by the House. It could be delayed by controversy in the Senate over other parts of the Foreign Aid program, but eventual approval is almost a certainty.

I regard this program as one of my major legislative successes, though as always, the support of many Members and outside groups was essential.

The cause of freedom for Soviet Jewry, of course, has been seriously set back by the imposition of immense individual price-tags on Jews wanting to emigrate. While no price is too much to pay for a person's freedom, we must not capitulate to these demands for outrageous ransoms. This is the view of the Israeli government and of most Jewish leaders. If the Soviets persist with this ransom policy, they must be made to realize that present and proposed programs of increasing trade and other contacts with the U.S. will be jeopardized.

The Soviets also continue to prosecute Soviet Jews who wish to emigrate to Israel, and at least 15 major cases are in process. To help keep up the pressure from the West to which Soviet leaders are sensitive, I helped organize 90 Members to sign a letter to Soviet Party Secretary Brezhnev naming Jews known to be on trial and calling upon him "to stop this harassment and allow these people and their families to leave the Soviet Union in peace . . ."

On the eve of the sentencing of Mark Nashpitz by a Soviet Court, I made an unscheduled visit to the Soviet Embassy in Washington to appeal for fair treatment in the case.

Nashpitz was best man at the celebrated

wedding of an American woman to a Soviet citizen, Gavirel Shapiro.

Shapiro was convicted by Soviet authorities for "failing to report for reserve military duty" when he sought permission to leave the Soviet Union with his American bride. Although Nashpitz was charged with the same offense, it was feared he would receive a more severe sentence because of less publicity about him and because his father escaped to the West 16 years ago.

With me at the Embassy were Representatives Alphonzo Bell of California and Earl Landgrebe of Indiana. Ambassador Dobrynin refused to see us. But we persisted, sending messages into the Embassy through an officer of the Executive Protection Service, and were finally admitted and received by Embassy First Secretary Vladimir Bykov. I stressed the Soviet Union's commitment to the U.N. Delegation of Human Rights, which provides for freedom of emigration for all peoples. We each urged Bykov to relay to Moscow our insistence that Nashpitz be fairly treated.

Next day, we received word that Nashpitz was sentenced to one year of "supervised work"—considered a relatively light sentence.

VOTER REGISTRATION

I want to urge you to go out and vote for the parties and candidates of your choice in the November 7 elections. But you will not be able to vote unless you are registered. The last chance to register will be October 5, 6, and 7 from 5:30 p.m. to 10:30 p.m. and October 10 from 7 a.m. to 10 p.m. at all regular polling places. For the one nearest you—and for other election information—call the Bronx Office of the Board of Elections (299–9017).

You will have to register if—

You've never registered before, or

You've moved since you last voted or registered, or

You have not voted in one of the last two general elections and have not reinstated your registration by mail when reminded by the Board of Elections

To register, you must be—

18 years old on or before election day (Nov. 7); and

A resident of Bronx county for one month.

No literacy test is required.

Naturalized citizens must show proof of naturalization when registering for the first time.

Remember to state the party of your choice when you register. Otherwise, you'll not be able to vote in primary elections which are so important in our city.

In response to my demand for an accounting, the Board of Elections has assured me that the long waits, snafus, and inadequate voting facilities that frustrated so many voters in the June primary will not happen again in November. The Board blames most of the problems in June on the complicated ballot and last-minute changes in the law that made it necessary to reprint the ballots. But more adequate funds and trained personnel could have helped overcome such an emergency, and I have introduced legislation which would make Federal funds and personnel available to local election authorities to help assure smooth, fair, and convenient conduct of elections involving Federal offices. At present, State and local governments bear full responsibility, and enactment of my "Election Assistance and Voter Registration Act" would assure availability of stand-by Federal help when local election officials become overtaxed. It would also require simple absentee voting in primary elections, which is not now permitted in New York.

CONGRESSMAN BINGHAM WANTS TO KNOW YOUR OPINION

Dear Friends and Neighbors, Again this year, I'm asking you to share your views with me on a number of widely discussed public issues. This questionnaire, of course, can't cover all the important decisions we face, but I hope you will take a few minutes to pick the response to each of these questions that comes closest to your views, and then return this form to me soon.

You will notice that separate columns are provided to allow up to three members of your family to respond. As always, I'm most interested in the thinking of every generation and group in our community. The tabulated results of this questionnaire will give me a valuable guide for action in the Congress and help me rally support among other Congressmen. You can expect to see the results in the press and in my next newsletter.

Sincerely,

JONATHAN B. BINGHAM.

1972 BINGHAM POLL

(Mark the one box for each question that best reflects your views)

Crime control

As far as handguns are concerned—

(a) just cheap "Saturday night special" pistols should be banned.

(b) private possession of all handguns (except for police, the military, and organized sport clubs) should be banned.

(c) no government bans on handguns are in order.

(d) don't know, no opinion.

Abortion

Laws governing whether a woman receives an abortion—

(a) should leave that entirely up to the woman and her doctor.

(b) should allow abortions only under special circumstances (such as danger to the mother's life).

(c) should simply not permit them.

(d) don't know, no opinion.

Amnesty

Young men who left the United States to avoid being drafted to fight in Vietnam should be—

(a) welcomed back without any conditions.

(b) welcomed back on condition they'll perform military or equivalent public service.

(c) allowed back to stand trial.

(d) don't know, no opinion.

Day care

The Federal government should support a system of children's day-care services for—

(a) everyone, at fees ranging from nothing to full cost, depending on ability to pay.

(b) low income families only, free or at low cost.

(c) none of the above—the Federal government should stay out of day care.

(d) don't know, no opinion.

Women's rights

From what I know about the movement for "Women's Liberation", I find that I—

(a) agree with most everything being proposed for a totally new role for women in our society.

(b) agree with demands for equal pay for equal work for women, and greater equality for women under the laws, but that's about all.

(c) mostly disagree with such proposals.

(d) don't know, no opinion.

Economy

As far as I'm concerned, the Federal government's controls on prices have been—

(a) mostly effective.

(b) somewhat effective.

(c) somewhat ineffective.

(d) mostly ineffective.

(e) don't know, no opinion.

Environment

To enable us to begin saving the environment, and end all this pollution, I'd be willing to—

(a) live more simply and carefully (like using less electricity, driving less, and generally consuming less).

(b) pay whatever it costs in higher taxes to clean things up and keep them clean.

(c) both the above.

(d) neither of the above.

(e) don't know, no opinion.

HON. SPEEDY O. LONG

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, the House of Representatives is losing one of its most dedicated and congenial Members. Although the U.S. Congress has only had Mr. Long for 8 years, he was no stranger to public service.

Like many of his colleagues from Louisiana, he received his training in the State legislature and after 8 years he offered his services to the National Legislature.

All of America is aware of the amount of political dedication that the Long family has unselfishly offered to this country. Speedy has managed to carry on this long, admirable tradition.

But Speedy is not now relaxing in the anonymity of retirement. He has successfully run for the office of attorney general of his parish in Louisiana; a position for which he is well suited since he has been a member of the Louisiana bar for many years.

Once again he will serve his beloved people of Louisiana. He will remain a true representative of his people. I along with the rest of the country, am sorry to lose his services.

SPECIAL REPORT FROM WASHINGTON: THE 92D CONGRESS—A RECORD OF ACHIEVEMENT

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

SPECIAL REPORT FROM WASHINGTON: THE 92D CONGRESS—A RECORD OF ACHIEVEMENT

The 92d Congress has compiled a record of outstanding accomplishment in the fields of education, health, crime control, programs for older Americans, veterans, environmental protection, and campaign finance reform. In addition, we passed several measures designed to cope with the continuing problems of high unemployment and inflation.

This report reviews the highlights of Congressional action during 1971 and 1972, and the special section below describes accomplishments of particular interest to the 17th Congressional District of New York.

Gateway National Park became a reality in the closing days of the session, and the final bill includes all Staten Island beaches as well as Miller Field. Thus we succeeded in obtaining the first urban national park for New York and won the three year battle to save Miller Field from greedy developers. Twenty-six acres of the field are slated for a new New Dorp High School.

Also in the closing days, I succeeded in passing a bill authorizing the turnover to New York of a new high school training ship, the USNS *Twin Falls*. This will replace the aging *John Brown* and provide new educational opportunities for thousands of New York boys in the maritime trades.

Thousands of Islanders received emergency disaster assistance from the U.S. through Small Business Administration disaster loans. When tropical storm Dora hit in 1971, the city and state of New York ignored our plight until I convinced the White House that Staten Island needed assistance. To date, thousands of families have received more than $30 million in disaster aid.

The U.S. Public Health Service hospital was rescued from closing when I revealed that the government was planning to abandon this vital health resource and turn it over to private medical groups. Instead, a plan was developed whereby the U.S. will continue to operate the hospital, but expand its mission and facilities to meet a wider range of community health needs—including the need for medical training facilities.

Fort Wadsworth was saved from an uncertain future by its retention as a military facility with the proviso that when the Army decides it no longer needs the base, it will become part of Gateway National Park.

The U.S. Coast Guard base at St. George was similarly slated for closing but this ill-considered plan was likewise given up after I brought a special Congressional Subcommittee to Staten Island and Governor's Island to evaluate the plan. The visit proved that the facility was worth keeping as an important waterfront activity.

NEW PROGRAMS HELP STUDENTS FROM PRESCHOOL TO COLLEGE

Young people throughout the nation will benefit from these historic education measures:

Omnibus Education Act of 1972 is the most significant advance for higher education since Abraham Lincoln signed the Land Grant College Act over a century ago. This measure extends all existing aid to higher education programs and creates important new ones, including:

A new system of *Basic Educational Opportunity Grants*, entitling every college student to an annual grant of $1400, less the amount his parents can contribute;

A new program of direct institutional aid for colleges and universities;

Help for occupational and vocational education;

A *National Institute of Education* to develop better ways of teaching and learning at every level—preschool through graduate school.

Expanded Head Start Program to enable children of working families as well as the poor to participate in this voluntary day care program.

National School Lunch Act Amendments provide free and low price meals for needy children.

Vietnam Veterans Education Assistance means a major increase in aid for education and vocational rehabilitation for returning veterans.

32 PERCENT SOCIAL SECURITY INCREASE LEADS LIST OF ELDERLY BENEFITS

For older Americans, this has been one of the great Congresses in history—and the 32% Social Security increases passed in 1971 and 1972 are but the tip of the iceberg.

Here are some of the many benefits our 20 million senior citizens will realize from Congressional initiatives:

Nutritional meals for those who need them—even shut-ins;

Low-cost transportation;

Job training and employment;

Community centers;

Pre-retirement training;

Health and education services;

Gerontological centers to study the variety of problems older Americans face;

A new National Institute of Aging to conduct research on the aging process and the special health problems of the elderly;

Congress also overrode a Presidential veto of a 20% increase in Railroad Retirement benefits.

Note: the major legislation passed for America's older citizens during 1971–72 originated not in the White House, but in Congress. This legislation represents a lasting commitment to every American over 65.

NEW ACT REFORMS CAMPAIGN SPENDING

At a time when the costs of campaigning have skyrocketed, the Congress passed the Federal Election Campaign Act of 1971.

This historic act—

Limits the amount of advertising spending in campaigns;

Requires broadcasters, newspapers and magazines to sell advertising to candidates at the lowest commercial rate;

Requires campaign committees to report contributions and expenditures of $100 or more; and

Limits the amount a candidate or his family can contribute to his own campaign.

REVENUE SHARING AIDS STATE, LOCAL GOVERNMENTS

In response to pleas from hard-pressed states, counties and cities, Congress this year enacted a $30.1 billion revenue sharing bill.

State governments will receive one-third of the funds; local governments the other two-thirds. The money is expected to be spent on such high priority items as—

Public safety;

Environmental protection;

Public transportation;

Health;

Recreation;

Libraries; and

Social services for the poor and aged.

NEW CONGRESSIONAL ACTIONS ON FOREIGN, MILITARY POLICY

Among the several actions of the 92nd Congress in foreign and military policy are:

SALT Agreements To Limit Strategic Weapons: Congress approved a five-year U.S.-Soviet accord limiting offensive nuclear weapons.

ABM Treaty With Soviet Union: The Senate approved a treaty with the Soviet Union limiting the number of ballistic missiles.

Military Draft: Congress amended the Selective Service Act to—

Extend the draft to June 1973.

Grant student deferments; and

Increase military pay in order to encourage voluntary enlistments.

INCREASED ASSISTANCE FOR VETERANS

The 92nd Congress increased the level of assistance available to veterans in many key areas, and this has been a particular concern of mine. I have introduced the Veterans Comprehensive Education Act of 1972, and worked for passage of the following important bills:

New GI Bill—This landmark measure increases educational allowances for Vietnam veterans by 25 percent. Fulltime students will now receive—

Single students: $220 a month;

Married students: $261 a month;

Married and one child: $298 a month; and

Each additional dependent: $18 a month.

National Cemetery Bill—This law—

Transfers to the VA responsibility for administering all national cemeteries.

Increases burial allowances for veterans who die from service-connected disabilities.

Provides an additional burial allowance for veterans who do not wish to be buried in national cemeteries.

VA Medical School Act—To help meet the nation's medical manpower shortage—and to improve VA medical care—this pilot program authorizes the establishment of eight new medical schools in veterans' hospitals across the nation.

Veterans Medical Care—This new act will vastly improve the entire VA medical care system. To ease crowded hospital conditions, veterans with non-service-connected medical problems can now be treated as outpatients. Some families of permanently-disabled veterans or their survivors can also now receive hospital care.

Disabled Veterans' Benefits—Provides a 10% boost in benefits for disabled veterans.

ENVIRONMENTAL PROTECTION GIVEN HIGH PRIORITY

Clean air and water, and the conservation of our resources and wildlife have been chief concerns of the 92nd Congress. This Congress has taken important action to protect the nation's environment.

Water Quality Standards Act provides $24.6 billion to clean up the nation's waters and control water pollution. The goal of this, the most far-reaching water pollution bill ever passed, is to end all discharges of pollutants into navigable waters by 1985. Unbelievably, the President vetoed the bill but the Congress wisely voted to override.

Federal Environmental Pesticide Control Act will help protect man and our environment, while permitting farmers to use pesticides to grow food and fiber.

Wildlife Hunting from Aircraft is prohibited, protecting certain wild birds, fish and other animals.

Youth Conservation Corps—To extend and expand this pilot youth conservation program.

CONGRESS ACTS TO MEET HEALTH CARE CRISIS

Quality health care—at prices people can afford—is one of the major problems facing Americans today. As a nation, we have slipped from 13th to 22nd place in male life expectancy, from 6th to 21st in infant mortality. Doctor bills and hospital costs have skyrocketed, yet 36 million Americans under age 65 are not covered by private health insurance. Moreover, the nation is suffering from a critical shortage of doctors and other trained health personnel.

The 92d Congress has taken the initiative to meet the crisis with several important measures:

Medical Personnel—Two new laws provide nearly $4 billion to train more family doctors and nurses;

Conquest of Cancer Act—Sets aside $1.5 billion to find cures for cancer;

National Cooley's Anemia Control Act—A national effort to prevent and treat this blood disease which affects some 200,000 persons in the U.S., mostly children;

Multiple Sclerosis Research—Creates a National Advisory Commission to help find the cause of M.S. and develop cures;

Communicable Disease Control Act—Helps states and localities control the spread of communicable diseases;

National Heart, Blood Vessel, Lung and Blood Act;

Rehabilitation Act—An extension of the 50-year-old Vocational Rehabilitation Act, adding major new programs to aid the severely handicapped and other disabled persons; and

Black Lung Benefits—To make it easier for coal miners, stricken by black lung disease, to receive benefits.

CONGRESS FOCUSES ON CONSUMER PROTECTION

In recent years, Congress has passed a host of measures on behalf of the American consumer. Truth-in-lending . . . wholesome meat and poultry . . . truth-in-packaging . . .

auto, tire and toy safety . . . fair credit reporting . . . these are a few.

The 92d Congress has expanded this record:

Flammable Fabrics Amendments of 1971 require manufacturers to certify that their products meet stringent anti-fire requirements.

Consumer Product Safety Act of 1972 assigns the Federal government a major role in protecting the consumer from unreasonable risks of death, injury or illness caused by consumer products. A new Consumer Product Safety Agency will set mandatory standards and remove products from distribution when necessary.

The Automobile "Bumper Bill" directs the Secretary of Transportation to fix minimum standards for bumpers to halt or reduce auto damage in low-speed collisions. The bill also outlaws tampering with mileage gauges.

NEW BILLS TO FIGHT CRIME AND DRUGS

Every public opinion poll of recent years shows that crime and drug abuse are major concerns of the American people. The 92nd Congress continued to face up to mounting problems in these crucial areas:

Crime

Juvenile Delinquency Prevention Act. This major law provides $150 million over two years for:

Education and counseling, health services and recreational facilities for potential juvenile delinquents.

Training personnel in the juvenile delinquency field.

Drug abuse

Drug Abuse Office and Treatment Act. This new law provides over $6 billion to—

Establish a National Institute on Drug Abuse;

Increase funds for special drug projects under the Community Mental Health Centers Act;

Help states develop drug abuse programs; and

Require federally funded health facilities to offer needed treatment to drug addicts.

Foreign Shipments of Narcotics. Gives the President power to halt foreign aid to countries which allow shipments of narcotics into the U.S. or allow the continued flow of drugs to our servicemen overseas.

Addiction of Servicemen. Another new law requires the military to identify drug-dependent servicemen and to treat them.

Rehabilitation of Addicts. A third measure creates new programs to encourage the employment of rehabilitated addicts, with special preference for veterans.

CONGRESS AIDS RURAL AREAS

Too many rural Americans are denied the basic necessities of modern life. That's why many migrate to the large cities.

With passage of the Rural Development Act of 1972, Congress sought to improve the conditions of rural living, especially by increasing job opportunities on farms and in small towns.

The new law provides help for rural communities for housing, water quality management, pollution control and farm credit.

NEW AMENDMENTS BROADEN RIGHTS

The 26th and 27th Amendments to the Constitution were passed by this Congress to guarantee the vote to 18-year-olds and to end discrimination based on sex.

18-year-old vote—This Amendment, first proposed in World War II, extends the right to vote to citizens 18 years of age or older in *all* elections. It was quickly ratified by the states and signed in July 1971. Because of it, eleven million more voters are eligible to vote in the Presidential election this year.

Equal Rights for Women—Throughout history, our laws, attitudes, regulations and customs have often discriminated against women. Numerous distinctions based on sex still exist in law. For example:

Twenty-six states prohibit women from working in certain occupations;

Thirty-seven states have fair employment practice laws, but only fifteen prohibit discrimination in employment based on sex; and

Some communities still have dual pay schedules for men and women public school teachers.

To end discrimination, the Equal Rights Amendment says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

Twenty-one states have already ratified the Amendment; thirty-eight are required.

ECONOMIC PROBLEMS TROUBLE CONGRESS

Since January 1969, unemployment in the U.S. has climbed to over 5½ percent. The 1969 dollar has lost 12½ cents in value. The number of Americans on welfare has doubled. Business is off, profits are down and government tax revenues have dropped sharply. The Federal budget continues to show record deficits.

So one of the top priorities of this Congress was to help put people back to work. We passed the *Accelerated Public Works Act of 1971*, authorizing $2 billion to create 170,000 jobs in the public sector. (President Nixon vetoed this bill.) We then passed the *Emergency Employment Act* authorizing $2¼ billion for transitional public service jobs and special state employment assistance programs. We also earmarked $275 million for additional *unemployment benefits and allowances.*

Congress also—

Extended the President's authority to establish controls on prices, rents, wages and salaries;

Increased the personal income tax exemption per taxpayer and dependents to $675; and

Came to the aid of small businesses by increasing the amounts of Federal loans and guarantees.

Finally, Congress acted to hold down record budget deficits by cutting the fat out of the Administration's budgets, while seeking to meet the nation's genuine needs. During the past three years, Congress has cut a total of $14½ billion from the Administration's appropriations requests—and the total appropriations this year will again be below the President's budget.

TRIBUTE TO JACK BETTS, FRANK BOW, AND BILL McCULLOCH

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. J. WILLIAM STANTON. Mr. Speaker, no congressional delegation is sustaining a greater loss this year than Ohio with the retirement of three of our most distinguished colleagues, Jack Betts, Frank Bow and Bill McCulloch. Their collective 70 years of service to their districts, State, and Nation will long serve as an inspirational example to public servants at all levels of government.

Each of these men has made his individual and very significant mark in the Congress. Jack Betts, long recognized for his mastery of our complex tax law through his able service on the Ways and Means Committee, will be missed and remembered by so many of us for his wise counsel and warm friendship. It was so fitting that Jack sat on the Ethics Committee, for he personified moral integrity.

Surely the taxpayer had no greater ally than Frank Bow who, as ranking Republican on the Appropriations Committee, took so seriously and conscientiously the responsibility of judiciously spending the public's money. At an age when many would be considering retirement and an easier pace, Frank very characteristically accepted the President's request that he become our Ambassador to Panama and has just begun an entirely new and challenging career in diplomacy. His great talents insure his continuing contribution in yet another arena.

Our Nation owes an enormous debt to Bill McCulloch. Motivated by principle and not politics. Bill has fought valiantly for civil rights laws guaranteeing equal opportunity for all Americans. Existing law in this field is the greatest testimonial to Bill McCulloch, for without his brilliant and courageous dedication, these laws might not have been enacted.

And so to three fine friends I reluctantly say farewell. As a relative newcomer, I have learned so much from each of you, lessons that will stand me in good stead for the rest of my life. Please know how proud and grateful I am to have served with you in the Congress. May the years ahead be all that you want them to be.

WATKINS M. ABBITT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. O'NEILL. Mr. Speaker, Congress is diminished whenever a hard worker leaves. Thus, it will be greatly lessened when Watkins Abbitt retires. His intensive work in the House Agricultural Committee and the House Administration Committee helped both committees carry on their high standards.

A veteran of the Congress, Mr. Abbitt has unselfishly supplied Virginians with 24 years of devoted service. He more than carried his share of the load and thus, was a pleasure to work with.

As a Democrat, he was a stanch bearer of the party standards, and frequently offered his services to benefit his fellow Democrats. He will be a hard man to replace.

Mr. Speaker, I am truly sorry that Watkins Abbitt is leaving. He will be missed by his Virginian constituents, his fellow Members, and fellow Democrats. I salute Mr. Abbitt.

KENSINGTON HIGH HONORS RETIRING TEACHERS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. KEMP. Mr. Speaker, Anne McIlhenney Matthews never misses an opportunity to compliment those who have dedicated themselves to making this a better world. In her column in the Buffalo Courier Express, she has consistently sought out those in our community who have contributed much to society, and has called their fine deeds to the attention of the public.

In recent columns of June 30, 1972, and September 15, 1972, she made special mention of the retiring teachers at Kensington High School in my district. It is certainly an honor and a privilege to insert these columns into the Record:

School Losing Dedicated Group

(By Anne McIlhenney Matthews)

My old alma mater, Kensington High School, is losing some of the finest and most dedicated teachers to retirement this year. Of the 12 whose resignations were accepted by the Board of Education Wednesday, four were members of the original faculty that were assigned there when Kensington High School opened in September 1937.

The group represents 450 teaching years and 361 years at Kensington High School.

The four Kensington veterans who started the Suffolk St. school under the leadership of one of the most tremendous school principals ever to serve in the Buffalo public school system—the late Thomas J. (Tom) McDonnell—are: Miss Agnes J. Creahan, Miss Ruth C. Culliton, Miss Mildred T. Kennedy and Miss Catherine T. Valente.

Their teaching records are: Miss Creahan, 46 years teaching, 35 at Kensington; Miss Culliton, 39 years teaching, 35 at Kensington; Miss Kennedy, 39 years teaching, 35 at Kensington; Miss Valente, 39 years teaching, 35 at Kensington.

Miss Creahan taught mathematics and was senior boys study room teacher; Miss Culliton taught English; Miss Kennedy taught English, and Miss Valente taught French.

The eight other retiring teachers and their records are: Wilbur S. Bergstrom, physical education teacher for 37 years, 17 years at Kensington; Anne Connors, 32 years teaching, 29 at Kensington, instructor at mathematics; Pauline T. Corcoran, 39 years teaching, 19 at Kensington, guidance counselor; Irma M. Dickman, 34 years teaching, 34 at Kensington, social studies; Vincent P. Kelly, 36 years teaching, 21 at Kensington, science teacher; John F. Reilly, 34 years teaching, 34 at Kensington, accounting; Genevieve R. Steffan, 38 years teaching, 33 at Kensington, stenography and typing; and Mildred L. Stewart, 37 years teaching, 34 at Kensington, English.

It had been rumored weeks ago that there would be a rush of teachers to retirement because a State Teachers Retirement System rule held that retirement pension would be based on the highest salary paid in the last three years as contrasted with the old rule of five years.

The three-year rule was dated to expire June 30 and it was said that future retirement would result in a lower pension. However, it was stated by Associate Supt. James M. Connors this week that the three year rule has been extended for another year.

Park Show Offers Variety

(By Anne McIlhenney Matthews)

Added to the 12 teachers from Kensington High School who announced their retirement on June 30, are four more members of the notable faculty that helped open the Suffolk Avenue school in 1938.

There are thousands of Buffalonians in important careers and positions in Buffalo who owe achievement in their skills to these 16 dedicated teachers and it is hoped that they will turn out in numbers to salute the group at a retirement party planned for Monday evening, Oct. 9 at Mr. Anthony's, Transit Rd., near Sheridan Dr., 6 p.m. cocktails, 7:30 p.m. dinner.

"Mr. Anthony" has a vested interest in the success of this night of testimonial. He is a Kensington graduate. Invitations have been sent out to many school teachers in Buffalo who have long been associated with the Kensington sixteen. All former pupils are especially urged to attend the affair which is nominally priced. It should be a fun thing as well as a great reunion with former graduates because speeches will be "taboo" . . . instead "surprise entertainment."

The four teachers in addition to those whose careers I noted on June 30 are as follows: Ralph Stephen Duquin, 43 years as a physical education teacher, 17 at Kensington; Margaret M. McGee, 43 years as a math teacher, 34 at Kensington; John T. Meegan, 36 years a business teacher, 34 at Kensington; Ann I. Maloney, 42 years an English teacher, 35 at Kensington.

These four are added to the previously announced retirees: Wilbur Bergstrom, Anne Connors, Pauline Corcoran, Agnes Creahan, Ruth Culliton, Irma Dickman, Mildred Kennedy, Vincent Kelly, John Reilly, Genevieve Steffan, Mildred Stewart, and Catherine Valente.

Richard Wilcox is chairman of the affair and can be reached for tickets at 856-7471.

PRIORITY BELONGS TO CONSUMER

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CHAMBERLAIN. Mr. Speaker, recently, three large meatpacking companies took the State of Michigan to court charging that its high standards for ground meats, such as hotdogs and sausages, should be lowered to conform with Federal levels. Because I shared the concern of Michigan officials and consumers, I strongly urged, in the House Agriculture Committee and on the floor during consideration of S. 1316, the Federal Meat Inspection Act Amendments of 1972, action to preserve Michigan's better quality standards which prohibit the use of stomachs, spleens, pig snouts, pig ears and similar animal parts. Even though this effort was successful, unfortunately the bill as a whole was defeated for other reasons, and a new attempt may have to be made in the 93d Congress if the court's ruling, now being appealed, is not favorably resolved.

The State Journal of Lansing, Mich., devoted its lead editorial on Tuesday, October 17, 1972 to this most disturbing situation and I commend it to the attention of my colleagues and the Nation.

Priority Belongs to Consumer

Michigan suffered a setback last week when the U.S. Court of Appeals ruled that a strict state law covering ingredients in packaged meat products has been preempted by a more lenient federal uniform food law.

Gov. Milliken, Dale Ball, agriculture director, and the attorney general's office have vowed to fight on, going to the U.S. Supreme Court if necessary to save a law that has been a strong safeguard for state consumers since 1952.

The federal law dates from 1967 and was designed to bring uniform meat packaging standards throughout the country. The appeals court ruled that to exempt any state from the federal standards would defeat the purpose of the federal act.

That argument is not without merit, since the purpose of any uniform federal law is to prevent the various states from deviating and bowing to special interests at consumers' expense.

The appeals court, it appears, was forced to rule more on the question of federal authority versus state's right than on the question of what's best for the consumer.

In this case it is clear that the Michigan law is heavily in favor of the public in its prohibition of the use of certain waste materials in packaged meat. It is a law which has proven its merit.

Future court fights on the issue will likely hinge on the federal versus state's rights point, and it will be a tough one for Michigan officials to overcome. But we encourage the governor, Ball and the attorney general to continue the struggle.

The last resort may be a campaign to persuade Congress to upgrade the federal meat packaging standards. If there is going to be real uniformity, then let it be in favor of the consuming public.

THE PACIFIC BASIN ECONOMIC COUNCIL

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. MINK. Mr. Speaker, the Pacific Basin Economic Council, now going into its sixth year, is an informal organization of business executives from five member countries—Australia, Canada, Japan, New Zealand, and the United States—and is regarded as an excellent forum for the mutual exchange of thoughts and ideas by business leaders in the Pacific Ocean area.

Mr. Clif Terry, one of the representatives from Hawaii, is chairman of the International Standing Committee on Tourism and a vice chairman of the U.S. National Committee of the Pacific Basin Economic Council.

The September 1972, edition of Fortune magazine contained an article on the Council as well as a Pacific Basin Charter on International Investment promulgated by the Council. In order that my colleagues may be advised on these activities, I am pleased to insert the article at this point in the Record:

Pacific Basin Economic Council

Theodore Roosevelt once predicted that the Pacific—"greatest of the seas"—would become first in importance. Today his prediction is rapidly being fulfilled. In the past decade, most of the non-Communist countries rimming the Pacific have enjoyed an unprecedented period of economic growth. The Pacific has become the world's most dynamic trading region and is, potentially, the greatest. An already enormous market is expanding while a wealth of natural and human resources still await development. As economic activity has intensified, the Pacific basin has awakened to a new sense of interdependence and a community of interests.

There is no more dramatic or significant manifestation of this community of interest than the Pacific Basin Economic Council (PBEC), which in May concluded its fifth and most successful general meeting at Wellington, New Zealand. Organized only six years ago, the council is an informal organization of senior business executives representing the major corporations in its five member countries—Australia, Canada, Japan, New Zealand and the United States.

In the past five years, PBEC has progressed from "an organization in search of a cause"—to quote its international deputy president, Mr. Charles W. Robinson—"to one which is now prepared to play a positive role in developing the multilateral structure of economic cooperation in the Pacific." A significant first step was taken in Wellington where PBEC, after two years of intensive study and discussion, endorsed and promulgated A Pacific Basin Charter on International Investment (the full text of which appears in this special section). This farsighted and imaginative charter offers criteria aimed not only at enhancing the investment environment but also at reconciling it with the economic and social aspirations of the developing countries. In promulating the charter PBEC expressed the "hope that it will become the focus for a continuous exchange of views between business and governments" and enhance the climate for investment.

Significant too, and indicative of the widening influence of PBEC in promoting a fruitful exchange of views, were the presence and participation at the Wellington meeting, not only of more than 300 representatives from its member countries but also of observers from Korea, the Republic of China, Hong Kong, Indonesia, Fiji and, for the first time, a delegation from Latin America representing Peru. Also in attendance were representatives of the United Nations and the Private Investment Co. for Asia.

PBEC is a unique organization operating in the interests of private enterprise under a covenant pledging its membership to strengthen business and economic relationships among its member countries and to generate greater economic and social progress among the developing countries of the Pacific region. It is the only organization that now deals with the regional problems as an entity and from a multinational standpoint. It does so not as an exclusive businessman's club or an economic bloc, nor does it aspire to become an incipient Common Market. It seeks instead to promote multi-national cooperation in the broadest global context and its activities embrace the whole range of human concern as represented by the work of its five international standing committees: Economic Development, Natural Resources, Human Resources, Transport, Tourism and a new committee, just appointed, on the Environment. Of particular importance to the developing countries is the initiative taken by PBEC in addressing itself to the most urgent problem of the Third World: how to balance employment with economic growth.

In origin and membership PBEC is truly international. The founders were Mr. Shigeo Nagano, chairman, the Nippon Steel Corporation, and Mr. R. W. C. Anderson, director-general, the Australian Chamber of Manufacturers. The retiring President was Sir Edward Warren, Managing Director, the Wallarah Coal Co. Ltd. of Sydney, Australia. The international President is Mr. Kenneth Clarke, President, Canadian Marketing Division, International Nickel Co. of Canada Ltd., and the deputy President is Mr. Charles W. Robinson of the Marcona Corporation. The chairman of the U.S. National Committee is Richard P. Cooley, Wells Fargo Bank. All the members of the organization represent multinational corporations working in the public interest for economic and social progress.

THE PACIFIC BASIN CHARTER ON INTERNATIONAL INVESTMENTS

(A declaration of basic principles)

(NOTE.—The Pacific Basin Charter on International Investments is a declaration of basic principles adopted at the PBEC Fifth General Meeting in Wellington, New Zealand. This text will serve as a basis for discussion during 1972–73 with business, governments and international agencies in both developed and developing nations.)

PREAMBLE

We, the Members of the Pacific Basin Economic Council (PBEC) and as members of the international business community from Australia, Canada, Japan, New Zealand and the United States, recognizing the vast demands for an increasing flow of private investment capital across national boundaries and the fundamental importance of improving the investment environment in all Pacific Nations, hereby endorse, and invite other organizations—public and private—to embrace a Pacific Basin Charter on International Investments.

We advance the principles of this Charter with high aspirations that they will be increasingly accepted and applied by governments and international business in the Pacific Basin and with a firm belief that these steps will foster more rapid and sound economic and social progress—as well as strengthen free enterprise—in the Pacific Community of Nations.

Our objective in this initiative is to fulfill a responsibility to governments and private enterprise by indicating the basis on which we believe sound and constructive investment can be attracted to the economic development process in nations subscribing to private enterprise concepts.

We believe that widening application of the principles in this Charter will, among other things, facilitate the flow of capital—both public and private—to developing nations in line with goals established by the United Nations.

BASIC PRINCIPLES

A. Responsibilities

1. International investors in the pursuit of their business objectives should proceed in ways that will contribute to established economic and social development programs particularly in host countries, and they should maintain a sensitivity to changing national goals and aspirations in all countries with which they are concerned.

2. Governments wishing to receive international investments should strive to develop an economic and business environment—including appropriate inter-governmental agreements—conducive to the flourishing of private enterprise in the interests of all parties involved and consistent with the achievement of national economic and social objectives.

3. Governments of countries from which private capital flows abroad should strive to develop agreements with other governments aimed at encouraging private investments and the growth of international business in the mutual interests of the countries concerned.

B. Policies

1. International investors should fully recognize the sovereign rights and responsibilities of governments and be willing to accept reasonable obligations that are placed upon business enterprises in the national interest.

2. Governments should insure that their policies are applied on a fair and nondiscriminatory basis and that they do not serve to abrogate on a unilateral basis investment agreements entered into in good faith.

3. Governments should publicly announce policies—together with appropriate details—concerning their economic priorities as well as on the encouragement and/or limitation of international investment, both incoming and outgoing.

4. Governments—especially those of nations in a creditor or favorable foreign exchange situation—should stimulate and encourage the flow of private investments abroad.

5. International investors should be accorded freedom of action and treatment by governments on a basis no less favorable than is applied to national investors except for those fields and circumstances in which restrictions or conditions on international investment have been publicly announced and duly established with reasonable notice.

6. In selecting projects and in operating their enterprises, international investors should give prime emphasis to activities that provide long-term net additions to the economies of host countries and that cannot be as effectively provided by national investors. They should also utilize and assist in the development of local resources, human and physical, as well as local industrial capabilities to the fullest extent possible.

7. Both international investors and governments should fully implement the terms and conditions of investment agreements to which they are partners. These agreements should be altered only by mutual acceptance of new terms and conditions as may be proposed by either party; they should not be altered by unilateral actions from governments or other parties.

8. International investors should maintain high standards of conduct in all their relationships with governments and other parties, thereby maintaining their enterprises as national and international corporate citizens of high standing and integrity.

9. Both international investors and governments in their mutual interests should give special emphasis in their planning and operations (including transfers of funds) to continuity, growth and sound long-range development of international investment projects. Governments wishing incoming international investments only for limited periods of time should announce their policies in this respect and thus recognize that this will restrict the inflow of sound constructive investment.

10. Governments and international investors should support the principle of multinational effort to create and maintain a feasible and mutually-acceptable international investment insurance or re-insurance program.

11. International investors and governments should jointly strive in their mutual interest to enhance the ecological environment associated with investment projects.

C. Operations

1. Ownership-Management-Employment

1.1 International investors should be permitted to own and manage their enterprises except as may otherwise be agreed with governments and/or with national investors. Ample opportunities should be available to national investors to participate through joint ventures or otherwise in ownership and management of international enterprises operating in their countries. Governments should look with favor on the development of joint ventures when they are proposed by national and international investors.

1.2 To the extent feasible for both national and international investors, investment agreements should provide opportunities for national investors to increase to agreed-upon levels their initial equity participation in joint ventures operating in their countries. Governments should not unilaterally impose requirements for local equity participation or for greater local ownership after an investment agreement for a given period has been approved on some other basis.

1.3 International investors should train and utilize local personnel in their foreign enterprises, and make every effort to include nationals in management positions. However, international investors should be permitted to employ persons from other countries as may be necessary for efficient operation of their enterprises, particularly duing the early stages of development, and they should be encouraged to engage in such employment when technological and other "know how" is an important consideration.

2. Taxation-Financing-Transfers

2.1 Governments should levy taxes on international investors and their employees from abroad on a basis no less favorable than those levied on national investors and their national employees. They should strive to maintain a stable tax system involving reasonable rates and through international agreements to avoid double taxation as between countries.

2.2 International investors and governments should seek to strengthen local capital markets and to cooperate in developing sound financial systems and regulations. The former should seek financing from national sources only after due consideration of available funds in relation to needs of national enterprises; the latter should not place undue restrictions on local financing by international investors except as may be mutually agreeable in particular cases.

2.3 Capital transmitted to a country through recognized banking channels, dividends or profits thereon, as well as license and royalty fees, should be freely transferable by international investors. Otherwise, to the extent exchange controls are maintained by governments, equal treatment in applying such controls should be given to national and international investors.

2.4 In international transfers of funds, both governments and international investors should proceed in a manner consistent with the articles of the International Monetary Fund and international banking practices, and as may be fair and reasonable to the parties concerned.

3. Life and Property

3.1 International investors should observe all policies and requirements of governments pertaining to the protection of life and property. Governments should ensure that adequate protection of this type is available to international investors.

3.2 Governments should not unilaterally take ownership or control of the property of international investors except as may be necessary under very special circumstances (e.g., serious violations of agreements, war, hostilities or public emergency) and then only with prompt and reasonable compensation.

4. Commercial Policies

4.1 International investors should conduct their business affairs in such a way as to create a fair return to their local enterprises and to host countries taking into account all international agreements between the governments concerned.

4.2 International enterprises in a given country should normally have access to regional and other markets available to national enterprises.

4.3 International investors should not apply policy restraints which would prevent or discourage their local enterprises from competing in other national and international markets except as such limitations may arise from application of patent rights.

4.4 In the process of operating in other countries, international investors should strive to avoid the development of positions in local markets of any industry or type of business beyond that recognized at the outset by all parties concerned as being appropriate or necessary.

5. International trade

5.1 Governments should facilitate the importation by international investors of equipment and raw materials unavailable in local markets at reasonable prices as may be necessary for efficient operation of their enterprises and in other ways should strive to reduce international trade barriers.

5.2 Requirements by governments on the use by international investors of available locally-produced equipment, materials and services should be fair and reasonable taking into account quality considerations.

5.3 International investors should import and export equipment, raw materials and other goods to and from their affiliated companies in line with open market conditions.

6. Legislation

6.1 International investors should fully comply with legislation, regulations and international agreements within and among the governments concerned.

6.2 Legislation affecting international investment should be fair and reasonable as well as nondiscriminatory among all types of investors.

6.3 Governments should not attempt to extend their laws and regulations in such a way as to influence business activities in other countries and should strive through diplomatic channels to resolve problems in cases where legal acts in a foreign jurisdiction have undesirable consequences in their own jurisdiction.

7. Technology

7.1 Governments should encourage and international investors should strive to stimulate the flow of technology—as well as sound managerial concepts and practices—across national boundaries, the main objective being to improve the technological capabilities of recipient nations.

7.2 Governments should recognise the rights of international investors to receive reasonable payment covering the use of their proprietary technology.

8. Consultations

8.1 Governments and international investors should give sympathetic consideration to and adequate opportunity for consultations on any policy or operating problems raised by one party with the other. In the event a mutually satisfactory solution to a given problem cannot be reached, the parties concerned should seek suggestions from a mutually acceptable third party such as the International Center for the Settlement of Investment Disputes.

PACIFIC BASIN ECONOMIC COUNCIL OFFICERS—1972–1973

President

Mr. K. H. J. Clarke, President, Canadian Marketing Division, The International Nickel Company of Canada, Ltd., Toronto, Ontario, Canada.

Deputy President

Mr. C. W. Robinson, President, Marcona Corporation, San Francisco, California.

Vice Presidents

Sir James Vernon, C.B.E., Director and General Manager, The Colonial Sugar Refining Company Ltd., Sydney, Australia.

Mr. Shigeo Nagano, Representative Director and Chairman, Nippon Steel Corporation, Tokyo, Japan.

Mr. John Mowbray, General Manager, The National Bank of New Zealand Limited, Wellington, New Zealand.

Director-General

Mr. W. D. H. Frechette, Executive Vice President, The Canadian Manufacturers' Association, Toronto, Ontario, Canada.

National Committee Chairmen

Sir James Vernon, C.B.E., Director and General Manager, The Colonial Sugar Refining Company Ltd., Sydney, Australia.

Mr. W. D. H. Gardiner, Vice President, The Royal Bank of Canada, Vancouver, British Columbia, Canada.

Mr. Shigeo Nagano, Representative Director and Chairman, Nippon Steel Corporation, Tokyo, Japan.

Mr. John Mowbray, General Manager, The National Bank of New Zealand Ltd., Wellington, New Zealand.

Mr. Richard P. Cooley, President, Wells Fargo Bank, San Francisco, California.

International Standing Committees

Economic Development

Chairman: Mr. Yoshizane Iwasa, Chairman, The Fuji Bank Ltd., Tokyo, Japan.

Deputy Chairman: Mr. J. H. Stevens, President, Canada Wire and Cable Company Ltd., Toronto, Ontario, Canada.

Natural Resources Development

Chairman: Mr. A. H. Parbo, Managing Director, Western Mining Corporation Ltd., Melbourne, Victoria, Australia.

Deputy Chairman: Mr. P. S. Plummer, Chairman, W. Richmond (Meat Exporters) Hastings, Waipawa, New Zealand.

Human Resources Development

Chairman: Mr. E. A. Crothall, Managing Director, Management Services Ltd., Christchurch, New Zealand.

Deputy Chairman: Mr. Gordon L. Ness, Board Chairman, President, Ness Industries Inc., Atherton, California.

Transportation

Chairman: Mr. A. H. Hart, Q.C., Sr. Vice-President, Canadian National Railways, Vancouver, British Columbia, Canada.

Deputy Chairman: Mr. R. W. Bruce Reid, Managing Director, Oceangas Australia Pty. Ltd., Sydney, Australia.

Tourism

Chairman: Mr. Clifton D. Terry, Chairman and Chief Executive Officer, Bank of Hawaii, Honolulu.

Deputy Chairman: Dr. Shizuma Matsuo, Chairman, Japan Air Lines Company Ltd., Tokyo, Japan.

Environment

Chairman: Mr. Fumihiko Kono, Chairman, Mitsubishi Heavy Industries Ltd., Tokyo, Japan.

Deputy Chairman: Mr. R. Coulton, Chairman, Commonwealth Steel Co., Ltd., Newcastle, N.S.W., Australia.

Special International Committee on the Pacific Basin Charter

Chairman: Dr. Weldon B. Gibson, Executive Vice President, Stanford Research Institute, Menlo Park, California.

DAVID PRYOR

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'NEILL. Mr. Speaker, I join my distinguished colleagues in the words of tribute they have paid to David Pryor of Arkansas. During his years in the House, David has been a truly gifted legislator, and his spirit, dedication and courage have been an inspiration to us all.

Prior to joining us in Congress, David served in the Arkansas General Assembly where he was known as one of a hearty band of "Young Turks," seeking reforms in Arkansas government. He is best remembered as the author of the County Purchase Act of 1965. Upon Congressman Pryor's arrival in the U.S. House of Representatives, he was appointed to membership on the prestigious Appropriations Committee, where he has served with distinction. His fellow freshman Representatives in the 90th Congress selected David as president of their organization, known as the 90th Club.

A great deal of David's energies have been devoted to the problems of our elderly and the expert knowledge and understanding he has acquired in this area are unparalleled in this body. The legislation and resulting programs for the elderly will reflect impressively and indicate his imprint in the field of geriatrics for generations to come.

We will all miss DAVID's wise counsel, rich experience, and helpful guidance. I know he has a distinguished future ahead of him in public life.

Mrs. O'Neill joins me in wishing him the very best of luck and success in the years to come.

HON. J. IRVING WHALLEY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. DORN. Mr. Speaker, IRV WHALLEY has served the State of Pennsylvania and the Nation with great distinction. We will miss him here in the Congress and wish for him continued success in his retirement. Mr. Speaker, IRV WHALLEY brought to this House a colorful and rich background as one of the oldtime barnstormers and aviators. He is a man devoted to the highest religious principles and ideals. A true Christian, he is man of utmost honesty and the highest integrity. It has been a great pleasure serving with IRV in the Congress of the United States, and we wish for him every happiness and the best always.

FRANK HECHT: IMMIGRANT OF 50 YEARS AGO

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HRUSKA. Mr. President, I have known of many stories similar to that of Frank Hecht, the man whose story I shall ask shortly to be printed in the RECORD. I have known them because, as a boy and a young man, I lived in an area of many immigrants. In fact, my father was an immigrant who came to this country when he was 4 months old in 1876.

These are days of cynicism and far too great a flagrant and abrasive ridicule of many aspects of our past and the values attaching to it.

Hence, Frank Hecht's way of saying thank you is heartening and refreshing.

Frank Hecht came to America 50 years ago from a family in Germany. "We were starving," he said. Hence, he got to this country in search of a better place.

Fifty years later, he inserted an ad in the Council Bluffs, Iowa, Nonpareil. An October 5 article in the Omaha World-Herald gave the story behind that ad. I ask unanimous consent that the ad and the story be printed in the RECORD.

A prominent Omaha businessman called the ad and the story to my attention, saying: "I think it is unique."

Thank you, Sam Segnar.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMMIGRANT OF 50 YEARS AGO SAYS THANKS TO TWO "UNCLES"

COUNCIL BLUFFS.—The train was pulling out of the Bluffs Burlington station about 11 p.m. that October night in 1922.

Watching it leave was a short, frail 11-year-old boy in rumpled knickers who had just completed a lonely journey from his native Germany.

Moments later, florist Frank Hecht got a call from the station agent "who said he had a boy there with tags all over him with my name on them."

That event, and the years that were to follow were commemorated last week when that boy—now 61-year-old Frank J. Hecht of Mankato, Minn.—purchased a full page newspaper ad to publish a "thank you note" to "my Uncle Frank and my Uncle Sam."

In part the note said: "In Germany, I was the oldest child and we were starving, but receiving occasional food parcels from Uncle Frank in Council Bluffs, which motivated me to write and ask if he would let me come to the United States to live with him.

"These packages were all the evidence I needed that he lived in a better place than I did.

"He applied for an immigration permit to Uncle Sam which was granted and Uncle Frank sent me the ticket."

WORKING AT 85

Now 85, but still working daily in the family floral shop at 316 Fleming Street, the elder Hecht recalls the young boy who made his own decision to come to America.

"They lived in a two-room apartment in Stuttgart and they were poor."

"I remember he said he saved the oranges he got on the ship so he would have something to eat on the train, but they took them away from him when the boat docked in New York. I guess you couldn't bring fruit into the country. He never forgot that."

The elder Hecht came to America in 1910 and after World War I acted as sponsor for "about 25" young men from Germany, not as young as his nephew.

During a telephone interview from his office in Mankato, the younger Frank Hecht renewed his praise of his uncle and of the United States.

FAIRY TALE

He is now owner of the Valley News Co., a magazine distribution firm, owns a similar firm—Husker News—in Atlantic, Iowa as well as the Ace Beer Distributing Co. there.

He remembers the dismal years after World War I in Germany.

He said, "There's a German fairy tale that says if you eat through a mountain of rice you'll find the land of the golden apples—and I was sure my Uncle Frank had found this land."

"The packages he sent had wonderful things in them— food that we couldn't have bought even if we had had the money.

"Without my folks even knowing it, I wrote him asking if I could come and live with him.

"My folks? They didn't hesitate to let me go. They knew it would be one less child going hungry and that I'd have a better chance."

In the Bluffs, he had to begin school in the first grade because he could not speak English.

But within two years at Harrison School, which still stands, he was a year ahead of other students his age.

In his high school years, Frank Hecht left the Bluffs to live with other relatives in Stanton, Neb., and, in the stock market crash of 1929, "me and another fellow went to Chicago to see what the world had in store."

After a few false starts, he got a job with a magazine distributing company and took over the Mankato firm in 1940.

"This country has been good to me and I can't help but tell you how fortunate I am to be an American."

"My hope is that every American would appreciate his freedoms more."

WALLS BRINGS TEARS

"I stood at the Berlin Wall about six years ago and almost cried to think that I might have been subjected to something like that."

"If some of the people in this country could stand at that wall they wouldn't do any complaining about this country."

Hecht has visited his homeland often and still makes the trip semiannually to visit his mother, now 86.

He said the final paragraph in his full page "thank you," in the Council Bluffs Nonpareil sums up his feelings:

"So again, my deepest gratitude to my Uncle Frank and my Uncle Sam for letting me be an American. I shall cherish it to my dying breath and trust that my children and my children's children will do likewise."

ON MY 50TH ANNIVERSARY IN THE UNITED STATES A SINCERE "THANK YOU" NOTE TO MY UNCLE FRANK AND MY UNCLE SAM

Fifty years ago this month, October, 1922, at the age of 11, I—a hungry German immigrant—came to Council Bluffs to my Uncle Frank Hecht.

In Germany, I was the oldest child and we were starving, but receiving occasional food parcels from Uncle Frank in Council Bluffs, which motivated me to write and ask if he would let me come to the United States to live with him. These packages were all the evidence I needed that he lived in a better place than I did. He applied for an immigration permit to Uncle Sam which was granted and Uncle Frank sent me the ticket.

My first banana, which he bought for me at the Peoples Store the morning after I arrived, convinced me that I now lived in the right place. I could call this my Golden Anniversary, but it would not properly express my feelings. Every anniversary has been a Golden one—yes, all fifty of them.

I can't help but tell you how fortunate I am to be an American. Freedom of speech, freedom from want, freedom from fear, freedom of religion, freedom of the press. Yes, freedom to swim across any river without being shot to death. Freedom to cross any American border and return. My only hope and wish is that every American would cherish these things more. If we only did that, then no thinking American would want to change any part of our system or our way of life.

So, again, my deepest gratitude to my Uncle Frank and my Uncle Sam for letting me be an American. I shall cherish it to my dying breath and trust that my children and my children's children will do likewise.

FRANK J. HECHT.

ACTION ON MAJOR BILLS IN 1972

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following report to the residents of the Ninth Congressional District of Indiana on the 92d Congress action on major bills in 1972. The report is to be distributed after the adjournment of the Congress:

Action on Major Bills in 1972

ENACTED

Campaign spending—limits advertising expenditures by presidential and other federal candidates and sets strict requirements for reporting contributions and expenditures.

Women's rights—clears for ratification by the states a constitutional amendment prohibiting discrimination on the basis of sex.

Revenue sharing—returns to state and local governments a portion of federal taxes to finance state, county and city services.

Busing—postpones court-ordered school busing and limits the use of federal funds for busing intended to overcome racial imbalance.

Strategic arms agreement—approves U.S.-U.S.R.R. agreement limiting offensive nuclear missile systems.

Wage Board employees—establishes a new system for adjusting and increasing pay rates for federal wage board employees.

Rural development—expands size and coverage of federal loan authority for individuals and businesses in rural areas; expands federal flood control efforts.

Pesticides—regulates the manufacture, distribution and use of pesticides.

Higher education—continues and expands existing programs of federal aid to colleges and students and vocational education programs. Creates National Institute of Education to promote educational reform.

Pollution control loans—provides $800 million in loans to small businesses to help them meet new pollution control standards.

Occupational health and safety—exempts firms with 3 or fewer employees from occupational health and safety standards.

Social security—raises benefits by 20 percent, effective September, 1972, and provides for an automatic cost of living increase in the future; raises widows' and widowers' benefits and income limitation; extends Medicare benefits to disability pensioners under 65.

Nutrition—creates a program of daily hot meals for needy older Americans.

Community services—improves scope and delivery of community services for older Americans.

OEO—extends anti-poverty and manpower training programs for three years.

Equal rights—strengthens the Equal Employment Opportunity Commission to prevent discrimination in hiring.

School lunch—expands and strengthens child nutrition programs.

Marine mammals—improves the protection of marine mammals and prohibits the importation of endangered species.

Oceanic pollution—curtails and tightly regulates the dumping of pollutants into the oceans.

Veterans' compensation—increases by 10 percent the rates of compensation for disabled veterans.

Veterans' medical aid—extends VA hospital and medical benefits to wives, widows and children of veterans totally disabled because of service-connected causes, or who have died because of service-connected disability; provides outpatient hospital care for veterans.

Veterans' education—increases the monthly allowance under the GI bill by approximately 25 percent.

Drug control—coordinates the federal attack on the problem of drug abuse and traffic.

Product safety—creates an independent consumer product safety commission to protect consumers against product safety hazards.

HELD OVER FOR ACTION IN 1973

Auto insurance—provides "no fault" auto insurance.

Farm bargaining—gives the farmers more bargaining power.

Minimum wage—increases the minimum wage.

VETOED

Private pensions—provides protection for pension plans.

War powers—limits the President's authority to involve the country in hostilities without specific Congressional approval.

Housing—completely revises present federal housing programs.

Government reorganization—consolidates 7 executive departments into 4.

Health insurance—increases federal health coverage benefits.

Tax reform—redistributes tax burden and closes tax loopholes.

Veterans' drug treatment—expands veterans' drug treatment programs and provides that all servicemen and veterans, including those dishonorably discharged, are eligible for treatment.

Welfare reform—completely revises federal welfare programs and establishes an assistance "floor" for needy families.

Consumer aid—creates a Consumer Protection Agency to conduct research on consumer affairs and to represent consumers in certain court actions.

Water quality—increases federal funds for waste treatment facilities and sets as a goal the year 1968 to end all discharges of pollution into navigable waterways. Veto overridden.

Labor/HEW funds—funds the departments of Labor and Health, Education and Welfare. Veto sustained.

Railroad retirement—temporary 20 percent increase in benefits. Veto overriden.

LEGISLATIVE HIGHLIGHTS 92D CONGRESS—1971–72

Voting age lowered to 18.

Military draft authority extended to June 30, 1973.

Constitutional amendment to protect women's rights, now being ratified by the states.

Federal higher education programs revamped.

Two increases in social security benefits, totaling 32 percent.

SALT agreement approved.

Campaign spending laws tightened.

Revenue sharing to aid state and local governments.

Water pollution programs expanded.

THE NATION NEEDS YOUR VOTE

If you think the great majority of our citizens chooses the President, Vice-President, Senators and Congressmen, you're wrong. The great majority doesn't vote at all.

In 1968, 47 million Americans—an astonishing 40 percent of the eligible voters—failed to get to the polls in an election in which 31.8 million votes went to President Nixon, 31.3 million votes went to Hubert Humphrey, and 9.9 million votes went to George Wallace.

In the 1972 Indiana primary, only about 33 percent of the eligible voters cast their ballots.

This decline in the participation in the democratic process poses a threat to the American system—a system which has served us well. It is a living, changing process, and it needs your continuing support and participation.

Please vote on November 7.

PRAYER AMENDMENT

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROBINSON of Virginia. Mr. Speaker, it is evident that a high level of interest in the prayer amendment is being maintained across the Nation, and that we may expect this support to be made evident again in the 93d Congress.

As one who signed the discharge petition for the prayer amendment resolution, and voted for it, I include, in the Extensions of Remarks, a column by William Willoughby which appeared in the Washington Star-News under date of September 30, 1972, as follows:

Is God Backing the Prayer Amendment?

Some Congressmen—in fact, an awful lot of them—don't stand a prayer of a chance of being reelected in November.

It's because their attitudes toward little school kids aren't right. With such attitudes they're making little sneaks out of kids who want to pray on company time, using company facilities.

And they're contributing, on the other hand, to the delinquency of other kids who seem to find enough latitude—on company time and with company facilities—to play all sorts of nasty little games such as Push the Pot, Mash the Maiden and Sass the Brass.

That's what, if I'm reading correctly between the lines and capturing the quintessence of the rhapsodic rhetoric, many supporters of a school prayer amendment are contending.

To a large degree, unfortunately—and I'm not particularly a supporter of a school prayer amendment—there's a lot more to what the prayer amendment supporters are saying than interlinear accusations and embellished language.

And for this reason Operation Prayer 72 is in full swing around this country. It's an operation, largely based here in Washington, that's politely telling candidates for office that if they don't support prayer amendment legislation they'd better go back to selling used cars.

And while the Operation Prayer 72 people say their effort is "non-sectarian" and "non-political," don't kid anyone. It might be non-sectarian in the loosest sense of the word—many Protestants and Catholics are involved.

But it isn't non-political. Unless, of course, one takes into consideration there are lots of Democrats, Independents and Republicans affiliated because of this one overriding interest.

The Operation Prayer '72 people are making no bones about the fact that they helped get a school prayer amendment plank into the GOP platform in August. Not since the days of Barry Goldwater had it been part of the official policy of the Republican party.

And they aren't exactly quiet about the fact that, as they put it, "the McGovern Democrats in Miami Beach shouted down such a plank."

I think I see pretty clearly which way the plank in the political teeter-totter is titled even if they do say it is non-political.

But that's not the point. They're saying that school kids don't really have the right to pray together in schools across America. They don't deny, naturally, that anyone can pray privately as he's walking along or when he should be concentrating on the question the teacher is asking him about the day's lesson.

But they do echo the words of the late Sen. Everett Dirksen who wrote in The Washington Daily News that America follows a "double standard" when it comes to prayer in public. Officials routinely allow it in such places as Congress, in the Armed Forces, or at the military academies, but forbid it publicly in the schools, Dirksen said.

Yet, as prayer amendment supporters point out, polls in various districts from which the politics come run as high as 91 percent of those polled favoring prayer amendment legislation.

The National Association of Evangelicals does not actively engage in political pushes such as the Operation Prayer '72 people are engaged in, but one of the key figures in getting the GOP to adopt the prayer plank, along with Martha Rountree of Leadership Foundation, was Floyd Robertson, an NAE executive.

Robertson and NAE contend that, notwithstanding language in the Supreme Court rulings of a decade ago on prayer that there was no ban on public prayers, test cases since then prove pretty conclusively that no matter how one looks at it, prayer in a public sense at schools is verboten.

That's why the NAE supports prayer amendment legislation. Robertson, retiring chairman of Cherrydale Baptist Church, contends that rulings such as those against students at Netcong, N.J., and Leyden, Mass., and Fair Chance, Pa., are "legally consistent with the Supreme Court rulings."

Therefore, Robertson argues, "inasmuch as there is no other recourse to the courts the problem should be corrected by what we believe to be the proper means—legislation providing for a prayer amendment."

Spearheading the more political Operation Prayer '72 are such persons as the Rev. Robert C. Howes, a professor at Catholic University, and Mrs. Bennett Miller, a Washington housewife and national secretary of Citizens for Public Prayer.

Anyway, signs indicate that a lot of politicians might better take this prayer amendment seriously. It missed by only 28 votes last year. The Operation Prayer '72 people are looking for some good replacements, and it's doubtful they'll be satisfied to topple just 28 congressmen.

Besides, what if enough of those little kids get brave and sneak off in some corner and start praying up a storm while one of them keeps an eye out for the principal?

Those kids might even get some higher up support for such legislation.

Who knows? God, the Supreme Court notwithstanding, could possibly be interested in the prayer amendment Himself. Who's to say for sure?

HON. ALTON A. LENNON

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. DORN. Mr. Speaker, Al Lennon has represented his district and the great State of North Carolina with highest distinction, in the U.S. Senate, in the U.S. House of Representatives, and also in the North Carolina Senate. The tremendous progress made by the Tarheel State during his years of service is due in no small part to Al Lennon's leadership. He leaves this body voluntarily and will be greatly missed by his colleagues on both sides of the aisle.

Mr. Speaker, Al Lennon has served his North Carolina Seventh District and the entire State well through his dedicated membership on the great Armed Services Committee and on the Merchant Marine and Fisheries Committee. There is no installation in the Nation more crucial to our national security than is Fort Bragg. He has been a leader too, in preserving hundreds of thousands of textile jobs from cheap, low-wage imports.

Mr. Speaker, Al Lennon is one of this body's most distinguished attorneys and earlier in his career he served as a county judge. We predict for Al Lennon continued success and Mrs. Dorn joins me in wishing for him and his lovely family every happiness and the best always.

HON. ALTON LENNON

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. GERALD R. FORD. Mr. Speaker, I cannot see this Congress closing without expressing my personal appreciation and affection for the distinguished gentleman from North Carolina, the Honorable Alton Lennon, who is retiring voluntarily. After 16 years of working together, sometimes differing in debate but always in friendly spirit, I want to assure him that he will be greatly missed.

Many Members have forgotten that he served briefly in the other body as an appointed Senator, but we are all happy that he found his true home in the people's House, where he has served his constituents and his country with great distinction. I wish him every good fortune for the future.

POLONIA TO TAKE PART IN BICENTENNIAL CELEBRATION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANNUNZIO. Mr. Speaker, the American people have begun serious planning for the 1976 American Revolution bicentennial celebration. In that year we will be celebrating 200 years of economic, political, and spiritual growth—a maturity which has been made possible by the contributions of all of America's ethnic and religious groups.

The bicentennial celebration will be a celebration of the success of a people—one people united in their dedication to American ideals and strengthened by their ethnic diversity. The bicentennial will be a reminder to all Americans that though we may have different opinions, backgrounds, or religions, we all must remain dedicated to the basic American principle of the right to be different—the right to develop one's potential in one's own way.

Therefore, Mr. Speaker, I am privileged to report plans by the Polish American Congress, led by President Aloysius A. Mazewski, to take part in the 200th anniversary celebration of the founding of the United States.

These plans were presented at the Polish American Congress' ninth annual convention on October 6, 1972 by Dr. Edward C. Rozanski, chairman of the Polish American Congress' Committee on the bicentennial of the United States, as follows:

[From Zgoda, Oct. 15, 1972]

POLONIA'S PART IN U.S. BICENTENNIAL

Dr. Edward C. Rozanski, Chairman of the Committee on the Bicentennial of the United States, presented the following report and recommendation to the Ninth Convention of the Polish American Congress:

Bicentennial of the United States 1976 presents to Americans of Polish origin certain challenges which, we feel, must be met with vision, rectitude and determination.

Our participation in the history of this Republic has been significant and honorable.

It should and must be brought to proper light and perspective, if we are to assert our status in American life and give our younger generations the priceless awarements of their ethnic heritage.

In view of these imperatives and their relevancy to American Polonia, this Committee recommends:

1. Commissioning eminent American scholars of Polish origin to prepare papers on—

(a) Polonia's history in the United States and the scope and significance of our contributions to the founding and development of the Republic.

(b) Sociological make-up and its changes in evolution within Polonia from the very first Polish pioneers to the present status of Americans of Polish ancestry in the mainstream of American life;

(c) Polonia's contributions and participation in the field of education and culture evolving in our pluralist society;

(d) The progress of Polonia in the political and civic involvement in the United States;

(e) Polonia's struggles and attainments in the areas of profession, industry and banking.

(f) Unite the intellectuals, scholars and historians of Polish origin in the United States to serve with their talents in the Bicentennial Committee, and cooperate with all Institutions: The Kosciuszko Foundation, The Polish American Historical Association and any others wishing to join the Bicentennial activities.

We realize that all these subjects are interdependent and in certain areas overlapping. Their relevance, integration and interpretation should be detailed and appraised by scholars.

2. It is recommended that this Convention instruct the next PAC administration, and devise the means of financing the following projects in 1976:

(a) Presentation of Kosciuszko historic contribution to the Saratoga victory;

(b) Presentation of Pulaski's deeds at Brandywine, Valley Forge and Charleston;

(c) Presentation of the part General Krzyzanowski played at Gettysburg.

These presentations could be offered to the public in the form of pageants or special commemorated publications.

3. The Committee is not in a position to present a detailed plan or estimate their cost at the present time.

Therefore, it is recommended that the present Committee be given permanent status by this Convention to make feasability studies and cost estimates and submit to the next administration a list of eminent Americans of Polish origin from which a permanent Bicentennial Committee could be formed.

These recommendations were unanimously accepted by the Convention.

Members of the Committee are: Rt. Rev. Francis Rowinski, Bishop of the Polish National Catholic Church; writer-historian Arthur J. Waldo; Very Rev. Michael Zembrzuski; Zygmunt Sluszka; Stephen Obremski; Anthony Piwowarczyk; Dr. Z. W. Sobal; Dr. Stanley Sulkowski; Kazimierz Burawski; Mitchell Cwiek; Zofia Zyski-Kline; Dr. Joseph A. Wytrwal, author of several volumes on Polish American history; Rev. M. T. Madaj; Very Rev. Walter J. Ziemba of the Orchard Lake Schools; PNA Director Estelle Neider; Very Rev. Msgr. Zdzislaw Peszkowski; Dr. Eugene L. Sikorski; Stanley Sredzinski; Victoria P. Lewicki; Rose Corso; John M. Frysiak; Dr. W. Sikora and Stephanie Gondek.

President Mazewski expressed the sentiment of those assembled at the recent Polish-American Congress convention in Detroit by saying:

MAZEWSKI ISSUES PAC CONVENTION MESSAGE

Our next, the Tenth National Convention of the Polish American Congress will coincide with the 200th anniversary of the founding of the United States.

As Americans of Polish origin and tradition, we are heirs of a proud legacy. Pioneers, military leaders, educators, scientists, technicians, workers and farmers from Poland contributed significantly to the birth, growth, development and defense of our beloved Republic.

These deeds and accomplishments are only partially known to us and recognized by our American compatriots. The major portion of our history as an ethnic entity of considerable measure in the pluralist society of the United States, is still gathering dust in the archives and forgotten documents of America's past.

These will have to be brought to light to enhance Polonia's status in all walks of American life and end the derogatory, and, at times, vicious outbursts against Americans of Polish heritage in the communications media.

Toward this end I recommend that the Convention instruct and empower the Executive Board to be elected, to appoint a Bicentennial Committee of American historians and scholars of Polish origin to prepare an appropriate monograph and spell out details of our participation in the Bicentennial Observances.

Budgetary provisions for this project should be set by the Convention.

In considering this plan, we should be mindful of the premise that by planning our American past in proper perspective and spotlighting its relevancy to our times, we would be making a strong and eloquent appeal to our younger generations to get involved in Polonio's pursuits and objectives.

I want to commend and congratulate the Polish American Congress for moving forward in a positive and constructive manner to participate in America's bicentennial celebration by emphasizing the prominent role that Polonia has played in the growth and development of our great country.

SENATOR B. EVERETT JORDAN

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. THURMOND. Mr. President, Senator B. EVERETT JORDAN has served in the Senate from my neighboring State of North Carolina since April 19, 1958, and we have often worked together in solving the common problems of our people. I have appreciated his dedication and desire to serve not only the people of North Carolina and our region, but all of the people of our Nation.

Mr. President, as a World War I veteran, EVERETT JORDAN learned compassion and service at an early age. He was the son of a minister, and he grew up in a Christian environment. In his later years, he has not forgotten his Christian heritage, and he has been active in his church as lay leader, Sunday school teacher, and servant on many church-related boards.

Further, he has not been satisfied to serve only in an elected capacity as a U.S. Senator. Public service has had a much broader meaning for EVERETT JORDAN. He has served as trustee for various institutions of higher learning, and he has been an active civic leader, Mason and Shriner.

In the Senate, Mr. President, Senator JORDAN has distinguished himself as chairman of the Rules Committee and as a very effective member of the Committee on Agriculture and Forestry and Public Works. However, he has not been satisfied with his legislative duties alone; he has continued his interest in public activities beyond the realm of the Senate floor as a trustee of the Capitol Historical Society and a member of the Commission on Arts and Antiquities of the Senate.

When EVERETT JORDAN retires from this body at the end of this session, I wish him the best as he returns to his native North Carolina. He has earned the respect of those of us with whom he has served, and the gratitude of those he has served.

Mr. President, I wish Senator JORDAN many years of happiness with his family and friends, and may his retirement be an enjoyable one.

PENSION PROTECTION LEGISLATION—OUR NO. 1 PRIORITY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WILLIAM D. FORD. Mr. Speaker, it is indeed disappointing to see the 92d Congress adjourn without passing effective and comprehensive pension protection legislation.

It is especially disheartening to me, as a member of the General Labor Subcommittee which has jurisdiction over this matter in the House of Representatives. I have worked very closely with the distinguished gentleman from Pennsylvania (Mr. DENT) who chairs this subcommittee, and I am well aware of the problems involved in devising a bill which could overcome objections of the Nixon administration and others who have continually fought against any meaningful pension protection legislation.

But time is running out for the millions of American workers who have been or will be adversely affected due to the lack of effective laws regulating private pension plans, and I want to urge my colleagues here and now, to make pension protection legislation a top priority item when the 93d Congress convenes in January.

Mr. Speaker, the issue involved is very simple—it boils down to this: Will the retired American working men and women receive the pension benefits which they have earned and to which they are rightfully entitled or will they not?

The answer must be in the affirmative. The American worker must be assured that the pension benefits for which he or she has worked will be there when he or she retires. In order to provide this assurance it is necessary for Congress to pass appropriate legislation.

The legislation does not concern itself with any kind of Federal Government giveaway programs. It need only contain adequate safeguards for three very important pension rights—compulsory funding, required minimum vesting, and Federal insurance for terminated plans. It must also provide for stringent fiduciary standards.

Mr. Speaker, these are not unreasonable demands. They are merely necessary requirements—necessary to assure that workers in this country will actually receive the pension benefits for which they have labored nearly all their lives.

We are all familiar with the hundreds and thousands of tragic stories about workers who have lost their pension rights due to the lack of effective laws and regulations. We continue to hear new ones every month.

The workers of this country are no longer content to listen and watch as we in Congress discuss and study this subject. They have told us loudly and clearly that they want action—not just more talk—and they are entitled to action. They are just plain fed up with all the doubletalk, the backroom wheeling and dealing, and the tricky parliamentary maneuvers which have thus far been responsible for killing any truly effective legislation.

Mr. Speaker, this situation grows more serious each and every day. I would like to impress upon my colleagues—on both sides of the aisle—that we can no longer afford to play politics with this issue. We are aware of the problem. We know what is required to solve it. We need only put politics aside and get to work on it.

In the 93d Congress it is my sincere hope that we will be able to do so at a very early date. In the 93d Congress pension protection legislation must be our No. 1 priority.

H.R. 1, THE 1972 SOCIAL SECURITY ACT AMENDMENTS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROONEY of New York. Mr. Speaker, the first bill introduced in the 92d Congress, H.R. 1, the Social Security Act Amendments, has been passed here in the closing days of the 92d Congress. It is one of the last major pieces of legislation. While it is the best and most far-reaching improvement to the Social Security Act passed by the Congress since medicare, I still am not satisfied that it makes enough improvement in its terms.

One of the first priorities of the 93d Congress must be an effort to modernize many Federal programs in this area, such as retirement income, pensions, welfare, and health care, not with theory but using the facts of reality which these the people must face every day.

As we all know, the improvements to the Social Security Act made by H.R. 1 directly and indirectly affect every home in the United States. The following is a summary of the major amendments:

H.R. 1, The 1972 Social Security Act Amendments

I. SOCIAL SECURITY CASH BENEFIT PROVISIONS

1. Special minimum cash benefits

The bill would provide a special minimum benefit of $8.50 multiplied by the number of years in covered employment up to 30 years, producing a benefit of at least $170 a month for a worker who has been employed for 30 years under social security coverage. This benefit would be paid as an alternative to the regular benefits in cases where a higher benefit would result.

Under this provision, the new higher minimum benefit would become payable to people with 20 or more years of employment; at that point, the special minimum benefit would be more than the regular minimum—$85 as compared to the regular minimum benefit of $84.50 payable under present law. A worker with 25 years of employment under social security would thus be guaranteed a benefit of at least $127.50; while one with 30 years would receive at least $170 a month. Minimum payments to a couple would be one and one-half times these amounts.

2. Increase in widow's and widower's insurance benefits

Under present law, when benefits begin at or after age 62 the benefit for a widow (or dependent widower) is equal to 82½ percent of the amount the deceased worker would have received if his benefit had started when he was age 65. A widow can get a benefit at age 60 reduced to take account of the additional 2 years in which she would be getting benefits.

The bill would provide benefits for a widow equal to the benefit the deceased husband would have received if he were still living. Under the bill, a widow whose benfits start at age 65 or after would receive either 100 percent of her deceased husband's primary insurance amount (the amount he would have been entitled to receive if he began his retirement at age 65) or, if his benefits began before age 65, an amount equal to the reduced benefit he would have been receiving if he were alive.

Under the bill, the benefit for a widow (or widower) who comes on the rolls between 60 and 65, would be reduced (in a way similar to the way in which widows' benefits are reduced under present law when they begin drawing benefits between ages 60 and 62) to take account of the longer period over which the benefit would be paid.

Effective date.—January 1973.

3. Increased benefits for those who delay retirement beyond age 65

The bill includes a provision which would provide for an increase in social security benefits of 1 percent for each year after age 65 that the individual delays his retirement.

Effective date.—For computation and recomputation after 1973 based on earnings after 1973.

4. Age 62 computation point for men

Under present law, the method of computing benefits for men and women differs in that years up to age 65 must be taken into account in determining average earnings for men, while for women only years up to age 62 must be taken into account. Also, benefit eligibility is figured up to age 65 for men, but only up to age 62 for women. Under the bill, these differences, which provided special advantages for women, would be eliminated by applying the same rules to men as now apply to women.

Effective date.—The new provision would become effective, starting January 1973 and become fully effective in January 1975.

5. Liberalisation of the retirement test

The amount that a beneficiary under age 72 may earn in a year and still be paid full social security benefits for the year would be increased from the present $1,600 to $2,100. Under present law, benefits are reduced by $1 for each $2 of earnings between $1,680 and $2,800 and for each $1 of earnings above $2,880. The committee bill would provide for a $1 reduction for each $2 of all earnings above $2,100, there would be no $1-for-$1 reduction as under present law. Also, in the year in which a person attains age 72 his earnings in and after the month in which he attains age 72 would not be included, as they are under present law, in determining his total earnings for the year.

Future increases in the amount of exempt earnings would be automatic as average earnings rise.

Effective date.—January 1973.

6. Dependent widower's benefits at age 60

Aged dependent widowers under age 62 could be paid reduced benefits (on the same basis as widows under present law) starting as early as age 60.

Effective date.—January 1973.

7. Childhood disability benefits

Childhood disability benefits would be paid to the disabled child of an insured retired, deceased, or disabled worker, if the disability began before age 22, rather than before 18 as under present law. In addition, a person who was entitled to childhood disability benefits could become re-entitled if he again becomes disabled within 7 years after his prior entitlement to such benefits was terminated.

Effective date.—January 1973.

8. Benefits for a child based on the earnings record of a grandparent

Under the bill, benefits would be extended to grandchildren not adopted by their grandparents if their parents have died or are disabled and if the grandchildren were living with a grandparent at the time the grandparent qualified for benefits.

Effective date.—January 1973.

9. Disability insured status for individuals who are blind

Under present law, to be insured for disability insurance benefits a worker must be fully insured and meet a test of substantial recent covered work (generally 20 quarters of coverage in the period of 40 calendar quarters preceding disablement). The bill would eliminate the test of recent attachment to covered work for blind people; thus a blind person would be insured for disability benefits if he is fully insured—that is, he has as many quarters of coverage as the number of calendar years that elapsed after 1950 (or the year he reached age 21, if later) and up to the year in which he became disabled.

Effective date.—January 1973.

10. Disability insurance benefits applications filed after death

Disability insurance benefits (and dependents' benefits based on a worker's entitlement to disability benefits) would be paid to the disabled worker's survivors if an application for benefits is filed within 3 months after the worker's death, or within 3 months after enactment of the provision. It would be effective for deaths occurring after 1969.

11. Disability benefits affected by the receipt of workmen's compensation

Under present law, social security disability benefits must be reduced when workmen's compensation is also payable if the combined payments exceed 80 percent of the worker's average current earnings before disablement. Average current earnings for this purpose can be computed on two different bases and the larger amount will be used. The bill adds a third alternative base, under which a worker's average current earnings can be based on the 1 year of his highest earnings in a period consisting of the year of disablement and the 5 preceding years.

Effective date.—January 1973.

12. Optional determination of self-employment earnings

Self-employed persons could elect to report for social security purposes two-thirds of their gross income from nonfarm self-employment. Not more than $1,600 in income (farm and nonfarm) could be reported in this manner. (This optional method of reporting is similar to the option available under present law for farm self-employment.) A regularity of coverage requirement would have to be met and the option could be used only five times by any individual.

Effective date.—January 1973.

I. MEDICARE-MEDICAID AMENDMENTS

1. Medicare coverage for the disabled

Effective July 1, 1973, a social security disability beneficiary would be covered under medicare after he had been entitled to disability benefits for not less than 24 consecutive months. Those covered would include disabled workers at any age; disabled widows and disabled dependent widowers between the ages of 50 and 65; beneficiaries age 18 or older who receive benefits because of disability prior to reaching age 22; and disabled qualified railroad retirement annuitants. An estimated 1.7 million disabled beneficiaries would be eligible initially.

2. Hospital insurance for the uninsured

. The bill will permit persons age 65 or over who are ineligible for part A of medicare to voluntarily enroll for hospital insurance coverage by paying the full cost of coverage (initially estimated at $33 monthly and to be recalculated annually). Where the Secretary of HEW finds it administratively feasible, those State and other public employee groups which have, in the past, voluntarily elected *not* to participate in the Social Security program could opt for and pay the part A premium costs for their retired or active employees age 65 or over. Enrollment in part B of medicare would be required as a condition of buying into the part A program.

Effective date: July 1, 1973.

3. Automatic enrollment in part B

Effective July 1, 1973, the bill provides (except for residents of Puerto Rico and foreign countries) for automatic enrollment under part B for the elderly and the disabled as they become eligible for part A hospital insurance coverage. Persons eligible for automatic enrollment must also be fully informed as to the procedure and given an opportunity to decline the coverage.

4. Protection against loss of medicaid because of increased earnings

An individual or member of a family eligible for cash public assistance and medicaid who would otherwise lose eligibility for medicaid as a result of increased earnings from employment would be continued on medicaid for a period of 4 months from the date where medicaid eligibility would otherwise terminate.

5. Medicare services outside of the United States

Effective January 1, 1973, the bill authorizes use of a foreign hospital by a U.S. resident where such hospital was closer to his residence or more accessible than the nearest suitable United States hospital. Such hospitals must be approved under an appropriate hospital approval program.

In addition, the bill authorises part B payments for necessary physicians' services furnished in conjunction with such hospitalisation.

The bill also authorizes medicare payments for emergency hospital and physicians services needed by beneficiaries in transit between Alaska and the other continental States.

6. "Skilled care" definition for medicare and medicaid

The bill would change the definition of care requirements with respect to entitlement for extended care benefits under medicare and with respect to skilled nursing care under medicaid. Present law would be amended to authorize skilled care benefits for individuals in need of "skilled nursing care and/or skilled rehabilitation services on a daily basis in a skilled nursing facility which it is practical to provide only on an inpatient basis." Coverage would also be continued during short-term periods (e.g. a day or two) when no skilled services were actually provided but when discharge from a skilled facility for such brief period was neither desirable nor practical.

Effective date: January 1973.

7. Physical therapy services and other services under medicare

Effective July 1973, the bill would include as covered services under part B, physical therapy provided in the therapist's office pursuant to a physician's written plan of treatment.

It also authorizes a hospital or extended care facility to provide outpatient physical therapy services to its inpatients, so that an inpatient could conveniently receive his part B benefits after his inpatient benefits have expired.

Benefit payments in one year for services by an independent practitioner in his office or the patient's home could not exceed $100. Effective January 1973, reimbursement for services provided by physical and other therapists would generally be limited to a reasonable salary-related basis rather than fee-for-service basis.

8. Coverage of supplies related to colostomies

The bill provides for medicare coverage of the costs of supplies directly related to the care of a colostomy.

9. Hospital admissions for dental services under medicare

The bill authorizes the dentist who is caring for a medicare patient to make the certification of the necessity for inpatient hospital admission for noncovered dental services under the above circumstances without requiring a corroborating certification by a physician.

This provision would be effective with respect to admissions occurring after the second month following enactment of the bill.

10. Extension of time for filing claim for supplementary medical insurance benefits where delay is due to administrative error

The bill provides that where a claim under supplementary medical insurance is not filed timely due to error of the Government or one of its agents, the claim may nevertheless be honored if filed as soon as possible after the facts in the case have been established.

This amendment would apply with respect to bills submitted and requests for payment made after March 1968.

11. Waiver of enrollment period requirements where individual's rights were prejudiced by administrative error or inaction

The bill authorizes the Secretary to provide such equitable relief as may be necessary to correct or eliminate the effects of these situations, including (but not limited to) the establishment of a special initial or subsequent enrollment period, with a coverage period determined on the basis thereof and with appropriate adjustments of premiums.

This provision would apply to all cases which have arisen since the beginning of the program.

12. Elimination of provisions preventing enrollment in supplementary medical insurance program more than 3 years after first opportunity

The bill eliminates the 3-year limit with respect to both initial enrollment and reenrollment after an initial termination. Enrollment periods would remain as presently defined and the restriction limiting individuals who terminate enrollment to reenroll only once would be retained.

This provision would apply to all those who are ineligible to enroll because of the 3-year limit in effect under present law.

13. Waiver of recovery of incorrect medicare payments from survivor who is without fault

The bill permits any individual who is liable for repayment of a medicare overpayment to qualify for waiver of recovery of the overpaid amount if he is without fault and if such recovery would defeat the purpose of title II or would be against equity and good conscience.

14. Coverage of chiropractic services under part B of medicare

The bill broadens the definition of the term "physician" in title XVIII to include a licensed chiropractor who also meets uniform minimum standards to be promulgated by the Secretary.

The services furnished by chiropractors would be covered under the program as "physicians' services," but only with respect to treatment of the spine by means of manual manipulation which the chiropractor is legally authorized to perform. Claims for such treatment must be verifiable with a satisfactory X-ray indicating the existence of a subluxation of spine.

The amendment would become effective with respect to services provided on or after July 1, 1973.

15. Medicare: Coverage of persons needing kidney transplantation or dialysis

The bill provides that fully or currently insured workers under social security and their dependents with chronic renal disease would be deemed disabled for purposes of coverage under parts A and B of medicare. Coverage would begin 3 months after a course of renal dialysis is begun.

This summary is by no means complete, because of space limitations. Any resident of the 14th Congressional District of New York who has a question or problem on their social security or any other Federal matter should not hesitate to write your Congressman about it. Inasmuch as it eventually has to be put into writing, a letter providing all the details and identifying numbers assists me in expediting your problem with less chance of misinterpretation of the case, because of wrong or incomplete facts. In the majority of cases the officials here in Washington will be asked to look into it; therefore, further expedition of the case can be made by addressing the letter to me at my Washington office, suit 2266, Rayburn House Office Building, Washington, D.C. 20515.

Some of these programs, such as medicaid, are Federal programs, but the responsibility for the actual administration of them rests with State and local officials, not Members of Congress or Federal officials. Your elected New York State senators and assemblymen and your New York City councilmen can assist you with your questions and answers in connection with these other programs.

HON. DURWARD G. HALL

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DULSKI. Mr. Speaker, 12 years ago a Springfield, Mo., surgeon was elected to the 87th Congress. He put aside the tools of his profession and headed for the Nation's Capital.

Our colleague, Durward G. Hall, who most of us have called "Doctor," did not take long to make his presence known on Capitol Hill.

Long active, not only in professional organizations, but also in local community affairs, Dr. Hall took a sharp bite on the bullet of his new responsibilities. He has not relaxed his bite in his dozen years in this Chamber.

Dr. Hall amassed an outstanding attendance and voting record—but that is only part of the story. His diligent attention to detail and the intricacies of every issue to come before his committees and the House made him one of the best informed and active Members.

He is a careful and gentlemanly questioner, but his gracious demeanor is not to be mistaken for weakness. On the contrary, he is tenacious and persistent in seeking elaboration on details of "the fine print."

Mr. Speaker, Dr. Hall has been a great force in Congress these past six terms. He did his homework and expected others to do theirs. He is one of the most gracious and honorable men I have had the pleasure of knowing.

A personal note, when my home city of Buffalo, N.Y., was pressing several years ago for legislation for a national historic site, we found Dr. Hall to be an historian as well. He was most cooperative and helpful to us in obtaining enactment of legislation to preserve the Ansley Wilcox Mansion, in which Theodore Roosevelt took the oath of office after the assassination of William McKinley in 1901.

When the 93d Congress gets under way next year, holdover Members are going to look in vain for counsel from Dr. Hall in his aisle seat which he invariably occupied across the way. Dr. Hall decided not to seek reelection and he is going to be missed in many ways.

As he leaves these Chambers as an active Member, I extend my sincere best wishes to him and hope he will come back often to visit us. I am grateful indeed for his friendship and cooperation.

TRIBUTE TO SENATOR ANDERSON OF NEW MEXICO

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, the closing hours of a Congress is a time for reflection, particularly with regard to those with whom we serve who are retiring fom the Senate.

I wish to join my colleagues in paying tribute to a man who has for 24 years rendered distinguished and outstanding service to this body and the Nation—Clinton P. Anderson of New Mexico.

Few men in public life have been more influential in shaping legislation with such far-reaching impact on this country. When I first came to the Senate in 1953, Clint Anderson was already involved in many of the dominant issues of the day. Having served in several important posts in his State, in the House of Representatives for 6 years, as President Truman's Secretary of Agriculture during the food crisis years of 1945–48, Clinton Anderson brought broad experience and background to the Senate.

The senior Senator from New Mexico has served on the Agriculture Committee, the Interior Committee, the Finance Committee, the Space Committee, the Joint Committee on Atomic Energy, the Joint Committee on Internal Revenue Taxation, the Joint Committee on Navajo-Hopi Indian Administration, and the Joint Committee on Reduction of Federal Expenditures. His longest service has been on the Committee on Interior and Insular Affairs, which I have the honor to chair, and of which he was chairman during the 87th Congress.

The important and innovative legislation bearing the stamp of Clint Anderson, and his leadership on subjects such as statehood for Hawaii and Alaska, wilderness, medicare, atomic energy, reclamation, the space program, to name just a few, establish the Senator from New Mexico as a legent in his own time. He has been an effective representative of the people of his State, and his persuasiveness and dedication have contributed materially in the enactment of progressive legislation for the welfare of all the people. His wise counsel will be missed in this Chamber.

I extend my heartfelt wish that in retirement Clint Anderson and his devoted wife, Henrietta, will enjoy health and happiness in the years to come.

A TRIBUTE TO CHAIRMAN GEORGE P. MILLER

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANNUNZIO. Mr. Speaker, I wish today to pay tribute to a man of exceptional ability; a man of ability not only in such subjects as oceanography and astronautics, but also a man with the perceptive ability to coordinate scientific programs without benefit of precedent, past guidelines, or studies to lead him.

I speak of George P. Miller, the chairman of the Committee on Science and Astronautics. In my four terms here in the House, I have observed with admiration the dedication, enthusiasm, and inspiring diligence of this outstanding legislator and it is with pride that I call him a friend. George Miller will be missed here in the halls of Congress and by the people of the Eighth District of California whom he has served so well for almost three decades, has played a major role in the consideration and passage of many measures helpful to the people of his district and the best interests of his country.

Chairman Miller came to the House 28 years ago following a career in the California State Legislature and, before that, as a civil engineer. As a leader in California politics, George Miller served as a member of the State Land Commission and as executive director of the California Division of Fish and Game.

Here in the Congress, George has been a highly effective member of the Post Office and Civil Service Committee and a highly regarded member of the Armed Services Committee. Additionally, he has in the past served as chairman of the first Subcommittee on Oceanography, and as a member of the Merchant Marine and Fisheries Committee.

George Miller took over as chairman of the newly created Committee on Science and Astronautics in 1961. If ever there was a time that innovative creativity was called for, it was at the beginning stages of our space program. Though there was much enthusiasm for space projects, no people, no government, and no legislator had had any experience in organizing and administering public projects of such magnitude. It was George Miller who stepped into the breach and his leadership has come to be recognized by the people of his State and Nation, as well as by his colleagues in the House, as one of unparalleled excellence.

Under George Miller's leadership, the Committee of Science and Astronautics reviewed the out-of-date charter of the National Science Foundation, revised and modernized it, and succeeded in securing its approval as public law. The Foundation is now able to more rigorously apply the results of basic research to the social needs facing our country.

George Miller's committee has also been responsible for development of the concept of an Office of Technology Assessment. Congress has thus created for itself a new and sorely needed independent service institution within the legislative branch to insure a proper balance of power between the legislative and executive branches of our Government.

George Miller is one of those infrequent figures in history, who can retire with the assurance that, through his efforts, mankind has benefited. There is no tribute higher than this. Mrs. Annunzio and I extend to George Miller and Esther Miller our best wishes as they begin still one more new phase of their lives.

HERCULES CONTINUES TO FIGHT POLLUTION

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PATTEN. Mr. Speaker, one of the most important problems facing people everywhere in the United States today is pollution. We can scarcely go a day without hearing someone or reading something dealing with our environmental crisis. Needless to say, most of the information regarding pollution deals with how bad the situation has become. Because of this emphasis, we usually never get to see or hear about the favorable side of the pollution battle. One tends to overlook those companies who are doing outstanding jobs of trying to clean up the environment. Such a company is Hercules, Inc., which operates one of its plants in my district at Parlin, N.J.

I believe that the talk which follows gives you an excellent example of what one company is doing to make this country a safer and healthier place in which to live.

I commend this talk to my colleagues:

We certainly appreciate the fact that you have taken time to come to Parlin today to see and hear about what we've accomplished so far in our program to be a better neighbor by reducing atmospheric pollution.

In the past there was no real need to keep the community informed of Hercules internal plant activities at any of our locations. However, with the increasing amount of public regulation of private business it has now become imperative that the public be fully informed of those areas of a business over which regulatory agencies exercise control.

Those of us in industry must educate society of the practical matters of concern to industry so government regulation will be reasonable and in the best interest of all concerned.

Although most industries are quick to recognize their responsibilities in pollution control, some firms are content to ignore the problem until enforcement action is threatened. Pollution control is, however, becoming less and less a matter of choice for every state has a Water and Air Control Board or Commission to set the standards and enforce them. Pollution control is a necessary requirement for doing business.

In the last five years restrictive legislation has increased significantly, and in the future there will be even greater pressure from regulatory bodies to limit the discharge of air and water polluting materials.

CORPORATE POLICY AND PROGRAM

The most important consideration in any industrial approach toward pollution control is a recognition by top management that pollution does exist at their plant facilities. A formal corporate policy was developed by Hercules in late 1967 and the directive from our president at that time was to "do more than just comply with the regulations. We want to fully carry out our responsibilities for air and water quality in the communities of which we are a part."

In order to carry out this Corporate Policy, Hercules set up an Environmental Health Committee. The Committee, formed in late 1967, monitors air, water and solid waste pollution abatement practices in 46 principal domestic plants located in 25 states. Although the Committee sees to it that each Hercules operating department pays attention to abatement problems and regulations, the plant manager is directly responsible for the pollution control in his plant.

At Hercules, each plant has a Pollution Abatement Coordinator responsible for all pollution control activities. An initial task of the Environmental Health Committee working with the Pollution Abatement Coordinator, was to see that a complete air and water pollution inventory was made at each plant. Such an inventory is vital as a basis to understanding the magnitude of the problem and to plan for its solution.

In a number of cases, the pollution inventory turned up unexpected dividends; and many Hercules plants have made reductions in their use of water, have recovered by-products, and have also increased yields, thereby decreasing the amount of materials going into the waste streams.

In a study made last year we estimated that about 35 per cent of the cost of operating our pollution control facilities is returned to us by more efficient plant operations, the recovery of waste materials and the reduction in water usage and other utilities. *Unfortunately, in the case of the pollution abatement equipment which has been installed at Parlin, there is essentially no return on the cost of operating these facilities.*

Over three-fourths of Hercules' plant locations are in compliance with present air and water pollution controls and regulations. The other Hercules plant locations either are negotiating with the regulatory authorities to determine what appropriate action should be taken or, as in the majority of the cases, are now working on an approved schedule of compliance. I wish to mention that we do have some problems at several of our plants. These are under intensive study.

In order to accomplish our goals, Hercules spent approximately 9 million dollars on capital investment on air and water pollution control in 1971. It is estimated that we will spend in the neighborhood of 8 million dollars on capital investments in pollution control in 1972.

In addition to the capital investment, we are now spending over 4 million dollars a year to operate the pollution abatement facilities. Also, approximately three-quarters of a million dollars is being spent annually on environmental research.

It is well recognized that control facilities are expensive to build, costly to operate and represent non-productive expenditures. The expense for pollution control will be showing up in many ways, for example, prices of automobiles, gasoline, paper, water, heat, electric utility bills and in property taxes. *In one way or another, every one of us will pay the price for pollution control and I personally feel the price is worth paying.*

COMMUNITY-CORPORATE RELATIONS

We feel it is essential for plant and corporate management to establish good rapport with the state and federal regulatory officials and with the public in the communities we serve. It is important that industry informs the people of the environmental problems and the efforts being made to solve them. In the past, industry failed to tell what it was doing to protect the environment. We know that the public doesn't care about how much money is being spent—*the public wants results.*

Our philosophy at Hercules is to do something constructive about pollution abatement and then tell our story. The public should not expect overnight miracles in correcting situations that have slowly been established over many, many years. *I am thoroughly convinced, however, that the same technology that created many of todays ecological problems also has the capability of correcting them.*

Industry has made tremendous strides in improving the environment and I feel that these achievements must be told. Much of industries' criticism has resulted from a lack of proper communication. This is one of the reasons that we are holding this program today.

CONCLUSION

The people are demanding clean air and clean water and our representatives in Congress and the State are listening. Pollution control is going to be with us from now on and will be more restrictive in the future. In view of this, it is going to be even more important that we all cooperate and work together in the future to achieve the clean air and clean water that we all desire.

I hope that by being with us today you have learned a little bit about what one company is doing to protect the environment.

Thank you.

R. E. CHADDOCK,
Executive Coordinator, Environmental Health Committee, Hercules Inc.

AGRIBUSINESS VERSUS THE FAMILY FARMER

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, the concentration of landownership in California, the most productive agricultural region in the world, is the result of a long history of State and National indifference to the social consequences of uneven land distribution. It also offers us a frightening insight into the future of all American agriculture unless action is taken to reverse existing trends.

Presently nearly half of the agricultural land in California and probably three-quarters of the prime irrigated land, is owned by 45 corporate farms. But the monopoly situation did not just happen—it was, and still is, abetted by State and Federal policies.

The subsidies for large corporate growers in California and the Nation are enormous. It began in California with the State and Federal Government practically giving away millions of acres of land to unscrupulous land speculators and defrauders. These land grabs—in sharp contrast to the pattern set in the Midwest by the Homestead Act—formed the basis for land distribution in California.

One could argue that these land deals, made behind closed doors by a few people, did not constitute a public policy favoring large landholdings. But the fact is that our governmental policies have continued to favor the large grower in California and the West ever since. Now a corporate invasion of agriculture threatens the destruction of rural America, as we know it, not only in the West, but across the country.

The Reclamation Act of 1902, designed to prevent and break up existing monopolies of land throughout the West by limiting delivery of water to homestead, owner-occupied farms of 160 acres or less, has never been enforced. Indeed, it has been subverted into yet another multibillion dollar subsidy for large landowners to the detriment of the family farmer it was intended to help.

But the water subsidy is only the most obvious. We have billions of dollars for reduced crop production, most of which goes to corporate giants who can afford not to farm. For example, in 1970 the J. G. Boswell Co. received $4.4 million, Tenneco, Inc., got $1.5 million.

We have tax policies which encourage the use of farms for tax loss purposes, as tax dodges, or for speculative investment. Finally, there is the most degrading and costly subsidy of all—human beings.

For over a century now Federal, State, and local governmental policy in California has found the human dignity of farmworkers to be less worthy of support than the interest of large growers in a plentiful and cheap labor supply for a few months a year. As a result the benefits which most American workers take for granted have been systematically denied to farmworkers.

In short, we have Government welfare for the corporations and free enterprise for independent farmers and farmworkers. Government policy has made the contest between the family farmer and the conglomerate incredibly unequal.

Agribusiness corporations, fat with subsidies, and some of whom are bent on controlling the market from "seedling to supermarket," are pushing farmers off the land with unfair competition.

Contrary to popular notion, and according to numerous USDA and university studies, the independent farmer is every bit as efficient in producing food and fiber as is the large corporate grower. But the Government is providing the corporation with the edge.

Over 7,000 corporations have entered farming in the past decade, while the rural outmigration has continued unabated at 800,000 persons a year over the same period of time. One million farms have shut down in the past decade—that is 2,000 families displaced—2,000 busted dreams—every week, year after year. And the trend continues unabated.

The question now is whether or not we are going to compound the errors and injustices of the past, or try to remedy them.

What are we going to do for the one-half of the remaining farmers who derive cash income from agriculture which is at or below the poverty level?

What are we doing to do to save a way of life which was at the foundation of this country, and which should continue to play a vital role in our society?

It is obvious by now that urbanization has not been the answer to a better way of life for all our people. And yet we greatly exacerbate our urban ills and tensions with policies resulting in forcing people off the land.

Some people see the decline of our rural society as the inevitable price of "progress."

Well, I do not believe it—I do not think we have to pay the price that agribusiness tells us we must pay; and I do not think that the type of mechanized society that agribusiness public relations men envision is "progress," or good for America.

Rural America can be saved and revitalized if only we have the will. As a beginning I would insist that existing laws like the residency requirement and 160-acre limitation concerning delivery of Federal water be enforced.

I would insist that special interest programs like the California State water project be totally paid for by their intended beneficiaries.

I would push to abolish discriminatory tax policies which allow farming corporations special advantages. I would encourage legislation to give the independent farmer access to needed levels of credit. I would stop the Government from acting as the hiring agent for large, corporate growers.

I would seek greater technical assistance from the Government for the family farmer—current agricultural research is too oriented toward agribusiness, and is carried on with little regard for its social consequences.

If after all these steps had been taken, and the family farmer still found himself at a disadvantage—which I firmly believe would not be the case—I would then support subsidizing the family farmer at the expense of agribusiness. When the choice is between people and machines, I do not think there is any doubt as to where the Government should stand.

Finally, it should be noted that while Government policy does play a critical role in rural America, it should not be the sole or overriding force in determining its future. That is a proper role for various groups of affected people—farmers, farmworkers, rural businessmen, nonfarm mayors, consumers, environmentalists and, yes, even agribusinessmen. Together we can develop programs designed to benefit all the people of rural America, not just a chosen few.

But we do not have much time to waste. The average age of a farmer today is 58 years—compared to 38 for all Americans in the work force.

It would indeed be a national tragedy, if one day in urban America we awoke to discover that a rural America of owner-occupied farms and independent families had been replaced by machines controlled from board rooms in San Francisco, Houston, and New York.

We must take action now to see that this does not occur.

It was with this feeling, Mr. Speaker, that I testified earlier this year before the Senate Subcommittee on Migratory Labor. That subcommittee is doing extremely important work in determining what are the conditions in rural America today, to what extent are Government policies responsible for these conditions, and how can we improve the lives of farmers, farmworkers, and all the people of rural America.

Mr. Speaker, because of my great interest in this subject, and in view of what I hope will become an increasing national awareness of the problems and changing structure of our rural society, I include my testimony before the Senate Subcommittee on Migratory Labor in the RECORD:

STATEMENT OF HON. JEROME R. WALDIE, A REPRESENTATIVE IN CONGRESS FROM CONTRA COSTA COUNTY, CALIF.

Congressman WALDIE. Thank you, Mr. Chairman, and Senator Taft.

I have a statement, Mr. Chairman, which I will submit for the record. I will not read the statement, I will talk around it.

Senator STEVENSON. Without objection, your statement will be entered in the record at the end of your testimony.

Congressman WALDIE. Thank you. I would first like to bring to the attention of the committee an issue that I suspect has been covered in considerable detail. This is the national policy of landownership and distribution, a policy which has allegedly existed since early American history.

I think it was premised on the recognition that those landownership policies in portions of our country that have concentrated land in single ownership have been undesirable. The most outstanding examples of undesirable landownership policies are the plantation system in the southern part of the United States and another of more recent date, but continuing period of time, landownership policies in the West.

By historical accident the concentration of landownership in the plantation system in the south, stems from the land grants given to those who colonized that portion of America. Land grants in the West stem from a policy of Mexican land grants, for the most part. In contrast are the more equitable and beneficial land distribution policies found in the Midwest a direct result of the Homestead Act.

I think if we assume as an accurate statement that the historical evolution of landownership in the heartland of America was best for America, that small landownership and the resulting social benefits that ensue is the policy we should have encouraged as we distributed our public lands, then, I think, we know that we erred in the South when we did not redistribute the plantation system after the Civil War, and when we did not redistribute the western lands when they became incorporated as a part of the United States.

Having made that statement, and it is a statement which I deeply believe, I see the problem as how to correct the error, that when these lands came into the public domain they were not distributed properly.

We have determined, apparently, that we will not take the revolutionary advice that we have consistently given as part of our foreign policy, most notably in South and Central America and most recently in South Vietnam. We have insisted in our policies with those governments that stability of their societies would be largely dependent upon redistribution of the land ownership patterns from the concentrated pattern that exists in Central and South America and in South Vietnam, to a distribution of ownership among the people. This is a policy that we have consistently attempted to follow in our foreign affairs because we believe there is social value to it. But we have rejected it as a means of correcting historical error of land ownership in the South and the West. We have believed this policy to be too revolutionary for us to adopt, but we have insisted those foreign nations with whom we deal adopt it in order to bring stability to their society.

What we ought to do is accomplish that redistribution of lands and the ownership patterns of lands, partiularly in the West, by other policies, most notably by the proposed Land Reform Act, and the existing excess land laws that apply to water developed and delivered by the Bureau of Reclamation. This attempt at a national policy said, "We believe in America that a distribuion of land as widely and thoroughly among the people as is possible is the most equitable means of attaining equity and stability in our society." We will encourage that distribution of land by a national policy that suggests that, if the landowner desires revenues from the general treasury of the United States in the form of subsidies, in this instance a water subsidy he will comply with the national policy of redistributing his land by the acceptable means of selling all land in excess of the acreage limitation of 160 acres for one individual, 320 for multiples thereof, depending upon the family.

We have also determined as regards the excess landowner, that absentee ownership is a policy that lends itself to instability in society and that we would discourage absentee ownership in the West, a factor that had existed in the West along with concentrated land ownership since its early treaty. We would attempt to redistribute that land and to eliminate the absentee ownership factors of the land by applying the national policy involved in the excess land law. That law has been on the books since 1902. I think there is no one who believes that law has been in any way successfully implemented.

There are few who really believe in the law. As nearly as I can ascertain, there are hardly any persons, other than Paul Taylor of the University of California and a group of people who believe in him—and I am one of those—who believe that the excess land law is desirable.

The political leadership of California has continually resisted the application of the excess land law and the redistribution of these huge thousand-acre tracts, multithousand acres that are in single and now in corporate ownership. The political leadership of this State has expressed its disapproval in that law in mass terms.

They have said, for example, that the 160-acre limitation, though it has some validity in terms of the concept of the small farmer, should be modified. Governor Reagan's task force during his administration has come up with a figure of 640 and the multiples thereof. The point is, though, not there is a figure in excess of the 160-acre multiples available under the law that is desirable; the point is that nobody in political leadership in California who is able to effect reform in this particular area believes that reform is desirable. Or, if they believe it is desirable, they are not willing to call for that reform.

The national government, unhappily in my view, has aided and abetted the political leadership of California in their conservatism, in their outspoken and successful attempts to avoid the application of the excess land laws. They have done so in a variety of ways.

In the first instance, the placing of the administration of that law in the Bureau of Reclamation was an error of grievous proportions. It seems to me it was an error for these reasons: The Bureau of Reclamation, like any bureaucracy is desirous of maintaining its existence by engaging in as many projects as it can possibly include in the budget session of each year. The excess land law is a hindrance to developing water projects in the West because those who will benefit most by those water projects, the huge landowners of the West, are resistant to having their land ownership in any way denied to them or redistributed by the application of the excess land law.

In order to encourage the approval of projects throughout the West, the Bureau of Reclamation has been given the task of enforcing the excess land law and has been greatly remiss in the administration of that law. The law, simply stated, is that the lands in excess of 160 acres or the multiples thereof permitted under the law must be sold at a prewater price if you desire subsidized Federal water. Lands that are in excess of 160 acres or multiples thereof that utilize federally developed and delivered water must be occupied by the owner thereof. You cannot be an absentee owner, because the policy of absentee land ownership and the policy of huge land ownership is contrary to national policy.

Despite the simplicity and the clarity of the statement of the law, if you were to examine the record of the implementation of the law by the Bureau of Reclamation, you would assume that it is either extremely complex or that it is, in fact, nonexistent. They are aided and abetted in their reluctance to enforce that law by the Congress and all administrations. There seems to have been disagreement with the principles of the law by every administration and every Congress that has been in existence since 1902. No one can convince me that were Congress and the administration desirous of implementing that national policy, that law would not have been implemented.

Beyond that, the law presumes that, if an individual owner who does not desire to break up his massive land holdings and is able to go it alone, he may do so. The law does not interfere with that opportunity or that individual decision. But that individual option was the precise reason for the development of the California Water Project, the application of which enables avoidance of the excess land law to the corporate landowners in the west side of the Central Valley. This powerful bloc of landowners was successful in persuading people in California to indebt themselves to huge sums to construct the water project and to huge sums that have accrued since that project has begun. The project was designed almost exclusively politically, certainly exclusively, to avoid the application of the excess land law.

That would be bad enough, but at that point, it would seem to me, the sins, to the extent they exist, are sins that reflect on the State government which designed the project and persuaded the people of California that it was in their best interest to enhance the value and to prevent the redistribution of these huge tracts of land in California.

Beyond that, however, the sin becomes expanded and the national government now has to assume a major share of that sin. The Bureau of Reclamation, the Department of Interior, and most administrations, both the present one and the previous ones, have looked sympathetically upon the application of the State of California and the California water project for Federal funds to assist in the completion and construction of integral parts of that project.

The first such breach involved the San Luis Dam, when the joint use of that facility was approved by the Congress. Though it was never clearly determined that the excess land laws did not apply since there was an investment of Federal funds in this State project, that has been the result of that action. Excess land laws do not apply at the present time to the delivery of any water developed or delivered through the State water project.

At the present time there is pending before the Congress a bill (H.R. 2314) authorized by Craig Hosmer, a Congressman from Long Beach, to construct a facility in my district, a fact which you might construe to be unusual. It is a major project known as the Peripheral Canal. Many years ago as the feasibility report states, it was determined it would cost about $206 million, but it quite clearly will be many millions more than that now.

Mr. Hosmer has introduced a bill sponsored by the Department of Interior and sponsored by the California State administration to have the Federal Treasury come up with half the cost of the Peripheral Canal. The Peripheral Canal is the heart of the California water project because, without the Peripheral Canal, the quantities of water they proposed to deliver and contracted to deliver in the fifties cannot be delivered because salt would be pumped up out of the estuaries and out of the bay into which the draft of the pumps of the water project are now directed. The Peripheral Canal will place that draft 43 miles upstream in the Sacramento River and they will then not be troubled with such a deteriorated quality of water that they cannot deliver it and still be in compliance with the contracts for water delivery.

If the Federal Government agrees with the concept of the Peripheral Canal bill, that we will, in fact, pick up half of the cost of the construction of that facility, what we, in fact, have said to the State government is that we approve of the State of California's decision to avoid the national policy of application of the excess land law, and we are using Federal funds to assist them in the implementation of that scheme to avoid a critical and essential national policy of land reform.

We assist in the development of the California water project, in contravention of this national policy of long standing in area after area, we assist in tax policies that have application to issues of that nature. We assist through the Bureau of Reclamation in the planning of the project. We have attempted to coordinate the Federal projects in a manner that is most beneficial to the State water project in order to save the cost to the State of the State water project.

We have done everything we could, as a national government, to assist the State of California in acting contrary to a national policy of long standing and of tremendous beneficial impact on American society. It does seem to me that the Congress of the United States and the executive branch of the United States has to make up its mind, do we really believe in the small farmer in America, do we really believe that the development of landownership in the Midwest and in the heartlands of America was a proper development of landownership, or do we honestly believe that the plantation system in the South and the huge landownership system in the West are in the best interest of the people?

Clearly in California, what is in the best interest of the people was not given much consideration. The political influence of the people who own these massive tracts of land is enormous in California. That political influence has become greatly magnified as the ownership of those tracts of land moves into corporate ownership. The ability to prevent the continuation of a situation that, from its inception, was contrary to national policy is becoming remarkably diminished as we permit the developments of recent years to continue.

It seems to me, Mr. Chairman, and Senator Taft, that someone in the Congress must make a definitive statement that the excess land law and the policy of small ownership of agricultural lands in California and in the rest of the United States was a desirable policy when it was implemented, when it was executed and when it was formulated and is an even more desirable policy today. Whatever the reasons that existed historically for determination of the homestead method of landownership, those reasons are magnified in terms of the necessity of obtaining stability in American society today. All the desirability, the romance of owning land and farming on it that is the fabric of America, is now more dramatically necessary to our national well-being than ever before in our history.

I state, Mr. Chairman, that the contribution this committee has made, coming into California, a State that more than most has thumbed its nose at this policy is considerable. This State's political leadership from the beginning, at least, of my interest in and involvement in politics has repudiated that policy and has sought to prevent its application and has sought to prevent the consequences of that policy ever being implemented in California for Californians.

REPORT ON THE 92D CONGRESS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BLATNIK. Mr. Speaker, it has always been my policy at the close of each Congress to report to the people of the Eighth District on the results of our legislative efforts. This 92d Congress has been a momentous one marked by the passage of some of the most significant legislation in many years including the water pollution control bill, the revenue sharing as well as the massive higher education and social security amendments passed during the final days of the second session.

Yet, the agenda of unfinished business is equally impressive: the Federal highway bill, national health insurance, pension reform, consumer protection and comprehensive tax reform—all issues of concern to a large number of Americans.

Overshadowing and characterizing the 92d Congress has been the President's opposition to significant legislation demonstrated by his exercise of the Presidential veto and impoundment of funds to greatly curtail important health, education, manpower and agriculture programs. Congress devoted a substantial amount of time and energy in the fight to rearrange the President's priorities which have sent $60 billion to the war in Indochina or $1,200 for every American family of four while at the same time he opposed funding for vital domestic programs.

In addition, Congress persisted in the fight to end the war through legislative means but the 92d Congress began and has ended with conflict and bloodshed in Vietnam, and 1,808 American men still prisoners of war and missing in action.

The crowning achievement of the 92d Congress was the unprecedented 10-to-1 override of the Clean Water Act veto in the last hours before Congress adjourned.

BLATNIK persuaded the House and Senate leadership to hold Congress in session until midnight, October 17, the President's deadline to either sign or veto the Clean Water Act of 1972.

The veto came shortly before midnight and the Senate overrode it that night. The next day BLATNIK mustered forces in the House for an overwhelming 247-to-23 endorsement of the Blatnik clean water program.

The President also vetoed BLATNIK's 1971 jobs and economic development legislation, and may pocket veto the 1972 bill now on his desk. He has until midnight, November 1, to sign it; without signature the measure does not become law.

The Public Works Committee has charted solid legislative accomplishments under BLATNIK's chairmanship, in the fields of water pollution control, economic development, flood control, and disaster relief, despite constant opposition from the White House, during committee work on various measures, on the floor of the House, and despite the vetoes.

CLEAN WATER ACT

BLATNIK's Clean Water Act is now law. Authorized at $24.6 billion through June 1975, with a goal of clean water by 1985, it is the largest and most far-reaching piece of environmental legislation ever enacted.

"Much of the credit for this accomplishment must go to the distinguished chairman of the Public Works Committee, JOHN A. BLATNIK," said Rep. ROBERT E. JONES, Democrat of Alabama, who chaired the marathon 39-session House/

Senate conference. "BLATNIK, who has been leading the fight for clean water since we entered Congress together back in 1946, must surely regard this as a milestone in his career."

ENVIRONMENTAL HISTORY

BLATNIK called the House's overwhelming rejection of the President's veto "a turning point in environmental history." BLATNIK continued:

> We have chartered a new course for the future of America and underwritten the pledge of a clean environment for the young people of today to enjoy tomorrow.
>
> This is no ordinary vote. It is an overwhelming expression, by a 10-to-1 margin, of the profound commitment of the House and Senate to an effective, workable, realistic clean water program.
>
> I join millions of Americans everywhere in expressing heartfelt hope that the President will abide by this Congressional mandate, backed by the will of the people, and make an equally strong commitment, by getting the construction program under way, and by carrying out the enforcement provisions of the law.

CLEAN BY 1985

The bill provides $18 billion for Federal grants to municipalities, for construction of waste treatment plants, including sewage collection systems. The Federal Government will contribute 75 percent of the costs of building a community's waste treatment plant, leaving it up to the States and local municipalities to work out the funding of the remaining 25 percent.

Under the Blatnik legislation, communities must install secondary treatment facilities for all municipal wastes by mid-1977, and more advanced disposal methods by mid-1983.

For industry, the bill establishes a two-phase program, with increasingly tightening restrictions on industrial pollution, coming in mid-1977 and mid-1983, backed up by fines and imprisonment for violators.

It provides for enforcement through a permit system administered by the Environmental Protection Agency and the States.

It requires an impact study of the environmental, technological, economic, and social effects that would result from enforcing the 1983 regulation on industry, and attaining the 1985 goal of pollution-free water.

The Blatnik legislation provides for citizen suits against the Government or a private interest for violation or failure to carry out mandatory provisions of the law, in accordance with the U.S. Supreme Court's 1972 decision, Sierra Club against Morton.

BLATNIK CLEAN WATER PIONEER

BLATNIK'S Public Works Committee, which wrote the House version of the bill, devoted 9 months to public hearings, listened to 294 witnesses and received 135 additional statements, totaling 4,200 pages of printed testimony.

Following House passage of the bill in late March, by a vote of 376 to 14, the House and Senate held 39 grueling conference sessions ironing out differences between the two versions.

The final bill emerged from conference and passed both House and Senate on October 4, by votes of 366 to 11 in the House and 74 to 0 in the Senate.

BLATNIK, who alone pioneered the first national water pollution control program in 1956, and singlehandedly wrote the bill, marshaled support and drove it through both House and Senate and into law, considers the 1972 act a historic triumph not only because it finally provides adequate funds which are the basic requirement of a clean water program, and the enforcement mechanism but because it has the overwhelming support of Congress and the American people.

ECONOMIC DEVELOPMENT

Job-creating economic development legislation has faced rough going from the administration since the beginning of the 92d Congress.

BLATNIK has given top priority to jobs and community development throughout the 92d Congress, concentrating on the Upper Great Lakes Regional Commission, the Economic Development Administration, and the accelerated public works programs, all of which were created by BLATNIK'S legislation and are under the jurisdiction of his committee.

A 2-year, $3.56 billion jobs and economic development bill, which authorizes $100 million annually for the Upper Great Lakes Regional Commission, $250 million a year for the job-creating accelerated public works program, and extends the life of the Economic Development Administration through June 1974, is now on the President's desk awaiting signature or, possibly, pocket veto.

That it is on the President's desk is due largely to BLATNIK'S determination to help jobless Americans and hard-pressed communities throughout the country. BLATNIK'S Subcommittee on Economic Development wrote the bill, managed it on the House floor, and sent it to the Senate where it languished until the last days of the 92d Congress when BLATNIK by personal influence and persuasion, drove it out of committee and onto the Senate floor.

Then, in 2 days of hard bargaining, he beat back attempts to delete the provisions of the bill providing protection for workers whose jobs are lost due to enforcement of pollution control measures, and defeated an attempt to weaken the enforcement powers of the Occupational Safety and Health Act.

The battle ended between 9 and 11 Saturday night, October 14, when BLATNIK engineered the bill through both House and Senate and sent it to the White House under cloud of a veto.

UPPER GREAT LAKES REGIONAL COMMISSION

The Blatnik legislation authorizes $100 million annually through fiscal year 1974 for the Upper Great Lakes Regional Commission—UGLRC—which provides grants and technical assistance for industrial parks, airports and access roads, vocational training schools, pollution control, health care facilities, and tourism. UGLRC covers 119 counties in northern Minnesota, Wisconsin, and Michigan.

Regional Development Commissions are authorized a total of over $1 billion through fiscal 1974; $100 million annually is authorized for each of the regions like Upper Great Lakes whose development plans have been approved, and $20 million annually for regions still in the planning stage.

The Blatnik bill also provides $1.1 billion in direct and supplementary grants for long-term development and employment projects; $340 million for public works and business loans, and loan and lease guarantees; $100 million for technical assistance, including $15 million for operation of vocational education programs under EDA; $100 million for grant and loan assistance to economic development centers; and $40 million planning and administration expenses for economic development districts. All authorizations are through fiscal 1974.

ACCELERATED PUBLIC WORKS

The bill authorizes $500 million, through fiscal 1974, for accelerated public works—APW—a short-range immediate impact, job-creating program aimed at areas where unemployment is significantly higher than the national average.

The legislation extends the Economic Development Administration—EDA—which provides long-term development funds and technical assistance to areas suffering excessive unemployment or underemployment.

BLATNIK succeeded in restoring to the bill a provision authorizing $40 million for planning and administrative expenses of economic development districts like the Arrowhead Regional Development Commission in northeastern Minnesota.

ENVIRONMENTAL EFFECTS

This bill includes an important environmental effects title authorizing assistance to workers whose jobs are lost due to pollution-control measures. Under this title, a worker who has lost his job because of pollution-control requirements would be eligible for unemployment compensation for up to a year and a half at a rate of 60 percent of his former wages; temporary mortgage or rental payments for up to a year if he faces eviction because he cannot make the payments; reemployment assistance services; and reasonable moving expenses to a new place of employment.

The same title provides for long-term, low-interest loans to businesses throughout the country, to help them install pollution control equipment to comply with environmental standards, remain in operation, and preserve jobs.

OTHER BLATNIK COMMITTEE LEGISLATION NOW LAW

National dam inspection program—requires Federal inspection of the Nation's dams to help prevent recurrence of the flood disasters that struck Rapid City, S. Dak., and the threat that looms over other dams whose condition is a question mark. The bill directs the Army Corps of Engineers to begin the inspection program as soon as practicable and to report its findings to Congress no later than July 1, 1974.

Flood control—Authorizes funds for flood control projects and studies; establishes a procedure for deauthorization of Corps of Engineers projects no longer considered necessary; and makes full provision for public hearings before a project is begun.

Emergency Highway Relief Act—Provides $200 million for this fiscal year to help the Nation recover from natural disasters such as the Rapid City, S. Dak., floods and tropical storm Agnes.

Disaster assistance to medical facilities—Provides financial assistance for reconstruction or repair of private nonprofit medical care facilities damaged or destroyed by a major disaster.

AWAITING ACTION

Federal-Aid Highway Act—Contains $3 million authorization for construction of underpass to replace hazardous railroad crossing in Anoka; $60 million for development of Great River Road, a scenic historic and recreational roadway along the Mississippi River; creates new program of economic growth center highways designed to stimulate new economic activity in smaller communities; over $2 billion for highway safety programs; $3 billion for capital grants for mass transit and $400 million for mass transit operating subsidies.

THE 93D CONGRESS: A LOOK AHEAD

BLATNIK has set, as his committee's No. 1 priority next year, hearings which will lead to development of a national growth policy.

Lacking such a policy, the Nation has so far continued to encourage concentration of population and industry in the already crowded, polluted urban areas. People are forced to move to cities for jobs and other opportunities, and industry locates where there is a large labor pool and market.

BLATNIK's committee will probe existing programs, explore new ideas, and to try to develop a policy which will lead to balanced growth, and a better distribution of people and industry.

Programs under BLATNIK's committee, such as water pollution, economic development and highways have a definite national impact on where people and businesses locate, and can play a large role in providing far wider choice of location and life style than is now available to the American people.

CONGRESS AND PRESIDENT HAVE DIFFERENT NATIONAL PRIORITIES

A sharp distinction between the legislative goals of the Congress and the President is apparent when reviewing this administration's unique record of 19 vetoes.

Vetoes of other Presidents have generally been reserved for bills designed to benefit private individuals or special interests. However, in President Nixon's case, there is a consistent pattern of opposition to significant legislation aimed at helping the working man, the student, the veteran, the poor and the elderly. Here are some revealing examples of how the President has exercised this critical weapon:

Vetoed three of the last four education appropriations bills;

Vetoed funds for manpower training and public service employment programs for 1970;

Vetoed a measure to include firefighters within the category of hazardous occupations for retirement benefits in 1970—although he signed this proposal into law in 1972—an election year;

Vetoed an authorization of $225 million to promote family practice medicine and to assist medical schools in relieving a shortage of doctors in general practice for 1971–73;

Vetoed job-creating accelerated public works bill, which BLATNIK authored, to provide hospitals and nursing homes, sewage treatment plants, and water and sewer lines in 1971;

Vetoed veterans and housing appropriations for 1971;

Vetoed economic opportunity amendments including extensive child day care facilities in 1971;

Vetoed a political broadcasting measure to limit expenditures for broadcast advertising for Federal and gubernatorial candidates;

Vetoed the Hill-Burton Hospital Construction Act for 1973—overridden;

Vetoed temporary 20-percent increase in railroad retirement benefits in 1972—overridden; and

Vetoed $24.6 billion water pollution control bill.

Congress passed these measures in response to serious problems which affect the lives, health, and well-being of the American people. President Nixon's record stands out from all other U.S. Presidents because his vetoes have been directed at legislation which benefits Americans who most need assistance: those on retirement pensions, those in need of health care, those attending schools, those needing training for jobs, those unemployed or underemployed.

FAR-REACHING LEGISLATION ENACTED

Among those measures passed by the Congress in vital areas are higher education legislation, revisions in social security law, as well as revenue sharing, veterans benefits, drug measures, the equal rights amendment and countless other bills.

EDUCATION

This session Congress passed massive higher education legislation authorizing approximately $20 billion through fiscal 1975 and setting new precedents for Federal support of higher education. The legislation strengthens and expands existing Federal higher education student assistance programs.

One of the important provisions of the bill is the establishment of a new program of financial assistance for needy students which will entitle any student admitted to an accredited institution of higher education to a Federal grant based on his need. In addition, for the first time it would provide general support for institutions of higher education on a continuing basis, depending on the number of basic grant recipients in its student body and amounts of other Federal student aid received by its students.

Strong provisions are also included to combat sex bias in colleges and universities, funds for innovative teaching techniques, emergency funds for institutions in temporary fiscal difficulties and special assistance for community colleges.

INDIAN EDUCATION

Title IV of this legislation, the Indian Education Act, is based on a bill which BLATNIK originally cosponsored to authorize grants for planning and demonstration projects to improve the educational opportunities afforded Indian children and to allow local control over their education programs. Over 1,200 Indian schoolchildren qualify for Federal assistance under this program in the Eighth Congressional District alone.

Although no budget request was forthcoming from the President to fund this act, BLATNIK and other Congressmen pushed for inclusion of these funds in the Labor-HEW supplemental appropriations bill and the conference committee finally agreed on $18 million to fund the Indian Education Act.

OCCUPATIONAL EDUCATION

The bill also emphasizes the importance of the occupational education field with the creation of a new section under the law which specifically authorizes many new occupational education programs and establishes a new Bureau of Occupational and Adult Education within the Office of Education.

In addition, Congress also passed into law the Vocational Rehabilitation Act Amendments of 1972 to extend and revise the authorization of grants to States for vocational and for expanded research and training with respect to handicapped individuals.

ELDERLY

After the White House Conference on Aging in December 1971, Congress took the lead in rapid implementation of some of the most urgent proposals which had come out of the Conference.

In June of 1972 Congress enacted a 20-percent across-the-board social security increase which BLATNIK had originally cosponsored and fought hard to enact. Congress also passed and provided full funding of $100 million for legislation to assure citizens over 60 at least one hot, nutritious meal 5 days a week. The House took the early lead and the Senate later passed a bill to create a National Institute of Health to conduct research on the special health problems of the elderly and to study the aging process.

As the session raced to a close, 2 years of hearings and committee work culminated in the approval of the comprehensive social security legislation, H.R. 1. The controversial welfare title which had caused delay of approval, was deleted from the bill and the final vote on the conference report was taken the week of adjournment. Included in the bill are the following provisions:

BASIC PROVISIONS OF H.R. 1

First. Raise widow's and widower's benefits to 100 percent of the spouse's entitlement—up from 82½ percent.

Second. Increase from $1,680 to $2,100 the amount a beneficiary can earn without loss of benefits. For income over $2,100, benefits would be reduced $1 for each $2 earned.

Third. Allow those working beyond retirement age to build up higher pensions. One-twelfth of 1 percent increase for each month after 65 an annuity is not paid.

Fourth. Establish a new minimum monthly benefit under social security up to $170 a month for 30 years' coverage. Designed to help those who have consistently worked at low wages.

Fifth. Reduce the waiting period to begin receiving disability benefits from 6 months after onset of disability to 5 months. Effective January 1973.

Sixth. Will federalize, effective January 1974, programs of assistance to about 3 million aged, blind, and disabled.

Seventh. Will extend medicare coverage, effective July 1973, to 1.7 million persons who have been eligible to receive disability benefits for at least 2 years.

Eighth. Provides for the payment of medicare benefits for inpatient hospital services, physicians' services and ambulance services for care furnished outside the United States if a foreign hospital is closer or more accessible from the patient's residence than a U.S. hospital.

Ninth. Permits individuals not now eligible for medicare/part A coverage—for example, State and municipal employees—to be enrolled on either a group or individual basis by paying a monthly premium of $33. Individuals must also enroll for part B in order to qualify for part A insurance.

Blatnik introduced legislation concerning pass-along benefits and medicare which was incorporated in modified form as part of H.R. 1.

OLDER AMERICANS

In addition, Congress passed an extension of the Older Americans Act, originally enacted to institute a 5-year program to coordinate Federal activities dealing with the elderly. The bill provides greatly increased funding for States in the areas of transportation, nutrition, preretirement, recreation, and housing, as well as counseling and training for middle-aged and older workers.

Blatnik also introduced legislation to establish a Joint Committee on Aging and to create a nonlegislative select committee in the House to investigate all matters pertaining to the elderly.

Blatnik pointed out that the social and economic problems which plague America have special impact on her 20 million older citizens:

> We have a particular and very special responsibility to our senior citizens who have lived full lives and contributed to building our society only to be left in poverty with urgent health, transportation and housing needs.

Blatnik also introduced legislation which was included as part of H.R. 1, the comprehensive legislation including social security, medicare, and aid to the aged, blind, and disabled.

REVENUE SHARING

Revenue sharing legislation, approved by the House and Senate in the final days of the session, contains approximately $10,780,656 for counties and communities in Minnesota's Eighth Congressional District for the first year of the 5-year program.

These revenue sharing funds are retroactive to January 1972 and will be portioned out in two half-year payments. The bill was passed with the limitation that the local and county share of the funds for operating and maintenance expenditures must be used in the following "priority areas" specifically cited in the law: public safety, environmental protection, public transportation, health, recreation, libraries, social services for poor or aged and financial administration.

The overall revenue sharing authorization will increase approximately $150 million a year nationally and as the population changes the individual State allocations will change proportionately.

This law will allocate approximately $103.9 million to Minnesota for the first year, of which $34.6 million goes directly to the State and $69.3 million to counties, municipalities and townships. Although preliminary amounts have been widely circulated, exact allocations have not actually been computed due to incomplete statistics regarding tax effort which is an essential part of the distribution formula. However, the final amounts should soon be computed and checks should begin arriving within a month.

EQUAL RIGHTS AMENDMENT

Three years after women won the right to vote in 1920, the first equal rights amendment was introduced in Congress. It was not until October 12, 1971, that House Joint Resolution 208 passed the House. It passed the Senate in March 1972, and is currently awaiting ratification by the States. The amendment has been ratified by 21 of the 38 States required to approve a constitutional amendment which Minnesota is scheduled to consider at the 1973 session of the legislature.

Blatnik, a strong supporter of the amendment, said upon passage:

> We have finally passed a measure to recognize women and men alike as human individuals with a right to equal protection and the accompanying social justice. From this point, we must move forward to provide equal rights and opportunities in employment, education and full participation in the economic and political life of the country.

VETERANS AFFAIRS

The House and Senate agreed on and sent to the President a veterans educational assistance bill. It increases benefits by 25.7 percent for veterans pursuing a full time course of education which will raise the educational assistance of a single veteran to $220, of a veteran with one dependent to $261, two dependents to $298 with $18 added for each additional dependent.

The bill, retroactive to September 1, 1972, also increases on-the-job training benefits by 48 percent and equalizes benefits between male and female veterans.

In addition, a 10-percent increase in monthly rates of compensation for veterans with service-connected disabilities has been signed as was a similar increase in additional allowances paid to service-connected disabled veterans with a 50-percent or more disability. The increases were effective July 1, 1972 and should have been in the August checks.

In the last few days of the session, the House cleared for signature by the President legislation which would provide improved medical care for wives and children or survivors of disabled veterans with service-connected disabilities, established eight new medical schools in affiliation with Veterans' Administration hospitals, and established a national cemetery system in the Veterans' Administration.

DRUGS

Congress actively considered legislation in the area of drug control and regulation this session of Congress. One of the first bills enacted into law was the Drug Abuse Office and Treatment Act of 1972 which provides for a coordinated Federal attack on the problem of drug abuse. It creates a Special Action Office for Drug Abuse Prevention in the Executive Office of the President and authorizes slightly more than $1 billion through fiscal 1975 for these activities, research funds and State grants.

In addition, the Comprehensive Drug Abuse and Prevention and Control Act of 1970 provides an increase from $1 million to $4 million for the Commission on Marihuana and Drug Abuse. Also passed and enacted into law was legislation to require manufacturers and processors of drugs to submit lists of all drugs manufactured or processed for commercial distribution.

EMPLOYMENT

Also enacted into law this Congress is the Emergency Employment Act of 1971 which will provide for programs of public service employment. It serves the dual purpose of finding jobs for unemployed persons in time of high unemployment—4.5 percent or more—and also assist States and local communities in providing needed public services. Special provisions are included for returning veterans as well as for areas where the local rate of unemployment is above 6 percent. This was signed into law July 12, 1972.

RURAL DEVELOPMENT

The Rural Development Act of 1972 will provide for the development of rural areas and authorize funds for colleges and universities to coordinate rural research, training, and technical assistance. It will allow the Secretary of Agriculture to furnish technical assistance and cost sharing to public agencies and organizations for quality management, control and abatement of agriculture related pollution.

SCHOOL LUNCH ACT

National School Lunch Act amendments were enacted authorizing the Secretary of Agriculture to utilize up to $25 million in section 32 funds between May and September of 1972 for summer nonschool programs. The nonschool food programs were extended for 3 years, through fiscal 1975 and the Child Nutrition Act was amended to extend the school breakfast program for 3 years.

HON. WILLIAM M. McCULLOCH

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, I am delighted to join in this special tribute to our good friend and colleague from Ohio (Mr. McCulloch). Bill McCulloch has served with distinction in this body for a quarter of a century, and I do not use that term loosely. He has especially distinguished himself as a true friend and supporter of civil rights and has been most effective in his capacity as ranking Republican on the House Judiciary Committee.

Since I came to this body in 1961, I have always looked to Bill McCulloch for his special expertise, wisdom, and guidance in the important areas of civil rights and civil liberties, and I think we will all greatly miss the benefit of his counsel and experience in the future. Certainly, no one in this body surpasses him in taking seriously the oath to uphold the Constitution, for he has daily demonstrated his deep dedication to preserving and extending the basic rights and liberties guaranteed under our founding doctrine. In this respect, his has always been the voice of courage and conscience, and the many great civil rights acts of the last quarter of a century stand as a living monument to his convictions and diligent efforts.

I think I have been especially privileged in working closely with Bill McCulloch as a member of the Republican leadership, and also as a member of the Joint Committee on Atomic Energy on which he has also served. These opportunities have given me a special insight into the character of this outstanding individual and legislator and moreover have yielded a close and warm personal relationship which I shall always cherish. We will truly miss him.

VETERANS LEGISLATION IN THE 92D CONGRESS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WILLIAM D. FORD. Mr. Speaker, there are presently over 28 million veterans in the United States. With the addition of dependents and survivors they comprise approximately 47 percent of our population. Keeping track of their needs and problems and finding solutions is one of Congress most important responsibilities. The 92d Congress, with the help and guidance of our national veterans' organizations, has been able to deal effectively with many of these needs, and at this point I would like to review some of our accomplishments.

One of our most important legislative victories and one in which I had the pleasure of participating directly, was the battle over the threatened cutback of VA hospitals. The House passed a resolution prohibiting the closing of VA hospitals without prior approval of the Veterans' Affairs Committee. We also included in the fiscal year 1973 appropriations, a congressional mandate that the VA maintain an average daily patient census of not less than 85,500.

In doing so we put ourselves clearly on record. Congress will not tolerate having the VA hospital system jeopardized by the President's budget cutters. This system serves not only our veterans, but our entire Nation as well, through its extensive research and medical training facilities.

The 92d Congress passed several other measures to expand and improve the VA medical system. The VA Medical School Assistance and Health Service Personnel Training Act of 1971 provides for assistance to States in establishing new medical schools which would be affiliated with VA hospitals. The purpose of this act is to help overcome the acute shortage of physicians and medical facilities within both the Veterans' Administration system and the country as a whole.

Another measure, the Medical Care Act of 1972 will also improve the ability of the VA to deliver quality medical care to veterans by expanding medical care coverage; improving the personnel system; providing a new emphasis of training and recruitment of health service personnel; and by improving the staff-to-patient ratio. This comprehensive legislation will bring about a major overhaul of the VA medical care authority, and will assure the veteran total quality health care, both now and in future years.

In the field of education, we were successful in passing the Veterans' Education and Training Amendments of 1972 which provided for an average overall increase of 14 percent in veterans education benefits. This legislation will be especially helpful in assisting many of our returning Vietnam veterans in obtaining a college education. It also provides assistance for vocational rehabilitation and apprenticeship or on-the-job-training programs.

Another measure we were successful in passing provides for increased grants for specially adapted homes from $12,000 to $17,500 for veterans seriously disabled from service-connected injuries. We have also provided for mortgage protection life insurance for these veterans.

During the 92d Congress we have increased compensation rates for service-connected disabled veterans. These increases, which average about 10 percent, became effective August 1, 1972.

Still another measure passed provides for liberalized payments for dependency and indemnity compensation. This act assures that approximately 176,000 widows will receive a 10-percent increase in their monthly dependency and indemnity compensation rates and that 46 percent of the children will receive a 5-percent increase. It became effective January 1, 1972.

Mr. Speaker, I am proud of our record in the field of veterans' legislation. I have always supported every measure that comes before Congress designed to help these patriotic men and women who have served their country so well, and I look forward to continued support for veterans legislation in the 93d Congress.

TRIBUTE TO HON. FRANK BOW

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GARMATZ. Mr. Speaker, I want to join my colleagues in the House in paying tribute to the Honorable Frank Bow, who is retiring this year from the House of Representatives. Congressman Bow has served 22 dedicated years in the House, and he will have completed his 11th consecutive term at the end of the 92d Congress—and I know he will be missed by his native State of Ohio and by the Nation he has served so well.

As the ranking minority member of the House Appropriations Committee, Frank Bow gained the respect and the admiration of all Members of the House. In thinking back, I cannot seem to remember any important legislation involving appropriations over the years, that Frank Bow was not involved in; he seemed to always know the specific details of all the important bills, and he was always able to discuss them in a way that indicated he took his job seriously and did his homework well.

It was no surprise to me when Frank Bow was appointed as our new Ambassador to Panama. I am sure his great knowledge and ability will serve him well and I wish him luck—both in his new career, and in all future endeavors.

CORPORATE SOCIAL RESPONSIBILITY

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. KOCH. Mr. Speaker, in recent years much attention has been given to what has become known as "corporate social responsibility"—a company's response to the needs and aspirations of the community and country in which it is located. In past decades too many companies have had the attitude that their sole purpose was to make money or provide a specified service and that they were free to use both human and natural resources with no consideration to the effect of their actions on the public and the environment.

But, things have changed, and many companies have come to learn that good business includes an active social conscience.

Recently, a rating on corporate social responsibility was made by the National Affiliation of Concerned Business School Students. In the rating of 50 leading corporations, this group ranked Consolidated Edison, located in my district, 50th.

Con Ed was not very happy about their rating. And so, Robert Lehrman, Con Ed's public affairs vice president, wrote to Kirk Hanson, president of the National Affiliation of Concerned Business School

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Students, stating Con Ed's side of the story.

Mr. Speaker, there have been several occasions when I have opposed, for environmental reasons, Con Ed's choice of sites to locate power plants. But, I do know that Con Ed has extended itself in a number of instances to assist the New York City metropolitan community. Therefore, I was very interested in Mr. Lehrman's response and its enumeration of various things Con Ed has been doing in an effort to meet its social responsibility. Because of the variety of community projects and employment opportunities listed by Mr. Lehrman and the interest they may hold for our colleagues and readers of the Record, I would like to extend my remarks to include Mr. Lehrman's response to Mr. Kirk. This letter has appeared in the September 12 issue of Business and Society, the publication in which the ratings were originally published on July 4.

Mr. Lehrman's letter follows:

Dear Mr. Hanson: In your recent poll of business school students, as reported in the July 4 issue of *Business and Society*, Con Edison ranked last among 50 corporations for social responsibility.

In light of the poll, we thought you might be interested in some of our efforts over the past few years:

More than 18 percent of our present work force are members of minority groups, up from 8 percent five years ago. New hires so far this year are running 40 percent or more minority.

We have trained, between 1967 and 1972, over 1500 disadvantaged men and women to become full-time employees. Our special training programs include remedial education, and many trainees have earned their high school equivalency diplomas.

We trained a number of welfare mothers and employed them half-days as keypunch operators.

In a pilot program, we provided jobs and special hours for Hasidic Jews whose religious obligations did not permit them to work regular hours.

We have established a minority vendor program to increase the number of contracts going to Black and Hispanic firms. We seek out minority bidders and also break purchases into packages small enough for struggling minority firms to handle. Our goal is at least $1 million in minority purchases in 1972, up from the $81,000 in our first year, 1969.

More than 100 Con Ed employees have served as volunteer Minority Business Counselors, assisting Black and Hispanic entrepreneurs with basic business problems.

We have loaned company vans for use as mobile labs to test for sickle cell anemia, lead poisoning and other illnesses.

Now in the fifth year of a joint program with the New York Yankees, by the end of the 1972 season we will have distributed the one-millionth free baseball ticket to youngsters from the City's disadvantaged areas. We also provide ball fields, sponsor bike rides and in many other ways encouraged recreation programs.

In 1971 Con Edison received one of the "Business in the Arts" awards given by Esquire Magazine and the Business Committee for the Arts "for outstanding corporate support for the fine and performing arts." The award was for our Community Holiday Festival at Lincoln Center during the Christmas Season when we sponsored entertainment groups from 37 local neighborhoods to perform at Lincoln Center. We distributed tickets to thousands of children from the same neighborhoods through dozens of local community organizations.

Our Consumer Affairs specialists work with schools, hospitals, block associations and community groups to provide advice on how to get the most value for a dollar, conduct sewing classes and other training. Our Consumer Affairs department has been singled out by the New York City Commissioner of Consumer Affairs for its outstanding and comprehensive education programs.

We have established an environmental engineering department headed by an Executive Vice President, one of the highest ranking officers in charge of environmental affairs in any company in the country. The department has six PhD's in the fields of air and water quality.

Since 1966 we have increased our deliveries of electricity by more than 30 percent while cutting in-City smokestack emissions of SO$_2$ and particulates by more than 50 percent. We expect to cut our emissions of these pollutants by at least 50 percent more by 1975.

We have more underground transmission and distribution lines than all the rest of the Nation's utilities combined; about 90 percent of our power is now delivered underground.

We have increased our research and development spending fivefold in the past five years.

We ask our customers to Save A Watt for the sake of the environment, to slow the drain on dwindling natural resources, to help avoid power shortages and to save themselves money. As of January, 1971, we started promoting power conservation, cancelled all sales promotion efforts, disbanded our sales force and launched the Save A Watt program. Since then more than 50 other utilities have followed suit to one degree or another.

Our efforts to be socially responsible go considerably beyond these examples. We know there is more to do, but we feel that those who judge us should know that we are aware of the need to help and that we are trying to be helpful.

Sincerely,

Robert O. Lehrman.

"DISTINGUISHED ALUMNUS": CONGRESSMAN McCULLOCH HONORED BY OHIO STATE COLLEGE OF LAW

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MINSHALL. Mr. Speaker, I was very deeply touched to read the beautiful words of appreciation and pride expressed by the College of Law of the Ohio State University when it named our illustrious colleague and friend, William M. McCulloch, a "Distinguished Alumnus."

No honor was more richly deserved, and I know that all who respect Bill for his long and courageous leadership in shaping some of the major legislation of our times will like to share this tribute with me.

It follows:

Tribute

Presented to William M. McCulloch in appreciation of the credit and esteem he has brought to The Ohio State University College of Law during his distinguished career of dedicated public service.

He will retire from the Congress of the United States after thirty-seven years of fruitful endeavors in high offices of the State of Ohio and the United States.

He graduated from the College in 1925, established himself in the private practice of law in Piqua, Ohio, and then was elected to six terms in the Ohio House of Representatives, serving as Speaker for three terms and Minority Leader for two terms.

He served in the United States Army as a Captain in Military Government during World War II, exercising command over that portion of the city of Paris, France, which included the Eiffel Tower and the Chamber of Deputies.

He was elected in 1947 to the first of thirteen consecutive terms in the United States House of Representatives and began a career of congressional leadership and legislative craftsmanship matched by few in our Nation's history.

He served as ranking Republican member of the House Judiciary Committee during one of its most productive periods. Working harmoniously with Chairman Emanuel Celler, his leadership helped to produce much major legislation affecting the federal courts, antitrust regulation, electoral reform and other areas of vital national concern. He personally made possible the passage of the Civil Rights Acts of 1964, 1965 and 1968 by conciliating various proposals for reform, drafting and redrafting the results and enlisting essential bipartisan support. Of his role in the civil rights legislative struggle, it has been justifiably written that "constitutional and human rights were more important than normal political advantage".

His constructive approach to national problems won him the trust and confidence of presidents of both major political parties. President Eisenhower appointed him to the Commission on Government Security and President Johnson named him to both the Advisory Commission on Civil Disorders and the National Advisory Commission on the Causes and Prevention of Violence.

Both the substance of the law and the administration of justice have been immeasurably advanced by his work and his career stands as a noble exemplar to all who would use the law as an instrument of human progress. For his service to his profession, his State and his Nation; for his rare combination of qualities of intellect, statesmanship and unselfish service; and for the honor and pride he has brought to The Ohio State University College of Law, he shall henceforth be known as one of its graduates who bears the title

DISTINGUISHED ALUMNUS

Dated this twentieth day of October, A.D. 1972.

James C. Kirby, Jr.,
Dean, the College of Law of the Ohio State University.

David R. Fullmer,
Chairman, National Council of the College of Law of the Ohio State University.

TRIBUTE TO HON. JACKSON E. BETTS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, Jackson E. Betts has served in this legislative Chamber for 20 years—10 successive terms. His devotion to public service has spanned almost four decades. For 12 years, I have been privileged to know him. I can say, without fear of contradiction that his service has been exemplary.

Perhaps Mr. BETTS' most spectacular achievement of recent note was his spearhead of the fight against the Census Bureau's inclusion of questions in the 1970 census forms he considered invasions of privacy. That controversy opened the eyes of many a colleague to the dangers inherent in masses of seemingly unrelated computerized data.

Since the beginning of the Second World War, this country has found itself inextricably involved in international affairs. A thorough understanding of the inter- and intra-workings of the governments which we are pleased to call friendly has been essential. Mr. BETTS' contribution in that regard has been noteworthy. In November 1958, Mr. BETTS served as a delegate to the NATO Parliamentary Conference held in Paris. In 1970, he was a delegate to the 58th Conference of the Interparliamentary Union, held at The Hague, Netherlands, and again in 1971, to the 59th Conference of that Union.

JACKSON BETTS, ever the fine fellow to his colleagues, served his constituency, his party, and his country with distinction. Additionally, he was a leader in maintaining high standards of conduct, a model for his colleagues to emulate. He tempered that leadership with compassion and understanding, all the while refusing to compromise his high principles, as the ranking minority member of the Committee on Standards of Official Conduct.

I wish JACKSON BETTS well in his retirement from the House of Representatives. Try as he may, I doubt that he shall ever retire from the public eye.

CAREY'S REPORT FROM WASHINGTON

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CAREY of New York. Mr. Speaker, as is my custom, I am setting forth the complete text of my October newsletter for printing in the CONGRESSIONAL RECORD. I hope that my colleagues will find it of interest:

REPORT FROM WASHINGTON—OCTOBER 1972

The 92nd Congress unmistakably established new priorities for this nation. Our most productive new legislation builds a structure for meeting the human and environmental necessities and at the same time responds to public pressure for reduced foreign entanglements.

SCHOOL TAX CREDITS

The Ways and Means Committee has approved my bill for tax credits for families who have children attending non-public schools. Final passage of this measure, however, will depend upon favorable action by the next Congress. Non-public schools throughout our history and particularly in our district of Brooklyn have provided diversity of choice and healthy competition with public education. We cannot afford to have private schools go bankrupt and cause even greater burdens on our public education system. I will fight for the tax credit bill.

SOCIAL SECURITY INCREASE

During my service on the Ways and Means Committee, there has been a 52% increase in Social Security benefits. This increase means an addition of approximately $120 million in annual payments for Brooklyn and an addition of $730 million for New York State.

Here is what the increase means to residents of the 15th District:

For an average single retired worker, payments jump from $133 a month to $161.

For the average couple, from $224 a month to $237.

For widows, average benefits rise from $114 to $137.

Maximum benefits also increase for an individual from $216 a month to $259 . . . for a couple from $324 to $389.

TAXES AND SPENDING

We *cut* Federal income taxes by $9.1 billion and reformed $6.6 billion more. Twenty one million poor families were removed from the Federal tax rolls through a low-income allowance. *All* tax brackets were reduced by five percent and the personal exemption increased to $750.

Tax revision will be the item of first priority on the Ways and Means Committee agenda when the new Congress convenes in January.

ZERO-BASE BUDGETING

We in Congress must be able to demonstrate to the taxpayers of this country that the benefits to be obtained from a particular program outweigh the benefits that could be obtained by spending the same amount of money for other purposes or by cutting taxes.

I therefore intend to submit to the New Congress a plan to implement zero-base budgeting procedures. My proposal would mean that all federal programs would be periodically reviewed from the ground up and not merely in terms of changes proposed for the budget year.

The purpose of zero-base budgeting is to discourage the Federal government from taking spending programs for granted and to encourage periodic review of the spending of government funds.

THE ECONOMY

Almost every poll has indicated that the economy is the No. 1 concern of Americans. The last 3 years have been characterized by inflation, high unemployment, and budget deficits which exceed the total combined deficits of the last three administrations. Congress has responded to these economic ills with a positive program designed to relieve unemployment and reduce inflation. Early in the 92nd Congress, the President was given authority to establish price and wage controls. As we know, President Nixon refused at first to use these powers, but he acceded when it became apparent that his administration's economic game plan was not working. Although I am far from satisfied with the manner in which price controls are being administered, particularly with respect to rent increases, Congress has given the President the tools he needs to curb rising prices.

To help ease unemployment, Congress passed four emergency bills:

The 1970 Public Service Employment Act; the Accelerated Public Works Act of 1971; the Emergency Employment Act; and the Emergency Unemployment Compensation Act.

Unfortunately, President Nixon vetoed the Public Service Employment Act and the Accelerated Public Works Act of 1971 which were designed to combat unemployment by helping our cities build needed public facilities and sewer and water projects.

REVENUE SHARING

The Ways and Means Committee on which I serve has taken major steps to reduce the heavy city tax burdens upon American families. As a result of a new law, New York City will receive $248 million a year for at least five years from the Federal Government. Proper administration of these funds should also enable New York to substantially reduce crime and narcotics abuse which plague our city.

MEETING HUMAN NEEDS

The 92nd Congress overwhelmingly approved a 20-percent increase in social security benefits to help senior citizens keep pace with inflation. Legislation was enacted to provide nutritious meals for the elderly, and to extend comprehensive health, education, employment, and transportation services. A new National Institute of Aging was authorized to conduct research on the aging process and the special health problems of older persons.

The 92nd Congress responded vigorously to the needs of young people. Legislation was passed to create a Special Action Office for Drug Abuse Prevention; to establish school lunch and breakfast programs for needy youngsters; to provide comprehensive treatment and rehabilitation programs for veterans dependent on drugs or alcohol; and to increase veterans' education benefits; and, of paramount importance, was the constitutional amendment to extend the franchise to 20 million young Americans between the ages of 18 and 21. Under the new Higher Education Act, of which I was a sponsor, prospective college students will for the first time have a guarantee that a lack of funds will not prevent any person from obtaining a college education if he is willing to prepare himself for it.

JOB DEVELOPMENT—OUR NO. 1 NEED

I supported the Administration's move to halt arbitrary busing of school children. I remain inalterably opposed to any action that denies parents the right to send their children to quality neighborhood schools.

The efforts of the Ways and Means Committee to get our stagnant economy moving led the Revenue Act of 1971. My amendment recognized the urgent need for on-the-job training programs and the expansion of day-care facilities so that large new groups of men and women now unemployed or underemployed can take advantage of the increased opportunities.

It is of critical importance that private business be encouraged to provide facilities for both on-the-job training and day-care.

FOREIGN AFFAIRS

The 92nd Congress made new efforts to reassert congressional oversight of foreign policy. The House and Senate passed separate versions of the War Powers bill both of which require the President to report to Congress whenever he commits U.S. forces to action overseas without prior congressional consent. My experience as a combat infantryman taught me that our fighting men must be the world's best equipped. I have supported three presidents in making sure that our national defense is never weakened. At the same time I have fought waste and extravagance by the Pentagon.

I support the House resolution to bring White House pressure to bear on the Soviet Union to cease harassment of Jews who wish to immigrate to Israel.

With Congressman Peter Rodino, I sponsored legislation to amend immigration laws to enable families to reunite here in the United States. With Senators Kennedy and Ribicoff, I sponsored the resolution calling for peace with justice and an end to the bloodshed in Northern Ireland.

RALPH NADER—RAIDER OR GUERRILLA?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, in my remarks of October 16, 1972, page E8785, I had raised the question of who controls Ralph Nader.

We now learn that this same Ralph Nader is the consulting editor for Hard Times—previously known as Mayday—a radical muckraking newspaper published in Washington, D.C., and self-described as "ammunition in an arsenal of guerrilla journalism." In such capacity Mr. Nader and his guerrilla journalism rubs elbows with some well-identified revolutionaries who are dedicated to changing the system of what they term the "imperialist United States."

I feel that our colleagues would be very interested in reviewing the U.S.A. report for January 16, 1970, by Alice Widener, "Will the Real Ralph Nader Please Stand Up?" which follows my remarks:

[From U.S.A., Jan. 16, 1970]

WILL THE REAL RALPH NADER PLEASE STAND UP?

(By Alice Widener)

Will the real Ralph Nader please stand up?

Is he celebrity Ralph Nader on the *Time* magazine cover last month, or is he Consulting Editor Ralph Nader for *Hard Times,* a radical muckraking newsletter published in Washington, D.C., a 4-page tabloid self-described as "ammunition in an arsenal of guerrilla journalism"?

Both Ralph Naders are one and the same man.

Which is the real one—"raider" Nader or "guerrilla" Nader? Is he, as *Time* says, "the self-appointed and unpaid guardian of the interests of 204 million U.S. consumers" and a person condemned by New Left revolutionaries "because he wants to improve the economic system rather than tear it down," or is Ralph Nader the intimate editorial associate of radical New Left editors and Communist revolutionary Socialist Scholars writing for *Hard Times,* which seeks to "change" the system?

Founded in October 1968, *Hard Times* was originally entitled "Mayday." Five months later, the publication announced it had been asked to cease using the trademarked international distress signal as a name and was changing it to "*Hard Times.*" The publication did not, however, change its staff. From *Mayday* No. 1. October 11–16, 1968, to *Hard Times* No. 57, December 15–22, 1969, every issue carries on its masthead, "Consulting Editor, Ralph Nader."

Strangely, in the publishing business, the little newborn sheet *Mayday* received hard-to-get top publicity by the *New York Times, Washington Post, Newsweek and New York Magazine* almost immediately after uttering a very first outcry against our country, which *Mayday/Hard Times* continually describes as "the empire" and "the imperialist United States." On October 13, 1968, the *New York Times* reported about the two-day-old journal:

"The first issue of *Mayday,* a four-page weekly tabloid oriented toward muckraking and radical politics was published in Washington Friday under the editorship of three nationally known journalists.

"The editors are Andrew Kopkind, James Ridgeway, former reporters for the *New Republic,* and Robert Sherrill, correspondent for *The Nation* . . .

"Ralph Nader, lawyer and crusader for better consumer protection laws, is consulting editor. . . ."

The *New York Times* reported *Mayday* was "a shoestring operation" and quoted Mr. Kopkind as explaining, "The title is a triple pun that we hope will appeal to different constituencies. Mayday is the international distress signal, a call by radicals to take to the streets, and a reference to springtime for the counter-culture love generation."

The *Washington Post*, December 15, 1968, said Mayday also referred to the "People's Democracy [meaning Communist nations'] holiday." *The Post* reported that Mr. Kopkind said Mayday wanted to appeal to "distressed liberals, angry revolutionaries, and 'make love not war' types." *The Post* also said Ralph Nader "aids and abets" *Mayday* when he has time. Mr. Kopkind said he wanted *Mayday* "to change the system."

To try to accomplish that purpose, *Mayday/Hard Times* features material by Ralph Nader; by another consulting editor, Fred Gardner (West Coast) who recently testified in Chicago on behalf of Tom Hayden and Abbie Hoffman, U.S.-indicted defendants in the conspiracy-to-riot trial; by such "changers" of the system as Belgian revolutionary Marxist Ernest Manel, who is banned from France and the United States; and by Robin Blackburn, guest of honor, last September, as the Socialist Scholars Fifth Annual Conference, Hofstra University, New York. Two months later, Stanley Aronowitz told a Socialist Scholars meeting at Town Hall in Manhattan, "We, as revolutionary Communists, must defend all those taking part in revolutionary action."

Ernest Mandel, who last June wrote "Contradictions" for *Hard Times,* which described that number as "A Special Issue On Where America Is Going," was guest of honor at the Socialist Scholars annual meeting in 1968, where he said, "Students are detonators in the formula for triggering off a social explosion creating a revolutionary situation," for *Hard Times,* Ernest Mandel wrote:

"Today, profound forces are working to undermine the social and economic equilibrium which has reigned in the United States for more than 25 years . . . . Some of these are forces of an international character . . . But from the point of view of Marxist method, it is important in the first place to stress those forces which are at work inside the system itself. This essay will attempt to isolate some of . . . the historic contradications which are now destroying the social equilibrium of the capitalist economy and bourgeois order of the United States."

Another writer for *Hard Times* is Robin Blackburn of London, who last September told the Socialist Scholars as their guest of honor, "We must have a decisive break which is the reverse of Puritanism. Such a socialist culture is impossible to achieve without the violent overthrow of the capitalism regime. . . . Anarchopopulism is very useful because it is undermining the archaic institution of private property."

Still other writers featured in *Mayday/Hard Times* are Norman Fruchter and Todd Gitlin of the communist revolutionary Students for a Democratic Society (SDS).

What about co-founder and editor Andrew Kopkind of *Mayday/Hard Times,* whom *Newsweek* praises as "a highly respected radical journalist," and with whom Ralph Nader works in close consultation? It is best to let Mr. Kopkind speak for himself in the October 20–27, 1969 issue of his muckraking tabloid:

"There were twelve people in our two-man cell at the Chicago Police Headquarters last Saturday after the SDS "Weatherman" march through the Loop. Our charges ran from disorderly conduct (my own) through possession of explosives to attempted murder. . . .

"Brian Flanagan, a bright and sensitive upper-middle "moderate" who found his way inside a Columbia building last year, and had now come to be charged with attempted murder (of Chicago's toughest judicial figure) rested in another corner . . ."

Brian Flanagan, aged 23, is indicted in Chicago for having kicked City of Chicago assistant corporation counsel Richard Elrod in the neck, an injury that paralyzed him from there down.

Editor Andrew Kopkind of *Hard Times* continues:

"The events of the afternoon were common to us all, whether we had been busted in the LaSalle Street melee, or a mile away (as I and two friends were). . . . That protean rebellion which was born ten years ago in the South, that found forms to fit in Mississippi Delta, the Cleveland slums, the Berkeley campus, the hundred colleges and parks and Army posts, that appeared bloody last summer in Grant Park and stoned this summer at Woodstock, it ran that day in the Loop. Almost everyone else now thinks that that spirit of the Sixties has found its end. But at night in the cell-block, we believed it had found a new beginning.

"'Weatherman' demands the willing suspension of disbelief. As an ideology of communism and a strategy of revolution, it . . . asks that radicals become revolutionaries, completely collectivize their lives, and struggle to death if necessary. . . .

"Now some say that the police attacked first, and others say the weathermen took the offensive, but it is true that the weathermen did not shrink from the fight, and we all thought in the cell block that night that simply not to fear fighting is a kind of winning."

So much for co-founder-editor "Weatherman"-friend Andrew Kopkind of *Mayday/Hard Times,* whose guerrilla-journalism sheet is aided and abetted by lawyer "raider" Ralph Nader.

A month later, Kopkind had a lot more to say in *Hard Times,* this time about his own role in the militant action of the Department of Justice during the November Moratorium in Washington, D.C.:

"Friday night's action clearly sparked the militance Saturday at the Justice Department. . . . by 4:30 it was time to move on out. The 'organizers' of the march—called to protest the 'Conspiracy' trial in Chicago and other political trials—handed out flags and banners, and four 12-foot puppets of Nixon, Agnew, Mitchell and Judge Julius Hoffman were raised to guide the march.

"The red banners and the NLF flags were streaming and the chants were quick and loud. 'Free Bobby Seale!' 'Off the Pig!' 'Stop the Trial!' 'Power to the People!' The line swung around the Justice building, then came up against the Mobe marshals 'protecting' the Constitution Avenue entrances. In seconds, the marshals were knocked aside . . . Someone ran an NLF flag up the flagpole, and every one cheered. Then a pretty pink smoke bomb went off in the bushes in front of the building. And then the gas attack began. This time, a few people panicked, and when the first barrage had settled they came back, in close. Then there was another wave of gas, and another, and the whole building and the streets in the heart of the Federal Triangle were thick with smoke. When it was clearly overwhelming, the crowds began moving back . . . And then a strange thing happened. In the middle of all that gas, with the rockets going off in front of us as well as behind, people joined arms and began chanting, 'Free Bobby Seale! Free Bobby Seale! Free Bobby Seale!' People were together in a way they hadn't been all week-end, for some maybe never before, and in the thick of the gas we were laughing and cheering and not yet done."

There—in the two foregoing accounts of violence in which Andrew Kopkind himself says he took personal part, is the close editorial associate of "crusader" Ralph Nader.

What does Mr. Nader do for *Mayday/Hard Times?* It says he assists its "network" of foreign and domestic correspondents and researchers. He can do a lot for it, since *Time* reports his own staff, known as "Nader's raiders" has grown to "102 vacationing students in law, engineering and medicine." To judge by the interlocking by-lines and material itself, it seems *Hard Times* also is aided and abetted by the SDS Radical Education Project and its affiliate North American Congress for Latin America (NACLA), whose former employee, Pat Swinton, is now on the FBI's most wanted list for her alleged part in the 1969 bombings of private and public buildings in New York City. *Hard Times* evidently hasn't a hard time in getting guerrilla news.

The article "Pesticides: Slow or Sudden Death for California Farm Workers" by Ralph Nader and Jerome B. Gordon in the November 8–15, 1968 issue of *Mayday* is a muckraking, wildly exaggerated dilly of a guerrilla journalism piece. In the first four grim paragraphs, three concern incidents in present day Cuba, Tijuana (Mexico) and Colombia. The fourth occurred in San Diego and was entirely accidental.

Here are some samples of the Nader-Gordon guerrilla journalism in *Mayday:*

"By far the greatest use of pesticides in this country is in commercial agriculture. . . .

"The frequent victims of pesticide poisoning are children. In the period from 1951 to 1965, roughly 60 per cent of the accidental deaths attributable to poisoning from pesticides in California were among children."

The accidental death of even one child is tragic. But authors Nader-Gordon seem carefully to refrain from stating exactly how many accidental deaths of children from pesticide poisoning occurred in California during the 14 years between 1951 and 1965. After all, six out of ten is 60 per cent. Were there 10, 20, 100, or 1,000, or how many accidental deaths?

* * * * *

Comments about Ralph Nader's network are not all that James Ridgeway, co-founder and editor of *Mayday/Hard Times* has to say about Ralph Nader. In fact, it seems editor Ridgeway has a much deeper insight into his fellow editor Nader as a person than has *Time* Magazine, which says he is "an almost legendary crusader who would—and could—use a fly to instigate a congressional investigation." * * *

"What makes Nader so effective?" asks *Time*, and replies, "Much of the answer lies in his lawyer's dedication to hard facts."

There is another much more significant answer to *Time's* question, however, an answer furnished in profound detail by Nader's close editorial colleague, James Ridgeway in an article "Market Economy" for the December 1–8, 1969 issue of *Hard Times*. Mr. Ridgeway begins:

"During the Johnson Administration, Congress passed a series of laws to protect consumers. The measures were eagerly accepted since they cost no money . . . but they never came to much, even in terms of the minor technical alterations which were meant to substitute for a radical restructuring of the industrial economy."

Such a radical restructuring is what *Mayday/Hard Times* is all about. What it wants is a Marxist economy in the United States and everywhere else. Moreover, several unfair, unwise provisions of the consumer protection laws passed by Congress—which Ridgeway says cost "no money"—are punitively expensive for our great industrial companies and are forcing them to raise prices, an inflationary effect likely to cause a decrease in American consumer consumption.

A huge and crippling American decrease in consumption, one that would reduce us to the poverty-stricken status of citizens in the Socialist countries—is precisely what radicals seeking a "radical restructuring" of our industrial economy are striving to achieve by any and all means, even by disguising themselves as crusading humanitarians.

Hard Times means what its name says!

This is made explicitly clear in James Ridgeway's article on our market economy and Ralph Nader, an article in which Ridgeway reveals the motivating force behind his close editorial associate, Mr. Nader. Ridgeway writes:

"The most important advocates of consumer protection are the trial lawyers, who are loosely organized through the American Trial Lawyers Association. This is a maverick group with occasional populist-progressive tendencies.

"In recent years, the trial lawyers have mounted a devastating attack on American corporations. Their suits begin as simply damage claims, then broaden into attacks on the conduct of the corporation, tracing in the most fundamental radical manner the injury of individuals back through the corporation hierarchy. They show in great detail how corporate officials engage in calculated plunder and injury of the populace. Discovery procedures of the court enable the lawyers to obtain and introduce into court records documents revealing precise details of corporation activity. Juries are convinced and damages running into the millions have been set against companies. Congressional committees spend time assembling and reprinting documents from the cases."

And lawyer Nader's young student lawyers are busily "researching" them for him and for *Hard Times*.

James Ridgeway continues:

"The effects of this legal attack are profound. Not only do the courtroom victories enhance the power and prestige of the trial lawyer . . . but they turn the court into a legislature. . . .

"Since the court has become the arena where the post-industrial economy is adjusted, every citizen needs a lawyer—not a legislator—to look after his interests. Perhaps this helps explain the keen interest by Ralph Nader and many other young lawyers in restructuring legal education, 'improving' law schools, developing centers for the practice of law in the 'public interest,' and so on. In reality, they are working towards a new definition of a governmental system, in which 'lawyers' are a commanding elite. Nader's fundamental task is not so much to protect consumers as it is to organize his own constituency, the legal profession, for the assumption of power in a post-industrial society. . . .

What Ridgeway and the writers for *Mayday/Hard Times* mean by a "post-industrial society" is a Marxist "people's democracy."

Time magazine says "Nader insists that he is not 'anti-business' but simply 'pro-people.'" But *Time* does not elaborate on what Mr. Nader means by his being "pro-people." However, *Time* quotes him as saying, "My job is to bring issues out in the open where they cannot be ignored. There is a revolt against the aristocratic uses of technology and a demand for democratic uses. We have got to know what we are doing to ourselves. Life can be—and is being—eroded." * * *

His close colleague James Ridgeway, who certainly ought to know, says in *Hard Times* that Ralph Nader is the Ralph who is not so much protecting consumers as organizing "his own constituency," and "in that process, he must mediate between seemingly opposing lawyers, in order that they function as a single power elite . . ."

Mr. Ridgeway concludes his analysis of Ralph Nader by stating, "The evils of the business system—so well revealed by the trial lawyers—are its values, exploitation of masses of people in the interests of the very few. Consumer protection begins by understanding that one must fight the idea of consumption which is essential to exploitation."

There it is—the real doctrinaire Marxist philosophy of *Mayday/Hard Times* and a clear explanation of why "legendary" Ralph Nader is its consulting editor. Sincere, constructive protection of consumers is one thing; but arrogant consumerism for establishment of a lawyers' Marxist power elite over American consumption is another.

Nader style "consumerism" seems in reality to be designed to decrease our American consumption as a means of "changing the system" of American capitalism and creating a socialist "post-industrial" society run by a power elite.

"Over the long run," writes editor James Ridgeway in *Hard Times*, for which Ralph Nader is consultant, "safety is part of the sales mechanism." A fight against sales to the prosperous American consumer is a major part of what *Hard Times* is all about.

Ridgeway concludes his article about the American market economy and his associate Ralph Nader with the following statement:

"On the simplest level, it is not necessary to buy a car every year, to eat plastic food, to have clean smelling breath, and perfumed genitalia. Babies need not be fed food that is made to taste pleasant for their mother's benefit. Stores don't have to color oranges and lemons, and so on. As war is the method of extending empire abroad, mindless consumption is the method for colonizing us at home."

Evidently, what Weatherman-friend Andrew Kopkind and muck-racking James Ridgeway and "crusading" Ralph Nader of *Mayday/Hard Times* want us Americans to do is to rebel against being capitalist "colonial" consumers so we can become slaves of a "power elite" in a meager-consumption Marxist economy.

Will the real Ralph Nader please stand up? Will he tell his 204 million American audience that "raider" Nader and "guerrilla journalist" Nader are one and the same man and there are 57 varieties of the tabloid *Mayday/Hard Times* to prove it, and that its current promotion sheet announces for 1970 a special program to "muckrake" our wonderful space agency NASA?

There are more than 57 revolutionary varieties of Marxist by-lines on the tabloid's front pages to prove that it is exactly what it claims to be—"ammunition in an arsenal of guerrilla journalism" aimed at destruction of our free economic and social system.

HON. WAYNE N. ASPINALL

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1972

Mr. GERALD R. FORD. Mr. Speaker, among the retiring colleagues I will greatly miss is the distinguished chairman of the Committee on Interior and Insular Affairs, the Honorable WAYNE N. ASPINALL of Colorado. WAYNE and I were sworn in as freshmen Congressmen on the same day, January 3, 1949, and we were put on the Consent Calendar together. For nearly 24 years our party differences have made no difference in our friendship and I know of no Member on either side of the aisle who has been more diligent or more dedicated in the work of legislation than WAYNE ASPINALL.

I regret that I was unable to be present when tributes to him were spoken earlier in this Chamber, but I have read with profound admiration his eloquent and typically modest response, in which he expresses the love and feeling which he has for the House of Representatives. I believe his words should be required reading for all new Members who come to this body, which as WAYNE stated is the repository of the strength and the hope of the American people.

He has certainly done more than his part in raising the standard of service here and I know that I speak for all Members in wishing him and his wife Essie many years of health and happiness. I happen to have a special fondness for Colorado's rugged mountains and ski slopes, so I know that Betty and I will see the Aspinalls again after they retire.

DON'T BE HALF A CITIZEN—VOTE THE ENTIRE BALLOT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CONYERS. Mr. Speaker, by this time we all have heard a great deal about the importance of voting in the presidential election. I certainly agree and hope that all Americans, regardless of whom or what they support, will exercise their basic responsibility and right as citizens.

Unfortunately a great many of us cheat ourselves out of our constitutional rights by only voting for the partisan candidates. Important judicial, school board and city council offices are elected on the nonpartisan ballot. The ballot questions on the top of the machine include crucial questions on issues of long-term impact on taxes, education, citizen participation, and other matters affecting all of us.

Those who leave the ballot booth without voting for the nonpartisan candidates and the ballot questions make themselves second-class citizens. Use your full voter power. Vote Tuesday, November 7. And vote the entire ballot.

The voters in Detroit should be aware of the many issues contained on the ballot. At the top of the ballot, in the red portion, there are daylight time, abortion reform and other important issues such as:

Proposition F: A new county jail;

Proposition G: County juvenile justice facilities;

Proposal H: A new city charter for Detroit; and

Proposition L: Detroit school millage.

Detroit citizens should also vote the blue part of the ballot, the nonpartisan races which are also important: City council, Detroit School Board and judges. Finally, in a partisan decision, I would tell Detroit citizens to vote the party candidates of your choice, from President on down, on the white portion of the ballot.

CONGRESS ENACTS LANDMARK HIGHER EDUCATION ACT

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. CAREY of New York. Mr. Speaker, I am setting forth the complete text of my special report to the people of the 15th District of New York concerning education for printing in the CONGRESSIONAL RECORD. I hope that my colleagues will find it of interest:

SPECIAL EDUCATION REPORT TO THE PEOPLE OF THE 15TH DISTRICT ON THE EDUCATION RECORD OF THE 92D CONGRESS

CONGRESS ENACTS LANDMARK HIGHER EDUCATION ACT

The 92nd Congress passed the most important higher education bill since Abraham Lincoln signed the Land Grant College Act over a cenutry ago.

The new Omnibus Education Act can mean significant help for every Fifteenth District family planning to send a son or daughter to college in 1973 and the legislation will also bring much needed aid to every college and university in New York City and the nation.

This law has two basic goals:

(1) To assure that able students from both low and Middle income families who want to go to college won't be denied the chance because their families don't have the money; and

(2) To provide direct aid for operating expenses to institutions of higher learning, both public and private.

BENEFITS FOR BROOKLYN RESIDENTS

The new law creates a brand new program of Basic Educational Opportunity Grants (EOG's). Beginning in 1973, every college student will be entitled to a Federal grant of $1,400 a year, minus the amount his family can reasonably be expected to contribute. The Federal grant, however, cannot be more than one half the actual cost of attending the institution.

There are already in existence several other programs to help college students:

(1) Supplemental Education Opportunity Grants, providing grants from $1,000 to $1,500 to needy students. This is in addition to the EOG's described above.

(2) The College Work Study Program which provides part-time jobs for students.

(3) Direct loans to students (formerly the National Defense Student Loan program). These are low-interest loans to students, based on financial need.

(4) Guaranteed Student Loans, a program of insured loans with interest subsidies for certain needy students.

DIRECT BENEFITS FOR BROOKLYN COLLEGES

Under the new program of direct institutional aid, virtually all of the colleges and universities in Brooklyn will receive new federal money.

All campuses of the City University of New York (including Brooklyn College) will receive annually about $11.9 million; Brooklyn Law School, $121,000; St. Francis College, $275,000; St. John's University, $908,000; Downstate Medical Center, $134,329; Long Island University, $1,073,829; Packer Collegiate Institute, $6,532; Polytechnic Institute, $527,610; Pratt Institute, $666,053; and St. Joseph's College for Women, $76,449.

Brooklyn colleges and universities will be receiving a total of $15,688,802 in new federal money under this new bill.

OTHER FEATURES

The new law contains many other features, including:

Extension of all existing aid to higher education programs, including student assistance;

Aid for occupational and vocational education;

Special incentive grants to institutions enrolling veterans;

Incentives for state scholarship programs;

Emergency help to colleges in severe financial distress.

FURTHER INFORMATION

In order to answer any questions which you might have concerning college aid, and to provide help in applying for any of these grants, I have appointed a special staff member, Miss Karen Johnson, to serve as my student aid counsellor. You can contact her weekdays between 9 A.M. and 5 P.M. at my Brooklyn office, 225 Cadman Plaza East at 596-3839.

TAX RELIEF FOR PARENTS OF NONPUBLIC SCHOOL CHILDREN

Many low and middle income parents who now send their children to nonpublic schools bear a heavy financial burden. As they willingly pay taxes to support public schools, they cannot also afford the high cost of a nonpublic education. This has been an important factor in the closing of many nonpublic schools.

Nonpublic schools represent an integral part of our society. They provide a diversity of choice and healthy competition for public education. We cannot afford to have them disappear.

A commonly accepted method for easing a citizen's tax burden is allowing a tax credit. A tax credit is subtracted from the taxpayer's final tax bill for the year. Every dollar of tax credit reduces one's taxes by one dollar, regardless of tax bracket.

The tax credit has two advantages over a tax deduction:

(1) It may be taken even when the taxpayer does not itemize his deductions.

(2) It provides a greater benefit to middle income parents, who bear the greatest relative financial burden in sending their children to nonpublic schools, than an itemized deduction.

It is for these reasons that I introduced on August 2, 1972, H.R. 16141, a bill to provide a tax credit of up to $200 per year per child to parents for tuition paid elementary and secondary nonpublic schools.

My legislation would work as follows. If you paid $400 tuition to an elementary or secondary school for your child's education, you would be eligible for a $200 tax credit for each child. For example, if on your federal tax return, you owe the Federal Government $200, the subtraction of your tax credit would mean that your final liability is zero. If you have two children going to nonpublic school, you would take a credit of up to $400.

For the almost 110,000 families in Brooklyn with over 120,000 children in nonpublic schools, my bill would mean a total saving of $44 million in federal taxes for these families.

Chairman Mills joined me in sponsoring H.R. 16141, and extensive hearings were held in August and September. During the hearings, the legislation won wide support from the Administration, school officials, education experts, constitutional lawyers, and other Members of Congress. In an unprecedented appearance before a Congressional committee, Cardinal Cooke testified in support of H.R. 16141.

I am pleased to report to you that the Committee on Ways and Means approved my bill, and I am hopeful that desperately needed tax relief for nonpublic school parents will promptly pass the new Congress which convenes in January.

ADDITIONAL PROGRAMS ENACTED BY THE 92D CONGRESS TO HELP ALL STUDENTS

Expanded Headstart program to enable children of working families to participate in voluntary day care centers.

National School Lunch Act Amendments to provide free and low price meals for needy children.

Vietnam Veterans Education Assistance to grant a major increase in aid for education and vocational training for returning veterans.

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write to me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, please call my Brooklyn offices at either 596-3839 or TE 9-2300 between 9:00 A.M. and 5:00 P.M. on weekdays.

WOLVES AND MEN IN NORTH AMERICA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SCHMITZ. Mr. Speaker, I would like to call your attention to the article "Wolves and Men in North America," by an expert in the field of wildlife conservation, Dr. Douglas H. Pimlott:

WOLVES AND MEN IN NORTH AMERICA

(By Douglas H. Pimlott, Ph. D.)

(NOTE.—The future of the wolf presents one of the most important conservation questions of our time: will the species still exist when the twentieth century passes into history, or will man have exterminated it in a final demonstration of his conquest both of the wilderness and of wild things that dare to compete, or that conflict with him? A few years ago in writing an article for the Canadian Audubon Magazine on the control of wolves in Canada, I used such words in an attempt to capture the interest of readers and to raise second thoughts about the place of these large predators in a man-dominated world.)

Six years later I still believe that preservation of the wolf is as important a work as conservationists have ever undertaken. This animal, one of the most adaptable, intelligent and interesting mammals that has ever existed, has been misunderstood, feared, maligned and persecuted for centuries. No other animal in history has had such a completely negative image in the human mind.

It is because of this negative image that preservation of wolves is so formidable a task. As the concept of preservation of nature has gradually developed, the species that have had particular attention lavished on them have been those which men cherished for the sport that the hunt afforded or those which, if of no direct value to him, have had an aesthetic or emotional appeal. On the other hand, man's attitude has been very intolerant when animals that competed with him were concerned. The long battle that conservationists have had to wage to preserve the birds of prey attests to the strength of popular prejudice. (In many areas this battle is still far from being won.) To obtain protective legislation for them it has almost always been necessary to prove that the birds are valuable to man ("They kill mice.") or, at least, are harmless to him ("They kill only species which man does not want.") Others that are branded as chicken hawks or as lamb killers are almost always excluded from the protective blanket of legislation, or therefore so protected and still blatantly shot in defiance of it.

The best insight into the behavior of wolves toward humans comes from scientists who have worked and lived close to them. In his book, *A Naturalist in Alaska*, Adolph Murie tells of his experience when he found the East Fork den in Mt. McKinley National Park. He followed the tracks of wolves after a late fall of snow in May. When he came close to the den he surprised a male wolf that ran off and, intermittently, howled and barked at him. As he stood a short distance from the den a female put her head out, withdrew, then came out with a rush and ran past him leaving a litter of pups behind. While he crawled in and removed three of the pups the wolves howled and barked from a nearby ravine but did not challenge him more seriously even though he took one pup away with him.

Our experiences in studying wolves in Ontario, and more recently on Baffin Island, have been similar to Dr. Murie's. Even though we have worked and travelled unarmed in wolf country, often living close to them, we have never been threatened in any serious way. Perhaps even more powerful testimony is that, in spite of one of the highest wolf populations in the world in that area, thousands of children canoe and camp in the wilderness section of Algonquin Park each year and there are no reports of any one of them having been attacked or even threatened by wolves.

The evidence for North America is quite clear—wolves present virtually no threat to humans. There can be no pretence that the killing of wolves is justified because they are dangerous to man. On this score at least, conservationists can set out to establish a positive image for the wolf by stating the case on the basis of the evidence that exists.

It is not always possible, however, to make the wolf into a "desirable" animal on the basis of its food habits. Studies made during the past three decades have shown that in most areas wolves live primarily on large mammals both in summer and in winter. In areas where hunting pressure is heavy it is likely that many animals killed by wolves would otherwise have been killed by hunters. Clearly, we should no longer try to defend the wolf by trying to prove that it does not compete with man-the-hunter for big-game animals, for in many cases it is conceivable that it does. At this point in time we should cease arguing that wolves live on rabbits or mice because many studies now indicate that this is an erroneous argument.

Research on Isle Royale and in Algonquin Park indicates that in situations where big-game are not hunted by man, wolves prey very heavily on old animals during the winter and on young ones during the summer. Hunting, at least in winter, is a process of continuous testing of animals that are encountered, until eventually an animal is encountered which the wolves somehow recognize as one that they can kill. It all boils down to the fact that the wolves kill animals that are easiest to catch, and during part of the year these are the old and infirm animals. On this phase of the question there now seems to be scientific justification for the statements, long made but undocumented, that wolves remove the weak animals from the herd.

It still is not clear what happens in areas where big-game animals are heavily hunted. In these situations not very many animals live beyond middle age, and no studies have yet been published that show what type of animals the wolves live on in such areas.

Before I discuss how nature lovers can help to dispel the wolf's negative image I would like to trace the history of its development:

HISTORICAL ASPECTS OF THE WOLF IMAGE

Although I consider that it is unfortunate that men throughout the world continue to have such a low regard for wolves I can understand how it has happened.

First of all, it is worth remembering that the wolf occurred in the northern hemisphere around the entire world. Virtually everywhere that there were men there were also wolves.

This relationship was probably quite an equitable one when men were primitive hunters whose survival, like the wolf's depended on their ability to catch wild things. I do not think that there is any evidence, for example, that the Eskimos or Indians of North America feared wolves. These people were at home in their environment. They utilized both the flesh and the fur of wolves, and it is quite likely that on occasion they also utilized the flesh of animals which the wolves had killed. I suspect that the big change came when man became a farmer.

Man-the-agriculturalist began to lose contact with the natural environment. He depended on vegetable crops and domesticated animals for food, and lived a very restricted existence. The world beyond his immediate doorstep was a strange place and he built up a great body of superstition and folklore about it. The habits of the wolf made an ideal subject upon which to build:

It lives on the largest of the mammals and the killing of one of them usually results in a mess of blood and bones that bears gory testimony to the prowess of the killers. After wild animals were replaced by domestic animals the wolves killed them and undoubtedly there were times when this threatened the food supply of a community. At the same time the people who had lost much of their hunting skill, undoubtedly felt very vulnerable in the presence of an animal that had the capacity to kill and then to fade into the forest for long periods before being heard of again. Under such circumstances, whether wolves actually killed people or not, it was inevitable that our ancestors would come to hate, fear and, on every possible occasion, to attempt to kill them.

For centuries the objective has been to exterminate wolves. Only within recent years have authorities in North America begun to state that the objective is "to control, not to exterminate" wolves. In Europe and Asia the goal is still extermination and in Russia intensive poisoning programs are being undertaken to achieve that goal.

CAMPAIGNS AGAINST WOLVES IN THE UNITED STATES

In the United States payments for the killing of wolves, commonly referred to as the bounty system, have been made for over 300 years. In his book, *The Wolf in North American History*, Stanley Young states that the first payments were made in Massachusetts in 1630.

It took over 200 years to exterminate gray wolves east of the Mississippi River; by 1850 they had disappeared from all but a few areas and by 1900 they had been exterminated throughout the east. Some persisted in northern Wisconsin and the Upper Peninsula of Michigan for another 50 years but, according to the best sources, are probably extirpated from these areas as well.

West of the Mississippi the wolf persisted in considerable numbers until the 1930's. It was thought that they would disappear from the Great Plains once the buffalo were gone. This did not happen because in the interim cattle and sheep industries had built up and the adaptable wolf substituted these domestic animals for food where big-game animals were scarce.

It is likely that the mountains would have provided a refuge for the wolf if grazing had not become such big business on National Forests and other public lands. The grazing interest would not tolerate predation of livestock and in 1915 Congress appropriated funds for the control of animals injurious to agriculture. It was the death knell for the large predators in the western United States.

As recently as 1944, Young predicted that wolves would always occur in wilderness areas of the United States, but 20 years later they occur only in the Superior National Forest of Minnesota, on Isle Royale and in Alaska. (The story of the wolf of Isle Royale makes fascinating reading. In a recent publication, *The Wolves of Isle Royale* (Superintendent of Documents, Washington) David Mech recounts how the wolves are believed to have reached the island from Canada in the late 1940's. It also includes a detailed account of their interrelationships with moose, their principal prey.)

The wolf's final campaign in the United States may soon be fought in Minnesota. It is encouraging that in its last stand the wolf is finally receiving some support from people. Although the state harbours the last major population in the contiguous states, it has long paid a bounty of $35 for each wolf killed. In 1964 the state legislature passed a bill which would have extended bounty payments on foxes and wolves. Governor Karl Rolvaag vetoed the bill giving wolves, for a few years at least, a slightly better chance for survival. This year, however, there is a new governor and the anti-wolf forces are working to have the wolf bounty reinstated. There is a good chance that they will succeed. Massive public support for the wolf could help to turn the tide. Both the Minnesota Conservation Federation and the state division of the Izaak Walton League are working for the protection of wolves in the state. It is to be hoped that they will be joined by individuals throughout the United States. It is not entirely a state matter for the main wolf range occurs in the Superior National Forest. Since the wolf has now been placed on the list of rare and endangered species of the United States, action could be taken to protect it on this block of federal lands.

The story of the disappearance of the red wolf in the southern states makes equally unpleasant reading. The species originally occurred over a broad band of range from Florida to Texas and north to Missouri. As recently as 1964 these wolves were reported by an official of the U.S. Fish and Wildlife Service as still being common in Louisiana, Arkansas and Eastern Texas. This optimistic report was not borne out by studies conducted in these areas and the red wolf has now joined the gray wolf on the list of rare and endangered species. So little is known about it that an intensive ecological investigation is required before it will be possible to state for certain that it has not already gone down the road to extinction.

It is another case where the average individual could play an important role by demanding action. A strong public demand for an intensive investigation of the status and ecology of the red wolf (in letters directed to Mr. Stewart Udall, Secretary of the Interior, to U.S. Senator Karl E. Mundt, who has been a diligent worker for the preservation of animals, and to individual congressmen) could lead to the establishment of an emergency research program. It is urgently needed.

WOLF PRESERVATION AND NATURE LOVERS

I suggested at the outset that wolf preservation poses a major challenge to conservationists because our concept of conservation has been such a man-centered one. We have fought major battles only for species that had tangible value or that had an emotional appeal. What chance is there then that wolves can be retained as part of the fauna over large areas of Canada and Alaska or that they can be restored in parts of the United States? How can the battle for wolf preservation best be fought? The challenge that exists is to preserve wolves in spite of their negative image; it is to get the multitude of conservationists around the world to broaden their concept of conservation so that they see that it is as desirable to have wolves in a forest as it is to have moose, deer or elk; it is to get men to accept that the wolf that kills to live has just as much, or even a greater, right to a deer as has the man who kills for fun.

Part of our approach should be to argue the case for the rights of animals that share the world with us. More and more men are coming to recognize that we do not have the right to ask about an animal, "What good is it?" expecting an answer strictly in terms of human values. All naturalists should play a part by quietly refusing to answer the question in the form that it is asked. Perhaps we should ask instead, "What good is a man?" A period of reflection on man's inhumanity to man or the rapid rate at which our species is multiplying and despoiling the earth serves to put both questions in their proper perspective.

A second, and possibly the most important part is to work to establish a positive image of the wolf in the minds of men. It is not nearly as important to convert those who are confirmed wolf haters as it is to develop a positive attitude among the masses of people who are interested in nature but who have never thought that the preservation of an animal like the wolf really mattered. It can be done in many ways. Studies of the social behavior of wolves, for example, have shown that they have very strong family bonds. The male takes a very active part in caring for the pups and in this may be assisted by other members of the pack that do not have young of their own. It appears that, to a large extent, the pups learn to hunt as a result of experience rather than as the result of instinct. Wolves have somehow learned to control their own numbers so that populations never "explode" as they do with many species of animals. I have found that as people learn of these and of other fascinating aspects of their behavior, and realize that they are dangerous to man, interest mounts very rapidly. Such interest always results in positive thinking.

I have high hopes for the future of wolves in North America. Many men will cease to think of them as vermin and see them as they are—one of the most interesting and intelligent animals that has ever lived on our globe. Do you dare to become involved in such a noble cause?

U.S. POSTAL SERVICE "KILLS" ARKANSAS TOWN

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ALEXANDER. Mr. Speaker, for almost 2 years I have periodically brought to the attention of my colleagues actions by the U.S. Postal Service which are adversely affecting the people of our Nation. Today I would like to present for your consideration two more incidents. One is a letter from a young woman describing frustrations caused by the inefficient actions of the Postal Service. The other is a news story which describes the manner in which the U.S. Postal Service "kills" Arkansas towns.

One institution that is vital to the survival of a small town is the post office. Recently the Arkansas Gazette reported on this fact. In view of the mounting criticism of the United Postal Service I would particularly commend this article to my colleagues for their consideration.

WEST MEMPHIS, ARK.

DEAR MR. ALEXANDER: I sent my birthday invitations on a Monday and the next Friday the invitations hadn't arrived yet and I had to call everyone after wasting time making out the invitations. The mail used to get places on time but it sure doesn't any more. I think you should either put our annex back in West Memphis or try speeding it up in Memphis because it's terrible for people to have to wait weeks for mail and by the time it gets there it's too old to look at. Now all those girls are going to get their invitations days late (if they get them at all). Can't you do something about this?

ROCHELLE BUTLER.

U.S. POSTAL SERVICE "KILLS" ARKANSAS TOWN

(By Mike Masterson)

The death rattle was unmistakable and signs of a lost achievement were evident in the small community of Auvergne when all that remained of a once organized community vanished with the mid-September locking of its postoffice door.

Founded in the early 1900s, Auvergne, six miles south of Newport on Route 17, at first flourished amidst the soybean and cotton fields of Northeast Arkansas.

A railroad line was built through the community during its earlier years and businesses sprang up: A cleaning firm, a shoe repair shop, a cafe, and even a barber shop opened eager doors in Auvergne and some claimed the tiny educational academy in the town was one of the best in Arkansas. But it closed during the 1920s.

Three merchandise stores were opened, including the Clement's building in Auvergne. It closed during the 1930s. Old timers today can recall large crowds shopping on Saturdays in Auvergne and a few said they can even remember a bank being opened in the community.

As decades passed and children grew to raise their own—who later left—the expanding town of Auvergne began to falter. A majority of the town was destroyed in a great windstorm during the 1930s and some attribute the prolonged illness and resulting death of Auvergne directly to the loss of the railroad.

Claude Robinson of Auvergne, who lived in the town since 1921 leaned back in a porch chair and said: "The best I remember, the town started dying when the railroad pulled out during the 1940s. It was sure a booming town before that."

Joe Bridges, a native of Mississippi, but a resident of Auvergne since 1920, said he can remember the days in that community when stores lined both sides of the street. There was a Baptist church here too," he said.

Auvergne even boasted its own school system at one time and area children attended what was locally known as the Doswell School. "It was great," said one long-time resident, "a lot of people called it the little red school." The children of Auvergne now attend public school in Newport, where they are picked up and delivered to their doorsteps.

"The town was still holding its own 30 years ago," said Jessie Turner, a native of the area. "We still had lots of stores and people, but then it began dying. I don't really know why, it just did."

B. F. Sherrell, 68, a resident of Auvergne for the past 30 years, was upset by the closing of the local postoffice, calling it the last remaining sign of the town of Auvergne. "We've lost our church," he said, "and now our postoffice. When those things are gone, so is your town."

Sherrell said nothing was done by residents to stop the postoffice from closing and his voice reflected a twinge of bitterness when he spoke of it. "We just sat back and let them take it," he said, "and now we've got nothing left."

He predicted the remaining grocery store in Auvergne would lose much of its present business as a result of losing the postoffice. "Lots of the folks would come to Auvergne to pick up their mail," he said, "and then stroll over to the store to buy groceries. Now there will be no need for them to come to Auvergne."

Postmaster Vaughn Jackson of Newport said closing the Auvergne branch office on September 16 proved somewhat more difficult than he had at first anticipated. "I told the superintendent of mails, who accompanied me to Auvergne that day, that we were about to undo something that people had worked for and kept alive for almost 60 years," said Jackson. "I guess anyone would feel a twinge of nostalgia and pity for those now gone, who worked so hard to establish a growing community."

Jackson said closing the postoffice in Auvergne was a necessary step for both economic and service reasons. "We can operate a door-to-door service to people in that rural route area for a lot less than what it costs to keep a branch office open in Auvergne," he said, "plus the people will benefit from the more efficient service."

Several Auvergne citizens have served as postmaster over the decades and it wasn't until 1966 that the office was placed under the jurisdiction of the Newport postoffice. "We have been operating the Auvergne office, with a clerk-in-charge for six years," said Jackson, "as is the case with some of the small communities around Newport."

The clerk-in-charge in Auvergne at the time the office closed its doors for good was Mrs. Patricia Sanders, who had served there for just over a year. "They just don't need the office any more," she said, "there are too many ranches and the rural route postman goes right past our door each day."

The Sanders purchased the old postoffice building and are now in the process of converting it into living quarters. "I don't know what I'll do now," Mrs. Sanders continued. "We may go back to Illinois so I can find work."

The cotton gin in Auvergne closed two years ago and the only remaining structures visible to passing motorists who don't turn their heads in conversation or blink momentarily, are a small one-room country store, a delapidated fish house and three large metal buildings, one of which once was the flourishing Clement's Mercantile Store.

The only money-making operation as such now in Auvergne is a large-scale fish raising corporation owned by O. R. Roden and Billy Welch, who both live in the community. Welch, who is Roden's son-in-law, said they began the fish raising operation in Auvergne because of the flat nature of the land. "The sunken terrain was a natural for us," he said, "but there's not much else around here to keep a man working now."

The creaking wooden porch of Bell's country grocery store in Auvergne reflect years of use and weather and it looks like any other rural store on the inside. The floor is covered with linoleum and a small air conditioner hums steadily in one corner. Several persons are seated in the middle of the room and each eyes an intruder with a glare of unfamiliarity.

Pauline Bell, the owner of the grocery, leaned over the counter and smiled. "People have to leave Auvergne nowadays," she said, "Why, the new modern farm machinery makes it so they don't need any help. The farmers in this area have become too self sufficient and all the young people leave here to find work. The older ones are slowly dying off and the community along with it."

"There used to be some of the darndest crap games you ever heard of in this here store," interjected the white-haired man seated toward the back of the store. "Of course that was back in the good old days. Ain't that right," he nodded toward an elderly man, who was leaning on an ice cream box near the front of the store. The man smiled and shook his head in agreement.

Asked how many persons remain in Auvergne, Mrs. Bell cleared her throat and said, "well we counted them up one time and it came out to exactly 67."

There are undoubtedly many Auvergnes along the highways of America. Communities that, for one reason or another, have lost their identities, but the residents of Auvergne are special in their own way.

They are people who fought the uphill battle to become a thriving community and lost. They managed to continue for years when their school folded, and held on even longer without a church, economy or future. The final gasp of life came on Saturday, September 16, when the community of Auvergne, population 67, lost its zip code, its dreams and its future.

DRINKING, DRIVING, AND YOU

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, my very good friend and constituent, Mr. Anthony J. DelPopolo, Sr., recently retired after 27 years of Federal service and has joined the Northern Virginia Community College in Annandale, Va., as an associate professor of law enforcement and coordinator of drug and alcohol education programs.

Mr. DelPopolo recently delivered a speech at the Department of the Navy's Naval Training Support Detachment, Washington Navy Yard in Washington, which I believe would be of interest to our colleagues and all who read the CONGRESSIONAL RECORD. I insert the text of his speech at this point in the RECORD:

DRINKING, DRIVING, AND YOU

(By Anthony James DelPopolo, Sr.)

(Speech delivered at the U.S. Naval Training Support Command, Navy Yard, Washington, D.C., on August 30, 1972, at 8 a.m.)

Before this speech is ended this morning at least two persons will be killed on the Nation's highways in an alcohol-related automobile accident. In fact, it is predicted that over 27,000 men, women and children will join these two in similar accidents in the next twelve months. I could easily say that, in the same period, over 800,000 highway crashes will result for the same negligence. Is this enough to fuss about? I think it is.

Would you believe that at least one billion dollars per month will be spent in direct economic losses caused by such accidents? Add to this the costs of public agency activities, such as the police, the courts, the hospitals, as well as the losses in future earnings by the drivers and their victims. And then, too, what about the suffering and heartaches, the loss of loved ones, the widowed and the orphaned! And to think that in all of these situations, the abuse of alcohol by drivers and pedestrians will be the major contributor. It's a pity to see mankind go to waste in such a manner—often because of "just one drink for the road."

"Is the Drunken Driver the Culprit?" This drinking driver is often misleadingly referred to as a "drunken driver." To some the term is not completely understood because a driver does not have to be obviously drunk to be under the influence of alcohol. How many of you here know drinkers who have mastered the technique of being able to walk straight, talk intelligently and coherently and give every appearance of sobriety, but in reality are under the influence of intoxicating beverages? These persons are not called "drunken drivers" because they do not exhibit the stereotyped behavior of the drunk. However, statistics clearly show that these are the "culprits" responsible for most of the property damage and fatal accidents on the highways.

The Social Drinker is the Problem Drinker. So you see, it is the social drinker, not the drunk who is the biggest problem behind the wheel of his automobile. Just remember, the social drinkers outnumber the actual drunks.

Drinking is a Tradition—Driving is a Necessity. Against drinking I am not. It has been a social custom over hundreds, or even thousands of years. I am not the one to try to change this tradition now. In this "space age"—that is, the space between places we travel on earth daily—life has been such that the automobile is an absolute necessity. How many of you would have been able to get to work this morning without the use of a car? So many of us rely on our "four wheelers" to take us to school and places of recreation, too. But, what I am one hundred percent against—is the mixing of drinking and driving. They *are* indeed a bad mixture. Even in the simplest of terms alcohol and driving are not compatible. They make for a poor "marriage." History has recorded thousands upon thousands of auto crashes from this explosive combination in a way louder and costlier than TNT.

Start a Crusade for Highway Safety. How can all this be prevented? I know of one way. First, we must have respect for life—yours and mine and that of others, too. Now you are on the way of becoming a life member of my Crusade for Highway Safety, whose motto is: Don't drive and drink: don't drink and drive. No dues, but the stakes are high. We must do whatever we can for ourselves, for our relatives and for our friends to avoid an appointment with death that alcohol and driving may be conjuring for us—and for potential victims through no fault of their own.

How Alcohol Behaves in the Body. Since we are talking about alcohol and how it affects the mind and body, especially when driving, let's consider for a few moments how alcohol does behave in the body. How many of us really know what happens to that beer, that Bloody Mary, that Scotch and soda, that vodka collins, or that Screwdriver after the beverage has been ingested.

When alcohol enters the mouth and then into the stomach, it is quickly absorbed through the walls of the stomach and the small intestine into the bloodstream. The blood carries the alcohol to all parts of the body, including the brain. This process from ingestion to the time the alcohol reaches the brain takes about two minutes.

As soon as the alcohol reaches the brain it first depresses the area of higher functions such as judgment, social and moral restraints, loss of care and sense of anxiety. A drinker may enter a stage of euphoria where everything is O.K. Alcohol often acts like a narcotic drug on the nervous systems. It can easily become addictive. Next, the alcohol attacks the simple motor functions and impairs the person's performance of skills, causing him to make more errors, take more chances, react to outside stimuli more slowly, lose his normal coordination, become more impulsive, and feel more drowsy. And to top it all his vision is also impaired.

Balance and sensory perception are the next faculties to be impaired. Here you will observe conspicuous intoxication, staggering gait, slurring of speech, emotions uncontrolled, faulty vision, as well as judgment and conduct being erratic. Excessive drinking will eventually lead to deep sleep, to stupor, to coma—and finally, death. It's a high price to pay for several drinks, isn't it?

Factors Influencing Alcohol's Effect on the Body. There are many factors which affect the absorption of alcohol into the bloodstream. It could very well be the amount of food that is in the stomach at the time of drinking. Or, it may be the type of food eaten. And then it could be the type of alcohol beverage ingested—beer, wine, or liquor, or the amount of alcoholic content in each. Body weight and drinking habits are also important determinants. But we should not kid ourselves in thinking that these factors will keep the alcohol from reaching our brain. They may slow down the absorption rate, but not stop. And then again, they may speed the process.

But, most of all, we must be aware of the fact that the degree of alcoholic influence depends on the amount of alcohol absorbed into the blood, and the length of time allowed for its elimination. The human body works to change the alcohol into fuel and/or pass it out of the body, but the body can do so only at a relatively slow rate. Therefore, a person who has had many drinks in a short period of time may require several hours to eliminate all of the alcohol from his body. This process is known as "oxidation." A small percent of the alcohol, however, is eliminated through the lungs and kidneys, as well as through perspiration. But this amounts to only 10 percent. The other 90 percent must wait for complete oxidation through the liver. This combined process takes about three hours for each ounce of pure alcohol.

When is it "Driving Safe"? At what point in time and number of drinks does it still become "driving safe" on the highway. What time of day or how many drinks must one have to become a hazard on the road? As an instructor in Special Driver Education Program for persons arrested for driving under the influence of alcohol, I would respond, "Never!" This is more so, especially, if one expects to drive soon thereafter. I do not wish to be misunderstood. This does not mean that you can't have a drink with your dinner, and then an hour later, get behind the wheel of your car and drive home. In that hour most of the alcohol would have been eliminated from your body.

"Holding One's Liquors" We probably all know some persons who seem to "hold their liquor" better than others. They have convinced themselves that a few drinks will not seriously impair their driving ability. It is true that weight, fatigue, emotional condition at the time of drinking, as well as other physiological and psychological factors may cause an individual to show less visible signs of the effects of alcohol than otherwise. But these drinkers should not be so foolish as to think that they are not impaired in their driving a motor vehicle safely. Their bodies, without a doubt, contain alcohol, and alcohol makes no exceptions—Demon Alcohol has no conscience. Such persons should be prevented from driving an automobile in their condition.

Is Alcohol a Stimulant? So many people have the mistaken notion of the stimulating effects of alcohol. But they are only fooling themselves when they say that alcohol is a stimulant. It gives you a lift! It makes you a better driver! Let us set the record straight. Alcohol does not stimulate; it acts as a depressant. It depresses the central nervous system. It removes inhibitions and social restraints.

Overcoming the Effects of Alcohol. Contrary to popular belief black coffee or other stimulants, cold showers, physical exercise will not help overcome the effects of alcohol. All this does is to make a person a more wide awake drunk. Only time and the normal body process will assist in the elimination of alcohol from the body and cause a person to be sober again.

Does a Small Amount of Alcohol Sharpen One's Skill? Just why doesn't a small amount of alcohol sharpen one's driving skill? Well, it doesn't. In fact accurate studies have shown that even a small amount of blood/alcohol concentration can lower the level of driving performance. The peak of driving ability may be achieved when no alcohol is taken. How many of you have heard those famous last words?: "Boy, you should have seen me make that tricky maneuver on the curve I *almost* made."

Will One Drink Hurt? "One drink won't hurt, will it?" How untrue a statement this is. The first drink makes it easier to take the second—and then the third—and then the fourth—and so on until a person gets completely drunk. Today the majority of medical authorities agree that some loss of ability begins when the blood/alcohol level nears three tenths of one percent (0.03%). (The approximate effect of a bottle of beer, a glass of fortified wine or a cocktail.)

"Under the Influence." When should a person be considered "under the influence" of alcohol? I would say, as soon as the alcohol taken, whatever the amount, begins to affect in any way a person's mental or physical process. However, when you are talking about from a legal point of view, the "presumptive level of intoxication" is determined by the blood/alcohol level at the time. Many states, like Virginia, have placed this level at one-tenth of one percent (0.01%). If the blood/alcohol level reaches fifteen hundredths of one percent (0.15%), driving ability is seriously impaired. But when the blood/alcohol concentration reaches forty to fifty hundredths of one percent (0.40% to 0.50%), coma is probable and death may occur.

The "Implied Consent Law." You've heard of the "implied consent" laws, what do they mean? "Implied consent" is applied when a motorist is arrested on suspicion of driving under the influence of alcohol. This presumes that the motorist has given consent to an immediate chemical test for blood/alcohol level. This automatic permission is given police authorities when a motorist applies for a driver's license in the particular state or chooses to drive his car through that state. However, it is the prerogative of the motorist to refuse the test, but he risks the loss of his license. This kind of test is good, because, by determining scientifically whether a suspect's blood/alcohol concentration is above or below the legal "intoxication" level, it serves as a protection to both the public and the motorist.

Measuring the Amount of Alcohol in Blood. The amount of alcohol in a person's blood can be measured by various scientific tests. This corresponds to the quantity of alcohol in his brain. This conclusion is arrived at by analyzing the blood, the urine, or the breath. These methods are considerably more accurate than trying to guess the number of drinks that person has consumed. In many state courts, the results of these tests serve as *prima facie* evidence—good evidence. Some of these scientific devices used to test drunkenness are called "Drunkometer," Intoximeter," "Alcometer," and "Breathalyzer."

The Drunken Driver is Dangerous. If we assume that the drunken driver is a dangerous character on the road, just what makes him so dangerous? How does the alcohol in his body affect his driving? From my own observations, the drunken driver's judgment is destroyed, so much so that he finds it difficult to estimate both distance and speed. Such erratic action cannot be afforded on a busy highway.

His inhibitions and restraints are relaxed. Such bravado makes the inebriate feel that traffic signals and regulations exist only for fools. His reflexes slow down in such a way that he may find it difficult to brake the car at the proper time. A delay of half a second in braking a car going 60 miles an hour will cause it to travel an extra 44 feet. His ability to size up a traffic situation is highly reduced. He becomes the victim of blurred vision, double vision, or tunnel vision. His self-confidence increases. So he takes chances he wouldn't ordinarily do.

The drunken driver loses muscular coordination and timing. Either of these faults may cause him to steer into a ditch or hit a tree. This person becomes less able to give full attention as required for careful driving.

Some drivers believe their hearing improves after a few drinks. In fact they think they can hear "better than usual." But the truth of the matter is he hears softer noises better than before. As more and more of the alcohol is absorbed into the blood stream, the driver's ability to hear is reduced in the same way as all other reactions that are related to the central nervous system. So . . . sober driver beware . . . of the drunken driver.

Special Driver Education Program for DWI Offenders. Week after week, young men, women and young people keep coming to the Special Driver Education classes conducted at the Northern Virginia Community College for persons who have been arrested for driving under the influence of alcohol. The course is sponsored by the Fairfax Alcohol Safety Action Program (ASAP) directed by the Highway Safety Division of the Commonwealth of Virginia. These offenders all seem such nice people. But what happened on that day or night of frightening terror. They must have been having a gay time drinking and laughing . . . and then they got into their car to drive it . . . probably home. But on the way they were stopped by a Police Officer . . . and arrested for driving under the influence of alcohol. The humiliation of being arrested, being handcuffed like a common criminal, spending a night or two in jail, getting a relative or lawyer to bail them out, and going up before a judge is enough to want to drink water, orange juice and soda pop the rest of your life.

At this point I am willing to predict that the drinking driver will eventually be involved in a big car crash. By all measures, the higher the blood/alcohol level in a person's body—

1. The greater the chance he will crash;
2. The greater the chance that the crash will be severe and fatal.

With these facts laid before you, can you afford to take chances with drinking and driving? I know I can't. Won't you join my crusade for highway safety? Have respect for life!

REFERENCES

Lindsay R. Curtis, *Alcohol and Highway Safety*, (Dallas, Texas: Tane Press, 1970).

Tane, Inc., *Guide of Abused Drugs*, (Dallas, Texas: Tane Press, 1970).

Gene Mariken, *A Doctor's Sensible Approach to Alcohol and Alcoholism*, (Chicago, Illinois: Bridlong Press Co., 1969).

Maxwell Halsey and Richard Kaywood, *Let's Drive Right*, (New York: Scott, Foresman and Co., 1958).

Tane, Inc., *The Problem—Alcohol and Narcotics*, (Dallas, Texas: Tane Press, 1971).

American Automobile Association, *Sportsmanlike Driving, Fifth Edition*, (New York: McGraw-Hill, 1965).

Kenneth A. Rouse, *The Way to Go*, (Chicago: Kemper Insurance Co., 1970).

Mark Keller, *How Alcohol Affects the Body*, #3, (New Brunswick, N.J.: Rutgers University, Center of Alcoholic Studies, 1955).

Q and A, Alcohol, Medicines, Driving, (Washington, D.C.: Highway Users Federal for Safety and Mobility/Automotive Industries Division, 1970).

Drinking and Driving, (Washington, D.C.: Office of Traffic Safety, Department of Motor Vehicles, Government of the District of Columbia, No Date).

Anthony J. DelPopolo, Sr., *Just One for the Road* (Annandale, Virginia: Northern Virginia Community College, 1972).

ANNUNZIO ADVOCATES 9-MONTH SESSION OF CONGRESS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANNUNZIO. Mr. Speaker, concurrent resolutions have been periodically introduced in both Houses of Congress, especially in the last 20 years, to establish a date certain for the adjournment of Congress. Most of these bills suggest 9 months as a reasonable limit on each session of Congress. The Reorganization Act of 1946 states:

> Except in time of war or during a national emergency proclaimed by the President, the two Houses shall adjourn sine die not later than the last day, Sunday excepted, in the month of July in each year unless otherwise provided by Congress.

This law was observed only in the Congress immediately following the passage of this act. Every Congress since then has nullified this vital adjournment provision.

Up through the 92d Congress, reasonable adjournment bills have not been acted upon either in the House or the Senate, but in the next session of Congress, serious consideration must be extended to legislation of this kind.

A Congressman is elected by his community as its representative in the national Congress. He becomes not only a Member of Congress but remains a member of his community. A Congressman, ideally, is an intermediary between the citizen and his Government. My point here is that when Congress remains in session 11 months out of the year, there is little opportunity for a Congressman to keep himself current with the effects of new legislation on those he represents.

Especially in the last 10 years, Congress has passed many new and vital programs to meet what have become needs that are national in scope. These programs, for the most part, have been good, basic starts toward the management and solution of problems stemming from overpopulation, technological innovation, and any number of other sources. Many of these problems could not have been forseen over 20 years ago,

It is essential that a Congressman have the time available to investigate the effect of new Federal programs in his district. He must have the time to find answers to such questions as: Is the intent of Congress being followed? Is waste and redtape increasing or decreasing? Is there inefficiency or duplication of effort? Are the needs and wants of the citizens who are directly affected being considered? Is the legislation passed being effectively implemented?

The prestige and effectiveness of Congress has been declining in recent years because it has not been able to insure this followthrough oversight process. Executive departments such as HEW and HUD have 10 regional offices to insure their own oversight process. Effective oversight of laws that Congressmen themselves have enacted must be strengthened if Congress is to maintain itself as a balance to the power of the executive branch of our Government.

As a leader in his community, a Congressman must respond as well as lead. This requires time. Big corporations and big government must not be allowed to acquire a momentum of their own.

Mr. Speaker, I appeal to my colleagues to join me in consideration of these proposals. The Congress can and must remain the responsive and creative innovator of national policy that the Founding Fathers envisioned it to be.

THE FAILURE TO PROVIDE ESSENTIAL MUNICIPAL SERVICES

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. KOCH. Mr. Speaker, a few weeks ago I brought to the attention of the sanitation department appalling conditions on Manhattan's Lower East Side that included among other things: streets cluttered with abandoned cars, lack of trash cans at street corners, and a glass strewn playground at Junior High School No. 71.

The residents of the area sent me many letters confirming my observations. Shortly thereafter, the Environmental Protection Agency designated this area for a special 3-week sanitation campaign—September 18 to October 7. Pamphlets announcing the campaign were distributed to generate interest among the residents.

Although some of the above conditions have been temporarily dealt with the sanitation mess is far from over. My staff revisited this area after the special program terminated—the impact area had as its perimeter 12th Street on the north, Fourth Street on the south, Avenue B on the west, and Avenue D on the east—and found in a spot check the following:

Seventeen abandoned buildings not sealed, or only partially sealed.

Fifteen vacant lots that are partially fenced or completely unprotected.

Two broken hydrants.

A total of only eight sanitation baskets along Avenue B between 10th to First Streets and none on Avenue C between the same streets.

The worst conditions are on Fifth Street where five buildings are abandoned and unsealed and seven separate lots are not fenced.

In their present condition, these abandoned buildings are fire and safety hazards and havens for junkies. Vacant lots that are unfenced become dumping grounds for garbage, and dangerous playgrounds for children.

A tragic but dramatic example of how unsealed buildings become fire hazards occurred just after my staff examined the area. Two unrelated fires, one on East Third, the other on East Fourth, started in abandoned buildings. One fire spread to an adjoining occupied building forcing the evacuation of three families.

I have forwarded a list of abandoned buildings and vacant lots to the bureau of code enforcement of the buildings department.

How can people have faith in government if the very essential municipal services required to be provided by the city are not provided in this poverty stricken area which needs them so desperately.

While municipal governments are occupied with developing new programs to beautify and change the contours of their cities, they actually will find themselves falling behind in the total picture if they let other neighborhoods deteriorate because of the failure to provide basic municipal services. If this is allowed to happen, as I am afraid it already is in too many cities, the impact of the millions of dollars spent in Federal funds on programs like urban renewal and community development will be tragically diminished.

GET THE UNITED STATES OUT OF THE U.N.—III

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SCHMITZ. Mr. Speaker, "Recognizing that the provision of peace forces by the special agreements called for by article 43 of the Charter should be considered in close relationship to the question of the general reduction and regulation of armaments, and that the ultimate objective of disarmament should be the reduction of armaments to the level of these peace forces together with the forces necessary to maintain domestic order and tranquility under law * * * resolves, under the authority conferred by article 22 of the U.N. Charter, to establish as a subsidiary organ of the General Assembly a Permanent Disarmament Commission."—Draft resolution on disarmament prepared by the staff of the U.S. delegation to the United Nations General Assembly, dated November 20, 1946, and then classified "top secret."

Included in this delegation to disarm us in the U.N. were such notables as Charles W. Yost and Senator Warren Austin, assisted by the Director of the Office of Special Political Affairs, Alger Hiss. It is interesting to note that then as now, our internationalists classified "top secret" their intent to surrender to the United Nations our sovereignty and weapons of national defense.

On July 9, 1947, a Congressman from California introduced in the House of Representatives a concurrent resolution calling for "a general conference of the United Nations pursuant to article 109 for the purpose of making the United Nations capable of enacting, interpreting, and enforcing world law to prevent war." That Congressman was Richard M. Nixon. Less than 30 days later in the Senate, Wayne Morse of Oregon was urging passage of a resolution authorizing the

United States to accept the compulsory jurisdiction of the World Court. Not only were we to adhere to the World Socialist Court, we were to be disarmed so that we would have no other choice.

Again Richard Nixon acted toward this end by introducing House Concurrent Resolution 170 on March 16, 1948. Section 4 of his resolution proposed that our sovereignty be "replaced by mutual confidence in a United Nations strong enough to guarantee any member nation, however large or small and whatever its form of government, against armed violence by any other nation." Our once proud Nation, which always looked to the Creator to guarantee our inalienable rights, was now to suppress our God-fearing sovereignty in favor of that seat of atheism called the United Nations where God knocked on the door in 1945 and was turned away.

It was the U.N. which was in command of our Armed Forces fighting in Korea. When the Senate permanent Subcommittee on Investigations was looking into Korean war atrocities, Senator Charles Potter of Michigan stated on December 2, 1953:

> The long forced marches—the cold-blooded massacres—the inhuman tortures—and the animal-like treatment inflicted upon our prisoners of war by the North Koreans and Red Chinese violate every code of civilized humanity.

It was after learning about Americans shot in the head with their hands tied behind their backs that General MacArthur warned North Korean Communist Premier Kim Il Sung:

> I shall hold you and your commanders criminally accountable under the rules and precedents of war.

That promise could not be kept by General MacArthur, any more than assistance could be rendered to those in Hungary the Communists slaughtered, because people like Richard Nixon, Henry Cabot Lodge, and others would rather hand over the authority to deal with an enemy committing such atrocities to an international organization in which that very enemy's own representatives often played a predominant role, and which consequently never has investigated and never will investigate Communist tyranny. It is no wonder that the man who chaired the Committee on Government Operations that exposed such atrocities had to be destroyed by the machinations of the same kind of people who were promoting the U.N. That man was Senator Joseph McCarthy, whose name has been blackened to a whole generation of young people who never knew him, because he dared to tell the truth about the nature of the Communist enemy and the extent of that enemy's penetration of our Republic.

In August 1970, the U.S. Arms Control and Disarmament Agency put out the Nixon administration's update of the infamous State Department Document 7277 of September 1961, in which that Agency's goal is still stated as "the total elimination of all armed forces and armaments except those needed to maintain internal order within States and to furnish the United Nations with peace forces—by the time the plan was completed, it would be so strong that no nation could challenge it."

If Americans think that Richard Nixon will not follow through on disarming us, they need only look to Senator Jacob Javits' speech on April 19, 1972, praising him in these words:

> The President's commitment to peace and a new world order have been most dramatically shown by his history-making and precedent-setting initiative toward the People's Republic of China and the Soviet Union. . . . The strategic arms limitation talks (SALT), initiated by the President, have made outstanding progress which should be consummated in major part by the President's Moscow trip.

JACK KEMP'S OUTSTANDING RECORD AND CONCERN FOR OUR ENVIRONMENT

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, the last few years have brought an increased awareness of the importance of environmental protection and this awareness has brought to the Congress a number of vigorous, young legislators who have demonstrated a determined interest in restoring the American heritage of clean air, clean waters, and abundant wildlife.

As minority leader, it has been my observation that one of the most articulate and most productive of these environmentally oriented Congressmen has been Jack Kemp of the 38th Congressional District of New York State.

During the course of only one term, he has accumulated an outstanding legislative and voting record on environmental issues.

Since his district touches Lake Erie, he knows from personal experience the tragic effects of pollution on one of our Nation's most precious resources, the Great Lakes; and one of Jack's top priorities in Congress has been the promotion of legislation which would put into effect the Environmental Protection Agency's special Great Lakes cleanup program. He twice introduced legislation which would have provided the necessary funds and when these efforts did not succeed, Jack persisted and testified before the distinguished gentleman from Mississippi's (Mr. Whitten) Subcommittee of the Committee on Appropriations. The committee subsequently developed a plan which would make the $100 million and the Great Lakes special crash cleanup program, which Jack had testified on behalf of, a reality.

Jack also introduced legislation and presented testimony which has resulted in congressional approval of two Kemp measures which will cut several years of delay off flood control and environmental improvements in the 450-square-mile Buffalo River basin and along Ellicott Creek in his district. Jack's efforts will mean the beginning of the cleaning and restoration of a river which was described in 1966 by the Commissioner of the Federal Water Pollution Control Administration as "the worst polluted river in the country."

During his first term in Congress, Jack has personally introduced or cosponsored an impressive list of environmental legislation. Among these have been his own version of the tough Senate clean waters bill; the Marine Protection Act of 1971, which would regulate the dumping of materials in the oceans and other waters; the National Land Use Policy Act of 1971; the Consumer Pollution Control Tax Credit Act, which would provide a tax credit for homeowners, businessmen, and others who purchase and install certified pollution devices; two bills which would insure the procurement and use by the Federal Government of recycled paper and other recycled products; legislation to establish an environmental financing authority; the Toxic Substances Control Act and others.

One of Jack's major environmental concerns has been the damage to the ocean environment and wildlife caused by offshore oil spills and he joined with an ad hoc group of like-minded Congressmen to meet with Secretary of the Interior, Rogers C. B. Morton, concerning coastal hazards of offshore drilling. From these efforts, legislation was developed which Jack cosponsored in the House which would authorize an investigation and study of these possible dangers to the marine environment.

Early this year Jack again contacted Secretary of the Interior Morton, this time to urge a delay in the approval of the proposed Alaska pipeline and ask a complete review of the possibility of a trans-Canada route.

Jack has been a leader in the House concerning protection of the underground environment and has both submitted testimony and introduced legislation regarding regulation of the disposal of wastes by subsurface injection.

When responsible legislation comes to the floor concerning ecology or wildlife, Jack's vote can always be counted on.

He voted in favor of the clean water amendments to the Federal Water Pollution Control Act Amendments of 1972.

He voted to override President Nixon's veto of the final version of the clean water bill.

He voted in favor of the Noise Control Act.

He voted in favor of the Marine Mammal Protection Act.

He voted in favor of marine dumping regulation to set up controls on the dumping of wastes in the oceans and establish a marine sanctuaries program.

He voted to provide for a national environmental data system as a national clearinghouse for information on environmental subjects and a program of environmental centers to be run by the States.

He voted for the Ports and Waterways Safety Act to more strictly regulate pollution and provide for greater marine safety.

He voted to create a Joint Committee on the Environment.

He voted for S. 1116 to protect wild horses and burros.

He voted to provide increases in appropriations ceilings for the National Park System and voted to establish a national recreation area in Idaho.

He voted to strengthen the penalties for violations of the Bald Eagle Protection Act.

He voted to provide for the acceleration of tree planting programs on national forest lands in need of reforestation.

He voted to provide effective enforcement of prohibition of the hunting, capture, or harassment of birds, fish, or other animals from aircraft.

He voted to establish a Seal Beach National Wildlife Refuge in California.

He voted for the authorization of an additional $3.5 million in annual appropriations for water resources planning.

He voted for the curtailment of toxic chemical use for predator control.

He voted to transfer surplus Liberty ships to States for use in marine life conservation programs.

He voted to establish a national program for the management and protection of the land and water resources of the Nation's coastal zone.

Jack has also been instrumental in obtaining an impressive amount of grants and funds for environmental projects in his district. These include approval of a $25.3 million grant, EPA's largest, for Buffalo's secondary water treatment plant now under construction; approval of a National Science Foundation grant for Dr. Kenneth Piech of Cornell Aeronautical Laboratory and other researchers to conduct an optical study for measuring pollutants and other properties of Lake Ontario; approval of a $37,122 Federal grant for Dr. Robert Sweeney, director of the Great Lakes laboratory, to conduct a study of water quality with respect to the changes in the phosphate content of detergents, and approval of a total of $4,466,000 for flood control and environmental projects which were included in the public works appropriation bill.

These projects included $50,000 to continue a survey of flood control work on Cayuga, Cazenovia, and Buffalo Creeks; $30,000 for a study to determine the feasibility of constructing reservoirs and retention pools on Tonawanda Creek; $25,000 for planning channel improvements and the construction of levees on Scajaquada Creek to protect Cheektowaga; $5,000 for flood control work on Cattaraugus Creek to protect flood-plagued Sunset Point; $300,000 for continuation of a study for construction to preserve Niagara Falls; $3 million for continuation of a demonstration project aimed at extending the navigation season on the Great Lakes; $530,000 for a waste water management study on Lake Erie and Lake Ontario; $356,000 for completion of a study of water levels on Lake Erie and the other Great Lakes; $80,000 for Cattaraugus Harbor improvements and $20,000 for small boat harbors on Lake Erie.

And, in addition to his legislative activities here in Washington, Jack is working with many citizens' environmental organizations and is actively promoting the Department of the Interior's Johnny Horizon program among young environmentalists. He also is a member and patron of the Sierra Club.

Mr. Speaker, concern for the environment is certainly one of the most important yardsticks by which a legislator can and should be measured. My friend and colleague, Jack Kemp, has an impressive environmental record and I am sure that we can expect still greater accomplishments from him in the years ahead.

ED GARMATZ' RETIREMENT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. O'NEILL. Mr. Speaker, the retirement of Ed Garmatz will leave the 93d Congress greatly diminished. A Member of Congress for more than 25 years, Edward Garmatz has achieved national recognition as champion of America's merchant marine and the entire maritime industry.

Through sincere dedication and careful guidance, Chairman Garmatz has led a personal crusade for the revitalization of America's merchant marine fleet. No other Member of this Chamber has had such a broad and compassionate grasp of the problems of the maritime industry. Indeed, Ed Garmatz has been a hopeful inspiration to an industry, doomed to obsolescence. No other public figure has fought so courageously, so diligently to rebuild the merchant marine. Ed Garmatz is singularly responsible for the enactment of the Merchant Marine Act of 1970, a landmark in legislative history. This act was the first concrete reconstruction program of the merchant marine fleet since 1936. Designed to build 300 modern merchant vessels within the next decade, this act rescued a dying cause.

The personal achievements of Mr. Garmatz are not limited to his success in championing the merchant marine and maritime industry. He has won international respect for his vanguard efforts to upgrade safety standards aboard passenger ships and to encourage other nations to accept the higher American safety standards. Fighting vigorously and consistently to protect American fishermen from illegal seizure and harassment at the hands of Latin Americans, Ed Garmatz has become a household word in countries like Peru and Equador.

A Member of the U.S. House of Representatives since 1947, Ed Garmatz has represented the Third District of Maryland, including the great seaport of Baltimore. In a public service career that has spanned a quarter of a century, he has served his constituency and his Nation with dedication and purpose.

I join my colleagues in saluting Ed Garmatz for his determination, his courage, and his perseverence in revitalizing the merchant marine fleet. We all wish him well in his retirement and in his future endeavors.

SUPERSTAR OF RACING—BOBBY ALLISON

HON. JAMES B. ALLEN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. ALLEN. Mr. President, one of the fastest growing sports in the United States today is that of auto racing. In Alabama, we are quite proud that the superstar of racing is Hueytown's Bobby Allison. Alabama is also the location of the fastest track in auto racing, Alabama International Motor Speedway. AIMS is a modern 2.66-mile track located in Talladega County. It was developed by William H. G. France, former president of NASCAR.

Mr. President, I have known Bobby Allison for several years. I know him to be an outstanding citizen, a man devoted to his family and friends. He is a man that gives much of the credit for his success to his God and to his coworkers.

Mr. President, much has been written about the superstars in sports produced by the great State of Alabama. South, the news magazine of Alabama, a great publication, included in its October 1972 issue an excellent article about Bobby Allison. I wish to thank Mr. Robert B. Ingram, president and editor in chief of South for such an outstanding story on one of Alabama's sports superstars.

I ask unanimous consent that the article which appeared in South magazine be included in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

HUEYTOWN'S BOBBY ALLISON—A SUPERGUY SUPERSTAR WHO JUST POKES ALONG—ON THE INTERSTATE

Robert Arthur Allison is 34 years old, happily married and the proud father of four children with the stairstep ages of 5, 7, 9, and 11. He stands 5-11, weighs a trim 175 pounds. He has dark wavy hair, eyes that have an amused twinkle most of the time, and a crooked grin that charms the hide off of all beholders.

Robert Arthur Allison lives in a $50,000 home (with swimming pool) in Hueytown, Alabama, which is on the way to nowhere. To get to Hueytown you simply have to be going there. He drives a big Lincoln automobile and also owns a twin-engine airplane.

Robert Arthur (call him Bobby) Allison lives so well because he drives so well. And so fast. For those who are not knowledgeable on the subject, accept as fact that Bobby Allison is a genuine, honest-to-goodness superstar in the sport of stock car racing. The state of Alabama has justifiably boasted of the many sports superstars it has produced—the Namaths, the Aarons, the Mays, et al—but it is probable that none of these have attracted such a loyal following as has Allison. He is very, very big in what has become a very, very big sport.

And what is perhaps most intriguing about this good looking guy other than his very heavy foot is that in no way at all does he fit the imagined mold of the stock car driver. Mention stock car drivers to the average non-fan and immediately comes to mind the coarse talking, fast living hot-rodder who very likely got his start driving some souped-up Ford with a Cadillac engine over a backwoods road hauling contraband liquor, with the revenuers in hot but hopeless pursuit. He has grease under his fingernails, even more of the same on his hair, and his vocabulary consists of a few grunts and a few more four-letter words. No self-respecting man would want his daughter to marry a stock car driver.

But if you are expecting that sort of guy when you meet Bobby Allison, brace yourself for a shock. In no way does he fit that mold. Aside from his ruggedly handsome features. Allison speaks both softly and well. He is amusing in a quiet sort of way, and is remarkably patient with those who wouldn't know a carburetor if they saw one and haven't the vaguest notion what is meant by a 327 cubic inch engine, much less a 400 cubic inch engine.

Nor has Allison allowed his sudden and dramatic rise to the role of a superstar to affect him in any way. He is the first to give credit to his equipment, to his pit crews, and most emphatically, to his God, in what may come as a surprise to those who view stock car racing in a sinister light. Allison is a deeply religious man, and unashamedly so. A devout Catholic, Allison quite simply but very sincerely expressed what his faith meant to him.

"The Lord knows I make a lot of mistakes, but I try to live a Christian life seven days a week. And I sincerely believe that being a Christian gives me a competitive edge when I race. Because of my faith, my mind is uncluttered with the problems others might have and I can devote my complete attention to the race."

Another side of Allison not nearly so surprising: He is a winner. Easy going and personable as he might be off the track, when he gets behind the wheel of his Monte Carlo he is a fierce competitor.

"If you don't enter every race with the intention of winning, there is no use being in the race at all. I have never seen a good loser who wasn't a bad driver . . . . winning is what it's all about."

Another very candid observation by Allison, when asked which of the top drivers he most enjoyed beating:

"That's easy . . . Richard Petty. He is sort of the established King, so that makes it fun to beat him. Also, he hates to lose, so that makes it even more fun."

When it was suggested that Bobby Allison also hates to lose, Bobby Allison grinned and replied with force: "You better believe it."

Perhaps one of the reasons why Allison has been able to so admirably take in stride his sudden stardom is the simple fact that it took him so long to get to the top.

Young Allison, born in the Miami area (he was one of 10 children), was taken to his first auto race when he was nine years old. He was instantly hooked on the sport, and remains so to this day. He drove in his first race in 1955 at the age of 17, much to the consternation of his parents, and in his third week as an amateur driver he won his first race. His car was a 1938 Chevrolet, and he won with an average speed of about 55 miles per hour. (Today Allison reaches speeds of 220 miles per hour on the straightaway in Grand National events.)

After graduation from high school, Allison got a job in Wisconsin with an outboard motor firm. By coincidence, the owner of that firm, Karl Kiekhaefer, was a racing enthusiast. His cars were big winners on the then new NASCAR Grand National circuit. Allison soon became a mechanic on the race cars, and in this capacity he got his first taste of big-time stock car racing. Later he returned to Florida and joined the NASCAR modified-sportsman division.

It was about this time that Alabama entered Bobby Allison's life, and vice versa. Stock car racing was not big in the Miami area. There were few tracks, infrequent races and the purses were quite small. Allison had heard that racing had become a big sport in Alabama, so he packed up and headed for the Birmingham area. He and wife Judy found a house in Bessemer they liked, but before they could close the deal someone else bought it. The enterprising real estate agent was not dismayed—he said he had a house just like it in Hueytown. For that reason it is Hueytown rather than Bessemer that Bobby Allison is now putting on the map.

Allison very quickly established himself as a superb driver. In 1962 he won the national modified-special championship, and won that title again in 1963. In 1964 and 1965 he was the nation's modified champ. It was in 1966 he made the decision to move up to the big leagues—the Grand National circuit. Bucking tradition, Allison competed against the big factory-sponsored teams in a homemade Chevelle, and three times he did the impossible—winning major races as an independent. That record was enough to convince one and all that Allison was something special, and in 1966 he became a factory driver.

During the next few years, while he scored some victories, Allison for the most part was in a serious slump. He was plagued with all kinds of mechanical breakdowns and bad luck. Nothing seemed to go right. At the conclusion of yet another heartbreaking defeat, Allison decided that it would be best to give up the game. It was at this low point in his career that he was approached by the Holman-Moody Ford-Mercury racing team. He accepted the offer to join that team and it has been straight up ever since.

In 1971 he won an astounding 11 Grand National events, the purses totaling $285,000. Already in 1972 he has won eight more Grand Nationals with purses totaling more than $240,000. For the record, no driver in NASCAR history has ever won $200,000 or more for two consecutive years.

Allison quickly points out that he doesn't get to keep all that money. And he forthrightly volunteered to give the specifics of his present sponsorship (with Coca Cola).

"They provide the car and the pit crews, and all I do is drive," he said. "I receive 50 percent of the purse."

Which means that Allison's income from driving this year totals around $120,000. His bank account is further padded by personal appearances around the country; from his new but booming business (Bobby Allison Racing Co., where he builds cars for other drivers), and from the sale of Bobby Allison T-shirts, jump suits, jackets, etc. Which is to say Bobby Allison ain't hurting.

While Allison is in fact an adopted son of Alabama, there are few native sons who love the state quite as much.

"Man, this is home to me. Those years I lived in Florida was just a time when I was away from home."

How much longer does Allison plan to endanger life and limb racing around a track in heavy traffic: "About 40 or 50 more years. Seriously, I see no reason why I can't continue to race for a long time. We have some drivers on the circuit now who are over 50. I will know when it is time to quit."

Is he an utterly fearless individual: "Are you kidding? I've been scared plenty of times. I pray a lot . . . but not just on race day."

Would he want his sons to be stock car drivers: "Sure, if they wanted to be. Racing has been good to me, and while there are some risks involved, it is not nearly as dangerous as some people imagine."

How come he has never participated in the Indy-type races: "For one thing, I have been so busy, so tied up in stock car racing that I really haven't had the time. For another, I realize how quickly you can get killed in that type of racing."

How does he train for a race: "First, you have got to be in excellent shape to participate in this sport, physical as well as mental. Now somebody like Joe Namath goes into a game, plays a few minutes, then leaves the game to catch his breath when the other team has the ball. In a 500-mile race which might take four hours, you don't get any such time-outs. Maybe you can relax just a bit when the caution flag is out, but otherwise it is four hours of tremendous physical and mental exertion. Certainly I watch my diet, and as for training, the best way to prepare for a race is to race. That is why I drive in as many races each week as I can. I am not a Sunday racer like Petty and some of the others. I race four or five times a week if I can."

What has been his greatest thrill in racing: "Four or five vctories come to mind, but I would have to say winning the Southern 500 recently in Darlington was the biggest. That is sort of the granddaddy of them all, the one that everybody most wants to win."

And a question a non-fan would surely ask, how fast does Allison drive his personal car on the Interstate: "Most of the time right around 70 . . . but sometimes it creeps up to 80. But most of the time when I have to make a trip I fly . . . it's safer."

And finally, a question which perhaps caught him by surprise but nonetheless seemed to please him: When does Bobby Allison plan to get into politics?

"One of these days . . . maybe pretty soon."

(For the record, right now Allison is doing what he can to make sure that George McGovern is not the next President of the United States.)

As to his own entry into politics you have got to figure that with his looks, his speaking ability and his name, Bobby Allison would be a worthy foe in that kind of race as well.

EMANUEL CELLER

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. BURTON. Mr. Speaker, I should like to join in the tribute to our distinguished colleague, Emanuel Celler.

When history records the great leaders, who have served in this House, the name of Emanuel Celler will most certainly be on that list.

A champion of civil rights, a defender of civil liberties, Emanuel Celler leaves this House secure in the knowledge that he has written new chapters in the history of this great Nation.

His monumental accomplishments were outlined in an editorial in the Washington Post. I should like to place that editorial in the Record at this time and to personally extend to my distinguished colleague—every best wish in the years ahead:

Chairman Celler Steps Aside

Very few members of the House make such an imprint on the nation's laws and on the Congress itself that their departure may fairly be termed the end of an era. One man who has attained that stature is Rep. Emanuel Celler, chairman of the House Judiciary Committee and dean of the House, who is retiring at the age of 84. Defeated in his Democratic primary, Rep. Celler could have run for reelection as a Liberal Party candidate. Instead, he has decided to step aside at the end of a full half century in the House.

Simply in terms of length, Rep. Celler's record is exceptional. He has served longer in the House than anyone, except former Rep. Carl Vinson of Georgia, who served for 50 years and two months. He has chaired the Judiciary Committee for so long—a record 22 years—that many don't recall the time when that powerful panel was run by anyone else.

But durability is only one of his distinctions. "I think I have accomplished quite a lot," chairman Celler told Post staff writer Richard L. Lyons recently. Indeed, he has steered through the House four constitutional amendments, every major civil rights bill of this century, and such other landmark laws as the abolition of national-origins quotas for immigration and the Celler-Kefauver antitrust act. All in all, he has had a hand in the enactment of some 400 laws, and that is "quite a lot."

Rep. Celler's legislative record is that of a New Deal liberal and a champion of civil rights. Yet in many ways the gentleman from Brooklyn has had far more in common with the rural conservatives of his own generation than with the younger breed of urban liberals. A shrewd, strong-willed, witty and courteous chairman, he has never hesitated to use his considerable powers to advance some bills and kill others—some by scorn, some by apathy, and some, such as the proposed prayer amendment of 1964, by the smothering consideration of long hearings. On the House floor he has been scrappy and articulate, with a zest for sharp debate salted with Shakespearean quotes. His floor confrontations with "Judge" Howard Smith, former Rules Committee czar, over civil rights produced a brand of impassioned debate now heard only rarely in the House.

Some of chairman Celler's opinions did outlive their time. His stubborn opposition to the equal rights amendment made him the archvillain of women's liberation groups and lent great irony to his primary defeat this summer by Elizabeth Holtzman, a 30-year-old lawyer. Perhaps most memorably, chairman Celler persisted in practicing law part time throughout his congressional career, operating out of the famous Brooklyn law office with two doors—one door, bearing his name, for private cases, and the other, listing his partners but not himself, for cases involving government agencies.

As chairman Celler goes to practice law full time, the House Judiciary Committee is further diminished by the retirement of Rep. William McCulloch, the panel's ranking Republican. Working as a team, there two veterans—so different in background, so alike in their essential liberality—have been responsible for a remarkable body of vital legislation, capped by the Civil Rights Act of 1964. Theirs is a legacy of enlightenment which will stand as a challenge to those who next assume the seats of leadership on that crucial committee.

CLINTON P. ANDERSON

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SYMINGTON. Mr. President, it has been my privilege to know the senior Senator from New Mexico, CLINTON P. ANDERSON, for many years, serving with him in the official family of President Tuman as well as in the U.S. Senate.

Few men have had such successful careers in both public and private life. CLINTON ANDERSON's career in private life has included such diverse activities as being one of the Nation's best bridge players, a distinguished newspaperman, and a highly successful, self-made businessman who became president of Rotary International at the age of 36.

Senator ANDERSON's public life began in New Mexico, first as an appointed official in that State, then as the elected representatives of that State to the U.S. House of Representatives in 1940, 1942, and 1944.

In 1945, CLINTON ANDERSON was appointed Secretary of Agriculture by President Truman and served in that post with great success.

In 1948, he was elected to the U.S. Senate from the State of New Mexico. His service in the Senate can only be characterized as distinguished; he has left his mark on every committee on which he has served and his skill in floor debate is legendary.

As a member and chairman of the Joint Committee on Atomic Energy, he played a leading role in the development of the nuclear submarine, in the peaceful uses of atomic energy, and in indemnity legislation. In short, CLINTON ANDERSON provided leadership for the expansion and acceleration of the use of atomic energy in the United States.

CLINTON ANDERSON has been a conservationist throughout his public career. As a member of the Senate Interior Committee and as its chairman during the early 1960's, he fought unceasingly to use our resources wisely and to preserve our great outdoors.

As a member of the Finance Committee, CLINTON ANDERSON's name is connected with some of the country's most progressive social legislation.

As a member and chairman of the Senate Committee on Aeronautical and Space Sciences, CLINTON ANDERSON has been and is a firm and consistent supporter of the Nation's aeronautical and space programs. Yet as chairman, he does not hesitate to probe deeply and critically into these affairs. As chairman of this committee, his leadership has had much to do with our country's being foremost in both space exploration and space achievements.

Mr. President, CLINTON ANDERSON's achievements are indeed remarkable and yet he has accomplished these things while beset much of his life with very difficult health problems.

CLINTON ANDERSON soon will retire from the Senate. We are sorry to see him go. We will miss his leadership and counsel but he will be long remembered for he is one of the more able men who has served in this Chamber.

CLINTON ANDERSON

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MOSS. Mr. President, it is hard for me to say goodby to my old and cherished friend, Senator CLINTON ANDERSON, who is retiring today after what I am sure history will record as one of the great careers of public service in this century.

Few men have had wider impact on the times in which they have lived and labored. A newspaper editor, a successful businessman, an organization leader who became president of Rotary International, a New Mexico State official, the director of Federal relief programs there during the depression years, a three-term Member of Congress, Secretary of Agriculture under President Truman, a four-term Member of the U.S. Senate—his opportunities for public service have been immense, and this remarkable and gifted man from the Southwest has made the most of every one of them. He has worked for four decades with enormous effectiveness and with unquestioned compassion and commitment.

I shall not try to evaluate the Anderson legacy to his country. Historians will treat him well, I am sure. I would prefer to recall his great acts of friendship to me—particularly when I was a new member of the Senate Interior Committee. It was mainly through his intercession that I chaired, for 2 years, what was then called the Subcommittee on Irrigation and Reclamation. In so doing I gained some of the experience and expertise which have served me during the ensuing years both in this body and in my own State. I can honestly say that I never asked him for advice or assistance down through the years that he did not give generously of his wisdom and good, practical commonsense.

CLINT ANDERSON has been a most trusted friend, and a most honorable Member of this body. Phyllis and I wish for him and his wonderful wife, Henrietta, many happy years ahead.

CHARLES H. GRIFFIN

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SLACK. Mr. Speaker, with adjournment of the 92d Congress we will no longer count among our membership Congressman CHARLES GRIFFIN of the Third Mississippi District. During the past 4 years I have enjoyed my association with him and join with the many other Members who regret very much his departure from the House of Representatives.

Our loss will be the gain of his many Mississippi friends, and I wish him all good prospects for happiness and success in his new endeavors.

HON. WILLIAM M. COLMER

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SISK. Mr. Speaker, I consider it a real honor and privilege to make a few brief comments with regard to a gentleman whose tireless devotion to duty and to the ideals in which he believes will be greatly missed by all of us in the next Congress. BILL COLMER's commitment to the residents of his district, the State of Mississippi, and to the Nation will not be forgotten by all of us who have served with him here in the House.

I have been extremely fortunate in having the pleasure to serve with him on the Rules Committee as a member and then as chairman. His personal friendship, advice and counsel have meant a great deal to me over the years, and this friendship will truly be one of the outstanding memories of my service in Congress.

I am sure I join with many in extending my best wishes for much health and happiness in the years to come to BILL. I know that he will be able to reflect with much pride and personal satisfaction on his outstanding career here in the House of Representatives.

BERKELEY CONCERN ON U.S. INVESTMENT IN SOUTH AFRICA

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, in what seems to be the first move by any city council in the United States to condemn all Government and private involvement in South Africa, the Berkeley, Calif., City Council has passed a resolution by a large margin calling for a full investigation. This follows the decision of the city council in Dayton, Ohio, to stop using Gulf Oil products in municipal undertakings, because of Gulf's involvement in Angola, where it is supporting the Portuguese colonial war against the African liberation movements.

I would like to insert the full text of the resolution, No. 45,348, for the thoughtful attention of my colleagues:

COUNCIL OF THE CITY OF BERKELEY—RESOLUTION No. 45,348, N.S.

(*Resolutions regarding the Republic of South Africa*)

Be it resolved by the Council of the City of Berkeley as follows:

The Berkeley City Council condemns the use of any arm of our local, state, or national government to support or protect those who are working against the interest of the people of South Africa.

The Berkeley City Cuncil condemns those American businesses giving direct or indirect aid or support to the racist government or the economy of South Africa, without regard to the general well-being of the South African people.

The Berkeley City Council fully supports the House Joint Resolution 1189, introduced in the House of Representatives, by the Honorable Mr. Diggs, Jr., March 29, 1972; and supports House Resolution 13147, a bill introduced in the House of Representatives on February 16, 1972, by the Honorable Mr. Dellums.

The Berkeley City Council supports the just struggle of the South African people in their struggle for self-determination and the establishment of a nation free apartheid and oppression.

The Berkeley City Council charges the City Manager with the responsibility for investigating if and to what extent any of the companies, corporations, or individuals the City of Berkeley does business with is engaged in business enterprises of any kind in South Africa and will make recommendations to the Council pursuant to his findings.

Copy sent 9-25-72, Bailey, City Manager.

Dated September 12, 1972.

WARREN WIDENER,
Mayor and President of the Council.

HON. GEORGE P. MILLER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, I take joy in joining with my colleagues in paying tribute to our friend, GEORGE MILLER, as he leaves us at the end of this Congress. There have been so many good things said about GEORGE that I will not try to add anything further except to say that I join in those tributes to our colleague.

His contributions will last throughout the decades and centuries ahead. His activities have been extended far beyond his own responsibilities of those committees on which he has served and he has rendered great services throughout all the days he has been here in Congress.

I have always found GEORGE MILLER to be understanding and friendly, ready for a light remark when it was in order and for a serious one when it was in order.

In accomplishments, GEORGE MILLER ranks with the most dedicated and effective Members with whom I have served here on the Hill. It was my pleasure to be a part of his Committee on Science and Astronautics for 2 years. He was an inspiration and I was always pleased to be present under his chairmanship and to have his advice when I could not be present.

He shall be missed as much as anyone who has served here in Congress during the last quarter of a century. I join with my colleagues in wishing for him and his wonderful companion, Esther, the best of everything in the days ahead.

TRIBUTE TO SENATOR LEN JORDAN OF IDAHO

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, the close of this session of the Congress marks also the retirement of Senator LEN B. JORDAN of Idaho, who has represented his State in the Senate and served his Nation the last 10 years with quiet dignity, with keen intelligence, and the capacity for hard work and practical judgment developed over a lifetime of experience in dealing with the rugged problems of the real world.

LEN JORDAN is a pioneer-type man. He worked as a ranch hand after graduating from high school; enlisted in the Army during World War I, earning an officer's commission; worked his way through the University of Oregon where he was a star athlete as varsity halfback and Phi Beta Kappa as well.

Raising his family during the depression on a ranch in the remote reaches of the Snake River below Hell's Canyon, LEN JORDAN rebuilt the old stone ranch-house with his own hands—just as he later built his own life stone by stone on the firm foundation of principle which guided his quarter-century of public service—a service illuminated by the partnership of his talented wife, Grace, who made the home, taught school to the children around the kitchen table, and found time to become a successful author in her own right.

I have served with LEN JORDAN on the Select Committee on Standards and Conduct and know his integrity, responsibility, and faith in principle. But beyond his work on any committee or specialized problem, I have come to know LEN JORDAN for his quiet strength—as solid and dependable as the land from whence he came.

We like to think at times that men's characters are formed by the land from which they spring, and certainly by their families and their own hard experience. In this case that character has been of great value to the Senate and to the Nation, and while its membership will change, we hope that the character of the Senate will continue to be formed, like the national character, by men like LEN JORDAN.

HON. KARL M. LeCOMPTE

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. GERALD R. FORD. Mr. Speaker, I was greatly saddened to hear of the death of a much beloved and respected former colleague, the late Karl M. LeCompte of Iowa, who served in the House from 1939 through 1958. He was a quiet but effective legislator whom I remember best for his kindness and helpfulness to new Members. He passed away at the age of 85 after enjoying his retirement years and I want to pay tribute to his memory and express my sincere condolences to his wife, Dorothy, and to other members of his family, and his many friends.

TRIBUTE TO SENATOR B. EVERETT JORDAN

HON. MARLOW W. COOK

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOK. Mr. President, I am proud to have this opportunity to offer a few words of tribute to a fine gentleman from North Carolina, my colleague B.

Everett Jordan. Senator Jordan is leaving the Senate this year after 12 distinguished years of service to his State and the Nation.

I have had several opportunities to work with Everett, and I have found him always reasonable, understanding, and compassionate. He has proven to be a man of principle, who displays great diligence in furtherance of those principles.

Although I have only been a member of the Committee on Rules and Administration for a short time, I have been extremely impressed by the manner in which Everett Jordan engenders a spirit of cooperation and trust on the committee. It has been a very enjoyable experience to work under his chairmanship.

Finally, Everett has always joined in efforts to protect the tobacco growers from the continuing attack on the tobacco subsidization program. He has spoken out both on the Senate floor and at various committee hearings, in support of the tobacco farmer and the tobacco industry. Everett was largely responsible for the passage of the acreage-poundage legislation, which was so vital to the tobacco support program, and a bill which authorized the lease of tobacco acreage allotments, considered a major victory for the leaf growers.

Others will pay more detailed tributes to Everett Jordan, so I will only say that he has been a credit to his State, a great asset to the U.S. Senate, and we will miss him tremendously. We wish him Godspeed in the future.

TRIBUTE TO HON. ALEXANDER PIRNIE

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, at the end of the 92d Congress, Capitol Hill will lose one of its most talented, dedicated and effective Members of Congress when Alexander Pirnie of New York leaves us.

I have known him since his first day here on the Hill. I have always been charmed and pleased by his friendly presence. Alex just naturally brings forth the best thoughts and feelings of companionship when one is in his company. His pleasant smile, his friendly handshake and other personal qualities have endeared him to all of us. However, Alex Pirnie is not only a friendly man, but he is a very able and effective worker. His work here on the Hill and for his people has endeared him to all throughout the years. He has done a great job and he has done it in a most understanding and effective manner.

Every Member of this Congress who has known Alex shall miss him very much. Those of us who retire with him envy those who will enjoy his friendly presence in the days ahead. I wish him and his loved ones the best of happiness.

FOURTH ANNIVERSARY OF THE INDEPENDENCE OF SWAZILAND

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of the House Foreign Affairs Committee, I would like to take the occasion to salute Swaziland which has recently celebrated its anniversary of independence.

On September 6, 1972, Swaziland celebrated the fourth anniversary of its independence. I offer my warmest congratulations to His Majesty King Sobhuza II, Prime Minister Prince Makhosini, and the Government and people of Swaziland on the occasion of this anniversary. During this period, the Government of Swaziland has made great strides in bringing the fruits of economic development to all its people, especially those in the rural areas of the country. I am particularly pleased that the United States is cooperating with this effort.

In August 1969, I visited Swaziland during a special study mission to southern Africa, noting the country's desire for closer relations with the United States, especially on the matter of raising the level of our diplomatic representation.

On this occasion, I am happy to note too that relations between our countries remain excellent and that, within the last year, U.S. representation to Swaziland was raised for the first time to the ambassadorial level. Located as Swaziland is in southern Africa, its course as a majority-ruled state is one which our Government must continue to support.

I would strongly urge that the United States, on this fourth anniversary of Swaziland's independence, reaffirm U.S. efforts to stimulate and enhance this development. I am sure that the people of the United States join me in conveying to the Swazi nation best wishes for the future of their country.

DR. WERNHER VON BRAUN RETIRES FROM NASA

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, Dr. Wernher von Braun recently retired after many years of selfless devotion to science in the service of his adopted land, the United States of America. I wish at this time to state my own profound respect and admiration for this man who, at the age of 60, has left the National Aeronautics and Space Administration—NASA—for private industry.

Dr. von Braun was one of the original 118 members of the team of German-born scientists and engineers who came to this country after World War II. He provided much of the drive, energy, knowledge, and strength behind the successful entry of the United States into the space age. His background in the development of the German V-2 rocket and its early but awesome technology was a direct and all-important contributor to the progress America has made in its spectacular satellite programs, rocketry, and moon-landing ventures.

Of his long and triumphant career as a proponent of space exploration, I believe it can be fairly said that the Saturn 5 moon rocket was the crowning and major engineering achievement.. The Marshall Space Flight Center at Huntsville, Ala., under Dr. von Braun developed skylab, America's first earth orbiting station, which will become the Nation's major space project after the final Apollo moon landing later this year.

It is not every day that America is so enriched by the arrival on our shores of men like Dr. Wernher von Braun. His contribution to our safety and welfare, to our national security is a large one, indeed. As Dr. James C. Fletcher, NASA Administrator said of him at the time Dr. von Braun retired:

> For more than a quarter of a century, he has served the United States as the leader in space rocket development.

He will be missed at NASA. However, it is comforting to know that he will maintain his associations with others of his team who have done so much to give our great Nation its lead in the exploration of space. He deserves and has won the admiration and thanks of the people of our country.

A DEDICATED AND DECENT MAN

HON. SAM J. ERVIN, JR.

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. ERVIN. Mr. President. The conclusion of the 92d Congress marks the end of a distinguished public career of our colleague and my longtime personal friend, B. Everett Jordan. The fruits of Everett's labor of 15 years in the Senate vineyards will be savored and enjoyed by generations to come because his life's dedication, as it was in the Senate, was to serving the public interest.

While Everett's dedication and effectiveness comes as no surprise to those of us who have served with him, it is gratifying to learn that, in the words of the Durham Sun, "this dedicated and decent man," is given additional public recognition as he and his lovely wife, Katherine return home to North Carolina.

In order to share a recent tribute to Senator Jordan with others, I ask unanimous consent that the editorial "Praise for a Man and His Work," from the October 10, 1972, edition of the Durham, N.C., Sun, be printed here in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

PRAISE FOR A MAN AND HIS WORK

Most public attention these days is centered on the upcoming November elections, but the retirement of B. Everett Jordan from the United States Senate should not be allowed to go unnoticed and unmarked. As a member of the Senate for 15 years he has rendered devoted and distinguished service to his state and to his nation.

The 92nd Congress in its closing days took notice of that fact, as a reading of the Congressional Record will reveal. Senators of both major parties, Democrats and Republicans, in the past few days frequently took occasion to pay tribute to him and to the work he has done.

To note only a few of the remarks on the Senate floor gives an idea of what his colleagues think of him:

Sen. James B. Allen of Alabama, referring to the senator as a "kind, gracious, and considerable colleague whom we all know and so greatly admire," said "the Senate will miss the valuable contribution of his sound counsel and judgments in matters affecting the best interest and welfare of our nation," and that "his state and our nation are losing the services in the Senate of a great and good public servant." He said he and others "cherish his friendship, respect his sound judgments, and admire his integrity and profound sense of duty and dedication to the public interest and to his ability . . . to cut through the redtape and high-sounding phrases and get to the real issue involved, to which he would always apply a commonsense, down-to-earth approach." He said, "He has represented the people of North Carolina with great distinction. He has reflected credit upon the people of North Carolina, upon the Senate and upon the nation."

Sen. Mike Mansfield of Montana, the majority leader, said he is "a man of understanding and character . . . a man who conducted himself with dignity, integrity and dedication" and a man "who has contributed so much to his state, his region, and to the nation as a whole."

Sen. Ernest Hollings of South Carolina termed Senator Jordan a man of "dedication and commitment," who "labored long and hard, with diligence and with a quiet persuasiveness that enabled him to be a distinguished legislator." He said he is a man who "always puts first things first—and at the top of his list was a deeply held commitment to the concept of America and the well-being of its citizens."

Sen. Milton R. Young of North Dakota called him "a great legislator and one of the best-liked members of the Senate," a "friendly, kindly and very decent person," who "played a key role" in shaping much important legislation.

Sen. Margaret Chase Smith of Maine said the Senate has never known "a kinder, more considerate person." She said he is "a wonderful human being" and "He is endeared to us for his great courage—moral and physical."

Sen. Harrison A. Williams Jr., of New Jersey likened Senator's Jordan's work to the accumulating grains of sand that have built the towering dunes on North Carolina's Outer Banks. He said he has "worked tirelessly to put the grains of sand together to make sturdy mountains. He has worked for the authorizations and completion of the Scott Reservoir, the New Hope Dam, the Falls of the Neuse Reservoir and many other water control projects, he has fought for the interests of farmers and agricultural processors . . . , North Carolina is quickly developing as a leader in our nation's maritime industry, but the mountains of jobs and industry created by her maritime development would not have been possible without Everett Jordan combining the grains of sand." He said the senator "was largely responsible for the development of the ports at Wilmington and Morehead City and the improvement of navigation on the Cape Fear River," and that Senator Sam Ervin of North Carolina was correct when he said "surveys and planning for most other flood control, navigation and beach protection projects now authorized or in progress in the state likewise bear the distinctive Jordan stamp."

What a man is and what he has done can be judged by what his peers think of him. And it is typical of Senator Jordan, we think, that he sidetracked many similar remarks by calling to the attention of the Senate that two other North Carolina congressmen are retiring this year. He said Rep. Alton Lennon was retiring as a member of the House of Representatives after previously having served in the Senate, and that "North Carolina and the nation have benefited greatly from his service." And he said that Rep. Charles R. Jonas, a Republican, is retiring "after a illustrious 20-year career" and that "he has shown throughout his career a capacity for putting the needs of the state and country above purely partisan politics." He said Rep. Jonas has waged a "continuing battle against carelessness and waste in government spending" and that "if the taxpayers of the nation knew how many millions of dollars Charlie's prudence had saved them they would rise up and thank him with one resounding vote."

Senator Jordan left the floor of the Senate like he first went there 15 years ago—a dedicated and decent man.

TRIBUTE TO WILLIAM M. COLMER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ASPINALL. Mr. Speaker, recently it was my privilege to address a letter of tribute to our colleague, Congressman WILLIAM M. COLMER of Mississippi. Such tribute follows:

OCTOBER 27, 1972.

HON. WILLIAM M. COLMER,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: What can a friend write to his respected, admired, able and beloved co-worker and friend when his friend is about to leave this sphere of labor and achievements? To say 'thank you' sounds all too formal and brief. And, yet, in these two words when sincerely used, as I now use them, is wrapped up all of the honest emotion and personal appreciation that words can express.

So, to you, my admired and cherished friend, I say 'thank you' from the depths of an appreciative heart for the unselfish, effective and talented service which you have rendered to a needy nation and its all too often unappreciative and shortsighted citizens.

Bill, you have been a tower of strength to me—always understanding of my responsibility and shortcomings. I have enjoyed our years of work together and our mutual endeavors to be understanding and helpful to each other as we have attempted to serve our people.

As we go our separate ways, I wish for you and your wonderful helpmate life's best gifts love and happiness—in the years ahead.

Sincerely,

WAYNE ASPINALL.

In addition, Mr. Speaker, may I say that BILL COLMER is his own man. He loves people, but he also loves principle as he sees it. No one can ask for more in a friendship which he is willing to give; neither can anyone ask for more when his colleague stands on the principles which are so dear and meaningful to him.

This House, this Congress, this Government, and its people are all the beneficiaries of a great service rendered by our colleague.

I wish for him and his loved ones the most happy of experiences as BILL leaves us and goes into the joys of retirement.

SENATOR FRED HARRIS

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MOSS. Mr. President, in the departure of FRED HARRIS from this body, the Senate loses one of its most brilliant, energetic, and hard-hitting Members, and a man who is not afraid to stand up anywhere for his beliefs and convictions.

Few Members have been more courageous in expressing their views, or more indefatigable in trying to translate them into legislation. He has been a great fighter for humanity, and he has pled his cause with skill and eloquence. The blacks, the minorities, the elderly, the poor—those who cannot always speak up well for themselves—are losing a great champion in the departure from the Senate of the vigorous and deeply committed man from Oklahoma.

I have enjoyed his friendship, and that of his lovely wife, Donna. I shall watch with interest to see the endeavors he now turns his time and his indisputed talents to. I wish him well.

HON. GEORGE P. MILLER

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, GEORGE MILLER is truly one of the fathers of the U.S. space program. As chairman of the House Committee on Science and Astronautics, he has very skillfully and ably led the effort to keep this Nation in the forefront of this new and exciting frontier. In his very affable and outgoing manner, GEORGE has endeared himself to his colleagues on both sides of the aisle. We will miss him greatly in the House, and I personally will miss his friendship and wise counsel. Future generations of Americans will remember GEORGE MILLER for his leadership in the space program, in putting America first on the moon. His countless friends in the House and throughout Washington will remember this accomplishment, but will always cherish his keen wit and affable nature. Mr. Speaker, we wish for GEORGE MILLER continued success, every happiness, and the best always.

RADIO KRAK CELEBRATES 10TH ANNIVERSARY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, radio KRAK, northern California's country-western music and news station headquartered in Sacramento, Calif., this year celebrates its 10th anniversary.

I join with its many listeners and devotees in wishing it a happy anniversary and best wishes for another decade of broadcasting.

I can remember my days as a California State legislator when my office radio was constantly tuned to KRAK.

Country-western music is peculiarly American folk music. Much of America is revealed in the lyrics of country-western songs—its weaknesses as well as its strengths. But predominant in those lyrics is the theme of honesty—of "telling it like it is."

Radio KRAK is a part of many peoples' day. It has been an enjoyable part of mine.

TRIBUTE TO SENATOR HARRIS

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, Senator Fred Harris has added much to the debate and interest in national problems before the Senate. It is not necessary for one in the U.S. Senate to agree with every other Member, but it can be said that Senator Harris has brought before the Senate and the country human problems relating to opportunities for all, settlement of racial strains, and a wider participation in the affairs of our Government, which are problems which must receive the attention of the Congress and our country in the years ahead. A strong and unrelenting debater for his beliefs, he is nevertheless a kind and tolerant man. He has been greatly aided by his wife, Ladonna, who has won the admiration of all of us. Our best wishes go with them.

HON. WILLIAM L. SPRINGER

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, it is my privilege today to pay tribute to a great American, the Honorable William L. Springer, who is retiring after 22 years of service to the Nation and to his 22d District of Illinois.

As ranking Republican on the House Committee on Interstate and Foreign Commerce, Bill Springer has applied the steady hand of reason to some of the most important pieces of legislation of our time. His hard work and his wealth of skill and legislative craftsmanship have been an inspiration to every Member of the Congress.

Bill has always given unselfishly of his time for his party, serving as a member of the House Republican policy committee and vice chairman of the Republican congressional campaign committee.

Bill Springer's record is that of a dedicated public servant. We will miss him greatly as a productive Member of this body and as a friend. I join my colleagues in wishing him excellent health and every possible happiness in the years to come.

SOMALIA: CELEBRATION OF ITS NATIONAL DAY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of this House Foreign Affairs Committee, I would like to take the occasion to extend congratulations to Somalia which recently celebrated its National Day.

The National Day of the Somali Democratic Republic will be celebrated on October 21. I wish to take this occasion to call attention to the efforts of Somali President Mohamed Siad Barree to resolve the Uganda-Tanzania dispute. It is actions such as President Siad's which help to reduce international disputes. I recall with pleasure the friendly reception given me when I visited Somalia in February 1971. On behalf of my colleagues in the Congress of the United States, I would like to extend congratulations and best wishes to President Siad and the Somali people on their National Day.

HON. EMANUEL CELLER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ASPINALL. Mr. Speaker, to think of Congress without Emanuel Celler is to think of a meal without bread. With his retirement, this body will lose a contributing Member whose influence has been outstanding for so long that few can remember otherwise.

I join with my colleagues in all of the tributes which have been paid to him. Those who have already evaluated his personality and service have done it better than I could ever think of doing. I just wish to say "Thank you, Manny," for what you have done for all of us not only on the Hill, but throughout the Nation and, yes, throughout the world. May your days ahead be enriched not only with your future successes, but also with your remembrances of yesterday.

TRIBUTE TO SENATOR B. EVERETT JORDAN

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SCHWEIKER. Mr. President, I am pleased to join in paying tribute to an esteemed and revered Member of this body, the distinguished junior Senator from North Carolina, B. Everett Jordan, who is retiring after 14 years of service to the Senate.

As chairman of the important Senate Committee on Rules and Administration, and as a member of the Committees on Agriculture and Forestry, and Public Works, Senator Jordan has distinguished himself as a man of honesty, sincerity, and integrity. He is well known for his quick wit and affability, and for a keen sense of purpose when it comes to representing the best interests of the people of North Carolina.

The Senate will miss B. Everett Jordan, and I wish him continued health and happiness in the future.

EMPLOYMENT OF THE HANDICAPPED

HON. MARK O. HATFIELD

OF OREGON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HATFIELD. Mr. President, earlier this year, I had the pleasure of a visit with a young Oregonian, Craig Walker, who was here in Washington attending the annual meeting of the President's Committee on Employment of the Handicapped. As first-place winner in Oregon's "Ability Counts" essay contest, sponsored each year by the Governor's Committee on Employment of the Handicapped, this 17-year-old Parkrose Senior High School student received an expense-paid trip to Washington, D.C., and a $330 scholarship to the Oregon college of his choice. Craig devoted a great deal of thought and time to the research for this paper, and we would all do well to give consideration to his findings. With this in mind, Mr. President, I ask unanimous consent to have printed in the Record, Craig Walker's essay, "Employment of the Hanadicapped: How Well Is My Community Informed?"

There being no objection, the essay was ordered to be printed in the Record, as follows:

EMPLOYMENT OF THE HANDICAPPED

Public awareness is the first step toward solving a problem that involves the community. To help the handicapped, it is necessary to educate and make the public aware of them and their needs.

The handicapped person's three major areas of contact with people are in Vocational Rehabilitation, Employment and Employers, and the general public; therefore, these are the areas which must be explored in order to understand how well my community is informed about the handicapped.

The Vocational Rehabilitation Division (DVR) maintains several offices in the Portland area. Mr. Ron Weiss and Mr. Gilbert Foss, at Eastmont, in our community, felt that the public was not well informed about what is available for the handicapped. A major problem is that many times the layman assumes that the characteristics of one handicapped group are shared by other groups; for instance, two stereotypes are that all handicapped people are in wheelchairs or that they are mentally retarded. Many times a double-stereotype takes place in employment. This process is demonstrated when an employer automatically limits an individual's opportunities because of a certain disability. He also groups all work positions in his company in one category; such as manual labor or production-line work. There may be other jobs, but he stereotypes them all as being of one kind. This bias is the major stumbling block to overcome in changing the attitudes of all concerned; and the bias will be erased only if stereotyping is eliminated and the potential of the individual is realized.

Also of major importance is that quite often the negative aspects in favor of hiring the handicapped are brought out instead of the positive reasons. Two examples would be, "he won't quit because he can get no other job" and "he is less likely to get hurt". Instead of stressing these things, it should be shown how a handicapped worker will perform better in a certain job than a non-handicapped person. One should be careful, however, not to make the gap in people's minds between the handicapped and non-handicapped worker wider than it is. Instead, the gap should be closed by demonstrating that the disabled person is no different than anyone else. Mr. Don Ware, of the Salem DVR office, stated that in his opinion the public is "poorly informed about what is available" to the handicapped in terms of rehabilitation services. He felt that the public knows very little about how well various types of handicapped people can perform in jobs. However, DVR administrator Norm Silver indicated that industry and business in general are making the move toward hiring these people. The main thrust of DVR should be to focus on the *residual* ability more than the *disability* of the individual.

Mr. Rolla Reedy, from the Gresham office of the State Employment Division, serves as the handicapped counselor for this area. He secures positions for the job-ready, those with a skill. Those who are not prepared for placement are sent to the Vocational Rehabilitation office to be trained. Mr. Reedy felt that DVR is doing a good job of training the handicapped for employment. The point that he stressed was that "a person may have a disability, but if he's properly placed in employment it is in something in which the disability is not a handicap." In short, he should be put where his disability does not handicap him in the execution of his job. This is called Selective Placement; fitting the right person in the right job.

The attitudes of the employers I talked with were very good towards the handicapped. They all seemed very anxious to help these people, and said they considered them no different than any other person in jobs where their disability does not hinder them.

Mr. Bob Martyn, the personnel manager at Tektronix, Inc., expressed the opinion that the public is fairly well informed about the hiring of the handicapped. He did, however, feel that being informed does not necessarily mean that the public is convinced of the need, or to take any action. Mr. Martyn said that their disabled workers have been no more of a problem than non-handicapped employees. "Good community support" is how Mr. William Weigers, the head of the Human Resources Division of Goodwill Industries, terms the public's cooperation with Goodwill. He feels that people know a fair amount about Goodwill, and indicated that there are always many requests from groups like the Kiwanis Clubs for speakers to talk about how the public can help the disabled. Their trucks run constantly with donations from individuals, and the annual Boy Scout collection drive brings in enough items for nearly three months. Goodwill is very pleased with the support.

The Bonneville Power Administration personnel director indicated the same results: "When they are properly placed to utilize their abilities, they are as effective and productive as other workers."

I asked several questions of sixty people that I used as a test group. An overwhelming 72% of those in the community asked, felt that the handicapped were not treated the same as a non-handicapped person when applying for a job. Several people felt that they should be given special consideration over non-handicapped people when applying for some jobs. The remaining 28% felt that they were treated equally. There were many comments about how sometimes an employer might "roll out the red carpet" to a disabled person, and then later shut out someone just the same as "too much trouble." The survey indicated that most felt this attitude was improving.

Another question put to the community sample group asked how well they thought they were informed about the employment of the handicapped. Half of them replied "not very well." "Fairly well aware" of this topic is the reply from 34%, while 16% felt that they knew a good deal about the problem. Several said, however, that even if the public was well informed, there would still be the attitude barrier to break down, and the community would still have to be motivated to help.

It seems that the public agrees that there has been an improvement in the treatment of the handicapped, and that there still needs to be more change. Most of the people I talked with felt that the employers should extend more help, while the employers believed that they were helping the handicapped sufficiently. The problems of the handicapped have been growing more and more important over the years, as the victims of war and accidents have increased in number. If these people are to be helped, the ideas and attitudes of the general public and employers must be focused on the many positive aspects of the disabled. Handicapped people can help themselves only when the community has helped by eliminating the prejudices in themselves and others.

TRIBUTE TO HON. PAGE BELCHER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, at the end of this Congress, Capitol Hill will lose one of its senior and most able colleagues, Page Belcher, as he retires permanently to Oklahoma.

Page is not only a great representative of his State of Oklahoma, but he is a fine representative of the people of the United States generally. He has been a very effective ranking member of his committee and he has been highly respected by all of the Members of the Congress in which he has served.

Quiet, principled, talented, dedicated—these are words which to me best explain this great Oklahoman. We are all his debtors, because of his service among us, and I wish him well in the days ahead.

HON. JACKSON E. BETTS

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, our distinguished colleague, Jackson E. Betts, is retiring at the close of the 92d Congress after 22 years of dedicated service in the U.S. House of Representatives.

Jack Betts was born in the district he now represents. After graduating cum laude from Kenyon College and securing a law degree from Yale, he began a rapid ascension in law and public service. He served as Hancock County, Ohio, prosecuting attorney, as member of the Ohio General Assembly, as speaker of the Ohio House of Representatives, and in 1950 was elected to the U.S. Congress.

While serving as second ranking Republican on the House Ways and Means Committee, Jack Betts has provided skillful, responsible leadership on some of the most important pieces of legislation to come before the Congress in recent years. We will miss his guidance and the inspiration of his tireless efforts on behalf of the people of his district and his Nation. But I am sure the Nation will benefit from his counsel and leadership from his position as a private citizen. I wish him health and happiness in the years ahead.

TRIBUTE TO SENATOR KARL E. MUNDT

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I must say farewell at the adjournment of this Congress to many colleagues with whom I have served and worked in the Senate. Among those whose service in the Senate is coming to a close is Senator Karl E. Mundt of South Dakota.

Five times elected to the House of Representatives and four times to the U.S. Senate, Karl Mundt is the third-ranking Republican in the Senate, and his long tenure of service to his State and the Nation is its own testimonial to his efforts and beliefs.

I served with Senator Mundt for a time on the Committee on Agriculture and Forestry; he was a champion of the farmer on that committee, on the Appropriations Committee, and in the Senate itself. We also served together on the Foreign Relations Committee.

Karl Mundt was a teacher and a teacher's teacher before he came to the Senate—where he occasionally gave us all lessons in debate and in elocution. Dynamic and forceful, he held strongly to his beliefs and articulated them with vigor. He was always a fighter, and his strong will and courage have never forsaken him. We honor also the constant and unsurpassed devotion of his wife, Mary, who has stood with him in every achievement and every trial.

The Congress needs strong men to hammer out solutions on the anvil of debate—and KARL MUNDT was a strong advocate for the people of his State, his party, and his country's honor.

SIXTH ANNIVERSARY OF INDEPENDENCE OF LESOTHO

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of the House Foreign Affairs Committee, I would like to take the occasion to salute Lesotho which has recently celebrated its anniversary of independence.

On October 4, 1972, the Kingdom of Lesotho celebrated the sixth anniversary of its independence. On this occasion, I wish to extend by congratulations and best wishes to His Majesty King Moshoeshoe II, the Prime Minister, Chief Leabua Jonathan, and the people of Lesotho. During these first half dozen years of independence the people of Lesotho have struggled mightily for the economic development of their country. Their determined efforts have attracted international attention, and I am proud to observe that the United States is one of the nations which has contributed to the struggle of Lesotho's valiant people.

Lesotho's growing role in the community of nations is commendable. I have long urged that the United States continue and expand its support for Lesotho as a majority-ruled State of southern Africa. The United States values its close and friendly relations with Lesotho. In August 1969, I visited Lesotho during a special study mission to southern Africa and found that the country desired closer relations with the United States and desired U.S. ambassadorial representation to Lesotho. During the past year, I am pleased to note the U.S. representation to Lesotho was raised for the first time to the ambassadorial level.

I am confident that the people of the United States join me in warmest independence anniversary greetings and best wishes for peace and prosperity for the people of Lesotho.

BIBLIOGRAPHY ON THE 160-ACRE ANTIMONOPOLY WATER LAW

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, there has been a recurring request made by persons newly concerned with acreage limitation and residency provisions of Federal reclamation law for a bibliography on relevant source materials. Mr. Charles L. Smith sent to me on October 10 an extensive and excellent bibliography on the subject of the Federal reclamation law. I think this bibliography will be of great use to Members of the Congress and I am pleased to bring it to their attention. I request that the first portion of the bibliography be inserted in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIBLIOGRAPHY ON THE 160-ACRE ANTI-MONOPOLY WATER LAW

(By Charles L. Smith)

Congress passed the National Reclamation Act of 1902 to help water development in the West by federal subsidies. These subsidies to privately-owned lands are now running from $1,000 to $2,000 an acre, according to studies by the U.S. Bureau of the Budget.

In order to prevent monopoly by the few of water, of subsidies, and of unearned increment, Congress included provisions in the National Reclamation Act to limit the benefits any individual may legally receive. These protections against monopoly of the government-supplied water are sometimes called "excess land law," "acreage limitation," or "160-acre law."

The U.S. Supreme Court, in 1958, described the law's purpose in these words: "The limitation insures that this enormous expenditure will not go in disproportionate share to a few individuals with large land holding. Moreover, it prevents the use of the federal reclamation service for speculative purposes." 357 U.S. 275, 297 (1958)

BIBLIOGRAPHIES RELATED TO 160-ACRE LAW

Browne, Mary Lilla, *Materials, Federal-State Relationships and Conflicts in regard to Water Resources*, Bibliography and Digest, 1970, Dept. of Water Resources, Law Library, Sacramento.

Tompkins, Dorothy Campbell, *Water Plans for California—A Bibliography*, 180 pp., 1961, Institute of Governmental Studies, University of California, Berkeley 94720.

U.S. DOCUMENTS

Federal Reclamation Law, June 17, 1902 (32 Stat. 388).

"Fact-finders report," *Federal reclamation by irrigation*, Senate document no. 92, 68th Congress, 1st session, 1924.

Excess Land Law, Omnibus Adjustment Act of May 25, 1926, 43 U.S. Code 423E, 44 Stat. 649–650.

LaFollette Committee, Report of the Senate Comm. on Education and Labor, S. Res. 266, 74th Cong. 2nd Sess., Rept. 1150, pts 1–5; 78th Cong. 1st Sess., S. Rept. 398, pts. 1–5; 88 *Cong. Rec.* pp. 8311–8338, Oct. 19, 1942.

Historical Background of California Agriculture and Its Labor Problem, Senate Comm. on Education and Labor on Violations of Free Speech and Rights of Labor, 77 Cong. (2) Sen. Rept. 1150, pt. 3, pp. 219–229, June 15, 1942.

U.S. Senate Subcomm. on Military Affairs, *Hearings* on Central Valley Project 160-acre limitation, San Francisco, April 7, 1944, 121 pp. mimeo, U.S. Bureau of Reclamation, Sacramento.

Hearings on H.R. 3961, Subcom. Senate Comm. on Commerce, 78th Congress, 2nd Sess. 635 (1944), S. Res. 295, July 24–29, 1944, 508 pp.

Small Business and the Community, Goldschmidt, Walter R., (Arvin-Dinuba Study). Report of Special Committee to Study Problems of American Small Business, U.S. Senate 79:2 Print No. 13, S. Res. 28, Dec. 23, 1946, 139 pp.

U.S. Senate Comm. on Public Lands, Subcomm. on Irrigation and Reclamation. Proposed Exemption of Central Valley Project and other Projects from land-limitation provisions. *Hearings* S. 912, May 5–June 2, 1947, 1329 pp. 80:1

Shelley, Jack, et al., House Public Lands Comm., *Hearing* on H. Res. 93, 80 Cong., 1st Sess., Committee Hearing No. 27, 1947.

Central Valley Basin, Senate Doc. 113, 81st Cong. 1st Sess., A comprehensive Dept. Report, Bureau of Reclamation, Aug. 1949.

U.S. Dept. of Interior, *Excess Land Provisions* of Federal Reclamation Laws and Payment of Charges, 2 parts, May 1956. Prepared at the request of House Gov't Operations subcomm of Public Works and Resources. (Located in Committee files, at Dept. of Interior and Library of Congress.)

Central Valley Project Documents: House Doc. 416, 84 Cong. 2nd Sess. 1956; House Doc. 246, 85 Cong., 1st Sess. 1957.

U.S. Senate, Subcomm on Irrigation and Reclamation, *Hearings* on San Luis Unit, CVP, 85 Cong. 2nd Sess. 1958; 86th Cong. 1st Sess. S. 44.

Acreage Limitation (*Reclamation Law*) *Review*. Hearings on S1425, S2541, S3448, Subcomm on Irrigation and Reclamation, Senate Comm on Int. and Insular Affairs, 85th Cong. 2nd Sess., April 30 and May 1, 1958, 271 pp. and appendix.

Report of a Special House Subcommittee on Irrigation and Reclamation on Central Valley Project, California, as a result of *Hearing* held Oct. 29, 30, & 31, 1951 (1951 House Special Report, 105 *Cong Rec.* 7486 (1959).

U.S. House of Representatives, Interior and Insular Affairs, *Hearings*, H.R. 399, H.R. 7155, 86th Cong., 1st Sess., 1959.

Westlands Water District Contract, *Hearings*, Senate Comm. on Int. and Ins. Affairs, July 8, 1964, 37–049. 88:2

Temko, Allen, *Statement* to White House Comm. on Urban Problems, Hearings in San Francisco, July 5, 1967. Vol. 2, p. 210–215.

Construction of San Felipe Division, San Luis Unit, *CVP*, re ground water improvement, Senate insert, July 10, 1967. *Cong. Rec.*

Hearings, House Subcomm., Cons. and Nat. Res., Comm. Gov't Operations, 91st Cong. 1st Sess., May and Aug. 1969 (Hon. Henry Reuss, Chrmn.) Paul S. Taylor: Part 1, pp. 229–237; Part 2, pp. 529–536. Sacramento diverters

Hearings, Subcomm. on Migratory Labor, Comm. on Labor & Public Welfare, 91st Cong., 1st and 2nd Sess., Border Commuter Labor Problem, May 21, 1969, 9 vols.

S1631, Murphy Bill to amend Acreage Limitation, using Engle formula Senate insert *Cong. Rec.* March 24, 1969.

Hearings on Reclamation Lands, Authority Act S. 2863, *Cong. Rec.* 3–9–72; May 17 and 18, 1972.

Hearings, Water Resources Council, interest rates for federal water projects. San Francisco, March 13, 1972.

U.S. Senate, Subcommittee on Migratory Labor, Comm. on Labor and Public Welfare, *Hearings* in San Francisco and Fresno, Jan. 11, 12, & 13, 1972.

CALIFORNIA DOCUMENTS

Senate Joint Resolution No. 16, adopted Feb. 16, 1878, Chap. 28, California Legislature.

Report to Legislature of 1931 on State Water Plan, California Dept. of Public Works, Div. of Water Resources, *Bulletin No. 25*, 1930.

State Water Plan Association, *Manual for Speakers* in Support of Central Valley Project Act, Special Election, Dec. 19, 1933, Dec. 7, 1933.

Proceedings, Governor's Conference on Water, 1945, Sacramento.

Central Valley Project: Federal or State? Assembly *Interim Comm. Repts.* 1953–55, Vol. 13 (6) 1955.

California Assembly Interim Comm. on Water, *Hearings*, 1950, Statements by large landholders and their representatives. 75 pp., mimeo.

Assembly Journal, March 8, 1960, Ackerman Minority Report on California Water Plan.

Governor's Task Force, *Report on Acreage Limitation Problem*, Jan. 4, 1968, 23 pp., (Governor's office, State Capitol, Sacramento, Ca. 95814) reprinted: *Cong. Rec.* March 24, 1969, Senator Murphy S3047–53.

CONGRESSIONAL RECORD

88—Oct. 19, 1942, 8311–8338.

104—1958, 17723–17735, San Luis Debate.

105—1959, Senate, 7483–7498, 7665–7691, 7849–7877, 7986–8001, San Luis (Westlands).

106—1960, House, 10448–10471, 10553–10565.

108—April 2, 10, May 4, 1962, 5687–5725, 6237–6240, 7809–7814, Application of excess land law to Calif. "state service area" of Calif. Water Project.

July 21, 1964, Congressman Phil Burton, Keith Murray articles in Liberal Democrat, March 1962; May, July 1964.

110—August 5 and 7, 1964, 17493–17503, 17912–17922, Westlands Debate.

111—August 23, 1965, 20592–20608.

January 25, 1968, February 1, 1968, H. 420; S. 775, McGovern.

March 22, 1968, E2155, Paul S. Taylor letter to State Board of Agriculture.

April 30, 1968, S4652, Senator Nelson.

July 30, 1968, S9742–9749, Senator Morse, P. S. Taylor, KPFA.

March 24, 1969, S3047–3053, Senator Murphy: Governor's Task Force.

August 4, 1969, E6591–92, Eckhardt: P. S. Taylor, Texas Observer. 95–10126, Jackson, Salt River Project.

October 20, 1969, E8597–98, Cohelan, P. S. Taylor, National Water Commission, Planning: Resources.

November 17, 1969, 34492.

March 18, 1970, Charles S. Gubser: Committee for Economic Justice, California Church Council.

October 9, 1970, E9090–93, Senator Metcalf, Water Grants for Education.

April 21, 1971, S21297.

October 18, 1971, E10967, Water Politics in California.

November 16, 1971, S18638–41.

December 2, 1971, 12889–92, Kastenmeier: Decision Against Absentee Landowners.

December 10, 1971, S21297–304, Senator Harris, Federal Reclamation Act of 1902.

March 8, 1972, S3642–44, H2856–57, daily edition.

May 13, 1972, E4359–60, Kastenmeier: Water, Water for the Rich.

May 17, 1972, E5391–5429, Senator Harris, Reclamation Lands Authority Act.

May 18, 1972, E5431–5461, Senator Harris, hearings on land reform in Salina, Kans., and Los Angeles, Calif.

MISCELLANEOUS BOOKS, ARTICLES, AND REPORTS BY AUTHOR

Ackerman, Adolph J., *Final Report* on the Feather River—Southern California Aqueduct, Oct. 20, 1960, 27 pp. mimeo. (Available at Water Resources Library, Univ. of Calif., Berkeley.) (See also: Using Engineering to Enslave You by A. J. Ackerman, *Civil Engineering* magazine, July 1964.)

Angel, Arthur D., *Political and Administrative Aspects of Central Valley Project*, Doctoral thesis, UCLA, 1944, 398 pp., biblio. pp. 371–398.

Apter, Robert L., *The California Water Plan*, Task Force Information, 6 pp., Friends of the Earth (451 Pacific, San Francisco 94133).

Arashiro, Francis and Anatole Antol, The Great Water Project Scandal, How Reagan Robbed the State Education Funds, *Open Process* v. 4(9) Jan. 22, 1969. (SF State College, 1600 Holloway, SF 94132.)

Bain, J., R. E. Caves, and J. Margolis, *Northern California's Water Industry*, the comparative efficiency, for Resources for the Future, Johns Hopkins Press, Baltimore, 1966, biblio.

Baker, Geo. L. and Dennis Campbell, Water Act Has Many Loopholes *Sacramento Bee*, Feb. 21, 22, 23, 24, and 25, 1971.

Ballis, George, *California Water Plan: An Evaluation*, Public Affairs Institute, (312 Penn. Ave., SE, Wash. 20003) 1960, 7 pp. Preface by Paul S. Taylor, Foreword by Dewey Anderson.

Bancroft Library of Western History, Univ. of California, Berkeley Regional Oral History Project: Interviews and personal papers of prominent persons involved with water and land problems.

Clipping file and additional items on the Central Valley Project, compiled by the Bureau of Reclamation.

Barnes, Peter, Water, Water for the Rich (Imperial Valley) *New Republic*, May 8, 1971, v. 164. (Repr. *Cong. Rec.* May 13, 1971, E4359–60.) Series of three articles: Land Reform: 1, The Great American Land Grab; 2, The Vanishing Small Farmer; 3, the Case for Redistribution, *The New Republic*, June 5, 12, 19, 1971, v. 164, (23), (24), (25).

Beamon, Frank, The California Water Project, *Daily Commercial News*, sixteen articles, July 9–30, 1968, (125 12th St., SF 94103).

Berger, Samuel R., *Dollar Harvest*, (book about the Farm Bureau) Heath Pub., 1971.

Berkman, Richard L. and Kip Viscusi, *Damming the West*, Nader Task Force report on the Bureau of Reclamation, 1971.

Brubaker, Sterling L., *The Impact of Federal Government Activities on California's Economic Growth*, Ph. D. Thesis, Univ. Calif. Berkeley 1959.

Bryce, (Lord) James, *American Commonwealth*, Ch. 90 in unabridged edition only, 1922/23.

Business Week, "Valley Divided", May 13, 1944, pp. 21, 24.

Casey, Jack Tull, *Legislative History of the Central Valley Project, 1933–1949*, Doctoral dissertation, U.C., 1950.

Central Valley Project, (whole issue) *California Law Review*, v. 38 pp. 728, 730–732 (1950).

Committee on Water, National Research Council, National Academy of Science, *Alternatives in Water Management*, 1966, 50 pp. Reviewed, *Civil Engineering*, June 1969, pp. 80–82. (The Committee: 2101 Constitution Ave., Wash. D.C. 20418.)

Commonwealth Club, 7 *Transactions*, 108 (1912–13), speech of Pres. Theodore Roosevelt, March 27, 1911.

Cooper, A. Margaret, *Land, Water, and Settlement in Kern County, California*, M. A. Thesis, UC, Berkeley, 1954.

Cooper, Erwin, *Aqueduct Empire: Guide to Water in California* (description of Calif. Dept. of Water Resources) A. H. Clark, Glendale, 1968, 439 pp.

Daily Californian, Simon Calls Irvine Deal Unjust, Oct. 9, 1970.

Davison, Stanley R., *Leadership of the Reclamation Movement, 1875–1930* Ph. D. Thesis, UC, Berkeley, 1951.

Degnan, James P., Water: Who Pays? Who Profits? The Many Pay, The Few Profit, *Frontier*, v. 18 (2) p. 8–11, Dec. 1966.

De Haven, J. C. and J. Hirshleifer, Feather River Water for Southern California Land Economics, v. 33, p. 198–209 (Aug. 1957).

de Roos, Robert, *The Thirsty Land*, Stanford University Press, 1948, 265 pp.

Downey, Sen. Sheridan, *They Would Rule The Valley*, 256 pp., 1947.

Draper, Anne and Hal, *The Dirt on California*, Agribusiness and the University Independent Socialist Clubs, 1968, 32 pp. (P.O. Box 910, Berkeley 94701.)

Fellmeth, Robert C. ed., *Power and Land in California*, Ralph Nader Task Force Report on land use in California, 2 vols. 1971. (Center for Study of Responsive Law, 1156 19th St., N.W., Wash. D.C. 20000.)

Frizzell, Alice Joy, *Some Economic and Political Aspects of Water Resource Development in the Central Valley of California*, M.A. Thesis, UC, 1949.

Gates, Paul Wallace, "Homestead Act in an Incongruous Land System" 41 *American Historical Review* 652 (1936).

Gilliam, Harold, West Side (of San Joaquin)—Canaan or Super Junk Yard? This World, *SF Sunday Examiner and Chronicle*, Dec. 8, 1968.

Great Tragedy of our Wasted Water, *This World*, Sunday, Oct. 3, 1971 (repr. *Cong. Rec.* Oct. 18, 1971, E 10967).

Goldberg, B. Abbott, Interposition—Wild West Style, *Stanford Law Review*, v. 17, p. 1–38, 1964.

Goodschmidt, Walter, *As You Sow*, Free Press, Glencoe, 1947.

Goodall, Merrill R., Land and Power Administration of the CVP, *Journal of Land and Public Utility Economics*, v. 18 (3) p. 299–311, Aug. 1942.

Gordon, Kermit, (U.S. Budget Director), speech on cost effectiveness, Committee for Economic Development, 1964 (Quoted in Joseph Alsop column "And the Rich get Richer" *SF Examiner*, Nov. 20, 1964).

Harris, Michael, Plan to Revive the Small Farm (National Coalition for Land Reform) *SF Chronicle*, Dec. 3, 1971.

Hightower, Jim, *Hard Tomatoes, Hard Times* (failure of Land Grant Colleges) Agribusiness Accountability Project, 1972, 308 pp., paper. (1000 Wisconsin Ave., N.W., Wash. D.C. 20007).

Hirshleifer, J, J. C. De Haven, and J. W. Milliman, *Water Supply*, Economics, Technology, and Policy, Univ. of Chicago Press, 2nd ed., 1969, 386 pp. (See especially Cost-Benefit discussion.)

Holmstrom, David, Who Owns California? a series of four articles on Ralph Nader Report on California, *Christian Science Monitor*, Sept. 22, 25, Oct. 1, 5, 1971.

Hosmer, Helen, Imperial Valley: Triumph and Failure in the Colorado Desert, *American West*, v. 3, (1) Winter 1966.

Howe, Chas. W. and K. W. Easter, *Interbasin Transfers of Water: Economic Issues and Impacts*, Resources for the Future, Johns Hopkins Press, Baltimore, 1971. Summary: Water from the Pacific Northwest? In *Resources*, No. 38, Sept. 1971 (1755 Mass. Ave. N.W., Wash. 20036.)

Hundley, Norris, Jr., *Dividing the Waters—A Century of Controversy Between U.S. and Mexico*, Univ. of Calif. Press, Berkeley, 1966.

Kastenmeier, Con. Robert, *House Resolution 5236*, 92nd Con., 1st Sess.

King, Seth S., The Family Farm is not Dead, *Saturday Review*, v. 45 (31) July 29, 1972.

Koch, Beverly, Nader's Raiders Look at California Land, *San Francisco Chronicle*, Feb. 26, 1971.

Lilliston, Lynn, (LWV) Second Thoughts on (California) Water Project, *Los Angeles Times*, Oct. 4, 1970.

Long, Robert, (senior vice president, Bank of America) Acreage Limitation, Petty Political Tyranny, *Western Water News*, Sept. 1969.

Lorenz, James D. Jr., Attorney for Plaintiffs, U.S. District Court, Northern California, *Suit* by Bowker, Bulbulian, Stamenson and Bettencourt against Hickel, et al, 1971.

Maass, Arthur A., *Muddy Rivers*, Harvard, 1951 (Army Corps of Engineers).

——— King's River Project in the Basin of the Great Central Valley—A Case Study, App. 7 to App. L, Task Force on Natural Resources, *Report* of the U.S. Commission on Organization of the Executive Office of Government (Hoover Commission) Gov't Printing Office, Wash., D.C. 20402, 1949. (Reprinted in *Reader in Bureaucracy*, R. K. Merton, et al., Free Press, Glencoe, 1952, p. 291–297.)

Main, Chas. T. *General Evaluation* of (Calif.) State Water Resources Development System, Interim Report, Boston, 1960.

McCune, Wesley, *Who's Behind Our Farm Policy?* Praeger, 1956.

McIntyre, Joan, *California Task Force Information*, Bulletin No. 1, May 1970 3 pp., Friends of the Earth (451 Pacific, SF 94133).

McWilliams, Carey, *Factories in the Fields*, Little, Brown, 1939, 334 pp.

Montgomery and Clawson, *History of Legislation and Policy Formation* of the Central Valley Project; Bureau of Agricultural Economics, U.S. Dept. of Agriculture, March 1946.

Moore, C.V. and J. H. Snyder, Corporate Farming in California, *California Agriculture*, March 1970.

Morgan, Arthur E., *Dams and other Disasters:* A century of the Army Corps of Engineers in Civil Works, Porter Sargent, Boston 1971. (Reviewed by *Christian Science Monitor*, Sept. 23, 1971.)

Movement, The, Who Owns California? The Kern County Land Company Today, v. 2 (2) Feb. 1966 (449 14th st., San Francisco, Ca. 94103).

National Irrigation Congress, 1910, *Proceedings*. Statements: Judge Frank H. Short, page 165–166; Judge Francis J. Heney, page 260; Gifford Pinchot, page 295.

Neuner, E. Jr., Economics of the Proposed Feather River Project, *Proceedings* of 31st Annual Conference, Western Economic Association, August 1956, Salt Lake City. 1957.

New York Times editorials, Farm Revolutions, Dec. 27, 28, 1971.

Packard, Walter E. *The Ecnomic Implications of the Central Valley Project*, Haynes Foundation, Los Angeles, 1942, 91 pp., maps.

Partsch, F.L., Firms as Farms, Agricorporations Run in Growing Criticism, *Wall Street Journal*, May 2, 1972.

Penney, Brooks, Why California Needs Land Reform, *The Movement*, v.2 (6) July 1966.

Perelman, Michael, California Water Plan, *Freedom News*, v. 4 (9) 4 pp., Sept. 1970, (P.O. Box 1087, Richmond, Ca. 94802).

Peterson, Elmer, *Big Dam Foolishness*, The Problem of Flood Control and Water Storage, Devin Adair, 1954, 224 pp. (23 E. 26 St., N.Y. 10010).

Pinchot, Gifford, *Breaking New Ground*, Harcourt, 1947, 522 pp.

Porteous, Hartt, New Era in California Agriculture, *California Farmer*, Sept. 18, 1971.

President's National Advisory Committee on Rural Poverty, *The People Left Behind*, Sept. 1967, See Recommendations 5 and 6 on Excess Land in Irrigated Areas.

Press Democrat (Santa Rosa) Representatives (Waldie and Harris) Request Land Monopoly Break Up. May 12, 1972. (U.S. Appeals Water Ruling, *SFChronicle*, May 13, 1972).

Reich, William, *Land, Water and Power Monopoly in California*, series of ten programs given on KPFA (Berkeley) and KPFK (Los Angeles) Feb.-Aug. 1967. (Reprinted in *Farm Labor* v.5 (3) 1967.)

See Paul S. Taylor, one of ten programs, April 23, 1967, Cong. Rec.

Roberts, Keith, The California State Water Project, *Clear Creek*, April 1971 (617 Mission St., San Francisco, Calif. 94105.)

Roberts, Polly, *Power and Land in California*, a summary, 52 pp., 1971, California Action, Inc., (28 McAllister, San Francisco 94102).

Roosevelt, President Theodore, speech to Commonwealth Club, 7 *Transactions* 106 (1912–13).

San Francisco-Chronicle, The Legal Loopholes in Farm Subsidy Limits, July 5, 1971.

Sasuly, Richard, The Family Farm in California, 1962, 58 pp. California Farm Research and Legislative Committee, (740 Hilmar St., Santa Clara, Calif. 95050).

Sax, Joseph L., *Water Law Planning and Policy*, Cases and Materials, Bobbs-Merrill, Indianapolis, 1968, 520 pp. (law text).

Schacht, Henry, $5 Billion City Next to Crops—Irvine Properties *SF Chronicle*, March 31, 1971.

——— Planned Urbanization lives with agriculture, *SF Chronicle*, April 12, 1971.

Schultze, Chas. L., (former U.S. Budget Chief) Report on Farm Subsidies, Brookings Institution, 197–.

Seckler, David, ed., *California Water*, Univ. of Calif. Press, Berkeley 1971.

——— *California Water:* a strategy, Planning and Conservation League, 1970, 19 pp., (909 12th St., Sacramento, Calif. 95814).

Seidenbaum, Art, Nader Boys have Say about California Land Development, *Los Angeles Times* West magazine, Oct. 4, 1970.

Shoup, Carl S., *Public Finance*, Aldine Pub., Chicago, 1969 (farm subsidies).

Sierra Club, Minutes of the Executive Committee, March 17, 1968, (1050 Mills Tower, San Francisco, Calif. 94104).

Stanford Research Institute, *Proceedings*, Environmental Pollution Symposium, speech by Dr. Joel F. Gustafson (of SF State Univ.) Jan. 26, 1972.

TRIBUTE TO HON. THOMAS M. PELLY

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, I wish to join with our colleagues as we pay our tributes to THOMAS PELLY, Congressman from the State of Washington.

I became acquainted with this fine gentleman and understanding colleague soon after he came to this body. He has been an able, talented, and effective Member of the House of Representatives. He has represented his district, his State, and the Nation well. His contributions have already been referred to by my colleagues and are a matter of record. Along with my colleagues, I glory in his accomplishments.

As he leaves, I wish to let him know that it has been a pleasure to work with him, to understand his desires to serve his people and to be a part of the congressional operation.

Mrs. Aspinall and I wish him the best of happy days in his retirement from Congress.

TRIBUTE TO H. ALLEN SMITH OF CALIFORNIA

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, when the 93d Congress convenes in January of 1973, some of the finest Members of Congress will be absent. One of these is the Honorable H. ALLEN SMITH, who is retiring after 16 years of outstanding service in the U.S. House of Representatives.

ALLEN SMITH has a distinguished record of public service. After obtaining his undergraduate and law degrees from the University of Southern California, he practiced law, served as a special agent of the FBI, and served four terms in the California State Assembly before being elected to the 85th Congress in the fall of 1956.

Any student of American Government knows the importance of the House Rules Committee in the democratic legislative process. ALLEN SMITH served as ranking Republican on this committee, and in that capacity he displayed a knowledge as detailed as anyone and better than most, of the machinery of the U.S. House of Representatives. He has represented the people of California's 20th District and the people of America well.

We will miss the energy, wisdom, and expertise of ALLEN SMITH. I wish him the best of good health and happiness in the years ahead.

VISITING THE LIBERATED AREAS OF GUINEA-BISSAU

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, Barbara Cornwall, author of a detailed study of African liberation movements called "The Bush Rebels," has written some comments regarding two articles which were submitted for the RECORD by the Honorable JOHN G. SCHMITZ of California. These articles express the Portuguese point of view with regard to the visit by a United Nations mission earlier this year to the liberated areas of Guinea-Bissau.

In view of the personal investigations carried out by Ms. Cornwall in the liberated areas of the Portuguese colonies, she is in a unique position to put the record straight. I would like to submit for the serious attention of my colleagues her comments:

COMMENTS ON AFRICAN LIBERATION

(By Barbara Cornwall)

OCTOBER 2, 1972.

I would like to call attention to two articles submitted by the Hon. John G. Schmitz of California and published in the Congressional Record of July 17, 1972, page 24090.

These articles, which appeared in the London "Daily Telegraph" on May 2, 1972, and in the April issue of the magazine, "Portugal," were offered by the Hon. Mr. Schmitz as evidence that a United Nations fact-finding team sent to Portuguese Guinea never, in fact, set foot on Portuguese Guinea territory and that, while remaining in the neighbouring republic of Guinea (former French Guinea) they were duped into believing that they were touring liberated zones held by the PAIGC, the liberation movement now fighting in Portuguese Guinea and which claims to hold three-quarters of that territory.

As the Hon. Mr. Schmitz has offered these two articles as evidence that Portugal "has seen fit to set the record straight" on the UN "inspection" of its Guinean province, I would like to examine these articles more closely.

Since the arguments put forward in the "Telegraph" were almost identical to those in the magazine "Portugal" which appeared a month earlier, I shall discuss mainly the "Telegraph" piece.

Having spent a month myself in the liberated zones of Portuguese Guinea while preparing a book about liberation movements in Africa (*The Bush Rebels*, Holt, Rinehart & Winston, April 1972), I would like to assure the House that my own experience and conclusions were very similar to those of the UN Special Mission, except that Portuguese bombardment undergone by the UN investigating team was far more intense than that undergone by myself (See also UN Commission on Human Rights, document No. E/CN.4/AC22/RT.102, January 21, 1971, which contains evidence given by me before the UN Human Rights Commission in Geneva).

I submit that, in its efforts to conceal the fact that it is losing its hold on Portuguese Guinea, and that the PAIGC does administer the territory under its control, and in order to castigate the United Nations for dispatching a fact-finding mission to establish the actual situation in the country, the evidence offered by Portugal through the two articles quoted is misleading and in many cases, does not correspond to reality.

Concerning the "Telegraph" article, its author, Mr. Bruce Loudon, says: "By their own admission, they (the mission) wore camouflage uniforms supplied by their Communist-backed guerrilla hosts."

(I would like to state that the PAIGC is supported, not only by Communist and other Eastern bloc countries, but by the Organisation of African Unity (OAU), Scandanavia, certain countries of North Africa, and by private church and social organisations in Western Europe and the United States which send food, clothing and medicine for civilian use. It is also natural that the UN mission would wear camouflage uniforms, as the liberated zones have been under Portuguese bombardment for several years. The black inhabitants are subject to raids by helicopter-borne Portuguese troops, aerial reconnaissance and jet strikes).

Mr. Loudon continues "... they tramped through mosquito-ridden and snake-infested areas of Portuguese Guinea under the firm "control" of the rebels—making "contact" with the local people, seeing "programmes of reconstruction" being promoted by the PAIGC . . . and the educational facilities it is developing."

(In "tramping through" the southern front of Portuguese Guinea, which the UN Mission also visited, I have also contacted and talked to the local people, seen reconstruction programmes being carried out as far as possible under wartime conditions and which include economic, agricultural and cultural planing, and noted the bush schools organised for a population which was 98 percent illiterate after 500 years of Portuguese presence).

The article continues: "Portugal says that the mission was a violation of the UN charter and 'illegal' and that by sending investigators to "free" Guinea without referring to Portugal, the UN was violating the sovereignty of a member state.

(Colonialism itself is a violation of the UN charter, and despite Portugal's claim that the African territories of Portuguese Guinea, Mozambique and Angola are "integral parts of the motherland" the fact is that they are colonies. In addition, Portugal's behavior concerning the African inhabitants is contrary to repeated UN resolutions on human rights.)

Continuing, Mr. Loudon says that the investigators' account of seven days and seven nights in "free" Portuguese Guinea is vague, and that one glaring omission is that the investigators failed to say where they went after secretly crossing the frontier from the Republic of Guinea.

(I would agree with Mr. Loudon that the mission would not wish to name villages visited for fear of Portuguese bombing reprisals. In testifying before the Human Rights Committee of the UN, I also refrained from mentioning specific villages, although the names were known to me. According to what their inhabitants themselves told me, the Portuguese have bombed villages not only to intimidate them into withdrawing support from the PAIGC, but to punish them for rebelling against Portugal. It seemed to me that to pinpoint specific villages would have invited reprisal against them—certainly the Africans thought so—and I did not wish to be responsible for this).

The article goes on: "They speak of going everywhere secretly and on foot—a 'secrecy' which is surprising in view of the 'control' they say is exercised by their rebel hosts. And always on foot? If the PAIGC 'controls' three quarters of Portuguese Guinea, surely it could have produced a bicycle or a horse, or something, to carry their VIP guests?"

(I also went everywhere secretly, and on foot. The secrecy is not surprising. This is a jungle war fought in the interior, and there is always the possibility of infiltration by black Portuguese agents. However well-controlled an area may be, to expose a visitor, and his escorts, to unnecessary danger by announcing his itinerary is foolhardy. Further, the PAIGC have never claimed to control the air—the Portuguese clearly have superiority here. What the organisation does claim is administrative control on the ground, despite relentless bombardment by their opponents. Regarding transport facilities in the interior, there were few roads in the former Portuguese colony except country lanes which connected one fort with another, and because of aerial reconnaissance and air strikes, guerrillas and civilians rarely use them. And to ride a bicycle down a tangled jungle path is most unsatisfactory as I discovered after being offered one. About horses —this is a tse-tse belt).

The article in the "Telegraph" then questions the seven-day beards worn by the investigators when they re-emerged into "Sekou Toure's Guinea republic," claiming that PAIGC advances in "free" Portuguese Guinea would certainly have included the provision of simple washing and shaving facilities.

(There has never been indoor plumbing or piped water in the Portuguese Guinea interior under the Portuguese administration and in the course of jungle warfare one cannot expect the PAIGC to concentrate upon this refinement. What *is* provided is a bucket of water, often carried over long distances, for each man for washing and laundry purposes. Nor are there barber shops, hair dressers or supermarkets or cinemas or pavements or opera houses or museums. And there are very few mirrors. What is considered important here is simple human survival, food, clothing and water, and as far as humanly possible under the circumstances, provisions for education and medical care. Since life expectancy under the Portuguese administration was age 35, and 50 percent of children were dead of disease by the age of five, one can understand why medical supplies and field hospitals would be given priority over shaving facilities, however unkempt the UN mission may have appeared after emerging from the bush).

Next, Mr. Loudon, like the Portuguese government, questions the mission's claim to have crossed the frontier at all . . . "for the oldest of Africa hands know only too well how difficult it is to define frontiers." As the Lisbon "Diario de Noticias" has pointed out, "straw huts look the same on either side of the frontier."

It is very possible, as the Portuguese government well knows, to enter Portuguese Guinea through the Republic of Guinea, and that the frontier is known to Portuguese aircraft, the Republic of Guinea, and members of the PAIGC, as well as African inhabitants on either side of the border. One main frontier point, which is designated, and which I have seen myself, is much like crossing a state line in the U.S. The argument that in Africa "straw huts look the same on either side of the frontier" is like saying that one Howard Johnson's looks the same on either side of the state line, therefore one must still be in Michigan.

(Further, when the frontier is crossed from the Republic of Guinea into Portuguese Guinea, the language immediately changes to Balante, Creole or Portuguese; the type and availability of commodities change abruptly, and both guerrillas and peasant militia are armed. The country is on a war-footing, obvious to the visitor, with villages, bases, hospitals and trade centres being camouflaged because of Portuguese bombardment.)

In conclusion, I would like briefly to discuss certain remarks which appeared in the "Portugal" magazine, under the headline "UN's 'Alice in Wonderland' Committee was never inside Portuguese Guinea with PAIGC."

General Antonio Spinola, the governor and commander-in-chief of Portuguese Guinea, was quoted as saying that he saw no way in which the UN team could have crossed into Portuguese territory.

He had personally bivouacked on the frontier during the mission's alleged visit, he said, his men were on permanent patrol duty while he overflew the area constantly by helicopter, and he sincerely believed that any penetration across the frontier would have been spotted.

(I submit that as the frontier is relatively long, it would have been impossible to station a man at every possible infiltration point in this thick jungle area, even if all 30,000 of the Portuguese troops stationed in Portuguese Guinea were rushed to the border for this purpose. And who would have protected the remaining towns and forts still held by the Portuguese, their military installations and bases, from guerrilla attack in the north and east? Or all of those innocent civilians being indiscriminately killed by the PAIGC, as Portugal claims?)

(And since the southern front and the frontiers with the Republic of Guinea are not only guerrilla-infested, but in fact controlled by the PAIGC, only helicopter-borne troops, under constant harassment from guerrillas, could have bivouacked in the frontier area, and then only briefly. Having seen this region myself, I believe that it would not be impossible to slip a mission across the border, especially at night).

(What was possible, I believe, was continual aerial bombardment of the frontier area and the southern front itself by Portugal, combined with quick helicopter sorties into regions thought to be on the UN mission's itinerary, with the aim of either capturing or killing the mission. What diplomatic mileage could be gained from the latter! Since Portugal does not admit to bombing her black civilian population, she could simply tell the UN that the blacks ate up its mission. That there was unusually heavy bombardment, shelling and helicopter sorties at the time of the UN visit is known, unless of course Portugal was bombing the independent republic of Guinea instead. And just out of curiosity, I would like to know whether General Spinola shaved while bivouacking on the Portuguese Guina frontier).

TRIBUTE TO HON. JAMES KEE

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, at the end of this Congress the last member of his family to serve here on the Hill—at least for some time—is saying his goodbye to the House of Representatives. I, of course, refer to my good friend and colleague, JAMES KEE.

It has been my pleasure to serve with his father, later on with his wonderful mother who was a talented and charming member of the committee of which I am chairman, and then with her retirement, with our colleague, JIM.

Many good things have been said about JIM and they are well deserved. I would like to add, however, that he has been a talented, dedicated and able member of the Committee on Interior and Insular Affairs. He has been most loyal to me and before my colleagues, I wish to make this acknowledgement. If we could not agree, we were able to disagree in a friendly manner. In agreement, we have been able to present our positions effectively.

I could say many things about the kindly and honest personality of this great West Virginian. To what my colleagues have already said, I shall simply say that he is one of the most honest, loyal and friendly people whom it has been my pleasure to have known. I shall miss him very much, and I wish for him and his fine family the happiest of bright and sunny days ahead.

GEN. WILLIAM C. WESTMORELAND

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I would like to pay my personal respects to a fine American and a distinguished soldier—Gen. William C. Westmoreland.

After a career that spanned some 36 years of service to his Nation, through three wars and the peacetime years between, General Westmoreland has gone on to an honored retirement.

He was born in Spartanburg County, S.C., March 26, 1914. After attending the Citadel, the military college of South Carolina, for 1 year, he was appointed to the U.S. Military Academy at West Point, where he had a distinguished record and was chosen at first captain and regimental commander of the corps.

Commissioned a second lieutenant of field artillery upon graduation in 1936, he saw action in World War II in North Africa, Tunisia, Sicily, France, Belgium, and on to Germany itself. He fought in Korea in 1952 and was promoted to brigadier general at the age of 38. In December 1957, he was given his second star and became the youngest major general in the Army.

After serving as Superintendent of the U.S. Military Academy at West Point, he became commanding general, U.S. Army Vietnam, and commander, U.S. Military Advisory Command, Vietnam in 1964—a position of extreme complexity and enormous difficulty, where he served for 4 years during the period of some of the heaviest fighting of that long and tragic conflict.

He returned to the United States as Chief of Staff, U.S. Army, from July 1968 to July 1972—a post for which the President of the United States honored him with this third Oak Leaf Cluster to his Distinguished Service Medal. As the President said in presenting the medal to the general:

> His loyal and illustrious service to the United States, in successive positions of the greatest responsibility, reflects the highest credit upon himself, the Army, and the Nation.

It was my honor to first meet General Westmoreland when he was in command of Fort Campbell, located in Kentucky and Tennessee. He was respected and loved by the people of that area, as he was by those he commanded in the field. I knew him later when he was Superintendent of the U.S. Military Academy at West Point, when he was in command in South Vietnam, where I visited him on two occasions, and when he was recently Chief of Staff of the U.S. Army. He has represented the best in the military tradition of our country, responsible to civilian authority, brave and able as a military commander and as a citizen and a soldier holding great loyalty, pride, and faith for our country and its future.

He has been helped and sustained by a great wife, Kitsey, a woman with outstanding qualities. My wife and I have been honored to know them as friends and to be inspired by them, as I am sure has been the experience of countless others.

TRIBUTE TO HON. THOMAS G. ABERNETHY

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ASPINALL. Mr. Speaker, our colleague, THOMAS G. ABERNETHY, was a Member of Congress when I took my oath in 1949. He had already established himself as a dedicated, conscientious, able, and effective member of this body. He has continued to render such service throughout the years. He has truly represented the people of his district, and at the same time, he has endeavored to be understanding and fair to the people of other parts of our great country. We are all his debtors.

TOM has a most pleasing personality and whether it has been on the floor, in the cloakroom, in his office, or elsewhere, as he has gone about his daily tasks, it has been a delight to be with him to enjoy his companionship and to benefit from his wise counsel.

I wish for him the very best of everything in the days ahead.

TWELFTH ANNIVERSARY OF THE INDEPENDENCE OF MALI

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of the House Foreign Affairs Committee, I would like to take the occasion to solute Mali which has recently celebrated its anniversary of independence.

The Republic of Mali celebrated the 12th anniversary of its independence on September 22, 1972, and it is a pleasure for me to extend to President Moussa Traore and to the citizens of Mali congratulations and best wishes for the future. Mali, under the leadership of the Military Committee of National Liberation, which came to power in November 1968, is energetically striving to forge ahead economically on a solid footing and in cooperation with neighboring countries. Mali recently played a key role in helping to create two regional development organizations, one in conjunction with Mauritania and Senegal, the other with Niger and Upper Volta, as well as the West African Economic Community, which officially came into existence at a ceremony in Bamako last June. Through such efforts Mali seeks to devise projects, in cooperation with foreign governments and international organizations, that will provide viable economic opportunities for west Africa's landlocked, inland nations.

On April 1970, I was privileged to visit Mali as part of a special study mission to west and central Africa. At that time, during my meetings with various members of the government, I was very impressed by the warmth, hospitality, and friendship our group experienced.

Our bilateral relations with Mali continue to improve. Moreover, President Traore's government gives firm support to international efforts to deter criminal acts against civil aviation and to combat the illicit traffic in narcotic drugs. Bilateral cooperation between Mali and the United States is based upon friendship, mutual respect, and realistic appreciation of mutual needs. For these reasons we are happy to congratulate President Traore and the people of Mali as they pass another landmark in their nation's history.

REFORMING SOCIETY—A JOB FOR POLITICS OR THE COURTS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, a very interesting and pertinent article has been brought to my attention. At issue is the contribution young lawyers can make in the improvement of our society—is this improvement to come through politics or through law? The article quite rightly questions the criticism that the courts have overreached themselves in responding to social need—that the courts should be passive not active in ruling on critical questions.

I hope that my fellow Members will find this article nourishing food for thought:

[From the Orange County Reporter, Santa Ana, Calif.]

CAN YOUNG LAWYERS REFORM SOCIETY THROUGH THE COURTS?

(By Mathew O. Tobriner)

(NOTE.—I am indebted to Harold Cohen of the California Bar for invaluable help in preparing this paper.)

To realize that the law reflects the society which it governs and that the society, in turn, reflects its law, one need only to glance briefly at the course of history. The societies of the past have left architectural monuments that are grand evidence of the integration of society and law. Only a few weeks ago I looked from my hotel window at Athens across the flat-roofed city to the balanced columns of the Parthenon and the Erectheum They surely spoke the balance that was the essence of ancient Greek society—a society that rested upon status, a society in which each person, slave and freeman, was born into, and assigned for life, a special place.

Perhaps the buttresses and fine-spun intricacy of a Notre Dame or Westminster, coordinating into the Gothic harmony and unity of the whole structure, typify the unifying and dominant role of the feudal church. And, perhaps, too, the jagged skyline of New York symbolizes the dynamism, as well as the confusion, of American society. I submit that the monuments declare that the architecture, art, cultural expressions and law of a society interrelate, affect each other, and, in a subtle way, form and create each other.

POLITICS—OR LAW?

How strange it is, then, to hear it said that young lawyers should not expect to bring about improvement in our society through the practice of law but that they should go "into politics" rather than "into law."[1] How questionable is the criticism that courts have overreached themselves in responding to society need; that courts should be "passive," not "active" in ruling upon crucial questions.

In my view such criticism and advice, however well intentioned, is ill-conceived; law, as an instrument of social control, must, by necessity, respond to the emerging pressures for change within our society, and, if the legal system is to remain viable in the face of today's rapidly shifting mores, we acutely need the advocates of change.

SPIRIT OF THE TIMES

History has demonstrated that the effective court is the one that correctly interprets the spirit of its time. In this regard, the common characterization of courts as either "passive" or "active" is naively misleading; no matter which way a court rules on a particular issue, its decision inevitably affects the contemporary society.

The vice of the United States Supreme Court of the 1920's and early '30's was not that it was either too active or too passive, but that it failed to understand the spirit of its time and retreated into doctrinal rigidity, a rigidity which prohibited all realistic attempts to solve the debilitating problems of that day. The legal profession as a whole, and particularly the young lawyers who are most directly in touch with the emerging needs of society, bear a heavy responsibility to ensure that the legal system does not similarly falter today—or tomorrow.

The suggestion that those who seek to change conditions in modern America ought to turn to legislative bodies, rather than to the courts, necessarily rests on the notion that the reforms sought by the young today can be achieved only by the adoption of new, revolutionary legislative programs. But a major part of this dissatisfaction stems not so much from a disagreement with the basic principles of our institutions, but rather with the failure of the society uniformly to adhere to those principles, a failure to afford existing legal rights equally to all members of society—poor, as well as rich, black, brown and yellow, as well as white, female as well as male, the individual consumer as well as the corporate producer.

OUTRAGED SOCIETY

Like the current disaffection with American foreign policy in Vietnam, much of the outrage with the realities of our domestic society derives not from a rejection of the stated goals of current leadership—who among us disagrees with the stated aim of "a generation of peace" or of "equal educational opportunity for all"—but from a realization that in practical terms we pay only lip service to these high-sounding ideals, that the *action* taken by our society speaks louder than its idealistic claims.

For all too long, legal principles of theoretically general application have in practice been reserved only to those whose wealth, or political power, or acumen, secured effective legal representation. Today, with the emergence of local legal aid and public defender offices, and various public interest law firms, to represent both distinct minority groups and the public interest, these general legal principles are fortunately becoming available for the first time to large segments of our people.

Perhaps the most visible evidence of the efficacy of this movement to date are the successful actions which have been prosecuted by local poverty lawyers against a broad range of federal and state agencies, requiring a multitude of welfare agencies, housing authorities, highway commissions and the like, to comply with applicable constitutional, statutory or regulatory provisions. Such litigation, in requiring recalcitrant agencies to follow through—in practical, day-to-day terms—with the promises of reform legislation, is essential to the translation of statutory enactment into radical change in the actual operation of government.

PLIANT SOCIETY

Indeed, those who would negate the role of the courts in altering society overlook significant legal trends in diverse fields. The society in which courts now function is in the throes of accommodating itself on the industrial side to the computer and the conglomerate, to mechanized production and monopoly management; our society, in the social and political spheres, is tearing away obsolete cultural patterns and attempting to design new democratic procedures for the poor, the minorities and the neglected. The combination of the demand for fair treatment for minority segments and the need to preserve the individual rights of all, has led in the face of an expanding mass technology, to deep changes in the law of today and portends even more radical changes that will come with the law of tomorrow.

LISTENING TO ALL

In specific areas of the law the courts have recognized that the principles of equal protection of the law and due process of law have in the past shed their light largely upon the mansions of the established and not upon the squalid quarters of the poor. The principle that significant rights should not be annulled without the chance of the deprived at least to be heard has now been applied to the economically disinherited. First, the United States Supreme Court extended that right to the worker whose wages were attached, then to the procedure of claim and delivery and to the attachment of necessities. Recently the United States Supreme Court has said that the loss of a driver's license works a crucial denial in a day when a car may be necessary for access to a job; the high court held that the drivers involved in an accident must be heard before the license is cancelled.

But beyond this area there are those where the light of due process has fallen only in part and where large expanses still lie in darkness. The student of the public university gets the right to be heard before he is expelled, but what of the student of the private university? May the tenant of the public housing project be ejected without a hearing? May the public employee otherwise fit for the job be arbitrarily suspended or discharged? And, turning to the most forlorn and forgotten class of all—the prisoner—does he get the right of due process before his parole is revoked or before he is condemned to the torture of the isolation cell?

JOB AND SHELTER

And far beyond the areas where the grey light of due process partially reaches, lie the lands of total night: the private tenant, the individual employee of the huge corporation; does he have the right to be heard before he loses his shelter or his job?

And so the light of due process, as a realistic protection of the economically weak reaches only so far and awaits the possible extension of the future.

Let me submit another illustrative field: the readjustment of the relationship between the consumer and the producer. We have taken the giant step of ruling that the producer is strictly liable to the consumer for injuries caused by the defective product. We have taken another step; that the consumer class in the field of insurance should have the right to that kind of insurance that the carrier has led him reasonably to expect. We are experimenting with class actions to provide a realistic access to the process of law for the individual consumer. This emerging right of consumer protection awaits further articulation by the courts.

SOCIETAL READJUSTMENT

Yet the examples given above—few as compared to the number available—show that courts are capable of creative judicial response to pressures for readjustment of societal relationships, and that reform of society need not be confined to legislative halls. In recent years the judicial system has proven itself capable of grasping the significant movements that have changed the complexion of our culture, and of shaping legal relationships to accommodate new social patterns and to preserve cherished freedoms. In the near future there will be, if anything, an increasing need that the demands for social reform—and even for social "revolution"—be pressed in the judicial sphere and framed in the context of legal relationships.

ALTERNATIVE APPROACH

In sum, I must completely disagree with those who would encourage all reformers of society to abandon the legal profession and "to stick to politics." It is true, of course, that given the widespread deficiencies of our present society many of the future solutions to our problems should come in the form of new imaginative legislative programs. But the genius of our judicial system lies in its capacity to function as an alternative, complementary institution in reformulating the framework of society's rules to achieve newly-embraced values and goals. To close this path now, when the call for reform is ever rising and when the need for change is increasingly clear, would place an intolerable strain upon our current governmental system. Those who would steer reformers away from the courts may be unwittingly condemning the disadvantaged and disaffected in our society—groups largely unrepresented in the political process—to "take to the streets" as the only viable solution to their problems.

Thus the Parthenons of the law are yet to be built; the spires of the legal Notre Dames and Westminsters will yet pierce the skies of America. There is so much to be done; so many searing problems to be solved. The Cassandras that cry that our society is beyond hope of further achievement and that revolution must level the structure, ignore the fact that ours is a dynamic, not decadent country. No iron shadow of dictator or colonel falls across our pathway to tomorrow.

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[1] See, e.g., Interview with Chief Justice Warren Burger, N.Y. Times, July 4, 1971, § 1, pp. 1, 20: "Young people who decide to go into the law primarily on the theory that they can change the world by litigation in the courts I think may be in for some disappointments. It is not the right way to make the decision to go into the law, and that is not the route by which basic changes in a country like ours should be made. That is a legislative and policy process, part of the political process. And there is a very limited role for the courts in this respect."

Young lawyers will probe, question and challenge the legal rules and the mores of the day. They will challenge outmoded doctrines; they will bring to light the need of legal adjustment of socially intolerable conditions; they will press for the acceptance of new social values.

HON. WALTER S. BARING

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, WALTER BARING of Nevada, with whom I have served since 1949, is leaving at the end of this Congress. With the exception of 4 years, WALTER BARING has been a member of the committee on which I have served and of which I have been chairman for the last several years. WALTER has been one of the most dedicated subcommittee chairmen. His understanding, his knowledge, and work with public lands has been outstanding. He is dedicated to the best interests of the West and undoubtedly knows the problems of his home State of Nevada as well as or better than any other public servant that we have had here in Congress. He has been one of the most loyal members of the committee. It has been a pleasure to work with him. He has not been afraid to express his wishes, but he has been most understanding in contributing to the solutions of the problems which have been before us.

I have known his good wife, Geraldine, ever since our first days in Congress. As we say goodbye, I wish for each of them and their family the finest of things that life can possibly hold for them.

A TRIBUTE TO SENATOR CLINTON P. ANDERSON

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, one of the great losses to the U.S. Senate is the departure of Senator CLINTON P. ANDERSON of New Mexico. For 30 years he has served his country as a Member of the House of Representatives from 1942 to 1945, as Secretary of Agriculture in 1945, and in the U.S. Senate since 1948.

During his service in the Senate he has served on the Interior Committee, the Aeronautical and Space Sciences Committee, the Finance Committee and the Joint Committee on Atomic Energy—among the most influential in the Senate. His work and initiative on the Joint Committee on Atomic Energy fostered the development which has made the United States the leading power in the world in the nuclear field, both for the security of our country and for its peaceful uses which offer so much opportunity for mankind.

Anyone who has any interest in agriculture will always recall that CLINTON P. ANDERSON, born in Centerville, S. Dak., and living for a great part of his life in New Mexico, has never forgotten the necessity of production of food and fiber for the people of our country and for the health of people throughout the world. This, unfortunately, has become so commonplace in our economy that many do not realize how much we owe to agriculture production of the United States and to such men as CLINTON ANDERSON who understood it and who helped increase and develop it throughout his service in the Congress. Senator ANDERSON is, in every sense, a leader. He has a mind of depth and quickness. He has been a man of conviction who fought for his convictions and, because of these qualities, his influence in the Senate has been great. His feeling for New Mexico and the Southwest was always evident, but his interests were also national and international and he served all people of our country.

His wife, Henrietta, is a strong and able woman, and a great helpmate. It has been my honor and that of my wife to know them well since 1957, and we have appreciated their friendship.

New Mexico, the Congress, and the country are proud of their achievements and wish them all happiness in the years ahead.

SOUTH AFRICAN HOMELANDS LEADER SPEAKS OUT

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, I commend to the serious attention of my colleagues the thoughtful expressions of Chief Gatsha Buthelezi, Chief Executive Councillor of the KwaZulu Legislative Assembly, in a recent letter to the editor of the South African newspaper, the Natal Mercury, and published in the October 2 edition of that paper. The editorial to which Chief Buthelezi responded had stated:

> The patience and forbearance with which leaders of the Bantu homeland governments endure the frustrations of separate development is often admirable. They have a good case and sound arguments on their side. It is therefore all the more regrettable when they occasionally lapse into extravagant and nonsensical overstatement, as Chief Gatsha Buthelezi did this week when he referred to Whites as "those who keep me in the shackles of slavery."
>
> Even allowing for a generous measure of hyperbole, that statement bears no relation to reality. This sort of talk antagonises even moderate and enlightened Whites and does not serve the cause of African advancement.
>
> The real slavery of most of Black Africa, including countries that have won their political freedom, is the bondage of ignorance and primitiveness from which it is slowly and painfully emerging.
>
> The impact of an advanced Western civilisation territorially superimposed on the primitiveness of Africa has given the African new standards, new desires and new expectations without necessarily giving him the means of realising them through his own efforts.

In reply, Chief Buthelezi reminded the editor:

> More than 60 per cent of the African workers are paid wages below the poverty datum line in a country that produces about 70 per cent of the world's gold. . . . All your wealth is based on our cheap labour.

He further commented:

> Can it be denied that in a sense that is the position of Blacks in relation to the all-powerful Whites in this country? We have no meaningful vote in decision-making in this country since we have no vote. We are subject to the laws in whose making we have no say. Some of these laws restrict our movements. Africans cannot move freely in South Africa because of the pass laws and Influx Control Regulations. These are laws passed by an all White Government representing an all White Electorate.

Mr. Speaker, I wish to insert the full text of Chief Buthelezi's response:

> CHIEF BUTHELEZI REACTS TO "MERCURY" LEADER
>
> Sir, I wish to react to your editorial under the title "Evolutionary Currents" in which you take me to task for having ended my speech at Inanda with the words that gifts such as the one Mobil Oil Corporation gave to the School were a help not only to Blacks but even to "those who keep me in the shackles of slavery."
>
> You have decided to interpret it to mean all Whites for reasons best known to yourself. First of all I wish to make it quite clear that I used the expression figuratively. I can still use it if I have another opportunity and I apologise to no one for using it.
>
> The whole tone of your editorial is not only 'nonsensical' to borrow from your glossary, but is an example of the kind of White paternalistic arrogance that is responsible for the rejection of all Whites by many of our Black youths today.
>
> If you and your friends whom you describe as "moderate and enlightened Whites," are angry with me for that one sentence in a speech, then we can do without your kind of "moderate and enlightened Whites." We do not need you. We have suffered sufficient humiliations without needing your addition of insults to so much injury.
>
> SLAVE DEFINED
>
> According to the Concise Oxford Dictionary a slave is defined as a person who is the legal property of another or others and is bound to absolute obedience. Although I did not use the term literally, can it be denied that in a sense that is the position of Blacks in relation to the all powerful Whites in this country? We have no meaningful voice in decision-making in this country since we have no vote. We are subject to the laws in whose making we have no say. Some of these laws restrict our movements. Africans cannot move freely in South Africa because of the pass laws and Influx Control Regulations. These are laws passed by an all White Government representing an all White Electorate.
>
> THE REASON
>
> We are enslaved by disease, poverty and ignorance as Blacks. This is because Whites or their Governments have even after three centuries of the civilisation" they brought, not given us a free and compulsory education. Whites in spite of "an advanced Western civilisation" still compel their children to go to school. It is a crude joke on your part to write of "the bondage of ignorance and primitiveness," to which we have been sentenced by Whites through their selfishness.
>
> More than 60 per cent of the African workers are paid wages below the poverty

XUM

datum line in a country that produces about 70 per cent, of the world's gold. You could not have the wealth that you wallow in were it not for the sweat of the Black man. Your enterprise would not have gone far without us; why? Even your wives are hardly housewives because we do your cooking. All your wealth is based on our cheap labour. In other words we have subsidised all the wealth you are boasting of.

NOT GOD

You are not God to categorically state that you brought progress and struck an evolutionary spark in a dormant wilderness. You cannot state for certain that we could not have made advances without you had we been left to ourselves. Your people were "primitive" when civilisations thrived on parts of the Continent of Africa and India.

I agree with you that the disparity to levels of advancement is simply a fact of history. In other words we were dispossessed through the gun and you are determined to maintain the status quo through the same gun. Well, fair enough and frank enough.

My speech at Inanda as reported by both Natal newspapers was an explanation of the kind of debates I was involved in when people overseas agitated for withdrawal of all corporations from South Africa because of what they regard as modern Black enslavement. I pleaded that doing what Polaroid did and Mobil Oil has done was much better than withdrawal. This has earned me quite a fair amount of criticism from some of my own people.

To be rapped over the knuckles by you in addition, is bound to disillusion many more of my people about "White civilisation" and "White Christianity" and I wonder if Black people will not be tempted by your types to finally agree that violence is the answer.

ANTI VIOLENCE

I personally do not believe in violence as a solution, but writing in the vein in which your editorial is written closes the way even for some of us to other options which do not entail violence. In fact you bluntly tell us that there are none.

According to Dr. David Welsh in his book entitled "The Roots of Segregation" on page 41 he quotes an editorial of "The Natal Mercury" of March 6, 1858, which stated among other things: "We believe in the divinely purposed supremacy of the White over the Black race; and all history interprets and illustrates this belief."

It does not seem as if your newspaper has made much progress editorially in its views in the last one hundred and fourteen years since the above quoted editorial was written, judging by the editorial under discussion.

M. Gatsha Buthelezi,
Chief Executive Councillor, Kwazulu Legislative Assembly.

TRIBUTE TO HON. WILLIAM M. McCULLOCH

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, I would be derelict and unappreciative to the highest degree if I did not join in the tributes that have been given to our colleague, William McCulloch of Ohio.

I was born not far from the district where Bill was born, raised, worked, and has now served for so many years here in Congress. He is a great Ohioan, a great student of the needs of people, a great Member of Congress, and a great friend. He is a former Speaker of the House of Representatives of the State of Ohio and because I occupied such position in the Colorado State Legislature, this perhaps has brought us much closer than we otherwise might have been. His training there has served him well here in this great legislative body. Others have enumerated his accomplishments as a Federal legislator; I glory in them, also, and thank him for such service.

Some time ago, Bill was stricken by an illness that would have laid others low. He had the courage and tenacity to return and once again become an effective Representative. This shows the kind of mental, physical, and moral fibers with which he is possessed.

As he leaves this body, I join with his legion of friends in wishing him and his loved ones well in the days ahead.

McNAMARA ON THE "STATE OF DEVELOPMENT"

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, I would like to insert for the thoughtful attention of my colleagues the second half of the recent address, on October 18, 1972, by Mr. McNamara, President of the World Bank, before the United Nations Economic and Social Council:

State of Development

My view is this: The state of development in most of the developing world today is unacceptable—and growing more so.

It is unacceptable, but not because there has not been progress. There has been. The total economic growth, measured in GNP terms, for the developing countries during the First Development Decade was impressive. For some of these countries during the First Development Decade was impressive. For some of these countries it was the most successful decade—measured in these gross economic terms—in their history.

But such economic measurements, useful as they are, can be seriously inadequate.

What is inadequate about them is that they do not, in themselves, tell us much about what is happening to the individual lives of great masses of people in the developing countries.

But the improvement of the individual lives of the great masses of people is, in the end, what development is all about.

What are we to say of a world in which hundreds of millions of people are not only poor in statistical terms, but are faced with day-to-day deprivations that degrade human dignity to levels which no statistics can adequately describe?

That is in fact the world of today for the more than two billion human beings who live in the developing nations. The personal catastrophe that affects the individual lives of hundreds of millions of these individuals is such that we can no longer take much satisfaction in the simple statistical achievement of the overall GNP growth goal of 5% by the end of the First Development Decade.

To begin with, that average figure conceals the fact that the growth rate was very uneven among the developing countries, and that income grew the least where it was needed the most: in the poorer countries, with the largest aggregate population.

In the Bank's poorer member countries, for example—those with a per capita GNP of less than $200, but with an overwhelming 64% of the total population of our developing country membership—the overall average GNP growth rate was only 4.1%.

And when that overall figure is adjusted for population increases, it becomes clear that the *per capita* income growth was so small as to be bearly perceptible: a miniscule 1.7%.

It was to raise these per capita figures that the members of the UN adopted as a target for the Second Development Decade an overall annual GNP growth target of 6%. To make possible the achievement of such a rate the development countries were to increase their aid, provided in the form of Official Development Assistance, to .7% of their GNP's by 1975.

Where do we stand in that effort?

The truth is that the objective of .7% will not be reached. There seems little likelihood that in 1975 Official Development Assistance will exceed .37% of GNP: only half of the Second Development Decade target.

This is a most unwelcome conclusion. But we must face facts. Not only is there no evidence that ODA as a percentage of GNP will rise above half of the target rate, but unless there are prompt and marked changes in attitudes, it is difficult to foresee any great improvement in the second half of the decade.

Was the .7% target too ambitious? Are the difficulties within the domestic economies of the developed countries such that it is unrealistic to assume they can afford this degree of assistance to international development?

Certainly not.

During the First Development Decade, the total GNP of the world increased by $1,100 billion. That is an increase in income almost beyond comprehension.

But how was that growth in income distributed throughout the world?

Eighty percent of the increase went to countries where per capita incomes already average over $1,000—and they contain only one-quarter of the world's population.

Only 6% of the worldwide increase went to countries where per capita incomes average $200 or less—but they contain 60% of the world's people.

One can grasp the magnitude of this distortion by reflecting that per capita income in the United States rises more in a single year than it will in India in a century.

The collective GNP of the developed countries in 1970 totaled roughly $2,000 billion. In constant prices, it is projected to grow to at least $3,000 billion by 1980.

Granted these facts, are we to say seriously that these wealthy countries reach the ODA target of .7% of their combined GNPs?

It is clearly not a case of their being unable to afford it. But whatever the ultimate reasons for this shortfall in Official Development Assistance may in fact be, one can quite accurately predict the results.

The ODA deficit will penalize the poorest countries—those with per capita incomes of less than $200—the most. They can have almost no hope of reaching the growth target. Their need for ODA is the greatest, and if it stagnates at its present level, they will feel the effects the most severely.

And even for those developing countries which are somewhat better off, a deficiency in ODA will force them to seek external finance from less desirable sources—particularly sources demanding high rates of interest or early repayment. Such financing adds to short- and medium-term debt burdens by mortgaging larger proportions of export earnings, and, in the event of an unexpected decline in those earnings, it can cause severe strains on the whole of the economy. Mounting debt problems for the developing countries appear inevitable.

IV. SOCIAL EQUITY AND ECONOMIC GROWTH

Given the deficit in ODA, and the consequent increase in the debt burden—all of this compounded by the delay in dismanting discriminatory barriers to trade from the developing countries—many of the poorer nations will fail to reach the Second Development Decade's 6% growth target altogether, and many others will reach it only with very severe difficulties.

But let us suppose for a moment that this were not the case, and that all the developing nations did actually achieve a 6% rate of growth by 1980.

Would that achievement, in itself, provide a significant improvement in the conditions of life for the majority of the two billion people of the developing world?

The answer is no.

The answer is no because increases in national income—as essential as they are—will not benefit the poor unless they reach the poor.

They have not reached the poor to any substantial degree in most of the developing nations in the past. And the reason is that there has been severely skewed income distribution in virtually all developing countries.

How severe is this income disparity?

The statistics are admittedly incomplete. But what evidence is available indicates the maldistribution is great and that the poverty of the low-income strata—roughly the poorest 40%—is far worse than the national averages suggest.

Our studies, for example, indicate that:

In 10 countries, with per capita incomes averaging $275, the poorest 40% of the population receive incomes of only $50.

We are dealing here with problems so immense that their scope is difficult to grasp.

We are talking about hundreds of millions of desperately poor people. We are talking about 40% of entire populations. Development is simply not reaching them in any decisive degree. Their countries are growing in gross economic terms. But their individual lives are strangling in human terms.

Now what can be done about this situation?

One view is that governments in developing countries should make rapid economic growth the first objective, and that income redistribution and increased employment can be achieved later through fiscal and institutional changes.

Others argue that the growing pressures of poverty are so overwhelming that their widespread relief should be the central objective of development strategy, even if that entails major sacrifices in the pace of overall growth.

It would be comforting, of course, to continue to believe that there is no conflict between rapid overall growth and comparable improvement in the incomes of the poor. But, unfortunately, the evidence suggests that there is.

There is a natural tendency for growth to be concentrated in the modern sectors of the economy with little current benefit to the lowest income groups. What data there are—while admittedly incomplete—indicate that that pattern of growth has developed in many countries.

But if few dispute the fact that there does exist some conflict between maximization of growth and the rapid reduction of poverty, many argue that in the long term the conflict is irrelevant. They say, given sufficient time, it can be resolved. They say, in the long run, rapid growth will increase productivity, and furnish the resources which can be redistributed to those who cannot yet be accommodated in the high-productivity, high-wage, modern sector.

The same view holds that even in the shorter term—in a decade, say—it is possible at least to reduce the conflict between rapid growth and more equitable income distribution by shaping an economy which provides the proper incentives, which prices labor and capital correctly, which strengthens the fiscal system, and which emphasizes the right adaptive technologies.

But although this argument may be correct as far as it goes, it doesn't go far enough. A decade may be the short term for a development planner. But it is the long term for a subsistence tenant farmer whose children are most likely to die before the age of five, whose diet is already so inadequate that he cannot stave off chronic ill health, and whose illiteracy limits his future.

Having said this, one must also recognize that if a government were to initiate policies to increase the income growth of the lowest 40% of the population—with a view to assuring that, at a minimum, their share of the nation's overall economic growth does not decline as it has in the past—there are legitimate questions as to what the impact of such policies would be on the rate of overall national growth.

We cannot fully answer those questions. But while we do not know as much as we want to know about the relationship of more equitable income distribution to overall growth, we do know enough to reach two conclusions:

First: It is possible to design policies with the explicit goal of improving the conditions of life of the poorest 40% and this can be done without unacceptable penalties to the goal of national growth, and

Second: Without specific emphasis on such programs, there will not be significant progress in reducing poverty within acceptable time periods.

What then, can be done to attack more directly the problem of massive poverty within the developing world?

I will suggest five steps that can and should be taken:

The first step should be to establish specific targets, within the development plans of individual countries, for income growth among the poorest 40% of the population. I suggest that the goal should be to increase the income of the poorest sections of society in the short run—in five years—at least as fast as the national average. In the longer run—ten years—the goal should be to increase this growth significantly faster than the national average.

Secondly, given the intimate link between poverty and massive unemployment, unemployment and underemployment must be attacked head-on. With 20% or more of entire populations already jobless or virtually idle—and with the population explosion pouring a growing stream of new entrants into the labor pool each year—unless policies and programs are devised to absorb surplus labor into productive jobs, little can be done to improve the lot of the poor. Job creation must therefore become a direct objective in itself. It will be necessary to organize rural and urban public works: the building of market roads; construction of low-cost simple housing; reforestation programs; expansion of irrigation and drainage facilities; and similar low-skill, labor-intensive, and economically useful projects. The Bank will assist in financing such projects.

Thirdly, institutional reforms to redistribute economic power and critically required in many developing countries: land reform, corporate reform, tax reform, credit and banking reform, and many others. Continuation of the existing land tenure patterns, tax laws, and financial regulations will simply assure that the present distribution of assets and income will be perpetuated. The bank will support reforms in these areas with technical and financial assistance.

Fourthly, shifts in the patterns of public expenditure represent one of the most effective techniques a government possesses to improve the conditions of the poor. Too often these expenditures—on health, on transport, on water supply, on education—end by benefiting the already privileged far more than the mass of the disadvantaged. The Bank will assist in designing and financing programs which will improve the distribution of public services.

And finally, policies should be undertaken to eliminate distortions in the prices of land, labor, and capital which provide subsidies to the rich and penalties for the poor.

These, then are the general measures which all of us in the international development community should move toward—realizing, of course, that in the end each country must make its own decision as to how and when to deal with its internal inequities. The problems of poverty are rooted deeply in the institutional frameworks, particularly in the distribution of economic and political power within the system. Outside agencies can assist but cannot solve such problems. It is governments that have the responsibility. To postpone reform on the grounds of political expediency is to invite political extremism. To remain indifferent to social frustration is to foster its growth.

V. CONCLUSION

Let me quickly summarize and conclude the argument I have put before you on the state of development, and the relationship of economic growth to social equity.

Current development programs are seriously inadequate. They are inadequate because they are failing to achieve development's most fundamental goal: ending the inhuman deprivation in hundreds of millions of individual lives throughout the developing world.

Why are these programs failing?

There are two overriding reasons: the developed nations are not moving effectively enough to assist the developing nations; and the developing nations are not moving effectively enough to assist the poorest 40% of their own populations.

The developed nations have, of course, their own domestic priorities. But their growing incremental income is so immense, their technological capacity so powerful, and their whole range of advantages so disproportionately gigantic, that no rational argument can be made for their refusal to do more to assist the disadvantaged nations.

If the rich nations do not act—through both aid and trade—to diminish the widening imbalance between their own collective wealth and the aggregate poverty of the poor nations, development simply cannot succeed within any acceptable time frame.

The developed nations, then, must do more to promote at least minimal equity in the distribution of wealth among nations.

But the developing nations must do more as well. Their internal equity problems are no less important than those of the international community at large.

The task for the governments of the developing countries is to reorient their development policies in order to attack directly the personal poverty of the most deprived 40% of their populations. This they can do without abandoning their goals of vigorous overall economic growth. But they must be prepared to give greater priority to establishing growth targets in terms of essential human needs: in terms of nutrition, housing, health, literacy, and employment.

Such a reorientation of social and economic policy is primarily a political task, and the developing countries must decide for themselves if they wish to undertake it. It will manifestly require immense resolve and courage.

The task of political leadership in the wealthy world is to match that resolve and courage with a greater commitment to equity between their own nations and the developing nations.

Mr. Chairman, I do not believe that what I have proposed here this morning—which in essence is what I proposed both to the UN Conference on Trade and Development, and to the World Bank Group's own Governors—is either a facile formula for instant success in the development process, or an all-purpose set of solutions that will automatically eliminate immensely complex problems.

What I do believe is that all of us in this Council chamber, all of us in the family of agencies of the United Nations, indeed all within the international development community have a grave responsibility to the hundreds of millions of individuals throughout the disadvantaged world for whom these issues are not mere abstractions—but day-to-day realities.

Collectively, the international development community—and the governments that comprise it—have the capability of touching those lives, and rendering them more livable. We in the Bank hope to contribute our share to that collective effort.

Thank you.

TRIBUTE TO HON. JACKSON E. BETTS

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, I wish to join with my colleagues in paying tribute to the friendly personality and the contributions of our colleague, JACKSON E. BETTS of Ohio, who is leaving Congress at the end of this 92d session.

For several years now, we have occupied offices on the same corridor of the Rayburn House Office Building. It has always been a personal pleasure to see and be with our colleague as our paths have crossed.

JACKSON BETTS is a fellow Ohioan of mine; a former speaker of the State of Ohio before he came to Congress. To be a fellow Ohioan is somewhat perhaps an accident of life. To be a fellow speaker—he in Ohio and I in Colorado—carries somewhat of another connotation. In any event, these two situations have brought us closer together than we otherwise might have been.

Also, JACKSON's first grade school teacher in Findlay, Ohio, was a cousin of mine. I know that I have to go a roundabout way to claim any particular credit for the work of my cousin inasmuch as she is somewhat older than I, but I doubt not that a part of JACKSON's success and greatness is due to this relationship that he and I have. At least I have never failed to let him know otherwise.

It has been a personal pleasure to be with JACK and his lovely wife, Martha. I shall miss them very much, and my wife, Essie, and I wish them the best of everything as they leave Capitol Hill.

TRIBUTE TO B. EVERETT JORDAN OF NORTH CAROLINA

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, among my associations in the Senate has been one of particular friendship with Senator B. EVERETT JORDAN—for we served together for several years on three committees—Agriculture and Forestry, Public Works, and the Senate Committee on Rules of which he was chairman. I mention this because we do get to know each other well, through the work we undertook, sitting around the same table and grappling with problems which come before our committees. Of course, EVERETT JORDAN and I worked together time and again over the years on tobacco problems, rivers and harbors and highway projects, and difficult questions of Senate administration and rules. But beyond these particular common interests and enterprises, I have known EVERETT JORDAN as a friend and a conscientious public servant.

Beloved by his colleagues, EVERETT JORDAN is known to all of us—and I am sure to the people of his State—as a good and gentle man, fair and straightforward, patient, and dedicated to the discharge of his duties. His 15 years of service in the Senate have been marked by honor and dignity. He always had time to be helpful to every colleague and constituent in any way that he could.

Our work together was always lightened by his prevailing sense of humor. Senator JORDAN always brought also to our deliberations that practical, down-to-earth commonsense which is so much a part of his character. Open, friendly, courteous, devoted—a good man and a fine man—I know he and his wife Katherine will be missed by all.

TRIBUTE TO SENATOR GAMBRELL

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I have appreciated very much knowing DAVID H. GAMBRELL who is retiring from the Senate. It was my good fortune to know his father, the Honorable Smythe Gambrell when we attended the Harvard Law School together. He became one of the great lawyers of our country and his son, Senator GAMBRELL, has followed in his footsteps. He served as president of the Georgia Bar Association before his election to the U.S. Senate.

Senator GAMBRELL impressed the Senate with his sense of reason, attitude of study upon the issues before the Senate, and his fairness and good judgment. We are sure that he will continue his service to his State and Nation in many valuable capacities.

WASHINGTON REPORT

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MINSHALL. Mr. Speaker, as this Congress closes, I wish to include in the RECORD my Washington Report and opinion poll results, which I think will be of interest to many.

This is the 92d Congress that was—some 20 months in session during 1971-72, more than 18,000 bills introduced in the House and Senate, of which only about 500 became law; speeches and floor debates that filled over 63,000 pages in the CONGRESSIONAL RECORD, and some 800 recorded votes and quorum calls in the House alone. It took three volumes totaling almost 3,800 pages to contain the hearings held in 1972 by my Transportation Appropriations Subcommittee. The 1972 hearings my Defense Appropriations Subcommittee conducted produced nine volumes, more than 8,500 pages of testimony, better than eight times longer than the Cleveland telephone directory's white pages section.

The 92d will be remembered for three landmark pieces of work: Enactment of President Nixon's innovative revenue-sharing plan; legislation giving 18-year-olds the right to vote, and a constitutional amendment, now awaiting approval by the States, guaranteeing equal rights for women. This Congress was noteworthy, too, for putting its stamp of approval on the President's bold breakthrough for world peace. The Senate ratified the Nixon Strategic Arms Limitation Treaty curtailing defensive nuclear weapons and both Chambers passed a related temporary agreement freezing offensive nuclear weapons.

Important new safety, health, and senior citizen laws enacted during the second session include creation of an independent five-member Consumer Product Safety Commission, authority to the Environmental Protection Agency to keep chemicals harmful to health or the environment off the market, enforcement of the ban on flammable fabrics, automobile bumper safety standards, $24.6 billion for water pollution control funds to help build sewage treatment plants over the next 3 years. For the elderly: a $2.1 billion program of aid to help provide jobs, transportation, sound nutrition, recreation, and housing. A 3-year program authorizing $4 billion for vocational rehabilitation, including new programs of aid for kidney transplants, spinal cord injuries, and centers for the deaf.

Footnote to the 92d Congress: It was the last in which House Members shouted "yes," "nay," or "present" as the Reading Clerk called our names on votes and quorum calls. When the 93d Congress convenes, early in January, voting will be done electronically, with scoreboards on the walls of the House Chamber carrying a running tally. The new system will mean a considerable break to taxpayers by saving each Member 91 hours a year—time far better devoted to work than to waiting through the half hour it takes to call the long roll of 435 Members.

Looking ahead to the 93d Congress. Watch for these much-needed items of unfinished business to again make headlines when the new Congress gets under way: Quality education and a ban on forced school busing, tax credits for children attending private schools, outlawing the "Saturday Night Special," the cheap handgun used in 70 to 80 percent of holdups and murders, a limit on

Federal spending, protection for private pension plans, national health insurance, with debate centered over whether it should be encouraged through tax credits or become a massive $100 billion-plus program under complete Federal control supported by stiff taxes.

Minshall priorities will also include continued votes to cut wasteful, unnecessary Federal spending, genuine tax reform—including lower property taxes—to help middle-income wage earners, a crackdown on crime through reform of our permissive court system, stronger laws to wipe out smuggling and sale of hard drugs, welfare reform that places emphasis on the work ethic as a cornerstone of American progress and achievement. Hard working citizens are justifiably fed up with having their tax dollar used to reward indolence. All of us accept the humanitarian responsibility to help those who cannot help themselves—but not able-bodied freeloaders who would rather take a welfare check than a job.

Thank you for participating in the Minshall opinion poll. Results of the more than 22,000 questionnaires received are as follow:

MINSHALL OPINION POLL RESULTS

1. Do you support the President's pledge to withdraw all U.S. forces from Vietnam within 4 months after a cease-fire and release of our POW's?

Yes	79.1
No	16.5
Undecided	4.4

2. Do you approve of the Strategic Arms Limitation Agreements signed by the President with the Soviet Union?

Yes	75.7
No	12.7
Undecided	11.6

3. Should the United States officially recognize Cuba?

Yes	31.7
No	49.7
Undecided	18.6

4. Do you favor complete amnesty for all who refused to serve in the Armed Forces during the Vietnam War?

Yes	16.3
No	78.3
Undecided	5.4

5. Do you favor a Federal "no fault" automobile insurance law?

Yes	62.7
No	16.6
Undecided	20.7

6. Should price controls be placed on all food products, starting with controls on farm prices?

Yes	58.9
No	26.3
Undecided	14.8

7. Do you support a "redistribution of income" program, giving federal cash payments to assure minimum annual incomes for low-pay and welfare recipients?

Yes	13.4
No	75.5
Undecided	11.1

8. Do you favor a Federal law legalizing abortion?

Yes	48.0
No	42.6
Undecided	9.4

9. Should the sale and use of marijuana be legalized?

Yes	18.6
No	72.7
Undecided	7.7

10. Should the death penalty be abolished for all capital crimes?

Yes	12.3
No	83.8
Undecided	3.9

11. Do you think charitable deductions should continue to be tax-free?

Yes	79.5
No	15.4
Undecided	5.1

12. Should interest earned from state and municipal bonds be subject to Federal income tax?

Yes	40.9
No	49.8
Undecided	9.3

13. Should business continue to receive 7% incentive tax credit for new investments in plants and machinery?

Yes	55.0
No	32.6
Undecided	12.4

14. Do you approve of a proposed $2.9 billion Federal child day-care program?

Yes	31.7
No	57.4
Undecided	10.9

15. If the 1972 presidential election were held today, who would be your choice for President?

	Percent
Nixon	65.0
McGovern	15.5
Other	7.7
Undecided	11.8

16. What is the most important issue facing the Nation today?

	Percent
(1) The Economy	28.6
(2) Law and Order	28.6
(3) Vietnam	17.3
(4) Welfare abuses	2.9
(5) The Environment	2.8
Miscellaneous	14.2
No opinion	5.6

TRIBUTE TO HON. CHARLES R. JONAS

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. ASPINALL. Mr. Speaker, our colleague, CHARLES R. JONAS of North Carolina, has been a most valuable Member of this body throughout the years. He has stood like the Rock of Gibraltar for the things in which he has responsibilities. This, of course, has had to do with practically every activity here on the Hill. His imprint upon our activities will last throughout the years ahead.

He has been a great representative for his people, for his State, and for the Nation generally. We are all his debtors.

CHARLIE is a friendly man but he does not take friendship lightly. His presence among us has been of tremendous value to each one of us. The Hill will miss him and I join with his legion of friends in wishing him well in the days ahead.

SENATOR B. EVERETT JORDAN

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MOSS. Mr. President, I deeply regret that with the end of the 92d Congress the Senate career of EVERETT JORDAN of North Carolina comes to a close.

He has served his Nation and his State with vast distinction. He has used fully his great natural ability in the solving of the problems facing the Nation and his area of the country, and he has been steadfast in defense of the South's industries and resources. I have admired his judgment, his integrity, and his tremendous dedication.

One of the things I like best about EVERETT JORDAN is his willingness to listen to the other Members of the Senate, and to try to see their problems through their eyes. In his position as chairman of the Senate Rules and Administration Committee, I have gone to him several times to ask him to consider legislation in which I have had special interest—and he has always been cooperative and gracious. His warm friendship and understanding have been a joy to me.

I am sorry that this genial, able, and wise man is leaving the Senate and I hope for him many more years of happiness and usefulness.

NATIONAL GUARD CIVILIAN TECHNICIANS PROTEST THE WEARING OF MILITARY UNIFORMS WHILE PERFORMING CIVILIAN WORK

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HALPERN. Mr. Speaker, on September 6 more than 500 civilian technicians in the New York National Guard ignored orders to report to work in military uniforms.

Maj. Gen. John Baker's order issued August 5, 1972, which requires all National Guard Federal technicians to wear the prescribed military uniform while performing their civilian technicians' job during the normal work week has met with stiff opposition from the membership of the Association of Civilian Technicians, Inc. A poll of the local chapters of ACT, Inc. was taken and the result was that military uniforms were not worn on September 5. The Association of Civilian Technicians, through its president, Vincent J. Paterno, has expressed unalterable opposition to the policy of requiring civilian technicians to wear uniforms.

In February of this year, I introduced H.R. 13325 which provides that the Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing their duties in a civilian status. That bill has been referred to the Armed Services Committee where it is awaiting action.

I introduced that bill for several reasons. It has always been my contention that this devoted corps of civilian technicians do not need to wear a uniform to perform their duties. They are the most capable, hardworking, and dedicated group of men I know. Their spirit and drive far surpasses any possible advantages one can imagine from making it mandatory that they wear service uniforms.

A second reason why I am opposed to the requirements to wear a uniform is that no argument has been made as to why this should be mandatory. Our philosophy of government and our ability to make decisions is based on the premise that reasoned judgment is a sounder basis on which to make a decision than is deciding an issue without substantiation.

Since September 6, 80 technicians have received adverse action notices and each has chosen to answer the charges at a hearing. I am told that each hearing costs about $600 in time and other expenses.

The truly sad part of this situation, Mr. Speaker, is that all this is taking place while the union has been trying to reach contract agreement with the chief of staff to the Governor of New York. One item, interestingly enough, which is still on the table for negotiation is the wearing of the military uniform by civilian technicians while performing civilian work.

It is my hope that this matter will be resolved quickly and amicably and that the civilian technicians who serve our country with such devotion can continue to do so without further difficulties.

OUR COMMUNITY FIRST

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, there is no question but that the emergence of the People's Republic of China into the realm of international diplomacy has exacted no little difficulty for the Nationalist Chinese Government in Taiwan.

While there is little chance of armed conflict between the two Chinese Governments, the pressures on Taiwan both politically and diplomatically will not abate in the near future.

But what will be the impact of this changed diplomacy on the Chinese-American community?

I believe that that question is well answered in a recent editorial in East-West, the Chinese-American Journal.

This article was sent to me by Mr. and Mrs. Joseph Won, longtime friends and constituents of mine.

I would hope that every Member reads this excellent article for new insights into foreign affairs.

The article follows:

OUR COMMUNITY FIRST

Premier Kakuei Tanaka of Japan has concluded his visit to Peking. The accord signed by Chou En-lai and Tanaka began a new era of Sino-Japanese relationship.

Later, Bonn announced that the West German government would also establish relations with Peking. Now, with the exception of the United States, practically all the major nations in the world have recognized the People's Republic.

These are dark days for the Nationalist government in Taipei. Although we think that it would be most unlikely that there would be armed confrontations in the Taiwan Strait at this time, we believe that Peking will step up its economic and political pressure on Taipei. Whether this will lead to any sort of peace talks is anybody's guess. With the rich resources in Taiwan and its seemingly healthy economic situation, the Taipei government may remain in its present status for many years to come.

It is not our desire to conjecture on China's political future. As Chinese-Americans, we are naturally more interested in our communities in the United States. During past decades, Chinese-Americans tended to be silent on political issues because of the conflicts between the two sides in China. Activists from both sides were more interested in promoting the causes of their respective Chinese governments than in solving the problems in Chinatown. The results are the polarization of our community and the dissipation of the efforts of many of our fine leaders.

The recognition of Peking by Japan and West Germany proves to us once again that Chinatown elders, regardless of how pro-Nationalist they are, have little influence in reversing this political trend. We are calling again to them, to channel their energies into promoting the welfare of our community. America, much like a giant multi-color mosaic, has a place for all of us. Let Peking and Taipei settle their differences. Let us, regardless of our previous political commitments, work together in concerted efforts to bring about a better future for Chinese-Americans.

TRIBUTE TO HON. CHARLES H. GRIFFIN

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. ASPINALL. Mr. Speaker, our colleague, Charles H. Griffin, has not been with us here on the Hill too long, but in these few years, he has left the imprint of his knowledge, dedication to work, genial personality, and his effectiveness as a leader upon all of us.

It was my privilege to become acquainted with Charles when he first came to Congress and I have enjoyed his friendship and companionship very much.

Charles shall be missed by those who have worked with him during these last few years and, in his leaving, we lose a valued Member as he goes to his new fields of endeavor. We wish him the best of everything.

TRIBUTE TO SENATOR EDWARDS

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President. I join my colleagues in expressing respect and admiration for the service of Senator Elaine S. Edwards in the U.S. Senate. It was my good fortune and that of the Senate Public Works Committee that she was assigned to membership on that committee. Immediately upon her arriving in the Senate and assignment to our committee, she entered into its duties with great interest, hard work, and participated actively in our debates and development of bills which were reported to the Senate. She was faithful in her attendance to our committee and it was always noticeable that she was faithful in her attendance on the Senate floor. Several times she presided over the Senate with great skill and effectiveness and was able to maintain fine order and keep the Senate at work.

The Senate will miss her as a member who served conscientiously and contributed to its work and tradition.

CRITIQUE OF THE ARTICLE "DOMESTIC AND FOREIGN PRESCRIPTION DRUG PRICES"

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HALL. Mr. Speaker, considerable discussion has prevailed over the variance in prices between certain drugs manufactured in Europe, and those in the United States. I insert the following article in the Congressional Record so that the general public, and Members of Congress will have a fuller understanding of the facts in this matter.

DRUG PRICES COMPARISON

The justification for this article, is stated to lie in a Task Force on Prescription Drugs' recommendation:

"Consequently, an examination of various factors that influence drug prices is relevant for both society in general and the Department of Health, Education, and Welfare, and for the SSA in particular. This analysis of domestic and foreign drug prices represents one approach for reviewing the economic dimensions of the problem."

The report falls far short of achieving these goals. No important "factors that influence drug prices" have been examined, nor has a valid "approach for reviewing the economic dimensions of the problem" been delineated. And there are also serious questions regarding the accuracy of the data and scientific validity of this paper.

The report ostensibly compares prices for each of 20 prescription pharmaceutical products in the United States and principally in eight other countries. These comparisons involve one or more products of specified pharmaceutical manufacturing companies.

The authors assert that the basic data "demonstrate the great variation from country to country in prices for a single product by the same company," and also that "the study shows that prices in the United States for these drugs are generally higher than in any other country studied."

Technically, the paper does not meet the criteria for accepted procedures of economic science. Contrary to the implications of the limited data cited and related analysis, the 20 items selected from among thousands are not representative. And even for those entities, the authors do not uniformly trace prices charged for actual products by American manufacturers in different countries. As well, despite the fact that research by ex-parts shows that carefully constructed price indexes are essential if international price comparisons are to have merit, the report offers no such indexes. The necessary conditions for preparing such indexes have not been observed.

The following paragraphs outline some of the key shortcomings of the study, and their effects on the acceptability of the report.

EXCHANGE RATE ILLUSION

Comparison among countries of specific economic aspects, such as levels of living or prices, simply on the basis of "official" exchange rates can be most misleading. One reason is succinctly set forth in an Organization for European Economic Cooperation document.

"It is important . . . for critically interpreting this report's results, to consider why international comparisons of income levels based on conversions by exchange rates must be suspect. In order to produce even approximately correct results, it would be essential for the average relationship of the internal purchasing power of currencies to be the same as the exchange rates used to convert the national products to common currency units. There are many reasons why this equivalence is highly improbable, if not impossible."

An exchange rate expresses the relation of a foreign currency to the United States dollar only with regard to transaction across international borders. It may result from demand and supply factors related to goods and services flowing between nations, or in effect, it may be established and maintained arbitrarily by fiat. An exchange rate does not indicate the relative purchasing power or the cost of doing business inside a country. Real purchasing power differentials go a long way toward explaining why commodities and services display different local prices when the attempt is made to convert these prices to a common basis by use of "official" exchange rates. Actually (if certain of the data errors are disregarded) there seems to be a significant statistical correlation between the product price level ranking for the countries tabulated (page 20 of the report) and a ranking of the same countries on the basis of real economic variables—GNP, per capita income, hourly wage rates and cost of living.

President Nixon announced on August 15, 1971, that the dollar would be allowed to float. Subsequently, there has been an effective devaluation of the dollar in most of the currencies involved in the SSA article. This has resulted in "raising prices" in most developed countries relative to the United States even though actual prices charged within these countries have remained unchanged. (It should be further noted that rarely, if ever, will any exchange rate provide a proper comparison for items manufactured in rather than imported by, countries contrasted.)

INTERNATIONAL DRUG PRICE COMPARISONS

A British Ministry of Health report to Parliament explicitly rejected international comparisons of the prices of drugs:

"There are many reasons why international comparisons of prices are extremely difficult to make and even more difficult to interpret: The use of current rates of exchange as a means of putting prices expressed in different currencies on a comparable basis gives rise to many ambiguities. There are even greater problems if one adopts other bases for comparisons. The great differences in habits and in per capita incomes lead to differences in the elasticities of demand, and the differences in the assortment of medicines consumed in different countries reduced the significance of comparisons. For these and other reasons, we have not thought it useful to attempt an elaborate comparison of international prices, for in this field figures can easily be used to arrive at any desired result.

COMPARATIVE COST OF CHEMOTHERAPY

It might be feasible, by use of sophisticated analytical techniques, to develop a comparative index of chemotherapy costs, indicating in "real" terms whether or not Americans are paying more for their drugs than the residents of another country:

Selecting 20 products in one country (United States) and pricing these in other nations, as the SSA authors do, can give no meaningful result unless adjustments, representative of demand-supply and other factors, are made to allow for the varying importance (weight) of each product in each country. The Social Security Bulletin article makes no allowance for such variations. The significance of this shortcoming is demonstrated by the fact that while the two leading therapeutic categories in this country are antibiotics and psychotherapeutic cardiovasculars and hormones occupy the like places in Germany. If one looks at the largest countries as a unit, one finds that vitamins and nutrients are second in importance to antibiotics. In the U.S. they rank fifth.

The picture is no different when the comparison is in terms of "leading products." For Japan, among the largest pharmaceutical markets, the top item is a vitamin product. In the United States, a tranquilizer leads the list. In France, the leader is a cardiovascular.

Thus, as a British economist has stated "a study of the makeup of any two markets by type of product and distribution of sales between therapeutic groups and disease quickly illustrated the dangers of assuming that a 'representative' list of important drugs exists anywhere but in the minds of men bent on proving a particular point.* * * The selection of a few drugs will prove any point one wishes."

PRICE LEVELS

Price is determined by the interaction of supply and demand. Thus, difference in either supply or demand conditions will cause variations among countries and markets. Many of these real economic factors are mentioned by Gilbert and Kravis in their international study cited previously. Among these causes are: varying demand elasticities; differences in general price trends; tariffs; excise taxes; transportation costs; processing and distribution costs; sources of raw materials; and sizes of market.

On the role of demand elasticities, implicit in the British Ministry of Health statement quoted above, is a relevant economic principle. Namely, an industry with intersectoral markets and with substantial and unallocable overhead costs, will find that prices based on marginal costs may not be high enough to cover average costs, and the difference between marginal cost and price needs to be higher in inelastic markets and lower in markets where demand is more elastic to price.

Additionally, it should surprise no one to find differences among the prices of products which have different factor costs. This occurs internationally in comparing products manufactured and consumed in the United States with those exported in finished form, as well as with those manufactured abroad. In the case of pharmaceuticals, a great deal of production is local. Because the labor intense part of manufacture and marketing, accounting for the largest part of the total cost, is typically carried out abroad, foreign prices of American firms may appear to be lower than their U.S. prices. Obviously, varying tariff and non-tariff barriers, costs of capital, and like variables will make a difference in costs and prices country by country.

PRICING POLICIES OF AMERICAN MANUFACTURERS

This study asserts that the prices of products marketed by the same company show great variations from country to country. This leads one to believe the SSA analysts examined the pricing practices of American companies. On the contrary, this is not true. Of thousands upon thousands of prescription drug products being available, only 20 products were selected for review. Fourteen pharmaceutical companies were identified as producing one or more of the products; ten of the 14 being represented by just one product. Thus, one would have to stretch the "sample" data beyond logical limits to arrive at the report's implied generalizations about pricing practices of an industry.

Three of the 14 pharmaceutical manufacturers are U.S. subsidiaries of foreign firms, and have no voice in supply and demand functions affecting pricing elsewhere in the world. Twenty-five percent of the drugs focused on in this study are produced by this non-U.S.-owned group.

Moreover, the principal table "Comparison of Selected Pharmaceutical Prices in the United States and Eight Foreign Countries, January 1970" contains 177 price entries. Of these, at least 100 (or over half) are in error, identified as follows:

Type of Error and Percentage

Incorrect Price	86
Wrong Product	6
Wrong Company	3
Other Reasons*	5
Total	100

*Other Reasons indicates cases where the product shown is not available in the country indicated or cases where no transactions have taken place.

DIFFERENT COMPANIES AND TIME PERIODS

The unrepresentatives of the products selected is apparent when it is observed that only in nine instances are pharmaceutical products (with or without different trademarks) compared in all countries.

The time span for the data is clearly indicated as being for one month (January 1970)—with no reference to representativeness of the time chosen. The reader is led to believe that all 177 entries were collected at the same time from comparable sources. Yet, the period involved apparently extended for 1967 through 1970. Thus, the prices shown cover a three year period. In view of changes that have occurred, including price increases or decreases, the picture portrayed is incorrect.

INTERNATIONAL PRICES

In addition to comparisons with the United States, foreign countries are compared among themselves. Thus, the SSA report ranks "Ireland and the United Kingdom . . . lowest . . . Sweden and Australia—ranking fourth and fifth highest, respectively. . . . Italian prices generally ranked third highest. . . . Brazilian prices generally are among the lowest four of the nine countries. Canadian prices are second highest. . . .

It has already been demonstrated that consumption patterns differ among countries. Thus, it is unfair and, in fact, illogical to compare and rank any two foreign countries on the basis of drug products of *some* importance in a third country (United States).

For instance, following the approach of the Social Security Bulletin article, if pharmaceutical prices in Germany were compared with those in the United Kingdom, it would appear that German prices were higher. This is, in fact, partially indicated in this article.

A review of marketing research audits reveals that ten of the products cited in the report can be found in Germany and the United Kingdom. A comparison of their prices seems to support SSA's conclusion, that prices in the United Kingdom and Ireland are the lowest. Invariably, for these ten products, prices were higher in Germany than in England. Yet, the British economist Michael Cooper concluded on the basis of his study of 145 "directly comparable drugs" that "there can be little doubt that our [British] prices are higher than . . . Germany. . . ."

CONCLUSION

The Social Security Bulletin article is a scientifically naive exercise which suggests with insufficient critical analysis that drug prices vary from nation to nation, a fact common to almost all manufactured goods which are sold internationally. This is a generally recognized phenomenon. The reasons for these variations are identifiable, but the SSA report has failed to identify the factors, and to provide the scientific inputs necessary to clarify the degree of real discrepancies in international drug prices.

Furthermore, despite the introductory paragraph of the report, there has not been provided "an examination of various factors that influence drug prices." Nor have they observed the recommendation of the HEW Task Force on Prescription Drugs to the effect that studies of this sort should be conducted *jointly* with other government agencies.

Until efforts to apply modern economic techniques to this phenomenon are made, perhaps jointly with other agencies, SSA will have made no contribution to understanding the causes of price variations. Until those causes are elaborated, policy decisions with respect to the reasonableness of drug prices are likely to continue to be made on the basis of suspicion and prejudice.

TRIBUTE TO HON. FRANK BOW

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. ASPINALL. Mr. Speaker, when I came to Congress, my colleague, FRANK Bow, had already been here. He was away from the Hill temporarily, because of the vagaries of politics, but he soon returned and it has been my pleasure to know him and his fine wife, Caroline, ever since. We have worked together, we have relaxed together, and I have listened to the effective presentations of FRANK Bow on the floor of the House as he has so ably discharged his responsibilities as ranking member of the Appropriations Committee.

FRANK is his own man and he is not hesitant to let you know how he feels about his responsibilities. However, he does this in an earnest, friendly, and understanding way. He has been a great servant of the people and of the Congress, and he will be sorely missed.

Some years ago, it was the good fortune of Mrs. Aspinall and me to go to Panama with FRANK and Caroline. As he leaves us, he now becomes Ambassador. It was a great experience for Mrs. Aspinall and me to be with them in Panama and I wish him well in the responsibilities which will be his in his new position.

HON. CLINTON P. ANDERSON

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, when we pay tribute to a man like CLINTON ANDERSON, the biggest difficulty is finding a starting place.

Which of his many achievements and distinguished careers is most important?

He served ably in the House of Representatives.

He was an outstanding member of President Harry Truman's Cabinet when he was Secretary of Agriculture.

He has been one of the giants of the Senate, serving 24 years in a variety of key committee chairmanships and leadership posts.

And somewhere along the line he found time to become a successful businessman.

But perhaps most important when all is said and done, he was a warm and generous person, a man who truly dedicated his life to serving his State, his Nation, and his fellow man.

Senator ANDERSON's performance in the Senate alone is testimonial enough not only to his fine leadership qualities but to his competence as a top-notch legislator.

As chairman of the Joint Congressional Committee on Atomic Energy he was instrumental in establishing this panel as a watchdog of Atomic Energy Commission policies. He was a pioneer in stressing the invaluable peaceful uses of atomic energy. And he had the foresight to fight for the development of the nuclear submarine. In short, the United States is indebted to CLINT ANDERSON for the leadership it holds in the field of nuclear energy.

Senator ANDERSON also served as chairman of the Interior Committee, overseeing programs of natural resource conservation and development so critical to the Nation and the West.

But he did not rest there. He also accepted leadership of the Committee on Aeronautical and Space Sciences, presiding over the Nation's space programs in a period that was marked by historic advances in space exploration.

In view of these monumental accomplishments, it is indeed fitting that Senator ANDERSON has been honored by having a major space-nuclear facility in his own beloved State of New Mexico dedicated to his name.

It was CLINT ANDERSON's own decision to step down and mark a close to his fine public career. But we are saddened at his departure, and we will greatly miss his visionary leadership and warm friendship.

It has been my own rare privilege to work side by side with CLINT ANDERSON for 18 years in the Senate. I wish him the best of happiness in retirement, for he has certainly earned that reward.

SENATOR JOHN SHERMAN COOPER

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MOSS. Mr. President, it has been a great pleasure for me to serve in the U.S. Senate with JOHN SHERMAN COOPER. He is a man of unquestioned ability, of integrity and of fine conscience. He has given the country and the people of Kentucky a high quality of leadership—and it will be hard for anyone who follows him to live up to the standards he has set.

I particularly enjoyed the years I served with Senator COOPER on the Senate Public Works Committee. We often found ourselves of like mind on an issue, and I appreciated his legislative skill in helping get through the committee and the Senate legislation on water and air pollution control, water resources development, and highways. It is understandable that the Newsweek magazine poll of 50 Washington news correspondents covering the Senate once named him the ablest Republican in the Senate.

We shall miss this gentleman from Kentucky in the Senate—miss his expertise, his dedication, and balanced approach to the problems of our day. I hope he will enjoy the retirement he has so well earned.

FRANK T. BOW

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to bid farewell to our distinguished colleague, the Honorable FRANK T. Bow of Ohio. FRANK Bow has served with distinction in the U.S. House of Representatives for 22 years now, and the Nation and his 16th District of Ohio is much the better for his service.

As ranking Republican on the House Appropriations Committee, FRANK Bow has been a real inspiration to many of us on the committee through his steadfast work toward bringing economic stability to our Government. Late last July, FRANK Bow responded to President Nixon's request for a $250 billion statutory budget ceiling on expenditures in fiscal year 1973 by introducing legislation to carry out the President's budget initiative. It was my privilege to acknowledge FRANK Bow's leadership by cosponsoring this important piece of legislation.

When FRANK spoke on the floor of the House in support of this legislation, he said:

> The greatest national interest—greater than any desirable federal program in any of our bills—is continued progress to overcome inflation, increase real wages and provide general prosperity.

FRANK Bow meant what he said, and he pursued his beliefs with tenacity and skill throughout his tenure in the House.

I am pleased to note that the Nation will not be losing the service of this great American. He will step from the Halls of Congress into the role of Ambassador to Panama. We can look forward to his applying the same skills to this position as he has displayed during his outstanding term of service in the Congress. I wish FRANK every success in the days ahead.

HON. PAGE BELCHER

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, Page Belcher has served the Nation and the great State of Oklahoma with distinction for 22 years. He leaves this body voluntarily with the highest respect and affection of his colleagues. As the senior member of his party on the great Committee of Agriculture, Page Belcher has taken a leading role in improving the standard of rural life. City people as well as our rural population have benefited from the results of his skillful leadership.

He has been committed to improving the quality of life for all Americans, both city and rural. We will miss Page Belcher, Mr. Speaker, miss his friendship and wise counsel. Mrs. Dorn joins me in wishing for him continued success, every happiness, and the best always.

HILLEL ACADEMY'S 20TH ANNIVERSARY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. PATTEN. Mr. Speaker, I would like to take this opportunity to insert into the Congressional Record a copy of a letter that I have sent to Dr. David Twersky, dean of Hillel Academy in Perth Amboy, N.J. Hillel Academy has just celebrated their 20th anniversary, an anniversary that I feel should not go unnoticed. This institution has been a model of educational excellence throughout the years, not only in Perth Amboy, but also throughout the United States as well.

I am sure that the entire community joins with me in noting this praiseworthy event.

The letter follows:

Washington, D.C., *October 18, 1972.*

Dr. David Twersky,
Dean, Hillel Academy,
Perth Amboy, N.J.

Dear Dr. Twersky: Over the past twenty years I have watched Hillel Academy grow from a small school with a handful of children in a nursery to a dynamic Hebrew Day School offering a blending of religious and secular courses aimed at preparing the Jewish child for his role in American society.

I have seen the influence of the school spread far beyond the boundaries of Perth Amboy, its home. For example, where students were once drawn from Perth Amboy alone, young men and women now come from all corners of Middlesex and Monmouth Counties. Where Hillel Academy once depended on the ideas and programs of other similar Day Schools for programing and administration, your curriculum and your administrative procedures are now becoming the model for schools of its type across the country.

I also want to commend you for your constant striving for academic excellence, your pride in your low pupil-teacher ratio and your many significant academic achievements in curriculum.

I know that Hillel Academy is not content merely to fill the child with facts and dates but rather to teach the child the significance of what happens in the world and its relevance to the child's role as an American and as a Jew.

As one of our great American Presidents Franklin Roosevelt once said:

"I believe in the value of the endeavor to extend and improve religious education among the children and youth of Jewish faith. In teaching this democratic faith to American children, we need the sustaining, buttressing aid of those great ethical religious teachings which are the heritage of our modern civilization. For not upon strength nor upon power alone, but upon the spirit of God, shall our democracy be founded."

At a time when there is great public discussion about the role of private religious schools in American society, I want to take this opportunity during this—your 20th Anniversary—to reaffirm my support for the continuation of institutions such as Hillel Academy.

In honor of your 20th Anniversary, I am placing a copy of this letter into the Congressional Record.

Please accept my best wishes for 20 more years of excellence.

Sincerely,

Edward J. Patten,
Member of Congress.

HON. LEN B. JORDAN

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, it has been my privilege to work closely with Len Jordan as a fellow westerner and member of the Senate Interior Committee. I know him as a quiet and effective man—an outstanding legislator sincerely dedicated to the wise use and conservation of the Nation's invaluable natural resources. His wisdom and ability will be sorely missed when he retires at the close of the 92d Congress.

From those early days when Len Jordan battled the Idaho wilderness as a pioneer rancher to his distinguished service in the Idaho legislature and the Governor's mansion, Len Jordan was a visionary leader. Those attributes were magnified, if anything, during his decade in the U.S. Senate.

Although Len Jordan served his beloved State effectively, he worked equally hard in the interests of his Nation. I counted heavily on his quiet strength and good judgment on the Parks and Recreation Subcommittee during our many field trips and often stormy hearings on controversial park proposals. The fine record written by the committee on park development and preservation of scenic resources would have been impossible without him.

Above all, Len Jordan is a fine human being and my close personal friend. The people of Idaho will miss his fine service, and the Senate will be the poorer for his absence. I am deeply sorry to see him retire, but it is his choice. If I know Len Jordan, he has a great deal more success and achievement ahead of him, and I wish him well.

HON. THOMAS G. ABERNETHY

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. SISK. Mr. Speaker, Tom Abernethy has certainly been a hardworking and dedicated Member of the House and I know I join with many in saying that he will be greatly missed.

It has been a pleasure to serve with him on the District of Columbia Committee and more recently on the Agriculture Committee. His membership on these committees has been outstanding and his absence will certainly create a void.

I extend to Tom my best wishes for a most healthy and happy retirement and for much success in any future undertakings.

TRIBUTE TO HON. JOHN W. BYRNES

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, others have set forth the great contributions to this body by our colleague, John Byrnes of Wisconsin. I cannot add further to those accolades, but I can say that as a Member of Congress, it has been a pleasure for me to hear presentations by this great American who has served on the great Committee on Ways and Means for so long. He has assumed his responsibility as ranking minority member of this committee as capably as anyone who has ever served in any capacity on any committee.

He shall be sorely missed here on the Hill in the days ahead. On the other hand, he deserves the retirement which he seeks and, in paying my respects to his contributions, I wish him to know that I wish for him and his loved ones the good fortune and happiness which he so richly deserves.

TRIBUTE TO HON. H. ALLEN SMITH

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ASPINALL. Mr. Speaker, others have given well deserved tributes to

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H. Allen Smith of California. I am pleased to join with them in paying my respects to such service.

Allen and his lovely wife and my wife and I live in the same apartment house. We seldom see each other at such times, but here on the Hill, in the Committee on Rules where he is the ranking member and on the floor of the House, it has been a very pleasing experience to me to know that H. Allen Smith is among us and is working as he always has.

I have known many ranking members of his great committee, but none has served more ably and effectively than he. It also has been my pleasure to call Allen Smith my friend and as he leaves Capitol Hill, my wishes for all things good for him and his loved ones go with him.

SALUTING CALCASIEU'S VETERANS

HON. JOHN B. BREAUX

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BREAUX. Mr. Speaker, it is my privilege to place in the Record an editorial, written by Mr. Truman Stacey of the Lake Charles American Press, which points up the contributions veterans have made to this country both in times of war and in times of peace. I feel that these simple yet eloquent words are particularly timely now, and I commend them heartily:

Saluting Calcasieu's Veterans

Veterans organizations have estimated that 50,000 citizens of Calcasieu Parish have served in the nation's armed forces—counting all wars from the Spanish-American War to date.

The nation will observe Veterans Day on Monday, and for Louisiana citizens who have served their country, and for others it ought to be an occasion for serious thought and reflection upon the significance of the veteran, the armed services and the United States role in the community of nations.

If we transpose local figures to the national scene, we find that more than one-eighth of the nation's population is made up of those who have served their country.

Veterans Day means a recognition and an honor to all of those who helped to man the nation's defenses—both the living and the dead. Any observance of this day ought to include a special expression of public appreciation to the growing group of men and women who have served during the period of the Vietnam War. They have served the nation in the finest traditions of their forefathers, and they have done so during a particularly trying time—a time when their efforts have commanded less and less support and recognition on the part of the nation as a whole.

The traditions of the nation's armed services were forged in times of trial and distress—during the revolutionary struggle with the British Empire, when more than once the cause seemed hopeless and all but lost. A steadfast loyalty and determination was needed during those costly years before victory was won and peace was achieved.

Each succeeding generation has been called upon to make its sacrifice for the nation's safety—some of them much greater than others. In our century, finally, we have arrived in a melancholy time that seems to breed war and conflict, when peace is an ideal that seems far away and almost unattainable.

There has never been a time, regardless of the sacrifices demanded, when the vast majority of Americans have not gladly and willingly offered themselves as sacrifices for the safety of the nation. In times of stress, men hear a higher call, and respond to a more demanding drummer, than in the calm days of peace.

As the nation pauses to pay tribute to her veterans, it might be well for our veterans to pause, too, and consider their roles in the nation today. "Peace has its victories no less reknowned than war." And the victories of peace sometimes demand the same kind of sacrifice and the same kind of courage that has been needed in the past to win a hard-fought battlefield.

We would like to advance these thoughts to the veterans of Southwest Louisiana who will pause on Monday and recall their past efforts for the nation. Some of them will recall them with a spirit of exhilaration and a feeling of adventure. To others, the day will recall drudgery and boredom, burdens willingly shouldered.

The preservation of personal freedom and individual dignity is as necessary in times of peace as in times of war, and the fact that this task has engaged the efforts of so many citizens can be traced to the old-fashioned brand of patriotism that puts service to country and neighbor before self.

This nation is perhaps unique in its attitude of continuing recognition and public esteem of its war veterans. The word "veteran" itself carries a general connotation of honor, of service and of ability. It has come to symbolize an American willingness to sacrifice to further the national purpose, and to develop the strength and the stature necessary for the nation itself, as its citizens, to stand as the ultimate guardian of freedom in a restless and turbulent world.

The veterans of past wars have always demonstrated themselves to be willing and able to serve the nation in continued capacities of trust and leadership. This was true of the Revolutionary generation, of the Civil War generation, and of the generations who fought in the first two great wars of the century.

We firmly expect that it will be no different for the men who fought in Korea and who are currently fighting in Vietnam. The ideal of this nation is the civilian rather than the soldier, and with few exceptions those who temporarily joined the ranks of the armed services always considered themselves to be civilians.

For this reason the contribution of the veteran to his country does not come to an end when the shooting stops. The qualities of loyalty, courage and service, which made the veteran willingly shoulder a gun, are the same qualities that make him a conscientious performer of the duties of citizenship.

When we pause to recoginze the contributions of the nation's veterans, therefore, we should not stop at paying tribute to their war service. We should recognize them as builders as well as defenders of the nation.

RARICK REPORTS TO HIS PEOPLE ON THE PRESENT CRISIS IN THE PHILIPPINES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, I recently reported to my people on the crisis in the Republic of the Philippines, caused by Communist subversion. My guest was His Excellency Eduardo Romualdez, Ambassador of the Republic of the Philippines to the United States.

I insert a transcript of this report for inclusion in the Record at this point:

Mr. Rarick. The American newspapers of late have been filled with details concerning the internal problems in the Republic of the Philippines. I feel certain that our people would be interested in obtaining the background as well as the true facts of the situation from an accredited representative of the Republic of the Philippines. We have with us today as our honored guest, His Excellency Eduardo Romualdez, the Ambassador of the Republic of the Philippines to the United States. Mr. Ambassador, it is indeed a pleasure to have you with us as a representative of a people who have always been friendly to the United States, and especially us in Louisiana. Mr. Ambassador, perhaps you would give our listeners some background information about the reported internal problems which plague your country and what has caused them?

Ambassador Romualdez. First of all, Mr. Congressman, I would like very much to thank you for this pleasure of being with you on this program today. Indeed it is a privilege to be able to greet the good people of Louisiana whom you very ably represent, and through you, the people of the United States. We send them greetings from the President of the Philippines and the people of my country. You ask me about the recent situation in the Philippines which called for the declaration of martial law by President Marcos on September 21. We were faced with a threat to the established government, a subversive threat, and the President had no option but to use what the Constitution provided in situations of this nature. He had previously called on the Army to assist him in quelling the disturbances which were being waged by the subversive elements. He had suspended the writ of habeas corpus in August last year. But, instead of stopping the subversive elements in their effort to seize power through force, they intensified their efforts and so, the President, using the powers provided him by our Constitution, declared martial law.

Mr. Rarick. Your President felt that if he didn't take immediate and drastic action, the constitutional government of your Republic could be imperiled. Is that correct?

Ambassador Romualdez. Yes, Mr. Congressman. That's exactly it, yes. We were faced with subversion aimed at destroying the existing order ordained under our Constitution, and the dissidents were attempting to do this by force. They were sowing fear among the people by their terrorist acts. There were bombings and kidnappings, and such a degree fo violence that business and life in general could not be carried on, on a normal basis. The President had to act quickly and decisively, using the powers given him by the Constitution to cope with precisely such a situation.

Mr. Rarick. In other words, law and order and the safety of the citizens themselves were imperiled?

Ambassador Romualdez. Right, Mr. Congressman. This was quite widespread, not only in the city of Manila but also in the provinces.

Mr. Rarick. Mr. Ambassador, have your intelligence people or your government completed sufficient investigation to be able to conclude just what it is that has provoked or caused this internal disorder?

Ambassador Romualdez. Yes, when the subversive elements were confined to the provinces and to the villages, our armed forces could very well take care of them without the President having to resort to martial law. But, in recent months, they had begun to infiltrate not only into the city of Manila, but also into the national government itself. In addition, we had positive evidence that external assistance was being extended to these dissident or subversive elements. A shipload of arms was intercepted by government forces at Palanan, in the province of Isabela in northeastern Luzon. This placed the military on strict alert with respect to the movements of these dissident and subversive elements.

Mr. Rarick. You are satisfied, then, that there existed a real threat of a violent revolutionary overthrow of your Republic?

Ambassador Romualdez. As a matter of fact we do know that out of the several thousand weapons that these boats carried, about one thousand have already been slipped into Manila.

Mr. Rarick. Well, has your President or your national intelligence people identified this nation without your borders who was supplying these weapons?

Ambassador Romualdez. The people know the nation concerned. In the Philippines, the communist movement has two factions. One is the self-proclaimed Maoist movement. The other faction is Moscow-oriented.

Mr. Rarick. In other words, these aren't disadvantaged or exploited Philippine people. You feel these are actually communists who are organized for subversion and revolt?

Ambassador Romualdez. Yes, Mr. Congressman, they were positively identified as such.

Mr. Rarick. Well, can you relate these revolts or these disorders to any other international or national situation or crisis that the world has recently undergone?

Ambassador Romualdez. Subversive activities have been going on in the Philippines for some time now. The dissidents could, perhaps, have been emboldened by the recent news of changes in the foreign policies of nations, big and small.

Mr. Rarick. Would our country have been one of them?

Ambassador Romualdez. Possibly. In the case of your country, you are quite open with respect to the foreign policy that you want to follow. You have been working for some kind of detente with countries which used to be your adversaries in Asia. At the same time, you announced that your new Asian policy was to disengage yourselves from that area. This has been understood, and naturally those elements that had ill intentions towards established order seized upon the opportunities which they thought these changes in the international scene opened to them.

Mr. Rarick. Would it be safe to say that as our country attempts to bridge the gap with communist powers—I believe the word we are hearing now is "super powers"—and we disengage ourselves from our former friends, other free republics around the world are having domestic and internal problems such as you are encountering. Would that be a safe statement?

Ambassador Romualdez. Mr. Congressman, I naturally must concede, and we assume, that in so far as your own policies are concerned, you would wish to be dictated by the best interests of your country. On the other hand, as far as we, the smaller nations are concerned, we have been given notice that we can no longer take for granted the protection which we used to rely on. So, we are gearing ourselves toward a situation where we could take care of our own internal problems and our own internal troubles and cope with the situation as best we can on our own and within the limited resources that we have.

Mr. Rarick. It appears President Marcos of the Philippines has taken positive action. What else do you feel President Marcos will have to do, or has he gone far enough to restore law and order and maintain peace in your country?

Ambassador Romualdez. President Marcos has a long-range as well as a short-range program. A program of land reform, a program of restructuring our society, a program of re-distributing wealth. As you may know, Mr. Congressman, only 4% of the population owns 90% of the total wealth of the country. The President is very eager that a new society should evolve in which a broad and strong middle class would develop. He has started with the government. We do need a reorganization within government. He endeavored to do this even during his first term in office, but as you may know, Mr. Congressman, we are fighting against vested interests. We are fighting the influence of a long period of colonialism. We cherish the blessings of democracy. We adhere to the tenets and principles of democracy. But we feel that we are running out of time with respect to certain reforms that must be made in our society.

Mr. Rarick. You feel that democracy should have certain rules to preserve the country and protect the people?

Ambassador Romualdez. Our constitution provides for a democratic system of government and a democratic society. But it also provides for adequate means with which democracy can be protected.

Mr. Rarick. Mr. Ambassador, this may be an unusual question, since I realize you are here in Washington, D.C., but is it your feeling that President Marcos, in taking this new position, has the support of the people?

Ambassador Romualdez. I can say positively that he is being supported by the people, including those who belong to the opposition. The people realize that great social benefits are being derived from the present state of things. We all know that this is going to be a temporary situation. We certainly must return to the normal processes of democracy and our republican form of government. Our courts are still in session. Our schools have just been reopened. Some colleges and universities have not yet been reopened because, as you undoubtedly know, some of them have become centers of disorder and unrest.

Mr. Rarick. Mr. Ambassador, we in the United States have always felt a closeness to the East, and I think it's safe to say have always felt partciularly close to the Philippines because, after all, your country is probably the most western frontier—most of your people speak English, a great number of your people are Christian in faith. Being a stamp collector myself, I can remember when your postage stamp even said that you were a Commonwealth of the United States. So, we in the United States do have a particular interest in the Philippines. We're proud that your people have pursued the republican form of government—a constitutional republic—and I am pleased that you would give this explanation of the current conditions in your country that we're all hearing about and reading about. What, if anything, Mr. Ambassador, can our people do to help your people at this time? Do you have any recommendations—anything that we could do?

Ambassador Romualdez. Mr. Congressman, what we ask from the people of the United States is an understanding of our efforts to solve our internal problems by ourselves and an appreciation of the objectives that we have set in charting the destiny of our people. You have our firm assurance that the democratic institutions which you helped us establish will remain strong and secure in our country, although we may adapt them to fit our culture, our needs, and our changing circumstances.

Mr. Rarick. Thank you very much, Mr. Ambassador. I'm sure that our people in Louisiana will benefit from what you have brought to us here today. Certainly the experiences of the Philippines is a clear and present indication of the great lengths that those who are bent on destroying the duly constituted government of a nation will go.

TRIBUTE TO HON. WILLIAM SPRINGER

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ASPINALL. Mr. Speaker, our colleague, William Springer of Illinois, is leaving at the end of this term after enumerable years of valuable service here on the Hill.

Bill has been a most dedicated, able, and effective legislator. He has always been willing to state his position at the appropriate time. Because of this ability of his to state his position at the time of his responsibility, he has been most effective. He has contributed greatly to the welfare of his committee and has given of his efforts to see that the legislation which has been reported out of it has been the best possible.

I have enjoyed my relationship with Bill very much and I join with his countless friends in wishing for him and his loved ones many happy days as he leaves the arduous responsibilities here on the Hill.

VOTING AND ATTENDANCE RECORD DURING SECOND SESSION OF THE 92D CONGRESS

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the second session of the 92d Congress, 1972.

The record includes all rollcall votes and all quorum calls. The description of the bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the Congressional Record. I want to be able to provide any interested constitutent with a simple compilation of my voting and attendance record.

The report follows:

Rollcall No.	1972	Measure, question, and result	Vote
1	Jan. 18	Call of the House	Present.
2	do.	H.R. 8787: To approve the bill providing that Guam and the Virgin Islands should be represented by a Delegate in the House of Representatives (passed 232–104).	Yes.
3	Jan. 19	Quorum call	Present.
4	do.	S. 382: To approve the conference report on the Federal Election Campaign Act (passed 334–20).	Yes.
5	Jan. 25	H.R. 765: To adopt the "rule" under which to consider the conference report on S. 2819, the Foreign Assistance Act of 1971 (passed 246–123).	Yes.
6	do.	S. 2819: To approve the conference report on the Foreign Assistance Act of 1971 (passed 203–179).	Yes.
7	Jan. 26	Quorum call	Present.
8	do.	H.R. 6957: To approve the bill to establish the Sawtooth National Recreational area in Idaho (passed 369–9).	Yes.
9	Jan. 27	Quorum call	Present.
10	do.	H.R. 8085: To adopt the bill giving the President authority to make certain exceptions to the ban against a maximum age limit for Federal employment (defeated 81–249).	Yes.
11	Jan. 31	Quorum call	Present.
12	do.	H.R. 10086 (S. 2601): To approve the bill providing increases in appropriations ceilings and boundary changes in certain national parks (passed 303–2).	Yes.
13	Feb. 1	H. Res. 786: To adopt the "rule" under which to consider S. 2010, the bill amending the International Development Association Act (passed 335–30).	Yes.
14	do.	S. 748: To approve the bill authorizing payment and appropriation of the U.S. contribution to the fund for special operations of the Inter-American Development Bank (passed 285–102).	Yes.
15	do.	S. 749: To approve the bill authorizing U.S. contributions to the special funds of the Asian Development Bank (passed 255–132).	Yes.
16	do.	S. 2010: On an amendment to International Development Association bill which would have reduced the U.S. annual contribution from $960,000,000 to $480,000,000 (defeated 165–191).	No.
17	do.	S. 2010: To approve the bill providing for increased participation by the United States in the International Development Association (passed 208–165).	Yes.
18	Feb. 2	H.R. 7987: To pass the bill providing for the striking of medals in commemoration of the bicentennial of the American Revolution (passed 387–1).	Yes.
19	do.	Quorum call	Present.
20	do.	H.R. 11804: To approve an amendment to the bill on U.S. district judgeships providing for an additional judge in the northern district of Indiana (passed 217–168).	No.
21	Feb. 3	Quorum call	Present.
22	do.	do.	Do.
23	do.	H.R. 12089: On an amendment to the bill establishing a Special Action Office for Drug Abuse Prevention which would have prevented the Director from any authority over the Veterans' Administration (defeated 174–196).	No.
24	do.	H.R. 12089 (S. 2097): On final passage of the bill to establish a Special Action Office for Drug Abuse (passed 380–0).	Yes.
25	Feb. 7	Quorum call	Present.
26	do.	S. 1857: On a motion to suspend the rules and pass the bill enlarging the American Revolution Bicentennial Commission and to increase its authorized funds (passed 329–36).	Yes.
27	do.	S. 1163: To suspend the rules and pass the amendment to the Older Americans Act of 1965 (passed 350–23).	Yes.
28	do.	H.R. 7088: To suspend the rules and pass the bill providing for the establishment of the Tinicum Environmental Center in Pennsylvania (passed 361–8).	Yes.
29	do.	H.R. 12186: To suspend the rules and pass the bill extending additional protection to bald and golden eagles (passed 352–7).	Yes.
30	do.	H.R. 12741: To suspend the rules and pass the bill to extend the Federal Water Pollution Control Act through June 30, 1972 (passed 338–7).	Yes.
31	Feb. 8	Quorum call	Present.
32	do.	do.	Do.
33	do.	H. Res. 164: On adoption of the resolution to establish a House Select Committee on Privacy, Human Values, and Democratic Institutions (defeated 168–216).	No.
34	do.	H.R. 10243: To approve the bill establishing an Office of Technology Assessment in the legislative branch (passed 256–118).	No.
35	Feb. 9	Quorum call	Present.
36	do.	do.	Do.
37	do.	H.R. 12910: To approve the bill raising the temporary debt limit to $450,000,000,000 through June 30, 1972 (passed 247–147).	Yes.
38	do.	Quorum call	Present.
39	do.	H. Res. 796: On adoption of the "rule" under which to consider H.J. Res. 1025, providing a procedure for settlement of the Longshoremen's strike on the west coast (passed 203–170).	Yes.
40	do.	H.J. Res. 1025 (S.J. Res. 197): To approve the resolution providing a procedure for settlement of the Longshoremen's strike as amended by striking out all after the enacting clause and substituting the Senate-passed S.J. Res. 197 (passed 214–139).	Yes.
41	Feb. 16	Quorum call	Present.
42	do.	do.	Do.
43	Feb. 17	do.	Do.
44	do.	do.	Do.
45	do.	H.R. 12350: On an amendment to the Economic Opportunity bill which would have provided a straight 2-year extension of present OEO programs (defeated 159–206).	Yes.
46	do.	H.R. 12350: On final passage of the bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964 (passed 234–127).	No.
47	Feb. 22	Quorum call	Present.
48	Feb. 23	do.	Do.
49	do.	H.R. 12931: On an amendment to the Rural Development Act of 1972 which sought to prevent profitmaking polluters from receiving subsidies (defeated 151–224).	Absent.[1]
50	do.	Quorum call	Present.
51	do.	H.R. 12067: To adopt the conference report on the foreign assistance appropriations, 1972 (passed 213–167).	Yes.
52	Feb. 23	H.R. 12067: On agreeing to the Senate amendment to the Foreign Assistance Appropriations Act providing that no aid shall go to Ecuador unless the President determines it is in the national interest of the United States (passed 230–138).	Yes.
53	Feb. 29	Quorum call	Present.
54	do.	do.	Do.
55	do.	H.R. 11021: On final passage of the bill to control the emission of noise detrimental to the human environment (passed 356–32).	Yes.
56	Mar. 1	Quorum call	Present.
57	do.	H. Res. 849: To adopt the resolution authorizing the sum of $525,000 for use by the Committee on Internal Security (passed 303–102).	Yes.
58	do.	H. Res. 847: To adopt the resolution authorizing the sum of $1,128,000 for use by the Committee on Education and Labor (passed 318–77).	Yes.
59	Mar. 2	Quorum call	Present.
60	do.	H.R. 11384 (S. 979): To approve the bill extending and expanding the High-Speed Ground Transportation Act of 1965 and to authorize appropriations of $315,200,000 for a 3-year period (passed 360–14).	Yes.
61	Mar. 6	Quorum call	Present.
62	do.	H.R. 2589: To suspend the rules and pass the bill requiring prospective jurors in Federal courts to state their race and occupation on the qualification form (passed 316–27).	Yes.
63	do.	H.R. 12828: To suspend the rules and pass the bill increasing benefits, etc., under the Veterans' Education and Training Act (passed 358–0).	Yes.
64	Mar. 8	Quorum call	Present.
65	do.	S. 659: On a motion to table the motion instructing House conferees to insist upon the provisions on busing in the bill as approved originally by the House (defeated 139-270).	No.
66	do.	S. 659: On a motion to instruct the House conferees to insist upon the busing provisions in the bill as originally passed by the House (passed 272–139).	Yes.
67	do.	H.R. 1746: To approve the conference report on the Equal Employment Opportunity Act of 1972 (passed 303–110).	Yes.
68	do.	H.R. 11624 (S. 3244): To adopt the bill increasing from $3,000,000 to $5,000,000 the authorization of appropriations for the International Transportation Exposition (passed 278–108).	Yes.
69	Mar. 9	Quorum call	Present.
70	do.	H.R. 10420: On passage of the Marine Mammal Protection Act of 1971 (passed 362–10).	Yes.
71	Mar. 13	Quorum call	Present.
72	do.	H.R. 12410: To approve the bill providing for the evidentiary use of prior inconsistent statements by witnesses in trials in the District of Columbia (passed 291–32).	Yes.
73	Mar. 14	H.J. Res. 1097: To approve the Urgent Supplemental Appropriations bill for fiscal year 1972 (passed 364–16).	Yes.
74	Mar. 15	Quorum call	Present.
75	do.	do.	Do.
76	do.	H.R. 12910: To approve the conference report on legislation to increase temporarily the public debt limit (passed 237–150).	Yes.
77	do.	H.R. 11417: On the adoption of an amendment to the National Railway Passenger Corporation bill which requires that all officers paid in excess of $60,000 be paid only from net profits of the corporation (passed 235–136).	No.
78	do.	H.R. 11417: On final passage of the amendments to the National Railway Passenger Act (passed 312–63).	Yes.
79	Mar. 16	S. 2097: To approve the conference report on the Drug Abuse Office and Treatment Act of 1972 (passed 366–0).	Yes.
80	Mar. 20	H.R. 8395: To suspend the rules and pass the bill amending the Vocational Rehabilitation Act (passed 327–0).	Yes.
81	do.	H.R. 11948: To suspend the rules and pass the bill authorizing not more than $50,000 annually for U.S. participation in the Hague Conference on Private International Law (passed 315–18).	Yes.
82	do.	H.R. 4174: To suspend the rules and approve a bill amending the Uniform Time Act to allow an option in certain cases (passed 332–7).	Yes.
83	Mar. 21	Quorum call	Present.
84	do.	H.R. 13120: To pass the bill modifying the par value of the dollar (passed 342–43).	Yes.
85	Mar. 22	Quorum call	Present.
86	do.	do.	Do.
87	do.	H.R. 13592 (S. 2676): To pass the National Sickle Cell Anemia Prevention Act (passed 391–0).	Yes.
88	Mar. 23	Quorum call	Present.
89	do.	H.R. 13995: To approve the 1973 Legislative Appropriations bill (passed 362–9).	Yes.
90	Mar. 27	Quorum call	Present.
91	Mar. 28	do.	Do.
92	do.	H.R. 11896: On an amendment to the Water Pollution Control Act which would have required industry to use by 1981 the best available waste treatment technology (defeated 140–249).	No.
93	do.	H.R. 11896: On an amendment to the Water Pollution Control Act which sought to empower the Environmental Protection Agency to review and veto individual discharge permits issued by the States (defeated 125–267).	No.
94	do.	H.R. 11896: On an amendment to the Water Pollution Control Act which sought to require private firms which discharge into municipal treatment systems to pay user charges from their share of the capital costs of any federally funded municipal treatment facility (defeated 66–337).	No.
95	do.	H.R. 11896: On an amendment to the Water Pollution Control Act which sought to provide permits to control the discharge of wastes into the Nation's waterways (defeated 154–251).	No.
96	Mar. 29	Quorum call	Present.
97	do.	H.R. 11896: On an amendment to the Water Pollution Control Act which sought to strike the contract authority provision for $18,000,000,000 for waste treatment grants and to substitute authorization for "no-year" appropriations but on a 1-year advance basis (defeated 161–232).	Yes.

Rollcall No.	1972	Measure, question, and result	Vote
98	Mar. 29	H.R. 11896: On an amendment to the Water Pollution Control Act that provides public hearings to be held for employees who lose their employment in the case of an industry moving to meet the alleged results from any effluent limitation or order issued under this act (passed 274–118).	Yes.
99	do.	H.R. 11896: On an amendment to the Water Pollution Control Act that directs the Environmental Protection Agency to encourage regional resource management that utilizes spray irrigation and recycling of wastes (passed 250–130).	Yes.
100	do.	H.R. 11896: On an amendment to the Water Pollution Control Act that would preserve the rights of States to control discharges from vessels (passed 210–173).	Yes.
101	do.	H.R. 11896 (S. 2770): On final passage of the Federal Water Pollution Control Act (passed 380–14).	Yes.
102	Apr. 11	Quorum call	Present.
103	do.	H.R. 9552: To pass the bill amending the cruise legislation of the Merchant Marine Act of 1936 (passed 374–0).	Yes.
104	do.	H.R. 13324: To pass the bill authorizing appropriations for 6 programs of the Maritime Administration of the Department of Commerce (passed 364–13).	Yes.
105	do.	H.R. 13188: To adopt the bill authorizing appropriations for the U.S. Coast Guard (passed 373–1).	Yes.
106	Apr. 12	H.R. 13336: To adopt the bill authorizing $22,000,000 to finance the operation of the Arms Control and Disarmament Agency for a 2-year period (passed 349–20).	Yes.
107	Apr. 17	Quorum call	Present.
108	do.	H. Con. Res. 471: To suspend the rules and pass the resolution expressing the sense of Congress relative to the plight of the Soviet Jews (passed 360–2).	Yes.
109	do.	H.R. 13752: To suspend the rules and pass the bill to provide for the interim licensing of certain thermoelectric generating plants (passed 284–78).	Yes.
110	do.	Quorum call	Absent.[3]
111	Apr. 18	do.	Present.
112	do.	H.R. 45: On a motion to recommit to the Committee on the Judiciary the bill establishing an Institute for Continuing Studies of Juvenile Justice (defeated 133–252).	Yes.
113	Apr. 19	Quorum call	Present.
114	do.	H.R. 10488: On an amendment to the Public Buildings Amendments of 1972 to require payment of "the fair market value" of Postal Service property turned over to the city of New York (passed 196–170).	Yes.
115	do.	H.R. 10488 (S. 1736): On final passage of the Public Buildings Amendments of 1972 (passed 331–40).	Yes.
116	Apr. 20	H.R. 14070: On a motion to resolve the House into the Committee of the Whole House to consider the NASA authorization bill (passed 349–2).	Yes.
117	do.	Quorum call	Present.
118	do.	do.	Do.
119	do.	H.R. 14070: To approve the bill authorizing appropriations for NASA in fiscal year 1973 (passed 277–60).	Yes.
120	Apr. 25	Quorum call	Present.
121	do.	H.R. 14108: To pass the bill authorizing appropriations for the National Science Foundation (passed 329–16).	Yes.
122	Apr. 26	Quorum call	Present.
123	do.	H. Res. 918: On a motion to lay on the table the resolution directing the President and Secretary of Defense to furnish the House of Representatives full information concerning certain specific military activities of the United States in Southeast Asia (passed 270–113).	Yes.
124	do.	H.R. 14582: To pass the bill making supplemental appropriations for the fiscal year 1972 (passed 344–16).	Yes.
125	Apr. 27	Quorum call	Present.
126	do.	do.	Do.
127	do.	H.R. 12202: On an amendment to the Government Employees Health Benefits bill to include Postal Service employees in the bill (passed 197–148).	No.
128	do.	H.R. 12202: On an amendment to the Government Employees Health Benefits bill which would have reduced the Federal Government's share to a straight 50 percent (defeated 124–219).	Yes.
129	do.	H.R. 12202: On final passage of the Government Employees Health Benefits bill (passed 238–110).	No.
130	May 1	S. 2713: To suspend the rules and pass the bill to authorize the Attorney General to provide care for narcotic addicts on probation or parole (passed 323–0).	Yes.
131	do.	H.R. 12652: To suspend the rules and pass the bill extending the life of the Commission on Civil Rights and expanding its jurisdiction to include discrimination because of sex (passed 264–66).	Yes.
132	do.	H.R. 9676: To suspend the rules and pass the bill authorizing the conveyance of certain lands to the State of Tennessee for use of the University of Tennessee (passed 318–9).	Yes.
133	do.	H.R. 13334: To suspend the rules and pass the bill creating certain new positions in the Department of the Treasury (passed 271–56).	Yes.
134	May 3	H.R. 13591: On a bill to designate the National Institute of Arthritis and Metabolic Diseases as the National Institute of Arthritis, Metabolism, and Digestive Diseases, and other purposes (passed 357–10).	Yes.
135	do.	H.R. 13089: To approve the bill providing for acceleration of programs for planting trees on national forest lands (passed 371–5).	Yes.
136	May 4	H.J. Res. 1174: To approve a supplemental appropriation of not more than $1,600,000,000 to adjust U.S. contributions to international financial institutions because of the devaluation of the dollar (passed 291–62).	Yes.
137	May 8	Quorum call	Present.
138	do.	H.R. 14718: To authorize a subsidy up to $3,000,000 for the District of Columbia bus companies (defeated 50–270).	No.
139	May 9	H.J. Res. 55: On adoption of a resolution authorizing the erection of a memorial in the District of Columbia in honor of the Seabees (passed 364–4).	Yes.
140	do.	H.R. 4383: On adoption of the bill authorizing the Office of Management and Budget to establish a system governing the creation and operation of advisory committees throughout the Federal Government (passed 357–9).	Absent.[1]
141	May 10	H.R. 9212: To agree to the conference report on the Black Lung Benefits Act of 1972 (passed 275–122).	No.
142	do.	H. Res. 963: To adopt the "rule" under which to consider H.R. 7130 concerning the minimum wage law (passed 338–57).	Yes.
143	May 11	S. 659: On a motion to table a motion instructing House conferees to insist upon the House antibusing amendments to the Higher Education Bill (defeated 126–273).	No.
144	do.	S. 659: On a motion to instruct House conferees to insist upon the House antibusing amendments to the Higher Education Bill (passed 275–124).	Yes.
145	do.	H.R. 7130: On approval of an amendment to the Erlenborn substitute (H.R. 14104) for the minimum wage bill which altered the dollar amounts in the bill (passed 216–187).	Yes.
146	do.	H.R. 7130: On approval of an amendment to the Erlenborn substitute (H.R. 14104) for the minimum wage bill which sought to provide overtime pay for transit employees who work over 44 hours a week and on Jan. 1, 1974, for all over 40 hours a week (defeated 184–208).	No.
147	do.	H.R. 7130: On an amendment to the Erlenborn substitute (H.R. 14104) for the minimum wage bill that sought to strike language which establishes youth subminimum wage rates (defeated 170–227).	No.
148	do.	H.R. 7130: To accept the Erlenborn substitute (H.R. 14104) as amended for the minimum wage bill reported by the committee (passed 217–191).	Yes.
149	do.	H.R. 7130: On final passage of the minimum wage bill as amended by the substitution of Erlenborn proposal (H.R. 14104) as amended (passed 330–78).	Yes.
150	May 15	Quorum call	Absent.[3]
151	do.	H.R. 7378: To suspend the rules and pass the bill establishing a commission to study the geographical boundaries of the U.S. Court of Appeals (passed 317–25).	Do.[1]
152	do.	H.J. Res. 812: To suspend the rules and pass the bill authorizing the Secretary of the Interior to participate in planning a national monument to President Franklin D. Roosevelt (passed 330–8).	Do.[1]
153	May 16	Quorum call	Present.
154	do.	do.	Do.
155	May 17	H.R. 14582: To agree to the conference report on the Supplemental Appropriation Bill for 1972 (passed 339–33).	Yes.
156	do.	H.R. 14582: To agree to a Senate amendment to the supplemental appropriation bill reducing from $270,000,000 to $170,000,000 funds for grants to the National Railroad Passenger Corporation (passed 300–70).	Yes.
157	do.	H.R. 14734: To approve the bill authorizing appropriations for the Department of State and the U.S. Information Agency (passed 305–65).	Yes.
158	May 18	Quorum call	Present.
159	do.	H.R. 14989: On an amendment to the Department of State and related agencies appropriation bill which would have increased the U.S. contribution to the United Nations from $151 087,250 to $176,190,750 (defeated 156–202).	Yes.
160	do.	H.R. 14989: On an amendment to the Department of Justice appropriations bill to add $1,000,000 for salaries and expenses for the Bureau of Prisons (passed 178–165).	Yes.
161	do.	H.R. 14989: On an amendment to the Department of Justice appropriation bill which would have added $9,500,000 for the U.S. Probation Office (defeated 142–198).	No.
162	do.	H.R. 14989: On an amendment to the appropriations bill for the Departments of State, Justice, Commerce, and the Judiciary which would have deleted $450,000 for the operation of the Subversive Activities Control Board (defeated 106–206).	No.
163	do.	H.R. 14989: On an amendment to the appropriations bill for the Departments of State, Justice, Commerce, and the Judiciary which sought to prohibit payment of U.S. Government employees salaries appropriated by this act who refuse to testify before Congress (defeated 132–180).	No.
164	do.	H.R. 14989: On an amendment to the appropriations bill for the Departments of State, Justice, Commerce, etc., which sought to prohibit use of funds for wiretaps on conversations of members of Congress or the Federal judiciary (defeated 17–231).	No.
165	May 22	Quorum call	Absent.[3]
166	do.	H.R. 6788: On passage of the bill to establish mining and mineral research centers (passed 272–33).	Do.[1]
167	do.	H.R. 11627: On passage of the Motor Vehicle Information and Cost Savings Act (passed 254–38).	Do.[1]
168	May 23	Quorum call	Present.
169	do.	H.R. 15093: To approve the appropriation bill for the Department of Housing and Urban Development, and for space, science, and veterans agencies (passed 367–10).	Yes.
170	May 24	H. Res. 991: To approve the "rule" under which to consider the appropriation bill for the Department of Transportation and related agencies (passed 358–6).	Yes.
171	do.	H.R. 15097: To approve the appropriation bill for the Department of Transportation and related agencies (passed 367–1).	Yes.
172	May 30	Quorum call	Present.
173	do.	H.R. 9669: On adoption of the bill extending and expanding the powers of the Subversive Activities Control Board and changing its name to the Federal Internal Security Board (passed 226–105).	Yes.
174	May 31	Quorum call	Absent.
175	do.	do.	Do.
176	June 1	do.	Present.
177	do.	H.R. 13918: On an amendment to the Public Broadcasting Act of 1972 which sought to prohibit the Corporation from making grants to or contracts with any corporation or institution which pays its officers, employees, or performers over $42,500 per year (defeated 163–182).	Yes.
178	do.	H.R. 13918: On an amendment to the Public Broadcasting Act of 1972 which sought to reduce the authorization to $40,000,000 for fiscal year 1973 and delete the authorization for 1974 (defeated 166–183).	Yes.

Footnotes at end of table.

Rollcall No.	1972	Measure, question, and result	Vote
179	June 1	H.R. 13918: On an amendment to the Public Broadcasting Act of 1972 that prohibits the Corporation from conducting voter polls or public opinion surveys relative to any elections (passed 203–135).	Yes
180	do	H.R. 13918: On an amendment to the Public Broadcasting Act of 1972 while in the Committee of the Whole to prohibit the authorization of any funds after fiscal year 1973 until GAO audits funds through fiscal year 1972 (passed 169–165).	Yes.
181	do	H.R. 13918: On an amendment to the Public Boradcasting Act of 1972 to prohibit the authorization of any funds after fiscal year 1973 until GAO audits funds through fiscal year 1972 similar to roll call 180 in Committee (defeated 166–170).	Yes.
182	do	H.R. 13918: On final passage of the Public Boradcasting Act of 1972 (passed 256–69).	No.
183	do	H. Res. 985: To agree to the resolution authorizing travel by certain members and staff assistants of the Committee on Public Works to the United Nations Conference on Human Environment to be held in Stockholm in June 1972 (passed 192–80).	Yes.
184	June 5	Quorum call	Present.
185	do	S. 1736: To approve the conference report on the Public Buildings Amendments of 1972 (passed 277–40).	Yes.
186	do	H.R. 12674: To suspend the rules and pass the National Cemeteries Act of 1972 (passed 310–4).	Yes.
187	do	H.R. 10310: To suspend the rules and pass the bill to establish the Seal Beach National Wildlife Refuge (passed 314–0).	Yes.
188	do	H.R. 14731: To suspend the rules and pass the bill prohibiting the shooting of certain birds, fish, and other animals from aircraft (passed 310–5).	Yes.
189	do	H.R. 14106: To suspend the rules and pass the bill amending the Water Resources Planning Act to authorize increased appropriations (passed 317–0).	Yes.
190	June 6	Quorum call	Present.
191	June 7	do	Do.
192	do	H.R. 15259: On approval of the District of Columbia appropriation bill for 1973 (passed 302–67).	Yes.
193	do	H.R. 14090: On approval of the bill to authorize appropriations for the Atomic Energy Commission (passed 367–2).	Yes.
194	June 8	Quorum call	Present.
195	do	S. 659: On adoption of the conference report on the Higher Education Act (passed 218–180).	No.
196	June 12	H. Res. 995: To adopt the "rule" under which to consider H.R. 12846 relative to the Armed Forces drug treatment program (passed 303–0).	Yes.
197	do	H.R. 10792 (S. 3166): To approve the bill increasing the Small Business Loan ceiling (passed 320–0).	Yes.
198	do	H.R. 12846: To approve the bill relating to the Armed Forces drug treatment program (passed 322–1).	Yes.
199	June 13	Quorum call	Present.[1]
200	do	H.R. 15418: To approve the 1973 appropriation bill for the Department of the Interior and related agencies (passed 367–3).	Yes.
201	June 14	H.R. 15417: On a motion that the House resolve itself into the Committee of the Whole House to consider the appropriation bill for the Department of Health, Education, and related agencies (passed 367–0).	Absent.[1]
202	do	Quorum call	Do.[3]
203	June 15	H.R. 15417: On an amendment to the HEW appropriation bill which sought to cut $20,000,000 for the expenses for the Occupational Safety and Health Administration (defeated 160–206).	Yes.
204	do	H.R. 15417: On an amendment to the HEW appropriation bill to exempt firms employing 25 persons or less from compliance with the Occupational Safety and Health Act of 1970 (passed 213–154).	Yes.
205	do	H.R. 15417: On an amendment to the HEW appropriation bill to add $364,000,000 for various education programs (passed 212–163).	No.
206	do	H.R. 15417: On an amendment to the HEW appropriation bill which sought to add $15,000,000 for bilingual educational programs (defeated 143–205).	No.
207	do	H.R. 15417: On a motion to recommit to committee the HEW appropriation bill (defeated 137–209).	Yes.
208	do	H.E. 15417: On final passage of the appropriation bill for the Department of Health, Education, and Welfare and related agencies (passed 277–60).	No.
209	June 19	Quorum call	Present.
210	do	H.R. 13694: To suspend the rules and pass the bill authorizing additional appropriations and expanding the authority of the American Revolution Bicentennial Commission (defeated 174–165; a 2/3 vote being necessary).	Yes.
211	do	S. 3343: To suspend the rules and pass the bill to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans (passed 341–0).	Yes.
212	June 20	Quorum call	Present.
213	June 21	do	Do.
214	do	H. Res. 996: On the motion to call for the previous question on the "rule" under which to consider H.R. 14370, the State and Local Fiscal Assistance Act of 1972 (passed 223–185).	Yes.
215	do	Quorum call	Present.
216	do	do	Do.
217	do	do	Do.
218	June 22	do	Do.
219	do	H.R. 14370: On a motion to recommit the State and Local Fiscal Assistance Act to the Committee on Ways and Means (defeated 157–241).	No.
220	do	H.R. 14370: On final passage of the State and Local Fiscal Assistance Act of 1972 (passed 274–122).	Yes.
221	do	Quorum call	Present.
222	do	H.R. 15585: On an amendment to the Treasury, Postal Service, and general Government appropriations bill which sought to reduce $2,000,000 for salaries and expenses of the Office of Telecommunications Policy (defeated 148–188).	No.
223	do	H.R. 15585: On an amendment to the Treasury, Postal Service, and General Government appropriations bill which sought to delete $100,000 for the Commission on Executive, Legislative, and Judicial Salaries (defeated 135–196).	No.
224	June 22	H.R. 15585: On an amendment to the Treasury, Postal Service, and general Government appropriations bill which sought to cut the number of personnel paid between $21,000 and $42,500 in the Executive Office of the President from 908 to 549 (defeated 122–210).	No.
225	do	H.R. 15585: On an amendment to the Treasury, Postal Service, and general Government appropriations bill which sought to prohibit the use of funds for chauffeur-driven automobiles except for the President of the United States (defeated 121–205).	No.
226	do	H.R. 15585: On final passage of the appropriations bill for the Treasury Department, Postal Service, and general Government (passed 321–11).	Yes.
227	June 26	Quorum call	Absent.[4]
228	do	H.R. 15507: To approve the National Capital Transportation Act of 1972 (passed 282–75).	Do.[1]
229	do	H.R. 11586: On final passage of the appropriations bill for Public Works, the Atomic Energy Commission, and related agencies (passed 345–17).	Do.[1]
230	June 27	Quorum call	Do.[4]
231	do	H.R. 15495: On an amendment to the military procurement authorization bill which sought to cut $350,000,000 for Safeguard procurement (defeated 116–258).	Do.[3]
232	do	H.R. 15495: On an amendment to the military procurement authorization bill which sought to delete $445,000,000 for the further development of the B–1 bomber (defeated 94–279).	Do.[3]
233	do	H.R. 15495: On an amendment to the military procurement authorization bill which sought to prohibit the building of an ABM site in Washington, D.C. (defeated 129–261).	Do.[3]
234	do	H.R. 15495: On an amendment to the Military Procurement Authorization bill which sought to terminate funds on Sept. 1, 1972, for deployment of U.S. military personnel or conduct of U.S. military operations in Southeast Asia (defeated 152–244).	Do.[3]
235	do	H.R. 15495: On final passage of the bill to authorize appropriations for military procurement (passed 334–59).	Do.[1]
236	do	H. Res. 1021: On the motion to call for the previous question on the "rule" under which to consider H.R. 15390, the Public Debt Limitation bill (passed 206–180).	Do.[1]
237	do	H.R. 15390: On final passage of the bill to provide for a 4-month extension of the present temporary level in the public debt limitation (passed 211–168).	Do.[1]
238	June 28	Quorum call	Do.[4]
239	do	H.R. 13955: On adoption of the conference report on the Legislative Branch appropriations bill (passed 380–8).	Do.[1]
240	do	H.R. 13955: On a motion to table a preferential motion which would provide funds for preparation of final plans for the extension of the west front of the Capitol (defeated 185–206).	Do.[3]
241	do	H.R. 13955: On a motion which would provide funds for preparation of final plans for the extension of the west front of the Capitol (defeated 181–197).	Do.[1]
242	do	H.R. 14734: On adoption of the conference report on the Foreign Relations Authorization Act (passed 314–77).	Do.[1]
243	do	H.R. 15587: On final passage of the bill to provide for a 6-month extension of the emergency unemployment compensation program (passed 273–110).	Do.[1]
244	June 29	Quorum call	Do.[4]
245	do	do	Do.[4]
246	do	H.R. 15690: On an amendment to the Agriculture-Environmental and Consumer Protection appropriations bill which sought to provide a limitation of $20,000 in farm subsidies excluding sugar and wool (defeated 189–192).	Do.[1]
247	do	H.R. 15690: On an amendment to the Agriculture-Environmental and Consumer Protection appropriations bill which sought to prohibit the issuance of food stamps to households who need assistance because any member of such household is on strike (defeated 180–199).	Do.[1]
248	do	H.R. 15690: On final passage of the bill making appropriations for the Agriculture-Environmental and Consumer Protection programs (passed 345–33).	Do.[1]
249	do	H. Res. 1019: On adoption of the resolution providing for the consideration of H.R. 14163 to indemnify farmers and ranchers whose domestic animals are killed by predatory animals (defeated 102–260).	Do.[3]
250	do	Quorum call	Do.[4]
251	do	H. Res. 1030: To adopt the "rule" under which to consider H.R. 15692 concerning the interest rate on Small Business Administration disaster loans (passed 348–6).	Do.[1]
252	do	H.R. 15692: On a motion that the House resolve itself into Committee of the Whole House on the State of the Union to consider the interest rate on Small Business Administration disaster loans (passed 341–1).	Do.[1]
253	do	H.R. 15692: On an amendment to the committee amendment on the bill to reduce the interest rate on Small Business Administration disaster loans which sought to move the retroactive date from July 1, 1971, to June 1, 1972 (defeated 161–163).	Do.[3]
254	do	H.R. 15692: On final passage of the bill to reduce the interest rate on Small Business Administration disaster loans (passed 325–9).	Do.[1]
255	June 30	Quorum call	Do.[4]
256	do	H.R. 15585: On adoption of the conference report on the Treasury, Postal Service, and General Government appropriations bill (passed 341–3).	Do.[1]
257	do	H.J. Res. 1238: To approve the resolution making supplemental appropriations for disaster relief (passed 355–1).	Do.[1]
258	do	Quorum call	Do.[1]
259	do	H.R. 15390: On a motion to substitute for the Senate amendment to the Public Debt Limitation bill a 10-percent increase in social security benefits (defeated 83–253).	Do.[3]
260	do	H.R. 15390: On a motion to concur in the Senate amendment to the Public Debt Limitation bill providing a 20-percent increase in social security benefits and other changes in the social security law (passed 302–35).	Do.[1]
261	July 17	Quorum call	Present.
262	do	H.R. 15635: To suspend the rules and pass the Juvenile Delinquency Prevention Act (passed 337–12).	Yes.
263	do	H.R. 15657: To suspend the rules and pass the Comprehensive Older Americans Services amendment (passed 351–3).	Yes.

Rollcall No.	1972	Measure, question, and result	Vote
264	July 17	H.R. 13152: To suspend the rules and pass the bill for the Control and Conservation of Predatory Animals (passed 277–74).	Yes.
265	July 18	H. Res. 1027: On adoption of the "rule" under which to consider H.R. 15081, the National Heart, Blood Vessel, Lung, and Blood Act of 1972 (passed 373–4).	Yes.
266	do.	H.R. 15081 (S. 3323): On approval of the National Heart, Blood Vessel, Lung, and Blood Act of 1972 as amended (passed 380–10).	Yes.
267	do.	H.R. 14455: On adoption of the bill extending and revising the program for the control and prevention of communicable diseases (passed 386–2).	Yes.
268	do.	H.R. 14424: On passage of the bill to establish a National Institute of Aging (passed 380–10).	Yes.
269	July 19	H. Res. 1018: On adoption of the "rule" under which to consider H.R. 13853, the Emergency Communitity Facilities and Public Investment Act of 1972 (passed 259–122).	No.
270	do.	Quorum call	Present.
271	do.	H.R. 13853: On an amendment to the Emergency Community Facilities and Public Investment Act to forbid funding in any fiscal year where the projected deficit exceeds $20,000,000,000 (in Committee of the Whole) (passed 197–194).	Yes.
272	do.	H.R. 13853: On an amendment to the Emergency Community Facilities and Public Investment Act to forbid funding in any year where the projected deficit exceeds $20,000,000,000 (in House as such) (passed 205–192).	Yes.
273	do.	H.R. 13853: On final passage of the Emergency Community Facilities and Public Investment Act, as amended (defeated 189–206).	No.
274	July 20	Quorum call	Present.
275	do.	H.R. 15641: On final passage of the bill to authorize construction at military installations (passed 371–17).	Yes.
276	do.	H.R. 15580: On a motion to recommit to committee the bill amending the District of Columbia Police and Firemen's Salary Act in order to make the pay increase retroactive to Mar. 1 (defeated 164–201).	Yes.
277	July 24	Quorum call	Present.
278	do.	H. Res. 1024: On adoption of the "rule" under which to consider H.R. 13366 providing compensation for losses resulting from the ban on cyclamates (passed 270–77).	Yes.
279	do.	H.R. 13366: On approval of the bill providing compensation for losses resulting from the ban on cyclamates (passed 177–170).	Yes.
280	July 25	Quorum call	Present.
281	do.	H.R. 14542: To approve the bill relating to Air Force officers authorized strength (passed 268–128).	Yes.
282	July 26	Quorum call	Present.
283	do.	H.R. 12807: On an amendment to the architect and engineers selection bill which sought to require agency heads to solicit design proposals including life cycle costs and qualifications with 3 architect-engineer firms (defeated 114–276).	No.
284	July 27	Quorum call	Present.
285	do.	H. Res. 1057: On adoption of the "previous question" on the "rule" under which to consider the conference report on H.R. 12931, the Rural Development Act of 1972 (passed 214–162).	No.
286	do.	H.R. 12931: To approve the conference report on the Rural Development Act of 1972 (passed 339–36).	Absent.[1]
287	July 31	H.R. 5741: To suspend the rules and pass the bill authorizing the transfer of surplus Liberty ships to States for use in marine life conservation programs (passed 325–2).	Yes.
288	do.	H.R. 11300: To suspend the rules and pass the bill permitting certain hydrofoil vessels to receive additional mortgage benefits under the Merchant Marine Act of 1936 (passed 332–1).	Yes.
289	do.	S. 2227: To suspend the rules and pass the bill to provide the Congressional Record to libraries of the highest appellate court of each State (passed 333–1).	Yes.
290	Aug. 1	H.R. 7130: On a motion to disagree to the Senate amendments to the minimum wage bill and to ask for a conference with the Senate (defeated 190–198).	No.
291	do.	H.R. 15474: To approve the National Cooley's Anemia Control Act (passed 377–11).	Yes.
292	Aug. 2	H.R. 15418: To adopt the conference report on the 1973 appropriation bill for the Department of the Interior and related agencies (passed 378–9).	Absent.[1]
293	do.	H.R. 14146: To amend the Coastal Zone Management bill to authorize the Secretary of the Interior to administer the program in lieu of the Secretary of Commerce (passed 261–112).	Do.[1]
294	do.	H.R. 14146: To amend the Coastal Zone Management bill to provide free and ready access to public beaches (defeated 190–191).	Do.[1]
295	do.	H.R. 14546 (S. 3507): On final passage of the Coastal Zone Management bill (passed 376–6).	Do.[1]
296	Aug. 3	H. Res. 1071: To adopt the "rule" under which to consider H.R. 15989, the International Economic Policy Act of 1972 (passed 372–3).	Yes.
297	do.	H.R. 15989 (S. 3726): On an amendment to the International Economic Policy Council bill which limits the existence of the council to fiscal year 1973 (passed 192–174).	No.
298	do.	H.R. 15989 (S. 3726): On an amendment to the International Economic Policy Council bill removing the President's authority to control the export of cattle hides (passed 177–158).	No.
299	Aug. 7	Quorum call	Present.
300	do.	H.R. 12101 (S. 2854): To suspend the rules and pass the bill relating to annuities of widows of Supreme Court Justices (passed 281–97).	Yes.
301	do.	H.R. 15883: To suspend the rules and pass the bill to provide for expanded protection of foreign officials and other purposes (passed 380–2).	Yes.
302	do.	S. 3645: To suspend the rules and pass the bill amending the United States Information and Exchange Act of 1948 relating to Radio Free Europe and Radio Liberty (passed 375–7).	Yes.
303	Aug. 7	S. 1819: To suspend the rules and pass the bill relating to the Uniform Relocation Assistance Act of 1970 (passed 374–10).	No.
304	do.	H.R. 11357: To suspend the rules and pass the bill to extend coverage and protection to employees of nonprofit hospitals under the National Labor Relations Act (passed 285–95).	Yes.
305	do.	H.R. 15376: To suspend the rules and pass the bill revising the method of computing wage rates under the Service Contract Act of 1965 (passed 274–103).	No.
306	Aug. 8	Quorum call	Present.
307	do.	do.	Do.
308	Aug. 9	H.R. 1 690: On adoption of the conference report on Agriculture-Environmental and Consumer Protection appropriations for 1973 (passed 317–80).	Yes.
309	do.	H.R. 15417: On adoption of the conference report on the Labor-HEW appropriations for 1973 (passed 240–167).	No.
310	do.	H.R. 15417: On agreeing to the Senate amendment on payment to the Corporation for Public Broadcasting in the Labor-HEW appropriations bill (passed 373–27).	Yes.
311	do.	H.R. 15927: On an amendment to the bill relating to the Railroad Retirement Act which sought to increase the amount paid by employees and the railroad from 9195 percent to 13.3 percent (defeated 104–289).	Yes.
312	do.	H.R. 15927: On approval of the bill providing a 20-percent increase in annuities under the Railroad Retirement Act (passed 398–4).	Yes.
313	Aug. 10	Quorum call	Present.
314	do.	H.R. 16029: On an amendment to the Foreign Assistance bill which sought to eliminate aid for Brazil (defeated 65–325).	No.
315	do.	H.R. 16029: On an amendment to the Foreign Assistance bill that sought to change the effective date of U.S. pullout from Indochina from Oct. 1, 1972, to Dec. 31, 1972 (defeated 109–304).	No.
316	do.	H.R. 16029: On an amendment to the Foreign Assistance bill to strike from the bill the section calling for the United States to pull out from Indochina by Oct. 1, 1972 (passed 228–178).	Yes.
317	do.	H.R. 16029: On an amendment to the Foreign Assistance bill to strike out language that restores the President's authority to regulate Rhodesian chrome imports (passed 253–140).	Yes.
318	do.	H.R. 16029: On final passage of the Foreign Assistance bill as amended (passed 221–172).	Yes.
319	Aug. 14	S. 2956: To suspend the rules and pass the bill to make rules governing the use of the armed forces of the United States in the absence of a declaration of war (passed 344–13).	Yes.
320	do.	H.R. 6957: To adopt the conference report on the bill to establish the Sawtooth National Recreation Area in the State of Idaho and other purposes (passed 361–0).	Yes.
321	do.	H.R. 15692: To approve the conference report on the bill reducing the interest rate on SBA disaster loans (passed 359–1).	Yes.
322	Aug. 15	Quorum call	Present.
323	do.	do.	Do.
324	do.	do.	Do.
325	do.	H.R. 16254: To approve the Disaster Relief supplemental appropriation bill (passed 392–0).	Yes.
326	do.	H.J. Res. 1278: On approval of the bill making further continuing appropriations for fiscal year 1973 (passed 379–8).	Yes.
327	do.	S. 3824: To pass the bill authorizing 1973 appropriations for the Corporation for Public Broadcasting (passed 377–8).	Yes.
328	Aug. 16	Quorum call	Present
329	do.	H. Res. 1094: On a motion to adopt the resolution providing for the consideration of conference reports on the same day reported (defeated 159–223).	Yes.
330	do.	H.R. 16071: On an amendment to the Public Works-Economic Development bill that sought to reduce the time any employee may receive unemployment benefits from 78 weeks to 52 weeks (defeated 161–200).	Yes
331	do.	H.R. 16071: On an amendment to the Public Works-Economic Development bill that would compensate individuals who lose their jobs as a result of Federal environmental orders, setting up a special category for "unemployment compensation" (defeated 161–201).	Y
332	do.	H.R. 16071: On final passage of the Public Works-Economic Development bill (passed 285–92).	No
333	do.	H.R. 15417: To override the President's veto of the 1973 appropriation bill for the Departments of Labor, HEW, and related agencies (defeated 203–171; a ⅔ vote being necessary).	No.
334	Aug. 17	Quorum call	Present
335	do.	do.	Do.
336	do.	H. Res. 1090: On adoption of the "rule" under which to consider the Equal Educational Opportunities Act of 1972 (passed 318–72).	Yes.
337	do.	Quorum call	Prese
338	do.	H.R. 13915: On adoption of an amendment to the Equal Educational Opportunities Act which defines the neighborhood as the appropriate basis for determining public school assignments rather than an appropriate basis (passed 254–131).	Yes.
339	do.	H.R. 13915: On adoption of an amendment to the Equal Educational Opportunities Act which sought to increase the authorization by $1,500,000,000 annually for title I (defeated 129–252).	No.
340	do.	H.R. 13915: On an amendment to the Equal Educational Opportunities bill to strike out language that authorizes busing, other than busing to the school nearest to the student's residence (defeated 174–211).	No.
341	do.	H.R. 13915: On an amendment to the Equal Educational Opportunities bill which would allow court orders and school desegregation plans already in effect to be reopened and modified to comply with the provisions of this bill (passed 245–141).	Yes.
342	do.	H.R. 13915: On an amendment to the Equal Educational Opportunities bill that specified that provisions of the bill comply with the 14th amendment to the Constitution (defeated 154–223).	No.

Footnotes at end of table.

Rollcall No.	1972	Measure, question, and result	Vote
343	Aug. 17	H.R. 13915: On an amendment to the Equal Educational Opportunities bill which sought to provide for freedom of transfer regardless of race, creed, or color (defeated 123–255).	No.
344	do	H.R. 13915: On an amendment to the Equal Educational Opportunities bill which would have specified that nothing in the bill was intended to violate any provision of the Constitution (defeated 178–197).	No.
345	do	H.R. 13915: On final passage of the Equal Educational Opportunities bill as amended (passed 282–102).	Yes.
346	Aug. 18	H.J. Res. 1227: On adoption of the resolution approving the acceptance by the President of the interim agreement between the United States and the Union of Soviet Socialist Republics relative to the limitation of strategic offensive arms (passed 329–7).	Yes.
347	do	H. Res. 1102: On approval of the "rule" under which to consider the conference report on the bill to extend and amend the Export Administration Act of 1969 and to establish the Council on International Economic Policy (passed 194–111).	Yes.
348	do	S. 3726: On adoption of the conference report on the bill to extend and amend the Export Administration Act of 1969 and to establish the Council on International Economic Policy (passed 183–124).	Yes.
349	do	H. Res. 1095: On adoption of the "rule" under which to consider H.R. 14847, the bill relating to the levying and collection of charges on persons travelling by air (passed 213–23).	Absent.[1]
350	Sept. 5	H.R. 13089: To approve the conference report on the bill to provide for acceleration of programs for the planting of trees on national forest lands in need of reforestation (passed 303–1).	Yes.
351	do	H.R. 12350: To approve the conference report on the bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964 (passed 223–97).	Yes.
352	Sept. 6	H. Res. 1106: On adoption of the resolution expressing the sense of the House on the tragic killings of the Israeli Olympic team members at the 20th Olympiad at Munich (passed 346–0).	Yes.
353	do	H.R. 13514: On passage of the Wheat Research and Promotion bill (defeated 122–235).	No.
354	Sept. 7	Quorum call	Present.
355	do	H.R. 2: To approve the conference report on the bill to establish a Uniformed Services University of the Health Sciences (passed 309–13).	Yes.
356	Sept. 11	Quorum call	Present.
357	do	H.R. 15550: On a motion to recommit to the Committee on the District of Columbia the bill conveying to the city of Alexandria, Va., certain lands of the United States (passed 213–38).	Yes.
358	Sept. 12	Quorum call	Present.
359	do	H.R. 16188: On a motion to recommit to the Committee on the Judiciary the bill amending the Immigration and Nationality Act (defeated 53–297).	No.
360	Sept. 13	H. Res. 1115: On adoption of the "rule" under which to consider H.R. 15495, military procurement authorization for fiscal year 1973 (passed 347–23).	Yes.
361	do	H.R. 15495: To approve the conference report on the bill for military procurement authorization for fiscal year 1972 (passed 336–43).	Yes.
362	do	H.R. 14896: To approve the conference report on the Child Nutrition Act (passed 379–0).	Yes.
363	do	H. Res. 1114: On adoption of the "rule" under which to consider H.R. 16593, making appropriations for the Department of Defense for fiscal year 1973 (passed 342–34).	Yes.
364	Sept. 14	Quorum call	Present.
365	do	H.R. 16593: On an amendment to the Defense Appropriations bill which added $100,000,000 of funds transfer authority for the further use of civilians in KP duties (passed 265–116).	Yes.
366	do	H.R. 16593: On an amendment to the Defense Appropriations bill which sought to terminate U.S. troop involvement in Indochina within 4 months conditioned upon the release of all American prisoners of war and a full accounting of the missing in action (defeated 160–208).	No.
367	do	H.R. 16593: On an amendment to the Defense appropriations bill that proposed a 5 percent reduction of funds in the bill actually spent in fiscal year 1973 (defeated 98–256).	No.
368	do	H.R. 16593: On final passage of the bill making appropriations for the Department of Defense for fiscal year 1973 (passed 322–40).	Yes.
369	Sept. 19	Quorum call	Present.
370	do	H.R. 16654: On an amendment to the Labor-HEW appropriations bill to exempt firms employing 15 persons or less from compliance with the Occupational Safety and Health Act of 1970 (passed 191–182).	No.
371	do	H.R. 16654: On an amendment to the Labor-HEW Appropriations bill which sought to add $15,000,000 for bilingual educational programs (defeated 162–207).	No.
372	do	H.R. 16654: On final passage of the bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for fiscal year 1973 (passed 324–51).	No.
373	Sept. 20	Quorum call	Present.
374	do	do	Do.
375	do	H.R. 15003 (S. 3419): On final passage of the Consumer Product Safety Act as amended (passed 319–50).	Yes.
376	do	H. Res. 1122: On adoption of the "rule" under which to consider H.R. 16705, making appropriations for Foreign Assistance and related programs for fiscal year 1973 (passed 239–98).	Yes.
377	Sept. 21	Quorum call	Present.
378	do	do	Do.
379	do	do	Do.
380	do	H.R. 16705: On an amendment to the bill making appropriations for foreign assistance and related programs which sought to prohibit the use of funds to guarantee or insure future foreign investments (defeated 141–167).	No.
381	do	H.R. 16705: On final passage of the bill making appropriations for foreign assistance and related programs for fiscal year 1973 (passed 169–141).	Yes.
382	Sept. 25	H. Res. 1132: On adoption of the "rule" under which to consider H.R. 16754, making appropriations for military construction for the Department of Defense for fiscal year 1973 (passed 276–15).	Absent.[1]
383	do	H.R. 16754: On final passage of the bill making appropriations for military construction for the Department of Defense for fiscal year 1973 (passed 292–13).	Do.[1]
384	do	H. Res. 1133: On adoption of the resolution authorizing the President to approve an interim agreement between the United States and U.S.S.R. with respect to limitation of strategic offensive arms (passed 307–4).	Do.[1]
385	Sept. 26	Quorum call	Present.
386	do	H.R. 1121: On final passage of the bill to establish the Gateway National Seashore in the States of New York and New Jersey (passed 350–4).	Absent.[1]
387	Sept. 27	H.J. Res. 1306: To approve the joint resolution making further continuing appropriations for fiscal year 1973 (passed 351–4).	Yes.
388	do	H.R. 16012: On passage of the bill to authorize the Secretary of the Interior to construct, operate, and maintain various Federal reclamation projects (passed 293–64).	Yes.
389	Sept. 28	Quorum call	Present.
390	do	H.R. 13694: On an amendment to the joint resolution establishing the American Revolution Bicentennial Commission that would have specified that all decisions would be made by the full commission in lieu of an executive committee (defeated 145–182).	No.
391	do	H.R. 13694: On passage of the bill to amend the joint resolution establishing the American Revolution Bicentennial Commission (passed 300–19).	Yes.
392	Oct. 2	Quorum call	Present.
393	do	do	Do.
394	do	do	Do.
395	do	H.R. 16742: On a motion to suspend the rules and pass the bill to amend sec. 4 of the Internal Security Act of 1950 (defeated 230–140) a 2/3 vote being necessary.	Yes.
396	do	H.R. 15276: On a motion to suspend the rules and pass the bill to amend sec. 591(g) of title 18, U.S. Code, in order to exclude corporations and labor organizations from the scope of the prohibitions against Government contractors in sec. 611 of title 18 (passed 249–124).	No.
397	do	H.R. 16191: On a motion to suspend the rules and pass the Anti-Hijacking Act of 1972 (passed 354–2).	Yes.
398	do	H.R. 15859: To suspend the rules and pass the bill authorizing assistance for planning, development and initial operation, research, and training projects for systems for the effective provisions of health care services under emergency conditions (passed 244–122).	No.
399	Oct. 3	Quorum call	Present.
400	do	do	Do.
401	do	H.R. 16645: On an amendment to the bill to provide for the construction of a civic center in the District of Columbia which sought to delete language providing for the Dwight D. Eisenhower Memorial Bicentennial Civic Center (defeated 183–199).	No.
402	do	H.R. 16645: On an amendment to the bill to provide for the construction of a civic center in the District of Columbia which prohibits construction of the civic center unless approved by the Senate and House Committees on the District of Columbia and Appropriations (passed 250–137).	Yes.
403	do	H.R. 16645 (S. 3943): On passage of the bill to provide for the construction of a civic center in the District of Columbia (passed 210–169).	Yes.
404	do	H.R. 7130: On a motion to disagree to the amendments of the Senate to the Fair Labor Standards Act and ask for a conference with the Senate (defeated 188–196).	No.
405	Oct. 4	Quorum call	Present.
406	do	H. Res. 1142: On ordering the previous question on the resolution conferring authority on the Speaker to entertain motions to suspend rules and waive the rule requiring a ⅔ vote for consideration of reports from the Committee on Rules on the same day reported during the period Oct. 10, 1972 (passed 214–171).	No.
407	do	H.R. 15927: To override the President's veto of the bill amending the Railroad Retirement Act of 1937 (passed 353–29).	No.
408	do	S. 2770: To approve the conference report on the bill to amend the Federal Water Pollution Control Act (passed 366–11).	Yes.
409	do	S. 1316: On an amendment to the Federal-State Meat and Poultry Inspection bill which provides for Federal Inspectors to report results of their inspections of State-regulated plants to the State administrative agency (passed 188–149).	Yes.
410	do	S. 1316: On a motion that the Committee of the Whole House "do now rise" and report the Federal-State Meat and Poultry Inspection bill back to the House with the recommendation that the enacting clause be stricken out (passed 172–170).	Yes.
411	do	S. 1316: On agreeing to the motion to strike the enacting clause from the Federal-State Meat and Poultry Inspection bill (passed 172–169).	Yes.
412	Oct. 5	Quorum call	Absent.[2]
413	do	do	Present.
414	do	H. Res. 1145: To order the previous question on the "rule" under which to consider H.R. 16656, the Federal Aid to Highways Act (passed 200–158).	Yes.
415	do	H.R. 16656: On an amendment to the Federal Aid to Highways Act that sought to strike language which would prohibit judicial review of administrative actions relating to the construction of the Three Sisters Bridge (defeated 125–173).	No.
416	do	H.R. 16656: On passage of the Federal Aid to Highways Act (passed 263–30).	Yes.
417	Oct. 10	Quorum call	Present.
418	do	H. Res. 1149: On adoption of the "rule" under which to consider H.R. 16810, to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for fiscal year 1973 (passed 309–65).	Yes.
419	do	Quorum call	Present.

Rollcall No.	1972	Measure, question, and result	Vote
420	Oct. 10	H.R. 16810: On an amendment to the Public Debt Limitation bill that sought to require the President to tell Congress by Jan. 2 what spending cuts he would make to bring down the 1973 budget expenditures to $250,000,000,000 and require Congress to consider legislation dealing with the proposed budget cuts (defeated 167–216).	No.
421	do.	H.R. 16810: On passage of the bill to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for fiscal year 1973 (passed 221–163).	Yes.
422	Oct. 11	H. Res. 1156: On adoption of the "rule" under which to consider H.R. 17034, making supplemental appropriations for fiscal year 1973 (passed 345–19).	Yes.
423	do.	H.R. 16654: On a motion to lay on the table a motion instructing House conferees to insist on House language which forbids salaries for Federal employees who inspect firms employing 15 or less employees for compliance with the Occupational Safety and Health Act of 1970 (passed 197–167).	Yes.
424	do.	H.R. 17034: On passage of the bill making supplemental appropriations for fiscal year 1973 (passed 362–11).	Yes.
425	do.	H.R. 16924: On passage of the bill revising the special pay structure relating to members of the uniformed services (passed 337–35).	Yes.
426	do.	Quorum call	Present.
427	do.	H.R. 16724: On a motion to suspend the rules and pass the bill providing for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area (defeated 226–129) a ⅔ vote being necessary.	Absent.[1]
428	do.	H.R. 6482: On a motion to suspend the rules and pass the bill to provide for the regulation of strip coal mining, for the conservation, acquisition, and reclamation of strip coal mining areas (passed 265–75).	Do.[1]
429	do.	S.J. Res. 247: On a motion to suspend the rules and pass the bill extending the duration of copyright protection in certain cases (passed 208–92).	Do.[1]
430	Oct. 12	Quorum call	Present.
431	do.	H.R. 16987: On a motion to suspend the rules and pass the bill authorizing appropriations for fiscal year 1973 for certain maritime programs of the Department of Commerce (passed 350–3).	Yes.
432	do.	H.R. 14370: To approve the conference report on the State and Local Fiscal Assistance Act of 1972 (passed 265–110).	Yes.
433	do.	H.R. 14370: On a motion to the State and Local Fiscal Assistance Act of 1972 to place a $2½ billion ceiling on social service grants (passed 281–86).	Yes.
434	do.	H.R. 16593: To approve the conference report on the bill making appropriations for the Department of Defense for fiscal year 1973 (passed 316–42).	Yes.
435	do.	H.R. 16754: To approve the conference report on the bill making appropriations for military construction for fiscal year 1973 (passed 333–10).	Absent.[1]
436	do.	H.R. 14989: To approve the conference report on the bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for fiscal year 1973 (passed 333–3).	Do.[1]
437	do.	H.R. 10729: To approve the conference report on the bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act (passed 198–99).	Do.[1]
438	Oct. 13	Quorum call	Present.
439	Oct. 13	H. Res. 1153: On adoption of the resolution amending the rules of the House of Representatives with respect to House consideration of certain Senate amendments, to provide for the delegates from Guam and the Virgin Islands (passed 281–57).	Yes.
440	do.	H.R. 16654: On a motion to agree to the amendment of the Senate making appropriations for the Departments of Labor, Health, Education, and Welfare for fiscal year 1973 (passed 289–41).	No.
441	do.	Quorum call	Present.
442	do.	S. 1478: On a motion to suspend the rules and pass the Toxic Substances Control Act of 1972 as amended (passed 240–61).	Yes.
443	do.	H.R. 7287: On a motion to suspend the rules and pass the bill to prohibit trading in Irish potato futures on commodity exchanges (defeated 116–150).	No.
444	Oct. 14	On approval of the Journal of proceedings for Oct. 13, 1972 (passed 248–3).	Yes.
445	do.	H.R. 17034: To approve the conference report on the bill making supplemental appropriations for fiscal year 1973 (passed 250–15).	Yes.
446	do.	Quorum call	Present.
447	do.	H.R. 12006 (S. 2318): On a motion to suspend the rules and pass the Longshoremen's and Harbor Workers' Compensation Act as amended (passed 198–71).	Absent.[1]
448	do.	H. Res. 1147: On adoption of the resolution authorizing overseas travel by the Committee on Public Works (passed 202–46).	Do.[1]
449	do.	S. 4062: On a motion to suspend the rules and pass the bill providing for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area (passed 184–60).	Do.[1]
450	do.	Quorum call	Do.[3]
451	do.	H.J. Res. 1331: To approve the joint resolution making further continuing appropriations for fiscal year 1973 (passed 163–73).	Do.[1]
452	do.	H. Res. 1166: On a motion to suspend the rules and pass the resolution agreeing to the amendment of the Senate to H.R. 16071, to amend the Public Works and Economic Development Act of 1965 with amendment (passed 155–64).	Do.[1]
453	do.	Quorum call	Do.[3]
454	Oct. 17	do.	Present.
455	do.	H.R. 1: To approve the conference report on the Social Security Amendments of 1972 (passed 305–1).	Yes.
456	do.	H.R. 16810: To approve the conference report on the bill to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for fiscal year 1973 (passed 166–137).	Yes.
457	do.	H.J. Res. 1331: To approve the conference report on the bill making further continuing appropriations for fiscal year 1973 (passed 188–80).	Yes.
458	Oct. 18	Quorum call	Present.
459	do.	S. 2770: On reconsideration of the Federal Water Pollution Control Act Amendments of 1972 to pass the measure, the objections of the President to the contrary notwithstanding (passed 247–23).	Yes.
460	do.	H. Con. Res. 726: On adoption of the resolution providing for a sine die adjournment of the 2 Houses of Congress on Wednesday, Oct. 18, 1972 (passed 239–21).	Yes.
461	do.	Quorum call	Present.
462	do.	do.	Do.

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[1] If present, would have voted "yes."
[2] If present, would have voted "no."
[3] Speaking engagement.
[4] Official trip to China.

BILL COLMER—REPRESENTATIVE FOR AMERICA

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. PATMAN. Mr. Speaker, from my point of view, there is only one benefit to be derived by the retirement of BILL COLMER from Congress, and that is this opportunity to express in appropriate detail my deep regard, respect, and admiration for a truly remarkable statesman, politician, tactician, educator, and barrister, who is also my personal candidate for the position of congressional all-American. This last attribute is unique to BILL COLMER because he has with superb ability always represented the best interests of the Fifth Congressional District of the great State of Mississippi as well as the best interests of the United States of America—and, in all honesty, I must add that the world itself has benefited immeasurably from the presence of this great and wise southern gentleman in the Halls of Congress.

His masterly chairmanship of one of the most powerful committees in the world's most important legislative body will be amply recorded in the history of our time. The fact that he fulfilled the duties of his high office with time-consuming precision and excellence has, however, in no way detracted from his courtly and meticulous attention to the friendly and gracious chores that go along with being the good and effective friend of hundreds of thousands of human beings.

Yes, BILL COLMER has never lost the common touch—he can confer with the mighty of this earth and he can converse with his fellow citizens in every walk of life with equal wisdom and facility.

Mr. Speaker, if I may add a purely personal note, going back to the fall of 1932, I can remember with great clarity a very vigorous young man who conducted a remarkably meaningful campaign. His name was BILL COLMER, and, of course, this was the start of one of the most successful congressional careers in the history of Congress. I was there in Pascagoula when he ran for his second term because in just 2 short years I had come to admire and respect this fine Congressman. It is true that his politics can be characterized as conservative, but I really think that he and I share a position which should be considered progressive. In other words, we both believe in progress for the American people within the framework of the guidelines set down for us in the Constitution in the best traditions of our pioneering forefathers.

In so many ways, BILL COLMER has typified the dedication, tireless effort, and concern for his fellow man that are indeed part of his very nature. This is nowhere more notable than in the tumultuous period following World War II. Half of the world was in ruins and international economic systems were in chaos. We were engaged in a massive attempt to make the necessary shift from a wartime economy to peacetime consumer-oriented industry with a minimum of displacement and hardship. As if this were not enough, the United States had also accepted the burden of world leadership, helping people everywhere, both friend and foe, who had suffered the dreadful devastation of global conflict. So that the House of Representatives could successfully perform its proper legislative role in this great undertaking, the Special Committee on Post-War Economic Policy and Planning was formed under the watchful and capable leadership of BILL COLMER. For 4 years, this committee was vital to the orderly postwar economic reconstruction of the entire world.

Mr. Speaker, I have one last comment, which is that all of the foregoing and the long list of BILL COLMER's significant accomplishments that are so well known to his admiring colleagues are the natural consequence of a fine and warm human being endowed it is true by his Maker with exceptional talents and abilities, but an individual nevertheless whose intelligence, forcefulness, and deep concern have the unique stamp of BILL COLMER. For him conscience and country are merged in one patriotic duty. For the Members of Congress his remembered precepts will be our future guide—as though his voice were still reverberating from these walls—a gentleman from Mississippi who has been a Representative for America, and who has in fact been our arbiter and standard of legislative order and excellence during 40 years that were crucial to America.

A BALANCED TRANSPORTATION SYSTEM MAKES SENSE FOR ALL

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. COUGHLIN. Mr. Speaker, I feel that there are two very important points which bear further mention with regard to the recent consideration by this body of the conference report to H.R. 16656, the Federal Aid Highway Act of 1972.

As a Congressman from suburban Philadelphia, I am fully aware of the significant improvements which might have become a reality had the House moved to allow local governments the option to use urban highway system funds as they saw fit—whether for highway-related projects or for rail and bus mass transit. Rather than being a blatant raid on the highway trust fund, this provision offered a practical solution to a critical problem now facing our Nation's cities. Certainly, it makes more sense that the local areas—the urban areas for which the funds are earmarked—should decide their own priorities rather than the Congress. Unfortunately, however, we have again limited their expenditures to strictly highway needs.

Second, the failure to permit urban areas to utilise these moneys for their own particular needs cannot be offset by the provision in the conference report which would have provided $3 billion in mass transit authorization and $400 million in operating subsidies. I take exception to the claim of many of my distinguished colleagues that this was a great step forward for public transportation. Such a statement is, in fact, a usury, for although the authorization would have been made, the conference report actually did not appropriate the funds. To the contrary, the mass transit amendment on which we sought to gain action would have provided that $700 million in existing funds—funds now available in the highway trust fund—would have been used.

I do not mean to underestimate the importance of highways to our country's future growth. However, I do feel that the time has come when we must recognize that highways alone simply will not be able to handle the requirements of our rapidly increasing population in the years ahead, nor do they necessarily present the best possible solution for all areas. Improved public transportation is needed now if our cities are to survive in the future.

Certainly, if local governments were given the flexibility to use urban highway system funds for mass transit purposes, our highways, too, would benefit. By attracting a sizable portion of people to public transportation, the number of private automobiles traveling into the urban areas would be reduced, and thus both modes of transportation would benefit from this balancing effect.

Instead of continuing the haphazard planning and unequal funding assistance of the past, it is essential that steps be taken now to provide our country with a carefully designed and balanced transportation system of the future. This should be our basic goal and this is the principle on which we should all focus our attention when the Congress again considers the Federal Aid Highway Act next year.

DR. BENJAMIN WATKINS, HARLEM'S MAYOR SPEAKS OUT ON WATER POLLUTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RANGEL. Mr. Speaker, Dr. Benjamin W. Watkins, the distinguished mayor of Harlem, has written an incisive article for the Amsterdam News on the threat posed by water pollutants to both fish and human life. Dr. Watkins heads the Harlem Red Cross and has long been involved in community affairs. In view of our recent debate on comprehensive water pollution legislation, his words are especially timely. I am pleased to share his article with my colleagues in Congress:

SOMETHING IS FISHY IN RIVER WATERS

(By Dr. Benjamin W. Watkins)

Although our city's water supply contains worm-like insect larvae, copper and magnesium deposits, coliform bacteria, microscopic shrimp, a dash of arsenic, and God knows what else, we have been told by water officials to drink up and be merry.

The authorities tell us that not only is the all purpose liquid absolutely safe, but that most of it measures up to connoisseur's standards for taste and appearance.

They say that for drinking, it's better than the water in almost all major U.S. cities because its softness helps to bring on the bubbles from the soapsuds.

While we are inclined to believe the expert advice of these authorities, we are nevertheless a bit upset over the recent findings of a medical team out in the midwest.

According to the latest issue of the Medical World News, an important medical journal, the team reported that something fishy is going on in our waters.

A recent article in the journal poses the following question:

If a river is polluted enough to cause cancer in a high proportion of the fish that live in it, what danger is there to people who drink it, swim in it, or eat the fish they take from it?

According to the article, all these are unanswered questions raised by a study of the Fox River watershed in Wisconsin and Illinois where a team of investigators discovered that 16 per cent of the fish they examined had tumors.

The study was prompted after Dr. Eric R. Brown, professor and chairman of the Chicago Medical School's microbiology department, took his children fishing in the Fox, which is near Chicago.

They apparently had a good day of fishing, but two of the fish they took bore strange-looking growths that the doctor immediately detected to have tumors, saying:

"I'd never seen this before, and my own field being cancer, I started to look at them and then began trying to find out whether other people had found tumorous fish, too."

SOME HELP

A short time later, after spreading the word about, the doctor had interested an impromptu research team—which had highly trained investigators from the Illinois-Benedictine College in Lisle, Ill., and the University of Manitoba medical school in Winnipeg, as well as his own celebrated institution—and they all got to work.

Dr. Brown was able to get some help from Dr. J. B. G. Kwapinski, professor of microbiology at Manitoba, who studied the fish population of a Western Ontario watershed that is almost entirely unpolluted, for comparison.

The study went well because it also had the help of a network of sport and commercial fishermen who fish the two rivers, and who send in fish suspected of having tumors.

The investigators sampled the waters of both river systems, and Dr. James Hazdra, chairman of the chemistry and bio-chemistry departments at Illinois-Benedictine, analyzed high proportions of fecal material, with a bacterial count as high as 39,000 per 100 ml of water.

Also found in the waters were carcinogenic compounds of the benzanthracene group, herbicides, insecticides, phosphates, nitrates, gasoline, and ether, as well as unsafe quantities of such minerals as lead, mercury, calcium, cadmium, zinc and antimony. Many fish were found to have two or three types of solid tumor.

Afterwards, Dr. Brown declared:

"We haven't seen much leukemia, which is my own field, but then it's very hard to detect leukemia in fish blood. In fact it's a lot harder to identify a fish tumor than you might think, except for the large external ones."

The study did not make any specific conclusions, except to say that people should not fish in waters that are polluted. We believe that a similar study for our city's nearby rivers, as well as the water system itself, would definitely be in order in light of these rather ugly findings.

PAGE BELCHER

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EDMONDSON. Mr. Speaker, Page Belcher has served 22 years in the U.S. House of Representatives, and during those 22 years, he has been a valuable Member of Congress and a valuable member of the Oklahoma congressional delegation. I have served with Page since my election to Congress 2 years after his, and serving with him has been a helpful and rewarding experience.

As ranking minority member of the House Committee on Agriculture, Page Belcher has become an expert in this area which is so vital to Oklahoma, and in this capacity he has served the State energetically and well.

For much of the time that he has served in Congress, Page has been the only Republican member of the Oklahoma delegation. He has demonstrated how well Members from both sides of the aisle can work together when they are vitally concerned for the good of their State. He has worked effectively with all of us from Oklahoma, and he has worked effectively with Members from every State.

Page Belcher's 22 years in Congress have been years of dedicated public service to Oklahoma and to the Nation. These years of accomplishment and hard work have earned him the right to a happy and rewarding retirement, but he will be missed by the Oklahomans he has served so well, and he will be missed in Washington.

INDONESIAN BUSINESSMAN ADDRESSES JAPAN-CALIFORNIA ASSOCIATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MOORHEAD. Mr. Speaker, Julius Tahija, one of Indonesia's leading businessmen, made a very perceptive speech recently on the economic relationship between Indonesia and Japan.

I believe that Mr. Tahija's remarks are quite interesting and most important reading for anyone concerned with the economic growth of the Pacific nations, and the meaning of that growth for U.S. businessmen and Government officials.

At this time, I would like to introduce Mr. Tahija's speech into the Record:

Speech by Mr. Julius Tahija at Nagoya, September 21–23, 1972

Gentlemen, to us in Indonesia it has become apparent that the economic development and growth of the developing nations in South East Asia and in the Pacific Basin will be highly influenced by the nature of the relationship between Japan and United States in the future.

Indonesia, has a Government which has accepted the Free Economic System and the role of Private enterprise as an important stimulant as part of the recovery of our economy, after a period when private enterprise was almost eliminated.

We, Indonesia, are in fact, of the opinion that the very future of the free economic system in this part of the world, where there is still much poverty and where the political leaders are still seeking and searching for the best system to raise the living standard of their people, is particularly dependent on the future relationship between the United States and Japan.

After independence we accepted almost blindly the Western type of democracy where political leaders have often served the interest of their respective political parties rather than the good of their country. We then tried the so-called "Guided Democracy" moving slowly into a camp where private ownership and private enterprise could not be tolerated.

We have been most fortunate that since 1966, we have been able to recover from the past trend of development and within less than five years have been able to prove what an important role the free economic system can play in the growth of our country's economy.

Mr. Suhud and I are much honored today to have the opportunity meeting such a prominent group of business leaders from Japan and the United States, who are playing such a positive role in the development of the Pacific Basin and South-East Asia.

There is more at stake than just trying to develop business from day to day. It is of paramount importance that political and business leaders of Japan and the United States should maintain an open and frank communication. Their wisdom, maturity, restraint, farsightedness and ability to retain their sense of proportion will be taxed to the maximum from time to time.

Hopefully, working towards a common goal will inspire these leaders to serve, and serve well, the interest of not only Japan and the United States but also that of the nations in the Pacific Basin and South East Asia, which vitally affects other parts of the world.

This gentlemen, is the way we in Indonesia look upon the importance of this Conference and upon the role which both Japan and the United States should and can play to assure political stability in the Pacific Basin and South East Asia and to develop a sound and strong economy in the developing nations of these two regions.

Japan and the United States have been and are most instrumental in placing Indonesia back on the road of economic recovery since the stabilization policies of October 1966 and particularly since 1968. Indonesia has achieved notable results in terms of an expansion of production and aggregate income and a substantial increase in total export earnings while inflation has been brought under strict control.

For the past 4 years 1968 to 1971, Gross Domestic Product, in real terms, increased by an average of 7% per year. On present indications, GDP for the current year 1972 is expected to rise again between 7 and 9%. The population census of 1970 indicated an average population increase of 2.7% per annum.

Hence the overall standard of living, the per capita income, has risen by over 4% per annum since 1967. This is in sharp contrast to the preceding years from 1960 to 1967, a period marked by stagnation and even retrogression where the increase of aggregate production and income had been less than the increase of population.

This income of the GDP during the past 4 years and which is expected to continue this year is due to the following contributing factors: an increase for the period between 1968 through 1971 in

1. public investments averaging 80% per year.

2. total export proceed averaging 14.4% per year.

3. External sources (official development assistance and private capital inflow), averaging 25% per year.

The overall expansion of our economy was accompanied by a highly successful control of inflation. In 1966 the inflation rate was 650%, 110% in 1967, 85% in 1968, 10% in 1969, 9% in 1970 and 2.5% in 1971. With the support of Japan, the United States and other nations. Indonesia has been able to increase production, raise national income and to restore her financial stability.

The balance of payment also looks encouraging. The exports for the current year 1972 are expected to reach a level of approximately $1.83 billion, compared to $1.3 billion in 1971, an increase of 40%, considerable more than the annual average increase of 14.4% during 1968 through 1971.

Adding the $720 million of external funds committed for 1972 from IGGI, Indonesia' capacity to import this year will be roughly $2.5 billion, not including the inflow of private capital. Nevertheless, at present there are weaknesses in the composition and pattern of Indonesia's export. Substantial increase in export proceeds are mainly due to the natural resources of oil and timber. In 1972 the export value of oil will increase over 80% above 1971. The export value of timber for 1972 will rise 27% over 1971.

More than 80% of our total export earnings in 1972 depend on three commodities. Crude oil 55%, rubber 13.5% and timber 11.5%. The concentration on only three commodities makes Indonesia's economy in the future very vulnerable to fluctuations in external markets. Also, 40% of our total exports, including 80% of our timber, go to Japan, while in previous years this figure was 26%.

The export of our traditional commodities such as rubber, copra, palm oil, coffee and tea, have increased only marginally. Rubber and copra showed a sharp decline in 1972 both in value (40% less than in 1971) and in volume (approximately 13% less than in 1971). Our problem is that 65 to 70% of our population depend for their livelihood on those traditional agricultural exports commodities.

The government of Indonesia is fully aware of the dangers and vulnerability of such a situation.

Though bilateral contacts are of great importance, we hope slowly and thoughtfully to strengthen ASEAN as the basis for a strong collective approach.

We believe the new Special Committee for the Coordination of ASEAN Affairs (SOCAN) can provide a mechanism for the beginning in establishing a continuing dialogue for multilateral considerations between ASEAN member countries and the European Economic Community. The E.E.C. in turn will establish within its administration a special bureau to function as the counter part of SCCAN. It is Indonesia's hope that this arrangement can prevent further deterioration and may improve the marketability of our traditional export commodities to the E.E.C.

We have particularly welcomed the visit last week of Prof. Mansholt and his group of the E.E.C. with whom we discussed such subjects as tariffs and other obstacles which we hope can be changed to relieve our present pressing situation. We are primarily concerned with the application of a wider coverage of the generalized system of preferences and we need the further reduction of tariffs relative to Indonesia's exports, as expressed by our Minister of Trade Dr. Sumitro during the Pacific Basin Economic Council meeting in Wellington in May this year.

Larger nations of the E.E.C. have shown a very positive and helpful approach in their relationship with developing countries such as Indonesia.

The E.E.C. is one of the three powerful economic centres today in the free enterprise system, along with Japan and the United

States. Indonesia believes she must establish with these three primary trading centers a more productive economic trade relationship than is presently prevailing. This situation in fact reminds me of Japan's position and strife during the first 50 years after the Meiji Restoration in 1868 when steps were taken to rid Japan of the unequal treaties and to arrange new and more equitable agreements. The difference today is that with advanced technology and science, conditions change faster and more frequently. Therefore, close and quicker communication and more thorough understanding between countries of these changes and their results, are essential indeed.

It is within this context that we in Indonesia and undoubtedly also other ASEAN member countries are vitally interested in tripartite meetings of the three economic centres of the world namely the E.E.C., Japan and the Untied States. In my personal opinion the ASEAN should be invited at least as observers. Such meetings with government and business leaders is in fact desirable to keep open a continuous contact and dialogue in trying to solve not only the present monetary and other economic problems but also and importantly, to define future objectives.

If we wish to sustain a lasting political and economic stability in the world at large we must move thoughtfully, but positively, in organized fashion without undue delay to improve the present situation where 25% of the world population enjoys 75% of the world's prosperity and the remaining 25% of the world's good is being shared by the last 75% of the world's population.

The export of labor-intensive industries by the United States, Japan and the E.E.C. would help the unemployment and underemployment problem in Indonesia. We are searching for technology that will create the highest employment without unduly sacrificing productivity. I was told that the streamlining of procedures by the Japanese government for the utilization of the yen credit would accelerate investment to Indonesia.

Allow me now to make some observations on the role foreign and multinational companies operating in Indonesia and other developing countries. Companies whether foreign or national owned should meet their environmental responsibilities if they wish to continue favorable return on their investment over a long period. No longer is it enough to be imaginative and intensive in our technological research, but we have to be competitively creative in meeting the challenge of how to keep our environment fully productive. It is vital that in this respect the local management of these companies can count on the guidance and support of the parent companies and that the local managers be kept up to date with new and changing philosophies in this respect. Only in this way can these companies substantially and tangibly contribute to the growth of private enterprise and the free economic system, patricularly in developing countries where the people are not always convinced that private enterprise can offer them the best opportunities to improve their living standard. I must admit that these efforts take time, tolerance and perseverance on the part of the local management.

The ecological problem is another subject which should have the constant attention of the business and industrial managers in the developing countries. Already some of the new investors in Indonesia have been negligent in this respect with the result of certain frictions. The population in the developing countries does expect that companies from developed nations are much more aware and able to prevent pollution and assist us in conserving some of our natural resources for the future.

The matter of Human investment through training of nationals of the host country is imperative. It should be carried out according to a well developed plan in order to reap the maximum benefit from the investment made. Technical and business knowledge and experiences are just as important if not even more important than material and financial gain. This additional experience and expertise can only further a deeper mutual understanding between nations.

My appeal to you in this meeting of decision makers of major and multinational companies, is based on hard and sometimes bitter experience during the last 20 years in trying to guide a foreign company through some of the difficult times after Indonesia's independence. The benefit our company is reaping today is a result of seeds carefully cultivated to meet our present and future environmental and social responsibilities, which are today, most vital business responsibilities as also expressed by Mr. Edgar Kaisar a few days ago in Tokyo.

Indonesia belies in a cooperative approach. However, Indonesia will also always look independently at each decision and stand for what we judge to be wise and fair. In this respect the adversities we experienced during the pre-Soeharto period may prove to be a blessing in disguise in that now we do appreciate what we are gaining and become more and more aware as to how many opportunities we have lost in the past. Guided by a deep spiritual and cultural heritage that has given us a certain understanding and a sensitive to appreciate real values we hope soon to be able to contribute more positively and tangibly to the stability in this part of the world. Indonesia needs the expertise and monetary assistance from Japan and the United States now, you need our vitality and stability in the future.

We believe that this is the least Indonesia can do to show our appreciation to the donor nations in the IGGI who have been most instrumental to put us back on the road of economic recovery. Thank you for inviting us to be with you and share with you your experience.

THE NATIONAL HEMOPHILIA FOUNDATION'S AWARD TO THE UNITED PILOTS AIRLIFT

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROY. Mr. Speaker, the disease of hemophilia afflicts many thousands of our citizens, many of them children. It is a disease which lasts from birth until death. It is frequently extremely painful, and is always a factor to be dealt with in the life of the person who has it. As a physician, I know the toll of pain hemophilia takes—as an obstetrician-gynecologist, I am more aware than many doctors of the deep concern of parents of newly born and young children who have the disease.

Recently, a very humanitarian program regarding hemophilia has come to my attention. At its annual board of directors meeting in Denver on October 21, 1972, the National Hemophilia Foundation presented its Humanitarian Award to the pilots of United Airlines. The award was accepted on their behalf by Capt. Thomas E. Cornell, chairman, United Air Lines Master Executive Council, Air Line Pilots Association, in appreciation for their program of a special kind of aid to hemophilic children.

The "United Pilots Airlift" as the childrens' travel program is known, makes contributions available to the National Hemophilia Foundation for the purchase of air transportation to provide specialized care at medical centers not available in certain parts of our country. Additionally, upon recommendation of a physician, the fund will pay the air fare for one parent. Children are selected by the foundation on the basis of need.

I am informed that often a pilot, on a nonwork day, will accompany the youngster selected, will explain aeronautics to the child, accompany the child to the cockpit, and, in general assist the youngster in any way he can to enjoy the flight.

A number of these flights have been made, and I understand more are pledged for the future.

Mr. Al Dubin, of California, a leader in the development of hemophilia programs and clinics, whose son has hemophilia, commented, when making the award:

> One of the highlights of the past year for us was the beginning of "mercy flights" for hemophilic children in need of special health care or special consultation with medical specialists. Too often, perhaps, undue emphasis is given to the costs of medical care, though often this may exceed $15,000 a year, and no attention is paid to other expenses of the family with a hemophilic child. By other expenses, of course, I mean transporting a child long distance for examination, diagnosis and recommendation of treatment. The family that has to pay the bills is aware of those "extra" costs. And so, happily, are the pilots of United Airlines who, as members of the Air Line Pilots Association, International have created a travel fund for the use of hemophilic children. With deep gratitude, therefore, we acknowledge and honor the good instincts of those who set up the fund by presenting the Humanitarian Award to the United Airlines Pilots Association.

The plaque inscription states:

> National Hemophilia Foundation's 1972 Humanitarian Award is presented gratefully to the United Airlines Pilots Association in recognition of its generosity and effort in providing transportation for Hemophilic Children to Medical Centers throughout the Country.

Mr. Speaker, I feel that this is an excellent example of humanitarianism, and of the spirit of voluntary assistance so needed today. I hope that all of my colleagues will take note of this excellent project.

SYMPOSIUM ON NATIONAL POLICY TRENDS IN EAST-WEST TRADE, OCTOBER 5, 1972, WASHINGTON, D.C.

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, on October 5, the East-West Trade Council sponsored a symposium on "National Policy Trends in East-West Trade." The symposium was attended by over 200 persons representing business, agriculture, State governments, academics and private individuals concerned with broadened East-West trade. The 1-day symposium featured major speeches by

Cyrus Eaton, Averell Harriman, Samuel Pisar, Senators WALTER MONDALE and JACOB JAVITS and Secretary of Commerce Peter G. Peterson. The transcript of the symposium will be of interest and use to Members of the Senate as major trade legislation affecting East-West trade will be before the Congress in 1973. As a member of the advisory board of the East-West Trade Council, I am pleased to include the proceedings of the symposium in the RECORD.

Mr. President, in compliance with the rules of the Joint Committee on Printing, I have obtained from the Government Printing Office an estimate of the cost and length of this insert. They have informed me that the article will take up approximately 13¾ pages at a cost of $2,337.50. Notwithstanding the 2-page rule of the Joint Committee on Printing, I request that the materials be inserted into the RECORD.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

SYMPOSIUM ON NATIONAL POLICY TRENDS IN EAST-WEST TRADE, OCTOBER 5, 1972, WASHINGTON, D.C.

Mr. CHRISTENSON. Senator Harris is a member of the Advisory Board of this Council. After eight years in the United States Senate, he is retiring at the end of this year. He is a member of the Senate Finance Committee which has jurisdiction over foreign trade, and under the auspices of that Committee he traveled in the Soviet Union in 1971 and other Eastern European countries. He has been instrumental in bringing to you this Symposium. We are pleased to hear from him at this time, Senator Harris. [Applause.]

Senator HARRIS. This year is the first year we have had microphones in the Senate, so I'm really use to speaking without them. In some ways it was not improvement. We use to wonder what some of the Senators were saying, and now that we know, we're not sure we weren't better off before. [Applause.]

I want to tell you about the two men who will be chairing these sessions. The afternoon session will be chaired by Dean Adrian Fisher of the Georgetown University Law Center, where he has been the Dean since 1969. Dean Fisher's distinguished law career extends over three decades. He served as Law Clerk for both Justices Brandeis and Frankfurter, as Assistant to Secretary of State Dean Acheson, and, later, as Legal Adviser to the Department of State and in various other posts of importance in the government since that time. He has served as a Consultant to the United States Arms Control and Disarmament Agency since 1969.

The man who just called us to order will chair the morning session. He is Gordon Christenson, Dean of American University Washington College of Law. He has had a distinguished career in the field of international law. He served under three Administrations in both the Department of Commerce and the Department of State as Counselor on matters of public international law and national law concerning science and technology.

We are very pleased that these men are here and will be participating in this program. And I want to welcome each of you here.

Most of us have not been engaged in this subject matter for nearly as long as Mr. Cyrus Eaton has. He has been showing us the way for a long time, and I think the fact that his ideas have attained a great deal more currency is testified to by this overflow attendance. We are very pleased that he's here. He will be followed by former Ambassador to the Soviet Union Averell Harriman. We hope to put present and future trends in the proper context, and both of these men are quite able to discuss in detail, too, the present and future situation in regard to East-West trade.

Sam Pisar is particularly expert in the field of international trade. I know he and others were cheered yesterday by reports that were published in the *Washington Star* and in the *Post* this morning that there has been a relaxation of Soviet policy in regard to exit visa fees. That is a matter of serious concern for an overwhelming number of members of the Senate, as well as others who would like to see the free movement of both goods and people. I think sometime during the day we will want to address ourselves to that subject in questions and discussion. Mr. Pisar, as a lawyer, does a great deal of commerce with the Soviet Union, Eastern Europe and other countries. He is, himself, a refugee from the Nazi holocaust in Poland, leaving there when he was sixteen, all of his family having been killed. He is an expert in both aspects of the exit fee problem, which, as I said, is of central concern to a great many people, and rightly so.

We are pleased that they are all here. We have an excellent program in the afternoon, as well, which will be concluded by Secretary of Commerce Peterson. Then, we hope all of you will be able to stay over for the reception which will occur at 3:30 this afternoon. We think that some informal and private exchanges among ourselves can be an important part of the usefulness of this Symposium. We have with us representatives from Eastern countries who will be introduced later on.

At the end of each formal presentation we want to have about thirty minutes or so of questions and answers. Our program is somewhat deficient, of necessity, in the field of trade with the People's Republic of China. But there are knowledgeable people on the program as well as in the audience who can discuss the various aspects of China trade, and I hope each of you will feel free to comment if you have some particular feeling about any of the issues involved in that or other subjects, as well as to ask questions.

We think, those of us who have been involved in forming the East-West Trade Council, that 1973 will be a very crucial year. Not only in the directions that we decide to take insofar as striking down the artificial barriers, governmental and private, which exist to broadened East-West trade, but also to do what we can to resist the generally protectionist pressures which have been growing alarmingly in the Congress and in the country in recent years. Probably, our first barrier is the protectionism that exists toward broadened trade in general. Of course, East-West trade falls heir to that problem as well as to other kinds of problems which we will be discussing here today.

Before the day is over, I hope that you will have an opportunity to give some thought to how the East-West Trade Council might be most helpful to you. In the brochure you will see a listing of intended purposes of the Council, and I hope you may want to comment in writing to us about those purposes and how they might best be furthered and how the services of the Council can be useful in a very specific way to you, your companies, your associations and otherwise, insofar as your interest in trade is concerned.

Again, I want to say we're glad you're here. I hope we may yet get the microphones working. In any event, please bear with us as well as you can. We should have met in the Engineers Club. [Laughter.]

There is a slight error in the brochure. Governor Harriman will actually speak at 10:30, and Mr. Pisar at 11:30. Then, we have a complimentary luncheon. It's not overly lavish, but we think it is good to stay here, rather than try to go out all over town. We hope to get back promptly at 1:30. Senator Walter Mondale will speak at 1:30. He is Chairman of the Subcommittee in the Banking and Currency Committee which has jurisdiction, among other things, over export-import bank credit legislation. Then, at 2:00 o'clock, Senator Javits will be here. He has, as you know, a very long and experienced record in the field of foreign trade. Then, at 2:30 Secretary Peterson will be here. In all of these sessions we do intend questions and answers.

Dean CHRISTENSON. Our first speaker for this morning is a man who has a distinguished reputation and long contact with the countries of Eastern Europe. Cyrus Eaton has been a pioneer in attempts to bring East and West together. He is founder and sponsor of the Pugwash Thinkers Conferences to promote international understanding. He has traveled extensively through the Eastern European countries and the U.S.S.R., speaking on the theme of increased contact between the communist and non-cvommunism countries of the world. He has been a leader in business a well as in intellectual circles and presently holds positions on some of the most influential corporations in the country. Mr. Eaton's principal business associations have been with iron ore, steel, coal, railroads, paint, chemicals, rubber and lake shipping, as well as public utilities. He received the Lenin peace prize in 1960, was elected to the Royal Norwegian Academy of Sciences, a fellow of the American Academy of Arts and Sciences, and has received many civic awards. His many years of effort in this country and abroad to bring together the countries of the world through commerce and culture make him a truly outstanding individual who deserves our appreciation and deep respect. Mr. Eaton, we are pleased to have you with us this morning to speak on "Doing Business in the East."

CYRUS EATON. I have prepared no formal speech. I'm going to rely on your questions to give me an opportunity to maybe supply what you would be most interested in. All my life. I have been concerned with international trade. My ancestors were ship builders and shippers on all the oceans. Many built the clipper ships and the sailing ships of the world and they engaged in China trade as well as in communications between Boston and San Francisco in the early days.

My ancestors were very interesting in international trade and in my childhood I heard many stories about China trade. My first job was with John D. Rockefeller, Senior, who created a great world-wide empire. America was hardly prepared for an institution as big and powerful as the Standard Oil Company was seventy years ago. But that contact enlivened my interest in world affairs, and I think you will agree with me that there has been no greater economic genius in the history of the world than John D. Rockefeller, Senior.

The next contact I had with international affairs was World War I. Russia purchased most of its supplies in America from Cleveland, my hometown. They bought their trucks and automobiles and cannons and shells, and all of the things they needed in the war. I participated in that very actively during the early period of that great war. And, speaking of World War I, one cannot mention it without pointing out what a tragedy it was. Here were great countries—Germany, Austria, France, Italy, England, Russia—hurling themselves at each other, with the terrible loss of life. And the one that suffered most economically was, of course, England. At that time England's investments were everywhere in the world. For instance in South America, British capital had built all the railroads, created practically all the public utilities—electric lights, gas, telephones—created the ports, and every dollar of that was dissipated in World War I and left England impoverished and occupying, now, a very small place in world affairs.

My next active participation, maybe on a big scale in international trade, was about fifteen years ago. The Soviet Union asked me if I would put their representatives in touch with the steel manufacturers and rubber manufacturers of America. Mr. Mikoyan, later the President, came to Cleveland and addressed the steel manufacturers and other manufacturers, and he said, "Our steel works are only in their infancy. We need steel in immense tonnages to build pipelines for gas and oil. We need sheets for trucks and automobiles and refrigerators, and I'm prepared to place a mammoth order and while you want to extend us credit, we will pay cash." All of these famous American industrialists who were there were up to see him at the close of the luncheon with their order sheets to supply him all of the steel that he needed for every purpose. When they went, Mikoyan said to me, "This is the happiest day of my life. I've been so graciously received by these outstanding American industrialists who are prepared to do business with me. It's marvelous."

He went immediately to Washington to get export permits, and he first went to the Department of Commerce and ran into Louis Strauss, who then was Acting Secretary. And Strauss said, "We will not permit you to buy steel or rubber from America." Mikoyan was deeply shocked and said, "Surely, that couldn't be the attitude of the State Department," and he went over there. On that occasion, Douglas Dillon was Acting Secretary, in the absence of Mr. Dulles, and Dillon said, "No, we will not sell you anything." And Mikoyan said, "Why? None of the things I want could in any way add to our military equipment." Dillon said, "I know, but we will not do anything that will in any way benefit the Soviet Union."

At that time, I was closely in touch with a number of big German firms supplying them coal and iron ore and they said, "We would be delighted to have that business." The result was that those stupendous orders were placed with West Germany, with France, with Holland, with England, and for three years the steel mills of those countries were running full on those mammoth Soviet orders. And they were using their gold supply to pay for it.

I mention this to emphasize what I think have been mistaken policies on the part of the United States that need changing. One of the obvious things in promoting trade is, of course, courtesy. The customer is always right, supplying them with good material. And we are well-equipped in America to do that, but we can't do business with these countries if we treat them as enemies. The old saying that the customer is always right is one that applies to international trade as well as to domestic trade. A merchant selling his goods doesn't ask a man whether he is a Democrat or a Republican, a Christian or an atheist. He has to do business with anyone who will do business with him. And I think we've got to have that same attitude in our relations with these countries with whose system of government and philosophy we totally disagree.

There are one or two fundamental things that I think the Nation must take account of in order to trade in a big way. That is the extending of credit to these countries. Banks in America are too small. I have been through all the panics since 1907, and most of them have been because of shortage of credit. Our greatest tragedy in the history of American business is the bankruptcy of the Penn Central Railroad—one of the greatest properties of the world. What was the fundamental cause of that? Absence of money. At the time they were trying to do a hundred million dollar piece of financing, some good high-grade bonds were yielding as high as fifteen percent. You can't carry on international trade under that kind of a financial system. We need bigger banks. We need banks in every state in the Union, and they must be able to extend credit on a vast scale. Now, you take an institution that's borrowing a couple of hundred million dollars currently, and it will be borrowing from a hundred or a hundred and fifty banks. If one of those banks becomes unhappy and wants the loan called, the whole institution is in trouble. I want to urge very strongly that our statement consider ways and means of big banks so that we'll have institutions that can loan money in any quantity. I think we ought to invite these foreign countries to establish banks in America. The Soviets have a good bank in London, a good one in Paris, a good bank in Switzerland; why shouldn't they have a good bank in New York?

So, on the fundamental side, we not only have got to treat these people courteously even though we disagree with their philosophy, but we've got to be in a position to extend credit in a very big way.

Now I hope you have some questions to ask me, and to which I will try to reply.

QUESTION. Mr. Eaton, I notice that this conference is called a conference on East-West trade. I am sure that this does not include investments. Now, my corporation is very much interested in investing in Eastern Europe, but don't you think that this is equally as important as trade or of some importance—the importance of American investments in Eastern Europe?

Mr. EATON. Is investment as important as trade? Investment is important and I think there is great opportunity for investment in probably all of these countries. Take the Soviet Union, for instance, twice as large in geographic extent as the United States and with fabulous natural resources—iron ore, coal, oil, gas, diamonds, nickel, copper—there are vast opportunities there. I am confident that the Soviet Union very shortly is going to come to the point, assuming that they regard America as friendly to them, where they will welcome American investment in partnership with them. And I'm sure that goes for most of the Communist nations of Eastern Europe, and no telling what will happen in China. Don't forget that there is a population about three times the size of the United States and their people need urgently all the good things of life that we have provided here in such great abundance. They will be wanting us in as partners, provided they become persuaded that we are not trying to destroy them.

You see, those nations are conscious of the fact that the United States has been the leader of the world in the production of nuclear weapons. Of course those weapons, if we ever use them, could destroy civilization. We are spending $70 billions a year in direct armaments, countless billions for institutions like the CIA and other parasites, none of which return a dollar to America. Let us abandon that and these countries will welcome us as partners in their enterprises.

QUESTON. Mr. Eaton, you're an industrialist who has worked in the private sector on industry all your career. How would you propose to interface investment or capital equipment in the Soviet Union with their type of government structure? How do you see the mechanics working?

Mr. EATON. Once they get persuaded that we are not dedicated to destroying them, there will be no difficulty in having a partnership between a Soviet agency and an American corporation. The proportions might have to be fifty-fifty, or might even have to be fifty-one percent in their favor, but I'm sure we can have joint enterprises that will be highly profitable to us, and when they are kept going on a big scale we can forget military outlays.

QUESTION. Mr. Dean, there are no banking facilities available in America to do business with the Soviet Union or Communist China. They simply do not exist. There is no bank available today to extend a six or an eight billion-dollar credit to the Soviet Union for the movement of goods which we need. Moreover, our system of banking ought not to be based on "you send me a letter of credit and I'll send you the goods." Here in our country—and I was brought up overseas, I'm an American brought up overseas—we do not have the facilities for such banking. We do not have the facilities of switches, of trade, of barter.

A few days ago I called the Senior Vice President of a sixteen billion dollar bank and I said Mr. so-and-so, I have $40 million worth of barter business for you. He said, "We haven't got such a bank." I looked in his list of banks and there tucked away in Vienna he owns a little merchant bank and he doesn't even know it. *He doesn't even know it!*

So, when we talk of extending business to the Soviet Union or China, I think a lot of it is poppycock. Because the first thing we have to do is to start educating our banking community. Number two, we have to convince our own government that we are heading towards a course of peace. Because if we are heading towards a course of peace, we can find the money to extend credit. But until we join up our economics, our banking community, with the government, East-West trade will remain a dream.

DEAN CHRISTENSON. Thank you for your comments. I had thought Mr. Eaton had addressed himself precisely to that point. I'm also reminded of the history of our relations with the Soviet Union, that at least on paper, in 1934 the Export-Import Bank of Washington was organized precisely for that purpose. Why it fell into disuse is another matter. But, at least on paper, they have the mechanism if the decisions are reached to extend the credits.

Mr. EATON. I'm an optimist—maybe a little young and enthusiastic—but I think the time is coming in America when not only our governmental agencies but the private ones will want to join in developing these projects with the chance of mutual profit. Now, that wasn't true forty years ago when the Soviets felt that they had discovered a new solution to human affairs, but I think time has proven to them that the rain falls on both the capitalists and the communists alike, and that they haven't created a paradise where their people can be happy and rich without work. I think enormous changes have taken place in their attitude. I think they are prepared to go a long way. Mr. Kosygin visited me in Canada about three years ago and I wanted to give him a good time, so I proposed taking in the best salmon fishing in Canada. He said, "I would like to go salmon fishing, but I'd like to see one of your industries that would be typical of what we could do in the Soviet Union." So, I took him to one of the big newsprint companies where they were making a million tons of newsprint a year. I never saw a man so fascinated as he was with every operation, from the log coming in. He was right down with the workmen. He was an industrialist at heart, but he was fascinated with the whole undertaking. It was something new to him. He didn't believe the world could use a million tons of newsprint a year, and he compared the requirements of Pravda and Isvestia, but his interest was so absolutely keen and terrific, and his approval of American and Canadian technology, that all over him was written a desire to play ball with us, if we would.

DEAN CHRISTENSON. We have time for one more question, I think.

QUESTION. I would just like to elaborate. When I mentioned investment in Eastern Europe, I should have made it more specific. I think the principle of equity is a good one, as it is happening in Yugoslavia, but I was thinking of the bulding of plants in Eastern Europe on a turnkey basis for the Eastern European countries, for them to use under their own system. Now, there have been a number of examples where European firms and American firms have built planes in Eastern Europe. You can call this investment in the broadest sense, but I think there is a great potential in that area also.

Dean Christenson. Mr. Pisar said that he is going to spend some time on investments, and perhaps we can get into it a little more during the course of his remarks.

Did you have a precise question that you wanted to direct to Mr. Eaton?

Question. I just wanted to elaborate. I don't think it is only a question of equity. It's also the possibility of building plants on a turnkey basis for them to use under their own systems.

Question. I would like to know what Mr. Eaton's suggestion is about the bombing, the investments in the bombing of Vietnam?

Mr. Eaton. In my judgment, and I realize there are differences of opinion on the subject, but I feel it is very unwise. Mr. Harriman, representing brilliantly the United States in Paris, I'm sure, if he had been given full authority, he would have settled that war and there would have been no occasion to bomb. But the use of force to change people's minds is not effective. We are going broke trying to subdue that little nation. If you've been there, you'll agree with me that there never was greater devotion to the cause than the people of Vietnam. And I think we have made a colossal blunder. I hope we're going to quit it. I hope the voice of America-the conscience of America, will protest against this mighty nation sending our troops, Navy, Air Force, ten thousand miles to subdue that little nation. It's a mistake. [Applause.]

Dean Christenson. We are now moving to the next speaker, please.

No one is better qualified to speak on the long-term policy implications of expanding East-West trade than is the Honorable Averell Harriman. He first traveled to the U.S.S.R. on family business in the '20s, and years later he returned to the Soviet Union as our Ambassador from the United States. His life and government service are intertwined with the great men and events that have dominated the world scene for the past thirty years. He served as Governor of the State of New York and as United States Secretary of Commerce. He negotiated the Nuclear Test Ban Treaty for President Kennedy and represented President Johnson at the Paris Peace Talks. Ambassador Harriman is a great American, with unique experience and understanding in the field of world affairs, and we are honored to have him with us today—Ambassador Harriman. [Applause.]

Ambassador **Harriman.** Thank you very much for that kind introduction. This question of long-range East-West trade, I suppose, if you are looking to the future, one ought to look back. It is true that I was in the Soviet Union, as our Chairman indicated, in the middle Twenties. I was interested very much in what my good friend, Mr. Eaton, was saying about the opportunities of investment. We had substantial investments in a concession in the Soviet Union in the mid-Twenties. I and a group of steel men and other businessmen had a very large operation in the Caucasus in the extraction of manganese. It was, I think, the large concession under Lenin's new economic policy. I know something about dealings of a private operation within the Soviet Union. It can be done, but it's difficult. The government has to be very much in favor of what you're doing, and the contract has to be written in such a way that it is favorable to the local conditions. If anybody wants to talk about the Twenties, I will be very glad to discuss it. I went to the Soviet Union in late 1926 and made up my mind that the new economic policy was out, and I negotiated the cancellation of our Treaty. Fortunately, we got our money out with a small profit. Those who remained lost it all because, later on, they closed down more tightly. What their policy will be in regard to private investment in the future is very hard to tell. Yugoslavia is, of course, opening up for private investment, and there are some opportunities, perhaps, in Rumania.

But I would like to deal with the trade aspect, first, and then the question of investment possibilities or this question of a turnkey building of a plant. I'd like to discuss that because I saw what the Russians did with opening up steel works in India. And we had a turnkey operation that is somewhat different, and it works a lot better. But the present-day trade relations, really, I think, started with Lend-Lease during the War, the UNRRA, and then we began trade. The Lend-Lease operations ended in an unfortunate disagreement. The cancellation of Lend-Lease on an overnight basis was a tragic blunder, but it didn't last very long. A great deal has been made of it, as one of the issues of the Cold War. It wasn't true. It was a mistake, and it was rectified and we came to an agreement with the Russians by which shipments were continued for those things that were underway. And then we made arrangements for the filling of the contracts for those postwar plants which were to have been financed under Lend-Lease on a rather favorable basis. We had difficulty in settling Lend-Lease and that's still open today. It is really, perhaps, the biggest stumbling block which I think the present Administration has. Mr. Peterson will tell you later about it. I don't know the exact status, but I remember when I had something to do with it, we were demanding about $800 million which has nothing to do with repayment for any of the war materials we had sent. They would only pay two or three hundred million, and we didn't get together. We're still apart. The Johnson Act, as you remember, makes it impossible for the government to grant Most Favored Nation treatment to any nation that has not settled its debts, and this is a settlement of debt which must be arranged unless the Johnson Act is amended. Certainly it is high time that this settlement be made. I thought we made a very generous offer at the time. I imagine if we took the $300 million twenty-five years ago—thirty years ago, nearly—it would have been better for us than to have waited this long. But in any event it is still a stumbling block.

There are all kinds of laws, as most of you know, and amendments which have gotten through Congress under some excitement which affect our economic relations. Before we get to those, I want to carry forward a bit further on the UNRRA. The UNRRA was generous to the Soviet Union, and rather more generous to the Soviet Union than to some of our European allies. Under the UNRRA formerly no country could get gifts of UNRRA. They had to repay it if they had adequate resources to repay it. And I remember we demanded return from Norway, because Norway had made some profits during the war in their shipping. They did have some gold, and we did some exchange, and we did insist they repay.

The Russians had a lot of gold and it was quite obvious that we could not give them aid unless there was some way around it. So we recognized the UNRRA with our approval, the approval of the United States Government, and recognized Ukraine and Byelorussia as an independent political unit. And they, of course, didn't have any foreign exchange and, therefore, I think some $270 million, or shipments of around $300 million, of UNRRA was given to the Soviet Union. That was a generous act, and I'm not resenting it in any way. I'm only explaining it. As a matter of fact, most of our UNRRA shipments went to what are now the big communist countries, the Eastern European countries. They got more than half of it.

The political situation began to deteriorate very rapidly. I don't know how many of you read the modern revisionist historians who say that if we had only shown more kindness to Dear Old Uncle Joe Stalin and more affection that there would never have been a Cold War, and it was all our fault. I can assure that that isn't true. There was a disposition on the part of all concerned to carry forward the spirit of our cooperation during the war. In fact, I would have told you that even the Marshall Plan was offered to the Soviet Union. Molotov came to Paris, as you will probably recall in July of 1947, and joined with Bevin and Bedell in considering the Marshall Plan. He didn't like the terms of the Marshall Plan, so he quit and took Poland and Czechoslovakia with him.

But there was already a good many incidents which were creating difficulties. The first was the demand on Turkey for the Eastern provinces and for the base in the Dardenelles. There was an agreement between the British and the Russians that each country would take their troops out of Iran. The Russians had troops in the North, the British the South. The British took their troops out and the Russians refused to take theirs out, but finally did. And then, as you know, the problem about Poland, the problem about Czechoslovakia, then the Berlin Airlift—all of them—the blockade of Berlin, all of them moved rather rapidly.

So, began new and other events which rather disturbed me and others. For instance, the Russians were not demobilizing as rapidly as we were. We did probably the most rapid demobilization and the destruction of perhaps the strongest fighting forces that any nation had developed in the world up to that time, in a very short time. The Russians demobilized somewhat—but they maintained substantial forces and they also maintained industrial production. So, we began to wonder, with these events developing, whether we shouldn't control our shipments to the Soviet Union. There wasn't any thought of stopping trade, except to check what was called strategic materials. In 1947, I think, we did impose the first licensing system, which was, we thought, rather well developed. It developed rather easy to work under, and was not as tight as it is today, but was to prevent those items from going through which would contribute to the Soviet war machine and war production.

The Marshall Plan came and, as I've said, Molotov refused to join on the basis of Marshall's offer, which was that Europe should get together and develop a program. Molotov took the position that the Americans tell us how much they are ready to contribute to the recovery of Europe and we'll divide it on the basis of that those who suffered the most get the most, which means the Soviet Union. And he walked out. Bevin and Bedell said no, this is the way we're going to work it and the Russians refused to cooperate. They walked out—they weren't forced out. Poland and Czechoslovakia wanted to stay, but Stalin refused to listen. I think that record is an important one for those who are thinking about who really was responsible for the increase of tensions which developed between us.

I was then in charge of the Marshall Plan operations in Europe and was the United States Representative on the United Nations Economic Committee for Europe which met in Switzerland in Geneva. And we did everything that we could at that time to encourage European East-West trade, everything except the strategic lists which were relatively short, as I recall it. We felt it was going to help Western Europe, and also we had no objection to recovery in Eastern Europe.

Trade between them—normal trade, which had existed—as a matter of fact, bridged more or less Western Europe against Cold War materials from the East. And I can assure you we did everything we could at that time to encourage that trade. We were not blocking it.

In more recent times, we have had continued cooperation with the Europeans, as under the OECD, a European organization of which Japan is a member. A committee, it's called COCON, has a list of strategic items which all hands agree should not be shipped to the Soviet Union or their satellities. That list is agreed to from time to time between the different countries, including ourselves. Now our list is very much longer. I wish I had brought the two lists together, but I didn't think of it until it was too late to get them. Bu we've had a very unrealistic, in my opinion, list which has led to very little trade in recent years between ourselves and the Soviet Union and Eastern European countries. The last time I saw it a couple of years ago there was about $10 billion in trade between Europe and Japan, and Russia and Eastern Europe—that's two-way trade—and it has increased since that time. I don't want to give you a figure, but it has substantially increased since then. And ours is a trifle. We have a little business with Poland, but well within a few hundred million dollars. It just doesn't make any sense for us to try to think that we are interfering with the operations of the Soviet Union in Eastern Europe because we are trying to restrict it. The idiotic people who talk about our preventing the economic development, preventing the military development of the Soviet Union because we are restricting business is a lot of nonsense. And we ought to get it out of our systems. They can buy practically everything they want from Europe and Japan in the areas, except for those restricted items, and it's nonsense that we don't join in that trade. It's ridiculous. It's not only that it creates an atmosphere which is not in our interest but also a mutual atmosphere of suspicion. With the result, we are losing trade which we ought to be getting.

There are some of these laws which are rather stupid, which restrict some of our operations. Yugoslavia was mentioned. Even with Yugoslavia, they are not allowed to get credits. In Yugoslavia, even, they are restricting trade on the Findley Amendment, I think it is, which doesn't permit the P.L. 480 transactions with a country which does business with Cuba. Yugoslavia buys sugar from Cuba and isn't going to be stopped because some Congressmen think they gain some kudos at home, stopping Communists. To Yugoslavia it is nobody's business and they're not going to be interfered with. There is a certain pride of sovereignty which we cannot go against.

Now, let me say that I am still for certain restrictions of strategic lists until we come to a sensible agreement about SALT. It's very important, I think, to continue to restrict certain things like computers, as well as direct war materials. But we carry it too far. Things that they can get from Europe just as well, or practically as well, it's foolish for us to interfere with.

The length of time, as most of you businessmen know, that it is now taking to get licenses is prohibitive. I know in recent years many cases where an American company was ready, a bid was ready to be accepted by one of the other countries, and it took so long for the licenses to be approved for the shipments that the business was lost. The machinery of approval must be very much speeded up, as well as, of course, the machinery for credits, which I'll be glad to go into if any of you wish to do so.

There are some real reasons for us to be a little bit suspicious of the Soviet Union and what they did with Lend-Lease. I know the time that Henry Wallace went to Siberia. He was accompanied by a man who was familir with these operations. He discovered that they were using dredges, which we had sent them to keep their ports open in the Pacific at a good deal of difficulty and expense to ourselves during the war, and were using them to mine gold in their gold fields. That sort of thing, we didn't make a fuss about, but it didn't encourage us to have complete confidence in the manner in which some of the Lend-Lease that we sent them was being used. In other words, they were probably using what we sent them to some extent. They used most of it, of course, very well in defeating Hitler. And the items which they misused were relatively small, but that tended to make us want to have more information about what they were doing with their Lend-Lease shipments. It was, of course, always very difficult to get them to give us that information.

Before I close, I think we should make it a little plainer to the American people that the Most Favored Nation clause is not a favor, it's simply treating the nations in a normal manner. You ought to call it the re-establishment of normal relations. As you well know, it's a discrimination not to give a nation Most Favored Nation treatment. Every time the question of giving Most Favored Nation to a Communist country comes up, the public generally thinks we are doing them a great favor. We're not. We're simply putting them on a normal trade basis and not inflicting them with the high tariffs of the Hawley-Smoot period which, as you remember, resulted in making many items almost prohibitively high. Today, we have Most Favored Nation treatment only with Yugoslavia and Poland. I think it's not being given to Rumania, although it should be and, of course, you know it's one of the subjects that's being considered today with the Soviet Union and that it's tied up in the Johnson Act procedures.

I want to quote you what Mr. Khrushchev said to me about trade. Although I know Mr. Khrushchev was a little explosive and somewhat exaggerated when he said it—I knew him pretty well and knew just how far to discount him. He said, "We don't care whether the United States sells us anything; what we want is for the United States to abolish its discriminatory laws or else there can be no confidence. Trade is the first sign of neighborly relations. He who does not want trade, wants war." As I say, that's a little too colorful. He was a bit of an exaggerator. But it does indicate that this has been one of the annoying aspects in our relations and it hasn't done us any good. We haven't gained anything by it, although they do need to buy some of our most sophisticated equipment. We are better, as many of you know, and are a year ahead of some of the European equipment and they would rather have ours in certain areas. At the same time, they can get practically everything they want elsewhere.

If anybody is interested in this turnkey operation, I'll be glad to describe what the Russians did with the Indians, and why it worked somewhat better than a turnkey operation, but that is a detail. I fully agree with what Mr. Eaton said about the war. As long as the war is going on in Vietnam, it's going to be very hard to relax and to get on a normal basis because, as you well know, they are supporting and going to continue to support North Vietnam, whether we like it or whether we don't, as Mr. Kosygin told me in 1965. It is a difficulty which will continue to lead to mutual suspicions. The Cold War has done real damage in our influence all over the world, and I can't find very many heads of governments who will support our position. People all over the world would like to see the war stopped, and I think that relations not only with Eastern Europe but the world would be vastly improved. I very strongly second Mr. Eaton's comments on that affair, and I do hope that something very real is happening today. I hope at least we'll be ending the war before election day so that, no matter who wins, we can go into the new Administration feeling that that tragedy is behind us. And that has a real bearing on our relations with the Soviet Union and with the other Communist countries that contribute to Vietnam.

After we are through with that, we ought to get out of our system the insistence that nobody trade with Cuba. We probably ought to readjust our relations. We are trying to impose our will on other people, and we've got to get that out of our system. We can do things that we think are in our interest, but we've got to remember they are sovereign and people will starve rather than give up their sovereignty. I know one day I talked to Mr. Bevin—he was then Foreign Secretary of the United Kingdom—and I was trying to get him to be more cooperative with the unification of Europe, which we were promoting at that time as much as we could. The British were rather loth to do it, because of their Commonwealth commitments. He said, "Well, they are getting a billion dollars from us under loans under the Marshall Plan. It will be hard for us to do it, but we'll pull in our belts rather than have you dictate what our political policies should be around the world." We've got to get that through our systems. No, Americans are the most generous people in the world, but also we can be among the most arrogant people in the world. And I think we ought to keep many of those arrogant people at home. [Laughter.] We can take care of them here.

But this idea that because we are trading with them, we are doing them a favor is ridiculous. We are doing ourselves a favor. We need that trade. God knows, our trade position is in a ghastly state. And, as you well know, for the first time in this century we have an imbalance in trade. We need that trade, and let's go about getting it in a business-like way and in honorable trade. Now, it is true that we can, in addition to trade, explore with investment. Investments in Yugoslavia and others is not going to be easy. It's going to be difficult and we are going to have to have imagination to carry it through.

But I do believe Khrushchev was right in what he was thinking, if not in his total words. If we can get trade going it will help relieve the tensions throughout the world and move towards peace, which is what all mankind wants.

If you have any questions, I'll be glad to answer. I was told to talk a half hour and I've talked a little less. [Applause.]

We are open to questions.

Question. Mr. Harriman, perhaps this question would have been a little bit better directed to Mr. Eaton, but with your background I think you are eminently qualified to comment on it. First, of all, let me say the fact that I'm here representing our company is a positive approach, and secondly, this is not a hostile question at all. Rather a forward sort of a question. Which comes first, the chicken or the egg? Political or trade improvement?

Harriman. The two have got to go together and we've got to recognize we're the mature nation. The others are younger and are more self-conscious. I'm not defending them, but this is a reality. I'm talking about SALT. We are going about it in just the wrong way. Kennedy did it the right way; we got the first agreement. He said in the American University speech in June 1963: "To make our good faith and solemn convictions on the matter, I now declare that the United States will not propose to conduct nuclear tests in the atmosphere as long as other states do not do so. We will not be the first to resume." Such a declaration is no substitute for a binding agreement, but I hope it will help us achieve one. We ought to do the same thing today. We ought to indicate that we are ready to show restraint if the other side does. This business of trading counters, or whatever it's called—trading chips or whatever it is—is a lot of hooey, a lot of nonsense. I'm not saying this politically, because if the Democrats were doing it, I'd be just as condemning of them, and many of them are of that mood. But I want to explain to you that they are still very much concerned over our behaviour. We have to take the lead. It's very rare that they will take the lead. They are beginning to get mature enough to do that. Whenever they make a gesture in our behalf, someone in the United States says: "All right, you see they are giving in." And then that helps their hawks. You've got to recognise that they have the same spectrum of opinion in the Soviet Union as we have. This is not one brain. Perhaps some people are apt to think of the Soviet Union and Communist countries as one brain. This is a collective leadership which goes really down into the public opinion to some extent, at least—a fraction of what it is in this country. When our hawks say rough things, it tends to reduce the credibility of those who want to be more reasonable. Now, let me say that those who are more reasonable aren't being more reasonable because they love us, but they believe that the time has come when they should do a better job, after fifty years of Communism, for their people in order to prove that Communism is a success, which, of course, it hasn't been.

On the other hand, statements that we have to have these bargaining chips give the hawks in the Soviet Union the upper hand. Those that believe that we have the intentions of first strikes are those who believe that they have to have a very large defense. Now, we ought to have some understanding of their psychology. Trade is one of the things which isn't going to cost us anything. We can be generous and decent about it. We've got a demand. I've shown you in some of the things I've said, some of the things they did to us which I thought were utterly outrageous. And I sent through Congress and was the first man to recommend to Mr. Truman that he impose these trade restrictions and he accepted it. But they were handled in a sensible manner.

I can assure you, we ought to be the first. Now if any of you want me to go further than that, I've got to be a little more political, which I don't want to be. [Laughter.]

Question. Mr. Ambassador, I personally agree that failure to grant Most Favored Nation status to the Soviet Union or the Eastern countries is essentially of no benefit to the United States. I cannot personally see where it is of particular harm to those countries, although . . .

Mr. Harriman. In what particular?

Question. Particularly harmful to our trade with those countries. I know that they speak of this, and in my own travels throughout the Communist countries, this has come up a number of times. But it does seem to me that it's a bit of a straw man in that it has certainly not stopped the Soviets from buying grain or from selling diamonds or from trading nickel for phosophate fertilizer or talking about LNG or crude oil. It seems to me the Russians don't have that much we want, except in the basic raw materials of natural gas, oil, metallic ores and things like that. I don't think Most Favored Nation would change that.

Mr. Harriman. You are right. There's very little. There is a very real problem in our being able to buy from them. But this is an insult to them and is psychologically a barrier. There is more that can move than you think, because it would begin to move if there weren't some of these restrictions.

The reality is that Europe and Japan are doing about $10 or $11 billion a year and we're doing just a fraction of it. So, it's partly our fault, and American subsidiaries in Europe are selling to them. But, anyway, this is a block and it is a block also on credits, which is in some ways more difficult and cause greater difficulty than the Most Favored Nation. But it is psychologically a very substantial block in developing trade relations.

Question. Mr. Harriman, you mentioned computers as something you think should remain on the restricted list. Yet isn't that contradictory with something you earlier said. If we don't trade with Russia in some of these areas, other countries will.

Mr. Harriman. There are certain restrictions. I'm not up-to-date on it, so I don't know. But the COCOM list does include computers of a certain type. I think there's been an easing lately, but in some ways we are ahead in computers. The computers are of importance in connection with nuclear weapons and until we get a real SALT agreement, I think we ought to be very careful not to help them in that. I think we could make more progress in SALT. We're not here to talk about that, but until we do I would keep computers under a very close eye. Of course, I would not myself go beyond the COCOM list. I'd battle it out with the Europeans. We've always been urging somewhat more restrictions than most of the Europeans want, but they have lived up to the agreements that we have made. But you are quite right. Certain types of computers we haven't been selling wouldn't make any real difficulty. It is really the most sophisticated ones that afffect us—some of the more sophisticated weapons.

Question. Mr. Harriman, in the light of your earlier comment, where you said the United States often is rather heavy-handed in trying to urge other nations to follow policies that the United States desires, do you feel that the Jewish emigration visa payment should be tied to trade restrictions?

Mr. Harriman. I thnk we ought to discuss it together. I've been very strongly in favor of frank discussions with the Soviet Union. Senator Muskie was there. I went with him a year ago last January. We talked about it with Kosygin. The words were rather calm, but they were filled with emotion. Senator Muskie did a very good job. But we were talking about the desirability from the Soviet Union's standpoint of letting the Jews out. The effect of that talk may have been useful, anyway. Maybe it had some influence because after that talk they let out more Jews, per month at least, and about thirteen thousand in '71, and this year it will be somewhere approaching double that amount if not up to thirty thousand. Of course, the trouble today is the ransom they are putting on the heads of educated people. I doubt very much whether sanctions will achieve much—I'm just talking about generality—I don't want to get into this individual subject. It's filled with emotion, and I am too. I have that emotion. But, by and large, trade sanctions don't achieve very much in political subjects. It isn't only the Jews that are being discriminated against or refused the privilege of leaving that country, but it's all the minorities and it hits at the whole Soviet system which I dislike intensely, but at the same time we are not going to make Christians out of the present Communists—Christians or Jews. [Laughter.]

Question. Gov. Harriman, I gather from your remarks that you recognize the trade aversion on both sides—our side and the Eastern side. Now, assume that we should repeal the Johnson Act, the Battle (?) Act, the Export Control Act, removing our trade aversion, do you believe that a relief from the Eastern side would come from the Soviet Union and the other Eastern countries, or would it drift Eastward, beginning in Poland and Yugoslavia or East Germany, and, then, the Soviet Union would have to follow suit?

Mr. Harriman. It's pretty hard to say. I think you can ask that of Mr. Peterson who has just been over there. I've got a great deal of respect for him, and I think he can tell you about it. I think a lot depends on the manner in which we handle these negotiations. You know, a few years ago we refused to sell grain to the Soviet Union. At least we have been sensible enough this year to sell them grain. But it isn't only the United States Government. You remember it was our Long Shoremen who refused to load ships going to the Soviet Union. So, it is not only the government, it's also other agencies of our American life. But as to which comes first, Eastern Europe or the Soviet Union, that's a matter of how we handle it and how they handle it. It's rather hard to say. I would think, by and large, the Eastern Europeans and certainly Yugoslavia tend to want to do more business with the West, so they won't be so dependent upon the Soviet Union, and that is a factor which would work toward your idea of, perhaps, doing more business with Eastern Europe. On the other hand, however, as I've said, these countries can get mostly everything they want from Europe or Japan, and we have to make an effort to sell our stuff, to prove it's better and also prove they can get it as rapidly, these deliveries are as good and the credit terms are as good.

Question. First, a comment on the other side of this question of the straw man of Most Favored Nation. I have been for four years trying to buy some things in East Europe for my own company, United Fruit Company, and I find this is a deterrent. There are things we can buy there, but they cannot compete.

Mr. Harriman. I'm glad to hear you say that because so many people think the reverse. I'm glad to hear you say that. I've been conscious that it is true. I'm pleased to know that you had that specific experience.

Question. I may be the only exception in the room, but I do want to say that there is something on the other side that is restrictive to people who are trying to buy in East Europe. I do have a question. It's obvious from the talks that we have had so far that trade is so closely tied up with personal emotion, biases, beliefs and political ethics. My question is, despite this, what can we who are trying to get this trade going, both ways, do to encourage us until these political decisions are made?

Mr. Harriman. I'm not sure that I can answer that. It's to encourage certain of the Congressmen not to think they get political kudos by being tough on trade. I think all citizens and majorities can have some influence—and I'm sure some of you can have a little more than a little bit of influence. I think the general attitude of business and business organizations will very much affect the political scene in this country. I think your visits to the Soviet Union and to other European countries are all very helpful in allaying suspicions. We have got to recognize that a very few of these men that are dealing with these matters in different countries have ever been abroad, and, certainly, few of them have come to the United States. When they do come, show them everything that you've got. I know that I've had trouble when I've got Russians to come over here. Certain industries, thinking they were being very patriotic, refused to show them everything that they show. I know this was true of coal mines, even. These seem small, but I think they are very important.

I want to go back a little bit to the question about releasing the Jews so that you don't misunderstand me. I feel very, very strongly—perhaps as strongly as anybody—about this failure of the Soviet Union—this putting a price on the educated Soviet Jews. And I certainly think this question of Most Favored Nation treatment that we have should be considered. But I would like to have our government deal with the Soviets in the most vigorous manner to try to get changes made—the elimination of this price tag. And whether we get further announcing in advance we are not going to have Most Favored Nation, or whether we talk about it privately, are matters which I am not sufficiently close to have an opinion. Sometimes we injure ourselves by trying to knock the other fellow in the head. We get nothing for it. It's a question of astute negotiations and diplomacy, and I think the President has made great progress in the field of improved relations with the Soviet Union, and I wish him well in this particular aspect. I think there is a clear need to get a change. I'm only saying this so that I won't give any impression that I'm opposed to the fullest pressure. For anybody who thinks that automatically withholding Most Favored Nation will get it changed, I'm not very optimistic about that heavy-handed method.

Question. Mr. Ambassador, I can't agree with you more that the lack of Most Favored Nation clause is the main stumbling block for total understanding with the Soviet Union as far as trade is concerned. Until we have it, we cannot barter, we cannot switch, we cannot exchange our goods or commodities for theirs.

Mr. Harriman. I want to say that these are human beings you are dealing with. Unless you've dealt with the Soviet Union . . . I've dealt with them, as I say, since the middle '20s. I saw Trotsky and I've seen all the leaders since. They're human beings; they are affected as we are, as you are, as the people you deal with in business. If we think about them more in that way and less as some strange kind of mechanical brain or beast, we'll get further with them. We ought to be able to adjust ourselves somewhat better. We do it as individuals when we are dealing with them, but not as a nation, so far.

Question. Governor, what can you do about your friend George Meany and the Labor movement in this country? They seem to be moving in the wrong direction.

Mr. Harrison. You had better talk to George Meany about that. [Laughter.]

Question. Ambassador, I'm a little concerned about some of the things coming out of this discussion. We seem to take the attitude that we can sell to the Russians and then tell them what they may or may not do with it.

Mr. Harriman. I don't know why you suggest, I've never said what they may or may not do with it. To the war we gave them dredges at a great sacrifice to ourselves in war in order to open up ports. And when we found those dredges being used in gold fields, it didn't encourage certain people who saw it to feel that they were making good use of our Lend-lease. I can assure you that, on balance, they made extraordinarily good use of our Lend-lease—the food as well as the military equipment.

Question. Over the years our commercial thinking has been characterized by on and off thinking, the Spirit of Glassboro, the spirit of this, the spirit of that; in the meantime we get to Berlin, Czechoslavakia. Do you feel we're in an historical place where there is a really neutral meeting of minds? One which will last for a while.

Mr. Harriman. That's a lot of guessing.

I know one of the things that I learned first when I went to Russia, one fellow was a Texan who'd been to the Soviet Union—there'd been very few businessmen—I asked him what was going to happen. He said, "Well, I think about the Soviet Union and the way we do about people that come down to Texas and predict the weather. We've learned in Texas that you can't predict the weather and therefore, I'm very careful about predicting what's going to happen in the Soviet Union." I think that part of the on and off business has been changes in personalities on the American scene. They are apt to be more consistent than we are. But there was a change between Khrushchev and Stalin, which it took us some time to take advantage of. The Test Ban agreement was the first one of importance, in June of 1963. But then there has been somewhat of a tightening up since that time. I judge external affairs somewhat by what's happening internally; this is a tightening up of controls internally and therefore they may be appearing as somewhat tightening in their relations with foreigners. The problem is on and off which you speak of. The actual trade has been very little, if any. The on and off has been rather more in political terms than in trade terms. I would hope that President Nixon's initiative, his visit to the Soviet Union this time and the other negotiations that have been going on, including Mr. Peterson's visit, will contribute to a stabilising of our trade relations. If we could get our trade relations out of the political scene and get it more on an economic plane, I think it would be better for us all around. The end to the war in Vietnam will vastly contribute to the improvement of mutual feeling between our two countries; that includes all the communist countries.

Question. I would like to refer once more to these fees for leaving the Soviet Union by the Jews. Why don't we look more at the motives behind the Soviet Union. I would think it is a brain drain they are trying to prevent. I certainly don't think they are doing it in order to complicate their relations with the rest of the world, and the United States in particular. I've seen countries, England, for example, that were very concerned about the brain drain of doctors or the nurse drain. In a country like Singapore, if you hire a young Singaporian who received his education at the expense of the Singapore Government, he had to buy his way out if he wanted to come into private industry.

Mr. Harriman. There is a friend of mine who was in the Soviet Union and did get a chance to talk to different people privately and, you have to be rather skillful in finding a place to do it. But there is some indication that a brain drain was involved in this and they didn't realize the uproar that would happen. I'm not sure whether that's true or not, but, as you well know, there is a substantially greater percentage of the Jews who are in high scientific positions than the percentage of Jews in the population.

And it may be that doesn't sound very consistent in some ways, because when a man, a Jew scientist in Russia, applies for a visa, he's taken off his job. I was told that was done in order to stop other people from applying. I was told also that this was because they were afraid that if they wanted to go to Israel, they were no longer trustworthy. Well, if any of these are true, I don't know. It is conceivable that this is to protect against a brain drain. It's a very heavy-handed and stupid way to do it. And I think quietly they should be told, quietly you can say all sorts of very blunt and frank things. It's not that they want to protect the brain drain, they're not going to let all the Soviet Union Jews leave the Soviet Union all at once, and they could handle it in some other way. But I don't think that just stopping trade in itself, although I think the talk about it may have some value, it may impress upon them the damage they're doing to their international image. So I don't condemn it.

Well, thank you all very much and I do want to congratulate all of you for joining, for the first place the organizers of this meeting, and continued work you're going to do. I think it is very important that the business community, as well as the intellectual community should get a good, solid, sensible nonchangeable attitude towards East-West trade, and that will help our political scene which has been rather mercurial. I thank you very much for what you're doing and good luck to you. [Applause.]

Dean Christenson. Governor Harriman, we're deeply grateful for your insights and personal experience and your judgment as we move into the deliberations on extending this Council.

Our next speaker is Samuel Pisar, whose background and experience make him a valuable and appropriate speaker on the developments in the East. Mr. Pisar is a prominent international lawyer and counsel to multinational corporations and banks. He is the author of a widely-acclaimed book entitled, "Coexistence in Commerce: Guidelines for Transactions Between East and West." Mr. Pisar. [Applause.]

Mr. Pisar. Mr. Christenson, it takes a great deal of humility to try to speak after two such distinguished historical figures as Mr. Eaton and Mr. Harriman. And I have that humility. I will not at all try to speak at ther level, but to shift gears to the practical plane. I believe that this is what is expected of me, to give you a few insights into what is going on today and what will be happening in the near future in East-West business relations. As a matter of fact, I come here directly from Moscow, except that I stopped in Paris briefly to say hello to my family. I've been to Moscow three times in the last month. I have participated in discussions about LNG, about fertilizers, about metals, about construction of trade centers, about turn-key plants and also about the problems that exist before any such huge deals can be consummated.

It's particularly interesting to hear Governor Harriman's comments about the problem of what is strategic and what is not strategic and what should be sold and what shouldn't be sold. One of the best insights on this subject was provided, again, by Mr. Khrushchev. He not only said, "Those who don't want to trade want war," and obviously exaggerated. He also said that the United States is far too liberal in its strategic policy as far as trade is concerned.

"One of the most important items the United States should promptly embargo," he said, "were normal buttons, because if the United States sold buttons to Russia and if the Red Army had buttons in its pants, it would be able to aim its rifle with two hands instead of one." [Laughter.]

As a practitioner, I see a real revolution taking place in East-West economic relations. Somehow, for businessmen on both sides, it has become instant "Love Story." And let us pray that this time, there will not be a quick and unhappy ending, because there are still many political problems that remain to be resolved and some emotional problems as well. Now, I would have not alluded to the link between East-West trade and the Jewish problem in Russia were it not for Senator Harris' comments this morning, comments in which he tried to qualify me as having unusual credentials on both issues. That I have spoken out in favor of East-West trade is known. Another subject about which I hardly ever talk at all is my own past during the war in Germany, as a child and in a context of racial persecution.

The question is not a new one. It has been effervescing in Russia for a long time and it is an oversimplification to call it Anti-semitism. During the time of Stalin it bubbled even more than it bubbles today.

I have travelled with Senator Javits to the Soviet Union for the Joint Economic Committee of Congress; and everything that he did in my presence or said was designed to promote East-West trade and peaceful coexistence. Recently, I was chairman of the East-West Industrial Corporation Conference in Budapest. I invited my friend Abe Ribicoff to give the keynote address. Senator Ribicoff came to Budapest and, again, everything he said privately or publicly was designed to further East-West trade. Now, these two men and many others, are torn by another dilemma. Yesterday, the Senate has spoken on the subject. The Soviets have not completely defined their attitude on it. The lines are not clearly drawn and I don't think anyone has dug in yet. From my personal observations, I believe that the present leaders of Soviet Russia are reasonable men, and they are beginning to apply increasingly reasonable policies. Let us hope that East-West trade and the Jews will not be casualties of this new controversy that is shaping up and that is so mixed up with emotional overtones.

Now, I would like to go to constructive matters. My immediate concern is with the great opportunities and the great problems that exist in East-West trade at the practical level. At the level of those that have to do business on both sides—and here there is a strange thing happening. Now that both sides have started to clear away the thick underbrush of discriminations, restrictions, and prohibitions, we suddenly wake up to a new fact of life. We were so preoccupied with Cold War tensions, that we forgot to focus on the very basic and important problem of how a state enterprise society, such as the Soviet Union, China and Eastern Europe, can conduct stable, mutually advantageous trade with a private enterprise society such as the United States, Japan and Western Europe. For decades those who were trying to do that trade were doing it on a catch-as-catch-can basis. They were improvising. And here our allies in Western Europe and in Japan, through experience, have far outdistanced their American competitors.

But if we're really talking about a major increase in East-West trade, we're talking about joint ventures and turn-key plants. It becomes very urgent to develop institutions, to develop procedures that could enable businessmen to operate effectively in an improving political climate, given the problems that exist and that will permanently exist, because of the two different economic systems. Because they will no more dismantle their economic system than we will dismantle ours. We are condemned to coexistence with these different types of institutions, procedures and business habits, and there are no ground rules to guide us as we're beginning to shape the new ventures that I have recently seen negotiated in Moscow, and Budapest and Warsaw and so on.

Now, that interest in trade today is genuine and mutual, is obvious. For the first time since the Bolshevik Revolution, 55 years ago, the Soviet Union is not only talking about more trade, but about a new variety of sophisticated transactions which include licenses, sales of know-how, various forms of corporate ventures, as well as cooperation for mutual profit in third countries. In Eastern Europe, Communist state enterprises, and in Western Europe, capitalist private enterprises are forming joint companies in Switzerland, in Luxembourg and in the Bahamas with jointly constituted Boards of Directors, and jointly selected management. And the purpose of these companies is to establish an efficient production line, an efficient distribution system, and, most of all, to make a profit.

Now, when you start building this type of a web, industry to industry, company to company, businessman to businessman, you are not only building roots for greater prosperity, but you're also building roots for peace. Most surprising of all, even Communist China, which ten years ago had eighty percent of its trade with the communist camp, today has eighty percent of its trade already with the capitalist world. It has literally reversed the entire course of its foreign commerce, and we can get into the reasons for it and the opportunities for it in the question period if you wish.

Now, for the West, the problems are similar. The Western economy is becoming a little bit congested. It is being overwrought by competition, over-saturated in many sectors. The Communist World offers a new frontier, populated with the kind of human needs that existed in Western Europe after the Second World War at the time of the Marshall Plan that Governor Harriman has been talking about. Here you have an equation on both sides, and what we are really witnessing is a dramatic reversal of policy on each side.

For the United States, this has very important implications. What it means is that after twenty-five years of embargo, which really prevented any form of meaningful trade with Russia, China and their respective allies, we are now adding to our market one-third of mankind. It's a very startling and very potent fact. The European Economic Community, the Common Market, today enjoys $10 billion worth of trade with the East, twenty-five times as much as the United States, and the United States economy is approximately twice as large as the economy of the European Common Market.

There is really no reason in the world today—and obviously we must remain vigilant and strong, and worry about security—but for the reasons that have been explained with such extraordinary authority and experience by Mr. Eaton and Mr. Harriman, it seems to me there is no reason in the world why the United States cannot look forward to having at least half that amount of trade, $5 billion per annum, in a few years from now. And this would be more than twenty times more than what we have been enjoying in the last few decades.

To go back to the main theme that I'm asking you to consider, we've got to build new procedures and new institutions for East-West commerce, because with all the problems that have prevented trade have come from political hostility. And it is also a myth that the Communist countries don't observe contracts or don't respect commercial custom or the rule of law. The best commercial paper, the best banking paper you can find today in the capital markets of Europe, are promissory notes and letters of credit issued by Communist banks. They have accumulated an impressive record of honest and reliable dealings, and this is true of Eastern Europe, of Russia, and even of China.

But the kind of problems that I would like to talk to you about now are not the banal problems that we have re-hashed over and over again in the last few years, such as should we give them Most Favored Nation, should we give them credits, should we lower our strategic criteria. These problems exist. There are also problems of this type on the other side. How do you do business in a Communist economy that is so typically secretive?

You really have no way of going in and estimating your market. You cannot open an office. You cannot easily attend to the maintenance of your product. You can not protect your industrial property. You can register a patent. But you cannot expect that you are going to do business in the very near future in the Soviet Union, in China and in Eastern Europe in the same way that you have been doing business in Western Europe. You are entering a strange economy that has its own way of doing things even though it is reforming and to some extent decentralizing. And while it is no longer necessary in all cases to deal through a central government-operated purchasing or selling monopoly that stands in front of that market like a watchdog, things are gradually changing. The fact is that for many, many years, maybe even for a century, you as capitalists will have to deal with the other side as Communists and you will have to learn new habits and new ways of doing things, and that is going to come as something of a shock and, I believe, a healthy shock.

To be a little more practical and specific, there's a great deal of interest here in industrial projects and joint ventures, and we read about it every day. There are not going to be, in the foreseeable future, in my opinion, joint ventures between American and Soviet companies, the way you understand joint ventures. Yugoslavia already allows a capitalist company to buy into the equity of a Yugoslav company. Rumania has changed their law last year and is also beginning to allow the same thing. And I think Hungary will probably be next. These are very limited things. These smaller countries are testing their way. They are looking over the shoulder to see how Russia is reacting.

The Soviet Union is also willing to go in this direction, but very slowly and very conservatively. I was in the Soviet Union last year with several Americans, including David Rockefeller of Chase Manhattan Bank. And at a meeting with Mr. Kosygin, the word "joint venture" was pronounced for the first time. And Mr. Rockefeller asked him, "Mr. Prime Minister, if we are to recommend to American companies to enter into joint ventures, we would have to show them how they can make a profit. We couldn't expect them to risk the shareholders' money for nothing." And Kosygin replied, "Of course they have to make a profit; who's ever heard of doing business without the expectation of profit." Now, the question, therefore, is how to do it, because Marx and Lenin said that you cannot have capitalist exploitation in a Communist society. And no matter how reasonable the Russians become, they are still a long way away from sacrificing this principle.

What is needed is to develop new devices, euphemistic devices that enable each side to accomplish the purpose that each side has, because the Soviet businessman who has to fulfill a certain job, who has to run a plant or who has to satisfy the economic plan, is not a Party hack or a demagogue. He has to get a job done, and he worries about practical things—"If I can't do it this way, maybe I can do it that way." So, the art, here, is how to develop ways of doing things without offending the Communist scriptures. I'd like to give you a few examples.

Let us assume that you will not have a right to buy equity in a Soviet corporation that builds a plant, that builds a hotel or that operates a farm. But if you think about it, there is no reason why such a plant cannot be built jointly. There is no reason why a company cannot be established in Switzerland, maybe even on a 50–50 equity basis—and the Russians have done this with the French and the Germans and the British, the Ethiopians and many others—whereby that company has a contract with the plant in the Soviet Union that is owned by the Soviet state, but, instead of giving you your shares of profit from the plant, you get it under a price structure that is agreed by contract between that Swiss company and the Soviet plant. And, depending on how that price structure is, you can make a profit in Switzerland for both partners. And there is nothing in Marxist-Leninist scriptures that prevents this type of activity.

Second example. There is absolutely no way to own socialist means of production in the name of a blood-thirsty capitalist company. But there is a way, perhaps, of getting around it. Suppose you send in heavy equipment and you transfer the title to a Soviet state corporation. Now it is the owner, and Marx and Lenin can sleep peacefully wherever they are. But there is nothing to prevent you, possibly, from taking a leaseback for ten years and maybe for twenty years. And under the terms of the lease, you are not the owner, but you have the control of the equipment and you can manufacture with the Russians and perhaps sell locally and sell in export.

There is no way in which you can control a Board of Directors in a Communist country, because that is against the law, and against the philosophy. But whatever goes for a Board of Directors in a Communist country, doesn't really have that much authority and those on it don't really know how to run a modern business in a competitive world economy. It may just be that there is nothing to prevent you in the years to come from writing a careful management contract and establishing under the management contract an executive committee, an advisory committee, a technical committee—call it what you like.

And I don't remember Marx and Lenin saying anything about such a committee or that foreigners cannot have a majority of it. Because it has no constitutional power. But on a day-to-day basis, while the plant is being put into operation, while it is built and even while it is operating, the real power can be held by that committee while the ostensible, or formal power, is held by some Board of Directors that doesn't have much to say and isn't much interested anyway. Because, ultimately, the state itself controls everything. If it ever became state policy to stop this type of business, it could be stopped. And I'm not saying this to trouble, I believe the Communist countries are probably among the safest to do business in. If you look at what is happening in all these less developed countries, you really take your life in your hands if you decide to invest. But in Russia and in Rumania and Poland and China, no one is going to nationalize you. It's already been done and you know exactly where you stand and you start on a very, very healthy basis. Maybe one more example.

You cannot have dividends. You can see the logic. It would mean exploiting Communist labor. Nor can you have a profit participation. And there is a gentleman in the back of this room who is smiling as I say these words, Mr. Cyrus Eaton, Jr., who has gone through these exercises with me on a few occasions, particularly when we negotiated. I might as well reveal it because it's been written about—the Pan-American-Intercontinental Hotels in Hungary and in Rumania and in other countries. You cannot have dividends because they won't let you have equity. You cannot have a profit participation, but there is nothing to prevent you from obtaining a royalty payment. There is nothing to prevent you from obtaining engineering fees. There is nothing to prevent you from earning interest, because these things have not been ruled taboo by Marx and Lenin.

As a matter of fact, I remember a closing where those who were with me would have been satisfied with an equity participation, or with a profit participation—twenty-five percent of the Communist company and that would have done it. But that was not possible. So, in the end, they refused us profit participation, they refused us equity and they gave us a royalty, a percentage of the gross. Now, who needs equity and who needs profits if you can have a percentage of the gross, which is the cream off the top? You couldn't care less if they are making a profit or a loss in operating whatever it is that you helped them build.

They've paid the penalty, because the system is so organized that they couldn't give you the thing that would be more advantageous to them. They have to give you something that was much more valuable because the dogma didn't allow any other solution. As a matter of fact, I remember the evening of one closing where a minister turned around and proposed one of those interminable toasts in our direction and said, "You know, you got away with murder. I wish Marx and Lenin had kept their mouths shut."

We are in a stage today, when you watch at the negotiating level where it all happens and not by reading about it or by looking at it in the intensely political and emotional terms to which we've been used in the last twenty-five years. When you look at it in low key, you see that there are pragmatic people on each side, that they are trying to do the job. And that the Communist negotiator really goes half-way to meet the capitalist negotiator. And often he doesn't know how, because he hasn't been exposed to the outside market. He's been in a rigid bureaucratic system. So, you have to show him how he should do it, so as not only to accomplish your purpose and his, but so as to protect his skin and not create any problems and not violate any laws or any Communist Party directives. And as this process goes on, almost invariably, pragmatism triumphs over dogma.

Now, I'll repeat, it would be unrealistic to expect these countries to change their system, change their institutions as a condition of increased trade.—They won't do it. And, obviously, we're not going to change ours. So, these new ways of doing things, these ground rules I'm talking about, become a very urgent matter. And the only way in which those ground rules can be developed, is through negotiation. In my opinion, the best place to negotiate such ground rules is in the Joint Commercial Commission that President Nixon and Secretary Brezhnev established in Moscow last May. This Commission is now getting down to work in Washington. I believe it is a "sleeper." You will see a lot of hullabaloo about commercial agreements. Lend-lease settlements, maritime agreements and all of these state-to-state negotiations that are difficult, that are loaded politically and they may not be quite as important as we all think because all we do is change the climate a little bit.

The real action will be when the business people on both sides . . . all the officials who have been concerned with giving the business people the rules and the framework in which to work, when they buckle down and start meeting these problems that I am talking about. And it is logical that the best body for building ground rules between state enterprise and private enterprise societies should be a Soviet-American Commission. Because here you have the two poles of the two systems—America is the pole of private enterprise and Russia is the pole of state enterprise.

I am very optimistic about the prospect of East-West trade. I have made the analogy with "Love Story"; and while there are dangers, while there are doubts, while there are legitimate concerns, I think we are moving toward a form of reasonableness on each side. And in this dialogue about trade and technology and agriculture, we will develop habits for solving even more important problems as well. Thank you, Mr. Chairman.

Chairman. Thank you very much, Mr. Pisar. We have some time for questions. I was going to say that as a representative from the academic community and as a Dean, I'm supposed to be slightly philosophical, quite aloof, and offer some perspective. Well, I only have one to offer and that came out of my talk with, when I was a special assistant in the Secretary's office in Commerce—we had a trade delegation here from Czechoslavakia and this was in the early days when we were also trying to get East-West trade moving and we had endless task forces to put it together.

But this delegation couldn't understand how to deal with the profit system of private enterprise. And in the course of conversation, it struck me that the state trading agencies in the Communist countries are really very much capitalists.

So, that if I could get across to this guy that dealing with private enterprise was like dealing with a state system like his neighbor Rumania or Bulgaria or Yugoslavia, that would be a very appropriate thing to do. And what I've learned from that is that if in dealing with the Soviet Union or an Eastern European country, you imagine yourself dealing with General Electric you'll be very successful indeed. Now we'll entertain questions.

Question. Dr Pisar, you mention a case of lease-back; has there been one? Has the precedent been created of a lease-back of American machinery sold to the Soviet state enterprise and leased back by an American firm? . . . In the field of heavy industry?

Mr. Pisar. No such arrangement has been closed to my knowledge. It has been negotiated and is being negotiated. But there are a few precedents, not in the field of entire plants, but in the field of certain types of equipment. There are precedents already, in the here and now, in some of the smaller East European countries. In the Soviet Union there are such transactions being negotiated now. Of course the difficulty is that, in the whole field of leasing, it may just so happen that you have to repossess, and then, it's very difficult to send in the Marines. But the way it usually works is that you have other compensations. For example, you can have, when the Communist side is the lessee, a guarantee from the Foreign Trade Bank, that the rent will be paid regularly, so that you don't have to worry about repossessing. But my example was more in terms of the Western party supplying the equipment, and being the lessee.

Question. But we're the Western party, and releasing the equipment. Are we allowed to operate it?

Mr. Pisar. The deal would be, the whole purpose of the lease would be, for the Western side to be the lessee, and to either operate, or to help operate the equipment. Otherwise there wouldn't be any reason for the transaction. And once the term of the operation is over, the residue of the lease would revert to the Soviet government. This is the logic of all of these transactions, even the LNG, which is still being negotiated. But there was a precedent, which has been signed, the Japanese have signed, in 1968, for the development of the Siberian timber industry. There you have transactions where the Japanese are sending in equipment, sending in engineers and know-how, and jointly, with the Russians, exploiting the timber of Siberia, first to pay off the investment, and then, to make a joint profit. And of course, after a number of years, maybe as long as thirty years, Siberia reverts back to the Soviet Union.

Dean Fisher. Because of roll-call votes in the Senate, Mondale and Javits will be delayed a few minutes. We thought that while we await their arrival we would call upon Dr. William W. Whitson, President of Cathay Corporation and editor of "American Opportunities for Doing Business in China in the 1970's" to discuss briefly some aspects of the problems and prospects of trade with China.

Dr. Whitson. Before a group with the international trading experience represented by the several hundred corporate executives assembled here today, I need not dwell on the significance of East-West trade, nor its departure from premises and routines of the past. Indeed, in the fifteen minutes available, such an emphasis would steal too much time from a more important question; namely, the immediate role of China trade in this new era.

I would like to make three points which I will label "How Fast?", "The Name of the Game" and "Who Sells to China?". How fast will China trade grow? Answers to this question abound and range from the very pessimistic to the very optimistic. The pessimists tell us that trade controls, foreign exchange shortages, politics and especially the politics of the two Chinas and a revival of the fear of "cheap Oriental labor" will keep China trade to a very low volume over the next decade, a turnaround Sino-American trade volume of $100 million by 1980 being very optimistic. Conversely, others argue that a turnaround trade of $400 million should not be surprising by then. If we recall that total trade (through third countries) in 1971 did not exceed $1 million, the growth in the first six months of 1972 to more than $11 million (not including the Boeing deal) sets a pace which cannot possibly be sustained indefinitely.

Certainly many problems must surround the revival of a set of commercial relationships which have been dormant for more than twenty years. But it is my conviction that the greatest problem of all, more important than tariff barriers, foreign exchange problems, MFN, shipping restrictions, credit guarantees, and a maze of legal and commercial procedures, is the shortage of reliable information about the market. The name of the game in Sino-American trade today is Information. Aside from a few special deals such as the RCA and Boeing sales, most manufacturers in the United States will remain justifiably cautious about investing in China trade until they have learned a great deal more about that market and the men with whom they must deal. Whether or not American companies should ever attempt to trade with the People's Republic is a corporate strategic decision that deserves a small but very important investment.

In the early days of the opening to China, some corporate executives flew to Hong Kong, expecting a red-carpet welcome. With rare exception, they found that there was no welcome at all. For the Chinese also needed—and still need—to assess this new era from the very pragmatic viewpoint of their own needs. Thus, a second ingredient in the current situation is the mutual Sino-American need for confidence. In a context of slowly developing trade volume, what is happening today is the creation of a new structure of human relations, as much at the individual and personal as at the institutional level. China has had considerable experience in trading with Europeans, who have taught them that the western businessman is capable of cheating. Almost puritanical in their own approach to agreements and their implementation, the Chinese do not intend to be cheated by fast-talking, super-selling American entrepreneurs. Therefore, in addition to a demand for precise specifications on product-line, the Chinese desire human specifications; that is, they wish to know and trust the men with whom they will be dealing. It is the process of building a structure of trust that we are now engaged in—a process which must frequently draw on noncommercial relationships for sustenance.

Indeed, the combination of the two questions of pace and the name of the current game underscores their mutual dependence. The rate of growth of Sino-American trade is very deeply dependent on the gestation period of this information phase. Our earliest experiments in actual trade contracts must be perceived as important primarily as tests of trust. If a Chinese contract to deliver a small amount of porcelains or shrimp or processed foods repeatedly goes astray, there will be a natural American reluctance to enter into much more complex and costly arrangements. The real game today—and for the next two to three years—will therefore be one of structuring a flow of reliable information about the two markets. Chinese and American, and identifying the key people who can bridge the differing procedures and perspectives of those markets.

My last point concerns selling to China. No amount of high pressure salesmanship is likely to impress the Chinese as much as the virtue of patience. On balance, Americans will not sell to China. China will buy from Americans. The decision to buy specific American products in such important fields as agri-industry, high technology electronics, pharmaceuticals, petrochemicals and management technology will demand lengthy analysis in the relevant Chinese ministry. Price will often be the deciding factor; but sometimes politics or quality may take priority over price. American businessmen must be prepared for surprises, therefore. And they must be prepared for long delays, occasioned by *both* American as well as Chinese governmental bureaucratic inertia.

While all this waiting is consuming time, the corporate executive might continue to address the question, "Should we deal directly with the Chinese or use an agent?" Sooner or later, direct negotiating will be possible. But the answer to that question, even after direct relations become "normal," must be guided by costs. For a long time, relatively small companies will find it much more inexpensive to employ an experienced consultant initially to help in deciding whether and how to approach the China market. Then, if trade seems probable, if the product-line promises Chinese interest, an agent will probably be cheaper than hiring a full-time China hand or spending the executive time in travel back and forth between the United States and China for negotiations. Therefore, this phase of Sino-American trade would appear to be the heyday of the middleman. The Chinese understand the middleman and are quite prepared to use his services. Indeed, in many instances, they prefer to use the middleman simply because he can minimize delays and misunderstandings. But China trade today has already spawned so many middlemen, all self-styled experts on the Chinese and China, that some rationality is needed in searching for accurate information.

It is to that purpose that I hope the East-West Trade Council will dedicate its energies, insofar as China trade is concerned. Members of the Council will have every right to demand help in finding good advisors and good advice through the good offices of the Council. If this assemblage is any measure of managerial sophistication, I am confident that, with your support, the Council will meet that challenge. Thank you.

DEAN FISHER. Our next speakers need little introduction to those persons interested in broadened East-West trade.

Senator Mondale is Chairman of the Subcommittee on International Finance of the Senate Banking, Housing and Urban Affairs Committee. Major legislation such as the export administration act and legislation affecting the EX-IM bank passes through his committee. He has been instrumental in loosening rigid U.S. export control policies and increasing opportunities for U.S. exports to the countries of Eastern Europe. He has a distinguished reputation in his Committee and on the Senate floor as a man who knows inside and out the problems of U.S. trade relations. He is dedicated to the principle that the U.S. can only gain from an increased volume of trade with the Eastern countries. It is our great pleasure to have him with us today to discuss legislative trends in East-West trade. Senator Mondale—

Senator MONDALE. As some of you may know, I have been interested for some years in a far more rational and modern U.S. policy on East-West trade. When I came to the Senate in 1964, we were still locked in the old Joe Stalin-Cold War philosophy and we were hemmed in by a host of laws that closed any hope for progress even when companies wished to seek meaningful business opportunities in Eastern Europe on a non-strategic, peaceful basis.

A trip to Eastern Europe early in 1968 convinced me that the policies of our country were self-defeating. The practice of foreclosing trade with Eastern Europe in non-strategic peaceful matters did not in any way affect the public policies or directions of the Soviet Union or of any of the countries of Eastern Europe.

As a matter of fact, I came to the conclusions that our policies were really making us the laughing stock of intelligent businessmen around the world. I was particularly impressed by one top French Government trade official, who pleaded with me to make certain that our country pursued restrictionist policies for at least five more years—until the French managed to secure a bigger share of the market.

There has been a substantial change, since that time, in the underlying laws which govern trade into Eastern Europe by U.S. companies and I have been privileged to be part of that change. Just as important, there has been a fundamental, indeed radical, change in the public environment in this country. Three or four years ago, the barriers to the U.S. businesses in Eastern Europe consisted of a series of very restrictive laws conservatively administered. And there was also a psychological environment that seriously inhibited trade potential by raising substantial doubts about the patriotism of any company with the audacity to participate in East-West trade.

In the last few years, these factors have changed dramatically. And I would hope that the trade statistics, which are now starting to move upward, will continue to reflect that change.

The first series of changes dealt with the export control act. The old export control system—and the word *control* had critical significance—loaded the dice legally against any trade into Eastern Europe. If that trade had any economic potential to the purchasing nation, it was supposed to be denied, although one wonders why any nation would engage in trade that did not have some economic potential.

The Act was administered in almost the same spirit. The amount of trade into Eastern Europe was nothing more than a meaningless trickle, even though trade from other free world sources was beginning to rise dramatically.

Over the objections of the Administration, which wanted to make certain we kept the Communists on their knees, we passed an Act in 1969 that changed the philosophy from one of trade restriction to one of trade expansion.

We dropped the control language and talked instead about export *administration*. Furthermore, this 1969 Act contained very strong Congressional endorsement of the principle of peaceful trade with Eastern European countries. The Act declared that trade with Eastern Europe was valuable, was to be supported, and was in the national interest. The Act was intended to deal with both the legal problems of East-West Trade and the inhibiting psychological environment surrounding East-West Trade.

The Act also sought to deal with the absurd situation which required U.S. unilateral controls on items that were freely available at that time from other sources—Great Britain, France, Western Germany, Italy, Japan and elsewhere. It sought to require the Export Administration Office to achieve a realistic reconciliation of our control policies with the trade environment of 1969, and of the past 3 years.

The Act passed, as you know, and there has been important, yet very cautious, movement in the administration of that Act since 1969.

One of the problems has been, and in my opinion continues to be, that the Export Administration Office is really governed by a series of departmental representatives from the Department of Defense, the Atomic Energy Commission, and the State, Commerce, Agriculture and other Departments. It is a floating committee determined by the kind of item for which export licensing is being sought. When decisions are made, the incentives are always conservative. The safest action on any controversial item is either to refuse the license; or if it is a hot item, to keep studying it until the prospective deal has soured. Then no one has to decide anything.

We have tried to develop new standards for a more balanced treatment of export control applications. The forward-looking mood of the Congress is now clearly reflected in the latest extension of the Export Administration Act.

This Act goes beyond the 1969 legislation, requiring a careful accounting from the Secretary of Commerce on the export items that remain subject to unilateral control. The new Equal Export Opportunity Act states, far more explicitly than the 1969 Act, that the Congress expects the Commerce Department to move swiftly toward an export control policy which no longer places our businessmen at a competitive disadvantage compared to the businessmen from other countries.

For the first time, we have also established technical advisory committees, which we think and hope will better advise the Commerce Department in the establishment of more liberal programs.

These Committees will enable the Commerce Department to understand better the technical problems that businessmen face; lack of communication is sometimes a problem. The Committees should also provide some kind of a counter-force to the conservative tendencies which, as I mentioned before, we often find in many of the departments involved in export administration.

We have also hoped that the whole export administration process would become a little more public than it is.

I appreciate the fact that much of this information is classified. But it often happens that a businessman applies for an export license and the application is stalled somewhere. The applicant has no way of knowing whether it is stuck in the Defense Department or the Council or Arts and Humanities; and he simply does not know where to look if somebody, somewhere has raised serious objections to his request. We think it would be productive if businessmen were permitted swiftly and expeditiously to be heard by the Department and the personnel objecting to or delaying the applications.

It is my impression that the Commerce Department is moving. Whether the movement is as fast as it should be, I am not prepared to say. But it is clear that they are moving in the direction of de-controlling items. In the third quarter of 1972, metal-cutting and metal-working machines, machine tools, certain mass spectographs and spectrometers, certain electronic systems, certain grain and sorghum seeds were all de-controlled. And I am hopeful that we will see more dramatic movement in this decision.

In addition to the export administrating procedures, we had to deal with the problem of non-availability of credits into Eastern Europe.

As you know, for many years we had the so-called Fino Amendment, which prevented any country in Eastern Europe from receiving the benefit of U.S. credits or guarantees if that country in turn was in any way supplying North Vietnam. Many of the countries in Eastern Europe had only marginal, nominal involvement in that war. Yet under the strict terms of the Fino Amendment, there was no possibility of extending credits to any of these countries except Yugoslavia.

Here again we came up against the same dilemma that the unilateral export controls created. The refusal of the U.S. to participate in credit extension meant that other countries with exim type banks were able to extend credits. Consequently, businessmen in these countries were in a position to compete far more successfully in East European markets than American businessmen.

The Export Expansion Finance Act of 1971, enacted last year, came out of the International Finance Subcommittee which I am privileged to chair. It repealed the Fino Amendment and authorized the President, when he determines it to be in the national interest, to extend exim credits to Communist countries.

It also established the principle, which has not yet been fully realized, that the exim bank should be administered on a truly competitive basis. We should not sit back in the administration of our bank and adhere to certain credit standards, terms and regulations that keep U.S. businessmen from competing successfully against businessmen from other countries who enjoy solid support from their own banks. I am hopeful that Presidential action, in accordance with the competitive principle recognized by the law, will enable us to make substantial progress in improving the competitive position of our businessmen.

And finally, the Act provided that the Exim bank make special efforts to see that small businessmen as well as large are able to make efficient use of exim facilities.

We're beginning to see the use of this new tool. We've clearly seen a significant expansion of trade with Rumania. We hope to see even more trade here as exim credits are approved. We have also seen other discussions of extension of U.S. credit into other countries, which I think have come about as a result of the measure.

Another problem, of course, was the old administrative regulation requiring 50-50 bottoms. This was a serious barrier to expanded East-West Trade—requiring, for example, that half of any U.S. grain shipped to Eastern Europe had to travel on U.S. flagships. This had the effect of driving the cost of U.S. grain up over what was then the world market price. At the same time, it did not provide a single U.S. ship or a single U.S. maritime union member with a single job. Now the 50-50 barrier no longer exists.

That, in summary, is the present situation in the laws dealing with export control and exim credits. If we are successful in achieving our goals, I think we will be able to reverse some of our serious balance of trade problems and also to provide employment opportunities for our people.

Perhaps, too, we will make real progress in lessening world tensions. By doing so, we will build a stronger foundation for real understanding and peace.

Dean Fisher. Senator Mondale regrets that his estimate of the duration of Senator Kennedy's filibuster will not permit him to say. We'd like to express our appreciation to him for coming during a period when his own bill was under consideration. Thank you very much.

It's with a great deal of pleasure that we present to speak to us Senator Jacob Javits. He is undoubtedly one of the most knowledgeable men in the Senate on the topic of East-West trade, and so is particularly suited to discuss with us upcoming legislative efforts in that area. We are most pleased to have him with us—particularly since the Senate is on a tight schedule and votes are being taken all day today. Senator Javits—

Senator Javits. Thank you very much, Dean Fisher, Sam Pisar, and all the guests, whom I haven't met. Ladies and Gentlemen, the Secretary of Commerce is imminently due here. He, like myself, has left a negotiation—I have left the floor where we're voting every five minutes on the welfare bill. So, if you will forgive me, I'll let everything I've written stand, and I'll just say a few words about what the central thoughts are that I have in mind.

First, you've had a thorough briefing, I understand, on the effort on the Senate floor in which I have joined with Senator Jackson, Senator Ribicoff, Senator Humphrey and some almost seventy other Senators. And in discussing this subject, one must necessarily assume that a way will be found out of that situation, that it will not represent an impasse, and that we deal here in this context with the economic elements which are involved. And I shall do that. I will simply leave that question aside on the theory that we will find some way out of the impasse. It may be an impasse that will be insurmountable. If so, all talk is academic. But for this discussion, to make it meaningful, I will simply lay that aside. Secondly, I would like to thank very much my colleague, Fred Harris. I talked with the Majority Leader at lunch, for example—to give you some idea of what we thing of Fred—and he said, "Jack, I want you to go, tell me what you want held up and I'll hold it until you come back." So, I just want you to know that about Fred.

Now, any agreement, any trade agreement with the Soviet Union, will, as you know, involve very considerable restructuring of our trade legislation, not only Most Favored Nation, not only probably considerably more money for the Export-Import Bank, but probably new types of authority for the OPIC, the Overseas Private Investment Corporation.

Also, we will have to amend the Johnson Act and this is, again, a very real problem.

Now, the major point that I would like to make is that the one message that this teaches is that if the United States goes protectionist, if we're going the Hartke-Burke route, in our national economic system, then forget about East-West trade. It will be the first victim of a protectionist drift by the United States. If, on the other hand, the United States is going to continue to maintain its generally present policy—get tougher on anti-dumping and on seeing that others do for us what we do for them—and I'm all for that—and I'm including Japan, and we have a rather stiff backbone on an international monetary agreement, nothing that I've said compromises that situation. But if we go the protectionist route, then the first casualty is going to be East-West trade.

As next year will be the watershed year, I urge all those who believe as I do that East-West trade is critically important, not only to the economy of the world but to the peace of the world, to work toward better trade relations. And I go all the way, I'd love to see the Russians members of the World Bank, the Fund, every credit mechanism, full partners in international aid, I say let them have it—that's fine. If they want to give aid, good, there's nothing wrong with them. But if you want all of that in this new outlook for the world in the next three decades, so intimately tied to peace and nuclear arms reduction and the hope of reducing these overwhelming defense budgets, then you've got to fight diligently for the continuance of the outgoing trade policy of the United States. All the caveat, all the safeguards, all the get-tough you wish, but within the basic principles and rules that our country has laid down. If we go the protectionist route, it isn't anything you can do a little bit—you're going to go all the way—because the weight will be glacial and the first casualty, in my opinion, will be any hope for opening East-West trade. Thank you all very much.

Dean Fisher. Thank you, Senator Javits, for taking time out of an obviously harassed and heavy schedule to come down here. We all appreciate it very much.

Ladies and Gentlemen, without any further ado, and here again on their theory that introductions are totally unnecessary, it's with a great deal of pleasure that I present the Secretary of Commerce of the United States. Mr. Secretary:

Secretary Peterson. One question we are often asked is which comes first, foreign trade or foreign policy. There is the view, very widely held, that if the United States were to grant the Soviet Union most favored nations treatment more or less unilaterally, and also grant EXIM credit, we could then develop a more constructive set of accommodations in the foreign policy arena and those trade concessions would be the major cause of that accommodation.

All sorts of groups have recommended to the President that he trade first, as it were. The President's view, as must be obvious to all of you, is quite different from that. He has felt that he would like first to see evidence of political accommodation—we try to avoid using the word linkage—but he would at least like first to see some evidence of accommodation.

Commerce can lead to further peace, but the decisive steps in the President's view should be as they have been, on the political and security front.

So it was no accident that it was only in the context of the political accommodations embodied in the SALT agreement that the President decided in May of this year to set up his Commercial Commission to negotiate and obviously in setting it up, he was acknowledging that the time had a trade agreement with the Soviet Union.

Having decided that the time had come, we then had the question of what kind of an agreement we should get, what we should be striving for. Many argued that what we should strive for was a rather straightforward, simple agreement. People suggested that we simply grant MFN, grant credit, and get down to business. If we had decided to do that, my life would have been a great deal simpler over the last few months, I'm sure.

Our view has been that if our commercial relationships are going to be satisfactory, and if we are to avoid important political problems later, our main task should be to build a comprehensive structure—and I would emphasize the word *comprehensive*—so that commercial disturbances that aren't anticipated don't end up sabotaging the political relationship, instead of making it better.

The President's instructions to me from the beginning have been to search for what we call a comprehensive understanding and not an understanding that simply says we're going to grant most favored nations treatment, grant credit, and then start doing business.

The President, better than anybody, knew that this kind of agreement would take more time and be much more difficult to negotiate. We have the question of lend-lease. Some ask what is the relationship between lend-lease and trade, and why should they be linked. Well if you are looking for a conceptual rationale, I think there is one. If what we are talking about here is new credits, there's a certain logic, I think, to the notion that countries should take care of their old credits, before they extended new ones. This is a very difficult, emotional, in many ways personal issue. I don't know how many of you have been to the Soviet Union. Anybody who has been to the Leningrad Cemetery, anybody who's reminded of the story of Tanya, anybody who remembers that they lost 20 million people in the war, can appreciate why it's an emotional issue. Also there's a lot of circularity in the cause and effects as there is always when we retrospectively try to understand the past. For example, one could argue that the reason they had not paid lend-lease was that most favored nations had not been offered, others could argue just the other way around. So there's a complex history here that's obviously deeply tied to the political relationship that our two countries have had post-World War II.

The second reason why we think this is an appropriate time to solve the lend-lease problem is a highly pragmatic one. If we can't settle this problem now, at a time when you are ready to consider making some constructive moves, what reason is there to believe we could solve it two, five, ten years from now. So the lend-lease issue has obviously been, and we're still negotiating this issue, a kind of an important foundation point.

Now we then get to what the specific issues are we're trying to work out. Most favored nations, of course, one.

The difficulties one has with most favored nations are in several areas.

In the first place, the reciprocal granting of most favored nations treatment by the Soviet Union and the United States is hardly a symmetrical act. Most favored nations in the context of a market system is obviously a different thing than most favored nations in the context of a country that is a state-trading monopoly. So to the extent that one views this as a concession, the reciprocal concession is not an equivalent one. You have that to consider as you negotiate.

Secondly, it is important to remember that the Soviet Union is not a member of any international trading organization, or monetary organization, as Senator Javits just reminded us, and that some of the forums we have for adjudicating problems do not include them. In fact, a lot of the legal structure we have for negotiating with other countries does not exist between our two countries. So that one must anticipate what he will do in the event of various kinds of problems.

Third, there is the important problem of what to do about potential dumping and potential market disruption. We've been very much interested in getting this problem satisfactorily resolved in advance for a variety of reasons. In the first place, those of you who've been to the Soviet Union know that costs have a very different meaning in their economy than they do in ours. Price as a mechanism has a very different meaning. I'll give you only one example—a young man that we were riding with one day was terribly exhilarated about something, and I asked him why he was so happy. "Well," he said, "I've just learned I'm going to get a car." Because of my American vantage point I had an image of a lot of different brands and a lot of different options and accessories and features and so forth. So I said, "what kind of a new car are you getting?" This young man said, "I'm not getting a new car, I'm getting a used car." And I said, "I see." And we got into the whole discussion of pricing.

I asked him what the price of this car was, and he indicated that the price of this car, which, as best I could understand, was what you might call a standard Fiat, of a few years vintage, was about $5,000. I said that seemed like a rather substantial amount for a car of that nature and asked him what they exported that car for. He said he thought the number was about $1,200.

Now clearly in their system, price can be seen as a way of reallocating resources. In that sense, it's not a profit mechanism as it is in the United States, but a social mechanism. So I think it's quite important that we anticipate now how we handle these potential market disruption problems—both because philosophically we are different economies and because with the Soviet Union we just don't have any of the conventional mechanisms we rely on in dealing with other countries. So a great deal of time has gone and is going into the question of what we mean by most favored nations and what are we going to do about this potential market disruption problem.

Now quite frankly, another reason why we want to get this problem solved now is the allusion of Senator Javits to potential protectionist legislation. It seems to us that if this problem is not satisfactorily handled, what was done sincerely is a way of moving toward a more open economic world, could be seen as a carrier device, as it were, for an infectious kind of protectionism that went way beyond the Soviet Union. And we think the time therefore to solve those problems is now, not after this legislation is presented to the Congress.

A second issue that we spent a lot of time on is the credit issue. The Soviet Union has an interesting view of credit, as some of you probably know. I discovered after a few months of negotiation that their favorite numbers were ten years and 2 percent. I've reminded them that I could understand that, but that it was very important for us to understand that, as a fundamental principle, the United States could, under no circumstances, engage in anything that could be called concessionary credit rates of any kind; and that, if credit was going to be made available, it would have to be on a completely non-discriminatory basis.

A second issue that we are negotiating still is the issue of reciprocal credit. Once again, we think it is important that we try to get these problems solved now, before we've made concessions rather than later when they may be much more difficult to solve. We're trying to get reciprocal credit so that American importers who want to have credit will know what the terms are, how they go about it and so forth.

Now we've had problems on something called business facilities. Some of my associates probably feel that I am putting too much emphasis on the need to do something in a substantial way about business facilities. Perhaps one of the reasons is that we are all victims or prisoners of our own environment, our own upbringing. As an American businessman, I recall the rather affluent way that most of us at high levels traveled, and the freedom we enjoyed. We want to be careful that the euphoria of a quickie deal does not cloud the fact that six months from now, or two years from now, or five years from now, you gentlemen, who are trading with the Soviet Union, will be less concerned about whether the agreement was signed last week or three months from now than about physical problems such as where you are going to stay, where you are going to have offices, how you are going to get telephones, and how you are going to handle communication.

These are problems that can be extraordinarily frustrating and have been extraordinarily frustrating to American businessmen in the Soviet Union. So we are now trying to negotiate an arrangement that will give us a substantial expansion of facilities and in addition to that, a clear idea notion of what the guidelines are by which business facilities and living facilities and communication facilities are granted.

At the governmental level, quite frankly, our resources on both sides have been inadequate. The Soviet Union, for 40 years, has been trying to get a commercial representation office in this country. I can tell you with feeling that that quest has not ended and we are now involved in some reciprocal negotiations that deal with what kind of expanded commercial representation for our government, we in turn may get in the Soviet Union.

The whole question of business disputes and how do you solve them—we think is an important issue to get resolved now. We think it would be unfortunate if American businessmen and/or the federal government were involved in a multi-million dollar transaction and then six months, a year or two years from now, find themselves in a dispute with no established procedures for handling the problem. The only mechanisms available now are Soviet arbitration courts. The Soviet Union understandably feels that their arbitration courts are very good. But I wonder whether you would feel comfortable with an arrangement in which your only recourse was Soviet arbitration courts if millions of dollars were involved. So there is that whole issue that is important. We've also had questions that are continuing to be negotiated in the field of taxes and patents and licenses and that whole part of what you could call a foundation for broadened commerce.

Now, it is amazing to me to talk to people across the country, who, when I ask them what they are concerned about with the Soviet Union, say the Soviets are going to flood our markets with all kinds of products, just the way the Japanese did. As a curious businessman, when I was in Moscow, I spent about three or four hours looking at the products. I started my business life in market research, and I guess I couldn't get it out of my system. I went through six or seven stores just to look at prices, values and things of that sort.

As a refugee from the photographic business, I had for example, a particular interest in looking at the motion picture camera, and I can tell you that the products I saw in that field were characterized by being about four times heavier and four times larger, about five times as expensive, with about one/fifth the features that American products have. In short, distinctively uncompetitive in almost every dimension, and I could spend the rest of the afternoon, which I assure you I won't, giving anecdotes of that sort.

I think oddly enough the problem that we must face, and I use the word problem advisedly, is not a flood of imports but a dearth of imports. And the question that we are going to face is how we make this a viable business relationship in the sense that the Soviets can earn enough to buy the many things they want to buy from America. There isn't any question that with their meat objectives—increasing meat consumption—they are going to need more grain. You may not know something which I find quite a testimony to our system. In spite of many, many years of huge investments, the agricultural productivity of the Soviet Union still stands at only 11 percent of the United States', the same percentage as in 1955. Also, their industrial productivity was only 40 percent of ours in spite of capital investments that are greater than we are making in absolute terms, and much greater in relative terms. There are many, many things in the fields of agriculture, machine tools, capital equipment, all kinds of products that the Soviet Union wants. A more difficult question is what do we want? What is it that we can buy to make the relationship a viable one?

I had the interesting opportunity to spend about three hours with Mr. Brezhnev reviewing this whole relationship. You might be interested in what he thinks we can use. He probably spent about half his time talking about what he called the Soviet Union's vast treasure, their natural resources, which he said could last for generations to come and how at the highest level of the Soviet Union they had made a fundamental policy decision to make those resources available to the United States. But I think that it is in this whole area of raw materials, energy, where the important volume of trade is likely to take place in terms of from them to us—at least that would be my prognosis.

Now there will be some exceptions. The Soviet Union like any highly centralized economy, does very well when it focuses it resources, whether it be space, or military or steel or cement or power equipment. Their economy has an uneven quality to it, it seems to me, and there are certain sectors, a few, that they do very well in. But by and large, I think this raw material-energy area is where the big action is going to be.

Mr. Brezhnev, for example, mentioned a whole variety of such fields he would like to cooperate with us, but the field of gas was one that was obviously first in his mind. Now for those of you who are not gas experts, that includes your speaker, incidentally, in case any of you are being unnecessarily humble, let me give you a panorama of what we are talking about here.

The projects being discused are in Siberia, in western and eastern Siberia. These projects are going to have to be installed in permafrost conditions, which is a euphemism for 50/60 degrees below zero a good deal of the year. We are talking about pipelines that are three and four thousand miles long—in other words, more than the length of the United States. We are talking about 56-inch pipes, and that's a fair sized pipe. It will take an enormous amount of the other kinds of equipment that go with it for drilling, liquification, and so forth. Then this energy has to be transported—and what we're talking about here are supertankers, LNG supertankers, since it has to be transported in liquid forms; perhaps 125,000 or so cubic meters, which I understand is the range people are talking about. And it has to be carried 8,000 or 9,000 miles at about 250 degrees below zero. These ships already cost something like 80 to 90 million dollars apiece and one of these projects could take from 15 to 20 of such ships.

What I'm talking about is just in terms of the external investment of materials, and ships and products of various kinds. These projects could require capital input of $4 to $5 billion each and this doesn't even include the direct labor input from within the Soviet Union. Now when you look at projects of that magnitude and look at the EXIM bank whose largest outstanding credit to any single country is now about 1.2 billion, you see that when people talk about a new era, they know where they speak.

What we are talking about here are projects of the magnitude that the world has never really contemplated before and it is going to require innovative thinking, in my view, to solve those problems. But we're prepared to look at them very thoughtfully and at the same time we have to understand that this is part of a larger problem for the United States, the energy problem, about which we have to do a great deal of thinking. What are our alternatives on energy? What is the cost of energy going to be five to 10 years from now? What are the true national security aspects of getting what portions of our energy from what countries? Is it or is it not to our benefit to diversify our sources of energy. This whole question of energy will be intimately involved, I think, with the Soviet Union.

I think what I better do, Mr. Chairman, is kind of stop there, and take questions.

QUESTION. What is the status of the Maritime negotiations?

Mr. PETERSON. The Maritime negotiations, as we have felt, and I think it is still our view—are likely to be the first negotiations to be signed. I'm very amused to read editorials, particularly the one that appeared shortly after we got back, which alleged that I was in the Soviet Union negotiating the end of the Vietnamese War and that the basis for this was that I had with me one of Dr. Kissinger's senior aides. In the course of that article, the view was advanced that that had to be the reason we didn't sign the agreement in the Soviet Union; because these more or less minor trade issues and commercial issues, certainly wouldn't have taken much time to negotiate. [Laughter.]

This is symptomatic of a view that many people interested in foreign policy have. I'm an enormous admirer of Dr. Kissinger but I remember, at least in my early months in the White House, Henry had a way of looking at me and saying: "Peterson, that's just a minor commercial matter." [Laughter.] I responded in a variety of ways. Some of which wouldn't be appropriate here, I'm sure, but one of them was, "Henry, that's a redundancy, because you think all commercial matters are minor, and the time may come before long when you'll be spending a good deal of your time on these minor commercial matters that you've been referring to."

We had a lot of minor commercial issues here. Like which ports are we talking about? Keep in mind that large numbers of ports have not been opened to either country. On what precise basis are those ports going to be left open to each other? Remember, this isn't exactly a relationship between the United States and Canada. This is a different kind of relationship we are talking about here.

Now, when we talk about access to ports, what kind of ships are we talking about? Not on a high level of generality, but quite specifically. When a certain kind of ship comes, is it or is it not acceptable and how do you know? You've got very important questions here, as the press has widely reported, dealing with the fact that the labor unions that are identified in this field had indicated in times past some rather strong views on this subject of loading these ships. Therefore, it is important to have an arrangement that gets people loading ships. Although I'm not a Maritime expert, I know enough about the subject to know that it does you very little good to solve all these other esoteric problems only to find out that nobody will load or unload what we have negotiated. (Laughter) So we've got a negotiating agreement that is somehow satisfactory to them.

This gets us into an interesting set of discussions about how much trade going to American ships is sufficient to achieve that purpose, and at the same time leave trade for the third countries of the world. And that's taking some time.

You have a question of freight rates, what kind of rates you're talking about and for how long, and for what kind of ships. Those are some of the kind of negotiations that are taking place right now. Now, obviously, you don't want me to carry out the negotiations right here, except to indicate we're making progress. We still think this will be the first agreement, probably, to be signed. But anybody that has negotiated with the Soviet Union, or any other formidable bargainer, appreciates the point. Until you have something you can see in writing, you just don't have an arrangement. It's terribly important that some of these minor commercial matters be negotiated in very precise language. I would say that on nearly all the issues we're at that stage now, where we're looking at prescise drafts and precise formulations. Because you are at that stage, one doesn't like to assume he's got all the problems solved. But I still think that's going to be the first agreement that we'll probably announce.

QUESTION. Many of us are very interested in the work you were doing prior to your coming to the Commerce Department. What happened to the joint inter-departmental activity? Is that going on?

Mr. PETERSON. Do you have any other questions? Fine, that will give me time to think of an answer. (Laughter)

The question was, some of you were interested in the work I was doing before taking this job in the inter-department effort on inter-national economic policy and you would like to know how it's going. I suppose the modest answer is to say that it's going a great deal better than it did before. I think a group like this, incidentally, could benefit from having Peter Flanagan come over and tell you about what he's doing. Nothing has happened either before or since I left to change my mind that, as you enter a world in which international economic policy is becoming very important to domestic politics and domestic economics, and at the same time to foreign politics and foreign policy, you need some kind of mechanism to bring these points of view together. On nearly all issues of policy, I think the Council is working well. I know of very few decisions that are being made in this field that are not being coordinated at that level, and my impression is that it continues to be a useful forum.

QUESTION. Would you say overall agreement is a year away?

Mr. PETERSON. No. No. The question is, "Is the overall agreement a year away? No, I wouldn't say that. The President has a way of setting goals in all sorts of intriguing ways. When he returned from Moscow he said that he expected to have terms of a trade agreement in the hands of the Congress before the end of the year. I was sitting there listening to that, so when somebody asks me when we are going to have a trade agreement, there's only one answer—"Before the end of the year." (Laughter.)

Through the efforts of a lot of people—the President, himself, has been very much involved, Dr. Kissinger has been involved, and many Departments have been involved—I still think we're going to beat the end of the year. It could be a matter of weeks, depending on how some of these problems develop. It could take longer, but I certainly expect to see it this year. I'll be disappointed if it's not done by the end of the year.

Question. How much trade would you expect us to do with the Soviet Union if an agreement is signed?

Mr. Peterson. Well, in '71, we were doing about $200 million. There have been a variety of people who have suggested billions of dollars in the next three years. I've seen people talk in terms of that sort. I'll have to tell you that I find that a little difficult to foresee, because when you look at their foreign exchange producing capacity, and you look at how long some of these projects take, I think I'd be surprised to see that happen by '75. What I think could happen is a substantial amount of grains of all kinds, particularly feed grains, a substantial amount of machine tools, capital equipment of various kinds, I think by '75, if I had to guess with one large caveat—which I'll come to—I would still expect trade to be measured in the hundreds of millions, rather than the billions. But still and all, that gives us an opportunity for seeing trade increase several times during that period.

The big caveat is that it's very hard to predict until we get into these very, very large projects, because they will affect trade both ways. They will affect it in a way that could make any estimate highly conjectural. In the first place, they will require great exports. And in the second place, the imports from the Soviet Union, from these very large projects, will also be very, very large. I think it is very hard to give an accurate prediction on orders of magnitude until one sees how the huge energy projects work out. If you ask me about '75, I would expect it to be several times more than we are doing now, but still in the hundred millions range, I would think.

Question. Mr. Secretary, European trade with the Soviet Union has increased considerably in the last decade.

Mr. Peterson. Right.

Question. Have they had a comparable apparatus and negotiations with the Soviet Union that we are now undertaking?

Mr. Peterson. The Soviets have set up commercial arrangements, commercial commissions, trade agreements with some countries—France, for example, and with England, I believe. They have not had a mechanism that is going to do as many of these subjects in quite as specific a way as we. We have taken a position, rightly or wrongly, that when you are talking about the two largest superpowers in the world that have been in a position of confrontation for many, many years—where the stakes are extremely high—we believe that we should exercise, perhaps, more care and more prudence. You might say that we are delaying—in trying to get some of these exasperating problems taken care of now rather than later. But I think you're right. I think other countries have been less concerned than we about the business facilities, about market disruption and some of these other things. I think when the history of these negotiations is written, the injection of those elements may have added—Oh, I don't know—60 or 90 days, perhaps, to the negotiations. They seem sometimes like they have added 60 to 90 years, but I still believe—as I guess you would expect me to believe—that we are right in taking the extra 60 to 90 days to work out something that doesn't create political problems. If we get into situations in which the United States and the Soviet Union—because, for example, they don't know how to arbitrate a multimillion dollar dispute—end up in a position of confrontation, I think it's a somewhat different problem than when almost any two other countries are engaged with similar confrontation with the Soviet Union. But you're right. They have viewed these problems as less important than we have.

Question. How far off are we from trade with China?

Mr. Peterson. With China? I've got to call Henry and ask him. (Laughter.)

In the first place, I think it's safe to say that I'm far from a China watcher. But trade in general has meant substantially less to the People's Republic of China than it has to other countries. When I last looked at the number—I can probably be proved wrong—but it seems to me last year they did a total of about two and a half billion dollars worth of trade both ways. Is that about right? That is imports and exports. You've got to remember that you are dealing with an economy with a gross national product that has to be estimated, but the estimates run from $90 billion to $120 billion GNP. When you take an economy of a GNP of only that magnitude, which is highly self-sufficient, to whom trade has been very unimportant as a matter of policy, then you add to that the fact that China has traditionally had very strong views about credit, as I guess many of you must know.

I think there has been a kind of euphoria here about the levels of trade that I find hard to substantiate by an in-depth look at the problem. Now, I would think as time goes on you're going to see some trade expansion there. I know of no immediate plans, if that's what you're asking, to have a Commission of the type we have with the Soviet Union and to move aggressively ahead. There is nothing of that nature. They have recently bought, as you know, some large aircraft. They have bought some communication equipment, and they have invited 25 or 30 companies over there to fairs in very precise fields. But I have not indicated as of the moment that you're about to see a large explosion in trade with the People's Republic.

Whatever you do, be careful that in any time frame like what's going to happen by 1975, you don't get yourself confused as some people have, I think, by saying with 800 million people there, it must be an enormous market. It isn't quite that simple. It is not an economy of anything like the size in GNP that many other economies are. For example, just look at Japan. Here's a country with one-eighth of the people—am I right, about 100 million versus 800 million people?—that has something like two and a half times the gross national product that China does, and whose trade is even many times more than that larger than the People's Republic of China. That isn't to say that long-term it may not be very important, and very politically important, but in a two- to three-year deal, I would worry a bit about getting too euphoric about that.

Senator Harris. Mr. Secretary, you've been both generous with your time and candid with your answers. [Applause.]

My thanks to Secretary Peterson.

AGNES DISASTER

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. McDADE. Mr. Speaker, at the close of each session of Congress it has been my custom to present my constituents with a year-end report in which I make an effort to detail the most important actions taken here in the U.S. Congress and to describe how some of those actions affect the daily lives of my constituents. Mr. Speaker, I attach herewith for insertion in the Record a copy of my most recent year-end report:

JOE McDADE—YOUR CONGRESSMAN REPORTS

Dear Friends: Each year, at the end of the session of Congress, I have sent you a report on actions taken in Congress which are significant for all of us. This year I am also including the results of my 10th Annual Questionnaire. Ordinarily this would have been sent you toward the end of the summer, but the enormous demands created by the Agnes Hurricane disaster made it impossible for me to send it at that time. It is included in this report, therefore, so that you may be well informed on the work being done here in Washington and also on the thinking of the people in our Congressional District.

Sincerely,

Joseph M. McDade,
Member of Congress.

AGNES DISASTER

Pennsylvania was struck during this year with what the Army Corps of Engineers called "the greatest natural disaster in the history of the nation." The greatest natural disaster was met by the most massive Federal assistance program in the history of the nation. I co-authored much of this legislation, and worked in my Appropriations Committee to make certain the money to fund this program was available. For the first time since coming to Congress, I felt it was more necessary for me to put my Congressional work in Washington aside, to come to the District and to make certain that all that could be done. No words could describe the cooperation of all the people of our District to help the victims of the flood. I have proposed additional legislation to give further assistance. An enormous amount of help has been given; but what is important now and in the future is that all of us remember that the job is not yet finished, and we must work until the last trace of Hurricane Agnes is erased.

MINING RESTORATION

I testified before the Interior and Insular Affair Committee in favor of new, stricter, federal strip mine legislation, more in conformity with our Pennsylvania strip mine laws, as well as for comprehensive legislation attacking the problems of coal refuse banks, burning banks, acid mine water, and all the other problems left as a residue of old mining. I secured funding for massive mine flushing projects aimed at preventing subsidence of people's homes and businesses over abandoned mines. One of these projects in Green Ridge will pioneer the use of coal refuse to fill abandoned mine voids, using a brand new method. It is a project that every coal mining section of the nation will watch with interest. In this year alone, we are moving forward on mine-flushing programs which will cost nearly $15,000,000. This is the most extensive mine-flushing program in any community in the history of the nation.

NEW ENVIRONMENTAL PROJECTS

This year I wrote a new law which will bring a new industry to our District, with the creation of the Northeast Pennsylvania Fishery and Research Development Center. This facility, to be run by the U.S. Bureau of Sport Fisheries, will cost between $3.5 and $4 million, and will employ about 20 people at an estimated annual payroll of $500,000.00 funded entirely by the federal government. The purpose of the Center will be to develop optimum ways of culturing fish and transporting them to receiving water. There are only four other such facilities of this kind in the nation.

In addition to providing a new industry for our District, the Center will draw on the local colleges of Northeastern Pennsylvania for their expertise in the fields of natural science, physics, chemistry, etc. The Center will benefit fishermen and sportsmen both locally and nationally. Fish raised in the center will be released in public streams. Increased efficiency and the production of better quality fish will result from the work performed at the new Center.

A second law I wrote funded the building of the headquarters of the Delaware Water Gap National Recreation Area in our Congressional District. This construction will cost $1.1 million. There will be 33 permanent positions with additional temporary positions with an annual payroll of $655 thousand. We also doubled the budget for the Recreation Area and added new Park Rangers. A special summer project, under the direction of three of our institutions of higher learning, established a Youth Conservation Camp near Sky's Edge in our District, to educate young adults in conservation measures; and a year-round conservation-education program is presently under development in our Congressional District as a joint venture between the Department of Interior and Keystone Junior College. In addition to these, two demonstration projects were initiated in our District, to prove the feasibility of growing vegetation on sites covered with the refuse of deep mining; and their success could mean a significant step in our ongoing program of improving the appearance of our area.

A third law I wrote funded a strip-mine reclamation project on the Taylor-Scranton line, to convert an unsightly abandoned strip-mine pit into a model recreation area.

Of special significance is a new law I wrote to provide $28 million to purchase the remaining properties needed to create the Delaware Water Gap National Recreation Area. Forty percent of those properties still remain to be purchased, with many of our people suffering extreme hardship because there was no money for the purchase. Now this $28 million will open the door for the purchase of all the properties, so that we may see the creation of the National Recreation Area. This new law will preserve the natural beauty of one of the most magnificent scenic areas of the nation for all times.

VETERANS AND RETIRED SERVICEMEN

Congress voted into law with my enthusiastic support, increased compensation and increased pensions. A 10% across-the-board increase in servicemen's compensation was voted.

Congress also took a long overdue step in extending to the widows of servicemen the same benefits which are presently extended the widows of Civil Service employees. I supported also the increased payments under the Vietnam Veterans G.I. Bill of Rights.

JOBS

We have been working vigorously in our continuing program to attract new industries to our area and to preserve the strength of those industries which are located among us, and which are so significant in our employment picture.

The year opened with a notable victory in one of the more difficult fights we have had to save employment in our area, when the General Accounting Office rejected a protest by Golden Industries against the award of a contract of nearly $5 million to Chamberlain Corporation.

When the protest was lodged by Golden Industries, I pointed out to the Comptroller General that basically Golden was trying to change the rules of bidding after their own unsuccessful bid was rejected. The Comptroller General agreed with me, and awarded the contract which was so significant in the employment at Chamberlain.

The J. P. Ward Foundries in Tioga County faced an equally serious problem, when plans for the construction of the Tioga-Hammond Dam revealed that a rail spur, which had supplied Ward for 50 years, would be eliminated. There was no way Ward could absorb the enormous cost of realigning its supply and delivery system; and this major industry, with some 450 jobs and an annual payroll of $3.5 million was threatened with extinction. I was able to persuade my colleagues on the Appropriations Committee to provide $1.1 million to finance the construction of a new loading system, to keep Ward Foundries open with employment assured.

Our continuing fight to preserve Tobyhanna Depot as a vibrant and significant force in our community was successful during this year. Tobyhanna's Electronics Mission is outstanding. Employment at Tobyhanna is important for all of us, and we will be fighting for additional missions which our fine workers could perform with the same degree of excellence.

SOCIAL SECURITY—RAILROAD RETIREMENT—BLACK LUNG PAYMENTS

In a major effort to combat the problems of inflation faced by our Senior Citizens, Congress passed a law which I vigorously supported to grant a 20% increase in Social Security benefits, and an equal increase in Railroad Retirement Benefits. Included in that law is an amendment which I authored to tie the payment of these benefits to the cost of living index, so that our senior citizens will not have to await new Congressional action in the face of any future rise in the cost of living. Presently under consideration is a new law which I have also sponsored to increase sharply the amount of money which those receiving Social Security and Railroad Retirement Benefits, might earn, while still receiving their full federal payments.

New revisions of the Black Lung Law, for which I testified and fought on the floor of Congress, were passed, with two provisions of immense significance to those applying for benefits under this legislation. Under the first provision, the act extended for two years the period during which applications would be received, because it was obvious that the States were unprepared to take over the financial burden of this program. Under the second provision, the X-ray reports are no longer to be the sole determinant in deciding the presence of Black Lung. Other medical tests will be administered and their evidence will be accepted. Because of this provision, a complete review of all cases formerly rejected on the basis of X-rays was ordered.

RESULTS OF McDADE'S 10TH ANNUAL QUESTIONNAIRE

	Percentage	
	Yes	No
DO YOU FAVOR:		
1. The President's efforts to normalize relations with China?	95	5
2. A similar effort to normalize relations with Cuba?	55	45
3. New efforts in arms limitation and in space between U.S. and U.S.S.R?	90	10
4. In Vietnam, immediate withdrawal, then negotiate for POW's?	12	
Withdrawal only with simultaneous release of all POW's?	24	
Withdrawal after cease fire and firm agreement releasing POW's?	64	
5. For young men who evaded the draft or left military service:		
Unconditional amnesty and pardon?	16	
No amnesty or pardon?	33	
Amnesty or pardon with alternative service for specific time?	51	
6. Making GI benefits available for family of man killed in action?	63	37
7. Higher military pay and benefits to create all-volunteer services?	77	23
8. Strict Federal regulation of strip mining and surface reclamation?	96	4
9. Federal revenue sharing; communities deciding where to spend money?	75	25
10. Prohibition of busing to achieve racial balance in schools?	73	27
11. Federal tax substitute for property taxes to fund schools?	75	25
12. In the area of health insurance:		
Expansion of Federal health care for working poor or unemployed?	6	
Tax credits to purchase private insurance protection?	19	
Federal program to help pay catastrophic medical costs?	24	
Government financed health care for everybody?	33	
No new Federal legislation in this area?	18	
13. A stated national policy to preserve the small family farm?	72	8
14. Moving the level of parity with the movement of cost of living?	68	32
15. Removing Congressmen or Senators for excessive absence?	92	8
16. In presidential primary elections:		
Present system of many primaries on many dates?	4	
National presidential primary on same day in all States?	91	
Many primaries, but on a restricted number of dates?	5	
17. Priorities (percentage of times ranked in top 5):		

	Percent
1. Education	86
2. Anticrime	79
3. Health	77
4. Environment	72
5. Housing	60
6. Space exploration	55
7. Defense	46
8. Urban Affairs	41
9. Rural Development	20

STATION KTUL–TV, TULSA

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EDMONDSON. Mr. Speaker, for the second year in a row, I would like to commend television station KTUL of Tulsa, Okla., for its work in the Jerry Lewis Labor Day Telethon to benefit the Muscular Dystrophy Association of America, Inc. KTUL–TV made a remarkable effort to raise funds for this important cause.

Certainly, Tulsans can be proud of the fact that, during the 1972 telethon, $68,000 was collected from donors in their city. This great success would not have been possible if the management and staff of KTUL–TV had not undertaken to do a tremendous job and do it well.

James Leake, the president of KTUL, has done a great deal for Tulsa and for Oklahoma. This work on the telethon is one more instance of his concern for people. Jimmy Leake and his staff deserve a real vote of thanks for contributing time and hard work to raise money for the Muscular Dystrophy Association.

GEN. WILLIAM C. WESTMORELAND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. TEAGUE of Texas. Mr. Speaker, former Chief of Staff of the U.S. Army, Gen. William C. Westmoreland was the guest speaker at the annual banquet of the Oak Cliff, Tex. Chamber of Commerce on Thursday, October 26, 1972. I am indebted to General Westmoreland for making this appearance, and I am deeply honored by the fact that he accepted as I consider him one of my closest friends. Under leave to extend my remarks, I include a copy of the press interview held prior to his appearance at the aforementioned banquet:

General Westmoreland: Career in Retrospect

(By Doris Harris Seivert)

He hopes the history books will record him simply as a man who performed a difficult job to the best of his ability.

General William C. Westmoreland wants no special laurels for his job as commander of the U.S. military assistance forces in Vietnam and, more recently, as U.S. Army chief of staff.

But he wants posterity to know that he was loyal to his men and sensitive to the life and death situations of war.

Westy Westmoreland's friends call him "a soldier's general." Time Magazine more eloquently referred to him as "the sinewy personification of the American fighting man."

He sees himself as a not-too-gregarious fellow whose life is bound to the performance of duty.

Since his retirement from the Army staff last July, Westmoreland has talked with civic and service organizations throughout the United States. He will be in Dallas October 26 to keynote the Oak Cliff Chamber annual banquet in the Statler Hilton Hotel.

"I have no qualms of conscience about my career," he admitted in an hour-long telephone interview from his temporary home in the North Carolina mountains.

"Most professional military men realize they do not formulate policy but that they are merely instruments of that policy," the general explained. "The decisions are made by civil authority, by the President and by Congress. One can't argue right or wrong. He can only accept the fact that it is his duty to carry out those policies."

The first uniform Westy Westmoreland ever wore was as a youth for the Boy Scouts of America at a World Jamboree in England. "I took great pride in wearing our uniform abroad," the general remembered. "I suppose that's how I first acquired the desire to wear the uniform of my country as a career."

Born and reared in the foothills of the Blue Ridge Mountains of South Carolina, Westy Westmoreland was the son of a civilian banker and a religious mother, both of whom possessed a great reverence for their country and for the fundamentals of hard work, honesty and patriotism.

When the late Congressman Jimmy Burns appointed young Westmoreland to West Point, his father proudly agreed that he should go.

Westmoreland was to become a brigadier general at the age of 38, and four years later, the youngest major general in the Army.

He saw action in Tunisia and Sicily during World War II as commander of an artillery battalion, and in Korea, as commander of the 187th Airborne Regimental Combat Team.

He came home from a war to marry the girl he promised to wait for until she grew up. They met on a fox hunt when she was nine years old and he was a young lieutenant about to be shipped overseas. Eleven years later they were married. She was 20 and he 33.

"She's a real soldier," said Westy. "She's put up with me for 25 years and through many long separations." They are the parents of four children, two daughters and two sons, through whom he relates to youth at large.

"I much admire the young people of today," he said. "They are better educated, they are dedicated and they are not easily duped by propaganda.

"And our young soldiers in Vietnam are the best we've ever had in any war. Their job has been a most difficult one because the issues weren't as clearly defined as in other wars."

As for present-day foreign policies, he believes the recent Strategic Arms Limitations Treaty "is a step forward in bringing peace. Contrary to the feelings of many, I believe the treaty will make it more difficult for the arms race to continue," said Westmoreland. "Nobody welcomes peace more than a soldier, for he is the first to go into battle when there is a war. I applaud the treaty because it is enabling the two greatest powers in the history of the world to reach a detente. This single fact far outweighs any disadvantages the treaty may have."

The most gratifying moment of his career has been "to see the U.S. Army make a successful transition to a small peacetime army under the stresses of the longest war in history."

His own recent transition from military life to retirement has been comfortable. "I've rather enjoyed being able to write my own ticket for a change," he said. "But if I had it to do all over again, I'd choose the same career.

"I suppose the performance of one's duty is a principle which is ground into me. A soldier must be sustained by some higher ideal. In the United States that ideal is the preservation of freedom. We have the greatest country in the world. Not only has America been an example, but it has been the hope of many countries. It is important that the soldier realize he is fighting for this higher ideal.

"We have been a party to stopping aggression in Vietnam. This is compatible with our country's image as the champion for freedom throughout the world," he observed.

William C. Westmoreland now will move back to his native South Carolina, but he will find himself ever returning to the familiar halls of the nation's capitol. This time, however, his job will be as a member of a task force for progressive development of the State of South Carolina.

"It will be good to get home," said the general. "I haven't been there in 40 years."

SENATOR CLINTON P. ANDERSON

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COTTON. Mr. President, those of us who served in the House of Representatives in the 1940's had a special opportunity to know firsthand why President Harry Truman selected Clinton P. Anderson from the Congress to serve as his Secretary of Agriculture.

Clinton Anderson's reputation, built on integrity and knowledge was unquestioned among his colleagues.

The wider circle of associates with whom he worked as Secretary of Agriculture simply increased the broad esteem in which he was held.

But Clinton Anderson—having served in the House, having headed one of our most important Federal departments, and having subsequently been chosen by his constituents to represent them in the U.S. Senate—never lost his sincere personal touch, and I shall never forget the sage advice on agricultural matters which I as a freshman Senator received from this statesman from the other side of the aisle and the other side of the Nation.

The Nation, the State he served so well, the Congress as a whole, and I personally, will miss him deeply.

CONSUMERISM—YOU BETTER BELIEVE IT

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks I am inserting in the Congressional Record the thought-provoking speech delivered by Mr. James Lutz, executive vice president of Montgomery Ward & Co. at the annual conference of the Direct Mail Advertising Association held in Chicago on October 9.

The speech is entitled "Consumerism—You Better Believe It." I commend it to your careful reading.

What commends the speech to me is not simply that it was delivered by an executive of a great merchandising firm based in my home State of Illinois. It is that Mr. Lutz admonishes business "to become a true partner in consumerism," and not resist it, by improving the quality of their products—making them safe and durable—and by insuring that the prospective buyer is told the truth about the products and not be misled in any way with respect to it.

In other words, Mr. Lutz tells it like it is, and his speech clearly indicates that there are forward-looking businessmen who recognize that businessmen have more than the responsibility of making a profit to be distributed to stockholders. Montgomery Ward is to be congratulated on its progressive attitude so essential if our free competitive enterprise system is to survive.

Consumerism—You Better Believe It

Thank you. Now, I wonder if you realise that you have just started your conference with a precedent by applauding a businessman. This is entirely contrary to all of the recent polls.

The other day, while at home, fighting a cold, I received a phone call from one of our younger, aggressive and highly promotable vice presidents, who inquired about my state of health. After listening to my complaints, he merely said, "well, I hope it isn't anything trivial."

As your keynoter, I hope my comments will be challenging and not trivial.

It gives me extreme pleasure to welcome you to our great commercial hub of the world—Chicago. It has a long and distinguished record as a convention city where, in 1860, Abraham Lincoln was nominated for President—an event that changed the course of history.

I am confident that this 55th annual conference of the direct mail advertising association will uphold this tradition.

The most familiar description of your host city is Carl Sandburg's—

"Hog butcher for the world,
Tool maker, stacker of wheat,
Player with railroads and the Nation's freight handler,
Stormy, husky, brawling,
City of the big shoulders."

And it is all of that. Mr. Sandburg's famous description did not include one of Chicago's greatest claims to distinction—birthplace of mail order business—although I suppose we might be included under the category "stormy, husky, brawling."

When 100 years ago Aaron Montgomery Ward issued his first catalog—a single-sheet price list—it marked the beginning of a whole new industry and is certainly a landmark in the history of direct mail merchandising.

After a shaky beginning, the idea caught on and the catalog business grew. Mr Ward gave it another push in his 1875 catalog with this statement, his now famous policy of "satisfaction guaranteed or your money back." A policy which has been adopted by most of the Nation's business.

Although some of his friends seriously recommended that Mr. Ward have his head examined, the suspicious country people of the day accepted this policy at its face value and Mr. Ward had another landmark to his credit—this time a landmark in consumerism—which brings us around to the title of my remarks: "Consumerism—you better believe it."—But let me quickly add—businessmen, like me, speaking positively about consumerism are like statues that bleed—highly suspect—I have to chance that image.

As I was thumbing through Bartlett's "familiar quotations," I noted the prairie philosopher's wise remarks—"the past is a barrel of dust."

And how true.

We know that in this day and age nostalgia is popular—but business cannot live on past glories and accomplishments no matter how significant. We are judged by what transpires *today* and by what we can guarantee *tomorrow*.

In this election year, politicians can outline great dreams, they can wave banners, ring bells and blow horns for America to come home—but businessmen have no such luxury. They must be prepared to be judged by immediate action, today's performance, today's headlines, today's dissent or assent—not by tomorrow's promises.

Our prime purpose is not masterful rhetoric and ringing slogans. Rather, we present—or should present unless one wants to incur the wrath of governmental regulatory agencies—workable proposals, accurately supported by facts and figures related to past, present and guaranteed future performance.

As businessmen, we are responsible for profits and losses and many of us must be responsive to stockholders. Each of us carries, at least to some degree, the responsibility for the legislative, executive and judicial processes of business. And our accountability is every day and every hour—not just during election years. And it is here, I believe, that many businessmen part ways with the idealistic programmers of new worlds.

The American businessman has continually strived to forge new economic and technological frontiers and unchartered horizons. We should do no less in confronting new attitudes and new changes, and we should by now clearly realize that the real challenge is not from new ideas and changes themselves, as from *how they will be implemented*. This is *our* responsibility. And herein lies a great opportunity—an opportunity to become a full-fledged partner with the various governmental regulatory bodies, the bonafide public and political consumer activists.

Today, the consumer is making himself heard. We must make ourselves listen—but unfortunately too many of us have an amazingly fertile talent to make a difficult problem immediately worse.

Louis Harris & Associates have asked people about the degree of their confidence in various major institutions. During the period from 1966 to 1971, the confidence in big companies declined 26%; in advertising 8%—never very high on the scale, but now at a new *low* level of confidence.

To the question "Do you think we can depend on competition to keep prices at fair levels this year, or is some sort of government control needed to keep prices fair?" 62% opted for government controls. Only 27% felt they could rely on business to hold price lines.

"How much profit do manufacturers make on the dollar?" the estimate was 28¢. The actual 1970 manufacturing profits, after taxes, averaged 4¢ on the dollar.

Can companies raise wages 10¢ per hour without raising prices? In the most recent survey, 66% agreed against 55% during the last survey.

And what do teenagers—our future customers—think of business. In 1951, *one in 25* felt that the bad in the system outweighed the good. Today, that same proportion has gone up by five times. Today, *one in five* thinks the system is so bad that it needs to be completely overhauled.

In general, two out of three adults are dissatisfied with current standards of repair, service, quality and safety and think the Government could help to some extent.

Seven out of every ten people consider product quality an important factor in their day-to-day living.

So what do these surveys tell us?

Perception of product quality has continued to decline.

The image of industry continues to deteriorate.

The public continues to believe that the work of the consumer advocates will benefit them.

Consumers desire increased supervision by industry and/or Government to improve product quality and service.

Consumers recognize the need for better and more relevant product information.

The most critical consumer segments of the population are:

College graduates;

Upper income adults ($15,000 plus); and

Young adults (18–29 years).

Are we listening? Are we going to act? Are we going to communicate? Are we prepared to update our thinking? Are we prepared to live up to the promises we are making? We must!

We must offer programs to satisfy the new affluent, sophisticated, alert, restless, articulate, typical American citizen.

If we are to become a true partner in consumerism, we will herald the consumer's bill of rights:

The right to be safe;

The right to choose;

The right to be fully informed; and

The right to be heard.

How can we argue these points? If we view it objectively and not with alarm, consumerism is no longer a dirty word. It should not be a skeleton in our closet. It should be a motivator for better products, better services, better advertising, a better dialogue between business and the public and between business and the Government. It should promote a realistic view of regulatory decisions and proposals and, ultimately, *foster broader consumer protection measures.*

We must orient ourselves regarding each government regulatory agency so that we can cooperate, assist and persuade in their endeavors. We must be prepared and willing to hang our hats in the offices of agencies and legislators—not to seek special privileges, but to listen, respond, inform and advise.

We must sensitize our legal, advertising and product development departments to new consumer attitudes and new and pending governmental demands.

Chemists, physicists, engineers, product designers and home economists have become an integral working part of retailing organizations. I now suggest that we add sociologists—a staff of experts who can look at our business from the consumer's point of view and be frank about what they see.

We must be certain that warranties and guarantees not only make sense, but are written in good faith—not that the big print giveth and the small print taketh away.

No segment of society is better qualified nor has greater responsibility to provide assistance and guidance to the consumer than ours. We must establish—and now—more effective communication channels through which our expert advice and counsel can be extended to the consumer with full credibility.

We must call more such conferences as this, which give us an opportunity to hear the views and the objectives of government and civic leaders. And we should become working partners with the Peter Petersons, the Roger Mortons and the Gloria Steinems. I firmly believe that we would discover, to the surprise of all parties, that our greatest difference in opinion in the realm of semantics and not in feasibility.

As good businessmen, it is time to wake up and realize that we are no longer seeking the better mouse trap. *Our survival as an economic system depends upon sound consumer relations in its broadest scope.* The businessman—no matter how deeply involved in capital expansion—who fails to cope with the consumerist movement—to detect the quickened pulse beat of this new society—will inevitably lose the right to stay in business.

If business operators, large and small, had not been guilty of misleading and overpromising to consumers, I doubt that the consumer advocacy movement of the late sixties and today would ever have begun. But it did and with good cause.

All of us were in such a rush to sell more merchandise—to grow and expand—to successfully compete in the face of ever rising costs—and were so infatuated with a throw-away economy that we did not keep pace in the improvement of quality and services which direct mail pieces and retail organizations were promising to customers.

Today, we have 283 Government agencies looking over our shoulders. What is more, we now must anticipate new moods and interpretations since on almost a daily basis the rules are changing with new Federal regulations, legislation and court rulings, which may effect directly mail and retail operations. It is high time we clean house and rid ourselves of those who make illegitimate profits and mislead the consumer.

Let's face it ladies and gentlemen, we're going to have more regulations than in the past. There will be a new consumer protection agency, and there will be an even greater emphasis on performance, safety and truth-in-everything.

And let's not overlook the fact that in the face of these new regulations and changing consumer attitudes, there is a competitive advantage for those businesses which give the best goods and services. The profiteer who misrepresents has short-term profits only, and the new consumer movement and sophistication will make that term even shorter.

What's more, the new movement is raising the standards that business must meet in order to survive and prosper. Nothing that we have done in the past will ever be good enough again. And we cannot step away from it and let "Charley" do it. Dante tells us that the hottest places in hell are reserved for those who in time of crisis maintain neutrality. Today we have a crisis of confidence in business. Today we cannot remain neutral. We must act now and put our money where our mouth is.

A recent article in Business Week magasine forcefully emphasized the growing consensus of top management that press releases and public relations alone cannot reverse this erosion of public confidence. Only with significant changes in corporate policies affecting the consumer can we stem the tide running strong against us.

There's a new dimension to this corporate responsibility which we commend to all of you for consideration. Today, consumers are calling for passage of certain new legislation which is clearly good for them. The new dimension of corporate responsibility is to stop fighting every new proposal and to start supporting those sound proposals that consumers want and need, providing of course they are basically fair and effective for all concerned, including business. Without that crucial element of fairness the consumer himself will only lose, but fairness can be achieved in many instances if business will work for improving a bill rather than killing it. How *can* the consumer ever believe business is really on his side if virtually every time consumers *propose* legislation most businessmen *oppose* that legislation? It's time we begin to fight *for* the consumer, not against him in the legislative arena. This is the new dimension of corporate responsibility.

But even this is not enough. We must also fight harder for the consumer's interests *as he sees* them in the market place, or better said, for her interests as *she* sees them, since most of our customers are women. For example, a number of women earlier this year testified in congressional hearings that they wanted the right to have credit accounts in their own names. Single women with their own incomes, have always had credit accounts with Ward's in their own names—based on their ability and willingness to pay. Ward's has always granted credit to these women, but in response, we re-emphasized this credit posture to all of our field credit personnel. Married women with their own incomes can have in fact separate credit accounts in their own name, on the same basis as single women.

There is another segment of our society that merits more reasoned attention from all of us. Young people not only have a right to be heard, business has a need to listen. From amongst their voices, if we listen carefully, we can hear the currents of the future.

Finally, we must develop our future practices with the realization that this is a multifaceted society and, in fact, everything that is good for business is not necessarily always good for all of the people. At the same time, and of equal importance, we have a responsibility to continue to defend those practices and principles which generate mass affluence and are basic to the perpetuation of our unique business system.

Let us remember, ladies and gentlemen, mistakes or violations by any one of you, reflect on all of us. So, you can see that I am going to be a consumer advocate and activist in insisting upon compliance with laws and regulations for consumer interests. Insisting that you not only become involved—but committed—and there is a difference. It is like ham and eggs: the hen is involved—the pig committed.

Our business is founded on a sound principle of satisfaction guaranteed to the customer. We have found this to be a successful principle for 100 years and we intend to be in business for many other 100 years. Therefore, my company and I are going to continue to be aggressive consumer advocates to protect the rights of the consumer. I sincerely hope that the membership of the direct mail advertising association will join with us to serve our consumers better. Your challenge is to live up to the promises you make. Consumers expect no less—and you better believe it.

HON. PRES BUSH

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CASE. Mr. President, all of us who served in the Senate with Pres Bush remember him with affection and respect.

Mrs. Case and I shall never forget his and Mrs. Bush's kindness and hospitality to us as freshmen Members of the Senate community.

In his public and his private life alike Pres was the soul of honesty and thoughtful consideration for human beings and for the public good. His service here will long be remembered with gratitude and admiration as he himself will be.

Our affectionate sympathy goes out to Mrs. Bush and all of their wonderful family.

HISTORY OF THE MILITARY ORDER OF THE PURPLE HEART

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. TEAGUE of Texas. Mr. Speaker, for the benefit of my colleagues, I am pleased to insert in the RECORD the history of the Military Order of the Purple Heart, which follows:

THE MILITARY ORDER OF THE PURPLE HEART—40 YEARS OF SERVICE

Those who have been awarded the Purple Heart have earned the nation's oldest military decoration. When it was created by General George Washington on August 7, 1782, it was also the nation's sole decoration and the highest military award of the land. The Purple Heart was revitalized as a military decoration on the 200th anniversary of Washington's birth, February 22, 1932, by Executive Order of President Herbert Hoover. The medal as we know it was designed to replace Washington's original Badge of Military Merit—the "figure of a heart in purple cloth or silk, edged with narrow lace or binding".

In the years since its creation in 1782, the Purple Heart has been supplanted by other decorations that now rank higher, but it remains exclusive in a very special way. A man may be awarded even the Medal of Honor and yet not be eligible for the award of the Purple Heart. The Purple Heart, said General Douglas MacArthur, "is unique; . . . it is the only decoration which is completely intrinsic in that it does not depend upon approval or favor by anyone. Enemy action alone determines it. It is a true badge of courage, and every breast that wears it can beat with pride."

CHARTERED BY CONGRESS

The Military Order of the Purple Heart was founded in 1932 as a national organization of veterans who have been awarded the Purple Heart by the U.S. Government. Only those persons who earned the medal during active service in the Armed Forces and who are persons of good moral character qualify for membership. The Congress of the United States unanimously approved H.R. 13558, authored by Texas Congressman Olin E. Teague, which granted the Military Order of the Purple Heart its Congressional Charter and which subsequently became Public Law 85-761 upon the signatures on August 26, 1958, of the then President, Dwight D. Eisenhower, Vice President Richard M. Nixon and the Speaker of the House, Sam Rayburn.

The Military Order of the Purple Heart does not differentiate between sexes or among races or ethnic origins, religious beliefs, political affiliations or educational or economic levels. Having the Purple Heart is the sole criterion for membership.

After more than 40 years of striving, with many ups and downs, this relatively small but elite organization is on a sound footing, with a built-in system of checks and balances to protect its membership and its funds, and it has a most enviable record in service work, rehabilitation, employment guidance, VA hospital voluntary services and welfare work for veterans and their dependents or survivors. In volume and significance, its work has outdistanced wealthier and numerically larger organizations.

Almost from the inception of the President's Committee for Employment of the Handicapped in 1947, the Order has been an active, contributing participant in the Committee's work. From the time of the founding of the World Veterans Federation, encompassing the veterans' organizations of more than 50 countries throughout the free world, the Order has been an active member of and has provided leadership to the international body, whose periodic assemblies enable veterans' leaders to keep abreast of scientific and technological breakthroughs beneficial to disabled or ailing veterans everywhere. The Order has long been an active participant in the work of Freedoms Foundation at Valley Forge, Pennsylvania.

COMBAT-WOUNDED VETERANS

The single bond uniting one member with another is that each has sustained an enemy-inflicted wound in combat. Veterans of all American wars are eligible to belong; so there is no exclusion by any specific war. The organization does not recognise the much-touted generation gap because its own bridges connect several generations. Long experience has proved that the relentless march of time can transform the zero-percent disability of youth to the 100 percent disability of middle age and later. Thus, the Order's service officers are always ready to cope with such eventualities. A single-generation group is deprived of this experience. What is more, the organization cherishes the 90-year-old member of its Ladies' Auxiliary who still dedicates an 8-hour day weekly as a VA hospital volunteer and who has well over 10,000 hours of such volunteering on record. To no lesser degree does it cherish the unhackneyed viewpoints and imagination of its unfettered and optimistic Vietnam veterans with their fresh approaches to problems as old as war itself.

SERVICES AVAILABLE TO ALL VETERANS

What, besides good fellowship with veterans who have a single common bond, does the Military Order of the Purple Heart have to offer a person eligible to join? Among other things, the Order:

(1) has a full-time National Service Director in Washington, D.C. with over 150 National Service Officers accredited by the Veterans Administration in more than 40 States, and is seeking others to train. These officers advise and aid veterans and their dependents in the technical preparation and prosecution of claims for any governmental benefits due them and in securing suitable employment. The Director keeps advised of pertinent developments and feeds the information to the officers in the field; he is responsible for the handling of appeals before the Appeals Board of the Veterans Administration in Washington, D.C.

(2) has a full-time Legislative Director who keeps abreast of legislation in the Con-

gress of the United States to improve the status of the nation's veterans and promotes Congressional action on service and legislative resolutions adopted by the annual National Conventions of the organization.

(3) has 125 Veterans Administration Voluntary Service representatives and deputies in many of the VA hospitals throughout the land as well as countless additional volunteers contributing thousands of hours in VA hospitals, out-patient clinics and domiciliaries under the guidance of the professional staffs to aid, comfort and entertain the veterans and their families.

(4) offers a comprehensive, seven-faceted group insurance program to members and their dependents, providing coverage of types not generally available either to veterans or non-veterans.

SPECIALIZED AND SPECIFIC REHABILITATION PROGRAMS

The involvement of the Military Order of the Purple Heart in the functioning of the VA Hospitals and Regional Offices has broader range and greater depth than is generally realized. The Order's sights have been aimed at constant personal and group involvement in restoring maimed and ailing veterans to a full role in community life as human beings and citizens. Examples of some of the Order's projects follow:

The VA has three Rehabilitation Centers for blinded veterans—in the East, Mideast and West. For more than 20 years, the Order's volunteers have devoted untold hours to help restore self-sufficiency to the trainees. These Centers now have programs to rehabilitate the families of blinded veterans as well, since experience has proved that families often unwittingly undo the results of the Centers' work. The family rehabilitation program at present is financially underwritten by the organization in two Centers with similar programming for the third.

One California VA Hospital has a highly successful Office Machine Repair Training Program to which the Military Order of the Purple Heart donated $15,000 for machinery and tools in a single year. Each graduate receives a complete tool kit on graduation, donated by the Order. Attesting to the excellence of the program is the fact that job offers far outnumber the graduates from this continuing program. Another California VA Hospital with many wheel-chair patients having spinal cord injuries was granted $38,000 this year to develop a sophisticated athletic field for patients' use.

Another VA hospital with an outstanding Physical Medicine and Rehabilitative Services Job Training Program, having paid-trainee patients working on commercial contracts, received a $25,000 donation from the Order this past year. Another VA hospital with a special Audio-Visual Program received $5,500 from the Order for the purchase of needed sophisticated equipment.

In cooperation with the National Organization, various Chapters and State Departments sponsor and finance a program—variously called Operation Santa Claus, Operation Reindeer, Operation Holiday, Operation Homebound and Operation Reunion—to enable veterans under prolonged hospital care and treatment to visit their families when and as deemed salutary by the hospital's professional staff. Should the veteran's condition preclude leaving the hospital, his entire family is often times brought to the hospital with all expenses paid by the organization. So significant have many of these reunions proved to be that they have spelled the difference beteween the veteran's recovery and his failure to improve. So popular has this program become that entire communities have adopted the project and donated toward its realization even to children contributing them meager allowances to express their gratitude to the men who fought for them.

Some local and State groups of the Order organize Christmas parties and other special events providing refreshments, bingo parties and variety shows in the hospitals for veterans and their families. Some provide nurseries in VA hospitals to allow care free visits for wives with their husbands. Others redecorate and refurnish hospital Day Rooms; some purchase a paraffin bath to benefit arthritic patients. Others purchase large kitchen appliances for Day Care Centers or hospital recreation rooms; other purchase automatic book page turners for use by paraplegic and disabled patients. Some groups buy stereo consoles for enjoyment by blind patients while others finance skiing, skeet shooting, sailing and fishing week-ends for hospitalized veteran amputees; and others help purchase buses to transport hospitalized veterans.

OPERATION ARMED FORCES

The National Service Foundation underwrites the Social Service Emergency Fund of a large VA hospital in a city which does not have a local Purple Heart organization. The Foundation has also expended great effort toward building better relations between the civilians at home and the servicemen in Vietnam, mobilizing support from students, veterans, housewives, workers, business men and women and the armed services. Operation Easter Bunny provided a filled basket for each patient in a 400-bed naval hospital. Operation Holiday arranged for airlifting 52,700 individual gift-wrapped presents, Christmas trees and ornaments to GI's in 27 military hospitals in Southeast Asia. Operation Citrus airlifted thirty tons of fresh oranges and grapefruit from Florida to Vietnam for the sick and wounded in military hospitals. For Operation Valentine, thousands of students throughout this country and several foreign lands hand-made 150,000 valentines that were shipped to men in 27 service hospitals, the front lines and contiguous waters of Southeast Asia. Operation Pledge of Allegiance sent thousands of posters with the imprinted Pledge on one side to all major American cities, where citizens attested their support of the fighting men by signing their names on the reverse. The signed posters were then mailed and distributed to units in Southeast Asia.

PEACE WITH FREEDOM

The organization necessarily involves itself with the situations inherent in the continuing conflict of the Southeast Asian area. It seeks actively to exert its influence for release of all prisoners of war in Vietnam. The Order believes they must be accorded the treatment dictated by the Geneva Convention and that all facts about POW/MIA should promptly be made public.

The Order strives assiduously to foster justice and law enforcement. In short, it is a patriotic organization which works hand and glove with other community organizations and agencies to preserve life, liberty and the pursuit of happiness for all of our people. The Military Order of the Purple Heart believes that peace is Man's second most urgent goal; the first is freedom.

SENATOR B. EVERETT JORDAN

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COTTON. Mr. President, a man usually gets to know his fellow man fairly well when he works with him in the same office, so to speak, and it has been my privilege to work in this type of a relationship with B. Everett Jordan since the 1950's, when we both came to the U.S. Senate.

However, I once had a short period of especially rare good fortune.

Working together on problems connected with the textile industry, Everett Jordan and I toured his native North Carolina and it was then that I saw Everett Jordan at work, not "in the office," but "at home," in the area he knew, loved, and served so well.

If, as is the case, his work in Washington was consistently exemplary, the understanding and dedication he displayed on that tour in behalf of his constituents and their problems showed even more vividly the reasons he was held in such high esteem.

He served his State well; he served the Congress well; he served the Nation well. His efforts and accomplishments will not be forgotten.

HON. CHARLES RAPER JONAS

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to bid farewell to our distinguished colleague from the Ninth District of North Carolina, the Honorable Charles Raper Jonas, who is retiring after 20 years of service to the Nation.

It has been my privilege to serve with Charley Jonas on the House Committee on Appropriations. As a matter of fact, when I first came to the U.S. House of Representatives in 1964 as a new Republican from the South, Charley made himself available to me and was very helpful in my getting assimilated for the tasks which lay ahead.

As the second ranking Republican on the Appropriations Committee, Charley Jonas has provided inspiration to other committee members including myself and has been a driving force for fiscal responsibility. During his 18 years on the committee, there were some $90 billion worth of cuts from the budget request of five Presidents. Charley Jonas played no small part in trimming these budgets down to size.

Mr. Speaker, Charles Raper Jonas will be missed in the U.S. House of Representatives. He will be missed in the Committee on Appropriations in particular. I am pleased to have enjoyed Charley's friendship, and I wish him the best of health and happiness in the years ahead. I am confident that his service to the Nation, like our friendship, will not end with the adjournment of the 92d Congress.

TRIBUTE TO SENATOR JORDAN OF NORTH CAROLINA

HON. WILLIAM B. SAXBE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SAXBE. Mr. President, today I would like to pay tribute to my good friend and colleague, B. Everett Jordan of North Carolina, for his more than 14 years of service to the Senate. It has been my pleasure to have served with him for the last 4 years, during the 91st and 92d Congresses.

The list of legislative accomplishments which bear his imprint is long and impressive. His amendments resulted in a needed tightening of the Wholesale Meat Act. His support was vital to legislation amending the Federal Water Pollution Control Act of 1970. More recently he was instrumental in strengthening the National Air Quality Standards Act so that it has become one of the strongest pieces of legislation dealing with this problem ever proposed by Congress.

The environment has not been his sole concern. Problems in our educational delivery system and in our flood control, navigation, and beach protection projects have also received his attention and concern. It was with these and a host of other legislative matters that Everett Jordan concerned himself during his term of office in the Senate. I only hope that these measures will still receive the attention they deserve in future sessions of Congress.

Everett Jordan possesses those qualities that each of us wish all men possessed. He is firm yet fair, friendly yet reserved, proud but not pompous, firm in his views, but understanding of the views of others. I have been proud to serve with him as I know others have. He is one of North Carolina's most distinguished sons, and he has been a credit to the Senate in which he has served so ably.

UNION CARBIDE UNVEILS NEW MULTINATIONAL STUDY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SCOTT. Mr. President, in light of the congressional interest in the effect which multinational corporations have on the U.S. economy, I was interested to see that Union Carbide Corp. has just completed a detailed new study on the benefits to the U.S. economy of its international investments.

According to Union Carbide's study, the corporation's foreign investments have resulted in more U.S. jobs and more exports from the United States than would have been the case if the foreign investments had not been made.

Specific studies such as this one by Union Carbide will be helpful to the entire Congress and I ask unanimous consent that Union Carbide's report on its international investments be included in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Union Carbide Unveils New Multinational Study

An exhaustive new study by Union Carbide Corporation shows that its foreign investments have resulted in more exports from the U.S. and more U.S. jobs than would have been the case had the investments not been made. These and other findings, detailed in a comprehensive report released today, are in direct conflict with recent charges by critics of the so-called "multinational" corporation that overseas investments by U.S. corporations are weakening the domestic economy and contributing to the nation's unemployment problem.

The survey reveals, for example, that rather than tailing off, Union Carbide's U.S. exports actualy increase as its overseas investments expand. In fact, from 1951–70, the dollar growth of the corporation's exports from the U.S. significantly outpaced that of its affiliated foreign manufacturing operations, increasing from $38 million to $250 million a year or nearly 7-fold over the 20 year time span. This is attributed largely to the "pull" effect which affiliated overseas manufacture exerts on U.S. exports.

Union Carbide's vice-president for international affairs, George C. Wells, who spearheaded the landmark study, describes the "pull" phenomenon this way: "While the establishment of a plant within a particular foreign market obviously reduces U.S. exports of the specific product manufactured by the new plant, this loss of exports is far more than offset by the resultant increase in U.S. exports of allied, intermediate or accessory products. This 'pull' effect stems from the fact that a company can do a much more aggressive and effective marketing job when it has a strong manufacturing and sales organization actually on the scene than it can through the usual export sales arrangement."

The report credits the "pull" effect with more than a half billion dollars in U.S. export sales from 1951–70 over and above what the corporation would have realized if it had not invested abroad during this period. In terms of domestic employment, this translates into nearly 2,000 additional export-related U.S. jobs within Union Carbide alone, which otherwise would not have existed.

The report cites as further evidence of the export "pulling" power of Union Carbide's foreign investment the fact that fully 57 per cent of the corporation's total U.S. exports are to or through foreign affiliated companies, and that its exports to foreign markets where it has affiliated manufacturing facilities tend to be at a higher level and show at least the equivalent and sometimes a greater rate of growth than exports to areas where Union Carbide has no manufacturing investment.

The "pull" effect of its affiliated foreign manufacture on its U.S. exports is primarily responsible for Union Carbide's continuing highly-favorable trade balance. Between 1968–70, for example, Union Carbide recorded a combined trade surplus (exports over imports) of more than a billion dollars. The corporation's imports consist primarily of raw materials not available in the U.S.

Further highlighted in the report is the vital contribution of Union Carbide's overseas investments to the overall U.S. balance of payments. The survey shows that from 1951–70, the inflow of funds to the U.S. from the corporation's foreign investments outweighed its investment outflow by nearly a quarter of a billion dollars. Additionally, for the period 1966–70 alone, total U.S. inflow (exports, foreign dividends, etc.) to the corporation from its foreign operations exceeded U.S. outflow (imports plus direct foreign investment) by an impressive $805 million.

The report also explodes another popular multinational "myth"—that U.S. corporations invest abroad to escape or evade taxes. According to the report, between 1966–70, Union Carbide's share of total income and withholding taxes paid to foreign governments by international affiliates totaled $196 million. This came out to an average tax rate of 52.5 per cent.

"Although we cannot speak for other companies or industries," Mr. Wells stated, "as far as Union Carbide is concerned, current proposals to penalize U.S. corporations for having invested abroad cannot help but adversely affect our nation's economy, its balance of payments and domestic employment. Our study clearly proves that."

Union Carbide would "much prefer to build all of its plants at home and try to compete for overseas markets through export, solely," Mr. Wells said. This, he explains, would avoid much of the risk involved in investing abroad. He adds, however, that this is becoming increasingly difficult, and, as in many cases, impossible to do because "in today's world, U.S. corporate objectives have to mesh with those of the nations in which and with which we do business."

Union Carbide is a major, worldwide producer of chemicals and plastics, industrial gases, metals, carbon products, and consumer products. The corporation has production facilities in 44 states and 30 foreign countries and, together with its foreign affiliated companies, employs nearly 100,000 persons.

HOUSE JOINT RESOLUTION 748

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. TEAGUE of Texas. Mr. Speaker, recently Congress passed House Joint Resolution 748. This is landmark legislation which will enable the Veterans' Administration to help solve the massive health manpower crisis which exists in this country today. For the benefit of my colleagues, there follows a summary of the provisions of this legislation:

Statement by the Honorable Olin E. Teague, Chairman, Committee on Veterans' Affairs, U.S. House of Representatives on the Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972, House Joint Resolution 748

I think that everybody who is knowledgeable on the subject agrees that for many years we have had in this country a health care crisis due to the tremendous shortage of physicians and allied health personnel. It is now estimated that there is a shortage of approximately 48,000 doctors and 250,000 medical support personnel. Because of that shortage, the rising costs of health care, and the increasing demand by the people of this country for quality health care, it has appeared to me for several years that the VA hospital system—the largest single hospital system in the world—could make a real contribution in alleviating these shortages in a minimum of time and at the lowest possible cost. The VA hospital system maintains active affiliation with over 80 medical schools, and hundreds of other schools involved in other phases of health personnel training. For many years VA has assisted in training thousands of medical and health care manpower for this country.

On March 11, 1971, I introduced legislation which would authorize a 7-year pilot program whereby VA grants could be made to states to assist them in establishing new medical schools in conjunction with VA hospitals. It also authorized grants to currently VA affiliated medical schools and other schools training health personnel. That legislation was later co-sponsored by almost every member of my Committee. It passed the House on July 19, 1971, and went to the Senate where it was amended and returned to the House on April 27, 1972. The House and Senate agreed on a modified version and sent it to the President on October 13. The President approved the measure on October 24.

The new Act provides for a pilot program of assistance to states in the establishment of eight new state medical schools if such schools are located in proximity to, and operated in conjunction with, VA medical facilities. Under this provision, $25 million would be authorized to be appropriated for the fiscal year ending June 30, 1973, and a like sum for each of the 6 succeeding fiscal years. These sums will remain available until the end of the sixth fiscal year following the fiscal year for which they are appropriated.

Under this program, the Administrator of VA may enter into agreements with colleges or universities which are primarily state supported, to enable such institutions to establish new medical schools. He is prohibited from entering into such agreements unless he finds that (1) there will be adequate state or other financial support for the proposed school; (2) overall plans meet professional and other standards which VA prescribes; (3) the school will maintain arrangements which are mutually beneficial in carrying out the mission of the school and the VA medical facility with which it is affiliated; and (4) he receives reasonable assurance from the appropriate accreditation body or bodies that the school will meet accreditation standards within a reasonable time.

If these conditions are met, the Administrator may use the funds authorized for the extension, alteration, remodeling, or repair of buildings and structures under his control, so as to make them suitable for use as medical school facilities, and lease such land, buildings, or structures (including equipment) to the institution. Further, such funds may be utilized for payment of grants to reimburse states for the cost of faculty salaries over a 7-year period on a declining formula.

The Act also authorizes an additional $50 million a year for 7 years for grants to VA affiliated medical schools; to universities, colleges and schools for training professional and technical allied health services personnel; and to expand VA hospital education and training capacity.

The VA is now in the process of drafting regulations for the implementation of this new program. Although the Act provides authorization for the appropriations I mentioned earlier, unfortunately it was approved after the adjournment of Congress, and there was no opportunity for the Congress to act on a supplemental appropriation. However, I am sure that the Administrator will from now until a supplemental appropriation can be obtained in the first session of the 93rd Congress, continue to plan for the wise implementation of this new program. I assure you that I will seek the funds for this program early in that session of Congress.

I must remind you that this is a very limited pilot program. It only provides for the establishment of eight new medical schools. I am sure the competition for these grants will be great. I am confident that the Administrator will thoroughly examine all applications for grants under this new program and make a wise decision as to the establishment of new schools with the greatest potential for the production of new doctors and health care personnel in the shortest possible time at the lowest cost to provide the best possible medical care for the nation's veterans.

TRIBUTE TO SENATOR JORDAN OF IDAHO

HON. WILLIAM B. SAXBE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SAXBE. Mr. President, Senator Len B. Jordan of Idaho has been an able and dedicated public servant for more than 20 years. I wish to join with my colleagues in the Senate in paying tribute to Len Jordan for his outstanding record of service to his great State of Idaho and to this country.

His service to the U.S. Senate has covered a span of 10 years. He has been an active member of the Senate Interior and Insular Affairs Committee, the Senate Finance Committee, the Joint Economic Committee, and the Select Committee on Standards and Conduct. Prior to this he served as a member of the Idaho House of Representatives and as Governor of Idaho.

I have served with Senator Jordan for the past 4 years in the Congress of the United States and he has gained my respect as a leader, legislator, and a man. I have had the opportunity to publicly observe his participation on the Senate floor and to privately observe his participation in the breakfast meetings of the Senate prayer group.

Certainly he has contributed much and it has been my privilege to serve him. I wish to add my good wishes to Len and his family for much continued happiness.

HON. PATRICK T. CAFFERY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DORN. Mr. Speaker, Pat Caffery has rendered splendid service to the Nation and to the great State of Louisiana. He has chosen to leave this body at the very prime of his career of public service even though such is his popularity and effectiveness that he could have served in this body for many years to come.

Pat Caffery is a young man of great dedication and ability and we predict for him many years of public service and success in his beloved Acadia Parish of Louisiana. It has been a special pleasure for us to serve on the Public Works Committee with Pat and we will miss his splendid contributions and wise counsel. Mrs. Dorn joins me in wishing for Pat Caffery and his lovely family continued success and every happiness in the years to come.

SENATOR ELAINE S. EDWARDS

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, Senator Elaine Edwards came to the Senate in the later days of the 92d Congress, to represent her great State of Louisiana while it mourned the death of our great colleague Senator Allen J. Ellender.

Senator Edwards came to the Senate at its most difficult time, in its last rush of activity before the close of the Congress. Many complex and important bills required her immediate attention and decision. Every Senator will agree it was no small task to take on this burden—without the months and years of preparation enjoyed by her colleagues. I would like to congratulate Senator Edwards for the determination and zest she applied to her task, and for her informed and diligent representation of the people of Louisiana and the Nation.

I had the particular pleasure to cosponsor Mrs. Edwards' bill to establish the Ellender scholarship program and to work with her to secure its enactment. This law will be a lasting tribute to Senator Ellender by providing fellowships to disadvantaged secondary school students and their teachers to participate in a grassroots public affairs program in Washington.

All Senators will remember that Mrs. Edwards presided in the Senate with the same forcefulness and intelligence that characterized her other Senate work. When she pounded the gavel for order in the Senate, she got it.

I admire our colleague and do not want the session to end without congratulating her for the fine job she has done. The people of Louisiana and her colleagues in the Senate all owe her our gratitude and admiration.

HON. EVERETT B. JORDAN

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, the adjournment of the 92d Congress approaches on a note of sadness, for the end of the session also marks the departure of a close friend and outstanding legislator, Senator Everett Jordan.

Few Senators have worked harder and more effectively in the service of their State and Nation. Everett Jordan is a man of kindness and courage, and the two attributes have blended to make him an outstanding person as well as a legislative leader.

Senator Jordan has been a valued member of the Senate Agriculture Committee, and his background in the extensive farming economy of North Carolina gave him a broad range of expertise and understanding.

He also served on the Public Works Committee, where the welfare of his Nation as well as his own beloved State greatly benefited from his contributions.

But Senator Jordan also held the important and largely thankless responsibility of heading up the Senate Committee on Rules and Administration. His leadership of this key panel during a difficult period when it handled sensitive Senate ethics issues and the thorny problem of modernizing Senate rules was in itself a tribute to his dedication and ability.

We will miss Everett Jordan, but we wish him continued happiness and achievement.

A TRIBUTE TO FORMER SENATOR PRESCOTT BUSH

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. STENNIS. Mr. President, the recent death of former Senator Prescott S. Bush of Connecticut brings sadness to all who had the privilege and pleasure of knowing this fine, distinguished gentleman.

I value the memory of my service with Pres Bush in the Senate, where he represented his State with distinction from 1952 to 1963. We were both members of the Armed Services Committee and for a part of the time the Public Works Committee. Although we were from different parties, and from different regions of the country, with corresponding differences in our constituencies, we had similar views in many matters. He was quick to see the dangers in what came to be referred to as "Joe McCarthyism." His experience in the field of banking made him acutely aware of the need for a strong sense of fiscal responsibility in government, and he had a broad understanding of the dangers that inflation could hold for the country. He was effective in committee, and courteous and gentlemanly in debate on the floor.

This word "gentleman" fits Prescott Bush in every respect. He had dignity integrity, compassion, and an inherent empathy which led him always to understand and respect another's point of view. Though he might disagree and feel obliged to voice an opposing view, he did so kindly, and with charm and good humor. His fine personality, keen wit, and instinctive consideration for others made it a pleasure to be around him, and he will be greatly missed by all his friends and associates.

Mrs. Stennis joins with me in extending to his wife, Dorothy, their four sons and their daughter, our deepest sympathy in their great loss.

THE WHEAT SALE TO RUSSIA

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, on October 8, the Agribusiness Accountability Project, under the direction of Ms. Martha M. Hamilton, published an excellent study of events surrounding the recent wheat sale to Russia. I ask unanimous consent to include the first half of the summary of that study "The Great American Grain Robbery and Other Stories" in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

A SUMMARY OF THE GREAT AMERICAN GRAIN ROBBERY AND OTHER STORIES

(By Martha M. Hamilton)

INTRODUCTION

Preoccupied with protecting the economic well-being of agribusiness middlemen—major food processors and grain exporting corporations—the United States Department of Agriculture fails to promote or protect the interests of family farmers or tax-paying consumers.

Agribusiness has installed itself as USDA's chief client, and the department created to be the farmers' agency—isn't.

The questionable multi-million dollar wheat sale a few weeks ago to the Soviet Union by a small, private group of Agriculture Department-favored exporters provided one example of USDA favoritism. THE GREAT AMERICAN GRAIN ROBBERY AND OTHER STORIES, a forthcoming, book-length report by the Agribusiness Accountability Project, shows that the summer wheat sale giveaway was just business as usual at USDA. The AAP report is by Martha M. Hamilton.

THE GREAT AMERICAN GRAIN ROBBERY examines in detail USDA's policies on the International Wheat Agreement and wheat exports, USDA's 1971 sale of feed grains to Russia and USDA's handling of procurement under two surplus commodities removal programs.

These actions are examined in the light of three questions:

Did they improve farm income?

Was this their primary intent?

Whom did they benefit?

The year-long study by the Agribusiness Accountability Project contains a profile, assembled for the first time, of the major corporations involved in the grain trade and how they largely determine grain policies. A similar look at the 56 major processors that each sold USDA over $1 million in surplus food in fiscal 1971 is included in the report.

The report also focuses on the interchange of executives between the Department of Agriculture and agribusiness. This back-and-forth movement promotes a policy within the Agriculture Department that declares: what's good for agribusiness is good for America's farmers and consumers.

THE INTERNATIONAL GRAINS ARGUMENT

Gutting the International Grains Arrangement was one of the first tasks the Department of Agriculture performed for the grain trade after President Nixon took office. The IGA attempted to provide fair returns to wheat growers through a stabilized market, to multilateralize food aid and to insure exporting nations of a market in time of surplus and importing nations of a reasonably priced wheat supply in times of shortage.

IGA had barely sprung to life before it was shot down. The Johnson administration, which helped create the IGA, was replaced by the Nixon administration, and right away the United States and other countries seemed to have difficulty recalling why IGA existed. The grain trade began to cut prices and thus helped fulfill its own prophecy that IGA would fail.

The IGA limped through three years before it expired officially. Its successor—the International Wheat Agreement (IWA)—was more to the grain trade's and the Nixon administration's liking, a not-very-strong gentlemen's agreement. Attempts by Congress, wheat growers and other exporting nations to strengthen the International Wheat Agreement met a wall of administration resistance.

Prior to 1969, the idea behind IWA was to provide price stability in world wheat trade. The agreements included minimum prices to serve as protection against price-cutting wars among exporters trying to claim each other's markets. The current International Wheat Agreement has no minimum or maximum. If the commodity is sold at a lower price on the export market, the government makes up the difference. Because of this, price-cutting has taken a heavy toll on national treasuries and the taxpayer's dollars.

The world in which wheat is traded is hardly a world of free trade. It reeks of price protection, conflicting national interests, political considerations, finite markets and trade blocks. USDA officials and grain trade representatives seem to come from another world when they argue against putting a minimum floor under world wheat prices. Wheat farmers, meanwhile, endure the real world pressures of the cost-price squeeze. The grain trade predicted that IGA wouldn't work, and it didn't. It never had a chance. The world wheat crop harvested just after ratification of the IGA was huge. By the middle of the crop year, United States grain exporters were cutting prices—perhaps in self-defense or perhaps to sabotage the agreement. U.S. exporters began selling different types of wheat below the minimum prices. IGA contained mechanisms for dealing with pressure on prices as they approached minimum levels, but the U.S. ignored the mechanisms.

In 1971, the administration that presided over the demise of the IGA was back with their version of an International Wheat Agreement. The new IGA did not provide minimum and maximum prices. It was simply an agreement, as one spokesman for farmers described it, "of grain trade, by the grain trade, and for the grain trade."

Among the strongest arguments that advocates of minimum pricing provisions make are arguments on behalf of U.S. taxpayers and the balance of payments. The U.S. now pays export payments to companies which handle wheat exports to make up the difference between the higher domestic price the exporters pay for wheat and the lower price for which they sell it. There are two ways to minimize this expenditure. One way would be to lower the U.S. market price of wheat to a level approaching the so-called "world" price of of wheat. USDA has expressed its desire to do so, telling growers that they will be able to export more wheat at lower prices and increase income that way. The Department sells this theory on the basis that increased markets will boost the U.S. balance of payments. The idea makes sense in a vacuum, but not in the real world of international trade. In the real world, there is no "world" price reflecting supply and demand.

If the United States, as the dominant wheat exporter, moves prices down, other developed countries follow to keep their shares of the market. The percentage of world wheat trade that the United States handles each year goes up and down, but it does so on considerations other than price. Factors that influence how much the United States can expand its share of world wheat trade include the weather, politics, national interest, wheat quality, and transportation. The latter two factors influence how much wheat the U.S. and other exporters handle, but politics, national interest, and world wheat production are probably stronger restaints.

In 1971, after hearings on the weakened International Wheat Agreement, the Senate passed a "sense of the Senate resolution" directing the U.S. negotiators to go back to the International Wheat Council to seek agreement with other nations on minimum prices, reference wheats (wheats used as a basis for figuring relative minimum prices of other types of wheat) and basing points (various export and import shipping points).

Assistant Secretary of Agriculture Clarence Palmy, now vice president of Continental Grain Company, served as head of the U.S. delegation to the Council. He testified that the U.S. was "not in favor of this resolution" because member countries could at any time "negotiate a pricing provision if such seems desirable and timely."

In spite of the urgings of American growers and the expressed desire of the U.S. Senate, the USDA remains intransigent. Its officials and other trade representatives of the Nixon administration obviously believe that the best trade agreement is no trade agreement at all. The next best thing is one that means nothing.

THE GREAT AMERICAN GRAIN ROBBERY

The Great American Grain Robbery included the USDA-arranged sale of feed grains to Russia in November 1971—"the great feed grain sale," as the Agriculture Department called it. The sale may have opened the way for further Soviet purchases from the grain trade, but it could have been less expensive from the taxpayers' point of view. And though the higher cost helped improve farm income, there was no indication that USDA planned it that way.

As a result of the grain sale, USDA brought grain at inflated prices with taxpayers' money so they could deliver it cheap to two multibillion dollar grain trading corporations.

USDA promised to sell government-owned oats and barley to Cargill and Continental Grain at below-market prices and for less than USDA paid for them. USDA buys grains and stores them when prices are low, and as a result it had oats and barley on hand. The moderate loss was viewed as acceptable because it would help the United States sell surplus corn to Russia. The Soviet Union would take corn only if oats and barley were included in the sale, USDA officials said.

Assistant Secretary of Agriculture Palmby defended the loss, citing as one benefit the creation of a new market for U.S. grain. Besides, he told a House Agriculture Subcommitte, it saved storage costs on the barley and oats. Palmby discussed the sale in detail with the subcommittee, but no questions were raised about Cargill's and Continental's profits. The congressmen stifled that line of questioning at USDA's request.

The cost of subsidizing the private sale to Russia through the oats and barley concessions got higher when USDA, caught short on barley, turned to the open market to buy enough to fulfill its cut-rate commitment. Market prices were surprisingly strong, bolstered by USDA's sale to the grain trade corporations. Farmers, upon whom USDA had been counting on to turn over barley cheaply to USDA rather than leave it on the market or under loan, didn't deliver—even when USDA offered a 3 cents per bushel storage bonus to turn in barley under loan from 1968, 1969 and 1970 crops ahead of time.

USDA had expected a loss of about 2.5 cents per bushel on 39 million bushels of barley. When the barley failed to materialize, the cost ran higher. Cargill and Continental paid USDA from 83 cents to 91 cents per bushel to the government for barley in the Fall of 1971. But USDA paid $1.18 per bushel and more when it found itself nearly eight million bushels short.

The National Farmers Organization (NFO), a collective bargaining agent for farmers, was the successful bidder on much of the barley purchased. The increased price of barley translated into higher farmer income, in spite of USDA's poor planning.

USDA's concessions on the sale of oats and barley was only one example of its bending over backwards to help Cargill and Continental make the sale. The Nixon administration helped with shipping arrangements, too, extracting from the maritime unions a deal to ignore a requirement that 50 percent of all grain shipments to Communist countries be moved in American flag ships. Commodities move more cheaply in foreign vessels. Cargill, with foreign flag vessels of its own, and Continental, with an interest in Overseas Shipholding Group, were pleased with the outcome.

During hearings on the grain sale, congressmen focused attention on red-baiting and missed another development. Aside from the loss involved in the sale of oats and barley to the corporations, the hearings disclosed that USDA had only a guarantee that half of the corn sold would be U.S. corn, not corn from competing nations—incredible, since getting rid of U.S. corn during the price-depressing surplus of 1971 was a major justification for the oats and barley giveaway.

The sale provided for the purchase of "up *to* 80 million bushels of U.S. corn for which no market was otherwise in sight," Palmby said at the hearing (emphasis added). Questioned by Congressman Graham Purcell (D-Texas), Palmby admitted that as much as 43.3 million bushels of the corn being sold to Russia could come from outside the United States. There was a guarantee for sale of only about half as much U.S. corn as the 80 million bushel figure USDA bandied around.

USDA originally argued for a better deal for U.S. farmers. Palmby told the subcommittee, "In the earlier conversations with the grain exporters we had tentatively agreed on terms . . . whereby we would insist that for every ton of barley and oats purchased from CCC for export, the firm would agree to export at least two tons of corn or grain sorghum. We were then subsequently faced with dock strikes and threatened dock strikes. For this reason we, at the last moment, changed our announcement to read one-for-one. But the exporters continued to tell us—and really we are talking about Continental in this case—that it was their intention to deliver most all of this corn from the United States." Continental Grain—where Clarence Palmby now is a vice president—was the major beneficiary of the sale.

Another USDA gesture affected only Cargill. Cargill did not have a contract with Russia for all of the corn it promised to sell when it bought oats and barley from the government. But the company promised to present USDA with a contract for purchase of 12 million bushels of corn—an amount matching the figure for the oats and barley purchased from USDA by Cargill—by the end of 1971.

When Cargill failed to do so, the Department granted the company a month's extension. Finally, half the corn was shipped to Russia, the other half to East Germany.

USDA's generosity knew few bonds in its assistance to Cargill and Continental in making the sales—generosity that may not have been necessary. Another exporter, Louis Dreyfus, later sold the USSR 50,000 metric tons of corn without cheap oats and barley.

WHEAT: WHO CARES?

Wheat and what happens to it is big business. It is a source of income for more than a million farmers, a source of international and domestic political machinations, and a significant element in the huge enterprises of a handful of unknown but powerful companies—the grain trade.

Wheat is a major U.S. crop and a major export product. Some 1.3 million farmers make their living directly from growing wheat; millions of other jobs depend on it indirectly.

What generates income, which is why there are those who care. The question is, who gets the money? USDA is usually the arbiter. The contenders are grain trade corporations and the farmers who grow wheat.

THE INTERNATIONAL GRAIN TRADE: HIDING THEIR LIGHT UNDER A BUSHEL

"The big rich men that buys your crops have organized. They organized and agreed that they wouldn't give you a fair price for nothing you raise. Or nothing you work at. They got them a Union. . . ."—Woodie Guthrie

Grain trade companies are large, diversified corporations that handle and export wheat and other grains. Most are privately held corporations with so few stockholders that they don't have to file reports with the Federal Securities and Exchange Commission, a process that would subject their operations to public scrutiny.

The leaders of the grain trade are Archer Daniels Midland (ADM), Bunge, Cargill, Continental Grain, Cook Industries, Louis Dreyfus and Peavey. They dominate a concentrated industry. Continental and Cargill together handle about half of the world's grain shipments. Six exporters handle about 90 per cent of U.S. wheat exports, according to one authority.

The companies dominate more than sales. Six grain exporting firms owned 44 per cent of the port grain elevators and 56 per cent of the storage capacity in major U.S. grain shipping ports in 1967.

Controlling this storage capacity allows the giant grain firms to collect substantial fees from USDA for storing and handling government-owned grain (see figure 1).

There are a number of reasons offered for why so few outsized corporations dominate the grain industry, including the argument that they offer economies of size. The USDA rationale is, generally, that giant corporations are most effective in capturing a substantial share of world markets for U.S. trade.

The leading members of the grain trade look alike at first glance, but under close inspection there are differences of size, strength, interests and style.

Cargill: At the top is Cargill, a firm that for the past century quietly has become perhaps the nation's largest privately held corporation.

Cargill's sales hit $3 billion in fiscal 1972, according to some reports, and at least $2 billion for the last four years. A multinational company, Cargill operates in 36 foreign countries and sends more than a fourth of its invested capital abroad. By its own account, Cargill contributes as much as $1 billion in a single year to the U.S. balance of payments—the second largest corporate contributor.

Cargill runs a restaurant; owns ships; mines rock salt; catches fish; manufactures chemicals; raises turkeys; processes chickens; runs barges, towboats, trucks and trains; and sells insurance. But Cargill's reign in grain is mainly in conveying; Cargill is primarily a handler and trader. Its storage capacity is estimated at over 180 million bushels.

The Cargill and the MacMillan families control more than 80 per cent of the company's stock. Two Cargill officers have received presidential appointments since Richard Nixon became President. Erwin Keim, chairman of the board and chief executive officer, is a member of the National Industrial Pollution Council. Former Cargill vice president William Pearce was named deputy special representative for trade by President Nixon.

Continental: By selling nearly 200 million bushels of wheat to the Soviet Union in July, 1972, Continental Grain has become the most visible of the grain firms.

A conservative estimate puts Continental's sales at $2.5 billion. Continental is large and diversifying, moving from the shadows of the grain trade world into consumer products. Continental's structure is autocratic under Michel Fribourg, who owns more than 90 per cent of the stock.

In 1966, Continental gained control of Allied Mills, a manufacturer of livestock feed. Allied Mills carried Continental outside its traditional lines of business into pet food, leather goods, frozen food and vertical integration of broiler and hog production.

In early 1970, Continental formed Continental Commodity Services, a brokerage headquartered in Chicago.

Continental's latest splurge took it into the baking business. In December, 1971, it acquired Oroweat Bakeries, a West Coast Operation dealing in specialty breads and "natural foods", flour and cereal products.

Cook Industries: Cook Industries is the grain trade's conglomerate, a far-reaching amalgamation of businesses with little in common. Cook is in termite control, grain and cotton merchandising, flooring, chemicals, insurance and apartment building. Sales in fiscal 1971 reached $152 million, up

25 per cent from the year before and almost double 1969's sales.

Cook is essentially a Southern operation. Cook and Co. began in 1919 as a cotton merchandising partnership, but grain is increasingly important to it. Since 1962 it has become one of the world's largest grain exporters. Cook's deals go beyond grain and cotton merchandising to agricultural chemicals, fertilizers, and mixed feed distribution, and soybean and cottonseed processing. Cook is a public corporation, traded on the American Stock Exchange as CKI.

The company has ties to Conservative Southern Democrats. Board member John Murchison is part of a rich, powerful Texas family—supporters of John Connally, Senator Lloyd Bentsen and Senator John G. Tower. He was among the rich conservatives at former Treasury Secretary Connally's first barbeque for President Nixon.

Bunge: Bunge Corporation, with U.S. headquarters in New York, is one of the most privately held grain trade corporations. It is, by one account, the third largest grain shipper in the world. Bunge has drawn the cloak of secrecy more tightly around its operations than the others. A study of the grain export industry in the U.S. lists Bunge among four top exporters of U.S. grain—with Cargill, Continental and Louis Dreyfus.

Bunge's storage capacity is around 100 million bushels. The corporation maintains offices and agents in 80 foreign countries. Bunge has sales of at least $800 million and has 1,200 employees.

Louis Dreyfus: Dreyfus's U.S. operation in New York is a member of the worldwide Louis Dreyfus Group, headquartered in Paris. Dreyfus has been doing business for 117 years. It is the fourth or fifth largest grain trading firm in the world. Louis Dreyfus's activities in the United States have been limited to traditional grain trade business for the most part, though the firm seems to be gearing up for diversification. In Europe, Dreyfus owns a shipping fleet of more than a million tons under French and British flags, operates ships on a time charger basis, and charters ships for its own activities and for clients. In 1971 Dreyfus's U.S. sales volume was $300 million.

Archer Daniels Midland (ADM): Archer Daniels Midland ranks sixth or seventh in its volume of grain exported from the United States. It ranks 192 among the 500 largest industrial corporations in the nation, according to 1972 rankings. Sales for the years on which the rating is based jumped from $443,383,662 in fiscal year 1970 to $659,799,515 in fiscal 1971.

ADM is the nation's largest soybean processor with a crushing capacity of 150 million pounds and an oil refining capacity of one billion pounds. It is the largest processor of bulk finished oil in the U.S. It is the nation's third largest flour miller and the largest barge shipper on the Mississippi River, shipping over 15 million tons of raw and processed commodities in an average year and storing more than 70 million bushels of grain.

In 1965, Dwayne and Lowell Andreas, brothers, gained controlling interest in ADM. Dwayne Andreas, who is chairman of ADM's board, plays both sides of the political fence. He supported his friend Hubert Humphrey for president in 1972, but also contributed to the Republican presidential campaign. Even before Humphrey's defeat at the Democratic National Convention in Miami, Andreas was contributing to the Nixon campaign. A $25,000 contribution made before the new disclosure act law on April 7, 1972, became public when it ended up in the bank account of one of the men indicted by a Federal Grand Jury in the burglary of the Democratic Party headquarters.

Peavey: Peavey Co., along with ADM and four other industry leaders, account for nearly 80 per cent of the world's grain sales, according to one study. Peavey also is a privately held firm, and thus able to avoid public notice. It is increasingly vertically integrated, moving into consumer products, and operating transportation facilities. Like most other big grain corporations, Peavey is in the futures brokerage business.

Peavey's annual sales approach $200 million. It both buys from and sells to farmers operating elevators and farm service centers in over 300 locations.

MARKET MUSCLE

The size and structure of these seven corporations suggest market power, not unlike political power. "Structural monopoly is essentially a matter of probabilities," economist William Shepherd has said. The grain trade has the elements—including a high degree of concentration—that make it possible to exert market muscle.

Control of Information.—Grain trade leadership is a close-mouthed bunch. Five of seven of the top companies are privately-held corporations. Those in government who deal with the trade respect its privacy, even the bits of information considered "public."

Information is a tool traders use to make sales. They gather it energetically and guard it jealously, operating communications networks of a size and expertise hard even for the government to match. "Gathering intelligence on the daily goings-on around the world is a key to successful grain trading," said a story on Continental Grain. "And Continental is plugged into virtually every major foreign government. Its listening network is like a vast news agency that never publishes a word. It is so good, in fact, that members of the U.S. Central Intelligence Agency often wine and dine the company's traders to pick their brains." Cargill has a similar operation.

Leading grain corporations spend a lot to learn what they know. It is hard for a newcomer to break into the business unless it has the resources and the connections to play catch-up in the international intelligence market.

Directorships.—Officers and directors of major grain trade corporations meet face-to-face in a set of relationships built over the years. Most join trade associations to promote mutual interests. There are corporate relationships as well. For example, the chief executive officer or ADM once was a vice president of Cargill, as was a former board member of ADM's bank. Philip H. McCaull, executive vice president of Louis Dreyfus Corporation, held the same post with Cook Industries. Prior to joining Cook, he worked for Cargill in Kansas City and New York.

Grain trade officials from ADM, Peavey and Cargill all serve on the board of Soo Line Railroad Company.

Access to Capital.—The grain trade companies have friends who are bankers. Peavey's former board chairman was a director of the First National Bank of Minneapolis. Cook's directors interlock with the boards of the Federal Reserve Bank of St. Louis, Union Planters National Bank of Memphis, Puget Sound National Bank, First National Bank of Dallas and the First National Bank of Memphis. Cargill shares directors with First National Bank of Minneapolis and Northwest National Bank of Minneapolis. ADM has people on the boards of five banks.

A concentrated market, lack of information outside the industry about what goes on inside the industry, diversification, interlocking directorates and easy access to capital—it adds up to market power. In the grain trade, the largest corporations determine where the money goes.

IT'S AN HONORABLE THING

The other claim on the fruits of wheat farming comes from the wheat grower, about a million of them in 48 states.

Ray Goldberg, a Harvard professor of agribusiness, summarized the problem. Production is up, but "the increasing yield does not offset the increase in production costs; therefore, the farmer is dependent upon government subsidies, acreage set-aside incentives and warehouse income from on-farm storage to make a profit from wheat production." Caught in the cost-price squeeze, wheat growers rely on farm program payments for the difference between loss and profit.

Wheat prices are an index of the grower's market and political power.

Growers from all parts of the country are concerned. Their preoccupation is income—but they also worry about their children, their communities, the cost of machinery, land values, whether the public appreciates their work and the futility of expansion to keep up with increasing costs. But money is the real issue.

Six wheat growers talked to the Agribusiness Accountability Project. This is what they said about their lives, jobs and futures.

"I've been farming there since 1950 or 1951. And I did buy a combine[1]—a new combine—right after I started. I bought a 14-foot Minneapolis self-propelled combine for $5,600 brand new. And I was getting $2.00 a bushel for my wheat. Last year, 20 years later, in 1971, I bought my second new combine. This happens to be a John Deere 770, 24-foot cut for $24,000. And my market price, including certificates[2] was a dollar and a half a bushel, roughly. So I did some mathematics and I said—$5,600 for a 14 foot cut is $400 per foot (putting this in perspective). OK, now that seemed allright. So then I took a $24,000 combine, 24 foot. $1,000 a foot $1.50 per bushel. And now I wonder why this happens. Is it steel? Is it labor? And where do I fit into the picture? This is part of our problem when we talk about equity, parity and survival on the land."

"I'm in the process of reducing my operations and let someone else buy the $20,000 combines and this and that. Because we just can't keep up with it. We just spend more than we take in. If we have a drought . . . you spend two or three thousand or more than that farming it, and then there's nothing in it. You just have the pleasure of working it and buying some high-powered machinery. So I'm just in the process of eliminating that."

"There are three types of farmers: The fellow that's gone; the fellow that's making up his mind to go; and the fellow that's expanding" . . . "Price basically is the problem. They say down here, if you will produce more and take less, you are going to make more money. It don't work."

"When I went to grade school in the late 20's and the early 30's, we had five grade schools here with a total of over 150 kids in the schools. Now they're all consolidated into one school district and they have 11 kids in these six families." . . . "There is just one fellow farming there who was there in 1936, when I began. There are empty houses all around. There are farm sales, fellows going out of business because they're foreclosing, auction sales. And, I wonder, what's gonna happen to the town? And we just built a new church" . . . "We are losing a way of life." "The nearest implement dealer to me was 80 miles away. But he went broke last month, I saw about the sale in the paper. Now it's going to be 220 miles to the nearest dealer."

"They talk about rural development. It's putting the cart before the horse. Unless something is done soon, there won't be anyone left to take advantage of these programs" . . . "If farmers can receive a fair price, we'll put people to work." . . . "We're going to come to town. And we're not scared to work.

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[1] A wheat harvesting machine.

[2] Price support payment.

We're going to be competing with these people in town for their jobs. Either somebody's going to have to pay enough money to get them on relief that we've knocked out of a job, or if we can't get a job, somebody's going to feed us. Because, me-myself, I pride myself in my honesty. But if somebody don't bring some soup for me and my family, or if somebody don't furnish me a job that I can go out and earn an honest living at, I'm going to steal. I will not see my family go hungry."

"The United States has, and is now, helping other countries with land reform, to get the land back into the hands of ordinary people. Here, we're going the other way, to where, pretty soon, maybe through large farm corporations or non-farm corporations, our land will be controlled by maybe one per cent of the people. And then when that one per cent comes, you can see that there won't be too long til there will be a revolution. And then we'll have land reform."

"I love farming. I love producing food and fiber. I love living out there. I love driving a tractor. I love the whole theory of the thing, if we can just make some money."

"I think we're doing an honorable thing."

SENATOR LEN B. JORDAN

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, I hold in the highest esteem my friend and colleague, the junior Senator from Idaho, LEN B. JORDAN.

Senator JORDAN's voluntary retirement from the Senate at the end of this Congress is deeply regretted in the Senate and by the people of Idaho. I join with his colleagues from both sides of the aisle in wishing him a fond farewell.

I know that when he returns to the great State of Idaho, he will continue to play an important role as a political leader and as an effective advocate for the people of his State. We will be hearing from him and welcoming his counsel.

Throughout his political career—as a member of the Idaho Legislature, as Governor and as Senator—LEN JORDAN has served his people well. They can be proud of his efforts on their behalf.

Senator JORDAN served in the Senate in a manner of which both he and this body can be proud. He is known widely for his diligence and selfless work as a senior member of the Committee on Appropriations, and for his leadership in the Committee on Interior and Insular Affairs, both committees being of highest importance to Idaho.

Senator JORDAN will be remembered here for many accomplishments. But I wish to refer in particular to his key role in defeating the effort to undermine the authority of the Congress through a so-called "spending ceiling" during consideration of the debt limit bill. I worked closely with Senator JORDAN on this matter and I can relate to my colleagues the Senator's very deep feelings that no President—Republican or Democrat—should ever have the power of an item veto over congressional appropriations.

Senator JORDAN had the determination and the courage to work with Senators from both parties to insure that Congress authority in the name of the people was not eroded.

After his compromise amendment was deleted in conference, Senator JORDAN came back from Idaho in the closing days of the session to make sure that the Senate would not give in to the House and unwisely give the executive branch an item veto. Despite strong pressures for Senator JORDAN to change his vote, he stood his ground.

All Americans can be grateful for his independence of mind and his courage—on the debt limit legislation and in so many of his activities in the Senate.

Senator JORDAN has served in the best traditions of the Senate. He has brought honor to himself, his family, his State, and our country.

JOHN W. BYRNES

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to pay tribute to the Honorable JOHN W. BYRNES who is retiring at the close of the 92d Congress after 28 years of distinguished service in the U.S. House of Representatives.

JOHN BYRNES' gift of leadership has accompanied him throughout his long and outstanding career. While a practicing attorney, he was elected to the Wisconsin State Senate and in less than 4 years was named chairman of the Senate Judiciary Committee and majority floor leader.

In the U.S. House of Representatives, JOHN W. BYRNES has served as the ranking Republican on the important Ways and Means Committee. In this position, JOHN has applied his great expertise in revenue matters to some of the most vital pieces of legislation of our time. His hard work and his leadership in this vital position has benefited all Americans.

For many Members, membership on the Ways and Means Committee would be enough. But JOHN BYRNES has shared his abilities through service on the Joint Committee on Internal Revenue Taxation and the Joint Committee on Reduction of Federal Expenditures.

His leadership has also been made available to his party by serving as chairman of the Republican Policy Committee for several years and in many other capacities.

I join my colleagues in saluting this great American and outstanding public servant. I wish him good health and much happiness in the years ahead.

YELLEN AGAINST HICKEL

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, I bring to the attention of the Senate a recent decision filed on October 2, 1972, in the U.S. District Court for the Southern District of California. The decision of the court as set forth in the opinion by Judge Murray reaffirms the decision made in November of 1971 in the case of Yellen against Hickel. This is indeed an historic ruling which goes to the heart of the controversy surrounding the Federal Reclamation Act of 1902 and its application to the Imperial Valley. I ask consent that Judge Murray's decision be printed in the RECORD.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

[In the U.S. District Court for the Southern District of California]

OPINION: CIVIL No. 69-124—MURRAY

Ben Yellen, et al., Plaintiffs, vs. Walter J. Hickel, individually and as Secretary of the Interior, et al., Defendants. W. E. Jacobs, et al., Intervening Landowners.

Plaintiffs brought this suit seeking a writ of mandamus requiring the Secretary of the Interior to enforce Section 5 of the Reclamation Law of 1902.[1] On November 23, 1971, a partial summary judgment was issued against the federal government,[2] the initial defendants in the suit. The landowners of Imperial Valley, believing that their interests were not sufficiently protected by the government, requested and were granted permission to intervene on their own behalf. A full trial on the merits was then held. All parties have submitted post-trial briefs and the court has reconsidered its partial summary judgment. Now, in light of the testimony and evidence produced at trial, the court reaffirms its partial summary judgment and makes its final determination.

The issues being reconsidered are: (1) the issues of standing and res judicata, (2) the scope of Section 5 of the 1902 Reclamation Act (the residency requirement), (3) the effect of the Boulder Canyon Project Act (hereinafter referred to as the B.C.P.A.) on the Imperial Valley, (4) the rule of Udall v. Tallman, 380 U.S. 1 (1965) which requires deference to longstanding administrative constructions, and (5) the equal protection argument.

STANDING AND RES JUDICATA

The plaintiffs in this suit do have an interest in having Section 5 residency requirement enforced. Section 5 is directed specifically to the provision of water for settlement of individuals upon the land. The plaintiffs, residents of Imperial Valley, are clearly within the general zone of interest that is sought to be protected by this legislation.[3] Landowner defendants would have the court believe that only those "directly" affected have standing and that, conveniently, they are the only ones who will be "directly" affected. Obviously the landowners, the beneficiaries of the present state of affairs, are not going to press for enforcement of Section 5. If the plaintiffs are not granted standing to bring this suit, the Department of Interior will in effect be given a license to disregard the law, as well as an immunity from challenges by the intended beneficiaries of the legislation in question.[4]

The decision of *Hewes v. All Persons*[5] decided by the Superior Court for Imperial County is not res judicata as to this cause of action. The case was originally commenced to confirm the proceedings on the part of the Imperial Valley Irrigation District for the authorization of the execution of the contract with the United States. At the same time, a landowner in the District, Charles Malan, filed an action in the same court to enjoin the District from expending any more money in furtherance of the con-

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Footnotes at end of article.

tract. Malan alleged the invalidity of the contract, in part, because of Malan's contention that Section 5 of the Reclamation Law of 1902 would apply under the contract and control over its terms, thus taking, without compensation, his water rights for all of his land in excess of 160 acres.

The Malan action was consolidated with the District's confirmation action. On July 1, 1933, judgment was entered confirming the validity of the contract. In its opinion the court held that Section 5 of the Reclamation Law did not apply to the contract. 43 U.S.C. § 511[6] gives the state courts the power to confirm "proceedings on the part of the district for the authorization of the execution of the contract with the United States." The jurisdiction of the state court is delineated by this statute. The statute confers no jurisdiction upon the state court to decide, as was done in *Hewes v. All Persons*, whether Section 14 of the B.C.P.A. ("reclamation law shall govern the construction, operation and maintenance") incorporates Section 5's acre and residency limitations. The precise question of whether the term "construction, operation and maintenance" includes the delivery provisions of Section 5 has been decided by the United States Supreme Court in *Ivanhoe Irrigation District v. McCracken*, 357 U.S. 275 (1957), and the decision is contrary to the dicta in *Hewes, supra*.

Plaintiffs are not estopped by a decision rendered at a time when plaintiffs surely would not have been granted standing to contest the issue. Nor are they estopped by a state court decision which is contrary to a subsequent Supreme Court determination of the question.

The question of whether or not Section 5 applies to the Imperial Valley involves interpretation of a federal statute and is therefore a federal question. Federal courts are not bound by a state court precedent on federal questions.

"It was upon a determination of a federal question, therefore, that the Supreme Court of California rested its conclusion that by Sec. 10, sales to post exchanges were not exempted from the tax. Since this determination of a federal question was by a state court, we are not bound by it." Standard Oil Co. v. Johnson, 316 U.S. 481, 483 (1941). See also 20 Am. Jur. Courts § 222.

THE SCOPE OF SECTION 5

Landowner defendants along with the government contend that Section 5 does not apply in a situation in which there has been no "sale", nor does it apply in a situation where an "irrigation district" is involved in lieu of "individual landowners"—the term used in Section 5. Also, they contend that Section 5 imposes only a threshold requirement; not a durational requirement. A "threshold" requirement would, in effect, be an initial prerequisite to the receipt of a water right as herein defined. The requirement would terminate upon granting of a water right rather than continuing on in duration. The suggested threshold periods are either five years or the period of time needed for the irrigation district to repay the government for its capital investment in the irrigation project (the year 2002 in the case of the Imperial Valley Irrigation District).

What is a "Sale"

The United States Supreme Court has answered both of the questions posed by landowners in its decision of *Ivanhoe v. McCracken, supra*. The question before the court in *Ivanhoe* involved the application of the 160 acre limitation of Section 5 to individual landowners in Central Valley. The *Ivanhoe* case differs from this case only in that it involves the 160 acre limitation of Section 5 rather than the residency requirement. The case is analogous in that it involves a "district" and in that the "no sale" prohibition pertains to both the acreage and the residency requirements.

The landowners are quick to point out that Congress has reenacted the acreage limitation many times while failing to mention the residency requirement.[7] Landowners would have the court believe that this history of reenactment of the acreage limitation explains the Supreme Court's holding in *Ivanhoe*. In support of their specious reasoning, the landowners quote Mr. Justice Clark when he alludes to "Sec. 5 of the Reclamation Act of 1902, as reenacted in Sec. 46 of the Omnibus Adjustments Act of 1926."[8] Were the landowners' attorneys to read the substance of Justice Clark's opinion rather than his mere paraphrasing of counsel's argument, they would find that the decision turned on the 1902 Act alone, thus vitiating the import landowners attach to the Acts of 1912 and 1926.[9] The Supreme Court in *Ivanhoe* held the 160 acre limitation applicable to the Central Valley even though the only "sale" involved consisted of a contract[10] between the irrigation company and the government by which the irrigation district agreed to repay the construction costs of the project. The Imperial Valley has a contract with the federal government essentially the same as the one in *Ivanhoe*. The "sale" to the Imperial Valley Irrigation District is the same as the "sale" to the Ivanhoe Irrigation District. Section 5 was found applicable to the Ivanhoe Irrigation District and should be equally applicable to the Imperial Valley contract.

"Districts" as against "Individual Landowners"

The Supreme Court in *Ivanhoe* held that "where a particular project has been exempted (from reclamation law) because of its peculiar circumstances, the Congress has always made such exemptions by express enactment",[11] Finding no specific exemption, the court applied Section 5 to the Central Valley landowners regardless of the fact that the landowners had formed a "district" and Section 5 makes no mention of "districts". This holding is completely compatible with the policy of Section 5 as seen by the court:

"The policy as declared by the Congress has been one requiring that the benefits therefrom be made available to the largest number of people, consistent, of course, with the public good. This policy has been accomplished by limiting the quantity of land in a single ownership to which project water might be applied."[12]

Residency, the companion requirement of the 160 acre limitation, will also further the policy of making the benefits from the act available to the largest number of people. The formation of "districts" is merely for administrative expediency. It is not meant to thwart the policy of Section 5.

"Durational or threshold"

Section 5 does not limit residency to a threshold requirement as defined *supra*, pages 4–5. To so limit it, would be contrary to the whole tenor of Reclamation Law. No conceivable purpose would be served by freeing the landowners from this requirement after they have acquired the immense benefits of the federal subsidy. The law was not intended to provide supplemental income to former residents who have returned to San Diego, Burbank and other locations far removed from the Reclamation project. Accordingly, the residency requirement should not be waived upon final payment of construction costs of the project. Such a practice would reduce the statutory limitations to a mere sham. Section 5 would then be nothing more than a financial test tailored to suit the more affluent who can afford to accelerate their payments, move off the project and reap the benefits of a federal subsidy.[13] The policy of the Reclamation Law will best be advanced by imposing a durational residency requirement upon recipients of water from federal projects, even after the construction costs have been paid.

A durational residency requirement to the receipt of water does not fly in the face of the "water right" concept. A water right is not as inviolable as a fee simple in hand. The holder of a water right does not own any water, he merely holds a right to the "use" of that water. The use of the water, can be, and most always is, subject to state and federally imposed conditions. For example, most state water rights are conditioned on their being put to a "beneficial use." If they are not put to a beneficial use, they can be forefeited.

An appropriative water right is a usufructuary right.[14] The holder of the right has the privilege of enjoying a thing (water) the property of which is vested in another (the state). Holders of land patents, on the other hand, have fee simple titles vested in them. State imposed conditions present a much greater constitutional problem in the context of land holdings than in the context of water rights because of the situs of the title. This is basically why water rights lend themselves to the continued implementation of reclamation policy. A water right, which is in the nature of a privilege,[15] can be made conditional upon continued residence. Such a durational requirement would not be possible with land, however. It would be contrary to the vesting of a fee simple title. This explains the use of "threshold" requirements with land patents. Once the threshold requirement is met, the conditions cease and the title vests in the entryman. The landowners fail to make this distinction between land and water rights when they cite the Small Tract Act of 1950 and the Farm Unit Exchange Act of 1953 as being examples of Congress' intent that residency be only a threshold requirement to receipt of water. These two Acts deal with land, not water, Consequently, they are not persuasive as to Section 5 being durational or threshold. They are, however, indicative of Congress' intent to benefit only "residents" of the land.[16] They reaffirm the basic policy of the Reclamation Law.[17]

THE BOULDER CANYON PROJECT ACT

The landowners claim that the B.C.P.A. precludes any application of Section 5 to the Imperial Valley. For support they rely essentially on Section 14 of the B.C.P.A. which states: "general reclamation law shall govern the construction, operation and management except as otherwise provided." and Sections 6, 8 and 13 which incorporate the Colorado River Compact which in turn recognizes "present perfected rights."[18] It is the position of the government that reclamation projects constructed pursuant to the B.C.P.A. are governed by Section 46 of the Omnibus Adjustments Act of 1926, 43 U.S.C. 423(e). The Omnibus Adjustments Act carries forth the acreage limitation but makes no mention of the residency requirement.

Landowners point out that Section 14 refers to "construction, operation and management." No reference is made to "delivery." Section 5, however, is aimed at "delivery." The landowners reason that Section 5 is, therefore, not incorporated by Section 14 of the B.C.P.A. In light of the *Ivanhoe case, supra*, their argument must fail.

The *Ivanhoe* case dealt with the Central Valley Project in California. The language of the Central Valley Project Act[19] is essentially the same as Section 14 of the B.C.P.A., *i.e.* except as herein otherwise provided, the reclamation law shall govern the "construction, operation and management". In finding that the 160 acre limitation applied to Central Valley contracts, the Supreme Court in *Ivanhoe* found that the water delivery provisions of Section 5 were included within the ambit of "construction, operation and management" as used in the Central Valley Project Act. The same must hold true for the in-

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Footnotes at end of article.

corporation statute (Section 14) of the B.C.P.A.

Both defendants (landowners and the government) then contend that Section 1 of the B.C.P.A. falls within the "except as otherwise provided" language of Section 14. Section 1 states that no "charge" shall be made for water. This, defendants claim, runs contra to the "sale" language of Section 5 and thus precludes incorporation of Section 5. Defendants misconstrue the term "sale". Section 5 must be read in conjunction with Section 4. Former Solicitor of the Department of Interior, Frank Barry, suggested that a reading of the two sections together reveals that the "sale" is not a commercial transaction. Rather, "Sections 4 and 5 disclose a scheme by which all participants in a project share its cost" [20] by contracting to repay, over an extended period of time, the government expense of constructing the project, *i.e.* the capital outlay. There is no inherent inconsistency between Section 5 of the 1902 Act and Section 1 of the B.C.P.A. which would prevent Section 14 of the B.C.P.A. from incorporating the residency requirement.

THE COLORADO RIVER COMPACT

Landowners next contention is that the B.C.P.A. states in §§ 6, 8 and 13 that the "storage, delivery and use" of irrigation water shall be subject to and controlled by the Colorado River Compact.[21] Article VIII of the Colorado River Compact says:

"Present Perfected Rights to the beneficial use of water of the Colorado River System are unimpaired by this Compact. Whenever storage capacity of 5,000,000 acre feet shall have been provided . . . such rights . . . shall attach to and be satisfied from water that may be stored."

Landowners reason that they were owners of perfected water rights and that mandatory satisfaction of those rights is incompatible with denial of water because of a landowner's place of residence. This argument fails for any one and all of four reasons.

To begin with, there is no evidence that the landowners were owners of perfected water rights as of 1929, the effective date of the Compact. The stipulation of facts and the landowners' Exhibit #1 reveal that the landowners filed water right claims to the Colorado River prior to 1900. In 1903, the Hanlon heading intake in California became clogged with silt.[22] The landowners, at this time, were also having trouble with the newly formed Bureau of Reclamation whose engineers had attacked the California Development Company's right to take water from the Colorado,[23] a navigable river. There is no evidence that Congress, prior to the B.C.P.A., ever authorized the Imperial Valley landowners to use the navigable waters of the Colorado. The landowners then attempted to skirt the problem by requesting Congress to declare the Colorado to be non-navigable and thus beyond federal jurisdiction. Congress rejected this request.[24]

As a result of the silt problem and Reclamation's challenge, the California Development Company apparently turned to Mexico for its diversions.[25] There is no evidence that the landowners, the California Development Company, or the Imperial Valley Irrigation District ever diverted water from the Colorado in the United States after 1903. Although we make no factual finding in this regard, it appears that at the time of the authorizing of the All-American Canal, the landowners were still relying on Mexican water rights—not perfected American rights.[26]

Secondly, assuming the landowners do have perfected United States water rights, they are free to make use of *those* water rights, *i.e.*, they are free to make use of their original diversions in lieu of using B.C.P.A. water. However, if the landowners opt to use B.C.P.A. water, they must satisfy the conditions of delivery. The B.C.P.A. recognition given to "present perfected rights" is a limited recognition. Holders of perfected rights, choosing to use B.C.P.A. water must, like everyone else, comply with the acreage and residence requirements of the Reclamation Law.

The superior navigation easement of the United States precludes private ownership of the water or its flow in a navigable stream.[27] Non-recognition of private usufructuary rights is limited to the relationship between the owner and the national government in the exercise of the navigation power. Within that relationship, whatever rights exist, exist by the grace of Congress.[28] The federal government is at liberty to acknowledge private usufructuary rights; likewise it can impose whatever conditions it wishes. Accordingly, the United States Supreme Court told the members of the Ivanhoe Irrigation District that if they chose not to comply with the acreage limitation, they would have to turn to existing water supplies since the excess land law applies to private land within a federal reclamation project without regard to whether those lands are covered by valid water rights prior to the formation of the project.[29] Similarly, if the Imperial Valley landowners wish to evade the strictures of the reclamation law, they are free to turn to their water rights which allegedly existed prior to the B.C.P.A.,[30] regardless of whether those rights are at Hanlon heading in California or below the border, in Mexico.

Thirdly, there is no evidence before the court that the landowners ever complied with the decree in *Arizona v. Calif.*, 376 U.S. 340 (1964). The decree requires the landowners, through the state of California, to submit their water claims to Colorado River Water and have them acknowledged by the Secretary of the Interior.[31] The Supreme Court has preempted the question of perfected rights in the Colorado. The lower courts should not attempt a determination of this issue.

Finally, and the government is in total agreement with this reason, pre-project water rights are irrelevant because it need only be shown that the Imperial Irrigation District is deriving a benefit from the use of a government facility for reclamation law to be applicable. Therefore, even if landowners comply with the *Arizona v. California* decree and have their rights acknowledged, they will still have to comply with the reclamation law.

EQUAL PROTECTION

The landowners raise a Fourteenth Amendment Equal Protection argument claiming that a durational residency requirement would penalize their constitutionally protected right to travel. Landowners cite *Shapiro v. Thompson*, 394 U.S. 618 (1969), and *Dunn v. Blumstein*, 405 U.S. 330 (1972), to support their contention. This court finds that the landowners do not fall within the scope of the *Shapiron* and *Dunn's* holdings.

The Shapiro and Dunn cases both involve situations wherein a person has moved *into* a jurisdiction and has been denied the rights and/or privileges enjoyed by the established residents of that jurisdiction. Neither case deals with persons who move *out* of a jurisdiction and who are then denied the rights or privileges of that jurisdiction. Shapiro and Dunn involved laws which discriminate between *old* and *new* residents.[32] The two cases say nothing about laws which discriminate between *residents* and *non-residents* as Section 5 does. This is a permissible classification. The logical extreme of landowners' position would allow a person who once resided in Imperial Valley to change his address to New York, for example, and yet still enjoy the benefits of the Imperial Valley's voting and welfare laws. Such a proposition is untenable.

THE RULE OF TALLMAN AGAINST UDALL

It was stated in this court's pre-trial summary judgment, 335 F. Supp. 200, 208 (1971): "We cannot accept the contention that administrative rulings, such as those here relied on, can thwart the plain purpose of a valid law. As to estoppel, it is enough to repeat that the United States is neither bound nor estopped by acts of its officers or agents in entering into an arrangement or agreement to do or cause to be done what the law does not sanction or permit." *United States v. San Francisco*, 310 U.S. 16, 31–32 (1939), citing *Utah Power and Light Co. v. United States*, 243 U.S. 389, 409. Although landowners claim that they have not made an estoppel argument, they persistently raise the issues of "economic injury" and "reliance" which are, in essence, estoppel arguments. The principles of equitable estoppel, however, cannot be applied to deprive the public of the protection of a statute because of the non-feasance of public officials. The rule of *Tallman, supra,* requiring deference to longstanding administrative interpretation, does not apply to the facts of this case. *Tallman* dealt with the construction of an administrative regulation. Section 5, far from being an administrative regulation, is an expression of national policy. "Sec. 5, the provisions of which, as we shall see, have been national policy for over half a century." *Ivanhoe, supra,* at 292. In *Tallman*, the underlying statute behind the regulation left discretion in the Secretary to refuse to issue leases.[33] There is no such leeway in Section 5. Its language is mandatory, not discretionary.

There is no one consistent administrative interpretation of Section 5 which would warrant application of the *Tallman* rule. Over the years, the interpretations of Section 5 have been very much in conflict. The landowners rely upon the Wilbur letter; [34] *Hewes v. All Persons, supra*; and the President's Commission on Water Resources.[35] The plaintiffs rely on Sollictor Barry's opinion [36] as well as Solicitor Harper's opinion.[37] As a consequence of these conflicts, this court must look at the law itself and interpret it consistently with the Supreme Court's holdings in *Arizona v. California* and *Ivanhoe Irrigation District v. McCracken, supra.*

Plaintiffs are hereby ordered to prepare an order and mandate in compliance with the court's findings herein.

Done and dated this 27th day of September, 1972.

W. D. MURRAY,
Senior U.S. District Judge.

FOOTNOTES

[1] 43 U.S.C. § 431. No right to the use of water for land in private ownership shall be sold for a tract exceeding one hundred and sixty acres to any one landowner, and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land, and no such right shall permanently attach until all payments therefor are made. June 17, 1902. § 5, 32 Stat. 389.

[2] Yellen v. Hickel, 335 F. Supp. 200 (1971).

[3] Judge Schwartz, who originally was sitting on this case, denied the government-defendant's motion to dismiss for lack of standing. A written order was signed June 30, 1970. In ruling that the plaintiffs have standing, Judge Schwartz said: "Without prejudging the results of the lawsuit, it does appear to me that the Plaintiffs in this case do have an interest of some kind in having the law enforced—that is, the residency requirement enforced. It may be that in the end their interest will not be served by the result that they hope for. Nevertheless, they do have an interest. They seem to come within the general zone of the interest that is sought to be protected by the legislation. The legislation seems directed specifically to the provision of water for settlement of individuals directly upon the land. So it will be the ruling of the court that the Plaintiffs do have standing to prosecute this action, and, accordingly, the Motion to Dismiss for lack of subject matter jurisdiction will be denied." (Tran-

script of Proceedings, June 12, 1970, pp. 27-28).

[4] See Ivanhoe Irrigation District v. McCracken, 357 U.S. 275, 292 (1957). "From the beginning of the federal reclamation program in 1902, the policy as declared by Congress has been one requiring that the benefits therefrom be made available to the largest number of people, consistent, of course, with the public good."

[5] Hewes v. All Persons, No. 15460 Dept. 2, Superior Court of the State of California in and for the County of Imperial. May 24, 1933.

[6] 43 U.S.C. § 511. In carrying out the purpose of the Act of June 17, 1902 and Acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States . . .: Provided, That no contract with an irrigation district under this section and sections 512 and 513 of this title shall be binding on the United States until the proceedings on the part of the district for the authorization of the execution of the contract with the United States shall have been confirmed by decree of a court of competent jurisdiction, or pending appellate action if ground for appeal be laid.

[7] *See* 43 U.S.C. §§ 543, 544, Aug. 9, 1912 and 43 U.S.C. § 423e, 1925, *e.g.*

[8] *Ivanhoe, supra,* note 6 at 289.

[9] *Id.* at 291–294.

[10] *Id.* at 277 and footnote #1.

[11] *Id.* at 292.

[12] *Id.*

[13] *But see,* Solicitor Bennett's Opinion on the Kings River Contract, July 10, 1957: "You have requested my opinion concerning your (the Dept. of Interior) authority under Federal reclamation law to agree to provisions in the proposed contract with the Kings River Conservation District whereby *individual holders* of excess lands will be permitted to pay the reimbursable costs allocable to their excess lands and the consequences of the antispeculation features of the recordable contracts required by law . . . My opinion is that Congress has not granted to you such authority. Further, fiscal desirability, no matter how impelling, does not suffice as a substitute for that statutory power." (emphasis added) Plaintiffs' Exhibit No. 28.

Secretary Seaton's letter concerning the Kings River Contract, July 12, 1957. "The Department continues to recognize and support the basic concept of reclamation law that full and final payment of the obligation of a *district* to the Federal Government ends the applicability of the acreage limitations . . . In the Kings River situation, the proposed options of repayment, extended to each water user, would reduce the statutory limitation to a mere shadow. This would make the test, not one of public policy, but solely one of the financial capability of each landowner to purchase immunity from the statutory restrictions." (emphasis added) Plaintiff's Exhibit No. 27.

Secretary Seaton fails to recognize that termination of the acreage limitation upon full payment, regardless of whether payment is by individuals or district, "reduces the statutory limitation to a mere shadow" making the test one of financial capability of the individual or the district. If anything, it becomes more of a shadow when *districts* are involved because of the greater financial resources and ability to raise money.

[14] Amador County v. State Bd. of Equalization, 49 Cal. Rptr. 448, 457, 240 C.A. 2nd 205.

[15] United States v. Willow River Company, 324 U.S. 499, 509 (1945).

[16] See Under Secretary Oscar Chapman's letter to Senator O'Mahoney: "The purpose of S. 1548 is to allow the disposal to *resident* landowners and entryman on reclamation projects of small tracts of lands which are not suitable for disposal under the homestead or reclamation laws. . . . The sale of such tracts to *those farmers located on the project* would be in the interest of the project and would place the lands on the county tax polls." U.S. Code Congressional Service, Vol. #2, 1950, pp. 1997–8. (emphasis added)

[17] *Ivanhoe, supra* note 6 at 292.

[18] The Colorado River Compact, provides in Article VIII that: "Present Perfected Rights to the beneficial use of water of the Colorado River System are unimpaired by this Compact. Whenever storage capacity of 5,000,000 acre feet shall have been provided . . . such rights . . . shall attach to and be satisfied from water that may be stored. . . ."

[19] 50 Stat. 850.

[20] M–36675, 71 I.D. 496, at 501 (1964).

[21] Boulder Canyon Project Act § 6 (43 U.S.C. § 617e) The dam and reservoir provided for by section 617 of this title shall be used: First, for river regulation, improvement and navigation, and flood control; second, for irrigation and domestic uses and *satisfaction of present perfected rights* in pursuance of Article VIII of said Colorado River Compact;" (emphasis added)

[22] Stipulation of Facts, p. 7, paragraph 7. "Hanlon's heading, the first intake cut by the California Development Company, became clogged with silt by 1903. In or about 1903, the Mexican company was granted a concession by the Republic of Mexico which permitted it to divert water from the River in Mexico and deliver half of that water at an inland point on the international border for use in Imperial Valley. Second and third heading, situated *south of the border,* were built in 1904. (emphasis added)

[23] "The diversion of water from the Colorado River was made through three intakes, one in California, and the other two in Lower California or Mexico. Intake No. 1 was commenced in October, 1900. The first water distributed or used for irrigation was drawn through this intake and carried by canal and the channel of the Alamo river through Mexican territory back to the international boundary line in the neighborhood of Calexico, where the first water was delivered to the water companies in California about June 15, 1901. Intake No. 2 was constructed in 1904, and was located just *below the boundry line* in Lower California or Mexico. Intake No. 3 was completed October 6, 1904, and was located about four miles *below the boundary line,* and, like Intake No. 2 was in Lower California and Mexico.

"The witness C. R. Rockwood testified that the reason for cutting intake No. 2 was purely political; *that the right to take water from the Colorado river in the United States had been attacke*d by the reclamation engineers. The witness says: We then obtained concessions from Mexico which gave us the right to take water on Mexican soil from the river." The Salton Sea Cases, 172 Fed. 792, 810 (1909). (emphasis added)

[24] "If this legislation should be enacted, you will have granted away forever the entire magnificent Colorado River." William H. Smythe, Hearing on H.R. 13627, 60; *see* fn. 8. "If the policy of the Government is to be sustained and carried out, the Reclamation Bureau will have to take up this enterprise, because the small enterprises will get just enough land in frequent spots and just enough water to make it impossible for the Government to carry out on proper lines what would be absolutely impossible for the individual or corporation here to carry out." Congressman Clarence Van Duzer of Nevada, *Ibid.*, 59.

[25] Salton Sea Cases, *supra* note 26. "It is my earnest desire to worship at our own altar and to receive the blessing from the shrine of our own Government, but if such permission is not granted, of necessity I will be compelled to worship elsewhere." Anthony Heber, Hearing on H.R. 13627, 67.

[26] The Colorado River Compact, in acknowledging present perfected rights, was obviously ensuring recognition of presently existing rights in the contracting states. The Compact was not concerned with acknowledging Mexican rights although Article III provides for any future recognition of Mexican water rights by the United States: "If as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any water of the Colorado River system, such water shall be supplied first from the waters which are surplus . . ."

[27] United States v. Chandler-Dunbar Co., 229 U.S. 53, 69 (1913).

[28] Clark, Water and Water Rights, Vol. 2, p. 24 (1967).

[29] *Ivanhoe,* supra note 6 at 286.

[30] See the preceding discussion of the dubious nature of the landowners claim to perfected United States water rights in the Colorado as of 1929.

[31] 376 U.S. 340, 351–352 (1964).

[32] Dunn v. Blumstein, 405 U.S. 330, 334 (1972).

[33] Tallman, 380 U.S. 1, 4 (1965).

[34] 71 I.D. 529–530.

[35] President's Water Resources Policy Commission, *Water Resources Law,* Vol. 3 (1950).

[36] 71 I.D. 496 at 501 (1964).

[37] *Id.* at 533 Appendix H.

THE IRISH-AMERICAN CULTURAL INSTITUTE

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, on previous occasions I have remarked in the Senate on the outstanding achievements of the Irish-American Cultural Institute, the only international Irish cultural organization of its kind. The headquarters for this distinguished institute, I am pleased to observe, are in my own State of Minnesota, in St. Paul.

In recognition of the vision and work of the IACI, His Excellency, Eamon de Valera, President of the Republic of Ireland, has now extended to it his official patronage. This is a deserved tribute to the International Cochairmen of the IACI, HSH Princess Grace of Monaco; my longtime friend, Mr. I. A. O'Shaughnessey of St. Paul; and to Dr. Eoin McKiernan, the Institute's founder-president.

It may seem unusual that St. Paul may be outpacing much of the United States in its contribution to cultural understanding between Ireland and America. It is nonetheless quite true to state that the Irish-American Cultural Institute is this country's only active, international, successful organization promoting an understanding and interpretation of Irish culture. It has been cited as the "premiere Irish-American organization" by Ireland's Prime Minister. Its national council inculdes scholars, writers, and artists like Pat O'Brien, Mike Douglas, and Bob Considine.

The Irish-American Cultural Institute publishes a 160-page quarterly journal, Eire-Ireland, that is found in every major American university library and has several thousand subscribers all over the world. A monthly newsletter, DUCAS, written in popular style, covers current and historical events in Ireland. Both publications are in English. The institute has produced a 53-week television series, awards $10,000 annually to writers writing in Irish and in English, brings famous Irish artists and scholars to lecture in America, arranges graduate education for Irish students, and provides low-cost tours to Ireland for members. I draw particular attention to the Butler Literary Awards, made available through the institute by a great Minnesotan, Mr. Patrick Butler, awards which now total $80,000.

During the period between October 16, 1972, and November 20, 1972, the institute is presenting to the Nation's Capital its full festival program called the Irish Imagination: The Poetry of Vision, Song and Words. Mrs. Humphrey and I are pleased to be honorary sponsors of this program. A main feature of the festival is the Irish Imagination Art Exhibit of the Corcoran Gallery of Art. This exhibit was orignially a part of ROSC 1971, the internation arts festival put together by the Irish Arts Council and its presentation in the United States was made possible through the initiative of the directors of this council, including Mrs. Dorothy Walker and Mr. Michael Scott, and an imaginative American response on the part of groups and individuals including Gulf Oil, the Massachusetts Fine Arts Council, Mrs. Elizabeth Van Buren and Mrs. Dorothea Weldon, of Boston, Mass., the Philadelphia Civic Center Museum, the Corcoran Gallery of Art in Washington, and the Irish-American Cultural Institute.

A second feature of this fall festival are performances by Comhaltas Ceoltoiri Eireann, the Irish Traditional Music Society, which is helping to create a new era for authentic Irish music.

Mr. President, I congratulate the Irish-American Cultural Institute for once more uplifting our minds and spirits through its cultural leadership. I ask consent to have printed the text of the fall festival program, an editorial from the Washington Post (October 16, 1972) and tributes from the honorary sponsors, our First Lady, Mrs. Richard M. Nixon, and Ireland's Finance Minister, Mr. George Colley.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE IRISH IMAGINATION—THE POETRY OF VISION, SONG AND WORDS

(Under the patronage of His Excellency Eamon de Valera, President of Ireland, presented by the Irish American Cultural Institute)

PROGRAM

General Chairman: Francis X. Gannon, Member, Board of Directors, The Irish American Cultural Institute.

The Poetry of Vision: October 21, 1972 Through November 20, 1972.

The Irish Imagination, 1959–1971: Contemporary Irish Artists in Exhibition, representing all thirty-two counties.

Sponsors: The IACI and the Corcoran Gallery of Art; Corcoran Gallery, 17th and New York Ave., N.W., Washington, D.C. Daily 10 a.m. to 5 p.m. (Closed Mondays). Irish Books are on sale and on Sundays from 1 p.m. to 4 p.m. film shorts on Irish cultural themes will be shown. Admission free.

Honorary Sponsors: Mrs. Richard M. Nixon; The Honorable George Colley, Finance Minister, Republic of Ireland.

Patrons: Senator Hubert H. Humphrey and Mrs. Humphrey; Mr. Charles T. Carey; Mr. and Mrs. Joseph M. Fitzgerald, Coral Gables, Florida; Mr. and Mrs. Eugene I. Kane; Mr. and Mrs. Walter F. McArdle.

Chairman: Mrs. Rose Saul Zalles.

Art Consultant: Mrs. Elizabeth Curran Solterer.

Corcoran Director: Mr. Gene Baro.

Preview-Reception: Friday, October 20, 1972, 8:00–9:00 p.m., The Corcoran Gallery of Art, Admission by Invitation only.

GUESTS OF HONOR

His Excellency, The Ambassador of Ireland to the United States and Mme. William Warnock.

Mr. Michael Scott, Architect and Vice Chairman, The Arts Council of Ireland.

Mr. Charles Merrill, Editor, *The Arts in Ireland*.

Dr. Eoin McKiernan, President, Irish American Cultural Institute.

Mrs. Eugene J. McCarthy, Member, National Council, Irish American Cultural Institute.

Introductions: Mr. Thomas J. Murphy, Founding President, Dublin Branch, Institute of Costs and Works Accountants.

SPECIAL EXHIBITS

The Walters Art Gallery, Baltimore, Maryland honors The Irish Imagination by placing Irish jewelry on display, October 21, 1972 through November 20, 1972. The exhibition will be composed of six Irish pieces, some from the 7th century and a unique Viking silver armlet. Gallery Director, Mr. Richard H. Randall, Jr.

The Library of the Catholic University of America, Washington, D.C. salutes the Corcoran show through an exhibition of Irish books, including the facsimile edition of the Book of Kells, the Lindisfarne Gospels and also a handwritten manuscript of the 19th century from the Ludley Bequest. Catholic University's Chair of Celtic Studies, endowed by the Ancient Order of Hibernians in 1896, is the oldest Celtic program in America. President: Dr. Clarence Walton.

To honor the Irish Imagination show at the Corcoran Gallery of Art, October 21-November 20, 1972, the National Capital Parks will display the papers and writings of Frederick Douglass, which refer to Ireland. Frederick Douglass Home, 1411 W Street, S.E. Admission Free.

Special Exhibits Chairman: Mr. Frank Kelleher, Member, Washington Council, Irish American Cultural Institute.

The Poetry of Song: October 16, 20 and 22, 1972.

A Performance by Comhaltas Ceoltoiri Eireann (Association of Irish Traditional Musicians). Company of 30 award-winning All-Ireland musicians, dancers, singers and performers.

Sponsors: The IACI and National Capital Parks. The President's Park (South of the White House) 17th and New York Avenue, NW. at 12:00 p.m. Noon, Oct. 16, 1972.

Monday, October 16, 1972, 8:00 p.m. Comhaltas Ceoltoiri Eireann. A repeat performance, Caldwell Hall, Catholic University Campus. Admission free. Sponsors: The IACI and University Student Government, Catholic University.

Friday, October 20, 1972, 8:00–9:00 p.m. Preview-Reception at the Corcoran Gallery of Art. Thomas Standeven, Irish Piper (Philadelphia, Pa.); John Curry, Irish Piper; Mrs. Lois Velsey, Harpist; Sean and Eamon Culkin, Irish Step-Dancers.

Sponsors: The Irish American Cultural Institute.

Sunday, October 22, 1972, 3:00 p.m., a program of Irish entertainment featuring Mrs. Lois Velsey, Irish harpist, at Arlington House. Introduction by Dr. Eain McKiernan, IACI founder and President.

Sponsors: The IACI and National Capital Parks.

Chairman: Barbara Murphy, IACI Washington Music Coordinator.

President, Comhaltas Ceoltoiri Eireann, Seamus de Brun.

National Director, Comhaltas Ceoltoiri Eireann, Labhras O'Murchu.

Director, National Capital Parks, George Hartzog.

Visual Arts Coordinator, National Capital Parks, Berenice Reed.

President, University Student Government, Catholic University, Joseph Hurley.

The Poetry of Words: An illustrated slide-lecture by Michael Scott: Irish Art and Architecture.

Sponsors: The IACI and the Banshees, A Washington Cultural Society. Sunday, October 22, 1972 at Heurich House, 1307 New Hampshire Avenue, N.W. Admission: $2.00 for non-members.

Introduction: Mrs. Elizabeth Curran Solterer, Irish Art critic and IACI consultant; Banshee President, Joseph Foley.

A lecture by John Mulcahy, Editor of Hibernia, the distinguished Irish review of the arts, culture and politics: The Future of Ireland.

Sponsors: The IACI and Georgetown University, Gaston Hall, Tuesday, November 14, 1972. Admission Free.

Chairman: Dr. Riley Hughes, Founder and Director, Georgetown Writers Conference.

President, Georgetown University, Robert Henle, S.J.

ACKNOWLEDGEMENTS

History (The Irish in Washington): Edward Fitzgerald, National Capital Parks Historian.

Printing: McArdle Publishing Co. Merkle Press, Robert Melendez.

Reception for Dr. Eoin McKiernan: AOH, Emerald Isle Division, Wash., D.C. Dinner-Dance, 8:00 p.m. Saturday, Oct. 22, 1972. Open to Non-Members but tickets limited.

The Ancient Order of Hibernians, Washington, D.C. and Ladies Auxiliary.

The Ancient Order of Hibernians, State of Maryland and Ladies Auxiliary.

The Ancient Order of Hibernians, Northern Virginia and Ladies Auxiliary.

Irish-American Club and *Amergael*.

Irish Imports, Baltimore, Edgar Brady.

Irish Cultural Society of Northern Virginia.

Eugent I. Kane, Baltimore (Transportation).

The American Trucking Associations.

The International Brotherhood of Teamsters, Chauffeurs and Warehousemen of America.

United Steelworkers of America.

Films: Yeats Country, International Film Bureau, Inc. Faithful Departed (A Film on James Joyce), McGraw-Hill New Grange (Megalithic Culture) Manchester Community College, Manchester, Connecticut.

Aer Lingus—Irish.

Irish Tourist Board, New York., Images of Ireland.

Austin Nichols & Company—Importers, Paddy Irish Whiskey.

Heublein Incorporated—Importers, Tullamore Dew Irish Whiskey.

W. A. Taylor & Company—Importers, Jameson Irish Whiskey.

The Public House, Georgetown.

The Wine and Cheese Shop, Georgetown.

Special Thanks are due to The Morris and Gwendolyn Cafritz Foundation, Washington, D.C., The Sheraton-Carlton Hotel.

[From the Washington Post, Oct. 16, 1972]

"THE IRISH IMAGINATION"

. . . an exhibition of contemporary Irish paintings, will be shown at the Corcoran

Gallery of Art from Oct. 20 to Nov. 20. The show, which was presented in Boston and Philadelphia earlier this year, includes work by the best artists working in Ireland today as well as a small selection of paintings by Jack B. Yeats, Ireland's national painter, who died in 1957. It was assembled by Brian O'Doherty, editor of "Art in America" and director of the visual arts program of the National Endowment for the Arts, for a major exhibition in Dublin, where it will return when it closes in Washington.

The 68 paintings—some by internationally known artists, some mythically Irish and some breaching this atmospheric mode—clearly demonstrate, according to critic Robert Taylor, that modern Ireland has "a flourishing, inventive and well-established avant-garde." The show affords an opportunity, Taylor says, "to confront the range and energy of the country's visual art—an art that is fully as articulate as its verbal accomplishment. Irish letters had a Gaelic tradition to draw on, a spoken language, when the Irish state came into existence; present-day Irish painters, aloof from the Anglo-Irish tradition, have been making their own language from scratch, and it is rich and expressive."

Statement From Mrs. Richard M. Nixon

It is truly a pleasure to serve as Honorary Sponsor of the Irish-American Cultural Institute's exhibition of "The Irish Imagination 1959–71" and to welcome this outstanding collection of contemporary paintings to the Nation's capital. This fine cultural exchange is indeed a delightful opportunity not only to enjoy but also to pay tribute to an artistic tradition so important to our own. Through our ancestral ties and long time friendship the Irish imagination has left a cultural legacy which lends richness and diversity to our country's art work. This exhibit of recent Irish Art is therefore a truly enlightening and enjoyable experience for all Americans.

I am happy also to commend the Irish-American Cultural Institute and Dr. Eoin McKiernan, its founder and President, for their consistent efforts to broaden avenues of communication and understanding between our lands. The deep appreciation and lasting friendship between the Irish and our people is a most significant contribution to world peace.

Sincerely,

Pat Nixon.

Statement From Mr. George Colley

The Irish American Cultural Institute is to be commended for its original contributions to the advancement of Irish culture. Through its sponsorship of the distinguished quarterly EIRE-Ireland, the Butler Literary Awards for Gaelic authors, cultural tours, summer music and history institutes, the Annual Irish Fortnight in America and other programs, the Institute has gained acclaim not only in the United States but throughout Ireland for its visionary endeavors.

Among the Irish, the sustained cultivation of the arts has been the hallmark of our culture, even during the most trying days of our long history as a people. To enrich and enlarge this tradition Ireland has in recent years enacted special legislation which provides tax benefits to writers, composers and artists. By honoring artistic creativity in practical ways, we believe that we are demonstrating our profound belief in the great truth that man does not live by bread alone.

I am pleased to commend the Irish American Cultural Institute and its Honorary International Chairman, Her Serene Highness, Princess Grace of Monaco and Mr. I. A. O'Shaughnessy for bringing "The Irish Imagination" to an international audience in the capital of the United States. By arranging this event the Institute is helping to forge a greater bond of understanding and sympathy between Ireland and America.

George Colley,
Minister for Finance of Ireland.

SENATOR DAVID H. GAMBRELL

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, a uniformly respected Senator, truly dedicated to the people of Georgia, is retiring from the Senate. I will miss Senator David H. Gambrell. It was my privilege to know him as a public official and as a friend.

Senator Gambrell was appointed in February 1971, to fill the unexpired term of Senator Richard B. Russell. It was a challenge to fill the Senate seat of such a legislative giant as Richard Russell. But, David Gambrell served Senator Russell's memory well. He exercised his senatorial duties with great responsibility. And, as a freshman Senator, he won the respect of his colleagues for his thoughtful approach to legislation and his willingness to work unceasingly for the people he represented.

Before coming to the Senate, Senator Gambrell served as the State Democratic Party chairman of Georgia.

Upon appointment to the Senate, Senator Gambrell was assigned to the Committee on Banking, Housing and Urban Affairs, the Aeronautical and Space Sciences Committee, and the Committee on Small Business. He was appointed chairman of the Subcommittee on Science and Technology of the Small Business Committee.

Senator Gambrell has represented the people of Georgia with distinction. He served as assistant floor manager of the legislation to guarantee a $250 million loan to the Lockheed Co., one of Georgia's largest industries. And, he consistently advocated and fought for more and better jobs for the working people of his State. Senator Gambrell spoke out early on the need for property tax reform, going before the Senate Finance Committee with a well-thought-out and imaginative tax relief plan for citizens in the lower income brackets and on pensions.

Senator Gambrell exercised a strong and active interest in rural development. In August 1971, he joined with the senior Senator from Georgia, Herman Talmadge, and me to conduct a series of rural development hearings in rural Georgia. The Senate was impressed by his understanding of the problems of rural America. Senator Gambrell was so correct, as he told the rural development hearings in Alma, Ga., that the problems of urban America could not be solved without attention to the problems of rural America.

But perhaps more important than any single legislative achievement, Senator Gambrell had a strong sense of responsibility to the people of Georgia. He conducted "listening tours" of his State, going into the small towns and communities—talking with and listening to the people. He knew of their aspirations and he represented them in his work here in Washington. He knew of their needs, and he tried to help meet them.

David Gambrell cares about the people of Georgia. He is a fine Senator. His voice of moderation, his interest in people, and his love for his country will be missed in the next session of Congress. My wife, Muriel, and I join in wishing David and Luck many more years of happiness and service to the people of Georgia and the United States.

JEWISH CEMETERIES DESECRATED BY NAZIS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JAVITS. Mr. President, once again there has been brought to our deserved strict attention the matter of the more than 2,000 Jewish cemeteries descrated by the Nazis during World War II. Most were located in Poland, but others were in the U.S.S.R., Hungary, and Czechoslovakia. The gravestones from these sites were consequently desecrated and used as construction material and paving stones for streets and roads.

The "Geder Avot" section of the World Center of European Rabbis, with offices in New York City, has for some time been endeavoring to obtain reparations for the destruction of these cemeteries. Unfortunately, these efforts have not met with success.

Since most of these cemeteries have been completely destroyed and cannot be reconstructed, Geder Avot plans to build memorial houses in Israel for the martyrs, for those who no longer have gravestones, and for the cemeteries which were demolished.

The current situation, I am informed, hardly promises to be much of an improvement from the past. The Government of Poland has already confiscated the cemetery of Lvov and built a park on its site. Among the Polish cities where Jewish cemeteries have been confiscated are Stanislaw, Regzazov, and Belz. Many Jewish graveyards endangered are over a thousand years old, and with their destruction the last historical traces of the Jews of Poland will be effaced. Similarly, Babi-Yar in Kiev, U.S.S.R., a mass grave of Jews and Ukranians murdered by the Nazis, is in danger of being converted into an amusement park if no action is taken.

Geder Avot is devoted to preventing the further confiscation of Jewish cemeteries and to the erecting of fences around the remaining ones to prevent vandalism and the destruction of graves, both of which have frequently occurred.

Rabbi M. J. Rubin, the distinguished president of Geder Avot, has explained that from the point of view of Talmudic law, the commandment to see that the dead are properly buried is being transgressed. So unequivocal is this obligation that even the high priest, an office mentioned frequently in the Bible, who was under ordinary circumstances forbidden to come in contact with the dead, may busy himself with the burial of the dead.

I am hopeful that this matter of desecrated cemeteries may soon be resolved. Already a petition of a million signatures has been presented to the United Nations.

Now, more than a quarter century after the conclusion of World War II and the demise of nazism, this issue, too, should be brought to its "final resting place."

THE PUBLIC'S RIGHT TO KNOW

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MOORHEAD. Mr. Speaker, on September 20, 1972, the Committee on Government Operations issued a report entitled "The Administration of the Freedom of Information Act" (H. Rept. 92–1419). This investigative report was based on some 14 days of hearings held this spring by the Foreign Operations and Government Information Subcommittee which I chair.

I am pleased to note that this report has received wide attention by the bar, the public and the press—all of whom are concerned with improving and strengthening of the act.

On the basis of the testimony taken from Government and private witnesses, I have introduced H.R. 17142 to strengthen the Freedom of Information Act and further protect the peoples' "right to know." (See RECORD, October 16, 1972, page 36735.)

While the present administration has developed secrecy techniques on an unprecedented level, it is gratifying to see that this country's newspapers and others still consider the public's right to know to be paramount.

I include at this point a selection of articles and editorials commenting on this committee report and the subcommittee hearings:

[From the Washington Post, Sept. 22, 1972]

HILL REPORT SCORES PERSISTENT SECRECY

A congressional committee says foot-dragging by secrecy-minded bureaucrats has kept Americans from fully enjoying the freedom of information intended under a five-year-old right-to-know law.

While some agencies have tried to implement the Freedom of Information Act, "the over-all picture which emerges was encrusted with bureaucratic dust and grime which need to be vigorously scrubbed away," says the House Government Operations Committee. The law, which went into effect July 4, 1967, provides that any citizen may see a government document in the files but lists specific categories of material that are exempt.

In a 46,800-word report released yesterday, the committee said the efficient operation of the law "has been hindered by five years of foot-dragging by the federal bureaucracy."

Specific legal language to carry out the objectives of the report will be drafted, including:

Putting time limits in the law, so that an agency would have to grant or deny access to information within 10 working days after getting the request, and limiting an appeal study period to 20 days.

Awarding court costs and attorneys' fees to a complaining party if a court decides the information was improperly withheld.

Providing that trade secrets and commercial or financial data can be withheld only if they actually are confidential.

Prohibiting a government agency from mixing non-exempt and exempt records into a single file with the claim that all the records in it are thereby kept secret.

Spelling out that scientific tests, inspection reports on health and safety, and records used in public policy statements or rules are not to be considered exempt from disclosure even if contained in a so-called investigative record.

[From the Wall Street Journal, Oct. 5, 1972]

SILLY SECRECY

(By Alan L. Otten)

WASHINGTON.—It's not really too hard to see why the government tries to cover up information about possible favoritism to large grain traders, or the bugging of the Democratic National Committee, or an Air Force general who bombs as he pleases.

The Air Force incident arouses fears, best left dormant, that top military brass will some day run off with government policy, if not the government itself. A wide-open investigation of Russian wheat contracts or the Watergate caper might conceivably cut into the President's reelection margin. With so much at stake, the impulse to concealment is understandable, if not defensible.

It's far more difficult, though, to figure out just why the government, in this or any administration, works so hard to keep hidden and buried a wide range of less important or even routine information—information that couldn't possibly help the enemy or violate constitutional rights or do anything except perhaps embarrass a few bumbling bureaucrats.

Documentation of just how hard the government does work at this job comes in a recent report from a House Government Operations Subcommittee headed by Pennsylvania Representative William Moorhead. The report details the progress, or more properly the lack of progress, under the Freedom of Information Act, a law enacted in 1967 to make it easier for citizen organizations, business firms, the press, and other groups to gain access to government rules and records.

In essence, the act changed the burden of proof so as to make the government show why citizens shouldn't have particular pieces of information, rather than making the citizens show why they should. The act said the public ought to be able to find out about government matters pretty freely unless secrecy was essential to protect national security, personal privacy, trade secrets, or a few other specifically-listed items.

Now, five years later, a subcommittee investigation finds that while some gains have been made, "the efficient operations of the . . . act has been hindered by five years of foot-dragging by the federal bureaucracy."

The subcommittee complains that agencies take far too long to respond to public requests for information—33 days on the average, with another 50 days to pass on appeals—often so long that the information loses its value. Many agencies have prescribed inordinately complicated procedures for requesting records, or charge excessively high fees for searching and copying. Court challenges are bitterly contested by government lawyers.

A few of the horrible case histories cited by the lawmakers:

Pesticides: A public interest law group asked for Agriculture Department reports on the safety of handling certain pesticides. The request was refused on grounds that the records sought weren't clearly identified. So the group asked for the department's indexes, so that it could identify properly the specific reports it wanted—and was told that these indexes were private, intra-agency memoranda. "It was a Catch-22 situation," one of the group's lawyers testified to the subcommittee.

* * * * *

"The final straw," the lawyer related, "was when USDA stated that if the information were made available, it would cost $91,840 to prepare the registration files for public viewing. At that point we decided to try to find other means to get the information."

FHA Appraisals: The Nashville Tennesseean suspected that a blind homeowner was being swindled on the basis of an FHA appraisal of his property. First the homeowner, and then the paper, asked the Department of Housing and Urban Development for a copy of the appraisal, but both were turned down. The paper sued and won, but the copy turned over by the department was completely illegible, so the paper had to go back to court.

The judge then ordered the government to produce a legible copy—but he also okayed the government's request that the appraiser's name be deleted. The Tennesseean appealed that part of the decision, won, and finally received a legible copy including the identity of the appraiser.

Discrimination: A presidential order requires each major federal contractor to file a report spelling out plans for correcting any discrimination existing in his work force against women or minorities. Groups trying to get copies of these plans—to check whether the companies are promising enough change, or are really doing what they promised—were told the plans were confidential because they contained trade secrets.

"To deny disclosure of the plans is to destroy what appears to be the only method by which the Executive Order can be enforced," one women's group spokesman protested. "The compliance agencies lack the resources to do adequate reviews and investigations" of their own.

Truth-in-Lending: A Washington attorney wanted a copy of the Civil Aeronautics Board's response to a Federal Reserve Board questionnaire on CAB policy under the Truth-in-Lending Act. The CAB told him the Federal Reserve would have to make this public, while the Federal Reserve told him the statement must come from the CAB. After six months of "an absolute runaround," the lawyer filed suit. Three days later, he received a copy from the CAB.

Rep. Moorhead's subcommittee suggests a number of ways to improve the present act; tighter time limits on agency responses to requests for information; less burdensome service charges for searching and copying; government cooperation in speeding court cases; some opportunity for plaintiffs to recover legal costs when they win the court tests; and annual agency progress reports to Congress.

Freedom of information, the subcommittee remarks, is not a partisan matter, for "each new administration develops its own special secrecy techniques which, as time passes, become more and more sophisticated." Relatively open information policies, it argues, are vital to rebuilding citizen trust in government statements and government policies.

"We believe," the lawmakers conclude, "it is better to have too much freedom than too little."

[From the New York Times, Sept. 22, 1972]

PUBLIC HELD THWARTED ON DATA ACCESS

(By Marjorie Hunter)

WASHINGTON, September 21.—A House subcommittee reported today that "foot-dragging by the Federal bureaucracy" had impeded the effective operation of the Freedom of Information Act.

The findings of the Government Operations Subcommittee were based on 41 days of hearings into the administration of the freedom of information law that went into effect five years ago.

The subcommittee reported that the law had opened access to some previously denied

Government information. But the panel accused Federal departments and agencies of delays in providing requested data, of charging excessive fees for copies of documents and of other intentional or unintentional thwarting of the public's right to know.

The report on Administration of the Freedom of Information Act was compiled by another House subcommittee headed by William M. Moorhead, Democrat of Pennsylvania.

The law is designed to provide public access to most types of Government information, with certain exceptions, such as trade secrets, law enforcement investigations and various financial and commercial data.

Furthermore, the law exempts information that the President specifically orders be kept secret in the interest of national defense or foreign policy.

The subcommittee was highly critical of bureaucratic delays of weeks and months in providing requested data. The panel also noted what it called "a relative lack of utilization of the act by the news media," which had pushed for the legislation.

The subcommittee also was critical of what it called the tendency of some government agencies to confuse "public information" with "image-making."

The report cited a case in which the Interior Department had hired a former Nixon campaign aide, Harry Treleaven, to recommend improvements in the department's public information programs.

The department subsequently refused to make public the Treleaven report, even when asked to do so under the Freedom of Information Act, the subcommittee reported. Finally, the report continues, the department did make public the report but it had censored one paragraph.

The subcommittee said it had later learned that the censored paragraph stated that Interior Secretary Rogers C. B. Morton "is the most photogenic member of the Administration" and the department's communications program should give him "maximum exposure" in order to build "valuable goodwill for the department and the Administration."

[From the Federal Times, Oct. 11, 1972]

Freedom of Information

This week we begin a two-part special report dealing with the failure of the "Freedom of Information Act" to live up to its early promises.

The House Subcommittee on Government Operations says the blame must be shared both by the government and the management of the media. The government is rapped for its failure to enforce the act and the newspapers are blasted for failing to report violations of the act when they are refused access to information. It's not quite that simple. Let's look at both sides of the argument.

As was to be expected, federal agencies proved reluctant to loosen up the flow of information—even though the law obligated them to do so. Either through force of habit or lethargy they continued to deny information which the act said should be made available.

It will take a long time—possibly even another generation of public information people—before some agencies realize the long range benefits to our form of government of making public information public.

On the other side of the coin is the almost total lack of initiative on the part of the news media to pursue the release of information under the act. This is both disappointing and somewhat unexpected.

It is difficult to understand behavior of this type. Perhaps it is due to the wording of the act and the general lack of knowledge about it.

In order to request information the news media must know that the information exists. This is not always possible because of the vastness of the federal government and the inherent secrecy of the bureaucracy. It is going to take diligent newsmen and women to become aware of the existence of the information and to ferret it out.

It also is going to take a change in the attitude of the government toward the release of information.

Some agencies insist that information be released only through the public information office. They then act to insure that the "information" office has no "information."

Thus, the people who are supposed to be able to answer questions from reporters and comment intelligently on a situation are put in the position of being least able to do so. This is not only unfair, it is unfortunate.

The difficulty in prying news loose under the act is compounded by the requirement that a reporter be fully aware of the information before he can request the release of it.

Private industry often is in a much better position than the media representative in this respect. A "too-close" relationship exists between the regulatory agencies and the industries they are supposed to regulate. This makes for a strong desire for secrecy on the part of the groups and the agencies involved. It also makes it difficult for the media to be aware of "inside" transactions.

Can the Freedom of Information Act be made to work? We believe it can. However, it is going to take a concerted effort to make it work.

This involves groups like associations of newspapers and the various journalism societies acting to make the provisions of the act more generally known. It involves a strong desire on the part of the government to be "open" with and to the public. It involves reporters with enough public concern to pursue the news through all obstacles.

Without all three, the act will be nothing more than another ineffective piece of legislation.

[From the Seattle Times, Sept. 22, 1972]

Secrecy Law Resistance Cited

WASHINGTON.—Saying an "entrenched bureaucracy is stubbornly resisting" the anti-secrecy commands of a right-to-know law, a House panel has urged reforming the law and renewing the spirit of the Freedom of Information Act.

Federal officials "actually testified under oath that they had to balance the government's rights against the people's rights. The government, however, has no rights. It has only limited power delegated to it from "We the people," the House Government Operations Committee said yesterday.

A 46,000-word report on the impact and administration of the five-year-old Freedom of Information Act was made public by the committee which took sworn testimony from 142 witnesses in 41 days of public hearings.

While some agencies have sought to follow the open-government mandates of the law, the commiteee said, "the overall picture which emerges was encrusted with bureaucratic dust and grime which need to be vigorously scrubbed away."

Efficient operation of the law, the committee added, "has been hindered by five years of foot-dragging by the federal bureaucracy. The widespread reluctance of the bureaucracy to honor the public's legal right to know has been obvious in parts of two administrations."

The panel concluded there is a need "to strengthen and clarify the law to make it more effective and responsive to an open society."

The law, which took effect July 4, 1967, provides that any citizen may see a government document in the files, but lists specific categories of material which can be exempt from disclosure.

The committee said the provisions allowing withholding of information, intended to safeguard vital defense secrets, personal privacy, trade secrets and the like, "have been misused" by federal agencies.

[From the Des Moines Register, Oct. 7, 1972]

Struggle To Let the People Know

The House Committee on Government Operations has reviewed the first five years of the Freedom of Information Act and finds it hasn't accomplished all that was expected of it. The act proclaimed that government information was to be available to the American people, with exceptions only to protect defense and state secrets, personal privacy and trade secrets.

The committee found that much information previously denied the public is now available. But it reported that in many federal agencies the purpose of the act is being defeated by delays, evasions, and other ruses. Federal agencies took an average of 33 days to respond to requests for information.

A "catch-22" evasion was practiced by the Agriculture Department when the Center for the Study of Responsive Law tried to obtain research reports on the safety of handling certain pesticides. The request was refused, because it did not clearly identify the records.

The center asked for the indexes the department maintained so the files could be identified. The department said the indexes were interagency memoranda and would not be available.

The center took the case to court, won access to the indexes and identified the files it wanted. The department then said the files also contained confidential company information. To pull the confidential matter from the files so they could be made public would cost the center $91,840, the department said.

The Interior Department paid $121 a day to a political publicity man to prepare a report on how to improve its public relations and then decided the report should not be made public. After a newsman appealed the ruling, the department agreed to make public all but one paragraph of the report, which it said would be embarrassing to an individual.

When the University of Missouri's Freedom of Information Center took the case to court, it learned the individual involved was Secretary of the Interior Rogers C. B. Morton. The paragraph said:

"Secretary Morton is not only the most photogenic member of the administration—but he's also able to participate physically in all kinds of outdoor situations and look natural. It's important that the communications program make full use of this, because it's a way of making sure that the secretary's statements get maximum exposure, as well as building valuable good will for the department and the administration. . . ."

The committee recommends an amendment to the act giving an agency 10 working days to respond to a request for information and 20 days to act on an appeal. It also proposes that federal agencies be required to file annual reports detailing their administration of the public information law.

Bureaucrats can find ingenious ways of hiding the public's business from the public, despite legislative enactments, but the committee's proposals would help pry a little more information loose.

[From the Washington Star, Sept. 22, 1972]

Bureaucracy Scolded for Hiding Information

(By Marjorie Hunter)

A House subcommittee says "foot-dragging by the federal bureaucracy" has impeded the effective operation of the Freedom of Information Act.

The findings of the House Government Operations subcommittee were based on 41 days of hearings into the administration of the freedom of information law that went into effect five years ago.

The subcommittee reported that the law has opened access to some government information that had previously been denied. But the panel accused federal departments and agencies of delays in providing data upon request by newsmen and other persons, of charging excessive fees for copies of documents and of other intentional or unintentional thwarting of the intent of the act.

SOME EXCEPTIONS

The report was compiled by a subcommittee headed by William S. Moorhead, D-Pa.

The law is designed to provide public access to most types of government information, with certain exceptions such as trade secrets, law enforcement investigations and various financial and commercial data.

The law also exempts information that the President specifically orders to be kept secret in the interest of national defense or foreign policy.

The subcommittee was highly critical of bureaucratic delays of weeks and months in providing requested data. It also noted what it called "a relative lack of utilization of the act by the news media," which had pushed for the legislation.

The subcommittee also was critical of what it called the tendency of some government agencies to confuse "public information" with "image-making."

TO AVOID EMBARRASSMENT

"A more positive attitude in support of 'open access' from the top administrative officials is needed throughout the executive branch," the report said. "In too many cases, information is withheld, over-classified, or otherwise hidden from the public to avoid administrative mistakes, waste of funds, or political embarrassment."

In general, the committee said, it "finds that the Freedom of Information Act has helped thousands of citizens gain access to information when they have been able to overcome government roadblocks."

But it said agencies have been able particularly to misuse the nine exemptions in the law permitting withholding of information in limited cases—provisions intended to safeguard vital defense and state secrets, personal privacy, trade secrets and the like.

[From the New York Times, Mar. 18, 1972]

MEDIA SAID TO IGNORE FREEDOM OF INFORMATION ACT

WASHINGTON, March 17.—Although reporters and broadcasters were in the forefront of those pushing for the Freedom of Information Act, the media have made little use of it during its first four years of operation, a Congressional report said today.

For the most part, according to statistics, it has been commercial interests that have taken advantage of the law, enacted on July 4, 1967, as a means of opening up to public inspection most records of the Government.

Representative William E Moorhead, Democrat of Pennsylvania, who is chairman of the House Government Information Subcommittee, released the results of a Library of Congress study as his panel resumed hearings on its review of the law.

In analyzing implementation of the act, the Library of Congress concentrated on formal requests for information made of 29 Federal departments and agencies between July 4, 1967, the day the law took effect, and July 4, 1971.

The identification of requests for data were refused by the agency. The total numbered 1,413. Of that figure, only 90 requests, or 6 per cent of the total, were filed by representatives of the media.

On the other hand, corporations and private law firms were initially refused information under the act 640 times, representing nearly 46 percent of the usage.

Mr. Moorhead said he was not surprised that businesses were making most use of the act. "Those who can afford the expensive and time-consuming process of fighting for their right to know will do so," he said, adding that he hoped Congress would provide some help for the average citizen.

"I am surprised, however, that the reporters, editors and broadcasters whose job it is to inform the American people have made so little use of the Information Act," Mr. Moorhead said. "They were the major supporters of those in Congress who created the law."

Under the law, nine categories of information are exempt from required disclosure. They include such areas as national security data, trade secrets and internal Government memorandums. When a citizen disagrees with an agency's contention that a record is exempt he may sue for it in Federal court. The burden is on the Government to prove that it does not have to be made public.

[From the Washington Star, Sept. 30, 1972]

INFORMATION IMPEDED

A great hooray went up from the press five years ago when the Freedom of Information Act was passed. Journalists and others interested in eliciting the hidden facts about government saw the law as a signal breakthrough against official secrecy. And it was, but obviously it needs more teeth.

For in too many cases the federal bureaucracy has shown itself adept at running around the law and foot-dragging on a marathon scale. Defensive systems have been contrived so as to impede or jam the flow of facts the administration would rather keep secret. Though much useful information emanates from the agencies, they excel at cranking out blurbs reflecting credit upon themselves, and the pricklier realities often are hard to pry out. All this was reviewed in a report issued last week by a House Government Operations subcommittee that held 41 days of hearings on how the information act is being administered.

Clearly, the law has brought about improvements here and there in the availability of facts. Some agencies and departments are implementing it rather well, but the panel found that others have thwarted it, intentionally or unintentionally. What the act provides is that any citizen may see government documents (except those relating to national security and a few other sensitive matters) that are in the fields. But in practice, sometimes there are delays of weeks or months in making documents available, or high fees are charged for copies, or official papers that aren't exempt from public scrutiny are kept in files with those that are exempt, or something is censored out. Even innocuous documents, it seems have been kept from public view for the most whimsical and trivial of reasons.

So the subcommittee is preparing some potent remedies. It will offer several recommendations to strengthen the law, including time limits for the release (or denial) of documents, clearer definitions of what can and cannot be withheld, and a better system of appeal for people who are denied access. These renovations are essential if the public's right to know is to be upheld.

[From the Richmond (Va.) Times-Dispatch, Oct. 5, 1972]

THE WAR AGAINST SECRECY

The fight to prevent undue governmental secrecy is a never ending one. There are Freedom of Information Acts (FOI) at both the federal and Virginia state levels, but neither has proved 100 per cent effective in assuring the public's right to know all it should know concerning the public's business.

"The efficient operation of the Freedom of Information Act has been hindered by five years of foot-dragging by the federal bureaucracy," declares the House Committee on Government Operations in a report to the House of Representatives. "The widespread reluctance of the bureaucracy to honor the public's legal right to know has been obvious in parts of two administrations."

The committee suggests certain amendments to strengthen the act, but it concedes that "no changes in law and no directives from agency heads will necessarily convince any secrecy-minded bureaucrat that public records are public property."

The committee does make specific recommendations, however, as to how federal departments should make public records more readily available to people who want to see them and as to how the Department of Justice should ride herd on other agencies in the enforcement of the FOI act.

Here in Virginia, some local governing bodies and other governmental agencies are finding ways to thwart the intent of the state FOI law. Atty. Gen. Andrew P. Miller has suggested certain amendments to strengthen the law, and the Richmond Chapter of Sigma Delta Chi journalism society is studying the law and the experience under it in preparation for urging changes.

It has been suggested for example, that before going into a closed session, a governmental body be required to state specifically the subject that will be discussed. The law lists the topics that can be discussed secretly—personnel, land acquisition, court litigation, and so on—but the governmental body is not required to reveal which of these will be the topic of the closed session. Still another proposal is that if the governmental body is relying on the authority to discuss privately a subject that later will be given a public hearing a firm date for the hearing be set and announced before the closed session is permitted. This last suggestion is aimed at preventing a governmental body from saying that it is taking advantage of this exemption in the FOI act without really intending to hold a public hearing.

There is one final thought on this whole matter of governmental secrecy. Both the Congress and the Virginia General Assembly could improve their own showings by opening up some committee sessions that are now held behind closed doors. Of course there are times when closed sessions are justified, but legislators, like members of other public bodies and like bureaucrats, need to constantly resist the natural tendency to take the easier way of dealing with problems, which is without the people seeing and hearing all that goes on.

[From the Federal Times, Oct. 11, 1972]

PRESS, GOVERNMENT SEEN SHARING BLAME FOR INFORMATION LAG

(By Bill Andronicos)

WASHINGTON.—Laxity in enforcement of the Freedom of Information Act has been blamed both on the federal government and newspaper management.

Leveling the charges is the foreign operations and government information subcommittee of the House Committee on Government Operations, headed by Rep. William S. Moorhead, D-Pa.

The government, says the subcommittee, is dragging its feet on enforcing provisions of the Freedom of Information Act—and the newspapers are failing to report violations of the Act in instances where they are denied access to certain information

In an interview, one subcommittee spokesman commented that part of the problem lies with reluctance on the part of newspaper management to spend money to start court litigation in instances where they run into a stumbling block while trying to obtain information.

"Publishers simply refuse to use money to order their lawyers, to take court action," the spokesman said. "Moreover, they hesitate to beef up their staffs to include investigative reporters and researchers who can spend months, if necessary, in uncovering violations."

Moorhead himself indicated that legislative action is not enough—and urged the assistance of editors and newsmen in helping make the Freedom of Information Act a success.

Signed into law by President Johnson on July 4, 1966, the Act specifies that "any person" should have clear access to identifiable agency records without having to state a reason for wanting the information. It adds that the burden of proving withholding to be necessary lies solely on the federal agency.

Withholding of information by government under the Act is permissive, not mandatory, and must be justified on the basis of one of specific nine exemptions permitted in the Act.

These relate to such matters as: Secrecy in the interest of national defense or foreign policy; internal personnel rules and practices of an agency; trade secrets and commercial or financial information; personnel and medical files whose disclosure would constitute a clearly unwarranted invasion of privacy; investigatory files compiled for law enforcement purposes; geological and geophysical information; and the like.

Creation of the Freedom of Information Act followed more than a decade of effort by the foreign operations and government information subcommittee and its predecessor, the special subcommittee on government information, established on June 9, 1955 under the chairmanship of Rep. John E. Moss, D-Calif., who was instrumental in bringing about the Freedom of Information Act.

Similar efforts were focused in the Senate subcommittee on administrative practice and procedure, under the chairmanship of Sen. Edward V. Long, D-Mo., and its parent Committee on the Judiciary.

Despite all these efforts in both the House and Senate to assure the public's access to information from the federal government, there now has erupted considerable grumbling about laxity, apathy and refusal to disclose information.

For example, hearings held by the House subcommittee on foreign operations and government information this year indicate that some agencies "are still relying on the original 1789 'housekeeping' statute as authority to withhold certain types of information from the public."

This charge was leveled by the subcommittee in a report just issued by the House Committee on Government Operations. The report is the first in a series designed to cover virtually all major aspects of freedom of information as it relates to the federal government.

The ultimate objective of the reports, says the subcommittee, is to strengthen and clarify the Freedom of Information Act so as to make it "more effective and responsive to an open society."

In preparing its present report, the subcommittee received sworn testimony from 142 witnesses during 41 days of public hearings.

According to the subcommittee, the results of these hearings on government information policies and practices leaves much to be desired. Government roadblocks, the subcommittee notes, are preventing the effective use of the Freedom of Information Act.

In addition to singling out delays by federal agencies in response to an individual's request for information, the report also notes that there has been a lack of involvement in the decision-making process by public information officials.

Consequently, a number of public information officers themselves are not fully informed on certain agency matters or decisions, according to the subcommittee.

The subcommittee also criticized the relative lack of utilization of the Act by the news media—"which had been among the strongest backers of the freedom of information legislation prior to its enactment."

"The delaying tactics of the federal bureaucrats," said the report, "are a major deterrent to more widespread use of the Act, although the subcommittee did recieve testimony from several reporters and editors who have taken the cases to court and eventually won out over the secrecy-minded government bureaucracy."

The subcommittee added that "no changes in law and no directives from agency heads will necessarily convince any secrecy-minded bureaucrat that public records are public property."

"Only day-to-day watchfulness by the Congress and the Administration leaders can guarantee the freedom of government information which is the keystone of a democratic society," the report added.

In fact, the subcommittee noted that its hearings on the administration of the Freedom of Information Act actually directly influenced the revision of regulations within the Department of Health, Education and Welfare's Food and Drug Administration.

PUBLIC INFORMATION OFFICERS OFTEN SUFFER FROM AGENCY INDIFFERENCE

(By Bill Andronicos)

WASHINGTON.—An uninformed public information officer is of little use to an information seeker.

And the reason the public information officer is uninformed is because a federal agency—either deliberately or through apathy or neglect—does not bother to keep the officer abreast of agency policies and procedures.

One of the major gripes of the House subcommittee on foreign operations and government information is that many information officers are excluded from the decision-making process.

Consequently, the subcommittee feels that the information-seeking press or public encounters an information officer who truly knows little or nothing about a particular query.

Extensive hearings held this year by the subcommittee disclosed that there seems to be a pattern throughout the government that many matters—that should be in the domain of the public information officer—are handled by the general counsel, sometimes in consultation with a policymaking official whose primary interest may be protecting the agency from criticism.

In a report based on its hearings, the subcommittee notes that refusals often raise the question, justified or not, "what is the government trying to hide?"

Consequently, the report recommends that "the preference always should be toward public disclosure unless solid defensible and compelling reasons exist otherwise."

Among other things, the report notes that "one indication of the importance of the Freedom of Information Act in terms of agency priorities is the record keeping of the agency."

In response to a subcommittee's questionnaire in the summer of 1971, regarding the administration of the Freedom of Information Act, the departments of the Army, Navy, Labor, the Civil Service Commission and units of the Transportation Department all indicated they could not provide certain requested statistics because they failed to keep any records on these matters.

During its hearings, the subcommittee learned that some large government departments and agencies are set up under a system of decentralized operations which, by their organizational nature, impede the chief public information officers in providing the type of advice that should be immediately available.

This is true, said the subcommittee report, of the departments of Agriculture, Interior and Labor.

For example, under questioning by subcommittee chairman Rep. William S. Moorhead, D-Pa., one Agriculture Department witness acknowledged that during the five years of the act's existence, the agency had no record of the number of times that the advice of a public information expert was sought prior to a decision to withhold information. He added that such matters generally were left up to the department's general counsel.

The issue was brought up again in testimony by the Labor Department. According to the subcommittee report, although the Labor Department has an extensive public information office—and the Secretary of Labor has a special assistant who reportedly is an expert in the field—none of the public information people apparently are consulted at any time in the public information process.

The Interior Department also has been taken to task for keeping no records of requests under the Freedom of Information Act—and for not consulting with the public information officer in handling such requests. Moreover, decisions on refusals were made at low administrative levels. Access to requested information was granted in only 40 per cent of the cases.

The subcommittee also noted that some regulatory agencies, such as the Federal Communications Commission (FCC), ignore the public information officers.

Initial decisions on whether to accept or refuse a request for information were made by the FCC executive director with the advice of the general counsel's office, according to the subcommittee report. The public information officer was never consulted, neither in response to an initial request for information nor when an appeal was acted upon.

In fact, the FCC general counsel, in reply to a written question submitted by the subcommittee, said blunty: "The executive director is not required to seek the advice of, nor does he in practice consult with the public information officer before acting upon a request which raises a question of interpretation under the Freedom of Information Act."

Another criticism leveled against the federal government involves its tendency to confuse public information with publicity.

Where does one draw the line between the two?

The subcommittee acknowledges that the line between public information, publicity or public relations—and propaganda—"is fine indeed and, like beauty, is often in the eye of the beholder."

Cautioning that the use of press-agentry or image making by federal agencies apply equally to new and old agencies alike, the subcommittee singled out the Interior Department and the newly created Environmental Protection Agency (EPA) as oftentimes confusing public information with publicity.

The subcommittee seemed pleased that in its testimony, EPA testified that final authority on refusals of access to public records rests with the agency's public affairs officers—but was critical of the agency's publicity-seeking devices.

Shortly after testifying to EPA's steadfast commitment to a proper government information program, the agency selected two New York City agencies to develop plans to advertise the work of EPA.

The price EPA paid the advertising agencies to find out EPA's mission and develop an advertising program to sell EPA to the public amounted to $101,535.

The Department of the Interior, the subcommittee added, confuses "image-making" with "public information" on a slightly smaller scale than EPA.

For example, Interior paid $121 a day to a political publicity man to recommend improvements in the department's public information practices—and then decided that the public information report was not a public record under the Freedom of Information Act.

Harry Treleaven, who worked in President Nixon's successful 1968 campaign and was a leading character in the book "The Selling of the President, 1968," prepared a report to then Secretary of the Interior Rogers C. B. Morton on the information and public relations activities of Interior. The 85-page report was presented in April, 1971—and included 18 pages of general observations and recommendations.

A reporter for the Louisville Courier-Journal was refused copies of the report on grounds that it was an "internal document."

Pressure from the Congress and the University of Missouri Freedom of Information Center finally prompted the department to release 18 pages of the report—but a hassle developed over a single paragraph which had been omitted because the department felt it contained "references" to named individuals, the disclosure of which could prove an unwarranted embarrassment to those individuals."

Noting that the Department of Justice is the agency responsible for preparing guidelines for the administration of the Freedom of Information Act, the subcommittee commented that the department's office of legal counsel needs to exercise a greater leadership function.

The subcommittee suggested that the office of legal counsel can do so by advising other federal agencies of significant court interpretations of the act—and by preparing a pamphlet for the general public to explain the rights of individual citizens to obtain public records from federal agencies.

Actually, the Justice Department serves three roles under the Freedom of Information Act.

First, as an executive department, it is regarded as an "agency" under the act—and hence, subject to all of the same administrative procedures in making information available as are other federal agencies.

Second, the Justice Department serves as legal counsel to the federal government. The civil division handles the litigation for most government agencies when a suit is filed under the act.

The third, and most vital role played by the department, involves its advisory or consulting capacity exercised by its office of legal counsel through the department's freedom of information committee.

However, the department is not without its limitations in assuring full and effective enforcement of the Freedom of Information Act.

For example, departmental witnesses told the subcommittee that its functions often are limited by the decentralized administration of the act, as prescribed by Congress, in requiring each agency to act on requests for its own records.

Justice spokesmen indicated that the department generally has no authority to compel another agency to comply with a request for its records.

In reviewing its overall findings on the progress—or lack of it—in assuring effective use by the public of the Freedom of Information Act, the subcommittee decided that "a more clearly defined role for public information personnel in the federal government and a general uplifting of their status within the bureaucracy are long overdue."

"Not only could such steps have significant impact on more conscientious administration of the Freedom of Information Act—both in the letter and spirit of the law—but it would also give proper recognition to the legitimate and increasingly necessary role of public information officers as 'the bridge' between faceless government and its citizens," the subcommittee report added.

However, the subcommittee acknowledged that the task would not be an easy one, noting that neither the legislative history of the act nor the act itself is "clear and simple."

In fact, the subcommittee report observed that the act "contains general phraseology, undefined terms and loosely drawn provisions that have bothered the courts, as well as government officials seeking to interpret the Act."

SENATOR B. EVERETT JORDAN

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, I join my colleagues on both sides of the aisle in paying tribute to Senator B. Everett Jordan. His retirement at the close of this Congress marks the end of a 14-year Senate career which has been characterized by a special brand of diligence and quiet attention to duty that is much admired by his colleagues.

Everett Jordan came to the Senate equipped with a sound background in the business world and a distinguished record of service to the Democratic Party. He set about his work in the Senate with sound judgment, commonsense and a firm awareness that our most significant progress is to be made in the nuts-and-bolts work of committees.

A good part of his effort has been devoted to insuring the smooth operation of the Senate itself. Each of us in this body can be grateful to Everett Jordan for his persevering and effective work as chairman of the Committee on Rules and Administration and the services he has rendered in the sometimes thankless posts which contribute so significantly to the on-going work of Congress.

Everett Jordan has my personal gratitude on many counts, Mr. President. When I returned to the Senate 2 years ago, he was most cooperative in arranging the staffing and funding of the Subcommittee on Rural Development, which it is my privilege to chair. To a great extent, his efforts contributed to the work of this subcommittee, which was able to produce the landmark Rural Development Act of 1972.

It is of special importance to me that Senator Jordan has thrice served as chairman of the Joint Congressional Committee on Inaugural Ceremonies. I would have preferred, of course, to have been the direct beneficiary of his good efforts for the 1969 inauguration, but I was able to make a firsthand evaluation of his accomplishments, as an interested spectator.

Mrs. Humphrey and I have been enriched by our friendship with Everett and Katherine. We have visited them in their home and have met many of their wonderful friends. One of the rewards of our public life has been our association with the Jordans.

Mr. President, we will miss Everett Jordan. He has given us the benefit of his wisdom and humor, and he leaves us with the knowledge that a fine gentleman has performed admirably in this body.

COMMITTEE ON PUBLIC WORKS DEVELOPED MAJOR LEGISLATION IN 1972

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. RANDOLPH. Mr. President, the Committee on Public Works developed major legislation in each of its areas of responsibility during 1972. This level of activity resulted in heavy demands on the time and energies of members of the committee and the staff. It was essential, however, that we legislate in each of these areas because of the needs of a dynamic society that expects more from its government than ever before.

During 1972, the five subcommittees of the Committee on Public Works conducted a total of 42 days of legislative and oversight hearings. In addition, the full committee conducted three hearings on nominations to important positions which were submitted by the executive branch.

Although the committee approved major bills in areas of great importance, I regret to report that in several instances the results of our efforts were not enacted into law. The Federal Water Pollution Control Act Amendments of 1972, which required nearly 2 years to bring to final form, was enacted only after the Congress overrode the Presidential veto of this crucial measure. Two other bills, the omnibus rivers and harbors bill and the Public Works and Economic Development Amendments of 1972, were vetoed by the President following adjournment of the 92d Congress. The Federal-Aid Highway Act of 1972 also failed to become law because of the inability of the House of Representatives to secure a quorum on the final day of the legislative session. All of these will require our renewed attention early in 1973.

Throughout the rigorous schedule of the past year, members of the committee were diligent in their attendance at committee meetings and in their attention to matters before us. All were conscientious in giving the careful and deliberate consideration required of these important measures.

Mr. President, I now will discuss in detail the 1972 activities of the Committee on Public Works by subcommittee:

SUBCOMMITTEE ON FLOOD CONTROL—RIVERS AND HARBORS

The major legislative activity of the Subcommittee on Flood Control—Rivers and Harbors, chaired by Senator B. Everett Jordan of North Carolina, was the development of an omnibus rivers and harbors bill, S. 4018, which was passed by the Congress but vetoed by the President on October 27.

S. 4018, authorized approximately

$593 million for the initiation and construction of navigational, flood control, and other related multipurpose projects and programs. Particular emphasis was placed upon the correction and prevention of shoreline and streambank erosion problems throughout the country, in an effort to prevent the further loss of valuable adjacent properties, and provision was made for continuation of this essential work on a procedural basis. Emergency repair projects, necessitated by floods and wind damage during recent severe storms throughout the country, were also included in the bill. In addition, it authorized numerous modifications and additions to existing laws affecting navigational waterways and tributaries, considered necessary to improve and modernize them for the purpose of fulfilling current and anticipated needs.

Hearings were conducted before the subcommittee for 12 days during June and September of 1972, at which times testimony pertaining to various projects was submitted for consideration. In addition to the hearings, staff members participated in a series of briefings with officials of the Corps of Engineers and others having a responsible interest in the proposed projects.

In other action during 1972, the subcommittee approved 13 water resource projects having a total estimated Federal cost of $38.4 million, for construction by the Corps of Engineers, under the provisions of section 201 of the 1965 Flood Control Act. Three watershed projects, having a total estimated Federal cost of $6.4 million, were approved for construction by the Soil Conservation Service under the provisions of Public Law 83–566.

A total of 44 resolutions, requested by Members of the Senate, were adopted during the year, directing the Chief of Engineers to investigate and report his findings with report to various flood control, navigation, streambank, and beach erosion problems.

SUBCOMMITTEE ON AIR AND WATER POLLUTION

The Subcommittee on Air and Water Pollution, chaired by Senator EDMUND S. MUSKIE, is responsible for legislation and oversight in the Committee on Public Works relating to air and water pollution, solid waste management and resource recovery, control of noise, and other matters affecting the environment. During 1972, the subcommittee held 24 days of public hearings and participated in 10 executive sessions relating to subcommittee matters.

Final enactment of the Federal Water Pollution Control Act Amendments of 1972 was one of the committees' most important achievements. During 1972, 39 conference sessions were held by conferees on the part of the House and Senate. This was preceded in 1971 by 33 days of public hearings and 45 executive sessions of the subcommittee and the committee on the water bill. Thus, a total of 117 meetings were required in developing the most comprehensive water pollution legislation ever enacted.

On September 14, 1972, the conferees reached agreement. Both Houses of Congress agreed to the conference report on October 5—the Senate by a margin of 74 to 0.

The water pollution bill was vetoed by the President on October 17, but the veto was overridden by a 52-to-12 margin in the Senate and a 247-to-23 margin in the House, and the water pollution bill was enacted into law as Public Law 92–500.

The key provisions of this landmark legislation establish a regulatory system which provides that by July 1, 1977, all point sources of pollution must apply best practicable effluent control technology, and by July 1, 1983, all point sources must apply the best effluent control technology available.

These controls will be administered through a permit-issuing process. Violations of a permit condition will be enforceable through a penalty provision.

The act authorizes expenditures of $24.6 billion in Federal money, $18 billion of which will be allocated to the States on a needs basis for grants to pay the Federal share of the cost of constructing sewage treatment facilities. The Federal share is 75 percent. The definition of construction has been expanded to handle the problems of collection sewers and combined sewers.

The act also expanded the provisions of the National Environmental Policy Act to include some water pollution programs managed by the Environmental Protection Agency.

In 1972 the subcommittee also developed the first comprehensive legislation for the control of noise. The subcommittee held public hearings on noise control legislation on March 24 in San Francisco, Calif., and on April 12 and 13 in Washington, D.C. Following the public hearings, there were two executive sessions of the subcommittee and six executive sessions of the full committee on this measure, culminating in committee's reporting the Environmental Noise Control Act of 1972 on September 19. The noise pollution control bill passed the Senate on October 13 and was finally approved by both Houses of Congress on October 18 when the House passed the Senate bill with amendments to which the Senate subsequently agreed.

This legislation requires the Environmental Protection Agency to establish noise regulations for products which are adequate to protect the public health and welfare. State and local governments may establish stricter controls on environmental noise from one or more sources. Aircraft are subject to emission and operational controls as proposed by the Administrator of the Environmental Protection Agency and approved by the Administrator of the Federal Aviation Agency. All regulations prescribed pursuant to the act are subject to judicial review. Additionally, any person may bring suit against the Administrator of the Environmental Protection Agency or the Federal Aviation Agency for failure to protect the public health and welfare. The act authorizes $21 million for fiscal years 1972 through 1975 to implement this legislation.

On January 24 the subcommittee held a hearing on a bill to permit establishment of interstate environmental compacts. An executive session was held on this bill on February 15 at which time it was referred back with amendments to the Committee on the Judiciary where it originated.

The subcommittee, in 1972, initiated a greatly expanded effort to examine the implementation of enacted legislation within its area of responsibility. On February 16 the subcommittee began hearings on implementation of the Clean Air Amendments of 1970. The oversight activity included 12 days of hearings in Washington, one hearing in Los Angeles, Calif., on March 25, and an executive session on June 2 at which representatives of the Environmental Protection Agency discussed potential criminal violations by the auto companies in implementing the Clean Air Act.

The subcommittee staff during April and May monitored the public hearings and other activities of the Environmental Protection Agency relating to the request by the auto companies to delay implementation of the emission control standards scheduled under the Clean Air Act to take effect in 1975.

New developments in reducing automobile exhausts, including alternatives to the internal combustion engine, and their potential impact in meeting standards prescribed by the Clean Air Act were examined at a hearing held by the subcommittee's Panel on Environmental Science and Technology in Washington, D.C., on March 14.

The subcommittee, in conjunction with the Committee on Interior and Insular Affairs, held 4 days of oversight hearings on the impact of the National Environmental Policy Act beginning on March 1, 1972.

Oversight hearings were also held on the environmental problems of the Lake Tahoe Basin and Federal policies affecting those problems on August 21 at Lake Tahoe and on implementation of the Resource Recovery Act of 1970 in San Diego, Calif., on August 23.

SUBCOMMITTEE ON ROADS

The Subcommittee on Roads during 1972 devoted most of its efforts to the analysis of data and preparation of legislation necessary to continue biennial authorizations for the various Federal-aid highway and traffic safety programs. Many bills introduced by Members of the Senate and numerous suggestions made by the administration and other groups for extension and revision of these programs were considered and acted upon by the subcommittee. In addition, further examination was made of proposals for modifying present width limitations for buses operating on Interstate Highways.

The subcommittee held 9 days of hearings during the year, during which 84 witnesses testified. Additional statements, comments, and communications for the record were received from more than 130 other sources.

Hearings begun previously in December 1971 on H.R. 4354 were concluded on February 14. This bill, which had passed the House of Representatives, would have authorized States to permit buses not more than 102 inches wide to operate on segments of the Interstate System within their borders. On the recommendation of the Secretary of Transportation and the Federal Highway Administrator, action on this measure was postponed until results are available from extensive research being conducted under departmental sponsorship on possible traffic hazards caused by wider vehicles.

Twenty bills, one concurrent resolution, and two amendments were the subject of a series of hearings on the basic Federal-aid highway program conducted by the subcommittee from May 10 through June 15. Two measures introduced by Senator COOPER, S. 3590, to authorize appropriations for the construction of highways and mass transportation; and S. 3589, to amend the Highway Safety Act of 1960, incorporated many recommendations made by the administration. Several other bills proposed major program changes including S. 2440, to authorize the construction of exclusive or preferential bicycle lanes; S. 2719, to improve highway safety programs with respect to the prevention of accidents resulting from the excessive use of alcohol; S. 3037, to authorize funds for urban public transportation; S. 3266, to authorize reimbursement for future construction of toll roads; S. 3405, to establish a national scenic and recreational highway program; and S. 3701, to extend and improve the Federal highway safety program. Bills more limited in scope or applicable only to particular areas or projects included S. 1634, S. 1959, S. 2119, S. 2360, S. 2633, S. 2733, S. 2852, S. 3052, S. 3242, S. 3581, S. 3582, and Senate Concurrent Resolution 28.

All of these bills, along with testimony of witnesses and other evidence, were reviewed by the subcommittee in executive sessions and a clean bill was recommended to the Committee on Public Works. After carefully analyzing all proposals in a series of meetings, the committee modified several provisions and added a number of new sections.

On August 18 the committee ordered reported S. 3939, the Federal-aid Highway Act of 1972. As noted in its report—No. 91–1081—this bill represented a significant broadening of the basic 50-year-old Federal assistance program and proposed innovations designed to provide greater flexbility, more public participation, and less delay in the administration and supervision of highway planning and construction.

It would have authorized for the first time such new features as the purchase of buses from urban and secondary system funds, a small urban highway system, the privilege of transferring urban interstate segments elsewhere on a dollar rather than a mileage basis, reimbursement from future primary apportionments for new toll roads, funds for the construction of bicycle paths, pedestrian walkways, and equestrian trails, a "pass-through" of urban system funds to urbanized areas in which metropolitanwide transportation agencies had been established, a special urban high density traffic program, and an optional alternative Federal-aid highway procedure for reducing redtape. Other significant features of S. 3939 would have required a realinement of Federal-aid highway systems, revised the control of outdoor advertising and junkyard provisions of the Highway Beautification Act, extended the economic growth center highway program, directed feasibility studies for several proposed interstate routes, ordered a study of laws and regulations governing toll bridges, and extended the life of the Highway Beautification Commission for 1 year.

In recognition of changing needs, the annual authorization level for the Interstate System would have been reduced $750 million, but funds, for primary, secondary and urban system roads would have been greatly increased. Moreover, total authorizations for highway safety purposes, including the improvement and removal of railroad grade crossings, elimination of high hazard road locations, and replacement of deficient bridges, would have been more than trebled to a total of approximately $1 billion. Additional traffic safety sections would have required more effective penalties for driving while intoxicated, mandated compliance with alcohol safety standards, authorized sizable incentive grants to States achieving either above average or significant improvement in carrying out highway safety programs, made Indian reservations eligible for highway safety funds, provided grants for emergency medical care of accident victims, and established a pavement-marking research and demonstration program.

On September 7, the Committee on Banking, Housing and Urban Affairs, because of its primary jurisdiction over urban mass transportation, held a hearing on S. 3939, which had been referred to it for review and comment. In accordance with testimony received at that hearing, that committee recommended that Federal-aid urban system highway funds should be made available for rail and subway transit capital expenditures as well as for the purchase of buses. It also proposed a new title III to the bill which would have authorized $3 billion in contract authority and $800 million for operating expenses from general funds to be administered by the Urban Mass Transportation Administration.

The Senate approved adding title III to the bill on September 13, and an amendment — Cooper-Muskie—permitting the optional use of urban system funds for the construction of fixed rail facilities and the purchase of rail passenger equipment for public mass transportation was adopted on September 19. Aside from minor technical changes, the only other significant amendments made to S. 3939 by the Senate provided for access highways to public recreation areas on Federal lakes, required Federal-aid highway projects to be integrated with overall State transportation plans, and authorized an additional railroad relocation demonstration project. Final passage of the bill on September 19 was by a vote of 77–0.

After the House of Representatives passed its version of the Federal-aid Highway Act of 1972—H.R. 16656—on October 5 and substituted the text of this bill for that of S. 3939, conferees for the Senate and the House met for about 40 hours during five lengthy sessions before agreeing on a conference report. While merging many provisions of both bills, the report authorized a 1-year extension of funding for the Federal-aid highways systems, expanded many aspects of the highway safety program, and included the proposed title III financing for the Urban Mass Transportation Administration with somewhat lower authorizations for operating subsidies. Although the conference report was agreed to by the Senate on October 18, adoption could not be secured in the House of Representatives before sine die adjournment that same day, and the bill did not become law.

Until his resignation from the committee in August to accept membership on the Committee on Appropriations, the Subcommittee on Roads was chaired by Senator BIRCH BAYH. At that time, the chairman of the Committee on Public Works resumed leadership of the subcommittee and directed its work for the remainder of the 92d Congress.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Since the introduction of the Appalachian Regional Development Act and the Public Works and Economic Development Act in 1965, the subcommittee has provided the legislative basis for the national effort to strengthen the economic foundation of the less fortunate areas of our country. The experiences, both successes and failures, of the programs initiated by this legislation, plus the need to meet the challenges of changing times, makes it evident to the subcommittee that new legislation in this field is required, legislation that recognizes more fully the interdependencies of social institutions and economic activities and of interrelationships within our physical environment. The need is for a more rational and coordinated approach to public investments, of which public works is a major element.

With the objective of new development legislation in mind, the subcommittee under the chairmanship of Senator JOSEPH MONTOYA held 15 days of public hearings in the field in 1971. As a result of these hearings, a bill—S. 3381—was introduced on March 21, 1972, to establish a national development program through planned public works investment. The basic structure of the program would be a working partnership of Federal, State, and local governments, organized in multi-State commissions.

Program initiative would be placed at the local level while the administration structure would help State and local governments adopt the resources of diverse national programs to local requirements. Such a program of coordinated public decisionmaking should result in reasoned patterns of development and greater opportunity for all Americans.

Hearings on S. 3381 were held in Washington, D.C., on April 18, 19, 20, 25, 26, and 27, 1972, with testimony from 38 witnesses. These hearings were held to examine the strengths and weaknesses of the proposed legislation and to review the programs administered by the Economic Development Administration, the Appalachian Regional Commission, and the title V regional action planning commissions. The hearings demonstrated a need for additional investigation and study of this important subject. Work has continued, and new legislation will be proposed to the 93d Congress.

The subcommittee believes that current Federal efforts to assist economically distressed areas should not be abandoned in the interim. Legislation that would continue the economic programs of EDA and the title V commissions for an additional fiscal year was considered, therefore, and recommended to the Congress. This legislation — H.R. 16071 — passed both Houses of Congress on October 14, but was subsequently vetoed by following congressional adjournment.

In addition to the 1-year extension, major provisions in the bill separate short-term emergency assistance and funding from long-term economic development programs through the establishment of a separate public works impact program; authorize additional funding to title V regional commissions with completed long-range development plans; allow the Secretary of Commerce to make grants to economic development districts to help pay for administrative and planning expenses; and provide assistance to persons and firms that have suffered or will suffer economic hardship as the result of Federal environmental legislation. The Subcommittee on Air and Water Pollution held hearings on the question of economic dislocation as related to environmental control orders on May 17, 18, and June 28, 1971.

SUBCOMMITTEE ON BUILDINGS AND GROUNDS

Among the major legislative activities of the Subcommittee on Buildings and Grounds during 1972 was the development under the direction of its chairman, Senator MIKE GRAVEL, of a bill to further amend the Public Buildings Act of 1959, as amended, providing for the financing, acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes. One provision is for implementation of a unique and innovative lease purchase procedure, enabling the General Services Administration to promptly expedite construction of buildings previously authorized, but not funded. This act also incorporates S. 2900, authorizing funds for the operation and maintenance of nonperforming arts functions of the Kennedy Center. In accordance with Senate and House agreement during conference, S. 1736 was passed and became Public Law 92–313 on June 16.

Further important legislation included S. 3943, a bill authorizing purchase-contract construction of a convention center in downtown Washington, D.C., to be named in honor of the late President Eisenhower. The bill also designated names for several Federal office buildings throughout the country, becoming Public Law 92–520 on October 21.

Another bill, S. 3917, authorized completion of the New Senate Office Building and acquisition of land and planning, for a proposed parking structure. Designated the U.S. Senate Office Building, Land Acquisition, and Parking Facilities Planning Act of 1972, was passed by the Senate on September 13.

During 1972 the subcommittee reviewed and approved five prospectuses for new buildings estimated at $112,117,000, 16 amended prospectuses increasing estimates for previously authorized projects in the amount of $96,081,405, and three prospectuses for purchase contracts estimated at $18,677,250, for a total of $226,875,655.

Joint hearings were conducted with the House Buildings and Grounds Subcommittee on August 9, during which testimony pertaining to the Eisenhower Convention Center was received. In addition, staff members participated in a series of briefings with officials of the District government and others having interest in this matter. Numerous meetings with officials of the General Services Administration were also conducted in conjunction with other proposed projects.

Legislation designating names for public buildings in five cities also was expedited by the subcommittee during 1972. S. 3568, authorizing designation of the FBI Building in Washington, D.C., as the J. Edgar Hoover Building, passed the Senate on May 25. S. 861, authorizing that a proposed Federal building in Atlanta, Ga., be named the Richard B. Russell Federal Building, was subsequently incorporated into S. 3943. S. 3924, the Philip J. Philbin Federal Office Building, was also incorporated into S. 3943. S. 4005 authorized that a proposed Federal building in Albany, N.Y., be named the Leo W. O'Brien Federal Building. S. 4025 designated the proposed Federal building in Honolulu, Hawaii, as the Prince Jonah Kuhio Kalànianaloe Federal Building.

COMMITTEE FILM PROGRAM

The two films on air and water pollution which the committee makes available for public showing continue to be extremely popular.

During 1971, requests for the films—"Ill Winds on a Sunny Day" and "Troubled Waters"—was greater than our ability to meet them. Through October 25, the two films were shown a total of 1,050 times and were seen by 26,187 people. The committee was unable to fill 644 requests for the films.

During the year 21 new prints of the films were purchased and we now have a total of 45 in circulation throughout the country.

SENATOR CLINTON P. ANDERSON

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, I wish to take special note prior to the adjournment of the 92d Congress of the retirement of our distinguished colleague and senior Senator from New Mexico, CLINTON ANDERSON.

It is my privilege to have been a member with CLINT ANDERSON of the "class of 1948." It was and is a great group of Senators, if I may say so, Mr. President. CLINT ANDERSON and I were privileged to be elected and enter the Senate at the same time as Lyndon Baines Johnson of Texas, RUSSELL B. LONG of Louisiana, Paul Douglas of Illinois, Estes Kefauver of Tennessee, and Robert S. Kerr of Oklahoma, to name only a few of the Democratic Senators elected that year. And may I add to this reminiscence of our class our present colleague on the other side of the aisle, Mrs. MARGARET CHASE SMITH of Maine.

Mr. President, I do not hazard the judgment whether the "class of 1948" has fulfilled the expectations made of it by the press of the time, but I do say of CLINT ANDERSON that he is one of the great leaders of his class, of this Senate, and of this country, and I am very proud to serve with him and to be his friend.

CLINT ANDERSON's diligence and total commitment to public service over 24 years in this body have been well recognized in his appointment to the chairmanship of the Committee on Aeronautical and Space Sciences, his vital work as a member of the Committee on Finance and the Interior and Insular Affairs Committee, and in his expertise as a member of four joint committees—Atomic Energy, Internal Revenue Taxation, Navajo-Hopi Indian Administration, and Reduction of Federal Expenditures.

Prior to entering the Senate, however, he had already compiled an outstanding record of service in State administration, as a three-term Member of Congress, and as U.S. Secretary of Agriculture.

Having dealt at first hand with the economic crisis of the Depression and later with a critical era in agricultural production, CLINT ANDERSON has a deeply rooted concern for the needs of people. As a member of the Finance Committee he was the great leader for expanded social security benefits and in the extended effort to secure enactment of medicare.

It was this same dedication that resulted in his identification with innovative legislation in such areas as atomic energy, the space program, reclamation, wilderness protection, and statehood for Hawaii and Alaska.

For his accomplishments and for his humanity, CLINT ANDERSON has earned warm affection of his colleagues in the Senate. I have been honored by his friendship, and enlightened by his counsel. I hope to enjoy many more years of both.

TRIBUTE TO PRESCOTT BUSH

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. ALLOTT. Mr. President, I was saddened to learn of the death of an old friend and colleague earlier this month. I was privileged to serve with Senator Prescott Bush in the U.S. Senate. I knew Senator Bush and respected him highly. I had great admiration for him as a man, as a Senator, and as a leader in the Senate labors.

Prescott Bush was an outstanding member of the Senate and a great and good servant of the people of Connecticut. He brought to the Senate a native ability and a great deal of that noted Yankee shrewdness. He was always able to leaven any discussion with a great deal of commonsense. Senator Bush was truly a fine man, a man of great integrity, and also a man who placed a high value on hard work. He insisted on performance always to the maximum himself and expected the same degree of performance from others. By his own example, Prescott Bush achieved just that.

Mr. President, in closing this brief tribute to an old and well-loved friend, I wish to extend to his family my sympathy and my hope that they will be comforted by the knowledge to the extent of the affection and esteem in which he was held by all who knew him.

A TRIBUTE TO SENATOR LEN B. JORDAN

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, with the close of the 92d Congress, Senator LEN JORDAN, of Idaho, will end his Senate career, which began a decade ago. During his full tenure in the Senate, Senator JORDAN served on the Committee on Interior and Insular Affairs, which I have the honor to chair as a Senator from a neighboring northwestern State with many common interests. As well as serving with him on my committee, I have had an opportunity to observe him in action as a representative of his people and State and as a man. Senator JORDAN is respected by all those who have had the opportunity to serve with him. He is a dedicated public servant and a gentleman in every sense of the word. If we differed from time to time on any issues, it was never in bitterness or narrow partisanship. His attitude was one of seeking to find a way to accomplish an objective rather than enumerating reasons why something could not be done.

His colleagues on the Interior Committee will miss him as will the other Members of the Senate. He has one of the finest attendance records at the committee and his broad interests and "grassroots" western background has been of great help. I am grateful for this opportunity to express my sincere appreciation for the privilege I have had of working and serving with LEN JORDAN in the U.S. Senate.

SENATOR FRED R. HARRIS

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUMPHREY. Mr. President, I want to take this opportunity to express my admiration for our colleague, Senator FRED HARRIS, who is retiring from the Senate. We will miss this man of compassion and champion of human rights.

I worked closely with FRED HARRIS at the time when he served as chairman of the Democratic National Committee in 1969, instituting reforms which will evolve to greatly broaden the base of our party. I have also been fortunate to be associated with him in the Senate in connection with a number of his many battles for justice and human dignity.

He played an important role in the movement to bring about much needed congressional reform, in particular as chairman of the ad hoc committee on reform appointed by the Democratic Conference.

He was among the prime movers in Senate efforts to improve and expand health care, child care development, welfare reform, environmental protection, and conservation of our natural resources.

FRED HARRIS has been in the forefront of the continuing fight for social and economic reform. He has always been willing to move forward when others were all too often holding back. He sensed the needs of the future and particularly the growing danger of massive concentrated power. He had the courage to warn of these dangers, however unpopular his warning was with some.

And no mention could be made of our distinguished colleague without including his courageous and innovative wife, LaDonna. Together they have awakened our national consciousness to the plight of the long-ignored American Indian, and to the deprivations suffered by so many others in our society.

Senator FRED HARRIS will be missed in this body and I personaly will feel the loss. It is rare that friendships like those many of us feel for FRED HARRIS and his wonderful wife are formed in the turbulent and tense climate of politics. Those friendships remain as important as the rewards of fighting the "battles" with FRED HARRIS on issues in which we firmly believe.

And there are battles which remain to be fought. I know that LaDonna and FRED HARRIS will be in there at the forefront and I am counting on their continued counsel and inspiration.

ST. LOUIS LAUNCHES PROGRAM TO FIGHT LEAD-BASED PAINT POISONING

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SYMINGTON. Mr. President, lead-based paint poisoning is a disease that hits the urban ghetto dweller hardest. Children between the ages of 1 and 3 years are most often affected. The poisoning results from eating chips of paint that have fallen from walls, windows, and ceilings of deteriorated apartments and homes.

Heavy lead concentrations of the paint in the blood system can cause cerebral palsy, kidney disease, blindness, and death, and it is estimated that half of the 14,000 children treated for lead-based paint poisoning this year will be left mentally retarded.

The administration requested no funds for fiscal year 1971 to prevent lead-based paint poisoning and only $2 million for fiscal year 1972, although Congress had authorized $30 million for those fiscal years. The Lead-Based Paint Poisoning Act which authorized these funds is the first Federal law to combat this disease.

Two articles from the St. Louis Globe-Democrat and the St. Louis Post-Dispatch reflect the serious problem of lead-based paint poisoning in only one of our major cities.

The Alliance for Regional Community Health—ARCH—decided to make lead paint elimination its primary health objective in the St. Louis area and took action to establish a task force on childhood lead paint poisoning.

The alliance will work with the St. Louis Legal Aid Society and the People's Coalition Against Lead Poisoning.

The estimated cost of the project initiated by ARCH to deal with lead paint elimination is $2.5 million annually for St. Louis City alone—approximately the total amount requested by the administration for the entire United States.

With that in mind, I ask consent to insert in the RECORD at this point the articles from the St. Louis Globe-Democrat and the St. Louis Post-Dispatch which express the concern of St. Louisans over this disease of epidemic proportions:

[From the St. Louis Globe-Democrat]

ARCH ACTS TO CURB LEAD POISONING

(By Edward L. Cook)

A proposal to establish a permanent task force on childhood lead poisoning was adopted in a policy statement by the Alliance for Regional Community Health (ARCH) board at a meeting in St. Louis University's Busch Memorial Center Wednesday.

The board voted to accept a recommendation of its Environmental Health Committee to consider elimination of lead poisoning the primary health objective in the region.

"Treatment of children may lessen the severity of illness and prevent the death of children already poisoned, but only inspection and treatment of the housing can prevent additional children from being poisoned," the committee said.

ARCH will work with the People's Coalition Against Lead Poisoning and Legal Aid Society in drawing plans to eliminate the hazard, a project estimated to cost $2.5 million annually in the city alone.

The People's Coalition has estimated it costs $1,000 per case to treat a hospitalized child for lead poisoning and some 30,000 children are in high risk lead areas of St. Louis, the environmental committee said.

"For more than a decade, St. Louis has recognized the problem of lead poisoning. . . . Yet, the problem still exists in almost epidemic proportions. Recent statistics indicate that in the first five months of 1972, some 393 children were found to have elevated blood levels," the report noted.

The ARCH board gave its endorsement of an expansion and construction application of St. Mary's Health Center, 6420 Clayton Rd., Richmond Heights.

Total cost of the two-phase project, which includes relocation of the emergency and outpatient departments is estimated to be $4,757,200 over a period ending in March, 1976.

Construction will include an Ambulatory Care Center, comprising emergency rooms, employee health department outpatient clinic and medi-surgicenter. Phase I construction will begin March 1, 1973.

A final report on the feasibility of extending ARCH functions to four more Illinois counties—Bond, Clinton, Washington and Randolph—was referred to the body's executive committee for consideration.

The report, prepared by Community Health, Inc. (CHI), a nonprofit consulting group, recommended two separate councils be formed, one representing all Missouri counties, and one all Illinois counties involved in the health service program.

Mary Robinson, deputy executive director of CHI, said the study showed expansion of ARCH functions is feasible only if it is reorganized.

[From the St. Louis Post-Dispatch]

ENDING LEAD POISONING GETS ARCH PRIORITY

Eliminating lead poisoning should be the primary health objective in the St. Louis area, the Alliance for Regional Community Health said in a policy statement adopted yesterday.

"For more than a decade, St. Louis has recognized the problem of lead poisoning," the statement said. "Yet, the problem still exists in almost epidemic proportions.

"Recent statistics indicate that in the first five months of 1972, some 393 children (in St. Louis) were found to have elevated levels of lead in their blood."

Lead poisoning is usually the result of children's eating cracked or peeling lead-based paints or putty.

Area-wide plans to counter lead poisoning will be drawn by ARCH in co-operation with the People's Coalition Against Lead Poisoning and the St. Louis Legal Aid Society.

An ARCH staff member estimated that a campaign to eliminate the old lead-based paints or putty in dilapidated housing would cost more than $2,500,000 in St. Louis alone.

ARCH's environmental health committee quoted the People's Coalition Against Lead Poisoning as estimating that it costs $1,000 to treat a child who has been hospitalized as a result of lead poisoning.

"Treatment of children may lessen the severity of illness and prevent the death of children already poisoned," the statement said. "But only inspection and treatment of the housing can prevent additional children from being poisoned.

CAB CONSUMER CHIEF'S VIEWS PRESENTED TO AIRLINE OFFICIALS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ROONEY of Pennsylvania. Mr. Speaker, once again the Civil Aeronautics Board's office of Consumer Affairs has forcefully outlined its role in the field of consumer relations.

In a presentation prepared for the World Conference of Airline Relations Directors, Mr. Jack Yohe, the CAB's Consumer Affairs Director, told airline representatives:

> The one thing we should bear in mind is that every consumer is first and foremost a human being. As such he should be dealt with on the basis of equity and honor.

Mr. Yohe spelled out the CAB's role in handling consumer problems and told what the Board and its staff expects of carrier representatives in their dealings with airline passenger complaints. I believe my colleagues will find his remarks of interest:

REMARKS BY JACK YOHE

Perhaps the most sensible, and I confess the easiest way to begin a presentation to an audience as diverse as this, is to explain the whys and wherefores of my being asked to speak to you.

No doubt most of you are—at least in some form—aware of the existence of my Office. And, there can be no doubt that an equal number are confused as to its scope and purpose.

I hope that by providing you with some background information as to my function in the scheme of things, we might achieve a certain information transfer which could facilitate our future dealings.

At the same time I hope I will be able to share with you some meaningful insights into your own operations which come to mind through the thousands of letters we receive each year.

The Civil Aeronautics Board was the first Federal regulatory agency to establish an Office of Consumer Affairs.

Since then, other American regulatory agencies have followed the Board's lead. I am told that several foreign governments have initiated consumer oriented programs in the field of air transport, and others may follow.

Each such office has, it would seem, some specific function.

We certainly do. But, I am afraid that our function cannot be simply stated in 25 words or less.

It is safe to say that our basic function is facilitation.

Our basic task is to assist an individual who perceives a problem in the resolution of his problem.

Thus, when we receive a letter which cites alleged abuse on the part of an air carrier, the correspondence is brought to the attention of the air carrier involved for its review and corrective action.

May I repeat what I have said in the past months. I believe that if consumer complaints arise at all, the consumer has a right to expect them to be handled with the kind of speed befitting the pace of travel to which the air age has accustomed us; or perhaps a bit more bluntly, with the same alacrity with which his check or credit card was accepted when he bought his ticket.

With that kind of expedition in mind I have found a surprising amount of success on the telephone.

Your time and motion study people can probably tell you, to the penny, that it costs somewhere around $9, or $11 or $15, or whatever, to write a letter these days. I suppose I should add a fine-print footnote here; something to the effect, "not including postage." But that is only part of the cost. To it we can add the cost of the time while the incoming letter percolates up through the corporate strata to the appropriate level, and more time while the strategically and legally hedged $15 reply filters down through the same layers to the now frustrated recipient who must now reply again, if he has not already thrown in the towel.

The telephone, on the other hand, has enabled me to talk directly to top management of most of the airlines as well as to the complainants. In many instances a telephone call to a consumer can resolve his problems. As for the airlines' top management people—presidents and vice presidents, etc.—they are remarkably cooperative and wanting to understand and help the consumer. They are in the position they hold because they know what makes good business. And they recognize that satisfied customers are good business. For the very few entities in the industry that may have shown some past inertia in prompt handling of complaints, the telephone has been an effective instrument for moral suasion, the next best thing to discussing cases face-to-face.

By monitoring the correspondence between a complainant and a carrier, the staff is able to assure that there is equity with respect to existing rules, tariffs and regulations.

Of particular note to an audience like this may be the fact that the CAB's Office of Consumer Affairs attempts to assist passengers of all countries who encounter difficulty with air carriers while they are traveling to or from the United States.

Each month we receive several requests for assistance from foreign nationals who have visited the United States and have encountered some difficulties, either in transit or during their stay.

Requests for assistance from points as diverse as Odessa, Calcutta, Winnipeg and Lima are received and treated on the same basis as a letter from Chicago, Brooklyn or Los Angeles, so long as the person's complaint deals with air transportation under the jurisdiction of the CAB.

Our function is not to adjudicate claims. We have no court authority. We do publish a monthly report of the complaints which we receive, but we do not attempt to assess the validity of the complaints on an individual basis.

We are not a court of appeal. The Office of Consumer Affairs was not intended as such; it does not function that way.

Our task in this phase of our operations is to facilitate the flow of accurate information and speed the resolution of particular complaints which are brought to our attention, within the existing regulatory functions.

The complaints which the consumers of the world send us run the gamut of human experience.

The more than 6,500 letters we received in the last 12 months dealt with every possible aviation-related happening.

Certainly, the routine situations account for the heaviest part of our mail.

We have undoubtedly generated as many letters explaining flight delays and lost baggage rules as each of you have.

But, we often find that people are also willing to share with us the unusual, the traumatic, and the bizarre.

And, they find us responsible and dedicated. Who, after all, could remain unmoved by such things as:

1. The joy of landing in Toronto unannounced on your Mexico City to New York flight.
2. The effect of an airline's release of its reservations for a man and his paramour to his wife's divorce attorney, and
3. The effect on a sleeping man of hot coffee spilled just below his belt knuckle.

The letters which we receive also provide certain perceptions for the staff which may not have been intended by the author.

We have recently heard from a 40-year-old college professor whose youth fare ticket was disallowed in London.

Passengers on charter flights are often confused when they are suddenly enrolled in groups such as the Clayton Rugby Football Club and have no idea what rugby is.

Needless to say, the information in these letters is not normally referred to the air carriers involved.

Instead, it is passed along to the appropriate Board bureau for further analysis, investigation, and sometimes formal proceedings.

Our third function is to provide information to inquiring members of the public concerning Board policy. Often, given the complex nature of air transport regulation, people simply do not know what the "rules and regulations" are which cover a particular instance.

Basically then the Office of Consumer Affairs has three main functions.

We facilitate the handling of individual complaints. We screen mail for trends and possible regulatory violations. The consumer affairs office is the eyes and ears of the Board as it, like an antenna, picks up messages from the real world and passes them to the Board in summary form. And we provide information to the public.

In essence, we are a service bureau.

In being a service bureau, we are often in an excellent position to convey certain needs or highlight certain trouble areas to an air carrier.

An air carrier can learn a considerable amount about its own operations by being receptive to the comments of a third-party observer.

We have found that those carriers which are the most receptive to the consumers can, and do, substantially benefit. These carriers carefully analyze the remarks which we bring to their attention, and they take necessary action where required to preclude future similar happenings.

If a consumer says that your $20 million airplane is dirty, it may be that your $20 million airplane would benefit more from a good washing than the consumer would benefit from a defensive discourse on the causes of soot accumulation on a certain aircraft type.

If a person says that his seat-back would not recline, I am of the opinion that it is cheaper in the long run to send a mechanic out to fix that plane than to write apologetic letters to the next 20 people who sit in that seat.

As you can easily detect, we try to be of assistance to both the air consumer and air carrier. Nobody benefits from shoddy service. Both you and the consumer benefit from improvements. We have been most heartened by the strengthening of consumer relations staffs by several carriers. These staffs are designed to iron out the bugs in the system, and would appear to have achieved a considerable degree of success.

I would like to share some observations with you on your own functions as they appear to our Office and consumers.

Historically, customer relations officers of air carriers have been traffic managers within the organization.

Today the customer relations manager is no longer just the bureaucrat who sends a man $10 to "get him off our back."

Your function is to be the most acutely aware individual in your organizational structure of the feelings of people in the "real world" outside of airports.

Your function is to perceive a problem area in advance and eliminate it.

You are the person who has the responsibility to inform your corporate structure of trends in consumer thinking, of changes in consumer consciousness, and of the image which your corporation projects to consumers as a class.

If you insist on handing out the Madison Avenue approach in your advertising, you must be prepared to provide it to each and every consumer.

Your function is not simply to deal with the disgruntled, but to eliminate the disgruntled by taking the initiative and removing the sources of passenger discontent.

Practically speaking, this may involve little more than common sense.

Planning with a consciousness of consumer-preferences can avoid disastrous pitfalls.

A ham and egg breakfast on a flight from Tel Aviv will generate many costly letters. A little planning could have eliminated the problem altogether.

You should bear in mind the simple and obvious fact that people complain about what went wrong, not what went right.

If your workload is increasing of late, there may be good reason. If your work is dwindling, your success may be indicated.

Your function is to be the gauge of your company's performance. Unless you inform your company of its own shortcomings, nobody else will in the organization. You are the only person with primary data on consumer opinion.

We are now entering the age of the "airbus," when more people than ever before will be traveling across continents and oceans.

It is a new era in aviation, and I have often thought that this is a most opportune time for governments and air carriers alike to adjust their thoughts to the new conditions of the era.

"Think new" may be a good motto which we both can use in dealing with both old and new problems.

Streamlining procedures at airports and offices is one major step that each carrier and each government can take.

If you accept the basic premise that a simple thing can be simply done, you will see things in a new perspective.

I am very heartened by the boarding and baggage procedures which several carriers have adopted.

A simple idea—color coding boarding passes, seat upholstery and baggage tags. But, it has speeded passenger processing immeasurably.

Any passenger with a red boarding pass can find a red seat and later look for a bag with a red baggage tag.

Many airport operators already recognize the need to transport flight information simply and rapidly to information bulletin boards. And, the familiar silhouettes of lady and gentleman easily identify facilities rooms at airports around the world.

Other streamlining has great potential. Automatic ticket-writing machines are becoming substantial time savers. The "per piece" baggage system has great merit, and its application to international flights should be carefully examined.

Governments should be encouraged to examine ground facilities at airports and make improvements where needed. For openers, governments might make a major contribution in incentives for rapid ground transportation.

Regulatory agencies, such as the CAB, are not immune from reform. We bureaucrats, like those in the industry we regulate, are in need of reform both in the manner in which the regulation is done, and the approaches to regulation. Innovation in regulation has great potential and must be encouraged.

Having said that, I believe I can claim with some pride that the agency I work for under Chairman Secor Browne is indeed alert and receptive to reform.

An example, I would cite the recent Travel Group Charter Rule which is designed to open the low cost travel market to many more people than ever before. The Board acted to a growing demand on the part of the consuming public for such low cost services.

Several major problem areas which we perceive deserve special attention, at least from the American perspective.

One major problem for almost all of you is the "cartel" image of the International Air Transport Association. Ralph Nader and his associates are not the only persons who consider IATA to be anticonsumer in outlook.

Consumers consider it that way—and I might add, very strongly.

Members of my staff who have flown on illegal charter flights operated by some of you have discovered a very interesting phenomenon. Rather than face the maze of fares offered by regular carriers, people will simply grab at a simple one-price fare which is about the same for everyone on the aircraft. People are convinced that the present fare structure—particularly on the North Atlantic—is unworkable, discriminatory and abusive.

The black market has been provided with an effective incentive because the IATA fare structure is not flexible or simple enough to meet and deal with the new demand for low cost efficiency transportation.

The consumer rebellion against the IATA fare structure has reached a new and disturbing plateau. We have found that people will actually pay more for illicit charter flights than comparable transportation on scheduled flights. It is no secret to you that the black market ticket rate was about $30.00 higher than a comparable IATA rate.

But the black market rate was not followed by an asterisk which limited its use to persons with three ears, traveling in a group of 43, on a Sunday morning, subject to certain unspecified exceptions. A simple $250 fare has infinitely more appeal than a series of fifty questions based on season, date of travel, day of travel, class, zone, stopovers, and the like.

Illicit discounting is a major problem of late. Chairman Browne has ordered an investigation. You would be naive to assume that no action will be taken by the Board's Bureau of Enforcement with respect to your activities in this area.

You would be even more naive to assume that the illegal discounting practices of a few carriers do not reflect poorly on all of you.

Rate cutting practices may afford bargains to a few people, but the long term effect of such practices is obvious to all.

The consumer derives no benefit in the long run. Next year's fares will have to rise to bail out this year's discounting losses. Discounting contributes substantially to the cost of transportation to the average consumer. Don't forget, it is the average consumer who actually forks over the cash to pay for the discounted seat.

The charter flight market is a literal pandora's box of problems. Both government and industry have responsibilities in this area. There is no reasonable reason why persons should be stranded at points around the world. Whether a person is stranded in Singapore, Seattle or London, his stranding reflects on all of you. You are all aware of the operation of illicit charter flights.

Some of you represent companies which own a percentage of charter carriers engaged in this trade. All of you are in a position to curb abuses. All of you should do so. Should any one of you stand up and announce to this group that "all of my company's flights have been totally according to the book," I dare say that the rest of the house will erupt in unrestrained laughter and snickers.

Again, I would caution that abuses will not go unnoticed. The Board is well aware of incidents involving illicit charters, action is forthcoming.

A fourth area of concern to us is your image as projected in advertising. There has been a tendency to promise the world and deliver something less. You should by now be aware that people read and believe your advertising.

If you promise gourmet cuisine, it is expected.

If you promise a certain aircraft type, it is expected.

If you say you will show movies, one is expected.

I am totally in favor of your promising anything you wish, but I am concerned about your ability to deliver. You should share that concern, for you are the people who will have to deal with resultant discontented consumers.

To build repeat business, you must satisfy present consumers. Honesty remains the best policy.

The fifth basic area of concern is reservations security. As you know the United States air carriers are bound by regulations affecting oversales. Currently this regulation does not apply to foreign air carriers operating from the United States. The Office of Consumer Affairs is presently pressing for a modification to this regulation which would encompass the operation of foreign carriers operating here. Abuses by foreign carriers are growing. Oversales are multiplying, and the consumer is left holding the bag.

Basic to my thought on consumerism is what I call the consumer's right to know.

I feel very strongly that a consumer has a right to know exactly what he is purchasing when he buys air transportation.

He has a basic right to know that his reservations are secure, that his baggage is protected from theft and pilferage, that he will receive what is promised in the way of services, and that he will be dealt with fairly in the event of an irregularity.

If the purchase of a conditional ticket imposes obligations on a passenger he should be apprised of those obligations. He should be told of limitations on liability in advance, and he should be informed as to specific irregularities involving his flight.

Information transfer from carrier to consumer is vitally important. If air carriers insist on hiding behind unknown and nebulous tariff provisions in dealing with passengers, you may find that consumers will revolt.

An essential uniformity in matters of basic customer policy is needed. The tariffs should be clear, concise, and easily available for inspection and reference. If a tariff rule is bad, change it.

The tariff system has afforded a considerable degree of latitude which a direct regulatory system might not afford. However, if tariff provisions are not made more atune to the times, the possibility of governmental regulation becomes more imminent. Evidence which is currently available to the Board indicates that many air carriers are making errors in the construction of fares. Most of these errors flow from either the erroneous application of existing fare provisions or simply the nonapplication of applicable fares for any given travel.

In either event the net result is that the consumer is paying considerably more for transportation than the law requires. In fact, it is the opinion of the Board's Bureau of Economics that erroneous fare computations constitute prima facie evidence of violations of the Federal Aviation Act of 1958, and a recommendation to prosecute has been made.

From the consumer point or view, what is needed is not necessarily prosecution, but proper and complete training of persons engaged in the sale of tickets. Ticket agents must be fully informed of fare constructions and must be monitored to assure that proper constructions are made. The "Oh, I'm sorry, that was a misquote" approach to ticket pricing must be eliminated. What is needed is an accurate method to tell a consumer exactly what his trip will cost. I am sure you are well aware that it is your own companies which formulate tariff provisions. If these tariffs are too complex for your own personnel to accurately interpret, then I would suggest that it is your responsibility to either educate your personnel or simplify your tariffs. Chairman Browne has indicated his strong feelings in this matter on several occasions. In fact, it is at his personal suggestion that I am raising this point for your information.

I have not intended to assume the rôle of a parent cautioning his child to behave. Rather, I have hoped to be that "voice crying in the wilderness."

I hope you will accept my comments in the manner of their intent. Today I have tried to show you what concerns consumers and why. I have attempted to share my insights with you. I hope that you will be able to share my concern for consumer welfare, not simply because some government officer has threatened or cajoled you, but because you are all intelligent persons who are entirely capable of dealing with problems of every sort, and who should share a basic concern with the needs of consumers.

We often tend to categorize consumers into blocks and types, but the one thing we should each bear in mind is that every consumer is first and foremost a human being. As such he should be dealt with on the basis of equity and honor.

You and I are the bridge which attempts to close the gap between the impersonal, corporate structure and the flesh and blood passenger. Our success in this endeavor requires that both you and I rethink old concepts, recognize problem areas, and eliminate the root causes of passenger discontent.

KARL E. MUNDT

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, at the close of the 92d Congress, the Senate will be losing one of its most distinguished Members. Karl Mundt of South Dakota will be retiring after four consecutive terms. During this near quarter century of service, Senator Mundt has been a leader and a moving force in this body.

I know that many Senators will be recalling their own most memorable impressions of Senator Mundt. I will remember especially our service together on the Government Operations Committee. Karl Mundt had a deep interest in the structures of government and in the performance of administrative institutions.

Karl Mundt was one of the original members of the Subcommittee on National Security and International Operations, first formed in 1959 as the Subcommittee on National Policy Machinery. For more than a dozen years this subcommittee—which I have had the privilege to chair—has sought to evaluate national security policymaking at the highest levels and to recommend changes and improvements. Karl Mundt never failed to take the most constructive and nonpartisan approach to the subcommittee's work. The Senate and the executive branch alike have profited from Senator Mundt's statesmanship. He never allowed partisan considerations to take precedence over the Nation's security needs.

His interests have been broad and they carried him from an active role in the affairs of the North Atlantic Assembly to a charter membership on the Advisory Committee on Intergovernmental Relations. All of us will remember him as a forceful advocate and an accomplished debater. But perhaps the most impressive aspect of Senator Mundt's career has been his profound devotion to the Senate as an institution and his deep sense of the historical legacy of the Senate. He never failed to communicate to us all a sense of our responsibilities. He will be sorely missed.

FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the Hartke Foreign Trade and Investment Act of 1972 has attracted both attention and criticism. The multinational companies that profit from our outmoded trade policies are in the forefront of the opponents of the Hartke program.

Recently, Reader's Digest published a short article that repeats a number of the charges that have become so familiar—Hartke-Burke means higher prices, a trade war, and unfair taxation of multinational companies.

These charges carry little weight other than the force theoretical liturgy oft repeated. The very groups that express concern that import quotas mean fewer imports and higher costs for imported goods generally favor the devaluation of the dollar. Devaluation, of course, is designed to raise the price of imports and reduce their quantity while encouraging domestic exports.

Much is made of the role multinationals play in creating American exports. No mention is made of the items worth millions of dollars which are made abroad by American-based firms that have come flooding into America in recent years. Nor did the Reader's Digest article explore the potential for exports had American firms not become so heavily involved in manufacturing overseas.

Far from seeking to penalize foreign investment, the Hartke-Burke bill merely seeks to restore tax equity in the field of corporate taxation. The same rules that apply to domestic investments would henceforth be applied to foreign investments.

Mr. President, the Reader's Digest article is far wide of the mark and dangerously erroneous on many accounts. But it does constitute a clear statement of one position on our foreign trade debacle.

Mr. President, I ask unanimous consent that the article be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

We Must Stop This Isolationist Trade Bill

(By Irwin Ross)

It is a safe bet that few Americans would favor a Congressional bill that they knew would limit the choice of goods they could buy. Or that would raise prices, worsen our balance-of-payments position and set off an international trade war. Yet this catalogue of horrors is likely to unroll before our eyes if Congress enacts the Foreign Trade and Investment Act of 1972, popularly known as the Burke-Hartke bill.

Such disastrous consequences are hardly the intent of the bill's Democratic sponsors—Rep. James Burke of Massachusetts and Sen. Vance Hartke of Indiana, nor of its most vigorous supporters, the 13.6-million-member AFL–CIO. They see it as a way to protect the American economy and jobs by restricting imports and hobbling the operations of American-owned companies abroad.

Admittedly, the American economy does have a problem with the rapid build-up of imports in the past decade. Some industries have been hurt, thousands of workers have lost their jobs. By 1970, imports accounted for 12 percent of textile goods and apparel sold in the United States, 15 percent of steel, 30 percent of shoes, 70 percent of radios, 75 percent of calculating machines. A large chunk of the consumer electronic industry, unable to meet import competition, decamped from the United States and set up in lower-wage areas like Japan, Taiwan, Hong Kong and elsewhere, shipping much of its production back to the United States.

It's little wonder that the unions have swung to a protectionist position after decades of favoring free trade. Technically, the Burke-Hartke bill was drafted on Capitol Hill; substantively, it was conceived at AFL-CIO headquarters. In addition to limiting competitive imports through a quota system, it would increase taxation on American corporate subsidiaries abroad, and restrict the flow of capital and technology to foreign countries.

The trouble with Burke-Hartke is that the proposed cure would be worse than the disease. The quota feature of the bill illustrates why. Imports would be rolled back to their average annual volume for the years 1965–69; in future years they could increase only as domestic production increased, with their proportions fixed by the base period. Such a drastic reduction, according to a Commerce Department study, would amount to a staggering $10.4 billion cut—nearly a quarter of our 1971 imports of $45.5 billion.

This would be painful in many ways. First, consumer choice would be severely limited. Last year, for example, 704,000 Japanese cars were sold in the United States. Under the Burke-Hartke quotas, only 116,000 Japanese vehicles could come in. Imports of color-television sets would be reduced from 1.3-million units to 500,000, bicycles from 2.3 million to 1.3 million. If you wanted a Sony TV set, a Peugeot bicycle, a Necchi sewing machine, you might have to put your name on a waiting list.

As a result, prices of many imported goods could be expected to rise. Take Japanese cars: if the supply were drastically reduced, some Americans, prompted by non-monetary considerations, would be willing to pay more to get a scarce Toyota or Datsun.

Restricting imports would also raise the prices of *domestic* products, since American manufacturers would be relieved of competitive pressure and would have less incentive to innovate, to improve efficiency, to hold down costs. In the past, for example, it was the influx of small foreign cars that forced Detroit to produce compact cars at competitive prices, to the great benefit of Americans. Under Burke-Hartke, that incentive would be muted.

Then there is the matter of jobs. Supporters of Burke-Hartke claim that if imports are reduced, hundreds of thousands of U.S. workers would be employed manufacturing an equal volume of domestic goods. There is one glaring fallacy to this thesis. It assumes that foreign countries will not retaliate, thereby reducing employment in our export industries. The import rollback would deprive Canada $3.6 billion worth of sales, Japan of $3.1 billion, the Common Market of $1.8 billion.

Any country sustaining such losses would have to retaliate by curbing imports to avoid a disastrous trading deficit. Many American commodities would be vulnerable. The Common Market, with food surpluses of its own, could dispense with many U.S. agricultural products. Europe and Japan could gradually switch from American aircraft—on which last year we enjoyed a $3.1-billion export surplus— to domestic models. Industries supplying computers and other "technology-intensive" products, which brought us an $8.3-billion trade surplus in 1971, would also lose sales. Hundreds of thousands of U.S. jobs would be lost, more—and higher-paying ones—than the economy would gain through the drop in imports.

The Burke-Hartke bill also aims to curb America's multi-national corporations—large U.S.-based firms with manufacturing subsidiaries in several foreign countries. Since World War II these have grown enormously, because setting up shop in foreign lands enabled American firms to hurdle tariff walls and other trade barriers.

Senator Hartke would reverse this entire process, on the ground that multi-nationals encourage the "export of American jobs, American know-how and American dollars." The bill would frankly "discourage American business investment abroad." Under present law, the profits of American subsidiaries are not taxed at home until they are sent back to the parent company. Under Burke-Hartke, this tax deferral would end and all foreign profits would be taxed immediately; thus companies would have less available cash to expand foreign operations.

More important, the bill would end the present practice of allowing U.S. multi-nationals to credit their foreign taxes against the tax bill owed to Uncle Sam. Instead, the foreign taxes would be deducted from a corporation's taxable income. The result would be to raise taxes on foreign investments so high as to drastically discourage investment.

This would be self-defeating. For the foreign investments of American multi-national companies create jobs in the United States by increasing our exports. The situation may seem paradoxical, but it is easy to understand. A parent company here often exports components to its foreign subsidiaries, foreign sales it might not make otherwise. Moreover, many foreign subsidiaries manufacture only a few products themselves but sell a wide range of finished goods manufactured back home by the parent company.

A recent survey by the Emergency Committee for American Trade of 74 large multinational companies revealed that, between 1960 and 1970, they increased their domestic employment by 529,000 workers—to 2,981,000 (exclusive of employment increases due to acquisitions)—a growth rate more than 50 percent higher than that of all other manufacturing firms. During the same period, these 74 companies showed an increase in exports from the United States from $4.3 to $12.2 billion. Immense gains were also realized in their return on foreign investments—by way of dividends, interest and royalties. Indeed, the "return flow" from American investment abroad injects a huge plus figure into our balance-of-payments equation, which overall has been in deficit for years.* In 1970, for example, income returning to the United States from direct foreign investment, plus royalties and fees, totaled $7.9 billion. Even after deducting the income we paid on foreign investments of the same sort in this country, we still had a net surplus of $7.4 billion from repatriated earnings.

Beyond these purely economic considerations, the whole approach of the Burke-Hartke bill is narrowly nationalistic, inward-looking, fundamentally isolationist. If enacted into law, it would promote a similar isolationism abroad—not of individual countries, for they are too small, but the isolationism of blocs—a self-contained Common Market and perhaps a new Japanese-led "co-prosperity sphere" in Asia. Beyond lies the great risk that these will be not only economic blocs but political and military blocs as well.

Defeat of the Burke-Hartke bill will not solve our international economic problems, of course. One crying need is for an ambitious program of adjustment assistance to provide job retraining and placement, realistic cash supplements to unemployment compensation and relocation assistance, far larger than the present program which has helped no more than 24,000 workers. Indeed, such an effort might be part of an overall manpower program of a scope which the nation has not yet seen. In a dynamic economy, old industries frequently decline as consumer preference shift and new technologies come to the fore. Employment patterns go through a parallel shift, and masses of individuals, left behind in the parade, need help, quite apart from the problem of imports. Such adjustment assistance is obviously linked with the health of the entire economy.

Expansion of our exports, particularly of high-technology products in which we enjoy a competitive advantage, should also generate significant numbers of new jobs. The currency realignment of last December will ultimately increase exports because their prices are lower in world markets, while moderating the flow of imports, for their prices have simultaneously gone up.

In sum, our foreign-trade problems can be attacked on several fronts. Prospects of success are good. The Burke-Hartke bill, however, would weaken the nation in a misguided attempt to preserve its strength.

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*See "What's Behind the Balance-of-Payments Problems?" The Reader's Digest, March '72.

SENATOR GAMBRELL

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. WILLIAMS. Mr. President, when the 93d Congress convenes in January, a number of outstanding individuals who have served in the 92d Congress will, regrettably, not be with us; one such is the junior Senator from Georgia, DAVID GAMBRELL.

Senator GAMBRELL was appointed to the Senate on February 1, 1971, to fill the vacancy created by the untimely death of the late Senator Richard B. Russell. From his first day in the Senate, DAVID GAMBRELL served with ability and dedication. I had the opportunity to work with him on the Committee on Banking, Housing and Urban Affairs, and the Select Committee on Small Business, and I can say that his presence in those committees was most welcome and constructive. In addition, Senator GAMBRELL served with distinction as a member of the Committee on Aeronautical and Space Sciences.

Before his appointment to the Senate, Senator GAMBRELL practiced law in Atlanta. He has served as president of the State Bar of Georgia; as a trustee of the Metropolitan Atlanta Commission on Crime and Juvenile Delinquency; and as vice president, and a director, of the State YMCA. Senator GAMBRELL also served as chairman of the Georgia Democratic Party.

Mr. President, in the short time he has served here, Senator GAMBRELL has earned the respect of the Members of this body, and made an important contribution to our National Government. He will certainly be missed next year, and I know my colleagues join me in wishing him well in whatever enterprises he now undertakes.

HAMMERSCHMIDT QUESTIONNAIRE RESULTS

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HAMMERSCHMIDT. Mr. Speaker, I recently sent my sixth annual questionnaire to residents of the Third Congressional District of Arkansas. The response was most heartening, with 14,000 questionnaires returned at the time of computation—reflecting a total number of responses—many have both "his" and "her" views—of over 22,000.

For the Record, I submit the questionnaire and the computation of the responses as prepared by an independent firm. Results are expressed in terms of percentage of those answering each question.

They are as follows:

Results

1. Do you believe wage and price controls are working reasonably well in cutting the rate of inflation and stabilizing the economy? Yes. 40 percent; no, 47 percent.

2. Are stronger laws needed to deal with prolonged strikes which harm the public interest? Yes, 83 percent; no, 13 percent.

3. Do you support the all-volunteer army concept for national defense? Yes, 54 percent; no, 38 percent.

4. Should Congress approve a program to establish government-subsidized day care centers and nursery schools? Yes, 24 percent; no, 69 percent.

5. Do you favor an increase in the minimum wage to $2.20 per hour? Yes, 46 percent; no, 50 percent.

6. Do you favor the Family Assistance Plan which subsidizes working lower income earners and provides work incentives to replace the present welfare system? Yes, 69 percent; no, 23 percent.

7. Would you favor a "Value Added" tax, in effect, a national sales tax, as a method to reduce property taxes? Yes, 33 percent; no, 58 percent.

8. Do you favor national health insurance for all, with the federal government underwriting the cost for low-income families? Yes, 34 percent; no, 59 percent.

9. Should food stamps be available to persons on strike? Yes, 10 percent; no, 84 percent.

10. Do you favor federal prohibition on the sale of cheap, short-range handguns (so-called "Saturday Night Specials"), not including longer range pistols and revolvers, rifles and shotguns? Yes, 59 percent; no, 36 percent.

11. Do you approve busing children to meet racial quotas in public schools? Yes, 4 percent; no, 94 percent.

12. Do you generally approve the course taken to end the war in Vietnam? Yes, 70 percent; no, 23 percent.

13. Should the federal government reduce penalties for possession and use of marijuana? Yes, 16 percent; no, 80 percent.

14. On programs agreed to by both the executive and legislative branches, when congressional appropriations bills greatly exceed budget recommendations, which would you support? (Choose One)

A) The full appropriation, 9 percent.

B) The budget recommendation, 82 percent.

15. When Congress considers desirable new or expanded programs, how would you vote? (Choose One)

A) For the programs, financed by tax increase, 27 percent.

B) For the programs, financed by debt increase, 9 percent.

C) Against the programs, 50 percent.

16. Congress meets virtually the entire year. When in session, I must be in Washington for committee meetings, to vote, and to handle problems for constituents. Though I return to work in the District most weekends, I cannot attend all meetings which pertain to federal matters. Should my policy be: (Choose One)

A) To return to Arkansas even while the House is in session and some important votes might be missed, 7 percent.

B) To stay in Washington at all times the House is in session, 83 percent.

SENATOR FRED HARRIS VOLUNTARILY RETIRES

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, when the U.S. Senate opens the 93d session of Congress in January, we will do so without a colleague who has made the decision to voluntarily retire from this body.

Although Fred Harris will not be retiring from public service, since he will devote his efforts to his Institute for Populism, his views and thoughts will certainly be missed in this Chamber. Fred Harris' career in the U.S. Senate and as chairman of the National Democratic Party has been marked by his total commitment to those who are the less fortunate on our society—the poor, the minorities, and those who have been the victims of inequities and injustices.

His advocacy of these crucial issues of our time will be missed in this body. However, I want to take this opportunity to pay tribute to the significant contributions he has made in this area of public service and to wish him the best in his future endeavors.

ACHIEVEMENTS OF THE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS DURING THE SECOND SESSION OF THE 92D CONGRESS

HON. JOHN SPARKMAN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SPARKMAN. Mr. President, during the second session of the 92d Congress the Senate acted favorably on 22 bills which were handled by the committee. Of these, 13 have become public law.

I am listing below information concerning each of the bills handled by the committee in this session:

RÉSUMÉ OF BILLS HANDLED BY THE COMMITTEE

S. 652—Mr. Proxmire; passed Senate April 27, 1972; amends the Truth in Lending Act to protect consumers against careless and unfair billing practices, and for other purposes; S. Rept. 92–750, April 17, 1972.

S. 1076—Mr. Harris; passed Senate July 18, 1972; provides for the striking of medals in commemoration of Jim Thorpe; S. Rept. 92–965, July 17, 1972.

S. 2013—Mr. Thurmond; passed Senate April 25, 1972; amends chapter 21 of title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans; S. Rept. 92–677, February 29, 1972. Concurrently the bill S. 3343 which was reported by the Veterans' Affairs Committee, which contained the same provisions as S. 2013 was also passed by the Senate and subsequently passed by the House and became Public Law 92–341, approved July 10, 1972.

S. 2499—Mr. Beall; passed Senate June 30, 1972; Public Law 92–384; provides for the striking of medals commemorating the 175th anniversary of the launching of the U.S. frigate *Constellation*; S. Rept. 92–942, June 29, 1972; passed House August 7, 1972; approved August 14, 1972.

S. 2987—Mr. Javits; passed Senate June 28, 1972; authorizes the Secretary of the Treasury to make grants to Eisenhower College, Senaca Falls, N.Y., out of the proceeds of the sale of minted proof dollar coins bearing the likeness of the late President of the United States, Dwight D. Eisenhower; S. Rept. 92–837, June 6, 1972.

S. 3001—Mr. Sparkman; passed Senate June 22, 1972; establishes a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowing from the public, and for other purposes; S. Rept. 92–853, June 12, 1972.

S. 3160—Mr. Sparkman; passed Senate March 1, 1972; Public Law 92–268; provides for a modification in the par value of the dollar, and for other purposes; S. Rept. 92–678, February 29, 1972; passed House March 21, 1972; approved March 31, 1972.

S. 3166—Mr. McIntyre; passed Senate March 22, 1972; Public Law 92–320; amends the Small Business Act; S. Rept. 92–693, March 15, 1972; passed House June 12, 1972; approved June 27, 1972.

S. 3197—Mr. Sparkman; passed Senate February 22, 1972; increases the dollar limitation on the cost of construction of Federal Reserve Bank branch buildings; S. Rept. 92–633, February 18, 1972.

S. 3248—Mr. Sparkman; passed Senate March 2, 1972; consolidates, simplifies and improve laws relative to housing and housing assistance, to provide Federal assistance to local governments in support of community development activities, and for other purposes; S. Rept. 92–647, February 28, 1972.

S. 3337—Mr. Tower; passed Senate September 13, 1972; Public Law 92–595; amends the Small Business Investment Act of 1958, and for other purposes; S. Rept. 92–1007, August 1, 1972; passed House October 11, 1972; approved October 27, 1972.

S. 3353—Mr. Sparkman; passed Senate March 15, 1972; Public Law 92–266; provides for the striking of medals in commemoration of the first U.S. International Transportation Exposition; S. Rept. 92–692, March 15, 1972; passed House March 20, 1972; approved March 30, 1972.

S. 3714—Mr. Cranston; passed Senate June 20, 1972; Public Law 92–325; amends and extends the Defense Production Act of 1950; S. Rept. 92–868; June 16, 1972; passed House June 28, 1972; approved June 30, 1972.

S. 3726—Mr. Mondale; passed Senate Aug. 1, 1972; Public Law 92–412; extends and amends the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes; S. Rept. 92–890, June 19, 1972; passed House August 3, 1972; approved August 29, 1972.

S. 3876—Mr. Williams; passed Senate August 4, 1972; amends the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a National Commission on Uniform Securities Laws, and for other purposes; S. Rept. 92-1009, August 2, 1972; passed House October 13, 1972.

S. 3939—Mr. Randolph; passed Senate September 19, 1972; authorizes appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; S. Rept. 92-1081 and S. Rept. 92-1103, August 18, 1972 and September 8, 1972; passed House October 5, 1972.

H.R. 7987—Mr. Patman; passed Senate February 7, 1972; Public Law 92-228; provides for the striking of medals in commemoration of the bicentennial of the American Revolution; S. Rept. 92-603, February 4, 1972; passed House February 2, 1972; approved February 15, 1972.

H.R. 15692—Mr. Stephens; passed Senate August 4, 1972; Public Law 92-385; amends the Small Business Act to reduce the interest rate on Small Business Administration disaster loans; S. Rept. 92-1008, August 1, 1972; passed House June 29, 1972; approved August 16, 1972.

S.J. Res. 211—Mr. Sparkman; passed Senate May 23, 1972; Public Law 92-321; amends title IV of the Consumer Credit Protection Act establishing the National Commission on Consumer Finance; S. Rept. 92-795, May 18, 1972; passed House June 19, 1972; approved June 30, 1972.

S.J. Res. 218—Mr. Mondale; passed Senate March 29, 1972; Public Law 92-284; extends the authority conferred by the Export Administration Act of 1969; S. Rept. 92-701, March 20, 1972; passed House April 24, 1972; approved April 29, 1972.

S.J. Res. 250—Mr. Sparkman; passed Senate June 28, 1972; Public Law 92-335; extends the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban development; S. Rept. 92-920, June 23, 1972; passed House June 30, 1972; approved July 1, 1972.

H.J. Res. 1301—Mr. Patman; passed Senate October 6, 1972; Public Law 92-503; extends the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act; S. Rept. 92-1261, October 3, 1972; passed House October 2, 1972; approved October 18, 1972.

SUPPORT GROWS FOR HARTKE-BURKE

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, America's foreign trade crisis has continued to worsen. Our deficit grows by hundreds of millions of dollars every month—a deficit that means lost jobs, failing businesses, and ruined communities. More and more American communities are recognizing the imminent danger of current foreign trade policies.

The city council of Erie, Pa., is the latest of a growing number of local governments to publicly endorse the Hartke-Burke Foreign Trade and Investment Act of 1972. I can only hope that other American communities open their eyes in time—even America cannot stand the onslaught of low priced foreign goods forever.

Mr. President, I ask unanimous consent that the resolution adopted by the city council of Erie, Pa., be printed in the Record at this point.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution

Whereas, the City Council of Erie, Pennsylvania does herewith register its positive endorsement of the Burke-Hartke Bill, which would create a Federal Trade and Investment Commission for the proper regulation of foreign imports and the protection of American trade and industry, and

Whereas, it is of vital importance that these activities be vested in a single overall agency for the alleviation of dumping foreign made products at unrealistic prices to the detriment of American manufactured goods made under the aegis of independent trade unions representing American labor, and

Be it further resolved, that the City Clerk be and he is hereby directed to send certified copies of this resolution to the Senators from the Commonwealth of Pennsylvania and to Congressman Joseph Vigorito, from this district, and to Senator Vance Hartke of Indiana and to Congressman James A. Burke of Massachusetts.

TORRANCE CIVIC CENTER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANDERSON of California. Mr. Speaker, Torrance, Calif., has again lived up to its well-earned reputation as a city displaying "growth without strain."

A regional center for business, industry and finance, Torrance ranks seventh in the State in terms of retail sales, and with a resident population of 139,000, is the 12th largest city in California.

To keep pace with the ever expanding private sector of the community, the Torrance government, in 1956, began the planning for the development of a 30-acre civic center site.

Today, with the completion of the new city hall complex—the largest public facility ever to be constructed during the city's 52-year history—Torrance marks another milestone in the future development of the site.

In addition to the construction of the four-story city hall, modernization and aesthetic treatment of two existing facilities were accomplished. This "planned for the future" complex includes general and special offices, as well as new modern facilities for the purpose of expanded public participation in the local government process.

In its relative short history since incorporation in 1921, when Torrance boasted a population of 1,800, the city hall has had four locations. Each move was made to provide larger quarters for the ever-increasing public demand.

Civic center development has matched population increases, and the total complex now emphasized Torrance's role as a major center for governmental agencies.

The complex includes an expanded county court facility, a county probation office building, the public defender's office, city hall complex, a newly constructed main library facility, a modern police station, a civic plunge, and two separate recreational use facilities.

Mr. Speaker, I take this opportunity to commend the citizens of Torrance, and their elected leaders—both past and present—for their wisdom in planning and constructing the Torrance Civic Center to meet the needs of the community. This project shows that Torrance is, indeed, an "All-American City" for its "growth without strain."

AMERICANS TRAIN IN CUBA FOR REVOLUTION

HON. JAMES O. EASTLAND

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. EASTLAND. Mr. President, on March 16, 1970, in a speech before the Senate, I alerted my colleagues and the Nation to a serious danger to the internal security of our country, that was about to result from the return of a group of young Americans who had gone to Cuba for the alleged purpose of cutting sugar cane and thus helping the Communist regime that strangles the freedom of that island Republic.

The group called itself the "Venceremos Brigade." It has grown from an initial membership of 213 to nearly 2,000.

The Communist regime of Cuba was quick to realize that the seeds of subversion sown in Cuba among members of this group would bear handsome fruits in the United States.

What I predicted 2½ years ago has come to pass.

Testimony taken by the Internal Security Subcommittee has established the subtle method of training of the "Venceremos Brigade" members. Copies of Cuban manuals on guerrilla warfare and urban terrorism seized from returning members, dog-eared and with salient points underscored, indicate intensive study of such deadly literature.

Diaries of the brigade members indicate that the Cubans held seminars where Latin American, African, North Vietnamese, and Vietcong guerrilla experts lived, worked, and gave live performances of their skills.

In his address to the second contingent

of the brigade, Fidel Castro was optimistic about the future performance of the brigade members. He said:

> I believe with this we are beginning a great movement. I believe that this creates the basis for a tremendous development—which will have a tremendous impact on the whole world . . .

What Fidel Castro was expecting has become manifest in many ways and in many parts of this country. For instance, on the weekend of April 16–18, 1971, a group of Venceremos Brigade organizers held a "working seminar" with a workers' committee of Cesar Chavez' United Farm Workers Organizing Committee. Two of the items on the agenda of the meeting involved the "exchange of information and show of solidarity with UFWO workers."

What actually happened according to the May 1971 bulletin of the brigade was a full-scale indoctrination seminar on organizing along Marxist lines.

Then there was the case of one Van Ba, a Vietcong representative in Cuba who exhorted the Americans of the Venceremos Brigade to disregard the revolutionary who spoke best in favor of the activist who fought the police the hardest. Members of the Venceremos Brigade, according to their diaries, made it possible for Van Ba to cross the border from Canada into Detroit for an on-the-spot inspection of what he considered the "enemy camp."

Brigade members have been arrested in Massachusetts, and in California, and elsewhere, for possession of explosives and manufacturing of bombs. Others have infiltrated computer data centers of oil companies and were found in possession of maps of pipelines with strategic locations marked in red pencil. I could cite more examples, but will not take the time of the Senate.

Mr. President, the danger is by no means past. In my previous address I introduced into the RECORD the names of the first contingent of the Venceremos Brigade. I think it appropriate, in view of the continuing threat which these Venceremos members constitute, to add the names of the members of the four brigades which followed the first, so that anyone who reads the RECORD may know who these activists are.

I ask unanimous consent that these lists of Venceremos Brigade members may be inserted at this point as a part of my remarks.

Mr. President, in compliance with the rules of the Joint Committee on Printing, I have obtained from the Government Printing Office an estimate of the cost and length of this insert. They have informed me that the article will take up approximately 10 pages at a cost of $1,700. Notwithstanding the two-page rule of the Joint Committee on Printing, I request that the materials be inserted into the RECORD.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

VENCEREMOS BRIGADE

SECOND VENCEREMOS BRIGADE

California

Alexander, Ronald Keith, 463 61st, Oakland.

Alper, Johanne, 397 Dolores St., San Francisco.

Berman, Edward, 517 Miles Ave., Oakland.

Broullon, Rudolfo Juan, 160 21 Ave., San Francisco.

Collosi, Ernest John, 2646 Dwightway, Apt. 6, Berkeley.

Fincado, John Harding, 1109 High Court, Berkeley.

Freeland, Connie, 8 Oak St., Berkeley.

Fugett, Richmond, Box 24507, Los Angeles.

Goldberg, Ellis Jay, 427 Mississippi St., San Francisco.

Harris, Daniel, 1721 Francisco St., Berkeley.

Infante, Anne Marie, 2212 Derry St., Berkeley.

Lacy, Carl Glenn, 1263 65 Ave., Oakland.

Lorredo Ungaro, Horacio Daniel, 158 21 St. N., San Francisco.

Loudermilk, James Edwin, 2317 La Conte Ave., Berkeley.

Maher or Procter, William Joseph, 1919 Crogon St., Berkeley.

Mayfield, Francis John, 1825 Eddy St., San Francisco.

Mines, Holly Surs, 33 Evergreen La., Berkeley.

Mines, Richard Allan, 33 Evergreen La., Berkeley.

Montanes, Fred R., 741 E. 13th St., Oakland.

Nibbe, Ronald George, 285 N. St., Apt. R, Chula Vista.

Nihlen, Ann, Box 23, San Geronimo.

Ojeda, Raul, 48 Harper, San Francisco.

Olson, Katherine, 180 Bemis St., San Francisco.

Peake, Steven Keith, 1870½ 10th St., Santa Monica.

Pedrin, Steven Bryan, 423½ 21 St., San Francisco.

Price, Anola Diane, 154 Santa Clara Ave., Oakland.

Price, Styles Frederick, 154 Santa Clara Ave., Oakland.

Rosen, Stanley Lawrence, 4216 24th St., San Francisco.

Sahrager, Christopher John, 725 Chesterway, Hillsborough.

Schryver, Ann Britton, 3910 23 St., #2, San Francisco.

Sheldrick, Susanna, 1819 10th St., Berkeley.

Silverman, Mark, 691 Glensido Dr., Lafayette.

Slaughter, Kenneth David, 2231 Carleton St., Berkeley.

Stone, Jennifer, 1635 Josephine St., Berkeley.

Tircuit, John Dewey, Jr., 4839 Webster St., Oakland.

Uriarte, Ronald Paul, 6447 Aldea Ave., Van Nuys.

Varga, John C., 2843 Fulton, Berkeley.

Wishart, Blaine, 29 Guy Pl., San Francisco.

Wasserman, Steve, 14 Bonnie Lane, Berkeley.

Watson, Mary Lou, 990 Casper Dr., Sacramento.

Zabala, Ana Marie, 2374 Bryant, San Francisco.

Connecticut

Bower, Peter M., 439 Springwater, New Canaan, Conn.

Candelman, Abigail, 268 Humphrey St., New Haven, Conn.

Carapetyan, Francelle, 857 Yale Station, New Haven, Conn.

Champion, John H., 47 Monroe St., New Haven, Conn.

Harris, William, 39 Witch Lane, Rowayton, Conn.

Kahn, Evelyn L., 7 Parkstead La., W. Hartford, Conn.

Knight, Deborah, 47 Mome St., Hamden, Conn.

Limbert, Julia, 1145 Chapel St., New Haven, Conn.

Michalowski, Linda Both, 10 Collidge St., New Britain, Conn.

Nowakowski, Janet Claire, 787 Prospect St., New Haven, Conn.

Resnick, Ruth E., 122 Valey St., New Haven, Conn.

Rossiter, David G., 85 Sachem St., New Haven, Conn.

Rothkrug, Barbara Ann, 35 Farthing Ave., Danbury, Conn.

Simon, Esther Pinya, 232 McKinley Ave., New Haven, Conn.

Vaner, Edward J., Lakeview St., Burlington, Conn.

Maryland

Arnall, Thomas Fielding, 502 Bond Mill Rd., Laurel, Md.

Barracca, Robert Richard, 3910 Old York Rd., Baltimore, Md.

Fish, Oliver James, Cheverly, Md.

Fournelle, John Harold, 1634 S. Charles St., Baltimore, Md.

Lerner, Jonathan David, Chevy Chase, Md.

Levi, Richard Hecht, Lystra Meadows, Lutherville, Md.

Nelson, Virginia Anne, 7105 Hawthorne St., Hyattsville, Md.

Pope, Charlene Ann, 862 Benninghaus Rd., Baltimore, Md.

Wagner, Ann, Accoceek, Md.

Wood, Roberta Lynn, Maryland.

Massachusetts

Anderson, John Robert, N. Leverett, Mass.

Beckwith, David Louis, Medford, Mass.

Berney, Barbara, 51 Gorham Ave., Brookline, Mass.

Bouley, Robert E., 159 Green St., Fairhaven, Mass.

Brightman, Carol, 51 Debra Simpson, Sharon, Mass.

Brown, Katherine, Middleton Golf Course, Middleton, Mass.

Clinker, Diane, 490 Commonwealth Ave., Boston, Mass.

Comes, Daniel Gill, 77 Main St., Fairhaven, Mass.

Cormier, Pauline Ann, 157 Taliman St., New Bedford, Mass.

Dworitin, Marilyn Brown, 600 Charles St., Fall River, Mass.

Elyn, Richard M., 325 Colombia St., Cambridge, Mass.

Fahey, John, 39 E. Springfield St., Boston, Mass.

Faill, Elaine Dianne, 18 Mt. Auburn St., Cambridge, Mass.

Felbas, David Joseph, 901 Ave. T, Brookline, Mass.

Fitch, Stephan David, 344 Putnam Ave., Cambridge, Mass.

Fox, Elizabeth, 51 Gorham Ave., Brookline, Mass.

Frazier, Maureen, 53 Erlinton, Longmeadow, Mass.

Golden, Sarah, 1160 Main Ave., Cambridge, Mass.

Griffith, Joe, 116 Adams St., Newton, Mass.

Hagopian, Veronica, 431 S. Main St., Fall River, Mass.

Harper, Virgiania Davis, Amherst, Mass.

Henton, Rosner Ted, Concord, Mass.

Jenkins, Nancy Lee Wood, 1520 Purchase St., New Bedford, Mass.

Lellydahl, Sandra June, Springfield, Mass.

Losell, John Manning, Ipswich, Mass.

Mark, Lucy Todd, Amherst, Mass.

Millen, Richard Herbert, 16 Gardner Rd., Brookline, Mass.

Noir, Henry Richard, 34 Fairmont Ave., Cambridge, Mass.

O'Brien, Nancy Noreen, Long Meadow, Mass.

Oliveri, Joseph, 93 Princeton St., East Boston, Mass.

Paul, Eileen Frances, 11 Collins St., New Bedford, Mass.

Pullman, Judith, 10 Henry St., East Boston, Mass.

Rice, Barbara, 16A Austen St., Somerville, Mass.

Richard, Randall, 807 High St., Fall River, Mass.

Romano, Ronald, 33 Fairmont St., Lawrence, Mass.

Schirmer, Joseph, 12 Gerry St., Cambridge, Mass.

Sisson, Margaret Wendell, Trapelo Rd., RFD 1, Lincoln, Mass.

Soper, John William, 175 Hemanway St., Boston, Mass.

Streeter, Rhoden, 1 Eldora St., Roxbury, Mass.

Ware, Reuben Milford, 10 Lenox St., Brookline, Mass.

Wells, Michael, 276 Hurley, Cambridge, Mass.

Whitcomb, Linda J., 690 Mass. Ave., Boston, Mass.

Michigan

Binderman, Bonnie Noreen, Detroit, Mich.

Borowski, Michael Anthony, Mount Clemons, Mich.

Douty, Stuart and Janet, 532 S. First St., Ann Arbor, Mich.

Ellman, Linda S., 945 Dewey, Ann Arbor, Mich.

Frappier, Nancy Barrett, Ann Arbor, Mich.

Goldberg, Jerome Dale, 517 S. Div. No. 2, Ann Arbor, Mich.

Graham, Angus, 340 Evergreen, E. Lansing, Mich.

Lindquist, Gerard, 599 Chandler, Detroit, Mich.

Rice, Jacquiline Diana, Detroit, Mich.

Risidown, Ronald A., 649 Evergreen, E. Lansing, Mich.

Salks, William Kahn, 517 S. Div., Ann Arbor, Mich.

Sanders, Joseph, Detroit, Mich.

Taub, Carol Beth, Ann Arbor, Mich.

Vallei, Allen, 340 Evergreen, E. Lansing, Mich.

Valls, Ana Maria, Detroit, Mich.

Wheeler, David Davenport, 4756 Fourth, Detroit, Mich.

Minnesota

Cove, Sandra, 8201 W. 16th St., St. Louis Pk., Minn.

Gerber, Sandra Gail, 2620 Harriet Ave., Minneapolis, Minn.

Missouri

Brocline, Mare Russell, St. Louis, Mo.

Montana

White, Scott, 921 N. 31, Billings, Mont.

New Hampshire

Alper, Fredericka, C., 12 Howard Ave., N.H.

Gibbs, Perry J., 520 Chapel St., N.H.

Gore, Lawrence Jayle, RFD, No. 1, Exeter, N.H.

New Jersey

Berger, David L., Apt. 401, Hadden View E., Westmont, N.J.

Berron, Marshall Perry, Newark, N.J.

Boyd, John Bradford, 510 Reservoir Dr., Boonton, N.J.

Clements, Linda Joan, Long Beach Island, N.J.

De Remer, Kathleen R., Clarksville Rd., Princeton, N.J.

Diaz, Juana Felicita, 84 Hansbury Ave., Newark, N.J.

Hill, Theodore Wayne III, 43 Hawthorne Le., Willingboro, N.J.

Mulvihill, Katherine Mary, 112 Hoob Ave., Ocean Grove, N.J.

White, Jane Ann, Stratford, N.J.

New Mexico

Contreras, Roberto, 2446 Mervosh SW., Albuquerque, N. Mex.

Small, Janet Kay, 1835 Anderson Dr., Las Curves, N. Nex.

North Carolina

Sompolinsky, Josepha, 12321 14 Mile Rd., Greenville, N.C.

New York State

Acaba, Nilda I., 1307 Edward Grant Hwy., NYC.

Armistrad, Catherine Vanderburg, 146 Henry St., NYC.

Armstrong, Burke, 2015 Shore Blvd., Astoria.

Batista, Adames, 3733 Warren St., Jackson Heights, NYC.

Batson, Ronald, 196 Throop Ave., Brooklyn.

Bell, Richard Evans, 76–32 168 St., Flushing.

Benoid, Ronald Lee, 640 E 6 St., NYC.

Berg, Jorri Lynn, 444 E 82 NYC.

Berg, Randee Elize, 33 Riverside Dr., NYC.

Berenson, Mark Henry, 91 Old Farm, Chappaqua.

Bergard, Barbara.

Berman, Andrew, 173–09 Jewel Ave., Flushing.

Berry, John Alvin, 230 Bundhurst Ave, NYC.

Black, Spencer Jules, 44–65 Kissena Blvd., Flushing.

Blawn, Thomas Anthony, 38 Harrison Ave., Massapequa.

Block, Margaret P., 71 Todd Drive North, Glen Head.

Bluestone, Barry Stuart.

Blumberg, Paul Elmer, Box X, Loch Sheldrake.

Bramble, Bonnie Day, 340 E 64, NYC.

Brennen, Eric William, 669 N. Pkwy, Uniondale.

Brund, Bruce, 870 5th Ave., NYC.

Brushin, Gene Larry, 500 W 190 NYC.

Brushin, Merith M., 500 W 190, NYC.

Buchanan, Lynn Johnson, 178 Edward St., Buffalo.

Buchanan, Thomas R., 178 Edward St., Buffalo.

Burns, Mark Andrew, 787 Prospect Ave. NYC.

Burrows, Raymond J., 391 Rockaway Park, Brooklyn.

Cassetto, Raul, 60 E 1st St, Apt. 1, NYC.

Chabot, Jessica Maher, 3926 Bell Blvd., Bayside.

Chilton, Sharon Lee, 235 E 4 St, NYC.

Cimino, Glenda Dianne, 434 W 120 St, NYC.

Cohen, Hillel Wilfred, 200 W 106th St., NYC.

Cole, Andrew Treguba, 52 Barrow St. NYC.

Colon, Gloria Ester, 709 Park Ave., Apt. 55, NYC.

Conti, John Salvatore, 183 E 2d St. NYC.

Daniels, Susan, 14 Harness Rd, NYC.

Daumont, Lucas, 790 E. 150 St, NYC.

Davis, Joyce, 237 W 135, NYC.

Dewind, John Stone, 37 W 12, NYC.

Engel, James, 10 Argyle Rd., Pt. Washington.

Engelman, Lois Ann, 925 W End Ave, NYC.

Fears, Charles David, 249 Hopkinson Ave, Brooklyn.

Felder, Andrew, 249 Hopkins Ave, Brooklyn.

Feldstein, Wally, 52 Moss Lane, Jericho, Nassau.

Figoeroa, Jose Enrique, 1262 Webster Ave, NYC.

Figueledo, Gricel, 643 Middleneck Pl, Great Neck.

Fink, Lynn, 9 Renco Pl, Passapequa Park.

Finkelstein, Stuart, Brooklyn.

Flaherty, Michael Henry, 3170 Broadway, NYC.

Franklin, Theodore, 160 Claremont Ave, NYC.

Freeman, Joshua, 765 Amsterdam Ave, NYC.

Friedman, Alexandra Caron, 204 W 92 St, NYC.

Geistein, Marsha M., 104 40 St, Forest Hills.

Gilpin, Margaret, 240 10th Ave., NYC.

Goodway, Arleen Frieda, 426 E 22 St, Brooklyn.

Goodwyn, Herbert Calvin, 16–20 Redfern Ave, Rockaway.

Gorritz, Gilbert, 775 175 St, NYC.

Gordon, James Edward, 130 Park Lane, Douglaston.

Greene, Evelyn Yvonne, 501 E 11 St, Apt 2, NYC.

Greifinger, Joel, 144 2972 Ave., Flushing.

Gyorgy, Anne Margaret.

Hackman, Robert Colby, 60 1st Ave., NYC.

Handerson, Paula D., 502 Clinton Ave., Brooklyn.

Helish, Howard Jefferson, 176 Dean St., Brooklyn.

Henderson, Delmar, 738 E 6 St, NYC.

Hicks, Paul Stanley, 11134 207 St, Hollis.

Hill, Gerarld, 1144 Franklin Ave, NYC.

Hinchen, Carol, 36 E 1st St, NYC.

Hodge, Leroy Lawrence, 1565 Park Ave, NYC.

Holt, Eric Reed and Frances C., 120 Kane St, NYC.

Hughes, Bernard, 220–20 145 Rd, Laurelton, Queens.

Hutchings, Phil, 355 Clinton Ave., Brooklyn.

Jackson, Bruce, 274 Coventry Rd., W. Hempstead.

Jarvis, Johnny, 144 Grafton St., Brooklyn.

Kanter, Judith Ellen, 1 Milburn Lane, Huntington.

Karlson, Thomas, 545 E 126 St 19 H.

Kassoy, Meredeth S., 130 Gale Place, NYC.

Kerr, Heanne, 66 E 7th St, NYC.

Kimerell, Allen Francis, 8705 Chelsea St, Jamaica Plains.

Koliner, Gail Therese, 640 E 6th St, NYC.

Korenbaum, Jan Martoria, 76 West Lane, Bayshore.

Kramer, Michele Ruth, 145 Lincoln Rd, Brooklyn.

Kreps, Jane Ellen, Nanuet.

Laredo, Andro, 145 2 Ave, NYC.

Larman, Lorraine Z., 162–01 73 Ave, Flushing.

Latham, Carol Ann, 346 E 156 St, NYC.

Lightenberg, Susan, 23 E 3 St, NYC.

Lobenstine, Farnsworth Elliot, NYC.

Logares, Rehand Gilbert, 1851 Schelffin Pl, NYC.

McKetney, Michael, 144–47 183 St., Jamaica.

McNeil, Anthony Philip, 473 W 158, NYC.

Maldonado, Luis Antonio, 1235 E 15 St, NYC.

Melbourne, Dylan, 171 E 2, Apt. 5, NYC.

Melzak, Bennett, 4761 Broadway, NYC.

Meyer, Nancy Lee, NYC.

Miller, Joseph Evan, 3170 Broadway, NYC.

Miller, Paul Joseph, 3970 Hillman Ave., Brooklyn.

Morales, Elsie, 53 W 106 St, NYC.

Morgan, Margaret Ann, 41–31 77 St, Elmhurst.

Moritz, Thomas Daniel, White Plains.

Morris, George, 464 W 146 St, NYC.

Moseley, Paula, 503 W 177 St, NYC.

Myensberg, Susan, 220 W 21 St, NYC.

Nero, Raymond Rudolph, 154 W 71 St, NYC.

North, Nora, 225 W 25 St, NYC.

November, Margaret, 593 Mannix Rd, Brooklyn.

Orris, Maxine, 243 W 12 St, NYC.

Ortiz, Lino Herman, 40 Ave C, NYC.

Pasqual, Vangssa, 210 E 77 St, Apt. 615, NYC.

Payne, Roslyn B., 206 E. 17 St, NYC.

Pena, Jose Bienvernido Luciano Adrian, 562 W 174 St, NYC.

Plever, Terry Anne, 172–34–133 Ave., Jamaica.

Proujansky, Jed, 9701 Shore Road, Brooklyn.

Quinones, Carmelo, 287 E 4th St, NYC.

Reed, E. Ricky, 52 W 81st St, NYC.

Rinaldi, Matthew James, Valley Stream.

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SENATOR KARL MUNDT

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COTTON. Mr. President, for many years I served with KARL MUNDT both in the House and the Senate. I have never known an abler or more articulate statesman. His was a happy combination of outstanding ability coupled with a most attractive personality. He was a fluent and at times dynamic speaker, but always to the point and never lengthy or repetitive.

I particularly recall one occasion in which he accepted my invitation to speak in New Hampshire at an important statewide gathering. During the years many Senators have come to our State, invited by the late Senator Styles Bridges and, since his passing, by me, some of them outstanding national figures. In my opinion, KARL MUNDT made the ablest and most penetrating presentation of them all.

The sudden illness that struck him down was one of those strange tragedies that we find hard to understand or accept. The loss of this experienced, seasoned, competent Member during a particularly crucial period in our history was irreparable. It taught every one of us that there are tragedies even worse than death.

Our sympathy goes out to his devoted wife who has had to live through this terrible experience and to his State and Nation that have been deprived of his invaluable services.

TRIBUTE TO WAYNE ASPINALL

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, with the closing of the 92d Congress, Congressman WAYNE N. ASPINALL of Colorado, chairman of the House Committee on Interior and Insular Affairs will end his outstanding career of nearly 24 years of service to the people of his district and the Nation in the Congress of the United States.

I served with WAYNE ASPINALL in the House of Representatives before coming to the Senate and have worked with him over the years on Interior Committee legislation. Both of us have had the honor of chairing the Interior Committees in the House and Senate. In that capacity we have worked together closely during the past several years on important legislation related to the Nation's natural resources. Thus I have had an opportunity to observe at first hand the qualities that characterize this distinguished Member of Congress.

I have always found Congressman ASPINALL to be very reasonable, cooperative, and constructive. He is extremely knewledgeable in the field of legislation which comes under the jurisdiction of the Interior Committee. WAYNE ASPINALL is very diligent and faithful to his duties and a man of high integrity. He was a tough bargainer and most dedicated to his point of view. But he combined these qualities with fairness and consideration of the other fellow's point of view. The record of achievement in national parks, wilderness, recreation, and resource conservation legislation over the past dozen years attests to the progressive leadership in this area by Mr. ASPINALL and our other colleagues working with us on the two committees.

Congressman ASPINALL will be missed very much, not only by his colleagues in the House but also by those of us in the Senate who had the privilege of working with him.

VETERANS' EDUCATION

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, this past May it was my privilege to serve as honorary cochairman of a Conference on Education and the Returning Vietnam Veteran which was sponsored by the American Veterans Committee. The conference was quite helpful in bringing together a number of people to discuss the problems which face our returning veterans. Recently June A. Willenz, the executive director of the American Veterans Committee, published an article entitled "The Returning Vietnam Veterans: The Challenge to the Nation's Conscience." I believe my colleagues will find this article of interest, and I ask unanimous consent that it be inserted in the RECORD.

There being no objection, the material was ordered inserted in the RECORD as follows:

THE RETURNING VIETNAM VETERANS: A CHALLENGE TO THE NATION'S CONSCIENCE

(By June A. Willenz)

The Vietnam War is generally considered the most unpopular war in American history, one which has strained the basic fibers of the body politic and polarized the nation. No other war has been brought so close to the American home through the news media and the television camera; yet, ironically, no other war has been so remote from the daily lives of the citizenry.

Perhaps no other war has produced the phenomenon of a country blotting from its consciousness the men it sent to distant battlefields. Only sporadically does society wrestle with its conscience and pay attention to those who have survived and returned to "the world."

Veterans returning from Vietnam are different from veterans of previous wars and they are returning to a different society, under different conditions. As of November, 1971, five and a half million had returned and many more will be returning. Over 300,000 have suffered injury and disease—many would have died on the battlefields except for the miracles of military medicine.

A number of complex factors determine the particularly difficult situation the Vietnam veterans face, factors which contribute to their alienation not only from other generations, but from their own generation. Included in these factors is how they entered military service.

The draft law and its antiquated administration caught a much narrower segment of society in this war than in World War II. The educational and occupational deferments favored the middle-class, college youth and discriminated against those from less advantaged backgrounds. The President's Committee on the Vietnam Veteran reported in 1970 that 22% of these veterans did not have a high school diploma. Furthermore, qualification tests showed that 30% of the high school graduates scored as poorly or worse than those without high school diplomas. A significant proportion of these veterans require additional education and training before entering any demanding post-graduate training or educational program.

Those without high school diplomas or with poor test scores have much less opportunity in military service to acquire skills applicable to civilian jobs. These are the men of the combat infantry units with marksmanship the only additional skill. These men suffer an unemployment rate considerably higher than that of other veterans, and those who most needed further schooling pursue it least. The stark reality facing society is that "participation in the G.I. Bill training is inverse to need."

A major factor in the difficult readjustment process is the indifference, even hostility, of a society weary of the war, a society identifying those who fought in the war with the war itself. Many veterans feel uncomfortable with members of their own generation, particularly those on campuses where there are many activists in "anti-war" protests. Often they do not wish to be identified as veterans, and some group in "veterans clubs," setting themselves apart from the rest of the student body. Furthermore, many citizens believe reports of high drug usage among the military and assume that all veterans have a "drug problem."

While veterans of previous wars had their problems in the transition period from military life to civilian pursuits, the testimony of many psychiatrists and social scientists indicates that this group of veterans is suffering particular difficulties. The veterans indicate that in coming back home there is a real trauma, little appreciated by official agencies like the Veterans Administration (VA), or by the private sector, including the families as well as prospective employers. The lack of support from society has intensified the sense of isolation. The veterans have recognized the serious re-entry problem and have urged that "half-way houses" or communities be set up to serve as a kind of decompression chamber. (The abruptness of the return, sometimes still in battle fatigues, contributes to the shock.) Those who made the re-entry successfully, without help, report it was nevertheless a painful and discouraging process, one requiring support from fellow veterans.

What is ironic is the official report from Department of Defense psychiatrists that the rate of psychiatric casualties has been much less during the Vietnam War than in either of the two previous ones. The lower reported casualty rates are due perhaps to earlier treatment by general medical officers as well as differing attitudes and diagnostic techniques. Another observation is that many so-called psychiatric casualties never get into medical hands: administrative or disciplinary casualties and those removed from their units for behavioral problems.

Besides the psychological and social adjustments on return to the family and civilian society, a significant number of veterans have a drug problem most often picked up in service; some have been severely handicapped while in service; others suffer the more subtle handicap of a less-than-honorable discharge.

EDUCATION

According to November, 1971, Veterans Administration figures, 1,884,304 Vietnam-era veterans entered some kind of training under the present G.I. Bill—i.e., out of 5,524,000 eligible, about 20% participate in the educational benefits. On the other hand, about 50% of the 7.8 million World War II veterans did so, with an imprint on society evident in human resources and in economic gains.

One major reason why few Vietnam veterans take advantage of the G.I. Bill is because its inadequate financial allowances make a supplementary income necessary. The Veterans Administration claims that the increased cost of living since World War II has been taken into account. Overlooked is the fact that educational costs have more than tripled. World War II educational benefits are an estimated 43% higher than Vietnam rates. Under the present system a single veteran gets $175 a month to meet educational and living expenses. This arrangement has channeled veterans into low-tuition schools, a source of discontent. World War II's G.I. Bill opened up Harvard, Yale, and similar institutions to veterans.

The American Veterans Committee (AVC), traditionally concerned with the readjustment process and successful re-entry of veterans into civilian society, disturbed by the relatively low utilization of the present G. I. Bill, convened a major national conference in May, 1972. Some of the facts and proposals from the Conference follow. (A complete Report is to be issued in November, 1972.)

In addition to facts already stated, the veterans have to overcome their own negative attitudes towards school, as well as fears of failure and inadequacy. They are severely handicapped by these problems.

Veterans seeking further education often have problems with admissions and accreditations. Many schools, such as community colleges, have open admission policies; others do not. Admissions offices do not always recognize either service learnings or the relationship of maturity to learning. Many veterans feel that their experiences in the military provide as important a background to further schooling as formal credit courses. A great deal more needs to be done in recognizing not only these learnings, but other life experiences that mold an individual.

Contributing to their difficulties are age and the maturing nature of military service. Veterans reported feeling "alienated" or out of place on college campuses. Many already have families, and the inadequate allowances of the G. I. Bill necessitate a job. For those who had difficulties in school before they went into service, "keeping-up" is a major task. The time and energy invested in a job add to the intensity of the problem.

Another irritant is dealing with the bureaucracy, whether the VA, other federal agencies, or educational institutions. Veterans seek a more personal setup for counseling and advice and assistance in housing, personal, financial, and domestic problems. Their questioning attitude toward authority also means that they are far less tolerant of the formal procedures concomitant with traditional education.

Furthermore, except for certain isolated veterans' programs, colleges have tended to ignore the Vietnam veteran. The AVC Conference recommended a wider choice of educational institutions, with greater financial benefits and programs and curricula that would attract the Vietnam veteran. Also special programs should be set up allowing the veterans to make up the educational gaps *without* using up the G. I. benefits.

Since minority and disadvantaged veterans form a large proportion with educational handicaps, new and imaginative programs are needed to overcome their difficulties. With several strikes against him, the veteran must have the feeling that what he is doing will be personally satisfying and worthwhile. It is doubly hard for the Black who must feel that he is not being patronized.

An inequity in the present G. I. Bill concerns the treatment of students pursuing vocational or technical post-secondary education. They have a 25 clock hour requirement instead of the 12 credit hour requirement for full time college work and are limited to one change in their educational objective. They may not take liberal arts or elective courses not immediately germane to their occupational goal. A significant number is suffering from these discriminatory clauses of the G. I. Bill.

HANDICAPPED VETERANS

The VA estimates that 10% of those who suffered injuries are 80–100% disabled. The problems they share with their fellow veterans are compounded by this handicap. It is clear that the ambiguous position of the Vietnam veteran in society is more complex for the severely disabled veteran because the worthiness of the cause for which he gave so much has been questioned.

A great problem facing the disabled is employment. Those who were more exposed to combat came from the sector of society with the fewest skills and the lowest educational attainment. These are the men who relied on physical strength in their occupational roles in civilian life and are doubly handicapped when they seek to enter the job market. For minority disabled veterans, offered little opportunity when whole, the problems which must be faced are further complicated.

DISCHARGE PROBLEMS

While not suffering the devastating effect of physical or mental injury, the men and women who receive less-than-honorable discharges are handicapped in their attempt to resume their places in society. Most of them have not committed serious crimes, but got into trouble, often as a consequence of using alcohol or drugs, or both. Others suffered discriminatory treatment, went AWOL at a time of stress, or went berserk marking time the last few months after a combat tour in Vietnam. Also there are those who for mental or psychological reasons should not have been inducted in the first place. Often under 20 years old, their chief character defect was immaturity. Many waived their rights, or did not know their rights and accepted an administrative discharge to get out fast or to avoid the greater threat of a court-martial.

A former Judge Advocate has remarked "the administrative discharge system allows the government to stigmatize a discharge carrying all the legal ramifications of a court-martial sentence, without providing him with the protection of due process of law . . . It is entirely possible for a young man of 18 years, with no prior record of involvement with school, juvenile or police authorities, to be discharged from the military against his wishes, with an undesirable discharge under other than honorable conditions, based solely on the unsworn statement of a confessed drug pusher who is not present at the hearing."

At the moment when the serviceman is in trouble, the consequences of such a discharge do not occur to him, nor is it always pointed out. After leaving service, these veterans are barred from veterans benefits including hospital and medical care, and training and educational programs. AVC's Legal Aid Program and other organizations assisting veterans have learned of case after case of veterans functionally handicapped by the nature of their discharge.

For the period June, 1970–June, 1971, the Navy awarded 88,408 discharges: 18% for General, Undesirable, Bad Conduct, and Dishonorable. In 1968, only 14% fell into these categories. The combined services in 1970 have 39,334 Administrative Discharges for "unfitness" or "unsuitability" whereas 3,542 were given for Misconduct. Some of the Administrative Discharges were honorable but were coded in such a way as to carry a stigma which prejudices chances of employment. The statistics for administrative discharges do not reveal how many honorable discharges were given for unfitness and unsuitability.

Official figures for the first half of 1971 show that 93.8% of the 517,194 discharges were honorable, while 6.2% were less-than-honorable. It is not known how many of the honorable discharges carry the coding stigma, nor how many were for volunteers or draftees. From the numbers of veterans who come to the AVC and for other reports, it would seem that the problem is significantly greater than is acknowledged by the Department of Defense.

DRUGS

No discussion of the returning Vietnam veteran can ignore the problem of drug usage and abuse in the military services. Colonel Stewart Baker, Department of the Army, has reported that in the spring of 1970, a sudden increase in the supply of easily available heroin in Vietnam heralded a drug problem which continues as the number one health problem for Army personnel in Vietnam. He also reported an increase in the number of deaths brought on by drug overdose and drug related causes.

The armed forces announced in December, 1970, a drug "amnesty" program, which "guaranteed" freedom from legal jeopardy for those who requested medical help and committed major resources to identification and rehabilitation of drug abusers in the Service. A test used in the new program to detect heroin in the urine revealed in September, 1971, that 5.2% of the 92,096 men tested showed a positive reaction.

There is a wide divergence of opinion as to how many men have actually become addicted to hard drugs while in military service, particularly in Vietnam. Reports from Europe indicate that drug traffic and usage there have also taken an upward turn. Some veterans who saw action and are ex-addicts have said that half to three-quarters of their units were on hard drugs during combat periods—including officers.

At Congressional hearings, the former chief of Stanford Psychiatric Services at the Palo Alto VA Hospital, Dr. George Solomon, maintained that heroin addiction was part of the broader problem of psychiatric casualties in Vietnam and that the low rate of such casualties cited by the Department of Defense was misleading. He indicated that very few of these casualties ever came to psychiatric or medical attention in Vietnam; most came to VA Hospitals through police. Over half of 50 random psychiatric admissions of Vietnam veterans to Palo Alto had a drug abuse problem. He suggested that heroin was being used as a tranquillizer by people with emotional problems. Other military psychiatrists corroborate the seriousness of drug abuse in the Services.

The new policies of involuntary testing and detoxification when heroin usage is detected have not been evaluated. The volunteer "amnesty" program failed because drug users feared prosecution. Veterans have received other-than-honorable discharges even though they voluntarily turned themselves in for drug usage, and such veterans are ineligible for medical treatment at VA hospitals except on an emergency basis.

The Department of Defense officially encourages veterans to seek changes of their discharges if drugs are involved, but the burden is on the veteran to make formal application.

Veterans are reluctant to turn to the VA for help and have requested half-way houses with ex-addicts having a prominent role. Some medical authorities see them as a more effective way of approaching the addiction problem.

At a hearing on his veterans' bill, Senator Cranston charged that the VA is only scratching the surface. He estimates that there are at least 100,000 veteran addicts, and the VA's 42 special centers are treating only 5,600; that at least 60 such centers are needed. The Senator urged that the VA offer various programs, not just methadone, with more veteran ex-addict counsellors and more realistic acceptance regulations. Also, comprehensive follow-up rehabilitation services should be provided and could be provided under contract with outside agencies. (AVC testified to this at the June, 1971, hearings.)

It is both tragic and ironic that veterans who picked up the habit while in service, often in combat, are denied medical assistance from the government which placed them in these situations.

EMPLOYMENT

The question of employment ranks high among Vietnam veterans' concerns. For many it is the key focal point of their return to civilian life. During periods of high unemployment, veterans' unemployment rate is always a few points higher than that of the general population. Bureau of Labor statistics confirm this. Age, race, and type of service are all negative factors in veterans' chances at jobs. In the second quarter of 1971, the unemployment rate for veterans 20–24 years of age was 12.4%; all veterans, age 20–29, averaged 8.5%. Rates for non-white minorities were considerably higher, particularly in the younger age brackets. Other figures cited ranged from 20% to 30% for veterans' unemployment. It was reported in 1972 that veteran unemployment also persists longer. About 24% have been job seekers for 15 weeks or more, compared with 16% in 1971.

Nor is it certain that all veterans are being measured in statistics on employment. If they do not attempt to get unemployment benefits or contact government agencies for assistance, they are not counted.

Again, in job placement, veterans fare worse than non-veterans; only 13% of the veterans who applied at employment service offices last year received placement in any kind of job.

Society's ambiguous attitudes towards the veterans have made their employment prospects dimmer. Many employers are leary of hiring Vietnam veterans because of the publicity on the drug problem; a result of such incidents as My Lai has been a tendency to view all veterans as irresponsible killers. The veterans find their military skills are not transferable to civilian jobs. This is especially true for the infantry veterans who had no skills and little education to begin with. They don't have any hope in a tight job market.

It seems inconceivable that the most powerful nation in the world will not come to grips with the potentially explosive situation of large numbers of demobilized troops who are neither employed nor in school.

In 1970, the President indicated an all-out national effort under way to help veterans and he set up a "Jobs for Veterans" Committee "in a massive effort to find suitable employment opportunities for the more than one million men and women completing military service each year." No statistics are available on the accomplishments of the campaign.

Job Fairs and Job Opportunity Fairs for veterans have been sponsored by the VA, and/or the Department of Labor, often with the co-sponsorship of community organizations. The overall record of accomplishment is poor.

The Department of Defense, some years ago, initiated "Project Transition" to give servicemen, during the last few months of their tour, opportunities to acquire skills and technical training directly applicable to jobs. A number of manufacturers and businesses cooperated with the Department. The program depended on the cooperation of the commanding officers of the installations in encouraging their men and working with Project Transition officers. Since no strong directive ever came from the Military Departments giving the project high priority, real cooperation was not forthcoming, nor did the business sector push its resources. (There have been some isolated success stories.) In a recent survey of 80 firms asked about the project, 58 had never heard of it. The Department of Defense's efforts are the only noticeable efforts made toward improving the employability of veterans. Without cooperation and active support from all areas and levels of government, and from the businesses of the United States, the gestures of any single agency are meaningless.

CONCLUSION

Although legislation designed to assist Vietnam veterans has been enacted in the last two years, and agencies like the Veterans Administration and the Office of Education have initiated new programs recently, the veterans still feel cheated and have called for parity of benefits with those of World War II. They want increased allowances, advance payment, loan programs, work-study arrangements, outreach and counseling services, and additional innovative education measures. They want to be consulted in the formation and design of relevant programs, and to be involved in the delivery of services.

There seems to be a trend away from joining traditional veteran organizations. This could be a wish not to be identified as veterans, as well as with the feeling that these organizations are remote from their interests and perceptions. Veterans clubs have appeared on many campuses, and some have affiliated with the National Association of Collegiate Veterans which is concerned with promoting more adequate benefits for veterans in school. The other organization which came out of this war, the Vietnam Veterans Against the War, has one major objective—ending the war. Both groups have been essentially one-issue oriented. What their future is, once the issue is resolved, cannot be predicted.

Government programs and institutions supposedly serving the veterans have been the chief target of the veterans' bitterness. From the findings of the 1972 AVC Conference and from the viewpoints expressed by veterans in other conferences and hearings, a large number of the Vietnam veterans are eager to take part in the established educational and employment institutions, and are anxious for realistic opportunities to do so. They are looking for more choices, more diversity, a minimum of bureaucratic tangles; for a strong sense of personal worth and identity. Among those veterans not being reached by existing programs, many may find more comfortable and convenient non-traditional frameworks of education and training. More flexible ways of carrying out the education process should be available; new programs, either legislative or private, should be encouraged to stimulate diversity and innovation. Some veterans have called for a similar plurality of options and direction in the occupational world.

Important questions must concern the nation if the Vietnam veterans are not to be another "problem" group within our society, a generation of "wasted men."

Although the unique configuration of circumstances has created a "new veteran" different in many respects from his predecessor, both the Vietnam veteran and society are at the same crossroads that characterized the return of the citizen-soldier at other times in history.

SENATOR B. EVERETT JORDAN

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, I want to take this opportunity to pay tribute to Senator B. Everett Jordan, who has served this body with honor and distinction and is now ending a long and distinguished career of public service with the expiration of the 92d Congress.

Senator Jordan has served the people of North Carolina and his Nation very well. He has been an aggressive and effective advocate of programs of immense benefit to this country. As a member of the Public Works and Agriculture and Forestry Committees, Senator Jordan has been responsible for the development of legislation which has proven effective in dealing with the needs of this Nation.

Hard work, a sense of humor, and a dedication to his duties mark Senator Jordan's public career. His decisions were arrived at only after thoroughly exploring the issues.

As chairman of the Committee on Rules and Administration, Senator Jordan operated with a wisdom which contributed greatly to the effective operation of the Senate, and this, in turn, aided this body in being more responsive to the needs of this country.

It is with regret that I view the conclusion of Everett Jordan's career. However, I want to wish him the best in future years.

CO-OP CITY GROUP RESPONDS TO ENVIRONMENTAL CHALLENGE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BINGHAM. Mr. Speaker, the task of cleaning up and preserving our environment is going to require, in addition to sound Federal programs, the individual attention and cooperation of every American citizen in every community in this land. A group of citizens in the Bronx, organized as the Environment Action Committee—EAC—of Co-op City, are doing a particularly energetic and excellent job of stimulating local interest and action to protect and preserve the environment. Their local program could well serve as a model for other local groups, and I take pride in commending all the members and leaders of the EAC and I submit for the record a report of this organization's recent activities by Mr. Harry Hertzberg:

EAC LOOKS AT PROGRESS

(By Harry Hertzberg)

The Environment Action Committee of Co-op City celebrated its second birthday on April 30th, and looked ahead to many more years of progress and service to the Co-op City community. It is more than appropriate at this time to inform you of the actions and accomplishments of your EAC.

The Environment Action Committee is composed of four major subcommittees and many temporary Ad Hoc subcommittees. The permanent standing subcommittees are: Noise, Solid Waste, Arts Projects, and Fund Raising. At this time, the Ad Hoc subcommittees are: Pelham Bay Dump, Nuclear Power, and Consumerism.

The Noise Pollution subcommittee has been chaired for the past year by Ira Pers who has done a tremendous job. Mr. Pers has just been elected cochairman of the EAC, and has been replaced by Ms. Alyse Weitz, a capable and dedicated environmentalist. The problem of tugboat noise on the Hutchinson River has plagued many cooperators in buildings facing the waterfront. Correspondence has been extensive with the U.S. Coast Guard, and with Congressman's Biaggi's office, which have both been working on this problem. We have received word that there are many avenues by which we may approach this problem. Installing two-way radio equipment in every boat and on every bridge; limiting the number of "tools" that any vessel may give; limiting night use of the bridge and re-routing the sea traffic away from this bridge have been suggested. A feasible solution should be forthcoming very shortly.

The problem of noise from the New England Thruway has still not been resolved. The only realistic solution to this problem is that trees be planted along the Thruway. Trees produce a sound-muffling effect, and thus, the sound would be absorbed and not heard in the apartments. The next problem in the area of noise is that of sound trucks, especially political sound trucks. For the recent primary campaign, the EAC issued an order that no sound trucks be allowed in Co-op City. This resolution was followed in good faith by most of the politicians campaigning for office, and there was only one serious offender who showed his contempt for the environment by blasting his sound truck all day in Co-op City on several occasions. Otherwise, we were pretty effective in keeping out the noise.

The Solid Waste subcommittee has been the EAC's busiest one. This subcommittee was engaged in an can-recycling program for the most part of 1970 and 1971. The response of the cooperators was so enormous that we soon found ourselves overloaded with cans. We had a great deal of trouble securing adequate pick-up accommodations for this program, and regrettably, we had to stop this program last summer. We are now working on some ideas to revive this program, and will pass along information as soon as possible.

This subcommittee was also involved in the recent primary election, in trying to remove the posters and leaflets that all the candidates paste up and hand out. We were responsible for the removal of over 1,000 campaign posters from the lamposts of Co-op City, and also did a most successful job in getting most of the candidates to clean up any of their literature that was dropped on Co-op City property. The Solid Waste Subcommittee has been chaired by Kenneth Newman for the past year, and Ken has done remarkable work in handling one of the toughest environmental jobs in this community.

The Arts Projects subcommittee of the EAC is headed by Mrs. Environmentalist herself, Arline Greene. Arline has been the creative mind behind the two EAC Ecology Fairs. Arline has also given much prominence to Co-op City by setting up an EAC exhibit in last year's Bronx Day celebration. Mrs. Greene's most recent project has been the signs that you might see on the cash registers of the Co-op Supermarket. These signs tell all consumers to reuse their paper bags, as it so eloquently says: 'You can't plant a bag and grow a tree!"

The Fund Raising subcommittee is chaired by Keven Pecker, treasurer of the EAC. Keven has run many low-keyed fund-raising efforts, which includes our ongoing membership drive. Membership in the EAC is just $2 per person per year, and the EAC desperately needs this money for printing, mailing, and subcommittee expenses. Since all EAC work is voluntary, the dues go directly into helping the environment.

The Pelham Bay Dump Ad Hoc subcommittee is doing much work in hopes of ending the horrible conditions there. We are backed up in our efforts by a number of other major community groups. We have had a mass petitioning campaign, and we now have over 3,500 signatures. We have enlisted the aid of Assemblyman Hochberg, Congressmen Scheuer and Bingham, Councilman Ryan, and have received assurances that these persons will help us in any action we take against the dump. As soon as we have arrived at our final course of action, a special meeting will be held in Section 5 for the information of the residents who are plagued by the dump.

The Nuclear Power subcommittee has been working very closely with the CLEAN group in New Rochelle, which opposes the creation of a Nuclear power plant on David's Island which is only two miles from Co-op City. EAC chairman Hertzberg has testified at New Rochelle City Council hearings, and last word from Con Ed is that they are not planning to build on that site for some time now, which we believe, can be attributed to all the community opposition they have run into.

The EAC also set a precedent by running a slate of candidates for office on the Consumer Society Board of Directors. Since environment and consumerism go hand-in-hand, the EAC felt that we should have a positive input on the Board of the Society. The nod was given to Joseph Kahane, Arline Greene, Essie Morris, and Art Plutzer. It was heartening to see that the cooperators do care about the environment, and swept our slate into office. Greene, Kahane, and Plutzer are serving three-year terms, while Morris is serving a one-year term. Now all environmentalists in the community can take heart, knowing that there are people fighting for you in the area of consumerism.

Much credit also goes to Harvey Silverman, EAC co-chairman, and one of the founders of the committee, for his devoted work to the organization. Harvey has been a driving force on the EAC, and is indispensable to the workings of this committee.

TRIBUTE TO MRS. ELAINE EDWARDS

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, I would like to take this opportunity to pay special tribute to a colleague who, although with us for too brief a period of time, gained the admiration and respect of us all. I am speaking of Mrs. ELAINE EDWARDS of Louisiana.

Mrs. EDWARDS came to this body as a result of a tragedy—the death of our beloved friend and colleague, Senator Allen Ellender. It would have been easy for Mrs. EDWARDS to merely assume the role of finishing out the term of Senator Ellender, who was up for reelection this year. Nobody would have faulted her if she had chosen to do so. However, Mrs. EDWARDS accepted her appointment in a very serious manner. She worked hard and diligently for her Louisiana constituency. She learned the ropes very quickly.

I am sure my colleagues agree with me when I say that Mrs. EDWARDS was very conscientious in her temporary duties in the Nation's Capitol. We were very fortunate to be associated with Mrs. EDWARDS and I know that many of us regret that she will not be serving with us, at least not in the near future.

She briefly stepped into the shoes of a man whose career was marked by dedication, hard work, and outstanding public service to his State and Nation. Mrs. EDWARDS carried on in the tradition of Senator Ellender. She will be missed when the 93d Congress convenes in January.

BUSINESS FRAUD AND EMBEZZLEMENT SEMINAR

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, every Senator and Representative is aware of the efforts that the Congress exerts to control and reduce business losses from crime. In doing this, our concern is not just for business, but for the good of society as a whole.

All of us condemn the airplane hijacker, the robber, the burglar, or the vandal. But there is another kind of offender, often of the white-collar variety, who does not get as much attention as he deserves. This criminal commits fraud or embezzlement. This criminality is particularly objectionable to moral sensibilities because the offender operates with intelligence and often from a position of trust. Generally, he does not need to be dishonest in the sense of wanting food or money to live.

When Gulliver was traveling through the land of the Lilliputians, he found that fraud was a greater crime than theft there. In Swift's novel, theft was seldom punished by death since "care and vigilance, with a very common understanding, may preserve a man's goods from theft, but honesty has no defense against superior cunning."

Fraud and embezzlement are tough categories of crime to deal with, and because of this the leadership of private industry, institutions, and the government is tending to overlook the need for safeguards in this area to a large extent. The business that takes elaborate precautions against the loss of merchandise, for example, may fail to assure itself that it does not routinely pay false invoices generated by a dishonest supplier and approved for payment by a collusive employee.

The fact is that some industries must bear losses from fraud and embezzlement that are several times higher than losses from "ordinary crime," that is, robbery, burglary, shoplifting, and vandalism. There is, furthermore, a direct impact on the community. Bankrupt businesses and failed banks create unemployment, additional costs for government, burden for insurance carriers and underwriters all of which erode public trust in private enterprises, institutions, and government.

To date there is no book or training session to educate management on the ways fraud and embezzlement are practiced most effectively these days. That is why my colleagues will be interested to know of an unprecedented seminar to be held this January 15 and 16 at New York City's Plaza Hotel, the "First International Seminar for the Detection and Prevention of Fraud and Embezzlement."

The seminar plans to bring together for the first time administrative managers plus representatives from psychiatry, insurance, management and psychiatry consulting, and government to focus on the controls needed now and in the future by commerce and industry to minimize these types of loss. The seminar is sponsored by Security Letter, 475 Fifth Avenue, New York, N.Y. I believe sessions of this type help to focus interest on a problem apparently becoming increasingly difficult in our business world.

HOUSE REPUBLICAN POLICY COMMITTEE SUMMARY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RHODES. Mr. Speaker, during the 92d Congress, meetings of the House Republican policy committee provided an opportunity for thorough discussion of pending legislation by a broad-based representation of the House Republican membership. Policy statements adopted by the committee have played an important role in converging Republican support of sound legislation and in fostering the broadest possible public understanding of Republican legislative postures.

In the 92d Congress, 23 meetings of the committee were held; 20 policy statements were adopted. In the 19 instances in which floor action reflected Republican response to policy committee recommendations, 83 percent of the Republican Members voted in agreement.

Present members of the policy committee are as follows:

List of House Republican Policy Committee Members

John J. Rhodes, Chairman; Gerald R. Ford, Leslie C. Arends, John B. Anderson, Samuel L. Devine, Jack Edwards, Barber B. Conable, Jr., Bob Wilson, H. Allen Smith.

Charles M. Teague, Page Belcher, James Harvey, James T. Broyhill, John Kyl, Delbert L. Latta, Peter H. B. Frelinghuysen, Marvin L. Esch, John T. Myers.

J. Kenneth Robinson, Hamilton Fish, Jr., John W. Byrnes, William L. Springer, Albert W. Johnson, Thomas M. Pelly, James R. Grover, Jr., Robert Price, J. William Stanton, Alexander Pirnie.

Four Members, Robert J. Corbett, Robert T. Stafford, Richard H. Poff, and Herman T. Schneebeli served for a portion of the 92d Congress.

Summaries of the House Republican policy committee statements and Republican floor votes in support of committee recommendations are as follows:

House Republican Policy Committee Statements and Floor Votes, 92d Congress

FIRST SESSION

I. Supported the passage of H.R. 6531, Amending the Military Selective Service Act of 1967.

Extended the draft for two years, increased military pay, dropped student deferments and authorized military active duty strengths for fiscal years 1972 and 73.

Passed: April 1, 1971.

Republican Vote: Yeas, 147; Nays, 15.

Percentage: 91%.

II. Opposed the passage of H.R. 3613, the Emergency Employment Act of 1971, and urged the adoption of the Esch Amendment.

Substituted an Administration-supported manpower revenue-sharing program providing $500 million upon enactment (for fiscal 1972) and $2 billion during fiscal 1972 for manpower training.

Rejected: June 2, 1971.

Republican Vote: Yeas, 159; Nays, 6.

Percentage: 96%.

III. Supported President Nixon's all-out assault on the menace of drug abuse, and urged the immediate passage of his legislative proposals to supplement the Comprehensive Drug Prevention and Control Act of 1970.

H.R. 12089. Drug Abuse Prevention. Created a Special Action Office on Drug Abuse Prevention in the Executive Office of the President which would coordinate drug abuse prevention programs of all federal departments and agencies except those in the law enforcement field.

Passed: February 3, 1972.

Republican Vote: Yeas, 162; Nays, 0.

Percentage: 100%.

IV. Supported the passage of H.R. 1, the Social Security Amendments of 1971.

Increased Social Security benefits and Medicare and Medicaid assistance programs for the needy aged, blind and disabled and disabled and established a national family assistance program for incapacitated or unemployable adults.

Passed: June 22, 1971.

Republican Vote: Yeas, 112; Nays 64.

Percentage: 64%.

V. Demanded that immediate attention of the Congress be given to the forward-looking and progressive domestic legislative proposals of President Nixon.

VI. Urged the immediate consideration and passage of H.R. 9727, a bill to control the dumping of harmful waste materials into America's coastal and offshore waters.

Established controls over the dumping of waste materials in the oceans and set up a marine sanctuaries program in the Commerce Department.

Passed: September 9, 1971.

Republican Vote: Yeas, 127; Nays, 1.

Percentage: 99%.

VII. Supported the passage of H.R. 8432, as amended, the Emergency Loan Guarantee Act.

Authorized a federal guarantee of bank loans for failing major businesses.

Passed: July 30, 1971.

Republican vote: Yeas, 90; Nays, 60.

Percentage: 60%.

VIII. Urged the enactment of H.R. 9247, a substitute for H.R. 1746.

Provided authority for the Equal Employment Opportunity Commission to bring suit against recalcitrant, discriminatory employers in federal court.

Adopted: September 16, 1971.

Republican vote: Yeas, 131; Nays, 29.

Percentage: 32%.

IX. Supported deferral of federal employees wage increases.

H. Res. 596 vetoed President Nixon's alternative federal pay plan ordering scheduled salary increases for federal employees delayed until July 1, 1972.

Rejected: October 4, 1971.

Republican vote: Yeas, 16; Nays, 148.

Percentage: 90%.

X. Supported passage of H.R. 9166, authorizing the appropriation of $77,200,000 to finance the operation of the Peace Corps for fiscal year 1972.

Amendment to committee bill cutting the overall authorizations by $27 million to $50,200,000.

Rejected: September 23, 1971.

Republican vote: Yeas, 63; Nays, 86.

Percentage 58%.

XI. Supported the passage of H.R. 10947, the Revenue Act of 1971.

Reduced federal individual and business taxes to stimulate the economy and established a federal presidential election campaign fund effective in 1973.

Approved: October 6, 1971 by voice vote.

Conference report adopted: December 9, 1971.

Republican vote: Yeas, 158; Nays, 9.

Percentage: 95%.

XII. Urged the enactment of H.R. 10729, the Environmental Pesticide Control Act of 1971.

Revised federal pesticide statutes.

Passed: November 9, 1971.

Republican vote: Yeas, 139; Nays, 6.

Percentage: 96%.

SECOND SESSION

I. Urged immediate consideration and passage of H.J. Res. 1025, to provide a reasonable settlement of the West Coast dock strike.

To end the West Coast dock strike and to resolve the contract dispute by compulsory arbitration.

Passed: February 9, 1972.

Republican vote: Yeas, 139; Nays, 10.

Percentage: 93%.

II. Supported the passage of H.R. 11021, the Noise Control Act of 1972.

To control the emission of noise detrimental to the human environment by providing for coordination of federal programs and identification of major noise sources and authorizing the setting of standards for, and research and testing of new products.

Passed: February 29, 1972.

Republican Vote: Yeas, 153; Nays, 8.

Percentage 95%.

III. Supported the passage of H.R. 11896, the Federal Water Pollution Control Act Amendments of 1972.

Provided a $24.6 billion program to clean up the nation's waters, eliminates pollutant discharges, builds new municipal waste treatment plants and establishes a federal-state discharge permit program.

Passed: March 29, 1972.

Republican Vote: Yeas, 156; Nays, 11.

Percentage: 93%.

IV. Opposed the passage of H.R. 12202, providing for increased Government contributions under the Federal Employees Health Benefits Program.

Increased the federal government's share of the costs of health insurance premiums for federal employees, including U.S. Postal Service workers, to 55 percent from 40 percent in 1972—with an additional 5 percent increase each year through 1976, at which time the federal government payment would reach 75 percent of the total cost—and extending health benefit coverage to include unmarried dependent children over the age of 22 who are full-time students.

Passed: April 27, 1972.

Republican Vote: Yeas, 65; Nays, 89.

Percentage: 58%.

V. Supported the passage of H.R. 14370, the State and Local Fiscal Assistance Act of 1972.

Provided assistance payments totalling $29.6 billion over five years to states and local governments for high-priority expenditures, encouraging states to broaden their tax systems and authorizing federal collection of state personal income taxes.

Passed: June 22, 1972.

Republican Vote: Yeas, 122; Nays, 42.

Percentage: 75%.

VI. Opposed the passage of H.R. 7130, the Fair Labor Standards Amendments of 1971, and urged the enactment of H.R. 14104, a substitute therefor, amended to extend the minimum wage increases by steps.

Amended substitute amended the Fair Labor Standards Act of 1938, to raise the hourly wage floor for most non-agricultural workers covered under the Act to $1.80 in 1972 and $2 the following year from $1.60 under existing law.

Passed: May 11, 1972.

Republican Vote: Yeas, 148; Nays, 20.

Percentage: 89%.

VII. Supported the passage of H.R. 13366, the Cyclamates Indemnification Bill.

Permitted domestic food growers, manufacturers, packers and distributors to sue the federal government for payment of losses sustained as a result of the 1969 ban on cyclamates—an artificial sweetener.

Passed: July 24, 1972.

Republican Vote: Yeas, 85; Nays, 64.

Percentage: 57%.

VIII. Urged the passage of H.R. 16810, the public debt limitation.

Authorized a temporary increase to $465 billion in the public debt limit, placed a $250 billion limitation on expenditures and net lending for fiscal year 1973, and granted to the President budget-cutting authority to enforce the limitation.

Passed: October 10, 1972.

Republican Vote: Yeas, 141; Nays, 21.

Percentage: 87%.

WHY WE MUST GET BACK ON THE TRACKS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, I would like to bring to the attention of my colleagues an eloquent article by Lewis Mumford entitled "Why We Must Get Back on the Tracks." Mr. Mumford sets out with refreshing clarity the mess we have created for ourselves in our single-minded fixation with the automobile as the sole means of passenger transportation. Where the automobile was once a convenient and pleasant means of transportation, today it all too often brings aggravation, congestion, environmental disaster, and a heavy toll of fatal accidents. The automobile was once an alternative mode of transportation; it is today in many places the only form of transportation. We have lost its benefits by failing to treat it in proper balance with other modes of transportation.

Mr. Mumford delineates the proper role of the railroad in our passenger transportation system and suggests a series of steps by which we can return to a rational view of railroads as a means for passenger transportation.

I ask unanimous consent that the attached article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sunday Star and Daily News, Washington, D.C., July 23, 1972]

WHY WE MUST GET BACK ON THE TRACKS

(By Lewis Mumford)

When trains began vanishing in America, people blithely assumed that the bus, the truck, the plane, and the private car could perform all of the railroad's specialized functions and could do a better job as well. Only now have we begun to recognize the appalling results.

By shifting the main burden of transportation to cars and trucks, we have extravagantly multiplied the number of vehicles in constant operation, decreased their speed, wasted time, money and petroleum, slowed freight and mail deliveries, and increased human tensions. Meantime, we have nullified the shorter work week—and the promised gain in leisure—by spending more hours in monotonous daily travel, under conditions highly inimical to health.

This is locomotor ataxia, a fatal disease. Already the creeping paralysis has set in: congested airports, delayed landings and departures, stalled expressways, choked streets, clotted parking lots, lethal smog—all these are early warnings of far more serious breakdowns ahead.

Motoring was once a psychological stimulus and recreation: in urban areas it is no longer even a convenience. People who have to go a quarter of a mile or more to find a single parking space—if they are lucky—can hardly boast of "door to door" transportation. So much for free movement and speed!

No one has summed up this situation better than Gov. William Cahill of New Jersey, a state that is one of the chief victims of lopsided highway modernization. "We are choking," he observe lately, "We are choking," he observed lately, "on the fumes of our own exhaust. We are spending literally millions of unproductive hours examining the bumpers of our neighbors' cars, and we stand immobilized, waiting for trains that never arrive. The time has come to say "Enough!"

By rights, this outcry should come mainly from the old, the feeble, the crippled, the sick, and the many people with defective eyesight who cannot or should not drive motorcars. It should also come from the poor, who have neither private nor public vehicles to carry them to work.

Even in cities, these groups have become "shut-ins" through the abandonment of public transportation. They must now depend almost entirely upon the charity of their neighbors and relatives for occasional transportation. *Their* pathetic voice has still to be heard.

But those who most unmistakably have had enough are the motorists who commute daily to the city. More and more, they recognize that the expressway has become a creepway.

WHAT WE LOST

To understand all the working parts that that must be restored or freshly invented to create a balanced transportation system, let us first take a look at what we have lost. This is all the more necessary because people born since 1930 have no notion of the central role of the railroad or what a wonderful sense of freedom it gave the individual traveler.

Between 1920 and 1940 the United States still had one of the best passenger services, both regional and national, on the planet. Contrary to the illusions of short-sighted railroad executives, these passenger services, because of the urban concentrations they made possible, were the essential underpinning of profitable freight and express operations.

During this period the railroads, though badly handicapped by their own bureaucratic procedures and inflexible trade-union regutions, instituted many vital improvements.

While some of the local parts of the rail system were prematurely abandoned after 1920, no heavy damage had yet been done. The abandonment of the electric trolley network and local steam railroads was more than made up for by the extensive use of the family auto and the motor bus.

At the same time, newly surfaced rural roads and parkways opened up many beautiful landscapes and picnic areas. The whole transportation system was actually improved by the motorcar, not yet devastated by it.

Meanwhile the railroads themselves had initiated various overdue technological improvements. The more progressive railroads electrified both their surburban lines and their long-distance routes, as between New Haven and Washington. They introduced streamlining and powerful diesel locomotives for swifter freight trains, and made air-conditioned coaches as comfortable as Pullman cars.

In all these innovations, the *railroad was years ahead of the auto industry*. If technological backwardness had been the deciding factor in the competition between trains and autos, the motor car would have lost out, not the railroad.

Indeed, far from being put out of the running by the steady increase of motor traffic after 1920, railroads flourished and reached their peak of service during World War II.

As long as the transportation system was in balance, the railroad, as the central element is a national system, enabled all the subordinate parts to function effectively. When the railroads walked out of their responsibility for passenger transportation, the whole system became unbalanced.

Both air and motor transportation required heavy public assistance in order partly to offset the railroad's deliberate junking of passenger services. Instead of moving to nationalize the railroad system, the government connived at its demise. It subsidized private transportation by building a vast highway system on a national scale at the taxpayers' expense.

The most fatal blow was delivered by the Highway Revenue Act of 1956. This act was jamed through the Congress, without serious public discussion, on two pretexts: that it would vastly improve transportation facilities, and that it was an imperative military measure to provide for mass evacuation from cities in case of an atomic attack.

When one realizes what happens on a throughway in the very partial evacuation that takes place at the end of the day, it is a wonder that even the Pentagon could have lent itself to this flagrant nonsense.

The Highway Act allotted $26 billion to the states, to be spent over 20 years. This supplied 90 percent of the funds needed to build land-eating highways, mainly throughways, with the states contributing only 10 percent. No larger or fuller pork barrel had ever been opened.

State highway engineers, contractors, and subsidiary interests, acting without the slightest professional knowledge of the problems of urban and regional development, became the arbiters of our national destiny. On the assumption that the sole object of a highway system is to increase the speed and volume of motor traffic, they have laid waste the central city, butchered the landscape, opened up the countryside to random exploitation by real estate speculators, and turned precious recreation areas into smog-filled motor slums.

The effect of the national Highway Act was to duplicate the existing national railroad network. As a result, the net gain for efficient *transportation*, not just motor traffic, was much smaller than people have assumed.

Too often the new motorways have closely paralleled existing railroad lines. No quicker way of killing off the railroad could have been invented. And among other things, this modernized national highway network was an outright gift to the trucking industry.

This was the final blow. If even half the amount devoted to highway building had been assigned to rehabilitating the railroad—to repair 30 years of making do with obsolete equipment, with deteriorated trackage and roadbeds, with scamped and underserviced passenger facilities—the railroad would not have fallen into disrepute.

SAVING LIVES

The most signal advantage of railroad transportation over the motorcar is never mentioned when the claims of the railroad for public support and rehabilitation are being weighed. This is the railroad's remarkable performance in conserving the traveler's life, as opposed to the motorcar's annual record for wholesale slaughter.

The difference in safety between the two systems is so fantastically in the railroad's favor that most people are understandably reluctant to acknowledge the full price in human lives we have paid for the motorcar.

Between 1903 and 1931 the highest number of railroad passengers killed over the worst *four-year* period was 460, with 10,321 injured. But in the four years between 1928 and 1931 the total number killed was only 78, an average of 26 a year—repeat 26—while only 3,021 were injured. Compare this record with the murderous body count of the motorcar: now over 56,000 dead a year, with more than two million annually injured or maimed for life. Even when corrected for total mileage, the motorcar's rate of death per 100,000 miles is colossal: 53 times greater than the railroad's.

Until now, this wholesale sacrifice of human life has been cheerfully written off as necessary price for technological progress. But note that loss could be cut at least in half by decreasing the amount of unnecessary motor travel—made possible by restoring a larger share of both passenger and freight traffic to the railroad.

By now even the auto industry has become sensitive to the disgraceful safety record of the car and has, though reluctantly, gone along with the effort to lessen the body count in injuries by the kind of technological devices many people pin so much faith on.

In the interests of safety, the motorist is now to be harnessed and imprisoned as if he were an astronaut. Since this will take away the last vestige of freedom the auto once promised, the only compensation will be higher speeds on the road, and still worse accidents, for the protective armament now advocated is completely crashproof only at a speed far lower than that imposed by any state law.

To cut down on the annual loss of life on motorways, a radical proposal is needed: namely, to shift an increasing amount of passenger mileage back to the railroads and other safer if slower forms of locomotion.

When we are prepared to go even further in restoring life, literally, to the whole transportation system, we shall build walkways, bicycle paths, and bridle paths to encourage means of getting about other than by motorcars.

And if our society knew the meaning of recreation, we would deliberately restore older means of transportation by river and canals and sea as alternatives to our high-speed monomania. Thanks to a more enlightened younger generation, the horse and the bicycle and the hiker are in fact all coming back.

Even people who perceive both the limitations of the motorcar and the advantages of passenger trains still exaggerate the importance of speed as a main factor in the transportation crisis. They believe that, except for short-distance commutation in heavily populated areas like the Boston-Washington corridor, the railroad has been knocked out by the plane.

So many proposed to design trains that will be fast enough to compete with planes over long distances.

Both the diagnosis and the cure are faulty. To focus on speed alone is to forget that regularity, reliability, and frequency are equally important. If trains were running at 300 miles an hour between Boston and Washington, the airlines would be more completely underused and crippled than the railroad now is.

In a diversified transportation system, designed to distribute its load over different carriers to meet many different needs, the plane is obviously a desirable addition to, but not a substitute for, the railroad. For distances over 500 miles, the jet plane has of course a tremendous advantage in speed over the motorcar and the pollution, congestion, and blockage under bad weather conditions. Even on the score of fatal deaths and crippling accidents, the plane's record, calculated in passenger miles, is far superior to the motorcar's though inferior to the railroad's.

IN-BETWEEN REGIONS

But in achieving speed, the jet plane must bypass local stops, and this leaves the in-between regions stranded. Obviously one of the factors that slows up the railroad—short intervals between station stops—would also slow up the plane.

No single mode of transportation and no single speed can satisfy the needs of a balanced transportation system. But properly treated, as cooperators not competitors, the railroads will remain an indispensable auxiliary to the plane even over long distances under those weather conditions when air flights are impossible.

But there is certainly no sense in frittering away government funds trying to duplicate the speed of the airplane with an entirely new kind of land vehicle, on the latest science-fiction model.

What is needed for a balanced transportation system is the recognition that the plane is not an acceptable agent of mass transportation: hence its use should be encouraged only when it functions more competently than the motorcar or the railroad train.

Once air travel is cut back to reasonable proportions by the withdrawal of government subsidies, the railroad and the plane would become partners, not rivals, each specializing in those facilities it can handle most efficiently and economically.

But many other factors besides speed must enter into our calculations. Convenience, comfort, frequency of service, safety, and a minimum waste of land and energy resources are infinitely more important than speed or financial profit.

This gives the railroad once more a central position in any rational transportation policy, provided the American people open their eyes to all they have lost by permitting our national railroad system to be dismantled and junked.

What steps must be taken, then, to rebuild a balanced transportation network—national, regional, and local?

First: Revise our present priorities in transportation. Halt further highway construction before any more urban neighborhoods are depopulated or spoiled for family residence by high-rise buildings, and before any more agricultural land is covered with wall-to-wall carpets of concrete.

Turn the federal funds allotted to highways over to rebuilding of the entire rail network—not just to maintain transportation already cut back to the barest minimum but to extend services deliberately abandoned by Amtrak. The needs of *public* transportation must not be confused with mere mass transportation.

Second: As a *minimum* immediate goal, restore as many passenger trains as were available in 1950, and enlist the aid of the labor unions in keeping them running, by providing at least minimal trains of two or three cars, newly designed, with full provision for baggage, manned by skeleton crews.

This restoration of adequate service is the prime condition for making the railroad popular again. Insofar as this demands sacrifices from labor, let the railroad hierarchy set an example by taking commensurate cuts and making even more unthinkable sacrifices.

Third: Banish trucks and trailers of freightcar dimensions from all public roads, urban or rural. This should shift much long-distance freight to smaller vehicles, usable for piggyback transportation by railroad. This is an imperative measure for bringing back the recreational advantages of the motorcar.

Fourth: Phase out jumbo passenger jets for mass travel; likewise jumbo freight planes. Eliminate supersonic planes permanently as an ecological misdemeanor and a human disaster. Supersonic planes are undemocratic toys serving as national status symbols. Their supposed saving in hours has been made absurd by the fact of worldwide instant telephone communication.

Fifth: Back to the rails. Allocate public funds not only for redesigning and manufacturing rolling stock, as well as repairing neglected equipment, but for training and reassembling a new generation of railroad workers, and regaining traditional know-how lost with the pensioning off of experienced workers.

Sixth: Reduce the disgraceful body count from auto accidents by lessening needless motor travel—such as long-distance commutation and cross-country haulage. This can be achieved largely by restoring all of the railroad's attractions of comfort, safety, absence of tensions, and diminishment of fatigue over long haul distances.

THE IDEAL MEDIUM

To cope with our varied transportation needs, we must use and unify every available method of transportation, not just the fastest or the most profitable.

Human legs, for example, are crucial to any organic system. The pedestrian, who relies on food for fuel, and who needs no special parking facilities, remains the ideal transportation medium. The most useful contribution to overcoming urban congestion and pollution has been the provision of walkways and pedestrian malls—not moving sidewalks or automated vehicles. To bring more of the necessary goods of life within walking distance was the original contribution of the city, and it will once more become the goal of intelligent city planning.

Waterway transport for both passengers and freight has become as essential today as it was originally, if the transportation system is not to collapse from overload. In fact, the restoration of waterways has already begun. This is all the more important since more than half the U.S. population lives in counties within 50 miles of the coasts, and an even larger percentage lives near navigable lakes and rivers and canals.

Such major canals has survived railroad competition and were not filled up or covered by highways are once again in profitable operation and are taking freight away from the railroads.

To ensure a diversified transportation system and a wider distribution of the load, substantial government subsidies should be given to encourage the building and using of vessels of all kinds for water transportation—emphasizing economy in handling heavy loads and recreational pleasure rather than speed.

Obviously there is much more to creating a diversified, economical, and efficient transportation system than merely keeping the railroad from permanently going out of business. But for the present, the rehabilitation of the railroad is the key to getting a new grip on the whole problem of transportation and communication, of urbanization and recreation. We cannot introduce all the facilities for a balanced transportation system without introducing many coordinate measures and activities outside the field of transportation itself.

What is hopeful about the situation is that the change, if it takes place at all, will probably come at many places at once: beginning at first with protests against traffic slowdowns, smog, and the mounting spoilage by industrial polluters and highway engineers. From all over the country one gets reports that people are at last awakening to the fact that they have been cheated and deceived by the promises of corporate technological progress and merely pecuniary affluence. The environmental deficits and human penalties are increasingly outweighing the supposed technological benefits.

Note.—Lewis Mumford has been writing on urban planning and non-planning for many years.

SENATOR CLINTON P. ANDERSON

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. METCALF. Mr. President, an English proverb says:

> Work bears witness who does well.

Mr. President, the works of Senator Clinton P. Anderson are so varied, of such lasting effect and of such distinction as to assure him a prominent place in the history of America.

His steady and purposeful application to duty has written a magnificent record of achievement spanning 37 years of public service during a period of technological advances of the utmost magnitude. From the time of 100-mile-an-hour propeller aircraft to manned spacecraft flights to the moon, from the hydropower of the Tennessee Valley Authority to nuclear reactors, from radio to television and space satellite communications, from ledgers to computers, the distinguished gentleman from New Mexico served his country.

Clinton Anderson is a truly 20th-century man, at ease with the enormous scientific and technological progress of his time. He was a respected insurance executive, and a newspaper editor but he could have been a distinguished electrical, electronics, or mining engineer, an agronomist, ecologist, or lawyer, a mathematician, aerospace scientist, or nuclear physicist. This versatility together with his great political talent made him a superb legislator. Moreover, from the time of his appointment by Franklin D. Roosevelt as Director of Relief for New Mexico until his retirement from the Senate, Senator Anderson's first thought was for the people of the country he loves so well. In his hands, a burgeoning technology was made to serve them, and that was his particular genius.

His guardianship of the public interest was fierce. It was Clint Anderson, managing editor of the Albuquerque Journal who broke the first story on the Teapot Dome scandal because he became curious about the sudden wealth of Albert Fall who, until early 1921, had been the owner of a rundown ranch in New Mexico.

In later years when a conflict of interest tainted decisions affecting the Tennessee Valley Authority, in the Dixon-Yates affair, Senator Anderson engaged in a titanic struggle with another giant of the Senate, the late Robert Kerr, and prevailed. He clipped the rollcall vote on the Strauss nomination from the Congressional Record and pasted it on his office door jamb, as he said, "to remind myself who I am mad at."

Mr. President, others have spoken in this Chamber of Clinton Anderson's devoted service to the development of atomic energy and space aeronautics.

Senator Humphrey has spoken of his sustained leadership on the Finance Committee that gave us medicare, among other social security reforms. I would like to recall particularly his contributions to the causes of conservation, reclamation, forestry, mining, recreation, Indian affairs, and other matters within the jurisdiction of the Senate Interior and Insular Affairs Committee on which it was my privilege to serve with him.

In 1954 at the western conference of Democratic Senators, Senator Mansfield asked for a consensus of the members on the serious problems of a limited supply of clean water. A resolution was drawn up pursuant to Senator Mansfield's request and introduced by my predecessor, the late Senator James E. Murray, then chairman of the Senate Interior and Insular Affairs Committee.

The resolution, calling for the establishment of a Senate Select Committee on Water Resources, was adopted and the committee was formed with Senator Kerr of Oklahoma as chairman. As ranking Democrat on the Interior Committee, Clinton Anderson was a member of the select committee. Lengthy hearings were followed by long study and the preparation of 32 reports on all aspects of water, the supply situation, and the approaching shortages.

Characteristically, Senator Anderson took the view that the committee's work would be incomplete if it stopped with publication of its findings and did not include recommendations.

Chairman Kerr disagreed but Clint took his case to the other members and corralled the votes to win. Senator Kerr agreed to vote with the majority and the committee made its recommendations.

Soon after, Senator Anderson became chairman of the Interior and Insular Affairs Committee. One of his first acts was to guide the preparation of measures consonant with the select committee's advice to the Senate.

The Congress subsequently approved the water resources research program. the River Basin Planning Act, and the National Water Council. Chairman Anderson had propelled still another monumental task to completion.

Chairman Anderson soon became known as Mr. Conservation for his achievements in behalf of the preservation of our natural resources. Greatest of these was the landmark Wilderness Act.

My predecessor, the late James E. Murray, had guided the legislation through extensive hearings prior to his retirement. Acceptance seemed near, but there was no time to lose. Senator Anderson seized the opportunity afforded by that preliminary work in which he had played so important a role and in 3 years the wilderness bill was law, despite the fact that its major sponsor had in the interim relinquished the chairmanship of the Interior Committee to take on new duties as chairman of the Aeronautical and Space Sciences Committee.

A direct man, with the westerner's distaste for beating about the bush, Clint Anderson did not attend meetings or hearings as a silent observer. He took no assignment casually.

By law, Cabinet officers are members of the establishment of the Smithsonian Institution. Soon after Senator Anderson assumed the post of Secretary of Agriculture under President Truman, notices went out of a forthcoming meeting of the Smithsonian regents. Note was duly made and Secretary Anderson appeared at the appointed hour. Total consternation greeted him. While aides scurried about finding a chair, others consulted about protocol. When the dust settled all began the process of accustoming themselves to the presence among them of a Cabinet officer who intended to perform his additional duties for the Smithsonian.

Thus began an association that was to endure to the present.

For over a quarter of a century Senator Anderson served the Smithsonian Institution for 24 years as a Regent and for 8 years as a member of its executive committee, the Institution's administrative body.

Senator Anderson guided through Congress the legislation that authorized construction of the Museum of History and Technology. He sought and obtained the necessary appropriations and when there was difficulty with the contractor, used his considerable powers of persuasion to resolve it. It was Clinton Anderson who found a way to assure the construction some day of a Space Museum and who fought to save the Hirshhorn collection for the Nation's Capital.

Mr. President, Senator Clinton P. Anderson will be remembered for his many works—the Space Museum, the Meson Physics Facility at Los Alamos, nuclear powerplants, and a living wilderness. He will be remembered for his diligence and for his great probity. He will be admired for his brilliance. Above all, this remarkable man will be revered as a good and faithful servant of the people of the United States of America.

I am immensely proud to be his friend.

SENATOR CLINTON ANDERSON

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, it is with a deep sense of regret that I note the voluntary retirement of a distinguished colleague and friend—Senator CLINTON ANDERSON of New Mexico.

Senator ANDERSON has been one of the most outstanding and effective members of the Finance and Interior Committees. There has been no stronger defender of the interest of the Western United States than CLINTON ANDERSON. He has made innumerable valuable contributions in the areas of agriculture, the environment, and the development of the vast natural resources in our Western United States. His compassion for the Indians and Spanish-speaking people of the Southwest, along with an astute understanding of their unique problems, has given rise to the establishment of close ties between Senator ANDERSON and these minority groups.

In my earliest days as a U.S. Senator in 1959, I learned to rely on CLINTON ANDERSON's judgment and sense. His counsel, based on long and valuable experience, has been most helpful to me in my job as a U.S. Senator. For all this, I deeply appreciate the opportunity I have had to be associated with CLINTON.

While I want to wish him the best in his retirement, I will deeply miss CLINTON ANDERSON when we open the 93d Congress in January.

STATEMENT BY SENATOR ALAN BIBLE, CHAIRMAN, SENATE SMALL BUSINESS COMMITTEE, SUMMARIZING COMMITTEE ACTIVITIES FOR SECOND SESSION, 92D CONGRESS

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, I submit to the Senate a report of the activities of the Senate Select Committee on Small Business for the second session of the 92d Congress. It is the function of the committee to study and survey, by means of research and investigation, all problems of American small business enterprises and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation and to report to the Senate from time to time the results of such studies and surveys. I wish to express to my colleagues on our committee my appreciation for their helpfulness and assistance in carrying out our congressional responsibility. I believe they are deserving of the gratitude of the entire Congress as well as the small business community nationwide.

I would also like to express my appreciation for the cooperation which I, as chairman, have received from the chairman and members of the House Small Business Committee. Likewise, I wish to commend the staff members of the House Small Business Committee for the cooperation which they have extended to the staff members of my committee during the 92d Congress.

During the second session of the 92d Congress, the Senate Small Business Committee considered a number of matters reflecting the concern of the Congress for the more than 95 percent of American business firms which are small businesses, which provide employment for more than 35 million people, and which contribute 37 percent of the country's gross national product annually. However, the full committee and its staff concentrated its major attention on the areas cited hereafter:

CARGO THEFT

Becoming alarmed with the scope of the problems associated with the economic impact of crime against the small businessman, the committee initiated a major investigation which has resulted in the introduction and passage by the Senate of a number of pieces of legislation, as follows:

S. 942, which recommended the establishment of a Presidential Commission to conduct an extensive study into the various factors of cargo theft and pilferage from all transport modes, air, water, rail, and motor carriers.

Amendment No. 994 to S. 2994 was incorporated into S. 16, which passed the Senate on September 5, 1972. This legislation seeks to dry up the profits inherent in cargo thievery. It would hold civilly liable those persons who steal, receive, or market stolen property and enables persons in legal possession of goods to sue for treble damages any person or groups of persons responsible for stealing, buying, or reselling such goods in interstate commerce.

Additionally, three bills dealing with the safe and secure movement of goods in interstate transportation originated from this committee's activities, but failed to win Senate passage. They are:

First. S. 1763, to establish actual cash value liability for airlines and air freight forwarders for loss, damage, or injury to cargo.

Second. S. 3717, to authorize the Interstate Commerce Commission to require railroads and water carriers to provide insurance to shippers to cover any claims for loss or damage.

Third. S. 3718, to grant to the Interstate Commerce Commission additional authority to develop a claims adjudication program beneficial to carriers and shippers.

As a result of the committee's interest in freight claims for loss and damage, the Interstate Commerce Commission in ex parte 263 issued new rules affecting regulated motor carrier claims practices.

The committee, during the 92d Congress, began what we believe is the first investigation by a congressional committee into the criminal "fence," or redistribution racket. A report on the committee's extensive data in this area prepared by the staff, was released by the committee.

Likewise, this year the committee saw several years of efforts meet with success when the adoption of a coordinated Federal program was announced by the Department of Transportation to combat the growing incidence of theft and pilferage of goods moving in interstate and foreign commerce. All Federal transport regulatory agencies either began or were in the final stages of adopting a system of uniform loss reporting. The Department of Transportation responded to appeals of the committee by instituting pilot projects to examine security and technology and to establish security advisory standards for carriers and shippers. The Treasury Department began projects aimed at curbing theft of goods in international commerce at both seaports and airports.

In 1972 the committee also issued a report on the effect of cargo loss, theft and hijacking in the trucking industry.

TAXES

In the tax area, the concern of the committee members over the particular impact of inequities in the tax system upon small business, magnified by economic recession and declining profits of small business, resulted in the reintroduction of the Small Business Tax Simplification and Reform Act (S. 1615) which was referred to the Senate Finance Committee, but no action taken on it.

This bill represents the most comprehensive small business effort to reform the Internal Revenue Code ever to come before Congress, and contains 40 suggestions for tax reform, relief, and simplication.

The committee continued its study of the effects of the tax structure on small business and consulted with professional and business organizations in order to refine the bill and thereby increase prospects for legislative action which would bring increased tax equity to approximately 12 million small, family, and independent business enterprises.

The committee also conduced a revision of the "Tax Guide for Small Business," in cooperation with the Internal Revenue Service. This guide, originally issued as a committee print in 1956, last year had 450,000 users. The revised version will be available in early 1973.

ENVIRONMENT

Against the background of mounting pressure of consumer, environmental, health and sanitary laws and regulations, the committee continued its efforts to assist small firms to adjust and thereby remain in a profitable business status. In early 1971, a conference of representatives of a dozen leading small business organizations and trade associations with the committee staff reemphasized the severe financial and regulatory impact of these laws upon small and independent businesses.

This sentiment was conveyed in testimony to the Senate Banking, Housing and Urban Affairs Committee on S. 1649, a bill which I authored to provide general authority for small business administration economic disaster loans to permit compliance with Federal standards. The bill was reported and passed by the Senate as a part of the Disaster Relief

Act of 1972. Although subsequently deleted in conference, because House hearings had not been held on it, assurance was given that the other body will hold hearings on this legislation early in 1973.

Committee members likewise sponsored an amendment to S. 2770, the Federal Water Pollution Control Act Amendments of 1971, which would facilitate making loans to small business concerns for water pollution control facilities, now Public Law 92–500.

The committee's efforts also led to cooperation in the drafting and development of S. 3873, a bill to permanently improve the administration of the Occupational Safety and Health Act from the viewpoint of small businesses wishing to effect compliance with this statute.

Committee members developed and introduced legislation to identify and reduce paperwork burdens, including those generated by consumer-environmental statutes. In another related field, the committee took the initiative in strengthening the legislative history of the Cooperative Forestry Act, to provide a basis for increased participation by private foresters in the interests of conserving the Nation's forests.

DRUGS

The second session of the 92d Congress was an especially busy one for the Monopoly Subcommittee, chaired by Senator Gaylord Nelson of Wisconsin. In a continuing investigation into the drug purchasing practices of Federal agencies, the subcommittee, in 4 days of hearings, was advised that its recommendations had resulted in: First, extensive dollar savings to the Government and indirectly to the taxpaying public; second, large savings to municipalities and the States; third, better therapy because of the elimination of inferior and generally high-priced drugs; and fourth, increased competition for Government business and better opportunities for small business.

As a result of these and previous hearings before the Monopoly Subcommittee, the following legislation was introduced by Senator Nelson:

S. 2812, which would establish a National Drug Testing and Evaluation Center, require the publication of a Federal Drug Compendium, and establish a Drug Formulary of the United States.

S. 3254, which would require applicants for manufacture and distribution of new drugs to submit to the Food and Drug Administration certain additional information in drug labeling.

S. 3296, which would remove exemptions given drugs placed on the public market before 1962, thus requiring drug manufacturers, otherwise under no compulsion to do so, to prove the safety and efficacy of their products.

CORPORATE SECRECY

In 1972 the Monopoly Subcommittee also continued its examination of corporate secrecy, the vital business information that the corporate giants do not share with their small business competitors and the public. One highlight was a 2-day hearing on corporate farming which pointed up the movement of giant corporations into the field of agribusiness; and a 1-day hearing on the ownership and control of industry and natural resources.

FEDERAL PAPERWORK BURDEN

The Subcommittee on Government Regulation, chaired by Senator Thomas McIntyre of New Hampshire, began an investigation and public hearings into the impact of the growing Federal red-tape and paperwork burden on the small businessman. The subcommittee held 3 days of field hearings in Chicago, Boston, and Concord, N.H., which revealed that the paperwork burden is estimated to cost businesses in excess of $50 billion per year with a proportionately greater detrimental impact on smaller business than large business. Later the subcommittee held 3 days of hearings in Washington to hear representatives of Federal agencies responsible for generating the bulk of Federal reporting and paperwork requirements. The subcommittee was advised that 6,400 public use forms are required of the business community, not counting the 14,000 different forms required by the Internal Revenue Service.

SOFT CONTACT LENS

Also in the second session of the 92d Congress, the Subcommittee on Government Regulation held 2 days of hearings on the manufacture and sale of soft contact lens with consideration given to safety and efficacy, competitive and technological problems of the lens, and the role of the Food and Drug Administration. Subcommittee Chairman McIntyre announced he was hopeful that the hearings would encourage more competition in the soft contact lens market. It was revealed that the Food and Drug Administration has scheduled a meeting for those who desire to enter the soft lens production field in order to acquaint them with the agency's requirements.

A more detailed report of the committee's activities plus a comprehensive listing of small business legislation introduced and acted upon during the 2d session of the 92d Congress will be contained in the annual report of the committee which will be issued early in 1973. Likewise, it is anticipated that the committee will be issuing committee reports dealing with railroad cargo theft and loss, the Federal paperwork burden on businesses, competitive problems in the drug industry, and a primer for the small businessman concerning his rights in pursuing contract claims against the Federal Government.

TRUTH IN SAVINGS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, last year I introduced the Hartke Truth-in-Savings Act (S. 1848). This bill is designed to provide consumers with the information they need to know about money they have or intend to place in a savings institution.

As with so many similar proposals, the Truth-in-Savings Act has met with a certain amount of cynicism. Some claim that the consumer will be confused by such facts as periodic earnings rates and annual percentage yields. The terms may sound complicated, but they can be reduced to simple dollars and cents concepts.

My office files are filled with letters from people who have learned what can happen when you do not have the information provided by the Hartke Truth-in-Savings Act. One letter, for example, recites the case of a man who withdrew a sizable sum from his savings account and then replaced it within a matter of days. To his astonishment, he learned at the end of the quarter that his bank figured earnings on the basis of the lowest balance in the account during the quarter.

Recently, I sent letters to the Governors of each State and territory asking for their comments about my truth-in-savings proposal. Mr. President, I ask unanimous consent that a sampling of the responses which I have received to date be printed at this point in the Record.

There being no objection, the responses were ordered to be printed in the Record, as follows:

AUGUSTA, MAINE,
June 28, 1972.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: Many thanks for your informative letter relative to introduction of the Truth in Savings Act (S. 1848). There is no question but what there is considerable confusion and misunderstanding by depositors in savings accounts as to the effective yield of their accounts. The variables are such as to make it extremely difficult to inform the public effectively.

It has been our policy to support any legislation which would be of benefit to the average consumer and there appears a definite need in the area cited.

The bill as proposed would appear quite comprehensive and possibly cause significant additional expense to the financial institutions, making it possible that an increase in the annual percentage rate by an institution might be precluded because of this additional expense. This stands out in Section 5 (d) in which notification will be required to all depositors of any change in policy or procedure. Possibly this might well be amended to require notification of any change that would reflect an adverse effect upon the true yield of the depositor.

Sincerely,

KENNETH M. CURTIS,
Governor.

STATE BANKING DEPARTMENT,
Baton Rouge, La., June 19, 1972.

Hon. VANCE HARTKE.

DEAR SENATOR HARTKE: This is in reply to your letter of June 5, 1972, addressed to Honorable Edwin W. Edwards, Governor of Louisiana.

Your proposed legislation to disclose the truth in savings accounts is needed legislation.

We should like to suggest under Section 8 (3), after the words *"any Federal Credit Union,"* insert the words: State insured Credit Union.

Sincerely yours,

CLEBERT C. SMITH,
State Bank Commissioner.

Bismarck, N. Dak.,
June 13, 1972.

Hon. Vance Hartke,
U.S. Senate,
Washington, D.C.

Dear Senator Hartke: This is to acknowledge your letter of June 5.

I certainly agree with the legislation as proposed in S. 1848.

In my opinion, every family needs to prepare for emergencies, education, home building and other worthwhile projects.

I commend you for introducing this significant legislation.

Sincerely yours,

William L. Guy,
Governor.

Pierre, S. Dak.,
June 16, 1972.

Hon. Vance Hartke,
U.S. Senate,
Washington, D.C.

Dear Senator Hartke: Thank you for your letter of June 5 concerning your proposal for a Truth-in-Savings Act.

In South Dakota, we have not experienced a great public concern in this area but fully realize that in more populated states, there may be significant need for this legislation.

I am certainly in accord with any requirements which would require full disclosure to the public by publicity chartered financial institutions.

Sincerely,

Richard F. Kneip,
Governor.

Lansing, Mich.,
June 21, 1972.

Hon. Vance Hartke,
Old Senate Office Building,
Washington, D.C.

Dear Senator Hartke: Governor Milliken has asked me to thank you for sending information on your Truth in Savings bill (S. 1848). We share, with you, a genuine concern for the need for consumer protection guidelines.

This, certainly, is one area in which the U.S. Congress should study present procedures and offer appropriate recommendations for improving, if necessary, information to consumers. I trust the Senate Committee on Banking, Housing, and Urban Affairs will study in depth your proposal and take appropriate action.

Thank you, again, for calling your bill to my attention.

Kind personal regards.

Sincerely,

James C. Kellogg,
Executive Assistant.

Juneau, Alaska,
June 30, 1972.

Hon. Vance Hartke,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Hartke: Your letter of June 5 regarding the Truth-in-Savings Act was very much appreciated. I concur with many of the remarks contained therein.

While the majority of savings institutions in Alaska do disclose the annual percentage rate on their savings accounts to depositors, we do have the same problem that seems to appear nationwide. Specifically, that is with the vast number of different types of accounts available to potential depositors, it is very confusing at times to determine exactly what type of account is best suited to an individual's needs. Therefore, it would seem to me that legislation delineating the comments contained in your letter would be in the best interest of all Americans.

As you know, each person making a deposit in a financial institution has a different reason for doing so. Legislation spelling out the net yield to the depositor would, I believe, be in the best interest of the public in much the same manner as the Truth-in-Lending Act enacted a few years ago.

If I may be of further service, please let me know.

Sincerely,

William A. Egan,
Governor.

Charlotte Amalie, St. Thomas,
July 25, 1972.

Hon. Vance Hartke,
U.S. Senate,
Washington, D.C.

Dear Senator Hartke: I am pleased to have your letter of June 5, 1972, together with the enclosure of your remarks introducing the "Truth in Savings Act" (S. 1848).

This is a most important piece of legislation, in which the Government of the Virgin Islands is vitally interested for the reason that a substantial amount of territorial government funds are deposited in savings accounts in the local banks as the best available means of earning interest on these funds while making sure of their easy and ready accessibility. The choice of local banks for this purpose has not been based on the very important facts which your Bill would require the savings institutions to disclose, quite often for the simple reason that the information is not given in advance of the deposits being made, and further, because it is not usually given in the simple form which would permit easy interpretation by the territorial officers at the operational as distinct from cabinet level.

It is, therefore, with genuine enthusiasm that we applaud the step you have taken to improve the availability of basic information to assist the consumer to invest his money wisely, and would request that your staff keep me advised of the further developments in this matter.

We appreciate very much having been included in the list of those from whom you wish to have an expression of need for this type of legislation.

Sincerely,

Melvin H. Evans, M.D.,
Governor.

Department of Licensing and Regulation,
Annapolis, Md., July 14, 1972.

Hon. Vance Hartke,
Senate Office Building,
Washington, D.C.

Dear Senator Hartke: Your recent letter addressed to Governor Marvin Mandel regarding (S. 1848) Truth in Savings Act, has been referred to me for a direct reply. Since the aforementioned legislation is consumer oriented, this Department would view its enactment favorably.

At the time of a deposit, the consumer should be furnished adequate information concerning methods of computing interest, rates of interest, compounding of interest, length of time money must be held on deposit before interest is earned and many other facets which can be readily and satisfactorily understood by a depositor. The earning rates and the methods of calculations should be pronounced emphatically so that the average depositor will be able to determine his own yield, whether monthly, quarterly, semi-annually or annually, with little or no difficulty.

Each savings institution should be compelled to exhibit and/or distribute to depositors its method of earnings computation in order that a depositor will have first-hand information for comparison with other savings institutions.

I wish to take this opportunity to congratulate you on your interest in keeping the consumer informed and in this way, he will be in a better position for his own self-protection.

Sincerely,

John R. Jewell,
Secretary.

Agana, Guam, *July 7, 1972.*

Hon. Vance Hartke,
U.S. Senate,
Washington, D.C.

Dear Senator Hartke: This acknowledges receipt of your letter of June 5, 1972 with reference to your introduction of the "Truth in Savings Act" (S 1848).

After reviewing your introductory remarks and the bill my staff and I are in full agreement with the purpose and intent of your bill.

The scope of this bill is broad enough so that the provisions would apply to all banks, savings and loan associations and credit unions licensed to operate in this territory.

Sincerely yours,

Carlos G. Camacho.

SENATOR DAVID GAMBRELL

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, I want to take this opportunity to pay tribute to a colleague who has rendered exceptional service the past 2 years to his native Georgia and the Nation—David Gambrell.

In February of 1971, tragedy struck this body with the death of Senator Richard B. Russell. David Gambrell was appointed to fill the unexpired term of the late Senator Russell and he did so by immediately plunging into his duties with great vigor.

Senator Gambrell earned the intense admiration and respect of his colleagues in a very short time. He actively participated in all aspects of the legislative process and was aggressive on the floor of the Senate in protecting and promoting the interests of his State and the Nation. I found him to be extremely intelligent and thoughtful in his approach to the problems of this country.

Therefore, I want to offer my congratulations to David Gambrell for a job well done. He will be missed.

AN INVALUABLE RESOURCE: OUR CHILDREN

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. TUNNEY. Mr. President, there are currently an estimated 2.5 million gifted and talented children in our Nation's school systems. All too often in the past commentators have stressed the need to develop programs responsive to the needs of these children because they constitute an invaluable national resource. I strongly believe that new programs in this area are in dire need and I also submit that these efforts should be rooted in the guarantees of freedom of will and individualism.

The burden of potential these children have borne in the past has too often resulted in deprivation and various forms of psychological and emotional injuries which have tended to restrict their abilities to lead fulfilling lives.

Legislation has long been overdue to meet the special needs of these children: S. 3382, introduced in the last session, was an admirable attempt toward this end. Mr. President, I recently had the opportunity to discuss this legislation before the Association of the Gifted in San Diego and I ask unanimous consent that those remarks be inserted into the Record.

There being no objection, the remarks were inserted in the Record at this point:

Remarks by Senator John V. Tunney to the Association of the Gifted

Everyday throughout our lives we all make assumptions—assumptions concerning ourselves, assumptions concerning our institutions, assumptions concerning our children. Today I would like to speak with you about assumptions which concern our children—specifically those which concern children who are gifted. Many of those assumptions are not only erroneously made, but can have disastrous consequences on the welfare of gifted children. Assumptions by parents, by educators and by elected officials have led to far-reaching implications affecting the welfare of those children. No longer can we allow assumptions to interfere with our meeting their special needs.

Today educational programs develop and support curriculum designed to meet the needs of what is commonly referred to as "the majority." What is overlooked in this philosophy of educating children is that "the majority" describes a statistical group and neglects to define each individual child that makes up this group. In reality by designing a system to meet the needs of a statistically defined group, "the majority," we may indeed be failing each and every member of the group—each and every one of our children.

As a country, we provide education for all of our children because we feel it is a necessity for the future of our country and our world. Every child has the right to develop to his full potential and our educational system and philosophy should guarantee this right. The gifted child in society today holds a position of limited status—he is respected by the public at large, he is envied by the parents of his peers, and he is neglected by our educational system. Society and educators alike expect him to be able to cope with his environment because of his special abilities; he is expected to succeed in spite of us rather than because of us.

The gifted child is just like any other child in our society—he is a human being. Just because he is different from other children, different from "the majority", doesn't entitle him to any more than any other child in our educational system, but conversely it does not entitle him to any less!

Today an equal philosophy of education means that both teaching and learning should be directed toward meeting the needs of the individual child. We must strive to strengthen each child in the areas each needs most. In meeting the needs of the gifted child in this country we must create new programs that cut across cultural and economic barriers, programs that bridge the gap between the rich and the poor, between urban and rural, and between slum and suburb: programs that are directed toward meeting the individual needs special to these children.

It is to these needs that the legislation I cosponsored is directed. The legislation is designed to serve those children who have special abilities, the development of which requires activities or services not ordinarily provided by local educational agencies.

First, the legislation would establish a national clearinghouse on gifted and talented children to obtain and disseminate information on education, counseling and identification. Identification of gifted and talented children, as I see it, is an area of major concern and emphasis. I have been informed by experts that restandardizations of current IQ tests would not measurably increase their effectiveness in the identification process. Present measures now fail to locate half of the gifted and talented in our population. I urge educators to start now in developing and instrumenting innovative techniques to attempt to assure the recognition of gifted children, particularly among ghetto youngsters. There is grave reason to believe that existing unfavorable environments—cultural or social, hostile to learning—may result in a substantial failure to discover and develop latent talent among minorities.

For example, in Illinois a standardized test as sole indicator of talent has been abandoned. In any identifiable minority subgroup they take the top 5% of that subgroup, whatever their scores were, and treat them as a gifted and talented population. This sometimes amounted to having youngsters of IQ 115 in a talented and gifted group, instead of an IQ of 130. However, to obtain an IQ of 115 under the circumstances and environment that prevailed, is a substantial accomplishment in itself. This provision of the legislation, as I see it, can aid in the preservation of talent in the same sense that we are trying to preserve our environment and thus rescue children from environmentally "polluted" areas.

Secondly, the bill will authorize funds to states for educational programs for gifted and talented children from pre-school through high school. The funds would be allocated to states on the basis of population between the ages of 3 and 18. In addition, 15% of the appropriations would be reserved for special project grants outside of the state allocation formula. This will allow for creative projects such as those now existing and under consideration by the exceptional child services department of the San Diego city schools.

Thirdly, the bill will authorize funds for the training of personnel for the education of the gifted and talented youth. One of the most important and complex areas of educational quality involves the training and the selection of teachers to work with these exceptional children.

Lastly, funds will be authorized for research and demonstration projects for the education of gifted and talented children. Under this area there must certainly be more attention received than in the past in the specific nature of planned curriculum changes for working with the gifted and talented. These children can understand ideas and concepts beyond that of the average child. They can see linkages between ideas. They have a greater capacity for original thought. What then does this mean for curriculum in mathematics, in the arts, in the sciences, etc.? There has not been enough existing experimental curriculum adventures based upon these distinctive talents of these distinctive youngsters. This bill could establish the opportunity for curriculum development projects that could become major stimuli for improved program changes in all areas of education.

This is not the first time funds have been proposed or appropriated to meet these recognized existing needs under legislation for exceptional children, but too often, the gifted child is defined as the lowest priority and such funds are non-existent long before his level of priority is ever reached. We must not let this happen again. The gifted child is considered exceptional, not because of his giftedness alone, but because of the special problems he faces as an individual. The gifted child suffers social and emotional problems that are real and grave, not only to his mental health, but also to his ability to function as a part of our social system. Society over-emphasizes the academic ability of the gifted child. His brightness is easy to identify and to instruct; it is, however, his social and emotional make-up that contribute to his self-value, which must be taken into account by society and educators alike. We must have programs and legislation alike that concentrate on the gifted child as a whole person with his own special problems that must be recognized as well as solved.

The gifted child is not a miniature adult, and we must not treat him as one, either in our society or in our educational system; rather we must provide the best possible environment both socially and educationally in which he can grow and develop—learning from, as well as enjoying, his childhood. Every child must be allowed to be a child! Today in this age of science we seem to want to relate every child to a hypothetical group that forms a neat, normal curve; but it is the child himself, the why and the how of his behavior that makes him an individual who can never be adequately or completely described by a test or a number. A child is not a symbol but a real person interacting with his environment; he has real needs and real problems; the goals of educators and legislators must be to help the individual child to be understood for his uniqueness rather than categorized for his sameness.

What then is the answer? Many idealists in education have written about the system—change the system, and the problems for all children, including the gifted, will be solved. I find the ideas interesting but far from inspiring. I most definitely agree with the premise that "every child, every person, can delight in learning." The educational system should use every means at its command to make learning, as well as school itself, an intrinsically rewarding and joyful adventure. I agree also that learning should and must be life-long, that joy in learning can aid joy in life. It definitely is the responsibility of every person, parent or teacher, to aid each child to attain a level through school where learning in life is a pleasure.

As long as teachers are human, they will be imperfect just as education itself will be imperfect. Each teacher, parent and child must work toward the ideal knowing that joy is only defined because of sorrow, happiness only known through unhappiness, good exists only in relation to bad. Emotions in extremes are necessary for learning enjoyment in life; is it possible to explain to a child the meaning of hot without his ever feeling something hot and then what is hot without its opposite cold? Learning is exciting because sometimes it is ordinary and sometimes it is insightful. Is it possible to define any act of learning as joyful or ecstacy if one has never known boredom? Learning for every child must be more than just knowledge.

At this point I would like to refer to Nietzsche to remind us all: "The surest way to corrupt a youth is to teach him to esteem more highly those who think as he does than those who think differently."

Too long has the gifted child been impersonally looked at as a natural resource to be developed for society and then exploited by society. Children—all children—are not inanimate objects because their abilities are not finite, not limited; rather their abilities are limitless in the development of the mind. Gifted children must never be referred to as objects for society—objects which can do things we want done, done in the way we dictate, done to meet our expectations. Rather society must cultivate what our children want, what our children need as individuals in our society.

We can talk about freedom—freedom of choice, unstructured classes and curriculum in education, but until we also allow our children the freedom to be themselves, we are defeating our own purposes as well as the

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purposes of the new progressive education itself. All children must be free to accept or reject what we as parents, educators and legislators feel is best for them after we have given them the necessary information with which to make their own decision. But more important, if freedom is going to be more than just a meaningless word in their vocabulary, whether we agree or not, we must be prepared to accept their decision. Otherwise the progressive education and legislation are meaningless; merely old ideas re-written using new terms.

I have heard it said that by neglecting our gifted children we might be losing vast creative potential that could solve problems like manned space flights to Mars and beyond; find solutions to air pollution and over-population. I have heard it said that the gifted child trained and educated could develop his creative potential, producing a Nobel prize winner. I ask, do we have to try to create an Einstein, a Frank Lloyd Wright, a Charles Eames, a Van Cliburn or a Bobby Fischer? I say let us provide the funds, the facilities, the programs, the teachers for the gifted and talented children—then let us let the children be individuals and make their own decisions, live their own lives, find their own success, their own joy. All I ask is that, then, we as parents, we as educators, we as legislators, make "no assumptions, please."

PERSONAL ANNOUNCEMENT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BINGHAM. Mr. Speaker, I was not present for rollcall vote No. 382, on September 25, 1972, No. 420, on October, 10, 1972, and No. 457, on October 17, 1972. Had I been present and voting, I would have voted "nay" on rollcall 382, and "aye" on rollcalls 420 and 457.

BOOKMAN'S SALUTE

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. SCOTT. Mr. President, an October issue of Publishers Weekly, the trade journal of the book publishing industry, featured an article entitled "Salute to Bob Frase: a Committed Bookman." It is indeed a salute to Robert W. Frase, whose resignation as vice president, economist and Washington director of the Association of American Publishers, Inc., came as unhappy news to many of us.

During the 22 years that Bob Frase has served the book publishing industry in Washington, he has become well known to all people concerned in the fields of education, American libraries, and the free flow of information to the public.

His efforts have not gone unrecognized, as is shown by the "Salute" in Publishers Weekly.

I know I speak for my colleagues and the staff members of Senate committees who have known and worked with Bob in joining the salute to Bob Frase and wishing him well for the future. Mr. President, I include in the RECORD the text of this "Salute":

SALUTE TO BOB FRASE: A COMMITTED BOOKMAN

In resigning as vice-president, economist and Washington director of the Association of American Publishers, Robert W. Frase leaves all the producers, disseminators and users of books deeply in his debt. For 22 years, he has given extraordinary energy and single-minded commitment to the cause of books.

Bob Frase, as one colleague remarks, has been at once a champion of books and reading, and "a hardnosed lobbyist for the business." With a background in governmental economic research and wartime intelligence, Bob Frase joined the American Book Publishers Council in 1950 and quickly plunged into the successful effort to save the postal rate for books; this has been a continuing fight, and recently Bob had a strong hand in the Mansfield-Scott Amendment protecting the flat rate for books in the new U.S. Postal Service. At the same time, he has played a vigorous role in turning aside many legislative and administrative attempts at censorship. It is hardly necessary to point out what all these efforts have meant to writers, publishers and booksellers, to libraries and the ultimate users of books.

Just a few years ago, Bob drafted the amendment to the Federal Tort Claims Act, making the government and its contractors liable for copyright infringement—a provision that publishers sorely needed. At the same time Bob has held the respect of library representatives, with whom, except on copyright, he has but rarely had to differ. Meanwhile he has worked closely with those members of Congress who still labor towards a new copyright law. And he has been a key U.S. expert in working out the new (Paris) copyright treaty.

More than any other person, it has been said, Bob Frase—through quiet mobilization of testimony and close contact with State, Congressional and industry personnel—was instrumental in U.S. ratification of the Universal Copyright Convention (1954) and the Florence Agreement (1966)—vital events in the expansion of international (most certainly including U.S.) trade in books.

Perhaps most important of Bob's labors has been to help bring about the library and education legislation of the past two decades. He showed rural members of Congress that the library services bill would be in the interest of their constituencies. He worked for the book-related provisions of the National Defense Education Act, including a modification to include printed materials. He worked strongly for the Elementary and Secondary Education Act, the Higher Education Act and subsequent acts—laws that led to vast purchases of books and educational materials, and released massive funds that were then applied directly to textbook purchases. In 1969 he had a key part in the Joelson Amendment which established the pattern for restoring educational budget cuts by the Nixon administration. In 1970, he had a similar role in the Eagleton Amendment which saved school library programs under Title II of ESEA.

How have such accomplishments come about? Through topnotch legislation liaison; through person-to-person work with State, Defense, Commerce and other offices; with USAID, USIA, Library of Congress, Copyright Office; with staffs and leaders of national associations allied to the book groups. These relationships are not spectacular, but they are the essence of effective Washington work.

With other farsighted leaders of the industry, Bob Frase realized early that the health and economic growth of the book business depend heavily upon its perceiving and maintaining identity with the public interest; that the book industry has to team up on a continuous basis with its natural allies in the worlds of education, libraries, rural and urban development, civil liberties, and so on; and that integrity and expert knowledge go further than showmanship to win long-term respect from Senators, Congressmen and—vital among government personnel—their staffs.

We'll expect to hear more from Bob Frase. He is indeed a crusty economist, but a devoted bookman, and effective where it matters. We all need him.

B. EVERETT JORDAN

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, it is an honor for me to join with my colleagues in paying tribute to EVERETT JORDAN. Since 1958, EVERETT JORDAN has served the people of North Carolina with uncommon distinction. He came to the Senate with a deep understanding of the needs of the people of his State, an understanding which he translated into a record of concrete achievements.

EVERETT JORDAN's work for America's farmers through his service on the Agriculture Committee is well known. His colleagues on the Public Works Committee can testify to his strong interest in flood control. EVERETT JORDAN also held the chairmanship of the Committee on Rules and Administration, one of the key positions as far as the management of Senate business is concerned. In this capacity, Senator JORDAN was the epitome of fair-minded and judicious leadership. He could be relied on to resolve the numerous problems of Senate administration in an equitable manner. He contributed much to the smooth running of the Senate. Certainly, EVERETT JORDAN was one of the warmest and most generous men I have met in the Senate, and that warmth and generosity will be missed by all of us.

WILLIAM H. SUTPHIN, FORMER CONGRESSMAN, DIES

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HOWARD. Mr. Speaker, recently, the State of New Jersey and the Nation lost a great friend and statesman, William Halstead Sutphin, a former Member of the House of Representatives.

This vibrant man, who served his Nation and his district so well will be sorely missed. He was a good friend of mine, and I have often enjoyed visits from him in my office, learning much from his own great experience. His was a fine mind, coupled with a great sense of compassion and understanding. Mrs. Howard and I extend our greatest sympathies to Mr. Sutphin's wife and family. Knowing him has been a privilege for us, and we will all remember him with great respect and fondness.

Without objection, I would like to commend to my colleagues an article from the Asbury Park, N.J., Evening Press, which tells of Congressman Sutphin's great accomplishments and service over his many years of public life.

W. H. Sutphin Dies; Was Congressman

Berlin, Md.—William Halstead Sutphin, the former Matawan, N.J., mayor who served for a decade as New Jersey's 3rd Congressional District representative, died Saturday at a nursing home in Salisbury. He was 85.

Mr. Sutphin began his political career in New Jersey at age 28 when he was elected on a Democratic ticket as mayor of Matawan in 1916. It was then a town that had been strongly Republican for years.

After four terms as mayor, he entered the congressional race in New Jersey's 3rd district in 1930 and on March 4, 1931, began his service in the House of Representatives.

Mr. Sutphin quickly identified himself as a friend of the administration of Franklin D. Roosevelt, but asserted he was not a "rubber stamp".

Twice he was urged by home supporters to run for United States senator, but each time declined on the grounds he believed he could best serve his district by remaining in the House. He was asked to run in 1936, for the term begun by Sen. William H. Smathers, and again in 1938, as successor to Sen. John Milton.

The legislation he sponsored included bills to aid the poultry industry, borrowers from the Owners Loans Corporation, home builders and New Jersey industries.

During his term years, Mr. Sutphin served in the 75th Congress as a member of the busy Naval Affairs Committee and was on the Committee for Conservation of Wildlife Resources. He was also assistant majority whip of the House.

Autographed pictures of President Roosevelt, Vice President John Nance Garner, Postmaster General James Farley, Gov. A. Harry Moore of New Jersey, and other prominent Democratic leaders covered the wall near his desk in the House office building.

Scattered among them were pictures of hunting parties with their bags of game and snapshots of airplanes. Hunting, aviation and swimming were his diversions. The first two he sometimes combined by taking airplane trips to the south or back to the New Jersey meadows for quail and duck shooting.

His interest in airplanes was born during World War I when, while still mayor of Matawan, he entered the officers' training camp at Ft. Myer, Va., in 1917. During that year he was transferred to the air service and sailed for France. There he served as commanding officer of the U.S. Air Base at Chateau Roux and met his first wife, an Army nurse, the former Catherine Bonner. He first saw her at a base hospital where he was treated for leg injuries suffered in an airplane crash.

She died in 1956.

During and after the war he frequently piloted airplanes, but with development of aviation and introduction of new instruments and equipment for flying he gave this up to travel in the air only as a passenger.

During his time as a congressional representative the door to his office was always open and visitors were warmly greeted by his booming voice which echoed down the halls of the House building. On the floor of the House this same strong voice held the attention of his colleagues in his speeches.

When William H. Sutphin was born in the Browntown section of Madison Township, N.J., in 1887, he represented the ninth generation of family which had sprung from the Netherlands.

He came to Matawan as a child and attended public schools there. He later was a student at Wood's Business College in Brooklyn.

Only months before he came to terms with the enemy on the airfields of France he began his military career in 1917, when he first interrupted his tenure in office to join Troop B, 1st Squadron, Cavalry National Guard of New Jersey at Red Bank, during which time he served on the Mexican border for several months.

During his administration in Matawan, he established a sinking fund to take care of bond issues as they became due; new streets were opened, a sewerage system and disposal tanks were built; land was acquired for the Memorial Park and Lake Matawan was created.

During his career he served as chairman of New Jersey's Monmouth County Democratic Committee and as Monmouth County commander of the American Legion.

He was a former member of the Veterans of Foreign Wars, the Disabled American Veterans, the Masonic Lodge of Matawan, the Elks Lodge of Freehold, N.J., the First Presbyterian Church of Matawan and the fire department there.

After leaving politics he served as vice president of M. J. Merkin Paint Co., New York, and moved here in 1952 after he retired.

Surviving besides his son and his daughter, William T. Sutphin, Princeton, N.J., and Mrs. Susan S. Bennett, Alliance, Ohio, is his widow, Mrs. Katharine Whaley Sutphin, his second wife.

The Levin Wilson Funeral Home, Princess Anne, is in charge of arrangements.

DR. DURWARD HALL

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FISHER. Mr. Speaker, I share with my colleagues the highest respect and admiration for Dr. Durward Hall, of Missouri, who has chosen to voluntarily retire from the Congress at the end of this session.

Dr. Hall has been my personal friend for many years. I have served with him on the House Armed Services Committee, and I have had an opportunity to observe him closely. He has been one of the most knowledgeable, alert, and able Members of this body. It is most unfortunate that men of Dr. Hall's caliber are not retained in the Congress. He has served his district, State, and Nation with extraordinary distinction.

To Dr. Hall and Mrs. Hall I extend my very best wishes for them in their future endeavors.

TRUTH-IN-FOOD LABELING

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, recently the Subcouncil on Packaging and Labeling of the National Business Council for Consumer Affairs issued a series of "Guiding Principles for Responsible Packaging and Labeling" which are designed to encourage businessmen throughout the country to adopt food labeling practices which will be informative to consumers.

The recommendations of the subcouncil follow closely the requirements of the Hartke Truth-in-Food Labeling Act (S. 3083) which I introduced earlier this year. Among the major points of similarity are the following:

1. "The name and address of the manufacturer, packer or distributor." (This requirement is contained in Title VI of my bill.)

2. "The date beyond which the product should not be sold if the product is perishable." (This requirement is contained in Title V of my bill).

3. "The common or usual name of ingredients or, where appropriate, the class of ingredients, listed in order of decreasing predominance." (This requirement is contained in Title III of my bill).

4. "A statement of nutrient value conforming to applicable federal guidelines." (This requirement is similar to one contained in Title II of my bill).

Mr. President, I am pleased to see the businessmen of this Nation come to the realization that it is good business from their point of view and the consumer's point of view to provide shoppers with adequate information about the products on supermarket and store shelves. I ask unanimous consent that the full text of the subcouncil's guidelines be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Guiding Principles for Responsible Packaging and Labeling

Preamble

It is our intent that these guiding principles be given the broadest possible application wherever they would assist the consumer in making his purchase or use decision and wherever the value received by consumers from their application exceeds the cost of their implementation. We urge industry associations and individual businesses to develop specific policies and manufacturing practices consistent with these principles.

Packages and labels should meet the consumer's need for useful information to facilitate value comparison prior to purchase and to promote the economical and safe use of the product after purchase. The information should be presented in a clear and conspicuous manner. The seller or supplier should be able to document adequately all performance, safety or economy claims listed or depicted on the package or label.

More specifically, businesses should provide the following information on packages or labels of *consumer products* unless the provision of such information would be clearly irrelevant within the context of the total circumstances surrounding the sale.

1. The identity of the product by its common or usual name, description, generic term, or the like,

2. The net quantity of the product in terms of weight, measure, size, or numerical count,

3. The name and address of the manufacturer, packer or distributor,

4. A prominent warning of imminent hazards inherent with the use, maintenance, storage, or disposal of the product, and a description of the necessary treatment or antidote if the warning is ignored or misunderstood,

5. Clear and complete directions for use and care of the product. Separate use and care instructions should be provided for those products not normally consumed from or stored in the original package,

6. Relative price information in a convenient and understandable form. Price in-

formation should be displayed at the point of purchase when it is impractical for the seller or supplier to include price on the package or the label,

7. The date beyond which the product should not be sold if the product is perishable,

Businesses should also provide the following information on packages and labels of *processed food products* offered for sale.

8. The size, weight, or measure of servings where the label states number of servings,

9. The common or usual name of ingredients or, where appropriate, the class of ingredients, listed in order of decreasing by percentage if it will aid consumers in assessing economic value and food quality,

10. A statement of nutrient value conforming to applicable federal guidelines.

In addition to the above, all packages should contain the full and declared weight, measure or numerical count and be filled as full as practicable in accordance with good business practices. Packages should be designed to:

11. Protect the quality and form of the product,

12. Protect the persons who come into contact with the product during use, storage, maintenance and disposal,

13. Offer sufficient variety to serve the varying needs of consumers without unnecessarily complicating selection.

Finally, for the benefit of society in general, businesses should conserve natural resources in the original package, encourage, reuse of both packaging materials and packages themselves, and, minimize pollution in the disposal process.

SENATOR KARL MUNDT

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, when the Senate convenes in January for the beginning of the 93d Congress, we will do so in the absence of a colleague who had served his State of South Dakota for five terms in the House of Representatives and four terms in this body.

Senator Karl Mundt was an effective spokesman for his State in his 34 years of public service in the Nation's Capital. It was unfortunate that illness curtailed his legislative activity the last few years. However, I wish to take this opportunity to wish him the best in his retirement and in his efforts to fully regain his health.

Senator Mundt has served his State and Nation with dedication and honor.

THE 92D CONGRESS

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RHODES. Mr. Speaker—

> The Ninety-second Congress could have been a great Congress. It was not.

In those few words, Gerald R. Ford, the minority leader of the House of Representatives, succinctly summarized the congressional record of the past 2 years. Though we can point to a number of noteworthy achievements, partisan politics of this Democratic-controlled Congress prevented passage of many legislative proposals aimed at making the Federal Government more responsive, more efficient, and more effective.

President Nixon in his January 22, 1971, state of the Union message outlined a bold blueprint of action and reform. He set six great goals for the Congress: Welfare reform, a full prosperity in peacetime, restoration and enhancement of our natural environment, improvement of America's health care, strengthening and renewing our State and local governments, and reform of the Federal Government.

Despite this great challenge, despite the opportunity to "seize the moment and achieve these goals," the response of the 92d Congress was tragically lacking. Of the President's six major legislative proposals only three—revenue sharing, environmental protection, and Federal spending control—received any consideration, inadequate as it may have been. For the remaining three there was virtually no definitive progress.

None of President Nixon's proposals for departmental reorganization designed to maximize the efficiency of the executive branch and eliminate the duplication, overlap and confusion of the present structure ever received floor consideration. Similarly, special revenue-sharing programs proposed by the President, under which more than $11 billion annually would be returned to States and local communities to bolster their efforts in the areas of education, rural development, urban development, manpower training, transportation and law enforcement, received little, if any legislative attention. And, perhaps most serious, the Congress failed to enact the desperately needed reform of the Nation's chaotic welfare system. Three and one-half million persons have been added to the welfare rolls during the past 3 years, and Federal welfare costs have increased 55 percent during that period. Although the urgency of action is obvious, Senate inaction thwarted the passage of welfare reform measures.

A comprehensive national health insurance program to protect Americans from the financial ruin of catastrophic illness and accident; private pension plan reform; effective consumer protection; powerplant siting measures designed to ease the energy crisis; effective before-the-fact protection against national emergency work stoppage; a $250 billion limit on Federal outlays in fiscal 1973; these and numerous other important legislative measures supported by President Nixon failed of passage. Of 64 major requests sent by the President to Capitol Hill, only one-third were enacted.

The 92d Congress, however, was not devoid of activity. The first session ended only late in December of last year; there were 648 rollcall votes during the two sessions. However, despite the exercise, legislative accomplishments were limited.

Perhaps first in importance was the passage of the $30.2 billion 5-year general revenue-sharing bill—as contrasted with the above mentioned special revenue-sharing measures—whereby Federal tax dollars are to be returned to State and local governments for a wide range of services and programs. Two constitutional amendments, the 26th, to allow 18-year-olds to vote in Federal and State elections, and the 27th, to provide equal rights regardless of sex, were passed, the former having been quickly ratified. The Rural Development Act, to improve job opportunities and the quality of life in rural America, received favorable action. The Federal Water Pollution Control Act Amendments which were enacted provide the Federal thrust needed for a massive cleanup of our Nation's waters. The Pesticide Control Act of 1972 and the Noise Control Act of 1972 are important environmental accomplishments.

Enactment of the Health Manpower Assistance Act and the Nurses Training Act, authorizing increased funds for the training of health professionals and construction of health research and teaching facilities, are major advances in our efforts to meet the Nation's health manpower requirements. Passage of the National Cancer Act; the National Sickle Cell Anemia Control Act; the Communicable Diseases Control Act Amendments to strengthen research, treatment and preventative efforts in those fields; and the establishment of the National Institutes of Arthritis, Metabolism and Digestive Diseases, will all contribute substantially to the Nation's health betterment.

The National Drug Abuse and Treatment Act of 1972 provides much needed assistance in the fight against drug addiction, through prevention, rehabilitation, and education programs.

The Higher Education Act Amendments of 1972 authorizes $18.5 billion over 3 years to extend and expand higher education program aid.

The strategic arms limitations agreement reached with Russia, a significant step toward peace, was approved.

And, late in the session, the social security laws were amended to provide a number of equitable changes, increasing benefits by 30 percent, adding automatic cost-of-living provisions, improving widows' benefits and raising outside income limitations.

The 92d Congress could have been a landmark Congress. It emerged with a partisan political record falling short of the goals President Nixon had set for it. There remains considerable unfinished work to be done; and there must be new solutions to meet new problems. Hopefully, the 93d Congress will rise to its task.

FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the American balance of trade continues to suffer serious deficits. In 1971, the United States suffered the first balance-of-trade deficit in this century. At the present rate of imbalance, last year's $2.2 billion of red ink will become a monstrous $6 billion this year.

To remedy our foreign trade disaster, to protect the American workingman, and to preserve America's diversified industrial base, I introduced the Hartke Foreign Trade and Investment Act of 1972. Few journalists read the bill in any detail, but many were quick to characterize the bill as a second Smoot-Hawley tariff bill. Ignoring the proposed tax changes, distorting the nature of the import quotas involved and passing over a host of other features in the bill, many journalists gave a very one-sided picture of the Hartke bill.

Not long ago, the Washington Post ran a two-part series on foreign trade that moved a considerable distance toward a balanced view. Written by the Post's Marilyn Berger, the first article explores the nature and origins of the Hartke-Burke Foreign Trade and Investment Act of 1972 and the response of the multinational companies. A companion piece explores the thorny problem of United States-Japan relations.

Mr. President, I ask unanimous consent that the two pieces by Marilyn Berger be inserted in the Record at this point:

There being no objection, the articles were ordered to be printed in the Record, as follows:

Unions Mount Drive Against Import Crisis

(By Marilyn Berger)

A cartoon at the turn of the century depicted small European characters wielding tiny brooms in an attempt to sweep back a huge wave labeled "Uncle Sam's goods for the world." The caption declared: "They cannot keep back the rising tide of American competition."

That was in 1901. Seventy years later that tide turned. The wave is now lapping at both American shores and it is the American worker who is trying to hold back the flood.

As a result:

Claiming that more than a million jobs have been lost to imports since 1966, the AFL-CIO is backing the most protectionist legislation in 42 years.

In May, the AFL-CIO set up a special task force to lobby in Congress and to mount an educational campaign to win public backing of the legislation, known as the Burke-Hartke bill. Pilot projects are already under way in four states, with plans to move into the remaining 46.

As a result:

Labor leaders pressed their case before the Platform Committees of the Democratic and Republican Parties for protectionist planks.

The International Ladies Garment Workers Union (AFL-CIO) has been placing full-page ads in The Washington Post, The New York Times and other publications, showing an American flag with a "Made in Japan" label and warning that "if Betsy Ross were alive today she might be standing in an unemployment line." Along with other unions, ILGWU is pushing a "Buy American" campaign to educate consumers to buy products made in the U.S.A. and to leave the competing products on the shelves.

The ILGWU, which has set up its own special office to battle imports, is planning a series of "Save-Our-Jobs" rallies, to end with a march on Washington. The rubber workers in Akron held a similar rally in June.

"It's a concept whose time has come," says Ray Dennison, a congressional lobbyist for the AFL-CIO. "If there were no problems of unemployment and no problems in the export of technology and capital, the (Burke-Hartke) bill wouldn't have gotten all the attention and support it has already gotten." Dennison says more than 70 members of the House of Representatives are sponsoring the proposal.

The high rate of unemployment and the increasing U.S. investment in manufacturing plants abroad have undercut organized labor's traditional internationalist bent. Where before only a few unions in such industries as textiles and mining sought legislation against foreign imports, now workers in almost all manufacturing trades are demanding relief from competition from abroad.

What the captains of industry used to be saying has now become the theme for their former adversaries in the early battles between management and labor.

"The industrial base of the American economy is being undermined and narrowed," according to Nathaniel Goldfinger, the AFL-CIO's research director. Statistics vary, but all show the rising level of manufactured imports.

According to a congressional estimate called "conservative" by the AFL-CIO's legislative director, Andrew J. Biemiller, imports now account for 20 per cent of all U.S. automobile sales, 30 per cent of television sets, more than 40 per cent of glassware and about 60 per cent of sewing machines and calculating machines.

"As far as the AFL-CIO can learn," said Biemiller in testimony to Congress a year ago, "about 100 per cent of all (tape recorded) cassettes that are sold in this country are now imported; 95 per cent or more of all radios . . . are imports."

To illustrate the magnitude of the problem, Biemiller said that between 1962 and 1970 exports of rubber manufacturers rose 27 per cent, while imports rose 266 per cent; textile exports rose 23 per cent, imports 71 per cent; autos, trucks and parts exports rose 138 per cent while imports shot up to 884 per cent.

The latest trade figures issued at the end of July by the Commerce Department show that despite Washington's efforts to realign world currencies to get a more realistic valuation of the dollar, the level of imports continues to rise.

The trade balance, which for the first time in this century turned against the United States last year, showed a deficit for the first seven months of 1972 of almost $3.9 billion, compared with $642.3 million during the same period in 1971.

Organized labor lays the blame for the loss of American manufacturing advantage directly on the big U.S. corporations which have gone international, moving money, technology and plants overseas. They hold these multinational corporations responsible for robbing the American workers of his means of subsistence.

English-built Fords and General Motors-manufactured Opels, in labor's view, mean less sales for Detroit. Remington Rand Vienna means that Remington Rand Elmira is no longer needed.

Writes Goldfinger: "A U.S. based multinational corporation can produce components in widely separated plants in Korea, Taiwan and the United States, assemble the product in a plant on the Mexican side of the border and sell the goods in the United States at American prices—perhaps with a U.S. brand name. Or the goods produced in foreign subsidiary plants are sold in foreign markets in competition with U.S.-made products."

In its proposals presented to both the Democratic and Republican Platform Committee the AFL-CIO stated: "Today the U.S. worker is virtually helpless in protecting his job and his standard of living. U.S. markets have been overrun with imports costing tens of thousands of U.S. jobs. . . . At the same time U.S. owned multi-national firms, seeking to maximize profits, have moved production of huge parts of U.S. industry abroad . . . Helping to spur these global runaways . . . are the U.S. tax and tariff laws with their incentives to encourage U.S. firms to manufacture their goods abroad. These loopholes should be removed . . ."

AFL-CIO President George Meany told the Senate Subcommittee on International Trade that the multi-national corporations "can juggle the production of parts and finished products from one subsidiary in one country to another . . . juggle their bookkeeping and their prices and their taxes. Their export and import transactions are within the corporations, determined by the executives of the corporation—all for the benefit and the profit of the corporation. This is not foreign trade. Surely it is not foreign competition."

Said Meany: "The complex operations of multi-nationals—with the aid of Madison Avenue advertising—have utterly confused the picture of the national origin of products. For example, Ford's Pinto has been heralded as the U.S. answer to imported small cars. But the engines are imported from England and Germany, and standard transmissions are imported from Europe."

Dennison said decisions that determine whether people are jobless, which are now being made by private industry, should be made by Congress, "not by companies that brag about not being American anymore."

He adds: "Do you know that Ford now brags that it's not an American company anymore?"

Labor's prescription to cure all these ills would become law if the Burke-Hartke bill were adopted. First introduced in September, 1971, "to promote full employment and restore a diversified production base," it would amend tax laws "to stem the outflow of United States capital, jobs, technology, and production, and for other purposes.

The major provisions of the bill would:

Establish quotas on virtually all products entering the country by requiring that the total of any 1972 imports not exceed the average of the year 1965 to 1969. In subsequent years imports would be permitted to reach the same "share" of the market they held in 1972. For example, if 40 per cent of all leather shoes sold in the United States during that year were imported, the same percentage could be imported in following years.

Give the President power to limit the export of capital if he determined that the outflow would lead to a decrease in domestic employment.

Repeal the foreign tax credit which makes it possible for corporations to get a dollar-for-dollar reduction on American taxes for taxes paid to foreign governments. The Burke-Hartke bill would make these foreign taxes deductible, meaning that the corporations would have a sharply increased U.S. tax to pay.

Eliminate tax deferrals which now permit corporations to pay taxes on money earned abroad only at the time it is repatriated, not necessarily during the year in which it is earned.

Eliminate tax exemptions for Americans living and working in foreign countries.

Although the bill is considered dead for this year—trade legislation has traditionally been ignored at election time—it is expected to be re-introduced in the next Congress. Tax aspects of the bill may also be considered in overall tax reform.

The proposals go against the grain of American tradition as a free trading nation, but the situation is untraditional. Congressmen faced with the shutdown in their districts of factories that mean not only unemployment but lost buying power in the community are going to come under heavy pressure from organized labor's campaign.

Hit with this challenge from organized labor, which would force a complete transformation in the way the multi-national corporations operate, big business has countered with its own lobbying campaign to fight Burke-Hartke:

Fifty-eight of the major multi-national corporations formed the Emergency Committee for American Trade to fight protectionist legislation and limits on investments abroad and to conduct surveys on the impact of these businesses on the American economy.

The U.S. Chamber of Commerce set up a special task force on multinational enterprise. It, too, took a survey and came up with statistics that rebut labor's contentions.

Individual corporations have drawn up profiles showing how their activities, contrary to labor's contentions, have not resulted in the loss of jobs but in job increases.

According to the Chamber of Commerce study, the multi-national corporations do not go abroad to locate near cheap foreign labor, as the unions charge, but rather to retain foreign markets that would otherwise be forfeited to foreign producers. Only by locating within certain countries can many of these firms have access to markets by getting around such things as tariff barriers and other regulations. Drug firms, for example, claim that a maze of health regulations would bar them from certain markets if production were not located within the country of sale.

Income from abroad, these corporations argue, make them better employers at home, where they say they are increasing their employment levels faster than the national average.

One Commerce Department study showed that "U.S. foreign direct investment abroad has not been a significant source of job-displacing imports into the United States," and that, in fact, 250,000 jobs would be lost if this kind of investment ceased. The choice for industry, according to this study, is often not between setting up operations in the United States or abroad "but between foreign operations and no operations at all."

Historically, barriers to trade have always invited retaliation. The 1930 Smoot-Hawley tariff was blamed for deepening the Depression, and industry and government officials argue that a similar move today would lead to a bruising trade war.

Robert L. McNeill, executive vice chairman of the Emergency Committee on American Trade, conceded, however, that it is a difficult argument to sell at this time.

"The swing in the trade balance is killing us," McNeill said in a recent interview. "It's difficult to argue national interest in trade with a deficit in the trade account of $5 to $6 billion this year."

Threats of retaliation to import barriers do not concern Sen. Vance Hartke (D-Ind.), who introduced the Burke-Hartke bill in the Senate.

"If you want to go into a trade war the United States can sustain it," said Hartke in a recent interview. "I don't want to let those countries contribute to our depression."

Hartke's fighting words find a sympathetic hearing not only because imports are increasing and exports are not keeping pace. America's economic troubles come at a time when, under the umbrella of the Nixon Doctrine, the nation has begun to cut down its overseas commitments, in the aftermath of the painful lessons of the Vietnam war which graphically illustrated the limits of power.

Disillusion with military force, combined with a diminished economic power as Europe and Japan became aggressive traders, contributed to a climate in which isolationist ideas such as protectionism have become respectable.

Wilbur Mills (D-Ark.) chairman of the powerful House Ways and Means Committee that would hold the inital hearings on any trade bill, warns, however, that the legislative quotas required by Burke-Hartke are "the last thing in the world we should have."

Mills, who was active in getting voluntary quotas on textile imports and who would like to see other voluntary agreements negotiated, said in an interview recently: "Burke-Hartke wouldn't result in more jobs . . . If you reduce imports you of necessity threaten jobs involved in the import of goods that may not develop on the export side either. You could actually reduce jobs in both instances . . . Burke-Hartke would result in a net reduction of jobs. I can't prove it, but it's logic.

Acknowledging that an election year is not the time to get trade legislation, Mills said: "We must try to have a trade bill in '73. You can't go and go and go without knowing what our policy is." But, said Mills, "I hope it will not be a bill developed in hysterical fear of imports."

That is for next year. For the remainder of this year there is the campaign. Democratic vice presidential candidate Sargent Shriver last week told a crowd in Detroit concerned with steel imports that "we have to make American steel more competitive. You can't do something simple like stop all steel imports because they will then say we won't take any agricultural products from you or something." Negotiations with U.S. trading partners were necessary, Shriver said.

The Democratic platform, while nodding to labor's demands, gave little encouragement to protectionists, and the Republican platform expounded more on past actions than on future programs.

The Republicans seemed to be trying to court labor's vote while not alienating traditional supporters in big business:

"We deplore the practice of locating plants in foreign countries solely to take advantage of low wage rates in order to produce goods primarily for sale in the United States. We will take action to discourage such unfair and disruptive practices that result in the loss of American jobs."

For most of this year the unions will be trying to get sympathetic congressmen elected or reelected and to keep the issue before the public. The big push will then come with the new Congress in the new year.

Many Answers, No Solutions: United States-Japan Trade Dilemma

(By Marilyn Berger)

An administration official and a reporter were speculating recently on ways to even out the worsening trade balance with Japan.

"We could get them to buy more grain," suggested the official.

"Yes," replied the reporter, "but then they'd produce more cattle and increase meat exports."

"Perhaps we could get them to eat more meat at home," mused the official. "Then they'd have more heart attacks," the reporter said.

"Well, that's one way to make them less productive."

The conversation illustrated the growth of concern in Washington over the rising volume of imports coming into the United States, particularly from Japan.

The problem is serious. Just before President Nixon met last week in Hawaii with Japanese Prime Minister Kakuei Tanaka, the government estimated that the United States will suffer a $3.8-billion deficit this year in its trade with Japan alone.

Overall, the U.S. deficit for the first seven months of 1972 was $3.9 billion, six times greater than the same period in 1971. Official figures show that the trade balance ran against the United States in 1971 for the first time since 1893.

One of the most drastic responses to this situation has come from organized labor in this country, specifically the AFL-CIO. It is urging Congress to enact a highly protectionist measure called the Burke-Hartke bill, which would not only cut imports of foreign goods but also severely limit American investment in plants abroad.

The core of labor's argument is that hundreds of thousands of American jobs are being destroyed by foreign competition. "We need a Congress that will stop the growing export of American jobs, capital, technology and production by multi-national corporations based in the United States," George Meany declared in his prepared Labor Day message.

"Organized labor is not against foreign trade—of course not," said Meany. "But we are against the outmoded 19th Century trade policies that have lost American workers nearly one million job opportunities in the last six years. We are against trade policies that are eroding entire U.S. industries—textiles, shoes, clothing, steel, auto, rubber, electronic equipment. We are against trade policies that fatten corporate profits while undermining the American economy."

Meany called for passage of the Burke-Hartke bill next year. The proposal would fix import quotas on virtually every product imported into the United States, from steel and automobiles to tape recorders and shoes, and would, in Meany's view, protect American jobs and the American worker's standard of living.

Another view—quite extreme in its own way—is that the United States is inevitably moving into a post-industrial phase in which trade balances are unimportant.

Lawrence B. Krause, an economist at the Brookings Institution, says that investments made abroad by U.S. companies are now yielding large dividend and interest returns to their parents and that these returns are likely to grow substantially during the decade of the 1970s.

"Indeed," wrote Krause in the Columbia Journal of World Business, "one may question how other countries will be able to balance their accounts if the United States does not run a substantial trade deficit."

Herman Kahn of the Hudson Institute told a White House conference in February that unless some unforeseen changes occur, the world of 1990 will be one with fewer blue-collar workers, with "construction" and manufacturing industries . . . a smaller and smaller part of the nation's activity . . . and . . . an enormous increase in the technical and professional labor force."

Economists acknowledge that the transition to a "post-industrial" economy would cause severe hardship to displaced industries and countless workers. But, they argue, the dislocation would be "temporary" in historical terms and would lead in the end, to a higher American standard of living.

The Nixon administration buys neither of these drastic solutions to our international trade difficulties. It has tried to improvise stop-gap remedies such as the unilateral economic and monetary actions of last summer, the import surtax, and devaluation, for example. It was an effort to bring other countries into line but the effects were limited, and the trade balance continued to tip against the United States.

"We found out that brute force doesn't work," said one administration official. "We're powerful, but not that powerful."

Another short-term remedy has been the series of "voluntary agreements" with countries such as Japan to limit exports of specific classes of goods including textiles, steel and shoes. In the absence of any coherent policy, one official conceded, the Nixon administration "lurched toward protectionism."

A third response by the administration has been the effort to open up new export markets, especially in the Soviet Union and China, as part of its new diplomacy. Businessmen are also being encouraged to increase exports to traditional buyers with Americans now taking lessons from the Japanese in marketing techniques, an art that was once thought to be exclusively American.

For the longer term, the administration is preparing for a new round of multilateral trade negotiations in 1973. But the prospects for these negotiations are uncertain.

The American negotiators will be confronted abroad by aggressive trading powers like the Japanese and the European Common Market and by the less developed countries seeking preferential arrangements to encourage their own industrialization. And at home, they will face the conflicting demands of disparate economic interests.

There are the unions, for example, which argue persuasively and with strong political support in Congress, that a million jobs have been lost to imports since 1966, with some industries, such as home entertainment electronics and shoes, being particularly hard hit.

There are the huge multinational corporations, based in the United States but with vast investments and markets abroad. These companies, which have launched a public relations campaign to counter labor's arguments are telling congressmen that their activities contribute to America's balance of payments as well as to the rate of employment in the United States by creating markets for American production and by developing earnings abroad.

A third force is the increasingly vocal and influential consumer movement. Largely through the efforts of major companies, the consumer is being made aware that the availability of imports is critical to keeping prices down and to maintaining the wide variety of products.

Statistics are assembled to support all these positions. Labor can "prove," for example, as one of the studies prepared for the AFL–CIO's Industrial Union Department asserts, that "between 1966 and 1969 U.S. foreign trade produced the equivalent at a net loss of half a million American jobs." (Labor spokesmen say the number by 1972 has reached one million.)

Labor contends that investments by multi-national corporations abroad have further deprived Americans of jobs. The AFL–CIO's director of research, Nathaniel Goldfinger, simply to cite one example, points to a decision by Zenith Radio Corp. to build a plant in Taiwan, leading to an initial reduction in its American work force by 3,000 jobs, with probably another 4,000 layoffs to follow.

The multi-nationals say they can "prove" not only that they do not export jobs, but that they are far ahead of the overall national average in increasing employment.

A U.S. Chamber of Commerce task force on multi-national enterprises conducted a survey represented as providing "positive evidence" that 121 firms replying to questionnaire increased employment by 31.1 per cent between 1960 and 1970, "significantly higher than the national percentage increase for that period."

The same survey credits 81 multi-nationals with "export performance . . . far superior to the national experience during 1960–1970." It contends that, by the testimony of the multi-nationals, the corporations invest abroad to retain foreign markets and not to take advantage of cheap foreign labor.

These corporations have done internal studies to prove their case. Take the Bendix Corp., for example. Employment increased by roughly one-third between 1965 and 1971; domestic sales virtually doubled over the last decade, while exports during the same period more than tripled, from $35 million in 1960 to $124 million in 1971.

"Using Secretary of Commerce (Peter G.) Peterson's measure of every billion dollars of U.S. exports creating 60,000 to 80,000 new jobs, this means that close to 8,000 Bendix jobs were export-related (in 1971)," according to one of the company's reports.

The report goes on to state that "a significant share of our direct exports would not have been possible in the absence of our foreign industrial base. . . . Our foreign investments, therefore, have not deprived American workers of jobs. Quite the contrary, they have created additional exports from the U.S. and additional income flows into the U.S., thereby adding to employment in this country. . . . It is our estimate that the total net income of the corporation in . . . 1970 would have been reduced by $7.5 million. Representing more than 20 per cent of our total earnings that year . . . imagine the effect such a reduction would have had on Bendix' employment and on the general welfare of everyone involved with our company, as well as on the U.S. economy as a whole."

Consumers are just beginning to be made aware of the implication of limiting imports. A Council on International Economic Policy report touches on the issue:

"If restrictions were to limit the availability or increase the price of such (imported) products, consumers would no doubt feel that their 'quality of life' has suffered.

'To illustrate this," the report continued, studies of such products as shoes and television sets suggest that without import, their prices in the United States might rise 30 per cent. For tape recorders and a number of other key items, prices could rise as much as 50 per cent. Asides from unfavorable consumer reaction, restricting these products would obviously add to inflationary pressures."

The conflicting statistics, all of them based on assumptions that are questionable, pose great problems for politicians, notably members of Congress who, in the final analysis, will have a large voice in any future trade policies.

The administration must go to Congress to negotiate on tariffs if it is to enter into the multilateral trade negotiations it has been pushing for in 1973. Such legislation, along with tax reform, will determine the future U.S. position in international trade.

Some politicians have already taken sides. Sen. Vance Hartke (D-Ind.) is the most outspoken supporter of labor's position. He says he doesn't believe the statistics presented by the companies and is unafraid of threatened retaliation by other countries if import quotas are imposed.

Wilbur Mills (D-Ark.) chairman of the House Ways and Means Committee that would be the first to hold hearings on trade legislation, remains an advocate of voluntary agreements to limit imports. He says Burke-Hartke-type quotas are "the last thing in the world we should have."

The administration has remained out of the battle over Burke-Hartke, but most official statements dwell on the problems that would result if quotas were imposed. In an election year, however, no administration wants to alienate either side in such conflict.

The Republican platform hedges. The Democrats gave a nod to labor's contentions but stick with free trade. "When a job is available for everyone who wants to work imports will no longer be a threat."

Democratic Presidential candidate George McGovern talks of jobs as the "cornerstone" of his economic policy. He called last Wednesday for 'even-handed tax treatment for American business abroad and enterprises here at home." He said: "Corporations should be encouraged to export their products, but they should not be allowed a special tax break merely because they earn their income overseas," one of the conclusions of Burke-Hartke both.

Both the Democrats and the Republicans talk of assistance to industries and workers affected by imports.

The entire argument over the effects of imports on jobs and foreign investment and the distribution of technology around the world by the multi-national corporations is further complicated by the political impact of these giant businesses.

In addition to labor's attack on the multinationals for moving the American manufacturing base abroad and for robbing the country while they juggle profits and production of its technological advantage, the companies are also under fire for their alleged attempts at political influence in foreign countries.

Following disclosures that the International Telephone and Telegraph Corp. allegedly sought to influence the Chilean election in 1970, the Senate Foreign Relations Committee decided to investigate the relationship of these businesses to U.S. foreign policy and the U.S. national interests.

This investigation will be designed to determine whether the activities of corporations that operate beyond national laws serve the national interest. It could lead to some deep probing into the internal workings of their business conduct.

The administration is now preparing its position for the 1973 negotiations in which it expects to deal with tariff and non-tariff barriers such as health and safety regulations that are used to hold down import levels. It also hopes to establish "safeguards" that will allow countries to take certain steps when a too-rapid rise in exports causes severe social and economic problems.

Any administration would be hamstrung if the Burke-Hartke bill were enacted. Willis C. Armstrong, assistant secretary of state for economic affairs, said that if the bill were approved the United States would be left with nothing to negotiate.

"If you expect to get any concessions," Armstrong said in a recent interview, "countries have to be prepared to make concessions themselves."

The state of the economy at the time Burke-Hartke and other trade legislation is considered could well determine the outcome. Administration officials predict a bruising trade war that would depress the world economy if barriers were set up.

That international trade policy has been uneven and unclear can be attributed partly to the acknowledged fact that it has been an afterthought in the formulation of foreign policy. But it can also be attributed to the fact that this is a period of transition in domestic economic thinking.

"Attitudes and philosophies are changing rapidly," Harald B. Malmgren, deputy special representative for trade negotiations, said in a recent interview. While organized labor in the manufacturing industries is convinced that more government controls are needed to organize the economy, particularly to curb imports, business corporations are torn between the traditional desire to see the government keep hands off and a perceived need for the kind of industry-government coordination that has made Japan such a powerful exporting nation.

"Ten years ago," says Malmgren, "businessmen wanted to be left alone; now they talk about close industry-government cooperation. After being told to stay away for years the bureaucrats now don't know what to do.

"If you sat down and had a meeting with the Chamber of Commerce or the National Association of Manufacturers . . . you'd find that people can't make up their minds about what policy should be. Everyone's questioning the conventional wisdom."

The questions being asked are a reflection of the fact that the United States position in the world economy is also in transition. Implicit in much of Mr. Nixon's foreign policy so far—his trips to Moscow and Peking, the summit conference with Japanese Premier Tanaka, talks with European leaders—is the recognition that the United States is no longer the dominant nation in a world that has several power centers.

The administration—along with labor, business and the consumer—is only beginning to recognize and deal with the United States' reduced economic power position.

SENATOR KARL MUNDT

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FISHER. Mr. Speaker, at the end of this session the great KARL MUNDT of South Dakota is to leave the Congress after a career of much distinction. His retirement was forced on him due to illness. It is, of course, most regrettable because Senator MUNDT was widely recognized as one of the most able, courageous, and valuable Members of the Senate.

It happens that I have known KARL very well for many years. His devotion to patriotic and related causes is well known. His contribution to improvements in our governmental structure is equally well known. Above, all, Senator MUNDT never faltered in the many battles he waged for the preservation of constitutional government. In that respect he has had few equals in his time.

Let us hope and pray that KARL will continue to improve and that he and Mrs. Mundt will enjoy good health and happiness during the years ahead.

THREE STEPS FOR COLLEGE ENTRANCE

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GUDE. Mr. Speaker, having passed historic legislation this session in the area of higher education, this Congress has affirmed a deep commitment to our Nation's colleges and universities. We have an opportunity now to enhance this commitment by assisting those who are contemplating college entrance.

Many potential students have questions about what to study and what it will cost. Handicapped students, in particular, are in need of such assistance. A leaflet has been published under the auspices of the President's Committee on Employment of the Handicapped, Washington, D.C. 20210, and the B'nai B'rith Career and Counseling Services, 1640 Rhode Island Avenue NW., Washington, D.C. 20036. This sets forth valuable information for the individual preparing for school or college. I am pleased to insert "Three Steps for College Entrance" in the RECORD, and commend it to the attention of my colleagues at this time:

THREE STEPS FOR COLLEGE ENTRANCE

Today, many teenagers—particularly the handicapped—want to know what to study and what it will cost. This flyer helps answer these questions.

ONE, TO GET READY

Begin talking about your tentative vocational objectives the first year of high school. Include required education and costs. Discuss these important topics with your parents or guidance counselor. Initiate counseling with the vocational rehabilitation counselor in your area.

Maintain positive study habits. Admission to higher educational institutions often depends on high school grades. If your grades are below par, find out what you may do to improve them.

Participate in extra-curricular activities to extent studies permit. School and community activities are an important factor considered in school and college admission.

Record your achievements. This record will be a valuable reference for your schooling or employment.

Outline your educational and vocational objectives. Narrow your choice. Take courses that prepare you for college or for advanced training. Consult your parents, guardian, your guidance counselor.

Start writing to colleges, business, trade or technical schools, home study schools for catalogs in your sophomore year.

Are the schools you are considering accessible to a person with your handicap? Find out.

Set up an education planning calendar. Record the date, time and location for each required examination. Record the deadline for filing applications. Meet Your Deadlines.

Each college-bound student takes certain examinations in the junior year and senior year of high school. If your handicap requires special arrangements, make them in advance. Your guidance counselor can tell you which examinations you must take.

Try to visit as many schools and colleges as possible. If you require assistance in getting about, arrange for this in advance. Suggestion: Read, "How to Visit Colleges," available from the National Vocational Guidance Association, 1607 New Hampshire Avenue NW., Washington, D.C. 20009.

TWO, FOR THE MONEY

When you start your planning for school or college—you'll realize the expense involved. To cushion the shock, here are some self-help ideas.

Looking for a scholarship? Obtain scholarship application forms and the financial statement forms appropriate to your abilities and interests. Fill them out accurately and return them as soon as possible. Check with your guidance counselor where you may obtain the necessary forms.

Most schools have financial aid officers. Most provide financial information in their catalog or in a separate statement and bulletin. If you need financial assistance, ask about it when you are choosing a school. Applying for student aid won't lessen your chances for admission.

If possible, establish a savings plan in a bank or savings and loan association.

While you are in high school, scout actively for work, if your condition permits. Look for full-time summer work. Studies permitting, try to obtain part-time work on Saturdays and during vacations.

Start a student aid scrapbook. Include data on scholarships, grants, fellowships, awards and educational loans available from public and private sources.

Check your high school, community center or public library bulletin board for announcements of contests, grants, loans or scholarships. Many contests offer either cash or scholarships. Enter those contests open to you. Who knows, you may be a winner!

Here are Some Resources Which May Help. Write To Them Today!

The Foundation Center, either 444 Madison Avenue, New York, N.Y. 10022 or 1001 Connecticut Avenue NW., Washington, D.C. 20006. The Center maintains a directory that lists the area of study covered by grant-giving foundations.

The National Association of Secondary School Principals, 1201 Sixteenth Street NW., Washington, D.C. 20036, prepares a list of approved National Contests and Activities. Get a copy of that list. Don't Overlook The Following Publications. Many Are In Your Public Library Or You May Write For Them.

A Chance to Go to College: A Directory of 800 Colleges That Have Special Help for Students from Minorities and Low-Income Families. College Entrance Examination Board, 888 Seventh Ave., New York, N.Y. 10019.

Counselor's Manual for "How About College Financing?" The American School Counselors Association, 1607 New Hampshire Avenue, NW., Washington, D.C. 20009.

Directory of Accredited Private Home Study Schools. 1971. National Home Study Council, 1601 Eighteenth St. NW., Washington, D.C. 20009.

Directory of Organizations Interested in the Handicapped. Committee for the Handicapped, 1218 New Hampshire Ave. NW., Washington, D.C. 20036.

How About College Financing? A Guide for Parents of College-Bound Students. The American School Counselor Association, 1607 New Hampshire Ave. NW., Washington, D.C. 20009.

Financing a College Science Education. The National Science Foundation, Washington, D.C. 20550.

Latest Information on Scholarships in the Space Age. B'nai B'rith Career and Counseling Services, 1640 Rhode Island Ave. NW., Washington, D.C. 20036.

More Education—More Opportunity. U.S. Office of Education, Washington, D.C. 20202.

Need a Lift? The American Legion Education and Scholarship Program, Box 1055, Indianapolis, Indiana 46206.

Scholarships, Fellowships and Loans, Volumes III and IV. Bellman Publishing Company, Cambridge, Massachusetts 02138.

Scholarships, Fellowships and Loans Newsletter. Bellman Publishing Company, Cambridge, Massachusetts 02138.

Student Aid Planning in the Space Age: A Selected Bibliography. B'nai B'rith Career and Counseling Services, 1640 Rhode Island Avenue, NW., Washington, D.C. 20036.

Student Aids in the Space Age: Educational Resources for the Handicapped—1971 Revision. B'nai B'rith Career and Counseling Services, 1640 Rhode Island Avenue NW., Washington, D.C. 20036.

Many state departments of education publish a state directory of student aids available to residents. Check this resource. Your local librarian can help.

Consult your State Division of Vocational Rehabilitation. The local address can be found in your telephone directory under the State Government listings.

The President's Committee on Employment of the Handicapped, Washington, D.C. 20210.

B'nai B'rith Career and Counseling Services, Washington, D.C. 20036.

STEP THREE

Keep looking, keep trying, and good luck. Your future is in your hands.

THE FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the steady flight of American industry to foreign shores has cost thousands upon thousands of American jobs.

Our current tax laws create an attractive tax shelter for earnings on foreign investments and thereby encourage a growing outflow of much-needed capital investment.

With the advent of price and wage controls, the Nixon administration created a second incentive to move American industry abroad. By exempting the overseas operations of American-based multinationals from the wage-price guidelines, the Nixon economic policy is guaranteed to add to our disastrous balance-of-trade deficit.

Mr. President, a recent article in the Journal of Commerce spells out how the current wage-price guidelines have helped boost the earnings of multinationals. Because of its import for future trade policy, I ask unanimous consent that the article, "Overseas Operations Help Multinationals Earnings," be reprinted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

OVERSEAS OPERATIONS HELP MULTINATIONALS' EARNINGS

(By Sidney Fish)

Profits on overseas operations played an important role in the strong improvement in earnings reported by multinational companies for the first half of this year.

The upturn in business in Europe is only one of the factors accounting for the rise in overseas profits. Prices of foreign subsidiaries are not subject to price controls by the U.S. Price Commission. The commission's rules, moreover, exclude profits of foreign subsidiaries from total company profits, in calculating the margin of allowable profit on company sales. Under the Price Commission's regulations, each company that raises prices must not allow its margin of profit in 1972 to exceed the margin realized in the company's base period, which is usually two of the three years, 1968, 1969 and 1970.

PROTECTION FROM CONTROLS

The effect of this exclusion of foreign subsidiaries' earnings is to give companies that have extensive operations abroad considerable protection from the impact of the price control rules.

Many American companies now derive 25 to 50 per cent of their earnings from their foreign subsidiaries. A leader in this respect is ITT. The latter reported record sales of $2.1 billion for the second quarter and $4 billion for the first half of this year, up 12 and 16 per cent respectively, over a year ago. ITT indicated in its annual report for 1971 that only 56 per cent of its net sales and revenues of $7.3 billion was accounted for by operations in the U.S. and Canada. Europe alone accounted for 35 per cent of ITT's sales and revenues last year, according to Harold S. Geneen, chairman and president.

ITT's consolidated income in the second quarter of this year amounted to $121 million or 99 cents a share, a gain of 10 per cent over the 90 cents a share for the similar period of 1971. For the first half, sales were up 15 per cent, and per share earnings were up 10.1 per cent to $1.74 a share. The company's European telecommunications products are showing continued strength, Mr. Geneen said.

U.S. AUTO SALES ABROAD

General Motors, Ford and Chrysler reported record-breaking sales of vehicles produced in overseas markets during the second quarter. This performance helped these companies to set records in world sales.

The Singer Co. derived 38 per cent of its sales from operations outside the U.S. last year. In its report for the second quarter, which showed an 8 per cent gain in sales and a 38 per cent rise in earnings, Donald Kircher, president, said worldwide sales of consumer products rose 5 per cent in the first half, due to improvement in overseas countries, while in the U.S. sales of sewing machines were down somewhat.

Singer, like other companies with large investments overseas, gained from the realignment of currencies, excluding the devaluation of the British pound.

Goodyear and other major tire companies have received strong contributions to their earnings from overseas subsidiaries. Goodyear, for example, reported first half profits of $93,190,000, an increase of 16 per cent over a year ago. Foreign profits of Goodyear for the first half were $29,082,000, or 9.2 per cent above last year's $26,554,000, despite a strike at the company's largest facility in Great Britain, according to Russell DeYoung, chairman of Goodyear.

Continental Can, which boosted its earnings 18 per cent in the second quarter, on a sales increase of 10 per cent, derives about 25 per cent of its sales and income from overseas operations. The company developed a strong position in overseas countries many years ago, when it began to offer its research and know-how to foreign packaging companies, in exchange for an equity position in these companies. Today Continental has a 2 to 10 per cent interest in nearly 40 overseas packaging companies, to which it sells machinery and expertise.

STANDARD BRANDS

Standard Brands, Inc. which reported worldwide sales and earnings records for the first half and the second quarter, said that international operations made a major contribution to this performance. Henry Weigl, president, said better results were achieved at Walker Crisps (United Kingdom) which makes potato chips; Leite Gloria (Brazil) which makes condensed milk; and Calona Wines (Canada).

Standard Brands announced in its annual report for 1971 that operations outside the U.S. last year accounted for 23 per cent of the company's total sales and 24 per cent of net income. Profits overseas have improved thus far this year.

AMF, Inc., boosted the earnings of its overseas operations substantially in recent years, and continued this trend in the first half in which it set records and sales and earnings. Overseas operations accounted for 27 per cent of the company's operations last year, up from 15 per cent in 1969. In the first half of 1972 AMF's net profit rose 35 per cent to a new record of $27.7 million or $1.48 a share, against $20.5 million or $1.11 a share in the similiar period of 1971. The company makes leisure time and machinery products. It is forecasting growth for both lines overseas.

THE 75TH ANNIVERSARY OF THE U.S. INDEPENDENT TELEPHONE ASSOCIATION

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HOGAN. Mr. Speaker, this year marks the 75th anniversary of one of America's largest but least known industries, the independent—non-Bell—telephone companies. Since 1897, when the predecessor organization to the U.S. Independent Association was formed, the industry has demonstrated remarkable ingenuity and enterprise in providing telephone service to the public.

The independent companies last month held their diamond jubilee convention October 9–12, 1972. Their anniversary provided an opportunity to reflect on the accomplishments of the independent movement, as well as the future problems of these pioneering businessmen.

Today there are 1,800 independent companies, ranging in size from giants with multistate operations and operating revenues in excess of $1.5 billion to small, family owned companies. They operate 22 million telephones throughout the country. In fact, one of every six phones is operated by a non-Bell company.

Independents provide exclusive service in Alaska and Hawaii and serve many large cities, including Long Beach, Calif.; Lincoln, Nebr.; Rochester, N.Y.; Tampa, Fla.; and Las Vegas, Nev. They also provide service in the capitals of the States of Alaska, Hawaii, Missouri, Nebraska, and Florida.

Because the independents are still primarily located in suburban and smaller communities, where the Nation's population growth is the greatest, the independents are growing faster percentagewise than the Bell System. For example, total independent company revenue climbed 15 percent last year—to about $3.5 billion—while Bell System revenue increased 9 percent.

The independent telephone companies now have a plant investment in excess of $14 billion and are increasing their facilities by about $2 billion a year. The companies employ more than 155,000 people.

Independents began springing up in the early days in the tradition of our free enterprise system. Using equipment which they believed differed sufficiently from Bell's to avoid patent infringement, the independents formed more than 125 companies before Alexander Graham Bell's basic telephone patents expired.

In 1894, when Bell's patents lapsed, the Bell System was serving fewer than 240,000 telephones, mostly on business premises in larger cities. Rural areas and smaller communities were without telephones until enterprising doctors, lawyers, livery stablemen, and others formed their own telephone companies.

Competition with the Bell System began in earnest and by 1897 more than 6,000 non-Bell companies were started throughout the country. Although the telephone experience of the early independents may have been limited, their enthusiasm and ingenuity were not. Farmers and others pooled their resources and established their own systems—some even using barbed wire fences to conduct the current. Single families often ran these businesses from farmhouses in rural America.

During the early years of the independent movement, fierce competition raged between the much larger Bell System and the small non-Bell companies. Many communities had two or even three telephone systems, with increased costs because of duplicate equipment. The independents realized the advantages of a united front and organized a national association, which held its first annual meeting in Detroit in 1897.

Although the independents were small, to Bell interests they were still competitors. When litigation and competition failed to stifle them the Bell System tried to purchase them outright. The ensuing rivalry lasted until 1913 when N. C. Kingsbury, vice president of American Telephone & Telegraph Co., acted to establish a fair commercial relationship between Bell and the independents. A.T. & T. agreed to discontinue acquiring other telephone companies operating in competition with it, with certain exceptions.

The A.T. & T. also agreed to provide arrangements for long distance toll connections between itself and the independents. Prior to that time the Bell system had refused access to its national network of lines, a serious disadvantage for independent customers.

Kingsbury's move was in large part prompted by increased government regulation of the telephone industry. As early as 1907, New York and Wisconsin established commissions with authority to set rates and regulate telephone service. In 1910 Congress placed certain aspects of interstate telephone operations under the jurisdiction of the Interstate Commerce Commission, and the total industry's leadership realized that Federal regulation might go much further if voluntary tranquility in the public interest were not forthcoming.

In 1922 E. K. Hall, another A.T. & T. vice president, announced that his company would not purchase or consolidate with connecting or duplicating companies, except in special cases. At the USITA convention that same year Hall reaffirmed his statement, concluding that it was in the interest of both the independents and the Bell system to have two strong groups in the industry.

It is certainly fair to say that the existence of the independents may have saved the industry from Government ownership. Today the United States undoubtedly has the best telephone service in the world, clearly the result of our system of privately owned companies operating under Government regulation.

Over the years the independents have made many improvements to the telephone. The most spectacular was development of the dial system by Almon Brown Strowger, a Kansas City undertaker who wanted to circumvent a telephone operator he believed was screening his business calls and directing them to his competitor. Other independents designed a handset telephone, the forerunner of the instrument in use today, as well as scores of improvements in switchboards, transmitters, and receivers.

Since the early years the Bell and independent systems have expanded tremendously and developed into a fully integrated national network. During this period of growth and cooperation, the U.S. Independent Telephone Association has played a vital role in uniting the industry and providing information and assistance in many phases of communications service.

The telephone industry's growing range of services coupled with the needs of a growing population and business community, make it clear that the pace of activity will continue to accelerate for the independents as well as for the Bell System. Thus there are many challenges ahead.

Expanded service must be financed in a competitive money market. An expanding scale of investment will be required in coming years as the independents strive to meet increasing service demands of our Nation's growing population and an increasingly sophisticated telecommunications technology. The industry is spending almost $2 billion annually in new facilities.

Another challenge will be Government-stimulated competition in the area of interconnection equipment and specialized communications carriers. Recent decisions by the Federal Communications Commission indicate that the telecommunications industry is entering a new era. The independents are not strangers to competition and are preparing for this development.

Over the years the independent telephone industry has met every challenge before it in order to provide, with the Bell System, the best telephone service in the world. The independent companies and the Bell companies cooperate as a team in this endeavor. Continued operation under creative private enterprise and judicious Government regulation will insure even greater success in the future. The history of the origin of the independent segment of the telephone industry portrays a good example of the working of the American free enterprise system.

FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, our foreign trade and investment policies are in such disarray that only a comprehensive remolding will restore a balance to our international trade and payments accounts.

A glaring example of a misguided program can be found in two tariff loopholes. Under sections 806.30 and 807 of the tariff schedule, components can be manufactured here, shipped abroad for assembly, reimported for the American market with a duty being levied only on the value added overseas. Tens of thousands of American jobs have been sacrificed to these two loopholes.

Mexico has been a major beneficiary of the American tariff law and has added a number of other incentives to attract industry to the area just beyond the American border. Three hundred and forty-five firms, 85 percent of which are American owned and operated, now dot the Mexican border. Employment in those plants already stands at 50,000—at wages only a quarter of American pay.

The United States has long undertaken a commitment to help developing nations fulfill their industrial aspirations, but there is no reason why thousands of American workingmen should bear the total burden of building up Mexican industry and fattening the coffers of American-based multinational firms.

Mr. President, because of the importance of this issue to the American worker and to American industry, I ask unanimous consent that a recent article in Industry Week concerning the border industry program be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Industry Week, Oct. 2, 1972]

COMPETITOR EMERGING SOUTH OF THE BORDER

Mexico may be emerging as a significant low-cost competitor to the U.S.

When the bracero program which permitted temporary Mexican farm labor to enter the U.S. was terminated in 1965, the Mexican government decided to bring jobs to Mexico.

Its Border Industry Program (BIP) will by year-end have created jobs along the U.S. border for about 50,000 workers who perform labor-intensive assembly and processing tasks on items imported into Mexico duty-free, mostly to U.S.-owned plants. The finished goods are sent back to this country, with the companies here paying a U.S. tax only on the value added by Mexican labor.

Now, there are signs the program will embark on a major expansion which, using borrowed technology, could lead to the full development along the border—and elsewhere—of industries new to Mexico.

Instead of providing labor only, the Mexican government is seeking to have some manufacturing done in Mexico and to supply some raw materials for goods processed there. Subcontracting of labor-intensive tasks also appears to be growing among Mexican-owned firms.

The expansion applies to U.S. firms, which have accounted for about 85% of the plants on the Mexican side of the border (the rest are Mexican-owned) and to other foreign-based companies about to enter the program. Also, Mexico wants to broaden the program to port areas along the Gulf of Mexico, the Pacific side of Baja California, the Gulf of California, and, in some cases, to areas beyond the traditional 20-kilometer zone.

Since the realignment of currencies, a number of countries have wanted to locate plants in Mexico because of the low labor rates, which range from about 60 to 87 cents an hour along the border, including fringe benefits. (BIP always has been open to companies from all nations, provided all goods are exported.) Although a minimum base wage is established every two years by the government, sources say lower labor rates are available in the interior because some cities there want to compete with the border cities.

Negotiations are underway involving several Japanese companies, and the Philippines also is interested, says Richard Jacinto, Los Angeles attorney and consultant to the Mexican Commercial Consulate in Los Angeles. Other Asian entities reportedly have been inquiring, including Hong Kong and South Korea, whose apparel manufacturers are finding Mexico more attractive as a base from which to market goods to the U.S. European firms also may be in the picture.

Three Japanese companies—Omron, Sony,

and Mitsubishi—either have plants in Baja California or will have shortly.

Perhaps a handful of foreign companies are already using raw materials from Mexico, and it is hoped this trend will grow, says Salvador Alvarez, Mexican commercial consul in Los Angeles.

The primary purpose behind the desire to expand BIP is to create more jobs, because just along the border there are 350,000 available laborers, Mr. Alvarez notes. These jobless workers have created friction between the U.S. and Mexico, and the BIP is partly aimed at alleviating that problem.

HEAVY INDUSTRY INTERESTED

While activities thus far have been concentrated in labor-intensive light industries (electrical-electronics, textiles, metalworking, furniture and wood products, leather, and plastics), heavy industries are taking a look, but there have been no commitments yet, says Adolfo Loera, El Paso, Tex. Mr. Loera, who retired after 34 years with the U.S. Customs Bureau in El Paso and set up his own consulting firm, says some new industries are about to enter the program.

Entry of heavy industry into the program would help alleviate what Mr. Loera sees as a problem. Some 80 to 85% of the Mexican labor force consists of women because they are more suited to perform many of the manual assembly tasks. However, once the women get married, they quit their jobs. Heavy industry would bring more men into the program and at the same time reduce turnover, says Mr. Loera, who believes the program is on the verge of "phenomenal" growth. His optimism is supported by reports of U.S. customs agents along the border who report substantial increases in paperwork.

The manager of an electronics manufacturer which set up an assembly plant in Mexico earlier this year says the Mexicans are trying to sell him solder and simple parts. "It's a good idea," he notes, but adds that the quality and prices will have to be competitive.

MORE ELECTRONICS, LESS TEXTILES

One pronounced trend noticed during the last year, reports a study made by the U.S. Embassy in Mexico City, is an increase in the percentage of firms involved in electric-electronic assembly, and a corresponding decrease in the percentage of textile operations. Part of this can be attributed to low U.S. duty rates on electronic components and relatively high rates for textiles. Other factors affecting textile operations are limitations imposed by transportation costs and by style and seasonal variations. Electronic components are not so subject to demand variations and can usually be shipped by air at relatively low cost.

The U.S. Embassy, which estimates some 350 firms are involved in BIP, is particularly struck by another development. During a recent visit to numerous plants along the border, an embassy officer noted a number of instances in which the assembly program was cited as being responsibile for increased exports and substitution of imports.

REIMPORT RATE SOARS

A large portion of reimports into the U. S. under Mexico's Border Industry Program are made under Sections 806.30 and 807.00 of the U. S. Tariff Code. These provide that under certain conditions manufactured products of U. S. origin when reimported into the U. S. are assessed import duties only on the value added through foreign processing. Schedule 807.00 accounted for $260 million in imports in 1971. However, the statistics do not include presumably large but not-measurable quantities of border industry production which does not make use of the schedules, operating for the most part in free zone areas.

U.S. IMPORTS FROM MEXICO UNDER TARIFF SCHEDULE 807.00

Year	Duty free	Dutiable	Total (millions)
1967	$12	$7	$19
1968	50	23	73
1969	96	49	145
1970	134	78	212
1971	160	100	260

Source: U.S. Embassy, Mexico City.

FIFTY-TWO FIRMS ADDED IN A YEAR

The bulk of work done by Border Industry Program plants in Mexico is electrical-electronics, and this portion is expected to grow. Textile operations, however, are expected to decline. The 345 firms involved in the program in June this year were employing 46,000 Mexicans, and this figure is expected to grow to 50,000 by yearend because of new firms entering the program and expansion of existing plants.

	Number of BIP firms	
	June 1971	June 1972
Electric-electronics	118	152
Textiles	77	76
Metalworking	26	22
Furniture and wood products	16	20
Leather	6	12
Plastics	6	10
Other	44	53
Total	293	345

Source: U.S. Embassy, Mexico City.

"Many of these firms indicated that their parent U.S. organizations are now realizing exports of either components or finished products to markets [in third countries] in which they were previously unable to compete," says an embassy report. "Others stated that they have gained a greater share of the U.S. market by either cutting back on their own imports or by being more competitive in the U.S. market with foreign-produced goods. In several cases, these firms indicated that, as a result of greater exports and import substitution, the U.S. operation had actually increased employment, which more than offset the decrease from transfer of assembly operations to Mexico." However, the embassy says it is unable to evaluate the degree to which these reported developments may have affected U.S. trade and employment.

SOCIAL PROBLEMS: UNKNOWN QUANTITY

Perhaps the most distressing aspect of the entire BIP, believes the U.S. Embassy, is the lack of adequate investigation concerning the socioeconomic effects of the program.

"Leaving aside for a moment the questions of U.S. trade and employment and additional jobs in Mexico, we have no real idea of what the long-term effect of the program may be for the Mexican border cities—and the related effect on U.S. border cities," says an embassy report. "Several border observers taking an intentionally negative position, suggest these peripheral effects of the program:

"Prostitution and delinquency are increasing as a result of heavier-than-normal migration to the border zone combined with unfulfilled job expectations.

"The traditional relationship between parent and adult daughter is being rapidly changed, and illegitimate births are increasing.

"Traditional male-female family roles are changing, with male frustration leading to greater delinquency.

"Border cities are rapidly losing ground in their efforts to provide housing, sewage, medical care, and other services—and their responsibilities in these areas are increasing faster than new revenues.

"Some border cities may have already passed the level of inhabitants for whom they can ever provide, particularly in areas of relatively absolute limits such as water.

"Social tensions in the border cities are increasing as a result of the above problems, rather than decreasing through increased employment.

"The embassy is not in a position to evaluate these suggested negative results," it adds. "While it is improbable that adverse factors such as these outweigh the overall benefits derived from the contribution to border city economies made by assembly operations, no satisfactory data are presently available."

One problem could be disastrous to some firms: the U.S. Customs Bureau is investigating allegations that some components entering Mexico have not been made in the U.S.—as required by Tariff Schedules 806.30 and 807.00—but in a third country.

During recent years, some small and marginal firms have quit doing business in Mexico, and this is one of the developments feared most by the Mexican government because it throws people out of work again. Mexican officials discourage firms from setting up operations unless they intend to operate over a long period, although permits on machinery (which must be renewed every year) and on raw materials (which must leave the country processed after six months are the only time limitations on activities in that country.

One Mexican banker notes there is a constant effort to streamline movement of goods back and forth across the border.

One U.S. manager says this was the most difficult part of the program until he learned that the key is the Mexican union boss. "He's powerful, and he controls the border. He can slow your shipment, or he can shut down your plant." The solution is the traditional Mexican mordida euphemistically called a "tip." But it's all fairly reasonable," says the manager.

THE 54TH ANNIVERSARY OF LATVIAN INDEPENDENCE DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. ANNUNZIO. Mr. Speaker, on November 18 the United Latvian Associations of Chicago will commemorate the 54th anniversary of Latvian independence at Mather High School, 5835 North Lincoln Avenue in Chicago.

The program will include a religious service and a Latvian lecture to be followed by a concert with the participation of the United Latvian Choir.

The United Latvian Associations of Chicago, an organization dedicated to the preservation of Latvian cultural awareness, is ably headed by Rolands Kirsteins, president; Alberts Raidonis, vice president; Rudolfs Arums, secretary; Olgerts Cakars, in charge of special events; and Arvids Barda, treasurer.

Latvia, a nation situated on the eastern side of the Baltic Sea, was privileged to enjoy only a brief period of national independence between the world wars. From their declaration of independence on November 18, 1918, to the reoccupation in 1940 by Communist armies, the Latvians opened the way to economic, social and political progress.

Latvia was one of the first European countries to reform the currency and financial system. The land reform law of 1920 was a model of fair, democratic dispersal of feudal estates.

By 1937, there were 5,717 industrial enterprises in Latvia; 70,000 farmers were enrolled in 2,300 educational societies; hydroelectric stations were numerous. The national income increased 120 percent between 1927 and 1938 despite the depression. The Latvian National Bank's assets rose from 48.2 million lats, the local currency, in 1934, to 125.6 million lats in 1939.

Latvian foreign policy was founded on friendly relations with the West and trust in the League of Nations. In fact, 95 percent of Latvian trade was with the West, especially Great Britain, Germany, and the United States, carried in 103 Latvian ships. By 1939, Latvia was almost self-supporting.

In June 1940, Latvia, along with Estonia and Lithuania, was invaded, brutally occupied by the Red army, and subsequently incorporated into the Soviet Union. The Soviets cynically disregarded their earlier treaty commitments in which they "voluntarily and forever" had renounced all sovereign rights over the people and territory of Latvia.

We in the U.S. Congress can do no less than reassure the Latvian people of our moral support. May the ideals of freedom and democracy be vindicated by the gallant determination of the people of Latvia. Their sacrifices should remind us all that we must continue to strive for a world in which all people can have the opportunity to live their lives as they themselves choose.

Mr. Speaker, as an ethnic myself, I have always been aware of the cultural richness of the various ethnic groups in our city of Chicago, and the creativity and dynamism they contribute to our city and the Nation. For this reason, events such as the Latvian Independence Day observance are very important, not only because they help to preserve ethnic identity and culture, but also because they remind us all, as Americans, of our heritage of freedom.

I am pleased, therefore, on this occasion to extend my greetings and best wishes to the Americans of Latvian descent in the city of Chicago who are participating in the 54th anniversary commemoration of Latvian independence.

WAYNE N. ASPINALL

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FISHER. Mr. Speaker, it is most regrettable that our friend and colleague, Wayne Aspinall, is leaving the Congress. His district has undoubtedly been one of the best represented districts in the Congress. Not only his own district, but the entire Nation benefited from the presence of Wayne Aspinall in this body.

As is well known here, Wayne commanded what might be properly described as total respect and confidence on the part of all his colleagues, when matters relating to water, reclamation, irrigation, parks and recreation, and related topics were under consideration. In that respect he was indeed a tower of strength—a strength that was applied with becoming restraint and always in the national interest.

To Wayne and Mrs. Aspinall I extend my very best wishes for the future.

PRODUCTIVITY IN TRANSPORTATION

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, it is no secret that our Nation has serious transportation problems. Our largest railroad, the Penn Central, collapsed to everyone's dismay a little more than 2 years ago and still has not been put back onto a viable, self-supporting basis.

Our transportation problems are not limited to the financial conditions of railroads. One cannot study transportation problems without coming to the realization that there has been a continual decline in service, particularly with regard to small shippers and small shipments. There is growing dissatisfaction in this country because freight rates are going up while service is going down.

The problems of transportation are quite complicated, and there are no simple answers. In a speech recently brought to my attention, Mr. J. Scott Morrison discussed several fundamental issues. I believe that his main point—that great advances in transportation productivity are within each technological grasp—is a most important point. As Mr. Morrison sees it, if only the capital investments needed to produce such advances can be secured, service can be improved, rates lowered, and carriers' financial positions strengthened.

Mr. Morrison refers to the Surface Transportation Act, S. 2362, as an important way to achieve greater investment in transportation facilities and thereby to achieve the productivity advances of which he speaks. As author of the Surface Transportation Act, I would like to take this opportunity to reiterate my belief in the need for improved productivity and to stress that improved service through such productivity advances is a primary goal of the act.

I ask unanimous consent that Mr. Morrison's speech be printed in the Record.

There being no objection, the speech was printed in the Record, as follows:

Transport Productivity Advance Linked to Improved Earnings

(Remarks of J. Scott Morrison, Executive Vice President, Sea-Land Service, Inc., American Society of Traffic and Transportation, University of Akron, Akron, Ohio, August 29, 1972)

A serious discussion of productivity in transportation is long overdue. Looking back over many years of debates on transportation policy before the Transportation Research Forum, before the Transportation Association of America, before the Interstate Commerce Commission, in the Council of Economic Advisers and the DOT, before the various shipper groups, before the various academic groups which chew over transportation policy periodically, in the endless series of government studies on transportation the subject of transportation productivity hasn't had the priority it deserves.

When the word is used it is almost always associated with some sort of labor legislation and the issue discussed is not how to improve transport productivity but how to prevent strikes in transportation. The labor relations people have monopolized the subject. Important as minimizing work stoppages in transport has become, the productivity issue is much broader than the issue of work stoppages.

A session of this kind is therefore to be welcomed. The water carriers have been insisting that government and shippers take a new look at this important subject.

The ICC and the Price Commission and also the shippers are showing considerable interest. A proper understanding of how improved productivity in transportation is achieved is essential. We are not as clear as we should be on this subject.

Freight transportation accounts for 10 per cent of the gross national product—one dollar in 10 of all production expense. Improvement in transport productivity has fateful implications for the efficiency of the economy as a whole and for improving the cutting edge of the nation's ability to compete on the world scene.

Many experts in transportation appear to be stumbling around in considerable confusion when they discuss national policy.

They seize on numerous interesting themes and explore them in detail. How to invigorate competition—that's certainly important. Competition is a useful prod to improve efficiency. There is much discussion of government guaranteed loans for railroads. That's important if over decades the wellsprings of capital usually fed by improved productivity have been running dry. Shippers are active in knocking down rate increases. In a short-run, let-the-devil-take-care-of-the-future-sense that issue will absorb the energies of thousands of lawyers and cost experts. Since the ICC was formed in 1887, there has not been a single year in which the subject of freight car shortages hasn't been a lively topic. But shortages of freight cars are a symptom of neglect of the productivity issue, not the issue itself.

So it is good to see the productivity question itself taking center stage.

There are in fact two aspects to productivity.

The first involves the worker himself, the quality of his skills, the speed with which he produces, and how well he cooperates on the production team.

The other aspect is how management uses labor.

If management buys new technology which, for example, enables a worker to turn out twice as many buttons which the same effort and in the same time, then management has improved the use of labor. Similarly, mass production techniques have the effect of magnifying the effectiveness of a given labor input. Management can put the same crew, the same engine, the same basic facilities in a ship, but when it increases the carrying capacity from 10,000 tons to 100,000 tons, management improves its use of labor, achieving what the economists call "economies of scale.

Better use of labor is closely related to the amount of capital behind each worker. During the depression when there was massive unemployment, labor was plentiful and willing to work at low wages. There was little incentive to add to the capital behind each worker and, on the average, in the depression years little or none was added.

But since the war, the price of labor has been increasing. There has been incentive to back up the labor force with a major deepening of capital and the value of capital behind each worker has been increasing at slightly less than three per cent a year. Deepening the capital behind each worker is one way management makes more effective use of labor.

We are all familiar with the pressures operating in our economy. Wages of workers are not going down in the near future. The economy has been producing more jobs but also much better jobs and will continue to do so in the future. We have not heard that the price of ships is likely to go down, or the price of fuel, or other costs of production. Indeed for most of these items prices are continuing to climb.

Let me illustrate this from Sea-Land's experience.

Since 1960, fuel has increased by about 75 per cent. Wages of seamen have more than doubled, wages of long shoremen have more than doubled. Land costs for terminals have more than doubled. Prices of tractors for hauling containers have doubled. Construction costs in port have tripled. Prices of ships have increased ten times. Only containers themselves have been stable in price.

The rates Sea-Land has charged over the same period, however, have in fact declined!

Average rates to Puerto Rico, for example, are 12 per cent less than they were in 1960. To Alaska, containerized service rates are down 18 per cent. These percentages relate to the rates actually collected on cargo actually moved. On international services, average rates today are slightly less than when the service started in 1966.

Costs have risen sharply, but there is a tremendous gap between the trend in costs and the trend in rates; in fact, the two trends have gone in opposite directions.

And this is only part of the story. While rates on container services have declined, the introduction of the container system itself produced enormous savings to the shipper in his overall costs of handling freight.

Think back to the days when a shipment went through all the many handlings of the break-bulk system and the importance of productivity improvement resulting from containerization comes into focus. The old system required loading the package into a truck or rail car, out of the truck or rail car usually into a warehouse, out of the warehouse onto the dock, off the dock into the hold and the reverse of the process on the other side. Costly delays, breakage and pilferage, and the labor of constant rehandling, the insurance charges and all the rest made the use of ocean freighting expensive.

By introducing many times the investment per ton capacity, the container system was able to reduce costs to the consumer very substantially.

But since the introduction of the container system there has been a refinement and improvement of the system which has overcome very substantial cost increases. Let me now analyze how those cost increases have been contained.

Naturally, a very detailed study would be required to include every refinement, but a strong indication is the comparison of Sea-Land's World War II concerted tankers and its latest 33 knot super container ships.

The converted 15-knot tanker cost $4.2 million for 226 container spaces or about $20,000 of investment per container space. The newest ships cost slightly over $40,000, but carries 1,100 containers at 33 knots. This works out at $40,000 per container space, double that of the first ship, while the total cost of the ship is almost 10 times that of the first ship.

Thus the willingness to dramatically deepen the investment behind each container space and each employee, to employ the latest in technology, and take advantage of the economies of scale which result from a larger ship has had a profound effect on the level of rates paid by the shipper and the impact of transportation charges on the nation's international trade.

Before containerization, the American merchant fleet was limping into discard. But U.S.-flag container companies, without subsidy have been able to hold their own against low wage foreign competitors. There is a bright and growing future for U.S. employees in the container trade.

Transportation is usually described as a labor intensive industry, but an examination of the facts shows a different picture. It is probably slightly less labor intensive than manufacturing generally, certainly not more.

Wage and salary expenses are approximately half of the value added by manufacturing, $151 billion compared to $305 billion for 1970. For the most recent year available, employees compensation paid in the trucking industry amounted to $4.9 billion compared to total revenues of $11.5 billion, about 42 per cent, according to ICC figures. In railroads, employee compensation for 1970 was $5.5 billion compared to total revenues of about $12 billion, about 46 per cent. Class A and B barge lines paid out $110 million in employee compensation compared to total water line operating revenues of $370 million, or about 30 per cent. Sea-Land's wage and salary bill in 1970 was about 37 per cent of revenues.

But transportation *is* highly capital intensive, far more so than is generally recognized. In manufacturing, 50 cents of investment will produce a dollar of revenue. In railroading, it requires $3 in investment to produce $1 of revenue. In barging about $2 in investment are required to produce a dollar of revenue and the relationship is the same for Sea-Land—$1 billion in investment produces $360,000,000 in revenues.

Thus not only is the deepening of capital a critical factor in improving productivity, as I have said, but the availability of an adequate supply of capital is far more critical for transportation than it is for manufacturing.

Hence capital starvation for transportation is not just one factor among many causing difficulty, it is the paramount, the most important, the most crucial factor of all.

We are reaching some sort of crisis of understanding between the transportation industry and its shippers and regulators. The productivity battle has to be won. Buying more 15-knot converted World War II tankers won't do it for Sea-Land. The old type freight cars, control systems, yards, and track won't do it for railroads. The old type barges and towboats won't do it for the inland waterways. The old type system won't do it for trucking.

If there is to be any hope of stable or lower rates in the future, transportation must invest in the 33-knot ships, the electronic classification yards, the computer control systems for freight cars, and improved systems for trucking and barging.

Unless it has adequate revenues and earnings to invest in improved productivity, shippers and consumers are irrevocably condemned to a lock-step pass through of cost increases into rate increases.

The barge lines and container operators have demonstrated that it is possible, with appropriate investment, to contain cost increases. I have no doubt that if the performance of the economy generally were as good as that of Sea-Land and prices were today 12 per cent below the 1960 level there would be dancing in the streets. Inflation would be licked. Pressures for those mountainous wage and salary increases would be minimized and we could start living in a real world instead of the Kafka-like world of inflation.

Shippers are showing an appreciation of the situation. They are beginning to talk about allowing a fair return on investment, an "economic" profit. If they understood more of what adequate investment could do to buy productivity improvement they would do much more than say they are willing to allow it, they would make *sure* the revenues and earnings are adequate to attract the investment necessary—something like $40 billion—repeat, $40 billion—for surface transport alone between now and 1980, according to the DOT.

Adequate earnings are one side of a coin of which the other is adequate service. Starving transportation of funds for investment is the consumer's certain ticket to higher rates and prices.

Shippers are understanding this problem more and more clearly. But the regulators seem almost totally unaware of the role of investment in improving the productivity and efficiency of transportation. The bankers keep warning them that their actions have started a flight of capital from transportation but they pay no attention.

In one recent rate increase case in which the carrier involved was operating at rates well below the 1960 level, whose productivity improvement had been outstanding, whose service was excellent in every respect, the ICC approved a rate increase of 2 per cent which, the ICC calculated, would provide a rate of return of 3.3 per cent on investment.

The carrier involved could have taken his entire investment and put it in the savings bank at no risk and done substantially better. Such a decision may seem at first glance to be a victory for the shipper, but it is certain to be a pyrrhic one. It represents hopelessly benighted thinking. Somehow both consumers and producers of transportation must find a way to modernize such thinking. The hour is late.

On another occasion, in testimony before a Congressional committee, one of the regulatory Commissions said it was the view of the Commission that financing for modernization "should be sought in the capital markets and not be exacted from the shipper." Since all financing, debt and equity, is ultimately underwritten by the revenues and earnings of the carriers, all of which come from their customers, it is difficult to know even where to start in reaching common ground with such a total misunderstanding of the imperatives of financing transportation.

It is difficult to imagine an advocate of rate increases becoming a folk hero, but obviously the consumers of transportation have a vital stake in making sure that the $1 of every $10 of production expense spent on transportation is performed as efficiently as possible. The really ironic part of the story so far is that there is so much new productivity to buy.

We are not talking about esoteric technology with pie-in-the-sky possibilities. We are talking about ordinary things already available such as fixing the railroad road beds so that freight trains can go faster than an average of 20 miles per hour, consolidating many railroad freight terminals, building superports for the big tankers, improving computerized control of freight cars and containers, better distribution and gathering from truck terminals. The technology is there; the benefits in improved productivity are substantial and undisputed; the money to buy the technology is not there.

How translate the shippers' expressed willingness to pay a rate which will produce revenues and earnings that are "economic", that is will attract investment on a competitive basis?

The railroads, truckers and regulated water carriers a year ago agreed to support an amendment to the Interstate Commerce Act which would in fact provide Congressional guidelines to the ICC requiring it to develop standards for determining whether revenue and earnings levels are adequate. Such standards and guidelines would modernize the Commission's approach to the financing of transportation. The proposal pending in the Surface Transportation Act of 1972 was recently voted out of the subcommittee on transportation in both houses.

The idea of statutory revenue standards is now supported by very substantial segments of the shipping community, by water carriers, by the railroad industry and by the trucking industry. It is of course opposed by the ICC which naturally would like to retain the vague phrase "just and reasonable" as its only guide. But a Commission which can determine a 3.3 per cent rate of return as "just and reasonable" is urgently in need of far better guidelines.

The Civil Aeronautics Board, by contrast, over a decade ago on its own initiative developed guidelines for adequacy of revenues and earnings for airlines. There really is no excuse for the ICC not having done so long ago.

With such standards could come a proper future capital requirements study and an audit of the relationship of revenues to investment. The ICC might usefully develop a freight rate index and a productivity index and at long last an element of rationality can be introduced into the financing of transport productivity.

Expecting new investment in water carrier improved productivity on a 3.3 per cent rate of return isn't rational. Expecting railroads to improve their productivity on a rate of return of less than 2 per cent isn't rational. Lawyers for certain shippers argue in rate increase cases that because the railroads have staggered along for many years with a rate of return of less than 3 per cent they can continue to do so. That isn't rational. Expecting the "capital markets" to provide the money for improvement in productivity when the enterprise itself is faltering on the edge of bankruptcy isn't rational.

A new start is needed on this whole question of proper financing of transportation recognizing that transportation is unusually capital intensive and that therefore formation of capital adequate to take advantage of opportunities for improved productivity is the most important single question.

Shippers have long ignored the implications of low rates of return in transportation. As inflation continues and capital starvation becomes more pronounced, they are increasingly having to face the facts of life.

Many experts in transportation believe we may have only one more chance to keep railroads from being nationalized. That chance is contained in the shipper, water carrier, railroad and trucker supported Surface Transportation Act now on the verge of being voted out of both the House and Senate commerce committees. It could be enough to reverse the unfavorable trends of the past and turn the transport industry around by making possible investment in new productivity which is so urgently needed.

TRIBUTE TO JIM KEE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BLATNIK. Mr. Speaker, during these last days of the 92d Congress, I would like to pay a special tribute to JIM KEE, a most worthy Member of this body and of the House Public Works Committee, which I chair.

I have worked with JIM KEE since he came to Congress in 1965, and with his mother, Hon. Elizabeth Kee, and father, Hon. John Kee, since my own first election in 1946. The Kee family has left a long and lasting mark on the course of this Nation and a record of excellence of service to their district, to the State of West Virginia, and to the Nation.

Though I knew and esteemed JIM's parents, I am honored to know JIM best, as friend, colleague, and coworker in the fields of community development, pollution control, and the betterment of our most precious resource, the American people.

I have worked closely with JIM on the Public Works Committee where, as chairman of the Subcommittee on Conservation and Watershed Development, he brought his full knowledge, experience, and compassion to bear and produced some of the most far-reaching legislation ever to come out of the committee.

JIM also made a meaningful contribution to other legislation under the jurisdiction of the committee, such as water pollution control, economic development, especially the Appalachian Regional Development Act, highways, including our Interstate Highway System, disaster relief, and river and harbor development.

But with all his knowledge and grasp of national issues, the people of West Virginia came first with JIM.

He pioneered black lung legislation in Congress and introduced measures providing broader coverage for health and safety in the coal mining industry.

But beyond the great impact of his legislative record, JIM KEE is a compassionate man who cares deeply for his people. His warmth has shown through in committee and on the floor of the House and has been the inspiration and guiding force behind all his work in Congress.

Mr. Speaker, JIM KEE will be greatly missed by the Public Works Committee on which he served so well and by the Congress, even as his presence in the House will be missed by his constituents.

But I know that JIM's service to his people will be long remembered and I am confident that he will enjoy many years of respect and love from the people of West Virginia.

I am proud, Mr. Speaker, to join the legions of JIM KEE's admirers in wishing him long years of health, of continued service in many capacities, and the fulfillment of his dreams.

A SUMMARY OF THE GREAT AMERICAN GRAIN ROBBERY AND OTHER STORIES

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, I inserted in the last issue of the RECORD the first half of a summary of "The Great American Grain Robbery and Other Stories," by Martha M. Hamilton. At this time I ask permission to have the second half of the summary printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

A SUMMARY OF THE GREAT GRAIN ROBBERY AND OTHER STORIES

(By Martha M. Hamilton)

SEPARATING THE WHEAT FROM THE STAFF

Between the grain trade and the wheat grower stands the United States Department of Agriculture, supposedly a fair-handed referee on the issue of who gets the money involved in wheat production and marketing. Export Marketing Service (EMS) is the center of USDA's wheat export activities.

When Earl Butz bumped into Clifford Hardin as the new Secretary of Agriculture left Ralston Purina's board room and the former Secretary entered, the collision had some noisy repercussions. But former trade officials and USDA administrators glide noiselessly past each other through the doorway of EMS, changing faces and places but not policy. EMS handles export activities that enrich or depress the fortunes of the giant grain firms and influence the well-being of wheat growers.

The four firms that handle 90 percent of U.S. wheat exports have more than a passing interest in EMS personnel. Two former top USDA administrators now work for grain trade firms; two former grain trade officers work for USDA. One of the four firms recently picked up a fifth USDA official, EMS's retiring chief administrator.

The grain trade offers an attractive future for public administrators. As a result, administrators acquire an early overriding interest in the health of the industry, though no deals have been cut, no jobs have been offered. In the shuffle between industry and government, wheat growers' interests are lost. EMS officials perceive their job not as handling export operations to benefit the trade and producers, but as protecting the export industry—and themselves.

EMS is a relatively new branch of the Agriculture Department, a creation of former Assistant Secretary of Agriculture Clarence Palmby. Palmby left USDA in June 1972 to become corporate vice president for market planning and development for Continental Grain, one of the world's two largest grain shippers. Before he left, however, Palmby put together the precendent-breaking 1972 sale of feed grains and later wheat to Russia (with Continental handling the largest part of the sales).

Palmby's replacement was Carroll G. Brunthaver, who moved up from associate administrator of another USDA division. Brunthaver was associate director of research for an affiliate of Cook Industries, another large grain and cotton exporting company, before he joined USDA.

Claude Merriman, EMS assistant sales manager for commodity exports and a veteran USDA employee, retired in January 1972. He surfaced six months later as a consultant at Louis Dreyfus Corporation, an export firm which recently announced it is handling a 500,000 ton shipment of American wheat to mainland China.

Merriman's successor at EMS, George S. Shanklin, had managed Bunge Corporation's Washington, D.C. office for nearly seven years. Going to work for USDA was a homecoming for Shanklin, who served as chief of the commercial export branch of the grain division of the Commodity Stabilization Service from 1956 to 1965, in charge of wheat and wheat flour export payment programs. Export payments came under his purview again—one of the duties he took over from Merriman.

A fifth USDA official, EMS General Sales Manager Clifford Pulvermacher, was the next crossover: he left to take a job with Bunge.

In an interview with a trade publication, Pulvermacher reminisced about industry-government dealings:

"I've always felt strongly, it had to be a two-way street. It could not be the government imposing a rule. It had to be rather, the government suggesting it needed a rule and then asking the industry which rules do you think most workable. . . ."

The questionable aspect of the USDA-grain trade closeness is the lack of balance it brings. The program EMS administers are as important to farm income as they are to the grain trade and the national trade picture. Yet the attention and concern of EMS officials seem riveted on the trade and its needs. One outcome of this industry-government closeness is extreme protectiveness of the grain trade industry.

In an interview with two EMS officials in October 1971, the protective nature of the EMS bureaucracy came out in response to questions about who exports wheat from the United States. USDA doesn't keep such information about who sells how much, the AAP was told, because the Department didn't want to be in the position of explaining why a small number of companies sells a large percentage of the grain.

A second request for this "public" information provoked telephone calls from Phil Shapiro, assistant to the general sales manager for compliance, and Clyde Merriman. The officials stressed the difficulty of compiling such information and said that the Department does not "allow people to peruse these files." After still another effort AAP was told that the "public" subsidy figures might be available but only if the organization paid $1,493.28 to compile them. Senator Fred Harris (D.-Okla.) made similar inquiries. After months of correspondence, USDA acceded to a greatly simplified request—causing speculation among Harris' staff that USDA wanted to delay action on this request until January 1973, when Harris leaves the Senate.

USDA AS A PROCURER

Hunger, USA, a 1968 report, helped shake the nation into awareness of hunger in these fat United States and castigated USDA on several scores. It charged, among other things, that USDA's commodity purchasing and distribution programs operate to improve farm income rather than feed hungry people.

"Surplus commodities bought with Section 32 funds were sometimes distributed to the needy. But the commodities purchased were selected to maintain producers' markets, and consequently profits."

The report was only half accurate. Section 32 programs may not benefit the poor, but neither do they significantly improve farm income.

Recipients are not well served by a program that fails them nutritionally, culturally, in quality, distribution and lack of variety. Farmers are not well served by a program that removes a tiny amount of total production from markets, buys from agribusiness middlemen instead of farmers, buys products produced under circumstances that isolate growers from improvements in markets, and relies on trickle down benefits and psychological boosts to carry its good intention to producers. Farmers are charged with the costs of the program, even with its failure, in the public mind. But the only measurable benefit from purchases under Section 32 go to agribusiness middlemen.

In addition to its other relationships with farmers, USDA is a consumer. The Department buys food through three programs. Two programs are designed to improve farm income. A third exists to feed school children.

In their day to day operation, distinctions between the programs blur. Both Section 32—intended as an economic tool to improve farm income—and Section 6—primarily a child feeding program—are administered by the same department, Agricultural Marketing Service (AMS). AMS buys all non-dairy foods purchased under the two programs. Food purchase operations are operated by commodity divisions within AMS.

USDA begins thinking about what it will buy for each fiscal year when budget requests are drawn. Commodity divisions try to anticipate national supply and demand for each item they usually buy. While AMS is determining which commodities will need removal from the market, USDA's Food and Nutrition Service (FNS) projects its clients' demand for commodities.

Trade groups such as the Turkey Federation and National Canners Association maintain close relationships with commodity staffers in AMS. In many cases, according to a former administrator, these groups are actively involved in the decision about how much to buy.

The programs allow USDA and the comptroller general access for a period of three years to all company records related to purchase. USDA could use this provision to check on returns to producers and the efficacy of its program, but it rarely does. The department works to enforce some purchase requirements—particularly those relating to health and equal opportunity employment compliance.

Other rules receive no active enforcement. To determine whether its programs affect producers for whom they were designed, AMS relies on intuition. The department runs no analysis.

Section 32 which buys foods for distribution to needy families, disaster victims, school lunch programs, hospitals and others is the sole survivor of the Agricultural Adjustment Act of 1935. Section 32 is aimed at restoring the "price of the farmer's product to a parity to the same purchasing power that he had before 1929". Cynical congressmen expressed misgivings that the legislation would be abused by middlemen. The cynics were right.

Section Six of the National School Lunch Act of 1946, the School Lunch Program, had its roots in the same impulse—improving farm income. But the public sentiment fastened on to another issue and by the time it became law, concern for children overwhelmed concern for farmers, at least in the rhetoric.

The Agribusiness Accountability Project found that the programs have had small impact on improving farm income:

Most of the food the government buys is processed food. USDA relies on middlemen to relay benefits to producers but makes no attempt to determine whether or not processors it buys from are paying a fair price for raw produce.

While the rewards of the purchasing program to agribusiness middlemen are not huge, they receive a real measureable benefit from the program. Benefits to producers are described as "psychological."

Many of the products USDA buys are produced under vertical integration. Often commodities are produced under contract—with terms and conditions of sale negotiated in advance of delivery to the middleman and well in advance of USDA's purchase from the processor.

The amount of food removed from the market through purchases under Section 32 and 6 is small—too small to have much impact on prices.

THE MAN IN THE MIDDLE

USDA buys primarily from middlemen, not farmers, for the Commodity Distribution and School Lunch programs. Convenience and consumer tastes are said to be the overriding reasons for buying processed foods. Whatever the reasons, the processor and not the farmer gets the money that USDA spends through these programs. The sums are large in comparison to farm program payments.

The largest sum received by a processor under these procurement programs was more than $17 million paid to subsidiaries of Ling-Temco-Vought. The largest farm program payment in 1971 was only a third of that—$4.4 million.

Who, then, are USDA's suppliers? Fifty-six processors sold more than a million dollars' worth of goods each to USDA in fiscal 1971:

Wilson and Company, third largest meat packer in the United States, sold more than seventeen million dollars' worth of meat and poultry to USDA;

Oscar Mayer, the nation's sixth largest meat packer, sold over 12 million dollars worth of canned pork, canned chopped meat, and frozen pork to USDA;

Armour and Company, the Nation's second largest meat packer, sold over two million dollars worth of cut-up chicken, frozen turkey, frozen ground beef and frozen pork to USDA;

Sunsweet Growers, the world's largest dried tree fruit handlers, sold almost four million dollars worth of dried prunes to USDA;

Del Monte, reportedly the largest producer and distributor of canned fruits and vegetables in the world, sold over two million dollars worth of goods to USDA;

Ralston Purina, leader in vertical integration of poultry production and presently integrating hog production, sold over one million dollars worth of frozen turkey to USDA; compared to only nine growers who received more than $1 million in farm program payments in 1971. Here is the list of USDA's million-dollar sellers, ranked according to their sales to the Department:

Sellers from whom USDA procured more than $1 million worth of commodities in fiscal year 1971

Wilson & Co. (subsidiary of LTV)	$17, 210, 680
Blue Star Foods	17, 050, 563
Carnation Co	13, 236, 244
Oscar Mayer	12, 041, 106
Krey Packing Co	8, 603, 281
Tony Downs Foods	8, 539, 274
Packerland Packing Co	7, 721, 957
North American Packing Corp	7, 191, 852
Midcontinent Meats	7, 181, 845
Southeastern Poultry, Inc	7, 158, 296
Armour & Co. (subsidiary of Greyhound Corp.)	5, 215, 237
Tri/Valley Growers	4, 750, 993
Marshall Produce Co	4, 433, 396
Needham	4, 115, 599
Wilbur-Ellis Co	4, 081, 567
Sunsweet Growers	3, 912, 612
Granite State Canning	3, 657, 002
Sunkist Growers	3, 362, 875
Royal Meat Co	3, 227, 529
Hygrade Food Products	2, 940, 682
Max Bauer Meat Packer	2, 913, 030
Norbest Turkey Growers Association	2, 884, 784
Roberts Dairy Co	2, 430, 396
Milton G. Waldbaum Co	2, 420, 722
Montemelo, Inc	2, 315, 042
California Canners and Growers	2, 191, 910
Kauzor and Co	2, 178, 920
Dubuque Packing Co	2, 146, 857
Del Monte Corp	2, 121, 112
Rogers Brothers	2, 026, 575
Schwartz & Co	1, 956, 084
Michigan Bean Co. (division of Wickes Co.)	1, 946 ,408
Stokely-Van Camp	1, 803, 980
Castle & Cooke Inc	1, 790, 670
Marnat Packing Co	1, 572, 197
Monark Egg Co	1, 539, 442
Dennis Foods Co	1, 473, 965
Ben Hill Griffin	1, 408, 461
B. C. Rogers and Sons	1, 390, 190
Mayfair Packing Co	1, 343, 122
Tillie Lewis Food (Subsidiary of Ogden Corp.)	1, 326, 763
D & D Bean Co	1, 319, 177
Koch Beef Packing	1, 281, 179
Sun Garden Packing Co	1, 264, 352
Swift & Co	1, 258, 166
California Bean Growers Association	1, 207, 043
The National Fruit Product Co	1, 182, 456
Iowa Beef Processors	1, 141, 718

Sellers from whom USDA procured more than $1 million worth of commodities in fiscal year 1971—Continued

Tabor City Foods	$1,106,570
World Wide Meats	1,102,980
Gem Inc	1,088,068
Joan of Arc Co	1,078,234
Citrus World Inc	1,077,427
A. J. Pietrus and Sons	1,064,141
Ralston Purina	1,154,361
Valley View Packing	1,026,348

WHO KNOWS?

Though it is not necessarily important to know how well USDA procurement programs work, it is still worth noting that there are those who are interested in selling to USDA who are not informed that the opportunity exists.

The AAP asked meat packers why so few of them sell to USDA. Two hundred meat packers selected at random from the Directory of Meat and Poultry Inspection Program Establishments issued by AMS received questionnaires in the mail. Slightly more than a third of the companies contacted responded. (One plant owner suggested that the low response may have been due to fear that the AAP was a bogus front for competitors.)

Many did not know that USDA purchased meat. One meat packer said: "We always thought only large companies could bid on government food orders . . ."

Unlike some government agencies, USDA does not have a program to set aside funds for purchases from small businesses. When someone within a division of the Department decides to identify purchases according to company size, it is done on the basis of an "educated guess."

In short, USDA has not opened its competitive bidding operation to assure that information on its purchases is widely available. And in some commodities an imbalance exists between the shares of the market held by large and small businesses.

THE TRICKLE DOWN THEORY

USDA literature on food donation programs focus on the recipients and not the producers. For years now, USDA's food distribution failures have been said to be induced by USDA's service on behalf of farm income. A bill by Senator Charles Percy noted that the "program now in effect is said to be designed and administered for the benefit of the producers of surplus agricultural commodities rather than for the benefit of low income households in need of adequate nutritious food."

Purchases made under the school lunch and commodities programs do not even have that redeeming value. Under these programs USDA buys from agribusiness processors and relies on "unloading the market" to trickle down to farmers.

Trickle down benefits and psychological boosts for farm prices are poor tools for improving farm income. In some commodities, shape of production has changed so radically since the programs were formulated that income improving features seem hopelessly out of tune. For example, vegetables used for processing are no longer produced by independent growers acting individually who occasionally create price depressing surpluses. Some 95 percent of all vegetables grown for processing are produced under vertically integrated contracts. Only three percent of the total national broiler production is independent. Vertical integration in the production of every commodity that USDA programs handle (except potatoes and dried peas and beans) increased from 1960 to 1970.

USDA's purchase programs are designed for open market situations where price improvement can be taken advantage of by farmers. But producers of the commodities USDA buys have moved away from an open market toward contracting to eliminate risks. When contracts for farm produce set low prices, USDA's purchases cannot help; they do little to increase farmer bargaining power. The balance of power between processors and contract farmers usually is lopsided.

Unless USDA buys from cooperatives which have vertically integrated from farming into processing, financial ripples from the money spent may never reach the farmer. The average USDA payment for canned corn to processors in 1970, for example, was 11 cents per pound, while the average price received by the farmer was 1.2 cents per pound.

With a few exceptions, USDA purchases under the food programs are too small to influence prices. In fiscal 1971, USDA removed less than one percent of total pork production from the market, although production increased by 18 percent.

The Commodity Distribution program has two goals—to improve farm income and to feed hungry people.

Does it do an adequate job in achieving either goal? AAP research suggests it does not.

Are both goals worth accomplishing? The answer is an unequivocal yes.

Can programs with a dual focus do an adequate job of accomplishing either an improvement in farm income or in the diets of those who need assistance? Each goal deserves undivided attention.

Who benefits from the program? The man in the middle does best from it.

CONCLUSION

One thread runs through USDA's handling of its procurement policies, USDA's stand on the International Wheat Agreement and wheat exports, and USDA's management of the great American grain robbery. In programs and activities originally designed to improve farm income, there are substantial benefits (often in the form of direct cash payments) to large agribusiness corporations and conglomerates as well.

USDA's actions may not benefit the farmer at all, or may only after they trickle down to the farmer through an agribusiness sieve. The farmer's welfare generally seems incidental.

The farmer is not well served in terms of the money and manhours spent by the U.S. Department of Agriculture. USDA officials are always quick to point out the money and effort that goes to serve consumers rather than farmers. The Department fails to point out that a large share of the budget is spent on behalf of agribusiness corporations—corporations frequently at odds with the American farmer.

(FIGURE I)

STORAGE AND HANDLING PAYMENTS TO 6 MAJOR GRAIN TRADING FIRMS

	1971	1970	1963	1962	1961
Archer Daniels Midland	2,499,887	4,311,652	4,875,545	2,779,579	5,134,987
Bunge	1,853,922	2,161,594	1,821,093	1,852,199	1,696,717
Cargill	8,776,475	4,707,859	5,831,717	19,376,218	24,925,192
Continental Grain	5,357,486	3,499,887	4,059,334	3,728,182	6,190,879
Dreyfus			1,057,940	602,365	816,077
Peavey	3,459,059	2,391,055	4,690,655	4,604,223	4,169,304

TABLE 2.—WHEAT EXPORT PAYMENTS FOR FISCAL YEAR 1971

Exporter	Total quantity bushels (1,000)	Total estimated f.o.b. value (1,000)	Total export payments (1,000)
Cargill, Inc., Minneapolis, Minn	147,362	$238,797	$34,836
Continental Grain Co., New York, N.Y	124,750	200,614	25,512
Cook Industries, Inc., Memphis, Tenn	94,089	149,279	16,619
Bunge Corp., New York, N.Y	38,348	62,035	8,346
Louis Dreyfus Corp., New York, N.Y	30,050	47,867	7,307
Union Equity Cooperative Exchange, Enid, Okla	29,621	47,298	3,605
Garnac Grain Co., Inc., New York, N.Y	22,533	36,237	4,381
Mitsui & Co. (U.S.A.), Inc., New York, N.Y	20,767	33,539	4,564
Goodpasture, Inc., Galena Park, Tex	19,189	31,022	2,495
Nichimen Co., Inc., New York, N.Y	15,665	25,456	4,519
Kanematsu-Gosho (U.S.A.), Inc., Portland, Oreg	11,896	19,112	3,675
C. Itoh & Co. (America), Inc., New York, N.Y	10,216	16,332	3,425
Mitsubishi Corp., New York, N.Y	9,427	15,365	2,408
Agricol Corp., Inc., Philadelphia, Pa	8,541	13,866	2,731
Marubeni America Corp., New York, N.Y	8,075	13,193	2,155
United Grain Corp., Portland, Oreg	6,931	10,975	1,355
Peavey Co., Minneapolis, Minn	6,560	11,611	1,876
Toshoku America, Inc., New York, N.Y	6,239	9,751	1,517
C. B. Fox Co., New Orleans, La	5,811	10,103	1,432
North Pacific Grain Growers, Inc., Portland, Oreg	5,075	$8,138	$779
Toyomenka, Inc., New York, N.Y	4,841	7,734	1,486
International Multifoods, Corp., Minneapolis, Minn	4,542	8,168	1,440
The Pillsbury Co., Minneapolis, Minn	4,399	7,939	1,342
West Coast Resources, Inc., Portland, Oreg	4,085	6,292	620
Nissho-Iwai American Corp., New York, N.Y	3,292	5,272	831
Sumitomo Shoji America, Inc., New York, N.Y	2,350	4,055	194
General Mills, Inc., Minneapolis, Minn	2,005	3,493	688
Ataka America, Inc., New York, N.Y	1,704	3,041	680
Producers Grain Corp., Amarillo, Tex	1,243	1,839	132
Alfred C. Toepfer, Inc., New York, N.Y	275	437	104
Garvey Grain, Inc., Wichita, Kans	280	404	54
Tidewater Grain Co., Philadelphia, Pa	225	348	47
Archer-Daniels Midland Grain, Minneapolis, Minn	113	267	39
Barzen of Minneapolis, Inc., Minneapolis, Minn	14	48	2
Berns & Koppstein, Inc., New York, N.Y	5	20	1
Total export payments			141,206

Source: From figures supplied to Senator Fred R. Harris by the U.S. Department of Agriculture.

TV AND VIOLENCE

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, America has always been a relatively violent Nation. Considering the tremendous historical forces that have shaped us, it would be astonishing were it otherwise. With increasingly rapid social change in recent years, different forms and nuances of violence have been produced with varying patterns of motivation, aggression, and victimization. It is my belief that much of that motivation comes from an unjustified amount of violence on television. Others concur.

In 1969, the National Commission on the Causes and Prevention of Violence issued a statement in which it concluded that violence on television encourages real violence. The Commission recommended: First, a reduction in programs containing violence; and, second, elimination of violence from children's cartoon programs—instead, children's cartoons are the most violent part of TV today. The FCC has also addressed itself to the problem of violence in the media. More recently, the "Report of the U.S. Surgeon General on Television and Growing Up: The Impact of Televised Violence," and hearings on the Surgeon General's report by the Subcommittee on Communications of the Senate Commerce Committee, have established the justification for possible controls on the use of violence in television programing.

Today, the television industry reaches an audience of varying age, intelligence, literacy, interest, and sociocultural background. Of great concern to me is the effect television violence will have, and has had, on our children. To a large degree, television has increasingly become a surrogate for parents as a definitive voice and national shaper of views. In spite of its increasing responsibilities, the television industry has been reluctant to take action in reducing violence on programs because of their fear that such action might reduce audience attention and advertising dollars. In challenging the television industry to institute some manner of controls, former FCC Commissioner Newton Minow stated that—

> It is not enough to cater to the Nation's whims but that it is essential to serve the Nation's needs.

I subscribe to that view. Controls are needed. Others have also responded to the challenge to limit violence on television include the National Business Council for Consumer Affairs—NBCCA.

I commend them for their efforts in this field and urge them to do more. I ask unanimous consent that a press release on their report entitled, "Violence and the Media" recently released by the NBCCA and excerpts from the report itself be inserted in the RECORD at this point.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NBCCA SEEKS VOLUNTARY CURBS ON VIOLENCE IN THE MEDIA

MINNEAPOLIS, MINN.—The National Business Council for Consumer Affairs today released a report entitled "Violence and the Media" calling for further voluntary restraints by advertisers and others in the use of violence in the media pending the results of in depth research.

In a report to Commerce Secretary Peter G. Peterson, the NBCCA Advertising and Promotion Sub-Council cited the U.S. Surgeon General's report on *Television and Growing Up: The Impact of Televised Violence*, and the Senate Commerce Committee's hearings on the subject and said that "there may be a link between televised violence and aggressive behavior by certain individuals in our society."

Recognizing that advertisers should not attempt to "censor" program content—particularly in areas such as news reporting, the Sub-Council declared, "To the extent that depiction of violence in media may contribute to the encouragement of violence, those of us who bear any responsibility for media presentations must be concerned."

U.S. Surgeon General Jesse Steinfeld—in Minneapolis for the news conference—hailed the report as "a welcome commitment from the business community to take immediate, positive steps to significantly reduce violence in the media, especially in children's programming."

Dr. Steinfeld joined William D. Lee, Executive Director of the NBCCA; Robert Keith, Chairman of the Board, The Pillsbury Company; and Archibald McG. Foster Chairman of the Board, Ted Bates & Company, for the morning news conference. Mr. Keith and Mr. Foster serve as Chairman and Co-Chairman of the NBCCA Sub-Council.

Mr. Keith explained that the Sub-Council urged immediate adoption of a three-point program which he said "might stimulate further voluntary action to eliminate the use of gratuitous violence in the media.

The program calls for:

The encouragement and development on an individual basis of specific policies and procedures by media, program producers, and all involved in creation and delivery of media presentations, which will "help eliminate gratuitous use of violence" and provide standards for acceptable depiction of violence, when it has material relevance to the message conveyed.

Encouraging advertisers and advertising agencies to establish individual policies designed to "reduce further the use of violence as an attention-getting device in any and all contexts, whether it be an attempt to win attention for an advertisement or to win audience for a program, and

Encouraging intensive and careful research by academicians and appropriate agencies to determine more specifically the impact of depicted violence on the media's consumers, in the realization that further work is needed to identify clearly the nature and extent of the problem.

The National Business Council for Consumer Affairs was established by President Nixon in August, 1971, to help formulate voluntary action program by business to aid consumers.

It is composed of over 100 leading U.S. business executives.

In June, the NBCCA Sub-Council on Packaging & Labeling published "guidelines for Responsible Packaging and Labeling" which outlined a set of broad proposals within which businesses could act to better inform and better serve consumers through more effective packaging and labeling practices.

In early October, the Sub-Council on Advertising and Promotion will release two additional reports—Corporate Advertising and Promotion Policies and Procedures, and Substantiation of Advertising Claims.

VIOLENCE AND THE MEDIA

Richard Nixon, August 5, 1971:

"In recent months I have been gratified by the increasing desire of the business community to take a more active role in meeting the concerns of the American consumer. These businessmen recognize that the concerns are widespread and often spring from valid complaints. They also share my belief that neither the government nor the consumer movement can alone solve these problems, but that we must also rely upon the traditional goodwill and sound practices of the business community.

"Because of this growing interest, I have today signed an executive order creating the National Business Council for Consumer Affairs . . ."

STATEMENT ON VIOLENCE AND THE MEDIA

The issue of the impact of violence in the nation's media has surfaced as a major concern in the past months. The Surgeon General recently has published a comprehensive study entitled "Television and Growing Up: The Impact of Televised Violence." Intensive hearings on the subject have been held in the Congress of the United States, through the Sub-Committee on Communications of the Senate Commerce Committee. While existing data are not conclusive, we do feel that these recent contributions indicate that there may be a link between televised violence and aggressive behavior by certain individuals in our society.

As members of the Sub-Council on Advertising and Promotion of the National Business Council for Consumer Affairs, as businessmen, and as advertisers, we are concerned. We are concerned about the violence and crime in this country, and about any actions that might help provide prevention and cure.

Until the results of more definitive research are published, we presume televised violence in the media may be a factor in stimulating aggressive and violent behavior by some members of our society. In recognizing this fact, we do not suggest that the elimination of violence in media will eliminate crime. It won't. However, to the extent that depiction of violence in media may contribute to the encouragement of violence, those of us who bear any responsibility for media presentations must be concerned. At the same time, we recognize also that advertisers should not attempt to "censor" program content, particularly in areas such as news reporting, but we do believe that certain positive steps can be taken now by all involved.

We therefore request the Secretary of Commerce to call on all members of the business community, including advertisers, advertising agencies, and media, for their support of the interim principles and goals indicated in the following statement:

First, to encourage the development on an individual basis of specific policies and procedures by media, program producers, and all involved in the creation and delivery of media presentations, which will *help eliminate gratuitous use of violence* and provide standards for acceptable depiction of violence, when it has material relevance to the message to be conveyed.

Second, to encourage advertisers and advertising agencies to establish individual policies designed to *reduce further the use of violence as an attention-getting device* in any and all contexts, whether it be an attempt to win attention for an advertisement or to win audience for a program.

Third, to *encourage intensive and careful research* by academicians and appropriate agencies to determine more specifically the impact of depicted violence on the media's consumers, in the realization that further work is needed to identify clearly the nature and extent of the problem.

As representatives of major advertisers, advertising agencies, and media . . . and as members of the NBCCA Sub-Council on Advertising and Promotion . . . we pledge our personal commitment to these objectives.

In this regard, we commend particularly the television network representatives who have outlined specific new policies and practices designed to control further the use of violence on television, and particularly in children's programming.

It is not our intent to imply that it is in the best interest of society for television programming to depict our community as being free of violence. Presentations by media are often necessarily a reflection of life as it was lived that day, and as such must mirror truthfully the good and the bad. It would serve us little were television programs to portray only the credit side of the ledger of life and fail to prepare society, particularly our youth, to recognize and be able to cope with the debit side. We recognize, however, that much is at stake, and careful consideration must be given to any depiction of violence.

As members of the National Business Council for Consumer Affairs we are charged by Executive Order of the President with the responsibility of advising the President through the Secretary of Commerce on programs of business relating to consumer affairs. Accordingly, we are also asking Secretary Peterson to convey this statement to President Nixon, both as an expression of our concern, and as a commitment on behalf of the business community to seek further definition and resolution of the problem.

WILLIAM R. HULL, JR.

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FISHER. Mr. Speaker, one of the most able and faithful men who has served in this body in recent years has been Bill Hull of Missouri. His decision not to seek reelection this year is most regrettable. Bill has always put the welfare of the country ahead of politics when the big decisions have been made here. It is too bad we do not have more like him in the Congress.

In his retirement I wish Bill the very best of good health and happiness. Now in the prime of life, we must assume he will continue to be actively interested in those things which will promote the cause of good government at all levels.

Bill Hull has a host of friends in the Congress who will miss him and hope for the better things in life for him in the years ahead.

THE NUTRIENT CYCLES OF AN ECOSYSTEM

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. McGEE. Mr. President, there is mounting evidence, not only that an increasing number of citizens are dissatisfied with the management of our public forests, but that scientists, too, are becoming more deeply concerned about the effects of widespread clear-cutting in our national forests. The approach of these men was, perhaps, best summed up by Donald L. Dahlsten, associate professor of entomology at the University of California, when he told the Public Lands Subcommittee last month—

> Now is the time to consider our forest management practices with a fresh approach so that forestry in the future will have an ecological and biological orientation and not just have an economic orientation as exists now in all the responsible agencies. A truly interdisciplinary approach is mandatory if healthy stands are to be maintained.

Other scientists have raised issues. Dr. Donald H. Gray, associate professor of civil engineering at the University of Michigan, working with the support of the National Science Foundation, has been studying slope stability and the impact of clear-cutting on that important factor. Based on his still-underway research, he has reported that there is overwhelming evidence to suggest that large-scale clear-cutting promoted accelerated soil erosion and increased the susceptibility to mass soil movement. His statement too was given to the Public Lands Subcommittee in its April hearings.

Yet another field of inquiry has been studied and reported upon in the October 1970 edition of Scientific American by two distinguished natural scientists whose work has been conducted in the White Mountains of New Hampshire in cooperation with the U.S. Forest Service itself. The project involved the denuding of one small watershed, part of an overall ecosystem. Admittedly, the technique was a bit extreme, but it has demonstrated that there was in this instance an accelerated loss of soil nutrients as the result of defoliation of the forest. The necessary implication that must be pointed out, I feel, is that we must simply begin to give serious consideration to the impact of logging operations, especially the ever-widening practice of taking all timber from a given area, at each and every turn. We must consider entomology, soil stability, soil fertility, water quality, regeneration. Or, as Dr. Dahlsten testified, we must move toward an ecological and biological orientation and not just an economic orientation with regard to the management of our national forests.

That, Mr. President, is the purpose of the bill, S. 1592, which I have introduced with the aim of establishing an interdisciplinary commission to make a thorough study of clear-cutting practices.

Mr. President, because it has not appeared in the record of the subcommittee considering forest management prior to this, and because it bears importantly upon the issue at hand, I ask unanimous consent that the article "The Nutrient Cycles of an Ecosystem" by Dr. F. Herbert Bormann, professor of forest ecology at Yale and president of the Ecological Society of America, and Dr. Gene E. Likens, of Cornell University, which appeared in the October 1970 Scientific American be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Nutrient Cycles of an Ecosystem

(By F. Herbert Bormann and Gene E. Likens)

(Note.—F. Herbert Bormann and Gene E. Likens ("The Nutrient Cycles of an Ecosystem") are respectively Oastler Professor of Forest Ecology at Yale University and associate professor of zoology at Cornell University. Bormann, who obtained his Ph.D. in plant ecology from Duke University, taught at Emory University from 1952 to 1956 and at Dartmouth College from 1956 until he went to Yale in 1966. He is president-elect (for 1970–1971) of the Ecological Society of America. Likens, who received his bachelor's degree at Manchester College and his master's and doctor's degrees from the University of Wisconsin, was on the faculty at Dartmouth before going to Cornell last year.)

An ecological system has a richly detailed budget of inputs and outputs. One of the reasons it is difficult to assess the impact of human activities on the biosphere is the lack of precise information about these inputs and outputs and about the delicate adjustments that maintain a balance. As a result the people planning a project such as the logging of a forest or the building of a power plant often cannot take into account or even foresee the full range of consequences the project will have. Even if they could, the traditional practice in the management of land resources has been to emphasize strategies that maximize the output of some product or service and give little or no thought to the secondary effects of the strategies. As a result one sees such ecological maladjustments as the export of food surpluses while natural food chains become increasingly contaminated with pesticides and runoff waters carry increasing burdens of pollutants from fertilizers and farm wastes; the cutting of forests with inadequate perception of the effects on regional water supplies, wildlife, recreation and aesthetic values, and the conversion of wetlands to commercial use with little concern over important hydrologic, biological, aesthetic and commercial values lost in the conversion.

It seems evident that a new conceptual approach to the management of resources would be desirable. One approach that has been suggested is to consider entire ecological systems. In an experimental forest in New Hampshire we and the U.S. Forest Service have been conducting a large-scale investigation aimed at supplying the kind of information that is usually lacking about ecosystems. The investigation represents a multidisciplinary collaboration between workers at a number of universities and in several government agencies.

The investigation has involved two major operations. First we attempted to determine the inputs and outputs affecting the forest under normal circumstances. Then we inflicted a serious disruption on an ecosystem by cutting down an entire section of the forest. Over a period of years we have been measuring the results of that drastic action on the ecosystem's budget of nutrients. We believe our findings help to show how a natural ecosystem works and what happens when man perturbs it. Moreover, our data provide a conceptual basis for taking into account the ecological factors that in the long run determine whether or not a new technology or a particular economic policy is wise.

An ecosystem, as we use the term, is a basic functional unit of nature comprising both organisms and their nonliving environment, intimately linked by a variety of biological, chemical and physical processes. The living and nonliving components interact among themselves and with each other; they influence each other's properties, and both are essential for the maintenance and development of the system. An ecosystem, then, can be visualized as a grouping of components—living organisms, organic debris, available nutrients, primary and secondary minerals and atmospheric gases—linked by food webs, flows of nutrients and flows of energy.

A typical forest ecosystem might be visualized as a 1,000-hectare stand of mature deciduous forest. (A hectare is 2.47 acres.) The lateral boundaries of the system can be either an edge of the stand or an arbitrarily determined line. The upper boundary is the treetop level, and the lower one is the deepest level of soil where significant biological activity takes place.

Our ecosystem is in the Hubbard Brook Experimental Forest, which is maintained in the White Mountain National Forest by the Forest Service. We have focused on the movement of nutrients across the boundary of the system (both in and out) and their circulation within it. Nutrients are found in four basic compartments of the ecosystem that are intimately linked by an array of natural processes. The organic compartment consists of the living organisms and their debris. (There are probably more than 2,500 species of plants and animals in a 1,000-hectare system.) The available-nutrient compartment is composed of nutrients held on the surface of particles of the clay-humus complex of the soil or in solution in the soil. Roots as they grow produce positively charged hydrogen ions that exchange with the nutrient ions (of calcium, magnesium and so on) held on the negatively charged particles, and the nutrients are then taken up by the roots. The third compartment consists of soil and rocks containing nutrients in forms temporarily unavailable to living organisms. The atmospheric compartment is made up of gases, which can be found not only in the air but also in the ground.

Nutrients can flow between these compartments along a variety of pathways. In most cases the flow is powered directly or indirectly by solar energy. Available nutrients are taken up and assimilated by vegetation and microorganisms. They also circulate in complex food webs within the organic compartment, subsequently being made available again through decomposition or leaching. Minerals in soil and rock are decomposed by weathering, so that nutrients are made available to organisms. Sometimes available nutrients are returned to the soil-and-rock compartment through the formation of new minerals such as clay. Nutrients tend to cycle between the organic, available-nutrient and soil-and-rock compartments, forming an intrasystem cycle. Nutrients in gaseous form are continually being transferred to and from other compartments by inorganic chemical reactions such as oxidation and reduction and by organic reactions related to such processes as photosynthesis, respiration and the fixation and volatilization of nitrogen.

An ecosystem is connected to the surrounding biosphere by its system of inputs and outputs. They arrive or leave in such forms as radiant energy, gases, inorganic chemicals and organic substances. Inputs and outputs can be transported across ecosystem boundaries by meteorological forces such as precipitation and wind, geological forces such as running water and gravity and biological vectors involving the movement of animals in and out of the system.

Ordinarily it is difficult to measure the input-output relations of an ecosystem, particularly those involving nutrients. The nutrient cycle is closely connected to the water cycle: precipitation brings nutrients in, water leaches them from rocks and soil and stream flow carries them away. Hence one cannot measure the input and output of nutrients . . . input and output of water. The problem usually is that subsurface flows of water, which can be a significant fraction of the hydrologic cycle, are almost impossible to measure.

Several years ago it occurred to us that under certain circumstances the interaction of the nutrient cycle and the hydrologic cycle could be turned to good advantage in the study of an ecosystem. The requirements are that the ecosystem be a watershed underlain by tight bedrock or some other impermeable base. In that case the only inputs would be meteorological and biological; geological input need not be considered because there would be no transfer between adjacent watersheds. In humid areas where surface wind is a minor factor losses from the system would be only geological and biological. Given an impermeable base, all the geological output would inevitably turn up in the streams draining the watershed. If the watershed is part of a larger and fairly homogeneous biotic unit, the biological output tends to balance the biological input because animals move randomly in and out of the watershed, randomly acquiring or discharging nutrients. Thus one need measure only the meteorological input and the geological output of nutrients in order to arrive at the net gain or loss of a given nutrient in the ecosystem.

This is the approach we use at Hubbard Brook, where we have been studying six contiguous watersheds ranging in size from 12 to 43 hectares. They are all tributary to Hubbard Brook and forested with a well-developed, second-growth stand of sugar maple, beech and yellow birch. The forest has been undisturbed by cutting or fire since 1919, when much of the first growth was removed in lumbering operations.

We measure the meteorological inputs to these watersheds by means of a network of gauging stations. We measure the geological outputs by means of a weir built at the foot of each watershed, that is, at the point where the principal stream leaves the watershed. With the weir, which also includes a ponding basin, one can both measure the water that is leaving the watershed and, by combining these data with frequent chemical measurements, ascertain the quantities of chemical substances that are leaving the watershed.

Inasmuch as the impermeable base prohibits deep seepage in these watersheds, the loss of water by evaporation and by transpiration through leaves is calculated by subtracting the hydrologic output from the hydrologic input. Water budgets for the six watersheds from 1955 to 1968 indicate an average annual precipitation of 123 centimeters and a runoff of 72 centimeters, with evapotranspiration therefore averaging 51 centimeters. Precipitation is distributed rather evenly throughout the year, but runoff is uneven. Most of the runoff (57 percent) occurs during the snowmelt period of March, April and May; indeed, 35 percent of the total runoff occurs in April. In contrast, only .7 percent of the yearly runoff takes place in August.

We accomplish chemical measurements by taking weekly samples of the water output (stream water at the weir) and collecting the total weekly water input (rain and snow) and analyzing them for calcium, magnesium, potassium, sodium, aluminium, ammonium, nitrate, sulfate, chloride, bicarbonate hydrogen ion and silicate. The concentrations of these elements in precipitation and in stream water are entered in a computing system where weekly concentrations are multiplied by the weekly volume of water entering and leaving the ecosystem. In this way the input and output of chemicals is computed in terms of kilograms of an element per hectare of watershed.

Knowing the input and output of chemicals, we have made nutrient budgets for nine elements. Considering four of the major ones, we find the following annual averages in kilograms per hectare entering the system and being flushed out of it: calcium, 2.6 and 11.8; sodium, 1.5 and 6.9; magnesium, .7 and 2.9, and potassium, 1.1 and 1.7. These inputs and outputs represent connections of the undisturbed forest ecosystem with worldwide biogeochemical systems. The data also provide a comparative basis for judging the effects of managerial practices on biogeochemical cycles.

Net losses of calcium, sodium and magnesium were recorded each year even though the period of measurement included wet and dry years as well as years of average precipitation. Potassium, a major component of the bedrock, showed net gains in two years and a smaller average net loss than was recorded for the other elements. Evidently potassium is accumulating in the ecosystem with respect to other elements. One reason may be that it is retained in the structure of illitic clays developing in the ecosystem. Perhaps also potassium is retained in proportionately larger amounts than other elements are in the slowly increasing biomass of the system.

Highly predictable relations appear between the concentrations of dissolved chemicals in stream water and the discharge rates of the stream. For example, the concentrations of sodium and silica are inversely related to discharge rates, whereas the concentrations of aluminum, hydrogen ion and nitrate increase as discharge rates increase. Magnesium, calcium, sulfate, chloride and potassium are relatively independent of discharge rate.

The magnitudes of change of concentration, however, are fairly small. The concentrations of potassium, calcium and magnesium hardly change at all, and the concentrations of sodium decreases by only three times as the discharge rate increases by four orders of magnitude. These results were unexpected: we had thought that during the spring melt period there would be considerable dilution, making the concentrations of elements in stream water relatively low. All these relations show how strongly stream-water chemistry is under the control of processes inherent in the forest ecosystem.

Because of the comparative constancy of chemical concentrations, the total output of elements is strongly dependent on the volume of stream flow. Hence it is now possible, knowing only the hydrologic output, to predict with fair accuracy both the output and the concentration of chemicals in the stream water draining from our mature, forested ecosystem. This relation would seem to have considerable value for regional planners concerned with water quality.

A particularly interesting finding is that almost the entire loss of cations (positively charged nutrient ions) from the undisturbed forest ecosystem is balanced by the input of positively charged hydrogens ions in precipitation. The proportion of hydrogen ions is related to the amount of sulfate in precipitation. It is estimated that 50 percent of the sulfate in precipitation results from industrial activities that put sulfur dioxide and other sulfur products into the air. These sulfur compounds may ultimately form ionized sulfuric acid, which consists of hydrogen ions and sulfate ions. When the precipitation enters the ecosystem, the hydrogen ions replace the nutrient cations on the negatively charged exchange sites in the soil, and the cations are washed out of the system in stream water. Thus air pollution is directly related to a small but continuous loss of fertility from the land area of the ecosystem and a small but continuous chemical enrichment of streams and lakes. The relation appears to represent an important hidden cost of air pollution, made apparent through the analysis of ecosystems.

So far we have mentioned only chemical losses appearing as dissolved substances.

Losses also arise when chemicals locked up in particulate matter such as rock or soil particles and in organic matter such as leaves and twigs are washed out of the ecosystem by the stream. We have measured these outputs and developed equations expressing the loss of particulate matter as a function of the discharge rate of the stream. The loss is highly dependent on the discharge rate.

Losses of dissolved substances account for the great bulk of the chemical loss from our undisturbed ecosystem. Whereas they are largely independent of the discharge rate, losses of particulate matter are highly dependent on it. This point is of particular interest since forest-management practices can either increase or decrease stream-discharge rates and thereby shift the balance between the loss of dissolved substances and the loss of particulate matter.

Weathering, or the release of elements bound in primary minerals, is another factor that must be considered in an ecosystem, since the elements thus released are made available as nutrients to the vegetation and animals. Based on net losses of elements from our ecosystem, a relatively uniform geology in the region and a knowledge of the bulk chemistry of the rock and soil, we estimate that the nutrients contained in some 800 kilograms per hectare of rock and soil are made available each year by weathering.

We now have for the undisturbed Northern hardwood ecosystem of Hubbard Brook estimates of chemical input in precipitation and output in stream water and the rates of generation of ions by the weathering of minerals within the system. To complete the picture of nutrient cycling it is necessary to measure the nutrient content of the four compartments and the flow rates among them arising from uptake, decomposition and leaching and the formation of new minerals. A typical set of relations, using calcium as an example, is shown in the illustration on page 99.

The annual net loss of calcium from the ecosystem is 9.2 kilograms per hectare. This loss represents only about .3 percent of the calcium in the available-nutrient and organic compartments of the system and only 1.3 percent of what is in the available-nutrient compartment alone. The data suggest that Northern hardwood forests have a remarkable ability to hold and circulate nutrients.

It was against this background that we and the Forest Service embarked on the experiment of cutting down everything that was growing in one watershed. One of the objectives of this severe treatment was to block a major pathway of the ecosystem—the uptake of nutrients by higher plants—while the pathway of ultimate decomposition continued to function. We questioned whether or not the ecosystem had the capacity under these circumstances to hold the nutrients accumulating in the available-nutrient compartment. We also wanted to determine the effect of deforestation on stream flow, to examine some of the fundamental chemical relations of the forest manipulation on nutrient relations and the eutrophication of stream water.

The experiment was begun in the winter of 1965–1966 when the forest of Watershed No. 2, covering 15.6 hectares, was completely leveled by the Forest Service. All trees, saplings and shrubs were cut and dropped in place; their limbs were removed so that no slash was more than 1.5 meters above the ground. No products were removed from the forest, and great care was taken to prevent disturbance of the surface of the soil that might promote erosion. The following summer regrowth of vegetation was inhibited by an aerial application of the herbicide Bromacil at a rate of 28 kilograms per hectare.

Deforestation had a pronounced effect on runoff. Beginning in May, 1966, runoff from the cut watershed began to increase over the levels that would have been expected if there had been no cutting. The cumulative runoff for 1966 exceeded the expected amount by 40 percent. The largest difference was recorded during the four months from June through September, when the runoff was 418 percent higher than the expected amount. This difference is directly attributable to changes in the hydrologic cycle resulting from the removal of the transpiring surface. Accelerated runoff has continued through the succeeding summers.

Our treatment also resulted in a fundamental alteration of the nitrogen cycle, which in turn caused extraordinary losses of soil fertility. In an undisturbed ecosystem nitrogen incorporated in organic compounds is ultimately decomposed in a number of steps to ammonium nitrogen (NH_4^+), a positively charged ion that can be held fairly tightly in the soil on the negatively charged exchange sites. Ammonium ions can be taken up directly by green plants and used in the fabrication of nitrogen-containing organic compounds. Ammnoium ions can also be used as the substrate for the process of nitrification. In this process two genera of soil bacteria, *Nitrosomonas* and *Nitrobacter*, oxidize ammonium to nitrate (NO_3^-). Two hydrogen ions are produced for every ion of ammonium oxidized to nitrate. As we have already mentioned, hydrogen ions can play a key role in the release of nutrient cations from the soil. Nitrate, being negatively charged, is highly leachable. If it is not taken up by higher plants, it can easily be removed from the ecosystem in drainage water.

The available evidence indicates that nitrification is of minor importance in undisturbed forests such as ours, underlain by acid podzol soil. The nitrate drained by our streams (invariably in low concentration) can be largely accounted for by its input in precipitation. In fact, our budgetary analyses show that undisturbed ecosystems are accumulating nitrogen at a rate of about two kilograms per hectare per year.

The concentration of nitrate in stream water from undisturbed forests shows a seasonal cycle, being higher from November through April than it is from May through October. The decline in May and the low concentration in the summer are correlated with heavy demand for nutrients by the vegetation and generally increased biological activity associated with warming of the soil.

Beginning in June, 1966, the concentration of nitrate in the deforested watershed rose sharply. At the same time the undisturbed ecosystem showed the normal spring decline. The high concentration has continued in the deforested watershed during the succeeding years. Average net losses of nitrate nitrogen were 120 kilograms per hectare per year from 1966 through 1968. We estimate that the annual turnover if nitrogen in our undisturbed forests is about 60 kilograms per hectare. Therefore an amount of elemental nitrogen equivalent to double the amount normally taken up by the forest has been lost from the deforested watershed each year since cutting. The magnitude of nitrate loss is a clear indication of the acceleration of nitrification in the watershed. There is no doubt that the cutting drastically altered the conditions controlling the nitrification.

Another factor of interest about nitrification is the body of evidence from other regions that certain types of vegetation can inhibit nitrification chemically. Presumably the effect is to inhibit production of the highly leachable nitrate ion. At the same time the positively charged ammonium ions may be held within the system on the negatively charged exchange sites in the soil. If this inhibition process goes on at Hubbard Brook, cutting the vegetation would promote nitrification. The effect may account for much of the nitrate loss from the deforested ecosystem.

The export of nitrate to the small stream draining the cut watershed has resulted in nitrate concentrations exceeding the levels established by the U.S. Public Health Service for drinking water. In general the deforestation has led to eutrophication of the stream and to the development of algal "blooms." This finding indicates that in some circumstances forest-management practices can contribute significantly to the eutrophication of streams.

Since nitrification produces hydrogen ions that replace metallic cations on the exchange surfaces in the soil, one would expect a loss of metallic nutrients from the deforested watershed. We have recorded substantial losses of this kind. The concentrations of calcium, magnesium, sodium and potassium in the stream water increased almost simultaneously with the increase in nitrate. About a month later the concentration of aluminum rose sharply.

It is . . . higher than those in an undisturbed watershed; of calcium, 10 times; of aluminum, nine; of magnesium, seven, and of sodium, three. These figures represent a substantial loss of nutrients from the ecosystem. The finding suggests that commercial forestry should focus more on the effect of harvesting practices on the loss of nutrients, giving more consideration to such corrective procedures as selective cutting and the promotion of regrowth on cut areas.

Our results indicate that the capacity of the ecosystem to retain nutrients is dependent on the maintenance of nutrient cycling within the system. When the cycle is broken, as by the destruction of vegetation, the loss of nutrients is greatly accelerated. This effect is related both to the cessation of nutrient uptake by plants and to the larger quantities of drainage water passing through the system. The loss may also be related to increased rates of decomposition resulting from such changes in the physical environment as higher soil temperature and moister soil.

We also found a basic change in the pattern of loss of particulate matter in the deforested watershed. The data for three years indicate an increase of some ninefold over a comparable undisturbed ecosystem. After an initial surge the loss of particulate organic matter has declined as a result of the virtual elimination of the production of primary organic matter in the ecosystem. In contrast, the loss of inorganic material from the stream bed has accelerated because of the greater erosive capacity of the augmented stream flow and also because several biological barriers to the erosion of surface soil and stream banks have been greatly diminished. The continuous layer of litter than once protected the soil surface is now discontinuous. The extensive network of fine roots that tended to stabilize the stream bank is now dead, and the dead leaves that tended to plaster over exposed banks are gone. The erosive trend can be expected to rise exponentially as long as regrowth of vegetation is inhibited in the watershed.

Our study clearly shows that the stability of an ecosystem is linked to the orderly flow of nutrients between the living and the nonliving components of the system and the production and decomposition of biomass. These processes, integrated with the seasonal changes in climate, result in relatively tight nutrient cycles within the system, a minimum output of nutrients and water and good resistance to erosion. Destruction of the vegetation sets off a chain of interactions. Their net effect is an increase in the amount and flow rate of water and the breakdown of biological barriers to erosion and transportation, coupled with an increase in the export of nutrient capital and inorganic particulate matter.

Three points, which are inherent in the

ecosystem concept and are emphasized by the Hubbard Brook study, should be recognized as being basic to any wise scheme for managing the use of land. First, the ecosystem is a highly complex natural unit composed of organisms (plants and animals, including man) and their inorganic environment (air, water, soil and rock). Second, all parts of an ecosystem are intimately linked by natural processes that are part of the ecosystem, such as the uptake of nutrients, the fixation of energy, the movement of nutrients and energy, through food webs, the release of nutrients by the decomposition of organic matter, the weathering of rock and soil minerals to release nutrients and the formation of new minerals. Third, individual ecosystems are linked to surrounding land and water ecosystems and to the biosphere in general by connections with food webs and the worldwide circulation of air and water.

Failures in environmental management often result from such factors as failure to appreciate the complexity of nature, the assumption that it is possible to manage one part of nature alone and the belief that somehow nature will absorb all types of manipulation. Good management of the use of land—good from the viewpoint of society at large—requires that managerial practices be imposed only after a careful analysis and evaluation of all the ramifications. A focus for this type of analysis and evaluation is the ecosystem concept.

AMERICA'S HOUSING CRISIS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, I have long been saddened at the shameful attitude of the President in failing to make even a minimal effort to provide decent housing for our Nation's poorest people. The fault lies not with the Secretary of Housing and Urban Development, who apparently has tried vainly to convince the President the Nation's housing shortage is a problem that needs immediate and drastic attention. However, the President has sacrificed the needs of the Nation's poor to racism and political expediency.

In the life of the Nixon administration, we have witnessed the growing crisis in the Nation's public housing program. The crisis has been brought on, not by the benign neglect of the President, but by the deliberate action of the President's Office of Management and Budget in cutting the subsidy requirements of the low-income and elderly residents of public housing.

Mr. President, I ask unanimous consent that a newsletter from the National Association of Housing and Redevelopment Officials describing the action they are taking to head off this crisis be inserted in the RECORD at this point.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS TAKES ACTION TO SAVE HOMES FOR MILLION LOW-INCOME AND ELDERLY FAMILIES

A crisis has hit 2000 communities across the country. The crisis has been brought on by the failure of the President's Office of Management and Budget to fund the subsidy requirements of the low-income and elderly residents of public housing. The residents will not be the only ones to feel the impact of the crisis: adverse economic and social repercussions can also be expected for the general community.

EMERGENCY MEETING ON THE CRISIS

NAHRO called an emergency meeting in its Washington offices on Saturday, August 5, to face the crisis. It was attended by the executive committee of the NAHRO Board of Governors—by the presidents, or their representatives, of all seven of NAHRO's regional councils—and by directors of local housing authorities from all parts of the country.

The possibility faced at the meeting was that, by the end of this year, the nation's local housing authorities may no longer be able to keep open for occupancy some 1 million homes for their low-income and elderly residents. The further question faced was: if these homes *are* to be kept open, will there be funds available to assure that they are maintained at healthful standards, are properly protected for safety and security, and are effectively tied into a community services program.

The crisis has been building to a climax for a long time. It reached its peak within the last few months. The question now is whether the system of bringing housing assistance to low-income families is about to collapse.

Specifically, the 1969, 1970, and 1971 "Brooke amendments" are not being adequately funded. Under these amendments, which have had the full support of NAHRO, no public housing resident, including welfare families, pays more than 25 percent of his income for rent (a percentage higher than the ratio on which the average American family pays its housing costs). Since rents paid on this formula by low-income families frequently cannot cover the operating costs of a housing unit, Congress has said that local housing authorities are entitled to federal assistance to make up the difference between this rental income and operating cost. But available funding has not been released by the President's Office of Management and Budget in the amounts necessary. OMB has not permitted local housing authorities to receive the amounts requested but, instead, LHAs have been forced to deplete emergency reserves, lay off staff, postpone repair and replacement programs, and eliminate security and other services essential to residents. This OMB funding failure comes at a time when operating costs are going up: wages are higher, supplies cost more, services carry mounting price tags.

WHAT HAPPENED AT THE MEETING?

Reports on the situation were made at the August 5 meeting from two points of view: national and local.

Nationally, it was reported that the Congress has authorized funds sufficient to have met LHAs demands for fiscal 1972 but that such funds have been held back in the amount of 44 million dollars by OMB. For the 1973 fiscal year, the Administration has not sought funding to meet demonstrated need: the President has asked for 170 million dollars, as against an anticipated need in the amount of at least 325 million dollars.

On review of these facts, it was clear to those at the August 5 meeting that the only way the needed funds can be obtained is by direction of the White House: the President must instruct OMB to release them. It was agreed that the messages to this effect that have been going to the White House for the last two or three months must continue. George Romney has appealed for the funds; Senator Brooke has sought the President's help. NAHRO has put the case to Mr. Nixon. To date, a total of 73 Senators and Representatives have addressed the issue. Mayors, governors, and other elected officials have petitioned for full funding.

Meanwhile, in their attempt to keep their doors open and their residents decently housed, local housing authorities faced with mounting bills and dwindling income have undertaken a whole series of drastic measures. A growing number of LHAs are turning to the courts for relief under a variety of legal challenges. Some of them are suing the federal government for breach of contract. In other cases, local authorities are adopting operating practices that may be challenged in the courts by either the Department of Housing and Urban Development, tenants, or employees. Court actions either under way or threatened were reported from Norfolk, Virginia; 20 authorities in the state of New Jersey; Oklahoma City; St. Paul; Alaska; Baltimore; Las Vegas; a group of LHAs in Connecticut; Beaver County, Pennsylvania.

LOCAL EMERGENCY MEASURES

During the August 5 meeting, local authorities listed devices either already in use or potential for use in taking stop-gap action to stave off bankruptcy and the closing of projects. In the discussion of which of these devices a community might first put to work, it was the unanimous sense of the meeting that first priority should be given to those measures that would keep the most doors open for the most people—to those devices that would have the least impact on the residents. Among the emergency measures that LHAs either already have, or may, employ as discussed on August 5 are:

1. Stop further production of low-income housing throughout the community and use development funds for operating costs.
2. Defer payments in lieu of taxes.
3. Cancel leases in Section 23 housing.
4. Cut off all new applications for units and allow vacancies to occur.
5. Sell equipment.
6. Restrict new occupancy to families in only the highest eligible income quartile, thus eliminating the poorest families from occupancy.
7. Ignore Brooke amendments, since Brooke funds will not be available to cover income losses.
8. Refuse occupancy to all welfare families.
9. Stop utility payments.
10. Declare bankruptcy and ask for federal take-over.
11. Issue program-wide eviction notices and close out operation of LHA.

LOCAL EMERGENCY MEASURES CAN HAVE HARMFUL COMMUNITY-WIDE EFFECTS

The use of any of the devices listed above can have harmful effects, community-wide. If these harmful effects can be foreseen by the groups likely to suffer from them, those groups may agree to use their influence to have them stopped before they start. For if production of low-income housing is cut off, the community development program will be stymied by a lack of relocation housing. The supporters of community development (businessmen, chambers of commerce, civic groups) will want to fight a cut-off . . . and hence will want to fight for Brooke amendment funding.

If staff cuts and equipment sales occur, the maintenance of housing developments will deteriorate rapidly and tenants may respond with rent strikes and create political problems of a magnitude that governors, mayors, and other elected officials will not be able to ignore. Those officials will increase their pressure for Brooke funding.

If suppliers, utility companies, and all commercial interests related to low-income housing suffer severe financial losses as LHAs run out of money, they may want to put in some White House calls.

If builders and turnkey developers see their markets disappearing, they may want to bring some pressures to bear.

If building construction and maintenance trades begin losing jobs, the voice of labor may be raised in protest of funding restraints.

WHAT NAHRO IS DOING

As an outcome of the August 5 meeting, NAHRO is committed to the following actions:

Continue, at a stepped up pace, demands for the release of authorized funds.

Retain legal counsel to investigate the best means of assuring that the Administration will meet its obligations.

Mobilize support for pending amendments to the United States Housing Act of 1937 to provide a sounder base for low-income housing and to assure the flow of funds for that purpose.

WHAT'S NEEDED FROM LHA

Briefs, in full, of any court action that has been taken and a statement of where the case is as of this date.

Descriptions of any court actions being considered.

Copies of any correspondence with Congressmen, the White House, HUD that LHAs have had on their fiscal affairs.

Copies of any newspaper coverage that the local situation has developed.

Statements on any emergency measures taken.

Estimates of the date when the LHA is likely to become bankrupt.

SPEECH BY REPRESENTATIVE DAVID E. SATTERFIELD III

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DANIEL of Virginia. Mr. Speaker, recently the Honorable David E. Satterfield III, who so ably represents Virginia's Third District in this body, addressed the Corporation Center for Scientific Research Relative to Tobacco—identified, for fairly obvious reasons as CORESTA/TCRA—at a joint conference held in Williamsburg, Va.

This was a fitting location for such a meeting, since the Virginia Colony introduced tobacco to Europe, and an apt choice of speaker, since Representative Satterfield shares with other Members who represent tobacco-growing and processing districts a grave concern for the abuse—possibly undeserved—which has consistently been heaped on this important industry.

Instead of concentrating his remarks on the economic impact of this agricultural commodity, which is sizable, Congressman Satterfield discussed at length the growing body of opinion which is beginning to have second thoughts about the medical impact of cigarette smoking.

Mr. Satterfield strikes to the heart of the problem and throws out a challenge to his audience early in his statement when he says:

> The truth of the matter is that the political controversy exists because there are vast gaps in our knowledge about smoking and health and that the existence of these gaps has been denied for too long by those who have a nonscientific stake in attacking tobacco. Make no mistake about it, well-intentioned forces are at work throughout the world to impose a guilty verdict upon smoking—without due process of science.

Since Mr. Satterfield's statement and the testimony by experts at the time of hearings on the conquest of cancer bill have not received as wide distribution as have the claims of other experts who seem bent on outlawing cigarettes, I include his entire statement in the Record at this point, so that Members of the Congress may benefit from this other side of the story:

Speech by Representative David E. Satterfield III

I am pleased to join with Dr. Hahn and Mr. Kielmansegg in welcoming you to this Joint Conference of CORESTA and TCRC. It is good to have you here in Williamsburg where the early roots of our Nation took hold.

Williamsburg holds a special meaning for me as a legislator, for it was here, in 1619, that the House of Burgesses of Virginia, our first representative legislative body, was convened. I had the rare privilege of serving in that body, now called the Virginia General Assembly, which is the oldest continuous legislative body in the new world.

It is significant that this conference brings together representatives from industry, academia and government. I am encouraged by the opportunity it provides for enlightened communication between these sectors of our society—communication which must be nurtured if the great tobacco industry of this world is to flourish.

Dr. Wakeham originally suggested that I discuss the universality of tobacco and, of course, the complexion of this audience serves to remind one of that universality. I am told that more than 45 nations are represented by the participants in this conference. This fact alone speaks more clearly than I could ever hope to of the true universal impact of the tobacco industry throughout the world. The language of tobacco is universal, trade in tobacco is universal, the objective of economic advancement in this great industry is universal.

However, there is another element in the tobacco industry, an unwelcome element, which is equally universal in nature. That is the threat to the entire industry implicit in controversy over the relationship between smoking and health. There is no question but that the tobacco industry as a whole is under severe attack.

Although that attack is presently directed against the cigarette industry. I am certain that if it should succeed those who have instigated it will find a way to focus a new attack upon the remaining segments of the tobacco industry. The danger of this is self-evident.

The smoking and health question is both a political and a scientific controversy. Ultimately, I am hopeful that the bright light of scientific research will dissipate the political fog that surrounds it.

The truth of the matter is that the political controversy exists because there are vast gaps in our knowledge about smoking and health and that the existence of these gaps has been denied for too long by those who have a non-scientific stake in attacking tobacco. Make no mistake about it, well-intentioned forces are at work throughout the world to impose a guilty verdict upon smoking—without due process of science.

As a legislator, my major concern is to prevent a stampede that will condemn tobacco on-less-than-conclusive evidence. Fortunately, I am not alone. Many of my fellow Representatives join me in this struggle to prevent a non-scientific edict from foreclosing the search for scientific truth.

I am encouraged by the fact that many of you and your colleagues in the scientific community have deep reservations about the nature of the evidence used against tobacco. I am aware of the amount of private criticism leveled against much of the research dealing with the issue of smoking and health. I only wish this fact could somehow make its way into the general mass media and into public discussion. But the obstacles are great, I realise. They have to do with the habits and prejudices of the press, credibility and with so-called news values, including the preferred treatment often given those who attack rather than to those who must defend such attacks.

Nevertheless, greater obstacles than these have given way to honest men willing to express their honest dissent. Silence in the marketplace of ideas—scientific or political—have never been an instrument of change. After all, the walls of Jericho did not come tumbling down until the Ram's horn blew loud and clear.

In 1969, the Congress of the United States, after lengthy testimony from scientists on all sides of the smoking and health controversy, went on record to urge the Government to identify and close the gaps in our knowledge. I commend all of you here today for your efforts to do so. For without solid scientific truth, developed through good research and tested in the crucible of open discussion, policy makers will never know where to go. And as the old talmudic saying puts it, "if you don't know where you are going, any road will take you there."

Nearly nine years ago with the issuance of the surgeon general's report, one such road was selected, not knowing what caused lung cancer or other major diseases, a politico-medical arm of government launched America down the anti-smoking road. That road clearly leads to the destruction of the tobacco industry.

Imagine what would have happened had there been no active resistance movement on the political and scientific fronts. The tobacco industry might well have vanished from the scene. And if that had happened, it would have been too late to apologize for tobacco's untimely demise when just this year the National Academy of Sciences published a massive study which charges that air pollution is the probable cause of lung cancer.

This report is a model of scientific caution, carefully avoiding even the semblance of sensational statement aimed at creating panic in the public. As a scientific document, it stands in marked contrast to the various surgeon general's reports on smoking and health. Is it not strange that this official has failed to wage war on pollution as he has upon cigarette smoking, which he classified as being far worse than drug addiction or automobile accidents, or alcoholism or air pollution? I think it is—and frankly I cannot understand it.

I would like to list a few major points made by the National Academy of Sciences panelists.

They concluded that it is "likely" that deaths from lung-cancer would decrease if air pollution were substantially reduced in urban areas.

They said that although there is no "conclusive proof" that air pollution causes lung cancer, the report points out that the disease is twice as common among city dwellers as rural residents and is most common in areas of cities where general industrial pollution is worse.

While, they noted that cigarette smoking appears to be a major factor in the increase of lung cancer, they pointed out that smoking alone cannot account for the different rates in urban and rural areas.

They reported that studies of immigrants have shown an incidence of lung cancer somewhere between the rates in their country of origin and those in the country of destination. The older they are when they migrate, the closer their lung cancer rates are to their home countries. In some cases, where the lung cancer rate was much higher in the country of origin, rates among migrants have decreased significantly—even though their cigarette smoking increased, the panel said.

They reported that "in no instance has exposure to a specific polycyclic aromatic hydrocarbon, such as benzo(a)pyrene, been proved to have caused cancer in man."

Benzo(a)pyrene is a common ingredient of polluted air and tobacco smoke. It has been cited year after year in surgeon general's reports as a prime suspect causing cancer in smokers. And this has been done despite two pieces of evidence which are in conflict with that conclusion.

First, over 13,000 times more benzo(a)pyrene is released into the ambient air by all sources of industrial pollution than by burning all the cigarette tobacco produced in the United States.

Second, and perhaps more important, research conducted by the American Cancer Society has virtually exonerated the substance as a suspect. The ACS studied 6,000 roofing workers, for example, who breathe heated fumes of tar containing 200 times more benzo(a)pyrene than the maximum levels in a large industrial city, or the equivalent of 705 cigarettes a day. These exposed workers amazingly had no greater incidence of lung cancer than the general population.

I applaud the National Academy of Science panelists, even though they were dealing with air pollution, I am happy to see that their objectivity and caution has a "fall out" effect upon the cigarette controversy. But I wonder, as many of you do, why such objectivity and caution did not reveal itself in documents prepared by the surgeon general. The same evidence was in existence. Some of it has been around for years. Can the surgeon general—indeed can the scientific community—afford to be objective regarding air pollution and not be objective regarding smoking? Can the official government attitude be different from shylock's? Can scientific truth—like the quality of mercy—be strained? Or must it not droppeth like the gentle rains from heaven impartially on all those below?

Perhaps, distance from the battle may be the secret of objectivity. I have observed that when tobacco is the subject of hearings or discussion, many eminent scientists and physicians find it difficult to utter any statement that could be used in defense of tobacco. Yet, when they are dealing with another subject, this is no longer the case.

For example, during hearings on the conquest of cancer bill in September of last year, a former president of the American Cancer Society boldly stated that cigarettes caused lung cancer. Up to this point, he had devoted his testimony to the need to find the cause of cancer, the problems involved and the need for upwards of a billion dollars to research the mystery. But he had no doubt when it came to cigarettes.

When I challenged him to name the agent in cigarettes which causes cancer, he admitted it has never been defined, and contended that the statistical association was strong evidence to his mind.

Representative PAUL ROGERS, the chairman of the subcommittee, who does not represent tobacco growers, then also asked him to clear up his previous statement. "Either we do know, or we don't know," he said.

To which, this distinguished physician and dedicated opponent of tobacco replied—and I quote his exact words:

"I think we can state now that we do not know the precise cause of malignant changes within the cell. We know a number of remote causes established by statistical methods by the correlation between exposure to the cause and the occurrence.

"We know a number of intermediate causes, particularly in experimental cancers one can take a human cell line and expose it to a monkey virus and get profound changes in the cell pattern.

"But I would agree with you, that we do not have full and precise knowledge of just exactly what causes the cancer."

Sometimes, the distance of sheer miles (or perhaps another culture) lends objectivity. All things Chinese seem to have great news value these days. So it was amusing to read a report of the travels of a medical delegation visiting this country from the People's Republic of China.

To a question about cigarettes, the Chinese specialist in internal medicine a doctor Hsu Chia-Yu, who is a spokesman for the delegation—and a smoker himself—replied. I quote from the news article which reported the incident:

"Well, I know smoking will do no good for me, but not much harm. I consider," said Hsu, "of course, to patients I may advise him, "Don't smoke, at least not smoke too much! But anyway, I don't think it does much harm to you if you're healthy."

The fact of this conference and this meeting today with the representatives from our universities, industry and government is a hopeful sign. It indicates that we can join together to discuss common, technical problems and, hopefully, to find answers to the questions clouding our future. Questions that only the scientific community can resolve. Questions which it must resolve.

And so in this climate—removed from the battle so to speak—I offer a challenge.

Why don't you—as an official body—take the necessary steps to compile all the data that does not support the antismoking position and translate it into information which your representatives can use in their legislative bodies.

As Professor Stafford Beer told a group of Congressmen some time ago, "We can generate data indefinitely; we can exchange data forever; we can store data, retrieve, and file them away, but we have to ask why. The purpose is regulation and that means translating data into information. Information is what changes us."

So far the information on smoking has been one-sided. It is now time to redress the balance by compiling and activating the data which will present the other side of the question. You have heard my challenge—I hope you will respond.

REVENUE SHARING

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the recently passed revenue sharing bill has brought forth a great number of inquiries from local governments all across the country.

An article in the Nation's Cities succinctly summarizes the distribution formulas incorporated in the revenue sharing bill. The same article spells out some of the difficulties that may be encountered in obtaining current figures for the various formulas.

Mr. President, because of its timeliness and general utility, I ask unanimous consent that the article, "Revenue Sharing's New Data Needs" be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REVENUE SHARING'S NEW DATA NEEDS

(By Robert P. Strauss)

The historic action of Congress to create general revenue sharing represents not only a revolution in the form of American federalism, but also a revolution in the federal statistical base that will be used to administer the program.

As all state and local officials know, obtaining and using information on the 39,000 cities, counties, and townships in the U.S. is a monumental task that will require not only that currently available statistics be used, but also that new sources of statistics be generated to ensure that the program operates with the most comprehensive and up-to-date base possible.

The State and Local Assistance Act of 1972 distributes $5.3 billion in calendar 1972 to all general purpose governments in the U.S. The final distribution formula represents a compromise between the House and Senate versions of the legislation. In terms of data, the final bill requires the same information at the state area level as contained in both House and Senate bills. It is useful to spell these out in more detail:

Data Requirements for State Area Grant under:

HOUSE H.R. 14370

(1) State and local tax collections.
(2) Federal individual income tax liability.
(3) Resident population.
(4) State income.
(5) Urbanized population.
(6) State per capital income.

SENATE H.R. 14370 (AS AMENDED)

(1) State and local tax collections.
(2) Resident population.
(3) State income.
(4) State per capita income.

Information on these state area variables comes from several sources. The state and local tax collection data is provided annually by the Governments Division of the Bureau of the Census and published in annual numbers of *Governmental Finances* and in annual numbers of *State Tax Collections* and *State Governmental Finances*.

Federal tax liability by State is provided by the Internal Revenue Service and published in *Statistics of Income*. Population, urbanized population, and per capita income are also provided by the Bureau of the Census and found in the 1970 Census of Population. The Census Bureau also provided intercensal estimates of state population in its Current Population Survey series. Total state income is from the Department of Commerce and is published annually in the *Survey of Current Business*.

While the final revenue sharing bill relied on both the House and Senate formulas for the distribution of funds among the state geographic areas, the legislation adopted the Senate intra- or within-state allocation formula. And it is here that the greatest data demands are generated.

Very briefly, all localities in a state receive two-thirds of the state area grant; the state government receives one third. This local amount is then distributed among country geographic areas on the basis of population weighted by tax effort of the county area and weighted by state per capita income divided by county area per capita income. The tax effort is defined as the ratio of all non-school taxes collected by the county, cities, and townships within each county area. Once this county area amount is determined, it is then divided among types of government in the county area on the basis of relative non-school tax collections.

Thus if all cities in the county area collected 80 per cent of the non-school taxes in the county area, they would get 80 per cent of the county area allocation. This in turn is allocated among municipalities on the basis of population, tax effort, and county area per capita income divided by municipal per capita income—now tax effort is measured as the total non-school taxes collected by a municipality divided by its total money income.

Townships are treated in an analagous fashion; an amount to all townships is calculated by taking their taxes as a percentage of all taxes in the county area and then allocating that portion of the county area funds on the basis of township population, tax effort, and county area per capita income divided by township per capita income.

There are then three kinds of data required at the municipal level: financial information on non-school taxes collected by cities, counties, and townships, and population and community income data for these various geographic configurations. While state area data is available annually (though with certain publication lags), this micro information is available only every five years in the case of the tax data on all 39,000 units, and every 10 years in the cases of population and community income. Moreover, the Census Bureau does not generate intercensal estimates for urbanized population.

To remedy this lack of micro data, two new sources are being generated by the Treasury Department.

First, it has funded an annual short Census of Governments to obtain the required non-school tax data from all general purpose local governments. The survey for fiscal year 1971 tax data is currently underway.

Second, it is modifying the individual income tax form (1040) to contain certain additional information which will enable the Internal Revenue Service and the Census Bureau to ascertain where individuals reside in terms of political subdivision. With this augmented geographic residence information, the Census Bureau will then be able to generate workable intersensal estimates of population and community money income (and hence per capita income). This change in the 1040 form is of sufficient importance to warrant further discussion.

Until now, tax filers have recorded their mailing address for the purpose of corresponding with the IRS. Under federal statute, this can be the address of an accountant who fills out the form for the filer, one's business address, or any post office box. While the majority of filers use their usual place of residence as their mailing address, a significant number do not. Moreover, the mailing address of most residences does not indicate the political subdivision of residence, but indicates instead a city name and Zip code which may be different from the city in which the house is actually located.

The Zip code, created to distribute the mail, crosses municipal as well as county boundaries, and frequently contains more than one city in it. As a result, it has been impossible to use information on adjusted gross income and exemptions by Zip code to estimate accurately county or city income and population.

However, by requiring the filer to indicate place of residence (state, county, city, township), we will have the right kind of geographic residence information to provide these sorely needed intercensal population and income data.

These new federal statistics will not only make the administration of federal revenue sharing more up-to-date and fair, it will also provide to the states requisite information to develop their own revenue sharing programs as well as to provide for a more orderly and knowledgable planning of regional and local growth policy.

It is particularly fitting that this bold new direction in America be accompanied by a significant breakthrough in our data base. Not only will general revenue sharing be administered better than any previous grant program, this new data will greatly improve our ability to understand the complex dynamics of urban economic change. [See Your Local Economy: Does City Hall Play a Role?" Nation's Cities, Sept. 1972, Page 21.]

"SOUNDER"

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. DIGGS. Mr. Speaker, in the history of the American motion picture industry, an occasional film will stand above its contemporaries, a film which through its creativity and universal appeal is recognized as a classic piece of art.

I am very happy to acknowledge and alert my colleagues to a new film which more than fits this description—"Sounder." "Sounder" is directed by Martin Ritt, produced by Robert Radnitz, with Ruth and Elliott Handler of the Mattell Toy Corp. in their first venture into film production, and released through 20th Century-Fox Corp. I believe congratulations are in order for all concerned, for producing a film of such high caliber. And my enthusiasm is heightened further by the fact that "Sounder" presents such a beautiful example of the artistry which black films can exhibit.

"Sounder" is a family motion picture; but it is much more than that. It is a poignant, touching film about people. In a narrow sense, it is concerned with the trials of a black family in Louisiana during the years of the depression; but the film is not only the saga of one family, or one era in our Nation's history. Through the exceptional writing and direction and the magnificent performances by principal actors and actresses, "Sounder" becomes a story of the love and understanding in any family at any time. It is a powerful, personal drama of real people in a real situation.

Too often lately we have been bombarded by films—both black and white—which insist on presenting a violence-ridden sexual fantasy as fact. Blacks—and whites—have been ripped off time and again by low-grade films which personify only the worst in our culture and society. The newly discovered black audience has been subjected to insult and bad taste as it reaches for something of value from the motion picture industry.

I believe "Sounder" marks a turning point in the art of the motion picture. This is a black film to take pride in.

"Sounder" elevates the joys and sorrows of everyday life to epic proportions. The heartbreak of a hungry family is contrasted with their ecstasy at winning a baseball game with their neighbors. The agony of a father who watches his family in rags is offset by the pride he has in himself and in his wife and children. The fear of a wife and mother torn from her husband is matched by her courage and determination to carry on with the business of living.

Filmed in only 9 weeks on location in the East Feliciana and St. Helena Parishes of Louisiana, "Sounder" was produced by a magnificient team of artists, including:

Producer Robert Radnitz, whose screen credits include such children's classics as "A Dog of Flanders," "Misty," "Island of the Blue Dolphins," "My Side of the Mountain," "The Little Ark," and "And Now Miguel." Radnitz has been honored by the National Education Association, the National Council of Churches, the American Library Association, the National Catholic Office for Motion Pictures, the Children's Theater Conference; by Parents, Seventeen, and Cosmopolitan magazines; and even by the Belgian Government.

Director Martin Ritt, the acclaimed director of multimillion-dollar blockbusters such as "The Long Hot Summer," "Hud," "Hombre," "The Spy Who Came In From the Cold," "The Great White Hope," and "The Molly Maguires."

Screenwriter Lonne Elder III, black playwright who wrote "Ceremonies in Dark Old Men."

Cicely Tyson, the superb actress who portrays Rebecca Morgan. Miss Tyson is the two-time winner of the Vernon Rice Award and was featured in "The Heart Is a Lonely Hunter." The 1972 International Film Festival in Atlanta, Ga., has already chosen Miss Tyson "Best Actress for 1972" for her part in "Sounder."

Paul Winfield, an excellent actor who portrays Nathan Lee Morgan. Mr. Winfield's career includes parts in over 40 stage plays and 30 television shows.

Kevin Hooks, the young actor who plays David Lee Morgan, and has also captured the hearts of millions of Americans with his performance as the lonely Harlem boy in the television Christmas classic, "J.T."

Janet MacLaughlin, who plays David Lee's teacher, Camille, and the supporting cast.

Cinematogapher John Alonzo, whose marvelous camera work captures the beauty of the Louisiana countryside as well as the starkness of poverty;

And the rest of the production staff.

Mr. Speaker, superlatives have been used before to promote films, but I have rarely encountered the quantity or quality of praise for a film as I have seen for "Sounder."

One of the most interesting reactions to "Sounder" has come from William H. Armstrong, the author whose book, "Sounder," won the 1970 Newberry award of the American Library Association as the "most distinguished contribution to children's literature" and which served as the source of the film's screen play.

It is customary for the author whose literary work has been transmitted to the screen to complain that the essence of his work was lost in the translation, that his characters or story were distorted from the original. It is therefore a very welcome and refreshing change to read Mr. Armstrong's comments to "Sounder" producer, Robert B. Radnitz:

> During the days before the preview of Sounder, I heard from dozens of wonderful people (saying):
>
> You must by now be very anxious to see what has been done with your book.
>
> So by preview time I was a bit anxious. But what a glorious experience awaited me. Your picture is so graciously and beauti-

fully done, the end results reflect such sincerity, complementing what I was aiming for in my book, that my feeling is one of unqualified praise and thanks.

I loved the characters in my book; now I love them more.

Very gratefully yours,

BILL ARMSTRONG.

Mr. Speaker, I would also like to include at this time some of the comments which have been presented to 20th Century-Fox and the producer of the film:

Mrs. Martin Luther King, Jr.:

I appreciate the opportunity to be one of the first persons to see Sounder and to meet the principals who attended the premiere. The film provided me with a memorable evening of entertainment, stimulation, and enrichment.

Wilson Pickett, entertainer:

God, how that Sounder film moved me. It really tore me up inside. My grandmother used to talk to me about how it was in the old days, and while watching this picture it all fell into place.

Sounder showed me that Black films could be enjoyed and give a person that Soul feeling without resorting to violence and crime. I strongly urge all my fans to take in this flick. It's my pick of films I will always remember."

American Library Association:

The Children's Services Division of the American Library Association . . . . endorses Sounder.

Sounder is a fine film with a positive, joyous portrayal of family relationships and the maintenance of human dignity and self-respect in the face of great obstacles. Although the film accents some facets of the story at which the book only hints, it is true to the spirit of the book and Armstrong's characters. . . . The (Children's) Division is glad that children and adults will be given a new dimension through which to explore the world of Sounder.

Rev. Jesse L. Jackson, president, Operation Push:

This letter comes to congratulate you on your excellent new film—Sounder. It is a sensitive film that provides an excellent portrayal of Blacks during the Depression era. Sounder comes at a time when it is crucial for positive Black imagery to be projected on the screen.

Much success to you on Sounder and thank you for a positive interpretation of the Black experience.

Roy Innis, national director, CORE:

I have long awaited Black films which Black families could view without feeling insecure or ashamed. Sounder represents a giant step in that direction and is additionally a manifestation of "healthiness" in at least a segment of the motion picture industry. It is thus that a long overdue tribute to the strengh of 30 million Black Americans has finally appeared.

Sounder merits acclaim not only because of its subject, which is presented with care and dignity, but also because it transcends the usual racist attitudes that have caused Blacks to be portrayed either as pitiful, dependent types or as vulgar, hippy characters.

Instead, Sounder brings out the many sorrows and conflicts of life in America as well as the strength of Black folks both now and during the period portrayed. The acting of the three leading performers was superb and they are indeed deserving of awards for their outstanding work.

Again many thanks for the opportunity of viewing such a fine human interest film.

National Council of Negro Women, Inc.:

Thank you for producing what I am sure will be an Academy Award-winning film, Sounder. . . .

The National Council of Negro Women with its outreach to 4 million women throughout the United States has as its program priority "Hunger, U.S.A.". This film graphically depicts the story we are trying to tell that many Black families are determined to stay in the South because of emotional ties to the land their fathers helped to develop. The portrayal of the pioneering spirit in the face of overwhelming odds gives fresh insight to what the struggles of the Black man in America are all about.

Special praise should be given to Cicely Tyson, Paul Winfield and Kevin Hooks for their sensitive acting that gave life to this fine story.

You may be assured that we appreciate the opportunity to see films of this caliber.

National Catholic Educational Association:

What a welcome departure from the usual run of movies on crime, drugs, war, robbery, death, etc.! The impression left on the viewers was so powerful that words failed to describe it. . . . Sounder has our wholehearted endorsement and it is our intention to urge the membership of our Associations to see this outstanding film.

Judge Julian F. King, Court of Common Pleas, Philadelphia:

I found Sounder to be a very, very touching and sensitive story about human beings struggling for something more than survival in a difficult time and condition. Of course, there is an identity factor which . . . made me more aware and more proud of the work itself. I would highly recommend this picture for people of all age groups and backgrounds. This is a work about which the film industry can be exceedingly proud.

NAACP Image Awards:

At last an authentic Black film with a realistic portrayal of a Black family's struggle to survive in a suppressive white society.

Sounder is magnificently loaded with pathos, havoc, sorrow and an occasional ring of laughter and music—two indispensable Black luxuries.

Tom Stewart, Executive Secretary, Black Education Commission:

Sounder is a beautiful film. It is exquisitely produced and depicts Black life in America by reflecting the Black family's constant struggle for survival during a particular period. Superb acting—highly recommended for Black students and Students of Black of all ages!

Loften Mitchell, playwright and author:

Sounder is one of the most beautiful, beautiful films I have seen in a lifetime of movie-going.

Mr. Speaker, reviews in the press have been no less spectacular. Some of those which I have found include:

Washington, D.C., Star and Daily News:

O, ye of little faith, go and behold Sounder . . . if you want to see what the American movie industry is capable of producing when a few men of talent gird their loins against compromise and set out to make a picture true to their own vision. . . .

"Classic" may be a word that is thrown around a little too lightly these days, but Sounder, by virtue of its timeless theme and excellent production and truly universal appeal, looks like it's definitely bound in that direction.

Washington Post:

Sounder . . . is a remarkably touching and heartening film. . . . Critics like myself . . . need to resist the temptation to overrate Sounder. The temptation is very strong for a critic, since Sounder is the picture one had been waiting for—the Black picture that goes against the grain of the Black exploitation movies, that places the feelings and experiences of Black people in the mainstream of both film history and modern American film-making. . . . Congratulations are in order for producer Robert Radnitz, who at last has a family picture one can praise for its quality rather than its good intentions.

Variety:

A film which transcends space, race, age and time. It informs while it transforms, heartens, amuses and uplifts.

Reader's Digest:

Sounder is a cause for celebration. A brave, honest and entertaining film of humor, heart and imagination.

Life:

Sounder is a challenge to us all. It asks us to consider the possibility that an entertainment for all age levels can be something other than a bird-brained musical, a flat-footed Disney comedy or a goopy story about a cuddly animal. It asks us to share with our children hard times past instead of good times past, to explore with them the notion that injustices are not always righted in the last reel, that love cannot conquer all, that pain and sadness are part of life. . . . If you don't see Sounder, you don't deserve anything as good or better.

Time:

At last, a compassionate and loving film about being Black in America. Sounder has the strength of subtlety and the power of emotional commitment to its subject. . . . It manages as no other movie has done to take the special pride and trial of being Black and work it into an experience that can be shared and felt by anyone.

Mr. Speaker, I would urge every one of my colleagues, as well as all those across this country who are interested in quality entertainment, to see Sounder. It is an unforgettable experience. And I congratulate Robert Radnitz, Martin Ritt, 20th Century-Fox, and all those connected with the film, for creating a film Blacks—and everyone—can be proud of.

PENSION REINSURANCE

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the Nation's system of private pensions is in desperate need of greater regulation. The few rules that presently exist do little or nothing to prevent plan failures, insure adequate funding for pension plans or provide the working man with a vested right.

The growth of private pensions has been of great importance to the retirement security of millions of Americans. But many working people find that layoffs and plant closings rob them of any pension rights. The Hartke plan for pension protection has always focused on the need for Federal reinsurance of private pension plans as the necessary first step in securing the worker's rights.

A recent article by David Lawrence discusses a bipartisan effort to put the Hartke plan into practice and provide additional provisions for vesting, funding, and portability.

Mr. President, I ask unanimous consent that the David Lawrence article be inserted in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Congress Grappling With Pensions

(By David Lawrence)

While the headlines are focused on presidential nominees and campaign developments, there is a tremendous amount of work being done at Washington by various departments and by congressional committees to deal with huge financial problems which will confront a growing population in the next four years.

Some emphasis has been given to revenue sharing by the federal government with the states and cities, which will start getting big sums from Washington in the next few weeks. Projects are under way to bring about constructive changes in the tax laws. Steps are being taken to make a number of other improvements, too. Thus, for instance, Social Security recipients will soon start to get larger checks monthly from the government.

There are, of course, reforms needed in different categories, such as regulation of private-pension plans. One measure which has been approved by a Senate committee would tighten the rules on pensions, with three objectives:

First, to make sure that more people hereafter do receive the pension benefits to which they are entitled.

Second, to improve various provisions in many pension plans by reducing the period during which an employee must work before being eligible for benefits.

Third, to set up new ways to protect the cash in pension-fund reserves, with insurance to cover benefits if a plan is ended before full funding has been reached.

This is a bipartisan bill which probably will be debated in the Senate shortly, though it is doubtful whether it will be ready for passage until next year.

More than $150 billion in assets are held by pension plans, and these are designed to benefit 30 million individuals. The big question always is how the funds shall be invested—whether in corporate bonds or in common stocks. The recent trend has been toward the latter. In 1971, the assets of non-insured pensions were 68 percent in common stock, up from 43 percent in 1960. Corporate and other bonds made up 39 percent of the pension reserves in 1960 but now are down to 21 percent. Government-bond holdings have dropped from 7 percent to 2 percent.

Heavy investment in stocks has raised questions as to whether the huge pension funds may not influence stock-market prices and also as to whether pension reserves might be wiped out in a market crash.

In the case of pension funds, there are other difficulties, too. Many workers forfeit their rights under a plan if they leave their jobs or are discharged, while others lost out when mergers occur or employers shut down operations. Obviously, there is need for regulation in order to protect employees against inadequate provisions in some pension plans.

Improvements in the pension plans themselves would be made by the proposed bill. A worker who remains in a job for eight years would obtain a 30 percent "vested" right to pension benefits. After 15 years of service, his "vesting" would be complete. There would be provisions to aid anyone who was 45 years old when the bill became effective so that he or she would be given credit for service prior to that date. Other changes have been suggested so that a worker who goes from one job to another would carry certain rights with him or her if the new job also is covered by a pension plan.

A federal official speaks of the private pension-plan funds as constituting "the largest sum of unregulated capital in the United States."

The proposed legislation will certainly be of far-reaching importance to put into effect a set of provisions to safeguard the billions of dollars which are now in retirement funds and to protect the workers' rights to them.

Various other measures related to the finances of the government will come before Congress after the election. The effort to reduce expenses which is going on is expected to make it possible to cut the present deficit and to avoid having to increase taxes. The administration is determined to do everything it can to make any raise in taxes unnecessary, and it can do so only if nonessential expenditures are eliminated and tax revenues are stimulated by better economic conditions.

BIBLIOGRAPHY OF THE 160-ACRE ANTIMONOPOLY WATER LAW

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, I inserted in the last issue of the Record the first half of an excellent bibliography on the 160-acre antimonopoly water law. I request permission at this time to have the second half of the bibliography printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Bibliography of the 160-Acre Antimonopoly Water Law

(By Charles L. Smith)

U.S. STATUTES AND COURT CASES (PART LISTING)

Burley v. United States, 179 Fed. 1, 7, 8, 11, 12 (1910).

King, Will R., Instructions, 43 Land Decisions 339 (1914).

California Highways & Public Works, Supreme Court Decision aids Central Valley Project, 13:9 Feb. 1935.

Stamm, G. G., Acting Assistant Commissioner, "Acreage Limitation Provisions of Reclamation Law," statement made on May 19, 1964 at public Hearing on Farm Labor and Rural Poverty, National Advisory Committee on Farm Labor. I.G.S. Library, U.C., Berkeley, Calif.

Ivanhoe Irrigation District vs. McCracken, 357 U.S. 275, 297 (1958).

Fulton vs. Brannan, 88 Cal. 454, 455.

Ivanhoe Irrigation Dist. vs. All Parties, 47 Cal. 2s 597, 306 P. 2d 824 (1957).

U.S. vs. Gerlach Livestock Co., 339 US 725 (1950).

U.S. CONGRESS HEARINGS AND DOCUMENTS (CHRONOLOGICAL LISTING)

Wagner, Walter, *Statement* to Senate Committee on Agriculture & Forestry, 72nd Cong. 1st Sess. S1856, Jan. 15, *1932*, p. 18 ff. How one corporation took over 200 farms and turned them into corporate farms.

Tulare County Water Commission, Analysis of SB 1948, Soldier Settlement Bill, July 15, *1944*, 78:2.

H.R. 3961, 78th Cong., 2nd Sess. (*1944*); S. 912, 80th Cong., 1st Sess. (*1947*): S. 44, H.R. 7155, 86th Cong., 2d Sess. (*1960*).

Hearings on H.R. 104, 384 & 3817, Subcommittee on Irrig. and Rec. 84:1 70 (*1955*).

Hearings, Subcommittee on Irrig. & Rec., 84:2 on S178 (Can Luis Portion), May 11, 12 & 14, *1956*, 323 pages.

San Luis Project Hearings, Subcommittee on Irrig. and Rec., 85:2 on HR 6035, 7295, 2452, 2521, and 9969, Jan. 15, 16, & 17, *1958*, 191 pp.

Hearings on S. 1887 Before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs, 85th Cong., 2d Sess. 89 (*1958*) (hereinafter cited as 1958 Hearings on S. 1887.) March 17 & 18, 1958.

San Luis—House Comm. P 2, HR 301, 302, 5681, 5682, 84, 87, March 16–19, 1959, 157 pp. (86:1) (Serial #3)

Report HR 7155, 25 pp., Rep. #399, May 27, 1959 (12160)

Pub. Law 86-488 approved & signed 6-3-*1960*.

Glenn-Colusa Irrigation District Diverter Contract, U.S. Bur. Recl. R.O. Draft 11/22-*1963*, 37 pp.

Acreage Limitation Policy, prepared by Dept. of Interior June 30, *1964*, for Senate Committee on Interior and Insular Affairs, 88:2, 101 pp.

Weslands Water District contract hearing, Senate Committee on Interior and Insular Affairs, 88:2, July 8, 1964.

CONGRESSIONAL RECORD (PART LISTING) (CHRONOLOGICAL)

35 Cong. Rec. 6677 (1902).

Cong. Rec., San Luis debate, May 7, 1959, 6882–6908; May 5, 1959, 6725–6740; May 11, 1959, 7051; May 12, 1959, 7160.

Cong. Rec., June 1, 1948, Douglas, Helen Gahagan.

Cong. Rec., Feb. 4, 1954, Shelley, John F., 160-acre limitation and the Santa Maria Project.

Cong. Rec. 92 A–4657.

Knowland, Senator Wm., 104 Cong. Rec. A2705, 1958, March 21, 1958.

105 Cong. Rec. 7862–66.

104 Cong. Rec. 17730 (1958), 104 Cong. Rec. 17727 (1958), 104 Cong. Rec. 17735 (1958), 104 Cong. Rec. 17731 (1958).

105 Cong. Rec. 7495, 8000 (1959).

105 Cong. Rec. 7670 (1959).

105 Cong. Rec. 7668 (1959), 7989, 7870, 7672, 7854, 7671, 7496, 7666, 7668, 7673, 7987, 7988, 7673, 7496, 7857, 7858, 7857, 7994, 7993, 7989, 7994, 7496, 7597, 7673, 7871, 7670, 7861.

105 Cong. Rec. 7686 (1959).

106 Cong. Rec. 9707, 9798, 10560, 10563, 10564, (1960), 10450, 10458, 10463, 10560, 10470, 10471, 20560, 10464.

106 Cong. Rec. 10560, 10564 (1960), 10450, 10458, 10463, 10560, 10470, 10471, 20560, 10464.

Cong. Rec. April 10, 1962, 5746–5750; April 2, 1962, 5238–5276.

San Luis Contract Review, Mr. Miller: 90-day Count-Down, Cong. Rec. 11563, 11564, July 2, 1962.

Cong. Record A 5632, July 23, 1962, Sen. Alexander Wiley—Need for Family Farm Study.

Cong. Record Oct. 25, 1962 A7858–7859, Sen. Morse, Acreage Limitation of DiGiorgio Corp.

Cong. Rec. June 10, 1964 A3137–3138, Cong. Roybal, Pacific SW Water Situation.

Cong. Rec. June 19, 1964, 14013–14014, National Commission on Food Marketing.

Cong. Rec. June 24, 1964, p 14390, Senator Nelson: Windfall for Monopoly May 7.

Cong. Rec. Aug. 5, 1964 17493–17504, Westlands Contract debate.

Cong. Rec. Aug. 7, 1964, pp. 17912–17922. Westlands Debate.

Westlands Contract, Letter to President Johnson by 8 Senators dated Aug. 17, 1964, 110 Cong. Rec. 17493, + 17912+.

Cong. Rec. 88:2, Wed. Aug. 19, 1964, TVA Review.

Cong. Rec. 89:1 Vol. 111 No. 3, Jan. 6, 1965, Senator McGovern: National Economic Conversion and Diversification Commission.

Cong. Rec. Feb. 9, 1965, p. 2393, Revised Pacific Northwest Water Plan Hosmer.

Cong. Rec. Feb. 10, 1965, A587–588, Cong. John Tunney: Is Imperial Valley Doomed by Land Limitations?

Cong. Rec. Aug. 23, 1965, 20591–20608, Westlands Debate.

Cong. Rec. Aug. 23, 1965, 20627–28, Sen. Kuchel: Lower Colorado River Basin Project.

Cong. Rec. Aug. 31, 1965, 21531–21538, Sen. Kuchel: Lower Colorado River.

U.S. BUREAU OF RECLAMATION PUBLICATIONS (CHRONOLOGICAL LISTING)

Letter from Harold L. Ickes to Governor Earl Warren, March 7, 1945.

San Luis Unit—U.S. Bureau of Reclamation:

Complete Plan, Nov. 1943, 281 pp.

Cen. Valley Basin, Aug. 1949, 431 pp. 81:1 S. Doc. 113 (11307).

San Luis Region 2—Feasibility Report, May 1955, 158 pp.

Calif. Elections on Reclamation Contracts (April 1952), Sacramento Regional Office, Bureau of Reclamation.

Dexheimer. W. A., "Reclamation in Western U.S." address Aug. 26, 1954, 9 pp., Bur. of Rec. Address Feb. 14, 1956, 9 pp.

Bennett, Elmer F. (Solicitor), Memo to Commissioner, Bur. of Rec. No. M–36457, July 10, 1957.

U.S. Dept. of Interior, Letter to Gov. Brown Oct. 27, 1960, 3 pp.

U.S. Dept. of Interior, Press Release Dec. 31, 1961, San Luis Project.

U.S. Bur. of Rec. June 21, 1962, 2 Tables, Acreage Breakdown of Central Valley Project.

Westlands Contract, Draft, R. O. Draft 7/10–1962, 37 pp.

U.S. Bur. of Rec. Press Release 64–11–140, Sacramento Diverter payment, April 3, 1964; Signed Contract, 64–10–140, March 17, 1964; Contract Approved by Carr, Dec. 17, 1963, 63–62–140.

U.S. Bur. of Rec. Press Release 64–19–140, April 27, 1964, Proposed agreement of Westlands Contract.

Bur. of Rec. Press Release 64–36–140, Aug. 1, 1964, DiGiorgio Land to be sold this fall; Oct. 2, 1964—64–44–140.

U.S. Bur. of Rec. Press Release 64–47–140, Repayment Contract for water users from Isabella Dam on Kern River.

U.S. Bur. of Rec. Press Releases:

Nov. 27, 1964, DeWitt, 343–4662, Repayment Con. water users on Terminus & Success Projects.

Dec. 11, McGuire, 343–4662, Int. Con. action accelerated to save Calif. Almond orchard lands.

Dec. 11, 1964, 64–51–140, Almond lands.

Central Valley Project Annual Reports, Dept. of Interior.

Udall, Stewart L., Statement before subcommittee on Irrigation & Reclamation, 81668, Dept. of Interior, 28 pp. mimeo 1965.

U.S. Dept. of Int. Press Release May 22, 1965, 65–23–140; 4356 acres of DiGiorgio Corp. Land for sale.

Statement to Prospective Buyers, DiGiorgio Land, May 20, 1965, R. J. Pafford, Jr. In reply refer to 2–440, Dept. of Int., P.O. Box 2511, Sacramento 95811, 33 pages, attach.

DiGiorgio Corp., 350 Sansome St., San Francisco, Aug. 27, 1965, To All Interested Parties, Bur. of Rec. has modified restrictions.

Bur. of Rec., 318 Patterson Bldg., Fresno, Calif. 93721—in reply refer to 2–440. Sales information on 31 units of Property located in the Delano-Earlimart Irrigation District. 50+ pages, attach.

CALIFORNIA STATUTES

Calif. Irrigation District Laws (1941 revision)—Bulletin 18–G, $2.08. Supt. of Documents, State Capitol, Sacramento 14, Calif.

California Attorney General Office, Analysis and scope of Water Code Sections 10505, 11460, 11463, 35 p, Opinion 53/298 Jan. 5, 1955.

California Water Code, 11500, 23195 (1956). 74 Stat. 156 (1960).

CALIFORNIA LEGISLATIVE REPORTS (CHRONOLOGICAL LISTING)

California Dept. of Water Resources, Progress Report, annual, State Water Project.

Calif. D.W.R., Allocation of Costs, Bulletin #153.

Journal of Calif. Senate & Assembly, 49th Sess. app. 3, *1931,* Statement by Div. of Water Resources, Calif. Dept. of Public Works, Bull. No. 25, Report to Legislature of 1931 on State Water Plan.

Calif. Dept. of Education, the Central Valley Project, 165 pp. *1942,* 8 p.bib, WPA.

Calif. Water Project Authority, Excess Land Provisions, 51 pp., Oct. *1945.*

Joint Leg. Comm. on Water Problems, Hearing on 160 acre limitation, Feb. 19, 1947, 94 pp (App. J Sen. 57 sess. V2, *1947*).

Williams, J. Howard, State Acquisition of C.V.P. Address at Irrig. Dist. Assoc. Farm Bur. Fed. State of C. of C. June 20, 1952 Speeches, p. 8–12, 1953; p. 13–20, *1953*

Sturm, Norman, Statement on C.V.P. to Calif. Assembly Int. Comm. on conservation, planning and public works, 10 pp., Nov. 20, *1953.*

Calif. Leg. Assembly Int. Cons. Pl., State ownership a/o operation of C.V.P. Hearings Visalia, Jan. 15, *1954,* 196 pp.

California State Water Resources Board Bulletin #3, Report on Calif. Water Plan, Vol. II, 9–239, Prelim. Ed. *1956.*

San Luis—Calif. D. Water Resources, Calif. rec., March *1956.*

San Luis—Calif. Jt. Comm., 8th Partial Report March *1956,* 153 pp. Feather River Pro.

San Luis—Calif. Int. Comm. on Cons. Pl. & Public Works, Coalinga, Sept. 10, *1956,* 211 pp.

Calif. Governor's Comm. on Water, Conference on Water Problems, Nov. 19, *1956,* 156 pp.

Calif. Leg. Assembly, State-wide water development, So. Calif. coord. conf., Jan. 14, *1957,* 8 pp.

Calif. Governor's Spec. lawyers' comm. on water rts. constitutional amendment, May 15, *1957,* 14 pp.

Banks, H. O., Calif. D.W.R., Water a nonlimiting resource? Soil Cons. Soc. of America, Aug. 30, *1957,* 18 pp.

Calif. Leg. Jt. Leg. Comm. on Water Problems, 11th Partial Report, Ivanhoe, et al, Jan. 24, 1957, 102 pp.; March 8, 1957. Appendix to J of Senate V3 *1957,* 12th partial report, subcomm. on econ. & fin policies of state water projects, 85 pp., Mar. 24, *9158.* (App. J. of Sen. 1958)

McGauhey, P. H., and Erlich, Harry, Statement to Jt. Leg. Comm. Wtr. Problems, Sept. 15 *1958,* 30 pp.

Calif. Dept. of Water Resources, Calif. Water Dev.: Joint U.S. Calif. San Luis Project 1 p. maps, July 15, *1959.*

Calif. Dept. of Water Resources, Investigation of Alternative Aqueduct Systems to Serve Southern Calif. Bulletin #78, Sacramento, 1959 (includes Tudor Report).

Weber, Chas. M., State Water Plan combined with other public works, 1. Preliminary report to Calif. Leg. April 28, 1955, 41 pp. 2. Weber Foundation Studies, Jan. 28, *1960,* 374 pp.

California Dept. of Water Resources—Some things you should know about State Water Program acreage limitation, etc., Mar. *1960,* 8 pp.

Banks, Harvey O., Adequate State Water Plan, *St. Govt.,* V33, pp. 133–139, Spring *1960.*

Calif. Dept. of Agriculture, Warne, Wm. E., What Calif. water res. dev. program means to farmers, 8 pp., Sept. 15, *1960.*

Calif. Dry Year Water Conference, July 12–14, Sacramento & Los Angeles, *1961.*

Goldberg, B. Abbott (Deputy Director of Contracts, Dept. of Water Resources), Letter to Frank J. Barry, Solicitor, U.S. Dept. of Int., Nov. 29, *1961.*

Calif. Dept. of Water Resources, Ground Water Quality, Bulletin No. 74, July, *1962.*

Calif. Int. Comm. on Water, Ground Water, Hearings: Nov. 29, 1961, Anaheim, 141 p. May 9, 1962, Hayward, 102 pp.; May 14, 1962, Ventura, 62 pp.; May 15, 1962, San Bernardino, 213 pp.; July 19, 1962, Long Beach, 112 pp.; Aug. 2, *1962,* Sacramento, 83 pp.

Dept. of Water Resources, 1120 N. St., Sacramento, Calif., Mar. 28, *1963,* 2 pages and tables, Breakdown of Excess Land Holdings for 3 service areas, Estimated Maximum Annual Water Deliveries.

California Farm Research and Legislative Committee, 740 Hilmar St., Santa Clara, Calif., May 14, *1963,* Statement on Assembly Bill No. 755.

Calif. Leg. Assembly Int. Comm. on Water, Ground Water Problems in Calif., 87 pp., Dec. 1962, Report 1961–63—V2 *1963.*

Contra Costa County Water Agency, statement to Calif. Water Commission, March 5, 1965, San Francisco, 5 pp. with attachments; incl. summary and conclusion of a report to Agency by Metcalf and Eddy, engineers, Boston, N.Y., Palo Alto, Oct. *1964.*

Western Governor's Conference, May 3–6, *1964,* Fairmont Hotel, San Francisco, Resolutions on Water and Land, 13 pp.

Warne, Wm. E., Dir., Calif. Dept. of Water Resources, Status of Plans and Development of the State Water Project, speech to East Bay Retired Teachers, Oakland, May 14, *1964,* 10 pp.

Committee on Agriculture, Calif. Assembly, Room 4098, State Capitol; Hearings, July 1, *1964,* Agricultural Exports.

Calif. Int. Comm. on Water, Hearings—State Water Pol., Santa Monica, July 23, *1964.*

Calif. Legislature, Joint Hearing: Pacific S.W. Water Problems, Sacramento, Part 1. August 13, 1964, 254 pp.; Part 2, Aug. 14, *1964*; Oct. 31, 1963, 178 pp. mimeo.

Davis-Grunsky Act—Int. Comm. Water, State fin. assist. to water dev., 54 pp., Nov. *1964.* (Assembly Int. Comm. Report 1963–65 V 26 No. 10.)

Assembly Int. Committee Reports, *1963–1965,* Vol. 26, No. 11, Reports of Subcommittee on Water Pollution, Dec. 1964, 54 pp.

PRO AND CON RECENT ARTICLES IN CALIFORNIA FARMER AND CALIFORNIA FARMER-CONSUMER REPORTER

California Farmer (83 Stevenson St., San Francisco 94105, $4 a year)

Nov. 6, 1965: Look a Long Way Ahead on Water, Sorenson Warns.

Dec. 4, 1965: Interior Dept's Slide Rule Interpretation of 160-Acre Law.

Jan. 1, 1966: Calif., Arizona Won't Get Enough Water from Colorado.

Feb. 5, 1966: Udall wants to turn off the spigot in Imperial . . . while he ladles water to large leaseholders in Arizona.

Mar. 5, 1966: Big Government Doesn't Want Big Farms.

May 21, 1966: Imperial Valley's Costly Land Dilemma.

Feb. 20, 1966: Weird Crew Tries to Knife Westlands Water Contract.

California *Farmer-Consumer Reporter* (740 Hilmar St., Santa Clara, $3 a year)

Jan., 1966: Excess-Land Owners Seek State Aid in Evading 160-Acre Limit.

Feb., 1966: State Board Defers Action on 160-Acre Limit.

Aug., 1965: Corporations and Speculators bid for DiGiorgio Land.

Nov., 1965: Anti-Social Features of the Pacific Southwest Water Plan.

Mar., 1964: "Strengthen the Family Farm" says Pres. Johnson.

May, 1964: State Board Discusses Family Farm Studies: Family Farm Workshop, Fresno State College, May 23rd.

April, 1964: Evasions of Reclamation Law, letter.

Dec., 1964: Districts Sue to Nullify 160-Acre Limit.

1963: The Family Farm in California by Richard Sasuly, 58 pp.

March 1961: Anniversary Issue, 32 pp.

RECENT NEWS ITEMS BY SOURCE

Quinn, J. B. Master, Time for Reflection, Editorial, *California Grange News*, May 10, 1964, Westlands Contract.

An extensive collection of clippings is on file at the Bancroft Library, U.C. Berkeley.

Di Giorgio Land Sale Dec. 2, 1964, various news items.

Di Giorgio Corp. being Reshaped, News items, Nov. 20, 21, 1965.

Fresno Bee, 8–C, Sept. 18, 1963, U.S. Drafts Plans for Sale of Excess Acreage in CVP.

Dickson, Edward H., Westlands Contract Opponents Appear to be Losing Battle, *Fresno Bee*, July 9, 1964, p. 1.

Los Angeles Times Editorial, February 28, 1960.

Monterey Peninsula Herald, Jan. 28, 1963, California Land Frauds by Fred W. Workman.

Blair, Wm. M., Coast Water Pact called 'Rustling,' Senators hear plan would enrich big land owners, *N.Y. Times*, July 9, 1964, p. 60M, *Fresno Bee*, p. 13–A.

Sacramento Bee, Oct. 29, 1953, p. 36, col. 5.

Drew Pearson, Water Windfall Stirs Reaction, *Sacramento Union*, Aug. 5, 1964.

San Francisco Chronicle, Dec. 31, 1961, p. 10, col. 3.

San Francisco Chronicle Editorial, Two Kinds of San Luis Water, Jan. 3, 1962.

San Francisco Chronicle, Jan. 2, 1962, p. 6, col. 3.

Bess, Donovan, Joaquin Drain Issue, Waste Disposal, Bay Study Asked (by State Water Quality Control Board), *San Francisco Chronicle*, Feb. 25, 1965.

San Francisco Examiner, Editorial, Dec. 4, 1961, Trouble at San Luis.

San Francisco News, Dec. 18, 1946, The Water Council asked for, "State control . . . and exemption of CVP . . . from the 160 acre limitation law."

Letter from Harold L. Ickes to Frank Clarvoe, editor, *San Francisco News*, Oct. 31, 1945.

San Jose Mercury, July 9, 1964, The Greatest Water Rustling Operation.

San Jose Mercury, 2–17–65, 4-County Board Proposed for San Luis Importation.

San Jose News, Farmers may escape 160-acre limit, 12–30–1963.

State Federal Weekly Newsletter, CVP—Burial ground of Reclamation Policy?, Calif. State Fed. Weekly newsletter, p. 2–4, Dec. 24, 1952.

Brown water policy intentions, Calif. Labor Fed. *weekly newsletter*, V1, p. 1–2, Jan. 22, 1960.

San Luis—Calif. Fed. Lab. AFL–CIO, Who Killed Cock Robin?, *Weekly News Letter*, 2;1+, April 15, 1960.

Pitts, Thomas L. (Sec.-Treas. Calif. AFL–CIO), Pitts urges Congress to Double-Check $150 Million Water Pact for Loopholes, May 15, 1964, Vol. 6, #20.

Windfall for Monopoly, Editorial, *St. Louis Post-Dispatch*, June 15, 1964; In the Name of Decency, June 6, 1966.

Johnson Land Reform, Subdivide Tulare Lake, Digiorgio; *Valley Labor Citizen*, April 3, 1964.

Sisk (Congressman), Sisk says 160 acre limitation will be applied at San Luis, *Valley Labor Citizen*, May 1, 1964.

Sisk, Cong. Bernie—Sisk says 160 acre pacts now in San Luis are "ridiculous, impractical and illegal," *Valley Labor Citizen*, June 12, 1964.

Sargenti, Lawrence, Machinists District Lodge 87, Business Agent; Unfair gifts to west side will wipe out east side farmers, *Valley Labor Citizen*, 6–24–64.

Editorial, *Valley Labor Citizen*, July 9, 1965.

Washington Post, March 4, 1962, California Water Dispute, Debate between Walter E. Packard and Senator Thomas H. Kuchel.

U.S. Supreme Court decision, *Western Water News*, V 10:3–6, July 1958.

MISCELLANEOUS ARTICLES BY AUTHOR (ALPHABETICAL)

Adams, Francis L., "Federal Power Development in Western States," in *Am. Planning & Civic Annual*, pp. 104–116, 1943, American Planning & Civic Assoc.

Agric. Econ. Report No. 49, "Our 100,000 Biggest Farms, Their relative position in American Agriculture," USDA, Farm Production Economics Division, Economic Research Service, Feb. 1964, 28 pp.

Agr. Experiment Station, Berkeley, "The California farm real estate situation," 24 pp., 1944, Conf. Sept. 7, 1943.

Alsop, Joseph, "The Rich Get Richer," column, *S.F. Examiner*, Nov. 20, 1964 (report of a Budget Bureau study of subsidy programs).

Anderson, Ken, "Central Valley Social & Economic Problems" in Notes on *California Pl. & Dev.*, pp. 29–35, 1952, U.C. Dept. of Political Science.

Ballis, George, "Water-Power monopoly," *Frontier*, V. 10, pp. 7–9, April, 1959.

Banks, Harvey O. and Krieger, James H., "Ground Water Basin Management," *Proc. ASCE*, J. Irri. Div., Dec. 1961, pp. 27–40.

Bauer, Clayton, "Doc Yellen—Giant Killer," *Henry George News*, Vol. 28, No. 12, Dec. 1965. (50 E. 69th St., N.Y., N.Y. 10021.)

Berry, William L., Calif. Water Problem, *Proc. Ann. Conf.*, State Assoc. of County Assessors of California, V. 48:13–20, 1950.

Bertsch, Howard, Adm. FHA, Address to Family Farm Workshop, Calif. Farm Res. & Leg. Comm., Fresno State College, May 23, 1964, "Can We Save the Family Farm?" 18 pp.

Bierwag, G. O., "Land Reform Schemes: An Application of Linear Programming," Regional Science Assoc. Western Sec., *Papers 1963*, pp. 112–121, Univ. of Penna., Philadelphia 4, Pa., $5.00 each.

Blote, Martin H., Consulting Engineer, 401 Calif. Fruit Bldg., 4th & J Streets, Sacramento 14, Calif., 447–8169, Letter to Sec. Udall, Jan. 30, 1964, 6 pp.

Blythe, Stuart O., Central Valley Project, *Calif.* 27 15–17, 46–50, May 1937.

Boke, R. L., "Citizens Guide to Central Valley," *The Nation* spec. water supp., pp. 13–17, Sept. 21, 1946.

Bookman, Max, "Growing Need for Water in So. Calif.," *Western City* 29—41–44, 64, Oct. 1953.

Address by Governor Edmund G. Brown, Calif. Water Program, NBC, Jan. 20, 1960.

Brewer, M. F. and Hirsch, W. Z., Economic issues in Reg. Water Dev., *Pacific Southwest Water Planning Conference*, June 4, 1964, 16 pp., U.C.L.A., Inst. of Govt. & Pub. Aff.

Burke, J. M., "Change in Water Law of California," *Calif. J. of Dev.*, V. 25, p. 8, 22–23, March 1935.

Bush, M., Water bibliography, *American Fortune*, 65:44+ 0 59.

Calif. Retain Control Central Valley Project, *California* 35:1–3, Oct. 1945.

California League of Women Voters, *Bulletin* (2), Nov. 1933, CVP Water.

California State Irrigation Assoc., *Marshall Plan*, March 16, 1919, 11 pp.

California Taxpayers Assoc., "Your Water and Money Threatened," *Bulletin #226*, April 15, 1955.

California Water Project Authority, "Excess Land Provision of Fed. Rec. Law to C.V.P.," 50 pp., Oct. 1945.

Campbell, Vernon, Letter to Joseph Jensen, Pres. Metropolitan Water District, 7–28–51.

Carpenter, G. Alvin, U.S. Bur. Agric. Econ., *Farm Size in California*, 43 pp., Oct. 1940.

Central Valley Reg. Pl. Conference, *Proceedings* 1, Dec. 1956; 2, May 1957.

Chilson, Hatfield, "Water Law Conflicts Between States and Federal Government," pp. 193–202, *Resources Deveolpment*, 1960, University of Colorado.

Christenson, R. P., and Aines, R. O., *Agric. Economic Report No. 18*, USDA, Economic Research Service, Farm Economics Division, Economic Effects of Acreage Control Program in the 1950's, 50 pages, Oct. 1962.

Ciriacy-Wantrup, S. V., The "New Competition for Land and Some Implications for Public Policy," *Natural Resources Journal*, Vol. 4, No. 2, pp. 252–267, Oct. 1964, Univ. of New Mexico School of Law.

———, *Projections of Water Requirements*, U.C. College of Agriculture, Giannini Foundation, 25 pp. 1960, No. 193.

———, "Utilizing Ground Water," *Report No. 0*, pp. 77–78, Dec. 1951, Western Agric. Econ. Res. Council.

Clark, Frank W., State-Fed. Meeting, *Highways & Public Works*, 18:1–2, Aug. 1940.

Clawson, Marion, "Toward a Permanent Farm Policy," address to 2nd *National Congress on Environmental Health*, June 6–8, 1961, Ann Arbor Michigan, 15 pp.

———, "Land and Water Pol. in Central Valley," *Land Pol. Rev.*, V. 8, pp. 23–26, Spring 1945.

———, U.S.D.A. Proposals to Waive Acreage Limitation, sent to Sen. Sheridan Downey, April 7, 1944, 21 pp.

Commonwealth Club of California, *Transactions*, 26:52–78, 89–91, June 2, 1931.

Conference of Agricultural Workers, Agr. Labor Res. Bureau, 10 pp., 1938.

Congressional Quarterly Weekly Report, "Water No. 1 Problem in Conservation," V. 28: 1979–1983, Dec. 23, 1960.

Domini, Floyd E., "The Over-all Importance of Irrigation and Drainage Both Nationally and Internationally," Journal Irri. & Drainage *Proc.* ASCE, Dec. 1964.

Davis, E. G., and Gould, M. L., U.S.D.A., "Drainage of Agricultural Land—Bibliography," *Misc. Pub. No. 713*, 1956, 200 pp.

Durbrow, R. T., "State Control of C.V.P.," *California Water News*, V. 1, p. 3, 1–15–49.

Erlich, Harry, U.C. Inst. Engr. Research, "Economic and Financial Aspects of Water Development," address to *American Society Agri. Engrs.*, April 14, 1960, 29 pp.

Engle, Sen. Clair, "Amendment on 160-acre Law," *Press Release* July 12, 1965, 1 page.

Farm Bureau, Fed., *Water Rights Question in Central Valley Project*, 80 pp., Mar. 11, '49.

———, *Basic Questions on Water Rights and 160 acre Limitation*, 6 pp., 1948.

Fauver, James R., *National Reclamation Assoc.*, "Some Problems of C.V.P.," address, 13th Annual Meeting, Nov. 1944, 16 pp.

Fortune, "The Company Twice as Big as Rhode Island," Vol. 63, No. 3, pp. 138+, March 1961 (The Kern County Land Co.).

Fox, Irving, "Reason in Water Management," Resources for the Future, 1775 Massachusetts Ave, N.W., Washington 6, D.C., Reprint No. 33, Feb. 1962.

Freeman, Sec. Orville L., U.S. Dept. of Agric., Nov. 12, 1963, speech to National Grange in Portland, Oregon, "The Family Farm in American Agriculture," report of the *National Agric. Advisory Commission*, 21 pp. attach.

Friant-San Joaquin River Litigation, *Proc. ASCE, Irri.* Div., Dec. 1961, pp. 27–40.

Goodall, Merril Randall, *Administration of C.V.P.*, M.A. Thesis, U. C., Berkeley, 194 pp. 1942.

Grader, Wm., and Dunlap, John, "Water and Power," 2nd Ann. *Issues Conf.*, CDC, pt. 7, Feb., 1960, 39 pp.

Gray, Horace M., *Control of Public Opinion* as a Factor in the Concentration of Economic Power, speech before MidWest Econ. Assoc., April 26, 1963, reprinted, Calif. Power

Users Assoc., 773 Cragmont, Berkeley, Calif. 94708.

Groh, Robert S., "Central Valley Episode" in *Notes on California Planning and Development*, pp. 36–43, 1952, U.C. Dept. of Political Science.

Gross, Leonard, "Water—The Problem that Needn't Be," *Look*, July 19, 1960, p. 25.

Haren, C. C., and Glasglow, R. B., *Median Family Income*, Stat. Bulletin No. 339, Resource Development Economics Division, Economic Research Service, USDA, Feb. 1964.

Hosmer, Helen, "Imperial Valley Background," *American West*, Feb. 1966.

Kefauver, Sen. Estes, with Irene Till, *In a Few Hands: Monopoly in America*, Pantheon, 1965, 239 pp.

Kennedy, Harp;d W., *Federal Claims against California's Unappropriated Water*, as reported by the *County Counsel* of Los Angeles County, May 5, 1960 (mimeo).

Kern County Land Co., *Annual Report May 1965*, Excerpts, Water subsidies, Farm Labor, Dirksen Amendment.

Knight, Harold V., "Fight on the farm: 160 acre policy," *Frontier*, 4:12–13, July 1953.

Kuchel, Senator, *Press Release*, Federal aid to small reclamation projects raises ceiling of loans to 7½ million.

Law and Contemporary Problems, Water Resources, V. 22, p. 323–537, Summer 1957.

L.W.V. of U.S., *All about water*, 24 pages, May 1963, Current review No. 5.

Lepawsky, Albert, "Water Resources and American Federalism," *American Political Science Review*, 44:631–649, Sept. 1950.

Lof, Geo. O. G., "Toward greater availability potential applications of new water technology," *Western Res. Papers*, 39–48, 1959.

Simon J. Lubin Society of Calif., *Report to President's Comm. on Farm Tenancy*, 12 pp. mimeo, Jan. 12, 1937.

Maas, Arthur, and Hufschmidt, Maynard M., "Toward better river system planning: Report on the Harvard program of research in water resources development," *Western Resources Papers*, 133–180, 1959.

Maas, Arthur A., "Congress and Water Resources," *American Political Science Review*, 44:576–593, Sept. 1950.

McCarty, John F., *Irrigation District Movement in Calif.*, BPA UC, 62 pp., Jan. 1955 (Assembly Int. Com. 1953–55, V. 13, No. 5).

McCay, Chas. Russell, Investigation of the *Multiple-use concept* of the Federal Water resources policy of the U.S., Thesis, 112 pp., 1953.

McDonald, Angus, "160 Acres of Water," Public Affairs Inst. 1958.

McGanbey, P. H., and Erlich, Harry, *Economic Evaluation of Water*, 237 pp., Dec. 1957, U.C. Water Res. Center.

McKay, Douglas, *Partnership in Water Development*, address October 24, 1955, 11 pp. mimeo.

Morton, Walter A., *Creative Regulation* in Land Economics, Nov., 1963, pp. 367–374 (Sterling Hall, Univ. of Wisconsin, Madison 6, Wisc.).

Murray, Keith, "You lost a Round," *The Liberal Democrat*, March 1962.

Murray, Keith, "Urban Power," *Pacific Scene*, May 1965.

Netzer, "The Property Tax and Alternatives in Urban Development," *Reg. Sci. Assoc. Proc.*, Vol. 9, 1962, pp. 191–200.

Neuberger, Richard L., Senator, article, *Survey Graphic*, 28:517–21, 555–57, Sept. 1939.

New Republic, "Minor miracle; San Luis bill, 142:5–6, May 30, 1960.

Olson, Culbert L., *CVP and Transportation*, address to Pacific Transportation Assoc., Jan. 21, 1941, 14 pp.

Ostram, Vincent, "State Adm. of Natural Resources in the West," *American Political Science Review*, 47:478–493, June 1953.

Packard, Walter E., *Can Migrants be placed on CVP land?* U.S. House—Select Comm. to Investigate Interstate Migration of Destitute Citizens; 68 pp., 1940.

Pafford, Robert J., Jr., Regional Director, Bur. of Reclamation, *Water Development in the SW: A look into the Future*, address to SW Conf. of American Institute of Real Estate Appraisers, San Francisco, April 8, 1965.

Pinkett, H. T., "Archival product of a century of federal assistance to agriculture," *American Hist. R.*, 69:689–706, April 1964.

Reich, William, "Dust Over California," *The Land*, Vol. VII, #3, Autumn, 1949.

———, Report to Calif. Farm Res. & Leg. Comm. Dec. 8, Fresno, 14 pages: *Central Valley and State Contracts* in Relation to Protecting Rural Democracy and Family Agriculture.

———, "Problems of Waste Collection and Disposal in the S.F. Bay and Delta Systems," *Statement* to Calif. Water Commission March 5, 1965, 3 pp.

River, Robert B., "Solution of Calif. Water and Power Problems," *Statement* to Calif. Water and Power Users Assoc., Oct. 7, 1955.

Rohrer, Margaret, and Decker, Kenneth, *Water Resource Problems in California*, BPA, U.C., May 1949, 47 pp.

Rural Observer, V. 8, p. 1, Oct. 15, 1940; Bank of America foreclosure on Louis Silver stops crusading of Sam J. Lubin Society.

San Luis Project, *Progress Report* by Westland Water District, Jan. 1, 1959.

Sasuly, Richard, *The Family Farm in California*, Calif. Farm Res. & Leg. Comm., 56 pp. 1963.

Saturday Review, "The Crisis in Water: Its Sources, Pollution & Depletion," articles by Stewart Udall, Wallace Stegner, Gladwin Hill, and John Lear.

Sax, Joseph L., "Selling Reclamation Water Rights: A Case Study in Federal Subsidy Policy," *Michigan Law Review*, Vol. 64, p. 13, Nov. 1965.

Segerstrom, Charles H., "Acreage Limitation," *Calif. Magazine of the Pacific*, 35:38–39, Sept. 1944.

Shultis, Arthur, Agricultural Experiment Station, *Farming in California*, 22 pp., 1944.

Sisk, Cong. Bernie, 2 page *letter* to Thos. L. Pitts, June 2, 1964.

Smith, Stephen C., "Political and Administrative Strategy of Future River Basin Development," speech, *West. Political Science Assoc.*, March 23, 1962, 4 pp.

———, *Public Districts in Management of California Ground Water*, U.C. College of Agriculture, 1960, 13 pp.

Stanford Research Institute, *Economic Considerations* in the formulation and repayment of California Water Plan Projects. Menlo Park, 1958.

Stocker, Joseph, "Saying No to Three Cents an Acre," School land leasing in Arizona, *Survey*, Sept. 1949, Vol. 85, #9, pp. 465–469.

Stout, Marilyn, "The Great Water Steal" in *California Homeowner*, Dec. 1965 (1571 N. Gower St., Los Angeles, Calif. 90028).

Straus, Michael, "The California Public Power Scandal," II *Frontier*, June 1959, p. 5.

———, "How to meet the west's needs for water and power," *Public Affairs Inst.*, 1962, 72 pp.

———, "Skill and Will," address, *Western Governors Conference*, Dec. 8, 1952, 6 pp., U.S. Bureau of Reclamation.

Thomas, Harold E., "Essentials for optimum use of ground-water resources," *Western Resources Papers*, University of Colorado Press, 1959, pp. 181–192.

Thompkins, Dorothy Campbell, *Water Plans for California*, Bur. Pub. Adm., U.C., 1961, $4.50, 180 pp.

Timmons, John F., *Policy aspects of water resources development* in Report #2, pp. 53–68, June 28–30, 1954, Western Agr. Econ. Res. Council.

Tolley, G. S., "Future economics research on western water resources in California," *Natural Resources Journal*, 5:259,285, Oct. 1965.

Urban Land, "Water Problems in U.S., V. 10:1, 3–4, Oct. 1951.

U.S. Bureau of Census, *Agriculture 1959*, Final Report, Vol. 1, part 48, 1961.

U.S.D.A., Changes in *Farm Production and Efficiency*, a summary report, Statistical Bull. #233, Rev. July 1960, 48 pp.

U.S. Geological Survey, *Quality of Surface Waters*, Western U.S., 1953, 203 pp.; water supply paper #1380, 1957; water supply paper #1485, 1960.

U.S. Resettlement Adm. Bib., "Compensation as a means of improving farm tenancy," *Land use planning pub. #14*, 1937, 109 pp.

Vial, Donald, Labor and Calif. Water and Power Dev. *stat.* to California Water and Power Users Assoc. 2nd Annual Conference, Oct. 28, 1955, 9 pp.

Vizzard, J. L. Fr., "Agriculture Looks Ahead," *America*, 106:562–3, Jan. 27, 1962.

Warring, P. Alston, "A water policy for the U.S.A.," *Survey*, 87:167–171, April 1951.

Waterman, Patricia, *Central Valley Project bibliography*, Oct. 26, 1945, 4 pp.

White, Gilbert F., "National Executive Organization for Water Resources," *American Political Science Review*, 44:593–607, Sept. 1950.

White, Lee C. (Assoc. Counsel to the Pres.), *Letter* dated Sept. 22, 1964.

Wiser, Ray B., Calif. Farm Bur. Fed., *Debate* with Geo. Sehlmeyer, Master Calif. State Grange, March 17, 1946, 11 pp.

Wohlman, Abel, 'Wanted—a national water Policy," *State Government*, 19:215–217, 239, Sept. 1946.

Wood, Samuel E., *Proceedings*, Central Valley Project Conference, Dec. 7, 1945, 6 pp.

Yellen, Dr. Ben, M.D., *Newsletter* May 4, 1964, Comments on War on Property proposal to buy land for family farms, Brawley, Calif. (One of a numerous series on acreage limitation)

MEMOIRS OF J. RUPERT MASON, BANCROFT LIBRARY, U.C. LIBRARY, BERKELEY, CALIF.

Mason, James Rupert (1886–1959) CD 4021, *Single Tax, Irrigation District, and Municipal Bankruptcy.*

California Comm. on Immigration and Housing, Report of Large Landholdings in So. Calif.

Alper, Noah D., pamphlet, "Why the LVT Cannot be Shifted."

Fuchs, Judge, *"Constructive Taxation for Free Enterprise."*

Debates—Teddy Roosevelt and Henry Geo.

Record, George L., "How to Abolish Poverty."

Geo. H. McKing vs. Provident Irrigation District.

Bibliography—Cases, Federal Municipal Bankruptcy Act, p. 350.

Schmidt, Dr., "Land Reclamation in Fascist Italy," *Political Science Review*, Sept. 1937.

Raker Act, p. 327 JRM.

Puerto Rico Acreage Limitation, 53 RR 741, 750 (1938) 309 US 543 (1940).

160 acre limitation, J. R. Mason, p. 297.

Swing-Johnson Boulder Canyon Bill, House Comm. on Irrig. & Rec., S4123, Dec. 11 and 12, 1930.

Clough vs. Compton—Delevan Irrigation District.

Land Assessments vs. Water Tolls, J. Rupert Mason, p. 119.

Council of Foreign Bondholders, London, Repudiation of bonds.

Commonwealth Club Report, 1911, "Marketing Irrig. Dist. Bonds."

Dennett, L.L. (State Senator), Modesto. Attorney—many cases. "Briefs are classics."

Statutes 1909, p. 461, exempt all improvements.

Anderson-Cottonwood Irrigation District v. Klukkert.

13 Cal (2) 191.

2 Cal (2) 485.

31 Cal App (2) 619.

Kountze Bros—Bond sellers N.Y., only bond house to sell L.A. bonds.

Bankruptcy of Irrigation Districts, Bank of America, p. 131, J. Rupert Mason.

McHenry Public Library, Modesto, Papers on conflict between landed interests and irrigation districts.

Irrigation District Act (from Memoirs of JRMason)

164 US 112.
164 US 179.
88 Cal 334.
185 US 1.
128 Cal App 81.
140 Cal App 171.
3 Cal (2) 357.
12 Cal (2) 365 & 38.
13 Cal (2) 191.
34 Cal (2) 125.

RETIREMENT TEST LIBERALIZATIONS IN THE SOCIAL SECURITY AMENDMENTS OF 1972

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MILLS of Arkansas. Mr. Speaker, during the discussion of the conference report on H.R. 1 and the changes which were made in the retirement test as a result of the conference agreement, a member of the Committee on Ways and Means, the Honorable CHARLES A. VANIK, requested that certain information illustrative in nature concerning the operation of this provision be placed in the RECORD. I assured him that while it would take a few days to work out the data which he had in mind, we would be pleased to include it as soon as it was available. We now have developed the information which was requested, and I am pleased to include it in the RECORD at this point.

RETIREMENT TEST LIBERALIZATIONS IN THE SOCIAL SECURITY AMENDMENTS OF 1972

The Social Security Amendments of 1972 have considerably liberalized those provisions of the social security law that are designed to help determine whether a worker is substantially retired and therefore eligible for retirement benefits. Beginning in 1973, the annual exempt amount—that is, the amount a beneficiary may earn and still receive the full amount of his benefits each month—will be raised from $1,680 to $2,100.

If his annual earnings exceed $2,100, only $1 in benefits will be withheld for each $2 of earnings above $2,100 regardless of how high his earnings are so that there will be no point at which $1 in benefits will be withheld for each $1 of earnings as occurred under prior law with respect to earnings over $2,880. Under prior law at certain earnings levels over $2,880 a beneficiary may have had less spendable income (that is, social security benefits plus earnings after taxes) than he would have if he had limited his earnings to a smaller amount. This acted as a deterrent to beneficiaries to increase their employment. The new provision assure that the more a beneficiary works and earns the more spendable income he will have.

Regardless of his annual earnings benefits will not be withheld for any month in which a beneficiary does not earn wages of more than $175 and does not render substantial services in self-employment.

It will be possible under the new provisions for persons to have fairly substantial earnings and still receive some of their benefits. Persons who earn the same amounts they did under the prior provisions will have considerably less withheld from their benefits. The following table illustrates several examples of the increased benefits which will be payable.*

*The first example is based on an award of maximum benefits payable in January 1973 ($266.10 PIA), the second example on an award of intermediate level benefits ($174.80 PIA), the third example on an award of minimum benefits ($84.50 PIA). Amounts have been rounded to nearest dollar.

	Social security benefits awarded	Worker's annual earnings	Annual social security benefits payable		Total earnings and benefits under new law
			Under law in effect in 1972	Under law effective in 1973	
Worker alone	$3,193	$7,000	None	$743	$7,743
Worker and wife	4,790	7,000	$70	2,340	9,340
Worker alone	2,098	5,000	None	648	5,648
Worker and wife	3,146	5,000	426	1,696	6,696
Worker alone	1,014	3,000	294	564	3,564
Worker and wife	1,522	3,000	802	1,072	4,072

Another significant improvement under the new legislation is that the annual exempt amount (and the monthly exemption) will be automatically increased in the future to keep pace with increases in the wage levels. During some periods in the past the annual exempt amount has not been increased frequently enough to reflect increases in the earnings levels. The delays had the effect of deliberalizing the test for beneficiaries and often caused hardships. Now beneficiaries can count on the exempt amount being kept up to date.

Finally, the new law contains a provision that in the year in which a beneficiary reaches age 72 his earnings beginning with the month in which he attains age 72 would be disregarded in computing annual earnings for retirement test purposes. This should alleviate the public misunderstanding and hardship that resulted in some cases under the prior provision because earnings after age 72 could affect the benefits to which an individual was entitled before he became 72.

Under these new retirement test provisions about 1.2 million people will get more social security benefits than under prior law; about 450,000 persons will be paid monthly benefits who were not receiving any benefits under the prior retirement test provision. It is estimated that in 1974, the first full year of operation of the new retirement test, $856 million in additional benefits will be paid.

COMPARISON OF AMOUNTS OF EARNINGS AT WHICH ALL BENEFITS ARE WITHHELD UNDER THE RETIREMENT TEST PROVISIONS IN LAW IN EFFECT THROUGH 1972 AND UNDER SOCIAL SECURITY AMENDMENTS OF 1972

Average annual earnings	Annual benefits [1]	Amount of earnings at which all benefits are withheld		Average annual earnings	Annual benefits [1]	Amount of earnings at which all benefits are withheld	
		In effect in 1972 [2]	Effective 1973 [3]			In effect in 1972 [2]	Effective 1973 [3]
Worker without dependents:				Worker with wife getting benefits:			
$1,200	$1,305.60	$3,585	$4,711	$1,200	$1,958.40	$4,238	$6,016
$2,400	1,852.80	4,132	5,805	$2,400	2,779.20	5,059	7,658
$3,600	2,317.20	4,597	6,734	$3,600	3,476.40	5,756	9,052
$4,800	2,799.60	5,079	7,699	$4,800	4,200.00	6,480	10,500
$5,856 [4]	3,193.20	5,473	8,486	$5,856 [4]	4,790.40	7,070	11,680
$6,000	3,236.40	5,516	8,572	$6,000	4,855.20	7,135	11,810
$7,200	3,717.60	5,997	9,535	$7,200	5,576.40	7,856	13,252
$8,400	4,110.00	6,390	10,320	$8,400	6,165.60	8,445	14,431
$9,000	4,254.00	6,534	10,608	$9,000	6,381.60	8,661	14,863

[1] Assumes benefits start at age 65 for worker and for wife.

[2] $1,680 annual exempt amount, with $1 in benefits withheld for each $2 of earnings between $1,680 and $2,880, and $1 in benefits withheld for each $1 of earnings above $2,880.

[3] $2,100 annual exempt amount with $1 in benefits withheld for each $2 of earnings above $2,100.

[4] Highest average of earnings possible for man retiring at age 65 in 1973.

HOW EARNINGS OF OVER $2,100 IN A YEAR AFFECT SOCIAL SECURITY BENEFITS UNDER THE SOCIAL SECURITY AMENDMENTS OF 1972

Total earnings for the year	$2,100	$2,500	$3,000	$4,000	$5,000	$6,000	$7,000	$8,000	$9,000	$10,000	$11,000
	Amount of benefits payable per year										
Monthly benefits awarded:											
$75	$900	$700	$450	$0	$0	$0	$0	$0	$0	$0	$0
100	1,200	1,000	750	250	0	0	0	0	0	0	0
125	1,500	1,300	1,050	550	50	0	0	0	0	0	0
150	1,800	1,600	1,350	850	350	0	0	0	0	0	0
175	2,100	1,900	1,650	1,150	650	150	0	0	0	0	0
200	2,400	2,200	1,950	1,450	950	450	0	0	0	0	0
225	2,700	2,500	2,250	1,750	1,250	750	250	0	0	0	0
250	3,000	2,800	2,550	2,050	1,550	1,050	550	50	0	0	0
275	3,300	3,100	2,850	2,350	1,850	1,350	850	350	0	0	0
300	3,600	3,400	3,150	2,650	2,150	1,650	1,150	650	150	0	0
325	3,900	3,700	3,450	2,950	2,450	1,950	1,450	950	450	0	0
350	4,200	4,000	3,750	3,250	2,750	2,250	1,750	1,250	750	250	0
375	4,500	4,300	4,050	3,550	3,050	2,550	2,050	1,550	1,050	550	50
400	4,800	4,600	4,350	3,850	3,350	2,850	2,350	1,850	1,350	850	350

FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, the Hartke Foreign Trade and Investment Act has touched off a nationwide debate on foreign economic policy. The steadily mounting trade deficit and a continuing high rate of unemployment have added an extra sense of urgency to the widespread reconsideration of America's position in world trade.

Forbes magazine recently presented a four-cornered dialog on the Hartke approach. Marred by an editorial attempt to equate the Hartke approach with the Smoot-Hawley tariff, the Forbes article, nonetheless, brings to public view four important viewpoints on America's foreign trade crisis.

Mr. President, in the interest of well-informed debate, I ask unanimous consent that the Forbes article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE HAVE ALL THE JOBS GONE?

The Smoot-Hawley Act, which passed Congress in 1930, was backed by a strange coalition of businessmen and labor unions. The Act produced the highest tariff walls in U.S. history and touched off a wave of retaliation by foreign countries. It probably deepened the Great Depression and was instrumental in creating the conditions that spawned World War II.

The spirit of Smoot-Hawley is again abroad in the land, albeit in different form. This time it's called the Burke-Hartke Bill, after sponsors Representative James Burke (Dem., Mass.) and Senator Vance Hartke (Dem., Ind.).

PELL-MELL RUSH?

"Stop the flow of imports! Save American jobs!" The chant went up in Washington, D.C. on June 29 as more than 1,000 members of the International Union of Electrical, Radio & Machine Workers paraded down Constitution Avenue. They fanned out into congressional offices to deliver their message in person: Support Burke-Hartke or labor won't support you.

Conceived by AFL-CIO economists and lawyers, the bill has as its goal "to restrict the present pell-mell rush by companies to go abroad for profits while weakening America's production, tax base, jobs and standard of living." To achieve this, it proposes to limit imports, regulate the outflow of U.S. capital and technology, increase taxes on foreign earnings and expedite relief for industries laid low by imports. In short, to drop the curtain on an era of free trade.

Hasn't the lesson of Smoot-Hawley been sufficient to discourage new protectionism? Apparently not. This time the tariff advocates have a new villain in addition to the old one of cheap foreign labor. The new one: the multinational corporation. In just a decade, American companies, led by the multinationals, more than doubled their direct foreign investment: $32 billion in 1960, $78 billion at the end of 1970. Is this *bad?* Or is it *good?* It depends on your outlook.

Because the multinational companies are such a recent phenomenon, the stubborn fact is that their real effects on both the host country and domestic employment are a big unknown.

In October 1971 the AFL-CIO published a study by Stanley Ruttenberg, a former Assistant Secretary of Labor. Ruttenberg concluded that foreign trade cost U.S. workers a net loss of 500,000 jobs between 1966 and 1969. A month later this figure was revised upward to 700,000; the most recent estimate made by the AFL-CIO's chief economist Nathaniel Goldfinger, in July 1972, indicated 900,000 lost jobs.

The multinationals have worked up figures of their own in rebuttal. (So many people are now working as lobbyists or researchers on either side of the fence that, according to a current quip, the Burke-Hartke Bill has already solved the unemployment problem.) The multinationals claim that their own domestic employment has been increasing almost twice as fast as that of companies that operate exclusively in the U.S.; thus, their foreign investments have *increased*, not decreased their payrolls at home. Supporting their case, Andrew F. Brimmer, a governor of the Federal Reserve Board, puts the net number of jobs created by foreign trade at 650,000 and adds another 360,000 jobs supported by the increased purchasing power made possible by low-priced imports.

Who is right, labor or the multinationals? You can pick your own expert. Senator Abraham Ribicoff (Dem., Conn.), chairman of the Subcommittee on International Trade, said after requesting a study of his own from the Tariff Commission: "Statistics in this area are either dated, obscure or unavailable."

But actions won't wait for precise figures or for scholarly studies. What should the U.S. *do?* Now. There is no simple answer. To help our readers make up their own minds, Forbes' Patricia Dreyfus and James Flanigan interviewed four key figures, two from labor, two from management; each represents a somewhat different viewpoint—from belligerently protectionist to stubbornly laissez-faire. The interviews are summarized on the following pages.

Even more is at stake in this debate than jobs and the availability of imported goods. Its outcome will help shape the kind of world we and our children will inhabit for many decades.

AFL-CIO'S NATHANIEL GOLDFINGER: "WE'RE UNDERMINING OUR INDUSTRIAL BASE"

(NOTE.—To the American Federation of Labor-Congress of Industrial Organizations foreign imports may be sinful, but multinational corporations are the devil incarnate. Speaking for the AFL-CIO is its chief economist, Nathaniel Goldfinger. Nat Goldfinger, 56, grew up in the 1930's, graduated from City College of New York in 1938. Goldfinger sees the multinational spread of U.S. industry as part of a continuing process in American history. But he sees it from the other side, the side of the regulators who curbed the trusts, and of the New Deal with its regulatory legislation that was the hallmark of that time, the time of Nat Goldfinger's youth.)

Businessmen see foreign investment differently than you do. They say that because of cost differentials, tariffs and other considerations the U.S. company would lose the foreign market were it not producing on the scene.

GOLDFINGER. Oh, there may be some elements of truth to that, depending upon the product and the country involved. But you see, there is an extremely important point here, and that is that what may be a rational decision for a private corporation such as a Ford Motor Co. or an IBM may not be a rational decision for the American economy and for American society. In fact, a decision made by the management of a private multinational corporation may work out to the advantage of that private corporation, but it may well result in the displacement of American labor, in the export of American technology, and it probably will result in the export of American capital. Moreover, such a decision may well undermine the industrial base of the country.

That's what organized labor and other supporters of the protectionist Burke-Hartke Bill worry about when they hear the bankers and academics talk of the U.S. moving toward a "post-industrial," no-growth society.

GOLDFINGER. If we continue to get more and more emphasis on investment in foreign production by U.S. companies, we are going to lose our industrial base. We are beginning to lose some of our service jobs related to production, and not too far down the road we will be losing some, if not much of our research and development because R&D always tends to follow production. The talk of those people who speak glibly of a service economy is the talk of those who unfortunately have not given much thought to the nature of our economy. Service jobs, most of them, are low-wage, menial jobs. It's not all surgeons and research chemists, by any means. You know, it's generally forgotten that the American consumer is an American worker, and the fact that the American market is a lucrative market is based upon the wages of the American worker. As we continue to get more and more emphasis on investment in foreign production by U.S companies, the labor share of income will go down, whereas the profit share will rise. Professor Peggy Musgrave (of Northeastern University and one of the few academics in labor good graces) says it well: "Foreign investment may enhance the private profitability of U.S. capital, but it is likely to reduce the real wage to U.S. labor as well as the Government's tax share in the profits."

But the prime responsibility of corporate management is supposed to be to seek out the geratest profit. In theory, everybody benefits from this greater return on invested capital. Is labor introducing a new criterion for corporate management? That it should invest with an eye not only to the greatest profit, but the greatest domestic employment as well?

Goldfinger. Well, we think they should have that in *consideration*. But that is *not* our primary drive. What we are saying is that all through American history, and particularly in the past 100 years, we have had the development internally in the U.S. of various types of regulations and restraints on private corporations and corporate operations. I mean this dates back into the late 1870s and certainly came to the fore in the 1930s. We have a whole series of regulations as part of American law and the American system. And yet when you look at the international economic area, you find that there is no regulation and the Government operates on the basis of the mythology of laissez-faire.

And you would propose a bill such as Burke-Hartke to counter laissez-faire. How do you see the effects of such a bill?

Goldfinger. One benefit would be in maintaining a diversified economy. The way things are going, we are undermining our industrial base. The adoption of Burke-Hartke with the restraint and regulations on imports and on the outflow of technology and the outflow of capital would help to maintain a more diversified type of economy.

Why do we need such drastic medicine as Burke-Hartke? Wouldn't market-disruption quotas do the job?

Goldfinger. The U.S. position in international trade has been deteriorating in composition as well as in total volume. During the 1960s, imports of manufactured goods approximately tripled, but exports of such goods merely doubled. We're now affected not simply in about three or four old industries, we're affected across the board. Even in the sophisticated new industries.

Would a return to a trade surplus assuage labor's anxiety and blunt the passion for Burke-Hartke?

Goldfinger. I doubt it, because there are so many parts of the country seriously hurt by imports. Anyhow, improvement in the trade balance by itself is not the solution for the problem we're talking about. What's involved in the future is a whole improvement in the relationship of our exports and our imports.

So you want a big fence to keep capital at home and foreign goods out. This would certainly protect U.S. labor and its wage rates from foreign competition. However, if we need, as the AFL–CIO says, the regulation of international profit-seeking by corporations, do we not need controls on labor's demands in the wage and work rules area? Controls for the goose and controls for the gander.

Goldfinger. Well, you see, in the international economic area, the issue is this: Capital is mobile, labor is not mobile. This is one of the crucial issues involved in this whole matter. That capital can move relatively easily out of one business into another or from one part of the country to another, or from the U.S. to Mexico or to Taiwan. However, people cannot move very easily and communities cannot move at all. So that what you have here are people and whole communities that are being sacrificed.

Supporters of multinational corporations cite capital flows that show the U.S. benefiting from repatriated earnings from foreign investment. These arguments make no impression on labor. They feel the profits come at the expense of labor's share of the national income.

Goldfinger. I'll give you some examples, small examples, but they add up. In March 1970 *The Wall Street Journal* reported that Zenith Radio, which was in the process of completing a large plant in Taiwan, announced that it would reduce its work force by about 3,000 jobs [*for Zenith's version, see p. 22*]. Joseph S. Wright said that in addition probably another 4,000 layoffs would occur in 1971. Paul Jennings, president of the International Union of Electrical Workers, reported to the Joint Economic Committee in July 1970 that Westinghouse closed its Edison, N.J., TV plant and transferred the production to one of its Canadian affiliates as well as to Japanese firms. Emerson Radio & Phonograph, a division of National Union Electric, discontinued production of TV sets, closing down its Jersey City, N.J. plant and transferring production to Admiral which in turn transferred production of major TV product lines to Taiwan. Warwick Electronics transferred production from its Illinois and Arkansas plants to its Mexican facility. Bendix left Elmira and Long Island, N.Y. to produce in Mexico. I could go on and on.

Okay, but maybe U.S. labor just can't compete in these fields. U.S. labor's productivity is not what it used to be, some people say, and the real problem in U.S. wages growing faster than U.S. productivity.

Goldfinger. The American worker operates the machinery and equipment that is provided by the company. Now, when the company provides the same kind of machinery and equipment and knowhow in its foreign plants, then it is increasing, very substantially increasing, the productivity and technology levels of that foreign plant. And it is making it possible to have the same or similar productivity levels as in the U.S. at much lower wages and at much lower labor standards frequently. Also often with lower tax rates and other kinds of advantages. So that we lose exports to the country where such a foreign subsidiary is operating, and then we lose out in third-country markets because of the competition from these foreign subsidiaries.

These countries you speak of with much lower wage rates and labor standards are obviously not European, but developing countries such as Mexico and Taiwan. These countries need foreign investment if they are to bring their people into the modern industrial world. How do you reconcile this problem?

Goldfinger. Those developing countries need viable economies. But frequently, foreign investment distorts the economy of the developing country by siphoning off labor into production for exports. Here the bankers and academics in the U.S. and some of the people in the developing countries have placed an utterly undue emphasis on trade as the answer to their problems. The answer to their problems is not trade in itself, but the development of viable economies, which to a great extent depends upon internal domestic markets. We get back once again to this issue that what is rational for the firm may be harmful to the country.

So basically, what you're asking is that regulation be imposed upon corporations to prevent them seeking the greatest return on investment in instances where that greater return is located outside the United States.

Goldfinger. We're saying there's a country here, and there are people here, working people and consumers. There are communities with a tax base, there is a Federal Government with its tax base, and this country should not permit itself to be undermined by its own policies. Regulation is necessary. Just as it was necessary to regulate the stock market and the large corporations, so it is necessary to regulate these international economic relationships, and it is particularly necessary to regulate the outflow of technology and of capital.

UAW's Leonard Woodcock: "Tariffs and Quotas Demand Retaliation"

(Note.—Leonard Woodcock, 61, has been president of the United Auto Workers since Walter Reuther's fatal accident in May 1970. He is a calm, reflective man, very different from the stereotype of a labor leader. His 1.4-million-member union is unusual, too. It is composed of three major industries: automobiles, aerospace and farm equipment. While the first sector has seen 15% of the U.S. market won away by foreign imports, the other two are heavily dependent on exports. As a result, the UAW does not share the AFL–CIO's protectionist ideas. In October Woodcock will travel to Japan to try to encourage automakers there to set up U.S. assembly plants.)

Can you explain how the UAW differs from the AFL-CIO on foreign trade? Do you support the Burke-Hartke Bill?

Woodcock. No, we do not. Our chief objection is the emphasis on tariffs and mandated quotas which will demand retaliation by other countries. This would lead to a substantial slackening of world trade, and this could have very drastic consequences for all of us.

Does that mean you support a free trade policy?

Woodcock. We support the general notion of free trade, but we have never been free traders period, because we live in a real world. We believe there *should* be licensing for export of capital, after a Presidentially appointed board decides this is in the nation's interest.

Let's go back to the time when Kennedy was President and Ford over here was going to buy up the remaining piece of Ford of Britain. This was at a time when the dollar was in difficulty, and the President publicly asked the Ford Motor Co. not to do it, and Mr. Ford said he was going to do it for the good of Ford. I think that sort of thing is wrong. The president of a private company shouldn't be able to say that his decision is superior to the recommendation of the President of the United States.

What about an agreement like the U.S.-Canadian auto pact? Hasn't this meant a loss of American jobs?

Woodcock. When the auto agreement first went into effect in 1965, our balance of trade in vehicles and parts was running $600 million per year in our favor. Now it has swung to a negative balance of over $100 million.

I'm not sure this could have been prevented, actually, because I don't know whether Canada could have sustained the drain that it had before the pact. The alternative would have been to have the Canadian market entirely sealed off, in which event there would probably have been fewer jobs on *both* sides of the border.

So you would agree that [illegible] is necessary to have plants abroad to serve foreign markets?

Woodcock. I don't disagree with that. Caterpillar Tractor is an excellent example because in every situation where they have placed a plant in a country, their exports from the U.S. to that country have shot up. They build parts in Japan, for example, which they bring here; they also build components here for the Japanese market, so you get a two-way flow. But the flow in each direction has substantially increased.

What about the argument that high American labor costs price U.S. companies out of the market? Do you think there is any basis for this claim?

Woodcock. I don't think so. If you take the decade of the Sixties, the last half was pretty bad. Productivity was bad, inflation was bad and our relative position in the international scheme of things worsened. During the first five years, it was the reverse. Our unit labor costs went down steadily. Except for Canada, we had the best record of any country—better than Japan, Italy, Western Europe.

Why did things change?

Woodcock. Because of the Vietnam war. Johnson and the Congress didn't have the courage to increase taxes in 1966 to balance the thing out. As the inflation problem increased, labor began to fight to make up for its lost position. When it did this, labor became part of the problem. No question about it.

Let's talk about productivity. Some industry leaders say that the solution to unemployment in America is getting people to went to work.

Woodcock. Well, if that thesis is correct and everybody suddenly started working twice as hard, the problem would get even worse—there'd be half as many jobs! But there is an attitudinal problem. Look at absenteeism. They used to control this by the terror of discipline. It doesn't work anymore. There's the apocryphal story about the guy who was always working only four days a week. Finally the plant manager asks him: "How come you only work four days?" Because I can't live on three," he says.

But if he's making enough in four days, isn't he getting too much money?

Woodcock. If his expectancies are less. You know, the counterculture is having a pervasive effect.

Do you really notice your members wanting to live in smaller houses with fewer TV sets?

Woodcock. I think it's possible. Then, too, you have a higher level of education. You take a second shift: They work from 3:30 to midnight. I think they could think of some better things to do on a Friday night than go into that damn plant. On Saturday, when they get time and a half, the absenteeism is sometimes greater than on regular workdays.

What can be done about it?

Woodcock. The solution may be, particularly if we have the chronic unemployment we seem to, to shorten the workweek, but use the plant all week round. I can see one crew working four days and another working three, including Saturday and Sunday, but the second might get paid as much as the first because they've got those two undesirable days.

But what does industry get for that besides the job that used to be done anyway? What is labor giving?

Woodcock. We'd get the work done.

GOODYEAR'S RUSSELL DEYOUNG: "AMERICA HAS GOT TO GO BACK TO WORK"

Note.—With plants in 24 countries and one-third of net income from overseas operations, the $3.6-billion Goodyear Tire & Rubber Co. is almost an archetype of the multinational corporation. It was also one of the first to become seriously concerned about the AFL-CIO's protectionist stance.

(Forbes' interview with Chairman Russel DeYoung took place in Goodyear's Akron headquarters. After the interview ended, DeYoung led an energetic march through part of Goodyear's production line. Gruff asides ("See 'em loafing there?") gave way to hearty bearhugs whenever the 63-year-old executive met a co-worker from his own cays on the production line.)

Proponents of the Burke-Hartke Bill claim that building plants abroad steals jobs from American workers. What about Goodyear?

DeYoung. Starting from 1962 we've increased our foreign jobs by 12,000 and our domestic by 21,000. In other words, our growth in the U.S. has been 75% faster than our growth in foreign countries.

Can you actually say that those foreign factories create American jobs?

DeYoung. Definitely. First, since we own those factories, we manufacture a lot of the machinery and molds for them. A lot of our research and development depends on those resources. We figure that 11% of our Akron employment is directly related to our foreign operations.

Wouldn't there be more jobs here if you didn't have overseas factories?

DeYoung. We wouldn't have the business. When we didn't have a factory in France, we didn't export tires to France. You've got tariffs, and productivity costs, and national pride.

If your foreign factories haven't adversely affected U.S. employment, how do you explain the United Rubber Workers' president claiming that since 1961 Akron has lost 10,000 jobs in rubber-related industries?

DeYoung. He's probably counting shoe products, and he's probably right there. We don't make shoe products. What I think he means, though, is that the stuff's moving out of Akron to other parts of the U.S. That's more of a problem than the foreign operations. We've built big plants in Union City, Tenn., in Gadsden, Ala., Fayetteville, N.C. Akron used to be the center of everything; now it's getting to be one of our smallest plants.

Why?

DeYoung. People don't want to work. It's as simple as that.

So you would say that the solution to unemployment would be for labor to stress productivity?

DeYoung. I think the great thing to increase employment is people going to work. You've got to keep in mind that labor costs have two bases—not only the rate, but the willingness to produce. We don't mind paying a guy a good wage, but we want him to work. We've had cases abroad where the union says: "These men are not producing; why don't you get rid of them for us?" Here, if they *start* producing, that's when the union may want us to get rid of them! I'm not picking on labor, but I think America has got to go back to work.

How do you do this?

DeYoung. I don't know. You try to indicate that you think people ought to go back to work, and labor puts their hands up and says: "Oh, you mean sweatshops again!" Nobody's talking about things like that. But people have got to start producing. We talk to the union about potential loss of jobs in Akron, and you know what they tell the workers? "The company's kidding you." The only time they believe you is when the operation is dead. We had to move foam padding out of Akron. We lost *$3 million* a yeas on one little department. We moved it down South. And I told the union—I had 'em sitting around that table. "We want to help you in every way we can," they said, "but we're not going to give up our hard-won gains." How do you get it across?

Should there be more government programs to relieve unemployment?

DeYoung. I think Abe Lincoln was a great guy when he said: The Government should never do for the people what they can and should do for themselves. Just like your parents. They can coddle you, and if you're not making good they can give you more money. But that doesn't help you any. Let you get hungry a few times, then you'll start scratching around. What the leaders of labor ought to start saying is: "We want a fair day's work for a day's pay." And some of the things labor stands for are good. I mean, you've got to have a good pension system. I think that when a guy gets laid off, he should be carried for a time until he gets back. Those things are good. But when I was going to school if I didn't work part time, I didn't eat. We've made it too easy on ourselves.

ZENITH'S JOSEPH WRIGHT: "WE DON'T LIKE TO HAVE PRODUCTION IN A FOREIGN COUNTRY"

Note.—Electronics has been hard hit by import competition. In the last five years overall employment has declined by some 219,000 jobs. One after another, U.S. electronics manufacturers have shifted production offshore—to Singapore, Hong Kong, Taiwan, Mexico. Paul Jennings, president of the International Union of Electrical Workers, estimates 121,000 jobs have been exported by such decisions. In 1970 the Chicago-based Zenith Radio Corp. laid off almost 3,000 workers and began building black-and-white TV sets in Taiwan. The move was followed by an announcement that the company would have to lay off another 4,000 by moving its small-screen color production out of the U.S. It did not, however, make that move. All color-TV production is still here. Moreover, in the first quarter of 1972, profits rose by 28% on a sales increase of 22%. Forbes asked Chairman Joseph S. Wright how Zenith did it.)

Wright. Let me tell you something straight off. Despite our wage rates in this country, which are substantially higher than in Japan and many times what they are in Taiwan and Mexico, our mass-production operation here is as efficient as anywhere else in the world. We have lines here in Chicago that operate at 120%–130% of efficiency. There's no way you can ask people to work any harder than that.

Then why has the electronics industry suffered such a serious decline?

Wright. Our problem basically came from the fact that Japan had a closed home market in which it maintained prices at levels far above their prices in the U.S. Then, too, Japan's currency evaluation was an absolutely artificial barrier to our ability to compete fairly. That 360–1 relationship of the yen and the dollar, formulated at a time when Japan was devastated, was largely what made the difference between 75 cents an hour in Japan and $3.50 an hour here. When the yen was revalued, this immediately readjusted wages between the U.S. and Japan almost 20%.

How were you able to keep color produc-

tion in the U.S. when you had to go to Taiwan for some of your black-and-white sets?

Wright. When we set that plant up in Taiwan, we were assuming that our Government was going to go on with its policy of more than 30 years of really not appearing to give a damn about matters of trade and the economy. We had the State Department in complete control of all our foreign policy; you just got the feeling that those people couldn't care less about the nitty gritty of our affairs. Now, if we had to decide again on whether to put up a plant in Taiwan to produce black-and-white sets, it would be a much more marginal decision.

Did labor make any concessions to enable you to keep color production in the U.S.?

Wright. I don't think there was ever any *quid pro quo*. I will say that our unions, while they've been tough bargainers, haven't just shut us down like some of the transportation and construction unions. Some industries have had to fight like the dickens to put in automated programs that increase efficiency. We haven't had that problem; knock wood we never do. And we do pay our people. We have them on incentive pay wherever we can. If they can work at 120% of efficiency, they get at least 20% extra pay. Anyone who slows that line up, so everyone starts to lose efficiency pay, gets pretty unpopular.

Do you have any other incentive programs?

Wright. Since the early Fifties we've had a profit-sharing plan where 20% of our pretax profits—after 6% on invested capital—goes into a fund for the benefit of the employees. After 30 years, someone who has worked here at an hourly job can leave with $80,000 to $100,000 in cash money.

What percent of sales are exports?

Wright. Not more than 5% overall. One reason is that most countries absolutely prevent us from shipping our goods into that market. If we set up a factory over there, it can cost three times as much to make, say, 10,000 sets as it would be to add a line to one of our plants here. Let me give you an example. We have a plant in Mexico, where we're required to buy components locally. The bill for materials—just the parts, in boxes—came to more than the wholesale U.S. price for a finished comparable set.

Aren't there any advantages to offshore production?

Wright. We don't like to have production in a foreign country if we can possibly avoid it. We'll actually pay a premium to have it here in the U.S. First of all, when you build a plant abroad to serve that market, you're subject to much less stable political situations. Second, you have the problem of logistics: getting everything in and being able to handle the flow of materials efficiently. This means duplicating overheads like quality control and advanced engineering. Third, when you're ready to get your finished product in here, you're subject to dock strikes on the West Coast.

So if unfair practices like dumping didn't exist, you could keep all your production here in the U.S.?

Wright. Exactly right. It would be a challenge, but we think we can do it.

What would have happened if you hadn't moved to Taiwan?

Wright. We would have had to drop that end of the business. It was impossible for us to compete under conditions as they then were. Look, from 1968 to 1971 our employment went from a peak of around 25,000 to 18,000. If everything had kept on going the way it was, my estimate was that our work force in this country would have shrunk to around 10,000 or 12,000 by 1975. Now I feel much more sanguine that we're going to grow. In fact, we've got a building program for some new engineering facilities right here in this complex.

GETTING TO KNOW THE WILD BURROS OF DEATH VALLEY

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GUDE. Mr. Speaker, I am certain that all of my colleagues are well familiar with my work during the 92d Congress on the subject of wild horses and burros in the West. Fortunately, the Congress did approve legislation protecting these animals where they are found on public lands.

I have recently had the opportunity to meet and discuss the subject of wild burros with Ms. Patricia Moehlman, a fascinating woman who is conducting detailed studies of the wild burro in the Death Valley National Monument.

The National Geographic has done a story on Ms. Moehlman and her work which I would like to share with my colleagues, for their information on another potential problem faced by these animals. The text of that article follows:

Getting To Know the Wild Burros of Death Valley

(By Patricia Des Roses Moehlman)

Mothering a four-legged orphan was the last thing I expected to do when I began my study of Death Valley's wild burro population. I had planned to keep my distance from my subjects, to affect their behavior as little as possible, and to protect my objectivity as an observer. But, as far as Sweet Pea was concerned, my resolve went out the window.

I was returning to my study area in Death Valley National Monument after a trip east and stopped at Wildrose Ranger Station to see if I had any mail. My knock brought Anne Farabee, wife of Ranger Charles (Butch) Farabee, to the door. Behind her stood a small fuzzy animal with big ears and a sign around his neck that said "Merry Christmas, Patti." He had the softest coat I have ever touched.

"We rescued him from a coyote near the water tank," Anne said. "We couldn't find his mother, so we tried to get a group of burros to accept him. They wouldn't, so we brought him home and gave him a name."

That night, as I led Sweet Pea to my winter quarters in a cabin at the ranger station, I realized what a rare and rewarding companion I had acquired. The monument's rules prohibit pets for residents, but Sweet Pea officially became a research animal, and he proved invaluable for the insights he gave me into burro behavior.

Sweet Pea joined me when I was about halfway through an 18-month study of the wild burros of Death Valley's Panamint Range (map, below). Despite increasing public attention to the fate of these animals, I discovered that relatively little was known about their behavior and place in the life system.

Our Western States contain more than 10,000 wild descendants of those sturdy symbols of the Old West, the pack animals of Spanish padres and grizzled prospectors. Today perhaps 700 inhabit the southern Panamint Range on the western flank of 140-mile-long Death Valley. They need fear no predator of consequence, except man.

BURROS PROVOKE OPPOSING VIEWS

Now men debate whether the burro fits into Death Valley's ecosystem. Critics say it pollutes water holes and eats away vegetation that holds the soil and sustains insects, bird life, and mammals as large as desert bighorn sheep. Defenders maintain that burros are not numerous enough to cause appreciable damage. A key to this question is numbers: How many burros will the land support?

The responsibility for deciding, as well as for devising a management program, rests with the National Park Service. Its guiding policy calls for restoration and maintenance of the land and its life-forms as they were before the white man came. There are those within the park system who see the burro as exotic—that is, non-native—and advocate total removal from the monument. Others would keep small herds in areas accessible to tourists, in deference to the animal's place in frontier history.

Another viewpoint—and one that I share, based on my observations—favors a management program that would retain the burros at a level the area would comfortably support. We might remember that *Equus*, the genus to which all asses, horses, and zebras belong, originally evolved on this continent and had a niche in the ecosystem perhaps as recently as 8,000 years ago.

In any event, before the Park Service makes a final decision on Death Valley's wild burros, other interested Governmental agencies and the public will have a chance to comment, under procedures set up by the National Environmental Policy Act. I hope my research will prove helpful in the formulation of a humane policy.

My study area covered about a third of Death Valley's Emigrant District, a 300-square-mile section in the Panamint Range. The region includes 11,049-foot Telescope Peak, highest point in the monument.

Topographic maps in hand, I set out to learn the terrain soon after arriving. I observed burros along both slopes of the mountains and down into Death Valley to the east and Panamint Valley to the west.

I identified 211 burros in my area, perhaps a sixth of all those within the boundaries of the monument. My group included 110 adult males, 51 adult females, and 50 adolescents and foals.

MATING URGE TURNS JACK JEALOUS

The eight-square-mile tract of high desert called Wildrose Basin provided my best observation area. There, abundant plants and water attracted the burros in the spring and early summer. Learning to recognize most individuals, I assigned each a number and name—until I ran out of names.

One was Brown Stud, a small hairy animal that dominated a quarter of a square mile of territory. He permitted other males to cross on their way to water, and even to mingle with females there. But if a jenny came into heat, Brown Stud becomes inhospitable. An intruding male had only to approach the female, and Brown Stud would lay back his ears and stand ready for combat. This threatening gesture usually discouraged the male. When it didn't, a fight erupted.

Braying, grunting, and growling, two burros in combat create pandemonium in a cloud of dust. Feet pound the ground. Teeth flash fiercely. But I noted that there's always more bluff than blows, more braying than blood.

In late May I moved from the cabin to a clearing on Piñon Mesa, about five miles to clearing on Piñon Mesa, about five miles southeast of the Wildrose Ranger Station.

From this 6,500-foot height, I could look west across the Argus Range and far, far away to the snow-topped Sierra Nevada—a cooling sight during the hot months. For shelter and sleep I had a tent.

Burros sleep and browse with apparent indifference to rain and snow, thunder and lightning—and most of all to summer's mercilessly hot sunshine.

In winter, snow sometimes blankets the mountains down to about 6,000 feet. Though it snowed at 4,000 to 5,000 feet, where I spent much of the winter, the flakes rarely remained long on the ground. Nevertheless, the cold often numbed my glove-clad fingers and night temperatures in the 20's were common.

In summer, when the temperature crept into the 90's—and that was some 30 degrees cooler than the floor of Death Valley—I donned a lightweight shirt, shorts, sandals, and floppy cotton hat. I carried a canteen everywhere, and sometimes emptied it over my head to avert a sun-induced headache.

My faculty adviser, Dr. John T. Emlen of the University of Wisconsin's Department of Zoology, arrived in June to see how my project was progressing. We set up our tents in the Wildrose Campground and made daily treks into burro areas. Dr. Emlen's powers of observation, developed by years of experience, soon proved useful.

One morning, as we watched several burros that were browsing sporadically, Dr. Emlen pointed out something I had missed. One burro seemed to find a single plant engrossing. His nose remained deep in the tufts.

Finally the burro moved away, and Dr. Emlen and I examined the plant, a barrel cactus. The tough, sharp spines (opposite) that discourage most browsers had been neatly plucked out, and the inside pulp eaten. A human would need pliers to remove those spines, but not a burro. Wild burros find sustenance in some of Death Valley's prickliest plants, primarily spiny hopsage, desert-thorn, blackbrush, and horse brush.

BURRO NO HELP IN THE KITCHEN

Sweet Pea started on a less thorny diet. I bottle-fed him on a milk substitute. It was always an accomplishment to get it mixed and into the bottle without mishap as he nudged my hands impatiently. My plans to have him spend his nights outside were reversed when coyotes began to draw near the ranger station after sunset. Soon he was the nightly occupant of the cabin's spare room.

Once a week I stood on a scale with Sweet Pea in my arms, his spindly legs kicking the air. Deducting my weight. I determined his. In only three months he weighed a hefty 88 pounds. That was the last time I lifted him. At about four years of age, he will reach full growth, perhaps 400 pounds and 11 or 12 hands—44 to 48 inches—at the withers.

Sweet Pea readily accepted me as his new mother. When Anne Farabee and I took him for a stroll, he trotted between us, kicking out to discourage Anne from walking too near me. A foal acts the same toward an older sibling when walking with its mother.

In the loose social organization of burros, the only stable unit consists of a mother and her offspring. Similar behavior is found among African chimps, I had learned while assisting Dr. Jane van Lawick-Goodall at Tanzania's Gombe Stream chimpanzee research station in 1967.

With a 12-month gestation period, a mature female burro can drop a foal—and occasionally twins—every year. She may come into heat again within six or nine days of giving birth, although my observations showed that only 5 of the 51 jennies had two foals within a two-year period.

Still, if the life-span of wild burros approaches that of domestic donkeys—about 25 years—the animals have a potentially high rate of multiplying, and this has raised the specter of burro population explosions.

Among the females I observed, however, only about 30 percent had new foals. Adult males, apparently because of dispersal to other areas, decreased by 45 percent, and the total population declined from 211 to 201. Of course my study was limited in territory. A comprehensive investigation of population growth and dispersal patterns is needed to determine the animals' long-range impact on the whole area.

One evening in early summer, the season when most foals are born, I was invited to dine with Ranger Earle Curran and his wife Rachel at Emigrant Ranger Station. They asked about new foals.

"I've counted six, including a brown-and-white female paint," I replied. "That makes four spotted burros in this district.

MOTHER WANTS NO VISITORS

The mother of the paint was Boldface, a brown burro with a white stripe down her nose (below). Although normally tolerant of my presence, Boldface would not let me come too close for the first five days, and I had to do my watching through a telescope. If I got within 50 yards of her foal, she gave a warning snort and trotted off, with her baby following close behind.

The foal spent a great deal of time lying down or sleeping, but at intervals at 15 to 20 minutes she would walk up to Boldface to nurse. After five days Boldface refused to allow her offspring to nurse that often, and the little burro began eating spiny plants.

Apart from eating and sleeping, burros spend time grooming themselves and each other. Standing parallel to a grooming partner, a burro will use its teeth as a back scratcher, while the partner reciprocates. Often the males just stand and bray in response to vocal blasts from burros miles away.

Both young and old alternately sleep and browse around the clock. Older animals sleep on their feet, but may lie down in winter months to keep warm. Foals sleep on the ground, and sometimes rest by leaning—eyes closed, head down, ears drooping—against their mothers.

When my fieldwork neared an end, I faced the question of Sweet Pea's future. Burro social organization being so fluid, I knew that Sweet Pea probably could join a bachelor or nursery group. One female, I noticed, had three or four yearlings in tow. I was concerned, however, about the possibility of a burro reduction program, and decided that Sweet Pea would be safer near my parents' home in Texas.

About then, the dreaded Venezuelan equine encephalitis virus crossed the Rio Grande. It had killed thousands of horses and donkeys as it spread northward. Before moving Sweet Pea to Texas, I made a 300-mile round trip to a clinic near Los Angeles to have him vaccinated. Sweet Pea now grazes peacefully near Austin on a grassy 425-acre plain he shares with two horses.

At this stage in my research, I see no ecological basis for elimination of Death Valley's burros. Contrary to widely held belief, the burros I observed did not strip the land, foul water holes, or endanger other animals.

Although heavy browsing occurred within a mile of water, my first appraisal of vegetation data indicates that plants on which burros feed do not suffer severely.

I noted that burros, rather than frightening other animals away, share the watering area with small rodents and birds. I do not deny that bighorn sheep might be affected by burro overpopulation, but to condemn the burro is to oversimplify a complex question, one that involves such things as climatic cycles and human population pressures. What we need is a program of burro management based upon systematic factual knowledge of the animals' role in the environment, so that we can say with certainty at just what point burro numbers start to take a toll.

SWEET PEA PROMPTS SWEET MEMORIES

I am in Texas now, analyzing my findings, and I visit Sweet Pea whenever I can. Watching him trot in the field, I recall the sights and sounds I remember best of Death Valley: the humor and furry charm of the long-eared foals, the fierceness and bluff of the adult males, the gentle, no-nonsense attitude of the proud jennies. How much longer, I wonder, will Death Valley's burros enjoy their free-ranging state? How long will others be able to see them as I have?

For many, many years, I hope.

REPRESENTATIVE JOHN McMILLAN

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ABBITT. Mr. Speaker, in my nearly 25 years in Congress, I have made many friendships which I shall long cherish. A number of my closest associates during these years will, like myself, be leaving at the end of the year.

One of these is our good friend Representative JOHN McMILLAN, with whom I have been closely associated during my entire service in the House. JOHNNY and I have worked together closely on the House Agriculture Committee and particularly on the Tobacco Subcommittee and since the opening of the Rayburn House Office Building, our offices have been side by side.

Congressman McMILLAN is a "southern gentleman" in the truest sense of the term and typifies all of the good qualities of a true public servant. He has ably served the people of his district and has contributed immeasurably to the development of much legislation before this body during the 17 terms in which he has served. JOHNNY came to the House on January 3, 1939, and is one of our most highly respected and well-liked Members. As chairman of the House District Committee, he has served with distinction and has taken a real interest in the problems of the District of Columbia. As second ranking member of the House Agriculture Committee he has made an outstanding contribution to legislation of concern not only to rural America but to the Nation's consumers in the cities as well.

I highly commend him on his long and faithful service and wish him well in the years to come. Whatever he undertakes, he will do with distinction and wherever he goes, he will be respected for his integrity and devotion to duty.

REPORT TO THE PEOPLE OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—XXVI

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the second session of the 92d Congress.

The furnishing of this report continues a service I began in the first session of the 80th Congress. This is the 26th and—since I will be retiring from Congress at the end of this year—the final report of my voting and attendance record.

These 26 reports show how I voted on 4,221 questions in the House of Representatives. Based on quorum calls and record votes, they also show an overall attendance record of 92.2 percent.

The purpose of these reports is to collect in one place and in concise form, information that is buried in thousands of pages, and millions of words, in the CONGRESSIONAL RECORD. It is impossible to make an accurate check on how a Congressman voted on all of the issues from such an official source without hundreds of hours of painstaking research and considerable knowledge of legislation and congressional parliamentary rules.

I, therefore, began these reports in 1947 because I did not believe my constituents should be deprived, through the sheer difficulty of getting the facts, of an easy-to-read, complete record of my votes. I felt that it was my responsibility to provide that record.

The record which follows includes all the rollcall and recorded teller votes in the 1972 session. In addition to the votes shown in this report, there were 133 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive roll numbers. I was present for 111 quorum calls and I was absent for 22 quorum calls.

The descriptions of the bills and the amendments or motions in the report are for purposes of identification only. No attempt is made to describe the legislation completely or to elaborate upon the issues involved. This caution is given because the descriptions used are often taken from the titles of the bills, which, unfortunately, do not always reflect the nature or true purpose of the legislation.

Upon request, I will be pleased to furnish more complete information on any bill as well as the reasons for my vote.

I hope that these reports over the years have been useful to my constituents in evaluating my stewardship. It has been a pleasure and a privilege to represent the people of the Eighth Congressional District of Wisconsin in the U.S. House of Representatives for the past 28 years.

The material referred to follows:

92D CONGRESS, 2D SESSION

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 8787, providing that the territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives:	
2	Jan. 18	On passage. (Passed, 232 to 104)	Yea.
		S. 382, promoting fair practices in the conduct of election campaigns for Federal political offices:	
4	Jan. 19	On agreeing to conference report. (Agreed to, 334 to 20)	Yea.
		H. Res. 765, providing for consideration of conference report on S. 2819:	
5	Jan. 25	On agreeing to resolution. (Agreed to, 247 to 123)	Yea.
		S. 2819, authorizing foreign assistance for fiscal 1972:	
6	Jan. 25	On agreeing to conference report. (Agreed to, 204 to 179)	Nay.
		H.R. 6957, establishing the Sawtooth National Recreation Area in Idaho:	
8	Jan. 26	On passage. (Passed, 369 to 9)	Yea.
		H.R. 8085, authorizing maximum age limits for appointments to certain Federal jobs:	
10	Jan. 27	On passage. (Rejected, 81 to 249)	Nay.
		H.R. 10086, providing for increases in appropriation ceilings and boundary changes in certain units of the National Park System:	
12	Jan. 31	On passage. (Passed, 303 to 2)	Yea.
		H. Res. 786, providing for consideration of S. 2010:	
13	Feb. 1	On agreeing to resolution. (Agreed to, 335 to 30)	Not voting.[1]
		S. 748, authorizing U.S. contributions to the Fund for Special Operations of the Inter-American Development Bank:	
14	Feb. 1	On passage. (Passed, 285 to 102)	Not voting.[1]
		S. 749, authorizing U.S. contributions to the Special Funds of the Asian Development Bank:	
15	Feb. 1	On passage. (Passed, 256 to 132)	Not voting.[1]
		S. 2010, authorizing paying installments of U.S. share of the 3d replenishment of the International Development Association funds:	
16	Feb. 1	On amendment reducing U.S. contribution from proposed $960,000,000 to $480,000,000. (Record Teller Vote), (Rejected, 165 to 191)	Not voting.[2]
17	Feb. 1	On passage. (Passed, 208 to 165)	Not voting.[1]
		H.R. 7987, providing for the striking of medals in commemoration of the bicentennial of the American Revolution:	
18	Feb. 2	On passage. (Passed, 388 to 1)	Not voting.[1]
		H.R. 11394, creating additional Federal district judgeships:	
20	Feb. 2	On amendment providing for 1 additional district judgeship for the northern district of Indiana. (Record Teller Vote), (Agreed to, 217 to 168)	Not voting.[2]
		H.R. 12089, establishing a Special Action Office for Drug Abuse Prevention with the purpose of coordinating Federal drug abuse prevention programs:	
23	Feb. 3	On amendment exempting Veterans' Administration's drug programs from above authority. (Record Teller Vote), (Rejected, 174 to 196)	Not voting.[2]
24	Feb. 3	On passage. (Passed, 380 to 0)	Not voting.[1]
		S. 1857, expanding the American Revolution Bicentennial Commission:	
26	Feb. 7	On motion to suspend rules and pass. (Passed, 328 to 36)	Not voting.[1]
		S. 1163, authorizing grants to States to establish food programs for the elderly:	
27	Feb. 7	On motion to suspend rules and pass. (Passed, 350 to 23)	Not voting.[1]
		H.R. 7088, establishing the Tinicum Environmental Center in Pennsylvania:	
28	Feb. 7	On motion to suspend rules and pass. (Passed, 361 to 8)	Not voting.[1]
		H.R. 12186, increasing penalties for violations of the Bald Eagle Protection Act:	
29	Feb. 7	On motion to suspend rules and pass. (Passed, 352 to 7)	Not voting.[1]
		H.R. 12741, extending the Federal Water Pollution Control Act through June 30, 1972:	
30	Feb. 7	On motion to suspend rules and pass. (Passed, 339 to 7)	Not voting.[1]
		H. Res. 164, establishing a Select Committee on Privacy, Human Values, and Democratic Institutions:	
33	Feb. 8	On agreeing to resolution. (Rejected, 168 to 216)	Nay.
		H.R. 10243, establishing an Office of Technology Assessment for the Congress:	
34	Feb. 8	On passage. (Passed, 256 to 118)	Nay.
		H.R. 12910, providing for a temporary increase in the public debt limit:	
37	Feb. 9	On passage. (Passed, 247 to 147)	Yea.
		H. Res. 796, providing for consideration of H. J. Res. 1025:	
39	Feb. 9	On agreeing to resolution. (Agreed to, 203 to 170)	Yea.
		H. J. Res. 1025, providing that the West Coast dock strike be immediately ended and contract dispute be settled by compulsory arbitration:	
40	Feb. 9	On passage. (Passed, 214 to 139)	Yea.
		H.R. 12350, authorizing $5.3 billion for a 2-year extension of Office of Economic Opportunity programs and creating independent Legal Services Program:	
45	Feb. 17	On substitute amendment authorizing $4,168,000,000 for a straight two-year extension of present OEO programs. (Record Teller Vote), (Rejected, 159 to 206)	Yea.
46	Feb. 17	On passage. (Passed, 234 to 127)	Nay.
		H.R. 12931, establishing a program to improve the economy and living conditions in rural areas:	
49	Feb. 23	On amendment forbidding pollution abatement grants to profit-making organizations or individuals. (Record Teller Vote), (Rejected, 150 to 224)	Not voting.[2]
		H.R. 12067, appropriating funds for foreign aid for fiscal 1972:	
51	Feb. 24	On agreeing to conference report. (Agreed to, 213 to 167)	Not voting.[1]
52	Feb. 24	On motion to concur in Senate amendments allowing the President to waive a provision of the bill prohibiting aid to Ecuador if he decided that such aid was important to U.S. national interests. (Agreed to, 230 to 138).	Not voting.[1]
		H.R. 11021, providing for controls over emission of noise detrimental to the human environment:	
55	Feb. 29	On passage. (Passed, 356 to 32)	Yea.
		H. Res. 849, providing funds for the Committee on Internal Security:	
57	Mar. 1	On agreeing to resolution. (Agreed to, 303 to 102)	Yea.
		H. Res. 847, providing funds for the Committee on Education and Labor:	
58	Mar. 1	On agreeing to resolution. (Agreed to, 319 to 78)	Yea.
		H.R. 11384, authorizing $315.2 million for high-speed ground transportation research and development:	
60	Mar. 2	On passage. (Passed, 361 to 14)	Yea.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 2589, requiring questions of race and occupation to be answered on qualification forms for prospective Federal jurors for aid in enforcement of nondiscrimination in Federal jury selection:	
62	Mar. 6	On motion to suspend rules and pass. (Passed, 317 to 27)	Yea.
		H.R. 12828, increasing the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and their dependents:	
63	Mar. 6	On motion to suspend rules and pass. (Passed, 358 to 0)	Yea.
		S. 659, Omnibus Education Amendments of 1972:	
65	Mar. 8	On motion to table motion to instruct conferees to insist on House-passed antibusing amendments. (Rejected, 139 to 270)	Nay.
66	Mar. 8	On motion to instruct conferees to insist on House-passed antibusing amendments. (Agreed to, 272 to 140)	Yea.
		H.R. 1746, providing enforcement powers for the Equal Employment Opportunities Enforcement Commission:	
67	Mar. 8	On agreeing to conference report. (Agreed to, 303 to 110)	Yea.
		H.R. 11624, authorizing additional funds for Transpo (72), an international transportation exposition:	
68	Mar. 8	On passage. (Passed, 278 to 109)	Yea.
		H.R. 10420, establishing a Marine Mammal Commission and imposing a 5-year moratorium on most killings of marine mammals:	
70	Mar. 9	On passage. (Passed, 361 to 10)	Yea.
		H.R. 12410, providing that prior inconsistent statements by witnesses may be used as evidence in court trials in the District of Columbia:	
72	Mar. 13	On passage. (Passed, 292 to 32)	Not voting.[1]
		H.J. Res. 1097, making certain urgent supplementary appropriations for fiscal 1972:	
73	Mar. 14	On passage. (Passed, 364 to 16)	Yea.
		H.R. 12910, providing for a temporary increase in the public debt limit:	
76	Mar. 15	On agreeing to conference report. (Agreed to, 238 to 150)	Yea.
		H.R. 11417, providing additional $170,000,000 for financial assistance to the National Railroad Passenger Corporation (Amtrak):	
77	Mar. 15	On amendment providing that salaries in excess of $60,000 could be paid to officers only out of unlikely net profits of the corporation. (Record Teller Vote), (Agreed to, 235 to 136)	Nay.
78	Mar. 15	On passage. (Passed, 313 to 63)	Yea.
		S. 2097, establishing a Special Action Office for Drug Abuse Prevention with the purpose of coordinating Federal drug abuse prevention programs:	
79	Mar. 16	On agreeing to conference report. (Agreed to, 366 to 0)	Yea.
		H.R. 8395, expanding and extending for 3 years programs to rehabilitate the physically, mentally or socially disabled:	
80	Mar. 20	On motion to suspend rules and pass. (Passed, 327 to 0)	Yea.
		H.R. 11948, increasing from $25,000 to $50,000 the ceiling on annual U.S. contributions to the Hague Conference on Private International Law and the International Institute for the Unification of Private Law:	
81	Mar. 20	On motion to suspend rules and pass. (Passed, 315 to 18)	Yea.
		H.R. 4174, allowing States split by time zone boundaries to exempt part of their States from daylight saving time:	
82	Mar. 20	On motion to suspend rules and pass. (Passed, 333 to 7)	Yea.
		H.R. 13120, providing for a modification in the par value of the dollar:	
84	Mar. 21	On passage. (Passed, 343 to 43)	Yea.
		H.R. 13592, establishing a national program to fight sickle cell anemia:	
87	Mar. 22	On passage. (Passed, 392 to 0)	Yea.
		H.R. 13955, making appropriations for the legislative branch for fiscal 1973:	
89	Mar. 23	On passage. (Passed, 363 to 9)	Yea.
		H.R. 11896, authorizing $24,600,000,000 for a comprehensive water pollution control program:	
92	Mar. 28	On amendment requiring industry by 1981 to use the "best available" waste treatment technology. (Record Teller Vote), (Rejected, 140 to 249)	Nay.
93	Mar. 28	On amendment requiring environmental impact statements for all activities covered by bill. (Record Teller Vote), (Rejected, 125 to 268)	Nay.
94	Mar. 28	On amendment deleting provisions requiring industrial users of municipal treatment works to pay, in addition to user charges for maintenance, operation and expansion of the plant, a portion of the initial (federally funded) capital costs. (Record Teller Vote), (Rejected, 66 to 337).	Yea.
95	Mar. 28	On amendment allowing the Environmental Protection Agency a 60-day period to review and veto a State effluent discharge permit, and for other purposes. (Record Teller Vote), (Rejected, 154 to 251).	Nay.
97	Mar. 29	On amendment to change the bill's 3-year contract authorization of $18,400,000,000 for waste treatment grants to annual congressional authorization on a 1-year advance basis. (Record Teller Vote), (Rejected, 161 to 232).	Yea.
98	Mar. 29	On amendment requiring public hearings in investigations of employee firings or layoffs resulting from pollution standards. (Record Teller Vote), (Agreed to, 275 to 117)	Nay.
99	Mar. 29	On amendment directing EPA to encourage regional resource management that utilizes spray irrigation, recycling of wastes and integrated systems of area waste treatment management programs. (Record teller vote), (Agreed to, 251 to 130)	Yea.
100	Mar. 29	On amendment preserving the rights of States to prohibit the discharge of all sewage from vessels in State waters. (Record teller vote), (Agreed to, 210 to 173)	Yea.
101	Mar. 29	On passage. (Passed, 380 to 14)	Yea.
		H.R. 9552, amending the Merchant Marine Act, to permit U.S.-flag passenger ships receiving Government subsidies to engage in year-round cruise trades:	
103	Apr. 11	On passage. (Passed, 374 to 0)	Yea.
		H.R. 13324, authorizing $555,800,000 for Maritime Administration programs for fiscal 1973:	
104	Apr. 11	On passage. (Passed, 365 to 13)	Yea.
		H.R. 13188, authorizing $141,800,000 for vessel and aircraft procurement and construction of facilities for the Coast Guard:	
105	Apr. 11	On passage. (Passed, 373 to 1)	Yea.
		H.R. 13336, authorizing $22,000,000 for U.S. Arms Control and Disarmament Agency activities in fiscal 1973 and 1974:	
106	Apr. 12	On passage. (Passed, 349 to 20)	Yea.
		H. Con. Res. 471, declaring it the sense of Congress that the President urge Russia to permit Soviet Jews to emigrate to Israel and to end religious discrimination:	
108	Apr. 17	On motion to suspend rules and pass. (Passed, 360 to 2)	Yea.
		H.R. 13752, amending the National Environmental Policy Act to provide for the interim licensing of the operation of certain thermoelectric generating plants:	
109	Apr. 17	On motion to suspend rules and pass. (Passed, 285 to 78)	Yea.
		H.R. 45, establishing an Institute for Continuing Studies of Juvenile Justice:	
112	Apr. 18	On motion to recommit. (Failed, 133 to 252)	Nay.
		H.R. 10488, authorizing construction, maintenance, financing, etc., of Federal buildings:	
114	Apr. 19	On amendment requiring a fair market value payment to Postal Service should New York City take over Morgan Annex site. (Record Teller Vote), (Agreed to, 196 to 170).	Yea.
115	Apr. 19	On passage. (Passed, 331 to 40)	Yea.
		H.R. 14070, authorizing funds for the National Aeronautics and Space Administration for fiscal 1973:	
116	Apr. 20	On procedural motion to begin consideration of bill on floor. (Agreed to, 350 to 2)	Yea.
119	Apr. 20	On passage. (Passed, 277 to 60)	Yea.
		H.R. 14108, authorizing funds for the National Science Foundation for fiscal 1973:	
121	Apr. 25	On passage. (Passed, 329 to 16)	Yea.
		H. Res. 918, directing the President and the Secretary of Defense to furnish detailed information on U.S. military activities in Indochina:	
123	Apr. 26	On motion to table the resolution. (Agreed to, 270 to 113)	Yea.
		H.R. 14582, making supplemental appropriations for fiscal 1972:	
124	Apr. 26	On passage. (Passed, 344 to 16)	Yea.
		H.R. 12202, increasing the Government's share of Federal workers' health insurance premiums from 40 percent to an eventual 75 percent:	
127	Apr. 27	On amendment including U.S. Postal Service employees in the bill. (Record Teller Vote), (Agreed to, 197 to 148)	Nay.
128	Apr. 27	On amendment to reduce the proposed Federal Government's contribution to a straight 50 percent. (Record Teller Vote), (Rejected, 124 to 219)	Yea.
129	Apr. 27	On passage. (Passed, 239 to 110)	Nay.
		S. 2713, authorizing the Attorney General to provide care for narcotic addicts who are placed on probation, paroled, or mandatorily released from prison:	
130	May 1	On motion to suspend rules and pass. (Passed, 325 to 0)	Yea.
		H.R. 12652, extending the Commission on Civil Rights for 5 years:	
131	May 1	On motion to suspend rules and pass. (Passed, 264 to 66)	Yea.
		H.R. 9676, conveying certain U.S. lands to Tennessee for use by University of Tennessee:	
132	May 1	On motion to suspend rules and pass. (Passed, 319 to 9)	Yea.
		H.R. 13334, establishing and fixing compensation for certain positions in the Treasury Department:	
133	May 1	On motion to suspend rules and pass. (Passed, 271 to 56)	Yea.
		H.R. 13591, changing the name of the National Institute of Arthritis and Metabolic Diseases to the National Institute of Arthritis, Metabolism, and Digestive Diseases:	
134	May 3	On passage. (Passed, 358 to 10)	Not voting.[1]
		H.R. 13089, providing for acceleration of tree planting programs on national forest lands in need of reforestation:	
135	May 3	On passage. (Passed, 371 to 5)	Yea.
		H.J. Res. 1174, making appropriations for special payments to international financial institutions for 1972:	
136	May 4	On passage. (Passed, 291 to 62)	Yea.
		H.R. 14718, providing a subsidy to a private bus company in the District of Columbia:	
138	May 8	On passage. (Failed, 50 to 270)	Nay.
		H.J. Res. 55, authorizing erection of a memorial to the U.S. Navy Seabees:	
139	May 9	On passage. (Passed, 366 to 4)	Yea.
		H.R. 4383, authorizing establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government:	
140	May 9	On passage. (Passed, 357 to 9)	Yea.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

92D CONGRESS, 2D SESSION—Continued

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 9212, extending Federal responsibility for payment of black-lung benefits and broadening eligibility:	
141	May 10	On agreeing to conference report. (Agreed to, 275 to 122)	Nay.
		H. Res. 968, providing for consideration of H.R. 7130, extending coverage and increasing the Federal minimum wage to $2 an hour; and for consideration of the Erlenborn amendment in the nature of a substitute bill providing no new coverage:	
142	May 10	On agreeing to resolution (Agreed to, 338 to 57)	Nay.
		S. 659, Omnibus Education Amendments of 1972:	
143	May 11	On motion to table the motion to instruct the conferees to insist on the House antibusing amendments. (Failed, 126 to 273)	Nay.
144	May 11	On motion to instruct the conferees to insist on the House antibusing amendments. (Agreed to, 275 to 124)	Yea.
		H.R. 7130, extending coverage and increasing the Federal minimum wage:	
145	May 11	On amendment to the Erlenborn substitute providing (instead of an immediate increase to $2 an hour) a two-step increase to $2 an hour for those covered prior to 1966 law and a three-step increase to $2 an hour for those covered by 1966 law. (Record Teller Vote), (Agreed to, 216 to 187)	Yea.
146	May 11	On amendment to the Erlenborn substitute containing special provisions for certain overtime pay for transit employees. (Record Teller Vote),(Agreed to, 185 to 208).	Nay.
147	May 11	On amendment to the Erlenborn substitute, deleting language permitting employment of youths at wages below adult minimum. (Record Teller Vote),(Agreed to, 170 to 228).	Nay.
148	May 11	On the Erlenborn amendment in the nature of a substitute bill, as amended (see rollcall 145). (Record Teller Vote), (Agreed to, 217 to 191)	Yea.
149	May 11	On passage, in the form of the Erlenborn substitute as amended, providing step increases—instead of an immediate increase—in Federal minimum wages and no new coverage. (Passed, 330 to 78).	Nay.
		H.R. 7378, establishing a Commission on Revision of the Judicial Circuits of the United States:	
151	May 15	On motion to suspend rules and pass. (Passed, 319 to 25)	Yea.
		H.J. Res. 812, authorizing the Secretary of the Interior to participate in the planning and design of a national memorial to Franklin Delano Roosevelt:	
152	May 15	On motion to suspend rules and pass. (Passed, 331 to 8)	Yea.
		H.R. 14582, making supplemental appropriations for fiscal 1972:	
155	May 17	On agreeing to conference report. (Agreed to, 339 to 33)	Yea.
156	May 17	On motion to concur with Senate amendment to conference report providing $170,000,000 for Amtrak after authorizing legislation becomes law. (Agreed to, 300 to 70).	Yea.
		H.R. 14734, authorizing funds for the Department of State, USIA, Peace Corps, and U.S. Arms Control and Disarmament Agency for fiscal 1973:	
157	May 17	On passage. (Passed, 305 to 65)	Yea.
		H.R. 14989, making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for fiscal 1973:	
159	May 18	On amendment restoring $25,100,000 for the United Nations and deleting a provision that limits the payment to the United Nations to 25 percent of the total annual assessment. (Record Teller Vote), (Rejected, 156 to 202).	Yea.
160	May 18	On amendment adding $1,000,000 for the Bureau of Prisons. (Record Teller Vote), (Agreed to, 178 to 165)	Nay.
161	May 18	On amendment adding $8,500,000 for support personnel of U.S. courts. (Record Teller Vote), (Rejected, 142 to 199)	Nay.
162	May 18	On amendment deleting all funds for the Subversive Activities Control Board. (Record Teller Vote), (Rejected, 106 to 206)	Nay.
163	May 18	On amendment prohibiting payment of salaries to Government employees covered by bill who refuse to testify before Congress. (Record Teller Vote), (Rejected, 132 to 180).	Nay.
164	May 18	On amendment prohibiting use of funds for wiretaps on conversations of Members of Congress or the Federal Judiciary. (Record Teller Vote), (Rejected 71 to 231).	Nay.
		H.R. 6788, establishing mining and mineral research centers:	
166	May 22	On passage. (Passed, 272 to 33)	Nay.
		H.R. 11627, requiring Federal standards for auto bumpers and establishing a consumer information program on auto repair costs:	
167	May 22	On passage. (Passed, 254 to 38)	Yea.
		H.R. 15093, making appropriations for the Department of Housing and Urban Development, NASA, the Veterans' Administration, and various independent agencies for fiscal 1973:	
169	May 23	On passage. (Passed, 367 to 10)	Yea.
		H. Res. 991, providing for consideration of H.R. 15097:	
170	May 24	On agreeing to resolution. (Agreed to, 359 to 6)	Yea.
		H.R. 15097, making appropriations for the Department of Transportation for fiscal 1973:	
171	May 24	On passage. (Passed, 367 to 1)	Yea.
		H.R. 9669, specifying duties of the Subversive Activities Control Board and changing its name:	
175	May 30	On passage. (Passed, 226 to 105)	Yea.
		H.R. 13918, authorizing funds for the Public Broadcasting Corporation for fiscal years 1973 and 1974:	
177	June 1	On amendment prohibiting the Corporation from making grants and entering into contracts with any corporation or institution paying their officers, employees, or performers over $42,500 per year. (Record Teller Vote), (Rejected, 163 to 182).	Nay.
178	June 1	On amendment reducing fiscal 1973 authorization from $65,000,000 to $40,000,000 and deleting fiscal 1974 authorization. (Record Teller Vote), (Rejected, 166 to 183).	Yea.
179	June 1	On amendment prohibiting the Corporation from conducting voter polls or public opinion surveys pertaining to Federal, State, or local elections. (Record Teller Vote), (Agreed to, 203 to 135).	Yea.
180	June 1	On amendment prohibiting the authorization of any funds after fiscal 1973 until the General Accounting Office audits funds through fiscal 1972. (Record Teller Vote), (Agreed to, 169 to 165).	Yea.
181	June 1	On above amendment on which a separate vote was demanded. (Rejected, 166 to 170)	Yea.
182	June 1	On passage. (Passed, 256 to 69)	Yea.
		H. Res. 965, authorizing the Speaker to appoint four Congressmen to attend the International Labor Organization Conference in Geneva, Switzerland:	
183	June 1	On agreeing to resolution. (Agreed to, 192 to 81)	Nay.
		S. 1736, authorizing construction, maintenance, financing, etc., of Federal buildings:	
185	June 5	On agreeing to conference report. (Agreed to, 278 to 40)	Yea.
		H.R. 12674, establishing a National Cemetery System within the Veterans' Administration:	
186	June 5	On motion to suspend rules and pass. (Passed, 312 to 4)	Yea.
		H.R. 10310, establishing the Seal Beach National Wildlife Refuge in California:	
187	June 5	On motion to suspend rules and pass. (Passed, 314 to 0)	Not voting.[1]
		H.R. 14731, providing for enforcement of the law prohibiting shooting at birds, fish, or other animal from aircraft:	
188	June 5	On motion to suspend rules and pass. (Passed, 312 to 5)	Not voting.[1]
		H.R. 14106, authorizing an additional $3,500,000 annually for water resources planning:	
189	June 5	On motion to suspend rules and pass. (Passed, 318 to 0)	Yea.
		H.R. 15259, making appropriations for the District of Columbia for fiscal 1973:	
192	June 7	On passage. (Passed, 302 to 67)	Yea.
		H.R. 14990, authorizing $2,600,000,000 for the Atomic Energy Commission for fiscal 1973:	
193	June 7	On passage. (Passed, 367 to 2)	Yea.
		S. 659, Omnibus Education Amendments of 1972:	
195	June 8	On agreeing to conference report. (Agreed to, 218 to 180)	Nay.
		H. Res. 995, providing for consideration of H.R. 12846:	
196	June 12	On agreeing to resolution. (Agreed to, 303 to 0)	Yea.
		H.R. 10792, increasing the ceiling on certain Small Business Administration loans:	
197	June 12	On passage. (Passed, 320 to 0)	Yea.
		H.R. 12846, authorizing a treatment and rehabilitation program for drug dependent members of the Armed Forces:	
198	June 12	On passage. (Passed, 322 to 1)	Yea.
		H.R. 15418, making appropriations of $2,500,000,000 for the Department of the Interior and related agencies for fiscal 1973:	
200	June 13	On passage. (Passed, 367 to 3)	Yea.
		H.R. 15417, making appropriations for the Departments of Labor, and Health, Education, and Welfare; and related agencies for fiscal 1973:	
201	June 14	On procedural motion to begin consideration of bill on floor. (Agreed to, 368 to 0)	Yea.
203	June 14	On amendment deleting $20,000,000 for the Occupational Safety and Health Administration. (Record Teller Vote), (Rejected, 160 to 206)	Yea.
204	June 15	On amendment exempting firms employing 25 or fewer persons from compliance with the Occupational Safety and Health Act of 1970. (Record Teller Vote), (Agreed to, 213 to 154).	Yea.
205	June 15	On amendment adding $364,000,000 for various education programs. (Record Teller Vote), (Agreed to, 212 to 163)	Nay.
206	June 15	On amendment adding $15,000,000 for bilingual educational programs. (Record Teller Vote), (Rejected, 143 to 205)	Not voting.[2]
207	June 15	On motion to recommit with instructions that bill be reduced by 5 percent. (Failed, 138 to 208)	Not voting.[1]
208	June 15	On passage of amended bill making appropriations of $28,600,000,000. (Passed, 277 to 60)	Not voting.[2]
		H.R. 13694, authorizing $6,700,000 for the American Revolution Bicentennial Commission for fiscal 1973:	
210	June 19	On motion to suspend rules and pass. (Failed, 174 to 165, a ⅔ majority being required.)	Nay.
		S. 3343, increasing the maximum amount of the grant payable for specially adapted housing for disabled veterans:	
211	June 19	On motion to suspend rules and pass. (Passed, 341 to 0	Yea.
		H. Res. 996, providing for consideration of H.R. 14370:	
214	June 21	On ordering previous question, (ending debate and precluding amendments.) (Ordered, 223 to 185)	Nay.
		H.R. 14370, providing payments of $29,600,000,000 to State and local goveraments (Revenue Sharing):	
219	June 22	On Byrnes' motion to recommit with instructions to delete retroactive payment of $2,650,000,000 for fiscal 1972. (Failed, 157 to 241)	Yea.
220	June 22	On passage. (Passed, 275 to 122)	Nay.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 15585, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and various independent agencies for fiscal 1973:	
222	June 22	On amendment reducing by $2,000,000 funds for Office of Telecommunications Policy. (Record Teller Vote), (Rejected, 148 to 188)	Nay.
223	June 22	On amendment deleting $100,000 for the Commission on Executive, Legislative, and Judicial Salaries. (Record Teller Vote), (Rejected, 135 to 196)	Nay.
224	June 22	On amendment reducing personnel, salary expenses and higher paid jobs in the Executive Office of the President. (Record Teller Vote), (Rejected, 122 to 210)	Nay.
225	June 22	On amendment prohibiting the purchase or lease of certain limousines. (Record Teller Vote), (Rejected, 121 to 205)	Nay.
226	June 22	On passage. (Passed 322 to 11)	Yea.
		H.R. 15507, providing a Federal guarantee of $1,200,000,000 in bonds for construction of mass transit system in Washington, D.C., area:	
228	June 26	On passage. (Passed, 282 to 75)	Yea.
		H.R. 15586, making appropriations of $5,400,000,000 for public works, Atomic Energy Commission, and related agencies for fiscal 1973:	
229	June 26	On passage. (Passed, 346 to 17)	Yea.
		H.R. 15495, authorizing $21,300,000,000 for procurement, research, and development of military weapons systems:	
231	June 27	On amendment to cut $350,000,000 for the Safeguard antiballistic missile system. (Record Teller Vote), (Rejected, 116 to 258)	Nay.
232	June 27	On amendment deleting entire $445,000,000 for further development of B-1 bomber. (Record Teller Vote), (Rejected, 94 to 279)	Nay.
233	June 27	On amendment prohibiting the building of an ABM site in Washington, D.C., area. (Record Teller Vote), (Rejected, 128 to 261)	Nay.
234	June 27	On amendment cutting off funding of U.S. military activity in Indo China after September 1, 1972. (Record Teller Vote), (Rejected, 152 to 244)	Nay.
235	June 27	On passage. (Passed, 334 to 59)	Yea.
		H. Res. 1021, providing for consideration of H.R. 15390:	
236	June 27	On ordering previous question (ending debate and precluding amendments). (Ordered, 206 to 180)	Yea.
		H.R. 15390, extending temporary national debt limit:	
237	June 27	On passage. (Passed, 211 to 168)	Yea.
		H.R. 13955, making appropriations for the Legislative Branch for fiscal 1973:	
239	June 28	On agreeing to conference report. (Agreed to, 382 to 8)	Yea.
240	June 28	On motion to table (kill) a motion to allow preparation of final plans for extension of the west front of the U.S. Capitol. (Failed, 186 to 206)	Nay.
241	June 28	On motion to allow preparation of final plans for extension of west front of the U.S. Capitol. (Record Teller Vote), (Failed, 181 to 197)	Yea.
		H.R. 14734, authorizing $1,000,000,000 for the State Department, USIA, Peace Corps, etc.:	
242	June 28	On agreeing to conference report. (Agreed to, 314 to 77)	Yea.
		H.R. 15587, extending the Emergency Unemployment Compensation Act for six months:	
243	June 28	On passage. (Passed, 275 to 108)	Nay.
		H.R. 15690, making appropriations of $12,900,000,000 for Department of Agriculture, Environmental Protection Agency, consumer protection programs and rural development for fiscal 1973:	
246	June 29	On amendment cutting from $55,000 to $20,000 the annual amount one individual could receive in crop subsidies, excluding sugar and wool. (Record Teller Vote), (Rejected, 189 to 193).	Nay.
247	June 29	On amendment prohibiting issuance of food stamps to strikers. (Record Teller Vote), (Rejected, 180 to 199)	Yea.
248	June 29	On passage. (Passed, 346 to 33)	Yea.
		H. Res. 1019, providing for consideration of and waiving points of order against H.R. 14163, indemnifying farmers and ranchers who lose livestock to predatory animals:	
249	June 29	On agreeing to resolution. (Rejected, 102 to 260)	Nay.
		H. Res. 1030, providing for consideration of and waiving points of order against H.R. 15692:	
251	June 29	On agreeing to resolution. (Agreed to, 348 to 6)	Yea.
		H.R. 15692, reducing interest rates on Small Business Administration disaster loans:	
252	June 29	On procedural motion to begin consideration of bill on floor. (Agreed to, 341 to 1)	Yea.
253	June 29	On amendment to change the retroactive date in bill from July 1, 1971, to July 1, 1972. (Record Teller Vote), (Rejected, 161 to 163)	Yea.
254	June 29	On passage. (Record Teller Vote), (Passed, 325 to 9)	Yea.
		H.R. 15585, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President and various independent agencies for fiscal 1973:	
256	June 30	On agreeing to conference report. (Agreed to, 341 to 3)	Yea.
		H.J. Res. 1238, making a supplemental appropriation of $200,000,000 for emergency disaster relief for damage resulting from Hurricane Agnes:	
257	June 30	On passage. (Passed, 356 to 1)	Yea.
		H.R. 15390, extending temporary national debt limit (conference report):	
259	June 30	On Byrnes' motion to concur with Senate amendment but modifying it to provide for a 10% instead of a 20% increase in Social Security benefits. (Failed, 83 to 253).	Yea.
260	June 30	On motion to agree with Senate amendment increasing Social Security benefits by 20% and increasing Social Security taxes. (Agreed to, 302 to 35)	Nay.
		H.R. 15635, extending programs aimed at preventing juvenile delinquency:	
262	July 17	On motion to suspend rules and pass. (Passed, 338 to 12)	Yea.
		H.R. 15657, amending and extending Older Americans Act:	
263	July 17	On motion to suspend rules and pass. (Passed, 351 to 3)	Yea.
		H.R. 13152, authorizing federal aid to the states for control of predatory animals and curtailing use of toxic chemicals in such control:	
264	July 17	On motion to suspend rules and pass. (Passed, 279 to 73)	Not voting.[1]
		H. Res. 1012, providing for consideration of H.R. 14424:	
265	July 18	On agreeing to resolution. (Agreed to, 374 to 4)	Yea.
		H.R. 15081, authorizing $1,290,000,000 through fiscal 1975 for programs to combat heart, lung and blood diseases:	
266	July 18	On passage. (Passed, 380 to 10)	Yea.
		H.R. 14455, authorizing $270,000,000 for communicable disease control programs:	
267	July 18	On passage. (Passed, 388 to 2)	Yea.
		H.R. 14424, establishing a National Institute of Aging:	
268	July 18	On passage. (Passed, 380 to 10)	Yea.
		H. Res. 1018, providing for consideration of H.R. 13853:	
269	July 19	On agreeing to resolution. (Agreed to, 259 to 122)	Nay.
		H.R. 13853, authorizing $5,000,000,000 in "emergency" grants for public works and community facilities:	
271	July 19	On amendment forbidding grants during any year when the projected federal budget deficit exceeds $20,000,000,000. (Record Teller Vote) (Agreed to, 197 to 194)	Yea.
272	July 19	On above amendment on which a separate vote was demanded. (Agreed to, 205 to 192)	Yea.
273	July 19	On passage. (Failed, 189 to 207)	Nay.
		H.R. 15641, authorizing $2,576,000,000 for military facilities and housing in fiscal 1973:	
275	July 20	On passage. (Passed, 372 to 17)	Yea.
		H.R. 15580, providing pay increases for District of Columbia police and firemen:	
276	July 20	On motion to recommit with instructions that increases be made retroactive to Mar. 1, 1972. (Failed, 164 to 201)	Nay.
		H. Res. 1024, providing for consideration of H.R. 13366:	
278	July 24	On agreeing to resolution. (Agreed to, 270 to 77)	Yea.
		H.R. 13366, authorizing payment for losses due to the cyclamate ban:	
279	July 24	On passage. (Passed, 177 to 170)	Yea.
		H.R. 14542, extending for 4 years certain officer promotion policies in the Air Force:	
281	July 25	On passage. (Passed, 268 to 128)	Yea.
		H.R. 12807, establishing a Federal policy concerning Government architectural-engineering contracts:	
283	July 26	On amendment requiring certain factors to be taken into account. (Record Teller Vote), (Rejected, 114 to 276)	Nay.
		H. Res. 1057, providing for consideration of, and waiving points of order against, H.R. 12931:	
285	July 27	On ordering, previous question (ending debate and precluding amendments). (Ordered, 214 to 162)	Nay.
		H.R. 12931, establishing a program to improve the economy and living conditions in rural areas:	
286	July 27	On agreeing to conference report. (Agreed to, 340 to 36)	Yea.
		H.R. 5741, authorizing transfer of surplus Liberty ships to States for use as artificial reefs in marine life conservation programs:	
287	July 31	On motion to suspend rules and pass. (Passed, 325 to 2)	Not voting.[1]
		H.R. 11300, increasing Federal ship mortgage insurance for certain vessels:	
288	July 31	On motion to suspend rules and pass. (Passed, 332 to 1)	Yea.
		S. 2227, authorizing the library of the highest appellate court in each State to be designated a depository library:	
289	July 31	On motion to suspend rules and pass. (Passed, 333 to 1)	Yea.
		H.R. 7130, extending coverage and increasing the Federal minimum wage:	
290	Aug. 1	On motion to disagree to Senate amendments and request a conference with Senate. (Failed, 190 to 198)	Nay.
		H.R. 15474, authorizing $8,000,000 for research, treatment, etc. programs on the disease called Cooley's anemia:	
291	Aug. 1	On passage. (Passed, 377 to 11)	Yea.
		H.R. 15418, making appropriations of $2,500,000,000 for the Department of the Interior and related agencies for fiscal 1973:	
292	Aug. 2	On agreeing to conference report. (Agreed to, 378 to 9)	Yea.
		H.R. 14146, establishing a national program for the management and use of coastal zones:	
293	Aug. 2	On amendment authorizing the Secretary of Interior, instead of the Secretary of Commerce, to administer the program. (Record Teller Vote), (Agreed to, 261 to 112).	Not voting.[1]
294	Aug. 2	On amendment providing that nothing in bill could be construed as prohibiting free and unlimited access to all public beaches. (Record Teller Vote), (Rejected 190 to 191).	Not voting.[2]
295	Aug. 2	On passage. (Passed, 376 to 6)	Yea.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

92D CONGRESS, 2D SESSION—Continued

Roll No.	Date 1972	Measure, question, and result	Vote
		H. Res. 1071, providing for consideration of H.R. 15989:	
296	Aug. 3	On agreeing to resolution. (Agreed to, 372 to 3)	Not voting.[1]
		H.R. 15989, extending export control authority and establishing Council on International Economic Policy:	
297	Aug. 3	On amendment limiting statutory life of Council to 1 year. (A later voice vote deleted entire section establishing Council.) (Record Teller Vote), (Agreed to, 192 to 174)	Not voting.[2]
298	Aug. 3	On amendment ending export controls on cattle hides, and requiring the Secretary of Commerce to obtain the approval of the Secretary of Agriculture before limiting exports of agricultural commodities. (Record Teller Vote), (Agreed to, 177 to 158)	Not voting.[1]
		H.R. 12101, increasing annuities for widows of Supreme Court justices:	
300	Aug. 7	On motion to suspend rules and pass. (Passed, 281 to 97)	Yea.
		H.R. 15883, providing Federal penalties for harming foreign officials serving in the United States:	
301	Aug. 7	On motion to suspend rules and pass. (Passed, 380 to 2)	Yea.
		S. 3645, authorizing $38,500,000 for Radio Free Europe and Radio Liberty for fiscal 1973:	
302	Aug. 7	On motion to suspend rules and pass. (Passed, 376 to 7)	Yea.
		S. 1819, extending Uniform Relocation Assistance Act:	
303	Aug. 7	On motion to suspend rules and pass. (Passed, 373 to 10)	Yea.
		H.R. 11357, extending National Labor Relations Act coverage to nonprofit hospital employees:	
304	Aug. 7	On motion to suspend rules and pass. (Passed, 285 to 95)	Nay.
		H.R. 15376, revising the method of computing wages of people employed under government service contracts:	
305	Aug. 7	On motion to suspend rules and pass. (Passed, 274 to 103)	Nay.
		H.R. 15690, making appropriations for Department of Agriculture, Environmental Protection Agency, consumer protection programs and rural development for fiscal 1973:	
308	Aug. 9	On agreeing to conference report, making appropriations of $13,400,000,000. (Agreed to, 317 to 80)	Nay.
		H.R. 15417, making appropriations for the Departments of Labor and Health, Education and Welfare, and related agencies, for fiscal 1973:	
309	Aug. 9	On agreeing to conference report making appropriations of $30,500,000,000. (Agreed to, 240 to 167)	Nay.
310	Aug. 9	On motion to agree with Senate amendments, with a compromise of $45,000,000 for the Corporation for Public Broadcasting. (Agreed to, 373 to 27)	Yea.
		H.R. 15927, providing a temporary 20 percent increase in Railroad Retirement benefits:	
311	Aug. 9	On amendment increasing employer and employee contributions to the railroad retirement fund. (Record Teller Vote), (Rejected, 104 to 289)	Yea.
312	Aug. 9	On passage. (Passed, 390 to 4)	Yea.
		H.R. 16029, authorizing $2,100,000 for foreign military aid and Bangladesh relief for fiscal 1973:	
314	Aug. 10	On amendment suspending aid to Brazil, until it can be determined that Brazil is not torturing political prisoners. (Record Teller Vote), (Rejected, 65 to 325)	Nay.
315	Aug. 10	On amendment postponing the effective date of provision terminating U.S. involvement in Indochina from October 1, 1972 to December 31, 1972. (Record Teller Vote), (Rejected, 109 to 304).	Nay.
316	Aug. 10	On amendment deleting provision terminating U.S. involvement in the Indochina war by Oct. 1, 1972, subject to POW release, MIA accounting and a partial cease fire. (Record Teller Vote), (Agreed to, 229 to 177).	Yea.
317	Aug. 10	On amendment deleting provision to restore broader Presidential authority to ban Rhodesian chrome imports. (Record Teller Vote), (Agreed to, 253 to 140)	Yea.
318	Aug. 10	On passage. (Passed, 221 to 172)	Yea.
		S. 2956 requiring Presidential reports to Congress on commitment of U.S. troops to combat, sending of combat-equipped troops abroad, or substantially enlarging the number of troops overseas:	
319	Aug. 14	On motion to suspend rules and pass. (Passed, 345 to 13)	Yea.
		H.R. 6957, establishing the Sawtooth National Recreation Area in Idaho:	
320	Aug. 14	On agreeing to conference report. (Agreed to, 363 to 0)	Yea.
		H.R. 15692, reducing interest rates on Small Business Administration disaster loans:	
321	Aug. 14	On agreeing to conference report. (Agreed to, 360 to 1)	Yea.
		H.R. 16254, making supplemental appropriations of $1,600,000 for disaster relief for fiscal 1973:	
325	Aug. 15	On passage. (Passed, 392 to 0)	Yea.
		H.J. Res. 1278, continuing appropriations for certain Federal agencies through Sept. 30, 1972, or adjournment in cases where final action had not yet taken place on their regular fiscal 1973 appropriations:	
326	Aug. 15	On passage. (Passed, 381 to 8)	Yea.
		S. 3824, authorizing $70,000,000 for the Corporation for Public Broadcasting and for public broadcasting facility grants:	
327	Aug. 15	On passage. (Passed, 377 to 8)	Not voting.[1]
		H. Res. 1094, providing that for the balance of the week conference reports may be considered on the same day as reported:	
329	Aug. 16	On agreeing to resolution. (Rejected, 159 to 223)	Yea.
		H.R. 16071, extending and expanding the Public Works and Economic Development Act:	
330	Aug. 16	On substitute amendment to amendment providing extra unemployment benefits to workers affected by Federal environmental regulations. (Record Teller Vote), (Rejected, 162 to 209)	Yea.
331	Aug. 16	On amendment deleting provisions providing special Federal aid to employees affected by Federal environmental regulations. (Record Teller Vote), (Rejected, 161 to 201)	Yea.
332	Aug. 16	On passage. (Passed, 285 to 92)	Nay.
		H.R. 15417, making appropriations of $30,500,000,000 for the Departments of Labor and Health, Education, and Welfare, and related agencies, for fiscal 1973:	
333	Aug. 16	On passage over the President's veto. (Failed, 203 to 171, a ⅔ vote being required)	Nay.
		H. Res. 1090, providing for consideration of H.R. 13915:	
336	Aug. 17	On agreeing to resolution. (Agreed to, 318 to 72)	Yea.
		H. R. 13915, limiting the use of busing to end segregated schools:	
338	Aug. 17	On amendment stating the neighborhood is "the" (instead of "an") appropriate basis for determining public school assignments. (Record Teller Vote), (Agreed to, 254 to 131).	Yea.
339	Aug. 17	On amendment authorizing $1,500,000,000 annually for basic education programs instead of earmarking $500,000,000 already authorized. (Record Teller Vote), (Rejected, 129 to 252).	Nay.
340	Aug. 17	On amendment deleting "or next closest" from an amendment (later agreed to) banning busing of any child except to the school closest or next closest to his home. (Record Teller Vote), (Rejected, 174 to 211).	Nay.
341	Aug. 17	On amendment allowing courts to reopen past cases to insure that desegregation orders were in compliance with this bill. (Record Teller Vote), (Agreed to, 245 to 141).	Yea.
342	Aug. 17	On amendment providing that the bill's restrictions on busing would not preclude court remedies for denial of equal protection of the laws. (Record Teller Vote), (Rejected, 154 to 223).	Yea.
343	Aug. 17	On amendment allowing a student to transfer to a school where his race, color, or national origin is a majority. (Record Teller Vote), (Rejected, 123 to 255)	Nay.
344	Aug. 17	On amendment stating that nothing in the act was intended to be unconstitutional. (Record Teller Vote), (Rejected, 178 to 197)	Nay.
345	Aug. 17	On passage, as amended. (Passed, 283 to 102)	Yea.
		H.J. Res. 1227, authorizing approval of 5-year U.S.-Soviet (SALT) agreement limiting offensive nuclear weapons:	
346	Aug. 18	On passage. (Passed, 330 to 7)	Yea.
		H. Res. 1102, providing for consideration of the conference report on S. 3726:	
347	Aug. 18	On agreeing to resolution. (Record Teller Vote), (Agreed to, 194 to 111)	Yea.
		S. 3726, extending export control authority and establishing Council on International Economic Policy:	
348	Aug. 18	On agreeing to conference report. (Agreed to, 183 to 124)	Yea.
		H. Res. 1095, providing for consideration of H.R. 14847, establishing moratorium on State and local air passenger fees:	
349	Aug. 18	On agreeing to resolution. (Agreed to, 215 to 23)	Yea.
		H.R. 13089, providing for acceleration of tree planting programs on national forest lands in need of reforestation:	
350	Sept. 5	On agreeing to conference report. (Agreed to, 303 to 1)	Yea.
		H.R. 12350, extending Office of Economic Opportunity programs for 2 years:	
351	Sept. 5	On agreeing to conference report authorizing $4,750,000,000 for programs including existing Legal Services Corporation within Office of Economic Opportunity. (Agreed to, 223 to 97).	Yea.
		H. Res. 1106, expressing sympathy of the House to Israel and families of members of Israeli Olympic team who were killed:	
352	Sept. 6	On agreeing to resolution. (Agreed to, 346 to 0)	Yea.
		H.R. 13514, establishing a wheat promotion program:	
353	Sept. 6	On passage. (Failed, 122 to 234)	Nay.
		H.R. 2, establishing a military medical school and scholarship program:	
355	Sept. 7	On agreeing to conference report. (Agreed to, 310 to 13)	Not voting.[2]
		H.R. 15550, authorizing transfer of certain Federal land to city of Alexandria, Va.:	
357	Sept. 11	On motion to recommit. (Agreed to, 213 to 38)	Not voting.[1]
		H.R. 16188, amending immigration laws to make it illegal to knowingly hire aliens not admitted for permanent residence:	
359	Sept. 12	On motion to recommit. (Failed, 53 to 297)	Nay.
		H. Res. 1115, providing for consideration of and waiving points of order against H.R. 15495:	
360	Sept. 13	On agreeing to resolution. (Agreed to, 347, 23)	Yea.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 15495, authorizing $20,900,000,000 for military procurement:	
361	Sept. 13	On agreeing to conference report. (Agreed to, 335 to 44)	Yea.
		H.R. 14896, amending and extending national school lunch program:	
362	Sept. 13	On agreeing to conference report. (Agreed to, 380 to 0)	Yea.
		H. Res. 1114, providing for consideration of and waiving points of order against H.R. 16593:	
363	Sept. 13	On agreeing to resolution. (Agreed to, 342 to 34)	Yea.
		H.R. 16593, making appropriations of $74,600,000,000 for the Department of Defense for fiscal 1973:	
365	Sept. 14	On amendment adding $100,000,000 in transfer fund authority to replace military personnel with civilians in kitchen duties (KP). (Record Teller Vote), (Agreed to, 265 to 116).	Not voting.[2]
366	Sept. 14	On amendment cutting off funding of U.S. military activities in Indochina 4 months after enactment. (Record Teller Vote), (Rejected, 160 to 208)	Not voting.[2]
367	Sept. 14	On amendment reducing funds in bill by 5 percent. (Record Teller Vote), (Rejected, 98 to 256)	Not voting.[2]
368	Sept. 14	On passage. (Passed, 322 to 41)	Not voting.[1]
		H.R. 16654, making appropriations for Departments of Labor, and Health, Education and Welfare, and related agencies:	
370	Sept. 19	On amendment exempting firms employing 15 or fewer persons from the Occupational Safety and Health Act. (Record Teller Vote), (Agreed to, 191 to 182)	Yea.
371	Sept. 19	On amendment adding $15,000,000 to the $60,000,000 for bilingual education programs. (Record Teller Vote), (Rejected, 162 to 207)	Not voting.[2]
372	Sept. 19	On passage. (Passed, 324 to 51)	Not voting.[2]
		S. 3419, establishing an independent consumer product safety commission:	
375	Sept. 20	On passage. (Passed, 319 to 50)	Not voting.[1]
		H. Res. 1122, providing for consideration of and waiving points of order against H.R. 16705:	
376	Sept. 20	On agreeing to resolution. (Agreed to, 240 to 98)	Not voting.[1]
		H.R. 16705, making appropriations of $4,200,000,000 for foreign economic and military aid and related international programs for fiscal 1973:	
380	Sept. 21	On amendment preventing the Overseas Private Investment Corporation from insuring new overseas investments. (Record Teller Vote), (Rejected, 141 to 167).	Not voting.[2]
381	Sept. 21	On passage. (Passed, 169 to 141)	Not voting.[1]
		H. Res. 1132, providing for consideration of and waiving points of order against H.R. 16754:	
382	Sept. 25	On agreeing to resolution. (Agreed to, 276 to15)	Not voting.[1]
		H.R. 16754, making appropriations of $2,300,000,000 for military construction:	
383	Sept. 25	On passage. (Passed, 292 to 13)	Not voting.[1]
		H. Res. 1133, concurring with Senate amendments to H.J. Res. 1227, authorizing approval of 5-year United States-Soviet (SALT) agreement limiting offensive nuclear weapons:	
384	Sept. 25	On agreeing to resolution (H. Res. 1133). (Agreed to, 308 to 4)	Not voting.[1]
		H.R. 1121, establishing the Gateway Recreation Area in New York and New Jersey:	
386	Sept. 26	On passage. (Passed, 350 to 4)	Not voting.[1]
		H.J. Res. 1306, continuing, through Oct. 14 or adjournment, funding at existing levels for those Federal agencies whose fiscal 1973 appropriations have not yet been approved:	
387	Sept. 27	On passage. (Passed, 353 to 4)	Not voting.[1]
		H.R. 16012, authorizing 4 reclamation projects:	
388	Sept. 27	On passage. (Passed, 293 to 64)	Not voting.[1]
		H.R. 13694, authorizing funds for the American Revolution Bicentennial Commission:	
390	Sept. 28	On amendment specifying that all decisions be made by full commission except those delegated to its director. (Rejected, 145 to 182)	Not voting.[2]
391	Sept. 28	On passage. (Passed, 300 to 19)	Not voting.[2]
		H.R. 16742, authorizing President to prohibit travel to countries in armed conflict with the United States:	
395	Oct. 2	On motion to suspend rules and pass. (Failed, 230 to 140, a ⅔ majority being required)	Yea.
		H.R. 15276, modifying restrictions against political activity by corporations and labor organizations having Government contracts:	
396	Oct. 2	On motion to suspend rules and pass. (Passed, 249 to 124)	Yea.
		H.R. 16191, providing for measures to combat aircraft hijacking:	
397	Oct. 2	On motion to suspend rules and pass. (Record Teller Vote) (Passed, 354 to 2)	Yea.
		H.R. 15859, authorizing $255,000,000 for emergency medical services:	
398	Oct. 2	On motion to suspend rules and pass. (Passed, 244 to 122)	Nay.
		H.R. 16645, providing for construction of a civic center in Washington, D.C., and for other purposes:	
401	Oct. 3	On amendment deleting civic center provision. (Record Teller Vote) (Rejected, 183 to 199)	Nay.
402	Oct. 3	On amendment prohibiting construction of civic center unless approved by Senate and House Committees on District of Columbia and Appropriations. (Record Teller Vote) (Agreed to, 250 to 137).	Yea.
403	Oct. 3	On passage. (Record Teller Vote) (Passed, 212 to 169)	Yea.
		H.R. 7130, extending coverage and increasing the Federal minimum wage:	
404	Oct. 3	On motion to disagree to Senate amendments and request a conference with Senate. (Failed, 189 to 196)	Nay.
		H. Res. 1142, waiving certain rules for considering bills from October 10 to end of week:	
406	Oct. 4	On ordering previous question (ending debate and precluding amendments). (Ordered, 214 to 171)	Nay.
		H.R. 15927, providing a temporary 20 percent increase in Railroad Retirement benefits:	
407	Oct. 4	On passage over the President's veto. (Passed, 353 to 29)	Nay.
		S. 2770, authorizing $24,700,000,000 for a comprehensive water pollution control program:	
408	Oct. 4	On agreeing to conference report. (Agreed to, 366 to 11)	Yea.
		S. 1316, increasing Federal share of State meat and poultry inspection programs to 80 percent:	
409	Oct. 4	On amendment requiring Federal inspection reports to be given State agencies. (Record Teller Vote), (Agreed to, 188 to 149)	Yea.
410	Oct. 4	On motion that the Committee of the Whole House recommend that enacting clause be stricken (killing the bill). (Record Teller Vote), (Agreed to, 172 to 170)	Yea.
411	Oct. 4	On recommendation (above) that the enacting clause be stricken (killing the bill). (Agreed to, 173 to 169)	Yea.
		H. Res. 1145, providing for consideration of H.R. 16656:	
414	Oct. 5	On ordering previous question on resolution (ending debate and precluding amendments). (Ordered, 200 to 168)	Yea.
		H.R. 16656, authorizing $16,500,000,000 for Federal-aid highway programs for fiscal 1974–75:	
415	Oct. 5	On amendment deleting provision prohibiting judicial review of administrative actions regarding a Washington, D.C. bridge. (Record Teller Vote), (Rejected, 125 to 173).	Yea.
416	Oct. 5	On passage. (Passed, 264 to 30)	Yea.
		H. Res. 1149, providing for consideration of H.R. 16810:	
418	Oct. 10	On agreeing to resolution. (Agreed to, 309 to 65)	Yea.
		H.R. 16810, increasing the temporary national debt limit to $465,000,000,000 and authorizing President to limit Federal spending to $250,000,000,000 for fiscal 1973:	
420	Oct. 10	On amendment providing that the President may only recommend that Congress make certain spending cuts. (Record Teller Vote), (Rejected, 167 to 216)	Nay.
421	Oct. 10	On passage. (Passed, 221 to 163)	Yea.
		H. Res. 1156, providing for consideration of H.R. 17034, making supplemental appropriations for fiscal 1973:	
422	Oct. 11	On agreeing to resolution. (Agreed to, 345 to 19)	Yea.
		H.R. 16654, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for fiscal 1973:	
423	Oct. 11	On motion to table (kill) a motion to instruct House conferees to insist on House language exempting firms of under 15 employees from OSHA. (Agreed to, 197 to 167).	Nay.
		H.R. 17034, making supplemental appropriations for fiscal 1973:	
424	Oct. 11	On passage. (Passed, 362 to 11)	Yea.
		H.R. 16924, providing certain pay incentives for Armed Forces servicemen with special skills:	
425	Oct. 11	On passage. (Passed, 337 to 35)	Yea.
		H.R. 16724, providing for public acquisition of private bus companies in Washington, D.C. area:	
427	Oct. 11	On motion to suspend rules and pass. (Failed, 226 to 129, a ⅔ majority being required)	Yea.
		H.R. 6482, providing for certain regulation of strip coal mining:	
428	Oct. 11	On motion to suspend rules and pass. (Passed, 265 to 75)	Not voting.[2]
		S.J. Res. 247, extending duration of copyright protection in certain cases:	
429	Oct. 11	On motion to suspend rules and pass. (Passed, 208 to 92)	Not voting.[1]
		H.R. 16987, authorizing $175,000,000 in supplemental appropriations for the Maritime Administration for fiscal 1973:	
431	Oct. 12	On motion to suspend rules and pass. (Passed, 351 to 3)	Yea.
		H.R. 14370, providing funds to State and local governments (Revenue Sharing):	
432	Oct. 12	On agreeing to conference report. (Agreed to, 266 to 110)	Nay.
433	Oct. 12	On agreeing to Senate amendment with an amendment limiting existing Federal matching grants for State and local social service programs to $2,500,000,000 annually (Agreed to, 281 to 86)	Yea.
		H.R. 16593, making appropriations for Department of Defense for fiscal 1973:	
434	Oct. 12	On agreeing to conference report appropriating $74,400,000,000. (Agreed to, 316 to 42)	Yea.
		H.R. 16754, making appropriations of $2,300,000,000 for military construction:	
435	Oct. 12	On agreeing to conference report. (Agreed to, 333 to 10)	Yea.
		H.R. 14989, making appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for fiscal 1973:	
436	Oct. 12	On agreeing to conference report. (Agreed to, 333 to 3)	Not voting.[1]

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

92D CONGRESS, 2D SESSION—Continued

Roll No.	Date 1972	Measure, question, and result	Vote
		H.R. 10729, Pesticide Act:	
437	Oct. 12	On agreeing to conference report. (Record Teller Vote), (Agreed to, 198 to 99)	Not voting.[1]
		H. Res. 1153, changing certain rules of the House of Representatives effective Jan. 3, 1973:	
439	Oct. 13	On agreeing to resolution. (Agreed to, 281 to 57)	Yea.
		H.R. 16654, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for fiscal 1973:	
440	Oct. 13	On motion to agree to Senate amendment with an amendment, authorizing the President to reduce bill to $29, 300,000,000 but limiting individual item cuts to 13 percent. (Agreed to, 289 to 41)	Yea.
		S. 1478, regulating certain chemical substances:	
442	Oct. 13	On motion to suspend rules and pass. (Passed, 240 to 61)	Nay.
		H.R. 7287, prohibiting trading in Irish potato futures on commodity exchanges:	
443	Oct. 13	On motion to suspend rules and pass. (Record Teller Vote), (Failed, 116 to 150)	Nay.
		The Journal of the proceedings of Oct. 13:	
444	Oct. 14	On approval. (Approved, 248 to 3)	Yea.
		H.R. 17034, making supplemental appropriations for fiscal 1973:	
445	Oct. 14	On agreeing to conference report. (Agreed to, 250 to 15)	Yea.
		H.R. 12006, amending the Longshoremen's and Harbor Workers' Compensation Act:	
447	Oct. 14	On motion to suspend rules and pass. (Passed, 198 to 71)	Yea.
		H. Res. 1147, authorizing overseas travel by the Committee on Public Works:	
448	Oct. 14	On agreeing to resolution. (Agreed to, 202 to 46)	Nay.
		S. 4062, providing for public acquisition of private bus companies in Washington, D.C., area:	
449	Oct. 14	On motion to suspend rules and pass. (Passed, 184 to 60)	Yea.
		H.J. Res. 1331, making further continuing appropriations for fiscal 1973:	
451	Oct. 14	On passage. (Passed, 163 to 73)	Yea.
		H. Res. 1166, revising a Senate amendment to H.R. 16071, extending and expanding the Public Works and Economic Development Act, and providing for agreement thereto:	
452	Oct. 14	On agreeing to resolution. (Agreed to, 155 to 64)	Nay.
		H.R. 1, Social Security Amendments of 1972:	
455	Oct. 17	On agreeing to conference report. (Agreed to, 305 to 1)	Yea.
		H.R. 16810, increasing the temporary national debt limit to $465,000,000,000 and authorizing the President to limit Federal spending to $250,000,000,000 for fiscal 1973:	
456	Oct. 17	On agreeing to conference report with limits on President's discretion in making spending cuts. (Agreed to, 166 to 137)	Yea.
		H.J. Res. 1331, making further continuing appropriations for fiscal 1973:	
457	Oct. 17	On agreeing to conference report. (Agreed to, 188 to 80)	Yea.
		S. 2770, authorizing $24,700,000,000 for a comprehensive water pollution control program:	
459	Oct. 18	On passage over the President's veto. (Passed, 247 to 23)	Nay.
		H. Con. Res. 726, providing for the adjournment of the 92d Congress:	
460	Oct. 18	On agreeing to resolution. (Agreed to, 240 to 21)	Yea.

[1] Absent, if present would have voted "yea."

[2] Absent, if present would have voted "nay."

AN EXPLANATION OF TERMS

Of necessity, the report contains parliamentary terms with which the reader may not be familiar. An explanation of some of these terms may, therefore, be helpful:

A. A *quorum call* consists of a calling of the roll of Members to determine whether or not a quorum—a majority of Members—is present. No business may be conducted when it is found that a quorum is not present.

B. *Recommittal:* Generally, on all important bills, a motion to recommit the bill to a committee, with or without instructions, is voted upon by the House before it votes upon passage of the bill. If such a motion is adopted, it means that the bill will be changed, delayed, or even killed. However, when a motion to recommit is accompanied by instructions, the vote generally indicates whether the Member is in favor of or opposed to the change in the legislation proposed by the instructions and does not necessarily indicate his position on the bill as a whole. A motion to recommit with instructions, if adopted, does not kill the bill.

C. *Rule:* Important bills, after approval of the committee concerned, go to the House Committee on Rules where a rule, in the form of a House resolution (H. Res.) is granted covering the time allowed for debate, consideration of amendments, and other parliamentary questions.

D. *Conference Report:* Representatives from both Houses of Congress meet in conference to work out differences existing in the legislation as passed by the two bodies. Upon conclusion of their conference, a report is submitted to each House setting forth the agreements reached. Each House then must act by way of adopting or rejecting the conference report in whole or in part.

E. *Previous question:* A motion which, if adopted, shuts off further debate on the question before the House and prevents further amendments to such proposition.

F. *Laying on the table:* A motion to lay a bill on the table, if adopted, kills the bill.

G. The type of bill can be determined by the letters which precede its number. All bills that originate in the House are designated by an "H," those that originate in the Senate by an "S." There are four main types:

(1) *H.R.* (*S.*) designates a bill which, when passed by both Houses in identical form and signed by the President, becomes law.

(2) *H.J. Res.* (*S.J. Res.*) designates a joint resolution which must pass both Houses and be signed by the President before becoming law. It is generally used for continuing the life of an existing law, or in submitting to the States a constitutional amendment, in which case it does not require the signature of the President but must be passed by a two-thirds majority of both Houses.

(3) *H. Con. Res.* (*S. Con. Res.*) designates a concurrent resolution. To become effective it must be passed by both the House and Senate but does not require the President's signature. It is used to take joint action which is purely within the jurisdiction of Congress. Many emergency laws carry the provision that they may be terminated by concurrent resolution, thus eliminating the possibility of a Presidential veto.

(4) *H. Res.* (*S. Res.*) designates a simple resolution of either body. It does not require approval by the other body nor the signature of the President. It is used to deal with matters that concern one House only, such as changing rules, creating special committees, and so forth.

Record teller vote occurs when requested by one-fifth of a quorum. As Members file past appointed "tellers" their names and votes are recorded.

Rollcall vote occurs when requested by one-fifth of those present. Members indicate their votes by responding "Aye" or "No" when their names are called in alphabetical order.

TRIBUTE TO EDWARD A. GARMATZ

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. GRIFFIN. Mr. Speaker, I am pleased to join my colleagues in extending best wishes to our distinguished Member from Maryland, Edward A. Garmatz, upon his retirement.

It has been my privilege to serve with Edward Garmatz on the Merchant Marine Committee while he was chairman. Under his capable and intelligent leadership, Congress found a new concern for our maritime industry, our ecology, and our marine and wildlife.

The record of legislation produced by the Merchant Marine and Fisheries Committee while chaired by Mr. Garmatz has been high in quantity and quality. I am proud to have been a part of that record and to have had the opportunity to work with Chairman Garmatz, whom I consider one of the most capable committee chairmen in the House.

I know the people of his district and State will miss him after 24 years of service. The Nation loses a great legislator and dedicated public servant with his retirement. The chairman's long record of accomplishments as a Member of this body will continue to contribute to the Nation and endure as a lasting tribute to him.

I wish him the very best of success and happiness in the future.

VOTING RECORD

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SANDMAN. Mr. Speaker, I am pleased to enter into the Congressional Record an account of my voting and attendance record for both sessions of the 92d Congress.

This report includes all rollcall votes and all quorum calls. The format that I have used includes a brief description of each bill. This was done for the purpose of identification since limited space prevents the inclusion of a detailed explanation of every measure or an account of every issue involved.

I will provide a copy of this voting record to any of my constituents who request it. If more detailed information concerning any particular bill is desired, I will be very happy to furnish it.

My voting record follows:

92D CONGRESS, FIRST SESSION

1971	Measure, question and result	Vote
Jan. 21	Call by States	Present.
Jan. 21	Election of Speaker of the House	Gerald Ford.
Jan. 21	Call of the House	Present.
Jan. 21	Call of the House	Present.
Jan. 22	Call of the House	Present.
Jan. 22	Call of the House	Present.
Jan. 22	H. Res. 5—A resolution relative to the adoption of the Rules of the House of Representatives for the 92d Congress (on ordering the previous question) (failed 134–254).	No.
Jan. 22	H. Res. 5—A resolution relative to adoption of the Rules of the House of Representatives for the 92d Congress. On ordering the previous question on the Sisk of California amendment (to strike all language from the resolution regarding the 21-day rule adopted in the Democratic caucus) and on the resolution (passed 213–174).	No.
Jan. 22	H. Res. 5—On the Sisk of California amendment to the resolution (passed 234–153).	Yes.
Jan. 22	H. Res. 5—On the resolution (passed 226–156, present 1).	No.
Feb. 2	Call of the House	Absent.
Feb. 4	Call of the House	Present.
Feb. 4	H. Res. 193—A resolution relative to election of Members to standing committees. On ordering the previous question (passed 259–32, present 42).	Yes.
Mar. 2	H. Res. 264—A resolution to authorize the production of certain documents and information and the testimony or depositions of House employees. On agreeing to the resolution (passed 292–63).	Yes.
Mar. 3	Call of the House	Present.
Mar. 3	H.R. 4690—A bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act and for other purposes. On passage (passed 228–162).	No.
Mar. 10	Call of the House	Present.
Mar. 10	H.R. 4246—A bill to extend until Mar. 31, 1973, certain provisions of the law relating to interest rates, mortgage credit controls, and cost-of-living stabilization on passage (passed 382–10).	Yes.
Mar. 10	H.R. 5432—A bill to provide an extension of the interest equalization tax and for other purposes. On passage. (Passed 393–5).	Yes.
Mar. 16	H.R. 4690—A bill to increase the public debt limit set forth in Section 21 of the Second Liberty Bond Act and for other purposes. On agreeing to the Conference Report (passed 360–3, present 1).	Not Voting.
Mar. 16	H.J. Res. 465—A joint resolution making a supplemental appropriation for the fiscal year 1971 for the Department of Labor and for other purposes. On passage (passed 355–0).	Not voting.
Mar. 17	Call of the House	Present.
Mar. 17	Call of the House	Present.
Mar. 18	Call of the House	Present.
Mar. 18	H.J. Res. 468—A joint resolution making certain further continuing appropriations for fiscal year 1971. On Yates amendment to eliminate appropriation for development of SST prototypes from Department of Transportation fiscal year 1971 continuing appropriations (passed 216–203, present 1).	No.
Mar. 23	Call of the House	Present.
Mar. 23	H.J. Res. 223—Extend right to vote to 18-year-olds. On agreeing to the joint resolution (passed 401–19).	Yes.
Mar. 24	H. Res. 339—A resolution providing for consideration of the bill H.R. 7 to amend the Rural Electrification Act of 1936 to provide an additional source of financing for the rural telephone program. On agreeing to the resolution (passed 366–26).	Yes.
Mar. 24	H.R. 7—To amend the Rural Electrification Act to provide an additional source of financing for the rural telephone program. On agreeing to the resolution (passed 269–127).	Yes.
Mar. 3	H.R. 4690—a bill to increase the public debt limit. Recorded teller vote on Patman Amendment. (Failed 180–212).	Yes.
Mar. 18	H.J. Res. 468—joint resolution making further continuing appropriations for Fiscal Year 1971—Yates Amendment to the resolution eliminates the appropriation for development of SST prototypes from Department of Transportation's FY 1971 continuing appropriations. (Passed 217–204).	No.
Mar. 29	H. Res. 349—a resolution providing for consideration of S.J. Res. 55, a joint resolution to provide a temporary extension of certain provisions of law relating to interest rates and cost-of-living stabilization. (Passed 324–6).	Yes.
Mar. 29	Call in Committee	Present.
Mar. 29	S.J. Res. 55—on Reuss Amendment. (Failed 143–183)	No.
Mar. 30	Call in Committee	Absent.
Mar. 31	Call of the House	Present.
Mar. 31	H.R. 6531—to amend military Selective Service Act Recorded teller vote on Harrington Amendment to terminate the draft by June 30, 1971. (Failed 62–331).	No.
Mar. 31	H.R. 6531—On the Whalen Amendment to restrict the draft to a 1 year instead of a 2 year extension. (Failed 198–200).	Yes.
Apr. 1	Call of the House	Absent.
Apr. 1	Call in Committee	Present.
Apr. 1	H.R. 6531—Dennis Amendment to provide that conscientious objectors serve in public service for two years in lieu of three and would delete language that calls for automatic induction of conscientious objectors who served unsatisfactorily in public service. (Failed 132–242).	No.
Apr. 1	H.R. 6531—Fraser Amendment to provide that no person who is inducted after December 31, 1971 may be required to serve on duty in Indochina. (Failed 122–260).	Not voting.
Apr. 1	H.R. 6531—Gibbons Amendment to provide that no person inducted after June 30, 1971 may be used in combat zone unless armed attack has been made or is imminent upon the U.S. (Failed 96–278).	No.
Apr. 1	H.R. 6531—Carney Amendment to extend draft for 18 months instead of 2 years. (Failed 170–200, present 1).	No.
Apr. 1	H.R. 6531—To amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths of Fiscal Year 1972 and for other purposes. On passage (passed 293–99, present 2).	Yes.
Apr. 6	Call of the House	Present.
Apr. 6	Call in Committee	Present.
Apr. 6	H. Res. 356—A resolution providing for consideration of H.R. 5981—to authorize the Secretary of Agriculture to establish feed grain bases, wheat domestic allotments and upland cotton base acreage allotments for certain groups of sugar beets. On agreeing to the resolution (Passed 182–177).	No.
Apr. 6	Call in Committee	Present.
Apr. 6	H.R. 5981—On preferential motion that the committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken out. (Passed 193–115).	Yes.
Apr. 7	Call in Committee	Present.
Apr. 7	H.R. 7016—Office of Education appropriations for fiscal year ending June 30, 1972—vote on Hathaway amendment to increase funding for 26 separate educational programs totaling $728.9 million. (Failed 188–191, present 1).	No.
Apr. 7	H.R. 7016—Conte amendment to strike section 309 which provides that no funds of this act may be used to force any desegregated school to take action to force the busing of children or to force the transfer of children. (Failed 149–206).	No.
Apr. 7	H.R. 7016—A bill making appropriations for the Office of Education for the Fiscal Year ending June 30, 1972. On passage. (Passed 355–7).	Yes.
Apr. 19	H.R. 1535—To amend Section 312 of the Immigration and Nationality Act. On motion to suspend the rules and pass (two-thirds required). (Passed 192–84).	Not voting.
Apr. 20	Call of the House	Present.
Apr. 20	Call in Committee	Present.
Apr. 20	H.R. 4724—To authorize appropriations for certain maritime programs of the Department of Commerce. On passage. (Passed 360–11).	Yes.
Apr. 21	Call of the House	Present.
Apr. 21	Call of the House	Present.
Apr. 21	Call of the House	Present.
Apr. 21	Call of the House	Present.
Apr. 21	Call of the House	Present.
Apr. 21	Call in Committee	Present.
Apr. 22	Call of the House	Present.
Apr. 11	H.R. 5376—To extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965. On motion to recommit with instructions. (Failed 128–261).	No.
Apr. 22	H.R. 5376—On passage. (Passed 319–68).	Yes.
Apr. 27	Call of the House	Present.
Apr. 27	H.R. 2598—A bill to authorize the acquisition, training and maintenance of dogs to be used in law enforcement in the District of Columbia. On motion to recommit (Failed 76–303).	No.
Apr. 27	H.R. 6417—To reduce the number of Class A retailers' licenses issued under the District of Columbia Alcoholic Beverage Control Act. On passage. (Failed 178–200)	No.
Apr. 28	Call of the House	Present.
Apr. 28	H.R. 6444—To amend the Railroad Retirement Act of 1937 to provide a 10 percent increase in annuities. On passage. (Passed 379–0)	Yes.
Apr. 29	Call of the House	Present.
Apr. 29	H. Res. 274—A resolution relative to funding the Internal Security Committee. Hays Amendment—Strike $450,000 in line 6 and insert $570,000. (Passed 257–129)	Yes.
Apr. 29	H. Res. 274—On motion to recommit. (Failed 104–275)	No.
Apr. 29	H. Res. 274—On agreeing to the resolution (Passed 300–75)	Yes.
May 3	Call of the House	Absent.
May 3	H.R. 6283—To extend period within which the President may transmit to Congress reorganization plans concerning agencies of the Executive Branch of the Federal Government. On motion to suspend the rules and pass (two-thirds required). Passed 301–20).	Not Voting.

92D CONGRESS, FIRST SESSION

1971	Measure, question and result	Vote
May 4	S. 531—To authorize U.S. Postal Service to receive $2 for execution of application for passport. On passage (Passed 241–124).	No.
May 5	H. Res. 422—A resolution honoring Harry S. Truman on his 87th Birthday. On agreeing to the resolution (Passed 380–0, present 1).	Yes.
May 5	H. Res. 423—A resolution providing for consideration of the bill H.R. 4604 to amend the Small Business Act on agreeing to the resolution. (Passed 381–0).	Yes.
May 5	H.R. 4604—To amend the Small Business Act—On passage (Passed 383–0).	Yes.
May 6	Call of the House	Present.
May 6	H. Res. 412—A resolution to authorize additional investigative authority to the Education and Labor Committee on agreeing to the resolution. (Failed 156–172).	No.
May 10	H.R. 5638—To extend penalty for assault on a police officer in District of Columbia to assaults on firemen. On passage (Passed 312–0).	Yes.
May 11	Call of the House	Present.
May 11	H.R. 8190—Supplemental appropriations for Fiscal Year ending June 30, 1971. Giaimo Amendment—additional amount for loans to District of Columbia. (Failed 170–219).	No.
May 12	Call of the House	Present.
May 12	H.R. 8190—Boland Amendment to provide additional amount for development of a civil supersonic aircraft including the construction of two prototype aircraft of the same design. (Passed 201–195, present 2).	Yes.
May 12	H.R. 8190—Boland Amendment. (Passed 201–197, present 6).	Yes.
May 17	H.R. 7271—To authorize appropriations for commission on civil rights. On motion to suspend rules and pass (two-thirds required). (Passed 262–67).	Not voting.
May 17	H.R. 5257—To amend National School Lunch Act to provide funds to the Department of Agriculture for purposes of providing free or reduced price meals to needy children. On motion to suspend the rules and pass (two-thirds required). (Passed 332–0).	Yes.
May 17	H.R. 56—To amend National Environmental Policy Act of 1969 to provide for a national environmental data system on motion to suspend rules and pass (two-thirds required). (Passed 305–18).	Yes.
May 17	H.R. 5060—Criminal penalty for shooting of certain wildlife from aircraft suspend rules and pass (two-thirds required). (Passed 307–8).	Yes.
May 17	H.R. 2587—To establish the National Advisory Committee on the Oceans and Atmosphere. On motion to suspend the rules and pass (two-thirds required). (Passed 293–10).	Yes.
May 18	Call of the House	Absent.
May 18	Call of the House	Absent.
May 18	H. Res. 437—Resolution providing for consideration of H.R. 3613 to provide during times of high unemployment for programs of public service employment on ordering the previous question. (Failed 182–210).	No.
May 18	H. Res. 437—Smith of California Amendment to insert "It shall also be in order to consider without the intervention of any point of order the text of bill H.R. 8141 as a substitute for the said committee amendment." (Passed 210–177).	Yes.
May 18	H. Res. 437—On agreeing to the resolution (Passed 350–34).	Yes.
May 18	Call of the House	Present.
May 18	S.J. Res. 100—A joint resolution to provide extension of Section 10 of Railway Labor Act with respect to current railway labor-management dispute on ordering the third reading. (Passed 265–93).	Yes.
May 19	Call of the House	Present.
May 20	H.R. 8190—To make supplemental appropriations for Fiscal Year ending June 30, 1971. On agreeing to Conference Report. (Passed 264–28).	Yes.
May 20	H.R. 8190—To concur with Senate Amendment that provides for termination of civil supersonic aircraft program and refund of amounts contributed by airlines toward research and development of program. (Failed 118–156, present 1).	No.
May 24	H. Res. 415—To authorize Post Office and Civil Service Committee to conduct studies and investigations within its jurisdiction. On agreeing to the resolution. (Passed 201–88).	Not voting.
May 25	Call of the House	Present.
May 25	H. Res. 411—Resolution disapproving reorganization plan No. 1 of 1971 which would create a new agency called ACTION which would reorganize and coordinate several volunteer programs (i.e. Vista, Foster Grandparents, etc.). (Failed 131–224).	No.
May 26	Call of the House	Present.
May 26	H. Res. 155—Resolution creating a select committee of the House to conduct a full and complete investigation of all aspects of U.S. energy resources. (Failed 128–218).	No.
June 1	Call in Committee	Absent.
June 2	Call of the House	Present.
June 2	H.R. 3613—To provide during times of high unemployment for programs of public service employment for unemployed persons—Each amendment in the nature of a substitute to provide for both public service employment and reformation of the existing manpower programs stressing local control. (Failed 182–204).	Yes.
June 2	H.R. 3613—Motion to recommit. (Failed 184–202).	Yes.
June 2	H.R. 3613—On passage. (Passed 245–141, present 1).	
June 3	H. Res. 452—A resolution providing for the consideration of H.R. 7960 to authorize appropriations for activities of the National Science Foundation on agreeing to the resolution. (Passed 357–4).	Yes.
June 3	H.R. 7109—Appropriations for NASA. On passage. (Passed 303–64).	Yes.
June 4	Call in Committee	Present.
June 4	H.R. 8825—Appropriations for legislative branch for Fiscal Year ending June 30, 1972 on passage. (Passed 250–26, present 3).	Yes.
June 7	H.R. 8011—To amend the Wagner-O'Day Act to extend its provisions relating to government procurement of commodities produced by the blind to commodities produced by other severely handicapped individuals. Suspend rules and pass (two-thirds required). (Passed 309–0).	Not voting.
June 7	H.R. 1161—To amend Agricultural Trade and Development and Assistance Act of 1954 to remove certain restrictions against domestic wine. Suspend rules and pass (two-thirds required). (Passed 298–13).	Not voting.
June 7	H.R. 7960—National Science Foundation appropriations (Passed 319–8).	Not voting.
June 8	Call of the House	Absent.
June 8	H. Res. 465—Providing for consideration of H.R. 8293 to continue until Sept. 30, 1973 to International Coffee Agreement Act of 1968. On agreeing to the resolution. (Passed 336–41).	Not voting.
June 9	Call of the House	Absent.
June 9	H.J. Res. 617—To authorize contribution to certain inhabitants of trust territory of Pacific Islands who suffered damages during World War II and to establish Micronesian claims commission. Motion to recommit. (Failed 166–215).	Yes.
June 9	H.J. Res. 617—On passage (Passed 225–158).	No.
June 10	Call of the House	Present.
June 10	H. Res. 471—For consideration of H.R. 8866 to amend and extend provisions of Sugar Act of 1948 on ordering the previous question to allow a limited rule specifically aimed at eliminating the quota for the continuation of the sugar subsidy for South Africa. (Passed 213–166)	Yes.
June 10	H.R. 8866—On passage. (Passed 229–128).	Yes.
June 14	H.R. 8794—To provide payment for cost of health care for members and retired and disabled members of D.C. Police and Fire Departments, Park Police, Executive Protective Service, Secret Service. On passage. (Passed 311–1).	Yes.
June 15	Call of the House	Present.
June 15	Call of the House	Present.
June 15	S. 575—Authorize funds for Appalachian Regional Development Act of 1965. On agreeing to Conference Report. (Passed 275–104).	Yes.
June 16	Call in Committee	Present.
June 16	Call in Committee	Present.
June 16	H.R. 8687—Fiscal Year 1972 appropriations for military procurement Leggett Amendment to add that no funds shall be used for safeguard ABM system except for deployment of Safeguard ABM System at Grand Forks, North Dakota and/or Malmstrom, Montana. On amendment. (Failed 129–267).	No.
June 16	H.R. 8687—Pike Amendment to provide no funds for development of the B-1 aircraft. (Failed 91–307).	No.
June 16	H.R. 8687—Stafford Amendment to Pike Amendment to seek to reduce research, development and evaluation funds to Fiscal Year 1971 levels as per Pike Amendment—with the additional provision of a 5 percent increase over Fiscal Year 1971 levels for inflation on amendment. (Failed 135–256).	No.
June 16	H.R. 8687—Aspin Amendment to prevent defense spending from rising above Fiscal Year 1971 level on amendment. (Failed 118–278).	No.
June 17	On motion to adjourn (Failed 30–369, present 2).	No.
June 17	H.R. 7016—Office of Education appropriations for Fiscal Year 1972—preferential motion to lay on table the Hathaway motion that House Conferees agree to Senate amendments (Passed 228–182, present 1).	Yes.
June 17	H.R. 8687—Mink substitute amendment that no funds appropriated may be expended after December 31, 1971 to support U.S. military operations in S. Vietnam, N. Vietnam, Cambodia, or Laos. (Failed 82–327).	No.
June 17	H.R. 8687—Nedzi-Whalen Amendment—no funds expended after December 31, 1971 to support military personnel in S. Vietnam, N. Vietnam, Cambodia or Laos. President can recommend change in this date if it hinders U.S. withdrawal from Vietnam and return of American POW's. (Failed 158–255).	No.
June 17	H.R. 8687—Pepper Amendment. No funds expended after June 1, 1972 to support U.S. military operations in Indochina but shall not effect safe withdrawal of troops (Failed 147–237).	No.
June 17	H.R. 8687—military procurement appropriations for Fiscal Year 1972 on passage. (Passed 331–58, present 1).	Yes.
June 18	H. Res. 434—resolution to authorize additional investigative authority to Education and Labor Committee. On agreeing to the resolution. (Passed 183–119).	Yes.
June 18	H.R. 7736—Amend Public Health Service Act to extend for one year the student loan and scholarship provisions of Titles VII and VIII of such act. On passage. (Passed 299–0).	Yes.
June 21	H.R. 5237—Carry into effect a provision of the Convention of Paris for the protection of industrial property, as revised at Stockholm, Sweden on July 14, 1967. On passage (Passed 340–8).	Not voting.
June 21	S. 1538—To amend joint resolution establishing the American Revolution Bicentennial Commission, as amended suspend rules and pass (two-thirds required) (Passed 336–24).	Yes.
June 21	H.R. 3146—To authorize Secretary of Agriculture to cooperate with the states and subdivisions in the enforcement of state and local rules within National Forest System suspend rules and pass (two-thirds required) (Passed 361–2).	Yes.
June 21	H. Res. 487—Resolution providing for consideration of H.R. 1, Social Security Amendments. On ordering the previous question. (Passed 200–172, present 2).	Yes.
June 22	Call in Committee	Absent.
June 22	Call in Committee	Present.
June 22	Call in Committee	Absent.
June 22	H.R. 1—Ullman Amendment to strike Title IV, which provides for establishment of opportunities for families program and family assistance plan. (Failed 187–234).	No.

1971	Measure, question and result	Vote
June 22	H.R. 1—Social Security amendments. On passage. (Passed 288–132)	Yes.
June 23	Call of the House	Present,
June 23	H.R. 9270—Agriculture appropriations for fiscal year ending June 30, 1972. Conte amendment to provide that none of these funds shall be used to formulate any single 1972 crop-year price support program, other than for sugar and wool, under which the total amount of payments to a person under such program would be in excess of $20,000. (Passed 214–198).	Yes.
June 23	H.R. 9270—Reuss amendment that no appropriated funds shall be used for engineering or construction of any stream channelization measure under any program administered by Secretary of Agriculture unless such channelization is in a project a part of which was in the construction stage before July 1, 1971. (Failed 129–278).	No.
June 23	H.R. 9270—Michel amendment that none of these funds shall be used to make food stamps available to household that needs assistance because any member of the household is on strike. (Failed 172–225).	Yes.
June 24	Call in Committee	Present.
June 24	H.R. 9272—Appropriations for State, Commerce, Justice Departments for fiscal year ending June 30, 1972. Yates amendment—to restore funds for payment of U.S. dues to the International Labor Organization. (Failed 147–227.)	No.
June 24	H.R. 9272—Gonzalez amendment to cut funds for the community relations services. (Failed 127–233)	Yes.
June 24	H.R. 9272—On passage. (Passed 337–10)	No.
June 28	Call of the House	Present.
June 28	H.R. 6531—To amend Selective Service Act of 1967 and to increase military pay preferential motion to lay on the table the Whalen motion that House conferees be instructed to agree with the Senate on the Mansfield amendment for termination of hostilities in Indochina. (Passed 219–175.)	Yes.
June 28	Call in Committee	Present.
June 28	H.R. 9271—Treasury Department appropriations for fiscal year ending June 30, 1972. On passage. (Passed 380–6.)	Yes.
June 29	Call of the House	Present.
June 29	H.R. 9417—Department of Interior appropriations for fiscal year ending June 30, 1972. On passage. (Passed 400–5)	Yes.
June 30	H. Res. 489—Motion to table the resolution requesting the President to furnish the text of the study entitled "United States—Vietnam Relations, 1945–1967." (Passed 272–113).	Yes.
June 30	H.R. 7016—Office of Education appropriations for fiscal year ending June 30, 1972. On agreeing to Conference Report. (Passed 376–15)	Yes.
June 30	H.R. 9382—HUD, Veterans appropriations for fiscal year ending June 30, 1972. Clawson Amendment to strike out section dealing with counseling services. (Failed 164–217).	Yes.
July 1	S. 31—To provide during high times of unemployment for programs of public service employment for unemployed persons. On agreeing to Conference Report. (Passed 343–14).	Not voting.
July 1	H.R. 8629—To amend Title VII of the Public Health Service Act to provide increased manpower for the health professions. On passage. (Passed 343–3)	Not voting.
July 1	H.R. 8630—To amend Title VIII of the Public Health Service Act to provide for training of increased numbers of nurses. On passage. (Passed 324–0, present 1)	Not voting.
July 7	H. Res. 492—Motion to table a resolution directing Secretary of State to provide House with information regarding U.S. operations in Laos. (Passed 261–118)	Yes.
July 7	H.R. 8805—To exclude from the mails as a special category of nonmailable matter, certain materials offered for sale to minors; to define obscene mail. On passage. (Passed 356–25).	Yes.
July 8	Call of the House	Present.
July 8	Call in Committee	Present.
July 8	H.R. 8181—To require Federal Reserve Banks to discount certain commercial paper used to finance the export of U.S. commodities. Wylie Amendment—to retain in the law the prohibition against the Export-Import Bank financing trade loans with any nation which furnishes military assistance to any country with whom we are engaged in armed conflict. (Passed 207–153).	Yes.
July 8	H.R. 8181—Vanik Amendment—to strike provision which would exempt and remove the borrowing of the Export-Import Bank from the debt ceiling and the combined budget. (Failed 112–249).	No.
July 8	H.R. 9093—Expand and extend the desalting program being conducted by the Secretary of the Interior. On passage. (Passed 325–0)	Yes.
July 12	H.R. 8407—To authorize the District of Columbia to enter into the interstate agreement on qualification of educational personnel. (Passed 324–4)	Not voting.
July 13	Call of the House	Present.
July 13	H.R. 8699—To provide an administrative assistant to the Chief Justice of United States. On passage. (Passed 263–139)	Yes.
July 13	H. Res. 534—To direct Speaker of the House to certify a report of Interstate and Foreign Commerce Committee to the U.S. Attorney for the District of Columbia. Motion to recommit. (Passed 226–181, present 2).	No.
July 14	Call of the House	Present.
July 14	H.R. 9667—Department of Transportation appropriations for Fiscal Year ending June 30, 1972. On passage. (Passed 401–12)	Yes.
July 15	Call of the House	Present.
July 15	H.R. 9388—Atomic Energy Commission appropriations Skubitz Amendment—strike lines 9 and 10 on page 3. (Failed 162–207)	No.
July 19	H.R. 9265—Drug treatment program for servicemen, veterans and ex-servicemen. Suspend rules and pass (⅔ required). (Passed 379–0)	Not voting.
July 19	H.J. Res. 748—To authorize Administrator of VA to provide assistance in establishment of new State medical schools. Suspend rules and pass (⅔ required). (Passed 371–2).	Not voting.
July 19	S.J. Res. 111—To extend for 2 years the existing authority for the erection in D.C. of a memorial to Mary McLeod Bethune. On motion to suspend rules and pass (two-thirds required). (Passed 288–90).	Yes.
July 20	Call of the House	Present.
July 20	H. Res. 424—A resolution providing for the consideration of the joint resolution H.J. Res. 3, to establish the Joint Committee on the Environment on agreeing to the resolution. (Passed 372–18).	Yes.
July 21	Call of the House	Present.
July 21	H. Res. 457—Expenditures from the contingent fund of the House of Representatives for certain allowances to members, officers and standing committees. (On agreeing to the resolution). (Passed 233–167)	No.
July 21	H.R. 4354—Increase width limitations for motor buses on the interstate system. On motion to recommit. (Failed 178–213, present 2)	No.
July 22	Call of the House	Present.
July 22	H. Res. 533—Additional compensation for officers and employees of the Office of Speaker of the House. On motion that further proceedings under the call be dispensed with. (Passed 371–5).	Yes.
July 22	H.R. 9844—Military Construction Authorization of 1972. On passage. (Passed 359–31)	Yes.
July 27	H.R. 9270—Agricultural appropriations. On agreeing to Conference Report. (Passed 230–162)	No.
July 27	H.R. 9272—State, Justice and Commerce Department appropriations. On preferential motion to table Edwards motion that House Conferees agree with Senate amendment dealing with the subversive activities control board. (Passed 240–141).	Yes.
July 27	Call in Committee	Present.
July 27	H.R. 10061—Labor-HEW appropriations. Yates Amendment to add $200 million for several health programs. (Failed 169–215)	No.
July 27	H.R. 10061—Giaimo Amendment—to add $82 million for several vocational rehabilitation programs. (Passed 236–153)	No.
July 27	H.R. 10061—Burke Amendment—to add $64 million for child welfare services. (Failed 185–201)	No.
July 27	H.R. 10061—Labor-HEW appropriations. On passage. (Passed 372–25)	Yes.
July 27	Call of the House	Present.
July 28	H.R. 9092—To provide equitable system for fixing and adjusting rates to pay for prevailing rate employees of the Government—Gross Amendment—which eliminates nonappropriated fund employees and employees of VA canteen service from inclusion. (Failed 147–232).	No.
July 28	H.R. 9922—To extend Public Works and Economic Development Act and the Appalachian Regional Development Act. On passage. (Passed 376–27)	Yes.
July 29	Call of the House	Present.
July 29	H.R. 9382—HUD, Veterans Appropriations, on agreeing to the Conference Report. (Passed, 363–30, present 1)	No.
July 29	H.R. 9667—Department of Transportation appropriations for fiscal year ending June 30, 1972. On agreeing to conference report. (Passed 393–15)	Yes.
July 29	H.R. 9667—To concur with Senate Amendment No. 5 (Civil Supersonic Aircraft Development Termination. (Passed 307–99, present 1)	Yes.
July 29	Call of the House	Present.
July 29	H.R. 10090—Public Works Appropriations for fiscal year ending June 30, 1972. Mink Amendment—no funds used for testing nuclear bomb on Amchitka. (Failed 108–275)	No.
July 29	H.R. 10090—Clark Amendment to eliminate construction planning funds for the Dickey-Lincoln project (passed 199–181, present 1)	Yes.
July 29	H.R. 10090—Public Works Appropriations for fiscal year 1972. On passage. (Passed 386–4)	Yes.
July 30	Call of the House	Present.
July 30	On approval of the Journal (Passed 374–10)	Yes.
July 30	H. Con. Res. 384—Providing for adjournment. On agreeing to the resolution (Passed 334–41)	Yes.
July 30	H. Res. 566—Provide for consideration of H.R. 8432 to authorize emergency loans to major business enterprises (Lockheed). (Passed 325–68)	Yes.
July 30	H.R. 8432—Colmer Amendment to reduce government guarantee to 90 percent thereby causing private lending institutions to guarantee the remaining 10 percent. (Failed 176–205).	No.
July 30	H.R. 8432—On passage. To provide an emergency loan guarantee of $250 million to Lockheed. (Passed 192–189, present 1)	Yes.
Aug. 2	H.R. 9272—Justice, State, and Commerce appropriations for fiscal year 1972. On agreeing to Conference Report. (Passed 337–35)	Not voting.
Aug. 2	H. Res. 539—Motion to discharge resolution to direct HEW Secretary to furnish certain documents to the House of Representatives (Passed 252–129)	Yes.
Aug. 2	H. Res. 539—Resolution to direct HEW Secretary to furnish certain documents to the House of Representatives. On agreeing to the resolution. (Passed 351–36)	Yes.
Aug. 2	H.R. 3628—To provide equality of treatment for married women Federal employees. Suspend rules and pass (two-thirds required). (Passed 377–11)	Yes.
Aug. 2	H. Con. Res. 370—To express the sense of congress relative to certain activities of PHS hospitals, outpatient clinics, and clinical research centers. Suspend rules and pass (two-thirds required). (Passed 370–4).	Yes.
Aug. 2	H.J. Res. 829—Continuing appropriations for fiscal year 1972 (Passed 350–6)	Yes.
Aug. 3	Call of the House	Present.
Aug. 3	H.R. 9910—To amend the Foreign Assistance Act of 1961 (Foreign aid). On passage. (Passed 202–192)	No.
Aug. 4	H. Res. 578—Resolution providing for immediate consideration of conference report on H.R. 6531 (draft extension) and waiving all points of order against the conference report. (Passed 250–150).	Yes.
Aug. 4	H.R. 6531—Motion to recommit conference report on H.R. 6531 to the conference committee. (Failed 131–273)	No.
Aug. 4	H.R. 6531—On agreeing to the conference report. (Passed 298–108)	Yes.

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1971	Measure, question and result	Vote
Aug. 4	Call in Committee	Present.
Aug. 4	H.J. Res. 833—A Labor Dept. appropriations for fiscal year 1972 (Emergency Employment) Smith Amendment—formula for distributing funds shall be based solely on the proportion total unemployment in each state as bears to total unemployment in United States. (Failed 172–213).	Yes.
Aug. 4	H.J. Res. 833—Ford Amendment that would forbid funds to pay any State or local government which may be itself an eligible applicant. (Failed 171–210)	Yes.
Aug. 4	H.J. Res. 833—Making appropriations to the Dept. of Labor for funding of Emergency Employment Act. On Passage. (Passed 321–76)	Yes.
Aug. 5	Call of the House	Present.
Aug. 5	Call of the House	Present.
Aug. 5	Call of the House	Present.
Aug. 5	S. 581—Export Expansion Act of 1971. On agreeing to the conference report. (Passed 219–140)	No.
Aug. 5	H.R. 10061—Labor-HEW appropriations for fiscal year 1972. On agreeing to the conference report. (Passed 280–56)	No.
Sept. 8	Call of the House	Present.
Sept. 8	Call in Committee	Present.
Sept. 9	Call in Committee	Present.
Sept. 9	H.R. 9727—Bill to regulate ocean dumping. On passage. (Passed 305–3)	Yes.
Sept. 13	H. Res. 483—Resolution providing for consideration of H.R. 234 to prohibit the establishment of emergency detention camps. (Passed 345–1)	Yes.
Sept. 13	Call in Committee	Absent.
Sept. 14	Call of the House	Present.
Sept. 14	H.R. 234—Ichord Amendment to strike language that forbade imprisonment of citizens except pursuant to an act of Congress. (Failed 124–272)	No.
Sept. 14	H.R. 234—Judiciary Committee amendment which reads "no citizen shall be imprisoned or otherwise detained by the U.S. except pursuant to the act of Congress." (Passed 290–111)	Yes.
Sept. 14	H.R. 234—to prohibit detention camps. On passage. (Passed 356–49)	Yes.
Sept. 15	Call of the House	Present.
Sept. 15	Call in Committee	Present.
Sept. 16	Call in Committee	Present.
Sept. 16	H.R. 1746—Equal Employment opportunities for American workers. Erlenborn Amendment to provide court enforcement powers in lieu of "cease and desist" authority and does not broaden EEOC's jurisdiction or transfer the OFCC. (Passed 200–195)	Yes.
Sept. 16	H.R. 1746—Erlenborn Amendment. (Passed 202–197)	Yes.
Sept. 16	H.R. 1746—Motion to recommit. (Failed 130–270)	No.
Sept. 16	H.R. 1746—On passage. (Passed 285–106)	Yes.
Sept. 22	H.R. 10090—Public Works Appropriations for fiscal year 1972. On agreeing to the conference report. (Passed 377–9)	Yes.
Sept. 23	Call of the House	Present.
Sept. 23	H.R. 9166—To amend the Peace Corps Act. Gross Amendment to cut the authorization by $27 million. (Failed 113–232)	No.
Sept. 28	Call of the House	Present.
Sept. 29	Call of the House	Absent.
Sept. 30	Call in Committee	Present.
Sept. 30	H.R. 10351—to provide for continuation of programs authorized under the Economic Opportunity Act of 1964. Perkins Amendment to Brademus Amendment which reduced population requirements from 100,000 to 10,000 to qualify as a prime sponsor for benefits under the comprehensive child development provisions. (Passed 226–158)	No.
Sept. 30	H.R. 10351—Erlenborn Amendment to coordinate child development programs with other Federal day care programs by reducing the level under which a family of four would be entitled to free day care service from $6,960 to $4,320. (Failed 187–189).	Yes.
Sept. 30	H.R. 10351—Brademus Amendment to include the comprehensive child development program into H.R. 10351. (Passed 203–161)	No.
Sept. 30	H.R. 10351—Cordova Amendment to strike the automatic 4 percent set-aside for Puerto Rico of OEO funds for Headstart and other programs and placed Puerto Rico and the trust territories in the same position as the States. (Passed 202–161).	Yes.
Sept. 30	H.R. 10351—Devine Amendment to strike out the Legal Services Corporation title. (Failed 152–210)	Yes.
Sept. 30	H.R. 10351—Brademus Amendment to include comprehensive child development program into the bill. (Passed 186–183)	No.
Sept. 30	H.R. 10351—Motion to recommit with instructions to report it back with an amendment which would conform day care provisions in the bill with day care provisions contained in H.R. 1. (Passed 191–180)	Yes.
Sept. 30	H.R. 10351—To provide for continuation of programs authorized under the Economic Opportunity Act of 1964. On passage. (Passed 351–115)	No.
Oct. 1	Call of the House	Absent.
Oct. 4	Call in Committee	Present.
Oct. 4	H. Res. 596—resolution disapproving the alternate pay plan, dated August 31, 1971, for pay adjustments for Federal employees under statutory pay systems. On motion that Committee of the Whole rise. (Failed 175–198).	No.
Oct. 4	H. Res. 596—disapproving the alternate Federal pay plan. On agreeding to the resolution. (Failed 174–207, present 1)	No.
Oct. 4	H. Con. Res. 374—calling for humane treatment of POW's. To suspend the rules and pass (two-thirds required). (Passed 371–0)	Yes.
Oct. 4	H.R. 9961—To provide temporary insurance for members accounts of certain Federal credit unions. To suspend rules and pass (two-thirds required). (Failed 197–122)	No.
Oct. 4	H.R. 8083—To provide for maximum entrance and retention ages, training and early retirement for air traffic controllers suspend rules and pass (two-thirds required). (Passed 294–0).	Yes.
Oct. 4	Call of the House	Present.
Oct. 4	H.R. 8866—To amend and extend the provisions of the Sugar Act of 1948. On agreeing to the Conference Report. (Passed 194–29)	Yes.
Oct. 5	Call of the House	Present.
Oct. 6	H.J. Res. 915—Supplemental appropriations for Department of Labor for fiscal year 1972. (Passed 394–0)	Yes.
Oct. 6	H.J. Res. 916—Continuing appropriations for fiscal year 1972. (Passed 387–12)	Yes.
Oct. 12	Call of the House	Present.
Oct. 12	H.J. Res. 208—Equal Rights for Men and Women Amendment. Wiggins Amendment—sought to clarify that the rights referred to in the bill were that of people, including both citizens and non-citizens. (Failed 104–254).	Yes.
Oct. 12	H.J. Res. 208—Wiggins Amendment—Sought to retain congressional authority to exempt women from the draft and retain laws as "reasonably promoting the health and safety of the people." (Failed 87–265).	Yes.
Oct. 12	H.J. Res. 208—Equal Rights for Men and Women Amendment. On passage (two-thirds required). (Passed 354–24)	No.
Oct. 13	Call of the House	Present.
Oct. 13	Call in Committee	Present.
Oct. 14	Call of the House	Present.
Oct. 14	H.R. 10835—to establish an office of consumer affairs and a consumer protection agency—Fuqua Amendment that would limit CPA's intervention in agency and court proceedings to an advisory status. (Failed 149–240).	Yes.
Oct. 14	H.R. 10835—Moorhead amendment that sought to extend the Consumer Protection Agency to participation in informal proceedings and in adjudication seeking primarily to impose a fine or penalty (failed 160–218).	No.
Oct. 14	H.R. 10835—To establish an Office of Consumer Affairs in the Executive Office of the President and a Consumer Protection Agency. On passage (passed 345–44)	Yes.
Oct. 18	Call of the House	Absent.
Oct. 18	H.R. 9212—The Black Lungs Benefit bill. Motion to suspend the rules and pass (two-thirds required) (failed 227–124)	Not voting.
Oct. 18	H.J. Res. 923—The School Lunch program for needy children. Motion to suspend the rules and pass (two-thirds required) (passed 354–0)	Yes.
Oct. 18	H.R. 10458—To provide for cooperative animal disease control with Western Hemisphere countries. Suspend the rules and pass (two-thirds required) (passed 342–0)	Yes.
Oct. 18	H.R. 8140—Ports and Waterways Safety Act. Motion to suspend rules and pass (two-thirds required) (passed 336–1)	Yes.
Oct. 19	Call of the House	Present.
Oct. 19	H.R. 8687—Military Procurement Appropriations for fiscal year 1972. On ordering the previous question on motion to instruct conferees (passed 215–193, present 2)	Yes.
Oct. 19	H.R. 8687—Amends motion to instruct conferees not to accept nongermane amendments by Senate to H.R. 8687, the military procurement bill (failed 192–216, present 2)	Yes.
Oct. 19	Call in committee	Present.
Oct. 20	Call of the House	Present.
Oct. 20	H.R. 9844—Military Construction Authorization. On agreeing to the Conference Report (passed 371–26)	Yes.
Oct. 20	H.R. 10367—Alaska Land Claims Settlement. Udall amendment to provide comprehensive land planning for Alaska in addition to settlement for Natives (failed 178–217)	Yes.
Oct. 20	H.R. 10367—Alaska Land Claims Settlement. On passage (passed 334–63)	Yes.
Oct. 21	Call of the House	Present.
Oct. 21	Call in committee	Present.
Oct. 21	H.R. 10670—To establish a survivor benefit plan for military retirees. On passage (passed 372–0, present 1)	Yes.
Oct. 21	Call of the House	Present.
Oct. 21	H. Res. 624—Providing for consideration of H.R. 8787, a bill to provide Guam and the Virgin Islands with a nonvoting delegate to the House. On ordering the previous question. (Passed 280–62).	No.
Oct. 27	Call of the House	Absent.
Oct. 27	Call in Committee	Absent.
Oct. 27	H.R. 11418—Military Construction appropriations bill for fiscal year 1972. On passage. (Passed 354–32)	Not voting.
Oct. 27	H. Res. 661—Resolution providing for the consideration of H.R. 7248, the Higher Education Act. On agreeing to the resolution. (Passed 371–7)	Yes.
Oct. 27	Call in Committee	Present.
Oct. 27	Call in Committee	Present.
Oct. 28	Call of the House	Present.
Oct. 28	H.R. 7248—Higher Education Act. Quie Amendment to revise the distribution of education opportunity grants. (Failed 117–257)	No.
Oct. 28	H.R. 7248—Fraser Amendment to alter the formula for funds paid to States under educational opportunity grants. (Failed 108–220)	Yes.
Nov. 1	Call of the House	Absent.

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Nov. 1	H.R. 2266—Emergency School Aid Act. On motion to suspend the rules and pass (two-thirds required). (Failed 135–222).	Not voting.
Nov. 1	H.R. 9961—Credit Union share insurance amendments. On motion to suspend the rules and pass (two-thirds required). (Passed 350–0).	Not voting.
Nov. 1	H.R. 8389—Providing narcotic treatment in correctional institutions. Motion to suspend the rules and pass (two-thirds required). (Passed 350–2).	Not voting.
Nov. 1	H.R. 9180—To provide for the temporary assignment of a U.S. magistrate from one judicial district to another. On motion to suspend rules and pass (two-thirds required). (Passed 344–10).	Yes.
Nov. 1	H.R. 9323—To amend the Narcotics Rehabilitation Act. Motion to suspend rules and pass (two-thirds required). (Passed 346–7)	Yes.
Nov. 1	Call of the House.	Present.
Nov. 1	H.R. 7854—To amend the Small Reclamation Projects Act of 1956. Motion to suspend the rules and pass (two-thirds required). (Passed 346–7).	Yes.
Nov. 1	H.R. 11232—Farm Credit Act. Motion to suspend rules and pass (two-thirds required). (Passed 331–19).	Yes.
Nov. 1	Call of the House.	Present.
Nov. 1	On Motion to adjourn. (Failed 51–255, present 1).	Yes.
Nov. 2	Call of the House.	Absent.
Nov. 2	Call of the House.	Absent.
Nov. 2	On Motion to adjourn. (Failed 8–285).	Not voting.
Nov. 3	H.R. 2—To establish a uniformed services university of health sciences. Sebelius Amendment to strike language providing that the University be located within 25 miles of D.C. (Failed 148–215)	Yes.
Nov. 3	H.R. 2—To establish a Uniformed Services University of Health Sciences. On passage. (Passed 352–31)	Yes.
Nov. 3	H.R. 7248—Higher Education Act. Erlenborn Amendment to strike Title VIII which contained general institutional aid to institutions of higher education. (Failed 83–310)	Yes.
Nov. 3	H.R. 7248—Hawkins Amendment to provide that the maintenance of effort requirement be the responsibility of the educational institutions and not the States. (Passed 210–181)	No.
Nov. 3	H.R. 7248—Quie Amendment to provide termination of funds to any institution or class of institutions after a final determination that the institution is in violation of the U.S. Constitution. (Failed 119–264)	Yes.
Nov. 3	H.R. 7248—White Amendment to strike Title IX containing the interns for political leadership program. (Passed 229–140).	Yes.
Nov. 4	Call of the House.	Present.
Nov. 4	H.R. 7248—Higher Education Act. Erlenborn Amendment which allows single sex undergraduate schools, but not graduate, dental, or law schools as in the bill. (Passed 194–189)	Yes.
Nov. 4	H.R. 7248—Matsunaga Amendment. Extending benefits of land-grant colleges to the Virgin Islands and Guam. (Passed 219–158).	No.
Nov. 4	H.R. 7248—Brademas Amendment. Creating a National Institute of Education. (Passed 210–153).	No.
Nov. 4	H.R. 7248—Gross Amendment to strike out the Ethnic heritage studies title. (Passed 200–159).	Yes.
Nov. 4	H.R. 7248—Pickle Amendment. Calling for a comprehensive study of youth camp safety before implementation of federal youth camp standards. (Passed 184–186).	Yes.
Nov. 4	H.R. 7248—Broomfield Amendment. Designed to postpone any U.S. District Court order to force busing to achieve racial balance until such time as the Supreme Court has had opportunity to act on any appeal. (Passed 235–125).	Yes.
Nov. 4	H.R. 7248—Green Amendment to Ashbrook Amendment that adds language that forbids any officer or employee of HEW or the Office of Education or any other Federal agency to force States to expend state or local funds for purposes for which Federal funds cannot be expended. (Passed 231–126).	Yes.
Nov. 4	H.R. 7248—Esch Amendment to Ashbrook Amendment that would exclude local education agencies who are carrying out a plan of racial desegregation of its schools pursuant to the order of a court of competent jurisdiction. (Failed 146–216).	No.
Nov. 4	H.R. 7248—Ashbrook Amendment that prohibits the use of funds for busing of students or teachers to overcome racial imbalance or for the purchase of equipment for such transportation. (Passed 234–124).	Yes.
Nov. 4	H.R. 7248—William D. Ford Amendment that would direct the Commissioner of Education to make a full and complete report on the needs incident to carrying out plans for the elimination of racial segregation in elementary and secondary schools; to be completed on or before July 1, 1972. (Failed 92–269).	No.
Nov. 4	H.R. 7248—Pucinski amendment that adds a new title to the bill. It contains the provision of H.R. 2266 which assisted school districts to meet special problems incident to desegregation. The legal fees language was omitted and antibusing and neighborhood school amendments were added. (Passed 211–159.)	Yes.
Nov. 4	H.R. 7248—Erlenborn amendment that allows single sex undergraduate schools but not graduate or dental or law schools as in the bill. (Passed 186–181.)	Yes.
Nov. 4	H.R. 7248—Higher Education Act of 1971. On passage. (Passed 332–38.)	Yes.
Nov. 5	Call of the House.	Present.
Nov. 5	H.R. 8293—International Coffee Agreement Act of 1968. On passage. (Passed 200–99.)	Yes.
Nov. 8	Call of the House.	Present.
Nov. 8	H.J. Res. 191—For motion to discharge the Judiciary Committee from further consideration of H.J. Res. 191. (Passed 242–156.)	Yes.
Nov. 8	H.J. Res. 191—A joint resolution proposing an amendment to the Constitution of the United States to permit voluntary prayer in public buildings. On passage: two-thirds required. (Failed 240–163.) Resolution failed because it fell 28 votes short of the required two-thirds required (two-thirds majority).	Yes.
Nov. 9	Call of the House.	Present.
Nov. 9	Call in Committee.	Present.
Nov. 9	H.R. 10729—Federal Pesticide Act of 1971. Dow amendment to Kyl amendment to eliminate waiver of essentiality for new chemicals. (Failed 152–221.)	No.
Nov. 9	H.R. 10729—Dow amendment to Kyl amendment to specify who could take the administrator of the Environmental Protection Agency to court. (Failed 167–209.)	No.
Nov. 9	H.R. 10729—Eckhardt amendment to disallow recovery of funds by producers of pesticides removed from the market, unless they could show that adverse environmental effects were unknown. (Failed 168–403.)	No.
Nov. 9	H.R. 10729—Pesticide Act of 1971. On passage. (Passed 288–91).	Yes.
Nov. 10	Call of the House.	Abs ent.
Nov. 10	Call in Committee.	Present.
Nov. 10	H.R. 9212—Black Lungs Benefit Bill. Byrnes Amendment to alter disability payments under social security to black lung miners. (Failed 158–225).	Not Voting.
Nov. 10	H.R. 9212—Erlenborn Amendment to strike language that would extend for two years Federal participation in the black lung program. (Failed 133–246).	Yes.
Nov. 10	H.R. 9212—Black Lung Benefits Bill. On passage. (Passed 311–79).	Yes.
Nov. 10	H.J. Res. 946—Continuing appropriations for fiscal year 1972. Seiberling Amendment that would cut off all funds to the Defense Department by Nov. 15. (Failed 10–356).	No.
Nov. 10	H.J. Res. 946—Continuing appropriations. Resolution passed by voice vote.	
Nov. 10	H.R. 8687—Military Procurement Appropriations for fiscal year 1972. Agree to language of conference report on H.R. 8687 contained in section 503 disregarding the United Nations embargo on chrome from Rhodesia. (Passed 251–100).	Yes
Nov. 10	Conference Report on H.R. 8687, the Military Procurement Bill. Passed by voice vote.	
Nov. 11	H. Res. 698—Resolution providing for consideration of H.R. 11341 to provide additional revenue for District of Columbia. On agreeing to the resolution. (Passed 359–8).	Not voting.
Nov. 11	Call in Committee.	Present.
Nov. 11	H.R. 11341—Additional revenue for the District of Columbia. Gross Amendment to eliminate the $44 million increase in authorization. (Failed 79–263).	No.
Nov. 11	H.R. 11341—Scherle Amendment to cut the authorization to a $25 million increase instead of $44 million. (Failed 119–210).	Yes.
Nov. 11	H.R. 11341—Jacobs Amendment to provide coverage under the District of Columbia minimum wage act for overtime pay on work over 40 hours a week. (Failed 139–179).	No.
Nov. 11	H.R. 11341—To provide additional revenue for the District of Columbia. On passage. (Passed 248–80).	No.
Nov. 15	H.R. 11302—Conquest of cancer act. Motion to suspend the rules and pass (two-thirds required). (Passed 350–5).	Not voting
Nov. 15	H.R. 11350—To increase limit on dues for U.S. membership in the international criminal police organization. On motion to suspend rules and pass (two-thirds required. (Passed 344–0 .	Not voting
Nov. 15	S.J. Res. 132—To extend the duration of copyright protection in certain cases. Motion to suspend rules and pass (two-thirds required). (Passed 300–49)	Not voting.
Nov. 15	H.R. 11651—Liberalizes provisions relating to payment of disability and death pensions. Motion to suspend rules and pass (two-thirds required). (Passed 351–0).	Yes.
Nov. 15	H.R. 11652—Liberalizes provisions relating to payment of dependency and indemnity compensation. Suspend rules and pass (two-thirds required). (Passed 350–0).	Yes.
Nov. 15	H.R. 11080—To provide tax treatment of just compensation received from the U.S. with respect to property taken under the Act of Congress which created the Redwood National Park. Suspend rules and pass (two-thirds required). (Failed 148–203).	No.
Nov. 16	Call of the House.	Present.
Nov. 16	Call in Committee.	Present.
Nov. 16	Call in Committee.	Present.
Nov. 16	H.R. 11731—Defense Appropriations bill for fiscal year 1972. Bingham Amendment to strike out $801,600,000 for procurement of the F–14 airplane. (Failed 76–311).	No.
Nov. 17	Call of the House.	Present.
Nov. 17	Call in Committee.	Present.
Nov. 17	H.R. 11731—Yates Amendment to limit funding for any additional active duty personnel over the number provided for in this bill that the President may deem necessary to a 60-day period. (Failed 183–210).	No.
Nov. 17	H.R. 11731—Boland Amendment to have all forces withdrawn from Indochina by June 1, 1972. (Failed 163–238).	No.
Nov. 17	H.R. 11731—Riegle Amendment to limit total net expenditures to 95 percent of the funds budgeted. (Failed 74–307).	No.
Nov. 17	H.R. 11731—Aspin Amendment to reduce total appropriation to the fiscal year 1971 level. (Failed 114–278).	No.
Nov. 17	H.R. 11731—Defense Appropriations for fiscal year 1972. On passage. (Passed 342–51).	Yes.
Nov. 18	Call of the House.	Present.
Nov. 18	Call of the House.	Present.
Nov. 18	Call of the House.	Absent.
Nov. 18	H. Res. 710—Providing for taking the bills S. 2819 and S. 2820 from the Speaker's Table, amending both bills by striking out all after the enacting clauses and inserting in lieu thereof the provisions of H.R. 9910. (Passed 289–115)	Yes.
Nov. 18	H. Res. 711—Providing for consideration of a conference report on H.J. Res. 946, making further continuing appropriations for fiscal year 1972. (Passed 366–15).	Yes.
Nov. 18	H.J. Res. 946—Conference Report for continuing appropriations for fiscal year 1972. (Passed 344–36).	Yes.
Nov. 19	H. Res. 699—Providing for consideration of S. 18, providing for assistance to Radio Free Europe and Radio Liberty. (Passed 290–3).	Not voting.
Nov. 19	S. 18—To provide assistance to Radio Free Europe and Radio Liberty. (Passed 271–12).	Not voting.
Nov. 29	Call of the House.	Absent.
Nov. 29	H.R. 11060—A bill to limit campaign expenditures by or on behalf of candidates for Federal elective office. Springer Amendment to MacDonald Amendment to eliminate section covering rates for political broadcasting, the comparable test for newspapers and that portion requiring newspapers to give equal access to all candidates. (Failed 145–219)	No.

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Nov. 29	H.R. 11060—Pickle Amendment to MacDonald Amendment to permit broadcasting stations to charge comparable rates in lieu of lowest unit change. (Passed 219–150).	Yes.
Nov. 29	H.R. 11060—Frey Amendment to strike the Section 315 provision—equal time. (Failed 95–277)	No.
Nov. 30	Call of the House	Present.
Nov. 30	H.R. 11060—Hansen Amendment to the Harvey Amendment to clairify rules governing election activities of corporations and prevent unions from using involuntary dues payments of members for political activities. (Passed 233–147).	No.
Nov. 30	H.R. 11060—Danielson Amendment to the Harvey Amendment to require candidates to supply campaign statements with the Clerk of the U.S. District Court. (Passed 230–154).	Yes.
Nov. 30	H.R. 11060—To limit campaign expenditures by, or on behalf of, candidates for federal elective office; to provide for more stringent reporting requirements. On passage. (Passed 372–23).	Yes.
Dec. 1	Call of the House	Present.
Dec. 1	Call in Committee	Present.
Dec. 1	Call in Committee	Present.
Dec. 1	H.R. 11589—To authorize the foreign sale of passenger vessels. (Passed 253–139)	Yes.
Dec. 2	Call of the House	Absent.
Dec. 2	H.R. 11932—District of Columbia Appropriations for fiscal year 1972 to go into Committee of the Whole for consideration. (Passed 379–0)	Not voting.
Dec. 2	Call in Committee	Present.
Dec. 2	H.R. 11932—Giaimo Amendment—to restore $72,485,000 into the appropriation to provide for the District of Columbia's Fiscal 1971 share of the metro funds. (Passed 196–183).	No.
Dec. 2	H.R. 11932—Scherle Amendment to halt funding of metro until such time as metro has complied with Section 102(c) of the National Environmental Policy Act. (Failed 163–205).	Yes.
Dec. 2	H.R. 11932—Giaimo Amendment to add metro funds to the appropriation which was passed in the Committee of the Whole. (Passed 195–174)	No.
Dec. 2	The D.C. Appropriations bill passed by voice vote.	
Dec. 2	H. Res. 719—Providing for consideration of H.R. 11955 making supplemental appropriations for Fiscal Year 1972. (Passed 307–29)	Yes.
Dec. 2	H.R. 11955—Supplemental Appropriations for Fiscal Year 1972. (Passed 271–20)	Yes.
Dec. 2	Conference Report on S. 1116 to protect wild horses and burros. Passed by Voice Vote.	
Dec. 6	H.R. 9526—To authorize the loan of 16 naval vessels to foreign government. Suspend rules and pass (two-thirds required). (Passed 260–116)	Yes.
Dec. 6	H.R. 11624—Transpo 1972 authorization bill. Suspend rules and pass (two-thirds required). (Failed 203–172)	Yes.
Dec. 6	H.R. 45—To establish an Institute for Continuing Studies of Juvenile Justice. Suspend rules and pass (two-thirds required). (Failed 240–135)	Yes.
Dec. 6	S.J. Res. 176—Interim extension of certain Housing and Banking laws. Suspend rules and pass (two-thirds required). (Passed 357–4)	Yes.
Dec. 6	H.R. 11809—To maintain postal service property as government property for two years in federally impacted areas. Suspend rules and pass (two-thirds required). (Passed 259–112).	No.
Dec. 6	H.R. 10420—Marine Mammal Protection Act. Suspend rules and pass (two-thirds required). (Failed 199–150)	Yes.
Dec. 7	Call of the House	Present.
Dec. 7	S. 2007—Conference report to the Economic Opportunity Amendments of 1971. (Passed 211–187)	No.
Dec. 8	Call of the House	Absent.
Dec. 8	H.R. 12067—Foreign Aid Appropriations Bill. Fraser Amendment to provide $50 million for U.S. contribution to the U.N. Development program. (Failed 119–268)	No.
Dec. 8	H.R. 12067—Foreign Aid Appropriation bill for Fiscal Year 1972. On passage. (Passed 214–179)	No.
Dec. 8	Call of the House	Present.
Dec. 8	H. Res. 728—To provide for consideration of H.R. 1163, the Strategic Storable Agricultural Commodities Act. (Passed 204–164)	No.
Dec. 8	H.R. 1163—Substitute amendment for committee amendment that sought to provide for storage of grains in producer-owned storage facilities as far as practical. (Failed 147–179).	Yes.
Dec. 8	H.R. 1163—Quie Amendment to strike the increase of 25 percent of the price support loan on wheat. (Failed 128–222)	Yes.
Dec. 8	H.R. 1163—Price amendment to offer reserve commodites for sale at 100 percent of parity. (Failed 145–201)	Yes.
Dec. 8	H.R. 1163—Jacobs Amendment that would authorize the Secretary to store grain purchased under this Act in the homes of hungry Americans who are unable to afford sufficient food. (Failed 17–271).	No.
Dec. 8	H.R. 1163—Strategic Storable Agricultural Commodities Act. On passage. (Passed 182–170)	No.
Dec. 9	Call of the House	Present.
Dec. 9	H.R. 10947—Conference report on bill to provide a job development investment credit, to reduce individual income taxes, to reduce certain excise taxes. (Passed 321–75).	Yes.
Dec. 9	H. Res. 729—Resolution providing for consideration of conference reports the same day reported during the remainder of the First Session of the 92d Congress. (Passed 342–48).	Yes.
Dec. 9	Call of the House	Present.
Dec. 9	H.R. 11955—Conference report to supplemental appropriations bill. (Passed 302–73)	Yes.
Dec. 10	Call in committee	Present.
Dec. 10	H.R. 11309—Economic Stabilization Act. Stephens Amendment as amended by the Pike Amendment and the Latta Amendment which alters retroactive pay section, includes as a prerequisite that prices have been advanced, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases: (Passed 209–151).	Yes.
Dec. 10	H.R. 11309—Badillo Amendment to provide for public disclosure of information which policies, regulations and controls are predicated. (Failed 73–275)	Not voting.
Dec. 10	H.R. 11309—Landgrebe Amendment to allow the President determination to review pension and other retirement plans which qualify for special tax treatment under the Internal Revenue Code of 1954. (Failed 170–184)	Yes.
Dec. 10	H.R. 11309—Economic Stabilization Act of 1971. On passage. (Passed 326–33)	Yes.
Dec. 10	H.R. 11341—Conference report to provide additional revenue for the District of Columbia. (Passed 242–93)	Yes.
Dec. 13	Call of the House	Present.
Dec. 13	H.R. 11628—To authorize grants and loan guarantees for construction or modernization of hospitals and other medical facilities in the District of Columbia. On passage. (Failed 160–200)	No.
Dec. 14	Call of the House	Present.
Dec. 14	Call of the House	Present.
Dec. 14	Call of the House	Present.
Dec. 14	H.R. 10367—Conference Report to the Alaska Native Claims Settlement Act. (Passed 307–60)	Yes.
Dec. 15	H.R. 11731—Conference Report to the Defense Department appropriations bill for fiscal year 1972. (Passed 293–39)	Yes.
Dec. 15	H.R. 11932—Conference Report to the District of Columbia appropriations bill for fiscal year 1972. (Passed 260–79)	Yes.
Dec. 15	Call of the House	Present.
Dec. 15	H.R. 6065—Conference Report to the Unemployment Compensation Act. (Passed 194–149)	No.
Dec. 15	H.J. Res. 1005—Continuing appropriations for fiscal year 1972. (Passed 234–86)	Not voting.
Dec. 16	Call of the House	Absent.
Dec. 16	S. 2819—To provide Foreign military and related assistance authorizations for fiscal year 1972. Morgan motion to table Ryan motion instructing house conferees to accept the Mansfield Amendment which set a policy of withdrawal of U.S. forces from Indochina within six months. Vote on the motion to table. (Passed 130–101)	Not voting.

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1972	Measure, question and result	Vote
Jan. 18	Call of the House	Present.
Jan. 18	H.R. 8787—To provide that the territories of Guam and the Virgin Islands be represented by a Delegate in the House of Representatives. (Passed 232–104.)	No.
Jan. 19	Call of the House	Present.
Jan. 19	S. 382—Conference report to the election campaign reform bill. (Passed 334–20)	Yes.
Jan. 25	H. Res. 765—To provide for consideration of the conference report to S. 2819, the foreign aid authorization bill. (Passed 247–123.)	No.
Jan. 25	S. 2819—Conference report to the foreign aid authorization bill. (Passed 204–179)	No.
Jan. 26	Call of the House	Present.
Jan. 26	H.R. 6957—To establish Sawtooth National Recreation Area in the State of Idaho. (Passed 369–9)	Yes.
Jan. 27	Call of the House	Present.
Jan. 27	H.R. 8085—Relating to age requirements for appointments to positions in executive agencies and in the competitive service. (Failed 81–249.)	No.
Jan. 31	Call of the House	Present.
Jan. 31	H.R. 10086—Increases in appropriation ceiling and boundary changes in certain units of the national park system. (Passed 303–2.)	Yes.
Feb. 1	H. Res. 786—Providing for consideration of S. 2010 to provide for increased participation by the United States in the International Development Association. (Passed 335–30.)	Yes.
Feb. 1	S. 748—To authorize payment and appropriation of the second and third installments of U.S. contributions to the Fund for Special Operations of the Inter-American Development Bank. (Passed 285–102.)	No.
Feb. 1	S. 749—To authorize U.S. contributions to the special funds of the Asian Development Bank. (Passed 256–132.)	Yes.
Feb. 1	S. 2010—To provide for increased U.S. participation in the International Development Association; Archer amendment to reduce annual U.S. contribution by $480 million. (Failed 165–191.)	Yes.
Feb. 1	S. 2010—To provide for increased U.S. participation in the International Development Association. (Passed 208–165.)	No.

1972	Measure, question and result	Vote
Feb. 2	H.R. 7987—To provide for the striking of medals in commemoration of the Bicentennial of the American Revolution. (Passed 388–1)	Yes.
Feb. 2	Call in committee	Present.
Feb. 2	H.R. 11394—To create an additional judicial district in the State of Louisiana to provide for the appointment of additional district judgeships; Dennis amendment to strike one judgeship for Indiana. (Passed 217–168).	No.
Feb. 3	Call of the House	Present.
Feb. 3	Call of the House	Present.
Feb. 3	H.R. 12089—To establish a Special Action Office for Drug Abuse Prevention. Teague of Texas amendment to prevent the Director of the Special Action Office for Drug Abuse Prevention from any authority over the VA. (Failed 174–196).	Yes.
Feb. 3	H.R. 12089—To establish a Special Action Office for Drug Abuse Prevention. (Passed 380–0)	Yes.
Feb. 7	Call of the House	Absent.
Feb. 7	S. 1857—To amend the joint resolution establishing the American Revolution Bicentennial Commission. (Passed 328–30)	Not Voting.
Feb. 7	S. 1163—To amend Older Americans Act to provide grants to States for the establishment, maintenance, operation and expansion of low-cost meal projects, nutrition training and education projects. (Passed 350–23).	Yes.
Feb. 7	H.R. 7088—To provide for establishment of Tinicum Environmental Center in Pennsylvania. (Passed 361–8)	Yes.
Feb. 7	H.R. 12186—To strengthen penalties imposed for violation of the Bald Eagle Protection Act. (Passed 352–7)	Yes.
Feb. 7	H.R. 12741—To extend Federal Water Pollution Control Act through June 30, 1972. (Passed 340–7)	Yes.
Feb. 8	Call of the House	Present.
Feb. 8	Call of the House	Present.
Feb. 8	H. Res. 164—To establish a Select Committee on Privacy, Human Values and Democratic Institutions. (Failed 168–216)	No.
Feb. 8	H.R. 10243—To establish Office of Technology Assessment for Congress as an aid in identification and consideration of existing and probable impacts of technological application. (Passed 256–118).	No.
Feb. 9	Call of the House	Present.
Feb. 9	Call in Committee	Present.
Feb. 9	H.R. 12910—$20 billion increase in national debt ceiling. (Passed 247–147)	No.
Feb. 9	Call of the House	Present.
Feb. 9	H. Res. 796—To provide for consideration of H.J. Res. 1025 to provide a procedure for settlement of dispute of dock strike on the Pacific Coast and Hawaii. (Passed 203–170).	Yes.
Feb. 9	H.J. Res. 1025—Settlement of Pacific Coast and Hawaii dock strike. (Passed 214–139)	Yes.
Feb. 16	Call of the House	Present.
Feb. 16	Call in Committee	Present.
Feb. 17	Call of the House	Present.
Feb. 17	Call in Committee	Present.
Feb. 17	H.R. 12350—Continuation of programs authorized under Economic Opportunity Act of 1964; Quie Amendment to provide a straight two year extension of present OEO programs. (Failed 159–206)	Yes.
Feb. 17	H.R. 12350—Continuation of programs authorized under Economic Opportunity Act of 1964. (Passed 234–127)	No.
Feb. 22	Call of the House	Absent.
Feb. 23	Call of the House	Present.
Feb. 23	H.R. 12931—To provide for improving the economy and living conditions in rural America. Dow Amendment to restrict grants to public bodies to prevent profit-making polluters from receiving subsidies. (Failed 150–224)	No.
Feb. 24	Call of the House	Present.
Feb. 24	H.R. 12067—Conference Report to Foreign Assistance Appropriations for Fiscal Year 1072. (Passed 213–167)	No.
Feb. 24	H.R. 12067—Passman motion that House recede and concur with Senate Amendments to the bill. (Passed 230–138)	No.
Feb. 29	Call of the House	Present.
Feb. 29	Call in Committee	Present.
Feb. 29	H.R. 11021—Noise Control Act of 1972. (Passed 356–32)	Yes.
Mar. 1	Call of the House	Absent.
Mar. 1	H. Res. 849—Funds for Internal Security Committee. (Passed 303–102)	Yes.
Mar. 1	H. Res. 847—Funds for Education and Labor Committee. (Passed 319–78)	No.
Mar. 2	Call of the House	Present.
Mar. 2	H.R. 11384—To extend Act of September 30, 1965 relating to highway speed ground transportation by enlarging the authority of the Secretary of Transportation to undertake research and development. (Passed 361–14).	Yes.
Mar. 6	Call of the House	Absent.
Mar. 6	H.R. 2589—To require prospective jurors in Federal courts to state their race and occupation on the qualification form. (Passed 317–27)	Yes.
Mar. 6	H.R. 12828—Veterans Education and Training Amendments of 1972. (Passed 359–0)	Yes.
Mar. 8	Call of the House	Absent.
Mar. 8	S. 659—Higher Education Act Amendments of 1972 motion to table the motion to instruct conferees as to the busing amendments to S. 659. (Failed 139–270)	No.
Mar. 8	S. 659—Motion to instruct conferees to adhere to the busing amendments in S. 659. (Passed 272–140)	Yes.
Mar. 8	H.R. 1746—Conference Report on the Equal Employment Opportuntiy Act. (Passed 303–110)	Yes.
Mar. 8	H.R. 11624—To authorize funds for Transpo '72. (Passed 278–109)	Yes.
Mar. 9	Call of the House	Present.
Mar. 9	H.R. 10420—Marine Mammal Protection Act. (Passed 361–10)	Yes.
Mar. 13	Call of the House	Present.
Mar. 13	H.R. 12410—To provide evidentiary use of prior inconsistent statements by witnesses in trials in the District of Columbia. (Passed 292–32)	Yes.
Mar. 14	H.J. Res. 1097—Making certain urgent supplemental appropriations for Fiscal Year 1972. (Passed 365–16)	Yes.
Mar. 15	Call of the House	Present.
Mar. 15	Call of the House	Present.
Mar. 15	H.R. 12910—Conference Report to provide a temporary increase in the public debt limit. (Passed 238–150)	No.
Mar. 15	H.R. 11417—National Railway Passenger Act Schmitz Amendment to require all officers paid in excess of $60,000 be paid only from net profits of the corporation. (Passed 235–136)	Yes.
Mar. 15	H.R. 11417—National Railway Passenger Act. (Passed 313–63)	Yes.
Mar. 16	S. 2097—To approve Conference Report on Drug Abuse Office and Treatment Act. (Passed 366–0)	Yes.
Mar. 20	H.R. 8395—To amend the Vocational Rehabiliation Act. (Passed 327–0)	No Voting.
Mar. 20	H.R. 11948—Authorizing appropriations for participation by U.S. in Hague Conference on Private International Law. (Passed 315–18)	Not Voting.
Mar. 20	H.R. 4174—To amend the Uniform Time Act. (Passed 333–7)	Yes.
Mar. 21	Call of the House	Present.
Mar. 21	H.R. 13120—To provide modification of the par value of the dollar. (Passed 343–43)	Yes.
Mar. 22	Call of the House	Present.
Mar. 22	Call in Committee	Present.
Mar. 22	H.R. 13592—To amend Public Health Service Act to provide for prevention of sickle cell anemia. (Passed 392–0)	Yes.
Mar. 23	Call of the House	Present.
Mar. 23	H.R. 13955—Legislative appropriations for Fiscal Year ending June 30, 1972. (Passed 363–9)	Yes.
Mar. 27	Call of the House	Present.
Mar. 28	Call of the House	Present.
Mar. 28	H.R. 11896—Federal Water Pollution Control Act; Reuss Amendment to require industry to use by 1981 the best available waste treatment technology. (Failed 140–240).	No.
Mar. 28	H.R. 11896—Abzug Amendment to empower the Environmental Protection Agency to review and veto individual discharge permits issued by the States. (Failed: 125–268).	No.
Mar. 28	H.R. 11896—McDonald Amendment to delete the provision requiring industrial users of municipal treatment works to pay a portion of the initial Federal capital investment. (Failed 66–337).	No.
Mar. 28	H.R. 11896—Reuss Amendment to require standards regarding toxic pollutants and pretreatment be established before EPA turns the permit program over to the States. (Failed 154–251).	No.
Mar. 29	Call of the House	Absent.
Mar. 29	H.R. 11896—Mahon Amendment to retain three-year authorization but provided for annual funding in lieu of three-year contract authorization. (Failed 161–232)	Not voting.
Mar. 29	H.R. 11896—William D. Ford Amendment that provides public hearings to be held for employees who lose their employment in the case of an industry moving to meet the alleged results from any effluent limitation or order under this Act. (Passed 275–117)	Not voting.
Mar. 29	H.R. 11896—VanderJagt Amendment to direct EPA to encourage regional resource management that utilizes spray irrigation and recycling of wastes. (Passed 251–130)	Not voting.
Mar. 29	H.R. 11896—William D. Ford Amendment to preserve the rights of states to control discharges from vessels. (Passed 210–173)	Not voting.
Mar. 29	H.R. 11896—Water Pollution Control Act Amendments of 1972. (Passed 380–14)	Yes.
April 11	Call of the House	Present.
April 11	H.R. 9552—To amend cruise legislation of the Merchant Marine Act of 1936. (Passed 374–0)	Yes.
April 11	H.R. 13324—Appropriations for certain maritime programs of the Department of Commerce for Fiscal Year 1973. (Passed 365–13)	Yes.
April 11	H.R. 13188—Coast Guard Appropriations for Fiscal Year 1973. (Passed 373–1)	Yes.
April 12	H.R. 13336—To amend Arms Control and Disarmament Act in order to extend the authorization for appropriation. (Passed 349–20)	Yes.
April 17	Call of the House	Present.
April 17	H. Con. Res. 471—To seek relief from restrictions on Soviet Jews. (Passed 360–2)	Yes.
Apr. 17	H.R. 13752—To amend the National Environmental Policy Act to provide for interim licensing of operation of certain thermoelectric generating plants. (Passed 285–78)	No.
Apr. 17	Call of the House	Present.
Apr. 18	Call of the House	Present.
Apr. 18	H.R. 45—To establish Institute for Continuing Studies of Juvenile Justice. (Failed 133–252)	No.

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1972	Measure, question and result	Vote
Apr. 19	Call of the House	Present.
Apr. 19	H.R. 10488—Public Buildings Act Amendments, Gross Amendment to the Udall Amendment to provide for payment at fair market value for the Morgan Annex site to the Postal Service. (Failed 196–170).	Yes.
Apr. 19	H.R. 10488—Public Buildings Act Amendments (Passed 331–40)	Yes.
Apr. 20	H.R. 14070—Providing for consideration of appropriations for NASA. (Passed 350–2)	Yes.
Apr. 20	Call in Committee	Present.
Apr. 20	Call in Committee	Present.
Apr. 20	H.R. 14070—Appropriations for NASA. (Passed 277–60)	Yes.
Apr. 25	Call of the House	Present.
Apr. 25	H.R. 14108—To authorize appropriations for National Science Foundation. (Passed 329–16)	Yes.
Apr. 26	Call of the House	Absent.
Apr. 26	H. Res. 916—To require the President to provide all information concerning military activities in Southeast Asia. On motion to table. (Passed 270–113)	Yes.
Apr. 26	H.R. 14582—Supplemental appropriations for fiscal year 1972. (Passed 344–16)	Yes.
Apr. 27	Call in Committee	Absent.
Apr. 27	Call in Committee	Present.
Apr. 27	H.R. 12202—To increase contribution of Federal Government to costs of health benefits, Waldie Amendment to include postal workers in the bill. (Passed 197–148)	No.
Apr. 27	H.R. 12202—Scott Amendment to make government contribution a straight 50 percent instead of 55 percent with a 5 percent increment each year until the government contribution is 75 percent. (Failed 124–219).	No.
Apr. 27	H.R. 12202—To increase the contribution of the Federal Government to the costs of health benefits. (Passed 239–110)	Yes.
May 1	S. 2713—To provide care for narcotic addicts who are placed on probation, released on parole, or mandatorily released. (Passed 325–0)	Not voting.
May 1	H.R. 12652—To extend Civil Rights Commission for five years. (Passed 265–66)	Not voting.
May 1	H.R. 9676—Conveying lands of United States to the University of Tennessee. (Passed 319–9)	Yes.
May 1	H.R. 13334—To establish certain positions in the Department of the Treasury	No.
May 1	H.R. 13591—To designate National Institute of Arthritis and Metabolic Diseases as National Institute of Arthritis, Metabolism, and Digestive Diseases. (Passed 358–10)	Yes.
May 3	H.R. 13089—To provide for acceleration of programs for planting of trees in national forest lands in need of reforestation. (Passed 371–5)	Yes.
May 4	H.J. Res. 1174—Appropriation for special payments to international financial institutions for fiscal year 1972. (Passed 291–62)	Yes.
May 8	Call of the House	Present.
May 8	H.R. 14718—To provide public assistance to mass transit bus companies in the District of Columbia. (Failed 50–270)	No.
May 9	H.J. Res. 55—Proposing erection of a memorial on D.C. grounds in honor of Navy Seabees. (Passed 366–4)	Yes.
May 9	H.R. 4383—To authorize the Office of Management and Budget to establish a system governing the creation and operation of advisory committees. (Passed 357–9)	Yes.
May 10	H.R. 9212—Conference Report to Black Lung Benefits Bill. (Passed 275–122)	Yes.
May 10	H.J. Res. 968—Providing for consideration of H.R. 7130, the minimum wage bill. (Passed 338–57)	Yes.
May 11	S. 659—Higher Education Amendments, Yates motion to table motion to instruct conferees on busing amendments. (Failed 126–273)	No.
May 11	S. 659—Waggoner motion to instruct conferees to insist upon antibusing amendments. (Passed 275–125)	Yes.
May 11	H.R. 7130—Minimum wage bill, Anderson of Illinois Amendment to "stretch out" increases in minimum wage rates for nonagricultural workers. (Passed 216–187)	Yes.
May 11	H.R. 7130—Randall Amendment to provide overtime pay for work over 44 hours a week and after January 1, 1974 overtime pay over 40 hours a week. (Failed 186–208).	No.
May 11	H.R. 7130—William D. Ford Amendment to strike language establishing subminimum wage rates for employees under 18 years of age. (Failed 170–228)	No.
May 11	H.R. 7130—Erlenborn Amendment in the nature of a substitute. (Passed 217–191)	Yes.
May 11	H.R. 7130—Minimum wage bill as amended by the Erlenborn substitute. (Passed 330–78)	Yes.
May 15	Call of the House	Absent.
May 15	H.R. 7378—To establish a commission on revision of judiciary circuits. (Passed 319–25)	Yes.
May 15	H.J. Res. 812—authorizing the Secretary of the Interior to participate in planning and design of national memorial to Franklin D. Roosevelt. (Passed 332–8)	Yes.
May 16	Call of the House	Present.
May 16	Call in Committee	Present.
May 17	H.R. 14582—Conference Report making supplemental appropriations for Fiscal Year ending June 30, 1972. (Passed 339–33)	Yes.
May 17	H.R. 14582—Mahon Amendment to recede and concur with a Senate Amendment. (Passed 300–70)	Yes.
May 17	H.R. 14734—To authorize appropriations for the State Department and USIA. (Passed 305–65)	Yes.
May 18	Call of the House	Present.
May 18	H.R. 14989—Appropriations for Departments of State, Justice, Commerce, the Judiciary and related agencies for Fiscal Year 1972; Derwinski Amendment to restore U.S. contribution to the United Nations to that of 31.5 percent from the bill's reduced contribution of 25 percent. (Failed 156–202).	No.
May 18	H.R. 14989—Railsback Amendment to restore funds requested for teaching positions in the Federal Prison System. (Passed 178–165)	No.
May 18	H.R. 14989—Mikva Amendment to restore requested funds for probations officer. (Failed 142–199)	Yes.
May 18	H.R. 14989—Yates Amendment to strike funds for the Subversive Activities Control Board. (Failed 106–206)	No.
May 18	H.R. 14989—Dingell Amendment to prohibit the payment of government employees salaries who refuse to testify before Congressional Committees. (Failed 132–180)	No.
May 18	H.R. 14989—Gonzalez Amendment to prohibit the use of funds for wiretaps on conversations of Members of Congress or the Federal Judiciary. (Failed 71–231)	No.
May 22	Call of the House	Present.
May 22	H.R. 6788—To establish mining and mineral research centers. (Passed 272–33)	Yes.
May 22	H.R. 11627—To promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage. (Passed 254–38).	Yes.
May 23	Call of the House	Absent.
May 23	H.R. 15093—HUD, Space, Science, and Veterans appropriations for Fiscal Year 1973. (Passed 367–10)	Yes.
May 24	H. Res. 991—To provide for consideration of H.R. 15097, Department of Transportation Appropriations for Fiscal Year 1973. (Passed 359–6)	Yes.
May 24	H.R. 15097—Department of Transportation appropriations for Fiscal Year 1973. (Passed 367–1)	Yes.
May 30	Call of the House	Absent.
May 30	H.R. 9669—To amend Subversive Activities Control Act of 1950. (Passed 226–105)	Yes.
May 31	Call of the House	Absent.
May 31	Call of the House	Absent.
June 1	Call in Committee	Present.
June 1	H.R. 13918—To provide for improving financing for the Corporation of Public Broadcasting; Waggoner Amendment to prohibit the Corporation from making grants and entering into contracts with any corporation or institution who pay their officers, employees or performers over $42,500 per year. (Failed 163–182).	Yes.
June 1	H.R. 13918—Harvey Amendment to reduce authorization from 2 years to 1 year and reduce amount of the authorization from $65 million to $45 million. (Failed 166–183)	
June 1	H.R. 13918—Chappell Amendment to prohibit the corporation from conducting voter polls or public opinion surveys pertaining to Federal, State or local elections. (Passed 203–135)	Yes.
June 1	H.R. 13918—Heinz Amendment to prohibit authorization of any funds after Fiscal Year 1973 until GAO audits funds through Fiscal Year 1972. (Passed 169–185)	Yes.
June 1	H.R. 13918—Heinz Amendment. (Failed 166–170)	Yes.
June 1	H.R. 13918—To provide for improved financing for the Corporation of Public Broadcasting. (Passed 256–69)	No.
June 1	H. Res. 965—Authorizing Speaker of the House to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva. (Passed 192–81)	Yes.
June 5	Call of the House	Present.
June 5	S. 1736—Conference Report to amend the Public Buildings Act of 1959. (Passed 278–40)	Yes.
June 5	H.R. 12674—To establish a National Cemetery System within the Veterans Administration. (Passed 312–4)	Yes.
June 5	H.R. 10310—To establish Seal Beach National Wildlife Refuge. (Passed 314–0)	Yes.
June 5	H.R. 14731—To prohibit shooting of certain birds, fish and other animals from aircraft. (Passed 312–5)	Yes.
June 5	H.R. 14106—To amend the Water Resources Act to authorize increased appropriations. (Passed 318–0)	Yes.
June 6	Call of the House	Absent.
June 7	Call in Committee	Present.
June 7	H.R. 15259—District of Columbia appropriations for Fiscal Year 1973. (Passed 302–67)	Yes.
June 7	H.R. 14990—Atomic Energy Commission Appropriations. (Passed 367–2)	Yes.
June 8	Call of the House	Present.
June 8	S. 659—On adoption of the Conference Report to the Higher Education Act. (Passed 218–180)	No.
June 12	H. Res. 995—To provide for consideration of H.R. 12846, Armed Forces Drug Treatment Program. (Passed 303–0)	Yes.
June 12	H.R. 10792—To increase Small Business Administration loan ceiling. (Passed 320–0)	Yes.
June 12	H.R. 12846—Armed Forces Drug Treatment Bill. (Passed 322–1)	Not Voting.
June 13	Call in Committee	Present.
June 13	H.R. 15418—Department of Interior Appropriations for fiscal year 1973. (Passed 367–3)	Yes.
June 14	H.R. 15417—Labor-HEW Appropriations for fiscal year 1973; on motion that the House resolve itself into Committee of the Whole to consider the bill. (Passed 368–0)	Not Voting.
June 14	Call in Committee	Absent.
June 15	H.R. 15417—Dennis Amendment to strike $20 million for necessary salaries for the Occupational Safety and Health Administration. (Failed 180–206)	Yes.
June 15	H.R. 15417—Findley Amendment to give a year's moratorium to small business firms on Federal safety and health regulations. (Passed 213–154)	Yes.
June 15	H.R. 15417—Hathaway Amendment to add $368 million to Office of Education appropriations. (Passed 212–163)	No.
June 15	H.R. 15417—Badillo Amendment to increase amount of funding for bilingual education. (Failed 143–205)	No.
June 15	H.R. 15417—motion to recommit bill to the Appropriations Committee with instructions. (Failed 138–206)	Yes.
June 15	H.R. 15417—Labor-HEW appropriations bill for fiscal year 1973. (Passed 277–60)	No.
June 19	Call of the House	Present.
June 19	H.R. 13694—a bill to establish the American Revolution Bicentennial Commission on motion to suspend the rules and pass. (Failed 174–165; two-thirds not having voted in favor of the measure.)	Yes.

1972	Measure, question and result	Vote
June 19	S. 3343—Veterans Compensation and Relief Act of 1972. (Passed 341–0.)	Yes.
June 20	Call of the House	Absent.
June 21	Call of the House	Present.
June 21	H. Res. 996—To provide consideration of H.R. 14370, the Revenue Sharing Bill (Passed 223–185)	No.
June 21	Call in Committee	Present.
June 21	Call in Committee	Present.
June 21	Call in Committee	Present.
June 22	Call of the House	Present.
June 22	H.R. 14370—motion to recommit the bill to the Ways and Means Committee with instructions (Failed 157–241)	Yes.
June 22	H.R. 14370—Revenue Sharing Bill (Passed 275–122)	No.
June 22	Call in Committee	Present.
June 22	H.R. 15585—Treasury, Postal Service, and Executive Office of the President Appropriations for Fiscal Year 1973; MacDonald Amendment to reduce funds for the Office of Communications Policy (Failed 148–188).	No.
June 22	H.R. 15585—Gross Amendment to strike section which provides $100,000 for salaries and expenses of the Commission on Executive, Legislative and Judiciary salaries (Failed 135–196).	No.
June 22	H.R. 15585—Udall Amendment to reduce the number of personnel paid more than $21,000 from 908 o 549. (Failed 122–210)	No.
June 22	H.R. 15585—Jacobs Amendment to limit chauffered limousines to the President (Failed 121–205)	No.
June 22	H.R. 15585—Treasury Department Postal Service and Executive Office of the President appropriations for Fiscal Year 1973. (Passed 322–11.)	Yes.
June 26	Call in Committee	Present.
June 26	H.R. 15507—To approve the National Capital Transportation Act of 1972. (Passed 282–75.)	
June 26	H.R. 15586—Appropriations for public works, Atomic Energy Commission, and related agencies for Fiscal Year 1972. (Passed 346–17.)	Yes.
June 27	Call in Committee	Present.
June 27	H.R. 15495—Military Procurement Authorization Bill; Leggett Amendment to delete $350,000,000 from the Safeguard Program. (Failed 116–258.)	No.
June 27	H.R. 15495—Pike Amendment to strike $445,000,000 authorized for further development of the B–1 bomber. (Failed 94–279.)	No.
June 27	H.R. 15495—Pike Amendment to prohibit building an ABM site in Washington, D.C. (Failed 129–261.)	No.
June 27	H.R. 15495—Harrington Amendment to set date to cut off funds for the War in Indochina by September 1972. (Failed 152–244.)	No.
June 27	H.R. 15495—Military Procurement Authorization Bill. (Passed 334–59.)	Yes.
June 27	H. Res. 1021—To provide for consideration of H.R. 15390, to provide for a 4-month extension of the present temporary level in the public debt limitation. (Passed 206–180.)	Yes.
June 27	H.R. 15390—To provide for a 4-month extension in the present temporary level in the public debt limitation. (Passed 211–168)	Yes.
June 28	Call of the House	Present.
June 28	H.R. 13955—Conference report for bill for legislative appropriations for fiscal year 1973. (Passed 382–8.)	Yes.
June 28	H.R. 13955—Motion to concur with Senate Amendment No. 36 (preferential motion would forbid funds for the extension of the West Front of the Capitol.) (Failed 186–206.)	No.
June 28	H.R. 13955—Casey motion to concur with Senate Amendment No. 36 (same as above). (Failed 181–197)	Yes.
June 28	H.R. 14734—Conference report to bill for State Department and USIA appropriations. (Passed 314–77)	Yes.
June 28	H.R. 15587—To provide a 6-month extension of the emergency unemployment compensation program. (Passed 275–108)	No.
June 29	Call of the House	Present.
June 29	Call in Committee	Present.
June 29	H.R. 15690—Agriculture appropriations for fiscal year 1973. Conte amendment to limit farm subsidies to $20,000. (Failed 189–193)	Yes.
June 29	H.R. 15690—Michel amendment to prohibit issuance of food stamps to strikers. (Failed 180–199)	Yes.
June 29	H.R. 15690—Agricultural appropriations for fiscal year 1973. (Passed 346–33)	Yes.
June 29	H. Res. 1019—To provide for consideration of H.R. 14163 to indemnify farmers and ranchers whose domestic animals are killed by predatory animals. (Failed 102–260)	No.
June 29	Call of the House	Present.
June 29	H. Res. 1030—To consider H.R. 15692 to reduce the interest rate on Small Business Administration disaster loans. (Passed 348–6)	Yes.
June 29	H.R. 15692—On motion that the House resolve itself into the Committee of the Whole House to consider the bill. (Passed 341–1)	Yes.
June 29	H.R. 15692—Stanton amendment to change the retroactive date. (Failed 161–163)	Yes.
June 29	H.R. 15692—To amend the Small Business Act to reduce interest rate on Small Business Administration disaster loans (Passed 325–9)	Yes.
June 30	Call of the House	Present.
June 30	H.R. 15585—Conference report to Treasury, Postal Service, Executive Office of the President. Appropriations bill. (Passed 341–3)	Yes.
June 30	H.J. Res. 1238—Supplemental appropriation for disaster relief. (Passed 356–1)	Yes.
June 30	Call of the House	Present.
June 30	H.R. 15390—To provide a 4-month extension of the temporary level in the public debt limitation; on motion to hold social security increase to 10 percent. (Failed 83–253).	No.
June 30	H.R. 15390—To concur with Senate amendment which provides for a 20-percent increase in social security benefits. (Passed 302–35)	Yes.
July 17	Call of the House	Present.
July 17	H.R. 15635—To extend for 2 years the Juvenile Delinquency Prevention Control Act. (Passed 338–12)	Yes.
July 17	H.R. 15657—Comprehensive Older Americans Act of 1972. (Passed 351–3)	Yes.
July 17	H.R. 13152—Federal Animal Damage Control Act of 1972. (Passed 279–73)	Yes.
July 18	H. Res. 1012—To provide for consideration of H.R. 14424, to establish a National Institute of Aging. (Passed 374–4)	Yes.
July 18	H.R. 15081—To amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute. (Passed 380–10)	Yes.
July 18	H.R. 14455—To extend and revise the program for the control and prevention of communicable diseases. (Passed 388–2)	Yes.
July 18	H.R. 14424—To establish a National Institute of Aging. (Passed 380–10)	Yes.
July 19	H. Res. 1018—To provide for consideration of H.R. 13853, the Emergency Community Facilities and Public Investment Act. (Passed 258–122)	No.
July 19	Call in Committee	Present.
July 19	H.R. 13853—Blackburn Amendment to provide that no funds be expended when Federal deficit is over $2 billion. (Passed 197–194)	Yes.
July 19	H.R. 13853—Blackburn Amendment. (Passed 205–192)	Yes.
July 19	H.R. 13853—Emergency Community Facilities and Public Investment Act. (Failed 189–207)	No.
July 20	Call of the House	Present.
July 20	H.R. 15641—To authorize certain construction at military installations. (Passed 372–17)	Yes.
July 20	H.R. 15580—Salary increases for police and firemen in the District of Columbia on motion to recommit to the District of Columbia Committee with instructions. (Failed 165–201)	Yes.
July 24	Call of the House	Absent.
July 24	H. Res. 1024—To provide for consideration of H.R. 13366, to provide consideration for losses as a result of the ban on cyclamates. (Passed 270–77)	Not Voting.
July 24	H.R. 13366—Compensation for losses as a result of the ban on cyclamates. (Passed 177–170)	Not Voting.
July 25	Call of the House	Present.
July 25	H.R. 14542—Air Force Officers authorized strength. (Passed 268–128)	Yes.
July 26	Call of the House	Present.
July 26	H.R. 12807—Architect and Engineers Selection Bill Eckhardt Amendment to require agency heads to solicit design proposals including life cycle costs and qualifications with 3 architect-engineer firms (Failed 114–276).	No.
July 27	Call of the House	Present.
July 27	H. Res. 1057—To provide for consideration of Conference Report to H.R. 12931, the Rural Development Act of 1972 (Passed 214–162)	No.
July 27	H.R. 12931—Conference Report to the Rural Development Act of 1972 (Passed 340–36)	Yes.
July 31	H.R. 5741—To transfer surplus Liberty ships to States for use in marine life conservation programs (Passed 325–2)	Not Voting.
July 31	H.R. 11300—Federal ship mortgage insurance for high-powered vessels (Passed 332–1)	Not Voting.
July 31	S. 2227—To authorize the Public Printer to designate the library of the highest appeallate court in each State as a depository library (Passed 333–1)	Yes.
Aug. 1	H.R. 7130—Minimum wage bill. On motion to send the bill to conference with Senate. (Failed 190–198)	Not Voting.
Aug. 1	H.R. 15474—National Cooley's Anemia Control Act. (Passed 377–1)	Yes.
Aug. 2	H.R. 15418—Conference Report to the Dept. of Interior Appropriations for FY 1973. (Passed 378–9)	Yes.
Aug. 2	H.R. 14146—Coastal Zone Management Bill. Kyl Amendment to change jurisdiction from Department of Commerce to Department of the Interior. (Passed 281–112)	Yes.
Aug. 2	H.R. 14146—Hanna Amendment to Gonzalez Amendment to guarantee free access to all beaches in coastal zone. (Failed 190–191)	No.
Aug. 2	H.R. 14146—Coastal Zone Management Bill. (Passed 376–6)	Yes.
Aug. 3	H. Res. 1071—To provide for consideration of H.R. 15989 to establish a Council on International Economic Policy. (Passed 372–3)	Yes.
Aug. 3	H.R. 15989—Culver Amendment to limit existence of the Council for one year. (Passed 192–174)	No.
Aug. 3	H.R. 15989—Gonzalez Amendment to remove President's authority to control the export of cattle hides. (Passed 177–158)	Yes.
Aug. 7	Call of the House	Present.
Aug. 7	H.R. 12101—Annuities of widows of Supreme Court Justices. (Passed 281–97)	
Aug. 7	H.R. 15883—Expanded protection of foreign officials. (Passed 380–2)	Yes.
Aug. 7	S. 3645—Radio Free Europe and Radio Liberty authorization. (Passed 376–7)	Yes.
Aug. 7	S. 1819—Uniform Relocation Assistance. (Passed 373–10)	Yes.
Aug. 7	H.R. 11357—To extend coverage of nonprofit hospitals under the National Labor Relations Act. (Passed 285–95)	Yes.
Aug. 7	H.R. 15376—To revise the method of computing wage rates under the Service Contract Act of 1965. (Passed 274–103)	Yes.
Aug. 8	Call of the House	Present.
Aug. 8	Call in Committee	Present.
Aug. 9	H.R. 15690—Conference Report to Agricultural, Environmental and Consumer Protection Appropriations for fiscal year 1973. (Passed 317–80)	No.
Aug. 9	H.R. 15417—Conference Report to the Labor-Hew appropriations bill for fiscal year 1973. (Passed 240–167)	No.
Aug. 9	H.R. 15417—Motion to agree to the Senate amendment on payment to the Corporation for Public Broadcasting in the Labor-Hew appropriations bill. (Passed 373–27)	Yes.

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1972	Measure, question and result	Vote
Aug. 9	H.R. 15927—To amend Railroad Retirement Act to provide a temporary 20 percent increase in annuities. Springer Amendment to increase the percentage that is paid in the retirement fund by both employees and employers. (Failed 104–290).	Not Voting.
Aug. 9	H.R. 15927—To amend Railroad Retirement Act to provide a temporary 20 percent increase in annuities. On passage. (Passed 399–4).	Not Voting.
Aug. 10	Call of the House	Present.
Aug. 10	H.R. 16029—Foreign Assistance Act. Dellums Amendment to remove funds for Brazil. (Failed 65–325).	No.
Aug. 10	H.R. 16029—Whalen Amendment to change effective date of U.S. pull-out from Indochina to Dec. 31, 1972. (Failed 109–304).	No.
Aug. 10	H.R. 16029—Bolling Amendment to strike out language that calls for U.S. to withdraw from Indochina by October 1, 1972. (Passed 229–177).	Yes.
Aug. 10	H.R. 16029—Dent Amendment to strike language that restored President's authority to regulate Rhodesian chrome imports. (Passed 253–140).	Yes.
Aug. 10	H.R. 16029—Foreign Assistance Act. (Passed 221–172).	no.
Aug. 14	S. 2956—To make rules governing the use of the Armed Forces of the U.S. in the absence of a declaration of war by Congress. (Passed 345–13).	Yes.
Aug. 14	H.R. 6957—Conference Report to bill to establish Sawtooth National Recreation Area in Idaho. (Passed 363–0).	Yes.
Aug. 14	H.R. 15692—Conference Report to bill to amend Small Business Act to reduce the interest rate on Small Business Administration disaster loans. (Passed 360–1).	Yes.
Aug. 15	Call of the House	Present.
Aug. 15	Call of the House	Present.
Aug. 15	Call of the House	Present.
Aug. 15	H.R. 16254—To make certain disaster relief appropriations for fiscal year 1973. (Passed 392–0).	Yes.
Aug. 15	H.J. Res. 1278—Further continuing appropriations for Fiscal Year 1973. (Passed 381–8).	Yes.
Aug. 15	S. 3824—Authorize appropriations for Fiscal Year 1973 for the Corporation of Public Broadcasting and for making grants for construction of noncommercial educational television or radio broadcasting facilities. (Passed 377–8).	Yes.
Aug. 16	Call of the House	Present.
Aug. 16	H. Res. 1094—To provide for consideration of conference reports on the same day reported (waive the three day requirement). (Failed 159–223).	Yes.
Aug. 16	H.R. 16071—To amend the Public Works and Economic Development Act of 1965. Hammerschmidt Amendment to the Wright Amendment to reduce to time any employee may receive unemployment benefits from 78 weeks to 52 weeks. (Failed 162–209).	Yes.
Aug. 16	H.R. 16071—Snyder Amendment to delete Section 801 which provides unemployment compensation for those whose unemployment is caused by Federal environmental legislation. (Failed 161–201).	Yes.
Aug. 16	H.R. 16071—To amend the Public Works and Economic Development Act of 1965. On passage. (Passed 285–92).	No.
Aug. 16	H.R. 15417—To override President's veto of Labor-HEW Appropriations bill (two-thirds required). (Failed 203–171; a ⅔ vote being necessary)	No.
Aug. 17	Call of the House	Present.
Aug. 17	Call of the House	Present.
Aug. 17	H. Res. 1080—To provide for consideration of H.R. 13915 to further the achievement of equal educational opportunities. (Passed 318–72).	Yes.
Aug. 17	Call in Committee	Present.
Aug. 17	H.R. 13915—Equal Education Opportunities Act. Ashbrook Amendment which qualifies the neighborhood as the appropriate basis for determining social assignments. (Passed 254–131).	Yes.
Aug. 17	H.R. 13915—Hawkins Amendment to increase authorization by $1.5 billion for Title I, assistance for educationally deprived students attending schools enrolling high concentrations of students from low-income families. (Failed 129–252).	No.
Aug. 17	H.R. 13915—O'Hara Amendment to strike language authorizing busing, except to school nearest student's residence. (Failed 174–211).	No.
Aug. 17	H.R. 13915—Green of Oregon Amendment to allow court orders and school desegregation plans already in effect under Title VI of the 1964 Civil Rights Act to be reopened and modified to comply with the provisions of the bill. (Passed 245–141).	Yes.
Aug. 17	H.R. 13915—Mikva Amendment which states that "the limitations on student transportation contained in this section shall not preclude any court, department or agency of the United States from ordering an adequate remedy for denial of equal protection of the laws." (Failed 154–223).	No.
Aug. 17	H.R. 13915—Mizell Amendment to provide freedom of transfer, regardless of race, creed or color. (Failed 123–255)	Yes.
Aug. 17	H.R. 13915—Stokes Amendment that nothing in the bill was intended to violate any provision of the Constitution. (Failed 178–197)	No.
Aug. 17	H.R. 13915—Equal Educational Opportunities Bill. Final passage. (Passed 283–102)	Yes.
Aug. 18	H.J. Res. 1227—Approving acceptance by the President of the United States of the interim agreement between the U.S. and USSR on certain measures with respect to the limitation of strategic offensive arms. (Passed 330–7).	Yes.
Aug. 18	H. Res. 1102—To provide for consideration of S. 3726, Conference Report on bill to extend and amend Export Administration Act and to establish Council on International Economic Policy. (Passed 194–111).	Yes.
Aug. 18	S. 3726—Conference Report to bill to extend and amend Export Administration Act and to establish Council on International Economic Policy. (Passed 183–124)	Yes.
Aug. 18	H. Res. 1095—To provide for consideration of H.R. 14847, a bill relating to the levying and collection of charges on persons traveling by air. (Passed 215–23)	Yes.
Sept. 5	H.R. 13089—Conference Report to bill on Accelerated Reforestation of National Forests. (Passed 303–1)	Yes.
Sept. 5	H.R. 12350—Conference Report on Economic Opportunity Amendments of 1972. (Passed 223–97)	No.
Sept. 6	H. Res. 1106—Resolution expressing the sense of the House on the tragic killings of Israeli Olympic Team members at the 20th Olympiad at Munich. (Passed 346–0)	Yes.
Sept. 6	H.R. 13514—To enable wheat growers to establish, finance and administer a program of research and promotion to maintain and expand markets for wheat. (Failed 122–234).	No.
Sept. 7	Call of the House	Absent.
Sept. 7	H.R. 2—To approve the Conference Report on the bill to establish a Uniformed Services University of the Health Sciences. (Passed 310–13)	Not voting.
Sept. 11	Call of the House	Present.
Sept. 11	H.R. 15550—To recommit bill to convey to the City of Alexandria, Virginia certain lands of the United States to the District of Columbia Committee. (Passed 213–33)	Yes.
Sept. 12	Call of the House	Present.
Sept. 12	H.R. 16188—Motion to recommit the bill to amend the Immigration and Nationality Act concerning illegal aliens to the Judiciary Committee. (Failed 53–297)	No.
Sept. 13	H. Res. 1115—Waiving points of order against the consideration of the Conference Report on the bill, H.R. 15495, Military Procurement Authorization. (Passed 347–23)	Yes.
Sept. 13	H.R. 15495—Conference Report on the Military Procurement Authorization. (Passed 335–44)	Yes.
Sept. 13	H.R. 14896—Conference Report on the Child Nutrition and School Lunch Program bill. (Passed 380–0)	Yes.
Sept. 13	H. Res. 1114—For consideration of H.R. 16593, Department of Defense Appropriations. (Passed 342–34)	Yes.
Sept. 14	Call of the House	Present.
Sept. 14	H.R. 16593—Defense Department Appropriations for Fiscal Year 1973. Sikes Amendment to permit the civilianization of kitchen police duties in the military services to continue. (Passed 265–116).	No.
Sept. 14	H.R. 16593—Addabbo Amendment to terminate U.S. involvement in Vietnam within 4 months. (Failed 160–208)	No.
Sept. 14	H.R. 16593—Riegle Amendment to reduce appropriated amount by 5 percent. (Failed 98–256)	No.
Sept. 14	H.R. 16593—Department of Defense Appropriations for Fiscal Year 1973. On passage. (Passed 322–41)	Yes.
Sept. 19	Call of the House	Present.
Sept. 19	H.R. 16654—Labor-HEW appropriations bill. Fisher Amendment to exempt firms employing 15 persons or less from compliance with the Occupational Safety and Health Act. (Passed 191–182).	Yes.
Sept. 19	H.R. 16654—Badillo Amendment to add $13 million for bilingual education programs. (Failed 162–207)	No.
Sept. 19	H.R. 16654—Labor-HEW appropriations bill for Fiscal Year 1973. On passage. (Passed 324–51)	No.
Sept. 20	Call in Committee	Present.
Sept. 20	Call in Committee	Present.
Sept. 20	S. 3419—Consumer Product Safety Act. On passage. (Passed 319–50)	Yes.
Sept. 20	H. Res. 1122—To consider H.R. 16705, making appropriations for foreign assistance for Fiscal Year 1973. (Passed 240–98)	No.
Sept. 21	Call of the House	Present.
Sept. 21	Call in Committee	Present.
Sept. 21	Call in Committee	Present.
Sept. 21	H.R. 16705—Foreign Assistance Appropriations for Fiscal Year 1973. Gibbons Amendment to prohibit the use of funds to guarantee or insure future foreign investments. (Failed 141–167).	No.
Sept. 21	H.R. 16705—Foreign Assistance Appropriations for Fiscal Year 1973. On passage. (Passed 169–141)	No.
Sept. 25	H. Res. 1132—To provide for consideration of H.R. 16754, Military Construction Appropriations. (Passed 276–15)	Yes.
Sept. 25	H.R. 16754—Military Construction Appropriations for Fiscal Year 1973. On passage. (Passed 292–13)	Yes.
Sept. 25	H. Res. 1133—Providing the "rule" for consideration of H.J. Res. 1227, providing for agreeing to the Senate Amendment for approval of interim agreement between U.S. and U.S.S.R. with respect to limitation of strategic offensive arms. (Passed 308–4).	Yes.
Sept. 26	Call of the House	Present.
Sept. 26	H.R. 1121—To provide for the establishment of the Gateway National Seashore in the States of New York and New Jersey. (Passed 350–4)	Yes.
Sept. 27	H.J. Res. 1306—Continuing appropriations for Fiscal Year 1973. (Passed 353–4)	Yes.
Sept. 27	H.R. 16012—To authorize the Sec. of Interior to construct, operate and maintain various Federal reclamation projects. (Passed 293–94)	Yes.
Sept. 28	Call in Committee	Present.
Sept. 28	H.R. 13694—Amend the joint resolution to establish the American Revolution Bicentennial Commission. Williams Amendment to provide that all decisions would be made by Full Committee in lieu of an Executive Committee.	No.
Sept. 28	H.R. 13694—To amend the joint resolution establishing the American Revolution Bicentennial Commission. (Passed 300–19)	Yes.
Oct. 2	Call of the House	Present.
Oct. 2	Call of the House	Present.
Oct. 2	Call of the House	Present.
Oct. 2	H.R. 16742—To limit travel in hostile areas. Suspend rules and pass (two-thirds necessary). (Failed 230–140) a two-thirds vote being necessary	Yes.
Oct. 2	H.R. 15276—To exclude corporations and labor organizations from the scope of the prohibitions against government contractors in Section 211 of Title 18 of the U.S. Code. (Passed 249–124).	Yes.
Oct. 2	H.R. 16191—To allow the President to suspend air service to nations harboring skyjackers. (Passed 354–2)	Not Voting.
Oct. 2	H.R. 15859—Emergency Medical Services Act of 1972. (Passed 244–122)	Not Voting.
Oct. 3	Call of the House	Present.

1972	Measure, question and result	Vote
Oct. 3	Call in Committee	Present.
Oct. 3	H.R. 16645—To provide for the construction of a civic center in the District of Columbia. Sayder Amendement to delete Eisenhower Civic Center from the bill. (Failed 183–199).	No.
Oct. 3	H.R. 16645—Snyder Amendment to prohibit construction of civic center without approval by Senate and House Committees on the District of Columbia and appropriations. (Passed 250–137).	Yes.
Oct. 3	H.R. 16645—To provide for the construction of a civic center in the District of Columbia. (Passed 212–160)	Yes.
Oct. 3	H.R. 7130—On a motion to send the minimum wage bill to Conference. (Failed 189–196)	Yes.
Oct. 4	Call of the House	Present.
Oct. 4	H. Res. 1142—To allow the Speaker to entertain motions to suspend rules and waive the rule requiring a ⅔ vote for consideration of reports from the Committee on Rules on the same day reported during the period October 10, 1972. (Passed 214–171).	No.
Oct. 4	H.R. 15927—To override the President's veto of the bill to provide a 20 percent temporary increase in railroad retirement benefits. (Passed 353–29)	Yes.
Oct. 4	S. 2770—Conference Report on Water Pollution Control Amendments of 1972. (Passed 366–11)	Yes.
Oct. 4	S. 1316—Federal-State Meat and Poultry Inspection Bill. Kyl Amendment to provide for Federal Inspectors to report results of their inspections of State-regulated plants to the State administrative agency. (Passed 188–149).	Yes.
Oct. 4	S. 1316—Motion that the Committee of the Whole House "do now rise" and report the Federal-State Meat and Poultry Inspection Act back to the House with the recommendation that the enacting clause be stricken out. (Passed 172–170).	Yes.
Oct. 4	S. 1316—On agreeing to the motion to strike the enacting clause from the Federal-State Meat and Poultry Inspection bill. (Passed 173–169)	Yes.
Oct. 5	Call of the House	Absent.
Oct. 5	Call of the House	Absent.
Oct. 5	H. Res. 1145—To provide for consideration of H.R. 16656, Federal Aid Highway Act of 1972 (Passed 200–168)	Not Voting.
Oct. 5	H.R. 16656—Federal Aid Highway Act of 1972. Abzug Amendment to strike language prohibiting judicial review of administrative actions relating to the construction of the Three Sisters Bridge. (Failed 125–173).	No.
Oct. 5	H.R. 16656—Federal Aid Highway Act of 1972. On passage. (Passed 264–30)	Yes.
Oct. 10	Call of the House	Present.
Oct. 10	H. Res. 1149—To provide for consideration of H.R. 16810 to provide a temporary increase in public debt limit and to limit expenditures for FY 1973. (Passed 304–65)	Yes.
Oct. 10	Call in Committee	Present.
Oct. 10	H.R. 16810—Mahon Amendment to force the President to come to Congress with recommendations for cuts in programs. (Failed 167–216)	No
Oct. 10	H.R. 16810—To provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for FY ,1973. On passage. (Passed 221–163).	Yes.
Oct. 11	H. Res. 1156—To provide for consideration of H.R. 17034 to make supplemental appropriations for FY 1973. (Passed 345–19)	Yes.
Oct. 11	H.R. 16654—Labor-HEW appropriations for FY 1973. Flood motion to table Findley motion instructing conferees to insist on the House language which forbids salaries for Federal employees who inspect firms employing 15 or less employees for compliance with the Occupational Safety and Health Act. (Passed 197–167).	No.
Oct. 11	H.R. 17034—Supplemental appropriations for FY 1973. (Passed 362–11)	Yes.
Oct. 11	H.R. 16924—Uniformed Services Special Pay Act. (Passed 337–35)	Yes.
Oct. 11	Call of the House	Present.
Oct. 11	H.R. 16724—To provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area. Motion to suspend rules and pass (⅔ required). (Failed 226–19; ⅔ vote being necessary).	Not voting.
Oct. 11	H.R. 6482—Regulation of strip coal mining. (Passed 265–75)	Not voting.
Oct. 11	S.J. Res. 247—Extending the duration of copyright protection in certain cases. (Passed 208–92)	Not voting.
Oct. 12	Call of the House	Present.
Oct. 12	H.R. 16987—To authorize appropriations for fiscal year 1973 for certain maritime programs of the Department of Commerce. (Passed 351–3)	Yes.
Oct. 12	H.R. 14370—Revenue Sharing bill Conference report. (Passed 266–110)	No.
Oct. 12	H.R. 14370—Mills motion to limit grants for social services to $2,500,000,000. (Passed 281–86)	Yes.
Oct. 12	H.R. 16593—Conference Report to Department of Defense appropriations for fiscal year 1973. (Passed 316–42)	Yes.
Oct. 12	H.R. 16754—Conference Report to Military Construction appropriations for fiscal year 1973. (Passed 333–10)	Yes.
Oct. 12	H.R. 14989—Conference Report to State, Commerce, Justice appropriations bill for fiscal year 1973. (Passed 333–3)	Yes.
Oct. 12	H.R. 10729—Conference Report to Federal Environmental Pesticide Control Bill. (Passed 198–99)	Yes.
Oct. 13	Call of the House	Present.
Oct. 13	H. Res. 1153—On adoption of the resolution amending the rules of the House of Representatives with respect to House consideration of certain Senate amendments to provide for the delegates from Guam and the Virgin Islands. (Passed 281–57).	Yes.
Oct. 13	H.R. 16654—On motion to agree to the amendment of the Senate making appropriations for the Departments of Labor, Health, Education, and Welfare. (Passed 289–41).	No.
Oct. 13	Call of the House	Absent.
Oct. 13	S. 1478—Toxic substances control act. (Passed 240–61.)	Not voting.
Oct. 13	H.R. 7287—To prohibit trading in Irish potato futures on commodity exchanges. (Failed 116–150.)	Not voting.
Oct. 14	On approval of the Journal of proceedings for Oct. 13, 1972. (Passed 248–3.)	Yes.
Oct. 14	H.R. 17034—Conference Report to bill on Supplemental appropriations for fiscal year 1973. (Passed 250–15.)	Yes.
Oct. 14	Call of the House	Present.
Oct. 14	H.R. 12006—To amend the Longshoremen's and Harbor Workers' Compensation Act. (Passed 198–71.)	Not voting.
Oct. 14	H. Res. 1147—Authorizing additional investigative authority to the Committee on Public Works. (Passed 202–46.)	Not voting.
Oct. 14	S. 4062—To provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area. (Passer 184–60.).	Not voting.
Oct. 14	Call of the House	Absent.
Oct. 14	H.J. Res. 1331—Further continuing appropriations for fiscal year 1973. (Passed 163–73.)	Not voting.
Oct. 14	H. Res. 1166—Resolution agreeing to the amendment of the Senate to H.R. 16071, to amend the Public Works and Economic Development Act of 1965. (Passed 155–64.)	Not voting.
Oct. 14	Call of the House	Absent.
Oct. 17	Call of the House	Absent.
Oct. 17	H.R. 1—Conference Report on Social Security Amendments of 1972. (Passed 305–1.)	Yes.
Oct. 17	H.R. 16810—Conference Report on bill to provide a temporary increase in the public debt limitation and to place a limitation on expenditures and net lending for fiscal year 1973. (Passed 166–137.)	Yes.
Oct. 17	H.J. Res. 1331—Conference Report making further appropriations for fiscal year 1973. (Passed 188–80.)	No.
Oct. 18	Call of the House	Present.
Oct. 18	S. 2770—To override the President's veto of the Federal Water Pollution Control Act (two-thirds vote required) (Passed 247–23)	Yes.
Oct. 18	H. Con. Res. 726—On adoption of the resolution providing for a sine die adjournment of the two Houses of Congress on Wednesday, Oct. 18, 1972. (Passed 240–21)	Yes.
Oct. 18	Call of the House	Present.
Oct. 18	Call of the House	Absent.

NATIONAL GROWTH POLICY PLANNING ACT

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, in May of this year, I introduced in the Senate the Hartke National Growth Policy Planning Act of 1972, S. 3600. The act establishes a national growth policy to affectuate economic development, housing distribution, the use of natural resources, the protection of the environment, and the location of Government and private facilities in a manner and magnitude that will increase the odds that our Nation will continue to prosper.

The act also establishes a national growth planning board to help coordinate the efforts of Federal, regional, State, and local governments to control and manage growth. In effect, the act establishes a research, planning, and coordinating board on the national level while emphasizing State, local, and public participation. A program of Federal assistance to State and interstate agencies is established by the act to develop statewide and regional growth planning as elements of a national growth policy.

I have introduced such legislation, because I believe the Nation faces problems of such magnitude and complexity that a concerted national effort will be necessary to guarantee our very survival. The Nation's population continues to grow and concentrate in our urban areas. The effects of pollution become more alarming. We continue to deplete our natural resources. Industry continues to proliferate uncontrollably and to stimulate excessive and artificial demands. If we do not perceive the prospect of ecological disaster and the need for an urgent and sufficient response, the social problems that we face today only portend of more enormous ones in the future.

The National Growth Policy Planning Act of 1972 develops a simple but comprehensive policy to manage and control growth in both our metropolitan and rural areas.

Mr. President, I ask unanimous consent that the following articles pertaining to national growth policy be inserted in the RECORD at this point.

There being no objection the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Oct. 2, 1972]

THINKING BIG: "CLUB OF ROME" MERGES WORLD'S WOES INTO ONE—AND TRIES TO SOLVE IT

(By Bowen Northrup)

ROME.—Exclusive club seeks wise, powerful men for membership. Prime qualification: Desire to save the world. Fees: None. Clubhouse: None. Meetings: Hardly ever. Applicants preferred from less-developed or Communist nations; Western positions largely filled. Politicians need not apply.

The Club of Rome doesn't advertise for members, but otherwise the above could be its prospectus. It is probably the loosest aggregation of individuals anywhere. Aurelio Peccei, the silver-haired, distinguished Italian who is its chief moving spirit, recoils from the usual bother of having a group.

"We don't want to be an organization," he says impatiently. "There are already too many organizations in the world. We have no budget, no structure. We are a detonator, no more than that. What we want to do is use the existing organizations as transmission belts."

What the club does have is membership of about 75 eminent men from some 25 nations, including scientists, and industrialists, economists, sociologists and educators. And it has an ambitious goal; to "detonate" an urgent debate on "the predicament of mankind," no less, with particular focus on what Mr. Peccei calls "the threat to the life-supporting capacity of the earth."

A "WORLD PROBLEMATIQUE"

Most of us find one problem or another more than enough at any given time, but the Club of Rome grandly merges all problems into a single "world problematique." In a few years it will be common to think globally," says Mr. Peccei.

"After all," he adds smilingly, "You Americans taught us to think big. If we understand that there is another, more intelligent way to manage the world, why not take it? There must be some earth-keeping, some earth-tending."

So the club has much more than a debate in mind; it wants action, stimulated by "the creation of a world forum where statesmen, policy makers and scientists can discuss the dangers and hopes for the future global system without the constraints of formal intergovernmental negotiations."

There has been a much-publicized debut for the Club of Rome: the publication in March of "The Limits of Growth," a 197-page paperback book costing about $2.50. It is a projection using computerized analysis of five major world trends: "Accelerating industrialization, rapid population growth, widespread malnutrition, depletion of nonrenewable resources and a deteriorating environment."

The conclusion: Unless urgent action is taken to move towards "equilibrium," at present and projected rates of growth, the world faces a situation of "collapse" by the middle of the next century.

UNRUFFLED AT UPBRAIDING

These aren't new ideas, of course. The club simply has thrust itself into the thick of the debate over zero economic growth and ecology, not without sharp rebuttals of its position. Wilfred Beckerman, professor of political economy at the University of London, has called the book "a brazen piece of impudence."

This kind of upbraiding leaves Mr. Peccei cheerfully unruffled. "The Club of Rome wants to have a dialogue," he says. "I happen to believe that this (pointing at the book) is the situation. I would be happy to have it disproved."

The dialogue is well under way. "Everywhere there is a brush fire," says Mr. Peccei. "There are hundreds and hundreds of seminars and conferences—this is what we want." The book, he says, has been published in 18 editions and soon will be available in 23 languages, including Serbo-Croat, Finnish and Thai. In Holland alone it has sold more than 200,000 copies.

"The Limits of Growth," according to Mr. Peccei, is "a first, faltering step" in the club's program. Three more research projects are in the offing. One, also using computer techniques, will survey the world from the vantage point of Latin America.

A second, to be jointly prepared by Case Western Reserve University in Cleveland and Hanover University of West Germany, will divide the world into eight different but linked regions, looking at the varying situations of developed and less-developed areas. A third will attempt to describe the needs of the world's population in a few decades.

PRESSURING POLICYMAKERS

"One thing is certain," says Mr. Peccei. "Barring an immense catastrophe, the population of the world will double within the next 30 to 40 years. How can we prepare to receive this supplementary batch of humans? They will need schools, houses, hospitals, airports—it is a construction job equal to all that we have done in the previous 2,000 years."

As the research program of the club grows, "Phase 2" will begin to materialize. Phase 2 is advocacy, putting pressure on policy makers and other men of influence to carry out the necessary action.

This the club is eminently equipped to do. Its membership includes many men who either are close to the levers of power or famous enough in their own right to command attention. The club shuns publicity for individual members—Mr. Peccei likes to call it an "invisible college"—but it includes the following:

Alexander King, scientific director of the Organization for Economic Cooperation and Development (OECD); Hugo Thiemann, head of the Battelle Institute in Geneva; Saburo Okita, head of the Japan Economic Research Center in Tokyo; Victor L. Urquidi, president of the College of Mexico in Mexico City; Thor Heyerdahl, the explorer; Alexander Goldberg, president of Technion-Israel Institute of Technology, Haifa; and John Platt of the Mental Health Research Institute at Ann Arbor, Mich.

Industrialists who are members include Antonie T. Knoppers, senior vice president of Merck and Co., Rahway, N.J.; Ronald S. Ritchie, vice president and director of Imperial Oil Ltd., Toronto; Pierre R. Gendron, president of the Pulp and Paper Institute of Canada; Robert Lattes, director general of SIA International, Paris; Daniel Janssen, deputy general manager of the Belgian Chemical Union, Brussels; and Koji Kobayashi, president of Nippon Electric Co., Tokyo.

Political officeholders generally are excluded from membership (though Sen. Claiborne Pell, the Rhode Island Democrat, is an exception), for the reason that they may be bound to a certain point of view. "Our members are free," says Mr. Peccei. "They don't represent anybody."

The emphasis now is on recruiting members from the black African nations and the Communist bloc. Mr. Peccei hopes for six to eight Communist members by the end of this year. The Chinese, for instance, may have great contributions to make to the club's thinking.

The club, says Mr. Peccei, "will offer alternative goals—we would like to change things." He believes that "a Copernican change of vision" is required. "People don't like to change their habits, especially when they are in a good situation."

Mr. Peccei, a widely traveled industrialist, consultant and expert on the development problems of underdeveloped nations, began to think in the mid-1960s that the world system was "a textbook case of mismanagement." In 1967 he went to the OECD's Mr. King with his idea for the club. An executive committee was formed, and the first meeting was held in Rome the next year at the Academy of the Lincei, an intellectual gathering place.

The Agnelli Foundation (Giovanni Agnelli is the chairman of Fiat) provided the funds for that gathering, and money has been forthcoming for each project since. The Volkswagen Foundation contributed about $366,000 for "The Limits of Growth." The International Development Research Council of Canada is helping to finance the Latin American study, and the West German government is contributing to the Case-Hanover project. . . .

So far the club has had a total of three meetings. However, says Mr. Peccei, "there is some correspondence among us." In his travels Mr. Peccei consults with other members and gives speeches on the club's goals. He has visited Budapest, Vienna, Stockholm, Milan, Paris, Geneva and Tokyo in recent months.

THE GLAMOROUS COMPUTER

But why all the furor about "The Limits of Growth?" After all, the "doomsday" school of Jeremiahs already is bursting at the seams. A United Nations conference devoted a million words to the ecology problem this summer in Stockholm.

Part of the interest, no doubt, stems from the exclusive membership of the Club of Rome. But there is another reason. "The Limits of Growth" project employed that most glamorous of instruments—the computer—in a study carried out at the prestigious Massachusetts Institute of Technology.

Prof. Beckerman of the University of London scornfully contends that the book "attempts to blind the reader with science in the form of a pretentious array of computer printout diagrams and equations." It is this, says Prof. Beckerman, "which seems to have dazzled and impressed many people who, otherwise might have known better."

Other experts are more sanguine, however. Arthur Clarke, the well-known science fiction writer and futurist, gives the club "high marks for trying—they have done something about the problem, and hopefully they will stimulate some progress toward conclusions."

Dennis Gabor, the British physicist who won a Nobel prize last year (and is a member of the Club of Rome) expresses some reservations about "the blind confidence which the economists place in technology," but he said this of the club's study: "Whatever the details, the main conclusions are incontrovertible. We are on a catastrophic course." The club makes clear, however, that there is no pressure on individual members to agree with the conclusion of club projects.

"The Limits of Growth" used a computer model of the world developed by MIT Prof. Jay Forrester. It started with the premise that basic factors such as food production, populaiton growth and environmental pollution all are interrelated.

Each factor, it was decided, interacts constantly with the other factors—and with itself. For instance, a growing population increases the need for land to live on, thus diminishing the amount of land available for agriculture. At the same time, the demands for food from that diminishing farm land are growing.

The study points out that growth and the drain on resources take place at an exonential rate rather than an arithmetic one. For example, each time the population doubles the number of people added is twice the number added at the previous doubling, and the absolute population has quadrupled.

That is, two doubled is four, four doubled is eight and so on.

The result? A dizzying growth of demand for natural resources, land and food from burgeoning population that increasingly befoul its habitat. If present trends continue unchanged, the study warns, "the limits to growth on this planet will be reached sometime within the next one hundred years."

It decided also that "the process of economic growth as it is occurring today is inexorably widening the absolute gap between the rich and the poor nations of the world."

Evident throughout is an effort to convince scientists and other experts of the study's validity—and an equal effort to make the conclusions intelligible to the average man.

This creates problems. The experts aren't likely to be electrified by such assertions as "Every person in the world faces a series of pressures and problems that require his attention and action." On the other hand, Archie Bunker's attention is likely to wander when he is confronted by "a flow diagram in formal System Dynamics notation."

Underlying the study—and the club's decision to publish it before all the accompanying computer data were available—is the belief that the situation already is critical.

IN OTHER WORDS, NOW OR NEVER

"We are unanimously convinced that rapid, radical redressment of the present unbalanced and dangerously deteriorating world situation is the primary task facing humanity," the club's executive committee says in the conclusion to the book, adding, "This supreme effort is a challenge for our generation. It cannot be passed on to the next."

For Mr. Peccei, the Club of Rome is the most important project of a lifetime. He is a sturdy and well-tanned man of 64, pure white hair complemented by a white moustache. As an anti-Fascist militant during World War II, he was captured by the Fascists and severely tortured.

Later he went to South America for Fiat. In the 1960's he took the helm of Olivetti, the big business machines manufacturer, during a period of crisis and led it back to health. His current chief title is a head of Italconsult, a consulting firm established by private and public capital in Italy to aid the poorer nations in development.

For Mr. Peccei, thinking globally seems to come naturally. "We need to understand what happens in the world," he says. "We go very fast, and we don't know what is ahead. . . . . Our world is totally different from that of our fathers. Our children will have another jump of similar magnitude. . . . The world is small. It is one system. And man must be the regulator."

[From the Wall Street Journal, Oct. 9, 1972]

Guarding the Land: California Court Ruling on Ecological Impact Throws Builders, Lenders, Unions for a Loss

(By Earl C. Gottschalk Jr.)

A land developer recently began construction of a mini-skyscraper apartment building on a tiny parcel of land in an area of single-family cabins in the High Sierras—and that was the last straw for a group of residents from Mammoth Lakes, Calif.

Led by Mrs. Andrea Mead Lawrence, a former Olympic skiing gold-medal winner, the residents sued to halt the project on the ground that, even though it was on private land, it harmed the surrounding environment.

The case worked its way up to the California supreme court—and in a surprising 6-to-1 decision on Sept. 28, the court ruled in favor of the residents. State and local government agencies now must complete environmental impact reports and make them public before they can approve private construction projects that may have a "significant" impact on the environment, the court declared. Presumably, thus forewarned, upset citizens could sue to stop any project that in their view an agency wrongly approved.

It's the first time that the idea of "environmental impact" has been directly applied to private developments, and other states are expected to follow California's lead. Conservationists are hailing the case as the most significant yet in their battle to halt what they consider the rape of the California environment. The decision means that citizens can sue to halt any "significant" private construction that doesn't have an environmental-impact study.

The housing and construction industries are in a state of shock—as are many leaders in construction unions and lending institutions. Indeed, in what one environmental-law expert has called "a hysterical over-reaction," such cities as San Francisco and Santa Barbara have stopped issuing building permits for fear they'd violate the new law.

OIL DRILLING AFFECTED

Mammoth County in the Sierra Nevada range has even stopped issuing permits for garage additions and sidewalks. The cities and counties claim they don't know how to make environmental impact studies, don't have the staffs or funds and don't know how to define what "significant" private construction is.

Los Angeles County supervisors have bounced 12 proposed zoning changes, from Malibu to Pomona, back to the county planning commission for reports on how private construction projects in these areas might affect the environment. The city of Los Angeles is still issuing building permits, but each permit includes "a disclaimer" agreement that in effect tells the builder he is proceeding at his own risk.

Also affected are Occidental Petroleum Corp.'s plans to slant drill for oil on one of Southern California's most popular beaches in the Pacific Palisades. The Los Angeles City Council has passed an ordinance giving Occidental drilling permission, but that ordinance now is in serious question.

Los Angeles Mayor Sam Yorty, back in town after one of his many overseas trips, railed against the court ruling, saying: "I have nothing against protecting the environment, but we can't carry it to extremes." The city is considering seeking a special session of the state legislature to clear up the confusion.

Several big land-development and housing companies are facing delays and postponements on their California projects. Michael Tenzer, president of the Larwin Group's housing division, says his company is postponing plans to develop 900 single-family and townhouse units in the San Gabriel Valley near Los Angeles and to develop 100 acres in the Antelope Valley, a desert area about 35 miles from downtown Los Angeles.

"A TRYING TIME"

But Mr. Tenzer says the postponements won't affect Larwin's earnings immediately; the projects would have come on stream in 1974. He says that, since Larwin is nationally diversified, the ruling will have a "relatively insignificant impact on total earnings, although we're not happy about it."

Ralph Wenger, president of Transamerica Development Co., a subsidiary of Transamerica Corp., reports that two of its large projects have been stalled. At Diamond Bar, a Transamerica community in the San Gabriel Valley that is 75% complete, zoning applications have been stalled, halting the project. Transamerica's controversial plans to develop coastline property on the Palos Verdes peninsula near Los Angeles into condominiums, townhouses and residential lots also have been stalled. Transamerica's Palos Verdes plans have long been contested by a group of angry, but now happy, residents. "This is a very trying tune for the builder," complains Mr. Wenger.

A spokesman for the parent company, Transamerica Corp. of San Francisco, says the delays "aren't going to have any substantial effect on earnings since the development subsidiary is a small piece of the total pie."

A few companies say they are so angry they are considering expanding their land-development activities in other states—and curtailing them in California. "We're at a standstill; we don't know which direction we'll go," says Carl Rudnick, president of Levitt United Multi-Housing Corp., a subsidiary of Levitt & Sons Inc., which handles housing for the 13 Western states. "Maybe we'll get to the point where we'll concentrate our operations out of California," says Mr. Rudnick. "Other states have established various restrictions, but no one has gone this far."

GLOOM AND DOOM

"I think they want to put the builders out of business," charges Gene Meyers, executive vice president of Levitt United.

Meyer Roth, vice president of Los Angeles-based Pardee Construction Co., a division of Weyerhaeuser Co. of Tacoma, Wash., says his company is considering expanding its operations in the Las Vegas area rather than in California because of the new ruling.

As a combination of industry, union and banking officials have done in the past to combat various pieces of environmental legislation in California, some people now paint a grim portrait of jobs lost, housing ground to a standstill and lending institutions in trouble, all on account of the new environmental-impact ruling.

Conrad Jamison, urban economist at Security Pacific National Bank in Los Angeles, takes a less alarmist view than this but he says, "Obviously this will slow things up and make it more expensive for builders. Add this to what may happen in November with the Coastal Initiative (which calls for a state coastal protection agency to rule on all new private coastal developments), and it's a whole new ball game for the housing industry." Mr. Jamison, however, says there have been "tremendous land-development abuses in the past in California, and we need some sort of a program to insure more orderly appropriate development."

Not all big housing companies, however, take a "gloom and doom" approach to the new law. Barbara Sayre Casey, vice president of Kaufman & Broad Inc., Los Angeles, one of the biggest homebuilders in California, thinks the new ruling will be better for everyone—builders and home producers included—in the long run.

INCENSE AND COMMONSENSE

"Every builder will now be in the same position," explains Mrs. Casey. "Now, if you go in and do an environmentally sound job that will cost more, you are penalized. Someone can go in across the street and do a cheap job and undersell you." The new ruling "shouldn't hurt responsible housing producers," she maintains.

The attorney who represented the Mammoth residents, John McCarthy, of Pomona, Calif., is incensed that cities and counties have halted the granting of building permits. "Obviously, the law wasn't meant to apply to all building permits," he fumes.

Mr. McCarthy is unimpressed by claims by city and county officials that they don't know how to make environmental-impact studies or set up environmental guidelines. For two years a state act has been on the books requiring environmental-impact studies of all public works, he points out. (This law was modeled after a federal law that the Sierra Club cited recently to halt construction of an airport in Palmdale, Calif.) "If city and county officials had complied with state law, they'd have public procedures all ready to apply to private projects," Mr. McCarthy says.

As to the question of how to tell when a private construction project has a "significant" environmental impact, he says: "All they have to do is to apply a little common sense." One test is citizen reaction, he says. "If responsible citizens in the community don't protest, then the development probably doesn't have a significant environmental impact and can proceed without an environmental-impact study. But if responsible citizens protest, the government body should order an environmental-impact study," he concludes.

STUNG SPECULATORS?

The California court decision is "the first time that any (U.S.) law has given citizens the right to participate directly in private-land-use decisions before they are made," argues Mr. McCarthy. He adds that he personally is "definitely not a conservationist or a proponent of no-growth." He says that for most of U.S. history, the land owner has made a single-party decision on what to do with his land and that that decision has been to develop it for maximum financial return—regardless of the consequences. "We're still living with many of these unfortunate decisions," he says. "The neon jungle of Lake Tahoe in Northern California and overdeveloped Waikiki Beach in Honolulu are examples."

In recent years, public officials have had official review of land use through zoning ordinances, he says, but these ordinances often have been violated and rendered ineffective by variances, changes of zoning and conditional use permits.

The new ruling could bring about an abrupt halt to the epidemic of land speculation in California, Mr. McCarthy figures, and should stop overdevelopment beyond a community's carrying capacity and local resources. It is hoped, he adds, that the ruling will result in statewide planning and the creation of new communities to disperse California's population—rather than stacking up people on top of Los Angeles and San Francisco.

Where does the new ruling go from here? California Attorney General Evelle Younger, who filed a friend of the court brief, along with the Sierra Club, supporting the Mammoth group's case, now is listening to complaints of builders, housing companies, city and county officials and unions. "We're trying to ease the transition," explains Nicholas Yost, a deputy attorney general who heads the attorney general's environmental-law section.

The California legislature reconvenes Nov. 8, and some observers speculate that the construction-housing-savings and loan lobby will attempt to get legislators to emasculate the ruling or at least call a moratorium on it. But one state official doubts that, in these ecologically aware times, legislators will vote to cut back environmental protection.

[From the New York Times, Oct. 7, 1972]

ECOLOGICAL RULING STUNS CALIFORNIA—BUILDING PERMITS STOP AFTER ACTION BY COURT

SAN FRANCISCO, October 7.—Most California communities have stopped issuing major building permits because of a State Supreme Court ruling that the effect of such projects on the environment must be investigated first.

Some others, including Los Angeles, are issuing permits with "environmental disclaimers." Several banks have said that they will not lend money on the basis of such permits.

Before the court acted, on Sept. 21, the state's 1970 Environmental Quality Act had been applied only to public works projects that were deemed to have a "significant impact" on the environment.

But the court, in a 6-1 decision, held that the law also applied to private construction for which a development permit of any kind must be obtained—if the project's effect on the environment would be "nontrivial."

It is the most important ruling on the environment in the state's history, according to spokesmen for development interests, conservationists and state and local government.

REAPPRAISAL EXPECTED

Many believe the decision will force a major reappraisal of the growth-oriented economy that in four decades has transformed California from a mostly rural farm area to the most populous state in the nation.

The court held that the Mono County Board of Supervisors erred last April 20 in issuing a conditional use permit to International Recreation, Ltd., of La Jolla, for a 184-unit second-home development.

The concern planned to build an eight-story tower at the Mammoth Lake ski resort area on the eastern slope of the southern Sierra Nevada Mountains. Eventually, it hoped to build five or six towers containing 350 to 400 condominium apartments, each selling for $35,000 to $70,000.

A suit was brought by Friends of Mammoth, a group of residents and homeowners in the sparsely populated region, who contended that the development would spawn problems with water, sewage, snow removal, and police protection.

LAW REQUIRES REPORT

The court ruling was based on a portion of the Environmental Quality Act requiring areas that have no adopted conservation element for their general plan "make an environmental impact report on any project they intend to carry out which may have a significant effect on the environment and shall submit it to the local planning agency . . ."

Mono County, and most other cities and counties in the state, have not yet adopted a conservation element. The Environmental Quality Act states that those states that have such an element must make certain that environmentally significant projects are "in accord with the conservation element."

The court ruling left considerable confusion over the definition of "significant impact," which the court explained as "nontrivial." There was also uncertainty over what constitutes a proper environmental impact statement and whether the decision would be retroactive to when the Environmental Quality Act took effect.

The resulting developments included the following:

San Francisco and San Jose, the state's third and fourth largest cities, on Wednesday placed a total freeze on new building permits. Two days later, San Francisco modified the freeze to allow permits for home construction and interior remodeling. San Jose, one of the nation's fastest growing cities, is expected to announce a similar modification.

County attorneys met in San Francisco yesterday with Nicholas C. Yost, the deputy State Attorney General, who represented California as a friend of the court on the side of Friends of Mammoth, to make an urgent demand for clarification of the ruling.

The California Chamber of Commerce called together 15 laywers from its members concerns and trade associations to discuss how to deal with the decision.

Many cities and counties wiped from their planning commission agendas all items except such nondevelopment issues as the renaming of roads.

Many planning directors began asking for staff increases to prepare the environmental impact statements.

Gov. Ronald Reagan has asked the Attorney General's Office to seek a delay in the decision's implementation. Unless challenged, the ruling will take effect Oct. 21.

REMARKS BY THE HONORABLE RUSSELL E. TRAIN, CHAIRMAN, COUNCIL ON ENVIRONMENTAL QUALITY, BEFORE THE 97TH ANNUAL MEETING OF THE AMERICAN FORESTRY ASSOCIATION AND NATIONAL TREE PLANTING CONFERENCE, NEW ORLEANS, LA., OCTOBER 23, 1972

I am delighted to have this opportunity to address the American Forestry Association this morning and to try and set a "Framework for the Future" for your discussions which follow these next few days.

Since 1968 we have asked a great many questions, and more than ever before, Americans have become environmentally aware. As the President has observed:

"At the heart of concern for the environment lies our concern for the human condition: for the welfare of man himself now and in the future. As we look ahead to the end of this new decade of heightened environmental awareness, therefore, we should set ourselves a higher goal than merely remedying the damage wrought in decades past. We should strive for an environment that not only sustains life but enriches life, harmonizing the works of man and nature for the good of all."

The issue I wish to raise with you this morning—and one which the AFA can help illuminate—is far broader than the traditional concerns of conservation, is being addressed around the U.S. and the world, and has implications that extend well into the future. It is the question whether, we as a people, should continue to regard growth—of population, the economy and natural resource use—as the primary measure of our progress.

Clearly, economic development is essential to the good life, and a sound economy is necessary to achieve solutions to many of the social and environmental goals of people everywhere. The President's policies are firmly committed to this goal and indeed he has moved not to abandon economic growth but to redirect it to human needs in the restoration and protection of our environment.

But there are many conventional assumptions about growth that must be examined anew, for they directly affect how well we can adjust to the needed reforms for bettering our environment.

In the United States we have conquered a great wilderness and built the largest industrial complex in the history of the world. We have greatly increased our wood utilization productivity, we have been responsible for technological miracles from computers to moon landings, and we have attained an unprecedented standard of living. In a sense, we are driven by our own prosperity.

But with all of the benefits from continued economic growth, as a people we are beginning to question whether more is really better:

Communities from coast to coast are increasingly willing to forego or to seriously question the desirability of new industries that may lead to the impairment of the local environment. Public debate in States such as California, Colorado, Oregon, Montana, Florida, and others has begun to question the desirability of unlimited growth. Delaware, a heavily industrialized eastern State, last year called a halt to heavy development of its coastal zone.

The President's Population Commission has recently reported that ". . . There is hardly any social problem confronting this Nation whose solution would be easier if our population were larger . . ." After two years of research, the Population Commission concluded that "no substantial benefits would result from continued growth of the Nation's population."

The Club of Rome, an international group of scientists and industrialists, has recently sponsored a project at MIT on *The Limits of Growth*. That study predicts that current population, resource use and other trends will end in disaster in the next century.

One need not accept the dire hypotheses and methods underlying some of the more extreme predictions to acknowledge the fundamental validity of the questions these various groups are asking. They are questions which touch upon public policy choices in several fields, and most particularly upon environmental policy and the management of our natural resources. I would like to suggest several areas where reflection and leadership upon the part of the AFA members is very much needed.

First is the question of the size and distribution of our population. The President has referred to this issue as "one of the most serious challenges to human destiny in the last third of this century . . . ." According to the Population Commission, in the year 2000 per capita income may be as much as 15 percent higher under the two-child per family than under the three-child growth rate.

Moreover, the anticipated distribution of future population makes clear that under even the lower population growth projections we may have to make substantial sacrifices in the quality of our lives to accommodate large numbers of people in our urban regions. While about 70 percent of the U.S. population is now concentrated in metropolitan areas, 85 percent is expected to reside there in the year 2000. In that year, more than six out of every ten Americans will live in cities of one million or more compared to four out of ten who now live there, and 50 percent will live in the huge urban agglomeration along the East Coast and adjoining the Great Lakes. Another fifteen percent will live in the area reaching from about San Francisco to Los Angeles. This distribution will demand that we change our lives, and perhaps our values, very significantly.

These projected settlement patterns will have serious consequences for land use and pollution. Industrial activity, transportation and housing will be highly concentrated in large metropolitan areas. Pollution control will be more difficult, and higher levels of abatement will be imperative. The encroachment of development on the countryside will make the preservation of areas of critical environmental concern such as wetlands, flood plains and sufficient private acreage for timber growth extremely difficult. The other consequence of this burgeoning suburban spread is the impact this exodus has on the vitality of our cities, the historic character, their economic stability. And so I think it is time to call upon every American to consider the implications of the future population growth and distribution that has been predicted for us as it affects his own choices and values.

The second question on which we must address ourselves is the limits of the carrying capacity of the earth itself. We must begin to ask ourselves whether food production will continue to be adequate for population increasing at exponential rates; whether we will in time deplete certain resources and thereby bring an end to increased industrial production; and whether we can depend on technology and the market structure to allocate resources and continue to meet high levels of productive endeavor? In Great Britain one group recently concluded that the British population is twice as large as it should be for sustained resources use.

I offer no conclusive answers to this question. Since the time of Malthus too few people have questioned the adequacy of resources to support growth and we should not be surprised if current efforts are somewhat primitive and unsophisticated. Nevertheless, a thoughtful society would be foolish to dismiss lightly the sufficiency of our natural resources to support continued economic and population growth. I suggest that we consider not only the adequacy of resources and the possible technological developments that may render productivity sustainable, but that we also inquire into the ability of our institutions to cope with change, to get food and fiber products to where people are, and to protect us from some of our own breakthroughs when, for example, a green revolution proves vulnerable to insects, or enhanced agricultural productivity causes farmers to inundate the cities in search of work.

The institutional questions are especially critical because all levels of government must anticipate change well before it occurs. For example, population tends to build on the previous generation so that the control of increases can not be effective until years later. If all U.S. families henceforth had only two children, population would not level off for 70 years. Persistent pollutants even if stopped now would continue through the ecosystem for years. Hence, our traditional response to problems, generally when they become acute, is inadequate when we have to deal with long lag times.

A third and related issue concerns resource use and the ability of the market to allocate resources in the future. Most of the earth's resources, although finite, are plentiful in total but their numbers are limited using current methods of extraction. As resources become scarce, their prices will go up and substitutes will be sought or new methods employed. Both of these will increase the costs, and at some point in time, the devotion of significant amounts of money to this end may lessen the overall productive capacity of our economy. We must ask whether the market allocates long-term needs in an effective manner or whether prices only rise as a resource is close to depletion. Instead of dismissing these matters with an ideological reflex, we must apply careful analysis for it is by no means clear that the marketplace and technology will solve all of our problems in an even-handed manner.

A fourth most troublesome issue concerns technology. Can we rely upon technology to continue to increase at the same rate as population, and if we can, what will be the side effects of technological progress? Acceleration of growth demands that new technology developments increase at least as rapidly as population growth. Yet we may create new problems as technologies are introduced without proper testing and analysis of their implications. These questions underscore the great need for technology assessment. The issue we face here is how to develop technology in such a way as to make use of its benefits while at the same time anticipating potentially harmful side effects and taking those actions which reduce the risk of developing technology. The problem is particularly severe in that the side effects are often second or third order, their anticipation difficult, and the development of adequate safeguards complex.

All of these questions suggest that we must improve our ability to understand the future. This means not only better projections of future trends, but a more profound understanding of the interrelationship among a wide variety of factors such as population, food, industrial growth, resources and pollution. We must begin to understand the options and opportunities before us—here in the United States and internationally.

Indeed, we must act as "one World" to ensure a unity of economic well-being and environmental protection. This is perhaps one of the most important insights to emerge from our international activities. At the end of the decade when we look back to the year 1972, it is my guess that two events—the conference in Stockholm and the U.S. bilateral agreement with the Soviet Union—will stand out as of enormous importance in the history of the environmental movement.

There were 113 nations in attendance at Stockholm. They did not agree on everything—nations never do. But by every measure the conference was a great success, particularly in taking some concrete first steps in institutionalizing international concerns and in coming to grips with several major substantive issues of worldwide concern.

Only some of these accomplishments need be mentioned—the establishment of a new permanent organization within the United Nations to coordinate international environmental activities, a UN environmental fund, and a 26-point declaration of environmental principles calling for commitments by countries to deal with environmental problems of international significance. Considering the diversity of goals, political systems and stages of development of these 113 nations, the success in reaching agreement on so many issues was truly significant.

The Soviet Agreement is of a slightly different character—for one thing it is bilateral between our two nations rather than multilateral—but in the long run it may affect all the nations of the world. This was certainly President Podgorny's view when he and I talked in Moscow, and reaffirmed by President Nixon when I subsequently reported to him.

The United States and the Soviet Union will soon begin on some thirty cooperative projects in eleven major areas of environmental concern, ranging from air and water pollution through urban development and agricultural production to the impact on climate and the health of man and other forms of life.

Who would have imagined four years ago that the world's two major powers—with different social and economic systems and different ideologies—would be agreeing in 1972 to cooperate on such a large number of joint environmental projects?

Obviously, none of us would have imagined it. Although cooperation with the Soviet Union was not necessarily unthinkable in 1968, only through the President's astute leadership have we been able to surmount almost a half century of poor communication. But four years ago the seriousness—and complexity—of the environmental challenge was only dimly perceived by the American public.

We are yet only beginning to understand man's relationship to his environment. We still know little of the impacts of pollution over long periods of time. We must measure changes in the environment, but we must first develop meaningful indices of its quality. Most importantly, absent a careful restructuring of our government institutions at all levels, our traditional reliance on research and programs to increase our resource base will be of little avail, nor long lasting.

But reform has not been wanting. The President has proposed in three major environmental messages numerous comprehensive initiatives to rescue our environment. Many of these proposals failed to get enacted and will be placed before the 93d Congress. Among those which will receive very high priority are those measures designed to strengthen the environmental requirements for the management and use of our nation's land resources—both public and private. We have come to realize that our land is a limited and irreplaceable resource and we must equip our institutions to carry out the responsibility implicit in this new outlook. This Administration has acted to create the framework necessary to assure wise land use and to stop haphazard, wasteful or environmentally damaging development.

The National Land Use Policy would provide Federal assistance to encourage the States, in cooperation with local governments, to protect lands which are of critical environmental concern and to control major developments.

The National Resource Land Management Act would strengthen the environmental requirements relating to the management and use of the Nation's vast acreage of Federal lands. This proposal would establish an overall management policy for these public lands, something which we have been without for too long.

Certainly, the passage of new laws is not the only solution to our environmental problems, for our society is beset by economic and environmental pressures which present a variety of conflicting policy choices. The use of materials in the United States is growing by five percent annually compared to population increase of only about one percent. As just one example, we need wood products to meet our increased housing goals and for other purposes, which means a healthy forest system capable of sustaining a reasonable yield. But concurrently with this demand, the public appetite for recreation appears unlimited as millions flock to our national and State forests in search of an important tie to nature. Whether the issue is clear-cutting or mining, the forests have been the subject of controversy and lawsuits—a conflict between the economic values and their aesthetic and recreation values, indeed their ecological stability. Our environmental objectives and our needs for lumber seek resolution. Above all, our key objective must be to care for the interests of our future generations and assure that the use of our forest resources is not wasteful.

Currently, we waste too much of the products from trees. For example, about 50 percent of our mixed municipal solid wastes are represented by wood and paper products. Nearly 75 percent of these wastes are disposed of in open dumps where environmental health and safety problems occur.

These resources can be recycled—either to produce more paper or as energy. While they represent a serious problem as waste, they represent a potentially great natural resource when recycled.

But recycling will not just happen—it needs marketplace reforms. The President has already taken the initiative. He has, for example, instituted a Federal procurement program by the General Services Administration which requires minimum percentages of wastes in Federal purchases. To make recycling more economical, the Internal Revenue Service has clarified the availability of tax-exempt industrial development bonds for recycling facilities. As we look ahead to the implications of growth, recycling will become a key element in any strategy to conserve our resources and protect environmental quality.

Obviously, another way to stretch our forest resources is to encourage a greater amount of reforestation. I especially want to encourage the members of the AFA in its efforts at this National Tree Planting Conference. The Administration fully supports the AFA's efforts. Federal expenditure on reforestation on public lands are in excess of $63.0 million in Fiscal Year 1972 and Fiscal Year 1973. In addition, the President very recently signed into law the "Supplemental National Forest Reforestation Fund," providing an authorization level of $65.0 million for the next 15 years. This provides additional authority to the Forest Service.

I also hope that you will promote tree planting in urban areas. Seventy percent of our population now lives in these areas and as I indicated, it will increase to 85 percent by the end of the century. Trees give beauty to our cities, buffer the ear from noise, and lend variety and diversity to our man-made urban environment. The chestnut trees along the Seine in Paris, the oaks of London's Hyde Park, the struggling Gingkoes of Washington's Lafayette Square all attest to the importance of the trees in our cities.

The planting of trees is a process that reaches culmination many years in the future. It is in a sense a commitment now for future benefits. So it is with this question of growth. I believe we as a society must broadly plan now and channel our growth if we are to avert a diminution of the quality of the environment and the possibility of some scarcity. I applaud the forward-looking theme of this year's APA Conference. The new seedlings that will be planted as a result of this Conference are a symbol of renewal that is the principle of our environmental ethic.

REVENUE-SHARING BILL

HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. POWELL. Mr. Speaker, in the closing days of this legislative session the Congress passed the revenue-sharing bill which will provide $30 billion in Federal funds to State and local governments over the next 5 years.

As originally conceived, revenue sharing would allow both the flexibility and resources for State and local officials to exercise leadership in solving their problems and to achieve a better allocation of total public resources.

I support the revenue-sharing concept and believe that its implementation is long overdue. However, I opposed the revenue-sharing bill which became law because the distribution formula does not provide an equitable allocation of funds for the State of Ohio and its local governments.

To give you an understanding of how the formula works, let me review its development.

When the House considered the revenue-sharing bill, it devised a formula to distribute $1.8 billion to the State governments on an incentive basis—with $900 million designed to encourage tax effort generally and $900 million to stimulate greater use of the individual income taxes. General tax effort for the first portion was measured by comparing State and local tax collections to the personal income level in one State with similar revenue efforts made by the other States. Income tax encouragement in the second portion was provided by distribution of funds based on a percentage of a State's individual income tax collections.

Exactly how much money a State would receive was based one-third on population, one-third on urbanized population, and one-third on population weighted by inverse, relative income levels. The same factors also determined the distribution to local governments within a State.

When the formula was applied, Ohio ranked 43d among the 50 States in funds allotted to the State government, and 40th when funds for both State and local governments were combined.

In the Senate, the formula was changed to population times tax effort times inverse relative income levels. This resulted in a cutback of $92 million annually from Ohio's share of funds—the greatest percentage decrease of any State.

To resolve the differences between these two formulae, a joint House-Senate conference committee met to work out a compromise. After long debate and serious consideration by the committee, the conferees agreed to use the Senate formula for the distribution of funds. However, they stipulated that one-third of the total amount distributed to a State would remain with the State governments for their use, while the other two-thirds would go directly to county areas. This compromise version provided even less funds to the people and communities of Ohio than either of the separate House or Senate bills.

The following chart shows the distribution of funds for the communities in the new Eighth Congressional District as provided in the House, Senate and joint House-Senate conference report which became law:

REVENUE SHARING FIGURES

County	House	Senate	Joint Committee	Percent reduction in Joint Committee vs. House figures
Montgomery	$11,419,108	$9,227,542	$7,942,789	—30.5
Carlisle Village	91,807	13,255	11,410	—87.6
Germantown Village	83,243	12,307	10,504	—87.3
Miamisburg City	305,147	322,967	278,000	—9.0
Trotwood Village	133,013	21,065	10,132	—92.4
West Carrollton	216,744	32,357	27,852	—87.2
Mercer	406,070	525,282	452,146	+11.4
Warren	1,116,294	774,961	667,083	—40.3
Carlisle Village	54,170	10,347	8,907	—89.4
Franklin City	153,310	140,090	120,585	—21.4
Lebanon City	118,609	60,193	51,812	—57.7
Mason Village	84,834	123,909	106,657	+25.7
Monroe Village	793	386	332	—58.2
South Lebanon Village	49,929	46,757	40,247	—19.4
Springboro Village	$41,488	$8,427	$7,253	—82.5
Carlisle Village	60,222	10,347	8,907	—85.2
Preble	382,800	318,093	273,804	—28.5
Eaton City	41,021	34,087	29,341	—28.5
Darke	554,897	572,632	492,905	—11.2
Greenville City	84,688	97,748	84,138	—.7
Butler	3,927,082	3,605,010	3,103,083	—20.8
Hamilton City	1,212,423	1,214,445	1,045,357	—13.8
Fairfield City	243,139	131,319	113,036	—53.5
Middletown City	818,285	1,064,415	916,216	+12.0
Monroe Village	55,569	17,181	14,789	—73.4
New Miami Village	70,642	42,800	36,841	—48.0
Oxford Village	302,895	87,018	74,903	—75.6
Trenton Village	83,085	20,153	17,347	—79.2

As you can see from the chart, Mr. Speaker, all but three areas in the Eighth Congressional District will receive less money under the bill which became law than under the original House version, which was inequitable to begin with.

During my years of legislative service, I have acted on the premise that you cannot have good law by being willing to vote for bad law. This, of course, is not always good politics, but I believe it is good representation.

Mr. Speaker, the revenue-sharing bill as passed by Congress is bad law. It is unjust and inequitable. For these reasons, I could not in good conscience support it.

UNION CARBIDE MULTINATIONAL OPERATIONS ANALYZED

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JAVITS. Mr. President, on October 17, Union Carbide Corp., a multinational chemical company with headquarters in New York City, issued a study entitled "Benefit of Union Carbide's International Investment to the U.S. Economy." That study, covering the last 20 years, purports to analyze in detail the relationship between Union Carbide's foreign investment and the company's U.S. employment and exports from the United States.

The Union Carbide study contributes to the intensifying debate about the influence of the multinational corporation on domestic employment levels and international flows of capital and technology. Union Carbide is entitled to make its case and has presented substantial evidence on the issues.

Using company and Government data the study seeks to make the case for the beneficial "pull" effect of foreign investment on exports from the United States and, thus, increased jobs in the United States and to refute the charge that the multinational activities and commitments of U.S. corporations serve as a drain on domestic jobs and capital investment.

The scope of Union Carbide's international operations during the 20-year period of the study is said to be sufficiently large to yield a number of case studies under a variety of investment-export conditions. The study deals with specific product and subproduct groups, and each is analyzed on its own particular facts in each particular country of export investment.

This is one New York based company's story. It purports to be no more than the experience of a major U.S. multinational corporation. I would urge every business whose international operations necessarily affect domestic employment and capital investment to come forward with similar analyses if they have not already done so.

The section of the Union Carbide report entitled "Summary" follows:

SUMMARY

1. UCC OVERSEAS INVESTMENT POLICY

The fundamental principle, which cannot be emphasized too strongly, is that UCC as a matter of long-standing policy has never made a significant new foreign manufacturing investment until it became unfeasible economically, or otherwise, to supply and maintain the market through export from the U.S. Obviously, like most other American companies, UCC does not wish to risk investment and returns overseas if it can "do the job" through export without foreign investment.

UCC does have several overseas mining and processing plants for minerals which are not found in the U.S. Otherwise, as a matter of policy UCC does not build manufacturing plants in foreign countries for the purpose of exporting back to the U.S. There is one single exception involving only $250,000 of assembly investment which actually saved 150 jobs in the U.S.

2. AS FOREIGN INVESTMENT INCREASES SO TOO DO UCC'S EXPORTS

Over the years, as UCC was forced to install foreign plants to preserve share of market built up through successful export marketing effort and eventually threatened by local competition, it was expected that exports would decline in inverse correlation to affiliated overseas production.

To the contrary, this study shows that for UCC there has been a direct, positive correlation between the trends of affiliated overseas production and export volume from the U.S. This correlation can be seen from Chart No. 1 (not printed) for the period 1951–1970. Despite all of the competitive local manufacturing installations abroad, including our own, UCC total exports in 1970 were 6.7 times greater than in 1951, as compared with a 5.0 times increase in the sales value of total UCC foreign affiliated manufacturing. (All of these data exclude foreign mining operations.)

The comparison in Chart No. 1 is in terms of sales dollars and therefore "damps" the actual upward trend of exports in terms of physical volume. This is because our average selling prices in 1970 were 23% below the 1957–1959 average level.

On a volume basis, which cannot be calculated compatibly because of the variety of product, the growth rate for export would be considerably higher than indicated in the previous paragraph. To a certain degree the value of foreign manufacture would have been affected in the same way since average selling prices overseas have declined as well.

3 INTERNATIONAL INVESTMENTS "PULL" EXPORTS FROM THE UNITED STATES

Obviously, when UCC decides to install a foreign plant, any exports from the U.S. of the specific finished product involved must eventually be reduced. However, this reduction would have taken place anyway, because UCC makes such a foreign manufacturing investment only when elimination from the market is threatened by some other local installation. Where UCC has failed to make such an investment, experience shows that export of the entire finished product group is seriously cut, in some types to virtually nothing.

On the contrary, our analysis herein demonstrates that if UCC installs the foreign plant rather than a local competitor, there eventually develops a decided "pull" effect in the form of increased UCC exports from the U.S. of other allied, intermediate, or accessory products not being manufactured by this foreign plant. This is because of the presence of a strong local UCC organization which being "on the scene" can provide a broader, more effective overall marketing effort than is practicable from solely an export marketing organization.

This "pull" effect is indicated by the fact that 57% of our total exports in 1970 were to our foreign affiliated companies, a large majority in the countries in which UCC manufactures. Over the period 1951–1970, Chart No. 1 shows the effect of "pull" in the striking parallelism of upward trend between sales value of foreign production and exports.

Also, Section VIII–C–9 (page 29) of this study shows that our exports to foreign markets where UCC has manufacturing facilities generally tend to be at a higher level and have grown about as rapidly as exports to areas where there is no UCC manufacturing investment.

4. IN 1970 UCC'S EXPORTS WERE $90 MILLION HIGHER BECAUSE OF INTERNATIONAL INVESTMENTS

In 1970 UCC's exports totalled $253,000,000. Our study shows that if we had not expanded our foreign manufacturing between 1951 and 1970, as shown in Chart No. 1, thereby allowing local, foreign competition to take our place and thus foregoing the advantage of this "pull" effect, UCC's exports in 1970 would have been of the order of magnitude of $163,000,000, or $90,000,000 lower (See Section V–A, page 9).

Over the entire 1951–1970 period, calculated year by year, the cumulative differential totals $517,000,000 of exports which would otherwise have been lost if UCC had failed to expand its overseas production capability.

It should be emphasized at this point that the key assumptions of organized labor and others in this country concerning the relationship of American foreign investment and exports from the U.S. are based on unsound reasoning. It is totally fallacious to believe that if American manufacturing operations abroad were shut down, then these overseas markets would automatically be supplied by exports from the U.S. We believe the detailed analysis in this Report covering UCC's experience over a twenty year period dramatically demonstrates the fallacy contained in such an assumption, which to be sound would have to mean that the production and distribution cost of U.S. products in export are generally competitive around the world.

It seems obvious that if UCC were to shut down its foreign plants, the sales from these operations could never be replaced by exports from the U.S. Rather, virtually all this business would fall to foreign competitors.

5. EXPORT OF JOBS?

UCC's exports create 5,200 jobs, or 10% of our total domestic employment. Without foreign investment there would be only 3,400 export-related jobs.

Our analysis indicates that an estimated 1,900–2,000 domestic jobs have been created because of the "pull" effect on exports from the U.S. by our international investments. (This point is elaborated upon in the "Employment" section of this Report—Section V–B, page 9).

As can be seen by the growth of actual UCC exports from 1951–1970 in correlation with growth of foreign manufacture in comparison with probable export results assuming no foreign manufacture, all as set out on Chart No. 1, it is evident that our overseas investment could not have resulted in export of jobs, but rather contributed to the creation or preservation of jobs in UCC's domestic plants.

As a corollary to the above, if it were valid that foreign investment has caused an exportation of jobs, then as foreign investment increases over the years, exports from the U.S. should decrease. Our experience has shown exactly the opposite.

Finally, it should be emphasized that UCC has not laid off employees in the U.S. because of our foreign investments.

6. UCC'S POSITIVE CONTRIBUTION TO THE U.S. BALANCE OF PAYMENTS—$805 MILLION FROM 1966–70

If funds flowing out of the U.S. from UCC for direct foreign investment, imports, and miscellaneous net payments are deducted from total funds flowing in from UCC exports, foreign dividends, service fees, and royalties, then it is found that UCC's positive or favorable contribution to the net balance of payments of the U.S. amounted for the single year 1970 to $236,000,000. Total 20-year figures are not available, but for the last five-year period 1966–70, the total contribution was $805,000,000.

Likewise, if two of the elements of the balance of payments equation—direct foreign investment outflow and inflow of dividend and other income from foreign affiliates—are compared, it is found that the latter exceeded investment funds sent overseas in 1970 by $19,900,000. For the period 1951–1970, this net positive contribution by UCC foreign investment to the U.S. balance of payments totaled $246,500,000.

7. INCOME TAX RATES PAID BY UCC'S INTERNATIONAL AFFILIATES AVERAGED 52.5 PERCENT DURING 1966–70

Between 1966 and 1970 UCC's share of the total income and withholding taxes paid to foreign governments by international affiliates amounted to $196,000,000. This was 52.5% of total combined before-tax earnings of such international affiliates, somewhat higher than the statutory U.S. rate. If UCC is in any way representative, it seems evident that the charge that the American multinational corporation makes foreign investments because it is more attractive taxwise, or to evade taxes is fallacious—why take the overseas risk if overall tax incidence is higher than at home?

Proposed legislation urges that undistributed foreign earnings be made subject to U.S. tax and credit against U.S. income tax for local income taxes paid by foreign affiliates be eliminated, all on the theory that foreign investment somehow is subsidized in the way of lower overall taxes. This proposal would of course produce double taxation contrary to international principles and treaties.

In the case of UCC this would have meant in 1970 that about 79% of all foreign income before tax would have been paid out as tax. Obviously, return on UCC overseas investment under these conditions would be far from commensurate with the risk. Certainly no new investment would be made by UCC under such tax conditions. Rather, divestiture would be indicated, with consequent adverse effect on exports and export-associated jobs as well as balance of payments of the U.S.

If these tax measures as proposed in the Hartke/Burke bill and other similar legislation pending before Congress had been in effect in 1970, UCC's tax burden would have been increased by $27,600,000. Enactment of this type of legislation would most certainly injure seriously UCC's entire international position, and would have a consequent adverse effect on our domestic investment capability, employment, exports, and earnings.

TRIBUTE TO HON. JOHN DOWDY

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, I want to take this opportunity to wish my friend and colleague, JOHN DOWDY, the very best in the years ahead as he reenters private life.

I have enjoyed my association and service with JOHN DOWDY in the legislative process and have known him as a very able and capable legislator.

He has served with distinction on the District Committee, and the Judiciary Committee.

I wish him well in his future as he returns to Texas at the close of this Congress.

CONGRESSMAN WILLIAM McCULLOCH

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WHALEN. Mr. Speaker, on several occasions I have spoken on the House floor of my admiration for Congressman WILLIAM McCULLOCH. I think by now it is clear that he has greatly inspired me. Certainly, I do not think that it can be denied that BILL McCULLOCH is one of the most laudable men to have represented the State of Ohio in this U.S. House of Representatives.

It is particularly gratifying to realize that BILL's innumerable contributions have not gone unnoticed in his home State. He has received the Distinguished Alumni Award from the College of Wooster and from the Ohio State University College of Law. He also has been given the Ohio State University Achievement Award and the Congressional Distinguished Service Award of the American Political Science Association. All of these tributes and many more BILL certainly deserves for the exemplary service he has rendered during the last 24 years.

BILL, I wish you Godspeed. We indeed will miss you and your wise counsel in the years ahead.

AMERICAN VETERANS' COMMITTEE PLATFORM

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, at their annual convention in Kerhonkson, N.Y., on June 16–18, 1972, the American Veterans' Committee adopted a comprehensive platform dealing in three parts with veterans and Armed Forces affairs, national affairs, and international affairs. I believe my colleagues would be interested in the resolutions adopted at this convention and accordingly I ask unanimous consent to insert them into the RECORD.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

PLATFORM OF THE AMERICAN VETERANS COMMITTEE

VETERANS AND ARMED FORCES AFFAIRS

The American Veterans Committee has constantly reiterated, since its founding, its fundamental belief that rehabilitation and integration of veterans into the community is the proper scope and purpose of a veterans program. The achievement of economic security for veterans through sound economic planning for all citizens rather than through special grants or favors to veterans is basic AVC policy.

1. Compensation

For many years, AVC has pointed out the need for a thorough review and reappraisal of this Nation's policies on veterans as follows:

1. We oppose bonuses and general pensions as being class legislation and unrelated to the real needs of individual veterans and tending to set veterans apart from their fellow citizens.

In the matter of benefits, two basic standards should be applied.

a) For death or disability incurred in military service: Are the benefits sufficient to provide a decent standard of living for the veteran, his family or survivors?

b) For all veterans: Are the benefits so designed as to enable a readjustment from military service to civilian life with a minimum economic loss?

Since benefits are a Federal responsibility, uniform standards of administration and compensation should be applied nationally without regard to race, creed, color, sex, or national origin.

2. Draft

AVC recognizes the necessity for the United States to maintain adequate military forces in present world circumstances. It also recognizes the citizen's obligation to military service and recognizes a selective service system as an appropriate model of raising military manpower.

We recognize that the Selective Service System has been somewhat improved in recent years: The lottery system, increased minority draft board representation, more uniform quotas, lower quotas etc; AVC believes, however, that the System is far from equitable and calls for its continued improvement.

3. Reserve programs

The world we live in, with its emphasis on speed of operation and technical superiority, demands standing Armed Forces of sufficient size, training and equipment and organization to be effective immediately for defense and counter attack. It is apparent that the Regular Armed Forces must remain our first line of defense. They must be of sufficient size and mobility for deployment anywhere on the globe within a minimum of time so that we may continue to provide, when necessary, those forces needed for collective security under our international obligation in peripheral conflicts occurring in the strategic localities of the world.

AVC believes that the National Guard is ill-fitted to serve both roles which it is currently called upon to play. One role is that of assisting civil authorities in the United States in peace-time. Forces suited for that role should primarily consist of military police, possible infantry, with some supporting units (medical, signal, QM, etc.). The other role is that of forming a part of our highly complex and sophisticated Armed Forces with guided missiles, high mobility, heavy weapons and requirements for intensive technical training.

AVC regrets that the steps taken to integrate the National Guard have, so far, been far from adequate. While an office has been established in the National Guard Bureau to deal with equal opportunities, neither the staff nor the influence of that office are sufficient for the purpose.

Regrettably, while the percentage of minority group members in the regular Armed Forces, is and remains relatively high, the percentage in the National Guard is low and has remained low despite certain recruiting efforts. We cannot afford to have a polarization within the Armed Forces as between the National Guard on one hand and the Regulars on the other. While the domestic peace-time tasks which the National Guard is called upon to perform tend to involve minority group civilian populations, the troops involved should not present the appearance of an army of occupation.

While a National Guard remains a part of the structure of our Armed Forces, incentives should be provided so that a larger number of minority group personnel with active duty experience will choose to enter and remain in the National Guard.

AVC is opposed to any policy whereby the Armed Forces award discharges other than honorable to reserve personnel based upon the political or other activities in which these individuals may participate following separation from active service under the draft.

We believe that the conditions of discharge should be based solely upon the military activity and efficiency of the reservists.

4. Benefit dollar

AVC believes that provision should be made to maintain automatically the purchasing power of the benefit dollar and upward adjustments be made annually in accordance with the Bureau of Labor Statistics, Consumer Price Index.

5. Civil Service

AVC believes that veterans point preference in the civil service should be limited to the initial appointment only, and that no person should receive a position unless fully qualified to perform the duties involved.

We oppose the principle of granting absolute preference to veterans in state and local civil service.

6. GI Bill

AVC applauds the passage of a permanent G.I. Bill of Rights as a responsible means of enabling servicemen and women to return to civilian life with facility and ease at the end of their service and become useful and productive members of their communities. We also applaud the recent passage of legislation improving the benefits provided through the G.I. Bill of Rights.

However, we feel that benefits are not yet in line with the World War II and Korean War G.I. Bills and the current cost of living. Unfortunately, many existing programs remain unavailable to veterans because of the financial stress they now entail, or are available only at great sacrifice. This is particularly true in the area of educational programs.

AVC urges the Congress to further adjust benefits to match current costs of living and education.

The G.I. Bill of Rights should be administered in such manner as to guarantee the absence of discrimination.

7. VA hospitalization

AVC urges that treatment of nonservice-connected disabilities in VA hospitals be continued on a space-available basis, but that such treatment be charged at the full cost, if a patient has the means to pay for such service; certificates that a veteran is unable to pay should be investigated thoroughly to determine the true ability to meet the cost of hospitalization. Further that terms of coverage of all prepaid medical associations, plans and companies be amended by action of the legislatures, supervisory bodies or membership, so as to provide payment to VA hospitals for nonservice-connected treatment on the same basis as payment to private voluntary and public hospitals.

8. Unification

AVC notes with satisfaction that the process of unification of the Armed Forces has been making progress. AVC commends the actions hitherto taken in this regard and urges that the Department of Defense continue these efforts vigorously.

9. Discrimination—Foreign and domestic

We maintain that no assignment of any military personnel should be made whether within the United States or overseas, for consideration on grounds of color, religion, ancestry or national origin.

Our goal is to insure no member or employee of the Armed Forces, and no dependents of such person shall be subject to discriminatory treatment, on or off base within the United States or outside the United States, on the grounds of color, religion, ancestry or national origin, and that the power, including the economic power, of the United States be consciously used to further this objective.

10. Information service

We owe the men of our armed services the best possible training to equip them for the rigors of modern combat under the most adverse conditions of weather, terrain, supply and enemy action. We further believe that an orientation program be instituted in order to acquaint the prospective draftee, at the time of registration, with all the rights, privileges, benefits and special training he and his family will be entitled to if and when he is inducted into the Armed Services.

11. Jurisdiction over ex-servicemen and civilians accompanying the Armed Forces overseas

We believe that the ex-servicemen, military dependents, and civilians accompanying the armed forces abroad should not escape punishment for serious offenses committed while in such status, but should be tried before civilian courts. By serious offenses we mean crimes of the same degree of seriousness as felonies at common law.

12. Awards and benefits

All laws of the United States pertaining to the granting of military medals or decorations, military disability retirement or compensation, dependents and survivors benefits, veterans benefits (including benefits to dependents or survivors), or other special benefits to military personnel or their dependents on the basis of wartime service of such military personnel shall apply in like manner to service performed in such areas and during such periods as proclaimed by the President where combat or combat conditions exist and the United States forces to which such person is attached are either engaged in the combat, engaged in military operations designed to carry out any treaty or other international obligation of the United States.

13. Need subhead

AVC notes that legislation has been enacted which expedites the naturalization process of servicemen and exservicemen and which allows noncitizen widows of servicemen who die while on active duty to be naturalized without penalizing them for the death of their husbands.

The problem of aliens in the armed services being sent overseas before their naturalization is complete, even though no prior period of residence is required, persists. AVC urges that, *either*, following the precedent set in former Section 702 of the Nationality Act of 1940, provision be made for such persons to be naturalized while outside the United States, *or that the services adopt a ruling whereby service personnel in process of Naturalization, who are not themselves contributing to the delays involved, will not be sent overseas until the naturalization process is complete.*

Resolution on the Draft

AVC reaffirms its position on the draft as stated in our platform and which has been presented in detailed testimony to the House and Senate Armed Forces Committees, and in other public testimony, over the years.

AVC also continues to deplore the lack of Congressional action for specific reforms of the draft law which have received wide public support, and which were endorsed by AVC, which are urgently needed.

Further;

1. AVC reiterates its position against a mercenary army.

2. AVC supports provisions which will enable students who have begun their studies to delay their active duty until they have reached a reasonable point of completion of these studies, but which will *not exempt* them from service. In this connection, AVC suggests that consideration be given to an adaptation of the Enlisted Reserve Corps program used during World War II.

3. AVC reiterates the positions it has previously taken concerning the improvement of the legal rights of draftees, composition of draft boards, system of election, etc.

4. AVC agrees with the Supreme Court decision whereby total conscientious objection need not rest exclusively on a religious basis, but may instead be based on sincere philosophical or ethical views.

AVC asks for a uniform implementation of the new principles enunciated and urges that consideration be given to ways in which sincere selective conscientious objection can be recognized.

Resolution on Military Expenditures and Domestic Needs

It is well established that the needs of our domestic economy are so critical that they cannot be met at the existing level of federal expenditures. The problems of pollution, hunger, poverty, living conditions in our cities and rural areas, public safety, and other domestic needs, require massive infusion of federal funds not available in the present budget.

Our inflated military budget has taken badly needed public funds from our domestic programs. AVC believes that the present military establishment can be cut, especially our Forces stationed in Bases throughout the world, without sacrificing our National Security, and that the requirements of domestic programs should have at least as high a priority as our military requirements.

We therefore urge:

That the military budget be substantially cut and such funds be used in domestic programs.

That any savings from a cut-back in Vietnam expenditures be used for domestic rather than be transferred to other military purposes.

That we actively pursue the SALT talks and any savings resulting from an arms limitation treaty be diverted to domestic needs.

That a more effective scrutiny be given new and untried weapons systems which would put a heavy financial strain on the defense budget in future years, and that funds not be used to bail out defense contractors facing insolvency.

That significant cuts be made in the size of our armed forces and supporting civilian personnel especially in our forces stationed in bases throughout the world without impairing our national security.

Resolution on Military Justice

AVC favors revision of the Uniform Code of Military Justice to take the court-martial system out of the line of command. AVC generally favors such legislation.

Resolution on Administrative Discharges

AVC is gravely concerned for the thousands of ex-servicemen who have been, and who continue to be, returned to civilian life, stigmatized by discharges less than Honorable awarded by administrative decision.

The armed services currently provide by regulation that those facing administrative discharges rated "Undesirable" or lower have the right to a hearing, to advice—which is usually but not always provided by an attorney—to witness, and to other procedural safeguards. AVC is aware, however, of the pressures operating upon the individuals concerned, causing many to waive rights only half understood, or to place greater priority on release from service than upon the permanent damage being done to them.

Congress is currently considering legislation which would enshrine the present procedures in a statute, with somewhat greater emphasis on the rights of those involved.

AVC believes, however, that the problem requires far more profound study, including at least the following points:

1) The validity of the reason often cited by the military for its procedure: that those who have earned an Honorable discharge would resent the awarding of such a discharge to those being separated because of inaptness, unfitness or misconduct so mild as not to warrant a court-martial;

2) How to treat those who should not have been accepted for military service in the first instance, and whose inaptness or unsuitability manifests itself after only brief service: whether, for example, the individual's induction or enlistment could be voided retroactively rather than terminated by award of a discharge, and whether this could be done without stigmatizing such individuals:

3) Whether it would be possible to give the services only two alternatives: Honorable Discharge and lesser Discharge by Court-Martial only.

In the meantime, AVC calls for amendment both of the current regulations and of the proposed legislation, so as to classify the "General Discharge under Honorable Conditions" as the mildest form of punitive discharge, not to be awarded except after hearing, rather than as an alternative form of Honorable Discharge, within the discretion of the authority responsible for discharging the individual concerned. The Department of Defense's contention that the possession of a General Discharge does not handicap an individual has not been borne out by the facts.

Resolution on Legal Assistance Program for Military Personnel

Whereas the 1971 National Convention of the American Veterans Committee endorsed the Pilot Legal Assistance Program then being conducted by each of the armed services, and

Whereas the American Veterans Committee has, since that time, considered:

1) The Final Report of the Army Pilot Legal Assistance Program, dated 24 April 1972;

2) A memorandum from the Secretary of the Army to the Assistant Secretary of Defense (Manpower & Reserve Affairs) dated 10 May 1972, forwarding the Final Report, and recommending the continuing and expansion of the Legal Assistance Program, in an expanded test;

3) The review of the Legal Assistance Program conducted by the Standing Committee on Legal Assistance for Servicemen of the American Bar Association;

4) The resolutions passed by a number of state and local Bar Associations;

5) The information which the American Veterans Committee has itself received from other sources;

Now therefore, the 1972 Convention of the American Veterans Committee supports and endorses the recommendations for an expanded test program submitted by the Secretary of the Army, and similar expanded test programs to be conducted by the other services.

Resolution on "Atrocities, Private Wars and Silence"

As veterans of savage and bloody wars, we are shocked and ashamed at the reported atrocities committed by both sides in the war in Southeast Asia, as well as at the disclosure that General Lavelle and other high-ranking officers deliberately disregarded government policy to initiate a private air war against North Vietnam. We are convinced that incidents such as those in My Lai and the bombardment of North Vietnam could not have been prevented from coming to public attention, the first for over two years and the second for several months, if a considerable number of senior officers had not been determined to keep them secret. AVC calls for whatever action may be necessary to make sure that members of the Armed Forces who take it on themselves to report such incidents to the Congress and to the people are not only effectively protected from reprisals, but that their courage in making the reports be particularly recognized; and that "conspiracies of silence" be explicitly and severely punished, quite apart from the incidents themselves. AVC believes that a one-star demotion and retirement is far too lenient a sanction for General Lavelle and calls upon the Department of Defense to act affirmatively on the charges filed against the officer concerned by several members of the Armed Forces.

Resolution on Religious Freedom

AVC supports the principle of freedom of religion in the armed forces. Religious observance should be neither denied nor compelled, nor exploited for non-religious purposes.

AVC recognizes the propriety of providing chaplains and chapels, because military personnel who desire to worship may not otherwise have the opportunity to do so.

AVC, however, supports the law suit directed against the practice of requiring chapel attendance at the service academies, and opposes the use of chaplains to indoctrinate service personnel on military political, "moral" and religious matters.

Resolution on Civil Rights and Equal Opportunity in the Armed Forces

The American Veterans Committee has a record unique among veterans organizations, of concern for racial justice and equal opportunity in the armed forces, a record which has extended from early support for President Truman's orders to integrate the regular Army in the late 1940's to early and public support for the use of the off-limits sanction against discriminating landlords.

AVC has watched, with growing concern, as racial polarization, reflected in the reports of the Render mission to Europe as well as in the report of the NAACP investigation, has apparently greatly increased in the past few years.

AVC is aware of the efforts which have been made by successive incumbents in the position of Deputy Assistant Secretary of Defense for Civil Rights, aided by a small and overworked staff, to stem the tide, and to create a real equality of opportunity; AVC is also aware of the degree to which that office is understaffed, and of its relative lack of "clout."

AVC is also aware of the efforts which have recently been made by the Department of Defense, including the creation of a Race Relations Institute and increasing counseling efforts throughout the military services. AVC regrets that these efforts are not yet sufficiently well funded or effective.

AVC believes that the following portions of prior resolutions on this subject are still applicable today:

1. AVC reminds those concerned with military-related costs that the cost of racial friction (lost man-hours, reduced combat effectiveness, added cost of burdens on the military justice and military confinement systems, lower efficiency by those alienated) is many times greater than the cost of a Civil Rights staff large enough, well funded enough, and sufficiently well backed to do an effective job.

2. Urges the Secretary of Defense to strengthen the Office of Civil Rights, Department of Defense, in personnel and in funds to the point at which it will have a real impact.

3. Points out that among reserve and National Guard personnel with the obligation or the opportunity to serve short tours of active duty, are many with particular expertise in the civil rights area and urges that these skills be better utilized.

4. Recalls, that AVC has, throughout its history, worked closely with the Department of Defense in the civil rights area, on projects such as the tour of Southern military bases by AVC leaders in 1960 and the Audit of the National Guard undertaken in 1968.

5. Offers whatever services it can render in this area to the Department of Defense.

Resolution on Conference of Returning Veterans

The 1970 AVC National Convention took note of the severe problems facing returning veterans, and the 1971 AVC National Convention called for a National Conference on Returning Veterans.

On May 24–25, 1971, the American Veterans Committee hosted a Nationl Conference and played an active role in its developerans, held at the National 4–H Center in Chevy Chase. A number of national organizations joined in the planning of the Conference on Education and the Returning Vetment and execution.

The 1972 AVC National Convention, hereby goes on record:

1) Thanking the cooperating organizations and the numerous individual participants and resource persons for making the National Conference a success.

2) Authorizes and requests the AVC staff, together with such support as may be forthcoming from other organisations and foundations, to publisize the results of the National Conference, and to follow up on its recommendations.

Resolution on Advanced Allowance for Returning Veterans

Be it Resolved: In order that the disadvantaged Vietnam era veterans have an opportunity to attend a college or technical school without due hardship, he should be given his G.I. Educational Benefits Check in August, prior to the commencement of the school year, rather than receiving his check in November which is the current procedure. This forces many veterans into debt and hardship, and also keeps many veterans from applying for benefits which they have earned by their military service.

We strongly urge passage of legislation to provide advance payments to eligible veterans.

Resolution on Lists of Servicemen

The 1971 AVC National Convention deplored the fact that the Veterans Administration was furnishing lists of recently discharged military personnel only to certain hand-picked organizations, some of which have long histories of racial and ethnic discrimination.

The Vietnam Veterans Against the War have won a law suit to compel the Veterans Administration to make such lists—covering at least those military personnel who have served in Southeast Asia—available to them.

Despite this court decision, the Veterans Administration has not broadened the categories of organizations to receive the lists.

The 1972 AVC National Convention calls upon the Veterans Administration to make such lists available on an equitable basis to all veterans organizations which do not discriminate, and to other organizations, such as associations of colleges for any serious noncommercial purpose.

Resolution on Naming of VA Hospital

AVC supports the bill introduced by Congressman Bingham, H.R. 4197, to rename the VA Hospital in Jackson, Mississippi as the Medger Evers Hospital.

Resolution on Nondiscrimination in the Military Medicare Program

While AVC was greatly encouraged by the decision of June 10, 1968 of the Department of Defense to coordinate its efforts in achieving non-discrimination in the Military Medicare (CHAMPUS) Program with the Title VI enforcement effort in medical facilities being conducted by the Office of Civil Rights at HEW.

AVC regrets that the plans for coordination have not been implemented (except for barring CHAMPUS payments to some eight hospitals for so long as they had been cut off from Medicare programs because of Title VI of the Civil Rights Act), due to the failure of the Department of Defense to authorize a very minor item of reimbursement to HEW, and

Calls upon the Department of Defense to implement its policy and to launch coordination effort so long delayed.

We regret that, despite the passage of four years since the decision of 1968, the policy has not been implemented.

We call on the Secretary of Defense to inform us by when we can expect progress in this area.

Resolution on Abortion in Military Hospitals

AVC deplores President Nixon's order that therapeutic abortions in United States military hospitals be allowed or disallowed in accordance with the laws of the state in which the hospital is located. Such a policy discriminates against those who are domiciled in states with more restrictive laws by reason of the military service of the head of the family. It also denies women the right to control their own bodies and physicians' rights to practice medicine according to professional standards.

We endorse the principle that abortion should be a matter strictly between the woman patient and her physician. We urge that this principle be applied in military and all other government hospitals and clinics and become the basis of legislation in all states.

Resolution on Rationalization of VA and other Government Hospital Systems

The United States Government currently operates six separate hospital systems: Army, Navy and Air Force (operated by Department of Defense), Public Health Service and Indian (operated by DHEW) and the Veterans Administration.

AVC has a long history of favoring rationalization of government processes. AVC believes that federal decisions to build hospitals, to open and close its hospitals, and to set up specialized medical, surgical and psychiatric programs should not be made system-by-system. While we do not, at present, insist on unifying all hospital systems, there should be comprehensive planning, much more cross-utilization and rationalization.

In addition we ask that the secretaries responsible for these systems undertake studies on the feasibility of contracting with civilian hospitals for services to selected beneficiaries.

Resolution on the Military and the Equal Rights Amendment

AVC reminds the Department of Defense that the expected passage of the Equal Rights Amendment to the Constitution will require major changes in the customs, practices, attitudes and policies of the military services, and urges the Department to begin its forward planning at this time.

Congress and at least one half the requisite number of states have ratified the Amendment, and there appears to be little doubt of its passage. Changes in practices based upon legislative mandates will have to await the effective date of the Amendment; practices based on customs, regulations and policies, as well as those based on legislation where there is discretion in the application to the sexes, can and should be changed as soon as practicable.

Among the areas requiring attention are; Restrictions on assignment of female military personnel; entry and retention in service of personnel responsible for the care of minor children; and equality of treatment of family members of male and female military personnel.

Resolution on Veterans Benefits Amendments

AVC favors the following amendments to Veterans Benefit legislation:

1) An increase in education benefits to parity, in terms of 1972 cost-of-living and cost-of-education dollars, with the benefits given World War II veterans;

2) Permanent legislation providing for automatic cost-of-living and cost-of-education adjustments, with a formula similar to that which adjusts military and civil service retirement pay;

3) Strengthening the PREP program, and overcoming the particular hurdles faced by servicemen's participation therein;

4) Making it possible for veterans to attend college-preparatory or remedial programs without reducing the duration of their entitlement, and without requiring 25 clock hours a week;

5) Initiating a VA work-study program which would allow veterans to be hired at prevailing wages;

6) Tightening standards for approval of correspondence schools, including requiring equitable tuition refund policies;

7) Reducing clock-hour requirements for attendance at non-profit community and vocational schools;

8) Making NSLI Trust Funds available as a revolving fund to finance veterans educational loans;

9) Eliminating sex discrimination in educational benefit payments by treating the family members of male and of female veterans alike;

10) Expanding outreach programs on a contract basis, with adequate safeguards against boondoggles.

Resolution on Unemployment Compensation for Veterans

Whereas, the needs of Vietnam Veterans and the unemployment level of the nation both indicate that the amount of veterans unemployment compensation benefits is not now sufficient.

Whereas, the U.S. Congress has considered increasing unemployment compensation benefits not to exceed $75.00 per week.

Whereas, the legislation proposed preserves State requirements and regulations for veterans employment compensation benefits.

Resolved, that the AVC adopts the position that unemployment compensation benefits shall be increased in amount to $75.00.

Resolution on Younger Military Retirees

AVC is concerned about personnel retired from the armed forces after 20 years' service, but below age 60. After a score of years of service—active and reserve—such individuals are placed in limbo until they reach age of 60, at which time their pension begins, and they acquire the privileges which are usually associated with retired military status. AVC believes that the honorable completion of 20 years of service should entitle these younger retirees at least to an I.D. card which would authorize them the same 'fringe benefits' (PX, commissary, travel, etc.) at minimal expense to the government, as the older retirees.

Resolution on Drugs in the Military

AVC is concerned about the serious problem of drug abuse by servicemen and the veterans. Although the extent of the problem is not known with certainty (figures vary from 5.2% from military sources to 20% from some medical testimony), we cannot be sanguine about any amount of drug abuse. Drug use and abuse involves medical, psychiatric and social issues as well as issues of military management, morale, and discipline. A rational approach to the drug issue requires distinction between addiction and experimental or occasional use and intermediate degrees of drug abuse; distinction between hard and soft drug use; and determinations of need for separation and type of separation on an individual basis.

AVC favors treatment for servicemen using drugs while on active duty. In many cases, servicemen, if treated promptly, can be returned to useful service with their units. Those who are discharged with a drug problem should have medical help, both from the Veterans Administration and private agencies contracted for by the Veterans Administration.

AVC favors imaginative programs and research and the use of non-military and nongovernmental agencies for treatment of veterans whenever needed.

AVC opposes automatic less-than-honorable dicharges for drug use. In each individual case, careful consideration should be given to the serviceman's actual contributions to his service versus his actions to the detriment of that service. Also, the discharge review process should determine whether adequate treatment and rehabilitation have been accomplished.

AVC opposes the use of information obtained from servicemen who have volunteered for treatment against those very servicemen.

AVC opposes misuse of medical records and unreasonable breach of medical confidentiality.

AVC believes the United States must insist on cooperation by foreign powers to control drug production, transport, and sale.

AVC supports pending legislation to increase available treatment sources, and urges passage of the Drug and Rehabilitation Act.

NATIONAL AFFAIRS

AVC stands for the Bill of Rights as a living force animating the political life of our Nation and as a firm limitation on the arbitrariness of government.

AVC stands for the Bill of Rights as a guarantee of our freedom to speak, to assemble, to believe, and to dissent without fear from the conformities of the day.

AVC stands for equality for all, regardless of race, color, ancestry, national origin, religion, sex or age, and for the constitutional guarantees of such equality.

AVC stands for just legislative representation of the people of the United States, the States and their subdivisions, without poll taxes or other property qualifications for voting, with equal weight for each vote, and on a geographically fair basis, within the framework of the Constitution of the United States.

AVC stands for a policy of gainful, full employment and security for all, as outlined in the Employment Act of 1946.

AVC stands for responsible, efficient, and honest government and for the merit system in government employment.

AVC stands for a government possessing and willing to exercise all powers necessary to bring about a solution of our national problems.

AVC supports the active intervention of government, primarily of the Federal Government, in the economy and the general welfare of our country to stimulate and provide employment to improve the physical condition of our cities and towns, of our housing and our schools, to bring all the greatest benefits from the development and conservation of our natural and industrial resources and to provide for the general welfare and health of our people.

AVC supports a tax policy based on ability to pay and opposes regressive sales and excise taxes.

AVC stands for the recognition of equal

rights for labor and management and for improved social benefits of employees.

AVC supports an educational system and a public health system which will give the American people, and America's youth in particular, the knowledge, skills, and training, and the physical and mental health and stamina, to continue their forward march toward America's democratic fulfillment.

Government and liberty

I. The Nation's Freedom—the Bill of Rights

1. We affirm the basic right of all Americans to due process of law, the right to counsel and to freedom from unlawful search and seizure. We oppose all efforts to suppress freedoms to believe, speak, write, assemble, criticize, and dissent.

2. A. We urge strong and consistent enforcement of existing laws and regulations which will insure to the citizens of the United States and of the several States the full measure of their privileges and immunities of due process of law and the equal protection of the laws guaranteed to them by the Constitution, regardless of race, color, ancestry, national origin, religion, sex, or age, and urge the national, state and local governments to enact such further laws, ordinances and regulations as may be needed further to insure these ends.

B. We believe in the principles of the separation of church and state.

C. We favor freedom from censorship of newspapers, magazines, radio, television, motion pictures and other media by the Post Office, Customs Bureau, police departments, and other units of government as well as by private pressure groups.

D. We oppose the use of wiretapping and electronic and other forms of eavesdropping devices whether by private individuals or Government officials, elected or appointed.

E. We urge protection by Federal law of all members of the Armed Forces from physical violence because of race, color, ancestry, national origin or religion.

F. We urge making lynching a Federal crime, as well as making provisions for compensation to the families of lynching victims.

G. We favor Federal legislation making it a crime to bomb or to conspire to bomb school, church and other public and quasi-public property.

3. A. The right against self-incrimination. No inference should be drawn in regard to guilt in any legal proceeding of any person solely because he exercises this right.

B. The right to travel. The right of an American citizen to travel abroad should not be arbitrarily abridged by the Federal Government.

II. The Nation's Government

1. Freedom of information. The right of the people to full knowledge of government affairs must not be bridged, except where disclosure would imperil the national security or where disclosure would, without substantial public benefit, encroach on the right of the individual to personal liberty or freedom.

2. Congress: We urge proper changes in the rules of the Congress of the United States which will make it possible for the majority of the members to vote cloture or closed debate on legislation after a reasonable period, and which will make merit, not tenure alone, the standard to be used in the selection of committee chairmen.

We urge changes in the House and Senate rules to require recorded votes on all actions; to facilitate this procedure, we urge that electronic voting machinery be provided.

3. Federal-State Relations: We favor strict Federal standard-setting and enforcement in all federal grants in aid. "Federal standards should be minimums and should allow for states to adopt stricter standards."

4. State and local government: We urge reapportionment within the States consistent with the principle "one man one vote."

5. The Federal civil service:

A. Apart from discharges based on reorganization of Government activities or reduction in force, Government employees should be discharged only for cause and through due process of law. The employees should be presented with a written statement of charges, have the right to a hearing before an impartial board. He should have the right to present evidence, be confronted with adverse witnesses, cross-examine witnesses, and receive a transcript of the hearing free of charge. Action toward his separation from the Government service should be taken only on the basis thus made.

B. The rights granted to veterans in the Veterans Preference Act in regard to discharged procedures and appeals should be extended to all Government employees except those in probationary status.

6. District of Columbia: We urge that the District of Columbia receive, by legislation or by constitutional amendment where the matter cannot be handled by legislation:

A. The right to local self-government and;

B. The right to elect Senators and Representatives in Congress:

C. An equitable annual Federal contribution in lieu of taxes.

Economic security

III. Basic Economic Policy

1. We continue to support the Employment Act of 1964 which states it is the policy of the Government to create and maintain "conditions under which there will be afforded useful employment opportunities including self-employment for those able, willing and seeking to work and to promote maximum employment, production, and purchasing power."

2. To insure the interest of the consumer, we urge Congress to establish a Department of the Consumer, to be headed by a Secretary of Cabinet rank.

IV. Monetary Policy and Tax Policy

1. Monetary policy:

We urge the establishment of Federal capital budget for reimbursable public works appropriations and to improve the accounting and budgetary operations of the Government.

2. Tax policy:

A. We urge elimination of special provisions in the internal revenue laws which are discriminatory in nature. As blatant examples, we point to the favored tax treatment of the extractive industries, the restrictive stock options for corporate executives, the retirement income credit, the preferred tax treatment of profits on stock market transactions, and the dividend exclusion and credit provision.

B. We also call for an end to the abuse of the deductibility of business expenses to finance luxurious travel, vacations, and entertainment for business management, professional men and sales executives.

V. The Urban Crisis

AVC from its inception has been vitally concerned about the urban crisis, and we recognize the urgency of effective action to overcome the conditions which have caused it. These are manyfaceted, including a shortage of jobs, of homes, of services, of educational incentives, of recreational opportunities. They also include environmental pollution and the citizen's increasing inability to influence or even participate in city government by democratic means. Many of these evils are most concentrated in the slums.

The concept embodied in the Model Cities program, of strengthening local government and the people it serves to solve these problems, offers a sensible approach to solution of the urban crisis itself. AVC urges expansion of this demonstration program to all communities which may benefit from it, with adequate financing for both the development of local plans and the federal programs which are expected to contribute to their implementation. We intend to be vigilant, that the focus remains, under the new program guidelines, on the disadvantaged in the cities.

Citizen participation in the planning and administration, as provided for in Model Cities, Community Action and other programs, is the democratic means of assuring that resources intended to help the disadvantaged are not bargained away with the consent, or at least the understanding, of the poor themselves. We urge the Congress to retain its requirements for citizen participation and extend them to additional programs which the federal government supports. We urge also that provision be made and funds be allocated for independent planning staff and facilities for citizens' groups and commissions.

An important aspect of the urban crisis is housing. Physical reclamation of the slums requires the provision of housing for those who now inhabit the slums, at rents or prices which are fair and which they can afford to pay. To bring this about, we favor flexible use and adequate funding of the variety of programs now in use, including rent supplements, eased purchase credit, reduced interest costs. We also recognize that it will be some time before the private housing industry will be able to play a significant role in such low-return activities, and we therefore call for the widest variety of public investments in housing, such as traditional public housing, turnkey housing, direct interest-free loans and leased housing. And we need serious thought about new approaches.

Beyond the creation of the necessary housing, our government must assure that access to housing is assured regardless of the race, color, creed, national origin, age or size of family of the prospective user. We call for vigorous enforcement of the Fair Housing provisions of the Civil Rights Act of 1968, which was a start toward elimination of the ghettos.

We also recognize that the urban crisis is affected by the rural crisis which has long been apparent but ignored. We therefore demand that the scantlyfunded rural counterpart program be revitalized and used toward stabilizing the life of our rural citizens in the countryside where they prefer to live instead of forcing them to migrate to the cities, often to be engulfed by the slums.

VI. Conservation and Development of Natural Resources

We accept as a cardinal principle of conservation policy that the natural resources of this land are given to us in trust for the people of this and subsequent generations. The benefits of these resources must be distributed widely and equitably and a share thereof must be preserved for future citizens.

Through comprehensive and coordinated national and regional planning and development, wise use, and enlightened conservation, this can be done. The very nature of the problem requires that Government play a major and controlling role in assuring that conservation.

1. Department of Natural Resources. We propose the organization of the Department of Natural Resources. Such a new department should provide for regionally decentralized opportunities for program formulation and execution, while clearly placing federal responsibility for resources development within the framework of a single agency. The regional multi-purpose concept may require that specific localities or projects be reserved or developed for one or more preferred use.

2. Water and Air Conservation:

A. We reaffirm our strong support of comprehensive multi-purpose river basin development and urge the accelerated application of this principle to our river basins.

B. We similarly favor regional planning by the States and metropolitan areas as well as area redevelopment.

C. We urge the Federal Government to undertake the planning and construction of multi-purpose water and power projects similar to the one provided in the Tennessee Valley. Their very scope requires government development and precludes the short-term, piecemeal operations of private interests.

D. The conservation and development of adequate fresh water supplies to meet expanding needs for domestic agricultural, industrial, wildlife and recreational uses, and the protection and improvement of water quality, especially in relation to accumulated pesticides and other contaminating matters, are of increasingly urgent concern.

3. Energy resources conservation. We call for:

A. The maximum feasible development of our only renewable energy resource hydroelectric power including Federal construction of multi-purpose power dams and other waterpower, irrigation, flood control and navigation works using standards of feasibility and repayment schedules for such projects based upon their reasonably expected service service life.

B. A continuation and acceleration of the Federal programs to develop and stimulate development of effective processes for the utilization of our immense reserves of oil, natural gas, shale and coal.

C. Removal of executive and legislative restrictions on the importation of crude petroleum and petroleum products.

D. A major increase in the scope and speed of air pollution measures.

E. Reduction in the rate of increase of energy consumption from all sources.

F. Development of more efficient and economical methods of using energy resources as regards both conversion of the resources to energy and capture of the energy for useful work.

G. The development of atomic energy (both fission and fusion types) for power and other peaceful purposes consistent with safety from excessive radiation and thermal emissions. In this regard, we urge intensive research and prompt publication of research findings.

4. Recreation and Wildlife:

The expansion in the demands for outdoor recreation opportunities requires that we add to our national park system and increase the recreational developments on our national forests, public lands, reservoirs and seashores.

We endorse legislation to control billboard erection in scenic areas. Urban planning and redevelopment should include provision for open spaces and outdoor recreation areas.

5. National Land Reserve.

We support the concept that our remaining public lands constitute a "National Land Reserve" to be administered for the benefit of the public with appropriate safeguards for future generations.

6. Pesticide Control.

We urge careful consideration and close supervision of pest control programs in recreational, farming, and urban areas.

VII. Agriculture

American agriculture is increasingly the victim of the owners of the new machines, themselves investors rather than farmers. Hired workers are displaced from jobs, and farm lands are being concentrated in fewer hands as farmers themselves are displaced.

AVC calls for a four-part approach to the resulting problems:

1. A reduction of subsidies to industrialized agriculture, those now being paid in proportion to production or for practices which, like some in other industries, are a normal part of the business;

2. New approaches to two problems of the sub-marginal farmer and the farm laborer, recognizing that their plight is closely related to that of the underemployed urban worker and is only in part agricultural.

3. Strengthening the economic family farm through greater attention to credit, service and marketing needs;

4. Providing for rural people the whole range of educational cultural, recreational, health and other opportunities already accessible to dwellers in metropolitan areas.

VIII. Labor

We urge:

1. Periodic updating of the provisions of the Fair Labor Standards Act to insure the coverage of maximum numbers of categories of workers and a realistic and decent Federal minimum wage.

2. Enactment of laws for the full disclosure of the administration of pension and health and welfare plans, whether administered by unions or management or jointly by both. Federal law should follow existing Federal securities legislation and State laws such as that of the State of New York for the exemptions contained in the latter.

IX. Social Welfare

As veterans concerned with the social welfare of all citizens we urge:

1. Federal standards to increase unemployment insurance benefits, more realistic eligibility standards and lengthening of the period for which benefits are paid.

2. Development of a strong and unified child welfare program with the Department of Health, Education and Welfare.

3. Development of Federal services and grants-in-aid for the prevention and control of narcotics addiction, based on the premise that drug addiction is a disease to be treated.

X. Education

1. We recognize that "in the quality of education lies the fate of freedom itself." We urge the provision of educational opportunity for every American to the limits of his capacity, and the identification of the talented among us in order to challenge them to their highest achievement.

2. To improve and extend existing scholarship and loan programs for college and university students.

3. To extend scholarships and exchange programs for study by Americans abroad and by nationals of other countries in the United States.

4. To appropriate adequate Federal aid to communities impacted by Federal programs.

5. We oppose the use of public funds whether as grants or loans to non-public elementary and secondary schools.

XI. Public Health

We urge:

1. Increased Federal expenditures for research in the prevention and care of illness.

2. Expansion of medical insurance and group medical care plans, including a plan for national health insurance.

3. Expansion of public health facilities and services, hospitals and nursing homes, without regard to race, color, ancestry, national origin, religion or sex.

XII. Indian Rights

We oppose revocation of commitments entered into by treaty between the U.S. Government or the Government of any state and the various Indian tribes.

We support all efforts (1) to safeguard Indian lands and resources from exploitation and expropriation in violation of treaty rights and (2) to make the Indian tribes capable of supporting themselves from the proper development of their resources.

We support adequate health and educational services for the Indian tribes capable of supporting themselves from the proper development of their resources. We support adequate health and educational services for the Indian reservation as well as training in modern industrial and management skills to enhance the opportunities for better living and the ability of the Indian tribes to manage their own affairs.

We also support social services to those Indians who desire to live outside their tribal reservations so as to assist them in adapting themselves especially to urban living and to protect them against discrimination and hostility in their new environment.

Resolution on opening the suburbs to low- and middle-income housing

AVC notes with dismay the increasing isolation of two societies—the black inner city and the white suburbs. This has resulted from continued racial discrimination in suburban jurisdictions and the action of such jurisdictions to deny low and middle income housing through zoning restrictions. The effect of this action has been to increase polarization between black and white and rich and poor; to deny black and low income workers job opportunities in the suburbs, accelerate the physical blight and economic decline of our cities and negate federal programs designed to provide low and middle income housing.

AVC therefore urges that the Department of Housing and Urban Development deny federal grants to suburban and other jurisdictions unless such jurisdictions establish affirmative action programs to provide and permit low and middle income housing commensurate with the needs of the residents in the metropolitan region.

Resolution for a national health security system for the United States

The escalating expense of Health Care, the lack of sufficiently trained medical personnel and facilities, the unmet medical needs in the treatment and prevention of disease for all segments of our society, the special medical problems of the poor and the aged, and the inefficiencies and excessive costs of the present patch-work system of public and private financing of medical aid urgently require the adoption of a nationally administered actuarially sound, and federally financed Health Security System which adequately benefits all members of our society in the most efficient and least costly way. The proposals contained in the jointly sponsored National Health Security Acts, S. 3 in the Senate proposed by Senators Kennedy, Cooper, Saxbe, and others, and H.R. 22 introduced by Representatives Griffiths, Corman, Reid, and Mosher, among others and in S. 934, although lacking adequate provision for dental and psychiatric care and prescription drugs and being deficient in dealing with the delivery of health services evenly throughout the society, do present a comprehensive reform program of federal health insurance with a broad range of medical services designed to cover the bulk of unmet medical personnel, the cost of which will be provided to the extent of 50% from General Revenues and the remainder by Health and Security Taxes on employers and employees. It is superior to the other Health proposals made to Congress, none of which rely largely on costly private insurance funding, and only partially meet the needs and fail to solve many of the basic problems of the present system.

We recognize the shortcomings of S. 3. We believe that it should be improved and broadened to remove the deficiencies noted herein; it will then provide an excellent, major betterment to our present Health System. The fact that the funds will be collected and administered through the Social Security System implies greater efficiency than privately funded plans can offer.

Resolution on welfare reform

AVC urges action in this session of Congress to create a new system of income maintenance which will meet the basic needs of all individuals and families who are unable to work, whose earnings are inadequate and for whom jobs are not available. Such legislation should be based on the following principles:

1. A unified and largely federally financed program of assistance to assure equitable and efficient treatment and administration.

2. Benefits should be available to everyone in need—those in low paying jobs as well as the unemployed, those without families as well as dependent children and their parents.

3. Assistance grants should provide all Americans with an income adequate to sustain them in a state of health and minimal decency. If fiscal consideration precludes such immediate grant levels, then provisions should be placed in the legislation for orderly steps at time intervals to reach standards of adequacy for health and decency as determined by the Bureau of Labor Statistics with flexibility of grant levels to meet realistic variations in costs of living.

4. Incentives and realistic aids should be employed to encourage those eligible for public assistance to move into job training and full employment. No recipient should be required to take a job at less than the minimum federal wage to prevailing area wage, whichever is higher. Recipients should have the right to keep enough earned income to make working more attractive rather than relying solely on public assistance. Further, public service jobs should be provided where there is a shortage of private or other public service jobs.

5. A declaration of need should be accepted as *prima facie* evidence of eligibility. Spot check can be used to determine accuracy of eligibility and payment such as those used in the Social Security and Income Tax programs.

6. Rearing children should be recognized as important and meaningful employment. Mothers of pre-school age children should not be forced to accept work or training against their will.

7. Adequate child care facilities are necessary if working mothers are to take advantage of work and training programs. Provisions should be made for national standards for child care services. Child care should be not merely custodial but should be designed to meet the educational, nutrition and health needs of the children. Care should be provided for elementary school children after school. The poor should be trained and employed as child care center workers. No family should be required to pay a fee for child care unless it has income sufficient to meet its need with minimal decency.

Resolution on price and income policy

In spite of the trauma of three years of recession and unemployment rates at or above 6% overall and estimated at 8–15% for veterans and as high as 25% for minority veterans, the rate of inflation and cost-of-living increases continue at an unacceptable pace. The wage and price controls and structures established by the Nixon administration are neither working adequately to control inflation nor fair to all segments of the economy. Major changes are needed to remove the gross inequities of the present system, and a just and fair means must be established to stabilize prices, wages, and profits.

AVC once again calls for prompt and effective steps under the Employment Act of 1964. Effective new programs for greatly increasing employment must be found and implemented.

Resolution and revenue sharing and Federal aid

AVC supports the principle of federal financial assistance to state and local governments because of the far superior revenue-raising capacity of the federal government through the progressive rates of federal income and estate taxes, etc.

However, we are opposed to the "nostrings" revenue sharing proposal of the Nixon Administration known as "general" and "special" revenue sharing. The "general" revenue sharing proposal contemplates grants to states starting at $5 billion a year totally unrestricted as to use, purpose or level of local revenue raising efforts. The "special" revenue sharing proposal would give no "new money" to the states and localities but would merely combine into broad subject area "block grants," such as health, housing, education, etc., the funds now going to specific project and categorical grant programs, and would end or endanger many constructive and creative programs such as Model Cities and the multi-state Appalachian Regional Commission. It would also eliminate almost all of the federal conditions (or strings) necessary to see that the funds are distributed on a non-discriminatory non-boondoggling basis.

We favor the continuance of the present method of making categorical grants for specific purposes and projects, on a matching and grant-in-aid basis. With respect to the allocation of these funds by statutory formulas, however, we demand that all federal agencies strictly observe the conditions attached by Congress to the grants.

We believe the Federal Highway Trust Fund should be ended by 1975, upon the completion of the presently allowed mileage in the Interstate System, and that all taxes now earmarked for it to go to the General Treasury where they would help provide funds for mass transit, housing, education, health, etc.

We also wish to encourage those State and Local governments which make a significant effort to raise their own funds through progressive rate taxes such as the income tax rather than regressive sales and real property taxes—to this end we favor a tax credit for a significant portion (say 80%) of local income taxes paid instead of merely a tax deduction for them.

We are sympathetic to the great needs of our American cities—because of the high-cost, in many areas beyond mere welfare, necessitated by the large concentration of our poorest citizens in urban areas. Therefore, we will be interested to examine the recent proposal of Rep. Wilbur Mills for federal tax-sharing aid going directly to the cities when it is fully developed and announced.

Resolution on public service employment

AVC has long stood for forceful implementation of the Employment Act of 1964, calling for full employment. In particular, we have from time to time specifically called the attention of the federal government to the need for it to act as "employer of last resort." That is, we have been willing to allow free enterprise to provide the jobs that are needed for those who want to work with government to take up the slack when necessary.

On this 25th Anniversary of the Full Employment Act, we veterans for whose benefit the Act was passed; Call attention to:

1. Record levels of unemployment (including veterans)

2. Rising demands for people to go to work

3. Increasing effective demand for public services and

4. Declining ability or willingness of local and state government to provide services.

Legislation to enable the federal government to take action to deal with these related problems has now been passed by both houses of Congress *for the second time*. Last year, the President vetoed a Public Service Employment Act; this year, two versions must go to conference.

We agree with the President that "leaf-raking" jobs solve no problems. For the reason, we *support* Public Services Employment legislation, so that local governments can provide jobs in health, education, parks and public safety.

We urge that the conferees adopt the present House version and that the President approve either version that the Congress may send to him.

Resolution on the Office of Ombudsman

The growing complexity of state, county and local governmental agencies is frequently bewildering and disillusioning to citizens seeking redress of their grievances with these agencies.

Efforts are currently underway in some states to make local and state government more accountable to its citizens by providing for an "Office of Ombudsman" whose prime responsibility would be to receive and investigate citizens' complaints against governmental agencies and recommend corrective action. Under the proposal, the "ombudsman" would also be empowered to make recommendations to the state legislature that could eliminate duplication, waste, and inefficiency in these agencies.

Be it resolved that AVC endorses the concept of the "Office of Ombudsman" in state and local governments and work to support efforts in various states to make the concept law.

Resolution on national volunteer service

Whereas, the zeal of our youth the build a better society has never been clearer than it is now. Yet opportunities to work constructively for a better society are limited. Compared to national needs, relatively few jobs in the service fields are available to young men and women.

Whereas, such service is vitally needed by society—in such fields as education, health, conservation and municipal services. Many of these needs could be met by young people, those who are asking for relevance in education, for a chance to meet their service responsibility outside the armed forces, and for first-hand experience with problems whose outcomes will determine the kind of world to be passed on to their children.

Now, therefore, be it resolved that in order to meet many of our most pressing needs and to permit young men and women to become engaged in the building of a better society, the American Veterans Committee endorses a program of national volunteer service, which would have these basic features:

1. Service opportunities would be available to all young people. The main criterion for admission would be willingness to serve.

2. Each participant would serve and learn. Learning would range from development of specific skills to growth in self-knowledge, problem-solving, and working with people.

3. Service activities would be directed and financed at the local level to the extent permitted by available resources, and would include projects organized and directed by young people. Thus, maximum local initiative would be encouraged.

4. The basic reason for national volunteer service is the need society has for the service of youth. Main areas are tutoring, health and mental health, as well as conservation and beautification, the cleaning up of our rivers, lakes and seashores, our cities and our forests, and various kinds of community and family service. By serving in these fields, young people would be able to test themselves through service to society and would receive valuable experience for their careers.

5. Young people who seem poorly qualified by conventional standards could serve effectively. High school dropouts are today serving as tutors, and doing a good job; others are receiving specialized training for responsible hospital positions. Each participant would be given the training and supervision needed for the assignment.

6. There would be a transition phase. Growth of national volunteer service would be constrained by identification of useful tasks, finding enough trainers and supervisors, and obtaining sufficient funds. The transition phase would permit experimentation with various techniques and activities on a pilot program basis.

7. Participation would be by means of contract, voluntarily entered into by all parties. The contract would spell out the responsibility of the participant, the sponsoring agency and the funding agency.

8. Duration of service would range from a minimum of one year to a maximum of four years. The normal contract period would be one or two years, renewable.

9. Participation in national volunteer service would be viewed as fulfillment of a person's service obligation. Thus, satisfactory completion of national volunteer service—for at least the same period of time as needed to complete one's military service obligation—would place participants in the same draft category as veterans of military service. Also as armed forces manpower requirements are likely soon to be met solely by volunteers in view of large increases in service pay and diminishing manpower needs for Viet Nam there may be no need to relate civilian service to military service since both would be manned by volunteers.

Resolution on child development and family services legislation

AVC believes that every child should have the opportunity to develop fully his physical, intellectual and social potential as a human being.

But, the American Veterans Committee recognizes that there are millions of children of working mothers in the country, and that many mothers who would wish to work are unable to do so because of the lack of adequate child-care facilities.

AVC therefore supports federal and state legislation to provide quality family-oriented child development programs for children whose mothers are working or who have no mothers or who because of poverty are denied adequate health care, nutrition or educational opportunity. Such legislation should embody the following principles:

1) The programs should be of high quality, not merely custodial but developmental in approach.

2) The parents should be directly involved in policy decisions affecting their children.

3) The programs should be adequately controlled and flexible enough to meet individual community needs.

4) Children of a variety of socioeconomic backgrounds should be included at a charge commensurate with ability to pay, and the needs of minority group children and disadvantaged children should be assured.

5) A substantial commitment of new public funds should be made to meet the compelling and immediate need for those services.

AVC supports S. 3617, the Comprehensive Headstart, Child development and family Services Act of 1972. We urge its enactment by Congress and further urge President Nixon to sign such legislation as vital to our children.

Resolution on medicare part B financing

AVC resolves that the Part B premium, now imposed on older enrollees in Medicare under the Social Security System, should be eliminated altogether. First, this would provide an immediate measure of badly needed financial relief for the aged population that is already smarting severely under the intensifying pressures of inflation (estimated at $1.5 billion). Second, elimination of premiums would remove any future monetary barriers which would serve to deter an older person from obtaining the protection afforded by the supplementary program.

AVC further urges, in view of the fact the people's circumstances change over time, removal of the three-year limitation of Part B enrollment.

Resolution on citizen participation in Federal rulemaking and regulation

AVC endorses the recommendations of the Administrative Conference of the US relating to public participation in rulemaking and regulatory activities of federal agencies which are charged with protecting the public's interests.

These recommendations propose improving the work of these agencies through increasing the public's ability to bring its views before the agencies in a timely and effective manner. Among the techniques proposed are improved public notice procedures, greater availability of information in the files of the agencies, reduction in the numbers of copies of documents to be submitted, and broader recognition of the standing of citizens and public interest groups to intervene in agency proceedings.

Resolution on expediting court appeals in desegregation cases

Congress has recently passed the Higher Education Amendments of 1972. These include provisions staying implementation of court desegregation orders involving student *transfers* (*not* just those involving busing) for eighteen months OR until the appellate process has been completed.

The result of these provisions will be to continue situation which the District Courts have found to be unconstitutional for years, while the matters slowly wind their way through the appellate process. Eighteen years after *Brown* v. *Board of Education*, AVC, as the only veterans organization among the *amici curiae* in that case, finds this intolerable.

AVC urges Congress to enact legislation requiring appeals in desegregation cases to be given expedited hearings and decisions that the legal soundness of District Court decisions may be quickly tested, and the decisions, if valid may be quickly implemented.

Resolution on no-fault insurance

AVC, having followed the recent discussion of automobile insurance, including that in the United States Senate and in various states, now urges enactment of a national program of the "no-fault" type.

We believe the evidence on the failures of the present system speaks clearly for reform: insurance companies are receiving large premiums but paying small benefits; injured persons are forced to wait long periods for the settlements needed to pay for their care; a third and more of payments going to lawyers rather than to injured parties; discrimination in the sale of insurance; and so on. Limited experience and considerable research suggest that no-fault insurance can reduce or eliminate these abuses.

Resolution on minimum wage

We support the Senate version of the pending minimum wage bill that would establish a $2.20 per hour floor, extend coverage to a number of farm workers, and regulate child labor in farm work.

Resolution on national standards for voting

Many American citizens are being deprived of their right to vote because of archaic, unduly complex and inconsistent state voting qualification and registration laws, as well as cumbersome and in some cases, undemocratic administrative procedures with respect thereto.

We favor federal legislation, to the extent feasible and constitutionally allowable, which will establish consistent and fair voting qualification standards and administrative procedures, and also uniform state codes to the same end.

Resolution on addictive drugs

All appropriate steps should be taken by the federal government to solve the great problems caused by the use of addictive drugs, including cooperation with other countries to reduce or prevent the production and exportation of such drugs, improved education as to the dangers involved in their use, better police enforcement procedures to prevent sale, further research into the treatment and prevention of addiction, etc.

INTERNATIONAL AFFAIRS

We the members of the American Veterans Committee, believe that in international affairs the objective of the United States is the maintenance of peace. All else aside, the world must avoid the holocaust of nuclear war. Within that framework our foreign policy, like our domestic policy, must be oriented to enhance the welfare of the individual, be he black, white, brown, or yellow, so that he may eat and sleep in safety, live his life under government of his choice and realize to the fullest extent possible the measure of his aspirations.

I. The United Nations and world government

The United Nations continues to be man's best hope for peace. American support to the United Nations must be an essential part of our foreign policy. The authority of the United Nations must be progressively strengthened in a process which sees the selective yielding of the prerogatives of national sovereignty in a manner that will enhance the fundamental freedoms and the well-being of all the peoples of the world.

Recognition of the rule of law principle in international relations is an essential of action in reinforcing the United Nations role in the maintenance of peace and security. Appropriate means must be found to widen the area of internationally accepted standards and American compliance therewith. Prompt repeal of the Connally reservation by the United States Senate would be a step in this direction.

We believe that there must be an acceleration of progress in the ratification of existing international human rights conventions by the United States. Where necessary, enabling national legislation should be enacted to bring our laws into conformity with these conventions. United States action in this respect has been grossly inadequate and has hindered a greater assertion of American leadership which is required.

We regard the integrity and independence of the Secretary General's office as expressed in the Charter crucial to the existence and growth of the United Nations. We shall oppose any attempt which seeks to weaken the powers of this office.

We favor encouragement and aid to the formation of supranational authorities of a regional nature consistent with the U.N. Charter and of treaty arrangements which limit the sovereignty of the participating nations in order to secure mutual advantages, such as the European Common Market, Euratom and others. The United States should further encourage and support European initiatives through the European Economic Community, Euratom, the Council of Europe, or otherwise to create, consolidate and strengthen institutions which may lead to a politically stable and prosperous European entity.

We fully support the enlargement of the peace-keeping function of the United Nations. The use of peace-keeping forces by the United Nations should be supported financially on an obligatory basis by all members of the United Nations. The allocation of military forces on a standby basis should be encouraged and established systematically through the creation of a permanent mechanism in the United States.

We favor the ultimate establishment of democratic world government.

II. World veterans federation

We point with pride, and pledge our continued support to the World Veterans Federation, a world-wide organization of former fighting men whose activities are a remarkable example of the kind of private international co-operation on which lasting world peace and justice can be built.

III. Nuclear testing and disarmament

Complete elimination of nuclear weapons testing and establishment of international controls on this most dangerous weapons technology should be the goal of American foreign policy. Our world finds itself in the unique and unenviable position where one generation can make life on earth unlivable for another generation.

The adoption by the United Nations of a non-proliferation Agreement is a significant advance despite the reservations of some member states. The United States as the foremost nuclear power, must move forward in this regard by ratifying the Agreement as rapidly as possible.

The new initiatives by the United States and the USSR to begin negotiations toward the limitation of offensive and defensive nuclear ballistic missile systems is an important next step. United Nations action to convoke meetings of the five nuclear powers—Britain, France, the Soviet Union, China and the United States is further movement toward the desirable goal of creating controls of these awesome weapons. Only by showing their good faith can the nuclear powers induce other states to forego development in this most dangerous area, lower international tension, and avoid the allocation of needed resources to essentially destructive and wasteful ends.

Complete and total disarmament is the ultimate summum bonum, but this is an objective remote in time and immediate achievement is not feasible. Efforts toward that goal, nonetheless should be made by the United States and should be encouraged in other nations. Mankind can never reach its true destiny if it must continue to allocate so high a percentage of its recourses to forge the weapons of war.

IV. The United States and its allies

Inevitably differences will arise between the United States and its Allies, but there are differences which can be resolved around the conference table. In its negotiations the United States should seek no more than the rights and privileges of a willing partner.

The North Atlantic Treaty Organization was formed in a world considerably different from the world of today. It is time for the NATO Nations to reassess the objectives and reformulate the NATO role. Its continued organization and operation should reflect its changing purpose.

In Latin America, the United States has uneasy allies, but allies nonetheless. We must bend every effort to erase the image of the United States as a prosperous, patronizing, and paternalistic benefactor. It should be the objective of the United States foreign policy to create instead an image of a United States that wants to be a good partner, as well as a good neighbor, in helping the peoples of Latin America work out their own destinies.

The United States should, at every turn, encourage the United Nations or the Organization of American States to be the forum in which to resolve differences and disagreements among or with our Latin American neighbors. We must show by word and deed that we have no desire to impose our own form of government or way of life upon any country of Latin America. At the same time we must make it clear that we will honor a call for help by any Latin American country whose existence and destiny is being threatened by external foreign directed activity.

V. The United States and the world

The twentieth century is the era of the developing nations of Latin America, Africa, and of Asia. The United States must stand ready to help these nations and peoples, if they seek our help, to establish their way of life and direct their own destinies.

The forum of the United Nations must be held open to them in their efforts to develop responsible independence, and the services of the specialized agencies should be placed at their behest.

Our era is characterized by an ever-widening gap between the social and economic bases of the developed countries and those of the developing countries. This decline in the relative position of the developing countries, accompanied as it is by a population explosion, can lead to dangerous world tensions which could threaten world peace because of increased violence and disorder. New means must be found to close this gap through mobilization of efforts on a worldwide basis, including increased economic assistance from developed countries and greater self-help from must be prepared to make greater contributions to the United Nations' efforts in this field, through other multilateral arrangements, and through bilateral aid. The goal of alloting 1% of the gross national product to this end as set by the United Nations is not unreasonable and well within the means of the United States.

United States foreign aid to developing countries should be utilized at points of greatest potential. In providing bilateral aid the United States should give priority to those countries which can make the most rational and productive use of such aid. In measuring the efficacy of United States aid, due weight should be given not only to economic considerations but also to the nation-building process including the strengthening of democratic institutions and the consolidation of efforts on a regional basis. The United States should use its financial and economic resources to help the people of weak and developing nations achieve self-government, and should, if requested, provide economic help to prevent them from engulfment or encroachment by foreign powers seeking to impose their own ideologies, disciplines or governments.

Only when asked and only when it is clear that armed force is necessary to thwart a takeover by powers inimical to the welfare of a weak and developing nation should the United States furnish military assistance. In these circumstances the United States should stand ready to give military aid to such a country to oppose imposition of an external power, and should make it clear that its military effort is directed toward that objective alone.

VI. Soviet Union and Chinese Peoples Republic

AVC welcomes the new initiatives taken to improve relations between the United States and the Chinese Peoples Republic and the United States and the Union of Soviet Socialist Republics.

The years have shown that coexistence with the Union of Soviet Socialist Republics and the Chinese Peoples Republic is not only possible, but is also a necessity if the world is to remain at peace. This should be our modus vivendi for the foreseeable future. Every step should be taken to enhance, improve and expand the spheres of coexistence, whether by more frequent cultural exchanges, increased reciprocal tourist travel, extended trade etc. If we follow this policy and practice we may find the areas of agreement becoming wider and the differences narrower. The desired result, where people meet people, is that the governments of the USSR and the CPR may no longer be able to insulate their peoples from the ways of the free world and disregard the yearnings of their citizens—which we believe to be the same as ours—for a world at peace and for good will to other peoples of the earth.

VII. World trade

The path to world peace through world trade is long, tortuous, and not always clearly marked. The United States should take the lead in, where possible, and encourage, where not, the movement toward freer trade among nations. Countries must export as well as import and stabilizing adjustments will have to be made. Where hardships are visited upon domestic industries, some form of temporary relief should be provided. AVC endorses the Trade Expansion Act of 1962 and urges its continued implementation by negotiations and agreements.

VII. The example of America

Events beginning with World War I and continuing in the post World War II world we live in have thrust upon the United States a position of power and responsibility it can neither avoid nor minimize. That position inevitably generates envy, jealousy, and hostility by less fortunate peoples of the earth. It is the difficult, but essential task of the United States to wear its mantle of world leadership gracefully, to use its power cautiously, and to exercise its responsibility wisely, striving to make the right decisions in order to preserve world peace and to enable the peoples of the world to work out their destinies in an atmosphere that accords the individual his basic human rights and permits him to achieve the fullest measure of self-expression.

Resolution on Southeast Asia

The toll of human and material destruction wrought by the continuing conflict in Vietnam is repugnant to all people who are determined to pursue humanitarian objectives and to stop the process of killing and destroying of property as avenues for settling disputes. The people of Vietnam have suffered severely for too long a time from controversies that had their genesis in colonialism and in ideological conflicts which most of this tortured people would surely prefer to solve through peaceful means.

The people of the United States have also suffered severely because of the war. Urgently needed domestic programs have either been reduced or postponed. In addition, our country has become divided and many of our people have lost faith in the viability of our democratic processes.

AVC therefore welcomed the initiation of the peace talks in Paris as a means of resolving the bloody conflict in Vietnam. The new initiatives undertaken by the U.S. Government to improve relations with the USSR and the CPR hold out the hope of new arrangements to bring peace and stability to Southeast Asia and restore a healthier social, political and economic climate at home.

In persuance of an honorable and just peace, AVC urges that the following objectives should be sought.

1. The deescalation of the Indochina war through great power agreement.
2. The withdrawal of all United States military personnel from Indochina.
3. The application of all international conventions relating to the treatment of POW's and MIA's and the negotiation of the immediate return of POW's.
4. The total cessation of hostilities throughout Indochina by means of a standstill cease-fire to permit peaceful negotiation of disputed political issues.
5. The application of the principle of Self-Determination through internationally monitored and supervised free elections.

6. The internationally guaranteed protection of minorities and dissident political factions.

7. The neutralization of all Indochina.

8. The establishment and support of a massive relief program for victims of the war and to restore the ravaged lands.

9. The further implementation of the comprehensive land reform program to give the Vietnam peasant a stake in the future of his country.

10. The adoption of a regional development plan for the utilization of the natural resources of the area, including the Mekong River.

11. The long range programs for the economic and social development of Vietnam to proceed under the auspice of the United Nations to which the United States should pledge economic aid and other support.

Resolution on the Arab-Israeli Conflict

Tensions in the Middle East are the product of great power conflict and the unresolved issues between the Arab States and Israel. To rid the world of the fear of a breakdown of the uneasy truce that prevails in the area and of new hostilities, AVC believes that four steps are necessary to ensure a peaceful solution that will be stable and lasting.

1. The United States and the Soviet Union must accompany the new detente in their relations with concrete steps to deescalate the military situation in the Middle East.

2. Direct negotiations between the Arab States and Israel must take place.

3. Efforts to mediate by other states or the United Nations can only be useful to the extent that they operate on the basis that the principal belligerents formally recognize each others existence and agree to deal with each other.

4. The right of self-determination of the Palestine Arabs and territorial recognition thereof is a key element in the process of reaching a peaceful resolution.

Resolution on the Strategic Arms Limitations Agreements

AVC welcomes the agreement that has resulted from recent negotiations at the highest level between the U.S. and the USSR on limitations of both offensive and defensive nuclear weapons. AVC wishes to emphasize its belief in the significance of these agreements and hopes for prompt ratification by the United States Senate. Failure to ratify these agreements and to implement them can only heighten the balance of terror and increase the possibility of nuclear war. Failure to ratify these agreements would result in increased arms expenditure not only in our country but throughout the world at a time when resources are needed to combat poverty, hunger and pollution.

Resolution on Human Rights

The world celebrated Human Rights Year in 1968. But the "celebration" was less of an achievement than the urgency to commit ourselves even more strongly to the eradication of violations of the rights of men throughout the globe.

Despite the designation by the United Nations General Assembly of 1971 as International Year for Action to Combat Racism and Racial Discrimination, we point with special shame to the unending oppression of the black majorities of South Africa and Rhodesia by their white minorities; to the reprehensive antisemitism of the government of the Soviet Union which both limits the freedom of its Jewish citizens within that country and prevents them from emigrating; to the continuing repression of Jewish and other minorities in Arab countries; to the denial by the Czechoslovak government of the rights guaranteed in their Constitution to its citizens; to the growing oppression within a large number of countries that have but recently achieved statehood; and to the abandonment of free political debate in a growing number of countries.

Just as our government must continue to promote greater human freedom within our own country, so do we call on it to take dynamic leadership and specific action in encouraging and working for an end to the deprivation of human rights, racism and racial discrimination wherever they occur.

Resolution on Genocide Convention

It is inexplicable that for over 20 years the United States has failed to ratify the International Convention against genocide, originally promulgated by the United Nations Commission on Human Rights under the chairmanship of Eleanor Roosevelt, and which has been ratified by virtually all other nations in the world. Today, at least, this agreement, which has been supported by all administrations since its promulgation, should be ratified by the U.S. Senate without further delay.

Resolution on Human Existence

In view of the increasing threat to Man's continued existence on this planet, by reason of growing world-wide pollution and the population explosion, AVC calls for intensive international action through the United Nations for greater co-operation among nations for environmental preservation and population control.

In order to develop the ecological well being of all the peoples of the planet earth, we support the following principles, now under negotiation:

1. Effective and equitable treaties and international institutions to prevent pollution, to protect and conserve marine life, and to regulate fisheries for maximum sustained yield.

2. Protection of the interests of developing nations for whose economies or nutrition fishing is vital, or for whom important mineral income might be produced by ocean exploitation.

3. Consideration of plans to allow the international seabed resources authority to develop its own limited capacity to explore and exploit the seabed and the ocean floor.

TRIBUTE TO THE HONORABLE THOMAS G. ABERNETHY, WILLIAM COLMER, WATKINS ABBITT, AND W. R. HULL

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. STUBBLEFIELD. Mr. Speaker, it is a pleasure to join in the tribute that our colleagues are paying to retiring Members of this Congress. I speak of those two distinguished gentlemen from the State of Mississippi, the Honorable Thomas G. Abernethy and the Honorable William Colmer, and of the distinguished gentleman from the State of Virginia, the Honorable Watkins Abbitt, and of that very fine gentleman from the State of Missouri, the Honorable W. R. Hull.

Tom Abernethy's congressional career goes back a long way—all the way to 1942, and I extend to him best wishes for a full and happy retirement after all these long and devoted years spent working for the best interests of his district, his State, and his Nation. We shall all miss him.

Bill Colmer came to Washington in 1932, and now after these years of hard work and dedicated effort—much of it spent on the important and prestigious House Rules Committee—he will leave us for a well-earned, and we trust, bright and happy retirement. We have all benefited from the able judgment and wise counsel of Bill Colmer, and we will certainly miss his presence in these halls and on the floor of the House, where his experience has been a guideline for many who have sought directions amid the clash of ideas we call the legislative process.

Watkins Abbitt, of the Fourth Congressional District of Virginia, won the special election of 1948, and, as one of the most influential members of the House Agriculture Committee and chairman of its Tobacco Subcommittee, he has never failed to be a powerful and effective spokesman for the people of his district. He has also consistently shown his interest in, and concern for, the broader affairs of both State and Nation. I wish him well in the coming years.

Bill Hull has represented the people of his Sixth Congressional District of Missouri for some 18 years now, and as a member of the very important and powerful House Appropriations Committee he has been a factor in making it the effective instrument it is today.

I extend to Bill Hull, as to all these distinguished gentlemen and colleagues of mine who are leaving the Congress at this time, my best wishes in the years ahead. Their's has been service of which all can be proud, and they have left their mark upon the Congress and the Nation.

HON. WAYNE N. ASPINALL

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. EVANS of Colorado. Mr. Speaker, the reputation of Wayne Aspinall had reached me long before I came to Congress. "Hard working, independent, fair-minded, thorough," are terms I learned were always associated with Wayne. However, these glowing terms meant little to me until I came to the Congress and met and worked with the man, Wayne Aspinall, himself.

In Congress I discovered that these complimentary terms used to describe Wayne were not only true, but also meant that bills coming from his committee enjoyed support from most of his colleagues. You could trust Wayne and his committee to do a thorough, workmanlike job on tough issues. You had confidence that his committee work, faced and answered the most difficult and controversial questions relating to bills he recommended to the House.

I also learned that, as busy as WAYNE was, he always found time to help others on matters ranging from personal affairs to congressional leadership.

WAYNE was a good balance wheel and adviser to me, even though we sometimes disagreed. In the legislative field of drafting bills, revising them in committee, and presenting them to the House, he was a Congressman's Congressman. He never ran away from or closed his eyes to difficult problems or difficult people. To him, they were always to be met squarely so that an answer could be found. His skill, thoroughness, and fairness usually provided the answer, and his bills usually passed by large majorities.

The House has been a better House, because of him.

JUDGE ASTOR HOGG

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, the State of Kentucky lost a fine citizen and an able public official in the death of Judge Astor Hogg in August of this year. He served in many capacities in his native county of Letcher, then in Harlan County as circuit judge and later as judge of the Court of Appeals of Kentucky, the highest court of our State. He was not only a great lawyer and judge, but enjoyed the respect and affection of all political parties and all groups of people. I am happy that I had the opportunity to know him, his fine wife and his family.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article from the Sunday State Journal of Frankfort, Ky. on August 6, 1972, and a eulogy by the Honorable H. Paul Haynes of McLean, Va. entitled "Eulogy to a Great Man: Judge Astor Hogg."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUDGE ASTOR HOGG

Judge Astor Hogg, 70, of 200 Paul Sawyier Drive, died at his residence at 4:45 p.m. Saturday following a long illness.

Born in Roxana, Ky., on Nov. 13, 1901, he was the son of the late George and Mahala Combs Hogg and a member of the Immanuel Baptist Church. He was a 1924 graduate of the Kentucky law school.

Admitted to the Kentucky Bar Association in 1924, he practiced law in Whitesburg from 1924 until 1935. While in Whitesburg, he served as mayor from 1927–1928 and as County Attorney of Letcher County from 1930 to 1934.

He then moved to Washington, D.C., where he served as trial attorney for the Federal Trade Commission from 1935 to 1937 and as special assistant to the U.S. Attorney General from 1937 to 1939. He then returned to Harlan where he practiced law from 1941 to 1951. During this time he also served as the Commonwealth's Attorney for Kentucky's 26th Judicial District from 1942 to 1945.

He served as Circuit Judge of Harlan County from 1951 until 1955, when he became a judge of the Court of Appeals of Kentucky. He served on the Court of Appeals until 1958, at which time he took the position of Chief Counsel of the state Highway Department. In 1959, he became Administrative Director of the Courts, a position he held until his retirement in 1971.

His greatest accomplishment was in bringing order to a complex situation in Harlan County. As Circuit Judge there, he understood the mountain people and their way of life. Among other new ideas he was the first to insist that summoned jurors report to court. From this he established a jury and court system that all mountain people respected.

Survivors include his wife, Mrs. Gertrude Lewis Hogg; one daughter, Mrs. Janelle H. Pope, Frankfort; one son, Stanley R. Hogg, Ashland; one sister, Blanche Hogg, Roxana; three brothers, Ira Hogg Jr., Cumberland; Viron Hogg, Roxana, and Quinton Hogg, Frankfort, and three grandchildren.

EULOGY TO A GREAT MAN: JUDGE ASTOR HOGG

(By Hon. H. Paul Haynes)

Great men perform great deeds usually wrought at great risks such as bringing law and order and respect of justice to a restless and lawless community—Judge Astor Hogg was thus a great man.

Great men are remembered long after death as being full of life. Memories of their laughter and good cheer do not go with them to the grave—Judge Astor Hogg was thus a great man.

Great men live so their lives might serve as an example to those to whom the torch is passed. To have touched the life of a great man is an honor with a burden. It causes a commitment to the same high ideals and standards; a quest to obtain the same challenging improvements and results; and an undying endeavor to insure, as the Bible mandates:

"Ye shall not respect persons in judgment but ye shall hear the small as well as the great.

"Ye shall not be afraid of the face of man for the judgment is God's and the cause that is too hard for you, bring it unto me, and I will hear it."

Judge Astor Hogg was thus a great man.

FEDERAL CIVILIAN EMPLOYMENT, SEPTEMBER 1972

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAHON. Mr. Speaker, I include a release highlighting the September 1972 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

FEDERAL CIVILIAN EMPLOYMENT, SEPTEMBER 1972

Total civilian employment in the Executive, Legislative and Judicial branches of the Federal Government in the month of September was 2,809,167 as compared with 2,847,586 in the preceding month of August. This was a net decrease of 38,419, due primarily to seasonal employment and summer employment under youth opportunity programs.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

EXECUTIVE BRANCH

Civilian employment in the Executive branch in the month of September is compared with the preceding month of August and with September a year ago as follows:

	Full-time in permanent positions	Change	Temporary, part-time, etc.	Change	Total employment	Change
Change this month:						
August 1972	2,469,542		336,238		2,805,780	
September 1972	2,471,363	+1,821	296,509	−39,729	2,767,872	−37,908
12-month change:						
September 1971	2,527,518		317,021		2,844,539	
September 1972	2,471,363	−56,155	296,509	−20,512	2,767,872	−76,667

The decrease of 76,667 during the 12-month period since September 1971 reflects a reduction of 57,913 in Defense agencies and 39,010 in Postal Service, partially offset by a net increase of 20,256 in all other agencies. Full-time permanent employment over the 12-month period was reduced by 56,155 (reflecting a shift of about 30,000 Postal Service employees from temporary to full-time permanent status).

Executive branch employment in the month of September totaled 2,767,872, a net decrease of 37,908 as compared with the preceding month of July. Changes in total employment in August in civilian agencies of the Executive branch as compared with civilian employment in military agencies were as follows:

	September	August	Change
Civilian agencies	1,689,912	1,713,482	−23,570
Military agencies	1,077,960	1,092,298	−14,338
Total, civilian employment	2,767,872	2,805,780	−37,908

The civilian agencies of the Executive branch reporting the largest decreases in September were Agriculture with 7,183, Postal Service with 6,008, Interior with 4,398, Treasury with 1,947 and Transportation with 1,131. The largest increases were in HEW with 545 and Veterans with 502.

In the Department of Defense the largest decreases were reported by Army with 7,339, Navy with 3,583 and Air Force with 2,642.

Total Executive branch employment INSIDE the United States in September was 2,613,841, a decrease of 37,180 as compared with August. Total employment OUTSIDE the United States in September was 154,031, a decrease of 728 as compared with August.

LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative branch in September totaled 32,960, a decrease of 531 as compared with the preceding month of August. Employment in the Judicial branch in September totaled 8,335, an increase of 20 as compared with August.

DISADVANTAGED PERSONS

The total of 2,800,167 reported by the Committee for September includes 28,028 disadvantaged persons employed under Federal oportunity programs. This was a decrease of 20,882 from the preceding month of August, largely due to a reduction in the temporary summer youth program.

In addition, Mr. Speaker, I include a tabulation, excerpted from the joint committee report, on personnel employed full time in permanent positions by executive branch agencies during September 1972, showing comparison with June 1971, June 1972, and the budget estimates for June 1973:

FULL-TIME PERMANENT EMPLOYMENT[1]

Major agencies	June 1971	June 1972	September 1972	Estimated June 30, 1973[2]
Agriculture	84,252	82,511	81,521	83,400
Commerce	28,435	28,412	28,303	29,700
Defense:				
Civil functions	30,063	30,585	30,010	31,300
Military functions	1,062,741	1,009,548	995,175	1,005,800
Health, Education, and Welfare	104,283	105,764	106,705	99,500
Housing and Urban Development	16,030	15,200	15,294	16,000
Interior	57,570	56,892	56,381	56,900
Justice	42,662	45,446	45,621	46,300
Labor	11,352	12,339	12,306	12,600
State	23,300	22,699	22,602	22,800
Agency for International Development	13,477	11,719	11,333	11,800
Transportation	68,482	67,232	66,127	69,200
Treasury	90,135	95,728	98,428	99,200
Atomic Energy Commission	6,920	6,826	6,890	6,900
Civil Service Commission	5,324	5,260	5,251	6,000
Environmental Protection Agency	5,959	7,835	7,884	8,500
General Services Administration	38,076	38,002	35,840	39,400
National Aeronautics and Space Administration	29,478	27,428	27,232	26,800
Panama Canal	13,967	13,777	13,759	14,000
Selective Service System	5,569	5,791	5,729	6,100
Small Business Administration	4,004	3,916	3,838	4,000
Tennessee Valley Authority	13,612	14,001	14,081	14,000
U.S. Information Agency	9,773	9,255	9,295	9,400
Veterans Administration	158,635	163,179	166,241	174,100
All other agencies	31,333	33,499	33,423	34,600
Contingencies				5,000
Subtotal	1,955,530	1,910,854	1,897,260	1,933,300
U.S. Postal Service	564,782	594,834	574,103	618,500
Total[3]	2,520,312	2,505,688	2,471,363	2,551,800

[1] Included in total employment shown on table 1, beginning on p. 2.

[2] Source: As projected in 1973 budget document: figures rounded to nearest hundred.

[3] September figure excludes 3,023 disadvantaged persons in public service careers programs as compared with 3,115 in August. (See table 3, p. 11.)

TRIBUTE TO WALTER S. BARING

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, after nearly 24 years of service to his State, WALTER S. BARING is returning home to Nevada.

In his long years of tenure in the Congress, WALTER BARING has established a distinguished record of accomplishments and contributions to his State and Nation.

He has served with distinction as a member of the House Interior and Insular Affairs Committee, Veterans Affairs Committee, and as chairman of the Public Lands Subcommittee.

I have had the pleasure of knowing WALTER BARING for over 20 years. When I served as an assistant to Congressman John Bell Williams, our office was at one time located next to Congressman BARING. I have enjoyed my long association with this most capable legislator and fine gentleman.

The people of Nevada will sorely miss his dedicated service. I wish him the very best.

NATIONAL GROWTH POLICY PLANNING ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, I have sought in recent months to rekindle debate among the Nation's leaders in the Congress, in the White House, and in private industry over the exigency of formulating a national growth policy.

One key element of such a policy must be a more enlightened housing policy. The Nation's present housing programs are primarily for the benefit, not of the needy, but of the Nation's builders, mortgage bankers, savings and loans associations, and wealthy investors in pursuit of tax shelters. The Nation's present housing policy does not efficiently guide growth in our urban and suburban areas but, instead, preserves the status quo of the black center city surrounded by a ring of white suburbs. A new housing policy must be created, not as suggested in the recent Housing and Urban Development Act of 1972 which failed to pass the Congress, but along the lines that will guarantee a greater Federal and, indeed, national commitment to adequate housing for all Americans in a manner that will most efficiently and judiciously guide the Nation's growth. The Federal Government cannot afford to delegate to the States its authority in the housing and urban development field as suggested by some. The Federal Government in its housing programs must make an effort to avoid redtape and bureaucratic inefficiency, but it must not abandon its duty to provide national and moral leadership in speeding integration of the Nation's suburbs through a policy of "democratic" national growth.

In May of this year, I proposed the Hartke National Growth Policy Planning Act of 1972 (S. 3600). In the next Congress, I will introduce an even more comprehensive bill that will include a "housing segment" as part of a national growth policy.

Mr. President, I ask unanimous consent to insert in the RECORD at this time, an article concerning housing and national growth policy.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FEDERAL GOVERNMENT AS "HOUSER OF LAST RESORT": A POLICY FOR DEMOCRATIC URBAN GROWTH

(By Herbert M. Franklin) *

"If efforts to reach the [national housing] goal through the full participation of private industry should fail, this committee of practical and experienced men [the Kaiser Committee] concluded 'we would foresee the need for massive federal intervention, with the federal government becoming the nation's houser of last resort.' I agreed and I continue to agree."[1]

With increasing frequency "national urban growth policy" has been used to describe various means by which the national government might affect the nature and pattern of human settlement in the United States.

The phrase appeared first in the Urban Growth and New Community Development Act of 1970,[2] which lays out a broad framework for a "national urban growth policy." The Act calls for the issuance of a biennial Presidential Report on Urban Growth and provides new incentives for the development of new communities and inner city areas.

The 1970 statute, in listing the ingredients of a national growth policy, illustrates the fragmentary way in which quite separate but related federal policies are now developed and implemented. Congress specified that urban growth policy should:

(1) Encourage wise and balanced use of physical and human resources in metropolitan and urban regions;

(2) Foster economic growth to reverse trends of migration which reinforce disparities among such regions;

(3) Treat comprehensively the problems of poverty and unemployment associated with disorderly urbanization and rural decline;

(4) Encourage good housing for all without racial discrimination;

(5) Revitalize existing communities and encourage planned, large-scale urban new community development;

(6) Strengthen the capacity of general gov-

Footnotes at end of article.

ernment institutions to contribute to balanced urban growth;

(7) Facilitate increased coordination in the administration of federal programs to encourage desirable patterns of urban growth; and

(8) Encourage the prudent use of natural resources and the protection of the physical environment.

After one year, the state and federal legislative and administrative initiatives which have addressed themselves to these ingredients comprise a veritable kaleidoscope whose mosaic may shift with each change in overall perspective. Such policies range from highway and mass transportation programs, increased authorization for TVA, and reform of landlord-tenant relations to housing and new community legislation. Even anti-crime legislation might be included in the mix, because insecurity has a marked impact on the economic decay of urban areas.

I. DEVELOPMENT OF NATIONAL GOVERNMENTAL POLICIES

It may be useful to divide existing national government policies into two streams for purposes of analyzing their impact on the distribution of resources and, inevitably, the pattern of human settlement. First is the *functional* stream of policies, by which resources are distributed according to economic functions that do not respect geographic boundaries within the national economy. For example, the President's controversial new economic programs comprise policies that profess neutrality in connection with the development of the inner city, the rural hinterland, or suburbia.

So it is with virtually every aspect of incomes policy, tax policy, monetary policy, and other functional programs. If the economy is to be stimulated by investment credits, such credits can be earned even by a plant expanding in an exclusionary suburb. The oil depletion allowance can be earned in Alaska as well as Texas. If social security benefits are increased, or veterans benefits augmented, the residence of the recipient is irrelevant. Indeed, the long-pending reform of the existing welfare program stems from a recognition that disparity in benefits because of residence is not an equitable or rational policy. There is a long agenda, exemplified by voting rights and criminal justice matters, where the different treatment of people resulting from their residence has become less and less tolerable even in a federal republic. The pathbreaking 1971 decision of the California Supreme Court also embraces as legally intolerable an intrastate system of school finance that penalizes children because they happen to reside in a jurisdiction with an inadequate real estate tax base.[3]

A quite separate stream might be called the *territorial or area development* policy stream. These policies distribute national resources by virtue of some territorial objective, usually involving cooperative action by other levels of government in the federal system. The policy goals in this stream are usually to enhance the economy of a given area or group of areas.

Generally, federal resources are transmitted in the second stream under an application system requiring affirmative action by another level of government requesting aid from the national agency that finances the eligible activity. Federal programs to improve the physical quality of urbanization operate principally in this manner.

The major urban growth problem facing the United States is the future of its metropolitan areas. By the year 2000 present trends will concentrate 70 per cent of our population in the twelve largest urban regions occupying one-tenth of our land area.[4] There are now 76 million Americans living in suburban areas, 64 million in central cities, and only 63 million outside metropolitan areas. Metropolitan areas accounted for more than four-fifths of total national growth in the past ten years, and they have grown more rapidly than the national average since 1900. Even were migration into such areas to be reduced below current levels, experts believe that the proportion of our population now living there—about two-thirds—would increase to 70 per cent by the year 2000, largely through natural increase (internal births).

II. DISCRIMINATION IN FEDERAL HOUSING POLICY

The thesis of this article is that federal housing policy discriminates against people because of residence, and income (and by extension, race); and the only way to correct this is to develop a "last resort" direct capability in the federal government to put housing in place.

If the rhetoric of urban growth policy is to have any meaning, surely it suggests that the national government must assess the impact of its functional policies on the nature of metropolitan growth and pursue a more conscious effort to design its area development policies with demographic trends in mind. It is fair to say that federal housing programs have generally been designed to stimulate the economy rather than to affect urban growth patterns.

Proportionally, blacks reside in metropolitan areas more than do whites (74% to 68%).[5] But the proportions of the races residing in central cities and suburbs is very disparate: 80 per cent of the metropolitan black population lives in central cities, compared to only 40 per cent of the whites. While there was an absolute increase of blacks in the suburbs, this remains a very small percentage in each metropolitan area. For cities over 500,000, the white population declined 1.9 million over the decade, while the black population increased by 2.2 million. Blacks as a proportion of central city population increased from 16 to 21 per cent during the 1960's.

The median income for white families residing in central cities and suburban rings has shown increasing economic disparity in the last decade.[6] In 1959 median white income in the suburban ring areas was somewhat higher than in the central cities: $8,486 to $7,881. Ten years later the gap widened: $11,155 to $9,797. Whereas Negro family media income in 1959 was higher in the central city than in the suburbs ($4,840 to $4,383), the economic ghettoization of the central city is now reflected in the figures for Negro families. Those in suburban rings had a median income in 1969 of $6,986, while Negro families in the central city had a median income of only $6,136. Thus, the central city is increasingly the primary haven of poor whites and blacks.

The transformation of our urban areas into black and poor central cities with largely white and affluent suburbs has serious implications for American society. It is bound to complicate efforts to desegregate public education, to overcome fiscal disparities in metropolitan areas, and to achieve necessary cooperation among different local jurisdictions and different levels of government.

Our metropolitan population will not only grow as a proportion of our total population, but its growth in absolute terms will be staggering under even conservative projections. It is estimated that to accommodate the anticipated urban population to the year 2000 would require building a city the size of Tulsa every month for the rest of the century.[7]

The level of anticipated growth will put a severe strain on the existing institutions that allocate our land, housing, and transportation resources, particularly in connection with growth regarded as fiscally burdensome, *i.e.*, most forms of residential development.

There is some evidence already that jurisdictions may be strengthening their existing land use controls and building regulations in an effort to thwart growth pressures that require municipal services such as new schools, sewers, and fire stations. The current concern with preserving or enhancing the ecological balance of the land may play into the hands of local preferences to avoid further development for fiscal rather than ecological reasons.

Environmental groups correctly allege that indiscriminate suburban sprawl has allowed land use and development that may degrade the environment. On the other hand, civil rights and development groups also correctly charge that suburban land use restrictions keep out lower income housing, maintain a "white noose" around the city, and hamper the achievement of national housing goals.

Potential conflicts have appeared in some instances. In one case involving local exclusion of nonprofit housing sponsored by a black group, the countervailing claims asserted to obstruct the proposed development were the desire for open space and avoidance of sewer overload.[8] In other instances the maintenance of scenic open space has been asserted to justify large-lot zoning,[9] refusals to resone for higher density housing, or other exclusionary techniques.

Studies and census bureau data as well as casual observations indicate that the geographic expansion of metropolitan areas and the shift of populition to the suburbs have been accompanied by a growth of industrial and business activities outside central cities. Economic decentralization has progressed at different rates in different metropolitan areas, but it is a firmly established national trend.

In ten metropolitan areas cited in the President's 1971 Manpower report, almost 80 per cent of the employment growth in manufacturing in the 1960's took place in suburbs, as did 78 per cent of retail trade employment growth, and 68 per cent of wholesale trade employment growth.[10] The report also noted that there are records of journeys to work involving reverse commuting in which disadvantaged workers spent up to five hours a day traveling by bus, with six transfers, to go to and from jobs paying $2.00 or less an hour. The exclusion of lower-income housing from the suburbs, and the suburban favoritism of mass transit schedules and routing, contribute to disparities that undermine national manpower policies.

On the other hand, at least one recent study indicates that a respectable absolute rate of job growth has been maintained in the central cities, with sufficient growth in semi-skilled and low-skilled jobs to accommodate the unemployed if, in fact, they had access to those jobs.[11]

The Equal Employment Opportunity Commission is reportedly considering a standard that would make action in conflict with an egalitarian urban growth policy a predicate for a violation of the Equal Employment Opportunity Act.[12] Pressures have built up to use federal facility location as an affirmative tool for shaping metropolitan growth; new policies adopted by HUD and the General Services Administration are intended to respond to these pressures.[13]

The extent to which national growth policies encourage a stable supply of cities for low- and moderate-income housing will determine the extent to which the production of such housing can fuel economic growth for peacetime purposes. Sites are limited by a number of factors, among them economic and racial discrimination against subsidized projects. Such projects are by law and administrative regulation open to minorities. This is generally recognized by the public, particularly neighbors of the proposed development.

As a consequence of the increased federal involvement in subsidized housing develop-

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ments, the concerns of civil rights forces, housing production interests, and urban growth analysts converge in the arena of national housing policy. Spurred by the courts, existing legislation, and public criticism, the federal government has proposed locational criteria for allocating its housing subsidies that for the first time purport to redress racial disparities in metropolitan areas.[14] This is being proposed, however, in the absence of comprehensive data on where housing subsidies are flowing within such areas, of the racial composition of housing managed by other than local public housing authorities, and of metropolitan housing plans. Few people, in or out of government, would now profess to know with precision the "formula" for dispersing housing opportunities in a metropolitan area.

What programs are included in the urban growth constellation vary with the observer, but certainly the federal housing programs must be considered a major element. What the goals of an urban growth policy might be is also a matter open to varying perspectives, but a major ingredient in any national goal must be the creation of metropolitan "open communities," and the avoidance of residential apartheid.

III. NATIONAL AND LOCAL HOUSING RESPONSIBILITIES

If one were to construct, *ab initio*, a national housing and land policy in a federal system, questions would immediately arise as to which level of government ought to perform what role in guiding private and public decisions toward appropriate goals. The provision of housing in the narrow sense—creating and maintaining shelter—is essentially a private sector decision although it is one of the most regulated of private industries. If we define housing in its broadest sense—the creation of a living environment—the decision becomes more mixed, and both public and private sectors play key roles. Public decisions on sewers, streets, or schools are the spine of community development.

Looking at housing in the narrow sense, quite separate resources of land, labor, and capital are put together by private mechanisms which must deal with the direct or indirect forms of public regulation. As we try to determine on what level public regulation should be organized, some questions and answers come more readily than others when we examine the present system.

A. Finance

The availability of construction financing and permanent financing is a result of monetary and fiscal decisions taken by national or central government instruments, such as the Federal Reserve Board, the Federal Home Loan Bank Board, or the Federal National Mortgage Association. The Treasury itself in selling bonds to finance the operations of the government profoundly affects the availability of long-term mortgage credit in the private pool into which it dips along with private corporations.

This home financing system is quite complicated, and these central banking mechanisms exert a pervasive and complex influence on it. In fiscal year 1970 the national government provided enough funds through this "system" to cover 58 per cent of all mortgage loans made in that period. One knowledgeable observer has predicted the eventual "federalization of the housing market."[15]

Current national housing goals call for a federal subsidy of about one quarter to one-third of housing starts (not including mobile homes). The direct cost to the U.S. taxpayer, based on subsidy payments already obligated by the federal government, is estimated at $30 billion over the next 30 to 40 years.[16] Assuming the completion of six million subsidized units for low- and moderate-income families by 1978, present estimates suggest $7.5 billion annually will be paid by that year.[17]

Clearly, the flow of money into housing is a function of decisions made in a national context; state or local governments play little or no part. Indeed, the major impediments to more efficient flow of capital across state lines are the vagaries of state and local laws as they affect mortgage instruments, building codes, and zoning.

Without passing judgment on the effectiveness of current national instruments, it is worth noting that no one is heard suggesting that other levels of government ought to, or can, perform the job of allocating capital for housing finance. We might sooner tolerate trade wars among the states.

The national government, through the Internal Revenue Code, also provides enormous stimulus to middle class homeownership at great loss to the Treasury. In 1970, the allowable deduction of interest on mortgages of owner-occupied homes was $2.8 billion a year; the deductibility of property taxes by this same group of taxpayers resulted in an estimated loss of an additional $2.9 billion, or a total of $5.7 billion per year.[18] Here again, the national government merely facilitates the flow of money into a form of property tenure which profoundly if only indirectly affects the shape and character of our metropolitan areas. In this respect it might be said that the norm for national policy is simply middle-class homeownership. Although this subsidized tenure tends to encourage or underwrite wasteful sprawl by driving up housing costs and raising the loss to the Treasury, it is currently of no apparent concern.

The Tax Reform Act of 1969,[19] however, introduced a new form of indirect subsidy to housing. It changed the rules regarding depreciation to divert investment from commercial and industrial real estate to stimulate the development of new residential rental projects in general and certain federally assisted low- and moderate-income projects in particular. The loss to the Treasury will undoubtely be quite small as compared to the homeownership figures previously cited. Here again, the effect on the character of the urban environment is significant, but the tax law is neutral as to whether the benefits accrue in the inner city or suburbia.

Aside from these macroeconomic policies, the federal government since 1969 has vastly increased its subsidization of housing for the non-poor in ways which work in tandem with essentially private mechanisms. FHA insurance and VA guarantees were the backbone of federal housing policy until 1969. In 1971 it is estimated that 250,000 units will be directly subsidized by the federal government in programs that were nonexistent until 1969, the FHA 236 and 235 programs. These units are sponsored by private entities. The home ownership assistance program, for example, subsidizes home buyers at $20 per month for up to five years on conventionally financed mortgages up to $25,000, as administered by the Federal Home Loan Bank and savings institutions. Under other programs, the federal government also tries to maintain the FHA–VA interest rate at 7 per cent on mortgages from $22,000 to $24,500, and in other circumstances, up to $33,000.[20]

The central point is that many housing subsidies flow through a *functional* stream that is totally unconcerned with the nature of urban patterns, and all these programs are intended to aid the non-poor. National government intervention in home finance for the non-poor is thus theoretically untrammeled by the "sovereignty" of other levels of government. In fact the national policy favoring low- and moderate-income housing, much of it multi-family, is colliding with local prejudices against such housing and its occupants even when the housing is developed by private sponsors.

B. Labor

Construction wages have risen more rapidly than manufacturing wages. The Nixon Administration claims that the continuation of recent construction wage settlements "probably would add $2,500 or more to the cost of constructing a new home" by 1973.[21]

Construction wage settlements are the product of collective agreements arrived at locally in federally-assisted construction, including most federally assisted housing. The Davis-Bacon Act represents a national policy to pay "prevailing" wages (i.e., union wages) in the local area as determined by the U.S. Department of Labor.

The President in February 1971[22] suspended the operation of the Davis-Bacon Act in a vain effort to stem rising construction wages. This was a highly centralized decision aimed at one sector of the economy. That centralized intervention, now pale in comparison to the wage-price freeze announced six months later, was frustrated in large part by the "little Davis-Bacon Acts" of various states. They represented an interesting example of federal initiative blunted by a "residual federalism."

A similar example is the failure of "hometown" plans to ensure equal employment opportunity in the construction industry. One observer has reported that the vast majority of the voluntary plans are in "various stages of neglect, disrepair, failure or, where new, promise." As of August 1971, the Labor Department had ordered 73 cities to draw up voluntary local hiring plans and had approved voluntary plans for 36 cities, including St. Louis which joined five other major cities setting a federally-imposed minority hiring plan.[23]

The housing industry is thus beginning to see a far greater intervention by the national government in labor-management relations, particularly in the unionized sector. This may omit much single-family home building.

C. Land

The availability of land for housing is only indirectly affected by federal government action insofar as real estate changing hands may expose enhanced values to income taxation. The National Commission on Urban Problems suggested that in 1967, approximately $72 billion worth of real estate changed hands, involving $24 billion in capital gains, perhaps $15 to $20 billion attributable to land. Such transfers yielded small tax receipts, around $1 billion, according to the Commission.[24] There is an effective exemption even under the lower capital gains tax for the sale of most owner-occupied homes. The total impact of these policies probably encourages the speculative retention of land holding.

The federally assisted urban renewal program and a fledgling new towns program are the only other federal government programs helping to make available land for housing. In the case of urban renewal, critics have questioned whether its net effect has not been to remove needed housing from the national housing inventory. The federal highway program has also had a distinctly destructive effect on housing.

In any event, federal policies have had an indirectly neutral to negative effect on land development for residential use, especially for lower income people who have not had the advantage of the home-ownership income tax deductions for mortgage interest payments and local real estate taxes. As the President observed, "[T]he one major element in housing costs that federal policy has not addressed effectively to date is the cost of land."[25]

By contrast, state and local levels of government have exercised massive controls over the use of land and its taxation. Zoning, subdivision controls, bedroom-count limitations, and ad valorem real estate taxes are all criti-

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cal factors affecting the availability of land for social purposes over which the central government exercises little or no control. We do not have a national land use policy, and without it we cannot have a national urban growth policy.

The cost of land for socially necessary and desirable uses is rising at an alarming rate. The price per square foot of land used as sites for new houses purchased with FHA-insured mortgages has increased at an annual rate of almost 12 per cent from 1965 to 1970.[26] The only feasible way to deal with this problem is some form of land banking financed or operated in part by the federal government.[27] In the absence of a national policy it is likely that local and state governments will be unwilling or unable to act.

The absence of creative local action is not as damaging as local action which frustrates already established national policy. The impact of national housing goals on local policies of excluding minority groups, lower-income groups, or multi-family housing has been the source of concern to those interested in developing more efficient means of producing housing in the face of rising costs. Thus, the President observed in his 1969 housing goals report:

"The fact remains that it is difficult, if not impossible in many communities, to find sites for low- and moderate-income housing because the occupants will be poor, or will be members of a racial minority, or both. The consequence is that either no low or moderate income housing is built or that it is built only in the inner city, thus heightening the tendency for racial polarity in our society."[28]

This comment, which appeared under the "land" section of the second report, appeared nowhere in the third report.

The gap may be explained by contemporaneous work on a singular Presidential statement on June 11, 1971, on "Federal Policies Relative to Equal Housing Opportunity."[29] An incipient effort in 1970 by the Department of Housing and Urban Development to overcome local exclusionary land use controls by new central government authority, premised on a concern with the frustration of its efforts to promote industrialized housing,[30] was effectively quashed by the President in 1971.

The President's formal statement followed a series of blunt although somewhat unclear pronouncements opposing "forced integration of the suburbs."[31] His ultimate formal statement[32] explicitly denied any intention of increasing federal influence on local land policies and was at pains to explain the limited role of the national government in housing. A few excerpts will give this flavor of the statement:

"My purpose is not to announce new policies, but to define and explain the policies we have. . . . The federal government operates in important but limited ways and under limited authorities.

"In terms of site selection for a housing development, the federal role is one of agreeing or not agreeing to provide subsides for projects proposed by local authorities or other developers.

"A municipality that does not want federally assisted housing should not have it imposed from Washington by bureaucratic fiat; this is not a proper federal role.

"The federal program role—as the governing statutes make clear—is essentially one of responding to local or private initiatives rather than one of imposing its programs on state and local governments.

"In none of HUD's grant programs does the Department act directly. The Department builds no housing, develops no landuse plans, clears no slums and constructs no sewers. . . .

"This Administration will not attempt to impose federally assisted housing upon any community.

"[T]he kinds of land use questions involved in housing site selection are essentially local in nature—they represent the kind of basic choices about the future shape of a community, or of a metropolitan area, that should be chiefly for the people of that community or that area to determine. The challenge of how to provide fair, open and adequate housing is one that they must meet, and they must live with their success or failure.

"We are dealing here in a realm in which federal authority, while substantial in terms of enforcement, is very limited in terms of the choices that must be made in each community.

"There are some who assume that the federal government has the power to do anything it wants—or that they want. But we have maintained our freedom for nearly two centuries by insisting that the federal government's exercise of power not exceed its authority.

"I believe in that principle, and because the authority of the federal agencies is limited—quite properly I believe—with respect to the essentially local and individual choices involved in local community planning, their power will be used in only limited ways."

The quoted excerpts from the President's statement reflect a traditional resistance to any articulated national role in shaping metropolitan America. Returning to the earlier distinction between *functional* and *territorial* policies, the former have profound but usually unarticulated effects on patterns of urban growth whereas the controversy surrounding the latter policies will reflect articulations of conflicting or competing goals. Thus, it is common for national policymakers to eschew making choices in this difficult area, for when the federal writ on the patterns of metropolitan growth is made explicit, it is challenged as violating the "federal system."

Some observers believe that these contradictions should be avoided by converting our current housing construction subsidy programs, which stimulate supply, into a "housing allowance" system which "subsidizes people" who would then seek their shelter on the same basis as anyone else. Such an approach would supposedly absolve the national government of the responsibility to make any choice regarding metropolitan patterns of settlement, more or less as revenue sharing is supposed to do in other contexts.

This is not the place to analyze housing land use and building controls that inflate housing costs and otherwise frustrate the provision of an adequate supply will continue to exert the same negative influence with any likely housing allowance system.

IV. A NEW FEDERAL ROLE

The foregoing discussion has sketched the pervasive national influence over what might be described as the economic aspects of urban growth and its professed neutrality on the quality and character of urban growth. In the latter regard, the national government has been a facilitator of decisions made without reference to even a generalized notion of how we might better organize our urban environment. Perhaps only the urban renewal program might be a significant exception, since it was initially based on the political conviction that the vitality of the central city must be maintained. In this connection, it should be noted that the increasing concern with the program's destruction of low-income housing led to pressures on the national government to make low- and moderate-income housing a favored reuse of urban renewal land. This change, however slow and limited, would have taken far longer and been far less effective had local officials been the only pressure points for change.

Clearly the time has come to examine whether this professed neutrality or refusal to articulate refined goals of national policy helps us to think clearly and to act beneficially on urban growth issues.

Did the President correctly describe the *real* role of the federal government in housing? His statement may have been so "lawyerly" as to mislead us to what actually happens in the day to day interaction between federal officialdom and local officialdom and private citizens.

For example, the local HUD area office, which the President would describe as "essentially . . . responding to local or private initiatives . . . ." actually exercises influence over the location and design of housing sites, which sponsors will be favored, and which projects will suffer vexatious delay. Under policies announced by HUD in June 1971,[33] a proposed housing project, including public housing and FHA housing, would be rated "superior" if it is outside an area of minority concentration. If a project does not rate at least "adequate" on the nondiscriminatory location criteria, it would be disapproved. These criteria, although vague, and striving to make objective a process of judgment which remains subjective, nevertheless demonstrate the influence on sites which has always been exerted by officials who receive their pay on U.S. Treasury checks.

A U.S. Appeals Court, in *Gautreaux v. Romney*,[34] pointed out that the federal role in correcting the past discriminatory policy of the Chicago Housing Authority was as "equally important" as CHA's own role.

"Within the structure of the housing programs as funded, HUD retained a large amount of discretion to approve or reject both site selection and tenant assignment procedures of the local housing authority. HUD's 'annual contributions contract' contained detailed provisions concerning program operations and was accompanied by eight pages of regulations on the subject of site selection alone."[35]

The court's holding was based on its conclusion that HUD's past actions were racially discriminatory "in their own right" and not just on the theory of joint participation with the local agency.

In reality, and as recognised by courts if not by statutes, the federal government does play a direct and significant role in the financing and the location of subsidized housing in every locality where projects are located under the existing system. It is the locality where projects should be developed, but are not because of local inaction or obstructionism, that federal power has yet to reach. To deal with this situation the national government will need to become the "houser of last resort."

This idea, in some minds, may mean the revival of federal eminent domain and sponsorship powers which the federal government exercised under the National Industrial Recovery Act until a federal district court ruled such activity unconstitutional in *United States v. Certain Lands in Louisville*.[36]

The National Commission on Urban Problems (The Douglas Commission), in recommending the idea in 1968, stated:

"If both a locality within a state, and the state itself, fail in their responsibilities to help meet the present crisis in the supply of housing for low-income Americans, the Commission believes that the Congress should authorize an emergency low-income housing program under which the Department of HUD would, as a direct federal operation equipped with the powers of eminent domain, build and have ready for occupancy such portion of 500,000 low-income units a year remains unmet by local and state action."[37]

A variant of this basic idea proposed by the President's Committee on Urban Housing[38] recommended direct federal acquisition of land, leases for the development of subsidized housing, and federal preemption of building and land use regulations on such sites as well as others which would not be

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federally acquired but on which housing was to be federally subsidized.

It is interesting to note that the *Louisville* decision recognized the implicit grant under the fifth amendment of eminent domain powers to the United States for "public use" of the property acquired. The court, however, declined to extend the "public use" concept to the public construction and operation of low-income housing. It rejected as untenable a conception of "public use" as meaning "public benefit, public advantage, [or] general welfare."[39] This is, of course, an old debate which has lost much of its vitality.

Charles Abrams has reminded us that only the legalisms of the *Louisville* decision destroyed the new political federalism implicit in the NIRA low-income housing program. The United States had set up TVA and a "greenbelt" new towns program as direct federal planning and development activities with the power of eminent domain, along with the NIRA housing program. None of these three federal ventures into formerly sanctified state prerogatives met significant political opposition even on the local scene. By 1936, under the umbrella of the general welfare clause, "a formula had been carved out of the necessities of the era under which the federal government had assumed the initiative and responsibility for rebuilding urban and suburban America,"[40] only to be destroyed by judicial support of a stubborn landowner in Louisville.

This case, by frustrating the NIRA housing effort, led directly to the system established under the U.S. Housing Act of 1937,[41] under which the eminent domain power for low-income public housing is exercised by state agencies funded by the federal government. It is ironic that the eminent domain authority of such state agencies, actually local housing authorities, and later urban renewal agencies, was challenged under legal theories identical to those asserted against the United States in the *Louisville* case, except that the fourteenth amendment and the state constitutions were the basis of attack. All these attacks were unsuccessful. Thus, whatever claim to authority could have been asserted for the *Louisville* rationale has long since been eroded in the state courts.

The system we have inherited can be described as institutionalized discrimination against the poor. The transmission belt for federal housing assistance operates principally through an underwriting of the home finance system. The poor, however, are legatees of the *Louisville* rationale, and must depend on local affirmative public action to obtain federal housing assistance. Thus in the absence of strong national policy, localities can confine the poor and minority groups to the central city or refuse to aid those who are residents.

This can be illustrated by supposing oneself to be a suburban mayor who wishes to deny federal housing subsidies to poor, often black, residents, or potential residents, of his jurisdiction.

1. The first non-action would be to fail to create a local housing authority. Although such authorities are state agencies, they must be activated by local governing body action. The failure to create an authority, or to consent to the operation of a neighboring authority, effectively precludes the introduction of low-rent public housing into the jurisdiction. There is no federal authority to sponsor such housing directly.

2. If pressure to create an authority is too intense, or one has previously been created, a second defense would be appointing members of the authority who will see that it takes no action on local or regional housing problems. Two of the five members usually suffice to see that nothing happens, even in the unusual case where the authority staff wishes to act imaginatively and constructively.

3. Where, against all odds, the authority is willing and capable of moving affirmatively, the mayor and council can frustrate it by declining to approve a "cooperation agreement," which is a condition to federal financing. Such an agreement pledges the extension of municipal services to the completed project, and other actions necessary to permit completion.

4. Quite apart from actions by a local housing authority, local refusal to approve leased housing transactions or rent supplement contracts can stymie other public or private efforts to transmit federal housing subsidies to the poor.

5. When all else fails, or added potential for inaction is needed, put the provision of low-income housing to a referendum.

Under the existing system, an added bias against the poor results from the fact that, generally, low-income public housing is not subject to local real estate taxes. Such projects make payments in lieu of taxes which usually fall far short of what local government would expect from a privately-owned development of similar cost and design. By contrast, when the non-poor receive federal benefits to improve their housing, localities do not make a contribution to this benefit in the form of foregone tax receipts. All FHA subsidized housing is on the tax rolls (except in some high cost localities where a form of tax abatement is necessary for project feasibility). Thus, political difficulties for subsidizing housing generally are compounded in the cases of low-income public housing.

Were such projects to lose their tax-exempt status or were federal resources to defray the cost of full local real estate taxes, what would remain of the rationale of requiring a locality to approve public housing?[42] Such local governing body approval is required only for public housing and rent supplements in private housing, the only two federally-aided housing programs for the poor but financed in two different ways.[43]

This perverse symmetry illustrates the extent to which Congress has seen fit to fetter the basic functional financing mechanisms of FHA with a local public veto power only in the case where the poor might have something to gain from those functional policies. Consequently, the removal of this local public veto for rent supplement housing and public housing once it goes onto the tax rolls can be regarded as the first step to "freeing up" a functional approach to housing subsidies. It does fall far short, however, of placing national housing policy into the context of urban growth policy.

Shall we rely only on local initiatives to create local housing authorities, or to activate them? Shall we rely on this financing mechanism in any event? Should we depend on the private strategies or accidental opportunities of private (profit and nonprofit) groups to determine where and when subsidized housing will be located?

The Congress has just begun to ask some of these questions in evaluating Title V of the proposed Housing and Urban Development Act of 1971.[44] This title would encourage the creation of metropolitan housing agencies to program, but not develop, subsidized housing in metropolitan areas. The title is very complex; generally it would provide incentives to metropolitan housing plans and deny community development subsidies to localities that did not participate in the planning process. It is not clear if the title will do more than provide a metropolitan layer of consent to subsidized housing without adequately increasing the pressures on localities to give their consent to individual projects.

But it does move in the essential direction of stimulating a metropolitan planning process. It is interesting, and perhaps ironic, to note that although the Democratic Party tends to see the importance of national planning, Title V introduced under Democratic auspices places the responsibilities for metropolitan planning in a non-federal agency. By ironic contrast, the Republican Administration, despite a rhetoric of decentralization, has announced federal housing site location policies that suggest the focus of metropolitan planning responsibilities might be more appropriately placed, ultimately, in federal hands. So long as there is power in a national agency to approve and carry out such a plan, who draws it up is a subsidiary question.

Accordingly, the second major ingredient of a "last resort" mechanism must be some kind of metropolitan planning process to rationalize any national policy of directly placing housing in a recalcitrant community. If such a planning process does not exist, regardless of whether it is done under federal or non-federal auspices, the national government exercising "last resort" powers may be open to the charge of acting arbitrarily or simply aiding private opportunities to develop land in metropolitan areas.

If a metropolitan housing plan is drawn up, the national government ought to have the power to finance housing sponsored by others, carry out the plan, acquire land for this purpose, lease it to other sponsors, or develop the housing itself. All of these powers should be untrammeled by local land use and building regulations.

In summary, our current housing policies do not serve the most pressing urban growth objective of overcoming economic and racial disparities in metropolitan areas. They serve the non-poor through functional policies and the poor through area development policies that are not related to any urban growth policy. The major missing ingredients are the elimination of local veto over subsidized housing within a context of metropolitan planning and a strong national power to implement those plans when other levels of government or the private sector will not or cannot do so.

Undoubtedly the power of Congress to deal with the nation's racial problems in metropolitan areas is the rationale for federal power in the 1970's to confront directly what other levels of government choose to evade.

FOOTNOTES

*Vice President, National Urban Coalition, Washington, D.C.; B.A., Harvard, 1955; J. D., Harvard, 1958.

[1] Lyndon Baines Johnson, The Vantage Point 331–32 (1971).

[2] Title VII of the Housing and Urban Development Act of 1970, Pub. L. 91-609, 84 Stat. 1770 (1971).

[3] Serrano v. Priest, ——— Cal. 3d ———, 487 P. 2d 1241, 96 Cal. Rptr. 601 (1971).

[4] Report of the National Goals Research Staff, Toward Balanced Growth: Quantity With Quality 166 (1970).

[5] Statement of Dr. George H. Brown, Director, Bureau of the Census, before U.S. Comm. on Civil Rights, June 14, 1971.

[6] *Id.*

[7] See note 4 *supra* at 56.

[8] Kennedy Park Homes Ass'n. v. City of Lackawanna, 436 F.2d 108 (2d Cir. 1970).

[9] National Land & Investment Co. v. Kohn, 419 Pa. 504, 215 A.2d 597 (1965).

[10] U.S. Dep't of Labor, Manpower Report of the President 89–90, 96 (1971).

[11] C. Fremon, The Occupational Patterns in Urban Employment Change 1965–1967, August 1970 (a paper published by The Urban Institute, 2100 M Street N.W., Washington, D.C. 20037).

[12] Memorandum, *Employment Discrimination by Re-location of Plant and Corporate Headquarters*, Equal Employment Opportunities Comm., July 7, 1971. *See also* Washington Post, August 27, 1971, at 1, col. 2.

[13] Memorandum of understanding between the Dep't of Housing and Urban Development and the General Services Administration concerning law and moderate income housing, June 11, 1971.

[14] Project Selection Criteria (Notice of Pro-

posed Rule Making), 36 Fed. Reg. 19316 (1971). These proposed criteria supplant those originally announced in 36 Fed. Reg. 12032 (1971).

[15] Wall Street Journal, January 5, 1971, at 1, col. 6. The prediction was attributed to Henry Kaufman, partner and economist in a New York investment house.

[16] President's Third Annual Report on National Housing Goals, H.R. Doc. No. 92-136, 92d Cong., 1st Sess. 22 (1971).

[17] *Id.*

[18] *Cf.* Schorr, *National Community and Housing Policy*, 39 Social Service Rev. 433 (1965); Gruen, Gruen & Associates, Housing Policy and Class Integration.

[19] Int. Rev. Code of 1954 § 167.

[20] See note 16 at 1, 13.

[21] *Id.* at 18.

[22] *Id.*

[23] Urban Research Corp., Urban Read-Out (Chicago, August 25, 1971).

[24] National Commission on Urban Problems, Building the American City, H.R. Doc. 91-34, 91st Cong., 1st Sess. (1969).

[25] See note 16 at 19.

[26] *Id.*

[27] *See* Franklin, *Federal Power and Subsidized Housing*, 3 The Urban Lawyer 61 (1971).

[28] President's Second Annual Report on National Housing Goals, H.R. Doc. No. 292, 91st Cong., 2d Sess. 42 (1970).

[29] Weekly Compilation of Presidential Documents, June 14, 1971, at 892.

[30] In 1970 George Romney, Secretary of Housing and Urban Development proposed enactment of a federal law that would bar local governments from using zoning, building codes, and other powers to prevent construction of low-income housing in areas undergoing development. In testimony supporting the proposal, the Secretary stated, "Adoption of this provision is a necessary first step in ending the ominous trend toward startification of our society by race and by income." N.Y. Times, June 3, 1970, at 1, col. 5.

[31] Weekly Compilation of Presidential Documents, December 14, 1970 at 1653; *id.*, January 11, 1971, at 36; *id.*, February 22, 1971, at 239-240; *id.*, March 29, 1971, at 533. This biting edge of the President's personal attitude was honed down somewhat by his formal statement.

[32] See note 29 *supra*.

[33] See note 14 *supra*.

[34] 448 F.2d 731 (7th Cir. 1971).

[35] *Id.* at 739. On September 16, 1971, Senators Brooke and Mondale announced amendments to existing and proposed housing legislation which would express the intent of Congress that the Secretary of Housing and Urban Development should act as houser of last resort in those areas of the country where a "housing emergency" exists. A "housing emergency" would be defined as a substantial number of low and moderate families residing or employed in an area where there are no sponsors (public or private) willing to provide housing to meet their needs. This section would further provide that the Secretary of HUD, by contract with private or public agencies or other entities may act as sponsor in such areas beginning two years after the enactment of this act. Further, Secretary of HUD would submit to Congress within one year his plans for implementing this section including his proposed criteria to identify such "emergency" housing areas. This concept is included in the 1970 Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4601.

[36] 9 F. Supp. 137 (W.D. Ky.), *aff'd,* 78 F. 2d 684 (6th Cir. 1935), *cert. denied,* 294 U.S. 735 (1936).

[37] See note 24 *supra* at 192.

[38] President's Committee on Urban Housing, A Decent Home 25-26 (1968).

[39] 9 F. Supp. at 138.

[40] Abrams, *The Legal Basis for Reorganizing Metropolitan Areas in a Free Society,* 106 Proceedings of Am. Phil. Soc. 177 (1962). Governors and mayors welcomed PWA projects into their jurisdictions and many states and local authorities (who managed the projects after the federal agency developed them) filed Supreme Court *amicus* briefs in support of the federal program in the *Louisville* case. The "greenbelt" new towns program fared no better in the lower federal courts. After the decentralization of the program became a legislative fact, the Supreme Court upheld federally *aided* housing as a valid public purpose. City of Cleveland v. United States, 323 U.S. 329 (1945).

[41] Act of Sept. 1, 1937, ch. 896, § 1, 50 Stat. 888.

[42] The decision of the U.S. Supreme Court in James v. Valtierra, 402 U.S. 137 (1971), does not preclude the federal government from eliminating the local approval requirements for subsidized housing. Indeed, footnote 4 of the Court's opinion suggests that the rationale for the current requirement is the fact that public housing may not pay full real estate taxes. In rejecting the supremacy clause argument in the case, Justice Black observed for the 5 to 3 majority, "By the Housing Act of 1937 the Federal Government has offered aid to state and local governments for the creation of low-rent public housing. However, the federal legislation does not purport to require that local governments accept this or to outlaw local referendums on whether the aid should be accepted." *Id* at 140.

[43] For an analysis of litigation strategies to require local affirmative action on public housing *see* Roisman, *The Right to Public Housing,* 39 Geo. Wash. L. Rev. 691 (1971).

[44] H.R. 9688, 92d Cong., 1st Sess. (1971).

TWO CONSUMER STALWARTS RETIRING FROM CONGRESS

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. SULLIVAN. Mr. Speaker, as chairman of the Subcommittee on Consumer Affairs of the Committee on Banking and Currency, I want to take this opportunity to express my gratitude, and that of all consumers, for the contributions to the cause of consumerism made by two Members of Congress who have served with distinction on my subcommittee and who are retiring from Congress at the end of this term.

Both of them are Republican members who cast deciding votes or took courageous positions at critical moments in the development of extremely important consumer legislation. They are Congresswoman Florence P. Dwyer of New Jersey, ranking minority member of the subcommittee, and Congressman Seymour "Sy" Halpern of New York, now on the Committee on Foreign Affairs, but for many years a valued and effective member of the Committee on Banking and Currency and of the Subcommittee on Consumer Affairs.

REPRESENTATIVE HALPERN AND THE CONSUMER CREDIT PROTECTION ACT

Congressman Halpern was one of the six subcommittee members who sponsored the Consumer Credit Protection Act of 1968. The others who joined me in introducing the bill were Congressmen Henry B. Gonzalez of Texas, Joseph G. Minish of New Jersey, Frank Annunzio of Illinois, and Jonathan B. Bingham of New York. We put our names in 1967 to a bill which, at that time, was not accorded the whisper of a prayer of ever becoming law—a position which took political courage, because the measure went far beyond the weak and loophole-ridden truth-in-lending bill which had just passed the Senate by a vote of 92 to 0. The subcommittee divided 6 to 6 on proposals to gut the consumer credit protection bill and to substitute the Senate bill instead. Had we lost at that juncture, the final piece of legislation undoubtedly would have been far different from, and infinitely less effective than, the one which ultimately became law. Congressman Halpern, the only Republican sponsor of the bill, was particularly instrumental in the preservation of the garnishment title of the bill, which, for the first time, provided Federal protections for workers against one of the worst abuses in the consumer credit field.

REPRESENTATIVE DWYER'S CONTRIBUTIONS AS A CONFEREE

Mrs. Dwyer was one of the House conferees on this measure, and although she had opposed many of the features of the bill in subcommittee and in the full committee, she had nevertheless worked hard to improve some of its other provisions, particularly on regulation of the advertising of credit. In conference, she stood solidly with the Democratic conferees against efforts of the Senate conferees to water the bill down to the level of the Senate version. So, too, did Congressman William B. Widnall, of New Jersey, ranking minority member of the Banking Committee, and former Congressman Paul A. Fino, of New York, another minority member.

Two years later, however, Mrs. Dwyer was the only Republican conferee to join with the House Democratic conferees on the bank secrecy bill in support of my motion to take up two "nongermane" Senate amendments which resulted in important new additions to the Consumer Credit Protection Act—in the form of the Fair Credit Reporting Act of 1970, and the 1970 amendment to truth-in-lending which outlawed the distribution of unsolicited credit cards and limited consumer liability to $50 for the unauthorized use of their credit cards. She was the only House Republican conferee to sign the conference report.

So, in two major consumer battles of the past 5 years, Congressman Halpern and Congresswoman Dwyer each played vital roles in assuring bipartisan approval of extremely controversial bills to aid consumers, through their membership on the Committee on Banking and Currency.

MRS. DWYER'S IMPORTANT ROLE ON INDEPENDENT CONSUMER PROTECTION AGENCY BILL

As ranking minority member of the House Committee on Government Operations, Mrs. Dwyer had a tremendous part in the development and passage by the House of a bill, which unfortunately died in a Senate filibuster this month, to establish an independent consumer agency to monitor the activities of all other Government agencies with responsibilities in the consumer field.

The bill originally introduced by Mrs. Dwyer, and which I cosponsored, formed the basic framework for the consumer agency measure subsequently reported by the Government Operations Committee and passed by the House. In her work on that legislation, Mrs. Dwyer demonstrated typical courage and independence, despite tremendous pressures upon her from the White House to modify her stand and accept the much weaker administration version of this legislation. I salute her for her fortitude.

To both Flo Dwyer and Sy Halpern, I express the best wishes of all consumers in this country as these two consumer stalwarts retire from this Chamber after long and devoted service in the consumer interest.

They have displayed unusual courage and independence of thought and action.

FOREIGN TRADE AND INVESTMENT ACT OF 1972

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, in response to growing unemployment, endangered American industries and a disastrous deficit in our balance of trade, I introduced the Foreign Trade and Investment Act of 1972.

The Hartke approach to foreign trade and investment problems has been subjected to a harsh barrage of criticism from the multinational business community. The academic community has been relatively silent on the Hartke foreign trade package, since academic economists are well-known for their almost doctrinaire adherence to the principles of free trade.

Continuing trade deficits and the growing demands for some national policy on imports, cannot be ignored forever. As is so often the case, the best minds react first. Our first Noble Prize winning economist, Paul Samuelson, has recently raised some questions that should begin to trouble the rest of the university-based economic fraternity.

After presenting the optimist's view of our prospects for free trade, Samuelson points out a number of clouds on a once rosy horizon.

First. Samuelson notes that the American dollar may still be seriously overvalued. An overvalued dollar requires either further action or implies a continuing erosion of industrial employment.

Second. Samuelson acknowledges that the individual displaced by imports may not easily find other employment. Pension rights and other benefits can be lost forever.

Third. Samuelson explicitly recognizes that winners and losers in international trade are seldom compensated. Relying on repatriated profits from foreign investments rather than exports to pay for American purchasers of foreign goods will benefit the capital owner—not the working man.

Fourth. Finally, Samuelson recognizes the dangers of placing our industrial future in totally foreign hands. As much as all Americans yearn for an era of peace, nationalism is still the strongest world force. The impending energy crisis and our continuing need for foreign raw materials will steadily weaken our position of economic independence. Closing down our industrial plants can only make a difficult situation worse.

Samuelson does not end his piece in support of the Hartke Foreign Trade and Investment Act of 1972, but his clear presentation of a cloudy future is bound to stir other minds to thought.

Mr. President, because this article represents a watershed in the thinking on our foreign trade crisis, I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Morgan Guaranty Survey, The Morgan Guaranty Trust Co. of New York, July 1972]

International Trade for a Rich Country

(Note.—The following article was written by Professor Paul A. Samuelson of the Massachusetts Institute of Technology. The article is adapted from a lecture Dr. Samuelson gave before the Swedish-American Chamber of Commerce in New York City on May 10 of this year at a meeting commemorating his receipt of the 1970 Alfred Nobel Memorial Award in Economic Science.)

The topic I propose to think about today is the future of American international trade and finance, with special emphasis on how that future is likely to be conditioned by the fact that North Americans enjoy the highest per-capita standard of living on earth. The topic has an obvious interest for all of Western Europe and Australasia, since these continents are in second place and are rapidly closing the "real" wage gap with the United States. The far-seeing Japanese, who have the right to dream at night of that approaching date when their rapidly growing per-capita real wages will equal and surpass our own, also have a natural interest in the same subject.

For, as I never tire of preaching abroad, the American pattern of things has a vital interest—not because there is anything special about being American, but because what one fool will choose to do at a high real income level so will another. The Americanization of Europe has little to do with forced infection imported from America: it is simply that everybody who gets to a real income of two or three thousand dollars a year per family member will want a car, a telephone, automatic heat, a winter vacation, and all the things that Americans by accident happened to have the opportunity to enjoy first. Our economy, so to speak, is an analogue computer showing others the shadow of their own futures. For better or for worse, I must add.

As Samuel Butler said, there is always a certain lack of amiability about the go-getter. Admiration and fear aside, we tend to like an individual in inverse relation to his ability to survive in the struggle for success. If it is natural to expect a class struggle within a country based on differences in income and wealth, why is it not natural to expect international antagonisms based on the same economic disparities? If the class struggle had never existed, we should have had to invent it in order to explain the facts of modern life.

But what has all this to do with economics? In classical competitive equilibrium, there is precious little room for the sociology of class warfare. Impersonal supply and demand dictate the final equilibrium. If in any sense there is personal rivalry of brother against brother, the form it takes in a competitive market is the substitutability of one identical worker against the other. The class struggle is an intraclass struggle, labor against labor in depressing the market wage, capitalist against capitalist in raising the real wage, depressing commodity prices and the rate of profit.

When Ricardo laid the foundations for the theory of international trade, in the form of the famous doctrine of comparative costs or comparative advantage, there was no particular role played by the *relative affluences* of the trading regions. What about the brute fact of *size*, that the United States aside from having the highest per capita income also has been one of the economies of greatest land area and population? Herein we differ from Sweden or Switzerland, in the same way that half a century ago the huge areas of Brazil and Argentina differed from the affluent "Switzerland of Latin America," Uruguay.

Mere size does not mean per capita affluence. Indeed, as the teeming millions of India and China illustrate, large absolute numbers when not matched by commensurate magnitudes of resources make for low productivity and poverty. As Adam Smith and Bertil Ohlin have emphasized, mere size may indeed be beneficial to the extent that it permits industries or society to realize the economies of mass production and scale that characterize many industrial processes. Increasing the extent of the market has always been a powerful argument in the arsenal of the free trader. The Common Market is important to Western Europe in giving it the kinds of mass markets that the vast American continent has long enjoyed.

Nonetheless, once markets are large enough to afford competition among many efficient-scale producers, size ceases to be an important variable in the models of conventional international trade theorists. Thus, few of them would agree with the contention of Oxford's Lord Balogh that small economies are at a disadvantage trading with the large United States—provided that the collusive power of concerted governmental action is not pursued by America.*

In summary, as far as competitive international trade analysis is concerned, there is no reason why mutually profitable trade should not take place between affluent countries or regions like America, Sweden, Australia, Western Europe, among themselves, and between any of them and intermediate-income or underdeveloped nations—such as the countries of Latin America, Africa, Asia, and for that matter Eastern Europe (provided the latter group's control authorities agree to balanced trade and follow the principle of importing those goods that can less cheaply be produced at home).

There is not unanimous agreement with these doctrines of classical and post-Keynesian establishment economics. My purpose here today is to subject them to searching reevaluation. Let me confess that my bias in the effort is to see whether I cannot find some merit in the suspicions and apprehensions of those who doubt and criticize the conventional wisdom.

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*Actually, in the comparative advantage theory of Ricardo and Mill, small Portugal stands to gain a larger share of the advantage from international specialization than large England. Indeed, if English consumers are so numerous that their needs for Portugal's export goods have to be filled in part from domestic English production, Portugal gets 100% of the gains from trade and England gets none. Under perfect competition smallness makes for rarity and advantage; largeness is a disadvantage.

To bring out the issues in the debate, let me state rather boldly and crudely an overly complacent, optimistic view of the world that might be taken by someone strongly enamored of the classical doctrine of international trade. Then, as fairly as I can, let me state what are some of the dire views and apprehensions of that larger fraction of the world who have not had a formal grounding in the theories of classical and neoclassical economics.

OPTIMISTIC CONVENTIONAL VIEWS

For brevity, here is a dogmatic list of the major points the optimist would stress:

1. In a very special sense, the dollar has been a *key* international currency. Just as a sovereign government can issue money *ad lib* within a country and have it be acceptable (although, to be sure, at the cost of raising all prices), so the United States had in a sense the privilege of a counterfeiter. Therefore, by definition, we were hardly capable of running an international deficit since these deficits would *automatically* be financed by foreigners' accepting whatever dollars were thrust upon them. The dollar was, so to speak, not merely as good as gold: it was better than gold, particularly if the U.S. showed its determination to get rid of gold as an element in the international monetary system by dumping our Fort Knox supply on the market for whatever price below the official price of $35 an ounce it would fetch from dentists, jewelers, and hoarders.

2. Although in the historic past America was a high-tariff country—as in the Smoot-Hawley 1930 Act—under four decades of Reciprocal Trade Programs our duties have been cut in half, cut again, and still again in half. As a result, though we are often regarded abroad as still being a protected market, this is only because of a recognition lag: *America has become one of the freest markets in the world*, which is to the advantage both of our workers and of workers abroad. The substantial penetration of the American market by Japanese imports in the last two decades would be proof of this basic fact. (It may be added that, until recently, the endemic protectionist ideology of the American public had gradually been succeeded by a freer-trade ideology.)

3. Within the framework of the beneficial free-trade regime of the Bretton Woods system, even some optimists would admit that *the American dollar had prior to August 1965 become somewhat "overvalued."* To a greater number, overvaluation is merely a consequence of the post-1965 acceleration of the Vietnam war with its subsequent demand-pull and cost-push inflations. (Parenthetically, I might just note that to me the overvaluation of the American dollar has been a longer-term phenomenon, related to the miraculous recovery of Western Europe and Japan after the 1949 devaluations, to foreign investment desires of our corporations, and to the expenditures and gifts of the United States in the Korean, Indochinese, and general cold-war efforts.)

4. Even if the dollar should turn out to be somewhat overvalued, this primarily *puts the onus on the surplus countries to appreciate their currencies unilaterally*—particularly the mark and the yen. Or else they should swallow our dollars of deficit without complaining. (Running contrary to this comfortable optimist's policy of "benign neglect," enunciated both by conservatives and liberals among American economists, was the recognition by some of us that the regime of swallowing dollars could not be expected to last; and that, therefore, putting off the day of disequilibrium correction would only exacerbate the inevitable process of needed readjustment.)

5. The true optimists held that *any overvaluation* of the dollar, even if it were fairly substantial, and more or less independently of its cause, *could be cured by the medicine of dollar depreciation or surplus-currency appreciation along the lines of the actual December 1971 Smithsonian Agreement in Washington.* Under the two-tier gold system, the free price of gold in the unofficial tier was of no importance; and within the official tier the only point in making a token upward revaluation of the dollar price of gold and SDRs was for the purpose of expediting agreement on new currency parities with lower dollar parities.

Since the dollar depreciation in December 1971 was substantial, averaging 12% relative to other currencies, these "elasticity optimists" think that the therapy agreed upon in Washington should be ample to restore equilibrium in the reasonably near future. Indeed, some believe that even slight reductions in our export prices relative to prices of exports abroad will trigger great improvement in our current credits and great improvement in our current debits; and these "elasticity superoptimists" have even been fearful that the dollar was depreciated too much in 1971 and will eventually prove to be an undervalued currency.

6. To such optimists as these, perhaps the whole August 15, 1971 crisis was unnecessary, being in the nature of an optical illusion, or being merely the self-fulfilling consequence of an irrational avalanche of speculation against the dollar. Likewise, they tend to view the war of nerves that has been going on in the first half year following the Washington Agreement of last December as an irrational movement likely to come soon to an end. Or, if irrationality should carry the day, that will be an unfortunate and basically unnecessary outcome.

7. The fatal flaw of the Bretton Woods setup—its attempt to peg exchange rates—should be removed in favor of either (1) some kind of *gliding band*, in which parities can move up or down a few percentage points each year or (2) some scheme of relatively clean *floating* exchange rates, in which organized speculative markets will give exporters protection against fluctuating exchange risks and in which no deficits will ever again be possible.

8. Finally, with exchange rates flexible and with tariffs, import quotas, and other protective devices gradually removed, the American real wage will benefit in its rate of growth and the same will take place abroad, as everyone everywhere benefits from a more efficient international division of labor.

To be sure, in the ebb and flow of relative technological change and change in tastes, certain specialized workers within a country might find that their scarcity rents deteriorate when foreign competition takes away much of their advantage. And the same can happen to the rents enjoyed by capital and nonlabor resources situated in sectors no longer viable in the face of international competition. However, provided the country follows proper post-Keynesian fiscal and monetary policies, it should be able to ensure full-employment job opportunities for all. Displaced workers and machines will go into other lines of activity in which the country still has a comparative advantage, to the benefit of the real GNP and its broad factor-share claimants.

ECONOMIC SCARES

I've now stated the optimists' case. Listen to it and you will not think of economics as the dismal science. Quite the contrary. One of the functions of economic analysis has been to rid people of their economic scares. All that I can say is that there are plenty of scares in the present age, and economics has its work cut out for it if it is going to rid people of their fears. It was the Duke of Wellington who said: "I don't know whether my officers scare the enemy, but they sure as hell scare me." Well I am a sophisticated economist but I must confess to some apprehensions about the future of the American balance of payments and about the effects of future foreign trade developments on the average level of American real wages and living standards.

We live in the age of Freud. Now we know that often our anxieties are nameless dreads, and that if we can just get them out of our unconscious minds and viscera and lay them on the table for explicit and conscious examination in the light of economic principle, then we may be able to exorcise our fears and dreads. That is the purpose of this present investigation. And how much it is needed!

In every walk of American life, there is great uneasiness over foreign competition. The endogenous virus of protectionism which has infested all of American history from our earliest colonial days, and which still persisted in the years up to the 1929 crash, had indeed been laid to rest from, say, 1934 when the Roosevelt-Hull Reciprocal Trade Program began to lower American tariffs. By 1955, everyone in America—corporate managers, workers, union officials, editors, and so on—all seemed to have turned away from protectionism.

THE NEW PROTECTIONISM

Those days are gone forever. In the last dozen years of the overvalued American dollar, one of the most baleful heritages of our ostrich-like policy of benign neglect of the international deficit has been the mushrooming of protectionism. It is little exaggeration to say that everyone in America except a few academic economists has become a believer in protective tariffs, in mandatory or voluntary quotas. The few industrialists who still favor freer international trade either have a commercial reason to do so because of their export positions or I fear are right now hovering on the verge of a return to the protectionist fold. As an example, I offer you the automobile executives in Detroit. The workers there and their local unions have already turned protectionist, as you will verify if you go to any union meetings these days. Perhaps a few of the top executives, at least in their more public-spirited utterances, are still devotees of expanded international trade. But talk to the vice presidents in charge of domestic production and you will find a group of troubled men, who feel in their bones that in another decade North America may not turn out to be the place in which cars are to be viably built and sold in competitive markets. And, make no mistake about it, if it came to a choice between letting the auto business go abroad or protecting it here at home by quotas, these executives will come down on the side of protectionism. To them it is unthinkable that we should give up the auto industry. To do so would be criminally quixotic. And, in the view of all but the economics professors, the loss of basic industries like the auto industry would lower our real wage level and average standard of living.

To almost all Americans today it is an article of faith that using quotas on a wide scale—to save the textile, shoe, steel industries, and also the TV, electronics, auto, and tiddlywink industries—will be an important step in keeping real wages in America from deteriorating from their present all-time peak levels.

Theoretical economists may quote comparative-cost examples until they are blue in the face. But the man in the street will not believe the assertion that high-paid American workers can compete with imported goods made by low-paid foreign workers. Throughout our history one of the most powerful weapons in the arsenal of the protectionists has been the competitive threat from "cheap foreign labor."

Ironically at the same time that high-paid American workers have been frightened of the competition of low-paid workers abroad, low-productivity countries have always been as frightened of the competition from the more affluent countries. *The American Challenge* by Servan-Schreiber illustrates in our own time how deep is the fear of the American colossus.

THEORY OF COMPARATIVE ADVANTAGE

The classical theory of comparative advantage contends that, if even-handed competition prevails between many suppliers and many demanders, then international specialization and trade, as well as capital movements, will work to the advantage of both countries—the poorer country as well as the richer, the exporter of capital who receives his profit yield out of the enhanced real product of the capital-importing country, which now has its real wages increased by having each worker with more capital.

Let us bring American fears into the open. The textile industry is an easy case. How can our workers who must be paid more than two dollars an hour compete in standard textiles with the workers of Hong Kong, Singapore, India, and Bangladesh? Textile manufacture is apparently one of the first activities that a developing country can do well in. With wages only small fractions of those in America, even if the foreign textile equipment is not quite as advanced as our own, costs of production abroad tend to fall lower than ours at home.

The theorist of comparative advantage agrees American resources should move out of cheap textiles, and for that matter shoes, and go to more efficient lines of production where our productivity is a larger multiple of foreigners' productivity. Yet when I said this over the New England airwaves, I received a letter from a trade association official in the shoe industry that said: "Your words will go down in the infamy of history along with those of Marie Antoinette." More poignantly, what can my answer be to a letter from a 50-year-old woman textile worker, asking where at her age she can possibly find another job. Shall I reply with irrelevant contention that if immobile factors will let their wage fall flexibly far enough below the minimum wage, they may end up with a half a loaf of bread? At the least, the humane and politically savvy free trader must urge support for governmental financial assistance to those workers and capital facilities whose competitive rents fall victim to the dynamics of changing international specialization.

The task of the proponent of freer trade is not over. It has just begun. A great many industries are believed to be in the predicament of textiles. Without quotas, shoe imports may grow. The steel industry has thrown in the sponge and now lobbies shamelessly for voluntary and mandatory quotas. Cameras, tape recorders, desk calculators, and an increasing variety of electronic products come from Japan and Europe.

The simple truth is this: American public opinion generally is of the firm conviction that America lacks comparative advantage in anything! Perhaps the man in the street will allow, as a purely temporary exception, that the United States may still have a comparative advantage in the realm of aircraft and giant computers.

A LOGICAL IMPOSSIBILITY

The academic economist must be aghast at this turn of public opinion. From the very definition of comparative advantage—repeat *comparative*—the economist maintains it is a logical impossibility for any country to lack comparative advantage in anything. To be sure, by the definition of what economists mean by an overvalued currency, if the dollar is overvalued, then fewer and fewer of our industries will be commercially viable in the comparative-advantage sense. When that is the case the major premise of the free trader is denied: when workers are displaced from textiles, autos, you name it, it will not be because they've been sucked into a more efficient line of production, but rather that they are pushed into unemployment and onto the dole.

I must correct myself: in the age after Keynes we know how to expand fiscal deficits and monetary creation to keep purchasing power high even in the face of an overvalued currency. Displaced workers can be given jobs in public employment; or, as budget deficits lower over-all thrift, they can find jobs in expanded output of those few lines in which we do still have comparative advantage. But such a post-Keynesian solution only magnifies and perpetuates the other side of the coin of currency overevaluation. It means chronic deficits in our balance of payments, which require that nations abroad swallow a torrent of unwanted dollars.

Try as I may to be heretical, *my reason will not let me agree with the man in the street that there is no depreciation of the dollar relative to surplus currencies that will permit America to have full employment under free trade.*

The best econometric estimates that I have seen have been marshalled by Professor William Branson of Princeton University whom I am proud to count among MIT's former students. In the Brookings Papers on Economic Activity for mid-1972, Dr. Branson reviews the IMF, OECD, and Stephen Magee studies that generally suggest an improvement of $7 billion-$8 billion in America's current balance from the 12% depreciation of the dollar in the December 1971 Washington Currency Agreement. I shall not quarrel with this as a best single estimate. But I must emphasize the large variance that any estimate is subject to. A famous earlier econometric estimate by Brookings economists, which expected equilibrium in America's balance of payments by 1968, went astray because of the unexpected Vietnam war. Who knows what may vitiate these new estimates?

A SUMMING UP

In closing, this much I must grant to the apprehensions of the man in the street. Were time not so short, my assertions could be less dogmatic.

1. No one knows the true size of the disequilibrium gap in the U.S. balance of payments just prior to August 15. *It may have been much larger than the experts think.* And the differential trends of productivity abroad relative to those here at home, which after all primarily created that gap, in my view, may still be working strongly against us in the years following the Smithsonian Agreement.

2. Therefore, the equilibrium parity of the dollar *may* have to be substantially downward in this coming decade. If such dollar depreciation is required, let us pray that gliding bands, crawling pegs, dirty floating, or clean floating will permit this to happen in an efficient way that preserves the fruitful international division of labor.

3. At home, traditional patterns of resource use may turn out to be *very far* from that equilibrium pattern necessitated by the vast changes in comparative advantage that have taken place over the last two decades and which may continue in the next. Even with post-Keynesian high employment, we know that the vested interests never give up their historic rents gracefully. The concentrated harm to themselves they see clearly and can make the public see; only the impractical eye of the academic economist sees clearly the even greater benefit to the community at large from adaptation to dynamic comparative advantage.

4. Achieving equilibrium dollar parities and adapting to changing comparative advantage may only minimize America's loss of welfare from international trade. While the dollar was overvalued we enjoyed to a degree a higher standard of living from tangible goods imported in return for payment of mere dollar IOUs. Also our corporations acquired lucrative productive assets abroad partly in exchange for those American dollars that foreign central banks reluctantly had to swallow. Just as Germany or any country paying reparations suffers a primary burden from its unrequited payment, so will there be a *primary* burden upon America if we must replace our deficit by genuine export earnings. Beyond that, although a currency depreciation to restore equilibrium need not inevitably induce a deterioration of America's term of trade, there is a real possibility that we shall be experiencing a *secondary* burden in the form of higher import prices relative to export prices. Indeed as Western Europe and Japan close the gap between our over-all productivity and theirs, quite aside from the financial aspects of currency parities, there could be a plausible trend against us in terms of lessened consumers' surplus from international trade.

In summarizing this point, I must guard against alarmist quantification. As long as America remains a continental economy whose imports stay in the neighborhood of not much more than 5% of GNP, it is hard to see how even elasticity-pessimism can knock more than a few percentage points off the 50% growth in our real GNP that demography and productivity trends should bring in the coming decade.

5. Let me conclude with a possibility that has some ominous overtones for the share of labor, particularly the share in growing GNP of organized industries. Under modern trends of comparative advantage, American management know-how (and for that matter management know-how anywhere) and American mobile capital may find that their most efficient use is increasingly to employ foreign labor as a substitute for traditional American activities. Washington, New York City, Pittsburgh, and Denver are increasingly what Max Weber called *cathedral cities*, or in updated terminology, *headquarters cities. So under floating exchange rates and relatively free-trade equilibrium, the United States might in time become a headquarters economy. Our emphasis in employment shift to services and away from manufacturing*. It would become normal for us to enjoy an unfavorable balance of merchandise trade, reverting to the pre-1893 pattern in which the value of our merchandise imports exceeded the value of our exports. This trade deficit normally would be financed by our current invisible items of interest, dividends, repatriated profits, and royalties.

Though total American GNP would be the larger because of this free-trade equilibrium, it is possible that *the competitive share of property would rise at the expense of labor's wage share*. This would present a problem for our welfare state—to expand tax and transfer programs to secure a more equitable distribution of income.

6. Economics, alas, cannot be divorced from politics and from trends of ideologies hostile to absentee ownership. Suppose that economic equilibrium did dictate our becoming a service economy, living like any rentier on investment earnings from abroad. Let us grant that such an equilibrium, *if* permanent, could be optimal for the United States. But would it be safe for us to succumb to this natural pattern of specialization in a world of rising nationalism? Can one really believe that in the last three decades of the twentieth century the rest of the world can be confidently counted on to permit the continuing flow of dividends, repatriation of earnings, and royalties to large corporations owned here?

I do not think I am paranoid to raise a doubt in this matter. There is certainly a danger that, *after* the United States has moved resources out of manufacturing and into the servicing-headquarter regime, it might then turn out that nationalism impairs the successful collecting of the fruits of our foreign investments. We should then not only find ourselves poorer than we had expected but also facing the costly task of redeploying our resources *back* into the fields earlier abandoned. To be sure, private corporations may in some degree already take into account this danger of expropriation and thereby prevent an unwarranted redeployment of resources from taking place; but it is doubtful that they can be counted on to exercise the proper degree of prevision, particularly since they may well know that they can depend on our government to compensate them when such contingencies arise. Hence, there are rational grounds for some apprehensions concerning this aspect of spontaneous foreign-trade development.

I have tried to walk the mile with those who are fearful about international trends. Yet reason and experience have kept me from walking the whole mile with this overly pessimistic view. Let me end with a solemn warning.

Even if the most dire pessimists are correct in their belief that much of existing American industry can be preserved in its present form only by universal protective quotas of the Burke-Hartke type, it is a pitiful delusion to believe that such measures will enhance rather than lower the real standard of living of the American people.

TRIBUTE TO HONORABLE WAYNE ASPINALL

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. ALLOTT. Mr. President, I sincerely regret the retirement of the member of the Colorado delegation who has the longest record of congressional service, WAYNE N. ASPINALL.

WAYNE ASPINALL, I know, has made invaluable contributions to our State of Colorado and all of the United States, as history will record.

In all respects, WAYNE ASPINALL has represented the citizens of his State and district to the utmost.

In particular WAYNE ASPINALL has worked diligently to provide proper management and protection for our Nation's natural resources of which Colorado is so abundantly blessed. His service as chairman of the Interior and Insular Affairs Committee of the House of Representatives evidences his vital concern in this respect, as well as many of his achievements.

In the years in which I have had the opportunity to know and observe WAYNE ASPINALL in Congress, he has not shirked his duty but to the contrary, has devoted more than the full measure of time and effort to his responsibilities.

I have been fortunate to have the opportunity of working with WAYNE ASPINALL from the Senate side of the Capitol for the last 18 years toward many common goals and can personally attest to his dedicated service. He has been a credit to the House of Representatives.

Mr. President, as WAYNE ASPINALL begins his retirement, he should know that he and his loved ones have our best wishes for abundant good health and happiness in the years ahead.

REVIEW OF THE SECOND SESSION OF THE 92D CONGRESS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, as the second session of the 92d Congress comes to a close I would like to take this opportunity to review some of the accomplishments and failures of the Congress.

I am deeply concerned about the direction I believe that this session of Congress has taken both in its action and inaction. And as I leave the Congress to return to Mississippi I express my satisfaction in those accomplishments which will directly benefit the people of Mississippi. My hope is that the new Congress will accept the challenge before them; reevaluate many of these programs, and seek a direction of promise and prosperity for the future.

Since I entered Congress I have been vitally concerned and interested in the spending policies and programs of our Government. I have opposed those programs that would severely burden taxpayers beyond our means. And I have supported legislation that would preserve and promote economic efficiency.

During the past session my concern has deepened as I believe we have seriously jeopardized the financial position of our Nation and the promise of our economic future. I wish this Congress had been more successful in its responsibility to the people. I deeply regret that the Congress has failed to demonstrate more foresight in many of its programs and I am certain that hindsight will be too late.

FEDERAL SPENDING AND THE NATIONAL DEBT

This session of Congress was marked with increased spending in many present programs, creation of new and expensive programs, and little regard for the Treasury or the American taxpayer.

The increased spending above the budget has meant additional pressure upon our national debt. Due to this irresponsible spending by the Congress, it has been necessary to increase the debt ceiling to $450 billion. With an expected $27 billion deficit in fiscal year 1973, and a deficit of $75.8 billion over the past 4 years, it is plain to see we are approaching the limit of our national debt and spending beyond our means.

Yet with this situation clearly in view the Congress continued to spend and to establish such new programs as the $30 billion revenue sharing and $24 billion water pollution program. But the Congress refused the President's request for a ceiling on spending of $250 billion this year. I supported the President in his desire to prevent increased inflation and prevent a tax increase. Even though the Congress rejected the President's plea for restraint, I was glad to see him veto a number of spending increases which I had also opposed on the floor of the House of Representatives.

I personally do not see how the financial integrity of our Nation can survive such a severe test as the spending spree that has been demonstrated by this session.

I have supported programs that I thought were needed, beneficial and that we could afford. I have viewed with concern and opposed these new programs and increased spending that threaten the financial security of our country.

The $30 billion revenue sharing program I opposed.

The $24 billion water pollution program I opposed.

The $30 billion appropriation for Labor-HEW I opposed.

The $3 billion foreign aid program I opposed.

The planners already have on the drawing board new and more expensive programs for the years to come.

National health insurance at a cost of up to $60 billion.

Federal day care centers at a cost of nearly $12 billion.

Equalization of education among the States at a cost of $9 billion.

Replacement of local property taxes at a cost of $12 billion.

The burden of these programs is borne not only by the taxpayer of today, but becomes a program of debt sharing that will befall and plague generations to come.

The policy of spend and spend more has become an answer to every question, but a solution to few problems.

REVENUE SHARING

This session the Congress approved President Nixon's ambitious revenue sharing program. The legislation will establish a 5-year program to share $30 billion in Federal revenue with the State and local governments. Although this legislation will provide over $103 million for our State of Mississippi, I opposed the creation of this program.

I believe we are setting a dangerous precedent that jeopardizes the very foundation of our federal system.

I also do not believe our Naiton has the financial resources at this time to maintain such a program. Contrary to what many would have us believe, this is not a great windfall of surplus money from Washington. Someone must foot the bill ultimately and that someone is the American taxpayer.

Like other Federal programs, I am certain it will proliferate in cost much beyond its original intent and purpose so as to become an unbearable burden to the Treasury and taxpayer. We cannot foresee our ability to meet the obligations of the program in the years to come.

RURAL DEVELOPMENT

The Congress has passed a far-reaching bill of significant benefit to the citizens of Mississippi in the Rural Development Act of 1972. I am proud to have participated in the support of this important legislation that will provide a comprehensive program of improved job opportunity and better the quality of life in rural areas. Authorized under this bill will be $500 million annually in Federal grants and loans for projects in rural communities. The legislation will provide help for our rural housing, water quality management, pollution control and farm credit. I am hopeful that this concerted effort on the part of Congress will serve to bring the necessities of modern life to rural America and improve the attractiveness of rural living.

SCHOOL BUSING

The entire Nation has come under the grip of forced school busing much to the displeasure of the American people. The concern of citizens all across our Nation has called upon the Congress to act. During this session I strongly supported and advocated action that would have provided some needed relief.

The House of Representatives was successful after many months of debate to pass an antibusing measure with the education bill, although it had been watered down somewhat. Unfortunately, Senate liberals were able to filibuster and prevent a vote on the matter before the session ended.

I am disappointed that the Senate stalled this legislation and prevented a solution to the problem of forced busing that the American people have demanded. It is possible that because of the growing concern over this situation nationwide, a constitutional amendment or alternative measure might succeed in the coming session. I would hope the new Congress acts early.

GUN CONTROL

During this session of Congress a renewed push was made for more strict gun control. I have long opposed these measures that would severely restrain the personal and constitutional rights of American citizens.

Although the Senate passed a gun control bill, I was pleased that the Congress did not, in a spirit of great emotionalism, rush in and enact such legislation.

I share the concern, as we all do, with the rising crime rate, but I do not believe that gun control, which would restrict more law-abiding citizens than criminals, is the answer.

I have sponsored legislation that would remove some of the restriction that sportsmen and law-abiding citizens face under present gun control laws.

As the furor for gun control continues, I hope that reason will prevail.

CONSERVATION LEGISLATION

As a member of the Merchant Marine and Fisheries Committee, I was certainly pleased with the passage of the Coastal Zone Management Act and the Marine Protection, Research, and Sanctuaries Act. I sponsored both laws.

The Coastal Zone Management Act establishes a national program for the management, use, protection and development of coastal areas of the United States. The legislation will provide and promote the most effective growth of our coastal area for our greatest benefit.

The Marine Protection, Research, and Sanctuaries Act provides regulations for the dumping of materials in the ocean and coastal waters. This will serve to protect both marine life and the orderly use of our coastal water. The bill also creates marine life sanctuaries and research programs for future protection and development of coastal areas.

The passage of these two bills brought to a successful conclusion nearly 2 years of work. I am confident they will benefit the entire Nation, but I am particularly proud of the significant impact they will have on the Mississippi gulf coast in its growth and its important seafood industry.

"CAIRO" RESTORATION

After many years, Mississippians' dreams of restoration and display of the Civil War gunboat *Cairo* are about to become a reality.

The President has signed a compromise bill after months of work on the different House and Senate versions. The final bill will authorize funds for the restoration and display of part of the sunken ship and its artifacts in a permanent display building in the Vicksburg National Military Park.

I hope this bill, which I authored and the entire Mississippi congressional delegation cosponsored, will make the *Cairo* a historical attraction for future generations.

HOUSING

The House Banking and Currency Committee, of which I am a member, worked for nearly 2 years on a comprehensive housing bill. I was hopeful that we might be able to get through some constructive changes in the inadequate and ill-administered housing programs. Unfortunately, we were unable to gain a rule to bring this legislation to the floor.

Congressman BOB STEPHENS of Georgia and I, along with other members of the committee, sponsored new housing legislation toward the end of the session. This legislation would have cleaned up some of the money problems that beset the Federal housing programs and their administration. I was disappointed that Congress failed to act on these reforms.

INCREASED ASSISTANCE FOR VETERANS

The 92d Congress increased the level of assistance available to veterans in many key areas and this has been a particular concern of mine.

On October 13 of this year, the Congress cleared a bill raising the monthly allowance for veterans attending school or participating in vocational training programs under the GI bill. The monthly payment for veterans enrolled in educational programs was increased by 25.7 percent and the payment for vocational training was raised by 48 percent.

The bill will have an important effect on the Mississippi job market by increasing the availability of qualified and skilled employees.

Disabled veteran benefits have also been increased by 10 percent. I believe it is important that we continue to aid these men and women who have served their country so well and have given so much.

SOCIAL SECURITY

For older Americans, this has been one of the greatest Congresses in history. In these days of rising prices and inflation, our senior citizens living on a fixed income are hit hard. I supported the legislation that increased social security benefits by 20 percent and I am pleased that we were successful. This legislation represents a lasting commitment of concern to every American over 65.

FRANCHISES

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARTKE. Mr. President, last year I introduced the Franchise Fair Disclosure Act (S. 2870) which would require franchisors to make certain disclosure to franchisees and to undertake certain registration procedures with the Federal Trade Commission. This legislation recognizes the fact that franchising is one of the fastest growing segments of our economy and that there have been significant abuses which have acted to the detriment of both franchisees and consumers.

Earlier this year, the Federal Trade Commission held hearings on a notice of proposed rulemaking which paralleled many of the provisions of my bill. During the hearings, testimony was presented by Mr. Harold Brown, Esquire, an expert and a prolific writer on the subject of franchises.

Mr. President, I ask unanimous consent that the transcript of Mr. Brown's remarks be printed at this point in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF INFORMAL STATEMENT OF HAROLD BROWN

Mr. DIXON. Could we come to order, please. We will continue now the public hearings dealing with the Commission's proposed trade regulation rule concerning franchising. Our first witness for this afternoon is Mr. Harold Brown, of Boston, Massachusetts.

Mr. Brown.

Mr. BROWN. Thank you.

My name is Harold Brown, and I am an attorney practicing in Boston, Massachusetts. I have done a little work in franchising. I have written a little about it.

I hope that you will excuse my approach to this subject if I suggest to you that while you have a proposed trade regulation I see no reason why you cannot contemplate suggestions that may go beyond the trade regulation, may show its shortcomings and may also show its advantages. What I am going to suggest to you is that a merely verbal definition of franchising just is not sufficient. Given the sincerity of everyone who has addressed himself to you, academic, business, or otherwise, the differences are not merely ones of verbiage, deductive reasoning. May I suggest that they may be reflection of a fact that we are, indeed, in a new area.

Somewhat facetiously, I have noted the fact that Corpus Juris Secundum still defines "franchise" as the right to vote, and that certainly is not what we are talking about. I do suggest that the written presentation which I have submitted, and which is far more extensive than I originally intended, is in point of fact the inductive offering that is essential to an understanding of what we are talking about. It is an examination both of the socio-economic facts and the legal concepts that necessarily flow from them.

When I began this so-called crusade about three years ago, there were those who suggested that I was rather foolhardy in the effort, but I think that there has not only been a great deal of fun involved but the thrill in watching the evolution of legal concepts as they come down the road.

For example, until we know whether or not a franchisee has a property right, a vested interest, and not merely a contractual license, it is difficult to describe the entity or to establish the rules that pertain to it. And yet in the only case of its sort, decided in December, 1971, the case of *Milsen & Co. v. Southland Corporation*, 5 C.C.H. (Trans. Binder) paragraph 73, 774, the 7th Circuit said, we grant this temporary injunction and recognize "the vested interest that the franchisee has in the business to which he has devoted so much time and effort." That is the nub of the franchisee's claim: that he has a vested property interest in his business.

Now, let's see what happens after you have established that. Comparably, a marriage has its inception in a contract, but I suggest that you do not tell your wives that they are operating under a contract, because they won't believe it. They, in fact, have a status, intangible though it may be. It is recognized by our society and in our civilization.

We have claimed all along that exactly as represented by the franchisor, the franchisee does obtain a "business of your own," the independent businessman concept; that is, in fact, precisely what the franchisor represented. You know, all we are doing is holding the franchisors responsible for what they have said.

Before I go too far, may I suggest to those who make presentations to you, that there is a five-year felony and a $5,000 fine and jail for offering to you any knowingly false statement. With that in mind, for example, I draw to your attention that Southland Corporation, in spite of this notorious report of a case that we must all take judicial notice of, *Milsen & Co. v. Southland Corporation*, fraudulently failed to disclose to the Multidistrict and Complex Litigation Panel that such a case existed. Since they will address you before this hearing is over, I suggest that you ask them if they know what the word "fraud" means.

Let me suggest to you in the broadest possible frame of reference that Government cannot abdicate its functions. Recently, we saw the Federal Communications Commission in despair give up its investigation of American Telephone & Telegraph. We also saw, I believe this morning, that the Defense Department—the Defense Department, the generals, have offered to continue with that investigation. These are raw examples of Government abdicating its essential functions, similarly for purely administrative expediency reasons, and none other, the State of California excluded from the definition of "franchise" those cases where the franchisor did not exact a franchise fee, though there is no conceivable economic, social, legal or logical reason for such an exclusion. At least, however, in California, they had some historical reason for exempting from the filing of information though not exempting from the delivery of it to franchisees, those franchisors who had at least $500,000 in equity or 25 franchisees for more than five years. Historically that came from the earlier opinion of the California Attorney General, based on the *Silver Hills Country Club* case, in which he established that certain franchises were, in fact, an investment contract or a "security," and therefore subject to the broad anti-fraud provisions of the state Blue Sky Laws as well as of SEC Rule 10(b) (5).

Unfortunately, the opinion of the Attorney General confused the question of proof with a question of principle. As a matter of proof, the company that has little or no capital assets is probably using its fees to raise venture capital. But I do not think that it really takes a great deal of effort to persuade you that all companies want to preserve their capital no matter how well established they may be; they prefer to let the other fellow put up the capital. I would suggest that the correct standard lies in the fact that the franchisor obtains equity capital by granting a capital asset to the franchisee. The "risk capital" theory merely proves such an act. Diners Club, listed on the New York Stock Exchange, fathered Diners Fugazy Travel franchisees through a wholly-owned subsidiary that had negative assets—negative assets. Now, is there any difference between that and the Silver Hill Country Club case in California?

Phillip Loomis, then General Counsel, now an SEC Commissioner, in April, 1970, addressed Senator Williams' Select Committee on Small Business. Purely for administrative expediency he stated, "We chose not to regard a franchise as an investment security." The basic reason for his statement was that the SEC was already over burdened. But his statement created damage through his then being quoted by the first district court case facing that issue. The court relied heavily on that legislative testimony of Phillip Loomis. We cannot operate government on the basis of such an abdication of responsibility because of a lack of funds or an over burdened staff. Now, of course, Phillip Loomis was wrong.

The fact is that an "investment contract" is not defined in the Securities Act. It depends entirely upon the interpretation of that phrase under the "Blue Sky" laws of the various states. In the last four State Supreme Court decisions namely in the states of Florida, Hawaii, Oregon, and Texas, the so-called restrictive rule of the Howey case was abandoned as mere dictum. Even in the U.S. Supreme Court, Mr. Justice Earl Warren, in the *Tcherepnin* case, declared, "We cannot define such a word as 'security', lest the ingenuity of man evade the definition." And the courts have uniformly taken the same approach with regard to the word "fraud".

In lieu of that narrow "no-profit" syndrome of *Howey*, the state supreme courts substituted the "economic reality test". Ultimately, on Nov. 30, 1971, the "economic reality" test was acknowledged by William Casey, Chairman of the Securities and Exchange Commission, in formal releases under the Securities Acts. In announcing that thereafter the SEC would employ the test of "economic reality," he also announced that so-called "pyramid schemes" would be regarded as a security and would also have to be registered before issuance. That not only made the sale of such distributorships subject to SEC Rule 10(b)5, but also made them subject to a prospectus similar to your proposed regulation.

Unfortunately, Mr. Casey went on to say that this would not apply to a franchise where the franchise undertakes certain responsibilities, thus returning to the *Howey* test once more. Well, we do not need Mr. William Casey's gratuitous description of a relationship with which he has no demonstrated familiarity or expertise. In fact, if a pyramid scheme distributorship is an investment contract, then the "economic realities" test is even more applicable to every franchise. An examination of the economic realities of the relationship will disclose the total domination and control exercised by the franchisor over his franchisee, that control emanating—and this is the only established legal standard we have—from the Lanham Act, namely that the licensor of a trademark risks its abandonment for failure to exercise complete quality control. Further, the franchisor obtains venture capital from the grant of a capital asset.

I do not think that anyone can truly suggest that we have to leave to a patent and trademark statute, the final determination of the rights of the franchisee, so long as adequate measures are taken to prevent confusion on the part of the ultimate consumer. Whether or not a trademark owner may retain or lose his trademark, is his business and maybe the business of the Lanham Act, but that Act can not govern this complex relationship, a relationship which now accounts for such a large segment of the Nation's business. Three years ago, the figures generally used were $90 billion a year, roughly 10 percent of the then Gross National Product, and roughly 20 to 25 percent of all retail sales. According to the U.S. Department of Commerce, the year 1970–1971 represents a current $132½ billion a year figure, or a 50 percent increase in three years, and probably 25 percent or more of all retail sales.

Such a major segment of the national economy is too great to be governed by the Lanham Act prescription that a trademark will not be abandoned so long as the licensor exercises quality control. It should not be the sole basis upon which this relationship will be regulated. May I suggest that in the relationship we are talking about there is such domination and control, such pervasive opportunity and actual abuse, that standard common law theory must recognize the existence of a fiduciary relationship. Such obligations of good faith should be expressly recognized in your proposed trade regulation either in the definition of a franchise or in an express regulation.

For brevity, I wish to refer you to my article on that subject published in the April, 1971 issue of the Texas Law Review. I will not burden you with the repetition of that entire presentation, but I do suggest that you may already be bound by FTC opinions in this area of equitable jurisdiction. For example, you should be influenced by the public statement of Mr. Buffington, then General Counsel of the Federal Trade Commission, given in January, 1970, in his formal testimony before Senator Williams' committee, when he said, "Franchisors frequently talk of their relationship as a joint venture. It is truly a fiduciary relationship." He also reaffirmed Commissioner MacIntyre's statement made the prior year in a formal address to the International Franchise Association, to the effect that Section 5 of the Federal Trade Commission Act carries with it an obligation of full disclosure of both favorable and unfavorable data, including pending lawsuits and also Federal Trade Commission proceedings, state and other complaints. We come down to an even later statement by Lawrence Meyer, whom I think I accurately describe as the FTC Director of Policy Planning and Evaluation.

Mr. DIXON. That is correct.

Mr. BROWN. He is certainly a major official of this agency. In August, 1971, before the Practicing Law Institute, in answer to the question, "Do you believe that the franchising relationship is a fiduciary relationship?" he publicly answered in the affirmative. Fearful that I might be quoting him in a casual manner, I formally requested his opinion and I received written confirmation that was without qualification, without condition. Similarly, I wrote to, and received a comparable answer from Casper Weinberger, presently, I believe, Deputy Director of an Agency that is in the Executive Offices of the President, and formerly Chairman of this Commission, reaffirming that there must be a duty of good faith in such an intimate relationship.

In the first case of which I have knowledge that specifically addressed itself to this problem, *Jirna*, a trial court in Toronto, after an extensive examination of the subject, said there is nothing new in this theory. It therefore ordered Mister Donut to refund all the kickbacks of five to 25 percent or more, received from each third party vendor.

On appeal, that case was reversed, with a reaffirmation of the equitable principles, but a declaration on the part of the appellate court, sitting in its sterile majesty, that in the particular case, the franchisee did not have such a disparity of position as would warrant the application of the principles involved, thus totally ignoring the impressions and the findings of the trial court.

You see, if we formally recognize that a franchisee and a franchisor have mutually fiduciary obligations and if we recognize that a franchisee has a property right, a vested interest, all of a sudden we can answer some of the basic questions in the proposed trade regulation. For example, you asked several prior speakers whether in the absence of tying compulsion, there is any requirement to disclose kickbacks from third party vendors. That is a carry-over from the thought that the only principles governing this relationship are the anti-competitive standards emanating from the anti-trust laws: absent tying, absent disclosure.

As you heard from Mr. John Jackson, who preceded me here, there are numerous ways in which franchisees are tied into purchasing from the franchisor or named vendors. In addition to compulsion, there are all sorts of subtle inducements to go along, sufficient to satisfy the requirements of tying. But wholly aside from such a finding, there should be a duty of disclosure because a fiduciary has such a duty. A fiduciary cannot make such secret profits. That has been the law for centuries. But you should not promulgate a regulation based solely on antitrust and deceptive practice standards without a determination of the very nature of the relationship you are regulating. Now, if you have the power, and I do go along with you, to say that a holder in due course will lose that status in this situation as he does under most state regulations applicable to the consumer, at least where the UCC has been adopted, then I say you have the power to rule on other substantive matters. Possibly more than anyone else in the whole United States, you have the plenary power to declare once and for all that we recognize the existence of mutually fiduciary obligations, and we further recognize that the franchisee who is represented by every franchisor to be an "independent businessman", is precisely that.

General Motors has publicly said, "We design, engineer, manufacture, produce and deliver the product; teach how to sell, teach how to keep books, prepare the repair parts, advertise, teach the mechanics, and help the automobile dealer to sell automobiles, and, therefore, the automobile dealer has no goodwill in his dealership; any recognition of goodwill would be a windfall." The major oil companies all say the same thing, and most franchisors act as indifferently toward the franchisee's goodwill. A child should know that the franchisee who devotes his labor and effort to the building of his business, develops goodwill in that business. That goodwill is now beginning to receive recognition.

In *Fontana vs. Beech Aircraft*, the Seventh Circuit Court of Appeals said, "We are living in a day and age when the implicit value of a franchise must be recognized." It therefore, reversed a District Court that had found an absence of the actuality of damage necessary in an anti-trust case. Even more recently, in Milsen v. Southland Corporation, the same court took cognizance of the "vested interest that a franchise builds through his expenditure of time and efforts." Your regulation must give similar recognition to such basic matters.

In the field of legislation, principally at the state level, we have had similar developments. One of the earliest general statutes was in Puerto Rico, where the 1964 statute not only prohibited termination, but required renewals, except for good cause. That same principle has been used in about twenty-five state statutes, going back as early as 1933 in Wisconsin for the automobile dealers. In 1971, Delaware enacted such a statute barring the termination or failure to renew a wholesaler's franchise except for good cause.

Franchisors have vigorously attacked the constitutionality of such statutes in their application to an existing contract. It is unfortunate that two or three courts have so exercised their judgment, but let's see what they were really saying. In ruling on the Puerto Rico Statute, the First Circuit Court of Appeals fumbled with constitutional theories on which to strike that statute; when the United States Supreme Court reversed the Circuit Court on the ground of abstention, in a per curiam decision, it nevertheless went out of its way to say, parenthetically, that it did not know on what basis the First Circuit had acted.

Earlier, a District Court held a Colorado automobile dealer's statute unconstitutional on the theory of retroactive changing of a contractural relationship, but it was followed by a whole string of state Supreme Court decisions upholding such statutes as a constitutional trade regulation regardless of their effect on existing contracts. The gross disparity in the relationship between the auto factories and automobile dealers is so notorious a fact, that it is a matter within the police power of both State and Federal Governments to regulate in this area. It is ridiculous to suggest that an existing contract should bind in the face of repeated U.S. Supreme Court decisions that in the matter of trade regulations, "We shall not be bound by the contract, but shall look to the economic realities," and its express ruling that the States may levy exemplary damages as a deterrent for the enforcement of strong public policy.

Let's talk about fraud. I do not really know what fraud is. In my written statement, I could only think of Sir Francis Bacon's quotation of Pilate 2,000 years ago, where having asked, "What is truth?" he then left without waiting for an answer. I suppose we have to say the same thing for fraud. Any attempt to define it with precision must end in frustration. In the last section of my written presentation, I suggested several theories as to what may constitute actionable fraud, but I suggest that what the FTC has already established to be the rules of the game, is quite sufficient.

Simply stated, I read your cases to require that the buyer is entitled to the full benefit of his bargain and that he shall be told the truth, the whole truth. There is not only a duty of full disclosure of the facts, says the Federal Trade Commission, but also of the meaning of the statement. In substance, it seems to me that you are following the same standards as in SEC Rule 10(b)5. But I believe that you are not justified in limiting the disclosure requirements to disclosures to prospective franchisees.

In your proposed rule, you are trying to cut yourselves in half by talking only about disclosure to prospective franchises and thus abdicating your duty in Section 5 of the Act, which is not so limited; the Act applies to all deceptive practices, whether at the inception or at any time thereafter. I know of no valid reason to limit your regulation in that manner and in my written presentation, I have felt it proper not to limit my description of the abuses and frauds in this field to matters at the preliminary stage. If you do nothing else, I suggest that you add the general prohibition of SEC rule 10(b)5 at the end of your rule and that it apply to all dealings with franchisees. Frankly, I do not know how you can avoid it. I have read your decisions, a superb series prohibiting any franchisor from engaging in any fraud or nondisclosure to prospective franchisees. I need not repeat those cases to you. You know them, but your decisions go far beyond that. They prohibit all kinds of frauds both to prospective franchisees and thereafter. Your regulation should do the same.

Curiously, we may not ultimately need this regulation, because contrary to Philip Loomis' theory, and even William Casey's theory, the federal Securities Acts already state that a "security" includes any promissory note, be it negotiable or otherwise subject to conditions or other covenants. In almost every franchise, there is such a promissory note, thus providing SEC 10b 5 coverage. For those who, following the Birnbaum case, thought that SEC rule 10B 5 required that fraud arise within the parameter of privity, causation, and damages, flowing from the purchase or sale of a security, the Supreme Court two months ago told us that we were wrong; what the statute says is that wherever "in connection with" the purchase or sale of a security, there is fraud, then coverage exists. There is no need to establish that there was fraud in the sale of a security. In a four-page opinion, the United States Supreme Court granted direct rights to the creditor of a defrauded corporation, a creditor whose rights arose much later. In the last footnote of that opinion, the court cited with approval a law review article titled, "The Demise of Birnbaum," confirming the view that there no longer exists the need to show privity, causation, or damages arising directly from the security transaction.

I therefore suggest to you that broad antifraud prohibitions may now be in effect under the aegis of SEC Rule 10B5. However, we welcome your participation and we welcome your guidance, because certainly an unwilling bride, such as the SEC, is hardly the place to which franchisees may justifiably look for protection in this complex field.

It is true that we were totally dissuaded as to our ability to combat the kind of lobbying which you have seen here in three weeks of testimony. The franchisors have presented an overwhelming amount of oral and written statements, while franchisees are barely represented because they lack the funds and the organizations to present their complaints. For those very reasons, in January, 1970, we began our campaign with state legislatures. Those who have commented upon that campaign, have missed the point completely. You were told here that some six states have now acted and some twenty or more are considering legislation. But it should not take a great deal of persuasion to prove to you that when you have states of every character, whether democrat, republican, conservative, liberal, north, south, east or west, simultaneously stirred by this subject matter, there must indeed be something wrong.

In decrying the risk of patch-quilt state regulation, the franchise lobbyists have completely misunderstood the meaning of State action. Neither I nor anybody, nor any single force could possibly sway that large a segment of this country, if it were not notoriously a fact that something had to be done. Since the IFA is on my coat-tails everywhere, let me tell them that just last Friday, it was the Governor of Pennsylvania, who said, "What can we do to stop all of this fraud?" So the IFA can start following us into Pennsylvania, Rhode Island and Tennessee; that is just for the last ten days.

Now, it is true, I have publicly stated it is not fair for franchisors to be subject to a "crazy quilt" pattern of legislation. And in fact we find a greater recognition of this on the part of state legislators than has been acknowledged. California was the first to adopt a Franchise Investment Law; good, bad or indifferent, it was the first one. And good, bad or indifferent, the State of Washington copied it verbatim. And when the Province of Ontario completed its fourteen month study of the franchise industry in ten hearings, and after hearing hundreds of witnesses, and came up with a disclosure proposal, it suggested the verbatim adoption of the disclosure requirements in the California Investment Law, solely to make it possible for businessmen to survive through the use of uniform requirements.

But the IFA seriously errs if it thinks that it is our intention to permit them as they did a week ago, to appear before the Massachusetts Joint Committee on Commerce and Labor, and attempt to forestall action because of the forthcoming Federal Trade Commission hearings commencing February 14th. Incidentally, the Massachusetts Petroleum Council opposed any action until after the Federal Trade Commission acts on its disclosure rule. Now while they are pleading with the state legislatures not to act until the FTC proceeds, they challenge your power and authority, nitpick every detail of your proposed disclosure regulation, and I warn you that they intend to stall you two, four, six, eight years, if possible. Now, the theory of delay is not new where the Federal Trade Commission is concerned.

Despite the Herculean efforts of this agency, its statutory debility with regard to temporary injunctions, its thoroughness, and its shortage of manpower, have all resulted in extreme cases such as the twelve year delay in Carter's Little Liver Pills. But in an ordinary frame of reference, this could be two to five years, shall we say, and even at the end of such time, what do we do? All we do is slap the hand, because if the franchise, or the defendant in any one of your cases, says, "I will now promise to be good," or if you fight him all the way, and you get an order requiring him to be good, and he is good from that day forward, he gives back nothing, he pays no penalty, there is no deterrence, the "delay profit" is endless. Now, of course, that is one of the things that your proposed trade regulations seek to prevent.

May I suggest to you that while I do not propose to get into the nitty-gritty details, there are just too many other things to talk about in your proposed trade regulations. Just hurry it up when you do make your final decision. Whether you have promulgated it or not, just hurry it up, because I shall now announce what we shall do. We shall get every State in the Nation, every State in the Nation to adopt the regulation; to provide private enforcement; if possible to provide exemplary damages, whether double or treble or possibly discretionary damages; to permit class suits; and to give all of the life which such a therapeutic regulation as it should have, and which I think you want, as evinced in Senator Williams' Bill, which lies dormant in some corner of a Congressional Committee.

Ultimately we shall win this battle on the ground of public opinion, not litigation, not legislation, not regulation. These gentlemen sitting there will win this battle for us (indicating the press), and your trade regulations goes down that line. I am sure you are well aware of the fact that Louis Brandeis in 1914 was the progenitor of this kind of control. In his book, "Other People's Money, and What the Bankers Do With It," he said "Sunlight is indeed the best of social as well as legal disinfectants." Your regulation will provide for that kind of disclosure. I am certain that when you require disclosure whether as to third party "kickbacks," tied-in sales, price fixing, and other such practices, that you do not thereby intend to give your approval. Franchisors totally misunderstood the purpose and intent of your therapy. As I understand it, by compelling full disclosure, franchisors must either change their illegal practices or become subject to public scrutiny. I think that is the purpose of your trade regulation, and I commend you for it.

Franchising is a totally acceptable method of marketing distribution. It can be operated legitimately. Oddly enough, it is the legitimate franchisor that desperately needs a good regulation of the kind you are considering here today. Historically, Wall Street fought this type of disclosure in the early thirties, when the New Deal securities legislation was coming onto the books. Now, of course, they recognize that even though it is a little bit short of what they hoped it to be, without it they could not have survived.

Those franchisors, and there is a strong trend in this direction, who think they can evade control by calling themselves not franchisors, but joint venturers, have a rude shock in store for themselves. Yet, the Academy Montesorri, a franchisor that utilizes quarter page advertisements in the Wall Street Journal under franchise offerings, avoided registration under the California Investment Law, on the theory that it was selling joint ventures, instead of a franchise. Of course, it is a deliberate lie. But if it were a joint venture, they failed to recognize that even the SEC has long since recognized that the sale of that type of a limited joint venture is within the parameter of the Securities Acts.

However, not only they, but also Sambo's Pewter Pot Muffin Shop, and a whole string of other franchisors are now changing to the sale of joint ventures. So under your regulation, it may turn out to be a total waste of activity unless you reexamine your definition to include the sale of such joint ventures, since otherwise the evaders will claim an exemption.

It was suggested to you by the IFA that there were but a marginal few whose practices would require supervision and that your regulations should not be too severe. Of course, as you have pointed out, the oil companies, who do not deign even to appear here, feel that they are not covered or that they ought to be exempt. I have not seen General Motors here at all. I do not know whether they are listed to appear, General Motors, Ford, Chrysler. I'm not certain whether they even filed written statements with you.

Mr. DIXON. They filed.

Mr. BROWN. I do not know whether they consider themselves covered or not, but can I assure you that almost everything I have ever complained about in the franchise field, is equally attributable to the major franchisors. Occasionally I may facetiously refer to some of the basest frauds. Like that of Best Line, in San Jose, California, the grossest fraud in existence in the U.S. today. Please listen to the call I had a week ago.

A fellow in Modesto, California, paid Best Line $50,000 for his franchise, $40,000 in cash, in addition to that, he paid $20,000 for 11 tons of biodegradable soap. This was in concentrated form at a ten to one ratio, so that the 11 tons of soap became 110 tons of biodegradable soap. This was all for an exclusive franchise for the sale of the soap in Mexico. There is, however, a modest problem. Mexico will not allow the stuff to be imported into the country. Would any of you have room for 110 tons of biodegradable soap? We will sell it to you for a lot less than the $60,000 that we just paid Best Line for it.

Now, that is a sordid story, I tell you, not because it is lacking in veracity, but because it stretches one's credulity. Yet when the franchisee turns out to have lawyers and accountants, and to be the major distributor of products to hotels and restaurants, as happened in this very case, then it is clear that a prospective franchisee is helpless no matter whom they may consult and no matter how sophisticated he may be in other business ventures.

While there are innumerable cases of fraud by the major oil companies, all we can do is present some specific cases that are undoubtedly typical. For example, in Houston, Texas, with some 161 Esso Gasoline Station Dealers, Esso (or Humble Oil) came up with a new prize game in which the highest prize would be $25, the plan being to eliminate a few large prizes in favor of many small winners. This was only eighteen months ago, lest any of you think it is ancient history. So Esso induced all of its dealers in town to pledge two cents a gallon contribution to the prize game. A funny thing happened. In nine months, Esso collected $3,860,000. And how many prizes do you think they gave out? None. Nobody could figure it out, and then a discharged superintendent from Esso showed up. Mr. Ligon, Secretary of the Texas Gasoline Dealers Association received a call from the fired superintendent, who said, "Do you know why there are not any winners?" He said, "Here are the tickets." He had every winning ticket. He then continued, "Well, they told me not to give them out unless I felt a particular station was doing a darn good job, and I did not think any of you were, so I did not give any of them out." Of course, Esso kept the $3 million 860 thousand. This is total larceny. There are no other words to describe it. It was a fraud on the dealers each of whom contributed a little bit toward the advertising campaign, the benefits of which depended on the awarding of numerous small prizes. And it was a fraud on the public who may have been misled into thinking there was an opportunity to obtain the twenty-five dollar prizes. No excuses were offered by Esso; it just kept all the money. The point is that the proposed trade regulation won't help to prevent or to remedy such deceptive practices.

Next, we can talk about Texaco. I am sure you are thoroughly familiar with FTC v. Texaco in which the United States Supreme Court said that the tie-in of the short-term leases to the purchases of TBA was an incipient anti-trust violation, even in the total absence of any overt pressure on the part of the franchisor. The court held that the dealers knew what was expected of them and that the franchisor used its power to obtain kickbacks from the TBA vendors. That is only the background of this story. Texaco was only a little impressed with that Supreme Court ruling. Maybe this story will enable you to go after Texaco for criminal contempt, so I shall give you the dates, times, and places.

This recently took place in Attleboro, Massachusetts, where a Texaco dealer who had been such a dealer for six years, rather successfully, was then approached by the Rhode Island Regional District Manager of Texaco, and asked whether he would like to make another fifteen percent on TBA. He said it could be done if the dealer became a warehouseman. The manager stated that while Texaco would do the selling, it needed a place where the fellows around here can come to pick up their merchandise. When asked what he meant, he said that the dealer would have to buy at least $20,000 of TBA, and that's what he did. Would any of you like to buy $20,000 of TBA? Not one cent of it has been sold. If Texaco does that in Attleboro, they assuredly do it all over the United States. They never use such practices in one place, and that is a beautiful way to dump $20,000 of TBA.

To make matters worse, as of October 31, 1971, Texaco said to this same dealer, that it would not renew his dealership. When asked why, no reason was given. So the dealer then had that $20,000 invested in TBA, another $10,000 in his equipment, and other TBA that he had bought for his own use. Then he looked for a qualified dealer to take his place and he came upon the Texaco dealer in North Attleboro, who had been a Texaco dealer for fifteen years, and who was willing to pay $30,000. While there would be no payment for goodwill, at least the TBA would be purchased. Without explanation, Texaco wouldn't approve. Instead, it presented the Attleboro dealer with a new student that had gone to one of their schools, who was willing to pay $15,000 and that is what happened. Such price-fixing and illegal restraints on alien-ability are in addition to Texaco's contempt for the FTC order. As for the proposed FTC order in Coors, your formula is not self-operating. A franchise, if terminated for good cause, should have an opportunity within a six-month period to obtain a new franchise, whose approval should be subject only to reasonable standards. The story I have just told you about Texaco, also illustrates the manner in which the all powerful franchisor abuses its right to approve transfers.

As for more on Texaco, we can talk about Stuckies. There are several hundred Stuckies franchisees in the South and West. Stuckies is usually a gasoline station, frequently out on a main highway, where you can buy candies, maybe a sandwich or a coke, and in all but a few cases, Texaco Gas. Stuckies is a franchise that is owned by Pet, Inc., in St. Louis, Missouri. The deal that Pet has with Texaco is that for every gallon of gasoline that a Stuckies franchisee buys from Texaco, Texaco pays Pet 2 cents a gallon. Last year it was almost $4 million. Everytime that Pet sells a new franchise, and makes him take on Texaco gasoline, Texaco gives $10,000 in cash to Pet, the franchisor. And if the franchisee will hard-top the driveway, Texaco will lend the franchisee $5,000 to be repaid to Pet with interest. In other words, Pet obtains a $15,000 capital payment from Texaco, plus a kickback on every gallon of gas. Operations of this sort are so inherently fraudulent, that they hardly need justification for a rule such as you have described.

Let's talk about price fixing. You may have heard of the prospective auto dealer who is called a "dealer enterprise" dealer. He is a fellow who does not have quite enough money to open an auto dealership on his own. We can suppose that he needs one hundred thousand dollars, to open an automobile dealership. If he can come up with twenty-five percent, say $25,000, Chrysler will put up the $75,000, and give the dealer the right to buy out the other 75% from the profits generated by the dealership.

The fact is that Chrysler charges for that twenty-five percent whatever the traffic will bear, conduct that most of us would have doubted would be engaged in by the sixth largest company in the Nation. In Natick, Massachusetts, for twenty-five percent, they charged $18,000 on a dealership that ended up with 2,600 new cars a year. That is a big dealership. In Indianapolis, $21,000 for the same twenty-five percent. In Denver, Colorado, $47,000 for one dealership and $61,000 for the other, for a twenty-five percent interest in each case. In Indianapolis and the two in Denver, the dealerships sold 800 new cars a year, each one being one-third the size of the Natick dealership. But all of them were charged substantially more for the same 25% minority interest. In other words, Chrysler charged whatever it could grab from the innocent prospect.

Since these matters expressly involved the sale of stock, we filed a written complaint with the SEC and it did nothing, again showing a complete abdication of governmental responsibility. It is also a commentary on its general disdain for any protection for franchisees.

In addition to the clear-cut sale of stock, Chrysler gave each prospective dealer a pro forma balance sheet and profit and loss statement showing him how in three to five years he would become the owner of the business out of the profits. While Chrysler has several hundred of these dealerships, 450 of them have gone bankrupt. These minority dealers don't have a prayer of success.

Such predictable failures are not due to a bad location nor to a bad product. A Chrysler auto is just as good as the others. It is because Chrysler deliberately sees to it that these crippled dependent dealerships take grossly excessive numbers of vehicles and are forced to operate at a negative retail profit, the fact being that the manufacturer still obtains his manufacturer's profit, euphemistically called the "economic profit." Such losses are incurred under the general arrangement by which Chrysler retains exclusive voting rights until all of its interest has been purchased. It then compels the dealer to order and accept an excessive number of vehicles, this not only increases the interest cost for the floor planning, but also requires excessive advertising, high salesmen's expenses, and excessive trade-in allowances in order to keep up the high volume of activity.

In Natick, the dealer used full page newspaper advertisement in Bangor, Maine, over 500 miles away, stating that anybody interested could fly down from Bangor and stay overnight in a Holiday Inn Hotel; the dealer offered to pay the expenses whether or not an auto were bought. Of course, many people came down and many did buy. But it is foolish to think that an auto dealership could tolerate that kind of advertising expense. So in spite of the fact that every year Chrysler increased the DE dealership salaries from $12,000, to $18,000, to $21,000, and gave annual bonuses of $12,000, $15,000, and $20,000, when the dealer said he would like to buy the dealership, he was terminated and kicked out. In case you don't understand why, the answer is that Chrysler wanted to retain several hundred dependent dealerships through which it could dump cars regardless of retail losses. The whole scheme was deliberate larceny and fraud.

It is proper to ask if this happened to others. The answer is that it has happened to hundreds of Chrysler dealers. On one day alone, the day after Labor Day in 1969, it happened to four Chrysler dealers in Detroit; four dealers in one day in one city!

I think that this information may be useful to you. I hope it is. I can stop at anytime you would like.

Mr. Dixon. I was going to suggest, Mr. Brown, to wind it up, as quickly as possible.

Mr. Brown. All right.

If any of the repression that is permitted to a franchisor over his franchisees can be justified, it is because the franchisee comes under the protection of a well-known trademark, or system of operation, and theoretically, for such benefits, a franchisee ought to be willing to give up some of his independence. Let's test that theory.

How about Academy Montesorri. Well, the name "Montesorri" is in the public domain. Doctor Montesorri invented a system of teaching pre-school children a long time ago, in 1906. For this franchisor to try to preempt that name is impossible; it is legally impossible. In fact, that franchisor was selling franchises even though it had no pilot operation or testing. In fact, the pro forma earnings statements disclosed that until the franchisee could shift the children from "child daycare" to "Montesorri care," he had to operate at a substantial loss. The reason for that was the $7,500 minimum annual franchise fee. The plan was probably the first time in history in which a franchisor had deliberately established a pattern of "bait and switch" on three-year old children, because Johnny in the "child daycare" center would represent a loss until Johnny had been persuaded to tell momma that he wanted to go with Bobby into the "Montesorri Care" Side.

There are other well-known franchisors who attempt to dilute the value of the franchise tradename. How can the franchisor fractionalize that trademark, and sell it over again, even as John J. Hooker did for the Minnie Pearl mark until he was put out of business.

It does not seem to us that the same standards are being applied on both sides of the fence. For example, Dunkin Donuts advertises that the franchisee will obtain a "business of your own." But is it really a "business of your own?" Well, last year the head of Dunkin Donuts was the President of the IFA, and the author of a book on franchising. While maintaining such faces of respectability, here are some of the practices of his company. In 1966, Dunkin Donuts publicized that it was dropping "kickbacks" and shifting to a royalty on gross sales. It therefore claimed that its skirts were clean. It lied. It is collecting "kickbacks" to this very day. Those who did not sign the agreement continue to be subjected to a list of some seventy companies from whom Dunkin Donuts continues to obtain kickbacks.

It may be worthwhile to inquire into the methods used by franchisors not only to threaten, but actually to terrorize, their franchisees. To be specific, let's examine Dunkin Donuts. In order to conceal its practices, that franchisor not only uses a separate franchise agreement, but they also have an equipment agreement. The latter says that the list of equipment is confidential and the franchisee covenants never to use it except for the manufacture of donuts as a Dunkin Donut franchisee at one location. In that way, the franchisor guarantees that in case of termination for any reason, there will be a total forfeiture of the value of the franchisee's business, including the $30,000 be paid for the equipment. While the franchisee's right to transfer is severely limited, Dunkin Donuts by contract retains the right to assign the contract to anyone in the world and, upon its assumption by the assignee, all further obligations of Dunkin Donuts will terminate. For lack of a better phrase, I call this a compulsory novation. It guarantees the right of the franchisor to walk away from all its obligations, without fear of liability.

Returning to Dunkin Donuts, it has spent almost $500,000 to develop a machine that they hope will make the donuts automatically. They still do not have the machine, but they are preparing the franchisees for a campaign in which they will be compelled to lease the new machine. For example, while it was always standard procedure to use freezers and "holding" bins for donuts, the franchisor is now engaged in a vicious campaign to eliminate such equipment as an antecedent to the promotion of the automatic equipment. To terrorize the franchisees, they swoop in to examine a location, announce that the place is filthy and that the product is poorly made. Without giving the franchisee a chance to contest such opinions, they just walk in, pick up eight or ten trays of donuts, and physically throw them out. The franchisee is denied any chance to test the product or to show that the inspector is wrong. The product is just thrown into the garbage can.

Well, several franchisees decided to find out how the company stores were being operated. Without notice, on January 24, 1972, the franchisees inspected two company stores. Both were filthy. In one, there hadn't been a cook for 24 hours. One of the counterclerks was trying to cook donuts. She had never made donuts in her life. That was the way that company stores were being operated.

If you think that Dunkin Donuts was merely pretending, you are in error. To the contrary, this very month, we had to go to court to defend the franchisee from eviction. Because this franchisor subleases most of the locations to its franchisees and ties the lease to the grant of the franchise, whenever it declares that the franchisee is in default, it will try to steal the business through summary eviction proceedings. Not only Dunkin Donuts, but some companies as Chrysler and General Foods, provide in the lease that it will automatically end if the franchisee is declared in default. While it is sometimes possible to fend them off on some technical grounds, hundreds of dealers are thrown out through this procedure. Since most states provide that lessor-lessee covenants are independent of each other, the franchisee can't raise his own defenses in the eviction case.

Yet there is no question that by using the subleasing of the premises as the tie-in product, the franchisor is violating the antitrust laws. The tying is often conditional on the lessee's handling the lessor's products. That issue is being tested in suits against the major oil companies based on their subleasing the premises solely on the condition that the lessee handle the lessor's gasoline products.

Such antitrust matters do not directly concern today's discussion, except that such practices are not disclosed to the prospective franchisee. In my written presentation, I have tried to illustrate the many areas of fraud on capital and operating matters as well as on the means of achieving control. The latter include record-keeping abuses, phony arbitration procedures, unilaterally levied fines and suspensions, capricious termination notices, and even the deliberate use of computerized records to effectuate defaults. In addition to the formal written presentation, I have also offered a thirteen-page document giving the names of the major franchisors who have perpetrated many of the frauds described in the statement.

I want to thank you for this opportunity to describe the franchisee's viewpoint on your proposed regulation.

Mr. Dixon. In view of the time consumed by your principal statement, Mr. Brown, I think we may have some questions, so with your permission, as we have with some other witnesses, we may, if you would agree to present them in writing, and ask for a written reply.

I wanted to pursue briefly one aspect of your statement, which I think is your basic point, and that goes to this question of the franchise constituting a fiduciary relationship, and we—Well, when the question, whether or not that does not prove too much, at least for our purpose, something sort of a sylogism, if I grant that, everything else follows, so if we grant it as a fiduciary relationship, and if it is, would not it require far, far more than we are talking about in this relatively modest disclosure rule?

Mr. Brown. Yes, given the fourth dimension, my answer to you would be yes, but we have a fourth dimensional factor. Other than the one trial court which was reversed on a technicality, there are no court decisions sustaining our position. The fiduciary obligations have been recognized in some legislation such as in the Automobile Dealers Act in Massachusetts and in the franchise statute recently adopted in the State of Washington. Both of these recognize the obligation of good faith, but that is all there is on the books. Further, litigation is expensive and it takes a long while. If the FTC were to give formal recognition to the fiduciary relationship, it might be possible to forego much specific regulation. Among other advantages would be the fact that most attorneys and most courts are already familiar with obligations of a fiduciary character. As a result, it would be easier to open the door of the courts and of the law offices to those who desperately need that kind of relief. Further, franchisees could avoid the horrendous expenses involved in antitrust litigation.

Mr. Dixon. It is because of the concept of fiduciary relationship does have a fairly well settled meaning, and I think goes far beyond the duty of good faith.

We are familiar with here in our work, with the duty of good faith, between buyers and sellers, franchisors, and franchisees, but to call it a fiduciary relationship, in the sense in which I think you are using the term, would not it virtually require the franchisor to open his books to a franchisee?

Mr. Brown. No, I have not opened my books to any of my clients. Yet attorneys have always recognized their fiduciary relationship with their clients. The fiduciary relationship prohibits secret self-preference, overbearing conduct, and conflict of interest. If I handle your passing of title in the purchase of a home, I cannot secretly get a kickback from the mortgagee for steering you to that particular bank. I would have to make full disclosure and ethical considerations might require even more.

To be precise, I believe that the fiduciary duty should be co-extensive with the power exercised by the particular franchisor. Where you have International House of Pancakes collecting the money, running the books for the franchisee, as well as specifying the products to be bought, all of those to me are classical illustrations of the sources of fiduciary obligations. In some cases, the fiduciary duties would be lessened because the franchisor exercises only minimal control over the franchisees. But I would caution those who would closely challenge the fiduciary relationship. Judges are not very anxious to draw a close line for the fiduciary who indulges in self preference or other larcenous conduct. To the contrary, once a court finds such abuse, it will usually take drastic measures to obtain redress. For example, there is ample precedent under which a court of equity will not only require restitution of the taken property, but may also require a refund of all fees, not matter how reasonable they may otherwise have been.

Mr. Dixon. So then, would you say that without necessarily endorsing every provision in the proposed rule, say that it covers everything it should cover in the preliminary disclosure rule, the thrust of the rule, the thrust of it comports with what you mean by a fiduciary relationship between these parties?

Mr. Brown. Without question and in total. As we have seen in these hearings, there may be some areas in which some minor adjustments could be made.

For example, to get specific, I would endorse what John Jackson said about time for disclosure, It does not have to be necessarily at the very first contact in its inquiry stage, but certainly it should be made at the first interview or other serious discussion, whether it is in person or by telephone. Because once the poison is planted, it is almost impossible to reverse the enthusiasm of the prospective franchisee; I have dealt with dozens of them and I have found it almost impossible to bring them out once they have been hooked. I therefore endorse your entire trade regulation.

Incidentally, as to the holder in due course, it is addressed to a practice which the International House of Pancakes has effectively used to frighten a terminated franchisee to make an exchange of mutual releases. Since there is a substantial balance remaining due on the equipment note, often from thirty to sixty thousand dollars, the entire balance will automatically become due upon termination of the franchise for any reason whatsoever. Right there, the franchisor then holds the personal obligation of the franchisee for a huge sum of money that he cannot possibly pay. To protect his home, he will sign a release.

In the FTC files, you have the complaint of Rudolf Weth against International House of Pancakes involving that very situation. In his Wayne, New Jersey franchise, during his seven months of operation, he was never able to raise the temperature of his House of Pancakes franchise store above 55 degrees. It just would not work; he finally gave up the day after Christmas. Two days later, with his lawyer present, he was economically forced to enter a compromise settlement in order to avoid the loss of his home. They told him they would take away his home because there was a $33,000 balance due on the accelerated equipment note.

Mr. Dixon. Where is the second party holder in that situation?

Mr. Brown. I do not even know with whom it was discounted.

Mr. Dixon. There was a third party holder?

Mr. Brown. There may or may not have been. Just about that time, International House of Pancakes made a corporate merger in which they obtained $65 million. They may have been using their own funds, I am not quite certain. Oddly enough, they soon lost most of their liquidity and that has led to other abuses.

As a matter of fact, that franchisor collects the money from the franchisees and is supposed to pay the vendors. In fact, they were not paid. At this very minute, the franchisor is as much as fourteen weeks behind. Since it collects about a half million dollars a week and it is about 14 weeks in arrears, it has about seven-million dollars of the franchisees' money to use for its own corporate purposes. When the franchisees began to receive COD demands from various vendors and even eviction proceedings by the landlords, we sought temporary injunctive relief in the pending class antitrust suit. Judge Collinson ordered the franchisor to make prompt payment in full to the third party vendors, for which it had already collected from the franchisees. Since payment has not been made, the franchisor could be cited for contempt of court. The franchisees want the franchisor to pay the vendors, but it is an uphill battle. For example, Richard Erickson is a franchisee located on the Veterans of Foreign War Parkway, Boston, Massachusetts. He is only the customary four weeks behind in his payments, which is normal in the system since it takes that much time to verify the account. He recently received an eviction writ from the landowner, stating that it has not been paid any rent for thirteen months. Of course, Richard Erickson is a subleasee of the International House of Pancakes. His rent is paid up to date but thirteen months of rent have not been paid by the franchisor to the landowner.

Now, is this fraud?

Can you cover it with full disclosure? I don't know. I am leaving that problem to you.

I hope you come up with the answers. I fully support what you are doing.

Mr. Dixon. Thank you, Mr. Brown.

I think this would be a good spot for another five-minute recess.

(Whereupon, the hearing was in recess.)

HON. GEORGE P. MILLER

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. FUQUA. Mr. Speaker, it is with a sense of loss that I give tribute to Chairman George Miller on his leaving the Congress. I have been privileged to serve with Chairman Miller on the House Committee on Science and Astronautics since my first day in the House. Our relationship has been one of friendship and respect and I will sincerely miss his presence and leadership in the years to come.

Chairman Miller has given the committee outstanding leadership blended with a kindness and understanding which few men possess. The chairman has always been a very progressive and responsive leader and has been most instrumental in the development of sound and valuable programs of scientific and technological advancement for our Nation.

George has given the committee and the Congress much needed leadership in these areas and has always looked down the road in anticipating future needs of our space and scientific communities.

The desirability of our country converting to the metric system of measurement was, in large part, championed by the chairman and his contributions in this area alone will insure his place in history.

The chairman was responsible for the creation of a Subcommittee on International Cooperation in Science and Space and I was fortunate enough to be appointed as its first chairman. Mr. MILLER's keen foresight and leadership was most valuable to me in executing the responsibilities of that post and I will be forever grateful.

This Nation's space program has evolved into one of stability and far-reaching scientific implications. The chairman has been the most significant single figure in the progress we have been able to make in space and we all owe him a debt of gratitude for his efforts.

The chairman's leadership and support will be missed by me and my colleagues in the House. His friendship, however, will be with me forever and it means a great deal to me.

I wish the chairman every happiness in the years to come and I join wholeheartedly with my colleagues in paying tribute to an outstanding statesman and a wonderful man.

BUDGET SCOREKEEPING REPORT NO. 9

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAHON. Mr. Speaker, I am inserting, for the information of Members, their staff, and others who may be interested, a few excerpts from the most recent budget scorekeeping report for the session, prepared by the staff of the Joint Committee on Reduction of Federal Expenditures.

The report reflects the impact of congressional actions on the President's budget requests through the end of the session October 18.

The report contains considerable information for those who have need for details, and a copy has been sent to all Members.

The excerpts I am including—that is, the text highlights and the main scorekeeping table of the report—are more or less self-explanatory.

I would add that these scorekeeping reports, now in their fifth year, are the most comprehensive current source of information on what is happening legislatively to the President's budgetary recommendations. They are authoritative, being carefully prepared by an experienced staff dedicated to complete objectivity, reporting the facts as best they can be ascertained. Some estimating is necessary, especially in respect to legislative actions affecting outlays—expenditures.

The following material is excerpted from the "1973 Budget Scorekeeping Report No. 9," as of the end of the session October 18, 1972:

EXCERPTS FROM 1973 BUDGET SCOREKEEPING REPORT NO. 9

HIGHLIGHTS

Fiscal 1973 scorekeeping—end of session

The impact of congressional action to the end of the session, October 18, 1972, on the President's fiscal year 1973 requests for budget authority, budget outlays and budget receipts, and the projected unified budget deficit, as shown in this report, may be summarized as follows:

[In millions of dollars]

	House	Senate	Enacted
Budget authority:			
Appropriation bills	−6,318	−3,460	−6,561
Legislative bills:			
Net increase over requests	+14,981	+11,502	+13,376
Fiscal year 1972 revenue sharing request shift to 1973	+2,500	+2,500	+2,500
Inaction on legislative proposals in the 1973 budget	−244	−177	−264
Total, budget authority increase	+10,920	+10,365	+9,051
Outlays:			
Appropriation bills	−2,137	−173	−1,555
Legislative bills:			
Net increase over requests	+3,306	+9,921	+5 680
Fiscal year 1972 revenue sharing request shift to 1973	+2,250	+2,250	+2,250
Inaction on legislative proposals in the 1973 budget	−74	−37	−90
Total, outlay increase	+3,345	+11,962	+6,286
Revenue increase (decreases deficit)	+323	+1,534	+525
Deficit increase	+3,022	+10,428	+5,761

In terms of completed congressional action for this session, major scorekeeping actions affecting the President's budget requests include:

Black lung benefits—increase of $969 million in budget authority and outlays;

Social security benefits—increase of $2.8 billion in outlays, mainly the 20% benefit increase instead of the 5% increase requested;

Revenue sharing—increase of $3.0 billion in budget authority and $3.3 billion in outlays (including shift of $2.5 billion in budget authority and $2.25 billion in outlays requested for fiscal 1972 into fiscal 1973).

Water pollution control—increase of $11 billion in budget authority.

Various veterans benefits—increase of $330 million in budget authority and about $550 million in outlays.

With respect to revenue, congressional action during the session increased estimated budget receipts by $525 million. This is composed of a $425 million net increase because of inaction on certain budget revenue proposals and a net increase of $100 million from action on revenue legislation, mainly social security taxes.

This report shows congressional action as of the end of the session (October 18), and includes final Presidential approval or disapproval of legislation through October 23. It should be noted that the report does not reflect any changes which may subsequently be necessary as a result of possible vetoes of measures still pending final Presidential approval.

Fiscal 1973 budget deficit

The following is an analysis of the budget deficit for fiscal year 1973, reflecting budget revisions, amendments and congressional action to the end of the session, October 18, 1972:

	Deficit estimate (millions)
Original deficit estimate, January 1972 (outlays $246,257 million; receipts $220,785 million)	$25,472
Budget revisions, as of June 5, 1972:	
Net outlay increase due to certain congressional actions, mainly black lung benefits	+895
Shift of fiscal 1972 revenue sharing request into fiscal 1973, assuming enactment of retroactive provisions of pending legislation	+2,250
Net outlay changes, including interest	+583
Revenue revisions	−2,200
Revised deficit estimate, as of June 5 (outlays $250,000 million; receipts $223,000 million)	27,000
Amendments to the 1973 budget estimates, as transmitted to date:	
Additional outlays for Vietnam war	+1,200
Disaster-relief outlays incident to Hurricane Agnes, etc.	+1,500
Additional outlays for drug abuse programs	+100
Additional outlays for other supplemental requests	+96
Deficit estimate, as revised and amended (outlays $252,896 million; receipts $223,000 million)	29,896
Revenue revisions, September 18, 1972 (excluding Congressional action)	−3,602
Deficit estimate, reflecting further revenue revision of September 18 (outlays $252,896 million; receipts $226,602 million)	26,294
Congressional action to date (in addition to amounts included in the June 5 budget revisions):	
Social security—all legislation (net):	
Payments, 20% increase, liberalization, etc.	+2,842
Revenue increase	−100
Revenue sharing outlay increase not included in June 5 revisions above	+1,045
All other outlay changes, net (including inaction)	−746
All other revenue changes (including inaction)	−425
Deficit estimate, as revised and amended, and adjusted by Congressional action (outlays $256,037 million; receipts $227,127 million)	28,910

The unified budget deficit estimate of $28.9 billion reflects a federal funds deficit of $37.2 billion and a trust fund surplus of $8.3 billion.

Fiscal 1973 outlays

Current outlay estimates for Administration budget requests as amended and transmitted to date, together with Congressional action to the end of the session, October 18, are analyzed in tabular form as follows:

	Outlay estimate (millions)
Original outlay estimate, January 1972	$246,257
Amendments to the 1973 budget estimates, transmitted to date	+2,896
Congressional action to date	+6,286
All other revisions and rounding, net	+598
Outlay estimate, as revised and amended, and adjusted to include Congressional action to end of session (October 18, 1972)	256,037

SCOREKEEPING TABLE

TABLE 1.—ESTIMATED EFFECT OF CONGRESSIONAL ACTIONS DURING THE 2D SESSION OF THE 92D CONGRESS ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF END OF SESSION, OCT. 18, 1972)

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Fiscal year 1973:						
Appropriation bills (changes from the 1973 budget):						
1972 Foreign assistance and related agencies (Public Law 92-242)				[1] −105,000	[1] −105,000	−105,000
Legislative Branch (Public Law 92-342)	−6,022	−4,625	−5,560	−5,500	−4,300	−5,200
2d supplemental, 1972 (Public Law 92-306)				−100,000	+550,000	+95,000
State, Justice, Commerce, the Judiciary and related agencies (H.R. 14989)	−100,884	+116,391	††−23,309	−74,000	+51,000	††−28,000
Housing and Urban Development, Space, Science and related agencies (Public Law 92-383)	−454,695	+85,187	−372,232	−3,500	+58,000	+34,000
Transportation and related agencies (Public Law 92-398)	−117,567	−2,187	−41,244	−75,000	−39,000	−48,000
District of Columbia (Public Law 92-344)	−11,000	−29,600	−26,913	−11,000	−29,600	−26,913
Labor, Health, Education, and Welfare and related agencies (H.R. 16654) [2]	+835,815	[3] +835,815	††[3] +532,366	+275,000	[3] +275,000	††[3] +200,000
Interior and related agencies (Public Law 92-369)	+9,218	+23,769	+21,781	−7,100	+14,800	+10,000
Treasury, Postal Service and General Government (Public Law 92-351)	−9,458	−9,417	−8,776	−37,000	−37,000	−36,500
Public Works and Atomic Energy (Public Law 92-405)	−51,331	+82,638	+15,056	−20,000	+49,000	+27,700
Agriculture and Environmental and Consumer Protection (Public Law 92-399)	−55,179	+808,866	+481,842	[4] +78,000	[4] +315,000	[4] +250,000
Supplemental, 1972, disaster relief (Public Law 92-337)				+100,000	+100,000	+100,000
Supplemental, 1973, disaster relief (Public Law 92-393)	+17,500	+17,500	+17,500	+6,000	+6,000	+6,000
Department of Defense (H.R. 16593)	−5,016,636	−5,022,486	††−5,221,208	−2,000,000	−1,600,000	††−1,750,000
Foreign Assistance and Related Agencies (H.R. 16705) (H.J. Res. 1331, Public Law 92-510)	−967,869	−88,127	††[5] −1,510,323	−140,000	+1,500	††[5] −265,000
Military construction (H.R. 16754)	−380,600	−323,658	††−337,981	−10,000	−8,000	††−8,600
Supplemental, 1973 (H.R. 17034)	−8,904	+250,150	††−83,125	−8,000	+230,000	††−4,000
Subtotal, appropriation bills	−6,317,612	−3,459,784	−6,561,326	−2,137,100	−172,600	−1,564,513
Legislative bills with "backdoor" spending authorizations (changes from the 1973 budget):						
Higher education—student loans (borrowing authority) (Public Law 92-318)	Indefinite	Indefinite	Indefinite	NA	NA	NA
Housing Act of 1972 (contract authority) (S. 3248, H.R. 16704)	†+150,000	+300,000		†NA	NA	
Housing—temporary extension (contract authority) (Public Law 92-503)		+150,000	+150,000		NA	NA
Highway emergency relief (Public Law 92-361)	−50,000	−50,000	−50,000			
Federal-aid Highway Act of 1972 (S. 3939, H.R. 16656)	+1,511,350	+1,287,920	(6)	NA	NA	(6)
Airport and airways development (contract authority) (S. 3755)		+840,000	††+700,000			(6)
REA loan guarantee (borrowing authority) (S. 3995)		†+20,000			†NA	
General revenue sharing (Public Law 92-512):						
Shift of fiscal 1972 request to 1973	+2,500,000	+2,500,000	+2,500,000	+2,250,000	+2,250,000	+2,250,000
Increase above request	+300,000	+300,000	+494,670	+850,000	+850,000	+1,044,670
State bond subsidy (permanent) (S. 3215)		†+29,000			†+29,000	
Water pollution control (contract authority) (Public Law 92-500)	[7] +11,000,000	+3,000,000	[7] +11,050,000	NA	NA	NA
Freight car loan guarantee (borrowing authority) (S. 1729)		+2,000,000			NA	
Subtotal, "backdoor"	+15,411,350	+10,376,920	+14,844,670	+3,100,000	+3,129,000	+3,294,670
Legislative bills with mandatory spending authorizations (changes from the 1973 budget):						
Wage board pay (Public Law 92-392)	[1] +30,000	[1] +30,000	+30,000	[1] +30,000	[1] +30,000	+30,000
Full District of Columbia Congressional representation (H.J. Res. 253)	†+960			†+960		
Federal employee health insurance (H.R. 12202)	+267,900	+39,600	(1)	+267,900	+39,600	(1)
Service contract wage rates (Public Law 92-473)	+10,000	+10,000	+10,000	+10,000	+10,000	+10,000
Council on International Economic Policy (Public Law 92-412)	−1,341			−1,316		
School lunch (Public Law 92-433)				[1] +200,000	[1] +200,000	+200,000
Equalization of military retired pay (Public Law 92-436)	−269,000	+6,000	−269,000	−269,000	+6,000	−269,000
National Guard retirement (S. 855)		+7,900			+7,900	
Additional military travel allowance (H.R. 3542)	+2,414			+2,414		
POW and MIA leave (H.R. 14911)	+13,400	+13,400	††+13,400	+13,400	+13,400	††+13,400
Military survivor annuity (Public Law 92-425)		−17,715	−17,715		−17,715	−17,715
National Foundation for Higher Education (Public Law 92-318)	[1] −90,000		−90,000	[1] −27,000		−27,000
Black lung benefits (Public Law 92-303)	[1] +968,712	+968,712	+968,712	[1] +968,712	+968,712	+968,712
Social security tax and benefit amendments (Public Law 92-336)		[8] −1,600,000	[8] −1,600,000		+2,100,000	+2,100,000
Social security liberalization, welfare reform, tax increase, etc. (H.R. 1)		[8] +2,500,000	††[8] +1,441,220		+3,700,000	††+742,220
Medicaid extension (H.R. 16811)				†+86,000		
Revenue sharing, HUD [9]	−200,000			−454,000	−454,000	−454,000
U.S. Marshals pay raise (H.R. 13895)	+2,129	+2,129	††+2,129	+2,129	+2,129	††+2,129
Extended unemployment benefits (H.R. 16810)					+200,000	††+200,000
Longshoremen's compensation (S. 2318)	+4,322	+6,000	††+5,310	+4,322	+6,000	††+5,310
Unemployment benefits—environmental improvement actions (H.R. 16071)	+100,000	+100,000	††+100,000	+100,000	+100,000	††+100,000
Air traffic controller retirement (Public Law 92-297)	[1] +31,500	+31,500	+31,500	[1] +31,500	+31,500	+31,500
Airport police pay raise (H.R. 7625)	+338			+338		
Early retirement—customs inspectors (H.R. 440)	+3,200			+3,200		
Handgun control (S. 2507)		+10,000			+10,000	
Veterans advance educational allowance (H.R. 12828)	+128,700	+692,000	††+146,641	+124,700	+900,900	††+371,600
Veterans medical care (H.R. 10880)	[1] +39,033	+150,850	††+39,033	[1] +39,033	+150,850	††+39,033
Veterans paraplegic housing (Public Law 92-341)	+3,500	+5,000	+3,500	+3,500	+5,000	††+3,500
Veterans national cemeteries (H.R. 12674)	[1] +26,400	+26,400	††+26,400	[1] +23,100	[1] +23,100	††+23,100
Veterans compensation increase (Public Law 92-328)	+114,900	+169,000	+114,900	+114,900	+169,000	+114,900
World War I veterans pensions (S. 3070)		+109,000			+109,000	
Veterans disability compensation liberalization (S. 4006)		+197,895			+197,895	
Civil Service retirement—firemen (Public Law 92-382)	+6,700	+6,330	+6,700	+6,700	+6,330	+6,700
Civil Service—early retirement (H.R. 11255)	†+780,600			†+780,600		
Disaster relief, SBA (Public Law 92-385)	+94,772	+159,952	+50,000	+94,772	+159,952	+50,000
Minority enterprises (S. 3337)	+833	+883	††+883	+833	+883	††+883
Railroad Retirement benefit increase (Public Law 92-336)					+68,000	+68,000
Railroad Retirement—20 percent increase (Public Law 92-460)				+298,000	+298,000	+298,000
Railroad Retirement benefit increase (H.R. 1)		NA	††+18,000		NA	††+24,000
Subtotal, "mandatory"	+2,069,972	+3,624,836	+1,031,613	+2,455,697	+9,042,436	+4,635,272
Subtotal, legislative bills	+17,481,322	+14,001,756	+15,876,283	+5,555,697	+12,171,436	+7,929,942

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Inaction on legislative proposals included in the 1973 budget (see tables 4 and 5 for details):						
Student loan program revision	+288,000	+288,000	+288,000	+288,000	+288,000	+288,000
Stockpile sales (proprietary receipts)	+301,000	+301,000	+301,000	+301,000	+301,000	+301,000
Volunteer army	−360,000	−360,000	−360,000	−356,000	−356,000	−356,000
Armed forces retirement	−145,285	−145,285	−145,285	−139,285	−139,285	−139,285
Education revenue sharing	−223,911	−223,911	−223,911	−110,000	−110,000	−110,000
Other	−103,700	−36,700	−123,700	−57,399	−20,399	−73,399
Subtotal, "inaction"	−243,896	−176,896	−263,896	−73,684	−36,684	−89,684
Total, fiscal year 1973	+10,919,814	+10,365,076	+9,051,061	+3,344,913	+11,982,152	+6,285,74

[1] Enacted figure used for comparability.

[2] Earlier action on Labor-HEW appropriations (H.R. 15417) vetoed by President and sustained by House on Aug. 16, 1972.

[3] Reflects full effect of provision authorizing the President to make reductions down to the level of the House passed bill in the Senate version, and to the level of $29,300,000,000 as enacted. Outlay effect estimated.

[4] Does not include possible requirements for certain water pollution reimbursements provided in Public Law 92-500.

[5] Effect of annual rate provided in continuing resolution (H.J. Res. 1331).

[6] Scorekeeping on conference action not shown since Congress adjourned sine die before House approved conference report.

[7] Includes advance availability of $6,000,000,000 provided for fiscal 1974.

[8] Includes related social security tax revenue action.

[9] Scorekeeping reflects inclusion in appropriation bills of amounts for other housing programs. Special revenue sharing legislation not enacted.

‡Subject to or in conference.

†Committee action.

††Pending signature.

NA—Not available.

TRIBUTE TO HON. PAGE BELCHER

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, PAGE BELCHER has rendered distinguished service to his State and the Nation. We regret that he has chosen not to continue his service in the Congress.

PAGE BELCHER has devoted much of his life to public affairs. He has been a great voice for Oklahoma and has made a real contribution to the legislative process of the Nation.

PAGE BELCHER speaks a language that everyone understands. His great commonsense approach to the issues has been a great influence on the legislative process. His leadership has meant much to his people and our country.

It has been a privilege for me to know and serve with PAGE BELCHER, and I take this opportunity to wish him the very best as he reenters private life.

CONGRESSMAN FRANK BOW

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WHALEN. Mr. Speaker, I am pleased to join my colleagues in paying tribute to Congressman FRANK BOW who has served with the 16th District of Ohio with distinction for 22 years.

During FRANK's tenure on the appropriations Committee he has become known as Mr. Fiscal Responsibility. Certainly, his diligence in overseeing the various budget requests clearly qualifies him for this title.

FRANK also has been the Ohio representative on the Republican Committee on Committees. In that capacity he always has been more than willing to help his Buckeye colleagues. I am particularly grateful to him for the assistance he has given me.

We pause this afternoon to congratulate FRANK on his retirement from the House of Representatives and to commend him for the contributions he has made to his constituents, the people of Ohio, and the Nation. However, he really is embarking on a new career. Thus, as he enters the diplomatic profession as Ambassador to Panama, I wish him well and Godspeed.

REVIEW OF THE 92D CONGRESS

HON. ROBERT TAFT, JR.

OF OHIO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. TAFT. Mr. President, the 92d Congress enacted many significant measures which will benefit the people of Ohio. The more important accomplishments include:

The 26th amendment to the Constitution extending the right to vote to 18-year-olds;

Passage by the Congress of the equal rights for women amendment;

The higher education bill;

Health manpower legislation to provide the additional medical personnel which are so desperately needed;

A Federal election campaign law to provide a limit on campaign expenditures and better reporting of contributions;

Numerous environmental measures to control water pollution, pesticides, ocean dumping, toxic substances, to protect marine mammals and to provide a national land use policy;

General revenue sharing;

An equal employment opportunities law to strengthen civil rights enforcement;

A measure to provide improved benefits to coal miners who contract black lung disease;

Anticrime legislation;

Tax reform;

Improved veterans' benefits;

Improved social security benefits; and

Economic stabilization.

Despite these important measures, Congress failed to enact pension protection legislation, no-fault insurance, meaningful welfare reform, a minimum wage bill, and legislation to deal with the energy crisis. Unemployment remains too high and I am hopeful that we can undertake legislative initiatives to provide more job opportunities during the next session of the Congress.

In addition, we must act decisively to improve the quality of life in our cities and arrest the decay which has eaten away at many of our urban areas.

During the 92d Congress the Senate passed a total of 767 measures, acted on 19 treaties, and confirmed 66,054 Executive appointments.

We must continue to seek economy in Government and cut our wasteful and unproductive programs. Congress must also continually reevaluate priorities.

In submitting my report on the 92d Congress to the people of Ohio, measures which I believe to be of particular significance and which merit further discussion are as follows:

A CONGRESSIONAL REFORM

One of the first bills I introduced as a Member of the Senate was a resolution to require financial disclosure by all Senators and key staff members. This proposal would close the loopholes in the present disclosure regulations. Under my resolution, Senators and staff members who earn more than $15,000 a year would be required to list publically all income received during the preceding year, to disclose all of their assets and liabilities, and to list all gifts received totaling $50 or more from any source. The only exception would be for Christmas and birthday presents received from family members.

Charges of financial irregularity have been lodged against Senators and key staff members. The public is justified in being angry and concerned. Conflicts of interest undermine confidence in the Senate as an institution. I believe that the public should have the right to this information and not be left in the dark.

The Congress did pass the Federal Elections Campaign Act which became law on February 7, 1972. I regard this legislation as an important step toward adequate regulation of campaign spending and financing.

This legislation limits campaign expenditures for communications media to either $50,000 or 10 cents per eligible voter, whichever is greater. Newspapers, magazines and broadcasting stations can not discriminate against candidates by charging high fees for space or broadcasting time.

A candidate is prohibited from spending personal funds or those of his immediate family in excess of $50,000 in a campaign for President or Vice President, $35,000 in a campaign for Senator, and $25,000 in a campaign for Representative.

Corporations and labor organizations can solicit contributions to political funds from their employees, but cannot make such contributions mandatory.

Full disclosure is required of the expenditures and receipts of "political committees" which handle contributions or political expenditures totaling $1,000 or more. Other requirements include disclosures of the name, address, and principal place of business of anyone whose political contributions aggregate more than $100 per year.

I am hopeful that the spending limits and disclosure requirements in the Federal Elections Campaign Act will lessen the importance of these characteristics for political success and allow a candidate's merits and abilities to assume a greater role.

I have been opposed to the seniority system for many years. When I was a Member of the House of Representatives I headed a Republican group which abolished the seniority system in selecting committee chairmen and ranking committee members on the Republican side. This year I was appointed as a member of a five-man committee established by the Republican caucus to change the seniority system in the Senate. I am hopeful that the Republicans in the Senate will follow the example of the Republicans in the House and eliminate the seniority system here as well.

B. THE ECONOMY

Productivity and wage price stabilization.—On August 3, 1971, I joined with several other Republican Senators to introduce two bills which would enable the executive branch to deal more effectively with the problems of unemployment and inflation. The first measure would have established a Wage-Price Board with the authority to set standards by which decisions with respect to wages and prices could be measured in terms of their inflationary impact.

The second bill proposed the establishment of a National Council on Productivity. The Council would be designed to enlist the cooperation of labor, management and State and local governments to promote increased productivity. Some labor unions and corporations have failed to live up to their responsibilities to modernize facilities and update work rules. Consequently, the Government was required to act as the catalyst to insist that both parties take responsible positions to return American products to a competitive position.

Our legislation precipitated the President's dramatic August 15th announcement that he would impose wage and price controls and take steps to help improve the Nation's productivity. In addition, less than 5 months after we introduced these bills, legislation was passed which made the National Council on Productivity a reality.

Workers are concerned that automation may result in layoffs. But unless American products can be sold competitively on the world market, there will be neither jobs nor profits. If we are to protect American jobs, we must concentrate on increasing our productivity.

As early as April of 1971, I called for the reinstatement of the investment tax credit. I did so in order to help modernize America's tools of production and increase our efficiency. During the last 10 years, American productivity has increased at a slower rate than any Western nation. During that time, Japan's productivity has increased 180 percent while our increase per man-hour was 35 percent. Accordingly, it now takes the Japanese 5.7 man-hours to produce a ton of raw steel while it takes us 7.31 man-hours.

The significance of productivity is illustrated by the fact that an increase of 0.4 percent in the productivity growth rate for American industry would result in an additional $250 billion in gross national product during the next decade.

Americans will never become more efficient than their competitors, however, if its workers have to fight the battle with obsolescent tools. Forty-four percent of all industrial equipment in use in America is 10 years old or older; 10 years ago, only 35 percent of our machinery was that old. Americans invest a smaller percentage of their gross national product in new equipment than any other major industrial nation.

One of the principal reasons why our industry has become entrenched in this disadvantageous situation is that other countries give their industries more favorable tax treatment, as well as grants and loans in some cases, to encourage investment. For example, other major industrial nations allowed their industries to write off new investments for tax purposes in an average of 8.4 years. Prior to the Nixon administration's initiation of accelerated depreciation, or ADR, the average write-off period in the United States was 13 years. Shorter depreciation periods have increased the cash flow of foreign competitors and given them a greater capacity to reinvest in new and modern productive equipment.

The ADR and the investment tax credit will help to remove these competitive disadvantages. They will aid greatly in modernizing our factories, so that the American worker will not be forced to compete for his job using obsolete tools and equipment.

The Banking, Housing and Urban Affairs Committee, of which I am a member, was given the responsibility for drawing up the legislation which would enable President Nixon to continue his policy of wage and price controls. The committee called for equal sacrifices by labor and business in the anti-inflation program. We saw to it that the "working poor" would not be subject to wage controls. We provided for the retroactive payment of wage increases to those workers who were scheduled to receive increases during the wage-price freeze. We created a means by which private citizens victimized by excessive price increases could sue for damages, and we took steps to lessen the administrative burden of wage and price controls on small businesses.

As of last June, the rate of increase in the cost of living had slowed from 3.8 percent in the 8 months of 1971 before wage and price controls were imposed—and 6.1 percent in early 1969—to 2.7 percent since the imposition of the freeze. Although there is certainly some controversy about the equitability of controls, the decision to allow the program to continue has apparently helped to reduce inflation.

International trade.—Millions of Americans are gripped by the fear that foreign workers are going to take away their jobs. The Christian Science Monitor recently estimated that more than 40,000 Americans lose their jobs through import competition each year.

Representative BURKE, Democrat of Massachusetts, and Senator HARTKE, Democrat of Indiana, have proposed that America respond to this challenge with across-the-board import quotas. We should reject the Burke-Hartke approach because it would lead to higher prices for American consumers and invite a trade war that would cost American jobs in export-related industries.

On August 18, 1972, I joined with Senator PERCY of Illinois to introduce the Trade Adjustment Assistance Act. This legislation would greatly increase the availability of Government loans, grants, and subsidies for workers, firms, and communities whose well-being has been threatened by imports.

Tariff increases and import quotas would also become more available. These import restrictions would be applied to specific products rather than to a wide range of goods. Safeguards are included to insure that any such restrictions do not lead to excessive price increases or retaliation by our trading partners.

The Trade Adjustment Assistance Act would fulfill the need to provide more help to those directly affected by increased imports. It is a positive alternative to protectionist legislation. We must work for its enactment during the 93d Congress.

The American worker has been assisted in protecting his job by the investment tax credit which gives him more modern tools with which to compete, and the revaluation of the dollar which makes it easier to export American goods and more costly for foreign companies to flood the American market with their products. The Trade Adjustment Assistance Act would be a further assistance to those whose jobs have been threatened by imports, without increasing prices paid by the American consumer.

Export decontrol.—Our Government's restriction of exports which are not of strategic value and not controlled by our foreign competitors is a costly anachronism left over from the cold war. It is hard to see how controlling the export of items which the Communists can buy freely from Western Europe and Japan benefits our national security. It only results in a worsened balance-of-payments situation, fewer sales for American industries, and fewer jobs for American workers.

As of last summer, the United States was handicapping itself by controlling approximately 48 percent more classifications of goods and technology than our allies. To help remedy this situation, I introduced the Equal Export Opportunity Act. This legislation would facilitate the decontrol of such exports by requiring the Commerce Department either to remove unilateral U.S. controls or justify their retention. The bill also creates industry advisory committees to help the Department collect essential information for determining the need for export controls.

This legislation has now been passed as title I of Public Law 92–412. It should result in the increased export of nonstrategic machine tools, other types of machinery, computers, electronic equipment, automotive goods, aerospace equipment, chemicals, business equipment, and certain types of fabrics and materials.

Export-Import Bank legislation.—The Banking, Housing and Urban Affairs Committee developed legislation which expands substantially the powers of the Export-Import Bank of the United States to extend loans and guarantees to companies that sell American products abroad. Among other provisions, this measure lifts restrictions on loans and guarantees to Eastern European countries and almost triples the amount of outstanding guarantees and insurance that the Eximbank may charge against its reserves.

This legislation will provide jobs and income for Americans as a result of increased exports, and to build the foundation for a normalization of economic relations with the Communist countries of Eastern Europe.

C. HEALTH

National Cancer Act of 1971.—I am pleased that the Congress enacted the National Cancer Act of 1971, a measure which I cosponsored.

As recently as 1969, we spent $410 per citizen for national defense and only 89 cents per person for cancer research. The striking disparity of these figures is highlighted by the fact that in that same year, 323,000 Americans died as cancer victims.

The National Cancer Act of 1971 provides for the coordination of all programs aimed at finding a cure for cancer. I hope that as a result of this bill we can look forward to a meaningful breakthrough that can eradicate cancer and give hope to the millions of Americans over whom this disease hangs like a dark and ominous shadow.

Communicable Disease Control Amendments of 1972.—In a society as mobile as ours the only way to control communicable diseases effectively is through a coordinated national effort. This legislation, which I supported both in committee and on the floor, authorizes for each of the fiscal years of 1973, 1974, and 1975, $11 million for tuberculosis control, 6 million for the control of measles, and $23 million for the control of other communicable diseases. It establishes a venereal disease prevention and control program which I had cosponsored as a separate measure.

National Heart, Blood Vessel, Lung and Blood Act of 1972.—I cosponsored this legislation which has established a national commitment to combat heart disease, the Nation's No. 1 killer. This measure expands the authority of the National Institutes of Health to develop a major effort to combat cardiovascular and pulmonary diseases.

Multiple sclerosis.—I supported legislation which we enacted to establish a National Commission on Multiple Sclerosis for the purpose of finding the most productive avenues in developing better treatment of multiple sclerosis. This is a chronic and usually progressive disease of the nervous system and afflicts approximately 250,0000 people in the United States.

Lead-base paint poisoning.—This affects some 400,000 young Americans and will probably result in the deaths of 200 children this year. About 14,000 children will be treated, but half of them will be left mentally retarded. I cosponsored legislation to help with this problem, but unfortunately it died in the House after it was passed by the Senate.

Comprehensive Health Manpower Training Act of 1971.—I cosponsored this measure which is designed to increase the number of doctors, dentists and nurses. Health insurance alone will not provide better health care if there are not enough trained personnel. This measure provides construction assistance grants for schools, and provides other assistance to see that the number of medical personnel is increased. Loans to students will be cancelled if they serve in designated areas where the shortage of medical personnel is most acute.

A companion measure which I cosponsored provides construction grants and other assistance to nursing schools and authorizes funds for the development of new nursing schools. I also supported a measure which we enacted to attract physicians, dentists and nurses into rural and inner city neighborhoods. There are today 5,000 communities in the United States without any health services. This measure extends for 1 year the National Service Corps with a new scholarship program for students entering it. The Corps was established in 1971 to channel medical, dental and other health specialists into areas where the shortage of health personnel is most acute.

Black lung benefits.—Since I have been in the Senate, there has been no bill on which my staff and I have worked harder than on the Black Lung Benefits Act of 1972. Each time we flip a light switch and each time a production line moves, we are depending on coal miners to go into the mines and risk their lungs and even their lives. This act recognizes the physical sacrifices which America's coal miners have made to provide a better standard of living for all Americans.

The heart of this bill provides that where a miner does not have a positive X-ray, but there is other evidence of respiratory disability, there shall be a presumption of black lung disease if he has worked in an underground mine or in a high dust area of a surface mine for a period of 15 years. This was the amendment I authored in committee, and I am pleased that it was retained when we met to compromise the differences between the House and Senate versions. This provision recognizes the injustice of having crippled men denied benefits solely because their disease could not be detected by an X-ray. The evidence is clear from autopsies that approximately 25 percent of black lung cases do not show up in X-rays. Before we passed this change in the law, men who had been crippled for life working in our Nation's coal mines had been unable to collect because of the way in which the previous law had been drafted.

My only reservation about this measure was the fact that it relieved the coal mine operators of their responsibilities for an additional period of 18 months. Under traditional workmen's compensation principles the companies should bear the cost of this program. Many of the companies which were the principal beneficiaries of this extension are among the largest in America. At a time when our budget is running a massive deficit there is questionable justification for having the American taxpayers relieve these corporations of their responsibility to their coal-mining employees.

D. EDUCATION

Higher education.—If there is to be a keystone in the bridge across this Nation's social and economic problems, it must surely be education. By augmenting educational opportunities for all Americans, we make a major thrust in the direction of better jobs and in turn, better housing.

Public Law 92–318, the Higher Education Amendments of 1972, represents a firm and positive reaffirmation of the Federal Government's support for our Nation's educational system. This law provides a program of basic educational opportunity grants, involving a commitment that no qualified student should be denied the resources to receive a higher education. The grants would be up to $1,400 per student. This program should reach 1,800,000 full-time students.

This law also provides a new scholarship program providing matched funds for State scholarships. It also expands work study programs and additional assistance for community colleges and branch campuses which in Ohio have been such a vital part of our educational system. Community colleges bring educational opportunities to the hometowns of thousands of young people who might not otherwise be able to attend college. By allowing young men and women to live at home and work in their off hours, we greatly expand the educational horizons of thousands of young people.

I am delighted that title II of this measure adds "industrial arts" to the vocational education program. For too many years the educational elite have looked down their noses at vocational education. We have let this educational snobbery reach the point where many young people felt that they would become failures in life if they did not get a college education. The down-grading of vocational education has been nothing short of tragic. It is just as important to be a good electrician or a good toolmaker as it is to be a good lawyer or a good teacher. The expanded definition of vocational training in this measure begins to give recognition to the valuable contribution which students of vocational training are making to American life.

I cosponsored the original version of this bill and supported its final passage as perhaps the most important piece of higher education legislation to come before the Congress.

Busing.—Near the end of the 92d Congress, the Senate killed the antibusing bill. I do not believe that this bill as it was presented to the Senate was in any way an acceptable answer to the problem. No Senate committee considered this bill. No Senate hearings were held. It contained provisions which were of dubious constitutionality, and if enacted, would have presented administrative nightmares. This bill would have barred all busing except to the school closest or next closest to the pupil's home. The "next closest school" concept was unworkable and untested. It would have aimed to integrate schools solely in the city neighborhoods where blue collar whites lived closest to black neighborhoods. It would have permitted the reopening of court orders going all the way back to 1954, thereby injecting turmoil, hostility and uncertainty into communities which have been peaceably complying with court orders for many years. It is regrettable that some of those who are now speaking out against forced busing were not equally vocal when massive busing was used to perpetuate segregated schools.

My position has been and continues to be in opposition to the busing of students abnormal distances solely to create racial balance. Subject to that policy, I feel that courts have an obligation constitutionally to assure that transportation patterns are not used either to perpetuate or to promote segregation.

Every student should be offered the chance to obtain, and benefit from an education that not only teaches him how to survive in the world, but also contributes to the well-being of the community.

In my judgment, housing, economic opportunity, proper districting, and careful location of schools are some of the ways we can achieve the vital objective of equal opportunity in education.

Hopefully, some day Americans will all be accepted with regard to their color, their religion, or their national origin. But that day seems likely to be postponed by turning to a claimed remedy under which children are being transported back and forth across our cities solely because of their race. I did not believe that H.R. 13915 was in any way an acceptable answer to this problem.

Private Schools.—Because of the desperate financial plight of many private schools and private school systems I introduced a bill to allow Congress to provide Federal income tax credits for a part of the tuition paid by parents of private and parochial school students. The enrollment in private schools now exceeds 5.2 million, or about 10 percent of total school enrollment. In Ohio this includes approximately 34,000 students.

It is estimated that the cost of the shift from private to public schools could run as high as $4.7 billion for operating costs and up to $10 billion for the building of new facilities to accommodate such a shift. The collapse of the nonpublic school system would have tragic impact on all education. I am in hopes that the Congress will see the benefit of such a proposal and give early consideration to it in the new Congress.

School Lunches.—The nutrition of schoolchildren is one of our most important national goals. The national school lunch program, which provides assistance to schools serving free and reduced-priced lunches, has faced grave funding crises in the past. In 1971, I wrote to the President regarding serious questions regarding the reimbursement of schools and the eligibility of children. The Department of Agriculture subsequently clarified its regulations, and the Secretary was authorized to use additional funds for the school lunch program on a temporary basis.

In 1972, when the temporary funding expired, the Congress again acted to expand the child nutrition program. The Child Nutrition Act of 1972 extended the special—nonfood—assistance program for children and the school breakfast program through June 30, 1975, required the use of section 32 funds in such amounts as necessary to carry out the National School Lunch Act, and provided an average reimbursement rate of not less than 8 cents per meal in each State in fiscal 1973. This is an increase of 2 cents from the amount guaranteed in the law passed last year. The Child Nutrition Act set new guidelines for free lunches, with a maximum limit on family income for determination of children's eligibility for free lunches.

I cosponsored an amendment to make supplemental foods available to pregnant women and infants under 4 years old who are determined to be nutritional risks. I am pleased that this amendment was adopted because it has been shown that malnourished mothers have a tendency to produce brain-damaged children. A 2-year pilot study will be conducted on this project, and the Department of Health, Education, and Welfare will be responsible for determining the benefits of the program in combating any medical or physical damage that might be caused to infants due to malnutrition of the mother.

The total commitment for child nutrition programs in fiscal year 1972 was $1.3 billion. This is an increase of almost 250 percent over the past 10 years.

E. WELFARE AND JOB TRAINING

I am disappointed that the 92d Congress did not act to clean up the welfare mess. Americans have had enough of a system which is administered by at least 1,152 local agencies. State welfare costs are increasing at a rate of 100 percent every 3 years, and over the past 6 years more than 1 million persons per year have been added to the Nation's welfare roles. One person in every five in Boston is on welfare.

Welfare payments vary by State from $335 per month in Connecticut to $60 per month in Mississippi. The disparity in welfare payments between States has contributed to the migration of rural poor to our northern urban areas. This migration has compounded our problems of crime, housing, and urban decay.

Other problems abound in the welfare system. In a majority of States welfare laws encourage the breakup of families by denying AFDC payments to families where the father is present. Men who work part time are discouraged from seeking full-time employment, because their families would lose eligibility for welfare if they worked full time. Families in which the father works full time but does not earn enough money to escape poverty are not helped at all. Yet 40 percent of the poor in this country live in families headed by a full-time worker.

Single people and childless couples under 65 are completely ineligible for assistance unless they are blind or disabled. Social services, day care, and job training needed to stimulate the employment of those presently receiving welfare have not been provided.

I believe that the time for reform is long overdue. During the welfare-reform debate, I supported a plan to provide $200 per month to a family of four, provide incentives to encourage poor people to work, and help those who are working but do not make enough money to escape poverty.

Because of the importance of this issue, it is essential for us to enact welfare-reform legislation during the next session of the Congress.

If welfare reform is to be effective, however, it must be accompanied by expanding job opportunities. The development of jobs for our unemployed youth is particularly important. In September of this year, the seasonally adjusted unemployment rate for young people 16 to 19 years old was 16.5 percent. For black teenagers, the seasonally adjusted rate was a staggering 32 percent.

Federal Job Corps training centers have created a new bureaucracy and with an average cost of $3,830 per trainee, and have been a costly and incomplete answer to this problem. In many cases, young people have been trained for jobs which do not exist. The most hopeful alternative to a vastly expanded welfare program would be the creation of on-the-job training opportunities in private industry.

To help create those opportunities, I introduced the Human Investment Act. The act would provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers who lack needed job skills.

I also cosponsored a bill to provide an opportunity for millions of American youths to obtain an occupational education. Because four out of five of our schoolchildren will need education for jobs not requiring a college degree, I consider the expansion and strengthening of occupational education programs in secondary schools, technical institutions, and community colleges a top priority.

Another measure which I cosponsored would provide $432 million over 3 years for opportunity industrialization centers. The OIC's have maintained a record of unparalleled success in job training. The job retention rate for OIC trainees is 76 percent, the highest of any manpower training program in the United States.

F. HOUSING

Many of the residents of our inner-city neighborhoods feel trapped. They have worked hard to earn a living and raise a family. The only investment they may have is their home. In all too many cases, however, these homes are beginning to deteriorate, as the neighborhoods around them undergo gradual decay.

Unable to afford the luxury of suburban living and too affluent for public housing, these residents frequently desire to remain in the old neighborhood, where their longtime friends and acquaintances still live. They are plagued by rising taxes and the fact that their homes are in need of costly repairs and may be substandard under building codes. For those who have retired and who are living on a modest, fixed income, these repairs become impossible to afford.

This kind of problem is widespread. In 1968, more than 6 million housing units were "substandard" and were either dilapidated, deteriorating, or lacking in full plumbing facilities. Over 245,000 of them were in Ohio. In Cleveland, more than 200 units every month are simply being left to rot.

I introduced the Urban Rehabilitation Act of 1972 to help stop housing decay.

This legislation would permit residences to be rehabilitated without increasing the monthly mortgage payment. By using the credit of the Federal Government to guarantee mortgages, these property owners could extend their loans and obtain money for rehabilitation.

This bill alone would not save neighborhoods, but I believe that it would prove to be an effective means of enabling owners to preserve housing and prevent housing deterioration—at very little cost to the Federal Government.

As a member of the Subcommittee on Housing, I saw my legislation incorporated in the Housing and Urban Development Act of 1972. That act was a landmark attempt to eliminate the red-tape which has ensnarled our housing programs. It consolidated 50 Federal Housing Authority programs into eight, and created a program of block grants for community development. The community development program would replace eight individual programs of Federal aid to our cities, each of which has detailed requirements. As a result, decisionmaking power would have been taken away from the Department of Housing and Urban Development in Washington, and given to citizens of the localities who are going to be affected directly by the Federal programs. This legislation, however, was not passed by the House of Representatives.

In March 1972, I cosponsored legislation to help reduce the cost of housing. Americans are the richest people in the world, yet 50 percent of us cannot afford to buy a new home. The high cost of housing is partly a result of local building codes and collective-bargaining agreements which require expensive materials and construction methods to be used, even though these requirements are not necessary to insure the health and safety of home buyers or workers. The bill which I cosponsored would enable victims of excessively restrictive building codes or collective-bargaining agreements to recover financial losses in some cases, and to seek court actions which prevent the enforcement of the building codes or work agreements. I have written the President to urge that sufficient funds be made available so that public housing authorities do not go bankrupt or trim essential services, and I was pleased to hear recently that more money for public housing will be made available.

G. PENSION PROTECTION

The pension hearings which I chaired in Cleveland on June 5 confirmed to me how vital pension reform legislation is to the working men and women of the State of Ohio. Pension problems affect blue-collar and white-collar workers alike and involve pensions run by unions as well as those run by management.

During the Cleveland hearings we heard testimony from William Wheeler, age 64, who had worked for Gar Wood in Findlay for 42 years. He retired last year. To supplement his social security Mr. Wheeler had counted on a company pension of $134 a month. After Gar Wood was sold to Sargent Industries, a California conglomerate, the Findlay plant was closed and all the employees were laid off. Those who were currently employed and who had vested pensions were told that they would receive absolutely nothing whatever. Mr. Wheeler, who was already retired, received a letter telling him that there would be a "slight reduction" in his benefits. His next monthly check was $46.02. The "slight reduction" amounted to a 65-percent cut.

Many witnesses before the subcommittee, like Mr. Wheeler, had spent much of their adult lives building pension benefits only to find their hopes for retirement security shattered by a factory shutdown, by harsh vesting requirements, by inadequate funding, or by improper investment practices by trustees.

The Labor and Public Welfare Committee, of which I am a member, unanimously reported the pension reform bill, S. 3598. I was one of the principal authors of that bill. When the bill reached the floor, however, the Finance Committee claimed jurisdiction and deleted from the bill virtually all of the provisions which were designed to protect employees' pension rights. Those who have worked long years only to find their pensions evaporate when their plant closes will not be impressed by this type of jurisdictional squabble in the Senate.

While S. 3598 was not perfect, it did represent a landmark effort to assure that the pension benefits which are promised would actually be paid. I will do what I can to see that the enactment of pension reform legislation is undertaken promptly at the beginning of the next session.

H. UNEMPLOYMENT

Unemployment rates rose during 1970–71 and began to ease somewhat during 1972. Our Nation's urban centers have suffered severely as they bore the brunt of this unemployment. Jobless rates for teenage residents of poor neighborhoods have been as high as 24 percent and among black youths in these areas they have been over 35 percent.

As significant as unemployment figures are, we must recognize that unemployment is not simply a matter of statistics. For many American families, unemployment represents a personal tragedy. Whether jobless rates are 3 percent or 10 percent, economic theories and statistical analyses offer little comfort to those who are unemployed.

In response to this problem Congress enacted the Emergency Employment Act of 1971. This law was written in the Subcommittee on Employment, Manpower and Poverty, of which I am now the ranking member. In its final form this act incorporates many of the suggestions which I presented at the subcommittee level and in my individual views.

This act was designed to provide approximately 200,000 transitional public service jobs for men and women who were unemployed. Unlike WPA, however, these men and women are employed by their State and local governments. They have been integrated into existing work forces without creating a new bureaucracy.

As I stated on the floor of the Senate, it is far preferable for these men and women to be engaged in productive work for State and local governments than to have them remain idle or become welfare recipients.

On August 12, 1971, $19,820,000 was allocated to Ohio and on September 21, we received an additional $4,182,300. I was disturbed, however, by the fact that the Department of Labor used out-of-date unemployment statistics in making the allocations, which had the effect of short-changing Ohio's steel towns where unemployment had become severe. Consequently, I wrote to the President on October 1, 1971, and to the Assistant Secretary of Labor on October 13 about this deficiency. On October 18 a member of my staff met with the Assistant Secretary about the particular problems of Ohio, and very shortly thereafter additional funds were released for the urban areas of our State.

This measure has assisted us in combating unemployment, as the men and women hired under this act have been productive employees at the State and local levels.

We have also fought unemployment on other fronts. The removal of the excise tax from automobiles has helped maintain employment at Ohio's automobile plants. The voluntary steel import quotas have helped maintain employment for steel workers, and the revaluation of the dollar has made it easier for Ohio's manufacturers to compete for both domestic and foreign markets. Revaluation of the dollar has also made it more expensive for foreign companies to ship their products into the United States, and take away the jobs of American workers.

The impact of the investment tax credit is starting to be felt as new modern machinery has helped to increase the productivity of our factories. This has given the American worker a better chance to compete against his foreign rivals.

These measures taken together are not an instant cure for unemployment, but lay the groundwork for a solid and substantial improvement in job opportunities which should have a lasting impact on our employment situation in the years ahead.

I. LABOR

Minimum wage.—I believe all Americans desire to see an elimination of substandard and exploitative wage practices.

I supported an increase in the minimum wage to $2 and introduced legislation to bring the Federal minimum up to this level, with an additional provision to establish a differential minimum for youth. I also included in this legislation much needed improvements in existing child labor laws.

Unfortunately, the legislation I introduced was defeated in the Senate by a single vote and a $2.20 minimum wage bill approved. I could not support the Senate proposal as it increased the minimum too quickly and failed to provide a differential minimum for youth. Specifically, the Senate bill represented an increase in the minimum wage of 37.5 percent for non-agricultural employees. This approach far exceeds the 5.5 percent guidelines established under the economic stabilization programs, and would have proven to be detrimental to our Nation's economic recovery.

The House passed a minimum wage bill very similar to the legislation I introduced in the Senate, but failed to reach an agreement upon the appointment of conferees to meet with the Senate. Thus, no minimum wage legislation was passed by the 92d Congress.

I expect minimum wage legislation to be considered early in the next Congress, and I again will actively work for passage of constructive minimum wage legislation.

Railroad retirement.—Congress recently overrode a Presidential veto in approving a temporary 20-percent increase in Railroad Act benefits. I supported this increase, as I felt beneficiaries under the Railroad Retirement Act should receive the same percentage increase in benefits as social security recipients.

Many problems, however, have developed regarding the Railroad Retirement Act, and it is in need of extensive revision. The benefit fund established by the act is facing serious financial problems and will possibly be bankrupt in the 1980's unless constructive action is taken. Congress will act to refinance the fund next year, and I am hopeful that the rail industry and rail unions will be able to provide positive suggestions.

Occupational safety and health.—Job safety is of critical importance. The Occupational Safety and Health Act, however, has been poorly administered. For example, the Department of Labor recently required a small business consisting of just a man and his wife to have separate employee restrooms. In another case an employer who had used his fire extinguisher to put out a fire was fined $100 by an OSHA inspector an hour after the fire for not having a loaded fire extinguisher.

In response to problems such as these, Congress has voted to exempt businesses with three or fewer employees from coverage of the act, and also authorized the Department of Labor personnel to assist small businesses in complying with the act.

Further review and reform, however, is necessary regarding other provisions of the act, and I am hopeful action will be taken early in the next Congress.

Emergency strike.—The United States has suffered a number of national and regional strikes with crippling consequences. The effects of such strikes have reached far beyond the parties to the dispute and created tremendous losses and suffering for innocent third parties. For example, during east and west coast dock strikes this year many manufacturers were unable to export products and many farmers faced financial ruin because they could not market their crops. In Ohio approximately 2 million bushels of corn had to be dumped on the ground due to these strikes.

I introduced the Emergency Disputes Act of 1971 to deal with this problem. This bill covered all industries affecting interstate commerce and provided procedures whereby the Secretary of Labor would be given the authority to implement certain options where a national or emergency strike exists as a result of a labor dispute. Additionally, the legislation provided that cost savings realized by the elimination of unproductive work rules be shared by labor and management by an amount equal to 50 percent of the productivity gains attributable to such employment adjustments. Further, the employer could eliminate jobs only by attrition and no employees would lose their jobs as a result of new work rules.

The Senate Labor and Public Welfare Committee, however, failed to report not only my proposal, but many other positive approaches to the problem of emergency disputes. I am hopeful that action will be taken by the next Congress in this area, as a need for such legislation has been clearly demonstrated.

J. CIVIL RIGHTS

Eight years ago, in response to a compelling national need, Congress enacted title VII of the Civil Rights Act creating the Equal Employment Opportunity Commission—EEOC. The responsibility of the Commission was to eliminate discriminatory employment practices in this country.

The EEOC made a concentrated attempt to reduce the incidence of employment discrimination in the Nation. The Commission was hampered, however, by ineffective enforcement procedures which proved to be a major flaw in the Civil Rights Act. Congress reacted this session by passing the Equal Employment Opportunity Act of 1972. I was a cosponsor of this legislation and was quite pleased to see the President sign the bill in March of this year.

Under this new law the EEOC will be able to seek a Federal court order against an employer or union practicing job discrimination based on "race, color, religion, sex or national origin." The Attorney General is also given a similar power to bring suits involving discrimination by State or local government agencies.

Many people expressed concern regarding the original drafts of this legislation. They believed the Commission would be investigator, prosecutor, and judge. I believe this concern was justified and offered an amendment in the Senate to remove the prosecutory function from the Commission and place it with an independent general counsel. This amendment was adopted and is contained in the new law.

The enactment of this bill, however, will not automatically end employment discrimination in this country. A continuing effort must be made by both Government and private industry to insure equal employment opportunities for all Americans. I am pledged to this goal.

K. CONSUMER PROTECTION

During the 92d Congress initiatives to protect consumers were launched on a broad number of fronts.

Congressional studies indicated that unsafe products, having a potential for inflicting serious or vital injuries, had been marketed to consumers. Complaints regarding defective products have ranged from toys to automobiles. In response to this problem, Congress passed the Consumer Product Safety Act. This legislation creates an independent regulatory commission which is authorized to establish safety standards for consumer products. The bill does not apply to food and drugs which are regulated by the Food and Drug Administration.

This new law should help reduce the number of unsafe products on the American market.

Consumers also deserve better results from regulatory agencies. The Interstate Commerce Commission, for example, has adopted rate policies which overcharge consumers about $7 billion a year, according to a recent Brookings Institution study. This agency has demonstrated an amazing lack of consumer awareness, and I have introduced legislation to abolish it. The ultimate solution to adequate consumer representation, however, cannot be abolition of all Federal regulatory agencies. Instead, we must insist on better performance.

Recently, the Congress considered legislation to create a Consumer Protection Agency to safeguard the rights of consumers with respect to Federal agency determinations. The objective of this legislation was sound, but the bill was not properly drafted. A better approach would be to require Federal agencies to file consumer impact statements with the Consumer Protection Agency, similar to the environmental impact statement procedure used by EPA. I intend to introduce legislation along these lines in the next Congress.

In a speech before the Cincinnati Bar Association early in 1971 I pointed out that:

> If the average man buys a toaster and it does not work, there is no economically meaningful way for him to secure legal relief. An unscrupulous manufacturer can make and sell shoddy merchandise in full recognition that there is little practical relief available to the consumer. For this reason I think we should consider a reform in the law to allow class actions by consumers and modify the jurisdictional requisites of our courts so as to accommodate this type of suit. Of course, class actions can be a subject of abuse or mis-use, and we must keep proper safeguards against this tendency.

In that speech I also pointed out that the legal profession should take the lead in making the legal system responsive and effective in meeting the needs of the American consumer. The reform of our judicial system should be every bit as important to American consumers as the consumer legislation which the Congress has already enacted.

Protection for credit card holders.—On April 27, 1972, the Senate passed the Fair Credit Billing Act, which included my amendment to protect credit card customers.

Under present law, a housewife who buys a defective toaster with a credit card may find herself confronted with a bill from the credit card company—even though she has already returned the toaster. She is obligated to pay the bill, and the only way she can receive anything for her money is to buy something in the store which sold her the defective item. I do not think that is fair to the consumer.

Therefore, I sponsored an amendment which would require a merchant in this situation to have a credit issued on her credit card account when she returns the toaster. This amendment will stop credit card companies from billing consumers for goods which were returned or services which were never provided.

The Senate passed my amendment unanimously, but the Fair Credit Billing Act was not passed by the House of Representatives.

L. NO FAULT INSURANCE

America's automobile owners suffered a serious setback with the failure of the Congress to pass the no fault insurance bill.

At the present time, insurance agents, adjusters, attorneys and administrative personnel receive 56 cents of every premium dollar, leaving only 44 cents for people who are hurt in automobile accidents. A study conducted by the Department of Transportation showed that of seriously injured automobile victims, more than half received nothing. Those who were permanently disabled received an average of only 16 percent of their economic loss.

Litigation involving automobile accidents is congesting our courts. Delays in payments through the current settlement and judicial processes are frequently used as a bargaining weapon by insurance companies.

Tragically, those who can least afford an economic loss are the very individuals placed under the greatest economic pressure to settle cheaply out of court. For claimants having an economic loss of $2,500 or more, there is an average lapse of 19 months until settlement is reached.

Inaccurate and unsubstantiated statistics of special interest groups were used to help defeat this measure. These statistics were refuted by the president of one of America's largest insurance companies who committed his company to write insurance under the no fault bill without an increase in premiums in any State for a typical policyholder buying full coverage.

When less than half of automobile insurance dollars goes to pay people who are hurt and who have suffered economic loss, I believe it is time for a change in our system.

M. ENVIRONMENT

During the final days of this session, the Senate passed what I consider to be, the most significant piece of environmental legislation of this Congress.

During the past 20 years, we have spent nearly $20 billion in public and private funds on water quality programs in an effort to salvage the beauty and usefulness of our Nation's waters. The progress made has been minimal at best.

For years we have turned our rivers into sewers, we have ravaged our environment. As of 1965, insufficiently regulated strip mining and surface mining had destroyed over 3 million acres of land in the United States.

In 1968, some 48 million tons of waste were dumped into the ocean near America's coasts. Ohio can lay dubious claim to one of the only rivers in America which has actually caught on fire—the Cuyahoga.

I voted for the Federal Water Pollution Control Act when it passed the Senate, and I voted to override the President's veto of this legislation.

This massive bill attempts to put a stop to the pollution of U.S. waterways by 1985, with a budget of $24.5 billion over the next 3 fiscal years. This legislation covers every sort of pollutant, from heavy metals to heated water from electricity plants.

The bill turns off polluters by imposing a strict $25,000-a-day penalty for violators, plus a year in jail for plant officials.

In February of 1971 I cosponsored five bills to attack the problem of pollution on a broad scale. These measures were premised on the fact that our environmental efforts cannot be limited to air and water pollution. Every day barges loaded with garbage leave New York Harbor to be dumped into the Atlantic Ocean. Strip mining and urban sprawl are devouring our countryside.

During the 92d Congress I cosponsored a bill to control noise pollution which passed the Senate and a bill to protect ocean mammals which was adopted by both Houses.

I also helped author a bill to promote more effective use of recycled materials in Government procurement.

I have cosponsored legislation to provide financial assistance to landowners in the Great Lakes Basin in preserving their land and conserving wildlife, and cosponsored legislation to require massive new reclamation efforts to restore the land which has been ravaged by strip mining. I am hopeful that in the next Congress we can enact strip mining legislation that will assure future generations that there will be forests in these areas instead of barren wastelands.

N. VETERANS

The 92d Congress recognized the great sacrifice which America's veterans have made for their country. The Vietnam Era Veterans Readjustment Assistance Act of 1972 was one of the most significant advances in veterans' benefits ever passed by the Congress. This bill increases veterans' educational allowances by 25.7 percent. Thus, a veteran who is a full-time student without dependents will have his allowance increased from $170 per month to $220 per month. Veterans with one dependent will receive $261 and those with 2 dependents will receive $298.

This bill will increase on-the-job training allowances by 48 percent and should go a long way toward improving employment opportunities for veterans. The law became effective retroactively to September 1, 1972.

A very important feature of this bill is its provision for advance educational payments. This should eliminate the hardship encountered by many students who have had to wait for the first payment to be processed. Advance payments will be drawn in the name of the veteran and mailed directly to his school to be held until the day of registration. This measure was long overdue and urgently needed.

I also supported the Veterans' Administration Health, Manpower Training Act of 1972. This measure, which we enacted, established eight medical schools to be operated in conjunction with Veterans' Administration hospitals. It also authorizes the Veterans' Administration Administrator to establish a pilot program for regional medical education centers.

This will permit the Veterans' Administration to utilize its vast medical facilities in helping to solve the Nation's critical shortage of doctors, nurses, and paramedical personnel. I supported the Veterans' Health Care Expansion Act of 1972.

This bill broadens the authority of the Veterans' Administration to provide outpatient services to all veterans and certain dependents. Outpatient treatment for any ailment was authorized for veterans having an 80 percent or greater service-connected disability. This measure was vetoed by the President after Congress adjourned and I expect that we will turn our attention to this matter when the 93d Congress convenes.

I also supported the Veterans' Compensation and Relief Act of 1972. This measure provides a 10 percent increase in compensation rates for service-connected disabilities and a 10 percent increase in monthly dependent's allowances, payable to dependents of veterans who are at least 50 percent disabled. This measure authorizes a clothing allowance of $150 per year for veterans whose disability requires the wearing or use of a prosthetic or orthopedic device. I am very pleased that this has become law.

The recent 20 percent increase in social security had the effect of reducing pensions for 2.3 million veterans. To correct this problem the Senate passed a bill to liberalize disability benefits and pensions. Unfortunately, this measure died in the House but I expect that action will be taken on it promptly in the next Congress.

The 92d Congress enacted a measure to increase from $12,500 to $17,500 the maximum amount payable to veterans with service-connected disabilities for specially adapted housing.

Finally under the higher education amendments of 1972 an incentive program was created to encourage colleges to recruit and enroll more Vietnam veterans. Colleges will receive a $300 grant for each Vietnam or post Korean war veteran it enrolls and the grant will be raised to $450 if the veteran is a high school drop-out.

O. AGRICULTURE

Farm credit legislation.—Agriculture has become a capital-intensive type of business with critical needs for credit. The Farm Credit Act of 1971, which I cosponsored, provides for expansion of the farm credit system, to furnish adequate and constructive credit and closely related services to farmers and ranchers, their cooperatives and selected farm related businesses necessary to efficient farm operations. Farm machinery and housing costs are rising, and the expanded credit provided in the Farm Credit Act contributes to stabilization of food supplies, while helping to keep consumer prices down.

The expanded financial assistance helps to preserve the family farm that has served America so well, and aids in continued rural development. This system is a unique example of self-help, and it costs the taxpayer nothing. The enactment of S. 1483, which passed the Senate and was signed into law by the President, will go a long way toward assuring our farmers, ranchers, cooperatives and the residents of rural America that they will continue to have available to them adequate credit and related services. These will in fact help increase their incomes and contribute to their well-being, while making rural America a better place to live.

Farm subsidies.—In 1971 I introduced an amendment to plug the loophole in the farm subsidy limit. Large farmers had been able to circumvent the $55,000 subsidy limitation by subdividing their holdings into separate corporations, each of which could receive a $55,000 subsidy. While my amendment was defeated, I am pleased that the Department of Agriculture tightened up the regulations somewhat to curb this practice.

In 1972 I supported an effort to reduce the subsidy limitation to $20,000. At a time when family farmers are being forced from their land because of their inability to make ends meet, it is outrageous for us to continue to provide such massive subsidies to certain large producers. I took to the floor of the Senate a computer printout, 400 pages thick, prepared by the Department of Agriculture listing those farmers who received more than $50,000 in subsidies under the 1971 program. That list did not contain a single farmer from the State of Ohio.

The average farmer in our country cannot be pleased at the way in which extremely large agriculture subsidies are placed in a few hands. The subsidy limitation has been a sieve torn wide open. Those whose cotton allotments exceed $55,000 for example, can lease or sell their allotments without leasing or selling their land and receive the excess subsidy back in the form of rent. This is a practice which should be stopped. While this amendment did not pass, I believe that Congress, during the next session, will adopt a subsidy program which is fairer to both taxpayers and a majority of farmers.

Rural Development Act.—The 92d Congress passed the Rural Development Act with my support. This legislation provides a comprehensive program for rural development credit and location incentives backed by essential scientific research, education and community improvement extension. This is the most comprehensive rural development legislation ever presented to the Senate. It expands and establishes programs dealing with financial investment, credit, technology, and research in rural areas. It extends the Consolidated Farmers Home Administration Act and creates an insurance fund for guaranteeing rural development loans.

The Watershed and Flood Prevention Act has been amended to authorize cost sharing in watershed projects and the Bankhead-Jones Farm Tenant Act was revised to provide for added Federal assistance in water storage, water quality management and rural fire prevention. The President signed the Rural Development Act into Public Law 92–419.

In recognition of the need for additional financial muscle in rural areas to stop and reverse the on-going trend of out migration, this rural development legislation goes a long way to encourage the strengthening of our small, rural towns and villages, and to provide jobs and services for those now living there, and those who would return. The Rural Development Act contributes greatly to the idea of balanced national growth that would keep rural America strong and uniquely rural, while making better use of the land for all the people.

Rural Revitalization Act.—In line with further steps for rural development, I cosponsored the Rural Revitalization Act. This legislation is aimed at slowing the migration of people from rural areas to urban areas by providing expanded authority for the Farmers Home Administration, renamed the Rural Development Administration. The new Administration would grant aid in the form of guaranteed loans from local financial institutions for long range community development.

Other farm legislation.—For those young people who have chosen to remain on the farms, I have supported legislation to make crop insurance available to persons between 18 and 21 years of age. This legislation was also signed into law by President Nixon.

I supported the amendment to the Federal Meat and Poultry Inspection Act, S. 1316, to increase from 50 to 80 percent the Federal Government's share of the cost of any cooperative meat inspection program of a State. I also supported the Mathias "equal to" amendment to provide that State inspected meat processing plants may sell their products in interstate commerce if State standards meet or exceed Federal regulations. The Mathias amendment failed, and present law allows State inspected plants to engage only in intrastate commerce. I will continue to work for equal participation for the State inspected meat processing plants, a major industry in our State.

The Senate also passed legislation amending the Federal Food, Drug, and Cosmetic Act to prohibit administration of diethylstilbestrol—DES—to animals intended for use as food. This drug has already been prohibited by the Food and Drug Administration, beginning January 1, 1973. S. 2818, which passed the Senate, was not considered in the House.

The Federal Environmental Pesticide Control Act of 1971 passed the Senate by a unanimous vote of 71 yeas and has been signed into law by President Nixon. The new law will expand regulation of pesticides and require them to be classified for general or restricted use for the protection of children and adults.

P. BIG GOVERNMENT

Federal bureaucracy has become large and unwieldy. Mountains of redtape impede efficiency, and unnecessary agencies, such as the Board of Tea Tasters, continue long after their purpose has been served. Those of us in the Congress must remain on guard to see that the taxpayers' dollars are not wasted in boondoggles and bureaucratic inefficiency.

In 1971 I helped lead the fight in the Senate against the proposal to bail out Lockheed. I opposed this bill because I do not believe that we should open the Public Treasury to bail out inefficient or mismanaged corporations. The farmers, small businessmen, and other taxpayers of Ohio do not want to see their hard-earned tax dollars used to prop up corporate giants. Unfortunately, this measure was adopted, having passed the Senate by a single vote. I believe that it sets a dangerous precedent and is unfair to the competitors of Lockheed who do not receive equivalent assistance.

I have cosponsored legislation to abolish the Interstate Commerce Commission. A consultant for the Department of Transportation stated to me that the ICC has more than 43 trillion railroad rates on file—without an index. This is equal to a stack almost eight times as tall as the Washington Monument. Rate hearings are long and expensive. The results are irrational and the consumers and shippers are the ones who suffer. The ICC was created to protect consumers against discriminatory rates. It has done just the opposite. It has fostered railroad rates which discriminate against Lake Erie's ports and prevent us from fully realizing the benefits of the St. Lawrence Seaway. For example, electrical transformers made in Zanesville, Ohio can be shipped all the way to New York City for export, for less than they can be shipped to Cleveland. These discriminatory policies have diverted thousands of jobs away from the Great Lakes and have retarded the development of our ports. The ICC represents bureaucracy at its worst and is not fulfilling its public responsibilities.

Last year it was revealed that the Army has been spying on over 100,000 American citizens who are unconnected with the military. The Army has been keeping dossiers and computerized data on the associations and political views of ordinary citizens, as well as Congressmen and churchmen. This is an unjustifiable invasion of Americans' rights to privacy. In an endeavor to stop this snooping, I cosponsored S. 3750, introduced by Senator ERVIN, which would once and for all put a stop to this type of Army surveillance.

All of us must be concerned about the extent of deficit spending. In the last 2 years it is estimated that Federal deficits will approach $60 billion. While a certain amount of deficit spending is justifiable during a recession to stimulate the economy, continued large deficits will generate inflation or higher taxes or both. For that reason I favored setting a spending ceiling of $250 billion. I was unwilling, however, to give to any President the authority to cut back or eliminate programs without congressional approval. I offered an amendment to the debt ceiling bill on October 13, 1972, that would give the President the power to cut up to 10 percent of any budget item, with the provision that cuts in excess of 10 percent could be overturned by either House of the Congress. Unfortunately my amendment was not adopted. The conference report gave the President the authority to cut up to 20 percent within 48 categories. These categories were so broad, however, that entire programs and agencies could be eliminated by the President without any congressional approval whatsoever. For example, a President could eliminate all military construction or all military research and development without congressional review. Alternatively, it would be possible for the President to eliminate the entire budget of the Federal Trade Commission, the Securities and Exchange Commission, or the Department of the Interior, without further congressional approval.

Under this proposal, the President would have been able to hold up all public works projects in a Congressman's district if that Congressman did not vote for a bill favored by the White House. This would undermine the separation of powers and make the Congress extremely vulnerable to the executive branch in exercising its legislative judgment.

The Founding Fathers of our country knew how important it was for the Congress to have control over the Nation's spending. I for one was not willing to abdicate this constitutional responsibility and therefore I joined with others in rejecting the conference report.

I am hopeful that next year we can establish a spending limitation without subverting this constitutional power.

In an effort to make the Federal bureaucracy more responsible to the people I introduced the "Ombudsman Experimentation Act." This would provide a "peoples' advocate" to investigate unreasonable Executive action upon written complaint from any citizen. The Ombudsman would represent the citizen and intercede on his behalf. This legislation was not adopted this year; however, I am hopeful that we can establish several demonstration projects next year to test the workability of this concept.

Q. REVENUE SHARING

For several years I have been a stanch advocate of the principle of revenue sharing as being vital to our States and local governments. From 1960 to 1969, employment of State and local governments increased several times more rapidly than the civilian employment of the Federal Government. During the last 25 years, State and local expenses have increased twelvefold. State revenues, on the other hand, are relatively inelastic. I believe that it is more socially desirable to finance State and local needs through the more progressive Federal income tax system.

If State and local governments are to be responsive to the needs of the people our State and local officials will have to have the resources to do the job.

The bill passed by the Senate, however, was a serious blow to the State of Ohio. If the revenue-sharing funds were divided on a per capita basis, Ohio's share would be $277.7 million. The Senate, however, shortchanged Ohio by over $90 million. It costs just as much to solve the problems of crime, pollution, and urban decay in Ohio as it does in other States. If anything, an urban State, such as Ohio, should receive more than its per capita share; but certainly nothing less. The conference committee raised Ohio's share, but we are still $70 million short.

The disparities between States resulted from the fact that the factors used in the allocation formula were multiplied together. Consequently, instead of allocating a third of the funds according to each of the three factors—population, realtive income, and tax effort—the Finance Committee decided to multiply the factors together. This multiplication tended to distort the entire allocation for any State which had one low factor.

In addition, the tax effort factor is unfair to the people of Ohio because we receive no credit for license fees, proceeds of State liquor sales, and the profits earned by municipal powerplants. Other States, however, receive full credit for severance taxes and use taxes paid by nonresidents.

Because of the inequities in this formula, Ohio is shortchanged and there are wide disparities between communities within the State. In one county the per capita allocation among comparable communities varies by 738 percent.

While the Senate rejected my attempts to improve the formula, I hope that next year the Congress will recognize how unfair this formula is and undertake corrective action. Meanwhile, I have reluctantly voted for the conference report, because I believe the principle of revenue sharing is sound. Only our execution of it is faulty.

R. CRIME AND DRUGS

Those who would scoff at the words "law and order" should understand that these words represent the concern of every man for the safety of his wife on her way to the market and the safety of his children as they go to school. Crime in the inner city is no myth. It affects black and white, rich and poor, worker and welfare recipient alike. During the decade from 1960 to 1967, our crime rate rose 14-percent. A survey published by Life magazine, indicates that 78 percent of Americans feel unsafe in their own homes. Of big city residents, 80 percent are afraid to be in the streets at night. According to FBI statistics, in 1970, 11 serious crimes were committed every minute. During that year, over 100 police officers were slain in the performance of their duty.

When crime forces companies to take their factories out of the inner city, it means a loss of jobs to the very people who can least afford to be unemployed. When women are afraid to shop in the inner city, they reduce the number of jobs and the tax base that the inner city needs if it is to survive. In response to this problem I introduced several important crime-fighting measures.

The first bill I introduced as a Senator was a measure to provide a nationwide pay raise for all law enforcement officers and firemen, by excluding from their taxable income the first $2,400 that they earn.

In 1972, I joined with a group of Republican Senators in offering the Omnibus Criminal Justice Reform Act. This bill calls for expenditures of up to $1.5 billion in fighting crime. It would authorize special LEAA grants to State and local governments for the purpose of upgrading their police, court, jail, and prison systems. It would authorize additional LEAA grants for high crime areas, including special programs to combat violent street crimes. It would create regional law enforcement academies, prescribe minimum standards for the treatment of prison inmates, provide additional benefits for the families of policemen killed in the line of duty and establish a system to compensate the victims of violent crimes. While there was not time for this bill to pass during the 92d Congress, it should be a top priority item during the next session.

One-half of all arrests for serious crimes involved persons under 18 years of age. The Congress passed the Juvenile Delinquency Control Act which provides better ways of dealing with teen-age offenders. This bill also provides funds for the treatment and rehabilitation of narcotics addicts. Because narcotics addicts are responsible for a very high percentage of inner city crime, our fight against the narcotics pushers is absolutely vital if crime is to be controlled.

Recent FBI reports show that among young people under 20, arrests for heroin violations have risen 120 percent during the last 4 years. As a further measure to combat drugs I cosponsored a resolution aimed at curbing illegal international traffic in narcotics through the United Nations.

I also cosponsored legislation calling for more stringent prosecution of hijackers and this legislation should also be enacted during the next session.

I have cosponsored legislation to reform our prison system. At present, we spend an average of $11.95 a day to keep a man locked up while his family often goes on welfare. Because of inadequate prison systems there is the likelihood that the ex-offender will return to crime as soon as he is released from prison because he has no other marketable skills.

Under my proposal, private corporations would lease prison industries and prisoners would earn union skilled wages. They would then be required to pay the Government for their room and board, to support their families, to pay taxes, and make social security payments. In addition, the prisoner would be required to contribute to a fund to compensate the victims of crime. Passage of this legislation is vital if we are to reform prisoners so they do not return to crime and if we are to compensate victims of crime and relieve society of the cost of keeping families of prisoners on welfare.

S. OLDER AMERICANS

Social security benefits.—On June 30, with my support, the Senate approved a 20-percent increase in social security payments for 27.8 million beneficiaries. This measure, which is now public law, will remove 1.9 million persons from the poverty rolls, including 1.4 million individuals 65 or older. A major provision in this measure makes social security payments "inflation-proof," by providing for an automatic increase in social security benefits correlated to increases in the cost-of-living.

I supported other major reforms in the social security program which were included in H.R. 1, the Social Security Amendments of 1972. This law raises widows' and widowers' benefits to 100 percent from 82.5 percent of a decreased spouse's benefits, increases to $2,100 from $1,680 the amount that a social security recipient would be allowed to earn without loss of benefits, provides for a minimum monthly benefit of $170 for persons who have worked in social security-covered employment for at least 30 years, extends medicare coverage to 1.7 million social security disability beneficiaries under age 65, and authorizes Federal takeover of the present Federal-State welfare system for the aged, blind and disabled.

Nutrition Program for the Elderly Act.—As much as 30 percent of the elderly live in poverty and cannot afford proper nutrition. In an effort to begin to combat the nutrition problem, I supported legislation which authorized $250 million to provide daily hot meals for the Nation's elderly. The program will be geared primarily toward the poor, but meals and other nutrition services would be available to the more affluent elderly on an ability-to-pay basis.

Under the 2-year program, the Federal Government would finance up to 90 percent of the cost of State-sponsored feeding projects for persons 60 or older. This program would not only give these older Americans the essential nutrition they require, but would bring them together at least once a day so that they could associate with their friends and neighbors.

As vital as this program is, I think that it is equally important to provide the same type of nutritional program and social contact for our disabled citizens. To this end, I introduced legislation to provide grants to States for the establishment, maintenance, and operation of low-cost meal programs for disabled Americans.

National Institute on Aging.—Legislation to create a National Institute on Aging was vetoed. I supported the bill both in committee and on the Senate floor because I believed it would fill a long-recognized but largely unmet need to greatly expand biological and behavioral research into the aging process.

In recent decades, improved nutrition and improved medical services have dramatically extended the average life expectancy of Americans. Today there are over 20 million Americans age 65 and over and this constitutes an almost sevenfold increase since the turn of the century. In addition, the over-65 segment of our population is growing almost twice as fast as the rest of our society.

I felt that this bill would produce a coherent and coordinated research program capable of systematically unlocking some of the secrets and problems of aging. Although the needs of the elderly are essentially the same as those of every adult, there is a difference in the older person's capacity to meet them independently because of the changes in biological, psychological and social functioning inherent in the aging process.

Older Americans Act of 1972.—This bill, which was also vetoed, contained some provisions which I believed would have made significant contributions to the well-being of our elderly citizens. It would have established an Administration on Aging and placed it within the Office of the Secretary of Health, Education, and Welfare, created a "National Information and Resources Clearing House for the Aging," established a "Federal Council on the Aging" to assist and advise the President on matters relating to the needs of our older Americans, provided grants for State and community programs on aging, expanded and extended the foster grandparents program and other older Americans community service programs, and expanded the nutrition for the elderly program. The great majority of our senior citizens constitute a strong and independent segment of our society. Congress must address itself to this segment of our aged population by enacting legislation which will protect our senior citizens against circumstances that would destroy their independence, dignity and sense of purpose. We should strive to encourage legislation which will provide those citizens the opportunity for continued usefulness and meaningful activity and the chance to participate in family and community life as fully as ability and desire dictate.

T. TAXES

On December 10, 1971, the Senate passed a bill to cut taxes for the average taxpayer and provide incentives to modernize American industry.

This measure, the Revenue Act of 1971, raises the personal exemption from $650 to $675 for 1972 and increases it to $750 for 1973. The minimum standard deduction is raised from $1,050 to $1,300. When combined with cuts made in the 1969 Tax Reform Act, these changes add up to a 22-percent reduction in personal income taxes during the Nixon administration.

The bill also restored the 7 percent investment tax credit. In addition, it repealed the 7 percent automobile exise tax, thereby enabling a proposal which I had made 6 months earlier to become a reality. This provision reduced the price of a new car by about $200 and was designed to increase employment in the automobile, steel, and rubber industries.

I proposed several amendments to the bill. My amendment to allow small businessmen to file payroll taxes quarterly instead of monthly was passed by the Senate but deleted in conference. The amendment would have reduced the Federal paperwork burden, which is so expensive and time consuming for small businessmen.

Near the end of the congressional session, social security taxes were increased to cover the cost of providing our elderly citizens with the benefits they need and so richly deserve. The new benefits include a 20-percent increase in monthly payments; the extension of medicare coverage to disabled citizens under 65; guaranteed minimum monthly social security payments to help the "working poor"; a reduction in the amount social security beneficiaries are penalized for continuing to work after 65; Federal welfare payments for the aged, blind, and disabled; and equitable social security treatment for widows.

Congress briefly discussed various tax reform proposals, but took no final action on them. I believe that we should continually strive to eliminate loopholes in the tax laws. This is a complicated matter which requires careful study, and I hope that Congress will consider it fully during the upcoming session.

U. THE DRAFT

The Senate on June 8, 1971, took a major step toward an early end to the draft by approving the military pay schedule recommended some 18 months earlier by the President's Commission on An All-Volunteer Armed Forces—the Gates Commission. The Senate approved the military pay scale offered as an amendment to the Military Selective Service Act. I was a cosponsor of that amendment. This increase in military pay was vital if we were to successfully move to an all-volunteer army.

I also offered an amendment to the Selective Service Act which would have phased out the draft over a 2-year period by limiting the number of draftees to 100,000 in 1972 and to 60,000 in 1973. Unfortunately, my amendment was rejected.

I have consistently supported our national objective of proceeding toward an all-volunteer army and to that end in August of 1972 I supported the Hatfield amendment to the military procurement authorization bill to end the draft as of December 31, 1972. That amendment was also defeated, but I hope that peace time conscription will be eliminated.

One of the biggest mistakes of the Vietnam era was the attempt to fight an undeclared war in Asia with draftees. The war not only divided our country, but brought massive draft resisters as well. At the present time, more than 500 draft resisters are in Federal jails, and estimates of the number of young Americans living in exile, range as high as 70,000. Some of these draft resisters are victims of bad judgment and poor advice. Others, however, have acted out of deep, personal objections to the course which our country has followed as we became involved in the Vietnam conflict.

We must ask ourselves whether we will not offer them an opportunity to become productive citizens. We must decide whether it is more in our interest to have them spend their time in exile or to have them serve their country through VISTA, Veterans' Administration hospitals and other types of public service. In my judgment we should consider some type of qualified amnesty.

There is a long tradition of amnesty in America. George Washington gave amnesty to those participating in the Whiskey Rebellion. John Adams gave amnesty to the Pennsylvania insurrectionists. Presidents Jefferson, Madison, Jackson, Lincoln, Andrew Johnson, Grant, and Coolidge also made amnesty proclamations. In 1945, based upon the recommendation of an Amnesty Board, President Truman pardoned 1,523 young men who had evaded or otherwise violated the Selective Service Act during World War II.

The case for qualified amnesty becomes compelling when one considers the effect of the change in our Selective Service Law in 1970. Until the U.S. Supreme Court decided Welsh against United States, on June 15 of that year, individuals seeking conscientious objector status had to raise their objection in relation to their belief in a Supreme Being. When the Supreme Court ruled that a belief in a Supreme Being was no longer required, and that other deep felt personal views could suffice, obvious inequities became evident.

In one family, two brothers might have held the same deep opposition to war. The elder son, who became draft eligible before the Welsh decision, could not have been classified as a conscientious objector and might have gone to prison or into exile. His younger brother, holding exactly the same views on war, could have become a conscientious objector. He would not be a criminal, and could be lawfully serving his country in alternative service.

Is it really fair for us to treat the elder brother as a criminal and the other brother as a lawful citizen? I think not.

Because over 55,000 young Americans have lost their lives serving their country in Southeast Asia we should not grant amnesty to draft registers without requiring them to undertake service to their country. But it would also be a great mistake for us to forever foreclose them from participating in American life.

In an attempt to deal with this problem I have introduced the Amnesty Act of 1972. This would permit these young men to be released from prison or returned to the United States if they have agreed to serve their country for a period of 3 years. They could serve America as members of our Armed Forces or they could elect to serve in alternative service. The alternative service would include VISTA, Veterans' Administration hospitals, Public Health Service hospitals, and such other service as might be designated by the Attorney General.

This bill would not apply to those who have deserted from the Armed Forces since I believe that theirs is a separate problem which must be dealt with in other ways.

V. DISASTER RELIEF

When the Nation was ravaged by Hurricane Agnes last summer, Congress undertook a thorough review of our disaster relief laws. In the wake of the most destructive natural disaster in our history, we found that the existing disaster relief legislation was inadequate, inequitable, and administratively cumbersome.

First, although the assistance available might have been sufficient for a well-to-do homeowner whose vacation house had suffered a few thousand dollars damage, it was just not enough for a retired person whose home of 25 years had been devastated.

Second, the Government was providing a grant of the same amount to a millionaire for repairing his tennis courts as to a low-income worker whose home had been destroyed.

Third, too many people were using Government money to buy a boat or take a vacation rather than for property repairs.

Fourth, extensive disaster assistance was available only in areas designated by the President as major disasters. A person whose home was destroyed would be unable to receive substantial help if he happened to live in an area where the total destruction was not great enough to warrant designation by the President. Many Ohicans have suffered from small tornadoes and other disasters and have found themselves out in the cold as a result of this law.

I introduced legislation to eliminate all of these shortcomings. Congress subsequently enacted a bill which increased disaster relief and eliminated the discrimination against disaster victims in areas which are not Presidentially designated.

HELPING THE DISADVANTAGED

During the 92d Congress, I was one of the principal authors of a measure designed to create a National Legal Services Corporation. In my opinion, proper access to our courts should be a birthright of every American. Regrettably, thousands of economically deprived Americans cannot afford the cost of needed legal services. My proposal for a legal services corporation would remove legal services from political control and preserve the confidentiality of the attorney-client relationship.

The Congress passed this legislation as a part of the OEO bill. This measure was vetoed by the President because of the child care provisions which it also contained. Unfortunately, our later efforts to pass legal services legislation failed because of a disagreement over the composition of the board of directors.

I am hopeful that the 93d Congress can establish a legal services corporation so that poverty will not deny any American the opportunity of having his case fully and fairly presented in court.

In 1971, the Senate passed the economic opportunity amendments which included a provision for child development. I believe that child care and preschool services should be available for those children whose parents or legal guardians request them. However, I did not favor the inclusion of the child development provisions in S. 2007. Because these programs could have such far-reaching effects on the structure of family life and preschool educational systems, I believe they should be examined individually. I felt similarly that the child advocacy program, which did not have committee hearings, should be studied further and in greater detail. I offered a motion to recommit the legislation to the committee, with instructions to delete the child-development provisions. This motion failed. The OEO bill passed the Senate containing the provisions for child development; however, it was vetoed by President Nixon and the Senate sustained the veto.

The Headstart program has provided our basic model for the delivery of child development services aimed at a specific segment of the population. In the hope of meeting the President's major objections to the OEO bill, I was the prime sponsor of separate legislation to provide a variety of family oriented child day care, Headstart, and developmental activities, which would have been coordinated with H.R. 1. My proposal was accepted by the Senate as part of the bipartisan compromise Comprehensive Headstart, Child Development, and Family Services Act of 1972. This bill would make it possible for thousands of parents to work or further their education to improve the well-being of their families with the confidence that their children have the opportunity to participate in quality educational day care programs. Although the legislation passed the Senate, it did not come to the House for a vote in the 92d Congress. Hopefully, the next Congress will examine child development and day care facilities in detailed hearings.

X. WAR POWERS

The framers of our Constitution granted Congress the power to declare war and charged the President with the responsibility for conducting hostilities once they had been lawfully commenced.

Despite that constitutional mandate there have been at least 165 instances during the history of this Nation when American Armed Forces have been committed abroad. On only five occasions, however, has war been declared by the United States. The last 20 years have witnessed a continued atrophy of the congressional war powers. At the same time, the Executive has taken an increasingly broad view of its prerogatives in this area. Under modern conditions, the irreversibility and the danger of Executive action without congressional authorization has accelerated to an unprecedented extent and therefore the concern for the problem is enormously enlarged.

This growing centralization of power in the Executive, accompanied as it has been by a similar centralization of domestic power in the Federal Government, has created a deep sense of frustration among the people who increasingly despair that they lack control over their own destinies. There is a demand for participatory democracy in foreign affairs as well as on the domestic scene. Just as means must be found to strengthen local governments in dealing with matters of domestic importance, so must we increase the participation of the elected representatives of the people in the foreign policy decisionmaking process, particularly as it applies to matters of war and peace. War is not only too important to be left to the generals, Americans abhor war to such an extent that it is too important to leave to the Executive alone.

In response to this problem I introduced Senate Joint Resolution 18 on January 27, 1971. This was the first war powers resolution introduced in the Senate. On March 25, 1971, I testified before the Senate Foreign Relations Committee in behalf of war powers legislation. Subsequently, the Senate passed S. 2956, which incorporated many of the provisions of my bill. This legislation defines the situations in which the President may use the Armed Forces of the United States without a declaration of war, and provides for appropriate congressional review. While this measure did not pass the House during this session, I believe that its enactment is vital if we are to give meaning to the congressional war powers provided in our Constitution.

Much of the pressure for increased congressional activity comes with reference to our involvement in Southeast Asia. This is understandable—the process by which we became involved in Southeast Asia is a classic illustration of Executive usurpation of power from a Congress not willing to exercise its war powers, or an Executive willing to call for it. And what has been the result?

As Congress moves to reassert its constitutional prerogatives, we must profit by—rather than be blinded by—our experience in Southeast Asia. We must divorce, if possible, our great constitutional debate from the frustrations which many feel concerning our involvement there. Rather, the debate should be in terms of restoring a needed balance to the constitutional relationships between two great branches of government.

If the Congress is to have any role in the formulation of American foreign policy, it must have authority to participate in the determination of which interests are so vital to the American people that we must resort to the use of military force.

That is the purpose of this legislation.

Y. INTERNATIONAL RELATIONS

Great advancements have been made during the last 2 years in U.S. foreign relations, with such historic events as the U.S. peace settlement in Southeast Asia, the ratification of the strategic arms and anti-ballistic-missile treaties, and the establishment of relations with the Peoples Republic of China in the forefront.

Southeast Asia.—All Americans shared the objective of ending the fighting in Southeast Asia. The method of ending the war, however, split the country deeply. Many Americans felt the proper approach was to legislate an end to U.S. involvement in Southeast Asia. Congress considered numerous proposals to this end, but failed to enact any of them. I could not support these proposals, as I felt they would have severely restricted the President's flexibility to negotiate a settlement. It was my belief that a unilateral withdrawal of our troops would have jeopardized the return of our prisoners of war and would not have permanently ended the killing and bloodshed in Southeast Asia.

In retrospect, I believe this position has been proven correct. Far more important, however, is the advent of peace in Southeast Asia. Attention now must be turned to insuring that future "Vietnams" do not occur. I have cosponsored a joint resolution to establish a committee to investigate the origins of U.S. involvement in Vietnam. This committee would not attempt to second-guess past military decisions, but would go to the critical question as to the way in which we became involved in Vietnam and make such findings available to avoid similar tragedies in the future.

I also introduced and actively supported war powers legislation to limit the power of the Executive to commit U.S. military forces without prior congressional approval. My thoughts on this legislation are contained in another part of this report.

SALT Agreement.—Senate ratification of the Anti-Ballistic Missile Treaty—ABM—and Strategic Arms Limitation Treaty—SALT—amount to a most significant breakthrough in limiting expenditures for nuclear weapons, and hopefully will prove to be the first of many bilateral steps toward abating the deadly threat of nuclear destruction.

Critics of the SALT agreement argued that the Soviet Union would so dramatically improve their technological sophistication of nuclear weaponry as to render the United States diplomatically and militarily impotent. This argument was fallacious. The SALT agreement did not give the Soviets an edge in overall military capacity. The United States has at its disposal more than twice as many deliverable nuclear warheads as the U.S.S.R. and the Soviets are a long way from developing sophisticated multiple warheads. United States intelligence sources have revealed no evidence that the Russiasn are developing the necessary missile hardware or steering systems for multiple independently targeted reentry vehicles.

Arguments against the adoption of the SALT agreement were further laid to rest by adoption of an amendment by Senator JACKSON insuring future equality in arms agreements between the United States and the U.S.S.R. I supported Senator JACKSON's amendment and also cosponsored two amendments with Senator CRANSTON which stated that SALT should only be a first stage in mutual reduction of arms and that less of our national resources in the future should be expended for arms if world conditions permit. Both of these amendments were adopted.

Currently, however, the United States should continue to develop weapons systems that are not covered by SALT I to insure a strong bargaining position in future arms limitations talks. I, therefore, voted to support the military procurement bill, which included authorization for the development of the Trident submarine and missile system, the CVN–70 nuclear carrier, and the B–1 bomber. The United States must continue to remain powerful to insure a strong bargaining position in future arms limitation talks. I also believe the existence of these weapons can be a major deterrent force that will help preserve peace in the world.

China.—United States relations with the Peoples Republic of China and the Soviet Union have been greatly improved through initiatives undertaken by the President and Congress.

Precedent-breaking trips by the President and congressional leaders to mainland China have opened channels of communication with the world's most populous nation and have already produced economic and cultural gains. Establishment of contact with the Peoples Republic was also instrumental in reaching a peace settlement in Vietnam and may well lead to greater futures stability in Southeast Asia.

Soviet Union.—Constructive developments have also occurred during the last 2 years in United States-Soviet relations. Significant advances include: the previously mentioned arms limitation treaties, the settlement of terms for the repayment of Soviet World War II debts, and the finalization of procedures for exchange of scientific and medical research data.

The Soviet policy of levying exit fees on Jews who wish to emigrate, however, has presented a major obstacle for expanded trade and economic ties. Preliminary negotiations have been successful in this area and there is no doubt increased trade would be beneficial for both the United States and the U.S.S.R. Along with many other Members of Congress, however, I am concerned with the current Soviet policy for Jews. I feel no matter how desirable increased trade with the Soviet Union may be, certain limitations should be imposed on trade with the U.S.S.R., until such time as Jews are given freedom to emigrate without the levy of repressive exit fees. Hopefully this is occurring. I joined with 75 other Senators in cosponsoring an amendment to the East West Trade Relations Act which denies "most favored nation" status to the Soviet Union and places other restrictions on United States-Soviet trade until such time as the fees are eliminated. I also cosponsored the Soviet Jews Relief Act of 1971, authorizing the issuance of 30,000 additional refugees visas for the admission of Soviet Jews to the United States.

I am encouraged by the recent actions of the Soviet Government in permitting Jews to leave the country without paying exit fees and hope this policy will be made permanent.

Middle East.—The unrest in the Middle East continues to be dangerous. The scope of hostilities between Israeli and Arab factions, however, has not been confined to the Middle East, but has spread throughout the world. I deplore these terrorist activities and sincerely hope they will be halted.

It is my opinion that the countries involved should be able to resolve their differences without undue outside interference, although major power guarantees should be sought. The principal condition I would impose would be that any settlement would result in borders which are secure and defensible.

Z. HELPING OHIO

My office, both in Washington and Ohio, work with local governmental agencies in an attempt to get Federal funds for Ohio. I am attempting to make sure that Ohio receives its fair share.

During fiscal 1971, Ohio received $7,526,966,939 from the Federal Government in grants and contracts. The following are examples of the kinds of Federal assistance which my office helped to secure:

The Scioto County Community Action Agency received $340,000 for a 12-month program to provide job training and employment for mentally retarded adults. This program also placed 350 families in adequate housing, provided emergency food service to 2,000 families, and continued three clinics for the elderly.

Cleveland recently received $535,000 to fight street level heroin pushers and to provide treatment to users through the Law Enforcement Assistance Administration.

Toledo received $467,000 from the Environmental Protection Agency for water purification treatment at the Collins Park filtration plant.

Troy received $2,550,950 from EPA for construction of a sewage treatment plant.

The Department of Housing and Urban Development has established eight model cities programs in Ohio. Dayton, for example, has received $16,900,000 for the construction and upkeep of its model cities neighborhood.

The Department of Commerce has taken the initiative to award a $240,000 grant to help create immediate construction jobs for the unemployed in Adams County. The money will provide jobs for 50 men who will renovate and expand the courthouse and jail at West Union.

Ohio has received $689,000 in Disaster Relief Funds from the Office of Emergency Preparedness to help Ohioans recover from the effects of severe storms and flooding caused by tropical storm Agnes.

Columbus received approval of a grant for $680,000 for the staffing of their mental health center. They also received $879,000 for their comprehensive drug treatment and rehabilitation program.

During 1971, I worked through the Department of Transportation to have the national automobile compliance testing center locate in East Liberty. The site was approved by Congress, and received $9.6 million for construction.

Cincinnati received $28 million under the agriculture environment and consumer protection bill to build an environmental health center. Construction is now underway on this building which will be the center for antipollutant research activities.

I also work with constituents on a personal basis to help them get the individual attention they need from the Government.

I receive approximately 50 letters a day from Ohioans who have become bogged down while trying to wade through the mass of bureaucratic redtape surrounding our Federal agencies.

A cab driver wrote to me claiming he had been shortchanged by the Bureau of Retirement and Survivors Insurance because he could not prove to them that he was 65, and entitled to full retirement benefits. The only record of his birth had been written in the family Bible, which had been destroyed by fire. My office intervened in his behalf, and after four letters to the Commissioner of Social Security, we were able to prove that he indeed was 65, and entitled to full benefits.

An Ohio girl was traveling in Europe when a member of her family became ill. Her parents had last heard from her from Greece. They contacted my office to help find her, somewhere in Europe and bring her home. We worked through the State Department and the American Embassy in Greece, located her, informed her of the family illness, and helped her get back to Ohio.

A common problem among Ohio servicemen is exemplified by a man who recently received an early release from the service to start college under the GI bill. A returning serviceman needs an enormous amount of money to move back home, find and furnish an apartment, adjust to civilian life, and start school. He depends on his monthly check from the Veterans' Administration to make ends meet. In this case, his record for payment had been lost in some Federal computer, and he had not received his check for a month. I was able to get him immediate hardship payments, while the computer searched for his record and later began to send regular checks.

During the regular session of Congress, I try to return to Ohio at least twice a month to meet with my constituents in my three district offices, hold public hearings, and be available to discuss pending legislation.

THE AGENDA AHEAD

The 93d Congress will face an agenda of critical importance to the people of Ohio. Heading the list for action will be pension reform, no fault insurance, consumer protection, welfare reform, minimum wage, war powers legislation, and efforts to provide better health care for the American people.

The energy crisis has already curbed the sale of gas in many parts of Ohio, and projections indicate that existing sources of natural gas in America will be largely depleted in about 18 years. If we are to be able to heat our homes and run our factories in the years ahead, we will have to find a solution to the energy crisis. I expect to introduce major legislation on this subject during the 93d Congress, since I consider it to be one of the most important problems that America faces.

We will have to undertake better control over the Federal budget. A ceiling on expenditures is necessary and I expect that we can accomplish this during the 93d Congress without abrogating the historic control which Congress has had over Federal spending.

We must continue to provide better care for the veterans who sacrified so much for our country, and we must provide better care for our elderly. Older Americans should never feel neglected or that they have been cast aside like worn out shoes. The years which they have given to their country should be remembered by those of us in the Congress.

We must launch new programs to begin rebuilding our cities which have too frequently been the victims of crime, neglect, and decay.

We must continually reexamine our tax structure so that loopholes are closed and every American pays his fair share of Federal taxes.

Of course we will have to continue shifting from a wartime to a peacetime economy, and this will continue to result in a readjustment in employment. Federal programs will be necessary to assist this transition.

Now that the war in Vietnam is almost behind us, we must redirect our resources toward improving the quality of life in America. We must bind up the divisions which the war has produced and bring ourselves together as one people.

TRIBUTE TO JAMES KEE

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. GRIFFIN. Mr. Speaker, I join with my many colleagues in expressing regret upon the retirement of my good friend James Kee.

James Kee follows a tradition of public service. Both his mother and father served with distinction as Members of the House of Representatives.

He has been an outstanding legislator, using his knowledge and ability to serve the people of his district and State of West Virginia.

James Kee has contributed to the progress of America through his conscientious work on the Public Works Committee and the Interior and Insular Affairs Committee. His work on the Subcommittee on Mines and Mining, Public Lands, and Environment has been important to his State of West Virginia and the Nation.

I wish my good friend James Kee the very best in the future years ahead.

PREVENT AIR HIJACKING

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I ask unanimous consent to have placed in the Record a letter I received from Miss Jessie Lackey who is a resident of Kentucky and who is presently employed as a hostess on one of our overseas airlines.

I found it a very interesting and helpful letter and took occasion to comment on it when hearings were being held before the Senate Foreign Relations Committee on the International Convention to deter hijacking. I also ask consent that my letter in response to her letter be included in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follow:

September 2, 1972.

Dear Senator Cooper: For a long time I have been watching with disgust the inability of our law enforcement agencies to prevent the air hijackings that have become an everyday occurrence. Though I know they are doing their very best to stop this threat to our lives and freedom, I cannot understand why our representatives who, by their positions of authority have a degree of power, have not stood up with the courage and conviction of Vice President Agnew to aid the FBI and law agencies in their efforts. It seems to me evident to even the most simple individual that the large majority of these hijackings might *never* have occurred had they not been encouraged by the news media. The glorified, front page reporting feeds the sick and desperate individual with a last chance idea to be recognized. The detailed and emotional reporting supplies these and the more criminally or politically motivated hijacker with the do's and don'ts of "how to be a successful hijacker." To have "freedom of the press" is one thing, but to use it to increase one's "take" of the "almighty dollar" at the risk of innocent lives is to me the immoral use of one's position and should be considered an accessory to the crime. I do not know enough about law, but it seems to me the airlines and passenger-victims of hijackings should consider sueing the reporters, editors and newspapers whose news clippings have been found in the possession of hijackers. For the honest, news-reading public there is no need to explain the details of how the FBI managed to get on board or get a gun on board. The fact that the hijacking took place, that the FBI managed or didn't to thwart it, is enough to sell newspapers. The one who pours over those details is the potential hijacker.

I am particularly interested in this matter as I am an air hostess. It is frustrating to be briefed on how to act in such an incident, only to read our "secret passwords" and methods of talking to these hijackers on the front page next day. This only prevents these methods from working the next time. Recently, a hijacking was stopped by an FBI agent dressed as a pilot delivering the money to the plane. He was made to undress and dress before entering the plane. He had a gun in his pocket. Front Page News! The very next week a hijacker refused anyone to come near the plane in anything more than bathing suit trunks. Another attempt was stopped by a gun being handed on a pole to the pilot while the hijacker was watching the money-carrier. Again front page news—detailed reporting! That method certainly won't work again! Crews are briefed on delaying tactics. Yet, the Algerian bound hijackers were reported as having refused to accept delaying excuses. They told the FBI: "It will be done like I want it done. It will not be done the way you want it done." This is a direct quote from a newspaper clipping which I've enclosed. Now, hijackers will refuse to accept any delays. What's the use of training crews, buying fancy detection equipment, etc., etc., if the newspapers are going to tell them how to cope with these methods and devices. As if descriptive articles aren't enough, Roy Crane has decided he must show how it's done by his recent comic strip (enclosed). Eventually, all this will mean total inspection and belly loading of a baggage plus a complete "frisking" of passengers from skin out—our only protection for the many from the few. Hardly what I'd call "freedom of travel." I can just hear my passengers now!!

To belong to a society, to the right to hold positions of authority and power carry hidden responsibilities—like the "small print" on a contract. If one doesn't uphold these responsibilities the society fails, just as the contract is broken if one doesn't pay attention to the fine print. To my mind the communication network of our country, whether it be T.V., movies, magazines or newspapers, is guilty of failing to carry out these hidden responsibilities—the "small print" of its contract to our society. This responsibility is the same for all of us in a free society who wish to share in a community. It is a moral obligation to consider our actions and words from all angles, to assess that what we do is not just for our personal benefit, but that it does not infringe upon the life, liberties or happiness of any other individual. Detailed reporting of hijackings, murders, violent disturbances, etc. feeds the egos of those individuals involved and encourages others by giving a blueprint to go by.

I beg you to do whatever you can to encourage the news media to curb their detailed reporting. I also urge you to consider helping Mr. John F. Leyden, President of the Professional Air Traffic Controllers Organization, in asking Transportation Secretary Volpe to help in curbing information to the news media (clipping enclosed). If there are channels through which you may encourage a study of this situation that might lead to helping our law officers by curbing our "free" information to potential criminals, please consider them.

Thank you for listening to my thoughts on this subject. I had to put in my "two cents worth" as my life and those of my passengers are worth just slightly more than selling a few extra newspapers!

Thank you again for your consideration.

Sincerely,

Jessie Lackey.

San Francisco, Calif.

September 27, 1972.

Dear Ms. Lackey: I received your letter of September 2 concerning the problem of hi-jacking and while it has become a matter of national and international concern, I can understand your personal feelings about air hi-jacking and other crimes committed on aircraft and against aircraft facilities.

I am sending you a copy of the bill which was passed by the Senate on September 21, 1972, and I hope that it will be accepted by the House. It represents stronger legislation than has been enacted by the Congress and I hope it will be of help.

I note your comments upon the news media and your belief that their articles encourage this illegal activity and apprehension. As you state, it is within the capacity of the news media to show restraint but I am afraid that under the First Amendment to the Constitution, there is no way to prohibit the selection of news by the media.

A few days ago, when the Senate Foreign Relations Committee was conducting a hearing upon the approval of an international convention designed to deter hi-jacking, I took the liberty of commenting on your letter and asking that it be placed in the Record of the hearings. I have not yet done so, but if you will write me that you have no objection, I will do so and if you have no objection, I would like to place it in the Congressional Record which is printed every day and has about 500,000 readers. I will be glad to hear from you.

With kindest regards, I am,

Yours sincerely,

John Sherman Cooper.

P.S.—Miss Mecham of my office thoroughly concurs with your remarks. She is a former Pan American stewardess.

CONGRESSMAN JACKSON E. BETTS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WHALEN. Mr. Speaker, for 22 years Congressman Jackson E. Betts has represented the Eighth District of Ohio in this House. Before his election to the Congress, Jack served for a decade in Ohio General Assembly, 2 years during which he was the Speaker of the House. Throughout his entire legislative career, Jack's efforts have always reflected his deep concern for the well-being of his constituents, the people of Ohio, and the Nation. As a result, he not only has earned the respect of his people, but of his colleague as well.

Jack has been an extremely effective member of the Ways and Means Committee, His knowledge in the varied areas over which the committee has jurisdiction has contributed immensely to the formation of responsible legislation. In addition, his contributions as a member of the Committee on Standards of Official Conduct and the Joint Committee on Internal Revenue Taxation will long be a testimonial to his leadership. I hope retirement will bring Jack great happiness, and I wish him Godspeed.

SENATOR DAVID H. GAMBRELL

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, I am pleased to join in the salute to my colleague, the junior Senator from Georgia, David H. Gambrell.

Coming as he did, to fill the unexpired term of one of the Senate's most outstanding Members, Richard Brevard Russell, he has served with distinction, devotion, and effectiveness. He has made a significant contribution to his State and Nation in this body.

I will miss David Gambrell and hope he will return from time to time to give us the benefit of his wisdom and insight.

OMAHA-COUNCIL BLUFFS RIVERFRONT DEVELOPMENT PROGRAM

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HRUSKA. Mr. President, the Kansas City Federal Regional Council awarded an integrated grant to help support the first year of planning for the Omaha-Council Bluffs riverfront development program. This project has been conceived by the local, public, and private sector leadership of the area to guide the economic, social, and physical development of 54 miles of the Missouri River Valley from Blair to Bellevue, Neb. Included are a population of more than 600,000 persons and a land area of 200 square miles.

The riverfront program is one of the most extensive and complex development efforts initiated in the United States in terms of the numbers of participating governments, the size of the land area encompassed, the provisions for private sector participation and the long period of time envisioned for its execution. The preliminary stages alone extend to 1985.

It was my privilege in association with other members of the Nebraska and Iowa congressional delegations to announce the integrated grant award at a ceremony convened in the Omaha-Council Bluffs area by the several Chambers of Commerce who have played major roles in launching the riverfront program.

The integrated grant administration program is an innovative approach under the leadership of the Office of Management and Budget to facilitate Federal interagency support of local development programs. The award to the riverfront program constitutes Federal endorsement of the planning concept and a Federal commitment to participate in the unique partnership being formed to translate this concept into specific projects.

I would like to share with the Senate my remarks on the occasion of this award and ask unanimous consent that they be inserted in the Record at this time.

There being no objection, the material was ordered to be printed in the Record, as follows:

OMAHA-COUNCIL BLUFFS RIVERFRONT DEVELOPMENT PROGRAM INTEGRATED GRANT AWARD

(By Senator Roman L. Hruska)

Today we recognize and celebrate the awarding of a federal grant.

It is an Integrated Grant Administration Award to the Omaha-Council Bluffs Metropolitan Area Planning Agency and its 35 component members for the first year of Riverfront Development planning.

The federal contribution approaches $1,000,000. It will exceed that figure substantially when the application for about $100,000 in Federal environment funds is confirmed. This application enjoys a high priority with the Environmental Protection Agency.

Local and State contributions for today's grant total about $1,000,000.

Thus, a total of some $2,000,000 is available for first year planning.

In 1971, Congress authorized the Corps of Engineers to initiate Riverfront studies. Congress recently increased the funds available for the Corps studies to $210,000. These actions opened the door to the larger expression of federal commitment we are receiving today from the Kansas City Regional Council. Although only civilian agencies participate in the Integrated Grant Program, the Corps has worked closely with the Regional Council on Riverfront matters.

This grant, however, is far more than "just another federal grant."

It is a beginning of a new partnership of public resources—federal and local—with the resources of the private sector of our economy.

This new partnership is unique. Its presence in this metropolitan area, if not the first case of its kind in this country, is certainly one of the very earliest.

Viewed in its true and whole context, it looms as one of the most exciting developments in the political-social-economic arena in decades. Its meaning to us and to succeeding generations is far reaching in significance.

The quality of uniqueness lies chiefly in the focus of decision and authority, which will be with the people in the Riverfront project. These people will act through their locally constructed political subdivisions and elected officials and representatives.

The local entities will do the planning; they will call the shots; they will determine the direction, the thrust; and they will make the decisions. This is because they are best equipped to do so.

The federal government will be called to help, but not to direct. It will be expected to give guidance and advice, but not orders or ultimatums.

Federal resources possess vast, varied, and expert knowledge and experience. The local participation will give these resources a place and a purpose in which to function effectively and efficiently.

Such an approach has been inevitable for a long time. When I went to Congress some 20 years ago, it was said that about 40 federal grant programs existed. Today there are reported to be more than 1000 federal programs. Obviously, they could not continue to function much longer on individual, independent and solitary paths. To do so would involve duplication, conflict, waste and poor results.

This is why we need the new partnership I have described. Hence, the participation of the Kansas City Federal Regional Council and the results we have today.

Adoption of this new concept means that the Riverfront project is giving new directions to the great experiment in human settlement that our region represents. Part of our heritage is a constant concern with learning to live in communities. Our forefathers came from many corners of the world to settle this land. Despite their many differences in language, culture, and temperament, they succeeded in starting sound communities. They never expected to finish the task. Rather, they handed down a legacy of hard work and cooperation in achieving the common good.

This new concept means that, far more significant than the physical features of Riverfront with which you are all familiar, there will be a strengthening of lasting cooperative spirit which has been stimulated among the cities, counties, state governments, private organizations, and federal agencies.

With that accomplished, the potential for progress is limitless.

We should not underestimate our accomplishments or the challenges we have accepted. Riverfront is one of the most complex joint public-private and intergovernmental partnerships ever launched in the United States. We have joined hands across the lines that usually separate men—across city lines, county lines, state lines, the lines between business and government, and the lines between social, racial, economic and religious groups. This joining of hands testifies to the deep underlying strengths of our federal and free enterprise systems. These systems *can* meet the demands of an urbanizing society for great advances, not only in the usual amenities of living but, more importantly, in assuring freedom and equal opportunity for each citizen.

Riverfront is a powerful witness to the community spirit that rises when men unite behind common purposes. Where this spirit will lead us in the years ahead, I cannot predict. But I am confident that we and our descendants will succeed in strengthening our community as did our fathers before us. There is something infectious about this new spirit. Already there are Riverfront-type stirrings in the Sioux City area to the North, and to the South in the counties below the confluence of the Missouri and Platte. In the years ahead, we should expect a surge of economic and social development in the Missouri River Valley. It will far surpass our past achievements in mastering the Valley's physical resources. Today will stand as a decisive step in that process of development. It is good that we pause to celebrate this step and recognize those who have made it possible.

Mr. HRUSKA. Mr. President, among those present to comment on the significance of the riverfront program were Dr. Charles Kimball, the distinguished president of the Midwest Research Institute at Kansas City, Mo., and Dr. Charles Anderson, the distinguished president of the Stanford Research Institute at Menlo Park, Calif. These two institutes have made major contributions to the Nation's efforts to understand and guide metropolitan development. Both have been selected to furnish technical management for the planning phase of the riverfront program.

Dr. Kimball in commenting on the regional significance of the program noted that—

> The time has come for a new set of alternatives. The people and leadership of Omaha/Council Bluffs are, in effect, serving notice to

the nation that you now offer an attractive new option for life quality in a metropolitan area—an option so favorable in the case of the Riverfront Development Project, that it may well serve as a progressive model to others throughout the balance of this century.

Dr. Anderson, in his remarks on the national significance of the riverfront program emphasized its uniqueness and observed that—

> It is a grassroots program—a program created and worked out and planned by hundreds of people from all the sectors of society—worked out and planned in concept here and not in Washington. In this respect it is not only unique, but it is an outstanding example and application of stated non-partisan policies of both President Nixon and the Congress—policies related to the desirable objectives of reassuming responsibility for decision making and problem solution at the local and regional levels where these problems exist.

The remarks of Drs. Kimball and Anderson should be of interest to all persons concerned with the problems and prospects of orderly growth in our metropolitan areas. I ask unanimous consent that they be included in the RECORD at this time.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

OMAHA-COUNCIL BLUFFS RIVERFRONT DEVELOPMENT PROGRAM

(By Charles Kimball)

It is generally held that by the turn of the century, all but 10–15% of Americans will live within metropolitan areas. And there is much talk and some planning about the nation's need for 100 new cities to accommodate the 50–100 million people who will be added to our population before the year 2000.

I want to say something here about the larger subject of all cities. It is distilled from some 25 years of experience of Midwest Research Institute, observing, measuring and forecasting events in both the private and public segment of our country.

There are arguments that are convincing to me, at least, against the idea of scores of new cities, rising unnaturally on the virgin landscape, without the cultural traditions of the present communities. The concept is clearly impractical, but the symbolism is valid. But more sensible, less costly by far, less damaging to the countryside, and more rewarding in human values—is to plan now for the 50–100 million additional persons to locate in present cities of manageable size.

We must ask ourselves NOW where all of us are going to live in 1999, or more realistically, where our kids are going to live—and not just WHERE but HOW—in good style? with dignity? with reasonable accessibility to each other? and above all, with room to stretch?

The Riverfront Development Project may be one of the answers. Civic leaders and private businessmen, city, county, state and federal agencies, are all doing sound planning for this undertaking, without destroying the very amenities you wish for here and already have in great measure.

Excessive growth in very large coastal cities can best be controlled not by any rigid attempt to set limits; expansion can be checked only by attracting it to other centers like yours.

There are important urban changes underway today—not all of them as tragic, depressing, and hopeless as headlines imply. There is a marked shift of the cities that lead this country—a rejection of traditional influences. Historically, the inland cities have always looked to the metropolises for a life-style. The mass communication offices—Hollywood studios or New York editorial offices—told us what to wear, how to govern, where and how to live. This is largely unacceptable today to many Americans, who are simply not willing to embrace either the sprawl and smog of Los Angeles or the degrading density of the East.

Cities like yours are not plagued as are many ports of coastal cities, with too many people, too rapid or stagnant growth, extreme poverty, commuting, pollution and lack of recreation. These are great issues, now commanding the highest level of attention in those beleagured centers. You can learn from them. You don't have to repeat their mistakes.

In an age of jet airplanes and modern communications, midwestern cities are becoming key distribution centers, intensifying foreign trade—international cities. In an age of migration, they are becoming urban centers—still hubs for agricultural business, but much more deeply involved in industry and science, government and finance, in manufacturing and trade.

This area is moving inevitably toward a role as one of America's Inland Capitals—a regional center with opportunities for international links to other nations, an important center for federal government which is now decentralizing gradually out of Washington, D.C.

Few people in America realize what is happening in the Omaha/Council Bluffs area. For example, that this is the—

World's largest livestock market.

The nation's 4th largest railroad centers.

Home of more than 600 manufacturing plants and 35 insurance companies.

Shipper of more than $1 billion of foodstuffs annually.

An educational center with 5 colleges and 2 medical schools—the only city of its size in the U.S. with 2 medical schools.

81 million in new construction permits in 1971—1.4 billion in the last 12 years.

An urban area with an effective buying income per household ($11,734) greater than Dallas, St. Louis, Kansas City, Fort Worth, New Orleans, and a score of other important U.S. cities.

Of your impressive new banking center in Council Bluffs and that City's thoughtful approach to renewal of its urban area.

The time has come for a new set of alternatives. The people and leadership of Omaha/Council Bluffs are, in effect, serving notice to the nation that you now offer an attractive new option for life quality in a metropolitan area—an option so favorable in the case of the Riverfront Development Project, that it may well serve as a progressive model to others throughout the balance of this century.

A major shift in American cities has occurred because of the revolution of the service industries, a dramatic historical progression following the agrarian revolution and the industrial revolution.

Most cities—nearly destroyed by archaic property taxes and the onslaught of the internal combustion engine—now face a new series of demands brought into focus by the new type of employee, the men and women in the service sector of our economy.

Ours is the first and only country in history to employ more people in services than in manufacturing. This calls for a new kind of city, with a new point of view with much less emphasis on industrial sites and railroad sidings, or cheap labor.

It emphasizes values based on being in the center of things, geared to house skilled minds and highly mobile people, linked to air routes, and structured for the dignified life-style demanded by those within the service professions. The company town we knew as kids is passe!

Have you ever wondered why the insurance industry, one of the most powerful in the service sector, repeatedly selects cities like your own here, Hartford, Wausau, or Des Moines, for headquarters locations?

It is because these communities provide this very thing I mentioned—an emphasis on values concerned with the quality of life, rather than with growth for growth's sake.

Much more serious thought will need to be given in the years immediately ahead to some redistribution of population, as was done a hundred years ago when the inducement was the Homestead Act—really, in fact, the GI Bill of Rights for the Union soldiers. This Act opened up the West and had an important impact here. But such plans cannot be forced on the people. They must not conflict with our rising level of expectations.

One of my major concerns is that cities like Omaha and Council Bluffs are under-recognized and under-utilized. But this does not mean they are under-developed or backward, or cowtowns. It means that they are not and have not been aggressive enough in competing for the attention of decision makers throughout the country.

Over the 25 years I have lived in the Middlewest, we have seen an exodus of talented people to both coasts, the best ones leaving first, what the British call the "Brain Drain." There simply were not adequate employment opportunities. But now we notice a marked reversal in that trend. Some of the best former emigrants who have located in the cities on the two coasts and the Great Lakes, have *"had it"*—commuting, congestion, corruption, and pollution. Many of the key people on MRI's staff have come back to the Midwest.

Some of the return of the native movement has to do with what the unions call "portal-to-portal time." In your area of over ½ million persons, more than 90% live within 30 minutes of their work—most within 20 minutes.

This sort of accessibility has new and important meaning today. It enriches leisure time for the individual, which in turn increases productivity for the employer. To the brainy, talented individuals of the service revolution, "portal-to-portal time" is increasingly significant.

Yours is one of the metropolitan areas in the U.S. that appears to have the physical plant to absorb in an orderly fashion the expected increase of 50–100 million people in our country by the end of this century. Most of these cities have options open that, properly exercised, can assure that they will be both liveable and governable in the year 2000.

Unfortunately, too few of these cities today appear to be thinking about this or exploring their options in this context. But this community has shown clearly one way a city can continue to grow, provide alternatives to the urban sprawl, and can continue to make life more attractive for its people.

But just as important—and perhaps of more significance—is the ecumenical spirit that has been created among the multiplicity of governments within the area of Omaha and Council Bluffs.

This means bi-state compacts and support and cooperation between two state legislatures, 6 counties, 5 cities, and a dozen other functional government sub-divisions. The land involved in the Riverfront Development Project—some 54 miles—encompassing these communities, counties, and the two states, will be zoned and developed according to a comprehensive master plan.

You will see more of this kind of thinking and planning in the future of other cities, if they are to meet the challenges of the decentralizing of American industry and government, and increasing population, and the continuing quest for a better way to live.

My own Institution, Midwest Research Institute, has been deeply involved in this in a variety of ways for many years, and not just through speeches I make. Our Centers for Regional Progress, now with offices in Des Moines, Omaha, and Topeka, working on many public problems in those states, is designed not only to help solve such problems, but to serve in an advocacy role for this part of the country.

MRI is proud to have a significant role in this exciting project because it exemplifies the type of service commitment this Institute made to the people of Nebraska, Iowa, Kansas, Missouri, Oklahoma and Arkansas, when it was founded 28 years ago.

I am delighted to have Tom Brinton representing MRI in this important undertaking. His fine work record and proven ability to get things done, will fit in just fine with your own goals and aspirations.

We're delighted to be in this effort with SRI, a sister institution with strong capabilities and a fine reputation.

MRI continues to develop as a Research Center with a strong regional commitment. We maintain our special concern for developing programs and skills which apply constructively to the needs of the Midwest, its industry, and its people.

In this context, the challenging Riverfront Development Project responsibility we have undertaken for you will have our wholehearted support.

Let's get on with this job. This dream is too important to be left to dreamers.

OMAHA-COUNCIL BLUFFS RIVERFRONT DEVELOPMENT PROGRAM

(By Charles A. Anderson)

Dr. Kimball has told you that SRI and Midwest Research Institute have been selected to furnish the technical management for the planning phase of the Riverfront Development Project. As President of SRI my job is to manage our approximately 3,000 Institute employees and to provide executive direction for the more than 1,000 projects which we work on each year for industry and for government agencies at all levels, both domestic and international.

As I look across the broad spectrum of interdisciplinary projects we are associated with today and as I think back over the thousands we have completed during my term with SRI, the Missouri Riverfront Development certainly stands out. Of course, I am not as intimately involved with it as is Harry Posner, the leader of our SRI team, and the Technical Director of your Riverfront Project. But because I am once-removed, I believe that I am more excited about this project, more impressed with what you have accomplished and with what you are going to accomplish than you are yourselves.

I have talked with many of the hundreds of Nebraskans and Iowans involved with this program and I'm constantly amazed at the enthusiasm and confidence all of you display. You have accepted the Riverfront program as a part of your lives, as a program you will live with for decades. As so many of you have told me, you're planning for the next 100 years. But as a result, I think you have gotten to where you hardly think about the enormous significance of this program to the rest of the United States.

As someone with more of an outside viewpoint, I think maybe my sense of perspective on this project may be quite different. I am tremendously impressed with what you are doing, with what you are planning for the 200 square miles of the project area. But I am even more impressed with what you are doing for the nation, for our way of thinking about the people's relationship to government and to each other, of the relationships of government to government, of business to government.

Certainly, as we all know, this project is unique. It is a grassroots program—a program created and worked out and planned by hundreds of people from all the sectors of society—worked out and planned in concept here and not in Washington. In this respect it is not only unique, but it is an outstanding example and application of stated non-partisan policies of both President Nixon and the Congress—policies related to the desirable objectives of reassuming responsibility for decision making and problem solution at the local and regional levels where these problems exist.

It is a program marked by an almost incredible spirit of unity and cooperation among the Federal government, two states, six counties, five municipalities, and scores of businesses, individuals, universities—the list goes on and on. It includes, for example, the four Chambers of Commerce represented here today, the civic clubs, the academic community. It has been spared political partisanship, even in an election year. And all that is unique. It is in short, an inspiring story of what we used to call good old American enterprise. It's the old pioneer barn-raising spirit on a massive scale.

Certainly, we at SRI look upon this long-range riverfront development as a significant and tremendously important program. We see it as a milestone in the growth of this nation, as a demonstration of how people and business and government can work effectively together to solve some of the major social and economic problems that confront us all.

We have seen piecemeal efforts fail. Many of the so-called urban renewals have turned into urban displacements; they have not solved problems, they have just moved them into someone else's jurisdiction. Others have brought new problems because they started first with a massive development. Then local governments had to come in and try to graft onto the development the needed services such as transportation, law enforcement, schools, hospitals, and the like. Some have failed because they have tried to solve everything with housing, with little or no thought to where jobs can be found.

Your idea is a refreshing contrast. Businessmen, the men who know something about where jobs are and about job creation, have been in on the planning from the start. Just as an example, the foresight among business, governments, citizens and educators in the grouping of housing, industrial parks and vocational schools in the Riverfront program is really remarkable.

You are dealing with an area large enough so that all requirements can be accommodated and you won't be pawning problems off on someone else. You will demonstrate something that has, regrettably, become somewhat rare: the ability of people at the grassroots level to solve their own problems and enhance the quality of life for everyone in your region. The idea is bound to spread—as it has so quickly up and down the river from Blair to Bellevue. Someone said jokingly—but maybe with some serious justification—that if you project out the enthusiastic growth of the Riverfront development program, you'll find that the Riverfront committee and MAPA will be running the whole country by 1980.

Seriously, all of us at SRI are enjoying the opportunity to be associated with the launching of the Riverfront project and we look forward to the next two or three years of working with everyone concerned to get this early phase successfully completed.

Perhaps most of you who have worked so hard and so long to develop the Riverfront program—or dream, if you will—could object to my calling this the beginning of the plan, but that's what I think it is. This first Integrated grant, large as it seems and welcome as it is, is only the beginning, the door-opener to what will surely be decades of work.

And that brings me to my one word of advice, or admonition, today. I have said that you are pioneers, that you are due a nationwide round of applause for what you have accomplished and for the way you have accomplished it. In a very real sense, you have the eyes of the nation on you. You living here in the Missouri Riverfront Development area are involved in what, I am confident, will soon be recognized as the model for successful regional development. If this were a NASA program, it would be called Pioneer I.

So I think all of you—all of us—have not only an outstanding opportunity to improve this area and to make a real and lasting contribution to national development but we also have a very real and very serious *obligation* to insure that this Riverfront development becomes the success we all have dreamed it will be.

So far the enthusiasm and vision of a beginning have brought people together and have swept aside petty divisions and major obstacles. But, as I said, this is only the beginning. You are planning for the next 100 years. Now you and your children must work to see that this vision of the river, of buildings, homes, factories, playgrounds, forests and schools really comes to pass.

In closing I would like to cite three brief quotations which are germane to our collecman's problems, inspiration and creativity—quotations which are germane to our collective efforts underway here today.

First from Confucius—"Good government obtains when those who are near are made happy and those who are far off are attracted."

Second from Thomas Jefferson—"I know no safe depository of the ultimate powers of society but the people themselves."

And last from Franklin Delano Roosevelt—"These unhappy times call for the building of plans that build from the bottom up and not from the top down, that put their faith once more in the forgotten man at the bottom of the pyramid."

Thank you for asking me to join you today. It has been a pleasure.

TRIBUTE TO SPEEDY O. LONG

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, the House of Representatives is losing one of its most dedicated Members in Speedy Long. I am proud to be able to count myself among his many friends and admirers.

Speedy Long has served the people of his district well for 8 years in Congress. He has achieved an outstanding record of service to the people of his district, State, and the Nation.

I have had the pleasure of working with Speedy Long on the Merchant Marine and Fisheries Committee and I know him to be a capable and conscientious legislator. The representation he has given to the Congress is certainly one of which he and his people can be proud.

I am going to miss my association with Speedy Long and I know the House of Representatives will also. I do wish him the very best as he continues to serve the people of Louisiana.

CAMPAIGNING WITH McGOVERN

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. BIBLE. Mr. President, each day as the two major presidential candidates travel this country, their words and actions are reported to the rest of the Nation by a small band of reporters who accompany them. The job of reporting on a presidential campaign is a demanding task and requires not only long hours of work, but special knowledge and ability. For these reasons, the newsmen selected to travel with the candidates are generally among the best in their profession.

Recently, Ken Scheibel, a former Nevada newsman and now the Washington correspondent for a number of newspapers across the country, accompanied Senator George McGovern on a campaign swing through the West. Mr. Scheibel is a veteran journalist who has the experience and know-how to provide his readers with factual and informative reporting. His writing exemplifies journalism at its best and I ask unanimous consent that one of his recent dispatches from the Packer newspaper, entitled "Campaigning With McGovern," be reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Campaigning With McGovern

(By Ken Scheibel)

(Note.—In the Sept. 30 issue of The Packer, Ken Scheibel, our Washington correspondent, commented on the election campaign efforts of Earl Butz on behalf of President Nixon. In this week's column, Scheibel reports on a campaign tour by Sen. George McGovern.)

In shirt sleeves and stockinged feet after a long hard day George McGovern looks out at the land from 30,000 feet in his campaign jet and tells of his hopes for farmers.

"I want farmers to stay on their farms," he says quietly; "not have to leave them for the cities."

Born and bred of the prairie, the senator from South Dakota pledges a better deal for farmers if he is elected President of the United States.

"The small businessman and the small farmer need help," he says slowly and earnestly. "They need a fair reward for their labor and investment."

Although McGovern's critics call him a "radical," he proposes few sweeping new programs, laws, or policies for agriculture.

"We can use the laws, the authority we have now," he says. "If I am elected president, I will order the Secretary of Agriculture to use it." Specifically, McGovern complains past secretaries have set prices too low. McGovern wants prices for wheat, feed grains, and dairy products set at 90 per cent of parity.

"This can and should be done at once," he says.

The setting sun glints off the wing of the Dakota Queen and east Texas slides by below. "The farmers in Texas and Oklahoma really got rooked on the wheat deal," he says, sadly.

To George McGovern it is unthinkable that President Nixon is considered a friend of farmers.

"Nixon has been in power four years," McGovern continues. "All that time farmers have been in trouble."

There is one major new bill in Congress which McGovern has pressed—legislation to give farmers equal collective bargaining rights. In McGovern's view a new law would ease the plight of the small farmer.

A recent campaign swing took McGovern to North Dakota, Washington, Oregon, California and Texas.

His audiences were large and responsive. Many listeners were youthful. Placards and banners were plentiful. "Agnew Smokes Lettuce," said one. "The Great Grain Robbery," said another.

At Houston, Tex., McGovern told an audience of 15,000 that Republicans favor big business over the small businessman and small farmer.

"The six big grain companies of America have a president—and his name is Richard Nixon," McGovern said. The crowd roared. And he recalled that as vice-president, Nixon was associated with Ezra Taft Benson, President Eisenhower's controversial Secretary of Agriculture. Nixon is a man whose heart beats, "but not for the farmer," he said.

Nor did McGovern neglect Secretary of Agriculture Earl Butz.

"You can take Earl Butz out of the board room," he quipped, "but you can not take the board room out of Butz."

At Fort Worth McGovern again told of his concern for the small businessman and small farmer. "It is time we had a president who is willing to fight for the small businessman and the small farmer," he told a cheering rally. In the throng someone waved a placard, "The Russians get wheat and the farmers get the chaff."

McGovern's father was a minister, so was McGovern himself briefly. There are frequent references to the Bible. Hitting at racism, McGovern said, "When I was a boy we used to sing red, and yellow, and black, and white. All are precious in His sight."

In his campaign against "big interests," McGovern has picked some fights which some of his farm advisers question. One was to support Cesar Chavez and the lettuce boycott.

"George should not have taken such a specific stand," said a farm spokesman. "And I don't think promising 90 per cent of parity makes sense either." McGovern feels otherwise. And at San Diego, Calif., on the platform with McGovern was Cesar Chavez.

McGovern works hard. A 16-hour day is not unusual. Often he runs behind schedule. He is an ardent handshaker. He is known for a mild manner and easygoing ways. But he can get weary. Once in a while there is a show of temper. When he thinks he might have offended someone he hastens to apologize.

To George McGovern running for president is serious business. Unlike many politicians McGovern shuns small talk or wasting words. There are few jokes, little horseplay in the campaign. But he is no martinet. Possibly, he is too tolerant of inefficiency or human failing. The man he pushes hardest of all is George McGovern.

At the end of a grinding day McGovern's big campaign jet streaks across America and night falls softly over the land.

In his compartment McGovern pushes campaign documents off the table and removes the black half glasses from his nose. A stewardess brings a tray. It is one of a thousand or more such meals the candidate for president has tasted in the past 20 months.

There is beef. There is fruit. There is a piece of bread. There is black coffee. But nowhere on McGovern's tray is there a scrap of lettuce.

ELAINE EDWARDS

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CRANSTON. Mr. President, on August 1, Elaine Edwards began her term as U.S. Senator. I was delighted that she graced the seat next to mine in this Chamber. In the short period of her service, she dedicated herself to the difficult tasks required of a Senator representing the people of Louisiana.

Elaine Edwards was a sensitive and responsive representative of her State. She faithfully attended meetings, and worked diligently on legislation. A memorial fellowship to pay the transportation cost for underprivileged children to come to Washington will now be awarded as a result of her fine efforts.

I know that Elaine will continue her good work when she resumes her position as first lady of Louisiana. My colleagues and I will miss her when the 93d Congress resumes.

TRIBUTE TO SENATOR LEN B. JORDAN UPON HIS RETIREMENT

HON. B. EVERETT JORDAN

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JORDAN of North Carolina. Mr. President, the diverse experience, skills, and knowledge which its Members bring to the Senate and expand during their service here is one of the greatest sources of strength in this legislative body to which we are all devoted.

Thus the departure of one whose talents have contributed demonstrably to that strength must inevitably leave a void not quickly filled.

That is how I feel about the retirement of my good friend and valued colleague, Len Jordan, who is going back to Idaho at the end of this year.

Though we are not related, are of different parties, and representing States almost a continent apart, I have felt a sense of kinship with him throughout the decade we have spent together here in Washington.

It stems partly from our common interest in natural resource conservation and development and our membership together for a time on the Senate Public Works Committee and partly from the fact that both our States have an important stake in agriculture.

It is more, however, because of the personal qualities which so typify Len Jordan as a man—qualities of integrity, strength of character, dedication to duty and country and a capacity for compassion and understanding.

As an administrator, engineer, legislator, and economist, Len Jordan has established a record of public service which will be long remembered by all who have been privileged to know him.

I am glad that he chose to climax it with his service among us and I know I speak for every Member of this body in wishing him happiness and fulfillment in the retirement years to which he is now entitled.

TRIBUTE TO PATRICK T. CAFFERY

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, PAT CAFFERY, a young man with promise of a great congressional career, has chosen for the sake of his family to return to his native Louisiana.

PAT has served well on the important Public Works Committee and his dedicated representation has meant much to his State and district.

He has long devoted much of his time and effort to public service and civic affairs and I am sure that the people of his district will continue to benefit from his service.

I want to wish him the very best and I know PAT CAFFERY, as an avid outdoorsman, will welcome the opportunity to spend more time in the sportsman's paradise of Louisiana.

DR. WOODROW STRICKLER, PRESIDENT OF THE UNIVERSITY OF LOUISVILLE, RESIGNS

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, a very wonderful man, Dr. Woodrow Strickler, resigned on August 31 as president of the University of Louisville. The University of Louisville, which was the oldest municipal university in the United States, has recently become associated with the University of Kentucky. It is a university noted for its diversity, freedom of speech and discussion, for its scholarship and for the breadth of its interests in the humanities, science, and the arts. Dr. Strickler has served the University of Louisville as vice president and executive vice president before he became president and in every capacity, his scholarship, his sensitivity, and rare executive abilities have been manifested.

I ask unanimous consent to have printed in the RECORD an article of the Louisville Courier-Journal entitled, "Strickler Resigns University of Louisville Presidency" and an article from the University of Louisville Quarterly of May 1968 by Mary Phyllis Riedley, a very fine account of President Strickler and his wife Florence, and also an article in the Louisville Times of August 25, entitled, "Strickler, Glad It's Almost Over, Looks Back at Job as University of Louisville Head."

The University of Louisville has been honored and benefited by Dr. Strickler's presidency as has the entire State of Kentucky.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

STRICKLER RESIGNS UNIVERSITY OF LOUISVILLE PRESIDENCY

(By Michael A. McKinney and Richard Wilson)

Dr. Woodrow M. Strickler, president of the University of Louisville since 1968, resigned yesterday effective Aug. 31.

He cited recent developments at the University of Louisville and his own health as prime reasons for his action.

Edwin G. Middleton, chairman of the University of Louisville's Board of Trustees, said Strickler's resignation "would not have been accepted but for the president's strong wishes in this matter," Middleton added that the resignation was accepted "with deep regret."

A University of Louisville spokesman said Strickler, who has been at the university 34 years in various positions, will remain at the school. But there was no indication in what capacity he would serve.

An interim president won't be appointed, university officials explained, since Strickler's resignation doesn't become effective until Aug. 31.

In resigning, Strickler noted that the university has received major funding from the 1972 General Assembly and "is now firmly established" as a member of the state system of public higher education.

Strickler, who became University of Louisville president in 1968, said that this begins "a new phase in the university's development, and I believe that new and fresh leadership might well be expected and deserved."

Strickler, 59, also said that his health "exercises considerable influence in helping me to arrive at this decision."

Strickler's resignation as the University of Louisville's 15th president had been rumored since early last month when he entered the hospital for what was officially described as "routine tests." He has a history of heart problems and in fact has suffered two coronary disturbances in the past year.

In fact some acquaintances have speculated for the past year that the balding, soft-spoken Pennsylvania native would likely step down after the recent session of the General Assembly if the U of L received sufficient state funds to overcome its financial adversity of the past decade.

The university received a $30.3 million state appropriation for the 1972–74 biennium—an increase of 130 per cent over previous financing and the lion's share of new money appropriated for the state's higher education system.

Much of the success in the U of L's transformation from the nation's oldest municipal university to state status is directly attributable to Strickler's patience and ability to sell state officials and the legislature on both the school's financial needs and its potential benefit to the state.

For instance, in 1970, then-Gov. Louie B. Nunn's proposed budget only called for an $8.2 million U of L appropriation. But Strickler, along with aide Dee Akers and others, convinced a predominantly Democratic legislature that this appropriation fell far short of the university's needs. The final budget, which Nunn signed, allocated $13.2 million to the U of L for 1970–72.

Last week, in an address to the faculty—an event which one close observer described privately as "a farewell speech"—Strickler for the first time since assuming the presidency in 1968, only briefly touched on the topic of the U of L's precarious financial position.

"I think that enough has been said about our institutional survival," Strickler said. "And a time has come for all of us to give more attention to the life and vitality of this university." He urged the U of L faculty to "begin an all-out inquisition of the status quo of this institution."

Strickler first gave serious consideration to resignation earlier this month when he wrote a letter to Trustee Chairman Middleton informing him of his intentions to step down no later than Aug. 31. The same letter was sent to other trustees Sunday. Members of the U of L central administration were informed of Strickler's decision yesterday.

U of L regulations now call an elected search committee of 13 faculty members to aid the trustees in searching for Strickler's successor. Middleton, asked last night if he foresaw the trustees' naming Strickler's successor by Aug. 31, said "I wouldn't speculate on that."

[From the University of Louisville Quarterly, May 1968]

UNIVERSITY PRESIDENT

(By Mary Phyllis Riedley)

The title is new but the face and the philosophy of University of Louisville President Woodrow M. Strickler have been part of the university scene since 1938.

The face is kindly, with a totally engaging smile that suggests an intrinsic benevolence. Though baldish and bespectacled, Woodrow Strickler at 55 has never lost youth's most charming qualities—enthusiasm and curiosity. He speaks softly and thoughtfully and . . . he listens.

The two decades he served U of L as a vice president and executive vice president well prepared him for the top post on Belknap Campus. His unanimous election to the presidency of the University March 29 met with enthusiastic approval of everyone.

"I've been here a long time," he mused, "long enough to be sufficiently familiar with the problems of this university and its operations.

". . . and long enough so that nothing has come up yet to be a real surprise to me."

Though he hates to recognize "so prosaic a task," adequate financing is his greatest immediate concern.

"Here at U of L and everywhere else," he said, "there seems to be no easy solution. We must broaden our basis of financial support. We can no longer rely on community support and tuitions."

Then, a bit wistfully, he added:

"We're one of the last of our kind."

President Strickler isn't apprehensive about the possibility of political pressures should U of L affiliate with the University of Kentucky.

"There's an old academic saying that it doesn't matter how you get money, you work hard for it. There are many pressures and disadvantages that come with accepting private funds."

He enjoys talking with student groups, values and appreciate their opinions.

"Many of the students' suggestions are very good. I think we have needed a little pressure to convince us that certain things are more important to the students than we thought."

He's a great admirer of today's youth.

"They're different from their fathers. They're more serious, more lively, have fresher ideas and more inquiring minds. It's not a question of higher IQ. Today's student has to prove he's smarter to get in and stay in school."

President Strickler feels students are searching not only for meaningful college experiences, but looking for an opportunity to do meaningful tasks while in college.

"I think this kind of interest can be tremendously helpful to colleges and universities if the institutions will permit and encourage communication between students, faculty and all groups making up the organization."

Rebels? Strickler thinks not. "Today's student is just less apt than his predecessors to accept established goals and procedures simply because they seemed to be adequate in the past."

Strickler is the product of a "plain folks" Pennsylvania upbringing. He was born in Columbia, Pa., of Mennonite parents, and reared in nearby Harrisburg, Pa.

Though no longer a practicing Mennonite, the influences of his background have left their mark on his person and personality. He dresses simply. His preference tends toward conservatively cut brown suits and dark ties.

An undergraduate at Bucknell University in Lewisburg, Pa., he did graduate work in public utilities operation and management at the University of Pennsylvania and at Northwestern University.

It was while at Northwestern that he met his wife, Florence. They have no children.

After Northwestern, he worked for a while as a staff member on the Illinois Commerce Commission, did a stint with a Chicago advertising firm, and . . . some part-time teaching.

Once bitten by the academic bug, he never recovered.

"One day I was talking to the chairman of the economics department at Northwestern and he mentioned that the University of Louisville was looking for an economics instructor. I wrote and asked for the job and they hired me."

Strickler went into the administration side of things at U of L in 1951 when he became director of the Department of Cooperative Education.

After three years in the Navy, he returned in 1946 as director of the Division of Adult Education. This division has since become University College.

In 1952, shortly after Dr. Philip Davidson became president, Strickler was named vice-president. A few years later he moved up to executive vice president.

Educated mainly in urban-oriented universities, Strickler is strong in his contention that these metropolitan-centered institutions are the wave of the future in American higher education.

"Just look at the tremendous job being done by schools like the University of Chicago, Western Reserve in Cleveland and by those schools in the enormous educational complexes in New York and Los Angeles."

He is equally clear-eyed and beautifully articulate on a university's responsibility to its students. The purpose of a college education, he says, is:

1. To give a student an understanding of the world in which he lives by helping him explore the reason he thinks and reacts in certain ways to social, political and cultural concepts and circumstances.

2. To pass on knowledge from one generation to another by giving him skill to perform competently in his chosen field of work or profession.

3. To develop a sense of values that will enable him to act as a responsible citizen in determining and evaluating present and future goals.

THE PRESIDENT'S WIFE

Mrs. Woodrow Strickler, the wife of U of L's new president, is . . . well, a rarity. She's a contented woman. Not complacent. Content.

She's found her niche—the academic life—and it suits her to a tea. With grace, aplomb and thoughtful preparation, Florence Strickler has contributed in great measure to the "excitement and stimulation" that she finds omnipresent at U of L.

In the entrance hall of the Stricklers' hilltop home on Valley Road is a wall hanging—a sort of king-sized sampler—that Mrs. Strickler made, stitch by painstaking stitch, in 1938, the year she came to U of L as a new bride.

"That," she said, "was my salvation. Every new faculty wife needs something to occupy her time until she gets acquainted with the other wives and gets involved in university activities."

Not any more. Not at U. of L. Perhaps it's the daily reminder of that sampler on the wall, but Mrs. Strickler has for years been among the first to welcome new faculty wives to the university family.

Today, before she can thread a needle, the newcomer has become acquainted and has been introduced to all things social and cultural that university life offers. If Mrs. Newcomer would rather make samplers, that's all right, too. Mrs. Strickler will be delighted to have her bring her samplers and talk about her art at the next get-acquainted coffee.

These get-togethers were inaugurated by Mrs. Strickler last spring. A tea-drinker herself, she calls them "coffee breaks." They're a sort of university show-and-tell. The university wives present the programs at each of the teas.

Mrs. Joseph Maloney, wife of the director of the Urban Studies Center, has spoken on her specialty, African art, at eight different coffees . . . "but, not to the same audience," Mrs. Strickler hastens to explain.

The president's wife is a veteran talent scout. When she was president of the University of Louisivlle Women's Club in 1954, Mrs. Strickler, with the instinct of a divining rod, discovered and programmed the speaking and musical prowess of friends inside and outside the university.

Florence Strickler also can introduce you to an awful lot of interesting animals. She knows a dog that smiles. He lives down the street. She has another canine neighbor which takes her newspaper each morning and delivers it to 'Senorita," the horse next door.

She's on speaking and feeding terms with any number of squirrels and one formal fellow insisted on being fed at the dining room table.

She has yet to find a dog which is willing to live with her two cats, Josephine and Geraldine.

Born Florence Gertrude MacLeod in Winnepeg, Canada, Mrs. Strickler met her husband at Northwestern University where both were doing graduate work. They were married on Dec. 21, 1928, three months after Dr. Strickler came to U. of L.

Mrs. Strickler's tie quilt also dates back to those first years at U of L. Edged in velvet, it's made of men's ties.

"Every professor on the campus contributed to that quilt," said Mrs. Strickler. "One professor continued to send me his ties after he left here and was on the faculty at the University of Oregon."

For five years, 1947 through 1951, Mrs. Strickler worked as student adviser in the office of Dr. J. J. Oppenheimer, dean of the Arts and Science School.

"The most stimulating thing I've ever done in my life," she says. "I could hardly wait to get to work in the mornings. Nothing keeps you more alert and mentally young than daily contact with students."

At the present, she and Dr. Strickler, who served almost two decades as U of L's vice-president and as executive vice-president, have little direct contact with the students, but Mrs. Strickler hopes to do something about this gap.

She's getting uninvolved elsewhere, so she'll be "on call" for more university affairs.

"You can't plan everything," she said. "Things come up—convocations, dinners, banquets, unexpected visitors. . ."

In the past, she has devoted specific days to the American Red Cross and the Goodwill Industries Auxiliary. She has also served on the board of the Woman's Club of Louisville.

"The work is still very important to me, but it isn't fair to promise a specific day and have to cancel out."

She has few days that are all her own, but she doesn't mind. The academic life, she says, "is a privilege."

"The people—the poets, artists, authors—the wonderful minds I've met!"

Dr. Arnold Toynbee, Eleanor Roosevelt, Sir Alexander Fleming, Gen. George Marshall, former President Harry S. Truman, Archibald MacLeish, Carl Sandburg (". . . with that little-boy smile and impish twinkle in his eyes?") have all added to Mrs. Strickler's memorable moments at U of L.

"I doubt," she said, "that I'd be very good anymore at advising students about courses to take. I'm so completely prejudiced about the academic life."

The two months that Dr. Strickler spent as U of L's acting president, Mrs. Strickler spent making plans to welcome the new president's wife.

"I had no idea whether she would be a young woman or an older woman," said Mrs. Strickler, "so I prepared for every possibility."

There was a pause . . . then a smile.

"No, I guess I didn't prepare for every possibility, after all."

No need. Florence Strickler is a natural for the role.

[From the Louisville Times, Aug. 25, 1972]

STRICKLER, GLAD IT'S ALMOST OVER, LOOKS BACK AT JOB AS UNIVERSITY OF LOUISVILLE HEAD

(By Judy Rosenfield)

It will be a happy Woodrow Strickler who steps down as the University of Louisville's 15th president next Thursday.

A Woodrow Strickler who lately wakes up with the feeling there are few new administrative dragons to slay.

A Woodrow Strickler who is frankly a little weary of immersing himself in balance sheets in his institution's continuing battles of the budget.

A Woodrow Strickler who figures he has steered U of L into a new era—from the nation's oldest semi-private municipal university to an almost full-fledged member of the state system of higher education—and that it's time for a change of command.

"I'm sort of ready to step out," says Dr. Woodrow M. Strickler, beaming, balding, mild-mannered college president.

He's ready, he says, for many reasons.

It's been 34 years since he joined U of L, a 26-year-old economics instructor who lived in an apartment on Ormsby and took his phone calls in a downstairs bar.

This is his 20th year as a member of the university's central administration, his fifth year as its president. He took over in 1968 after the resignation of Dr. Philip G. Davidson.

"Very rarely," he admitted in a recent interview, "does something occur now that is a radical departure from experiences in the past. Maybe it's a question of not looking forward to a new, exciting experience frequently enough."

The financial problems which have troubled U of L in recent years have meant "selling and re-selling and re-selling" the university's needs to government and the public.

"After a time you begin to think that maybe you've done as much as you can and maybe someone else might come along with a fresh, new and more vibrant point of view," he says.

U of L's new status as a state school makes the time especially ripe for new leadership, he believes. "If I were younger," says the 59-year-old Strickler, "maybe I could view the new environment as an additional challenge."

And there is the matter of his health. He has a history of heart problems and suffered three coronary disturbances in the past year.

"That made me think a little more seriously about my situation," he says. "I began to think that maybe someone was trying to tell me something and that maybe I'd better begin to pay a little more attention."

ISN'T AS MUCH FUN

Finally, says Strickler, being a college administrator just isn't as much fun as it used to be.

For one thing it's become more complicated. "Think about a university," he says.

"It runs a major hotel business in the city. It runs one of the largest food services, one of the most complicated insurance programs, a large construction business, one of the most complicated purchasing systems because we deal in everything from cadavers to precious metals, and it has one of the biggest entertainment programs.

"I've talked about all these things and I haven't even mentioned education—and that has to be the most important thing."

For another thing, says Strickler, the campus revolutions which added faculty and student voices to decision-making have taken away part of the challenge of administering.

"You can't go out on a limb anymore," he explains with a chuckle.

"You move much more slowly today. I personally feel it substantially reduces the personal challenge and personal excitement."

Seldom, he says, does a president have the "satisfaction of taking action which moved the university forward" and knowing "YOU had done it, that it was your own personal accomplishment."

Being U of L's president is a job which has absorbed evenings and weekends, which has made vending machine lunches over his big wooden desk a habit.

"Hobbies? I have none," says Strickler. "My whole life is tied up in the university."

He and his wife Florence have seen one movie in the past five years—he can't remember the title. "This fellow and his wife went to New York City for a holiday. . . ."

But, says Strickler, he's never regretted taking the job. "As a younger man I was interested in widening my horizons, in having new experiences . . . and I felt that restricting myself to teaching limited me. Maybe you call this ambition. . . ."

New experiences are something Strickler's seen plenty of.

MEMORABLE CRISES

Name a crisis which rocked academia in recent years and, chances are, he's seen it.

There were wranglings with student groups, controversy over obscenities in the student newspaper, the takeover of his office in 1969 by black students.

(At the luncheon given the Black Student Union this year to honor black progress at U of L, Strickler, who was at U of L when it first admitted Negroes in 1950, confided, "I don't know if I could have been so patient.")

There have been financial headaches:

The one in 1970 when then-Gov. Louie B. Nunn cut U of L's biennial budget request of $34.5 million to $8.2 million, which Strickler calls "one of the darkest moments." (The legislature later raised U of L's share to $13.2 million.)

The past two years of financial tight-rope-walking during which the university consumed its unrestricted endowment fund for operating expenses.

The crisis that began this spring when city and county governments sliced aid to U of L in half for next year—from $1.8 million to just under $900,000.

(The Louisville Board of Aldermen voted this week to appropriate an additional $100,000 to the school now, and another $300,000 later if the city receives additional money from revenue-sharing or other sources. U of L officials are still hoping, however, for additional funds from the county.)

And there have been the critical challenges of the university's new role as a public institution—the need for politicking, for lobbying for a statutory role the school could feel comfortable with.

NO PLACE FOR HESITANCY

"This job," says Strickler, "is no place for a man who has hesitancy in presenting the viewpoints of his institution, of his constituency in the academic world."

Financial crises are tougher than any student problems as Strickler sees it, because an administrator has less control of their outcome.

"I've always felt you could meet with students, talk with students, reason with students," he says. "Maybe you did it in a difficult environment, but it was something you could do something about directly with them."

Being with students and with faculty members is something Strickler says he misses. For today's college administrator, he says, there just isn't enough time.

If he has any advice for his successor, it is this:

"Remember that the most important aspects of the university today continue to be the student body and faculty . . . They really deserve first attention in your thinking. If you don't have their support, you really have little in the way of a good, effective, efficient educational institution."

A second bit of advice he adds as an afterthought: "Don't react too quickly. I've torn up a lot of letters . . . I've learned to count to 10 and by then I often change my mind."

He remains a diplomatic man, even with liberation from U of L's presidency just a matter of days away, carefully prefacing the scattering of critical remarks which crop up in conversation with "off the record."

"PHASING OUT GRADUALLY"

These days, he says, he is 'phasing out gradually" in preparation for next Thursday. More and more, presidential responsibilities are being shifted to Dr. William F. Ekstrom, U of L vice-president for academic affairs who will become acting president Sept. 1.

As for Strickler . . . While a 16-person search committee is looking for his successor, a process expected to take as long as a year, he plans to travel a little and probably then will return to U of L to teach economics or business.

"I'll have to do a job of re-tooling," he says. "But I like to think I was a pretty good teacher."

He just bought a new car, wine-colored. He's had black cars for the past 20 years, he says, and jokes about "changing my way of life."

"You know, it would be interesting . . ." Strickler recently mused. "I've often wondered what it would be like to be the principal administrative officer at a small college which gave maybe one (type of) degree, with a relatively small student body located in a small community."

"I'd be bored," he said with a laugh. "I never would have remained in academic life."

TRIBUTE TO HON. JAMES A. BYRNE

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, I join with his many colleagues and friends in extending a farewell to Congressman JAMES BYRNE.

The people of his district have benefitted from his service to them. More importantly, JIM BYRNE, through his untiring efforts on the Armed Services Committee in behalf of a strong America, has served the Nation.

It has been a privilege for me to serve on the Merchant Marine and Fisheries Committee with this distinguished Pennsylvania statesman.

I join in wishing him and his wife, Virginia, every possible happiness and success in the years ahead.

SENATOR CLINTON ANDERSON

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CRANSTON. Mr. President, I want to join my colleagues in paying tribute to New Mexico's CLINTON ANDERSON. He is retiring at the end of the 92d Congress after a distinguished career of nearly four decades in public life. CLINTON ANDERSON came to the Senate after holding office in New Mexico and in the House of Representatives for 6 years and after having served as Secretary of Agriculture under President Truman. In the Senate, CLINTON ANDERSON served on the Agriculture Committee, the Finance Committee, the Interior Committee, the Committee on Aeronautical Sciences, and Space, on four joint committees namely, Atomic Energy, Internal Revenue, Navaho-Hopi Indian Administration, and Reduction of Federal Expenditures.

During these years, he worked with great success and distinction. As a member and chairman of the Atomic Energy Committee, CLINTON ANDERSON became the top congressional expert on peaceful uses of atomic energy. He took the leadership in the fight for the development of nuclear submarine and in indemnity legislation. CLINTON ANDERSON also is noted for his outstanding achievements in the field of conservation. As a member of the Interior Committee and chairman during the early 1960's he played a leading role in the passage of the Wilderness Act of 1964, the creation of the Bureau of Outdoor Recreation, the development of the national system of saline water conversion, the Navaho Irrigation project, and many soil and water conservation programs.

Mr. President, those of us in the Senate, the citizens of New Mexico, and the people of this Nation will miss his leadership. I wish CLINTON ANDERSON and his family all happiness in his retirement years.

SENATOR ELAINE S. EDWARDS

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, it has been my pleasure and good fortune to have been associated during the past few months with the gracious junior Senator from Louisiana, Mrs. ELAINE S. EDWARDS.

It is unfortunate that Mrs. EDWARDS will not be in the Senate for a longer period of time. It is obvious, even during her short tenure, that she has the ability and capacity to become one of the more influential Members of this body.

We shall all miss her, and I wish her well as she returns to her duties as the first lady of the great State of Louisiana.

TRIBUTE TO WILLIAM P. CURLIN, JR.

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, Bill Curlin has chosen to return to his home in Kentucky to devote his time to his family.

In our short time here together, I have come to know and respect Bill Curlin. We have had an opportunity to work together as members of the Banking and Currency Committee and I always found Bill to possess a great concern and dedication to duty.

As a freshman member, Bill Curlin has been a great credit to his State and district. I know that had he chosen to remain, his career as a Member of Congress would have been long and very distinguished.

I hope the future years hold much happiness and success as he returns to his beloved Kentucky.

GEORGE WASHINGTON HOUSE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HOGAN. Mr. Speaker, in Bladensburg, Md., there is a unique historic landmark—the "George Washington House." The building at one time housed the Indian Queen Tavern, where George Washington stopped frequently during his trips to Annapolis, Baltimore, and Philadelphia. Unfortunately, the site has fallen into a bad state of disrepair, but the Prince Georges County Jaycees recently purchased the property with an eye to restoring the structure in a replica of the original Indian Queen Tavern.

Recently I addressed the Prince Georges Jaycees at a dinner given to raise funds for the project. At that time I commended the organization for their donation of time and money to prevent the destruction of the historic structure and to provide citizens with an opportunity to learn about the rich history of Prince Georges County.

The Washington Post published an article describing the history of the George Washington House as well as the Jaycees' plans for restoration. Mr. Speaker, I now insert that article into the Record:

GEORGE WASHINGTON DRANK HERE

(By Tom Candela)

If it wasn't for the sign on its south wall, the old house at Baltimore Avenue and Upshur Street near the Peace Cross in Bladensburg could be mistaken for just another run-down, uncared-for house in an industrial neighborhood. In faded white letters it proclaims: "Gen. Washington House 1732."

The brick and frame exterior is nearly devoid of paint; virtually every window is broken out; the front porch and railing are beyond repair, and the yard is overgrown with weeds and knee-high grass.

Its neighbors are a country-and-western nightclub, a trash collection company, the Digi-Data Corp., and mountains of galvanized fencing at the National Fence Manufacturing Co. across Baltimore Avenue.

But the Washington House—in fact, the Indian Queen Tavern—is a 240-year-old survivor of early United States history.

George Washington's diary carries more than one reference to stopovers at the Indian Queen, which in those days was about the only rest stop between Baltimore or Annapolis and Washington.

Highlights of the long and proud history of the Indian Queen area include:

The site of the Bladensburg dueling grounds, where 150 duels were fought in the mid-19th century.

The site of the battle in 1814 when British troops engaged federal soldiers blocking the road to Washington. The British pushed through the Americans and marched on to burn down the White House.

The night-life center of the once-thriving port of Bladensburg in the 18th and 19th centuries.

Despite these rich links to the past, the Indian Queen has never gained respect as a landmark.

The Prince George's County Junior Chamber of Commerce, however, has set out to change all that.

Early last March the civic group submitted a $1,000 down payment for the house and its grounds. On March 22, however, a fire broke out in the rear of the house. Firemen were forced to break the windows to release the intense heat and smoke.

"The fire inside did more harm to the historical nature of the house than physical damage," said Jaycees President James Hutcheson. Hutcheson said the windows destroyed by the firemen were "over 200 years old," and some of the front windows were thought to be original. Also destroyed was some original woodwork.

But the Jaycees went ahead, and on June 31, they bought the Indian Queen for $42,500.

The owner of the house, Florence Morgan of Bladensburg, lived in the Indian Queen until 1970, and maintained the tavern service until 1962. Her family had owned it since 1898.

She had held out for a non-commercial buyer, renting the house and grounds as a storehouse and parking facility to Digi-Data. She finally sold to the Jaycees at below market value, Mrs. Morgan said, in the hope of seeing it restored and opened to the public.

Hutcheson claims his group already has invested 1,000 man-hours in work preparatory to restoration. He estimated that the restoration will cost "at least $100,000."

John Giannetti, immediate past president of the Jaycees, and Indian Queen project chairman, says the Jaycees have extended an open invitation to all area civic organizations to join in the project. He said some women's clubs, Lions' clubs and Boy Scout groups have shown interest. The Prince George's County Historical Society has endorsed the project.

THE HONORABLE FRED HARRIS

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CRANSTON. Mr. President, when the 93d Congress convenes in January, it will do so without the presence of the senior Senator from Oklahoma—the Honorable Fred Harris. I will be sorry for that. During his 8 years in the Senate, Fred Harris earned a reputation as a man of independent judgment, a champion of human rights, as a man who never walked away from a fight when he knew he was right.

Capitol Hill will also miss the presence of the Senator's wife—Ladonna Harris. With vigor and enthusiasm, with special gifts of leadership, Fred and Donna advanced the rights of minorities and the welfare of all Americans. We will miss their courage, honesty, and devotion to the principles of the people's cause.

It is with a deep sense of personal regret that I bid Fred Harris farewell. Let him know that his compassion and his enthusiasm will serve as a lasting inspiration to us all.

ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY IN THE 92D CONGRESS, SECOND SESSION

HON. JOHN O. PASTORE

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. PASTORE. Mr. President, as chairman of the Joint Committee on Atomic Energy, I ask unanimous consent to present for the information of my colleagues the annual report on the activities and accomplishments of the joint committee. This report covers the activities of this second session of the 92d Congress.

There being no objection, the report was ordered to be printed in the Record, as follows:

ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY IN THE 92D CONGRESS, SECOND SESSION, 1972

FOREWORD

It has been the practice of the Joint Committee on Atomic Energy, at the close of each session of the Congress, to submit for the information of the Congress, the executive branch, and the public a report of its activities. (The report for the first session of the 92d Congress was printed in the Congressional Record of December 11, 1971, S-21442.)

The Joint Committee on Atomic Energy was organized on August 2, 1946. It consists of nine Members from the Senate and nine Members from the House of Representatives. No more than five from each body can be members of the same political party. The chairmanship alternates between the Senate and the House of Representatives with each Congress.

Present Membership is:

John O. Pastore, Rhode Island, Chairman.
Melvin Price, Illinois, Vice Chairman.
Clinton P. Anderson, New Mexico.
Henry M. Jackson, Washington.
Stuart Symington, Missouri.
Alan Bible, Nevada.
George D. Aiken, Vermont.
Wallace F. Bennett, Utah.
Peter H. Dominick, Colorado.
Howard H. Baker, Jr., Tennessee.
Chet Holifield, California.
Wayne N. Aspinall, Colorado.
John Young, Texas.
Ed Edmondson, Oklahoma.
Craig Hosmer, California.
John B. Anderson, Illinois.

William M. McCulloch, Ohio.
Orval Hansen, Idaho.

The Joint Committee is one of the few committees established by statute rather than by rule of each House and is unique in several respects. For example, it is the only Joint Committee of the Congress with legislative functions, including the receipt and reporting of legislative proposals. The committee is also charged by law with legislative responsibility as "watchdog" of the U.S. atomic energy program. As part of its responsibilities, the committee follows closely the classified activities of the executive agencies, including the Atomic Energy Commission and the Departments of Defense and State, concerning the peaceful and military applications of atomic energy. The unclassified activities are closely reviewed as well.

In all of these activities, the Joint Committee on Atomic Energy, representing the Congress and the public, seeks to assure the implementation of the following national policy expressed in the Atomic Energy Act of 1954:

"The development, use, and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security. * * *"

During the 92d Congress, second session, the full Joint Committee met on a total of 35 occasions, 14 of which were public and 21 of which were executive meetings. In addition, there were 2 subcommittee meetings held in public session.

A total of 16 publications consisting of hearings, reports, and committee prints were published by the Joint Committee in the second session of the 92d Congress. These publications include testimony taken in executive session with classified material deleted before printing.

A list of the publications follows: 1972 (92d Cong., 2d Sess.):

AEC Authorizing Legislation, Fiscal Year 1973:

Part 1: Hearings Jan. 26, Feb. 3, and 17.

Part 2: Hearings Feb. 22 and 23.

Part 3: Hearings Feb. 29 and Mar. 1.

Part 4: Hearings Mar. 7, 8, and 9.

Part 5: Volume 1, Environmental Statements 1 through 8; Volume 2, Environmental Statements 9 through 15.

Report: Authorizing Appropriations for the Atomic Energy Commission for Fiscal Year 1973, S. Rept. 92–802, May 23, 1972. (H. Rept. 92–1066, May 16, 1972.)

Use of Uranium Mill Tailings for Construction Purposes, Hearings October 28 and 29, 1971.

The Controlled Thermonuclear Research Program in the United States, Hearings November 10 and 11, 1971.

Current Membership of the Joint Committee on Atomic Energy, Committee Print, March 1972.

H.R. 13731 and H.R. 13732, To Amend the Atomic Energy Act of 1954—Regarding the Licensing of Nuclear Facilities:

Part 1, Hearings Mar. 16 and 17.

Part 2, Supplemental Materials.

Report: Amending the Atomic Energy Act of 1954 * * * To Issue Temporary Operating Licenses for Nuclear Power Reactors, S. Rept. 92–787, May 9, 1972. (H. Rept. 92–1027, Apr. 27, 1972.)

Nuclear Power and Related Energy Problems, Committee Print, January.

Selected Materials on the Calvert Cliffs Decision, Its Origin and Aftermath, Committee Print, February.

Atomic Energy Legislation Through the 92d Congress, 1st Session, Committee Print, January.

Nuclear Propulsion for Naval Warships, Hearing (and subsequent inquiry), May 5, 1971–Sept. 30, 1972.

The following publications are scheduled to be printed in the near future:

Naval Nuclear Propulsion Programs 1972—Hearing February 8, 1972.

Liquid Metal Fast Breeder Reactor Demonstration Plant, Hearings Sept. 7, 8, and 12, 1972.

I. LEGISLATIVE ACTIVITIES

A. Atomic Energy Commission Fiscal Year 1973 Authorization Act (Public Law 92–314):

The Atomic Energy Commission's authorization request for fiscal year 1973, as initially submitted to the Congress on January 24, 1972, and amended on March 3, 1972, called for authorization of $2,068,430,000 for "Operating expenses" and $656,420,000 for "Plant and capital equipment" (including increases in prior-year authorizations) making a total requested authorization of $2,724,850,000. This request represents an increase of $399,663,000, or about 17 percent, above the $2,325,187,000 authorized for fiscal year 1972.

The Joint Committee's recommended authorization for fiscal year 1973 was $2,602,975,000 which is $121,875,000—about 4.5 percent—less than the amount requested, but which is $277,788,000—about 11.9 percent—more than the amount authorized for fiscal year 1972.

The AEC Fiscal Year 1973 Authorization became Public Law 92–314 on June 16, 1972.

The highlights of this authorization legislation were:

1. Increased support for the gaseous diffusion plants by both higher power levels and acceleration of the Cascade Improvement Program.

2. Increased funding for the nuclear reactor safety research program.

3. Support for new laser fusion facilities.

4. Delay of bedrock waste storage facility.

5. Title II of the authorization bill authorized AEC to enter into a cooperative arrangement with the State of Colorado under which AEC would provide up to 75 percent of the financial assistance for a State program of remedial action to reduce exposure to radiation resulting from the use of mill tailings for construction.

On September 22, 1972, the Atomic Energy Commission furnished to the Committee, in accordance with Title II of the authorizing legislation, the terms and conditions of a proposed arrangement between the Commission and the State of Colorado with respect to a program of remedial action to limit radiation exposure from uranium mill tailings used as a construction-related material in the area of Grand Junction, Colorado. On October 16, 1972, the Committee, by majority vote, waived the remaining portion of the 30-day period during which such arrangement was to lie before the Committee.

B. Authority to issue temporary operating licenses for nuclear power reactors:

On March 8, 1972, the Atomic Energy Commission submitted to the Congress a legislative proposal which included, in addition to interim licensing authority, provisions which would clarify the AEC's existing authority to require a construction permit before the environment is substantially disturbed. Dr. Schlesinger testified that only the interim licensing authority was urgently needed. On March 8, 1972, Representative Hosmer introduced in the House a bill, H.R. 13732, which was concerned only with temporary operating license authority. On March 23, 1972, Mr. Holifield introduced a bill, H.R. 14065, which would amend the Atomic Energy Act to give the Commission the authority to issue temporary operating licenses under prescribed circumstances. Hearings on H.R. 13731 and 13732 were held by the Joint Committee on March 16 and 17, 1972.

The Joint Committee met in executive session on April 11, 20, 25, and 26, 1972, to consider those bills. At those sessions, the Committee approved, by unanimous consent, certain amendments to H.R. 14065.

The adopted amendments were incorporated in a clean bill introduced on April 26, 1972, by Mr. Holifield as H.R. 14655, and on April 27, 1972, by Senator Anderson (for himself and Senator Aiken) as S. 3543. The Committee met on April 27, 1972, in executive session and ordered the clean bill to be reported favorably without amendment.

S. 3543 and its companion bill, H.R. 14655, conferred new authority upon the Atomic Energy Commission to issue temporary operating licenses for nuclear power reactors when power from those reactors is needed to meet or avert an identified power shortage. (Public Law 92–307, June 2, 1972.)

C. LMFBR Cooperative Demonstration Plant:

On January 14, 1972, the Commission announced that it had accepted as a basis for detailed negotiations, a joint proposal of the Commonwealth Edison Company of Chicago and the Tennessee Valley Authority for the construction and operation of the Nation's first demonstration Liquid Metal Fast Breeder Reactor plant. The plant is intended to produce in the range of 300–500 MWE and is to be located on the Clinch River, adjacent to the Oak Ridge National Laboratory in Tennessee. The AEC's final environmental statement on the demonstraton project was published in April 1972, prior to selection of the Clinch River site, and reflects comments received from interested agencies and concerned public organizations. An additional environmental statement incorporating specific site information will be prepared upon completion of studies now underway.

A Breeder Reactor Corporation and a Project Management Corporation have been incorporated and staffed. The Breeder Reactor Corporation includes representation of the utility companies, both public and private, that have provided funds for the demonstration plant. The Project Management Corporation includes personnel assigned by Commonwealth Edison Company and Tennessee Valley Authority and will actually contract for construction and operate the demonstration plant.

Proposals for the design and construction of the first LMFBR demonstration plant have been prepared by the principal liquid metal reactor vendors and are currently under evaluation by the Project Management Corporation and the AEC. On August 11, 1972, the basis for the definitive cooperative arrangement for construction and operation of this demonstration plant was submitted to the Joint Committee in accordance with the fiscal year 1971 authorization act.

The Joint Committee held public hearings on the LMFBR Demonstration Plant on September 7, 8, and 12, 1972.

The Committee has urged all parties to the cooperative arrangement for the construction and operation of the first liquid metal fast breeder demonstration plant to pursue their respective roles with diligence in view of the tight schedule which has been established.

II. CIVILIAN AGREEMENTS FOR COOPERATION

Under the provisions of the Atomic Energy Act of 1954, as amended, proposed agreements for cooperation in the peaceful uses of nuclear energy between the United States and other nations, and amendments thereof, must be submitted to the Joint Committee and a period of 30 days must elapse while Congress is in session before such agreements become effective. In accordance with such procedures, 2 civil agreements and 2 agreements were submitted to the Committee by the Department of State and the Atomic Energy Commission with the approval of the President.

The two agreements were those with Brazil and the Republic of China; both being long-term power agreements which superseded the respective research level agreements in effect. Each agreement has a 30-year term and permits the export of U.S. nuclear power reactors and the supply of enriched uranium fuel for specified reactors. The agreements contain provisions reflecting the transfer of safeguards responsibilities for materials and facilities received by Brazil and the Republic of China under the agreements to the International Atomic Energy Agency pursuant to trilateral agreements executed in 1968.

The two amendments were with Japan and the European Atomic Energy Community (EURATOM). The purpose of the Japanese amendment was to increase the quantity of U-235 which could be transferred under the 1968 agreement. The EURATOM amendment related to the 1960 Additional Agreement for Cooperation. This amendment concerned provisions governing the supply of special nuclear material but did not affect the authorized ceiling limitation on U-235.

The two agreements and the Japanese amendment have entered into force. The prescribed 30-day period was not completed for the EURATOM amendment prior to adjournment of the Congress.

III. INFORMATIONAL HEARINGS

A. Naval Nuclear Propulsion Program:

The Joint Committee held an executive hearing on the Naval Nuclear Propulsion Program on February 8, 1972. At that time, Admiral Rickover outlined progress made and plans for future developments in this vitally important segment of our national defense. This hearing was sent to the Department of Defense for review in order that classified material could be deleted and the information provided by Admiral Rickover could be published as a Joint Committee hearing print. This has been done and it is expected that the hearing print entitled "Naval Nuclear Propulsion Program 1972" will be published in the near future.

IV. CLASSIFIED ACTIVITIES

The Joint Committee on Atomic Energy held a number of executive sessions on sensitive and classified information. These included briefings by the Director of the Central Intelligence Agency, briefings by the Chairman of the Atomic Energy Commission and Arms Control and Disarmament personnel on separate occasions concerning the Strategic Arms Limitation Talks (SALT), intensive review of certain matters relating to Naval nuclear propulsion, and a session relating to charges that the Director of the AEC's Division of Security had borrowed money from AEC employees without paying it back.

V. OTHER MATTERS

A. New particle accelerators:

The Meson Physics Facility at the Los Alamos Scientific Laboratory, New Mexico, achieved its design proton energy of 800-Mev. early in the morning of June 9, 1972, about a month ahead of the projected schedule which was established at the groundbreaking ceremonies in February 1968. On September 29, 1972, the facility was named the Clinton P. Anderson Meson Physics Facility in honor of the senior Senator from New Mexico who retired at the end of the 92d Congress.

B. National Accelerator Laboratory (NAL):

On March 1, 1972, the proton beam at the National Accelerator Laboratory (NAL) Batavia, Illinois, reached its design value of 200 Bev. The 200 Bev energy level is almost three times as high as that produced by the world's second largest machine—the 76 Bev Russian accelerator at Sorpukhov. On July 16, 1972, the NAL proton beam reached 300 Bev. 50 percent higher than design energy. Efforts are underway to achieve full beam intensity and to push the proton energy to 400 Bev.

C. Nuclear electric power in space:

There are now four Apollo Lunar Surface Experiment Packages operating successfully on the moon. The first package was emplaced by the crew of Apollo 12 in November 1969; the second, by the Apollo 14 crew in January 1971; the third, by the Apollo 15 crew in July 1971; and the fourth, by the Apollo 16 crew on April 16, 1972. The next Apollo launch is scheduled for December 1972.

The Pioneer-10 rocket for a Jupiter flyby was launched at 8:49 p.m. on March 2, 1972. The mission to Jupiter will take about 21 months. The gravitational forces of Jupiter will cause the PIONEER satellite to swing behind the giant planet and leave the universe. A plaque has been installed on the satellite which, by hieroglyphics, could convey to intelligent beings in another galaxy that this satellite was launched from earth in 1972.

The only power source considered suitable for Pioneer-10 was Pu-238 fueled generators, since Jupiter's distance from the sun would make solar cells useless, and the long flight precluded the use of chemical power sources. Total System power of the four generators is still greater than 150 watts, well above the minimum energy of about 135 watts necessary to transmit data back to earth.

Because of the −270°F temperature in the vicinity of Jupiter, 12 tiny radioisotope fueled one-watt heaters are also used in the satellite to keep the magnetometer, sun sensor and the propellant thrusters (which are used for course guidance) from freezing.

Day 300 (26 October 1972), 5,694 hours after launch, the spaceship was approaching the limits of the Asteroid Belt and was about 308 million miles from earth. Pioneer is racing toward Jupiter at about 21,000 m.p.h. or 500,000 miles per day.

On September 2, 1972, the Navy's newest navigational satellite—Transit—was launched from Vandenberg AFB, California. The power for the satellite is being provided by a nuclear fueled generator which is operating at design value of about 35 watts. The nuclear generator was provided by the Atomic Energy Commission. The system has been designed to operate for five years and to stay in orbit for about 100 years. This generator is similar to those powering experiments on the moon and is also comparable to the four generators aboard the Pioneer satellite which is approaching Jupiter.

D. Confirmation hearings:

The Senate section of the Joint Committee held hearings on August 1, 1972 on the nomination of Dr. Dixy Lee Ray to be an AEC Commissioner for a five-year term. The Senate approved the nomination on August 2, 1972.

On August 14, 1972 the Senate section also approved the nomination of AEC Chairman James Schlesinger to be U.S. representative to the 16th Session of the General Conference of the IAEA along with six alternate repersentatives. The Senate approved these nominations on August 15, 1972.

TRIBUTE TO W. R. HULL, JR.

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, W. R. "BILL" HULL of Missouri has served his district, State, and Nation well. In BILL HULL's 18-year tenure in the Congress, he has achieved a fine record of outstanding service.

His capable representation has earned him the great respect of his colleagues and the people of Missouri.

I have known BILL HULL as a dedicated and stalwart legislator. His service as a member of the Appropriations Committee has been of significant importance to the Congress and the Nation.

I wish him the best in the future.

TRIBUTE TO SENATOR EVERETT JORDAN

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CRANSTON. Mr. President, I would like to join my colleagues in paying special tribute to Senator EVERETT JORDAN, who leaves the Senate after dedicated and distinguished service on behalf of his State and Nation as well as on behalf of the Senate as chairman of the Committee on Rules and Administration.

In the 4 years I have served in the Senate, I have been most appreciative of the sympathetic and helpful ear EVERETT has turned to the special problems and needs those of us from large States have in trying to represent effectively our constituents. The modernization process which the Senate is now undertaking certainly could not have progressed without his understanding and cooperation.

I also bid farewell to a good personal friend who sat next to me in my first 2 years in the Senate. In those first days of my term, EVERETT's counsel and guidance was invaluable and I shall sorely miss him.

ROBERT W. FRASE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. O'HARA. Mr. Speaker, the announcement that Robert W. Frase has resigned as vice president and Washington director of the Association of American Publishers came as a surprise to me, as it did I am sure to all those Members of Congress with whom Bob has worked over the past 22 years.

Books have been Bob's life throughout this period, and certainly all those who love the printed word and believe that a wider dissemination of books must continue to be a primary factor in our development as a nation will be eternally in his debt for what he has accomplished in this field.

Bob has always looked at the book publishing and distributing business from the viewpoint of the economist, but this never dismayed his friends, who realized that beneath his brisk attitude was a man who was deeply interested in his work and in the world of books. And in this area he was immensely effective. A mere listing of the programs in which he played a vital role over the years gives some idea of the extent of his influence. These include copyright, postal rates on books, censorship, international trade as embodied in the Florence Agreement, library services, and various educational programs which are tied in with textbooks and instructional materials.

In some of the more technical aspects of book publishing, Bob has been instrumental in the establishment of an international system of identifying books by number, in having catalog numbers put in publications, and in the rationalization of U.S. Government book publishing statistics under UNESCO. This has made for a more universal exchange of books and data.

Books are the basic means of communication between peoples and nations, and Bob has contributed greatly to the building of cultural bridges which have helped in the breaking down of barriers. He was a delegate to four book publishing conferences behind the Iron Curtain in the years from 1962 to 1970.

Prior to his identification with book publishing, Mr. Frase held several important positions in the Government. During World War II he played a prominent role in the efforts to get Japanese-Americans out of concentration camps, to alleviate one of the worst consequences of war hysteria.

Bob's contacts with Members of Congress were developed over many years, and were based upon mutual respect. These were of great help to him in the many battles in which he became involved, and at the same time many Members have reason to thank Mr. Frase for his wise and knowing counsel.

Bob realized, as many fail to do, that books and other educational materials do not get into schools and libraries by some magic wave of the wand. They are a business like many others, and those who make up the principal markets for books need more financial assistance than do most businesses. Books are an essential part of our life as a nation, and it is hard to imagine being without them, or having them reduced to the status of a luxury for the few. But books cost money, more each year. And a substantial part of this money in the future must come from public sources.

Book publishers and their various distributing affiliates are to be congratulated for the understanding they have displayed in retaining intelligent and effective representation in Washington over the years. I have no doubt that Robert Frase will continue to be a part of the publishing and the congressional scene for many years, and I wish him the best of success and happiness in whatever he does.

JUDGE HOMER FERGUSON

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, recently, our former colleague in the U.S. Senate, the Honorable Homer Ferguson, retired as a judge of the U.S. Court of Military Appeals, sitting in Washington, D.C.

Judge Homer Ferguson's career has been a most interesting one as he has served his country in its three branches; As a Member of the U.S. Senate from Michigan, as an Ambassador of the United States to the Republic of the Philippines; and, since April 9, 1956, as an associate judge of the U.S. Court of Military Appeals.

Before Judge Ferguson came to the U.S. Senate, he had been a teacher of law in the Detroit College of Law and a circuit judge of the Michigan third circuit—Detroit and Wayne County. As presiding judge he became nationally famous for his exposure of corruption.

In the U.S. Senate he served with great distinction for 12 years and all those who served with him—and it was my good fortune to serve with him—remember him for his hard work, his deep convictions, and integrity. Always enjoying life and his work, he has been sustained by the help of a noble woman, his wife Myrtle. It has been my good fortune and that of my wife, Lorraine, to count them as close and dear friends.

I ask unanimous consent to have printed in the Record a short statement which I have prepared on Judge Homer Ferguson, and also an article which appeared in the Detroit Free Press on Tuesday, May 18, 1971, entitled, "Homer Ferguson, Famed Grand Juror, Is Retiring."

There being no objection, the material was ordered to be printed in the Record, as follows:

Judge Homer Ferguson

Judge Homer Ferguson was born in Harrison City, Pennsylvanuia, and educated in the local public schools and in Irwin, Pennsylvania High School. He attended the University of Pittsburgh in 1910 and 1911 and graduated from the University of Michigan Law School in 1913 with the degree of Bachelor of Laws. He served as a school principal in Larmer and Export, Pennsylvania, and was admitted to the bar in the State of Michigan in 1913. Thereafter, he practiced law in Detroit and taught Criminal Law, Ethics, and Evidence for a number of years at the Detroit College of Law. Engaging in general practice and civil trial work, he was appointed in 1929 as Circuit Judge of the Third Michigan Circuit for Detroit and Wayne County, Michigan.

While serving as presiding Judge in September 1939, he was petitioned by a citizens group to appoint a one-man Grand Jury under Michigan law to investigate allegations of civic corruption and bribery in Detroit and Wayne County. Serving as that Grand Jury himself, at the request of the other seventeen Judges on the Circuit, he opened a far-reaching investigation with a personal staff of investigators and young lawyers, many of whom served for a fee of $1.00 per year. The investigation continued from September 1939 to July 1942 and resulted in the indictment and conviction of many prominent public officials for bribery and corruption. The civic clean-up which resulted from this investigation and ensuing trials caused some forty-five thousand Michigan citizens to petition Judge Ferguson to offer himself as a candidate for the United States Senate. Taking a leave of absence from his judicial position, he ran for the Senate and was elected in November 1942. Thereafter he served with distinction for two terms, ending in January 1955. During his tenure in the Senate, he was particularly known for his service on the Truman Committee, the Foreign Relations Committee, Appropriations Committee, and the Joint Pearl Harbor Investigating Committee. He also served as Chairman of the Republican Policy Committee. His courtesy, probity, and high character are well remembered by those of us who served with him.

After leaving the Senate, Judge Ferguson served on the Second Hoover Commission and as Special Counsel to the Department of Defense.

Several months later, President Eisenhower appointed him United States Ambassador to the Republic of the Philippines, in which position he served with distinction until April 9, 1956, on whch date he was named Associate Judge, United States Court of Military Appeals, to complete the unexpired term of the late Judge Paul Brosman, as well as to a full fifteen-year term, dated from May 1, 1956.

At the time Judge Ferguson came to the Court of Military Appeals, it was still an innovation in military justice—one of a highly experimental nature. Experience in World War II led Congress to believe it was necessary, as a part of American tradition of civilian control of the military, to superimpose on the military court-martial system an impartial civilian judiciary, designed to insure fair treatment to all military accused and to eliminate the frequent abuses of the past.

From the commencement of his term, Judge Ferguson introduced to the hitherto arbitrary concepts of military law, the enduring philosophy of our civilian justice under law. Without damage to military discipline or interference in military operations, his long years of judicial experience and spirit of legislative compromise brought the Court to its full flower as the supreme judicial body in military law. More than any other single individual, he has been responsible for converting a simple, arbitrary disciplinary system into a fully manned system of courts, comparable in every respect to our civilian Federal judiciary and capable of handing out the same even quality of justice under law to which every American citizen, uniformed or not, is entitled.

Principal among the concepts to which his judicial philosophy has led military justice are the creation of a real hearing at the court-martial level; the recognition of intermediate appellate Boards of Review as intermediate Courts of Military Review; the establishment of the fact that he who puts on the uniform does not thereby put aside the citizen and lose the precious rights guaranteed him by the United States Constitution; and, lastly but not leastly, recognition of the United States Court of Military Appeals by other Federal courts, including the Supreme Court, as an outstanding Federal judicial body.

As late as 1949, members of our armed services were frequently tried for capital crimes without benefit of counsel, before a group of laymen unguided by even a legally trained court member. Even after the enactment of the Uniform Code of Military Justice, it was by no means rare for an accused to lie in a prison without charges against him and unable to have counsel appointed to represent him until they were preferred. Little attention was given to speedy trials, the importance of criminal procedural safeguards, the right to counsel, instructions to the court on the issues presented, or many other matters which are accepted by the civilian bench and bar as commonplace. Indeed, many trials were conducted by use of depositions on written interrogatories—the accused never facing the witnesses against him and cross-examination by mail being almost entirely unsatisfactory, if not impossible.

Judge Ferguson's steadfast efforts have done much to eliminate these abuses. Trials are conducted much more rapidly; counsel are made available in accordance with constitutional dictates; procedural safeguards have been enforced; and, with the help of the late Judge Paul Kilday, Judge Ferguson's pungent opinions have gone far in making what used to be the law officer of a general court-martial into a true military judge, respected by the court members and able to guide them by proper instructions to a fair verdict for the accused and the Government. Some have referred to him as the "GI's Judge" and if that means he is dedicated to seeing the citizen-soldier receives a full measure of fair, lawful treatment, it is indeed true. But his real, enduring monument is our present truly judicial military justice system—on occasion maladministered, but a model for the punishment of crime in any armed force in the world. Our defense establishment should applaud this great American for the public confidence which he has almost single-handedly restored to the administration of military justice in our services.

Judge Ferguson's term as Associate Judge expired on May 1, 1971. Under existing law, he has continued to serve as Senior Judge and contribute his scholarly approach to the manifold problems of criminal law presented in this Court. With the recent appointment and confirmation of Associate Judge Robert M. Duncan, Judge Ferguson's service is drawing to a close.

For nearly fifty years he has served his nation as Judge, legislator, Ambassador, and Judge again. He has been awarded honorary degrees by the University of Michigan, Detroit College of Law, Kalamazoo College, and Muhlenberg College. He has also been made an honorary member of the Interparliamentary Union. Such however is small recompense for one who has so unselfishly devoted his life to his Country and, above all, has done more than any single individual to provide our armed forces with a truly sound system of justice under the law. He deserves the recognition and thanks of his Country for a job well done.

[From the Detroit Free Press, May 18, 1971]

Homer Ferguson, Famed Grand Juror, Is Retiring

(By Lee Winfrey)

Washington.—Homer Ferguson, who broke open the biggest graft scandal in the history of Detroit, is retiring after a 42-year career in law and government.

Three decades ago, Ferguson directed a grand jury that convicted the mayor, the sheriff, the county prosecutor, the police superintendent and 152 lesser lights, including many policemen.

His crime-busting catapulted Ferguson into the U.S. Senate, where he served two terms. Later he served two years as U.S. ambassador to the Philippines.

Since 1956, Ferguson has been one of three judges on the U.S. Court of Military Appeals. The panel, which sits in Washington, is the supreme court of the military.

Ferguson, now 82, completed a 15-year term on the court May 1.

He will continue to serve until President Nixon appoints a successor and then, as senior judge, will sit on occasions when one of the regular members is ill or has to be absent.

Asked during an interview here about his retirement plans, Ferguson said: "I may write a book on my grand jury in Detroit."

Ferguson declined direct comment in Detroit's latest police-gambling scandal, the arrest of 18 officers May 6 for alleged complicity in a bookmaking network. He said he was not familiar with details of the case.

But he said that this and other cases which have cropped up since his grand jury have not led him to the conclusion that Detroit is ceaselessly corrupt. Just the opposite.

"I don't think there is more corruption in Detroit than other places," he said. "Detroit is alive to trying to keep it down. A lot of places, they just don't care. They get to the point they never think of it."

The grand jury that made Ferguson famous began with a suicide.

On Aug. 5, 1939, a divorcee named Janet McDonald killed herself and her 11-year-old daughter because of having been jilted by her underworld lover, a petty gambler named William McBride.

Mrs. McDonald ran an adding machine at the Great Lakes Mutuel Co., a numbers house managed by McBride. She left suicide notes accusing McBride of paying off Lt. John P. McCarthy, head of the Rackets Squad of the Detroit Police Department.

At first, it seemed like everyone who held an office or wore a uniform tried to hush it up.

Mayor Richard W. Reading told Police Superintendent Fred W. Frahm to investigate. Frahm appointed Chief Inspector Fred R. Clark, who exonerated McCarthy in only two days.

County Prosecutor Duncan C. McCrea, out of town when Mrs. McDonald killed herself, hurried home by plane to stop an investigation by one of the honest members of his staff.

McCrea, who liked to call himself "The Fighting Prosecutor," said he couldn't investigate because he would have to use policemen as the sleuths and that would wind up as a whitewash.

Mayor Reading saw a plot afoot. "The critics of the Police Department," he alleged, "are chiefly from the CIO and the Communist Party."

But the newspapers would not let the case die and neither would an aroused and angry public. They called for a one-man grand jury and Ferguson, a circuit judge for a decade, got the job.

Ferguson said chance chose him.

"I happened to be the presiding judge that month. The other judges said: 'You take it.' "

With Chester P. O'Hara as grand jury prosecutor, Ferguson took it through an inquiry that ran from mid-1939 until the end of 1942. Some of the highlights:

Police Inspector Raymond W. Boettcher said that every month for eight months he took $2,000 in protection money from numbers men, carried it to Room 2815 of the Book-Cadillac Hotel (now Sheraton-Cadillac) and gave it to Mayor Reading.

" I had a room there," the mayor admitted, "but only for the purpose of keeping a change of wardrobe for attending social functions and taking a shower bath."

Gus Pines, collection man for Wayne County Sheriff Thomas C. (Tom-Tom) Wilcox, testified he gave Wilcox $33,477 in graft money from such underworld luminaries as downriver gambler Eddie Way and a Hamtramck madam, Big Bertha Malone.

Ferguson charged that Wilcox collected protection money from 23 handbooks, 14 brothels and unnumbered slot machines. The sheriff, who bought an orange grove in Texas with part of the proceeds, also spent three years at Jackson Prison.

McCrea, "the Fighting Prosecutor," spent most of 1940 fighting the grand jury. He tried to raid the grand jury rooms, allegedly in search of a "torture chamber" where witnesses were supposedly abused, and tried to get O'Hara charged with extortion.

McCrea had taken too much money for it all to be hidden, however. Sam Block, his collection man, said McCrea's price was $100 to $300 monthly for a brothel, $100 to $200 for a numbers house, $50 to $200 for a handbook and $10 for each slot machine. It added up to $104,000 altogether, for which McCrea also did three years.

In their investigation, Ferguson and O'Hara did not have the benefit of the wiretapping which lies at the heart of the latest gambling bust made by the FBI this month.

"I had to use stool pigeons, men who had been in the rackets," Ferguson said. "That was the only way."

Ferguson said he paid informers who had been on the inside of the rackets, an arrangement approved by the county.

He said fictitious names were used to protect some who were paid, and some of the jury's informants have never been identified to this day.

Immunity granted to witnesses helped, too. Ferguson, for example, granted immunity from prosecution to the three men who ran the National Sports Junior Baseball Pool in order to sack Prosecutor McCrea and Police Superintendent Frahm. Those two were protecting the pool, which was a massive $1-million-a-year operation that employed more than 2,000 people.

The greed of the police also helped. The gamblers were groaning as more and more officials went on the take. In one case, they had to continue paying a police inspector $250 a month even after he retired from the force.

When they got a chance to strike back through the grand jury, many did.

Many personalities from those colorful days are gone now. O'Hara, who succeeded Ferguson as a circuit judge when Ferguson went to the U.S. Senate, died in 1964.

Reading, the disgraced mayor, died in 1952, and McCrea, the non-prosecuting prosecutor, gave up his fight in 1951.

Ferguson, past the age of four score, still looks hearty and quite capable of doing a book about it all. Never a smoker or drinker, a hard worker all his life, he appears little changed now from the white-haired, bespectacled jurist who got hold of an investigation and never let it die until the last culprit was caught.

"My father had a homely expression," he said: "A blind hog will find an acorn if he'll just keep his nose down."

Homer Ferguson, far from blind, followed that adage and it made him famous.

TRIBUTE TO ELLIOTT G. HAGAN

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, I would like to take this opportunity to say a few words about my colleague and friend, Elliott Hagan, who is retiring after 12 years of service in the Congress.

Elliott Hagan's integrity and devotion to duty are reflected in his fine record of accomplishments.

As a member of the Armed Services Committee he has served as a strong voice in shaping a strong defense posture for our Nation. His contributions are many and will continue to benefit us all for years to come.

It has been my privilege to serve with him and to count him as a friend. I offer him and his family best wishes in his retirement from the Congress.

THE MILITARY IN AMERICAN SOCIETY

HON. HAROLD E. HUGHES

OF IOWA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HUGHES. Mr. President, on September 13 and 14, 1972, I was pleased to join with several of my colleagues from both the Senate and the House of Representatives in sponsoring a congressional conference of academic military and governmental experts on the military in American society.

This timely gathering focused on the questions of command and control problems in the Armed Forces, military influence on the U.S. economy and foreign policy and the broader aspects of civil-military relations.

Several distinguished retired officers participated in the conference, including Adm. Gene LaRocque, Col. Anthony Herbert, Col. Edward King, and Col. James Donovan. These men brought their direct personal knowledge to bear on the questions of command and control and the military career systems.

Other participants spoke from their experience in various governmental agencies and related it to the issues of military influence on foreign policy and even on domestic affairs. Among the noted participants were Robert Jordan III, Herbert Scoville, and Adam Yarmolinsky.

Academic experts such as Profs. Morris Janowitz, Bruce Russett, and Thomas Schelling added their special knowledge to the discussions.

This conference sought an airing of ideas rather than a set of conclusions and recommendations.

But the 2 days of discussion touched a wide range of subjects related to the role of the military in American society. Interest in the discussion was heightened by the fact that hearings on the Lavelle case were in progress at the time and growing support for end-the-war legislation was being registered in the Congress. The deliberations of this timely conference pointed up some of the most basic and provocative questions facing the American people—relating to the state of our Military Establishment itself; the military's expanded influence on our economy and our culture and our foreign policy; and where we are headed with the military in the future in terms of our national security, our well-being as a people and the preservation of our basic liberties.

I shall not attempt to summarize the points made in the unstructured discussions of this conference. The proceedings of the conference will be published, and I commend them to my colleagues as provocative reading, whatever one's particular viewpoint on the subjects covered may be.

THE 1972 QUESTIONNAIRE

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. REES. Mr. Speaker, I include in the RECORD a copy of my latest congressional newsletter, which I intend to send out to my constituents in November. One section of the newsletter contains the results of my 1972 questionnaire:

REES' 1972 QUESTIONNAIRE

CONGRESS FINALLY ADJOURNS

The 92d Congress finally adjourned three weeks before election day, and everyone breathed a sigh of relief. Nothing can be quite as confusing as watching Washington in action during the waning days of a presidential election, especially when Democrats control the Congress and Republicans control the presidency. The voter finds it difficult to know who is responsible for what.

Essentially, the Congress, as the legislative branch, is responsible for passing the laws and appropriating the funds to support the government; the executive branch (the President) enforces the laws and operates the government. But behind this rather simple explanation there are confusions—some real, some not. Election year does little to shed much light on the matter.

OUR FEDERAL BUDGET DEFICIT

For example, now that the elections are over, I might take a crack at trying to explain the federal budget deficit. In the past four years, spending has exceeded revenue by about $75.8 billion. This is the largest peacetime deficit ever amassed over any four-year period in our history. In the past three years, the administration has requested appropriations of $458 billion from Congress. Congress has appropriated $444 billion, $14 billion less than requested.

Looking at these figures, it is difficult for someone to figure out how the executive branch can call the legislative branch "reckless' in its spending. On the other hand, it is difficult for the legislative branch to accuse the executive branch of being a reckless spender, as Congress did appropriate the money the executive branch spent.

One of the main reasons we have had such massive budget deficits these past four years is that there has been a recession; when that occurs government tax revenue is down—an unemployed breadwinner doesn't pay much in taxes. With the economy apparently recovering, budget deficits should go down.

HOW DOES THE FEDERAL BUDGET DEFICIT AFFECT YOU?

The new $75.8 billion deficit added to past federal deficits must be financed; in order to do so, the government borrows from the nation's money market, the same way you might borrow from the bank to cover your home mortgage. The government competes with everyone else who is borrowing, whether it be you, your bank, insurance company, neighborhood supermarket, or department store.

This competition to borrow money forces interest rates up. If more money is created to cover the new demand, then the rate of inflation is accelerated and this, in turn, increases consumer costs. This might happen in the middle of 1973.

THE CONGRESSIONAL SESSION WAS PRODUCTIVE

The last session of Congress was responsible for landmark legislation which will have an effect on this country for many years to come.

Revenue sharing

This new and expensive ($30.2 billion over five years) program gives no-strings-attached grants of money to state and local governments which have run out of new tax sources. In the past, grants to state and local governments have been made to encourage or supplement new and existing federal programs at the local level; for example, poverty, welfare, and compensatory education programs.

I voted against the bill. Although I realize that local governments have a very limited tax base since much of their income is derived from property and sales taxes, the bill also included state governments as recipients of the new money; I opposed this, as the state can raise just about any type of tax that the federal government can.

Why should we in California, where we have a hefty state income and sales tax, pay money to the federal government which will then be given to other states, such as Texas, which have no income tax? The sacrifice should be shared more equally. I think the net result of revenue sharing in California will be that we'll send more money out of the state than we receive back, and much of it will be sent to states which do not have our high state tax burden.

I also believe there should be a closer relationship between tax collecting and tax spending. Instead of handing out money to local jurisdictions, we should be giving them new tax sources to use as they wish. Each local elective body can then balance its needs more effectively with its resources.

Water pollution

Congress passed a historic water pollution control bill which is designed to deal effectively with pollution of our nation's rivers, lakes, and oceans by 1985. While the price is high ($24 billion), I believe it is absolutely necessary to clean up and preserve this crucial element in our environment. Of this sum, $18 billion will be given to state and local governments for the construction of waste treatment plants.

Highways and mass transit

While no legislation was passed, it now appears as if '1973 will see a great deal of progress in creating a balanced transportation system in this country. For the first time, the highway lobby did not have the muscle to keep rapid transit from receiving money from the highway trust fund. The battle ended in a stalemate, but it looks as if more funds will be provided for transit in the future and that there will be less emphasis on the super-highway fixation which has dominated transportation policy.

As a member of the Banking and Currency Committee, I was able to work successfully to include more construction and operating funds for rapid transit in the housing bill. Unfortunately, the bill was sidetracked at the last moment, but I predict early passage next year.

Welfare reform

Half of this major legislation was lost in the last minute shuffle of the congressional session. The Welfare Reform Act's main purpose was to federalize welfare in the same way that Social Security and unemployment insurance now are; that is, place welfare under federal jurisdiction and base it on national standards. Much of the confusion in our present welfare system is caused by the fact that there are too many jurisdictions—states, counties, and many times, cities—each with their own criteria. A unified federal system would go a long way in cleaning up "the welfare mess."

Those of us favoring uniform federal standards did win half the battle, as there will now be federalization of programs, affecting those people who are 65 and over, blind, or permanently disabled. It is estimated that three million persons will be transferred from state welfare rolls to the new federal program. This will mean a savings in county and state budgets.

Other milestones

A listing of other accomplishments includes the Constitutional Amendment providing for the 18-year-old vote; the Constitutional Amendment calling for equal rights for women; tighter federal election campaign contribution laws; and the virtual elimination of selective service, and the first steps toward the development of an all volunteer army. A 32% increase in Social Security benefits passed in 1971 and 1972 should help to combat the problem of inflation faced by our senior citizens on a fixed income. For veterans of the Vietnam Conflict, Congress has just passed a new G.I. Bill with increased educational allowances. Fulltime single students will be receiving $220 a month; married students $261 a month. In the field of medical care, two new laws provide nearly $4 billion to train more family doctors and nurses.

Congressional Projects for 1973

It looks as if Congress will soon be moving more aggressively in the field of tax reform. Welfare reform should also remain a top priority—as mentioned above, much of the effort will be directed toward federalizing all welfare and thus taking the welfare burden off the shoulders of local government.

We still have not dealt with the crisis of educational costs. Early next year the Supreme Court will probably hand down a decision which calls for the rewriting of state and federal laws affecting the financing of education at the elementary and secondary level. The shift will be away from the use of the property tax and more toward broadly-based state and federal financing designed to equalize the currently unequal tax burden which plagues thousands of our nation's school districts. It is predicted that this can and will be done without adversely affecting the traditional local control of school districts.

Rees Projects

Thank you very much for re-electing me to Congress. I'm looking forward to the privilege of representing you in Washington for the next two years.

During the next Congress I will again be concentrating on congressional reform. While some progress has been made in the past two years, I still believe that Congress has been seriously lagging in its functions as the legislative branch of our government.

The seniority system in Congress, which uses time of service as the sole criterion for advancement, needs a complete overhauling. While I believe that age and experience are necessary ingredients of leadership, they should not be the only standards for advancement as is now the case in Congress. Too many younger members (in Congress, this means anyone under the age of 55), are leaving because the inflexible seniority system offers them no opportunity to use their talents to help solve the problems facing our country and the world. As a result, we are losing people of ability and talent we can little afford to lose.

One of the reform measures I'll be sponsoring calls for broadening the criteria for choosing committee chairmen so that characteristics such as competency, ability, energy, and an awareness of the issues will be considered in the choice.

Also, more congressional deliberations need to be opened up to the public. Too many meetings are held in secret with the result that the public has no opportunity to know what is being considered in vital fields such as federal budget expenditures, taxation, and military programs.

As a member of the Banking and Currency Committee, which has jurisdiction over the Department of Housing and Urban Development, I will be continuing my efforts to develop more and better housing, rapid transit, and new towns. These matters are especially important to California where high land costs have fragmented our development. Too many times the increasing land costs have forced limited-income individuals and families to leave communities where they have lived for years. We also need more low and moderate-income housing for those working at jobs which do not allow them to own homes because of spiraling land and construction costs.

I will also be drafting legislation to establish a new concept of federal disaster insurance to cover those losses not ordinarily covered by standard insurance policies. This is especially important to Southern California where we are threatened by earthquake and flood losses not usually covered in regular policies.

New Disaster Loan Provisions Aid Los Angeles Earthquake Victims

For the past several months of the Congressional session, I worked on legislation which would liberalize disaster loans. While the final bill was designed mainly to aid those victims of Hurricane Agnes which occurred last June, it does have provisions to help those who had property losses in the 1971 Southern California earthquake. Those who now have disaster loans to repair earthquake damages can have their 5⅛% loans reduced to 3%. Another provision liberalizes the $2,500 forgiveness feature of the old law, so that the recipient does not have to pay off the first $500 as was previously required.

New Valley Congressional Field Office

With the change in the 26th Congressional District boundary lines by the Legislature, I have opened a second district office, this one in the San Fernando Valley. The address is 13535 Ventura Boulevard, Suite 205, and the phone number is 990–2370.

Mrs. Lauretta Newman, long a resident of the Valley and active in Valley civic affairs, has been appointed to manage the office.

I wish all of you a very happy and satisfying holiday season. May the new year bring us a world where mankind can live together peacefully.

THE 1972 CONGRESSIONAL QUESTIONNAIRE RESULTS

In early summer of this year I sent out to you the 1972 Questionnaire—the answers came back by the mailbag. With the help of our summer interns we were able to tabulate the results and also answer many of the specific inquiries which you had. Here are the results on a district-wide basis:

The economy

Wage and Price Controls

1. Do you believe that the current wage and price controls are adequate to do the job of controlling inflation?

Yes	13.0
No	84.0
Abstained	3.0

2. If your answer to the above is "No," do you think:

(a) There should be broader and stricter controls which also include items not currently covered by the Administration's plan, such as food prices and interest rates?

Yes	81.5
No	6.7
Abstained	11.8

(b) The Cost of Living Council should have tougher regulations for: *(choose one)*

1. Wages?	8.2
2. Prices?	29.3
3. Both equally?	50.6
4. Abstained	11.9

Minimum Wages

3. Do you favor an increase in the federal minimum wage to $2.00 an hour?

Yes	65.5
No	27.2
Abstained	7.3

Southeast Asia

4. Do you favor the Administration's policy of mining North Vietnamese harbors?

Yes	45.4
No	52.4
Abstained	2.2

5. In view of the North Vietnamese invasion of South Vietnam, should we increase the U.S. military presence with more air and ground forces?

Yes	27.3
No	68.3
Abstained	4.4

6. Should we use U.S. air and naval power to protect South Vietnam even if and when we evacuate our remaining ground personnel?

Yes	34.3
No	59.3
Abstained	6.4

7. Should we set a date—for example, September 1, 1972—by which time all American forces would be removed from South Vietnam?

Yes	55.9
No	35.3
Abstained	8.8

8. Should we continue to give military aid to South Vietnam even if and when we withdraw all U.S. ground, air, and naval forces?

Yes	45.0
No	48.8
Abstained	6.2

9. Do you feel we have any commitment to give peacetime economic aid to Vietnam, Cambodia, and Laos after the cessation of hostilities so that those countries might rebuild themselves?

Yes	64.4
No	28.3
Abstained	7.3

Future Vietnams?

10. Should Congress limit the President's power to commit U.S. troops to an undeclared war?

Yes	71.8
No	22.6
Abstained	5.6

Amnesty

Senator Taft of Ohio has proposed that conditional amnesty should be granted to those young men who left the country or who went to prison because of their opposition to the Vietnam War and their refusal to be inducted into the armed services. Should these young men: *(choose one)*

11. (a) Be granted total amnesty; that is, be completely forgiven and allowed to return to this country without penalty?—25.7.

(b) Be pardoned or allowed to return only if they agreed to a form of alternative service in a peacetime government program; for example, the Peace Corps, VISTA, etc.?—41.1.

(c) Be granted no amnesty at all? If they return to this country, they should be arrested and tried for draft evasion.—29.6.

Abstained.—3.6.

Overseas military commitments

There has been much discussion in Congress about whether or not the U.S. should continue its present level of overseas military commitments. Examples of these commitments are our NATO forces in Europe, as well as our forces in Turkey, South Korea, Formosa, Spain, and the Philippines.

12. Should we cut back these commitments?

Yes	57.0
No	29.2
Abstained	13.8

Education

Busing

The most explosive current domestic issue concerns the busing of school children to achieve equality of education, racial integration, or both.

What are your thoughts on the following statements, each of which is reflected in a recent court decision or a proposal before Congress?

13. Until adequate education can be guaranteed for all children, busing should be used to achieve at least equality of existing educational resources.

Yes	43.2
No	42.5
Abstained	14.3

14. Regardless of the availability of quality education, busing should be used to achieve racial integration in schools.

Yes	17.6
No	68.7
Abstained	13.7

15. If your answer to No. 14 is "Yes," busing should be used to achieve integration: *(choose one)*

(a) Even after the school district has made a sincere effort to integrate; for example, open enrollment, changing of school district attendance lines.—41.6.

(b) Only if no local effort is made to break racial segregation patterns.—49.2.

Abstained.—9.2.

16. The neighborhood school should be preserved, and no student should be forced to be bused out of his or her neighborhood regardless of inequality of opportunity and/or existing patterns of neighborhood segregation.

Yes	59.8
No	28.6
Abstained	11.6

School financing

17. Do you believe that our local school systems are being adequately financed?

Yes	24.0
No	69.4
Abstained	6.6

18. If your answer to the above is "No," would you favor:

(a) A federal program guaranteeing a uniform dollar payment to all school districts in the country for each child in attendance?

Yes	69.5
No	17.1
Abstained	13.4

(b) Equalizing local property tax burdens so that the amount of property tax spent for a child's education is standard throughout the state?

Yes	57.2
No	15.5
Abstained	24.3

(c) Greater state aid on a set formula basis; for example, a guarantee state payment of 50% of the local school district's cost?

Yes	63.3
No	12.4
Abstained	27.3

Other issues

Do you favor:

19. The proposed space shuttle?

Yes	46.2
No	41.0
Abstained	12.8

20. A federally financed system of health insurance?

Yes	74.5
No	18.7
Abstained	6.8

21. Increased Social Security benefits?

Yes	76.6
No	15.1
Abstained	8.3

22. A national system of no-fault automobile insurance?

Yes	76.3
No	15.8
Abstained	7.9

23. A national system of child care centers?

Yes	59.8
No	34.9
Abstained	5.3

National priorities

24. Listed below are general areas of federal expenditure. Would you favor an increase (I), decrease (D), or a continuation of the some (S) budgetary appropriations for the following?

(a) National defense, (D).
(b) Social Security, (I).
(c) Veterans affairs, (S).
(d) Space exploration, (D).
(e) Highway construction, (S).
(f) Elementary and secondary education, (I).
(g) Higher education, (I).
(h) Low- and moderate-income housing, (I).
(i) Welfare, (D).
(j) Foreign economic aid, (D).
(k) Foreign military aid, (D).
(l) Rapid transit, (I).
(m) Health facilities and research, (I).
(n) Crime control, (I).
(o) Air and water pollution, (I).
(p) Parks and recreation, (I).
(q) Conservation of natural resources, (I).
(r) Drug abuse control, (I).
(s) Consumer protection, (I).

DAVID GAMBRELL

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CRANSTON. Mr. President, since February 1971, when DAVID GAMBRELL was appointed to fill out the term of the late Senator Richard B. Russell, I have had the benefit of a first-rate man's wisdom and friendship. As the representative of the peeple of Georgia, DAVID GAMBRELL showed a sensitivity and dedication to the needs of his constituency which I have greatly admired.

In the Banking, Housing and Urban Affairs Committee, where I have had the additional privilege of serving alongside Senator GAMBRELL, I found him to be a stanch supporter of meaningful housing legislation. DAVID GAMBRELL was, in fact, instrumental in exempting small communities from certain requirements contained in the housing and community development bill which was a major accomplishment of our committee in the 92d Congress. He energetically and successfully represented the interest of rural America, of the people of Georgia, in sponsoring a number of provisions in the bill to assist municipalities with populations under 25,000.

DAVID GAMBRELL has made his mark in the short time he has served in the Senate as a man of high integrity and esteem. He will be missed. I am confident, though, that his past successes will be matched in the course of his future endeavors, whatever they may be. He has my very best wishes for a long life of achievement and personal fulfillment.

TRIBUTE TO MRS. ELIZABETH ANDREWS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, in the past few months the Members of Congress have come to know the gracious and charming lady from Alabama, Mrs. ELIZABETH ANDREWS.

All of us knew and respected her husband, the late George Andrews, a Member of this House for nearly 28 years. The people exercised good judgment in selecting her to fill out his term.

In her own right, ELIZABETH has performed as a knowledgeable and active legislator. Her solid record will be remembered by us all.

PRESCOTT BUSH

HON. PETER H. DOMINICK

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. DOMINICK. Mr. President, the Honorable Prescott Bush was a distinguished public servant in the grand old tradition, and I was deeply saddened by his recent passing. The people of Connecticut were fortunate to have such a man serve their interests in the U.S. Senate. He contributed not only his wisdom, but a rare sense of integrity and justice throughout his public career.

My deepest sympathies go out to Mrs. Bush and the rest of the family for their deep personal loss. May they take comfort in knowing that Senator Bush made a memorable and lasting contribution to his country and to the State of Connecticut.

HORATIO ALGER AWARDS

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I do not know whether the story of the Honorable Adron Doran who was a recipient of one of the Horatio Alger Awards in 1971 has been placed in the RECORD, but for fear it has not, I am taking the liberty at this date of asking permission to insert in the RECORD a copy of the list of those selected by the Horatio Alger Awards Committee who were honored at the Waldorf-Astoria Hotel in New York City on May 12, 1971. I also ask unanimous consent that Dr. Doran's response at the time he received the award be printed in the RECORD.

Dr. Adron Doran is president of Morehead State University in Kentucky and is one of Kentucky's and the Nation's outstanding university presidents and educators. Under his leadership the university has grown in attendance from less than 1,000 to 8,000. It is a beautiful university, located in the hills of eastern Kentucky and served by an outstanding faculty, educating and developing a great body of young men and women.

In past years, Dr. Doran, before he turned his great talents to education, was an outstanding young political leader in the Democratic Party, serving at one time as Speaker of the House of the General Assembly of Kentucky and it was thought by many that he would serve Kentucky either as Governor or U.S. Senator.

All that have known him have been impressed by his great abilities, his enthusiasm, and his desire that his work shall serve not only the university but all of the people of eastern Kentucky. His life has been marked by success and service, with the help of an equally able and charming person, his wife Mignon. It can be predicted that both Morehead State University and Dr. Adron Doran's service will continually enlarge and benefit Kentucky.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AWARD WINNERS, 1971

Robert Henry Abplanalp, President and Chairman of the Board, Precision Valve Corporation, Yonkers, New York.

Lawrence A. Appley, Chairman of the Board, American Management Association, Hamilton, New York.

Dr. Adron Doran, President, Morehead State University, Morehead, Kentucky.

Robert S. Fogarty, Jr., President and Founder, Habitation Resources, Inc., Torrance, California.

Alexander G. Hardy, Chairman of the Board, The AVEMCO Group, Bethesda, Maryland.

Leon W. "Pete" Harman, President, Harman-Managers Investment, Inc., Los Altos, California.

Charles Stewart Mott, Director of General Motors, Founder, The Mott Foundation, Flint, Michigan.

Dr. Howard A. Rusk, Director, Institute of Rehabilitation Medicine, New York University Medical Center, New York, New York.

Edward Durell Stone, Internationally Famous Architect, New York, New York.

Lowell Thomas, America's Foremost Commentator, New York, New York.

HORATIO ALGER AWARD, WALDORF-ASTORIA HOTEL, MAY 12, 1971

I am exceedingly honored to receive the coveted Horatio Alger Award which places me in company with these distinguished Americans here today and those who have been so honored during the past 25 years.

I am filled with joy at the presence of my wife, Mignon; my youngest brother, Lewis, and his wife, Ruth; my hometown newspaper editor, W. E. Crutcher; my bank president, Alpha Hutchinson; and a number of distinguished friends and alumni of Morehead State University.

I read the Horatio Alger stories as a student in grade school and in high school. I have been motivated to read some of them again since Mr. Baker notified me of my selection for this Award. The stories are best known for their "rags to riches" theme. I suppose I am the only person who has ever received the Award who is still in rags.

Though I do not possess riches as men ordinarily measure wealth, I do lay claim to riches which have come through investments in the education of the youth of America and in investments in the incomparable treasures of the Kingdom of God.

If I represent anyone today, I think I represent one who was born and who grew up in an isolated, unproductive, and underdeveloped section of Western Kentucky and Tennessee. So isolated were we that my father, his brother, and their sister married my mother, her brother, and their sister. The Dorans simply did not know nor did they ever see anyone but the Clements, with whom they went to school, to church, and to the "post office." I was half grown before I knew that the big road which ran in front of the house was the state line between Graves County, Kentucky, and Weakley County, Tennessee.

The first time that I ever heard of a high school graduate was when Francis Hill came to teach in the one-room school in which I was enrolled as a seventh grade student. The first time I ever saw a high school was when I walked five miles, from the home of an old maid aunt, with whom I was living, to enroll in the ninth grade. After graduation from high school, I enrolled at Freed-Hardeman College, Henderson, Tennessee, which was the first time I had ever seen or been on a college campus.

The burning desire for an education, the motivation to be better than I was, and the obsession to prepare to serve my fellow man through the schools and the church account for my position as President of one of the great regional universities in America today.

My parents were honest, hard working, God fearing, and frugal people. They were the salt of the earth and provided a stable and secure home in which the five (5) boys were reared. They sowed the seeds of enterprise, competition, excellency, endurance, and a will to work in our hungry minds and hearts. These seeds found root in good soils to produce many fold.

While I was a junior in college, I met and married Mignon McClain on August 23, 1931. This was in the deep of one of our greatest economic depressions, but we managed together to make our way then and since by diligent application of our talents, our confidence in one another, and our faith in God. I have earned a baccalaureate, a master's, and a doctor's degree since we married. She has served as a true helpmeet, an assistant breadwinner, a competent critic, a constant companion and a responsible wife. I owe most of what I am and have achieved to her.

Whether the son of a tenant farmer, a stock boy in a clothing factory, a news butch on a passenger train, an export box maker in an auto plant, or a door-to-door cosmetics salesman—Whether in the schoolroom as a teacher, on the basketball court as a coach, in the speaker's chair as a legislator, in the pulpit as a minister, in the composing room as a newspaper editor, before the radio microphone as a singer, in the presidency of a state university, or as a servant in the community, I have learned, in whatever state of being, the worth of an individual human and the dignity to which he is entitled.

I have learned the sweet uses of adversity and the bitter outcomes of success. I have learned the joy of citizenship in the great American democracy, and I have learned the sorrows of neglect, waste, and misuse of the opportunities available to the youth and adults in this great land of ours.

I want to spend my remaining days in testimony and witness of one who has learned and practiced the Horatio Alger way of life.

TRIBUTE TO HON. GEORGE P. MILLER

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GRIFFIN. Mr. Speaker, GEORGE MILLER has established an enviable record of devoted service to his district, State, and Nation during his 28 years in the House.

My friendship and association with GEORGE MILLER spans over 20 years. When I was an assistant to Congressman John Bell Williams, our office was located next to Congressman MILLER. It has been a great privilege for me to serve and work with him as a Member of the House in recent years.

GEORGE MILLER's contributions to the country have been many. As chairman of the Committee on Science and Astronautics, he has been an important leader of the Nation's space program.

I know the Congress and the Nation will miss this fine gentleman and legislator after having the benefit of his many years of service. I wish him and Mrs. Miller well in the future.

SENATOR JOHN SHERMAN COOPER

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. JACKSON. Mr. President, the retirement of JOHN SHERMAN COOPER from the Senate is a loss, not only for the people of Kentucky, but also for the Senate as an institution. He has brought to the Senate a degree of integrity and sense of decency which have enhanced the quality of our work here. The Senate has been a better place for his presence and he will be missed by colleagues on both sides of the aisle.

The details of Senator COOPER's distinguished career are well known. What is less well known is the nature of his performance in the Senate. In his quiet way, he has exercised leadership on major issues in fields ranging from conservation to foreign relations. His influence has been felt because of the sincerity of his convictions and because of the respect accorded him by fellow Senators.

It is no secret that JOHN SHERMAN COOPER and I have disagreed on some of these issues in recent years. He has been a formidable but fair adversary and I am happy to say that our friendship has survived our debates on the Senate floor.

Mr. President, JOHN SHERMAN COOPER can look back on a long career as a judge, an ambassador, and a Senator with a deep sense of satisfaction. He has served his State and country well and I am confident that he will find new opportunities for service in the years ahead.

TRIBUTE TO HON. CLINTON ANDERSON

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. ALLOTT. Mr. President, during my years in the Senate, I have come to know CLINTON ANDERSON as a friend. His decision to retire leaves a void which will be difficult, if not impossible, to fill.

Senator ANDERSON's wisdom has been a cornerstone of not only all the Senate, but also of the Interior and Insular Affairs Committee where it has been my distinct pleasure to serve with him.

I join with my colleagues in wishing Senator Anderson and his wonderful wife, Henrietta, many, many happy days in this well-earned retirement.

FEDERAL LAND GRANTS TO RAILROADS

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. HARRIS. Mr. President, 6 weeks ago, I informed the Senate that 12 Senators and Congressmen joined me in urging the Secretary of the Interior to report to the Congress the status of grants of Federal lands to certain railroad companies. Accompanying our letter was a list of questions concerning those grants. As yet, Mr. Morton has not responded.

Mr. President, those Senators and Congressmen who joined with me in a letter to Secretary Morton are Senators Edward Kennedy and Gaylord Nelson and Representatives Robert W. Kastenmeier, James Abourezk, Phillip Burton, Ronald V. Dellums, Bob Eckhardt, Don Edwards, Paul N. McCloskey, Jr., John F. Seiberling, Jerome R. Waldie and the late William F. Ryan.

Inasmuch as Mr. Morton has not yet answered our request, I would like to inform him of a recent St. Louis Post-Dispatch editorial reprinted in the Fresno Bee, October 9, 1972, which said:

> While we do not expect Mr. Morton to follow Senator Harris' lead and take a strong law and order stand in regard to this matter, we do think he owes the Senator and the public a thorough examination of the situation before it makes its inevitable way into the courts. Federal law, passed more than 70 years ago . . . requires that Mr. Morton to do that much—and he should not shy from his responsibilities just because the controversy raises difficult questions of equity, economics, and public policy.

After the National Coalition for Land Reform and the California Coalition of Migrant and Seasonal Farmworkers filed their original complaint in June, the Southern Pacific Transportation and Land Co. asked for time in which to respond to the complaint. They did, and the National Coalition for Land Reform filed a brief in October in response to the reply brief filed by the Southern Pacific. As yet, the Interior Department has not acted on the issue, but it seems to me, that the many questions raised by the Southern Pacific brief further justifies the need for a thorough examination of these grants.

I might add, Mr. President, that the Southern Pacific is not the only railroad involved. Other railroads receiving Federal land grants are the Union Pacific, the Burlington-Northern, and the Santa Fe.

I ask permission at this time that the first half of the brief filed by the National Coalition for Land Reform be placed in the Record. Representative Jerome Waldie of California, a tireless crusader for the people of his district and State will put the second half of the brief in the Record later today.

I also ask permission that the editorial referred to in my remarks be inserted in the Record as well as an article from the September 16 issue of Business Week on this subject.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Fresno Bee, Oct. 9, 1972]

Round One Begins

In what could turn into an interesting and undoubtedly drawn-out legal battle, a group calling itself the National Coalition for Land Reform is taking on some of the nation's biggest landowners—the railroads. The group, headed by Oklahoma's Populist Sen. Fred R. Harris, contends that the railroads have violated conditions under which they received vast tracts of land from the federal government in the 19th century.

In addition to being unfair to the taxpayers who originally owned the land, it is argued that the situation has contributed to the shaky, sometimes wheeling-dealing economics of American railroads (a la Penn Central) and helped create conditions today in which several of the largest land-owning railroads find their earnings from rail services nearly matched by their returns from land development and the leasing of oil and mineral rights.

The Coalition believes the land and the earnings from it ought to be returned to the government if the terms of the land grant have not been met, and they have asked Interior Secretary Rogers C. B. Morton to investigate their charges. The railroads, as might be suspected, have already discounted the Coalition's contentions and stand ready with a host of lawyers to derail any challenge to their right to the millions of acres they now own.

While we do not expect Mr. Morton to follow Sen. Harris' lead and take a strong law and order stand in regard to this matter, we do think he owes the senator and the public a thorough examination of the situation before it makes its inevitable way into the courts. Federal law, passed more than 70 years ago when another controversy over railroad landholdings was raging, requires Mr. Morton to do that much—and he should not shy from his responsibilities just because the controversy rages difficult questions of equity, economics and public policy.

[From Business Week, Sept. 16, 1972]

Railroads—A New Fight Erupts Over Land Grants

The stakes were high more than a century ago when Congress gave rail barons rights to land along their routes to help finance the track that linked the Mississippi to the Pacific. The grants eventually totaled more than 120-million acres, about 6% of the land area of the 48 states.

Periodically, the land grants have sparked controversy and, with the stakes still high, a new one is boiling in the form of an attack from a coalition of California land reformers. This week, Interior Dept. lawyers are checking through a new 52-page submission on the land-grant issue that they requested from the Southern Pacific Co., whose 2-million acres of grant land in California make it the largest land owner in the state.

The request came after a group of nine senators and representatives, led by Oklahoma's lame-duck Democratic Senator Fred R. Harris, asked Interior Secretary Rogers C. B. Morton for answers to a long list of questions about the railroad's land holdings. These land grants, created in 17 separate laws between 1840 and 1870, spelled out what the roads could and could not do with the land, and in many cases to whom they should sell the land and for how much.

The complexities of the laws, the way they were administered, and the actual and potential wealth involved led to court cases that ran for decades. The railroads contend that Congress settled the controversy once and for all with legislation in 1940 and 1945 that gave the roads title to the land grants.

Harris and the other eight Congressmen acted on behalf of two activist groups organized to buck the power of large landowners and corporate agriculture in California—the National Coalition for Land Reform and the California Coalition of Migrant and Seasonal Farmworkers. Earlier, the two coalitions filed an 18-page "administrative complaint" with Morton. It was studded with citations of court decisions bolstering their contention that the department should "initiate an immediate and detailed investigation" into the land grants. The coalition's complaint focused on the Southern Pacific according to Sheldon Greene, one of its lawyers, "because we had more information about this company. But we are talking about all land grants."

Greene cites a number of Southern Pacific's grant-land uses that he says should be investigated. The company, he says, controls 200,000 acres of prime agricultural land in the San Joaquin Valley, and thus is unjustly a major beneficiary of the state's costly water projects. He also charges that the company is illegally tapping mineral deposits, including oil and gas leases grossing more than $3-million, and that it still controls land in the Sierras, which allegedly was to have been disposed of within three years after the road was completed in 1869.

NADER'S INFLUENCE

The coalition cites figures from Southern Pacific annual reports showing that it earned $24-million in 1970 from oil, gas, and agricultural leases, including $15.4-million from industrial and commercial rentals. A Southern Pacific official speculates that "some of the coalition's material was extracted from the two-volume study on power and land in California" published last fall by Ralph Nader's task force on land use in California, and that the Nader report was the coalition's impetus for the attack.

The Nader California report, in an appendix devoted to a case study of the SP's land holdings, concluded that the grant land was never meant to become a permanent asset of the railroad, and that it should be challenged in court. The purpose: "To return all of the company's nontransportation land holdings to the government" and collect damages "for past profit from illegal use of this land."

CONDITIONS

Behind the dispute are the actual terms of the grants. Typically, the railroad, after charting its route, was allowed to reserve alternate sections of land (a section is one square mile) in a checkerboard pattern along the right-of-way. As a length of track was completed, the carrier was given a patent to the land, which it then could sell or mortgage to finance another stretch of track. But there were conditions attached. For example, some grants required the land to be sold to settlers at not more than $2.50 an acre, and the land was to revert to the U.S. if the line was not completed.

The SP says that "acts of Congress, Supreme Court decisions, and administrative rulings over the years have made it abundantly and repeatedly clear that grant land has been irrevocably vested in the railroads, that the railroads . . . have full and clear title, and that grant lands are no longer subject to government preemption."

An Interior Dept. spokesman says that the department is now "at the point of looking at the threshold legal question: What is the government's obligation, if any, under those statutes?" He suggests that "maybe Congress would like to look into it."

[U.S. Department of the Interior—Administrative Complaint]

PETITIONERS' RESPONSE TO REPLY BRIEF OF SOUTHERN PACIFIC TRANSPORTATION CO. AND SOUTHERN PACIFIC LAND CO.

National Coalition for Land Reform, California Coalition of Seasonal and Migrant Farmworkers v. Rogers C. B. Morton, individually and as Secretary of the Interior, and the U.S. Department of the Interior.

David H. Kirkpatrick, Sheldon Greene, California Rural Legal Assistance, San Francisco, Calif., Attorneys for Petitioners.

David M. Madway, National Housing and Economic Development Law Project, Berkeley, Calif., of Counsel.

This brief is submitted on behalf of Petitioners and in response to the reply brief of the Southern Pacific Transportation Company and the Southern Pacific Land Company, dated August 31, 1972.

In their Administrative Complaint, Petitioners request that the Secretary of the Interior conduct an investigation and report to Congress regarding the extent to which various railroads (and not simply the Southern Pacific, as its brief suggests [see Southern Pacific brief (hereinafter cited S.P.Br.), pp. 1–2.]) have failed to conform to the express requirements of the statutes under which approximately 150 million acres of public lands were granted to those railroads.[1] All of those statutes reserve mineral rights to the United States and many require that grant lands be sold to settlers in parcels not to exceed 160 acres and at a maximum price of $2.50 per acre, or in some cases, $1.25 per acre.

Southern Pacific urges six substantive[2] grounds for rejecting Petitioners' request for an investigation and report. Those grounds, in summary, and petitioners' responses, also in summary, are as follows:

1. Southern Pacific says that the decisions of the Supreme Court in *Oregon and California R. R. Co.* v. *United States*, 238 U.S. 393 (1915) and 243 U.S. 549 (1917), dealt with a "unique" matter, which is "now a closed book." (S.P.Br. 12.)

In response, Petitioners say that since Southern Pacific's grant lands adjacent to its railroad line from the Oregon border south to Roseville, California, (the California and Oregon Railroad grant) are covered by precisely the same mandatory sale-to-settlers proviso as the Court in *Oregon and California* held to be "covenants and enforceable," those decisions are clearly applicable to it. Moreover, since those decisions are the single most important judicial pronouncements on the mandatory sale-to-settlers proviso, it is inconceivable that they could simply be disregarded, as Southern Pacific apparently urges.

2. Southern Pacific says that the Department of the Interior has no "jurisdiction" to investigate and report to Congress because the railroad grant lands have been patented to the railroads. (S.P.Br.14–25.)

In response, Petitioners say that the Department has continuing responsibility for reporting on the status of such lands, that for over 100 years it has had responsibility for administering the railroad land grants, that it has statutorily prescribed duties related to the railroad land grants, and that accordingly it has broad investigative authority which should be invoked in these circumstances.

3. Southern Pacific says that the mandatory sale-to-settlers proviso in the Central Pacific granting statute is not violated because (a) one portion of that grant was sold to a Charles McLaughlin; (b) other portions of those grant lands were mortgaged; (c) the mandatory sale-to-settlers proviso was "rendered nugatory" by repeal of preemption laws and (d) by the "Speyer Agreement" the United States "released . . . all claims" on the Central Pacific and California and Oregon grant lands. (S.P.Br.25–32.)

In response, Petitioners say that (a) the elaborate series of transactions which resulted in the transfer to McLaughlin of vast quantities of grant lands raises more questions than it settles; (b) the mortgaging of grant lands in no way washed them of the obligations of the mandatory sale-to-settlers proviso; (c) the repeal of preemption laws was of no effect whatsoever on the sale-to-settlers obligation in the absence of specific reference in the preemption repealer to the railroad land grant statutes; and (d) the signatories to the Speyer Agreement were, by the express terms of the statute granting them their commission, authorized *only* to settle rights of the United States under certain mortgages, and reliance on any purported compromise of the rights of the United States to enforce the covenants and conditions of the land grant statutes is unwarranted and of no effect.

4. Southern Pacific says that the railroads are entitled to commercially exploit all grant lands. (S.P.Br.32–37.)

In response, Petitioners say that the effect of provisions in the granting statutes expressly reserving mineral lands to the United States and of the Supreme Court's holding in the second *Oregon and California* case (243 U.S. 549 (1917))—that where there is a mandatory sale-to-settlers proviso, the railroad had no right to harvest timber from grant lands—is to clearly limit a grantee railroad's rights to commercial exploitation of grant lands.

5. Southern Pacific says that an investigation would be fruitless since no remedies are available to the United States because (a) Congress must specially authorize the federal government to retake grant lands held in violation of the law; (b) relief is barred by the six year statute of limitations of 43 U.S.C. § 900, and (c) by the Transportation Acts of 1940 and 1945, Congress intended to "write finis" to the land grant issue. (S.P.Br.37–46.)

In response, Petitioners say that (a) even assuming Congress must specially authorize certain government action in respect of grant lands, it has done so on numerous occasions in the past on the basis of Department of the Interior reports and should be given the opportunity to do so again on the basis of a full and complete investigation and report; (b) relief granted in the past demonstrates, and the Supreme Court itself has said, that the statute of limitations is no bar to remedial action, and (c) the Transportation Acts of 1940 and 1945 say nothing whatsoever about any waiver of federal government rights to enforce the covenants and conditions of the granting statutes.

6. Southern Pacific says that the contributions of the land grant railroads to the national welfare balances the equities in favor of not burdening them with the kind of investigation which might jeopardize proposed Congressional action to make available further taxpayer-financed subsidies to railroads. (S.P.Br.46–53.)

In response, Petitioners say that now is precisely the time when the issue of past and present violations of earlier railroad subsidy laws (the land grant statutes) should be fully investigated and the facts placed before Congress so that it can determine the propriety of advancing still more aid.

We turn now to a detailed discussion of the grounds on which the Southern Pacific urges that the Department of the Interior refuse to conduct any investigation.

1. THE OREGON AND CALIFORNIA CASES DEALT WITH A "UNIQUE" MATTER, WHICH IS NOW A "CLOSED BOOK"

If the *Oregon and California* matter is "unique," it may be attributable to the fact that, for the most part, the procedure for overseeing railroad land grants worked as intended: the Secretary of the Interior made reports on the land transactions of the Oregon and California Railroad (283 U.S. at 410); based on those reports, the Congress directed the Attorney General "to institute and prosecute any and all suits" to enforce provisions of the granting statutes (238 U.S. at 395); the Attorney General instituted such a suit and the Court concluded that the mandatory sale proviso had been violated and that Congress should be given an opportunity to enact remedial legislation (238 U.S. at 438–439); by the Chamberlain-Ferris Act (39 Stat. 218), Congress enacted such legislation; and while the matter found its way to the Supreme Court once more (243 U.S. 549), it was finally determined in an accounting suit authorized by the Chamberlain-Ferris Act (*sub. nom., United States v. Oregon and California R. R. Co.*, 8 F. 2d 645 (Or. 1925)).

If Southern Pacific means to assert that the Oregon land matter is a "closed book" because the issue of whether the grantee railroad violated the mandatory sale proviso covering the Oregon lands has been finally determined, Petitioners would agree. If they mean to say, however, that the Supreme Court's decisions in that case offer no guidance for present controversies, we submit that they have propounded a novel and not altogether congenial theory of jurisprudence. The *Oregon and California* decisions have much to tell us.

The mandatory sale proviso at issue in that case reads as follows:

> "And provided further, that the lands granted by the Act aforesaid shall be sold to actual settlers only, in quantities not greater than one-quarter section to one purchaser, and for a price not exceeding $2.50 per acre."

While the Court agreed that the primary purpose of the granting statutes was to promote construction of the western railroads, it stated that the existence of the proviso demonstrated a further purpose; to encourage settlement. And attainment of the primary purpose in no way justified disregard of the secondary:

> "[T]he secondary purpose was regarded and provided for in the provisos under review. Both purposes must be considered. It may be that it was not expected that actual settlers would crowd into 'the vast unpeopled territory,' but the existence of such settlers at such time must have been contemplated. *Both purposes, we repeat, were to be subserved. . . .*" 238 U.S. at 417. (Emphasis added.)

The Court swept away the railroad's objections to enforcement of the proviso in unequivocal terms and suggested almost 60 years ago precisely what Petitioners now urge—that if the provisos were onerous, burdensome, expensive, or impractical, the proper forum for redress was Congress; none of these factors justified violation then and neither do they now:

> "If the provisos were ignorantly adopted as they are asserted to have been; if the actual conditions were unknown as is asserted; if but little of the land was arable, most of it covered with timber and valuable only for timber and not fit for the acquisition of homes; if a great deal of it was nothing but a wilderness of mountain and rock and forest; if its character was given evidence by the application of the Timber and Stone Act to the reserved lands; if settlers neither crowded before nor crowded after the railroad, nor could do so; if the grants were not

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Footnotes at end of article.

as valuable for sale or credit as they were supposed to have been and difficulties beset both uses; the remedy was obvious. *Granting the obstacles and infirmities, they were but promptings and reason for an appeal to Congress to relax the law; they were neither cause nor justification for violating it.*" 238 U.S. at 422–423. (Emphasis added.)

The Court denied the government's request for an automatic forfeiture of the railroad land, finding that the grant provisos were covenants rather than conditions subsequent and required further action by Congress before the land could be reclaimed. But as to the effect of the provisos as covenants, the Court's holding could hardly have been stated more clearly:

> "*[T]he provisos . . . are covenants, and enforceable;*" . . . 238 U.S. at 423. (Emphasis added.)

Later in its brief, Southern Pacific suggests that the *Oregon and California* case should be disregarded because the language of the proviso there was different in some respects from the provisos set forth in the statutes granting some of the land now held by Southern Pacific. (S.P.Br.27.) Petitioners submit, on the contrary, that the difference in the language of the provisos makes an even stronger argument for enforceability of the provisos found in grants other than the *Oregon and California* cases without further legislation. Thus, the language of the proviso in the grant to Central Pacific, a predecessor of Southern Pacific, provides as follows:

> ". . . And all such lands, so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preemption, like other lands, at a price not exceeding $1.25 per acre, to be paid to said company." 12 Stat. 492, 493–494.

The language in the Central Pacific proviso seems to cure two of the weaknesses found by the Supreme Court in the *Oregon and California* proviso and which led the Court to find that it was a covenant rather than a condition subsequent. Thus, in the Central Pacific situation, the class of eligible purchasers is not limited simply to "actual settlers," but rather the lands are open for purchase at the prescribed price by all who wish to settle on them. Similarly, the Supreme Court was concerned about the lack of any statement in the Oregon grants as to the time when the obligation of the provisos matured (238 U.S. at 417–418). Under the Central Pacific proviso there can be no such question, for the proviso states clearly that if the lands have not been sold or disposed of three years after completion of the line, they are to be made available for settlement at the prescribed price.

Finally, at pages 25 and 26 of its brief, Southern Pacific quotes the mandatory sale proviso covering lands granted to the Central Pacific and notes that "none of the other Southern Pacific grants contained this provision." While it is true that none of the other grants made to Southern Pacific or its predecessors contained this *exact* language, the statute granting lands contiguous to Southern Pacific's line from the Oregon border south to Roseville, California—a distance of some 300 miles—does contain a mandatory sale proviso, though the language varies somewhat from that found in the Central Pacific grant. In this context, Southern Pacific's effort to drain the *Oregon and California* decisions of significance is understandable. For its Northern California land grant holdings are covered by *precisely* the same mandatory sale proviso as the Supreme Court in *Oregon and California* held to be "covenants and enforceable." 238 U.S. at 423.

It is also worth noting that nowhere in its brief does Southern Pacific discuss the grant lands along its railroad line from the Oregon border to Roseville, California, except to indicate that it in fact obtained "title" to such lands under one of the granting statutes (S.P. Br. 6.), and in connection with the "Speyer Agreement" (S.P. Br. 30–31.). Nowhere does it reveal that those lands are covered by a mandatory sale-to-settlers proviso. It is a telling omission. Applying the holding in *Oregon and California* to those lands clearly requires a determination that Southern Pacific is in violation of the statute under which those lands were granted.

2. THE DEPARTMENT OF THE INTERIOR HAS NO "JURISDICTION"

Southern Pacific argues that the Department of the Interior lacks "jurisdiction" to conduct any investigation of railroad grant lands. (S.P. Br. 19–25.) It asserts, in effect, that because those lands have been patented to the railroads the Department has no authority to adjudicate disputes with respect to them. The issue, of course, is a straw man and its demolition by elaborate citation of hoary authority is an interesting, if irrelvant, exercise.[3] Petitioners do *not* at this point seek to adjudicate any controversy and nowhere does the Administrative Complaint ask the Department to perform any such judicial or quasi-judicial functions. What Petitioners do seek is an investigation and report eliciting vital information with respect to a matter of substantial and legitimate public concern.

That the Department has the authority to conduct such an investigation is undeniable. Kenneth Culp Davis, in his seminal work on administrative law, describes the broad scope of investigatory authority vested in administrative agencies:

> "[M]any administrative proceedings are investigations—proceedings designed for the purpose of producing information. Investigations are useful for all administrative functions, not only for rule making, adjudication, and licensing, *but also for prosecuting, for supervising and directing, for determining general policy, for recommending legislation, and for purposes no more specific than illuminating obscure areas to find out what if anything should be done.*" 1 K. C. Davis, *Administrative* Law Treatise 160 (1957). (Emphasis added.)

It is likewise undeniable that the Department conducted such investigations and issued reports to Congress regularly until 1915.[4] The statute under which it performed those functions, provides, in pertinent part, as follows:

> ". . . [T]he duties of the Auditor [of Railroad Accounts] under and subject to the Direction of the Secretary of the Interior shall be, to prescribe a system of reports to be rendered to him by the railroad companies whose roads are in whole or in part west, north or south of the Mississippi River, *and to which the United States have granted any loan of credit as subsidy in bonds or lands;* to examine the books and account of each of said railroad companies once in each fiscal year, . . . to *see that the laws relating to said companies are enforced; . . . and to make an annual report to the Secretary of the Interior. . . .*" 20 Stat. 169, 170, § 3 (1878). (Emphasis added.)

This reporting function was performed by the Auditor and later, by the Commissioner of Railroads (21 Stat. 409, §§ 1–3) and their reports were transmitted to Congress by the Secretary of the Interior. *Oregon and California R.R. Co. v. United States,* 238 U.S. 393, 410 (1915). So far as Petitioners have been able to determine, that reporting duty continues to exist and to reside with the Department of the Interior.

Southern Pacific claims that Title 43, sections 2 (setting forth the Department's duties in respect of public lands), 894 (directing the Secretary to adjust railroad land grants in accordance with Supreme Court decisions), and 895 (directing the Secretary to take steps to accomplish the cancellation of erroneously issued patents to railroad grant lands) fail to support any investigatory authority by the Department in respect of grant lands. It is clear, however, that investigatory power is the foundation on which these statutory duties are erected; and that without such power those statutory duties could never properly be performed.

Certain facts are irrefutably established: grants of public land were made to railroads to aid in financing construction; all the granting statutes in some way reserve mineral lands to the United States; many of the granting statutes compel sale of the lands to settlers in parcels not to exceed a prescribed size and at prices not to exceed $1.25 or, in some cases, $2.50 per acre; the Supreme Court has held the compulsory sale provisions to be convenants for the violation of which remedies do lie [*E.g., Oregon and California R. R. Co.* v. *United States,* 238 U.S. 393, 421 (1915); *United States* v. *Oregon and California R. R. Co.,* 8 F. 2d 645, 647–649 (Or. 1925); *United States* v. *Northern Pacific Ry Co.,* 41 F. Supp. 273, 277–278 (E.D. Wash. 1941)]; railroad companies continue to hold millions of acres of grant lands[1] (Southern Pacific, by its own admission, holds some 3.8 million acres in three states [S.P.Br. 10.]) from which timber is being harvested and minerals extracted; and the granting statutes are still on the books, with all of their conditions and restrictions, covenants and reservations.

Much remains to be determined, including: how much of the acreage still held by the railroads was granted subject to the compulsory sale provisions; how much has been sold in parcels and at prices in excess of the statutorily prescribed limits; to what extent timber has been harvested and minerals extracted from such lands; and how these lands should be treated in the future.

In short, all available evidence points to continuing violations of statutes, the administration of which has been the responsibility of the Department of the Interior or its predecessors for over 100 years. In the past, investigations similar to that which Petitioners request have resulted in the passage of remedial legislation by Congress. Thus, before 1890, Congress, based on such reports, adopted 15 special forfeiture acts causing over 25 million acres of grant lands to revert to the public domain and in 1890, Congress declared a general forfeiture of all lands granted for the construction of lines which were not yet completed and in violation of their completion dates (21 Stat. 496). It has also directed that the Attorney General institute suits against land grant railroads for violations of, among other things, the mandatory sale provisos (*e.g., California and Oregon R. R. Co.* v. *United States, supra,* 238 U.S. 393, 421 (1915); *United States* v. *Northern Pacific Ry Co.,* 311 U.S. 317 (1940)). It is manifest that there is now vast confusion and uncertainty as to the status of grant lands still in the hands of railroads. The Department, by a complete investigation and report, can facilitate clarification of the situation and provide a sound basis for appropriate Congressional action.

In the face of what *is* known and is *not* known regarding the railroad land grants, a refusal by the Department to investigate and report could only be interpreted as an abrogation of its responsibilities.

3. THE MANDATORY SALE PROVISO IN THE CENTRAL PACIFIC GRANTING STATUTE WAS NOT VIOLATED

Southern Pacific tells us that by a series of intricate transfers, assignments and further transfers, the Sacramento to San Jose portion of the Central Pacific grant (all of which was taken over by Southern Pacific and which contains a mandatory sale pro-

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Footnotes at end of article.

viso) ended up in the hands of one Charles McLaughlin. (S.P.Br.5,26.) In Southern Pacific's view, that apparently lays the matter to rest. But questions remain. Did this intricate web of transfers wash the land of the covenants and restrictions covering it? Who was Mr. McLaughlin? Was the sale to him made in good faith, and was it an arms' length transaction? It not, other and further remedial action may be appropriate.

The only information about Mr. McLaughlin available to the Petitioners is the brief reference to him in *Western Pacific R. R. Co.* v. *United States,* 107 U.S. 526, 528 (1883). In that case the Court describes him as the agent of the railroad company who fraudulently filed for a patent on mineral lands. Such information only raises further questions about the Western Pacific land rather than providing answers.

Southern Pacific next asserts that the grant conditions governing the Central Pacific line from Sacramento to the junction with the Union Pacific near Ogden, Utah are no longer effective for at least three reasons. First, Southern Pacific claims that under *Platt v. Union Pacific Railroad Co.,* 99 U.S. 48 (1878), since the land has been subject to a mortgage, the mandatory sale-to-settlers proviso does not apply. (S.P.Br.26.) It concludes that once grant lands are mortgaged, the grantee railroad is entitled to hold it and exploit it indefinitely notwithstanding any covenants and conditions. Second, Southern Pacific argues that by signing the Speyer Agreement of 1899, the Federal Government abandoned or waived all its rights to enforce provisions of the statutes granting lands covered by that agreement. (S.P.Br.29–31.) Third, Southern Pacific claims that the mandatory sale proviso was voided when the Preemption Act was repealed in 1891. (S.P.Br.28.) None of these arguments meet Petitioners' contentions that the granting statutes, including the mandatory sale proviso, are enforceable, that they have been breached, and that an investigation and report are necessary and proper.

When it was decided in 1879, the *Platt* case was expressly limited by the Court to a very narrow set of circumstances. The case concerned the rights of a settler who sought to claim Union Pacific grant land pursuant to a land grant condition identical with the one governing the Central Pacific:

"All such lands so granted by this section which shall not be sold or disposed of by said company within three years after the entire road shall have been completed shall be subject to settlement and preemption like other lands, at a price not exceeding $1.25 per acre to be paid to said company." (12 Stat. 492)

The land in question had been mortgaged *during the period of construction* in order to raise funds to complete the rail line. With three Justices dissenting, Justice Strong held that where there was a mortgage which was not entered into to circumvent the grant conditions, but solely *"for the purpose of raising money necessary to continue and complete construction of the railroad* in accordance with the act of Congress," (99 U.S. 420 at 429 [Emphasis added]), the land would be deemed to have been "sold or disposed of." The Court further expressly refused to treat the issue of whether the mandatory sale proviso would apply when the "construction" mortgage no longer covered the land:

"Nor are we now called upon to decide whether the lands covered by the mortgage will not be open for preemption, if they shall remain unsold after the mortgage shall be extinguished. That question is not now before us." 99 U.S. at 429.

FOOTNOTES

[1] This figure is so staggering—10% of the total land area of the United States—that one is inclined to leap to the conclusion, often assisted by the railroads, that had the land grant scheme never been employed, the major portion of the U.S. railway system would never have come into being. In point of fact, federal land grants accounted for about 17,500 miles of track, something less than 7% of the total miles of railroad lines in the United States. "Public Aids to Domestic Transportation," House Doc. No. 159, 79th Cong., 1st Sess. (September 19, 1944), p. 155.

[2] Much of Southern Pacific's brief consists of public relations puffery. Most of it is simply irrelevant: thus, while it is reassuring to know that Southern Pacific "maintains a graduate ecologist on its payroll" (S.P. Br. 17) to tend lands which it may hold in violation of law, that should in no way shift the balance of equities in its favor. And some of it is downright misleading: Southern Pacific totes up the property taxes paid to counties in which grant lands are located and concludes that this is one of the "benefits" conferred upon the nation by the land grant railroads. (S.P. Br. 51.) What it fails to point out is that if these lands had been sold to settlers, as so many of the granting acts require, those purchasers too would have paid county property taxes. And since many of those purchasers would have enhanced the value of their lands by construction of homes and other improvements, the tax base probably would have been substantially greater had the provisos been adhered to.

[3] All of the cases cited by Southern Pacific in this section of its brief relate to contests of one sort or another over title. The most that can be said of them is that they direct the contestants to settle their disputes in an appropriate court. But Petitioners are not requesting the Department to adjudicate the question of title to land. The Department of the Interior does continue to adjudicate such rights with respect to railroad grant lands which have not been patented to railroads, but which were "sold" by them to various purchasers. See, *e.g., Southern Pacific Co.* v. *Louis G. Wedekind,* 77 Interior Dec. 177 (1970); *United States* v. *Southern Pacific Co.,* 77 Interior Dec. 41 (1970); *Southern Pacific Co.,* 76 Interior Dec. 1 (1969); *Southern Pacific Co.,* 71 Interior Dec. 224 (1964). If the Department of the Interior is authorized to actually adjudicate private party rights in this area, surely it has investigatory authority in respect of government rights in grant lands.

[4] Index of Congressional Documents Prior to 1931, Catalogue of the Library of Congress.

SOME THOUGHTS ON FIRST AMENDMENT

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a commencement address I gave at Centre College in Kentucky on June 4, 1972. In this statement I attempted to develop, if briefly, some thoughts upon the first amendment to the Constitution.

There being no objection the address was ordered to be printed in the RECORD, as follows:

THE USES OF FREEDOM

(A Commencement Address by Senator John Sherman Cooper)

I need not tell you that it is a great honor to speak at Centre College and to this graduating class.

As I have said on many such occasions, I have always found it difficult to speak to a graduating class, and I find it particularly so today. Perhaps it is because of my relationship with Centre College, my admiration for it and my desire that I could say something commensurate with the occasion. Justice Holmes said, "No man has earned the right to intellectual ambition until he has learned to lay his course by a star which he has never seen—to dig by the divining rod for springs which he may never reach".

In the Congress we are necessarily influenced by the issues and events of our time and I think it natural that I should seek a subject which bears relationship to this time in our country's history, to the function of our colleges and universities and to the outlook, the role and responsibility that the members of this class will decide to assume as they move out into a new life.

I have always argued that one of the great purposes of education is to enable men and women to recognize realities and to deal with them rationally and constructively.

The realities are before us. The Vietnam war has split our country. Technology provides, on one hand, an affluence and leisure never dreamed of a few years ago, but lack of knowledge, training and incentive prevent many from enjoying its fruits.

The thrust of black citizens and other minorities seeking their full rights as citizens must be fulfilled. The phenomenon of the movement of millions from rural to urban areas has engendered problems in our cities, economic and social, which our country had never before known. The disadvantaged, the alienated may slip outside the full stream of American life and leave the mark of a class society contrary to all the purposes of our nation.

These realities have led some to doubt the values of our system of government and society, to assert our country is incapable of their solution, or fighting wrong, and that technology, wealth, the power of the government and the so-called establishment, are repressive of freedom, and make it impossible for individuals to participate effectively and to affect the course of human affairs.

I rule out, and hope that you do, the idea that a totalitarian system could resolve doubt and cure our problems. Such a system may suit other peoples, they may move at times more quickly than ours, but they shatter the individualism, the intellectual and religious freedom which proceed from one's most innermost views of his relationship with a Creator or the universe and self-fulfillment. There are few in the country who would like the experience of the people of Czechoslovakia who, four years ago, found themselves bereft in a few days of the small freedoms they had nurtured. I remember the caption of one news report from Czechoslovakia—the words of a student who said, "We were happy for a time".

Freedom requires the searching examination of our institutions and their values. Many people, young and old, are making this examination, with the high purpose of insisting upon the realization of the best values of our civilization, and to assist in meeting the promises and hopes which have meant so much to its people and the world.

But, there are also those, young and old, who are alienated from society, seeking purposefully or mindlessly to destroy society or, at a minimum, to drop out from its tasks. There is a tendency to attempt the resolution of our deep-seated problems, by slogans, expedients, threats and violence rather than through freedom, reason, law and consent. A mark of this discontent is the failure of communication between old and young, political groups between those who have lost faith and those whose faith in the values of our country remains unchanged.

Communication, freedom of expression, the hearing and consideration of the views of others is the very essence of freedom and of democratic government, and it is of this freedom that I speak today.

The framework of our government is tenuous, depending in large measure upon trust—trust of the people in their government and trust by the government in its people. It implicitly and specifically recognizes that the individual is superior to the State and must be free from the arbitrary power of others, whether of majorities or minorities, and of the State itself.

The First Amendment, more than any other section of the Bill of Rights, was written to protect and free the spiritual and personal rights of man. It is worth reading often.

Since World War II, it has been so construed by the Supreme Court that practically any speech or action may be exercised if it bears a reasonable relationship to the object sought or opposed.

Freedom of expression—speech or action—is protected unless it presents a clear and present danger to the overthrow of government, violates a law which does not repress its guarantees, or unduly treads on the rights of others—the so-called balancing theory—that the rights of an individual must be balanced with the rights of others.

There has never been a time in the history of our country or of any country, including Great Britain, when free speech and dissent have been so widely and freely used by our people. Because of a broader interpretation and understanding of First Amendment rights, larger numbers of people, particularly young people, are expressing their views about government, about public officials, and issues before the country, with a freedom that does not exist elsewhere in the world. It is my view that, because of this exercise of freedom by the young, that the legislation authorizing voting at the age of 18 was enacted by the Congress, it is bringing millions into the field of political action.

But, despite these facts, the meaning of the First Amendment, the use of freedom, has been often distorted.

Freedom, dissent have come to mean in many places throughout the country, and in some schools, college, universities—and I do not except public office—the right to express one's views but also a right to deny free speech by others—a right to shout down, to obstruct by violence the normal acivities of our government, of schools, and the lives of others. The claim has been made that civil disobedience follows the example of Thoreau and Gandhi. I do not think so. Thoreau's experience was limited. Gandhi asked his people to break the law of the British because India was the country of the Indian people and not Great Britain's. And of greater importance, he taught that only those could rightfully practice civil disobedience who were willing to accept its penalties, and did so with love in their hearts for their adversaries. Violence, hate and obscenities do not meet his principle of love.

I do not minimize the problems of the United States, but I know of no country in the world which has such problems and whose government and people as a whole are seeking to correct them—whether in the field of discrimination, of poverty, the environment, education or social needs.

The war in Vietnam is perhaps the chief cause of the alienation of our people. I have expressed my views about the war in all Administrations and have sought legislative action against its expansion and for its ending. But, I know also that two million men have served in Vietnam and 50,000 have died, and that their views may be different than those who feel so passionately against the war today. It is my hope that the peace proposal of President Nixon for a cease-fire, the release of prisoners and the withdrawal in four months will be agreed to by North Vietnam. There is some ground to believe that serious negotiations will now take place.

If North Vietnam will not negotiate then the Congress should require the withdrawal, at an appropriate time, of all our forces without conditions, except for the protection of our forces as they are withdrawn. I believe our prisoners of war would be released upon withdrawal. I used the words, "withdrawal at an appropriate time" because the massive assault of North Vietnam has placed our 63,000 troops in danger—separated as they are and with only 19,000 combat troops and arrangements for their safe withdrawal must be prepared.

In contrast to the deterioration of communication, of exchange of ideas between some groups of our people, our open exchange of ideas has brought about recently an improvement of American relations with two great countries.

A decade ago, relations between the Peoples Republic of China and the United States could not have been worse. The gap between the Communist Chinese, who referred to the United States as "imperialist running dogs" and rejected even coexistence and the United States—with its policy of containing Communist China with a ring of armed states—seemed unbridgeable.

Largely because of the persistent efforts of scholars from our colleges and universities, the irrational antipathy between China and the United States was broken down as they contended that new facts and new doctrines had made friendly relations with China possible.

But, at last, it was the willingness of President Nixon and the Chinese leaders, Mao Tse Tung and Chou En Lai to shed the old dogmas and engage in talks and exchange positions and ideas that has led, at least, to the beginning of a new relationship between the two countries with constructive possibilities.

The meeting of President Nixon with the Soviet leaders furnishes another example. Since World War II the Soviet Union and the United States had steadily matched the other in developing more fearsome and sophisticated nuclear weapons, seeking superiority. It has reached the point today, where the two powers' nuclear strength is equal to 15 tons of TNT over the head of every being on earth. Each has the capability of destroying the other 100 times over, even though the subject of a first aggressive strike. There seemed no end to this spiraling and costly race.

A decade ago we were terribly concerned about an alleged missile gap and feared that we could be overwhelmed by superior Soviet nuclear forces.

If I may use a personal illustration, I was concerned and I asked Secretary of Defense Robert McNamara to inform me fully of the relative nuclear strength of the two countries. I shall never forget his answer.

He took a small black notebook from his desk which showed in detail the nuclear weapons of the United States and the Soviet Union. There was no missile gap. I told Secretary McNamara that he should tell the American people the facts. Whether it was because of my request, I do not know, but Mr. McNamara began to inform the people and the Congress in detail and the practice has been continued throughout the years.

Steadily and accurately, each country has been informed of the nuclear strength of the other through publications and effective monitoring by satellites, American scientists, those who conceived the weapons, and those who built them, began to educate the Executive and the Congress of the need for their limitation. The Congress educated itself and the country in the ABM debate. Staggering costs which could run to hundreds of billions of dollars, the fact that each possesses the capability of destroying the other, and civilization as we know it, and the change from dark fear to knowledge, finally led to negotiations and now the treaty and interim agreement.

The treaty limits defensive anti-ballistic nuclear systems to two sites each with an equal number of missile launchers and radars. It will be submitted to the Senate as a treaty requiring a two-thirds vote.

The five-year interim agreement limits land-based and submarine-based offensive missiles to approximately those now in being or under construction. The Soviet Union will have more in number, and this has raised some fears. But, the United States has twice as many warheads in their missiles—the actual striking element—about 5500-2200, and it can increase the number to 10,000. Two or three warheads could destroy the largest city in either country.

President Nixon is a tough negotiator and would not compromise the security of this country. I have no doubt that both agreements will be approved.

The alternative is a continued nuclear arms race with its fears and instability. The agreements represent an effort to turn technology from the path of nuclear destruction and toward the rational control of science and technology for the peaceful use of mankind.

One may not agree with the decisions that have been made, and we do not know they will be wholly successful, but it is clear that the agreements and revision of policies that have occurred come from the open minds of the leaders of two different systems of government and society, and from an exchange of facts and ideas. The exchange of ideas among the leaders of three countries—democratic and communist—is not a perfect example of the use of freedom, but on the other hand it says something for the examination of facts and open minds.

My plea today is that the future of our country, the solution of its problems, will best be served by the true use of freedom of expression within the limits of the First Amendment, without force, violence, with each individual exercising his rights, but respecting the similar rights of his fellow man and searching for the truth.

The true guardians of freedom of speech, and thus of freedom itself, should be our colleges and universities. They have a cherished duty to preserve and study the experience of the past, and the challenging imperative to inquire ceaselessly for the truth in the physical world and in the realms of imagination and spirit.

It is their duty to defend the right of questioning what might otherwise be accepted as truth. It is through the skeptical temper, the constant testing of accepted ideas against man's constantly enlarging experience that useful knowledge is bound to the service of mankind. But, skeptical temper can only remain free of dogma if tolerance is also present. Unless there is a willingness to hear all points of view, how can one be certain, as Mill argued so long ago, that the mind is not closed to new facts and new truths.

You who graduate from this great college have been taught these duties. And it may well be that you will find the statement of Malabranche, the 17th century French philosopher, correct. He said: "Lord, only Thou knowest the truth. Give us the duty to search for it."

I have said that it is difficult for me to speak today because of my relationship with Centre College. I cannot close without saying that Centre College has meant very much to me. Coming to Centre was an experience that most first year students share, the first break from the ties of home. Here, I made new friendships that have become old and even more valued as the years have gone. I learned as thousands have, of the kindness, hospitality and civility of the people who live in this community.

Centre College then had its great teams and athletes, and they are legendary, but at the same time it adhered to the highest standards of scholarship. Its teachers were steeped in learning and the humanities, with the ability to cause one to want to learn and to fulfill one's capabilities, whatever they might be. I have never found their superior.

I am honored that I had the opportunity to attend Centre College as did two of my brothers and two of my sisters at Kentucky College for Women. It is led by a great president, Dr. Thomas A. Spragens, supported by its Board of Trustees and a loyal alumni body. Its name is known and honored throughout our country and in many lands where its graduates have served. We are told that Pericles called Athens the school of Hellas. Athens, the school of Pericles, was not only the school of Greece, but of Western civilization. In the same way, we salute Centre as a college for a State and for our country and civilization.

SOCIAL SECURITY AMENDMENTS OF 1972

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. TUNNEY. Mr. President, now that H.R. 1, the Social Security Amendments of 1972 has become law, I respectfully ask that the following summary of the major provisions be printed in the CONGRESSIONAL RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY AMENDMENTS OF 1972

I. SOCIAL SECURITY CASH BENEFIT PROVISIONS

1. Special minimum cash benefits

The bill would provide a special minimum benefit of $8.50 multiplied by the number of years in covered employment up to 30 years, producing a benefit of at least $170 a month for a worker who has been employed for 30 years under social security coverage. This benefit would be paid as an alternative to the regular benefits in cases where a higher benefit would result.

Under this provision, the new higher minimum benefit would become payable to people with 20 or more years of employment; at that point, the special minimum benefit would be more than the regular minimum—$85 as compared to the regular minimum benefit of $84.50 payable under present law. A worker with 25 years of employment under social security would thus be guaranteed a benefit of at least $127.50; while one with 30 years would receive at least $170 a month. Minimum payments to a couple would be one and one-half times these amounts.

2. Increase in widow's and widower's insurance benefits

Under present law, when benefits begin at or after age 62 the benefit for a widow (or dependent widower) is equal to 82½ percent of the amount the deceased worker would have received if his benefit had started when he was age 65. A widow can get a benefit at age 60 reduced to take account of the additional 2 years in which she would be getting benefits.

The bill would provide benefits for a widow equal to the benefit her deceased husband would have received if he were still living. Under the bill, a widow whose benefits start at age 65 or after would receive either 100 percent of her deceased husband's primary insurance amount (the amount he would have been entitled to receive if he began his retirement at age 65) or, if his benefits began before age 65, an amount equal to the reduced benefit he would have been receiving if he were alive.

Under the bill, the benefit for a widow (or widower) who comes on the rolls between 60 and 65, would be reduced (in a way similar to the way in which widows' benefits are reduced under present law when they begin drawing benefits between ages 60 and 62) to take account of the longer period over which the benefit would be paid.

3. Increased benefits for those who delay retirement beyond age 65

The bill includes a provision which would provide for an increase in social security benefits of 1 percent for each year after age 65 that the individual delays his retirement.

Effective date.—For computation and recomputation after 1973 based on earnings after 1973.

4. Age 62 computation point for men

Under present law, the method of computing benefits for men and women differs in that years up to age 65 must be taken into account in determining average earnings for men, while for women only years up to age 62 must be taken into account. Also, benefit eligibility is figured up to age 65 for men, but only up to age 62 for women. Under the bill, these differences, which provide special advantages for women, would be eliminated by applying the same rules to men as now apply to women.

Effective date.—The new provision would become effective, starting January 1973 and become fully effective in January 1975.

5. Liberalization of the retirement test

The amount that a beneficiary under age 72 may earn a year and still be paid full social security benefits for the year would be increased from the present $1,600 to $2,100. Under present law, benefits are reduced by $1 for each $2 of earnings between $1,680 and $2,800 and for each $1 of earnings above $2,880. The committee bill would provide for a $1 reduction for each $2 of all earnings above $2,100, there would be no $1-for-$1 reduction as under present law. Also, in the year in which a person attains age 72 his earnings in and after the month in which he attains age 72 would not be included, as they are under present law, in determining his total earnings for the year.

Future increases in the amount of exempt earnings would also be automatic as average earnings rise.

6. Dependent widower's benefits at age 60

Aged dependent widowers under age 62 could be paid reduced benefits (on the same basis as widows under present law) starting as early as age 60.

7. Childhood disability benefits

Childhood disability benefits would be paid to the disabled child of an insured retired, deceased, or disabled worker, if the disability began before age 22, rather than before 18 as under present law. In addition, a person who was entitled to childhood disability benefits could become re-entitled if he again becomes disabled within 7 years after his prior entitlement to such benefits was terminated.

Effective date.—January 1973.

8. Continuation of child's benefits through the end of a semester

Payment of benefits to a child attending school would continue through the end of the semester or quarter in which the student (including a student in a vocational school) attains age 22 (rather than the month before he attains age 22) if he has not received, or completed the requirements for, a bachelor's degree from a college or university.

9. Eligibility of a child adopted by an old-age or disability insurance beneficiary

The provisions of present law relating to eligibility requirements for child's benefits in the case of adoption by old-age and disability insurance beneficiaries would be modified to make the requirements uniform in both cases. A child adopted after a retired or disabled worker becomes entitled to benefits would be eligible for child's benefits based on the worker's earnings if the child is the natural child or stepchild of the worker or if (1) the adoption was decreed by a court of competent jurisdiction within the United States, (2) the child lived with the worker in the United States for the year before the worker become disabled or entitled to an old-age or disability insurance benefit, (3) the child received at least one-half of his support from the worker for that year, and (4) the child was under age 18 at the time he began living with the worker.

10. Benefits for a child entitled on the record of more than one worker

The bill would provide that a child who is entitled to benefits on the earnings record of more than one worker would get benefits based on the earnings record which results in paying him the highest amount, if the payment would not reduce the benefits of any other individual who is entitled to benefits based on that earnings record. (Entitlement of a child on the earnings record that will give the child the highest benefit could otherwise result in a reduction of the benefits for other people entitled on the same earnings record because of the family maximum limitation.)

11. Benefits for a child based on the earnings record of a grandparent

Under the bill, benefits would be extended to grandchildren not adopted by their grandparents if their parents have died or are disabled and if the grandchildren were living with a grandparent at the time the grandparent qualified for benefits.

12. Nontermination of child's benefits by reason of adoption

Under present law, a child's entitlement to benefits ends if he is adopted unless he is adopted by (1) his natural parent, (2) his natural parent's spouse jointly with the natural parent, (3) the worker (e.g., a stepparent) on whose earnings the child is getting benefits, or (4) a stepparent, grandparent, aunt, uncle, brother, or sister after the death of the worker on whose earnings the child is getting benefits.

Under the bill, a child's benefits would no longer stop when the child is adopted, regardless of who adopts him.

13. Elimination of the support requirements for divorced women

Under present law, benefits are payable to a divorced wife age 62 or older and a divorced widow age 60 or older if her marriage lasted 20 years before the divorce, and to a surviving divorced mother. In order to qualify for any of these benefits a divorced woman is required to show that: (1) she was receiving at least one-half of her support from her former husband, (2) she was receiving substantial contributions from her former husband pursuant to a written agreement, or (3) there was a court order in effect providing for substantial contributions to her support by her former husband. The bill would eliminate these support requirements for divorced wives, divorced widows, and surviving divorced mothers.

14. Waiver of duration-of-marriage requirement in case of remarriage

The duration-of-marriage requirement in present law for entitlement to benefits as a worker's widow, widower, or stepchild—that is, the period of not less than 9 months immediately prior to the day on which the worker died that is now required (except where death was accidental or in the line of duty in the uniformed service in which case the period is 3 months)—would be waived in cases where the worker and his spouse were previously married, divorced, and remarried, if they were married at the time of the worker's death and if the duration-of-marriage requirement would have been met at the time of the divorce had the worker died then.

15. Reduction in waiting period for disability benefits

Under the bill, the present 6-month period throughout which a person must be disabled before he can be paid disability benefits would be reduced by 1 month (to 5 months).

16. Disability insured status for individuals who are blind

Under present law, to be insured for disability insurance benefits a worker must be fully insured and meet a test of substantial recent covered work (generally 20 quarters of coverage in the period of 40 calendar quarters preceding disablement). The bill would eliminate the test of recent attachment to covered work for blind people; thus a blind person would be insured for disability benefits if he is fully insured—that is, he has as many quarter of coverage as the number of calendar years that elapsed after 1950 (or the year he reached age 21, if later) and up to the year in which he became disabled.

17. Disability insurance benefits applications filed after death

Disability insurance benefits (and dependents' benefits based on a worker's entitlement to disability benefits) would be paid to the disabled worker's survivors if an application for benefits is filed within 3 months after the worker's death, or within 3 months after enactment of the provision. It would be effective for deaths occurring after 1969.

18. Disability benefits affected by the receipt of workmen's compensation

Under present law, social security disability benefits must be reduced when workmen's compensation is also payable if the combined payments exceed 80 percent of the worker's average current earnings before disablement. Average current earnings for this purpose can be computed on two different bases and the larger amount will be used. The bill adds a third alternative base, under which a worker's average current earnings can be based on the 1 year of his highest earnings in a period consisting of the year of disablement and the 5 preceding years.

19. Wage credits for members of the uniformed services

Present law provides for a social security noncontributory wage credit of up to $300, in addition to contributory credit for basic pay, for each calendar quarter of military service after 1967. Under the bill, the $300 noncontributory wage credits would also be provided for service during the period January 1957 (when military service came under contributory social security coverage) through December 1967.

20. Optional determination of self-employment earnings

Self-employed persons could elect to report for social security purposes two-thirds of their gross income from nonfarm self-employment. Not more than $1,600 in income (farm and nonfarm) could be reported in this manner. (This optional method of reporting is similar to the option available under present law for farm self-employment.) A regularity of coverage requirement would have to be met and the option could be used only five times by any individual.

21. Coverage of members of religious orders who are under a vow of poverty

Social security coverage would be made available to members of religious orders who have taken a vow of poverty, if the order makes an irrevocable election to cover these members as employees of the order.

22. Self-employment income of certain individuals living temporarily outside the United States

Under present law, a U.S. citizen who retains his residence in the United States but who is present in a foreign country or countries for approximately 17 months out of 18 consecutive months, must exclude the first $20,000 of his earned income in computing his taxable income for social security and income tax purposes. The bill would provide that U.S. citizens who are self-employed outside the United States and who retain their residence in the United States would not exclude the first $20,000 of earned income for social security purposes and would compute their earnings for self-employment for social security purposes in the same way as those who are self-employed in the United States.

23. Issuance of social security numbers and penalty for furnishing false information to obtain a number

The bill includes a number of provisions dealing with the method of issuing social security account numbers. Under present law, numbers are issued upon application, often by mail, upon the individual's motion.

Under the bill the Secretary would be required to issue numbers to non-citizens entering the country under conditions which would permit them to work. In the case of a person who may not legally work at the time he is admitted to the United States, the number would be issued at the time his status changes. In addition to these general rules, numbers would be issued to persons who do not have them at the time they apply for benefits under any federally financed program.

The Secretary would be authorized to issue numbers to individuals when they enter the school system.

As a corollary to this more orderly system of issuing social security account numbers, the bill would provide criminal penalties for (1) furnishing false information in applying for a social security number; (2) knowingly and willfully using a social security number that was obtained with false information or (3) using someone else's social security number. The penalty would involve a fine up to $1,000 or imprisonment for up to 1 year or both.

24. Trust fund expenditures for rehabilitation services

The bill provides an increase in the amount of social security trust fund moneys that may be used to pay for the costs of rehabilitating social security disability beneficiaries. The amount would be increased from 1 percent of the previous year's disability benefits (as under present law) to 1¼ percent for fiscal year 1973 and to 1½ percent for fiscal year 1974 and subsequent years.

25. Recomputation of benefits based on combined railroad and social security earnings

The bill would provide that a deceased individual who during his lifetime was entitled to social security benefits and railroad compensation and whose railroad remuneration and earnings under social security are, upon his death, to be combined for social security purposes would have his primary insurance amount recomputed on the basis of his combined earnings, whether or not he had earnings after 1965.

26. Payments to disabled former employee

Provides that payments made by an employer to a former disabled employee will not be counted for social security benefit or tax purposes if the payment is made after the calendar year in which the former employee became entitled to social security disability insurance benefits.

27. Social security coverage for foreign missionaries

Eliminates for certain foreign ministers the $20,000 exclusion from earned income earned abroad in the case of a minister or a member of a religious order.

28. Coverage of students and certain part-time employees

Permits States to modify their social security coverage agreements for State and local employees so as to remove from coverage services of students employed by the public school or college they are attending, and the services of part-time employees.

29. Wage credits for World War II internees

Provides non-contributory social security credits for U.S. citizens of Japanese ancestry who were interned by the U.S. Government during World War II. In order to qualify for the wage credits an individual must have been age 18 or older at the time he was interned and the credits will be determined on the basis of the then prevailing minimum wage or the individual's prior earnings, whichever is larger.

30. Duration-of-relationship requirements

Amends the provision of present law which reduces from 9 months to 3 months the duration-of-relationship requirement when death is accidental or in line of duty in the Armed Forces so that there would be no duration-of-relationship requirement in cases of an accidental death if it is reasonable to expect that the deceased would have lived for at least 9 months.

II. MEDICARE-MEDICAID AMENDMENTS

1. Medicare coverage for the disabled

Effective July 1, 1973, a social security disability beneficiary would be covered under medicare after he had been entitled to disability benefits for not less than 24 consecutive months. Those covered would include disabled workers at any age; disabled widows and disabled dependent widowers between the ages of 50 and 65; beneficiaries age 18 or older who receive benefits because of disability prior to reaching age 22; and disabled qualified railroad retirement annuitants. An estimated 1.7 million disabled beneficiaries would be eligible initially.

2. Hospital insurance for the uninsured

The bill will permit persons age 65 or over who are ineligible for part A of medicare to voluntarily enroll for hospital insurance coverage by paying the full cost of coverage (initially estimated at $33 monthly and to be recalculated annually). Where the Secretary of HEW finds it administratively feasible, those State and other public employee groups which have, in the past, voluntarily elected *not* to participate in the Social Security program could opt for and pay the part A premium costs for their retired or active employees age 65 or over. Enrollment in part B of medicare would be required as a condition of buying into the part A program.

Effective date: July 1, 1973.

3. Part B premium increases

The bill will limit part B premium increases for fiscal years 1974 and thereafter to not more than the percentage by which the Social Security cash benefits had been generally increased since the last part B premium adjustment. Costs above those met by such premium payments would be paid out of general revenues in addition to the regular general revenue matching.

Effective date: July 1, 1973.

4. Part B deductible

Beginning with calendar year 1973, the bill increases the annual part B deductible from $50 to $60.

5. Automatic enrollment in part B

Effective July 1, 1973, the bill provides (except for residents of Puerto Rico and foreign countries) for automatic enrollment under part B for the elderly and the disabled as they become eligible for part A hospital insurance coverage. Persons eligible for automatic enrollment must also be fully informed as to the procedure and given an opportunity to decline the coverage.

6. Effective utilization review programs in medicaid

Effective July 1, 1973, the bill authorizes a one-third reduction in Federal matching payments for long-term stays in hospitals, nursing homes, intermediate care facilities, and mental institutions, if States fail to have effective programs of control over the utilization of institutional services or where they fail to conduct the independent professional audits of patients as required by law. The bill also authorizes the Secretary, after June 30, 1973, to compute a reasonable differential between the cost of skilled nursing facility services and intermediate care facility services provided in a State to medicaid patients.

7. Cost sharing under medicaid

The bill made the following changes with respect to premiums, copayments, and deductibles under medicaid.

1. It requires States which cover the medically indigent to impose monthly premium charges. The premium would be graduated by income in accordance with standards prescribed by the Secretary.

2. States could, at their option, require payment by the medically indigent of nominal deductibles and nominal co-payment amounts which would not have to vary by level of income.

3. With respect to cash assistance recipients, nominal deductible and co-payment requirements, which prohibited for the six mandatory services required under Federal law (inpatient hospital services; outpatient hospital services; other X-ray and laboratory services; skilled nursing home services; physicians' services; and home health services), would be permitted with respect to optional medicaid services such as prescribed drugs, hearing aids, etc.

8. Protection against loss of medicaid because of increased earnings

An individual or member of a family eligible for cash public assistance and medicaid who would otherwise lose eligibility for medicaid as a result of increased earnings from employment would be continued on medicaid for a period of 4 months from the date where medicaid eligibility would otherwise terminate.

9. Coordination between medicare and Federal employee plans

Effective January 1, 1975, medicare would not pay a beneficiary, who is also a Federal retiree or employee, for services covered under his Federal employee's health insurance policy which are also covered under medicare unless he has had an option of selecting a policy *supplementing* medicare benefits. If a supplemental policy is not made available, the F.E.P. would then have to pay first on any items of care which were covered under both the Federal employee's program and medicare.

Effective date: January 1974.

10. Medicare services outside of the United States

Effective January 1, 1973, the bill authorizes use of a foreign hospital by a U.S. resident where such hospital was closer to his residence or more accessible than the nearest suitable United States hospital. Such hospitals must be approved under an appropriate hospital approval program.

In addition, the bill authorizes part B payments for necessary physicians' services furnished in conjunction with such hospitalization.

The bill also authorizes medicare payments for emergency hospital and physician services needed by beneficiaries in transit between Alaska and the other continental States.

11. Optometrists under medicaid

The bill requires States, which had previously covered optometric services under medicaid and which, in their State plans, specifically provided for coverage for eye care under "physicians' services," which an optometrist is licensed to provide, to reimburse for such care whether provided by a physician or an optometrist.

Effective date: Enactment.

12. Beneficiary liability under medicare

The bill would, with respect to claims for services provided after the date of enactment, relieve beneficiaries from liability in certain situations where medicare claims are disallowed and the beneficiary is without fault.

13. Limitation on Federal payments for disapproved capital expenditures

The bill would preclude medicare and medicaid payments for certain disapproved capital expenditures (except for construction toward which preliminary expenditures of $100,000 or more had been made in the 3-year period ending December 17, 1970) which are specifically determined to be inconsistent with State or local health facility plans. The provision would become effective after December 31, 1972 or earlier, if requested by a State.

14. Demonstrations and reports

The bill authorizes the Secretary to undertake studies, experiments or demonstration projects with respect to: various forms of prospective reimbursement of facilities; ambulatory surgical centers; intermediate care and homemaker services (with respect to the extended care benefit under medicare); elimination or reduction of the three-day prior hospitalization requirement for admission to a skilled nursing facility; determination of the most appropriate methods of reimbursing for the services of physicians' assistants and nurse practitioners; provision of day care services to older persons eligible under medicare and medicaid; and, possible means of making the services of clinical psychologists more generally available under medicare.

Effective date: Enactment.

15. Limitation on coverage of costs under medicare

The bill authorizes the Secretary to establish limits on overall direct or indirect costs which will be recognized as reasonable for comparable services in comparable facilities in an area. He may also establish maximum acceptable costs in such facilities with respect to items or groups of services (for example, food costs, or standby costs). The beneficiary would be liable (except in the case of emergency care) for any amounts determined as excessive (except that he may not be charged for excessive amounts in a facility in which his admitting physician has a direct or indirect ownership in the facility.

16. Limits on prevailing physician charge levels

The bill recognizes as reasonable, for medicare reimbursement purposes only, those charges which fall within the 75th percentile. Starting in 1973, increases in physicians' fees allowable for medicare purposes, would be limited by a factor which takes into account increased costs of practice and the increase in earnings levels in an area.

With respect to reasonable charges for medical supplies and equipment, the amendment would provide for recognizing only the lowest charges at which supplies of similar quality are widely and consistently available.

17. Limits on payments to skilled nursing facilities and intermediate care facilities under medicaid

Effective January 1, 1973, Federal financial participation in reimbursement for skilled nursing facility care and intermediate care per diem costs would not be available to the extent such costs exceed 105 percent of prior year levels of payment under the provision (except for those costs attributable to any additional required services). The provision would except increased payment resulting from increases in the Federal minimum wage or other new Federal laws.

18. Payments to health maintenance organizations

Authorizes medicare to make a single combined Part A and B payment, on a capitation basis, to a "Health Maintenance Organization," which would agree to provide care to a group not more than one-half of whom are medicare beneficiaries who freely choose this arrangement. Such payments may not exceed 100 percent of present Part A and B per capita costs in a given geographic area, and the exact amount of the payment would be dependent on the efficiency of the HMO.

The Secretary could make these arrangements with existing prepaid groups and foundations, and with new organizations which eventually meet the broadly defined term "Health Maintenance Organization."

19. Payments for the services of teaching physicians

The bill provides that, for accounting periods beginning after June 30, 1973, services of teaching physicians would be reimbursed on a costs basis unless:

(A) The patient is bona fide private or;

(B) The hospital has charged all patients and collected from a majority on a fee-for-service basis.

For donated services of teaching physicians, a salary cost would be imputed equal to the prorated usual costs of full-time salaried physicians. Any such payment would be made to a special fund designated by the medical staff to be used for charitable or educational purposes.

20. Advance approval of ECF and home health coverage

The bill authorizes Secretary to establish, by diagnosis, minimum periods during which the posthospital patient would be presumed to be eligible for benefits.

21. Termination of payment to suppliers of service

Under the bill the Secretary would be authorized to suspend or terminate medicare payments to a provider found to have abused the program. Further, there would be no Federal participation in medicaid payments which might be made subsequently to this provider. Program review teams would be established in each State to furnish the Secretary with professional advice in discharging this authority.

22. Elimination of requirement that States move toward comprehensive medicaid program

The bill repeals Section 1903(e) which required each State to show that it was making efforts in the direction of broadening the scope of services in its medicaid program and liberalizing eligibility requirements for medical assistance.

23. Elimination of medicaid maintenance of effort

The bill repeals Section 1902(d). Under Section 1902(d) a State could not reduce its aggregate expenditures for the State share of its medicaid program from one year to the next.

Effective date: Enactment.

24. Determination of reasonable cost of inpatient hospital services under medicaid and maternal and child health programs

The bill would allow States, with the advance approval of the Secretary, to develop their own methods and standards for reimbursement of the reasonable costs of inpatient hospital services. Reimbursement by the States would in no case exceed reasonable cost reimbursement as provided for under medicare.

25. Customary charges less than reasonable costs under medicare

Effective for accounting periods beginning after December 31, 1972, the bill provides that reimbursement for services under medicaid and medicare cannot exceed the lesser of reasonable costs determined under medicare, or the customary charges to the general public. The provisions would not apply to services furnished by public providers free of charge or at a nominal fee. In such cases reimbursement would be based on those items included in the reasonable cost determination which would result in fair compensation.

26. Coverage of chiropractic services under part B of medicare

The bill broadens the definition of the term "physician" in title XVIII to include a licensed chiropractor who also meets uniform minimum standards to be promulgated by the Secretary.

The services furnished by chiropractors would be covered under the program as "physicians' services," but only with respect to treatment of the spine by means of manual manipulation which the chiropractor is legally authorized to perform. Claims for such treatment must be verifiable with a satisfactory X-ray indicating the existence of a subluxation of the spine.

The amendment would become effective with respect to services provided on or after July 1, 1973.

27. Chiropractors' services under medicaid

The bill conforms the coverage of chiropractic under medicaid with the provisions conditioning eligibility of such services included in the amendment adding chiropractic coverage to Part B of medicare except for the requirement that an X-ray show the existence of a subluxation.

III. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

The bill would replace the present State programs of aid to the aged, blind, and disabled, effective January 1, 1974, with a new wholly Federal program of supplemental security income.

National supplemental security income; disregard of social security or other income

Under the bill, aged, blind, and disabled persons with no other income would be guaranteed a monthly income of at least $130 for an individual or $195 for a couple. In addition the bill would provide that the first $20 of social security or any other income would not cause any reduction in supplemental security income payments.

As a result, aged, blind, and disabled persons who also have monthly income from social security or other sources (which are not need-related) of at least $20 would, be assured total monthly income of at least $150 for individual or $215 for a couple.

Earned income disregard

In addition to a monthly disregard of $20 of social security or other income, there would be an additional disregard of $65 of earned income plus one-half of any earnings above $65. This will enable those aged, blind, and disabled individuals who are able to do some work to do so and in the process give them a higher income in addition to supplemental security income.

In addition, as under present law, any income necessary for the fulfillment of a plan for achieving self-support would be disregarded for persons qualifying on the basis of blindness. A savings clause would assure that blind persons would not receive any reduction in benefits due to these provisions.

Definitions of blindness and disability

Under present law each State is free to prescribe its own definition of blindness and disability for purposes of eligibility for aid to the blind and aid to the permanently and totally disabled.

Under the new supplemental security income program, there would be a uniform Federal definition of "disability" and "blindness."

The term "disability" would be defined as "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months." This definition is the same as that now used in the Social Security disability insurance program.

The term "blindness" would be defined as central visual acuity of 20/200 or less in the better eye with the use of correcting lenses. Also included in this definition is the particular sight limitation which is referred to as "tunnel vision."

A blind or disabled person who was on the rolls in December 1973 and met the State definition for blindness or disability as defined in the State plan in effect October 1972 would be considered blind or disabled for purposes of this title so long as he continues to be blind or disabled.

No disabled person would be eligible if the disability is medically determined to be due solely to drug addiction or alcoholism unless such individual is undergoing appropriate treatment, if available. Payments for addicts or alcoholics would only be made to third parties as protective payments.

Other Federal eligibility standards

Eligibility for supplemental security income would be open to an aged, blind or disabled individual if his resources were less than $1500 (or $2250 for a couple). In determining the amount of his resources, the value of the home (including land surrounding home), household goods, personal effects, including an automobile, and property needed for self support would, if found to be reasonable, be excluded. Life insurance policies would not be counted if the face value of all policies was less than $1,500. (Current recipients under State programs with higher resource limits would retain their eligibility.)

State supplementation

States wishing to pay an aged, blind or disabled person amounts in addition to the Federal supplemental security income payment would be free to do so. The bill would permit States to enter into agreements for Federal administration of State supplemental benefits. Under these agreements supplemental payments would have to be made to all persons eligible for Federal supplemental security income payments except that a State could require a period of residence in the State as a condition of eligibility.

Ineligibility for food stamps

Individuals in the Supplemental Security Income program would not be eligible for food stamps or surplus commodities.

Savings clause

The bill provides no direct Federal participation in the costs of State supplemental payments. However, a savings clause is included under which the Federal Government would assume all of a State's costs of supplemental payments which exceed its calendar year 1972 share of the costs of aid to the aged, blind, and disabled. This savings clause would apply only to State supplementation needed to maintain the State's assistance levels in effect as of January 1972. The savings clause would, however, also cover an upward adjustment over the January levels to the extent necessary to offset the elimination of food stamp eligibility.

Medicaid coverage

Under present law, the States are required to cover all cash assistance recipients under the medicaid program. The bill would exempt from their requirement newly eligible recipients who qualify because of the new provision for a $130 minimum benefit with a disregard of $20 of social security or other income.

Social services

States would be authorized to continue programs providing social services to aged, blind, and disabled persons. These services are currently provided under the welfare programs for the aged, blind, and disabled which would be replaced by the new Federal supplemental security income program. There would be 75 percent Federal matching for the services provided, subject to the overall limitations established by the State and Local Fiscal Assistance Act.

AMENDMENTS TO PRESENT LAW FOR AID TO AGED, BLIND, AND DISABLED PERSONS (EFFECTIVE UNTIL ASSISTANCE JANUARY 1, 1974):

Separation of social services not required

Separation of social services and eligibility determination is specifically not required.

Cost for providing manuals

At its option, the State may require a change for reasonable cost of providing manuals and other policy issuancees.

Appeals process

The bill provides that the decision of the local agency on the matter considered at an evidentiary hearing may be implemented immediately.

Absence from State for 90 days

The bill provides that the State may make any person ineligible for money payments who has been absent from the State over 90 consecutive days until such person has been present in the State for 30 consecutive days in the State during such period or 90 days in the case of any other individual.

Rent payments for public housing

Permits the States, if they elect to do so, to make rent payments directly to a public housing agency on behalf of a recipient or a group or groups of recipients.

Safeguarding information

The bill permits the use or disclosure of information concerning applicants or recipients.

Passalong of social security increases

Present law requires State programs of aid to the aged, blind, and disabled to assure that the total income of recipients who also get social security are at least $4 higher as a result of the 1969 social security benefit increase. The bill would add an additional $4 "passalong" related to this year's 20 percent social security increase and would make both "passalong" provisions applicable until January 1974.

IV. CHILD WELFARE SERVICES AND SOCIAL SERVICES

Grants to States for child welfare services (including foster care and adoptions)

The committee adopted an amendment increasing the annual authorization for Federal grants to the States for child welfare services to $196 million in fiscal year 1973, rising to $266 million in 1977 and thereafter. For fiscal year 1973, this is $150 million more than the $46 million which has been appropriated every year since 1967. It is anticipated that a substantial part of any increased appropriation under this higher authorization will go toward meeting the costs of providing foster care which now represents the largest single item of child welfare expenditure on the county level. The bill, however, avoided earmarking amounts specifically for foster care so that wherever possible the State and counties could use the additional funds to expand preventive child welfare services with the aim of helping families stay together and thus avoiding the need for foster care. The additional funds can also be used for adoption services, including action to increase adoptions of hard-to-place children.

Social services

Provides a saving provision to the limitation on expenditures for social services contained in the State and Local Assistance Act of 1972 so that States for the first quarter of fiscal 1973 will be reimbursed as they would have been under previous laws. This saving provision would be applicable only to the extent that the resultant Federal funding for this quarter does not exceed $50 million.

CODELL CONSTRUCTION CO., WINCHESTER, KY.

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, one of the most active and successful construction firms in Kentucky has been owned and managed by one family, the Codells, of Winchester, Ky., for 64 years. A most interesting story about the Codell Construction Co., of which Mr. J. C. Codell, Jr., is now president, appeared in the publication, Big, published by the Goodyear Tire & Rubber Co., entitled, "Codell Construction Likes To Take on the Tough Ones." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CODELL CONSTRUCTION LIKES TO TAKE ON THE TOUGH ONES

(By Terry McConnell)

Sixty-four-year-old firm is currently engaged in four major jobs—two highways, one rail bed, one dam—in Indiana and its home state of Kentucky.

James C. Codell, Jr. started out the hard way. And he has enjoyed doing things that way ever since.

"I joined the firm in 1930 as a water boy," the 52-year-old head of the Codell Construction Co. of Winchester, Ky., recalls.

Grinning, he adds: "And it was a drought year."

The fact that he was joining a well established grade and drainage contracting firm, founded 23 years earlier by his father, cut little ice and less rock.

The senior J. C. Codell was a firm believer in bringing a man up through the ranks, his son included. His belief established a tradition that is still being carried on in the now third-generation company, among the oldest and largest of its kind in the state.

This is not to say that Codell would automatically pick the hard way. The fact is, there's simply no easy way to do what his company does best.

"We specialize in tough jobs," he says. "Jobs that nobody else wants. When we see a complicated job that requires some extra ingenuity to make it pay, we pull a superintendent off another job to look it over with the engineers and estimators. Then we bid it."

The system apparently works well: during the first seven months of 1971 Codell was successful on a phenomenal 10.9% of jobs bid, to the tune of $13 million in new-construction business.

The secret? Codell sees it this way:

"Any damn fool can figure out how much something will cost. This business is ingenuity and know-how—the kind of imaginative innovation that comes from a close flow of ideas among superintendents and engineers."

He might add: and the kind of combined construction and engineering expertise that is a natural result of promoting key personnel through the ranks.

The younger generation of Codells is coming up the same way their father did. James C. Codell, III, at 30, is executive vice president of the company. But he got there a rung at a time: first as laborer; then foreman, superintendent—and finally to the executive level.

Another son, 27-year-old Hagan Codell, is assistant general superintendent. David Codell, 20, a student at Transylvania University, Lexington, Ky., plans an engineering future.

"We see the difficult jobs differently from our competition." Codell says. "We're optimists. And we've got the faith in our men to be able to out-plan and out-scheme our competitors."

He admits that the "I can, I can" approach can lead to an occasional bad scare.

"But that's the challenge of this business," he says, "—coming out on the close ones."

The Codell Company has a way of "coming out," even if it has to build a mountain to do it. And that actually happened one time. It was this way:

The firm was low bidder on a highway relocation job near Wellsville, O., with $600,000 "left on the table." There were several million yards of rock overhanging the Pennsylvania Railroad's heavily traveled main line between Pittsburgh, Pa., and Columbus, O. The rock had to be drilled, shot and disposed of without interrupting the railroad's operation.

There was no easy way to do it—no obviously easy way, that is.

"Other bidders were sure we had made a serious mistake," Codell said. "But we've found that a 'mistake' in judgment or calculation is the only way you *can* get a job in this business!"

The grin again: "Of course, the mistake is only in the eyes of the competition. What we did was to devise an elaborate system of haul roads over the top of a nearby mountain, purchase disposal rights in an adjacent valley, and build ourselves a mountain with the waste."

The "mistake" turned out to be a very profitable job. To Codell, it wasn't a problem. It was just a "challenge".

The ability of the Codell team to meet such challenges is attested by the fact that the company has ranked well up in *Engineering News Record's* "Top 400" list of U.S. contractors each of the eight years this list has been published.

The firm is licensed to bid in 18 states. Currently, it has four major jobs underway, all overseen by General Superintendent John B. Callaway, a 43-year Codell veteran. One of these jobs is the rock-fill, earth-core Laurel River Dam near London, Ky.—an $11-million, 50–50 effort with Oman Construction Co., Nashville, Tenn. (See BIG, Vol. 27, No. 1). The two firms will soon team up again on a $2-million railroad to U.S. Steel mines near Harlan, Ky.

Of the three other major jobs, two are in the Blue Grass state, one just across the Indiana border.

The most spectacular of the three is a Martin County, Ky., railroad job. There, 250 Codell men and their machines are blasting and biting their way through 24 miles of rugged Eastern Kentucky mountains, with a Norfolk & Western track-laying train not far behind.

The project will open the Martin County coal fields, providing the Massey Coal Compay and Island Creek Coal Company with modern rail service. The job was let in four separate contracts, three of which were won by Codell.

The contracts involve three eight-mile sections, each under the eye of a different Codell superintendent. Section 1, leading west from the N&W mail line, is bossed respectively by Ray Stanfield, a leathery 31-year Codell veteran. Hagan Codell, who has worked for the family firm for 7 years, was in charge of Section 2 prior to being named assistant general superintendent.

The first two sections lead to a 1,500-foot tunnel being cut by another contractor. On the other side of the mountain is Codell's Section 4, together with eight more miles of rail bed and the west portal of the tunnel. Another Codell veteran, Grant Hamblin (20 years with the firm), is superintendent of this final section.

Codell's other Kentucky job is a $7-million highway project in Bell County, where a five-mile stretch of old U.S. 25E is being widened to four lanes. Just under three million yards are involved, including wasting a half-million yards going into the Cannon Creek Dam. Codell's job includes four bridges, two spanning the L&N Railroad and two Yellow Creek.

As usual on a Codell contract, the job had its share of built-in challenges. Said Superintendent James F. Brantley: "We had to shoot eight, 10 and sometimes 20 thousand yards of shale a day, much of it directly over a Louisville & Nashville Railroad tunnel, and at the same time maintain car traffic along existing 25E."

Codell's major out-of-state operation is another highway bed preparation job, this one an 8½-mile section of Interstate 64 in Harrison and Floyd counties in Indiana. It's primarily an earthmoving, grading and draining job; heading it up is superintendent Roy (Scotty) Miller, a 31-year man with Codell.

Here, too, Codell planners anticipated a challenge that could spell the difference between profit and loss on the $5.6-million project. But this time it was to be an unknown all the way down the line: weather.

Codell estimators checked the records, and expected the more-than-ample rainfall typical of southern Indiana. But what they actually got was rain of almost Biblical proportions. In the four months of May to August of 1971, the 100-man crew was able to work only three full weeks. The rest of the time was spent working a few days here, a few nights there, and—for the most part—watching the rains churn the site into an 8½-mile river of Indiana mud.

Unanticipated, the weather would have made a disaster out of the contract. As it is, however, the company is on schedule and expects to complete the job well within the contract terms.

Jim Codell ranks equipment cost control as a major whetstone for sharpening the company's profit edge.

Our equipment represents a $10-million investment," he points out. "The best way we can protect that investment is to know exactly when any piece is ready for replacement."

The company computerized six years ago, launching an intricate cost-control program under the direction of Charles Kindred, a 20-year Codell man who now heads the Data Processing department. Data on each new piece of equipment is fed into the computer the day it is delivered. Up-to-date information goes in each month, for as long as the equipment wears the Codell yellow paint.

At a moment's notice, the computer department can retrieve and compile detailed, current reports on the status of any given equipment, broken down into hours worked; hours down; per cent of availability; per-hour cost of tires, tracks and repairs; and a host of additional data.

With this information, it's easy for the company to make an appraisal, comparing the figures with experience-rated life spans. The human element is not removed ("We still trade when we get a good deal"), but guesswork is eliminated.

In its 64 years, Codell has engaged in virtually every kind of construction that requires the moving and shaping of rock and earth. But since 1908, when Jim's father won his first rail, contract, the railroads have been the firm's bread and butter.

A favorite memento in the company's executive offices is a faded yellow railroad contract, dated 1917, let by the Virginia Railroad Co., now a part of the Norfolk & Western line for which Codell is building the Martin County route.

The Codells are traditionally community-minded, contributing heavily to schools, hospitals, churches and other good works. Their reputation as "do-ers" has made the Codell office a natural first stop for anyone in the community who wants to launch a beneficial project. It's well known that when the Codells are behind it, success is almost certain.

The Codell family home is a landmark of the Winchester area: a 1,500-acre working farm in the heart of the Blue Grass country. As unusual feature of the farm is a steel hangar and lighted runway—base for the company's new Merlin III propjet and a Helio Courier. Jim Codell and other company personnel log approximately 500 hours annually on the Merlin, as they use it for bidding and inspecting trips. The STOL-equipped (Short Take-Off and Landing) Helio Courier earns its way by making emergency on-site deliveries of parts (it can take off and land on less than 150 feet of level ground), and by providing quick hops to construction sites for over-all supervisory personnel.

The Codell Construction Company is a family business, but the "family" is not limited to blood lines. Of 750 employees, 160 have been with the company more than three years. Two generations of one family are often working side by side. Evident in each is a personal interest in and devotion to the firm.

And each employee knows he has a share in the things that make running a difficult business worthwhile to Jim Codell: the pride and satisfaction he feels when he can look at a completed job and say: "We did that"

HON. B. EVERETT JORDAN

HON. HOWARD W. CANNON

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. CANNON. Mr. President, an impressive legislator is leaving national service after 15 years of dedicated public service. He is my longtime colleague and personal friend, B. Everett Jordan of North Carolina. As a member of the Committee on Rules and Administration under the leadership of Senator Jordan, I have had a great opportunity to know the man and his work well.

I have long admired Everett for his tremendous capacity for hard work, his dedication to his Nation and State and his unfailing courtesy toward all who work and associate with him.

Much valuable legislation, including the Federal Elections Campaign Act, came to fruition in great part due to his great interest and tireless efforts.

His service on the Public Works Committee led to some excellent environmental legislation, which included the Federal Water Pollution Control Act of 1970 and strengthening of the National Air Quality Standards Act.

It is for these reasons that Senator Jordan's work in the Senate and for his constituents have endeared him to all throughout the years. He has done a great job. His colleagues and the Nation will miss him.

The Daily Times News of Burlington, N.C., wrote an outstanding tribute to Senator Jordan. With unanimous consent I would like to share it with my colleagues.

There being no objection, the article was ordered to be printed in the Record.

Senator Jordan Achieves Impressive Record of Service

Washington.—Someone else's name will be on Sen. B. Everett Jordan's desk when the 93rd Congress opens for business on Jan. 3.

He will once again be a private citizen after nearly 15 years on Capitol Hill.

There is already clear evidence, however, that his departure from the legislative arena is going to leave a void that his replacement will find extremely hard to fill.

The record speaks for itself as it reflects the stature the North Carolina lawmaker had attained in the Senate since coming to Washington—19th ranking Democrat, chairman of the Committee on Rules and Administration, second-ranking member of the Public Works Committee and third-ranking member of the Agriculture Committee.

The same record shows that during his final year he served as chairman of more legislative committees and subcommittees and joint and selective committees in combination than did any other of the 535 members of the Senate and House.

No other member of Congress can lay claim to Jordan's distinction of having been named chairman of the Joint Committee on Inaugural Ceremonies in three consecutive Presidential election years.

Still another hallmark of the final phase of the North Carolinian's Senate career was the start of construction on the James Madison Memorial and Library of Congress Annex—a multimillion dollar project authorized by legislation which he sponsored and planned by a coordinating committee for which he served as chairman.

TRIBUTES

It remained, however, for colleagues with whom he has served to provide the most convincing proof of how high he ranks with them both as a man and as a legislator and the degree to which he will be missed by those fellow Senators.

The pages of the Congressional Record were laced with personal tributes to him during the days immediately prior to adjournment and they covered the whole spectrum of the Senate—Republicans as well as Democrats, liberals as well as moderates and conservatives, and Senate leaders as well as rank-and-file members.

The words of the tributes varied.

Some cited his kindness, compassion and capacity for friendship and understanding.

Others spoke of his integrity, sound judgment and sense of dedication.

His legislative accomplishments, particularly in the fields of agriculture and public works, and his contributions to effective and efficient Senate operations in his capacity as chairman of the Rules Committee, came in for prominent mention.

If the words differed, though, the message was the same. It was an expression of admiration, respect and even warm affection for Everett Jordan from people who wanted him to know how they felt.

Just as significant was a happening of a few days before the end of the session. On the night of Oct. 12 Sen. Ernest Hollings decided to stage a reception in Jordan's honor.

Since it appeared then that Congress might adjourn sometime on the 14th, the night of the 13th was the only available time.

It took until noon of that day to make arrangements and get notes out to senatorial offices, and the remainder of the invitations had to be made by telephone.

MANY EXPRESSIONS

Even so, there were at least 250 guests there to greet the honoree and Mrs. Jordan. A good half of the Senate members were on hand at various times, shuttling between the reception room and the floor where a night Senate session was still in progress.

Typically, even Jordan did some shuttling in order not to miss any of the roll call votes.

He was just as faithful in his attendance right up to adjournment night, even though some of the sessions during the final week ran to midnight or later.

Walking briskly into the office before 9 a.m. the morning after one of those sessions he remarked cheerily to an aide that "it takes us young folks to stand up to that kind of hours."

BILLS PASSED

When adjournment finally came on the night of Oct. 18 Jordan could, notwithstanding his primary defeat, look back with pride and satisfaction at a year in which seven bills he had introduced and 11 others of which he was a co-sponsor had been signed into law.

Probably the best-known of the measures on the list which he co-sponsored was the Federal Elections Campaign Act devised jointly by his Senate Rules Committee and the Senate Commerce Committee as a means of limiting campaign spending and requiring fuller reporting of contributions and expenses.

The bill which could conceivably, in the long run, be the most important measure of his career is one known as the Technology Assessment Act.

Its purpose, in simple terms, is the creation of an Office of Technology Assessment staffed with experts equipped to advise Congress on legislation involving complex technical or scientific factors and on the impact which can be anticipated from adoption of such measures.

Jordan's view in proposing that measure was that in dealing with the complicated issues of space-age living Congress needs the best information it can possibly get "and the bill in question proposes a way for it to be provided when and in the way it is needed."

Other measures on the Jordan introduction or cosponsor list cover a wide range of subjects ranging from water pollution control and a study of the Great Dismal Swamp to designation of Depository libraries (the N.C. Supreme Court Library being the first so tagged), amendment of public building regulations, increased compensation for (disabled) veterans and provision for rural development.

ANOTHER ASSIGNMENT

Even though his legislative work ended with congressional adjournment, Jordan still has one more Senate assignment to complete before his term expires. He has been named by Majority Leader Mansfield as a representative to a meeting of the North American Treaty Organization in Bonn, Germany, in mid-November, a mission for which he was selected on the basis of his long experience as vice-chairman of the U.S. delegation to the Interparliamentary Union.

Presumably that will complete his Senate work, but those who know Everett Jordan best are convinced that he will be just as eager to work for the good of North Carolina and the country at the end of his Senate career as he was at the beginning.

REPORT ON SUBCOMMITTEE ON AIR AND WATER POLLUTION ACTIVITY IN THE 92D CONGRESS

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. MUSKIE. Mr. President, the Subcommittee on Air and Water Pollution, which I chair, is responsible for legislation and oversight in the Committee on Public Works relating to air and water pollution, solid waste management and resource recovery, control of noise and other matters affecting the environment. During the 92d Congress, the subcommittee produced major new laws in the areas of water and noise pollution and devoted considerable time to oversight of Federal efforts to control air pollution and solid waste which were undertaken pursuant to laws passed in 1970.

In 1972, the subcommittee held 24 days of public hearings and participated in 10 executive sessions relating to subcommittee matters. Members also participated in 39 conference committee sessions with Members of the House of Representatives. In 1971, the subcommittee held 25 days of public hearings and participated in 46 executive sessions relating to subcommittee matters.

It is clear from both the oversight hearings and the resistance encountered with respect to new laws—particularly the President's veto of the new water pollution control legislation—that the environmental honeymoon has long since passed. Entrenched opposition to the kind of public regulation, enforcement and investment that is necessary for meaningful environmental protection and improvement has surfaced in both the public and the private sectors, and continued vigilance is vital if we are to insure continued progress.

CLEAN AIR ACT OVERSIGHT

The necessity of this vigilance became evident during the subcommittee's oversight hearings on air pollution.

The oversight activity began February 16, 1972, and included 12 days of hearings in Washington, one field hearing in Los Angeles, Calif., on March 25, and an executive session on June 2 at which representatives of the Environmental Protection Agency discussed potential criminal violations by the auto companies in implementing the Clean Air Act.

The hearings were divided into two stages. The first stage examined implementation of title I, which requires the development of State implementation plans to assure that primary air quality standards are met by 1975—guaranteeing air quality which will protect the public health—and that secondary air quality standards—guaranteeing air quality that will protect the public welfare—are met by a reasonable time thereafter. Title I also establishes uniform national standards for performance of new stationary sources of air pollution and for air pollution from hazardous substances. In regard to title I, testimony at the hearings and staff investigations indicated that:

First. Officials at the White House, the Office of Management and Budget, and the Department of Commerce—working through its National Industrial Pollution Control Council—assumed a major role in developing and revising key guidelines relating to the Clean Air Act. The hearings produced a flow chart—repudiated by EPA—which showed that OMB, rather than EPA would be responsible for final review of State implementation plans. In addition, testimony indicated that the NIPCC reviewed EPA guidelines before they were made public, that members of NIPCC commented on EPA guidelines during the public review stages, and that NIPCC had a third opportunity to review, comment on, and revise EPA guidelines after the public review period had closed. Subsequent investigations indicate that OMB has delayed issuance of guidelines relating to hazardous substances since the spring of 1972, with the result that, nearly 2 years after enactment of the Clean Air Act, no action has been taken to control air pollution from such dangerous substances as asbestos. The final publication of standards relating to lead in gasoline, originally proposed in February 1972, also has been delayed.

Second. The specific requirement of the Clean Air Act that emission limitations be imposed on industrial polluters as an element of the control strategy of State plans was ignored. Instead, EPA was allowing a "closed loop" control strategy favored by industrial polluters. This strategy, State and local witnesses testified, was one which made it very difficult to monitor performance and enforce clean air standards. During the hearings, a smelter in El Paso, Tex., was singled out by industry witnesses as the most successful "closed loop" system. Subsequently, it was revealed that air pollution from this El Paso smelter was causing very serious lead pollution problems in the El Paso community. As of this date, EPA has not published guidelines relating to "closed loop" emission control systems.

Third. Clear legislative history and the administration's own guidelines under the 1967 Clean Air Act, which prohibited degradation of air quality in areas with air cleaner than the standards, were being ignored and degradation was being permitted. In effect the Clean Air Act, which Congress intended as a device to achieve cleaner air, was being interpreted as a license to make clean air dirtier up to certain maximum levels. Though EPA defended this interpretation, a U.S. district court and a court of appeals have ruled that EPA was wrong and that the Clean Air Act did prohibit degradation of clean air.

Fourth. At the direction of the Office of Management and Budget and the National Industrial Pollution Control Council, EPA had revised its guidelines to allow consideration of cost effectiveness by States in developing regulations to protect public health, despite clear legislative history that public health not be sacrificed to short term cost considerations. Several witnesses testified that this changed interpretation resulted in heavy pressure by industries against States which desired to adopt strict control regulations.

Fifth. Major Federal leadership was urgently needed in developing new technology to control air pollution from stationary sources—particularly sulfur oxide pollution from coal-burning electric powerplants. However, this Federal leadership appeared to be lacking because the administration planned to spend only about one-fourth of the amount authorized by Congress for research. Research efforts in some areas, including sulfur oxide control, were actually being curtailed, although there was no evidence that techniques had been developed and perfected to the point where they could be readily marketed to solve the air pollution problems.

Subsequent to the hearings, the Environmental Protection Agency reviewed and approved most of the State plans for achieving primary air quality standards in the five air pollutant categories for which EPA had published standards. In most instances where the States, as allowed by the law, requested extensions of the 1975 deadline for achieving primary air quality standards, the extensions were granted despite the fact that most States requesting the extensions appeared to have made little effort to achieve desired levels of air quality through land use or transportation controls. These controls were suggested in the Clean Air Act as devices to improve air quality where controls of individual emissions, by themselves, were not adequate.

The second phase of the hearings concerned title II, the provisions of the Clean Air Act establishing emission control standards for motor vehicles, including requirements for a 90 percent reduction of carbon monoxide and hydrocarbon emissions by 1975 and a 90 percent reduction of nitrogen oxide emissions by 1976. While the hearings were in progress, EPA denied the automakers' request for a 1-year extension of the 1975 emission control standards. The hearings and staff investigations indicated that:

First. Technology appeared to be available to meet the 1975 air quality standards despite a study by the National Academy of Sciences which indicated to the contrary. During testimony, witnesses from the NAS admitted that their study was based primarily on data supplied from the auto industry. Subsequent to the hearing, manufacturers of three automobiles, Mercedes Benz, Mazda, and Honda, have indicated that their cars will meet the 1975 standards.

Second. EPA had determined that they would not allow the auto industry to gain certification of cars as meeting the standards through "averaging" of vehicles, allowing some to be produced that were below the standards and if replacement of elements of the emission control system was required before the end of the useful life of the car, these replacements would be made at no additional cost to the auto owners—that is the cost would have to be included in the purchase price of the car. Auto industry executives had termed these two points "major concessions" which if granted would make it much easier for them to meet the 1975 standards.

Third. Many of the cost figures for meeting the 1975 standards which were being discussed were grossly inflated over actual cost and represented "sticker price" or "retail price" which included sizable markups in price over the actual cost to the manufacturer or the real cost at which cars would be sold to consumers.

Fourth. Emission control devices currently receiving most attention by American manufacturers might result in less efficient use of gasoline and some reduction in performance over current models. One study of catalytic converters discussed at the hearing, however, had indicated no substantial reductions in performance or fuel mileage.

Fifth. The Ford Motor Co. announced that it had performed unauthorized maintenance in testing of its 1972 and 1973 model year prototypes and that this maintenance had not been reported to EPA with vehicle certification requests, thus violating provisions of the Clean Air Act. As of this date no civil or criminal action has been taken against the Ford Motor Co. or any Ford employees in connection with the violations of the act.

Sixth. A study by the General Accounting Office, done at the request of the subcommittee, indicated that EPA procedures for overseeing certification of new motor vehicles were woefully inadequate and that, principally because of inadequate funding, the EPA test facility was only utilized to one-third of capacity, there were no in-plant inspections of manufacturers' testing activities, and only 17 EPA employees were assigned to monitor testing and certification relating to 52 auto companies and hundreds of different models of cars.

Seventh. The 1-year limit on vehicle certifications imposed by the Clean Air Act had been ignored by 10 auto companies with the consent of the Environmental Protection Agency.

Eighth. Because of the inadequacy of EPA test procedures, auto manufacturers had been able to rig their automobile emission control devices to pass the tests but at the same time fail to work under many normal driving conditions.

RESOURCE RECOVERY ACT OVERSIGHT

The subcommittee also held oversight hearings during the 92d Congress on the Government's response to the Resource Recovery Act and found that inaction and misdirection have forestalled any significant progress in the area of solid waste management and resource recovery.

A field hearing in San Diego on August 23 and other investigations by the subcommittee staff indicated that major changes in the current solid waste program appear to be necessary if the Federal programs dealing with the solid waste management problem are to have any degree of success. The hearings and investigations indicated the following:

First. The mandate of the 1970 Resource Recovery Act that Federal policy change direction from emphasizing disposal to emphasizing recycling and resource recovery has been almost entirely ignored in implementation of the act.

Second. Sites for future land disposal of solid waste are increasingly difficult to find.

Third. Current Federal policies relating to taxes, freight rates, public lands management, and other economic influences strongly favor disposal after first use of raw materials rather than recycling and reuse of once-used materials.

Fourth. Federal regulation of products to reduce the volume of solid waste before the point of disposal is probably necessary, particularly in the area of packaging.

Fifth. There is significant citizen awareness of the need to engage in better solid waste management practices, but this is accompanied by frustration at limitations on the availability of recycleable and reusable products and potential markets for goods and materials which can be recycled.

WATER POLLUTION LEGISLATION

Final enactment of the Federal Water Pollution Control Act Amendments of 1972 was the subcommittee's most important achievement. During 1972, subcommittee members met in 39 conference committee sessions with representatives of the House Committee on Public Works. This was preceded in 1971 by 33 days of public hearings and 45 executive sessions of the subcommittee and the committee on the water bill. Thus, subcommittee members met a total of 117 times in developing the most comprehensive water-pollution legislation ever enacted.

On September 14, 1972, the conferees reached agreement. Both Houses of Congress agreed to the conference report on October 5—the Senate by a margin of 74 to 0.

The water pollution bill was vetoed by the President on October 17, but the veto was overridden by a 52-to-12 margin in the Senate and a 247-to-23 margin in the House, and the water pollution bill was enacted into law as Public Law 92–500.

Key provisions of the new law relate to:

POLLUTION DILUTION

The law specifically bans pollution dilution as an alternative to waste treatment, although stream flow augmentation is recognized as a useful means of reducing the environmental impact of runoff from nonpoint sources.

INPLACE POLLUTANTS

Because of the rigorous nature of the test to be applied to any application for a permit for the disposal of dredged soil, the law provides for a program to assure that the economic base of Great Lakes harbors would not be disrupted by environmental requirements. The law intends that a major effort be put forth to remove inplace pollutants, especially toxic pollutants, from harbors in the Great Lakes and that material be disposed of in a manner which shall assure minimal environmental impact.

CONSTRUCTION GRANTS

The law authorizes $18 billion for fiscal years 1973 to 1975 for 75-percent Federal grants to communities through contract authority for construction of sewage treatment facilities. This provision also authorizes grants for the reconstruction of existing sewage collection systems and the installation of new collection systems in existing communities but not new communities. Priority on the distribution of funds made available is to be given to the construction of needed waste treatment facilities.

The removal of a requirement in the previous law that a State participate in each project in order to receive a higher level of Federal assistance should provide the States with more flexibility in the distribution of limited funds.

The new law changes the financing method to a contract authority approach with contract obligations later fulfilled by appropriations. This way the States and communities are assured an orderly flow of Federal payments. This should in turn result in substantial savings and efficiency.

The law provides for reimbursement to those agencies—including States, municipalities and intermunicipal agencies—which have continued with their water pollution control construction program but which did not receive the full amount of Federal contributions.

The $2.75 billion authorized for this purpose is intended to place all States and cities on an equal basis and to redress any discrimination that may have existed in prior programs against those larger municipal agencies which were unable to take full advantage of the Federal sharing programs in effect at various times since the inception of the program.

AREA WASTE TREATMENT MANAGEMENT

The law requires the development of areawide waste management plans with statewide planning, either through a regional process in a designated area or by the State for areas outside of designated regions. There must be a waste management planning process within 1 year after enactment, and initial plans must be filed with the Administrator within 2 years after that process is initiated. Waste management agencies must be designated covering the entire area of the State. More than one management agency may be designated in any planning region, and existing entities, including local governments or the State itself, are to be utilized where appropriate.

EFFLUENT LIMITATIONS

A two-phase program is established for the application and enforcement of effluent limitations. The first phase requires point sources to achieve that level of effluent reduction identified as "best practicable control technology" no later than July 1, 1977; the second phase requires the application of "best available control technology" by July 1, 1983.

In defining "best practicable" for any given industrial category, the Environmental Protection Agency is expected to take a number of factors into account. These factors should include the age of the plants, their size, the unit processes involved, and the cost of applying such controls.

The EPA may interpret "best practicable" to require higher levels of control than any currently in place if it determines that the technology to achieve those higher levels can be practicably applied.

The law requires that implementation plans and compliance schedules in existing water quality standards be adhered to, to the extent that those plans and schedules require compliance no later than July 1, 1977, and to the extent that they call for a degree of pollution control no less stringent than that defined by "best practicable control technology."

A different test is applied to the Environmental Protection Agency's determination of "best available demonstrated technology." In determining the degree of effluent reduction to be achieved for a category or class of sources by 1983, the EPA may consider a broader range of technological alternatives and should, at a minimum, review capabilities which exist in operation or which can be applied as a result of public and private research efforts.

In making the determination of "best available" for a category or class, the EPA is expected to apply the same principles involved in making the determination of "best practicable"—outlined above—except as to cost-benefit analysis. As to the cost of 'best available" technology, the law intends that, while cost should be a factor in the Environmental Protection Agency's judgment, no balancing test will be required. Also, rather than establishing the range of levels in reference to the average of the best performers in an industrial category, the range should, at a minimum, be established with reference to the best performer in any industrial category.

The distinction between "best practicable" and "best available" is intended to reflect the need to press toward increasingly higher levels of control in 6-year stages. Through the research and development of new processes, modifications, replacement of obsolete plans and processes, and other improvements in technology, it is anticipated that it should be possible, taking into account the cost of controls, to achieve by 1983 levels of control with approach and achieve the elimination of the discharge of pollutants.

INFORMATION AND GUIDELINES

The Environmental Protection Agency must publish guidelines for the establishment of the effluent limitations to be achieved by categories and classes of point sources—other than publicly owned treatment works.

EPA is expected to be precise in the guidelines so as to assure that similar point sources with similar characteristics, regardless of their location or the nature of the water into which the discharge is made, will meet similar effluent limitations.

However, EPA may modify any effluent limitation based on "best available technology" to be achieved by July 1, 1983, with respect to any individual point source, upon a showing by the owner or operator of such point source that an effluent limitation so modified will represent the maximum use of technology within the economic capability of the operator and will result in reasonable further progress toward the goal of the elimination of the discharge of pollutants.

The law clearly contemplates that the decisionmaking responsibility, as in the Clean Air Act, on guidelines and regulations to be published under this act rests, unless otherwise specified, with the Administrator of EPA and not such other agencies as the Office of Management and Budget and the National Industrial Pollution Control Council. EPA regulations and guidelines are not to be reviewed by these and other agencies prior to their promulgation except on the same basis as review and comment by members of the public. OMB comment and review should thus come in the form of comments available to the public, made during the period for public comment.

NATIONAL STANDARDS OF PERFORMANCE

In order to assure that a reasonable cost test is met, the Administrator must take into account the cost of compliance with any new source performance standards as applied to any category or class of new sources. The law expects that this cost test would be considerably more restrictive than the test which would be applied to "best available technology" because pollution control alternatives are available to a new source which are not available to existing sources.

It may be that in most instances, the technology for elimination of discharge of pollutants from new sources can be achieved on a considerably more reasonable basis than for existing sources. The law intends that this alternative be examined carefully and each determination of standards applicable to any category of new sources be periodically reexamined by the Administrator to insure that any new source constructed does the best that can be done in terms of performance.

TOXIC AND PRETREATMENT EFFLUENT STANDARDS

Each municipal waste treatment plant must, as a condition of a permit for discharge, identify any industrial users of that plant and pretreatment requirements applicable to each industrial user. A violation by the industrial user of pretreatment requirements would be enforceable directly against that user by the EPA.

FEDERAL ENFORCEMENT

EPA is required to issue abatement orders where it finds that any person is in violation of enumerated regulatory requirements of the act.

It is expected, of course, that upon receipt of information giving the EPA reason to believe that a violation has occurred, it has an affirmative duty to take the steps necessary to determine whether a violation has occurred, including such investigation as may be necessary, and to make a finding as expeditiously as practicable.

It is intended that enforcement actions be initiated against both continuous and intermittent violations of effluent limitations as well as against violations of compliance schedules. Because permits are expected to include precise compliance schedules, the Administrator must initiate enforcement action whenever there are delays in such actions as completion of plans and design, letting of contracts, initiation of construction, or the meeting of construction deadlines.

OIL AND HAZARDOUS SUBSTANCE LIABILITY

The law provides that during the first 2 years following enactment, a penalty procedure establishing a liability limit of $50,000 for nonremovable discharges of oil and hazardous substances from vessels and onshore and offshore facilities shall apply. At the expiration of this 2-year period, a modified liability-penalty provision will be implemented. The 2-year period should provide the Administrator with ample opportunity to designate those substances which are hazardous and cannot be removed, and to establish a penalty level for each.

During the initial 2-year period, the Administrator and affected parties will examine any problems associated with administrative establishment of liability limits. This period will also permit examination of the need for legislation to improve the existing methods of storing, shipping, and handling hazardous substances which cannot be removed from the water.

Prior to the expiration of the 2-year period under which the penalty is operative, and after the maritime industry, the insurance industry, the chemical industry, and appropriate Federal agencies have examined the implications of the modified liability—penalty provision, legislative recommendations should be made to the appropriate committees of Congress as to the needs to improve the capability of vessels to avoid hazardous substance spills. Should new legislation be considered any liability provisions imposed will be reviewed and necessary changes proposed by the Committees on Public Works.

NATIONAL STUDY COMMISSION

The law provides for a study to provide Congress with an independent evaluation of the economic, social, and environmental implications of the regulatory aspects of the legislation.

THERMAL DISCHARGES

Thermal pollutants will be regulated as any other pollutant unless an owner or operator of a point source can prove that a modified thermal limitation can be applied which will assure "protection and propagation of a balanced indigenous population of fish, shellfish, and wildlife."

CERTIFICATION

The certification provision provides that a State water pollution control agency will have an opportunity to determine whether or not effluent limitations established for discharges subject to a section 402 permit will be at least as stringent as any applicable requirements of existing State program. Secondly, a State may attach to any federally issued license or permit such conditions as may be necessary to assure compliance with water quality standards in that State.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

The law provides that the Administrator may review any permit issued pursuant to this act as to its consistency with the guidelines and requirements of the act. Should the Administrator find that a proposed permit does not conform to the guidelines issued pursuant to this act, he shall notify the State of his determination, and the permit cannot issue until the Administrator determines that the necessary changes have been made to assure compliance with such guidelines and requirements. The Administrator is permitted to waive entirely his authority to review permits for certain categories and classes of pollution sources to all States which receive a delegation. The Administrator is also permitted to specify categories and classes for which he will not review for specific States on the basis of the programs which are in existence in those States.

No enforcement action should be taken for failure to have a permit until December 31, 1974. This will provide an adequate opportunity for the Administrator to review and issue or not issue permits for the application pending on the date of enactment or pending as a result of expansion of the program.

Concern has been expressed that the "immunity" provision will cause dismissal of pending enforcement actions under the Refuse Act of 1899. Section 4, the savings provision, provides the following relevant words pertaining to the Refuse Act:

> No suit, action, or other proceeding lawfully commenced by or against the Administrator or any other officer or employee of the United States in his official capacity . . . shall abate by reason of the taking effect of the amendment made by section 2 of this Act.

Without question, it is intended that this provision includes enforcement actions brought under the Refuse Act, the Federal Water Pollution Control Act, and any other acts of Congress.

Additionally, it should be noted that the Administrator may immediately act on pending permit applications. Should he deny a permit to an applicant, enforcement provisions would also be available immediately.

OCEAN DUMPING

The law provides for the Administrator to review any proposed discharge into the oceans prior to the issuance of guidelines under this section and to make a determination whether or not such discharges are in the public interest.

This section regulates the discharge of any pollutants subject to this act from any outfall sewer regardless of where that sewer ends and from any vessel within the 3-mile limit, any other legislation to the contrary notwithstanding. Should the Administrator find that criteria regulating discharges into the territorial sea from vessels established by other legislation are in conflict with this legislation, this legislation prevails.

PERMITS FOR DREDGED OR FILL MATERIAL

The law intends that the Secretary of the Army have the permit-issuing authority with respect to the disposal of dredged spoil. However, the Administrator of the Environmental Protection Agency has three clear responsibilities and authorities.

First, the Administrator has both responsibility and authority for failure to obtain a permit for disposal of dredged spoil or failure to comply with the condition thereon. Enforcement authority is available because discharge of the "pollutant" dredged spoil without a permit or in violation of a permit would violate effluent limitations established by the act.

Second, the Environmental Protection Agency must determine whether or not a site to be used for the disposal of dredged spoil is acceptable when judged against the criteria established for fresh and ocean waters similar to that required under the ocean dumping section of the law.

Third, prior to the issuance of any permit to dispose of spoil, the Administrator must determine that the material to be disposed of will not adversely affect municipal water supplies, shellfish beds and fishery areas—including spawning and breeding areas—wildlife or recreational areas in the specified site. Should the Administrator so determine, no permit may issue.

DISPOSAL OF SEWAGE SLUDGE

The law includes a provision which relates to the disposal of sewage sludge from waste treatment plants. Disposition of sewage sludge—either by dumping sludge on land in such a fashion as to run off into waters or dumping in the ocean in such a manner as would have it returned into territorial waters—in any manner which might affect the inland or coastal navigable waters is prohibited. This provision should, in conjunction with the provision which regulates any ocean dumping inside the 3-mile limit, provide adequate safeguards against immediate threats to the shorelines, beaches and fish, shellfish and wildlife and recreational resources in coastal areas.

EMERGENCY POWERS

Under the law, the Administrator may seek an injunction against any discharge which presents an imminent substantial endangerment to the health of persons, to their economic well-being, or to fish and wildlife. This provision is intended to be a supplement to and not a substitute for the regulatory provisions of the bill.

CITIZEN SUITS

For purposes of the citizen suit section of the law, a citizen is defined as a "person or persons having an interest which is or may be adversely affected." Thus, under the language of the law, a citizen suit may be brought only by those persons or groups which are among those whose interest—whether environmental or economic—is or may be injured by the violation of the act which is the basis of the suit. Citizens seeking to bring an action are required to give appropriate notice and wait 60 days before filing suit to give the appropriate administrative agencies a chance to act.

OTHER AFFECTED AUTHORITY

The law intends to clarify the relationship between the Federal Water Pollution Control Act—FWPCA—and the National Environmental Policy Act—NEPA—and to extend the provisions of NEPA to two activities of the Administrator: the making of grants for the construction of publicly owned waste treatment works and the issuance of permits under section 402 of the FWPCA to "new sources" as defined in the law.

Application of sections 102(2)(C) and 102(2)(D) of NEPA to the making of waste treatment grants requires the Administrator to consider "alternative" methods of waste treatment which may have the beneficial effect of decreasing blind reliance on "secondary treatment" and stimulate more innovative methods of waste treatment. Additionally, the Administrator is required to consider the various "alternatives" described in sections 102(2)(C) and 102(2)(D) of NEPA in connection with the proposed issuance of a permit to a new source.

Further, this provision addresses itself to the authority of Federal licensing and permitting agencies, other than EPA, as relates to effluent limitations and other requirements established pursuant to the FWPCA. EPA is the sole Federal agency specifically charged with comprehensive responsibility to regulate the discharge of pollutants into the waters of the United States, and section 511(c)(2) will ensure that no source of discharge which is in lawful compliance with an effluent limitation established pursuant to the FWPCA will be required to meet a different standard as a condition of a license or permit granted by another Federal agency, such as the Atomic Energy Commission. Such agencies shall accept as dispositive the determinations of EPA and the States; however, nothing in section 511(c)(2) is to be construed to discharge any Federal licensing or permitting agency, other than EPA, from its full range of NEPA to be licensed or permitted.

ENVIRONMENTAL FINANCING AUTHORITY

The law establishes an Environmental Financing Authority—EFA—to assist communities unable to obtain adequate financing to fund the local share of the cost of waste treatment projects assisted by this Act. EFA will cease to exist on July 1, 1975. This termination date was included to permit a complete reevaluation of EFA at any early date.

The law does not intend that EFA come into competition with the private underwriting market, nor should EFA become involved in any circumstances where a community can borrow money on the open market at reasonable rates. EFA is intended only to assist those communities which, after a reasonable attempt to obtain financing in the private market, have been unable to obtain funds needed to construct waste treatment facilities at a reasonable cost.

NOISE CONTROL LEGISLATION

In 1972 the subcommittee also developed the first comprehensive legislation for the control of noise. The subcommittee held public hearings on noise control legislation on March 24 in San Francisco, Calif., and on April 12 and 13 in Washington, D.C. Following the public hearings there were two executive sessions by the subcommittee and six executive sessions by the full committee, culminating in committee's reporting the Environmental Noise Control Act of 1972 on September 19. The noise bill passed the Senate on October 13 and was finally approved by both Houses of Congress on October 18 when the House passed the Senate bill with amendments which the Senate subsequently agreed to.

The version of the act finally approved was a distinct improvement over either the Senate or the House bill. This new law should offer the Nation some protection from the growing onslought of unwanted sounds which threatens to impair the physical and mental well-being of a growing number of Americans.

Key features of this legislation provide for the regulation of manufactured products, aircraft, and interstate carriers. The Administrator of the Environmental Protection Agency is required to identify products which are major sources of noise and which fall into the categories of construction equipment, transportation equipment, any motor or engine, or electrical or electronic equipment, as distinguished from household appliances. He must establish noise emission standards for these products within 24 months after enactment.

Not only must EPA determine the level of noise emissions from a product which will assure that the product's use under varying conditions will not contribute to unacceptable environmental noise levels, EPA must also be assured that noise emission standards for a product will be adequate to protect public health and welfare when that product is used in combination with other products or sources of noise. This will necessitate standards for an individual source of noise which are considerably more stringent than might be required if that product were always to be used alone. In establishing these regulations, the Administrator must take into account the technology which is available to reduce noise.

Additionally, States and local governments retain the right to adopt and enforce controls on environmental noise which are more stringent than Federal product standards, through the licensing, regulation or restriction of the use, operation or movement of any product or combination of products. State and local regulatory agencies will be aided by EPA, which is required to develop and publish information identifying levels of environmental noise at which adverse effects on public health and welfare can be avoided with an adequate margin of safety.

The Environmental Protection Agency is also authorized to initiate a regulatory process to protect public health and welfare from aircraft noise. The Administrator shall conclude within 9 months a study of aircraft noise problems, including the implications and means of achieving levels of cumulative noise around airports, the adequacy of existing noise emission standards and operational controls, and the impact of aircraft noise on public health and welfare. Subsequent to that study the Administrator is required to take the lead on the control of aircraft noise, submitting regulations adequate to protect public health and welfare from aircraft noise and sonic boom. Such regulations must include proposed means of reducing noise in airport environments through the imposition of curfews, the application of noise emission standards on new and existing aircraft and the imposition of flight path alternatives, and controls to increase the load factor on commercial flights or other reductions in the joint use of airports.

Within 30 days, the Administrator of the Federal Aviation Administration shall publish the EPA-proposed regulations as its notice of proposed rulemaking and, within 60 days he must hold a public hearing on the EPA proposal. On the basis of that hearing and after consultation with the EPA, the FAA must publicly accept, modify or reject the regulations contained in the EPA proposal. The FAA Administrator is required, as the result of the hearing process and after consultation with the EPA, to prescribe regulations to implement the proposed or modified recommendations. In summary, both a technological response in the form of emission standards and a regulatory procedure in the form of operational and other airport noise controls must be established.

The Federal Aviation Administration's regulatory responsibility is retained in order to assure technological availability and to ensure air safety. However, the FAA, following the lead of EPA, will be required to promulgate regulations which assure protection of public health and welfare in airport environments even where it is not possible to achieve necessary noise reductions through the application of specific emission controls on engines and aircraft.

The decisions of the Administrator of the Federal Aviation Administration in accepting, modifying, or rejecting the proposals of the Environmental Protection Agency, or in promulgating aircraft noise standards, are subject to judicial review. In addition, any individual can bring suit against the Administrator of the Federal Aviation Administration for failure to perform a duty which is not discretionary. In such a case, the test of the Administrator's action is not whether it is arbitrary or capricious, but whether it is consistent with the express requirements of the act.

The Administrator of the Environmental Protection Agency is also authorized to establish noise emission standards for interstate carriers, including railroads, trucks, and buses. This preemption provision is designed to reduce the impact of conflicting State and local noise controls on interstate carriers. However, the administration is permitted to waive this provision as necessitated by local conditions, to protect the public health and welfare; $21 million is authorized for fiscal years 1973 through 1975 to implement the noise control program.

NATIONAL ENVIRONMENTAL CENTERS

In March of 1971, several members of the committee introduced the National Environmental Laboratory Act of 1971. The bill was designed to establish a national system of environmental laboratories which would provide the needed research and data on environmental pollution. Ultimately, 34 Senators cosponsored this legislation.

Following 6 days of public hearings, the bill, retitled the National Environmental Centers Act of 1971, was reported to the Senate on November 30, 1971, and passed on December 7, 1971. The House did not act on this bill in the 92d Congress.

INTERSTATE ENVIRONMENTAL COMPACTS LEGISLATION

On January 24, the subcommittee held a hearing on a bill to permit establishment of interstate environmental compacts. The bill had previously been reported from the Judiciary Committee. An executive session was held on this bill on February 15 at which time it was reported to the Senate with amendments. The subcommittee amendments which were accepted by the Senate on March 1, 1972, provided assurances that provisions of interstate compacts affecting the environment could be reviewed by Congress, before final adoption, to avoid any adverse implications for the environment. The House did not act on the interstate compacts bill during the 92d Congress.

OTHER ACTIVITIES

In May and June 1971, the subcommittee held 3 days of public hearings into the possibility of economic dislocation resulting from environmental control orders. Testimony at these hearings and subsequent investigations served as the basis for amendments included in the 1972 economic development legislation to protect employees who might lose jobs because of environmental control orders and require EPA investigations of plant closings justified because of environmental control orders to determine if environmental matters were being used to disguise other reasons for a plant closing.

The 1972 economic development legislation was vetoed in part because of inclusion of these provisions.

New developments in cleaning up automobile exhaust, including alternatives to the internal combustion engine, and their potential impact in meeting standards prescribed by the Clean Air Act were examined at a hearing held by the subcommittee's panel on Environmental Science and Technology in Washington, D.C. on March 14, 1972.

The subcommittee, in conjunction with the Committee on Interior and Insular Affairs held 4 days of oversight hearings on the Impact of the National Environmental Policy Act beginning on March 1, 1972.

An oversight hearing was also held on the environmental problems of the Lake Tahoe Basin and Federal policies affecting those problems on August 21, 1972 at Lake Tahoe.

DEDICATION OF SCIENCE CENTER AT COVINGTON, KY.

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of an address I made at the dedication of the Science Center at Thomas More College, Covington, Ky., on September 24, 1972.

There being no objection the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JOHN SHERMAN COOPER AT DEDICATION OF SCIENCE CENTER, THOMAS MORE COLLEGE, COVINGTON, KY., SEPTEMBER 24, 1972

It is a great honor to be asked to speak during these days of the dedication of the Science Center which you commenced in 1971, marking the 50th anniversary of this college. Today you mark another stage in the history of Thomas More College, formerly Villa Madonna College which has served with such excellence, the religious communities which have fostered it and the citizenry of this community and the nation, indeed.

Your progress and excellence in traditional academic fields has led to the establishment of this Science Center as a creative institution for training in a demanding area of thought. The reputation for academic excellence which attends Thomas More College is a tribute to President DeGaff, to your faculty, the interest and support of the college administration, its alumni and certainly of the citizens of Covington, Newport and many other communities.

It is also fitting that you have on exhibit during these ceremonies a moon rock acquired during Apollo XII Flight, November 14, 1969–November 24, 1969. The Astronauts were Charles Conrad and Alan Bean. I am told that the characteristics of this rock do not occur on our own planet and it is a reminder of the universe whose secrets man is still discovering. I appreciate being given the universe in which to roam but, upon taking thought, I know at once that I do not have the scientific and technical knowledge or the imagination which flows from such knowledge which has been opened to mankind in the exploration in space. I appreciate as you do, those who have such imagination and knowledge and the daring and courage of those who have been sent into space but I think it better to leave these broader aspects to those who teach and study here and to illustrious scientists and philosophers who will certainly visit you in the future. It does indicate to us that our nation depends in ever increasing degree on its colleges and universities for creative thought and intellectual leadership in the search for basic knowledge.

There is another and perhaps more important aspect of this day. It is to emphasize the necessity of our schools, colleges and universities in joining with home and church in the nurture of those fundamental qualities of character and spirituality without which the life of the individual and our country will become barren.

I sense that there is an appropriate connection between the dedication of the new science building and the life and example of the man for whom your college is named. It is not often said that Sir Thomas More was one of the great scientists of his day. But in his life it was possible for great scholars to master almost all written knowledge. In a time of great scholars, he was known as a man of deep and humane learning whose scholarship ranged over the whole frontier of knowledge. Sir Thomas More, whose life bridged the end of the 15th century and the beginning of the 16th, was part of the enthusiasm of learning and knowledge that produced such distinguished humanists as Erasmus and John Colet and led to the great achievements of Montaigne, Shakespeare and Copernicus of the age to follow. In his time, there was no break between the sciences and the arts. A scholar was a master of all the arts, medicine, philosophy, law, music and even war. The highest science, the Divine Science, was the study of philosophy and theology. Thomas More, as did the other leaders of his day, saw a consistency in the teachings of God, the physical facts of the universe and the conduct of mankind.

Thomas More is treasured and remembered because he died for principle, for his belief in the sanctity of truth and knowledge. For his courage and his faith in reason and law, he was made a saint in the Catholic Church.

The age in which Thomas More lived was no less troubled than our own. The Tudor world of Henry the Eighth was one of violence and intrigue. The discoveries of new phenomena in the natural world challenged accepted beliefs just as they do now, the machinations and varying fortunes of rulers and states, different in detail, of course, are very similar in kind to the situations we all face now.

We value Thomas More for his utopian recognition of the complexities of life. His *Utopia* was a masterful work of irony very similar in purpose if different in kind to his friend Erasmus' great work, *In Praise of Folly*. Both Erasmus and More saw how far short of perfection the works of mankind reached, and wrote of the true world they lived in and its contrast with the ideal world of reason and faith. The life of both men, but particularly that of Thomas More, was affected by the fortunes of unprincipled men and nations. He was a friend of Henry the Eighth, and his chief counselor, as a great lawyer and philosopher, but greater than that friendship, he was firm in his belief that the world, to have meaning, must be principled. Thomas More was executed for his steadfastness and refusal to twist the law for the purposes of the King and the State. He refused to bend, because to do so would have broken his faith in God, in reason and the truth of natural law. It is reported that before he was beheaded, he invoked the prayers of the people, said that he died for his church and that he was "the King's good servant, but God's first."

Very few men are called upon to make a choice between dying for belief or betrayal of ones rational beliefs and inner faith and soul. But the ultimate example of Thomas More's sacrifice for belief has its parallel in the daily lives of us all, whether it is in deciding upon how to vote on a bill before the Congress, how to deal with and live with ones friends, acquaintances and those unknown, of all races and classes in the daily rounds of life in college, in business or at home.

We have great problems before our country. The Vietnam war has caused disaffection. Technology and science provide an affluence and leisure we never dreamed of a few years ago, but lack of knowledge, training, and even incentive prevent many from enjoying its fruits. The movement of countless thousands from rural to urban areas has caused strains in our cities, economic and social, which thus far we have not been able to solve. And, there is always the danger that it may be difficult to bring back into the full stream of American life those who are disadvantaged, discontented and alienated.

These facts have led some to doubt our government and society, to claim they are repressive of freedom and opportunity, and that it is impossible for the individual to affect the course of human affairs.

I know as you do, that a totalitarian system could not resolve any doubt or cure our problems. It may suit other peoples, it may move with its actual repression more quickly than ours, but we know that it shatters the intellectual and religious freedom which comes from ones deep held views of his relationship with the Creator and self-fulfillment. Those who protest and doubt might very well recall the experience of the people of Czechoslovakia who in 1968 were bereft in two days of the small freedoms they had nurtured. The caption of one news report from Czechoslovakia gave the words of a student and underlined the pathos of a people when he said, "We were happy for a time."

Our Constitution, the Bill of Rights, our laws, express the freedom of the individual in this country. There must be free expression, there must be a continuous and searching examination of our institutions but I abjure with all my heart the tendency among many in this country, both young and old, to abuse this freedom by the violation of law and by threats and violence.

Violence, hate and obscenities do not accord with freedom of expression, with freedom in its broadest sense and with any principle of love or reason upon which the association of men must depend. As I have said many times, I do not minimize the problems of our country, but I know of no country in the world whose government and people as a whole are making such determined efforts to correct them—in the fields of discrimination, poverty, the environment, education and social needs.

A scholar, Alfred Bestor, wrote in 1952: "What we do not recognize clearly is the necessity of producing the free men who are to inhabit the world we seek to preserve." The true object of education is the individual. It is the development of his full capacities, for the good of our country, its security, its leadership, its prosperity, and its culture. But above all, it is for him, and it is to open, as has been written: "Those unlimited worlds of the senses, the remembrance, the mind and heart, which beyond that of their own existence, are the only human hope, dignity, solace and joy." It is true as it has been from the beginning that it is the man of liberal education who comprehends mankind and the universe, and is free. This free man is needed today.

I rejoice with you today on the dedication of this Science Center which will do its part in assuring the development of the full capacities of all those who may study here—the free man to inhabit this dear country we seek to preserve. I rejoice with you in the history of this great college, in the memory of those who have created it, the loyalty of those who have supported it and in its never failing purpose that not mind, alone, but the character and spirit of man must be nurtured.

We can remember Thomas More for his dedication to a life of faith, of reason, and of just conduct with his fellowmen. His life is an enduring example and an appropriate one for this college which today dedicates the Science Center, which will surely enlarge the minds, perspectives and faith of all those who study here.

It was my good fortune several years ago to see the play, "A Man for All Seasons," and recalling it, I repeat these quotations:

Robert Whittinton: "More is a man of an angel's wit and singular learning; I know not his fellow. For where is the man of that gentleness, lowliness, and affability? And as time requireth a man of marvellous mirth and pastimes; and sometimes of as sad gravity: a man for all seasons."

Samuel Johnson: "He was the person of the greatest virtue these islands ever produced."

May all of us here be worthy of Thomas More College.

A TRIBUTE TO THE HONORABLE CHARLES H. GRIFFIN

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 14, 1972

Mr. STUBBLEFIELD. Mr. Speaker, the announced retirement of the Honorable CHARLES H. GRIFFIN, of the Mississippi Third District, is news of the saddest kind, forecasting the absence from this Chamber of a man of great mind and formidable personality; a man truly concerned for the interests of his district, the State of Mississippi, and the Nation at large.

Attracted to public life at an early age, CHARLES GRIFFIN entered the political arena immediately following his graduation from Mississippi State University in 1949, as administrative assistant to Congressman John Bell Williams of Mississippi. He was to hold that post for 19 years, before succeeding Congressman Williams as Representative of the Mississippi Third District in 1968.

In his brief congressional career, Charles Griffin has impressed us all with his businesslike, conscientious manner, his close devotion to detail, and his broad understanding of the problems confronting his district and the country. As a member of the Banking and Currency Committee he established overnight a reputation for knowledge of money matters that has rivaled that of many of his seniors.

As a vigorous campaigner, none can be said to outshine this remarkable man, who picked up 64 percent of the vote in his district 2 years ago and seemed certain of reelection this year, preceding his decision to retire.

My friendship with Charles Griffin has not been a long one. But in the period of our acquaintance he has impressed me as a person of the greatest capabilities. I would like at this time to wish him well, on the occasion of his retirement, in the knowledge that wherever he goes and whatever occupation he chooses to pursue in the period ahead, he is certain of success.

THE FOURTH 6 MONTHS: A LEGISLATIVE RECORD, JULY 1972 TO ADJOURNMENT

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. MAZZOLI. Mr. Speaker, in keeping with my policy of providing detailed information to my constituents of the Third District of Kentucky, I am inserting in the Record the following summary of my legislative activity during the final months of the second session of the 92d Congress:

The Fourth 6 Months: A Legislative Record, July 1972 to Adjournment

1. PUBLIC ACCOUNTABILITY

The final adjournment of the 92d Congress occurred at 8:49 p.m. Wednesday, October 18, 1972. After the last bells had sounded, the final records of the Tally Clerk showed that Members of the House of Representatives had taken part in an unprecedented 648 roll call votes.

This total represents an incredible 46 per cent increase over the number of "on the record" votes taken in the preceding Congress, during which Members answered to their names on only 443 votes.

The major reason for this great increase in public accountability was the elimination of the old "secret teller vote," procedure, which in the past had enabled Congressman to cast many controversial votes without public disclosure of their actions.

My personal voting record for the entire 92d Congress shows that I took part in 634 of the 648 "on the record" votes for a percentage of 97.8. When the 284 Quorum Calls taken during the 92d Congress were added in, I ended up with an overall voting-attendance record of 97.4 per cent, having answered to 908 out of 932 roll calls.

The trend toward a more open and accountable Congress is, in my opinion, very healthy and very important. I am pleased that I was able to achieve a high percentage because I feel very strongly that my constituents have a right to know how their Representative voted on all of the important questions considered by the Congress.

2. THE EXECUTIVE VERSUS THE LEGISLATIVE

The closing months of the 92d Congress were marked by several clashes of authority between the Legislative and Executive branches of our government. During this period, Congress twice overrode Presidential vetoes and denied the Administration's request for unrestricted power to impose a Federal spending limit. Congress also considered, but failed to pass, legislation to limit the President's power to involve American forces in prolonged, undeclared wars.

These issues—plus the President's dozen vetoes handed down after the Congress had adjourned and could no longer vote to override—tended to obscure the major, positive achievements of the final months of the Session.

(These important achievements—revenue sharing, ratification of the S.A.L.T. agreement, liberalization of Social Security provisions and increases in veterans' educational benefits—are discussed elsewhere in this summary.)

For the most part, the differences between the Executive and Legislative branches pertained to spending priorities—and who, under our Constitution, is responsible for setting them.

This issue was most clearly presented by the President's request that Congress set a $250 billion spending limit for this fiscal year and give him unrestricted authority to determine where spending cuts should be made.

Because of inflation and because of the possibility of the need for Federal tax increases in the immediate future, I favored the President's objective of holding the line on Federal spending. However, I did not believe that he should be given the sole authority to decide which programs should be reduced or eliminated.

Accordingly, I voted for an amendment to authorize the imposition of the $250 billion ceiling, but requiring the President to submit his proposed spending reductions to Congress for approval. When this amendment failed, I supported the President's original proposal. The Senate, however, did not go along with the spending ceiling authorization and the proposal did not gain final passage.

I voted, along with majorities in both Houses of Congress, to override the vetoes of the Water Pollution Control bill and the legislation to increase Railroad Retirement benefits. In both instances, I felt that legitimate domestic priorities were being served. And, in the case of the Railroad Retirement bill, I am confident the next Congress will act to restructure this important pension fund and restore it to a fiscally sound condition.

Another serious question—touching on the basic Constitutional principle of separation of powers—was raised in legislative proposals to reaffirm the role of Congress in declaring wars or committing troops to combat.

The House, in August, voted to substitute its own version of legislation defining "the war powers of Congress and the President" for a similar bill passed earlier by the Senate. Unfortunately, conferees from the two Houses were unable to strike a compromise and no legislation was passed. I voted for the House bill and feel this issue will be debated again in the next Congress so that there is no repetition of a prolonged undeclared war such as the one we have fought in Indochina.

3. FISCAL AND ECONOMIC POLICY

The landmark State and Local Fiscal Assistance Act of 1972, better known as the Revenue Sharing bill, received final House approval on October 12. Despite reservations about the Federal deficit, I supported this key domestic program.

Under the formula worked out by a House-Senate Conference Committee, Kentucky will receive $87.3 million during the first year of revenue sharing and $95.9 million in the second year. Jefferson County's first year allocation will total $17.1 million distributed among the various units of municipal and county government.

On October 14, the House completed action on another important domestic economic measure, the Public Works and Economic Development Act of 1972, to provide new jobs and business opportunities in chronically depressed areas. This legislation, which would have been particularly beneficial in rural areas of Kentucky suffering from outmigration of their young people, drew my support. However, it was among the bills vetoed after the Congress had adjourned.

Another key measure affecting our overall domestic economy, the Rural Development Act of 1972, was signed into law by the President. This legislation provides funds for the development of water and waste disposal projects and other community facilities in rural areas. It should do much to achieve a better distribution of population throughout our vast nation.

In August, and again in October, I voted to try to break the deadlock which developed in the House over legislation to increase the Federal minimum wage standard.

Both the House and Senate voted to increase the minimum wage from its present level of $1.60 an hour, but a majority in the House was able to prevent a Conference to resolve differences between the two versions of the bill. I voted in favor of going to Conference so that a compromise bill might be passed. A new attempt to raise the minimum wage can be expected early in the next Congress.

4. DEFENSE AND FOREIGN POLICY

The historic S.A.L.T. agreement, limiting Soviet and United States offensive nuclear weapons, received final approval from the House on September 25. The President accepted a Congressional amendment specifying that future, permanent treaties must assure rough numerical equality of forces.

Coupled with the permanent Soviet-U.S. treaty restricting development of anti-ballistic missiles (ABM) systems, the interim S.A.L.T. accord represents a major thaw in "Cold War" international relations.

The interim agreement on strategic offensive arms freezes U.S. and Soviet land-based missiles and nuclear submarines at existing levels. I wholeheartedly supported this momentous step to halt the senseless nuclear arms race.

As I have in the past, I voted on August 10 in favor of legislation to impose a fund cutoff for the war in Indochina, subject to the release of our prisoners of war and the accounting for our missing. This version of the "end the war amendment" would have been included in this year's foreign aid bill. However, it was defeated by a vote of 228 to 178.

Two issues related to the development of an all-volunteer Army—and elimination of the draft—gained House passage. In September, after a lively floor debate, an appropriation allowing the Army to hire civilians to perform "KP duty" was approved. In October, the Uniformed Services Special Pay Structure bill was passed by the House. Both these measures are intended to increase incentives for voluntary, career military service. I supported both.

5. OLDER AMERICANS

The Social Security Amendments of 1972, described by Health, Education, and Welfare Secretary Elliot L. Richardson as "the most significant piece of social legislation enacted since the original Social Security Act of 1935," gained final passage on October 17—the day before adjournment.

It has been estimated that more than 7 million Americans will benefit favorably from this legislation, including 220,000 who will be lifted out of poverty.

The new law will provide equity in Social Security cash benefit program—through increased benefits to widows, liberalization of the retirement test and making the method of computing benefits the same for men and women at age 62.

It will provide for a direct attack on the high cost of health care through provisions designed to encourage physician peer review and utilization of health maintenance organizations.

Effective January 1, 1974, current state-administered welfare programs for the aged, the blind and the disabled will be replaced by a uniform Federal program of supplementary security income, including progressive features allowing, rather than discouraging, additional earnings.

Similarly, the new Social Security provisions—which take effect January 1, 1973—contain greatly liberalized "outside income" allowances for retired beneficiaries. Under the new standards, an individual can earn up to $2,100 a year—rather than $1,680—without any reduction in benefits. Above $2,100, an individual loses only one dollar in benefits for every two dollars earned.

These provisions will provide our older citizens with much greater incentive to remain productive and stay involved in life.

Two other bills affecting the elderly—the Comprehensive Older Americans Act and legislation to establish a National Institute on Aging—were passed by the House in July, but fell victim to post-adjournment vetoes. I supported both measures and hope these objectives can be incorporated into our domestic legislative priorities in the near future.

6. ENVIRONMENTAL POLICY

Federal legislation to control strip mining, for the very first time, was brought to the floor of the House on October 11 and was passed by an overwhelming 265 to 75 vote.

As a co-sponsor of this bill, I was delighted by the degree of support it drew in the House—but disappointed by the Senate's failure to take it up prior to adjournment.

In a related matter, legislation to promote needed research into environmentally sound mining and reclamation techniques—the Mines and Minerals Policy Act Amendments—gained final House approval on October 10, but was among the bills vetoed following the session.

Other important Congressional actions in the area of environmental protection include; the overriding of the veto of the $24.6 billion Federal Water Pollution Control Act Amendments which set a national goal of eliminating pollutant discharges by 1985, the Coastal Zone Management Act to protect our seashores, legislation providing for the accelerated reforestation of national lands, and several measures tightening controls over the use of pesticides and other toxic chemicals. I supported all of these important new laws.

The question of increased Federal support for public mass transportation was the subject of intense debate during consideration of the Federal Aid Highway Act. On a key parliamentary vote, taken October 5, I voted in favor of opening up the bill for consideration of proposed amendments to provide funds for mass transit. Since final action was not taken on this bill, the question will be debated anew early in the next Congress.

7. HEALTH LEGISLATION

During the closing months of the Session, the House completed action on new laws to strengthen the school lunch program and expand it to include a nutrition program for nursing mothers. Also enacted were bills to beef up the U.S. Public Health Service's Communicable Disease Programs and to increase efforts to combat Cooley's Anemia and diseases of the heart, blood vessels, lungs and blood.

In addition, I took an active interest in the development of legislation to expand Federal support for emergency medical services. During committee deliberations, I presented a panel of witnesses who testified about the need for improved ambulance service in Louisville.

On October 2, the House passed the Emergency Medical Services Act, which I co-sponsored. This bill authorized $255 million in grants over the next three years. Unfortunately, the Senate passed a differing version and agreement between the two Houses could not be reached.

Another disappointment to me was the veto of the Veterans Medical Act, which received final House approval on October 11. This legislation would have improved care for our wounded veterans returning from Vietnam.

8. CONSUMER PROTECTION

One major piece of consumer legislation—the Consumer Product Safety Act—was enacted during the final months of the 92nd Congress.

This law, establishes Federal safeguards against hazardous consumer products and creates an independent Product Safety Commission to enforce them. This bill drew the support of 319 House Members—including myself—when it came up for passage on September 20.

Another issue of interest to consumer advocates was a bill authorizing compensation to businesses and individuals who suffered losses due to the government's ban on cyclamates. I voted against this measure because I feel it might encourage the utilization of other risky food additives.

9. EDUCATION

On October 11, the House completed action on the Vietnam Era Veterans' Readjustment Assistance Act, which increased GI educational benefits by more than 25 per cent. Under the new law, the basic monthly rate—payable during the nine-month academic year—for a single veteran enrolled in a full-time program is increased to $220 from the former rate of $175.

I feel that a great debt is owed to the Veterans of this unfortunate conflict, and I believe they will make a great contribution to the educational institutions they choose to attend. I voted for this legislation with considerable enthusiasm.

Because of educational television's great potential for reaching all segments of our society, I have voted for continued full funding of the sometimes controversial Corporation for Public Broadcasting.

The original C.P.B. authorization for fiscal 1973 was vetoed, but the House acted in August to renew the authorization and appropriate funds at a somewhat reduced level. Subsequent vetoes of the Labor-H.E.W. appropriations bills resulted in a further reduction in C.P.B. operating funds this year.

I co-sponsored legislation to establish tax credits for parents paying private school tuition. This legislation was never reported out of committee. If passed, it would have to be subjected to testing by our courts. However, I feel this is an important area in which some means of fiscal relief should be afforded.

10. LAW ENFORCEMENT

Groundwork was laid during the closing months of the Congress for stringent new legislation to deal with the escalating problem of aircraft hijacking. I co-sponsored a bill to impose sanctions against nations which harbor or provide sanctuary for hijackers. Another bill dealing with this problem gained House passage on October 2, but agreement was not reached with the Senate. Further action in this area can be expected early in the new Congress.

The Juvenile Delinquency Prevention Act, which I co-sponsored, was passed by the House in July and has been enacted into law. It provides for in-school programs to reach youngsters before they become established delinquents.

I also joined with members of the House Judiciary Committee in sponsoring a major proposal for much-needed reform of the Federal Parole System. I am hopeful that action will be taken on this legislation during the upcoming Congress.

DEWEY DANIEL OF PERRY COUNTY, KY.

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, one of the great men of Kentucky, Dewey Daniel, of Hazard, Ky., died on January 22 of this year.

Born in the hills he loved, he spent his entire life in the county of his birth, Perry County, and became its outstanding banking, business, and political leader. His friendships extended across Kentucky, as did his leadership in many civic causes, but always his chief concern and work was for the advancement and progress of his beloved eastern Kentucky.

He was an accepted and respected leader of the Republican Party, serving as chairman of the Republican State central committee during the 1950's when the party achieved its great success, and was also delegate to many national conventions. He was devoted to his very wonderful wife, Clarine, and to his sisters and brothers and their children.

One of the privileges of my life was to have known Dewey Daniel, his warm and generous personality, and to have enjoyed his friendship. I am grateful for my association with him. His death was a great loss to me, to all who knew him, and to Kentucky.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the following articles:

An article from the Hazard Herald, January 26, 1972, "'King of the Mountains,' Dewey Daniel Dead at 73"; also, an article from the Louisville Courier-Journal, January 23, 1972, "Advocate for Progress, Dewey Daniel, Civic, Business, and Political Leader Is Dead"; also, an editorial of the Louisville Courier-Journal of January 25, 1972, "Eastern Kentucky Loses Its 'King'"; and an editorial from the Lexington, Ky., Leader, January 28, 1972, "Dewey Daniel's Contribution"; and also an article by the esteemed columnist of the Louisville Courier-Journal, Joe Creason, on January 25, 1972, "Dewey Daniel: A Man Who Was Far Ahead of His Time."

I also ask unanimous consent to have printed in the RECORD a copy of the memorial sermon given by Rev. E. Tipton Carroll of Hazard, Ky., at the funeral service for Dewey Daniel.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hazard, Ky., Herald, Jan. 26, 1972]

"KING OF THE MOUNTAINS" DEWEY DANIEL DEAD AT 73

The "King of the Mountains" is in his final resting place.

Dewey Daniel of Hazard died at 6 a.m. Saturday at the Hazard Appalachian Regional Hospital and was buried in the old D.Y. Combs Cemetery here Monday after funeral services at the Hazard Christian Church.

He has been hospitalized since suffering a stroke 6½ years ago.

He is survived by his wife, Clarine Ross Daniel; a brother, J. M. Daniel of Hazard; a sister, Mrs. Alie Daniel of Hazard.

He is also survived by the following nephews and nieces: Joe Pat Gorman, William D. Gorman, L. D. Gorman, Richard D. Cooper, C. Vernon Cooper Jr., Mrs. Margaret Gorman Martin, all of Hazard; Mrs. Susan Daniel Henry of Lexington; Mrs. Neva Cooper Hassanein of New York City, and Perry Lee Gorman of Dallas, Tex.

Daniel's legacy of involvement and his rise to statewide prominence as a business, civic and political leader began humbly in the Big Leatherwood section of Perry County, where he was born March 15, 1898.

During his rise to wealth and esteem among the mountain men and women of the area, Daniel proved that his region offered opportunities for those who would pursue them.

He entered the fire and casualty insurance business when few underwriters would accept risks in the coal country, and his agency became the largest in Kentucky.

He entered the banking business during the Depression when banks were going broke in large numbers. His Peoples Bank in Hazard became an institution of unusual soundness.

He bought coal land and mineral rights at a time when coal men were losing faith in the industry and moving out. Later, he induced mining men to reenter the business because the need for jobs in Eastern Kentucky had grown acute.

The successes that followed these ventures provided Daniel with the foundation on which he could build his role of benefactor.

He was an especially soft touch for young men and women needing jobs and money for higher education.

But Daniel's influence began to be felt far outside his native hills. He was interested in upgrading all of Kentucky.

As an example, he was co-founder and president of the Kentucky Better Roads Council, an organization that strove for upgrading of roads in Kentucky. One victory was passage of the first $100 million road-bond issue. Daniel and former-Gov. Keen Johnson together led the campaign for its passage in 1956.

Daniel also fought for a modern constitution. Although weak from surgery after having suffered a stroke on July 2, 1965, Daniel attended an important meeting of the Constitution Revision Commission in Frankfort in 1966. He was stricken again at the meeting and his health began to decline steadily.

Despite his other accomplishments and contributions, Daniel was best known on the political scene.

As chairman of the Republican State Central Committee from 1954 to 1959, he reorganized his party behind its two chief standard bearers, U.S. Sens. John Sherman Cooper and Thruston B. Morton.

From 1924 onward, he missed just one Republican National Convention, and, in 1932, became a regular as a delegate to the conventions.

Being a Republican in a Democratic state did not, however, hinder Daniel politically. He played his politics deftly and developed some important friendships in high Democratic circles. He was thus able to win for Hazard and Perry County their full share of public works and patronage favors. He soon became known as "Mr. Republican."

The turn of events that produced Daniel's remarkable career came early in his life.

Of most significance was a decision of his father, Leo Daniel, to move from Big Leatherwood to Hazard where the five Daniel children would have better schooling opportunities. Since that meant finding a new livelihood, the father ran for and won the office of Perry circuit clerk in 1904. He held the post until 1916.

Another event that shaped young Dewey's destiny came at the age of 16. He was offered an appointment to West Point. He left on one train for a preparatory school in North Carolina and returned on the next one. Homesickness, or more so a love for his native heath, prevailed over ambition.

The lack of an advanced education didn't deter Daniel. He liked to boast of a "courthouse education," because much of his time was spent in his father's office. He learned there about business and fiscal affairs and dealing with people.

After his schooling at Hazard Baptist Institute, he went to work in a coal commissary at Domino, now Combs, near Hazard. He advanced quickly to store manager and, while just 23, he accepted his first political challenge.

His first and last political race was for Perry County clerk in 1921. Victory seemed assured, but he withdrew from the race to accept appointment as Hazard postmaster. The job was in "acting" capacity at first because he was too young for a fullfledged appointee. He remained postmaster until 1936.

His business instincts began asserting themselves in 1924, when he helped establish the insurance firm. Four years later, he bought a small block of capital stock in a bank at Vicco. He influenced its removal to Hazard when other banks failed. As time passed, he became the largest stockholder of Peoples Bank and became its president in 1952.

Other business enterprises have included one of the first home cable television systems in Kentucky. His antenna tower was erected on a high mountain, and it brought better television reception to hundreds of Hazard homes.

Modesty and a desire to stay out of the spotlight prevent a full accounting of Daniel's contributions to his people. His forte was organization. He pressed others into responsible undertakings, such as in charitable and civic work, and let them take the credit.

It is known, though, that the responsibilities that Daniel took for himself would overburden many another civic giant. In addition to the positions and promotions that brought him prominence, his energies were applied to worthwhile causes of countless varieties.

Red Cross and Boy Scout work, for example, were aided by Daniel. He worked for the Buckhorn School and Orphanage, serving as treasurer of the Buckhorn Foundation. He was a trustee of the E. O. Robinson mountain Fund, started as a $1 million trust by a lumberman who, like Daniel, wanted to help mountain youth.

Daniel was a member of the Hazard Masonic Lodge and Kosair Temple in Louisville. He was a charter member of the Hazard Lions Club, and a member of the Pendennis Club in Louisville. He was a director of the Hazard Chamber of Commerce and treasurer of Perry County since 1950.

Shortly before his first stroke, Daniel and Mrs. Daniel moved into a home that has been a Daniel dream. He married Clarine Ross of Cynthiana in 1926, and their life had been lived in the lower section of Hazard, known as Woodland Park. Their new home sits on the point of a ridge high over Hazard.

His fondest dream of all was realized while he still lay in a hospital bed. The University of Kentucky announced its selection of Hazard as a location for a community college.

Daniel had pushed energetically for this objective. His sincerity, including an offer of 75 acres of choice campus land, apparently swayed university officials in favor of Hazard.

[From the Courier-Journal & Times, Jan. 23, 1972]

ADVOCATE FOR PROGRESS

(By Kyle Vance)

HAZARD, KY.—Dewey Daniel, a man who devoted a lifetime to promoting the cause of his native Eastern Kentucky, is dead at 73.

Daniel, who was known to many in the region as the "king of the mountains," died at 6 a.m. Saturday at Hazard Appalachian Hospital. He had been hospitalized since suffering a stroke 6½ years ago.

He is survived by his wife, Clarine Ross Daniel; a brother, J. M. Daniel of Hazard; a sister, Mrs. Allie Daniel of Hazard.

He is also survived by the following nephews and nieces: Joe Pat Gorman, William D. Gorman, L. D. Gorman, Richard D. Cooper, C. Vernon Cooper Jr., Mrs. Margaret Gorman Martin, all of Hazard; Mrs. Susan Daniel Henry of Lexington; Mrs. Neva Cooper Hassanein of New York City, and Perry Lee Gorman of Dallas, Tex.

The body was taken to Engle Funeral Home in Hazard. The funeral will be at 10:30 a.m. Monday at the Hazard Christian Church. Burial will be in the family cemetery in Hazard.

Daniel's legacy of involvement and his rise to statewide prominence as a business, civic and political leader began humbly in the Big Leatherwood section of Perry County, where he was born March 15, 1898.

PROVED REGION'S WORTH

During his rise to wealth and esteem among the mountain men and women of the area, Daniel proved that his region offered opportunities for those who would pursue them.

He entered the fire and casualty insurance business when few underwriters would accept risks in the coal country, and his agency became one of the largest in Kentucky.

He entered the banking business during the Depression when banks were going broke in large numbers. His Peoples Bank in Hazard became an institution of unusual soundness.

He bought coal land and mineral rights at a time when coal men were losing faith in the industry and moving out. Later, he induced mining men to reenter the business because the need for jobs in Eastern Kentucky had grown acute.

The successes that followed these ventures provided Daniel with the foundation on which he could build his role of benefactor.

He was an especially soft touch for young men and women needing jobs and money for higher education.

HIS INFLUENCE WAS STATEWIDE

But Daniel's influence began to be felt far outside his native hills. He was interested in upgrading all of Kentucky.

As an example, he was co-founder and president of the Kentucky Better Roads Council, an organization that strove for upgrading of roads in Kentucky. One victory was passage of the first $100 million road-bond issue. Daniel and former-Gov. Keen Johnson together led the campaign for its passage in 1956.

Daniel also found for a modern constitution. Although weak from surgery after having suffered a stroke on July 2, 1965, Daniel attended an important meeting of the Constitution Revision Commission in Frankfort in 1966. He was stricken again at the meeting and his health began to decline steadily.

Despite his other accomplishments and contributions, Daniel was best known on the political scene.

As chairman of the Republican State Central Committee from 1954 to 1959, he reorganized his party behind its two chief standard bearers, U.S. Sens. John Sherman Cooper and Thurston B. Morton.

From 1924 onward, he missed just one Republican National Convention, and, in 1932, became a regular as a delegate to the conventions.

Being a Republican in a Democratic state did not, however, hinder Daniel politically. He played his politics deftly and developed some important friendships in high Democratic circles. He was thus able to win for Hazard and Perry County their full share of public works and patronage favors. He soon became known as "Mr. Republican."

The turn of events that produced Daniel's remarkable career came early in his life.

Of most significance was a decision of his father, Lee Daniel, to move from Big Leatherwood to Hazard where the five Daniel children would have better schooling opportunities. Since that meant finding a new livelihood, the father ran for and won the office of Perry circuit clerk in 1904. He held the post until 1916.

Another event that shaped young Dewey's destiny came at the age of 16. He was offered an appointment to West Point. He left on one train for a preparatory school in North Carolina and returned on the next one. Homesickness, or more so a love for his native hearth, prevailed over ambition.

The lack of an advanced education didn't deter Daniel. He liked to boast of a "courthouse education," because much of his time was spent in his father's office. He learned there about business and fiscal affairs and dealing with people.

After his schooling at Hazard Baptist Institute, he went to work in a coal commissary at Domino, now Combs, near Hazard. He advanced quickly to store manager and, while just 23, he accepted his first political challenge.

KEEN BUSINESS INSTINCTS

His first and last political race was for Perry County clerk in 1921. Victory seemed assured, but he withdrew from the race to accept appointment as Hazard postmaster. The job was in "acting" capacity at first because he was too young for a full fledged appointment. He remained postmaster until 1936.

His business instincts began asserting themselves in 1924, when he helped establish the insurance firm. Four years later, he bought a small block of capitol stock in a bank at Vicco. He influenced its removal to Hazard when other banks failed. As time passed, he became the largest stockholder of Peoples Bank and became its president in 1952.

Other business enterprises have included one of the first home cable television systems in Kentucky. His antenna tower was erected on a high mountain, and it brought better television reception to hundreds of Hazard homes.

Modesty and a desire to stay out of the spotlight prevent a full accounting of Daniel's contributions to his people. His forte was organization. He pressed others into responsible undertakings, such as in charitable and civic work, and let them take the credit.

DREAM FULFILLED

It is known, though, that the responsibilities that Daniel took for himself would overburden many another civic giant. In addition to the positions and promotions that brought him prominence, his energies were applied to worthwhile causes of countless varieties.

The Red Cross and Boy Scouts, for example, were aided by Daniel. He worked for the Buckhorn School and Orphanage, serving as treasurer of the Buckhorn Foundation. He was a trustee of the E. O. Robinson Mountain Fund, started as a $1 million trust by a lumberman who, like Daniel, wanted to help mountain youth.

Daniel was a member of the Hazard Masonic Lodge and Kosair Temple in Louisville. He was a charter member of the Hazard Lions Club, and a member of the Pendennis Club in Louisville. He was a director of the Hazard Chamber of Commerce and treasurer of Perry County since 1950.

Shortly before his first stroke, Daniel and Mrs. Daniel moved into a home that had been a Daniel dream. He married Clarine Ross of Cynthiana in 1926, and their life had been lived in the lower section of Hazard, known as Woodland Park. Their new home sits on the point of a ridge high over Hazard.

His fondest dream of all was realized while he still lay in a hospital bed. The University of Kentucky announced its selection of Hazard as a location for a community colege.

Daniel had pushed energetically for this objective. His sincerity, including an offer of 75 acres of choice campus land, apparently swayed university officials in favor of Hazard.

[From the Louisville, Ky., Courier-Journal, Jan. 25, 1972]

Eastern Kentucky Loses Its "King"

Eastern Kentucky, a land badly in need of friends, lost one of its best Saturday when Dewey Daniel of Hazard died.

He devoted his life to the proposition that the Appalachians offer opportunities to both investors and workers who wish to pursue them, and his own achievement of wealth and esteem in his native land was the highest testimony to the truth of his belief.

Even his 6½-year sojourn in a hospital after his first stroke didn't dampen his interest in his land and his people. Whether his goal was to attract industry to Eastern Kentucky, to find money to send mountain youth to college, or to promote better government for the Commonwealth, his pursuit of it was characterized by toughness, persistence and generosity.

If his power made him "king of the mountains," his benevolence made the title an affectionate one.

[From the Lexington, Ky., Leader, Jan. 28, 1972]

Dewey Daniel's Contribution

The people of Eastern Kentucky have lost a great friend in the death of Dewey Daniel, 73, of Hazard.

A shrewd Republican businessman who knew the ways of free enterprise, Mr. Daniel also was a workhorse for a number of excellent causes to enrich the people of the Commonwealth, particularly those living in his beloved mountains.

His guidance as co-founder and president of the Kentucky Better Roads Council, his efforts as a delegate trying to modernize Kentucky's antiquated Constitution and his success in bringing a University of Kentucky Community College to Hazard are but a few of the many civic projects he gave himself to unselfishly.

[From the Louisville (Ky.) Courier-Journal, Jan. 28, 1972]

Dewey Daniel: A Man Who Was Far Ahead of His Time

(By Joe Creason)

Eastern Kentucky lost its No. 1 booster and champion of good roads last week when Dewey Daniel, a big man who stood as tall as the hills where he was born and where he lived his 73 years, died in Hazard.

For Eastern Kentucky was his consuming interest. One of the area's most successful men, with a long string of successes in banking, insurance, real estate and national politics to his credit, he worked tirelessly to open up and improve the economic and civic life of his hill-studded home land.

Through good times and bad, he never lost confidence that Eastern Kentucky has a golden future if only it could be unlocked and tied to the rest of the state by good. roads.

"With good roads, this section can bloom," he said the first time I met him more than 25 years ago. "Without good roads, we'll never get industry to balance out our coal economy or be able to take advantage of our potential in tourism.

"The day is coming," he continued prophetically, "when Kentucky must meet its road problems squarely with bond issues for new construction only. Perhaps the best method for paying off such bonds would be to build toll roads."

Which, of course, is the method Kentucky in time came to employ in building its vast network of pay-as-you-ride roads. Appropriately, one such road taps Hazard, while another under construction begins there.

If "self-made" ever is a safe phrase to pin on a man, then it certainly fitted Dewey Daniel. Everything he did, he did on his own in what, for lack of better words, has been called the good old All-American tradition of hard work and perseverance.

When he ventured into the insurance business in Hazard in 1924, Eastern Kentucky was off-limits to most firms. Fire insurance companies shied away because of the great number of frame buildings, while life firms weren't interested because so many residents were involved in coal mining, a high-risk occupation.

But through relentless searching, Daniel finally was able to find one company willing to write fire insurance and then scored a major breakthrough when, for the first time in the area, a firm agreed to write coal-mine compensation type policies. All of which turned his agency into one of the largest in Kentucky.

And that wasn't bad for a boy who grew up on Leatherwood Creek and who cared so little for formal schooling he gave it up at age 17.

Memorial Service for Dewey Daniel, Hazard, Ky., January 24, 1972

(By E. Tipton Carroll, Minister)

OPENING SCRIPTURAL SENTENCES

The dwelling place of God is with men, and he shall dwell with them, and they shall be his people. We are now children of God, and it is not yet manifest what we shall be. We know that we shall be like him; for we shall see him as he is. We now see through a glass darkly; but then face to face; now I know in part; but then I shall know even as I also am known.

God is our refuge and strength, a very present help in trouble. For as the heaven is high above the earth, so great is his mercy toward them that love him. I will lift up my eyes unto the hills, from whence comes my help. I will say of the Lord, He is my refuge and strength; in him will I trust. Therefore we will not fear, though the earth changes, and though the mountains be shaken into the seas. Nothing shall be able to separate us from the love of God, which is in Christ Jesus. He will fulfill the desire of them that love him; he also will hear their cry, and will save them. Our help is in the name of the Lord, who made the heaven and the earth, and Christ Jesus our Lord.

INVOCATION PRAYER

Our Father, whose love is infinite and in whose will is our peace; enable us to so hear your Holy Word, that through patience and comfort of the Holy Spirit and the Scriptures we may hope. And grant us the consolation of your presence, that we may be raised above the shadows of mortality into the light of your countenance and the joy of your eternalness.

Enable us to put our trust in you and see that you are touched with the feeling of our emptiness; that we may come boldly unto your throne of grace and obtain mercy and find grace to help us in this time of need.

Father, in all of your dealings with us, whether of joy or pain, of light or darkness, let us value no treatment of yours simply because it makes us happy or because it makes us sad; because it gives us or denies us what we want; but may all that you send us bring us to yourself; that knowing your perfectness we may be sure in every disappointment, that you are still loving us; that in every darkness you are still enlightening us, and giving us eternal life.

Reveal yourself to Dewey's family, and cause them to hear you saying: "My peace I give unto you." Cause them to abide in you through living faith; that, finding now the comfort of your presence, they may also have a sure confidence in you for all that is to come. Hear us for your great mercy's sake, Amen.

COMFORT THROUGH SCRIPTURE

Lord, a thousand years in your sight are but as yesterday when it is past, and as a watch in the night. The days of our years are three score and ten; and if by reason of strength they be fourscore years; teach us to number our days, that we may apply our hearts unto wisdom. Let the beauty of the Lord our God be upon us.

The Lord is my light and my salvation; whom shall I fear? The Lord is my strength; of whom shall I be afraid? One thing have I desired of the Lord, that will I seek after; that I may dwell in the house of the Lord all the days of my life, to behold the beauty of the Lord. For in the time of trouble he shall set me up upon a rock. Therefore I will sing praises unto the Lord. Be of good courage, and he shall strengthen your heart. Wait on the Lord.

Who shall separate us from the love of Christ? Shall tribulation, or anguish, or persecution, or famine, or nakedness, or peril, or sword? No, in all these things we are more than conquerors through him that loved us. For I am persuaded that neither death, nor life, nor powers, nor things present, not things to come, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

So the time of my departure is at hand. I have fought a good fight, I have finished my course, I have kept the faith; henceforth there is laid up for me a crown of righteousness, which the Lord, the righteous judge, shall give me at that day; and not to me only, but unto all them also that love his appearing.

So as I walk through the valley of the shadow of death, I fear no evil; for you are with me; your rod and your staff, they comfort me. You prepare a table before me in the presence of my enemies; you anoint my head with oil; my cup overflows. Surely goodness and mercy shall follow me all the days of my life; and I shall dwell in the house of the Lord for ever.

REMARKS

Words, at any time, are poor tools to express the real feeling and emotion that one has for another human being whom he loves, and who in return is loved. What does one say at a time like this, when Dewey Daniel, my friend and partner, (as he called me), as close to me and I to him, as human beings can possibly be? What does one say about a man of his caliber and character, a man full of conflicting emotions and actions? A man who loved deeply, but mountain-like unable to express verbally his love; attempting to fill the gap by doing things for these whom he loved. What does one say about a man with whom one had shared the innermost hopes, dreams, successes, failures and feelings? What does one say when a family, friends, and community have lost a towering mountain peak man, known as Mr. Eastern Kentucky? What does one say about a man who made rib-rock friends and unceasing enemies, because he went ahead with what he believed should be done in any given situation? What does one say about a man who climbed to the top of Peter's Peak, looked out over the undulating mountain peaks, saw people in the valleys and dreamed dreams of what could be done for them? What does one say about a man who swept the lobby floors of a mountain hotel as a mere led and rose to where he wanted every mountaineer to go "first class"? What does one say about a man with whom one has shared all these things and more, as his minister and friend, when that man is no more with us?

I don't know! What I do know is that I loved Dewey Daniel and that he loved me. Our love for one another cannot be expressed with words, or can it be understood by those who have never experienced it. I knew Dewey Daniel, as perhaps no man knew him. Others knew him as friends through politics, business, finance, projects, as one whom he loved, trusted implicitly, and to whom he turned when he needed assistance in determining the rightness or wrongness of an action taken or contemplated. I knew his goodness and his badness, and respected him because I knew he wanted always to do what was right, even though at times he failed to do so. I knew him so intimately that he wanted to build me a house in Hazard, his home town, so that we could grow old together, and be buried together in his family cemetery.

We had such a mutual respect for one another that when conditions required it, his private office in the bank, became the sanctuary where I tore into him, and when the set-to was over, had a deeper understanding and respect for him than before, and he for me. Our love and respect for one another was greater than anything that could tear us apart, because it was in the context of this kind of friendship that all of our relationships were conducted. I knew Dewey Daniel and he knew me. I have lost a loved one and friend just as every member of his family has.

Dewey was a complex man, yet simple in his complexity. To understand him one had to go beneath the exterior the public saw. The public often saw a man who appeared direct, powerful, and devastating; especially if he believed he was being taken advantage of. Others saw a generous, tender-hearted person, who was unashamed to shed a tear, if someone was in need or had suffered a tragedy. Whatever side of Dewey the public saw, inside himself he was a simple person—a person who was proud of being a mountain man and all the connotations involved in being one. Outwardly he changed with the changing times and conditions, but inwardly he remained the mountain boy who came to town from far off Leatherwood Creed, seeking to make his lot better in order that he might do more for his family, people, and friends. He felt a responsibility for anyone who was worse off than he.

His public deeds need no elaboration. These are known not only in Eastern Kentucky but throughout the state. A review of these deeds are well chronicled in newspapers, both locally and statewide. His political contemporaries know his power in politics. Those in the field of education know his efforts in this direction. Businessmen know his helpfulness in this category. The man on the street and up the hollow or down the river, know his personal interest in them. And his family know many sides of life and character. I am confident that each member remembers much to be grateful for. His name was seen or known throughout the Commonwealth.

But underneath all that I have said, I believe that two words tell us what made Dewey the man he was "Mountain-Man." To understand a Mountain Man one has to be one. There are few left in the Eastern Kentucky mountains today. Many who have been born in the mountains are not mountain men, because they were born of parents who came into the mountains from the outside, or have been born since the outside influences penetrated into the original mountain way of life. Dewey saw what the influx of outside influence did to his people. They brought monetary prosperity for a time, but in the long run they took away the heritage of a people who had been self-reliant for centuries. A man could live in a cabin, with few material possessions, but he was a person in his own right, a person who was loved, who was a part of a family and place, and a way of life that brought happiness in spite of hardships. The outside world stripped the mountain man of all of this and gave him instead material possessions, so that he was no longer of worth as a person but because of what he possessed materially. Dewey resented all this, and used his money, power and influence to turn the material prosperity into helping people remain persons in their own right. He made money and accumulated power so that he could do this.

A Mountain Man possesses vision, ideals, and convictions. The foundation for his life in his inate conviction that he is an individual, a person, of value, no matter what his physical environment may be. His vision sees beyond the mountains that seemingly hem him in, to the extent that nothing can completely enclose him. His vision enables him to be a free person no matter what devastating conditions he must live amidst. This vision he inherited from his ancestors who came into these mountains in order to be free and strong as the mountains themselves. His ideals enable him to rise to whatever heights he chooses. Unlike ideals molded by a materalistic society, that colors every aspiration with things and creature-comforts, mountain ideals pertain to the soul of man. A Mountain Man can rise to heights unfettered by materalism and class society. He can keep company with the great souls of the past and present, knowing that real manhood consists primarily in lifting his life upward toward the Supreme Being who created all things, including the towering mountains, the flatlands and the great oceans. So he climbs the highest peaks and feels a kinship with God and his fellow man in the valleys below.

Dewey Daniel was a Mountain Man from the day he was born until the day he died. God is always good to a Mountain Man!

PASTORIAL PRAYER AND BENEDICTION

Our heavenly Father, you who are waiting to receive and answer each sincere and simple prayer, we turn to you in our need, asking for light in our darkness and deliverance from our doubts and fears. You know us better than we know ourselves, so we look to you for the healing of our hearts which are wounded.

You have strengthened your people with your light and power in all ages, and with your love that will not let us go. Your tender mercies remind us that we are not alone. As we have suffered, so have you suffered in the giving of your Son. As we have loved, so have you loved more and loved first. If there is pain and sorrow in our lives, so there has been a cross and a crown of thorns in yours. You are ever near when we are afflicted, for you have suffered with us.

You have never failed us or left us alone and helpless. You will not fail us now. We believe the promise of your Son, who said: "I will come to you." Come to us now, Father, with all your strengthening power! Whisper to each troubled person those assuring words which Jesus spoke to those who needed assurance, "I am come that they might have abundant life." Help us to realize that his word is life.

Through this experience draw our hearts closer to your great Father-heart of love. May it serve as a discipline to train our eyes more steadfastly upon you who are Lord over all. Even as our joy is turned into sorrow, so you are able to turn our sorrow into joy, as we again receive your divine assurance of the eternal destiny which you have prepared for the faithful. May we hear again the promise of life eternal, given us by our Savior and Redeemer: "I am the resurrection and the life, he that believes on me, though he die, yet shall he live."

Father, we thank you for the life of Dewey, for his years upon earth, for those things in his life which he did to make other lives better. For his deep love and concern for the people of the mountains surrounding us. For his untiring effort and the expenditure of his means generously to bring into their lives better opportunities to improve themselves physicially, mentally, and spiritually. For his devotion to members of his family, relatives and friends. For his allegiance to his country and loyalty to his political party. For his willingness to support financially institutions that work for the betterment of people. For his bearing of prolonged illness, solitude and pain, and now at least for his release from the burden of the flesh and entrance into the peace reserved for those who love you, we give you our thanks. May all his aspirations and loveliest wishes come to pass in glorious fulfillment, for all his loved ones left behind and for the benefit of your people everywhere.

We thanks you Father, for all those who cared for him during his illness. Especially do we thank you for Clarine, who gave of herself unselfishly through the years, to his improvement and care. We know, Father, there were times when it was trying and discouraging, but in those times she remained loyal and faithfully rendered unto him every assistance possible within her power. Bless her now and in the days to come.

And Father, may all his family and friends know that deeper than the pain and mystery of death are your everlasting arms of tender love and mercy. As they continue their lives here on earth, grant to them steadfastness of purpose, faith in you, and willingness to perform the duties and responsibilities which come their way under your guidance and direction. Grant to us all to walk this day in dignity and to face the tomorrow with courage. Lead us in your paths until our life's journey brings us to your eternal kingdom, through our faith in your Son.

The Lord bless you and keep you; the Lord make his face shine upon you; and be gracious unto you; the Lord lift up his countenance upon you, and give you peace, now and forever more. Amen.

AT THE CEMETERY

A statement

Dewey knew the days when kerosene lamps lighted railway passenger coaches. He knew the days, when I as a lad, took my first train trip from Harlan, Kentucky, to Pennington Gap, Virginia. The man in a blue suit and cap came through the coach I was riding in, placed a board across the arms of the seats, separated by the aisle, got on the board and lighted the lamps hanging from the ceiling. I wondered what the man was doing, lighting lamps in broad daylight. Soon I was to find out. After a little while the train plunged into a tunnel. All was dark outside, but inside the coach it was light. The man had prepared us for the darkness by lighting the lamps before the darkness came. When we had passed through the tunnel, the lamps were extinguished, for there was no longer any need for them to give us light; the sunlight flooded the coach. So it is with one who puts the light of Christ in his life. That light shines in his life as he passes through the darkness of death, until he comes out on the other side in the broad sunlight of Gods' eternal morning. Dewey, may God's eternal morning already have broken out upon you.

Benedictory Prayer

God of life, we thank you that we were privileged to know Dewey Daniel as a friend and to be his minister. Through this experience, which is just as much a part of the cycle of life as birth, draw our hearts closer to you great heart of love. We seem to give him back to you, who gave him to us. Yet as you did not lose him in giving, so we have not lost him by his return. So sanctify to each of us the memories of this sacred experience. Here in this place, with its tender associations, may we re-dedicate ourselves anew to your service, that we may return to our homes and to the duties that await us, in full confidence that all shall be well for us.

Support us all the day long of this troublous life, until the shadows lengthen and the evening comes, and the busy world is hushed, and the fever of life is over, and our work is done. Then of your great mercy grant us a safe lodging and a holy rest, and peace at last.

Now our Lord Jesus Christ, and God, our Father, who have loved us and have given us everlasting consolidation and good hope through grace, comfort our heart and establish you in every good word and deed. In the name of the Father, the Son, and the Holy Spirit, Amen.

A TRIBUTE TO THE HONORABLE ALTON A. LENNON

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 11, 1972

Mr. STUBBLEFIELD. Mr. Speaker, as a colleague and longtime admirer of the Honorable Alton A. Lennon of the North Carolina Seventh District, I am saddened at the news of his impending retirement at the close of the current session, and I would like to express my admiration for his years of service to his country and the people of his district.

Throughout his tenure in the Chamber—indeed, throughout his entire political career—Alton A. Lennon has done the job as it ought to be done, and for so doing is admired by everyone familiar with the facts. A sixth-ranking member of the Committee on Merchant Marine and Fisheries, and as 10th-ranking member of the Armed Services Committee, he has fought long and hard in the interest of his constituents, and with profound effect.

Trained as a lawyer at Wake Forest College, Alton Lennon established a law practice at Wilmington, and in 5 years' time was recognized as an outstanding member of the legal profession in the State. In 1934 he became judge of the New Hanover County Recorder's Court, which post he held with distinction through 1942. He was a member of the State senate for two terms, from 1947 to 1951, and in 1953 was appointed to the U.S. Senate, to fill the seat left vacant by the death of Senator Willis Smith. Failing of renomination, he resumed his law practice for the moment, but in 1956 was successful in securing the Democratic nomination for Congress in the Seventh District, and was duly elected.

Economic success of the fishermen of the Cape Fear region, Onslow Bay, and Long Bay in part attest to his success as a legislator in their behalf, as does the prosperous condition of the Defense Department installation in his district. He has served the district, the State of North Carolina, and the United States with equal intensity and devotion, and his record is one of hard work and deep concern.

I am surely sorry to see him go.

STATUS OF GRANTS OF FEDERAL LANDS TO CERTAIN RAILROAD COMPANIES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, 6 weeks ago, I joined with Senator Fred Harris and 11 other Senators and Congressmen in urging the Secretary of the Interior to report to the Congress the status of grants of Federal lands to certain railroad companies. Accompanying our letter was a list of questions concerning those grants. As yet, Mr. Morton has not responded. The National Coalition for Land Reform and the California Coalition of Migrant and Seasonal Farmworkers filed an administrative complaint with Secretary Morton in June of 1972, and the Southern Pacific Transportation and Land Co. asked for time in which to respond to the complaint. They did so, and the National Coalition for Land Reform on October 18 sent me a brief that was in response to the reply brief filed by the Southern Pacific. As yet, the Interior Department has not acted on the issue. I urge Secretary Morton to reply to our questions and to the issues raised in the administrative complaint.

Mr. Speaker, Senator Harris is placing the first half of the brief filed by the National Coalition for Land Reform and the California Coalition of Migrant and Seasonal Farmworkers in the Congressional Record today. I insert the second half of that brief into the Record at this time:

Second Half of Brief by the National Coalition for Land Reform and the California Coalition of Migrant and Seasonal Farmworkers

The mortgage that Southern Pacific relies on to relieve it of any obligations under the mandatory sale proviso and which was dealt with in the Speyer Agreement, was not executed until more than a year *after* the completion of the right of way. (S.P.Br.27.) Since this mortgage was executed only after the road was completed, its purpose in all likelihood was to finance the *operation* of the railroad rather than the *construction* of the right of way as required by the *Platt* decision. Furthermore, this mortgage was subsequently satisfied under the payment terms agreed to in the Speyer Agreement. And presumably any pre-Speyer Agreement mortgages have long since been paid off. Since the land is no longer subject to any mortgage which could be remotely construed as a "construction" mortgage, the *Platt* decision simply is not relevant to the present day situation.

A further and perhaps even stronger reason why the *Platt* decision is not relevant today is the holding of the Supreme Court in the second *Oregon and California* decision (243 U.S. 594). Some 39 years after *Platt* the Court there specifically found that the railroad could not use a mortgage to wash its grant lands of any of the original conditions.

The Court rejected "the contention of the railroad company that an implication of the power to mortgage the lands carried a right to sell on foreclosure, divested of the obligations of provisos." 243 U.S. at 555. If a sale by a third party mortgagee on foreclosure does not expunge the land grant conditions, it is difficult to see how the grantee-mortgagor can accomplish that sort of sleight of hand by simply mortgaging the land and then paying off the mortgage. If it could, the intent of Congress in every grant could have been readily subverted.

Even more compelling is the decision of the Supreme Court in *U.S. v. Northern Pacific Ry. Co.*, 311 U.S. 317. The Court was there construing a Conressional Resolution empowering the railroad to issue bonds in aid of construing a Congressional Resolution empowersame by mortgage on its property and rights of property of all kinds and descriptions, real, personal, and mixed, including its franchise as a corporation." The Resolution further provided:

"That all lands hereby granted to said company which shall not be sold or disposed of or remain subject to the mortgage by this Act authorized, at the expiration of five years after the completion of the entire road, shall be subject to settlement and preemption like other lines, at a price to be paid to said company not exceeding $2.50 per acre." 16 Stat. 378.

The company contended that under the Resolution the only lands it was required to open for settlement five years after completion of the road were those not then subject to a mortgage. (311 U.S. at 338–339). The Court rejected that contention and held that:

". . . the proviso of the Resolution of 1870 required the company to open the lands granted by the Resolution to preemption and settlement at the expiration of five years from the completion of the entire road in 1887, whether the lands were then subject to mortgage or not; that its failure to do so was a breach of its contract with the United States. . . ." 311 U.S. at 368.

The only reasonable interpretation of the Court's holding is that upon satisfaction of "the mortgage by this Act authorized" the lands are to be sold pursuant to the mandatory sale-to-settlers proviso.

For all of these reasons the *Platt* decision has no implications for the present situation.

The same is true of the Speyer Agreement. Southern Pacific explains that the United States advanced substantial funds to the railroad, taking a mortgage on the grant lands as security. (S.P.Br.29–31). Apparently the Central Pacific fell behind in its payments and in 1898 Congress enacted legislation calling for a settlement of the transaction. The result was the Speyer Agreement, from which Southern Pacific quotes a passage under which it claims the United States relinquished *all* rights with respect to the granted lands (S.P.Br.30–31.)

Petitioners do not have a copy of the Speyer Agreement and cannot determine whether the portion relied upon by Southern Pacific is quoted out of context. Petitioners do, however, have a copy of the Act of 1898 30 Stat. 659), which authorized the Agreement. That legislation clearly indicates that the Secretaries of the Interior and Treasury and the Attorney General were authorized to settle *only* the rights of the United States under the mortgage. In relevant part, the Act of 1898 provides as follows:

"That the Secretary of the Treasury, the Secretary of the Interior, and the Attorney General, and their successors in office be, and they are hereby appointed a commission with full power to *settle indebtedness to the government growing out of the issue of bonds in aid of the construction of the Central Pacific and Western Pacific bond-aided railroads. . . .*" (Emphasis added.)

Thus, no officer of the United States had any authority under the 1898 legislation to compromise, alter, waive or in any way affect Congress's right to enforce land grant conditions or any other interest of Congress in the land *which did not arise out of the mortgage*. The wording cited by Southern Pacific could be interpreted to do no more than that. If in fact the Speyer Agreement purports to compromise the rights of the United States further than authorized under the 1898 legislation, such wording has no effect.

Article IV, Section 3, Clause 2 of the United States Constitution gives Congress and only Congress the right to dispose of the Federal Government's interest in land. Nor can the acts of any administrative agency estop Congress from asserting its rights. In *United States v. The City and County of San Francisco*, 310 U.S. 16 (1940), the Federal Government brought suit to enforce a grant condition on a land grant to San Francisco under the Raker Act of 1913.

This land was given to the city for the purposes of providing water and generating electricity for the use of the residents of San Francisco. A specific proviso in the grant prohibited the city from selling water or electricity to anyone other than a municipal utility or water district. The city disregarded the proviso and sold its electrical power to Pacific Gas and Electric. Between 1913 and 1935 the Department of the Interior in a number of administrative interpretations and rulings found that such a sale was consistent with the condition of the grant.

Finally in 1935 the Secretary of the Interior declared that the city's sale of power to Pacific Gas and Electric was a violation of the condition and demanded the discontinuance of the practice. The city argued that the United States was bound by these previous decisions of the Department. The Supreme Court found to the contrary that *"the United States is neither bound nor estopped by acts of its officers or agents in entering into an arrangement or agreement to do or cause to be done what the law does not sanction or permit."* 310 U.S. 16, 32, citing *Utah Power and Light Company v. United States*, 243 U.S. 389, 409. (Emphasis added.) See also *United States v. State of California*, 332 U.S. 19, 39–40 (1947).

Again, the first *Oregon and California* decision illuminates this issue:

"We may observe again that the Acts of Congress are laws as well as grants and have the constancy of laws as well as their command and are operative and obligatory until repealed. *This comment applies to and answers all the other contentions of the railroad company based on waiver, acquiescence and estoppel and even to the defenses of laches and the statute of limitations.* The laws which are urged as giving such defenses and as taking away or modifying the remedies under review have no application." 238 U.S. at 427. (Emphasis added.)

Any claim that Southern Pacific or its predecessors were somehow entitled to rely on their own interpretation of the Speyer Agreement, an interpretation which went beyond the scope of the commission granted the signatories to the Agreement—in short, a claim of estoppel—must be rejected.

In respect of the Central Pacific lands, Congress authorized only the settlement of its interest in a mortgage on the railroad's grant lands. Any further arrangements entered into by agencies or other officials of the United States are of no force and effect. The Speyer Agreement can have no application to railroad land grant conditions.

Southern Pacific further claims that the repeal of the Preemption Act in 1891 (26 Stat. 1097) renders meaningless the condition relevant to settler's rights to railroad grant land. (S.P. Br. 28.) Southern Pacific's assertion is based on the fact that the mandatory sale proviso says that grant lands "shall be subject to settlement and preemption, like other lands." 12 Stat. 492, Section 3. The railroad, straining more than a little, argues that when other lands are no longer subject to preemption, neither are the railroad lands.

In raising this issue, the Southern Pacific is assuredly attempting to draw an old red herring across the tracks. The repeal of the Preemption Act is irrelevant to the validity of the mandatory sale proviso. Congress's statement subjecting the unsold lands to settlement and preemption "like other lands" is a general condition incorporating and contemporaneous rights of, and procedures for, settlement which existed at the time of the enactment. Such rights and procedures included in addition to those under the Preemption Act, those enumerated in other acts such as the Homestead Act, 12 Stat. 392 (1862), which is still good law.

Thus, the repeal of the Preemption Act, absent a specific reference to a repeal of the preemption and settlement provisions of the railroad land grants has no affect on those land grants. The text of the repealing legislation clearly affects only settler's rights in public land and not in railroad land:

"Sec. 4. That chapter four of title thirty-two, excepting sections twenty-two hundred and seventy-five, twenty-two hundred and seventy-six, twenty-two hundred and eighty-six of the Revised Statutes of the United States, and all other laws allowing *pre-emption of the public lands of the United States*, are hereby repealed. . . ." 26 Stat. 1097. (Emphasis added.)

In every other context the Southern Pacific has argued that their lands are not public lands. Even the Petitioners admit the lands at the moment are privately owned though subject to certain enforceable covenants. If the railroad lands are not public lands, they cannot be affected by the repeal of the Preemption Act cited above.

Even if there is ambiguity with regard to the status of the preemption provisions of the original land grant, such ambiguity must be resolved in favor of the sovereign. *Caldwell v. United States*, 250 U.S. 14 (1919); *Great Northern Railway Co. v. United States*, 315 U.S. 262 (1942); *United States v. Union Pacific Railroad*, 353 U.S. 112 (1957).

Finally, on the apparent theory that a distinction without a difference is better than no distinction at all, Southern Pacific seeks to distinguish *United States* v. *Northern Pacific Ry. Co., supra*, 311 U.S. 317 (1940), on the grounds that no "release" (presumably, the Speyer Agreement) was involved there and because there was a "somewhat differently worded" mandatory sale proviso. (S.P.Br.32.) Petitioners submit that for all the reasons detailed above, it is palpable that the Speyer Agreement cannot be construed as a "release" of any claims or rights of the United States to enforce the Central Pacific granting statute. The only differences between the provisos is that the Northern Pacific's mandatory sale obligation matured five years after completion of the road, while Central Pacific's matured three years after completion; and the Northern Pacific proviso expressly relieves it of the sale to settlers obligation on lands which "remain subject to the mortgage by this Act authorized" at the end of the five year period, while the Central Pacific's does not.

It is difficult to understand how these differences help Southern Pacific, especially when the Northern Pacific granting statute expressly includes the "mortgage" language and the Central Pacific's does not. The logical inference to be drawn from the fact that Congress chose in one statute to expressly except lands which "remain subject to . . . mortgage" from the sale-to-settlers obligation and did not choose to do so in another, is that under the latter, the existence of a mortgage would in no way relieve the grantee of the sale obligation. Even with language which would appear to exclude mortgaged land from the mandatory sale-to-settlers proviso, the Supreme Court held that such land was still subject to settlement pursuant to the proviso at some point, presumably after satisfaction of the mortgage. (See, *supra*, pp. 18–19.) Clearly where the proviso does not explicitly exclude mortgaged lands from those subject to settlement, the railroad has no argument that such lands are exempt from the claims of settlers. The differences between the sale provisos weaken rather than bolster Southern Pacific's arguments.

In sum, neither the McLaughlin affair, nor the *Platt* case, nor the Speyer Agreement, nor the repeal of preemption, nor the *Northern Pacific* case help Southern Pacific. On the contrary, they reinforce Petitioners' view that the mandatory sale proviso is an enforceable covenant and that the Administrative Complaint raises serious questions which deserve a full and complete investigation and report.

4. Notwithstanding language in the granting statutes reserving mineral lands to the United States and the holding of the U.S. Supreme Court in the second *Oregon and California* decision (243 U.S. 549), land grant railroads are free to commercially exploit grant lands in any way they see fit. . . .

Relying on *Burke v. Southern Pacific R.R. Co.*, 234 U.S. 669 (1914), Southern Pacific asserts there is no limit to exploitation by a railroad of grant lands once those lands have been patented to it. Petitioners submit that the *Burke* case does not support their contentions.

The *Burke* case was brought by an individual attempting to lay claim to mineral lands patented by the Southern Pacific. Burke had registered mining claims on those lands under the mining laws of the United States, claiming the lands were still in the public domain. As mineral lands, he asserted, they could not pass to the Southern Pacific where its patent contained a clause reading "excluding and excepting all mineral lands should any such be found on the tracts aforesaid . . ." The Court held that the issuance of the patent to the Southern Pacific established title to land in the railroad so long as the railroad was not aware of the mineral deposits at the time of patenting. Subsequent discovery of minerals on the land could not give a third party a right to declare the patent void.

The *Burke* case does not dispose of the issue raised by Petitioners for at least two reasons: 1) Petitioners' contentions are based both on the mineral lands exclusion and on other land grant conditions which limit the interest of the railroad in the land grant lands, and 2) the scope of the *Burke* decision has been narrowed by subsequent cases and no longer accurately reflects the state of the law.

The land which was the subject of the *Burke* case is in the San Joaquin Valley and was presumably patented to Southern Pacific under the Act of July 27, 1866, providing for a rail line between Needles and San Jose, California (14 Stat. 292). This grant does *not* contain the mandatory sale to settlers proviso.

The Supreme Court's opinion in the second *Oregon and California* case makes it abundantly clear that grantee railroads holding lands subject to the mandatory sale proviso are interdicted from commercial exploitation of those lands. The mandatory sale proviso in *Oregon and California* provided that settlers had the right to purchase the grant lands in parcels no larger than one-quarter section (160 acres) and for a price not to exceed $2.50 per acre. The Court, in discussing the right of the railroad to harvest timber from grant lands subject to the mandatory sale proviso, noted that "the interest that the granting acts conferred upon the railroad company was $2.50 an acre," that the right to receive that amount was " 'all the value the granting acts conferred,' " and that the rights of sale, selection of time and settler were "aids to the duty of transmitting the land to settlers." 243 U.S. at 559–560. The rationale of the Court was that Congress intended grantee railroads to have a limited use of the grant lands: to sell them to finance construction; and that was *all* that Congress intended to give the railroads. Thus, lands were to be transmitted intact, with all resources in place.

The lengthy quote from the second *Oregon and California* decision which appears at pp. 36–37 of Southern Pacific's brief only supports Petitioners' view. Southern Pacific's effort to limit the holding of that decision to the Oregon and California case for the reason that the mandatory sale proviso at issue there is not found in other grants (S.P. Br. 37) is less than convincing. What Southern Pacific again fails to tell us is that its grant lands from the Oregon border south to Roseville, California are subject to *precisely* that mandatory sale proviso.[1] In addition, Southern Pacific fails to tell us why any distinction should be made for purposes of this issue between the proviso construed by the Court in *Oregon and California* and the proviso which is found, for instance, in the Central Pacific grant. Certainly Petitioners can think of no logical basis for making such a distinction. Both provisos evidence Congressional intent that the grant lands be transmitted to settlers. There is, therefore, nothing in the Central Pacific proviso which provides any basis for reading it differently on the issue of commercial exploitation.

The Southern Pacific citation of the *Burke* decision similarly does not dispose of Petitioners' contentions because the decision was originally a narrow one and has been further narrowed, and perhaps undercut, by subsequent cases.

The first point to note is that *Burke* was a suit by an individual against a railroad. It was not brought by the United States to protect its rights in the land. The Court found:

"If the patent has been issued irregularly, the government may provide means for repealing it. But no individual has a right to annul it, to consider the land as still vacant and to appropriate it to himself." 234 U.S. at 692–693, citing *Hoofnagle v. Anderson*, 7 Wheat. 212, 214–215.

If this is so, everything else in the decision is dicta. As far as Petitioners can determine, no case brought by the United States fully resolved all of the issues here raised. In two cases brought by the United States subsequent to *Burke* the Court has found that the United States can successfully challenge the railroad's exploitation of minerals in respect of right of way lands.

In *Great Northern Ry. Co. v United States*, 315 U.S. 262 (1942), the Court found that as to railroad right of ways granted after 1871, the interest conveyed was only an easement not a fee simple. As to these lands the railroad not only cannot extract minerals, but it is prohibited from commercially exploiting timber or putting the land to any use other than providing rail service.

In *United States v. Union Pacific Railroad*, 353 U.S. 112 (1957), the Superme Court found that even right of ways granted prior to 1871 conveyed less than a fee simple interest. The Court referred to the clearly expressed policy of the Federal Government of excluding mineral lands from all of its grants, in finding that the railroad was not entitled to extract minerals from under its right of way lands. To reach this decision the Court had to distinguish a number of earlier cases. It did so by noting that:

"In none of them was there a contest between the United States and the railroad grantee over any mineral rights underlying the right of way. The most that the 'limited fee' cases [the ones to be distinguished] decided was that the railroads received all surface rights to the right of way and all rights incident to a use for railroad purposes." 353 U.S. at 119.

The same argument shows the irrelevance of the *Burke* case to Petitioners' claims. *Burke* was not brought to challenge the railroad's extraction of minerals, but only to establish the plaintiff's right to do so. All the Court found was that the railroad did have title to the land. It was never asked to determine whether the railroad could exploit the minerals that lay beneath the surface.

Thus, the Southern Pacific's citation of the *Burke* case brings into focus the need for the investigation requested by Petitioners. Rather than showing that all the questions have been answered, it points out how many of the Federal Government's rights remain to be resolved.

5. An investigation would be fruitless since no remedies are available to the U.S. . . .

Southern Pacific would have the Department of the Interior abandon its responsibilities in this area because "in the absence of a special authorizing statute a breach gives the government no power to retake the land." (S.P.Br.39.)

Even assuming that to be a correct characterization of the present state of the law, it is undeniable that one of the functions of the Department of the Interior is to conduct investigations with a view to proposing legislation. And indeed, it may well be that at the conclusion of the investigation sought by Petitioners the Department will deem it appropriate to suggest remedial legislation. In that connection, it is worth noting again that the *Northern Pacific* and *Oregon and California* litigation grew out of reports to the President and through him to Congress. The same is true of the two score or so forfeiture acts passed by Congress. (See, *supra*, at pp. 13–14.) The point is that the Department has an obligation to place the facts before Congress.

As for the claim that the statute of limitations embodied in 43 U.S.C. § 900 bars any remedial action by the Congress (S.P.Br.39–40), the very fact that the *Oregon and California* and *Northern Pacific* cases were brought puts that argument to rest. Again, it is worth quoting *Oregon and California* on this point:

"We may observe again that the Acts of Congress are laws as well as grants and have the constancy of laws as well as their command and are operative and obligatory until repealed. *This comment applies to and answers all the other contentions of the railroad company based on waiver, acquiescence and estoppel and even to the defenses of laches and the statute of limitations.* The laws which are urged as giving such defenses and as taking away or modifying the remedies under review have no application." 238 U.S. at 427. (Emphasis added.)

Finally, Southern Pacific asserts that by passage of the 1940 and 1945 Transportation Acts, Congress "indicated its satisfaction with the retention by the railroads of the land grants." (S.P.Br.41.)

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[1] At page 37 of its brief, Southern Pacific says "since none of the *other* Southern Pacific grants contained this peculiar covenant [the *Oregon and California* covenant] . . . the Supreme Court's remarks . . . have no application whatsoever to any other railroad land grants, Southern Pacific or others." (Emphasis added.) It is difficult to understand whether the underscored word indicates Southern Pacific's concession that the Oregon border to Roseville line is covered by the same proviso as the Supreme Court dealt with in *Oregon and California*, or whether it was simply attempting to obscure that critical fact. In any event, greater candor might have been helpful in illuminating the issues.

It would have the last sentence of Section 321(b) of the 1940 Act mean much more than it says. What the land grant railroads got from the 1940 Act was relief from part of their obligation to carry government traffic at reduced rates. What they gave up was claims to lands, patents to which had not been issued or approved. The language relied on by Southern Pacific and underscored in its brief (S.P.Br.41) says only that *nothing in the Transportation Act* requires reconveyance of patented lands to the United States. Nowhere does it say that covenants or restrictions in the granting statutes are repealed or that Congress waives any rights it may have to enforce those statutes. And Acts of Congress are not repealed merely by implication. *Oregon and California R.R. Co. v. United States, supra*, 238 U.S. at 427.

Finally, it is suggested that Congress in 1945 relinquished the rights of the United States under the covenants and conditions of the original grants. (S.P.Br.41.) The issue was raised in the context of an amendment to the Transportation Act of 1940 relinquishing the government's right to free transportation of military goods over land grant railroads. At that time a strong case was made for a contemporaneous return to the government of remaining land grants. Congress ultimately avoided the issue, choosing solely to relinquish its claims to future gratuitous military transportation. The sole change which resulted from the issue was made, therefore, in Section 321(a) of the Transportation Act, excising the free military transportation provision.

Had Congress intended to go beyond this concession and relinquish any further right of reliance on land grant conditions, further amendments would have been necessary either to the identical section of the Transportation Act or to the original land grants themselves. Since neither of these steps were taken, it is obvious that Congress put off any further actions which would alter the status quo regarding the retention of the railroad land grants by the railroads. Since the conditions still remain in effect and since Section 321(b) of the Transportation Act had by its own language no effect on patented lands, it remains for Congress to determine whether or not the railroads have over the last decade recouped any alleged loss resulting from free military transportation.

Twenty-seven years have elapsed since Congress gave up the right of the United States to free transportation. During that time the land grant railroads have had the use and benefit of millions of acres of grant lands. They have thus had ample opportunity to balance accounts carrying over from World War II free military transport.

While the information is not presently available to Petitioners, it is believed that hundreds of millions of dollars have been earned by the railroads during that time; revenues deriving from mineral and oil leases, timber harvesting and agricultural uses, among others.[2] All that is required of the Interior Department is an updating of the account so that Congress will be in a better position to determine whether railroads have been sufficiently compensated for World War II. If they have, certainly Congress will be reluctant to permit further income to accrue to the railroads and most certainly it would disagree with the retention by the railroads of lands valued at hundreds of millions of additional dollars under Acts of Congress which have been violated in the past and continue to be violated today.

6. The equities justify overlooking violations of the granting statutes. . .

Petitioners do not for a moment deny the vital impact that completion of the transcontinental rail lines had upon the development of the west. By the same token, the land grant railroads cannot deny that retained grant lands are now being used solely to generate revenues, a purpose never contemplated by Congress when it enacted statutes granting land to railroads "to aid in construction." Nor can they claim that the land grants were the sole assistance they received from the government. In point of fact, hundreds of millions of dollars were lent (in some instances the proper term would be "given") to the western railroads to assist in construction of precisely the same lines that the land grants were intended to finance. But with all that, the fact remains that the granting statutes are still on the books, that retained lands are being used for purposes never contemplated by Congress, and that there is substantial evidence to indicate that railroads have violated those grants in the past and continue to do so today.

* * * * *

Petitioners submit that the very prolixity of Southern Pacific's brief demonstrates that a mountain of questions remain unresolved. With legislation pending before Congress to extend still more public aid to railroads, it is especially vital that those questions be answered.[3]

The Department of the Interior has an obligation to facilitate Congressional resolution by a full and complete investigation and report.

A TRIBUTE TO THE HONORABLE WILLIAM CURLIN

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. STUBBLEFIELD. Mr. Speaker, I would like to extend my respects to our colleague, the Honorable William P. Curlin of the Kentucky Sixth District, on the occasion of his retirement from the Congress. His period of service has been brief—one of the briefest of record, I believe. But in the time he has been here among us on Capitol Hill, he has impressed just about everybody with the power of his opinions, his conviction, and his lack of concern for anything but truth and the dictates of his conscience.

Bill Curlin came to Washington on the strength of a remarkable showing in the Kentucky Legislature, in which he served as chairman of the house appropriations and revenue committee. He was voted the outstanding representative of the session by the capitol press corps, after which he was selected to run for Congress by the Democratic county chairmen of his district, to fill the seat left vacant by the death of Representative John C. Watts. He was duly elected, and presented himself for service in the House where, in short time, he established himself as a man of remarkable attainments.

As a member of the Committee on Banking and Currency he has revealed a talent for solving money problems that has rendered him of momentous importance over the past session. And as a member of the Commission on the Review of the National Policy Toward Gambling, he has brought to light many problems and solutions to problems attending the investigations involved.

Bill Curlin is, among other things, a critic of the Congress, and there are those who object to this. But I do not. Indeed, the Congress is far removed from a state of perfection, and in need of constructive criticism of the kind Representative Curlin provides. He objects to the lack of electronic voting devices, utilized in many State legislatures. He objects to the absence of an effective computerized information system, and congressional reliance on executive departments for statistics of any kind. He objects to the preoccupation of many Congressmen with casework, in the hope of insuring reelection. He objects to many things, and his objections are generally justified.

I am only sorry he is leaving so soon, instead of staying around to transform his objections into congressional policy.

In any event, it has been a great pleasure to work with this outstanding Congressman throughout his brief stay in Washington, and I would take this occasion to wish him all the luck in the world in his future endeavors.

COMMENCEMENT ADDRESS TO PIKEVILLE COLLEGE

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the Record a copy of the commencement address I made at Pikeville College, Pikeville, Ky., on May 7, 1972.

There being no objection, the address was ordered to be printed in the Record, as follows:

Commencement Address, Pikeville College

(By Senator John Sherman Cooper)

It is a great honor to speak to this graduating class of Pikeville College on the 83rd anniversary of its founding.

It is a proud day for the class, yet one tinged with sadness as you break old ties and move on to new endeavors. It is also a day of satisfaction for your teachers, and for your parents and families, for they see in you the realization of their sacrifices, their love and their hopes.

May I say that I am glad to be here for another reason. It is that I have been linked with Pikeville College and the people of this community during my service in the United States Senate. We have worked together to control the floods which has devastated the Big Sandy Valley for years and prohibited its progress. I was glad to introduce with Senator Jennings Randolph of West Virginia, the first bill to establish the Appalachian Regional Development Commission. It has provided funds to construct the necessary corridor highways, vocational schools, health services and clinics, recognizing the need for the development of the great physical and human resources of Eastern Kentucky. And, only recently, this College has embarked on a new and unique program of mining education.

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[2] In the case of Southern Pacific, the Interior Department should determine the cost to the taxpayers which resulted from the government's need to purchase lands originally granted to Southern Pacific gratuitously, because of the construction of Federal Interstate Highways 5, 80 and 66, extensive portions of which run through Southern Pacific grant lands.

[3] It may be, for instance, that Congress would want to require that land grant railroads be compelled to sell their remaining grant lands before being eligible for further taxpayer-financed assistance.

In all human efforts, governmental and private, it is essential that there be a source of ideas, of plans, of inspiration and leadership. Pikeville College has provided this central source and it has sent into Eastern Kentucky, West Virginia and Virginia, and even beyond the hills, the young men and women who found here the knowledge, the disciplines and the creativity to give life meaning.

While it is an honor to speak to you and one which I appreciate very much, I must say to speak in general terms at commencement exercises has seemed always trite to me and I can imagine, considering the difference in our ages, it may appear so to you. Such training and experience as I have had make it easier for me to speak about issues, and of conclusions that may be logically drawn from them.

I doubt that there has ever been a time in the world when such vast uncertainties did not cloud, in some degree, the life and future of an individual. There are difficult problems which lie heavily upon our minds. The war in Vietnam, the threat of war, violence, crime and intolerance at home, social problems, lay very heavy burdens upon you.

I suspect that many of you are asking yourselves, as I have asked myself, in times of confusion and discouragement, if it is not an illusion that we can order our lives on earth; and if we are not, in fact, being carried along upon an uncontrollable stream of events, and all that we can really do is try to survive as best we can. But, despite this recurring doubt, the power of men's minds has made a difference in the past, and that it is more true now than ever that the fate of our lives will be determined by the way we apply the unique gifts of knowledge and reason given to us by the Creator.

With all of us, confidence may break down, at times, when abstractions are not linked to practical realities, and faith and belief may seem empty dogma when pronouncements about how life should be led, when not supported by evidence of the goodness and decency of life. It gives strength to faith and belief if the grand concepts and the abstractions we speak of, of life, death, fate and free will, are given meaning by concrete example.

I have chosen today to speak upon a subject which may seem complex and unrelated to this commencement exercise. My subject is the Strategic Arms Limitation Talks, seeking to control and limit nuclear weapons in which the United States and the Soviet Union have been engaged for several years, which are taking place today in Helsinki, Finland, and which I have every reason to believe will reach a successful conclusion during President Nixon's visit to Moscow beginning May 27.

I speak upon this subject because in the background of the difficult and seemingly insoluble problems we face, these talks represent a rational application of mind to fact, danger and reality. They may open up a range of reason and hope for the peoples of the United States and the Soviet Union, and the world. In my view, they are the most important negotiations that have taken place in the span of our lives.

My interest in these negotiations arose when I became a member of the Subcommittee on Arms Control of the Senate Foreign Relations Committee. This assignment gave me the opportunity to learn the facts concerning the nuclear weapons of both the Soviet Union and the United States, the terrible destructive power of their armaments, and the terror they hold over the fate and life of mankind. It was the facts that led me to initiate and engage for three years in the debate over the anti-ballistic missile system, and led me to attend, on three occasions, the meetings of our negotiators with the Soviet Union, twice in Vienna and once in Helsinki.

Those of you who are old enough will remember that in 1945, at the close of World War II, the United States dropped from bombers, atomic bombs upon Hiroshima and Nagasaki, Japan. Those bombers carried the equivalent of 200,000 tons of TNT. Thousands of Japanese were killed, and thousands more were maimed, or sickened for life by the deadly radiation which emanated from those war heads striking the earth.

Let us look at the nuclear strength of the United States and the Soviet Union today; it is the factual base upon which the concept of negotiation and limitation of nuclear weapons has been formed. The details are not secret. They are based upon the reports given to the Congress a few months ago by the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff.

The U.S. possesses 1,054 Intercontinental Ballistic missiles, the Soviet Union possesses 1,500. There are the missiles deployed on land in our country and in the Soviet Union, and when fired, they are capable of reaching the other country in approximately 25 minutes. In addition, the U.S. has 41 nuclear submarines equipped with 656 nuclear missiles. The Soviet Union has 28 submarines with a smaller number of missiles. The United States has over 500 long range bombers, the Soviet Union 150, which if they could reach safely the territory of the other, could drop their nuclear bombs as at Hiroshima.

But, reciting the number of ICBM's, submarine launched missiles, and bombers does not tell the exact story of the nuclear power of the two countries. For each of the missiles, whether launched from land or under the sea, can be armed with three to ten warheads, and the warhead is that component of the system which would actually strike the United States or the Soviet Union. Both countries have the technology to fire these warheads—at least three—from their carrier missile in the pattern of an artillery salvo, and the United States has developed the technology of firing the war heads and guiding them to specific targets. The United States and the Soviet Union are approximately equal in the number of land and submarine based missiles, but the United States has approximately twice as many war heads—5500 to 2500 of the striking weapon. Only two or three war heads of this total could destroy New York, Moscow, Los Angeles or Chicago, and one could destroy any other city in the United States or the Soviet Union.

The U.S. and the Soviet Union have now the existing capability to destroy the other, even though the victim of a first strike or attack, and a full scale exchange would destroy civilized life on earth as we now know it. The nuclear arsenals of the United States and the Soviet Union are so vast that their destructive power amounts to the equivalent of 15 tons of TNT over the head of every living being on the face of the earth.

Thus, the SALT Talks directly concern the question of our survival, of human survival, if either purposely, or by accident, a nuclear war started. It was in recognition of this awesome force—in recognition that if this terrible power were ever used that life on earth could be ended—that the two great super powers agreed to try to stop the further escalation of the nuclear arms race, an arms race which would only lead to increasing the nuclear forces of both sides, and increasing the probabilities that such weapons would be used. And, all this was being done at vast crippling costs, billions of dollars, to the economies of both nations without any security advantage to either side.

The economies, the populations, the resource bases and the technological capabilities of both the U.S. and the Soviet Union are of such a nature that neither side can achieve any significant nuclear military advantage over the other. When new nuclear weapons are deployed by one side they will inevitably be matched by the other. To deploy additional weapons would only contribute to the dust of mankind's ashes.

No bargains have been struck at SALT or will be—Each nation through its satellite systems can observe what the other is doing in the deployment of nuclear weapons. What is taking place at SALT is the identification with as much precision as possible, of a balance of nuclear power, and the recognition of two nations with different objectives and systems that man must learn to rationally reduce the risk of the annihilation of each other and the world.

Perhaps it is only when nations are at the brink of destruction that issues are seen with clarity. We are at such a moment of clarity now.

The importance of the SALT talks for the future is so great that the issues in Vietnam are small in comparison. It will be a test of the vision and quality of our leadership, and the leadership of the Soviet Union to keep the overwhelming importance of the SALT talks firmly above the distractions of all other less vital issues. In my view, nothing should be permitted to prevent the SALT talks from coming to a successful conclusion. It is my expectation that President Nixon and the Soviet leadership will agree at Moscow to limit the arms race, with an agreement on the number of defensive ABM nuclear sites, and limitation upon some offensive systems.

Ten years ago the SALT talks were not possible, though the destructive power to destroy all of life was then possessed by both the U.S. and the Soviet Union. That mankind has come to the present hopeful situation through the use of reason, gives me confidence that we can control technology so that it will benefit mankind, and not destroy the green earth.

This change of attitude from that of a few years ago is a result of education and rational discussion. Until the last three years, the questions of strategic policy and nuclear weapons decisions were the province of a small group who possessed unique scientific knowledge. But in the last three years, during the ABM debate, largely through the assistance of the scientists who developed nuclear weapons, we in the Congress and an increasing body of the people, have become aware of the fundamental questions raised by the nuclear arms race, of the billions of dollars it costs our country and the danger it entails. This country owns an enormous debt of gratitude to the scientists and learned men from colleges, universities and laboratories throughout the United States who educated the Congress and the country about powerful nuclear forces which they had brought into the world.

Their education of the Congress, and I regard myself as one who has profited from their teaching, was an act of great public service and an exemplary demonstration of the constructive uses of the mind. Better than anyone else, they understood that the forces they had developed and brought under control, if unleased, could destroy life on earth. Because of their scholarship and responsible teaching, we were able to, with assurance, urge that every possible effort be made to limit further nuclear weapons deployments and to achieve an agreement with the Soviet Union to halt the mad momentum toward nuclear destruction and to turn these forces toward making the lives of all peoples more fruitful and rewarding.

This new prospect is a very exciting and hopeful one. I offer it to you today as a concrete example of the uses of knowledge and

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as exidence of the truth that if reason and experience are applied to the problems of life, it can make a difference in the world you face.

In closing, I speak of the education you have attained in this College, and must continue to attain throughout your life. Education is the result of many influences—of home, of church, of experience and of some inborn wisdom and judgment which man develops through his own efforts. But you must know that the one, continuing, steady and rewarding influence will be your insistence on a spirit of inquiry for truth, and the attainment of excellence, that can only come from discipline and determination to develop to the ultimate your capabilities and qualities. As graduates of this College, this sense of discipline and determination should be well rooted in you.

As you leave Pikeville College, you can be proud of its excellence and its traditions. You stand today in the place of hundreds who have come here, who have enjoyed the advantages of great teachers and the support of a devoted body of alumni and citizens. I join with you in admiration for the work of President Robert F. Cope, former President A. A. Page, the faculty, the Board, and the officials and teachers who have served this College.

You have been taught to respect all that is best in scholarship, character and religion. There is a great deal of bitterness, recrimination and hatred among our people, and it is difficult to see how these unhappy characteristics can be removed from our lives unless all of us show simple tolerance, respect and love for others. Be faithful to your trust in the years that lie ahead, and you will be worthy of, and enjoy, and good fortune which all here—your parents, your teachers, your friends and the alumni—wish for you with all their hearts.

VOTING RECORD OF LAWRENCE J. HOGAN

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. HOGAN. Mr. Speaker, to insure full and prompt public access to the votes I have cast in Congress, I now insert in the RECORD the following preliminary compilation of my voting record in the second session of the 92d Congress. This should be read as a continuation of my voting record for the first session of the 92d Congress, published in the RECORD for April 25, 1972:

VOTING RECORD OF LAWRENCE J. HOGAN, 92D CONGRESS, SECOND SESSION

(Passed (P) or Defeated (D) by House of Representatives)

BUSINESS

For increasing loan ceilings under Small Business Act (H.R. 10792) (P).

For excluding corporations and labor organizations from prohibitions against employees of Government contractors making political contributions (H.R. 15276) (P).

Against prohibiting trading in Irish potato futures on commodity exchanges (H.R. 7267) (D).

CIVIL RIGHTS

For promoting equal employment opportunities for American workers (H.R. 1746) (P).

For extending Commission on Civil Rights for five years; expanding jurisdiction to include sex discrimination; and authorizing appropriations (H.R. 12652) (P).

CONSUMER PROTECTION

For promoting competition among motor vehicle manufacturers in design and production of safe motor vehicles having greater resistance to damage (H.R. 11627) (P).

Against providing payment of losses incurred by growers, manufacturers, packers and distributors as a result of barring cyclamates in food (H.R. 13366) (P).

For protecting consumers against unreasonable risk of injury from hazardous products (S. 3419) (P).

CRIME, DRUG ABUSE, LAW ENFORCEMENT

For establishing a Special Action Office for Drug Abuse Prevention and concentrating nation's resources against problem of drug abuse (H.R. 12089) (P). Against an amendment to exempt Veterans Administration from Director's authority (D).

For providing for evidentiary use of prior inconsistent statements by witnesses in trials in District of Columbia (H.R. 12410) (P).

For authorizing Attorney General to provide care for narcotic addicts on probation, on parole, or mandatorily released (S. 2713) (P).

For establishing a commission on revision of judicial circuits (H.R. 7378) (P).

For providing expanded protection to foreign officials (H.R. 15883) (P).

ECONOMICS AND ECONOMIC DEVELOPMENT

For authorizing payments and appropriations to Fund for Special Operations of Inter-American Development Bank and Asian Development Bank (S. 748 and 749) (P).

For increased U.S. participation in International Development Association (S. 2010). (P). For amendment to reduce annual U.S. contribution by $480 million (D).

Against temporary increase in public debt limit (H.R. 12910) (P).

For special payments to international financial institutions (H.J. Res. 1172) (P).

Against four-month extension of public debt limitation (H.R. 15390) (P).

For improving economy and living conditions in rural America (H.R. 12931) (P). Against amendment to limit grants to public bodies (D).

For providing minimum federal payments for relocation assistance and for extension of the effective date of the act (S. 1819) (P).

For paying 60% of worker's former weekly wage so long as worker is unemployed; and providing that the Secretary shall not establish any system of priorities for kinds of assistance authorized (H.R. 16071) (P).

For extending and amending Export Administration Act of 1969 to afford more equal export opportunity, and for establishing a Council on International Economic Policy (S. 3726) (P).

For continuing programs under Economic Opportunity Act of 1964 (H.R. 12350) (P).

Against a bill to enable wheat producers, processors and end-product manufacturers of wheat foods to work together to establish, finance and administer a coordinated program of research, education and promotion to maintain and expand markets for wheat and wheat products for use as human foods within the U.S. (H.R. 13514) (D).

For temporary increase in public debt limit and placing limitation on expenditures and net lending for fiscal year ending June 30, 1973 (H.R. 16810) (P).

For an amendment to bill continuing Economic Opportunity Act of 1964 which would have limited continuation to two years (D) and did not vote on passage to continue for five years (H.R. 12350) (P).

EDUCATION

For conveying federal land to State of Tennessee for use of University of Tennessee (H.R. 9676) (P).

For instructing conferees to insist on antibusing provisions in amendments to Higher Education Act (S. 659) (P).

Against Higher Education Act (lacked anti-busing provision as passed earlier by House) (S. 659) (P).

For assisting elementary and secondary schools, community agencies and other public and nonprofit private agencies to prevent juvenile delinquency (H.R. 15635) (P).

For furthering achievement of equal educational opportunities, including anti-busing amendments (H.R. 13915) (P).

For expanding and strengthening National School Lunch Act to conduct summer food service programs in poor areas with high concentrations of working mothers (H.R. 14896) (P).

ENVIRONMENT, POLLUTION CONTROL, CONSERVATION

For increases in appropriation ceilings and boundary changes in certain units of national park system (H.R. 10086) (P).

For establishing the Tinicum Environmental Center in Pennsylvania (H.R. 7088) (P).

For strengthening penalties imposed for violating Bald Eagle Protection Act (H.R. 12186) (P).

For extending Federal Water Pollution Control Act through June 30, 1972 (H.R. 12741) (P).

For controlling emission of noise detrimental to human environment (H.R. 11021) (P).

For protecting marine mammals and establishing Marine Mammal Commission (H.R. 10420) (P).

For providing interim licensing of operation of thermoelectric generating plants (H.R. 13752) (P).

For accelerating tree-planting programs on national forest lands in need of reforestation (H.R. 13089) (P).

For establishing Seal Beach National Wildlife Refuge (H.R. 10310) (P).

For prohibiting shooting at birds, fish and other animals from aircraft (H.R. 14731) (P).

For increased appropriations to Water Resources Planning (H.R. 14106) (P).

For appropriations for public works for water and power development for fiscal year ending June 30, 1973 (H.R. 15507) (P).

For appropriations for environmental and consumer protection programs (H.R. 15690) (P).

For authorizing Secretary of Interior to assist States in controlling damage caused by predatory animals; establish a program of research on control and conservation of predatory animals; restrict use of toxic chemicals as method of predator control (H.R. 13152) (P).

For authorizing Secretary of Commerce to transfer surplus Liberty ships to States for use in marine life conservation programs (H.R. 5741) (P).

For establishing a national policy and developing a national program for management, beneficial use, protection and development of land and water resources of nation's coastal zone (H.R. 14146) (P).

For establishing Sawtooth National Recreation Area in Idaho (H.R. 6957) (P).

For establishing Gateway National Seashore in New York and New Jersey (H.R. 1121) (P).

For amending Federal Water Pollution Control Act (S. 2770) (P).

For regulation of strip coal mining and for conservation, acquisition and reclamation of strip coal mining areas (H.R. 6482) (P).

For amending Federal Insecticide, Fungicide and Rodenticide Act (H.R. 10729) (P).

For amending Federal Hazardous Substances Act to give Environmental Protection Agency authority to protect health and the environment from hazardous chemical substances (S. 1478) (P).

For overriding President's veto of amendment to Federal Water Pollution Control Act (S. 2770) (P).

FOREIGN AFFAIRS

For appropriations for foreign assistance and related programs for fiscal year ending June 30, 1972 (H.R. 12067) (P).

Against providing foreign military and related assistance authorizations for fiscal year 1972 (S. 2819) (P).

For appropriations for U.S. participation in The Hague Conference on Private International Law and International (Rome) Institute for Unification of Private Law (H.R. 11948) (P).

For providing grants to Radio Free Europe and Radio Liberty (S. 3645) (P).

For giving President discretion to determine whether U.S. in required to observe UN sanctions against importation of chrome ore (H.R. 16029) (P).

For appropriations for foreign assistance for fiscal year ending June 30, 1973 (H.R. 16705) (P).

GOVERNMENT EMPLOYEES

For a bill relating to age requirements for appointment to certain positions in executive agencies and in competitive service (H.R. 8065) (D). (It was felt that age requirements are appropriate in jobs such as police, astronauts, firefighters, etc.)

For increasing federal contribution to costs of health benefits to 55% now and 5% annual increments to 75% (H.R. 12202) (P).

For revising methods of computing wages under Service Contract Act of 1965 (H.R. 15376) (P).

GOVERNMENT OPERATIONS

Against establishing Office of Technology Assessment for Congress as aid in identifying and considering technological application (H.R. 10243) (P). (It was felt that a new agency was not needed.)

For appropriations for legislative branch for fiscal year ending June 30, 1972 (H.R. 13955) (P).

For establishing positions and fixing compensation in Department of Treasury. (H.R 13334) (P).

For establishing advisory committees throughout federal government to advise officers and agencies (H.R. 4383) (P).

For appropriations to Department of State and U.S. Information Agency (H.R. 14734) (P).

For appropriations to Department of Housing and Urban Development; for Space, Science, Veterans and other independent executive agencies, boards, commissions, corporations and offices for fiscal year ending June 30, 1973 (H.R. 15093) (P).

For appropriation for Department of Transportation and related agencies for fiscal year ending June 30, 1973 (H.R. 15097) (P).

For financing acquisition, construction, alteration, maintenance, operation and protection of public buildings. (S. 1736) (P).

For appropriations to the Atomic Energy Commission. (H.R. 14990) (P).

For appropriations to Department of Interior and related agencies for fiscal year ending June 30, 1973 (H.R. 15418) (P).

For appropriations to Departments of Labor; Health, Education and Welfare; and related agencies (H.R. 15417) (P).

For appropriations to Treasury Department, U.S. Postal Service, Executive Office of President and independent agencies for fiscal year ending June 30, 1973 (H.R. 15585) (P).

For appropriations for legislative branch for fiscal year ending June 30, 1973 (H.R. 13955) (P).

For establishing federal policy concerning selection of firms and individuals to perform architectural, engineering and related services for the federal government (H.R. 12807) (P).

For authorizing Public Printer to designate library of highest appellate court in each State as depository library (S. 2227) (P).

For further continuing appropriations for fiscal 1973 (H.J. Res. 1278) (P).

Against overriding President's veto of Labor-HEW appropriations bill (H.R. 15417) (D). (In protest against excessive spending.)

For appropriations for Department of Labor and Health, Education and Welfare for fiscal year ending June 30, 1973, as amended (H.R. 16654) (P).

For appropriations for Departments of State, Justice and Commerce, the Judiciary and related agencies for fiscal year ending June 30, 1973 (H.R. 14989) (P).

For appropriations for the government of the District of Columbia (H.R. 15259) (P).

For appropriations for National Science Foundation (H.R. 14108) (P).

HEALTH, WELFARE, SAFETY

For extending and revising authorization of grants to States for vocational rehabilitation services and for vocational evaluation and work adjustment; and authorizing grants for rehabilitation services to those with sensory disabilities (H.R. 8395) (P).

For providing for prevention of sickle cell anemia (H.R. 13592) (P).

For changing designation of National Institute of Arthritis and Metabolic Diseases to National Institute of Arthritis, Metabolism, and Digestive Diseases (H.R. 13591) (P).

For extending "black lung" benefits to orphans whose fathers died of the disease (H.R. 9212) (P).

For enlarging authority of National Heart and Lung Institute to advance national attack against heart, blood vessel, lung and blood diseases (H.R. 15081) (P).

For extending and revising program for control and prevention of communicable diseases (H.R. 14455) (P).

For providing assistance for programs for diagnosis, prevention and treatment of, and research in, Cooley's anemia (H.R. 15474) (P).

For establishing a Uniformed Services University of Health Sciences and providing scholarships for education in medicine, dentistry and other health professions (H.R. 2) (P).

For authorizing assistance for planning, development and initial operation, research and training projects for effective health care services under emergency conditions (H.R. 15859) (P).

For amendments to Social Security Act providing increases in benefits, improved computation methods, raised earnings base, improvements in medicare, medicaid, maternal and child health, employment and training incentives and other improvements (H.R. 1) (P).

LABOR AND UNEMPLOYMENT

For increasing the minimum wage and extending the coverage and to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas. (H.R. 7130) (P).

For authorizing Speaker of House to appoint representatives to attend International Labor Organization Conference in Geneva in June (H. Res. 965) (P).

For six-month extension of emergency unemployment compensation program (H.R. 15587) (P).

For extending coverage and protection of National Labor Relations Act to employees of nonprofit hospitals (H.R. 11357) (P).

For amending Longshoremen's and Harbor Workers' Compensation Act to increase benefits and to extend coverage to piers, wharves and terminals (H.R. 12006) (P).

MILITARY AND SECURITY

For providing funds for Committee on Internal Security (H. Res. 849) (P).

For appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments, and authorizing average annual active duty personnel strength for Coast Guard (H.R. 13188) (P).

For extending authorization for appropriations for Arms Control and Disarmament Act (H.R. 13336) (P).

For tabling resolution requesting information from President and Secretary of Defense on U.S. military involvement in Indo-China (H. Res. 918) (P).

For a memorial honoring Seabees of U.S. Navy (H.J. Res. 55) (P).

For repealing Subversive Activities Control Act of 1950 and establishing a Federal Employee Security and Appeals Commission to make determinations of subversive organizations and also to serve as an appeal board for federal employees dismissed on loyalty or security grounds. Its function would be performed only in connection with the administration of an executive branch civilian employee screening program and not for general disclosure purposes as under the present system. Also prohibits President from appointing any person other than Attorney General with respect to inquiry of subversive organizations. (H.R. 9669) (P).

For authorizing treatment and rehabilitation program for drug-dependent members of Armed Forces (H.R. 12846) (P).

For military appropriations, including Safeguard anti-ballistic-missile system (H.R. 15495) (P).

For appropriations for military installations (H.R. 15641) (P).

For four-year extension of period during which number of Air Force majors, lieutenant colonels and colonels may be increased (H.R. 14542) (P).

For making rules governing use of Armed Forces in absence of declaration of war by Congress (S. 2956) (P).

For approving Interim Agreement Between U.S. and U.S.S.R. with respect to Limitation of Strategic Offensive Arms (SALT agreements) (H.J. Res. 1227) (P).

For appropriations for Department of Defense (H.R. 16593) (P).

For appropriations for military construction for Department of Defense for fiscal year ending June 30, 1973 (H.R. 16754) (P).

For amending section 4 of Internal Security Act of 1950 (H.R. 16742) (P).

For revising special pay structure for members of Armed Forces (H.R. 16924) (P).

SENIOR CITIZENS

For providing grants to States to establish, maintain, operate and expand low-cost meal projects, nutrition training and education projects, and opportunity for social contacts for senior citizens (S. 1163) (P).

For strengthening and improving Older Americans Act of 1965 to provide much-needed opportunities and supportive services to promote independent living, better nutrition, transportation and health (H.R. 15657) (P).

For establishing a National Institute of Aging (H.R. 14424) (P).

For increasing annuities to widows of Supreme Court Justices (H.R. 12101) (P).

For increasing Railroad Retirement benefits by 20% (H.R. 15927) (P).

For overriding President's veto of increased Railroad Retirement benefits (H.R. 15927) (P).

TRANSPORTATION

For extending act relating to high-speed ground transportation and authorizing enlarged research and development (H.R. 11384) (P).

For providing financial assistance to National Railroad Passenger Corporation for purchasing railroad equipment (H.R. 11417) (P).

Against providing public assistance to mass transit bus companies in District of Columbia (H.R. 14718) (D).

For guaranteeing obligations issued by Washington Metropolitan Area Transit Authority and authorizing increased contribution by District of Columbia (H.R. 15507) (P).

For appropriations for highways (H.R. 16656) (P).

For acquisition by Washington Metropolitan Area Transit Authority of mass transit bus systems in National Capital area. (Defeated on first attempt as H.R. 16724; passed on second try as S. 4062.)

VETERANS

For increasing allowances for vocational rehabilitation, educational assistance and special training; providing advance educational assistance payments; and improving educational assistance programs (H.R. 2589) (P).

For establishing a National Cemetery System within the Veterans Administration (H.R. 12674) (P).

For increasing maximum grants for special housing for disabled veterans (S. 3343) (P).

MISCELLANEOUS

For providing that Guam and Virgin Islands shall be represented in Congress by a Delegate to the House of Representatives (H.R. 8787) (P).

For promoting fair practices in election campaign for Federal political officer (S. 382) (P).

For striking medals commemorating bicentennial of American Revolution (H.R. 7987) (P).

Against establishing Select Committee on Privacy, Human Values and Democratic Institutions (H. Res. 164) (D).

For providing procedure for settling dispute on Pacific Coast and Hawaii among shippers and employees (H.J. Res. 1025) (P).

Against providing funds for Committee on Education and Labor (because of excess spending) (H. Res. 847) (P).

For authorizing funds for international aeronautical exposition (H.R. 11624) (P).

For allowing option in adoption of advanced time (H.R. 4174) (P).

For amending cruise legislation of Merchant Marine Act to provide greater flexibility and increased opportunity to carry cargo and mail (H.R. 9552) (P).

For a resolution to seek relief from restrictions on Soviet Jews (H. Con. Res. 471) (P).

For appropriations to National Aeronautics and Space Administration for research and development, construction of facilities and research and program management (H.R. 14070) (P).

For supplemental appropriations for fiscal year ending June 30, 1972 (H.R. 14582) (P).

For authorizing Secretary of Interior to plan and design memorial to Franklin Delano Roosevelt (H.J. Res. 812) (P).

For establishing mining and mineral research centers (H.R. 6788) (P).

For improving financing for Corporation for Public Broadcasting (H.R. 13918) (P).

Against amending American Revolution Bicentennial Commission (H.R. 13694) (D).

For providing payments to localities for high-priority expenditures, encouraging States to supplement revenue sources, and authorizing federal collection of State individual income taxes (H.R. 14370) (P).

For reducing interest rate on Small Business Administration disaster loans (H.R. 15692) (P).

For supplemental appropriations for disaster relief (H.J. Res. 1238) (P).

For amending section 509 of Merchant Marine Act (H.R. 11300) (P).

For appropriations for Corporation for Public Broadcasting for fiscal year 1973 and for grants for construction of noncommercial educational television or radio broadcasting facilities (S. 3824) (P).

For a resolution expressing the sense of the House on the tragic killings of Israeli Olympic team members at the Twentieth Olympiad at Munich (H. Res. 1106) (P).

For implementing Convention for Suppression of Unlawful Seizure of Aircraft; and authorizing President to suspend air service to any foreign nation encouraging "skyjacking" (H.R. 16191) (P).

For extending duration of copyright protection (S.J. Res. 247) (P).

For appropriations for certain maritime programs (H.R. 13324 and H.R. 16987) (P).

SAMUEL VanARSDALE NOE

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Wednesday, October 18, 1972

Mr. COOPER. Mr. President, Louisville and its schools and the entire educational community of Kentucky lost a most valuable citizen in the death of Samuel VanArsdale Noe, former superintendent of the Louisville schools.

I had the opportunity of knowing him since we were students together at Centre College. His interest was always preeminently in education, but he was respected also in Louisville and throughout Kentucky for his participation in civil affairs, his church work, and for his warm personality and great integrity.

I ask unanimous consent that an article appearing in the Louisville Courier Journal on January 29, 1972, entitled "Noe Dies; Was Head of Schools" be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

NOE DIES; WAS HEAD OF SCHOOLS

Samuel VanArsdale Noe, former superintendent of the Louisville schools, died at 5:05 a.m. today at Methodist Evangelical Hospital. He was 70.

Noe was admitted to the hospital on Dec. 5 with a ruptured esophagus.

He had been in serious condition since that time.

Noe served 40 years with the city school system. He headed the system nine years, retiring in 1969.

He lived at 414 Club Lane.

Noe's career with the city school system began in 1928 when he left Eminence, Ky., where he had been a teacher, coach, principal and superintendent, to become principal of Strother Elementary School.

Before it ended with his retirement in 1969, he had also been principal of Eastern and Highland junior high schools and Halleck Hall (Louisville Girls High School).

He had served as administrative assistant to Supt. Omer Carmichael, and was acting superintendent in charge of instruction and assistant superintendent in charge of general administration.

When he moved into Carmichael's old office in 1960, Noe reportedly told his associates it was "the longest walk I perhaps will ever take this side of eternity."

In an era when racial problems, financial strains and belligerent pressure groups of teachers, parents and students spelled trouble for school systems across the country, Noe won praise from fellow educators.

"He's run a good, sound school system," said one state Department of Education official when Noe retired. "I have the greatest respect for him."

Noe's legacy includes his signature on the bottom of thousands of diplomas earned by Louisville schoolchildren—and more.

COOPERATED WITH CATHOLICS

Evaluating his term as superintendent, associates and newamen praised his ambitious building program—including 12 new schools and 21 school additions; increased cooperation with city Catholic schools and a generally good relationship with city teachers at a time when most other big school systems were being torn apart by strikes.

Noe was born April 26, 1901, in Springfield, Ky. His father, James Richard Noe, was publisher of The News Leader in Springfield and was a city judge.

In 1922, Noe graduated from Centre College in Danville, Ky. He attended Columbia University Teachers College during summers to earn his master's degree in school administration in 1928.

He married the former Elizabeth McDonald, of Eminence, in 1930.

During World War II, he left the city schools to serve in the Army. For his reorganization of the Italian school system as part of the Allied Military Government, he earned a citation as Knight Officer of the Crown from Italy and the U.S. Bronze Star.

HAIR HAD TURNED WHITE

An associate, who remembered that Noe's hair was graying a bit when he entered the Army, said, "The first thing I noticed when S. V. came back from the war was that his hair had turned white."

White hair was also the hallmark of Noe's most famous relative, his first cousin James Thomas Cotton Noe, Kentucky's poet laureate from 1926 until his death in 1953.

Samuel Noe had been a member and past president of the Louisville Kiwanis Club, director of the Metropolitan YMCA of Louisville and Jefferson County, and vice-president of the Jefferson County chapter of the National Foundation for Medical Scientific Research, Professional Education and Medical Care.

Surviving in addition to his wife are a son, Samuel V. Noe Jr., of Cincinnati, two grandchildren; and four sisters, Mrs. John O'Brien, Miss Marianne Noe, Miss Sara Noe and Miss Corinne Noe, all of Louisville.

The body was taken to the Nunnelley Funeral Home, 4327 Taylor Blvd.

The funeral will be Monday afternoon, at a time to be announced, in Central Presbyterian Church, Fourth and Kentucky, with burial at Eminence. The body will be at the church after 1:30 p.m. tomorrow.

The family requests that expressions of sympathy take the form of gifts to the Samuel V. Noe Scholarship Fund, 5th District Parent-Teacher Association, J. Graham Brown Education Center.

WHAT KIND OF JUSTICE IN THE JUSTICE DEPARTMENT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. WALDIE. Mr. Speaker, a few weeks ago, U.S. District Court Judge William D. Murray held in Yellen against Hickel that the residency requirement in section 5 of the 1902 Reclamation Act must be enforced.

I hailed that decision as a great victory for the family farmer in California and in those other areas of the country where large corporate interests are currently being subsidized by Federal water projects in contravention of established law.

Now I understand that there is every indication that the Justice Department intends to appeal this case and ask that Judge Murray's order be vacated.

Such a policy would be in stark contrast to the Justice Department's earlier failure to appeal, without comment, the decision in United States against Imperial Irrigation District, where the courts declined to enforce the 160-acre limitation of the Reclamation Act in the Imperial Valley. At that time the Justice Department said that what was needed was not appellate review, but rather congressional clarification of the intent of the Reclamation Act.

Now, if the Justice Department insists on appellate review of the Murray decision, then what it is really saying is that when the administration's policy of interpreting the Reclamation Act in a manner favorable to corporate interests is upheld at any judicial level, then such decisions will be embraced. But when the intent of the law is held to be inimicable to those powerful interests, then the Justice Department will pursue the case to great lengths, seeking a reversal, and rendering the decision meaningless in the interim.

I am aware of how difficult it must be for Justice Department attorneys to rationalize and justify such policies to themselves and outsiders. But I am afraid that such actions are becoming so commonplace as to escape notice both within the Department, and with the general public.

I am embarrassed that private parties have had to assume what should be the proper role of the Government in seeking judicial enforcement of the Reclamation Act.

I will do whatever I can to bring pressure upon the Justice Department in this matter, and to bring to the public's attention what I consider to be law enforcement for the privileged few.

At the very least we want this administration to know that somebody is watching. Hopefully, Congress will soon recognize its responsibility, as well, and reaffirm in clear language its intent and policy as enunciated in the Reclamation Act of opening up the West to the family farmer.

PROJECT ENTERPRISE—BUSINESS GOES TO CLASS

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. DWYER. Mr. Speaker, year after year, Junior Achievement of Union County, N.J., has been a pacesetter among JA organizations throughout the country in devising innovative, imaginative, and effective methods of introducing high school students to the meaning, the operation, and the opportunities of the free enterprise system.

For several years, it has been my privilege to acquaint our colleagues and other readers of the RECORD with the ideas and activities of JA of Union County in the confident expectation that success breeds further success and that what has worked so well in Union County can serve equally well elsewhere to dispel the myths of American business and to enhance youthful understanding of the realities of this critically important area of our society.

This year, Mr. Speaker, Junior Achievement of Union County has developed an especially promising technique of economic education which I am sure our colleagues will find most interesting and valuable. The following press release from JA of Union County describes "Project Enterprise" fully and I include it as a part of my remarks:

PROJECT ENTERPRISE—BUSINESS GOES TO CLASS: JUNIOR ACHIEVEMENT OF UNION COUNTY EXPANDS ECONOMIC EDUCATION ACTIVITIES

The case study, problem-solving teaching technique of economic education has come to New Jersey high schools via a dynamic new program launched by Junior Achievement of Union County in cooperation with professors of the Harvard Business School and Northeastern University, a team of businessmen including members of Young Presidents Organization, and principals of seven major high schools in the Union County, New Jersey area. Teachers and students in other similar pilot projects have had high praise for the case study technique pioneered by the Harvard Business School on which the new Project Enterprise is based.

The challenge of the new project is as enticing to the adult educators and businessmen who will be involved as to the high school students because, inevitably, what American teenagers and their parents don't understand they seldom support.

When applied to the American business system, it follows that the future rests heavily upon how well private enterprise is understood, especially by young men and women who will be the voters, consumers and government and business leaders of tomorrow. Businessmen have sought ways to communicate effectively the fundamental principles and economic facts about their enterprises to young people. Enthusiasm of young people is the key in the stiff fight to preserve our market enterprise system and to keep it vital and alive for the American people and future generations worldwide. Business History and Economic Life Program, Inc. has pioneered in preparing case studies for teaching economic concepts to teenage students and demonstrating these teaching methods, involving businessmen in the classroom.

MYTHS

Misconceptions about business clearly abound beginning with distortions in the entertainment media of what really goes on in the executive suite. Not only teenagers but the public at large believe that after-tax corporate profits average 28¢ on the dollar of sales. The actual figure is 4c. One-third of the public believes Washington should set ceilings on profits. Another one-third believe that the most practical and equitable way for workers to improve their standard of living is to get more of the money companies make rather than to work at top efficiency and increase productivity.

REALITIES

Many high school students who have thought only of careers in education, government and the professions are switching to business administration and the wide variety of careers open in industry. Why? Because of their participation and exposure to Junior Achievement's "learn by doing" business training program where, working with volunteer businessmen from sponsoring industries they operate junior companies under exactly the same profit-motivated fundamentals of any modern corporation.

CASE STUDY TECHNIQUES

Now, under the auspices of Junior Achievement, businessmen will take business into the classroom. Junior Achievement of Union County, assisted by Professor Ralph W. Hidy of the Harvard Business School and Professor Paul Tedesco of the College of Education, Northeastern University, and local high school principals has launched an exciting expansion of its economic education program and calls its effort Project Enterprise. Using case studies of actual business situations, they will take business into seven local high schools where businessmen will join with teachers in conducting analytical discussions. The technique gets the students to develop ideas, insight and problem-solving skills. Instead of textbooks, their source material is especially prepared case studies presenting real business situations and problems in condensed form. Early in December, Professor Tedesco will teach a demonstration class in economics with the pilot project teachers participating.

H. W. Fraser, President of Junior Achievement of Union County, and his associates on the Junior Achievement Board of Directors, believe that using case studies of such well-known corporations as Ford, United Fruit, STP and Standard Oil will put new life into economics and history courses, which too many students now rate as dull. A history class, for example, may get deep into the realities of early American colonial life by studying the Virginia Company that established Jamestown in 1607. An economics class can struggle with modern production and mass merchandising by taking up a case study on Andy Granatelli and STP Corp. As teachers gain expertise in the method, they and their students may work together developing new case studies of local businesses, bringing to life with on-the-scene research the history of their own communities.

Students, high school principals, teachers and businessmen in the area have enthusiastically endorsed this new Junior Achievement approach to dynamic, effective economic education because to many high school students the business community is a world apart from them even though their parents may support the families through jobs in business and industry. Says Professor Tedesco, "The business case study and problem-solving technique helps them to see the values, benefits and rewards of the competitive business system and to overcome misunderstandings and even suspicions about the private enterprise system.

Says Herman Mopsick, Principal of Linden High School, "We are excited about our participation in Project Enterprise. The great teachers are those who never put the student down. They are the ones who make vigorous efforts to diversify their teaching techniques, posing problems solvable only through deep understanding and logic. The teachers who will be involved in Project Enterprise look forward to a new cooperative approach which will enable them to discuss economics and the history of corporate enterprise in greater depth and breadth, and more meaningfully, than ever before. The Project will be challenging to teacher, student and businessman alike. The difference in student performance in these classes should be dramatic."

Public and parochial high schools participating in the pilot project are Linden, Cranford, Roselle Catholic, Hillside and the David Brearley, Arthur L. Johnson and Jonathan Dayton Regional High Schools.

PERSON TO PERSON

A further step in bridging the communication gap and explaining the economic facts of life to young people will be informal, unstructured face-to-face discussions between top businessmen, government and professional leaders and small groups of Junior Achievers, boys and girls who will be junior company officers as well as production workers. Subject for discussion, at the discretion of the individuals involved, are expected to range from the proposed Burke-Hartke Bill to Industry Week Magazine's "Impact Report", ecology, ethics in business and government, or any other subject which concerns today's teenagers. According to Mr. Fraser, the Junior Achievement President, 26 top business, government and professional leaders have already agreed to participate in these informal, person-to-person discussions.

CYANAMID PRESIDENT HOSTS FIRST GROUP

As this issue of New Jersey Business goes to press, the first meeting of management and teenagers is taking place. Dr. James G. Affleck, President, American Cyanamid Company and several of his top management executives had a luncheon meeting with six Junior Achievers in the executive dining room of the corporate headquarters at Wayne, New Jersey. Participants were:

Dr. Affleck, Dr. Harvey R. Russell, Manager, Educational Services; Herbert Hofmaier, Manager, Warners Plant; John M. Fasoli, Director of Public Relations. The Junior Achiever guests of Dr. Affleck were: Ann Marie Behm, Secretary of Excelsior; Alex F. Czopek, Jr., Purchasing Agent, Bel-Craft; Sharon A. Holloway, President, Jam Co; Pamela G. Kniazuk, Director, Bosco; Joseph J. Laskowski, Treasurer, Rejaco; and Joseph Shanahan, President, Scher-Craft.

All thirty Junior Achievement company sponsors in the Union and Middlesex County areas will hold similar face-to-face unstructured discussions involving the approximately 900 boys and girls who are members of this Junior Achievement "learn by doing" business training program, mostly scheduled for the month of January 1973.

Junior Achievement of Union County, Inc., 1203 East Broad Street, Elizabeth, N.J. 355-1002.

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COMMENTS CONCERNING THE COASTAL ZONE OF THE UNITED STATES

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GROVER. Mr. Speaker, as you are aware, the Coastal Zone Management Act of 1972 is now awaiting the President's signature. If it is signed, it will inaugurate a new era of Federal concern and assistance for the wise management of that invaluable resource, the coastal zone of the United States. That act will be a catalyst to those States and communities which have not developed coastal zone management programs; and encouragement for those which have already started to continue.

Mr. Speaker, Nassau and Suffolk Counties began their mutual efforts to develop a coastal management program over 4 years ago. They had to. Long Islanders are never more than 10 miles from the sea or Long Island Sound when at home. The sea and the sound play an integral part in their well being—their weather, their health, the quality of their water, their recreation, often their livelihood and untold other ways.

Through the Regional Marine Resources Council of the Nassau-Suffolk Regional Planning Board, and with the aid of the national sea grant program, studies have been sponsored which shortly will lead to the Marine Resources Council's proposed coastal management guidelines for Nassau and Suffolk counties. They will concentrate on four principal areas: water supply and waste water disposal; wetlands; dredging; and coastal erosion and protection.

In order to reach their management proposals, the Marine Resources Council has held a number of seminars on these problem areas, drawing on some of the finest talent available in the United States to discuss the critical issues. In September they cosponsored with the National Oceanic and Atmospheric Administration a conference on the management problems of wet lands.

The Honorable John V. N. Klein, the county executive of Suffolk County, set the stage and the tone of the proceedings in his introductory remarks at that conference. And by including his farsighted thoughts in the RECORD today, I want to highlight what are undoubtedly key issues confronting not only Long Island, but also all coastal States as they begin their quest for sound management of the coastal zone. First is the management orientation focused upon both the council's studies and the wetlands conference. Second is the need for science/technology information transfer to management, to provide clear and unmistakable information needed for sound management decisions. Third is the need for a well-funded Federal program to assist States and local governments in their coastal zone management programs, a need that the new Coastal Zone Management Act begins to meet.

Mr. Klein's address to the Long Island Wetlands Conference is an important insight into the problems and perspectives of government officials at all levels who must make management decisions. I urge that his statement be studied carefully by all who are concerned for the preservation, enhancement, and development of our coastal zones.

ADDRESS BY JOHN V. N. KLEIN

Gentlemen, my allotted portion of this auspicious seminar, I have been informed, in addition to extending a cordial welcome to this distinguished assemblage of officials, scientists, and concerned citizens, is that of a "stage setter."

I have, according to the advance copies of the day's program, been granted 30 minutes to "set the stage" for this seminar. And I want you all to know that I made very sure that the lights were turned on; that the public address system is in fair working order for a change; and that the place was dusted properly as befits a seminar of this importance. So by my calculations, by getting here early this morning, I have gotten the jump on my assignment. I hope you are pleased with the accommodations. If you are not, please direct your grievances to the county legislature, not to me. Its their hall, not mine, you see.

So much for the first part of my assignment here this morning. I am very pleased to extend Suffolk County's welcome to the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, the Department of Interior, the U.S. Army Corps of Engineers, their consultants; the scientific community; planners; conservationists and representatives of industry here today.

Our focus today on the problems of wetlands management is unusual, I feel. It will home in on these problems from the point of view of elected and appointed officials of all levels of government, the men and women vested with the authority to make decisions on the use and conservation of wetlands. What knowledge of wetlands must officials have to make wise decisions? What research should be fostered that will best aid the decision-maker? What guidelines should be applied for sound management of wetlands? These questions are at the root of our objectives today. And finding answers to them couldn't be more timely.

What we are experiencing on Long Island is a microcosm of a global phenomenon. A high percentage of the world's population is concentrated in a thin strand surrounding the global seas and oceans—upwards of 70%. Serious environmental problems related to man's life and use of this narrow land area have been created by such population concentrations. Thus, I was pleased to see the resolution adopted by the Second International Parliamentary Conference on the Environment last June in Vienna, the operative part of which said:

"Governments should enact legislation and prepare and implement programs to manage more wisely man's habitation and use of urban, rural, and coastal areas. Particular attention should be given to the interaction of urban and rural land uses with the marine environment, notably wetlands and living resources dependent on the world's coastal zones for sustenance."

I will make my formal presentation brief and to the point. We meet here today at what is practically the center of a Nassau-Suffolk region encompassing an island 120 miles long and 20 miles wide, where no one in this entire region is ever more than 10 miles from a magnificient, but fragile, marine environment. And, we meet in an area that is acutely aware and very sensitive to the myriad of ecological perils which confront modern man in today's society.

More than four years ago, threatened by unprecedented population, housing and industrial growth, the counties of Nassau and Suffolk dedicated themselves to a quest for long-range planning to enhance, preserve and restore our priceless marine environment. Long Island pioneered, first on its own, then with the support of the National Sea Grant program; zeroing in our four specific areas. These include: wetlands management; fresh water resources and wastewater disposal; dredging and dredge spoil disposal, and beach protection.

The federal aid we have received in these fields is and continues to be immeasurable, not only from a funding standpoint, but also from the expertise and brainpower that has been made available to us. The problems of wetlands management are so complex and so perplexing that we on a local level must have the cooperation and coordination of every level of government and science if we are to succeed.

We in Suffolk are voting this year on a shoreline zoning review proposal which will take place in the expert hands of our fine Suffolk County Planning Commission the right of review of any change of zoning, variance or special permit by any municipality of any land within 500 feet of our shoreline and estuaries. Thus, I sincerely believe, will give this county a landmark breakthrough in protecting our shorelines. Of course, you are all aware of the continuing threat of offshore oil drilling, which we have mounted a drive against, and which remains quite uncertain, but no less a dangerous threat to us.

I know that this is an age of specialization. I know that scientists must be free to conduct their studies in their own manner and by their own means. But there is a dangerous gap developing here. And I raise my voice at this hearing as a warning against it.

There is today a crisis need for any federal program which will result in scientific findings being handed to those elected and appointed officials charged with preserving our environment in such a manner that they can be readily understood. This is not the time to get muscle-bound trying to decipher some scientific jargon into everyday, layman's language.

It is the job of government to understand what the scientists are saying and take the kind of positive, quick action needed to keep us on course in our fight for survival. Conversely, it is a responsibility of the scientists and technicians to speak to us in government in clear and unmistakable language.

If there is one point that I would like to leave with you gathered here today it is just that. To the scientists, we look for your expert advice and interpretation of the specific problems whatever the area or region of this nation. Give us that kind of tool, and we in government will respond with appropriate action. But anything short of that will, I am sorry to predict, only help to further confuse government into inaction.

I thank you for the opportunity for being able to talk with you briefly. I hope I have made myself and my position clear. I look forward to a new kind of scientific-governmental future relationship.

ACTIVITY REPORT OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES, 92D CONGRESS

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. GARMATZ. Mr. Speaker, I think the record of the House Committee on Merchant Marine and Fisheries during the second session of the 92d Congress has been an outstanding one—earmarked by significant and long-range contributions to the maritime industry and to the environment.

Although a more thorough and complete account of all the committee's activities will appear at a later date in an official committee print, I would like to insert an abbreviated report into the RECORD at this time.

MERCHANT MARINE

There are many indications, Mr. Speaker, that 1972 will be a landmark year for the American maritime industry, and the other members of the committee and I are proud of the role our committee has played in the regeneration of that industry.

Two of the most important pieces of maritime legislation acted upon by our committee during the last session of this Congress were H.R. 13324, the maritime authorization bill for fiscal year 1973; and H.R. 16987, the so-called supplemental maritime authorization bill.

Our committee held 2 days of hearings on H.R. 13324, in order to determine how much funding was necessary to continue the momentum of the Merchant Marine Act of 1970, which calls for the construction of 300 modern American-flag vessels in the next decade. H.R. 13324 subsequently passed the House and the Senate, and it was enacted on August 22, 1972. As enacted, it called for a total of $556,044,000 for the following maritime activities: Construction subsidy, $280 million, of which $30 million is for the purchase of modern or reconstructed U.S.-flag vessels for layup in the national defense reserve fleet; operating subsidy, $232 million; research and development, $30 million; Reserve fleet expenses, $3,900,000; maritime training at the Merchant Marine Academy at Kings Point, N.Y., $7,854,000; and State marine schools, $2,290,000.

H.R. 16987, was equally important to the overall maritime program, because it called for an additional $175 million for ship construction to supplement the $250 million already authorized for ship construction for fiscal year 1973.

The significance of this additional $175 million cannot be stressed too strongly, because it is indicative of the success of our long-range program to rebuild the American merchant marine. This significance was emphasized by Robert J. Blackwell, Assistant Secretary for Maritime Affairs of the Department of Commerce, when he testified before our committee. In commenting upon the fact that American ship operators are responding to the incentive provided by these subsidies by building bigger and better ships, Mr. Blackwell said:

> None of these vessels would have been built in the United States without the expanded dimension given to our federal maritime policies by the Merchant Marine Act of 1970. Because of these subsidy construction orders, American shipyards today have the largest peacetime orderbook of merchant ships in their history in terms of gross tonnage and contract value.

Under the subsidy program, the Maritime Administration had already contracted for a large number of new ships just at the close of fiscal year 1972; these included 18 tankers and six of the technologically new LNG's—or liquefied natural gas carriers. The supplemental fund of $175 million will provide for at least five more LNG's. These ships, which cost an average of $80 million each to build, will not only help meet our Nation's ever-increasing energy needs—they will also help make the American merchant marine a more dominant force in world trade. Mr. Blackwell also stated at our hearings that American shipyards—through technological know-how—may actually be able to build and sell LNG's to foreign interests. If this does happen, it will indeed be a momentous turning point for the American maritime industry, in addition to providing a tremendous and beneficial impact on our Nation's economy and to our balance-of-payments status.

The committee has, of course, long been aware of the need for the American-flag merchant fleet to be in the forefront of the newly developing LNG technology and market. As a matter of fact, prior to the initial contracts signed for the construction of the first LNG's in this country, our committee held hearings on legislation which proposed to authorize the Federal Government to build a fleet of up to 40 LNG's, which would then be sold or chartered for operation under the American flag.

The committee held 3 days of hearings on a number of similar LNG bills during June 1972. Testimony presented at those hearings documented the fact that the United States faces an impending energy crisis, and that vast amounts of LNG will be imported to meet our Nation's escalating energy requirements. The committee is glad to note that American operators did not wait for the outcome of this legislation, but seized the initiative instead, and are moving ahead in this new and exciting field which contains so much hope for the American maritime industry.

During the early part of the second session, the committee held 7 days of hearings on H.R. 12324, which would require that not less than 50 percent of all oil imported into the United States under the quota system be carried in American-flag vessels. Since the demand for petroleum imports is heavy now, and is expected to increase dramatically in the next decade, such legislation—if enacted—would have a beneficial impact upon the American merchant fleet by stimulating new tanker construction, providing more sea-going jobs and aiding our balance-of-payments situation.

In addition to those benefits, proponents of the legislation argued during committee hearings that the United States cannot depend upon foreign-flag vessels to transport our vital oil supplies in times of national emergencies. The major argument of opponents of the legislation was that it would cause an increase in costs to the American consumer.

Following the extensive hearings, the committee met in executive session and ordered the bill reported, with the following amendments: First, residual fuel oil was removed from the provisions of the bill; second, No. 2 fuel oil was removed from the provisions of the bill; and, third, petroleum refiners with inputs of 30,000 barrels per day were excluded from the provisions of the bill.

In the closing days of the 92d session, I introduced H.R. 17176, which is designed to create more stringent controls over the activities of foreign-flag passenger ships operating out of the United States. This legislation, was cosponsored by Mr. CLARK.

H.R. 17176 evolved from 2 days of hearings our committee held when American steamship representatives complained that the Bureau of Customs was not properly enforcing our cabotage laws with respect to foreign-flag cruises from American ports. Testimony produced at the hearings indicated that certain foreign-flag vessels circumvent our cabotage laws by various devices, ostensibly including superficial calls at foreign ports, when the real destination is a second American port. As a result of the hearings, the committee had directed the Maritime Administration to work with the Bureau of Customs, to help the latter agency strengthen its regulations with respect to the activities of these foreign-flag passenger vessels. Since it now seems apparent that the Bureau of Customs is not moving in the direction recommended, H.R. 17176 was introduced to correct—through legislation—a situation which is not being corrected through administrative action.

Although a number of other maritime bills were acted upon in the second session of the 92d Congress, those discussed above were considered the most important to the industry.

OCEANOGRAPHY

Enactment of two major pieces of environmental legislation, which should become milestones to the committee and to the Nation, occurred in the second session of this Congress as a direct result of the legislative work of our Subcommittee on Oceanography. The two bills referred to are the ocean dumping bill, and the coastal zone management bill, both of which required House-Senate conference action in the closing days of the 92d Congress.

The conference report on the coastal zone management bill passed the House on October 12, 1972, and became Public Law 92-583 on October 27, 1972. Basically it calls for establishment of a comprehensive national policy and the development of a national program for the management, utilization, protection and development of the waters and land resources of the Nation's rapidly disappearing coastal and estuarine zones.

Under this new law, $200 million in Federal money will be provided to the individual States to help them make intelligent, long-range plans and decisions on how best to utilize the Nation's invaluable coastal zone resources. Since this is a complex law, no attempt will be made to discuss it in detail at this time, and more specific information can be obtained from House Report 92-1544.

It should be noted, however, that the coastal zone bill will probably be one of the most important pieces of environmental legislation to come out of the 92d Congress, or any Congress. As enacted, it represents the first real attempt to control the reckless and indiscriminate growth and urban sprawl in our coastal areas; and, for the first time, it provides real aid to the coastal and Great Lakes States, which are faced by insurmountable financial problems in assuming responsibility for dealing with the continuing onslaught against the total coastal environment.

The committee is justifiably proud of the role it has played in the enactment of the very first law which bans the dumping of harmful waste materials into America's coastal and offshore waters.

H.R. 9727, the so-called ocean dumping bill, was the product of the joint efforts and hearings of our Subcommittee on Oceanography, chaired by Congressman Alton Lennon, and the Subcommittee on Fisheries and Wildlife, chaired by Congressman John D. Dingell. After extensive hearings and comprehensive executive sessions, the committee reported out an ocean dumping bill in the first session of the 92d Congress, and although the legislation was passed by the House in the first session, House and Senate conferees could not agree on differences. Three additional conference meetings were held in the second session, and both Houses accepted a conference report on October 13, 1972. H.R. 9727 became Public Law 92-532 on October 23, 1972.

In addition to placing a total and absolute ban on the dumping of radiological, chemical or biological warfare agents or of any high-level radioactive waste into the oceans, the ocean dumping act—officially referred to as the Marine Protection, Research and Sanctuaries Act of 1972—also seeks to control the dumping of dredge material which could be harmful to the environment. The final act retains the authority to issue permits for dumping of dredged material to the U.S. Army Corps of Engineers, but it requires the Corps to follow environmental guidelines set by the Environmental Protection Agency—EPA—if dumping of such material is to be performed, in areas considered to be of critical environmental importance, however, EPA would have the final word on disposition of such waste material. Under this act, violators would be subject to a maximum fine in each case of $50,000 per offense.

The Oceanography Subcommittee also was active in a number of other areas, including hearings on legislation to provide for the orderly development of hard mineral resources from the ocean; oversight hearings concerning the functions and activities of the National Oceanic and Atmospheric Administration—NOAA—and House passage and final enactment of legislation to increase the annual authorization of funds for the National Advisory Committee on Oceans and Atmosphere, from $200,000 to $400,000.

FISHERIES AND WILDLIFE CONSERVATION

As usual, the activities of the Subcommittee on Fisheries and Wildlife Conservation were extremely broad and productive under the able chairmanship of Hon. John D. Dingell. Since the bills acted upon by this subcommittee were so voluminous—and, in many cases, so complex—it would be impossible to provide a detailed account in this brief report. A committee print, which will contain a complete and detailed report of all the committee's activities, will be forthcoming.

One of the most significant pieces of conservation legislation to be considered by this subcommittee for a long time—the Marine Mammal Protection Act—became Public Law 92-522 on October 21, 1972. This controversial and complex legislation has many important provisions, but one of the most principal ones provides for the establishment of a moratorium on the taking of marine mammals—with certain exemptions. Development of management programs, creation of a Marine Mammal Commission and penalties against offenders are also called for in this act, which is long overdue and badly needed if humanity is to protect and assure the humane treatment of these wild creatures.

Other bills which emanated from this subcommittee and became public law in the second session of the 92d Congress provide for: insurance to America's commercial fishermen for storm damage, or damage caused by illegal seizures; creation of wildlife refuges for seals, migratory waterfowl and other wildlife; creation of additional recreational areas; protection of the bald eagle; extension of the Commercial Fisheries Research and Development Act; prohibition against hunting from aircraft; extension of the Jellyfish Act; and funding programs for restoration of sockeye and pink salmon stocks.

Additional hearings were held on a wide variety of subjects, such as legislation to: establish predator control programs and eliminate inhumane methods of elimination of predators; provide for management of game on Federal lands; and to provide for protection for the fish resources of the United States against the introduction and dissemination of diseases.

COAST GUARD

The Subcommittee on Coast Guard Coast and Geodetic Survey, under the able chairmanship of the Honorable Frank M. Clark, continued to make significant gains toward the national goal of making our ports and waterways more navigable, safer, and less polluted. The significant gains made during the first session of Congress, examples of which were the passage of the Radio Telephone Bridge to Bridge Act and the Small Boat Safety Act, were complemented by legislation which is integral to the achievement of the goals outlined above.

The annual Coast Guard authorization bill, which is of paramount importance, contained a total of $158,380,000 for fiscal year 1973. This figure included: $81,740,000 for acquiring new vessels and improving existing ones; $18,200,000 for procurement and extension of service life of aircraft; $46,040,000 for the establishment or development of installations and facilities; and $12,500,000 for bridge alterations.

This session also saw the passage of H.R. 8140, commonly referred to as the Port and Waterways Safety Act. This legislation has received considerable attention by the subcommittee and efforts in this regard date back to the 91st Congress. Its passage into law has dual significance in that it makes a major contribution from the standpoint of both marine safety and pollution prevention. Under the act, the Secretary in the Department in which the Coast Guard is operating has the authority to establish vessel traffic services and systems for ports, harbors, and other waters subject to congested vessel traffic or other hazardous conditions. Indicative of the need and importance of this legislation is the fact that, although it was signed into law as recently as July 10, 1972, vessel traffic systems have been initiated in San Francisco and Puget Sound.

Although these systems were originally on a voluntary basis, the new systems will be mandatory. In addition, a vessel traffic system is planned for the Houston Ship Channel, with an installation date of January 1974. The legislation also authorizes the Secretary to establish rules and regulations setting forth minimum standards of design, construction, alteration and repair to vessels engaged in the carriage of certain liquid bulk cargo, the spillage of which creates substantial hazards to life, property, and the navigable waters of the United States.

The subcommittee was also happy with the passage of H.R. 6479, the Towboat Operating Licensing Act, the legislative history of which is even more extensive than the Port and Waterways Safety Act cited above. This act authorizes the Secretary to require licensed operators on towing vessels 26 feet or over in length. The Secretary is further authorized to prescribe rules and regulations stating the requirements for that license, as well as geographical limitations particular to that license. The act also restricts the working hours of the person licensed to 12 hours in any consecutive 24-hour period, except in case of an emergency. In addition the Secretary is required to conduct a study on the need for licensed engineers on these vessels and submit his report and any recommendations within 10 months after the enactment of this act.

This session also saw the enactment into law of various pieces of legislation which might be described as housekeeping, in that they apply themselves to the orderly administration of the Coast Guard and the programs for which it is responsible. H.R. 13697 applied itself to the Coast Guard flag officer structure and provided for the establishment of periodic continuation boards which would review the proficiency of rear admirals and make recommendations with respect to their continuation in the service of the U.S. Coast Guard. Heretofore, no review of this type was authorized. The legislation also establishes statutory positions of commander, Atlantic area and commander, Pacific area; and it authorizes the grade of vice admiral for these two positions.

H.R. 10486 applied itself to the rank of master chief petty officer and the lighthouse service employees who are under the jurisdiction of the Coast Guard. The purpose of the legislation was twofold: First, it made the basic pay of the master chief petty officer of the Coast Guard comparable to the basic pay of his counterparts in the other armed services. Second, it corrected another pay inequity which has existed since 1969. This inequity, which developed with the enactment of Public Law 91–93, permitted civil service employees to compute their retired pay on the basis of their highest average salary over a 3-year period vice a 5-year period. This act now provides that lighthouse employees may compute their retirement using the same formula as the civil service. In addition, the act enables lighthouse employees who were forced into involuntary retirement due to cutbacks to compute their retirement on a reduced basis, based on a formula presently used by the Civil Service under similar situations.

PANAMA CANAL

With the opening of the second session of the 92d Congress, the Subcommittee on Panama Canal resumed hearings on the proposed canal treaty.

Several days of open hearings, as well as executive hearings, were held on this important subject because of the apparent impasse of the treaty talks by State Department officials and by elements of the Panamanian Government.

In February of 1972, the subcommittee made an inspection of the Canal Zone and the city of Panama in order to receive first-hand information to determine the current problems facing the United States in operating the canal in view of the highly volatile political situation in Panama. An ambitious schedule of meetings with officials, leaders, civic groups, union groups, members of the judiciary, and individuals were conducted in addition to the status of the treaty talks with the officials of the U.S. Canal Zone Government. A myriad of important topics was discussed in great detail with the proper individuals and agencies charged with that responsibility.

On July 1, 1972, the Provisional Junta Government of Panama seized the Panama Power & Light Co., called Fuerza y luz, owned by the Boise Cascade Corporation of Boise, Idaho. Hearings were held on this matter in July and August 1972, in order to investigate the apparent, as well as the underlying reasons for the takeover of American-owned enterprises by the Panamanian Government.

At the moment, negotiations between the Panamanian Government and Boise Cascade are continuing, and it is hoped that an amicable solution is in the making.

The subcommittee will continue to investigate and receive information on this very important matter with a view toward protecting the interests of citizens and American-owned corporations of the United States.

Mr. Speaker, attached at the end of this report is a statistical table depicting the legislative activity of this committee during the second session of the 92d Congress. As I said earlier in this report, a more detailed account of all committee activities during that period will be found in a formal committee report to be printed at a later date:

STATUS OF BILLS REFERRED, 92D CONG., 2D SESS.

				Subcommittees				
	Total	Full committee	Merchant Marine	Fisheries and wildlife	Coast Guard	Oceanography	Panama Canal	Education and training
Bills referred:								
House bills	98	1	13	56	8	7		3
House joint resolutions	2		1	1				
House Congressional resolutions	2		1		1			
House resolution	1		1					
Senate bills	4		1	2		1		
Total referred	107	1	17	59	9	8		3
Bills reported:								
Public laws	32	9	7	11	6	1		
Private law	1		1					
Reported to House	36	11	7	12	5	1		
Open hearings (days)	70		21	28	11	5	4	1
Bills considered	199	55	18	59	6	14		1
Executive meetings (days)	24	14		3		3	4	

COMMUNIST NEGOTIATORS WITH AMERICAN PASSPORTS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. SCHMITZ. Mr. Speaker, Daniel Berrigan, in "Night Flight to Hanoi," said:

The other preflight visit, just before we drove out to Kennedy Airport, was from a State Department man in Averell Harriman's office. He offered to validate our passports for travel to North Vietnam, an officially forbidden destination.

I have often remarked that there is nothing wrong with the Jesuits that a good inquisition would not cure. And when a man of Berrigan's known sympathies is given what amounts to official sanction to negotiate with our enemy—whom he very obviously does not regard as the enemy—it suggests that our Government needs an inquisition.

Following the recent return of David Dellinger and Cora Weiss from Hanoi, I have been making inquiries into how the Vietcong front in the United States is allowed to send representatives almost continually to North Vietnam, with no hindrance whatsoever from our Government, but rather with its special permis-

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sion. This is clearly related to the question of why the "Lady Haw Haw" of the Vietnam war, Jane Fonda, could make broadcasts urging members of our Armed Forces to refuse to do their duty—which is specifically identified as a crime under Federal law—and get away with it.

Dave Dellinger is another case in point. This self-confessed Communist spent 2 years in a Federal penitentiary in Lewisburg, Pa., beginning in 1943, after refusing to report for a medical examination for the draft in World War II. In 1949, he was apprehended while performing a lewd act in a men's room in New York City, was convicted and received a suspended sentence. In hearings before the then House Committee on Un-American Activities, Dellinger testified on December 5, 1968, that he had "intimate contacts with both the NLF—National Liberation Front, the Vietcong—and representatives from North Vietnam. Now the sole purpose has not been to secure the release of American prisoners, but this has been a very important aspect of my contacts with these people. It is a very touchy and delicate area, as I am sure you recognize."

It is bad enough that this man was ordered released to go to Hanoi at the behest of the State Department even while under indictment on conspiracy charges in connection with the disruption of the 1968 Democratic National Convention in Chicago. It is even more indefensible that the State Department gave this convicted felon a passport valid for travel to North Vietnam. This came to light when my research assistant and a staff investigator of the House Internal Security Committee interviewed Robert Johnson, Deputy Director and Chief Counsel of the Passport Office of the Department of State, following hearings on September 19, 1972, to find ways of better safeguarding the security of the United States by preventing abuses of the passport. Mr. Johnson stated that in 1968 he and members of his staff were called in on a Saturday morning for the specific purpose of giving a very arrogant David Dellinger his passport for travel to North Vietnam.

How much more rotten could a situation be than this one of a self-confessed Communist traveling to Communist North Vietnam with our official permission, at the insistence of the State Department, while brave members of our Armed Forces were fighting against that same Communist enemy and giving their life's blood to hurl back Communist aggression?

It is well known that the Pentagon papers, released by Daniel Ellsberg, contained descriptions of the offensive and defensive posture of U.S. forces and those of all our allies in Southeast Asia—including all the clandestine capabilities of our Green Berets and Air Commandos. These have been published and made available to our worldwide enemies. What is not so well known is that four volumes of the Pentagon papers have not been released and remain classified. This is because, Assistant Secretary of State David Abshire stated in a memorandum to the Senate Foreign Relations Committee March 9, 1972:

> To disclose these secret channels and official communications relating to them would constitute a unilateral violation of confidentiality in diplomatic intercourse without which the diplomatic process cannot function effectively.

Senator FULBRIGHT accordingly decreed that these volumes would be "made available only to committee members as a classified committee print." However, the table of contents was released, and it contains a title "Private Trips to Hanoi (Three Clerics, Ashmore-Baggs, and Others)."

So it would appear that to let the American people know more about these private trips to Hanoi by "clerics" and others would constitute a disclosure of "secret channels and official communications without which the diplomatic process cannot function effectively." It does sound very much as though the Dellinger-Weiss-Berrigan types had official recognition and sanction by our negotiators in what they were doing.

For such persons in any way to represent America in the capital of the enemy is a supreme insult to our fighting men, living and dead, who gave so much to save South Vietnam from Communist aggression.

RARICK REPORTS TO HIS PEOPLE ON THE VIETNAM SITUATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mr. RARICK. Mr. Speaker, I recently reported to my people on the Vietnam situation. My guest was the Second Secretary of the Vietnam Embassy, Mr. Hoc.

I insert a transcript of this report for inclusion in the RECORD at this point:

Mr. RARICK. South Vietnam and the commitments that our nation has made under the South East Asia Treaty Organization, SEATO, to stop Communist aggression in Vietnam have long been of interest to our people.

During the past few days the news media has been dropping suggestions that between now and the November 7th election. President Nixon will somehow bring instant peace to that troubled land and reconcile the differences between the free people of South Vietnam and the Communists to the north. This "putting the toothpaste back into the tube" operation is being handled by the President's top international advisor, Doctor Kissinger.

Because there is confusion resulting in political appeals from reality and fact and because I am sure many of our listeners would like another source of information other than simply American news sources, I had invited the Vietnam Ambassador to the United States to be on our program. Unfortunately the Ambassador is in Saigon, but we are indeed happy today to have as your guest, Mr. Hoc, Second Secretary of the Vietnam Embassy, to give us some evaluation of the present events from the viewpoint of a South Vietnam citizen and a representative of his government.

Mr. Hoc, we are happy to have you with us today and welcome you into the homes of our many Louisiana viewers, many of whom have served in the armed forces of our country fighting in your country and have a great interest in what is going on in South Vietnam.

Mr. Hoc, most Americans, like your people, want peace, but after all these years of fighting, they are today being told that there is somehow a formula for instant peace that can be brought about. Will you give us your country's feelings on the present peace talks and negotiations?

Mr. Hoc. Mr. Congressman, as you know since the Paris peace negotiations were enlarged to include four parties, there have been three years and ten months and over 150 weekly sessions, but we have seen no progress at all. Our side has made many concessions at the Paris peace table. We have proposed an Indochina-wide ceasefire to end the killing in all Indochina. We have proposed free elections in South Vietnam to give the South Vietnamese people a chance to choose freely their own leaders, but unfortunately all our proposals have been rejected by the other side. The other side continues to insist on their irrational position; that is, to overthrow the present elected government in South Vietnam, to replace it with a coalition government and to disband all democratic institutions in South Vietnam. And these demands are unacceptable, but we have a strong belief that the war could be ended only through a negotiated settlement so we have not withdrawn our participation from the peace talks in Paris. For the past few months, the intensive traveling of Dr. Henry Kissinger to Paris and to other countries has been evidence that the peace negotiations are in a very crucial stage and our people of South Vietnam fervently hope that a fair political settlement can be reached to restore a genuine peace, a peace with honor and freedom, a peace that meets the aspirations of the South Vietnamese people.

Mr. RARICK. Mr. Hoc, from here in Washington I try to keep abreast of the situation in the world. It appears to me that the aggressor in your part of the world is the North Vietnamese Communists. The aggressor in Thailand is the North Vietnamese Communists; the aggressor in your country is the North Vietnamese Communists; the aggressor in Cambodia, in Laos, you name the place of aggression, and it always ends up being traceable to the North Vietnamese Communists. As you have said, the solution for peace would seem very simple—simply tell the Communists to go back north, to go home, disarm themselves, and to work to make their country a better place to live. I notice that you mentioned that your government is willing to have free elections. You have had free elections, have you not?

Mr. Hoc. Yes, we have.

Mr. RARICK. And President Thieu was elected. Some people in our country for some reason or other might not have approved of it; but he was elected, and I don't recall any definite charges of election irregularity. But have you ever heard of any free elections in North Vietnam?

Mr. Hoc. No, I haven't heard of any free elections in North Vietnam.

Mr. RARICK. I don't even believe the Communist Party in control of North Vietnam has had elections, have they?

Mr. Hoc. Well, let me clarify this point. As a matter of fact the Constitution of North Vietnam provides that elections be held every five years; however the Communist leaders refuse to abide by the provisions. They have postponed many times the elections on the pretext that the war situation does not permit elections to be held. Recently, in early 1971, North Vietnam did hold one election in which 521 candidates competed for 420 seats in the National Assembly. The election was held hastily with virtually little choice of selection for the people. South Vietnam is different from North Vietnam because South Vietnam is an open society, whereas North Vietnam is a very strictly closed society. In such a closed society, free elections, as we know them, are unheard of. Election is only a means used by the Communist leaders in North Vietnam to consolidate their powers, in other words, to ratify the decisions of the ruling, which is the Communist Party, circle; while in South Vietnam, we hold elections every four years and the people are given a wide choice of candidates. For instance, during the senatorial elections of 1970, there were 160 candidates campaigning for 30 seats in the Senate, and in the elections for the lower House, 1172 candidates campaigned for 137 seats, representing a real choice for the voters.

Mr. RARICK. But again, in these so-called peace talks that are being negotiated by our country and North Vietnam and we don't know who else, I have never heard it even suggested that the negotiated peace terms call for elections in North Vietnam to see if the people who live in that area really endorse and support the Communist Party dictators or their rulers. At the last negotiations, the North Vietnamese demand for a coalition government was abandoned only to be replaced with what is termed a national concord. Would you tell our viewers what a national concord is? How does it differ from a coalition government?

Mr. HOC. There is no difference at all. A national concord or coalition government is the same thing. The Communists use another word in order to confuse or just to have a better name for a coalition government, which we are firmly opposed to. The advocate of the coalition government says that peace may be restored through a coalition government, but we see otherwise. There are two reasons why we are firmly opposed to a coalition government. First, the lesson of history as the events in Eastern Europe after World War II and recently in Laos and especially after our own bitter experience in Vietnam in 1946.

In Laos, the coalition government was installed as a result of the Geneva Agreement of 1962, but, since the initiation of that government, peace has not been restored to the people of Laos as war still continues in many parts of that country. In Eastern Europe Communists took power by means of coalition governments. We had the same bitter experience in Vietnam in 1946. When a coalition was formed, the Nationalists held four places in the 12-member Cabinet as against four for the Communists and four for the Neutralists. The new Cabinet took office March 2, 1946. The Neutralist and Nationalist ministers were denied any opportunity to contribute constructively in any way and finally were forcibly removed from office. The same fate befell the Nationalist Assembly. The membership had initially 444 delegates, but it was decreased to a total of 291 at the opening session. The purges continued and on November 8, 1946, the date of the vote on the new Constitution, only 240 delegates were present. Finally, the Communists were in complete control of the government.

The second reason concerns the right of self-determination for our people. We have fought for many, many years for the right of self-determination. To impose or install a coalition government upon our people is to deny them that right. And that would be tantamount to a betrayal of thousands and thousands of our people who sacrificed their lives for the right of self-determination.

Mr. RARICK. I might add that some 50,000 American men who stood with your people in their struggle to be free also gave their lives. Mr. Hoc, as I understand this theory of coalition government or national concord, it would, in effect, disregard any elections. The Communists would be given a certain number of seats or so much voice in your government. Isn't that the way it is to run? These other groups would be guaranteed some voice in your government?

Mr. HOC. Well, we proposed in Paris that free elections would be held in South Vietnam in which all political parties and groups can participate. And any government which emerges from that election would be respected by our present government and the people.

Mr. RARICK. But the Communists would be assured of having a certain number of seats in your government, even though the people might not elect them if they had an open choice and this is in the proposed peace talks being offered to your people.

Mr. HOC. Most definitely we would oppose the coalition government that is pre-fabricated, but we do not oppose any government that emerges from free elections.

Mr. RARICK. Would you tell our listeners what you feel would happen to your country, your people, if your country accepts peace under a coalition government. Would they be able to continue free as they now live? Would there be law and order? Would there be safety for the individual?

Mr. HOC. Certainly not. Our country will not enjoy a genuine peace or freedom under a coalition government. If such a coalition government is installed in our country, the Communists will continue to fight for power through other methods—terrorism, assassination, and liquidation. Four months ago we captured documents from the Communist leaders which clearly revealed their tactics. It proposed for a coalition government. The apparent coalition will be only at the central government level. At the village and hamlet level the Communists would seize control by violent means such as terrorism, liquidation, and assassination.

Mr. RARICK. And, by *liquidation* you mean killing people who oppose Communism?

Mr. HOC. Yes, and one of our representatives, Mr. Van Dien of Binh Dinh province, described that situation: "that heads will be rolling, blood will be spilling in every village and hamlet."

Mr. RARICK. And of course, as the better citizen is intimidated or required to keep his mouth shut, trading repression of freedom of speech for a false safety, the Communists will develop even more power in your country. Is that right? It could become so bad that many of your people would be forced to either flee for their lives or take the chance that they would be liquidated or killed by the Communists.

Mr. HOC. Yes; probably they would have no opportunity to flee the country and would be killed by the Communists, or perhaps sent to labor camps.

Mr. RARICK. Mr. Hoc, I wish we had more time, but unfortunately, time has run out. We are very happy for your appearance on our program today. I'm sure that our listeners in Louisiana have enjoyed the straightforward answers that you have given them.

Mr. HOC. Thank you, Mr. Congressman.

THE 25TH ANNIVERSARY OF THE TRANSISTOR

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 1972

Mrs. DWYER. Mr. Speaker, I should like to take official note of a scientific anniversary soon to be observed in Union County, N.J., which is part of the congressional district I am privileged to represent.

It is one deserving of more than passing attention, because it marks an event which has been of tremendous significance to the rest of the Nation, and to many other parts of the world as well.

I am referring to the 25th anniversary of the invention of the transistor at the Murray Hill, N.J., facility of Bell Laboratories, the research and development unit of the Bell System.

Shortly, I will say more concerning its significance to our modern communications system, to our space adventures, to the computerized services in our society, and to our health and well-being. Also I will speak of its significance to less advanced areas of the world.

But first I would like to suggest why the event merits our particular attention.

At a time when advances in science and technology are often called to account; when it is said, by some, that these advances are in conflict with the "human" values, and aspirations, and goals; I believe the invention of the transistor is particularly representative of the way good science can serve the cause of humanity in the broadest possible sense. Fortunately, in the case of the transistor, we have the benefit of hindsight, in assessing its impact over 25 years. Nevertheless, the point is that science with foresight, innovative science, properly directed, can be good science, of benefit to all.

The anniversary merits the attention of the young, many of whom have been "turned off" by technology when considering future pursuits. The anniversary demonstrates that technology has great value in human terms, if we can but look beyond the mere creation of hardware, and see the ways in which it can enhance the lives of our people.

The invention merits our attention, because it demonstrates the ability of American industry to solve our problems in our way with a superlative measure of success.

And from a personal viewpoint, I believe the anniversary merits attention, because it typifies the contributions being made by many individuals and organizations in my home district.

The anniversary of the invention, December 23 of this year, also would seem to be an appropriate time for us to offer a heartfelt, public, "thank you" to the three Nobel Prize winning inventors, John Bardeen, William Shockley, and Walter Brattain. We also would like to express our appreciation to those others who assisted or guided them, and to the organizational structure and foresight which made possible their achievement. The contributions of the inventors certainly did not end with that act of invention. William Shockley is a professor of engineering sciences at Stanford University; John Bardeen teaches graduate physics at the University of Illinois; and Walter Brattain teaches undergraduate physics at Whitman College. Many others and the organization, Bell Laboratories, continue to contribute daily to improved telephone services and facilities for the nationwide telephone network.

Consider, if you will, what the world would have been like if scientists had not identified the transistor effect in semiconductor materials, if the transistor had not been invented, and if the directed, team followup to devise new

technology based on the transistor had not been carried out.

Computers would be much less reliable, bulkier, slower, and would not have the information-handling capability they now possess. They probably would have been too expensive for wide use. We probably would never have landed a man on the moon. Space exploration and communications satellites would not have achieved their present degree of sophistication.

The electronics industry, as it is constituted today, and with the many jobs that it provides, is being shaped by the transistor and other solid-state devices spawned by the transistor, such as microwave and light-emitting devices, and especially integrated circuits. The people employed within the United States alone by business and industries engaged in solid-state technology number in the millions.

Solid-state devices have had an impact on a multitude of markets including commercial equipment and systems, education, medicine, broadcasting, military, musical instruments, automobiles, navigation, test and measuring instruments, industrial control and automation, aerospace, and certainly not last or least, telephone communications.

In hospitals and doctors' offices, solid-state equipment monitors and maintains our health and provides new insights into the working of the human body.

The hard-of-hearing have been helped by solid-state hearing aids built in eyeglasses or concealed behind the ear. Persons with heart conditions are kept alive by pacemakers. Electrocardiograms can be sent from the bedside of a heart attack victim via the telephone to a heart specialist almost anywhere. The blind use semiconductor-operated devices to warn them of obstacles in their path.

Count the everyday things that would be much larger or completely impractical without the technology that arose from the transistor. Cameras with automatic exposure control either would not exist or would require a knapsack of electronic equipment. Fast, safe jet travel owes much to compact, lightweight sophisticated navigation and radar systems.

To the most isolated corners of the world, low cost transistor radios have brought the spoken word and music, and have become a powerful social force in bringing entertainment and educational programs. In fact, hand-sized radios, in popular conversation, have frequently assumed the name of the invention that made them possible. They are called transistors.

And, of course, solid state technology has also meant better and more reliable telephone service. More long-distance and overseas calls can be made faster and at lower cost than in the past. In the Bell System, transistors and integrated circuits have replaced vacuum tubes in a variety of applications such as electronic switching systems, switchboards, power systems, and microwave, coaxial cable and undersea transmission systems.

All this, and more, started 25 years ago in Union County, N.J., when scientists searched for a "solid-state device" to boost and switch electrical signals. To our benefit, and certainly worthy of our thanks, they found it in the transistor.